Council Agenda 27 May 2026

Meeting will be held at the Otago Regional Council Chamber, Aonui, 180 High Street, Dunedin, Otago, and live streamed on the ORC YouTube channel.

Members:
Cr Hilary Calvert (Chair)
Cr Kevin Malcolm (Deputy Chair)
Cr Robbie Byars
Cr Chanel Gardner
Cr Neil Gillespie
Cr Matt Hollyer
Cr Gary Kelliher
Cr Michael Laws
Cr Andrew Noone
Cr Gretchen Robertson
Cr Alan Somerville
Cr Kate Wilson

Senior Officer: Richard Saunders, Chief Executive
Meeting Support: Kylie Darragh, Governance Support Officer

27 May 2026 10:30 AM

Agenda Topic — Page

Agenda 1

1. WELCOME

Cr Kate Wilson to open with a reflection.

2. APOLOGIES

Cr Neil Gillespie is an apology for this meeting.

3. PUBLIC FORUM

No requests to speak at Public Forum were received at the time of publishing.

4. CONFIRMATION OF AGENDA

The agenda to be confirmed as published.

5. DECLARATIONS OF INTEREST

Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
The Register of Member's Pecuniary Interests can be found on the ORC Website.

6. PRESENTATIONS

There are no presentations scheduled for this meeting.

7. CONFIRMATION OF MINUTES 4
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8. ACTION REGISTER
There are currently no open actions for Council.
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To seek Council's approval for the adoption of the proposed Otago Regional Council Navigation Safety Bylaw 2026.
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10.2.2 Proposed ORC Navigation Safety Bylaw 2026 - Tracked Changes Version 696
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10.2.4 Table of submissions - ORC Navigation Safety Bylaw 776
10.3 Approval of Biosecurity Operational Plan 2026/27 816
To seek approval of the 2026-2027 Biosecurity Operational Plan.
10.3.1 Biosecurity Operational Plan 2025 26 PROPOSED 821
10.3.2 Biosecurity Operational Plan 2025 26 TRACKED CHANGES 839
10.3.3 Draft Letter to Minister Operational Plan 2026-27 864

10.4 Council Delegations Manuals 865

To confirm that a comprehensive review of the current Delegations Manual has been completed, to provide advice to Council on two draft replacement Delegations Manuals that have been prepared following that review, and to seek approval to revoke the current Delegations Manual (published December 2025), and replace it with two Delegations Manuals; being a Council Delegations Manual and a Chief Executive Delegations Manual.

10.4.1 Otago Regional Council Delegations Manual December 2025 871

10.4.2 Council Delegations Manual 957

10.4.3 Chief Executive Delegations Manual 994

10.4.4 27 May 2026 Memo Legal Counsel re Chief Executive Delegations Manual 1028

10.5 Engaging with Communities and Stakeholders to Explore Issues in Managing the Otago Coast 1029

To seek approval to engage with the community and key stakeholders on coastal issues and opportunities, in order to inform the development of coastal planning provisions in the future resource management system.

10.5.1 Coastal Engagement Plan Summary 1036

10.6 Non-Financial Activity Performance as at Quarter 3 2025-26 1038

To present the Council's Activity Performance Report for the 9-month period ended 31 March 2026.

10.6.1 Quarterly 3 LOSM Report - Landscape 2025 1043

10.7 Quarter 3 Financial Report (January-March) 1050

To present Council's Financial Reports for the 9-month period to 31 March 2026 being Quarter 3 of the 2025-26 financial year.

10.7.1 Statement of Comprehensive Revenue Expenditure March 2026 1056

10.7.2 Statement of Financial Position 31 March 2026 1064

10.7.3 Summary of Reserves 31 March 2026 1065

10.7.4 Treasury Report March 2026 1066

10.8 Total Mobility 1067

To provide an overview of Ministry of Transport (MoT) Total Mobility guidance to be implemented from 1 July 2026, and to seek a decision on a fare cap reduction.

10.9 Annual Air Quality Report 2025 1073

This report presents the results of the State of the Environment (SOE) monitoring for air quality for the calendar year 2025.

10.10 Land and Soil Programme Update 1085

This report provides an annual update on the Land and Soil science work programme. It is a summary of key workstreams and projects since the last programme update report was presented to Council in June 2025.

10.10.1 Supplementary Figure 1105

11. NOTICES OF MOTION

No notices of motion had been submitted at the time of publishing.

12. CLOSURE

Otago Regional Council

Council
MINUTES

Minutes of an ordinary meeting of the Otago Regional Council held in the Council Chamber, Aonui, 180 High Street, Dunedin, 29 April 2026, commencing at 1:00pm.

PRESENT

Cr Hilary Calvert	*(Chair)*
Cr Kevin Malcolm	*(Deputy Chair)*
Cr Robbie Byars	
Cr Chanel Gardner	
Cr Neil Gillespie	
Cr Matt Hollyer	
Cr Gary Kelliher	
Cr Michael Laws	*(online)*
Cr Andrew Noone	
Cr Gretchen Robertson	
Cr Alan Somerville	
Cr Kate Wilson	

DRAFT

1. WELCOME

Chair Calvert welcomed Councillors, members of the public and staff to the meeting at 1.00pm. Cr Robertson said a karakia to open the meeting. Staff present included Richard Saunders (Chief Executive), Anita Dawe (GM Regional Planning and Transport), Nick Donnelly (GM Finance), Tami Sargeant (GM People and Corporate), Amanda Vercoe (GM Strategy and Customer, Deputy CE), Dianne Railton (Governance Team Leader), Kylie Darragh (Governance Support).

2. APOLOGIES

Resolution: Cr Noone Moved, Cr Wilson Seconded:

That the apologies for Cr Laws, for lateness, be accepted.

MOTION CARRIED

3. PUBLIC FORUM

3.1 Pierre Marasti, spoke on behalf of Extinction Rebellion, Chair Calvert thanked Pierre for attending.

3.2 Tom Scott, Public Health Policy Advisor, and **Dr Michael Butchard,** Medical Officer of Health, both from Te Whatu Ora spoke, Chair Calvert thanked both for attending.

3.3 Paul Coffey and **Emily Cambridge** spoke on behalf of Dunedin Tracks & Trails, Chair Calvert thanked both for attending.

4. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

5. DECLARATIONS OF INTERESTS

Councillors were reminded of then need to stand aside if a conflict of interest arises.

6. PRESENTATIONS

No presentations were held.

7. CONFIRMATION OF MINUTES

Resolution: Cr Malcolm Moved, Cr Somerville Seconded

That *the minutes of the Council meeting held on 25 March 2026 be received and confirmed as a true and accurate record.*

MOTION CARRIED

8. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)

The open action was reviewed, the Chief Executive confirming this action is now completed.

9. CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS

9.1. Chairperson's Report

Resolution: Cr Malcolm Moved, Cr Kelliher Seconded

That *the report be noted.*

MOTION CARRIED

9.2. Chief Executive's Report

Resolution: Cr Malcolm Moved, Cr Hollyer Seconded

That the report be noted.

MOTION CARRIED

DRAFT

10. MATTERS FOR CONSIDERATION

10.1. Priority Actions 2026-2028

[YouTube 36:44] This report revisited and clarified Council's priorities for the remainder of the triennium. This reflected both the establishment of a new governance perspective and the need to respond to a changing operating environment, including the potential for local government reform. Councillors held a workshop on 19 March 2026 to explore and refine priority actions for the remainder of the triennium. Portfolio Lead, Chair Calvert, introduced the paper and was available to respond to questions. Two amendments were provided to the recommendations, both taken first separately.

Resolution: Cr Somerville Moved, Cr Robertson Seconded

That the Council:

1) ***GCEA2:*** *take our best endeavours to institute a mutually agreed way to provide opportunities for mana whenua to contribute to decision making processes.*

BY DIVISION

FOR	Cr Hollyer, Cr Noone, Cr Robertson, Cr Somerville, Cr Wilson
AGAINST	Cr Byars, Cr Gardner, Cr Calvert, Cr Gillespie, Cr Kelliher, Cr Laws, Cr Malcolm
ABSTAINED	None

MOTION FAILED

5 in favour, 7 against.

Resolution: Cr Somerville Moved, Cr Robertson Seconded

That the Council:

5) ***Approves*** *the inclusion of an additional priority action for air quality; SPA4: Finalise a system to take effective action to reduce winter air pollution in the most seriously affected Otago towns.*

BY DIVISION

FOR	Cr Hollyer, Cr Robertson, Cr Somerville
AGAINST	Cr Byars, Cr Gardner, Cr Calvert, Cr Gillespie, Cr Kelliher, Cr Malcolm, Cr Noone, Cr Wilson.
ABSTAINED	None

MOTION FAILED

3 in favour, 9 against.

Resolution CM26-167: Cr Calvert Moved, Cr Malcolm Seconded

That the Council:

1) ***Notes*** *this report.*

2) ***Approves*** *the proposed priority action list, subject to any further refinement from Council.*

3) ***Notes*** *that the priority actions will be integrated into Council's reporting and planning processes.*

4) ***Notes*** *that one page 'plan on a page' will be developed for each priority action once the actions are confirmed.*

5) ***Approves*** *the inclusion of an additional priority action for air quality; CPA8 Identify priority locations for targeted resource investment into air quality improvement initiatives across the Otago region with a focus on the greatest environmental improvements in the lowest quality air sheds.*

6) ***Notes*** *that Council will need to consider the level of funding commitment for all priority actions which require investment over and above what is included in the approved annual plan.*

MOTION CARRIED

DRAFT

Cr Robertson left the meeting at 2:44pm
Cr Robertson returned to the meeting at 3:27pm

10.2. Annual Plan 2026-27 Adoption

[YouTube 1:48:20] The purpose of this report was to adopt the Otago Regional Council Annual Plan 2026-27 and enable the subsequent approval of rates and charges for the 1 July 2026 to 30 June 2027 financial year. Portfolio lead, Cr Malcom introduced the paper, Jasmin Lamorie (Senior Corporate Planner), Joanne Greatbanks (Manager Organisational Planning and Performance), Amanda Vercoe (General Manager Strategy and Customer), Nick Donnelly (General Manager Finance), were available to respond to questions on the report. An amendment was proposed.

Resolution: Cr Hollyer Moved, Cr Somerville Seconded

1) ***Wilding Pine Rate****: current proposal is for $2.46 per property, it is proposed that this is increased to $5.00 per property.*

MOTION FAILED

2 in favour, 10 against.

Resolution CM26-168: Cr Malcolm Moved, Cr Gardner Seconded

That the Council:

1) ***Notes*** *the resolutions from the 25 February 2026 Council meeting relating to the Annual Plan, including approval of the Otago Regional Council Schedule of Fees and Charges applicable from 1 July 2026.*
2) ***Resolves*** *that having considered the matters in section 100(2) of the Local Government Act 2002, it is financially prudent to have an annual operating deficit of $1.26 million for the 2026-2027 Annual Plan year.*
3) ***Adopts*** *the Otago Regional Council Annual Plan 2026-27, as attached to this report.*
4) ***Approves*** *the delegation of minor editorial corrections and formatting of the Annual Plan 2026-27 to the Otago Regional Council Chief Executive.*
5) ***Notes*** *that the associated rates resolution for the 2026-27 year will be presented to Council in June 2026 for approval.*

MOTION CARRIED

Cr Laws voted against.

At 3:50 pm Council adjourned until 4:10 pm.

10.3. Process for developing the Long-Term Plan 2027-37

[YouTube 3:13] The purpose of this report was to initiate the development of the core statutory document for Otago Regional Council, the 2027–37 Long-Term Plan (LTP). It outlined the proposed process, high level timeframes, governance arrangements, and the role of elected members in delivering the plan. Portfolio lead, Cr Malcolm, introduced the paper, Jasmin Lamorie (Senior Corporate Planner), Joanne Greatbanks (Manager Organisational Planning and Performance), Amanda Vercoe (General Manager Strategy and Customer), and Nick Donnelly (General Manager Finance), were available to respond to questions on the report.

DRAFT

Resolution CM26-169: Cr Malcolm Moved, Cr Gardner Seconded
That the Council:
1) Endorses *the Long-Term Plan 2027-37 process outlined in this report and attachments.*
2) Notes *the role of the Otago Regional Council elected members in the LTP process.*
MOTION CARRIED

Cr Malcolm left the meeting at 4:23 pm.
Cr Malcolm returned to the meeting at 4:25 pm.

10.4. Large Scale Environment Fund

[YouTube 3:25] This report presented options to Council for adoption of the delivery model of the Large-scale Environmental Fund. Portfolio lead, Cr Noone, introduced the paper and Soraya Engelken (Project Delivery Specialist Freshwater and Biodiversity), and Libby Caldwell (Manager Environmental Implementation), were available to respond to questions on the report.

Resolution CM26-170: Cr Noone Moved, Cr Wilson Seconded
That the Council:
1) Notes *this report.*
2) Adopts *Option 3 (combination of targeted investment and open expressions of interest).*
3) Approves *staff finalising the detailed design, criteria and administration process for the selected model.*
BY DIVISION

FOR:	Cr Calvert, Cr Gillespie, Cr Hollyer, Cr Malcolm, Cr Noone, Cr Robertson, Cr Somerville, Cr Wilson
AGAINST:	Cr Byars, Cr Gardner, Cr Kelliher, Cr Laws
ABSTAINED:	None

MOTION CARRIED
8 in favour, 4 against.

10.5. Taieri Rates Adjustment - Revised 2025-2026 Rates Resolution

[YouTube 4:21:30] This paper was brought for Council to consider setting 2025/2026 rates again for the Lower Taieri Flood Protection Scheme. Portfolio lead, Cr Malcolm, introduced the paper and Sarah Munro (Group Financial Controller), and Nick Donnelly (General Manager Finance), were available to respond to questions on the report.

Resolution CM26-171: Cr Malcolm Moved, Cr Gardner Seconded
That the Council:
1) Notes *this report.*
2) Revokes *the following table included in section 3.1 of the 2025/2026 Rating Resolution for the Lower Taieri Flood Protection Scheme rate as approved at the 25 June 2025 Council meeting:*

Lower Taieri Flood Protection Scheme		
Classification	**Rate in $ on Capital Value**	**Revenue Sought $**
WF1	0.00142572	$1,097,796
WF2	0.00142572	
EF1	0.00003203	$135,683

EF2	0.00003203	
EF3	0.00003203	
EF4	0.00003203	
EF5	0.00003203	
EF6	0.00003203	
EF7	0.00003203	
EF8	0.00003203	
EF9	0.00003203	
EF10	0.00003203	
EF12	0.00003203	
EF13	0.00003203	
Total		**$1,233,478**

3) ***Adopts*** *the following table as the 2025/2026 Rating Resolution for the Lower Taieri Flood Protection Scheme rate:*

Lower Taieri Flood Protection Scheme		
Classification	**Rate in $ on Capital Value**	**Revenue Sought $**
WF1	0.00142572	$1,097,796
WF2	0.00142572	
EF1	0.00003066	$135,682
EF2	0.00003066	
EF3	0.00003066	
EF4	0.00003066	
EF5	0.00003066	
EF6	0.00003066	
EF7	0.00003066	
EF8	0.00003066	
EF9	0.00003066	
EF10	0.00003066	
EF12	0.00003066	
EF13	0.00003066	
Total		**$1,233,478**

MOTION CARRIED

At 5:22pm Cr Robertson left the meeting.
At 5:24 pm Cr Robertson joined the meeting.

10.6. Options for Air Quality Improvement Initiatives

[YouTube 4:22:53] This report provided options to consider spending $600,000 of the anticipated underspend from FY25-26 on non-regulatory initiatives to improve air quality and human health outcomes in the region. Portfolio lead, Cr Gillespie, introduced the paper, Anita Dawe (General Manager Regional Planning and Transport), and Hilary Lennox (Manager

Strategy), online, were available to respond to questions on the report. There was an amendment to the recommendations.

Resolution CM26-172: Cr Gillespie Moved, Cr Wilson Seconded
That the Council:
1) ***Notes*** *this report.*
2) ***Notes*** *the inclusion of an additional priority action in the resolution for paper 10.1 which enables Councillors to consider investment in air quality initiatives alongside investment opportunities to deliver on other priorities.*
MOTION CARRIED

Resolution CM26-173: Cr Gillespie Moved, Cr Wilson Seconded
That the Council:
3) ***Directs*** *the $600,000 of anticipated underspend from FY25-26 to be held in reserves.*
MOTION CARRIED
Cr Somerville and Cr Robertson voted against.

10.7. Otago Public and Active Transport Connectivity Strategy

Resolution CM26-174: Cr Somerville Moved, Cr Hollyer Seconded
That the Council:
1) ***Notes*** *this report.*
2) ***Approves*** *the development of a Public and Active Connectivity Strategy for Otago, with work to commence from July 2026 (Option 1).*
MOTION CARRIED

Cr Gardner left the meeting at 5:47pm
Cr Gardner returned to the meeting at 5:49pm

10.8. Recreational Water Quality Annual Report

[YouTube 4:51] This report provided an overview of the programme and accompanied the report card summarising the results of weekly monitoring undertaken during the 2025-26 season. Portfolio lead, Cr Kelliher, introduced the paper, Ben Mackey (Manager Science) and Helen Trotter (Water Quality Scientist), were available to respond to questions on the report.

Resolution CM26-175: Cr Kelliher Moved, Cr Robertson Seconded
That the Council:
1) ***Notes*** *this report.*
MOTION CARRIED

11. NOTICES OF MOTION

None for this meeting.

12. CLOSURE

There was no further business and Chair Calvert declared the meeting closed at 6:08 pm.

_____ _____
Chairperson Date

DRAFT

9.1. Chairperson's Report

Prepared for: Council

Author: Cr Hilary Calvert, Chairperson

Date: 27 May 2026

RECOMMENDATION

That the Council:

*1) **Notes** this report.*

INTRODUCTION

[1] Over the past month, Council attention has been focused on several significant matters, including holding the first Council meeting in Otago Regional Council's new headquarters, considering the operational and community impacts arising from the evolving fuel security situation, and responding to the latest Government announcements signalling further simplification of local government reform. The Chair, Deputy Chair, and some councillors have continued to advocate for ORC's role and interests, as the organisation continues to navigate a period of change and uncertainty.

COUNCIL BUSINESS

[2] The Chair, the Chairman of Port Otago and mana whenua representative, Matapura Ellison, alongside invited guests acknowledged the opening of ORC's new headquarters ahead of the first Council meeting on 29 April 2026. We were also pleased to be joined at the opening by Dr Deon Swiggs, Chair of Environment Canterbury and LGNZ's Regional Sector Chair.

[3] Following the October 2025 election, Council adopted a final set of 34 priority actions to guide Otago Regional Council's focus for the remainder of the triennium. The priorities span science and resilience, strategy and planning, environmental delivery, public transport, and governance and community engagement, as well as several cross-portfolio actions. The priority actions are designed to sit alongside existing statutory and planning frameworks, providing clearer governance focus, strengthening coordination across portfolios, and supporting more transparent reporting and delivery against areas of greatest importance.

[4] At its meeting on 29 April 2026, Council adopted the Annual Plan 2026-27, confirming an overall zero rates increase, meaning the total amount of rates collected will remain the same as in 2025-26. This represents a significant reduction from the 8.7% increase previously forecast through the Long-Term Plan. The plan reflects operational efficiencies, extended delivery timeframes for some work programmes, and use of alternative funding sources. While average residential rates will decrease slightly in several districts, impacts vary by location and services received, with some Queenstown ratepayers seeing increases associated with expanded public transport services. Early adoption provides certainty for ratepayers and enables Council to begin preparation of the 2027–2037 Long-Term Plan sooner.

[5] Regular liaison with local Members of Parliament and the local Otago Mayors has been a priority to stay connected about reform and other Government priorities. The Chair and Deputy Chair secured meetings with Ministers to continue advocating for ORC and the needs of our communities.

REGIONAL AND NATIONAL ENGAGEMENT

[6] The Local Government Regional Sector 14/15 May meeting focused on navigating major local government and resource management reforms, reinforcing the importance of strong regional governance, and coordinating advocacy with Government. It highlighted the need to retain regional expertise and continuity during reform and transition.

[7] Discussions also covered climate resilience, emergency response, infrastructure and transport pressures, and emerging environmental risks, with a strong emphasis on collective action through LGNZ and Te Uru Kahika. Overall, the meeting reinforced the critical role of regional councils in delivering essential services and supporting communities through change.

[8] A key focus of the past month has been liaison and advocacy meetings with government Ministers, including the Hon Mark Patterson, the Hon Chris Bishop and Labour MP Tangi Utikere. Meetings have covered the council's near-term priorities during local government reform, including maintaining strong environmental delivery, supporting territorial authorities to understand future governance arrangements, and aligning spatial planning with resource management reform. Opportunities such as the need for greater certainty in resource consenting to support investment, and Queenstown-specific challenges, particularly transport and funding, were also traversed.

[9] The Chair, Deputy Chair and Cr Laws, met with the Hon David Seymour in May to discuss a range of issues of relevance to ORC and the wider local government sector. Discussion focused on funding mechanisms for local government, particularly where cross-regional or nationally mandated requirements place pressure on council resources; Government expectations for future Long-Term Plans; and how proposed simplification of local government arrangements will ensure local voices are appropriately reflected in decision-making. The meeting also sought clarification on Government requirements and expectations in relation to Māori, mana whenua, and mātāwaka engagement, as well as an update on the current direction and timing of Resource Management Act reform.

OTAGO MAYORAL FORUM

[10] The Otago Mayoral Forum is due to meet next on Friday 22 May 2026. A written update will be provided in the next Chair's report and any urgent matters raised verbally, as needed, at this meeting.

STAKEHOLDER AND COMMUNITY ENGAGEMENT AND EVENTS

[11] The Chair, Deputy Chair or alternate attended the following events:

- Local Government New Zealand Briefing – Brad Olsen on the Fuel Crisis (Cr Malcolm on behalf of the Chair)
- DIA Local Government Sector Meetings with Ministers – Fuel Response
- Meeting with Hon Mark Patterson
- Anzac Day Dawn Service – wreath laying ceremony at Queens Gardens

- Opening of Otago Regional Council's new headquarters
- Zone 5 & 6 Conference (represented by Cr Malcolm, Cr Gardner and Cr Hollyer)
- Meeting with Hon David Seymour
- Meeting with the Hon Chris Bishop
- Local Government New Zealand Regional Sector Meeting
- Local Government New Zealand briefing – Government's Head Start process (Cr Malcolm on behalf of the Chair)
- Local Government New Zealand briefing - How do unitary councils work?

RECENT MEDIA COVERAGE

[12] Media monitoring tracking, with Chair comment or mention included:

April 2026

- Suspicions changes might be delayed – Otago Daily Times (online/print), 6–7 April.
- Honouring the past this Anzac Day – The Star Dunedin (print) / Otago Daily Times (online), 15 April.
- New 'Priority Actions' set focus for ORC works – Auckland.Scoop.co.nz, 29 April.
- New ORC offices needed to happen: CEO – Otago Daily Times (online), 29 April.
- Mayoral boards dropped: Calvert – Otago Daily Times (online/print), 29–30 April.
- Former Warehouse store transformed into $56m council HQ – Stuff NZ, 29 April.

May 2026

- Local govt leaders await reform plan – Otago Daily Times (online/print), 30 April–1 May.
- ORC clean heating fund parked for now – Otago Daily Times (online/print), 1–2 May.
- Proposed reforms trigger council review – Otago Daily Times (online/print), 3 May.
- ORC governance emphasis and alignment with central government – Newstalk ZB Auckland / Gold AM (radio), 4–5 May.
- Councillors square off over port – Otago Daily Times (online/print), 10-12 May.
- ORC told to 'butt out' - Otago Daily Times (online/print), 12 May.

KEY CORRESPONDENCE TO AND FROM THE CHAIR

[13] **Letters:**

- From Hon Chris Bishop and Hon Simon Watts, Announcement of Head Start Pathway for Simplying Local Government, 5 May 2026.

[14] **Submissions:**

- 2026 03 25 ORC submission on Lane Use Improvements Consultation - Proposal 4.

ATTACHMENTS

1. 2026 05 05 Letter from Hon Simon Watts re Simplying Local Government [**9.1.1** - 2 pages]

Hon Simon Watts

Minister of Climate Change
Minister of Local Government
Minister of Revenue
Minister for Auckland

5 May 2026

Dear Chairs,

ANNOUNCEMENT OF HEAD START PATHWAY FOR SIMPLIFYING LOCAL GOVERNMENT

We are writing to provide you with early notice of the Government's decision to introduce a Head Start pathway to enable fast progress on proposals for Simplifying Local Government.

We appreciate that your council will have a significant interest in the outcome of any council reorganisation in your region through the Head Start pathway. We wanted to give your team an indication of what will be announced and where further information can be found.

Head Start pathway

Submissions on the Simplifying Local Government proposal highlighted a desire from councils for greater flexibility, including the opportunity to move quickly where ready. We have listened to this feedback, and today we are announcing the new Head Start pathway for Simplifying Local Government.

The Head Start pathway is a voluntary, streamlined option for councils that are ready to progress regional reorganisation now. The pathway will be open to territorial and/or unitary authorities that want to come together to form new unitary authorities. The Head Start is designed for those local authorities that are ready and willing to move immediately, rather than waiting for wider, compulsory reform after the 2028 local elections.

Whether councils apply to use the Head Start pathway or not, delivering the new planning system will remain core business. This pathway is about removing uncertainty and giving your region the confidence to plan and deliver now.

Instead of developing a regional reorganisation plan, councils will submit an outline proposal focused on structural change. Proposals can cover all or part of a region, and may include the formation of one, or a small number of, unitary authorities. Successful proposals will be implemented ahead of the 2028 local elections.

Regional councils may not submit Head Start outline proposals and they will not count towards the majority required for a council grouping to submit. However, regional councils may contribute to the development of outline proposals—for example, if mayoral forums, including regional council chairs, are used as vehicles for proposal development.

Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand | +64 4 817 6814 | s.watts@ministers.govt.nz

Proposals will be due by 9 August 2026. The Government will decide by September 2026 which proposals will proceed to detailed design before making final decisions in 2027. Detailed information on the Head Start pathway—including proposal requirements and assessment criteria—will be available on the Department of Internal Affairs website: dia.govt.nz/simplifying-local-government.

Backstop and broader reform

Councils that do not progress through Head Start will continue to focus on delivering the new planning system, including developing the first generation of plans. Reform for those councils will not occur until after the 2028 local elections, through the compulsory backstop process. Regional councillors will remain in their roles until the 2028 local elections.

This gives councils more time to concentrate on planning system implementation before any mandatory changes take effect, while still providing a strong indication of when and where future reform will occur. The Government will make final decisions on the detail of the backstop approach in 2027.

Get in touch

Local government partnership directors at the Department of Internal Affairs are your primary points of contact on the Head Start pathway. Alternatively, you can email simplifyinglocalgovernment@dia.govt.nz.

Thank you for your engagement so far on Simplifying Local Government. We look forward to receiving outline proposals and working with your region to ensure local government is simpler and more effective in delivering for communities and ratepayers.

Yours sincerely,

Hon Chris Bishop
Minister Responsible for RMA Reform

Hon Simon Watts
Minister of Local Government

9.2. Chief Executive's Report

Prepared for: Council

Endorsed by: Richard Saunders (Chief Executive)

Date: 27 May 2026

PURPOSE

[1] This report provides Council with an overview of Otago Regional Council's (ORC) key projects and customer satisfaction trends in the past month.

EXECUTIVE SUMMARY

[2] The Annual Plan 2026/27 was adopted by Council on 29 April 2026, two months ahead of schedule, delivering an overall zero rates increase. Development of the Long-Term Plan 2027-37 is now underway, with the first elected member workshop scheduled for 28 May 2026.

[3] Customer Experience activity in April 2026 totalled 5,137 enquiries, below the 12-month rolling average of 5,765. Volumes increased year-on-year, while customer satisfaction remained strong at 93%. Enquiries continued to be dominated by rates-related matters, alongside routine transport issues and notably higher social media engagement driven by the Ōamaru-Dunedin transport survey and Regional Pest Management Plan survey.

[4] ORC had two public consultations underway during the past month: feedback on a proposed once-a-day Orbus service between Ōamaru and Dunedin (Council to consider at its 24 June meeting), and a review of the Regional Pest Management Plan (survey open until 29 May 2026).

RECOMMENDATION

That the Council:

1) ***Notes*** *this report.*

ANNUAL PLAN 2025/26 & 2026/27

[5] The development of the Annual Plan 2026-27 is complete with Council adopting the plan on 29 April 2026. The related rates resolution paper will come to Council for approval in June 2026.

[6] The development of the Long-Term Plan 2027-37 (LTP) is now underway. A paper outlining the LTP process and initiating the project with elected members was presented to Council in April 2026. The first Long-Term Plan workshop with elected members will take place on Thursday 28 May 2026 and focuses on foundational elements and direction setting. Staff are compiling background material relating to work programmes, budgets and delivery as part of the contextual information which will be presented to Council in the coming months.

CUSTOMER EXPERIENCE

[7] In April 2026, the Customer Experience team managed 5,137 enquiries, against a rolling 12-month average of 5,765 interactions per month. This total comprised 407 reception enquiries, 1,870 phone calls, 1,692 emails, 26 online forms, and 1,142 social media interactions.

[8] Total customer interaction volume increased by 705 compared with April 2025. Customer sentiment for the month tracked at neutral, while service levels improved, with 91% of calls answered within target timeframes.

[9] Customer satisfaction for April was 93%. Enquiry themes continued to be dominated by rates-related matters, including balance enquiries, direct debit enquiries, mailing address changes, email invoice requests, and solicitor enquiries.

[10] Routine transport enquiries also featured during the month, particularly around lost property, driver behaviour and service timeliness. Social media engagement was notably higher, driven by increased interaction with posts relating to the Ōamaru-Dunedin public transport survey and the Regional Pest Management Plan survey.

GENERAL COUNCIL BUSINESS

[11] Staff have now fully relocated to Aonui (180 High Street), with the building operationally open from 29 April 2026. The official opening was held on 29 April, attended by more than 40 officials and dignitaries.

[12] Council adopted the Annual Plan 2026/27 at its meeting on 29 April 2026, two months earlier than usual, delivering an overall zero rates increase. The total rates collected is unchanged from 2025/26 — a significant reduction from the 8.7% increase forecast in the Long-Term Plan. Total operating expenditure is $146.01 million, a reduction of $8.71 million against LTP year three, achieved through efficiencies, the use of surplus funds due to the Government pause of planning, and reserve funding of the large scale environment fund. The rates resolution for 2026/27 will come to Council in June 2026, with rates notices to be distributed in September 2026. Earlier adoption provides ratepayers with certainty and allows staff to begin Long-Term Plan preparation sooner.

[13] ORC is consulting on a proposed once-a-day public transport service between Ōamaru and Dunedin, operated by Orbus on full-size buses. A community survey closed 6 May 2026 to gauge demand, preferred departure times, fare expectations, and origin/destination needs — including for smaller communities along the route such as Maheno, Herbert and Hampden. The Council will consider the proposal at its meeting on 24 June 2026; if approved, the service could begin before the end of 2026. This is separate from the existing Ōamaru Community Shuttle trial operating until 30 September 2026.

[14] ORC is reviewing the Regional Pest Management Plan and is seeking community input via a survey open until 29 May 2026.

OPTIONS

[15] As this is a report for noting there are no options to consider.

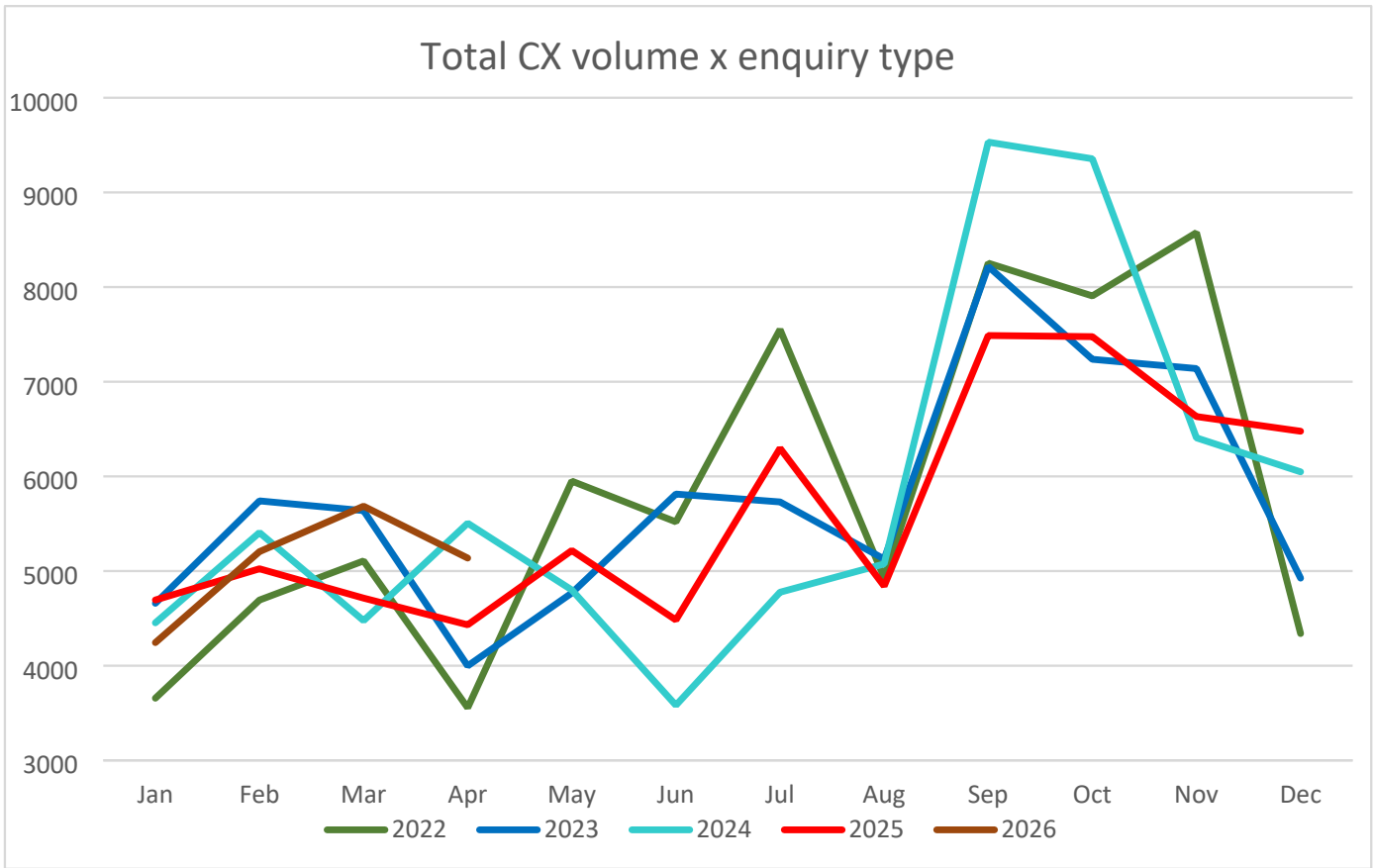
ATTACHMENTS

1. 2026 April Customer Report [**9.2.1** - 2 pages]

April 2026 Customer Report

Rolling 12-month customer interaction volume average is 5765 per month

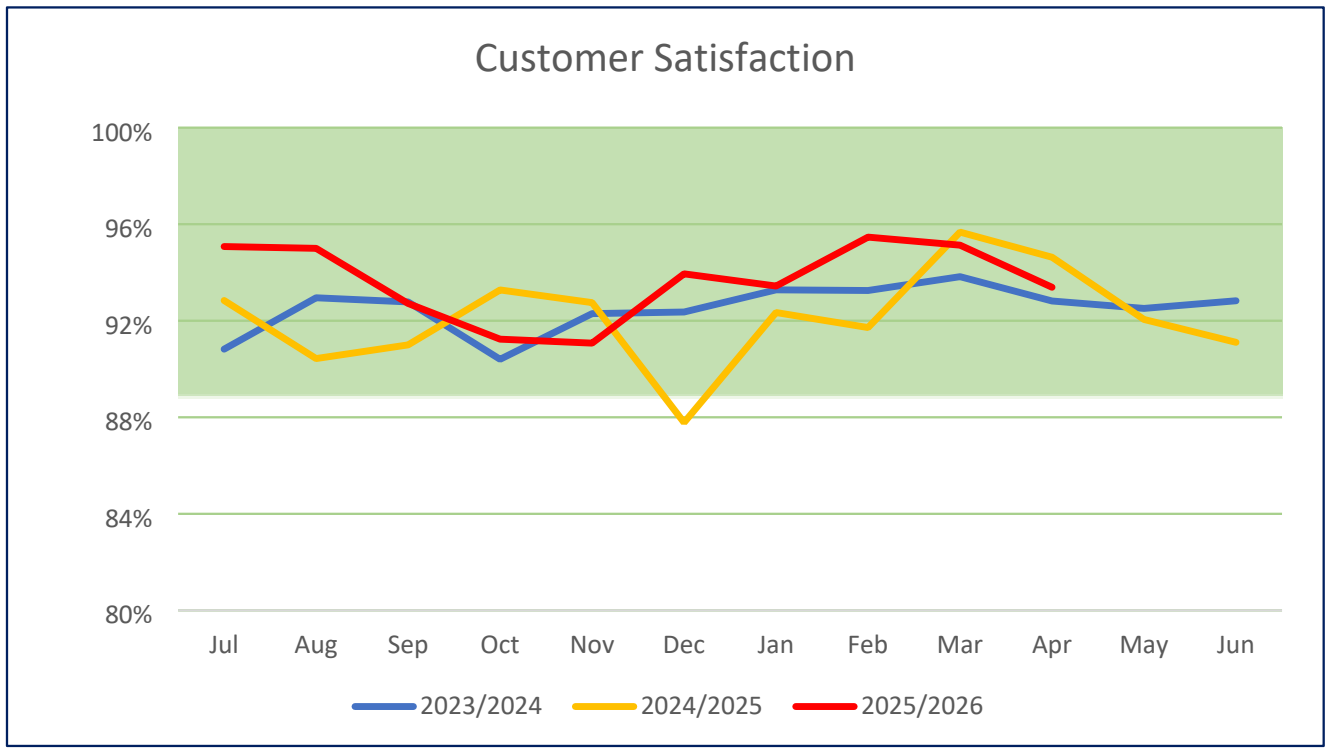
April customer volume total: **5137**
(reception = 407, phone = 1870, email = 1692, online form = 26, social 1142, afterhours = due 7/5)



- Total customer interaction volume increased by 705 against April 2025.
- Customer sentiment tracking was neutral.
- Total service level for all calls increased to 91%
- Total customer satisfaction April rating at 93%

Enquiry themes:

- Rates: balance enquiry, direct debit enquiry, mailing address change, email rates invoice, solicitor enquiry.
- Transport – routine enquiries: Lost Property, Driver behaviour, timeliness.
- Social media – PT Dunedin to Oamaru survey & Pest survey posts had higher engagement.


Customer Satisfaction
100%
96%
92%
88%
84%
80%
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
2023/2024
2024/2025
2025/2026

10.1. Approval to make the Proposed Otago Regional Policy Statement 2021 Operative

Prepared for: Council

Report No. P&P2602

Activity: RPS, Air and Coast

Author: Vyvienne Evans (Policy Analyst), Tanith Robb (Senior Policy Analyst)

Endorsed by: Anita Dawe (General Manager Regional Planning and Transport)

Date: 27 May 2026

Portfolio Leads: Cr Wilson and Cr Gillespie, Policy and Planning

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PURPOSE

[1] To seek the Council's approval to make the proposed Otago Regional Policy Statement 2021 operative.

EXECUTIVE SUMMARY

[2] Council may now make the proposed Otago Regional Policy Statement (pORPS) operative, as all appeals have been resolved and resulting Court orders made.

[3] The Government's 'Plan Stop' directive does not apply to the pORPS, because it was heard before the 'Plan Stop' provisions commenced.

[4] Making the pORPS operative will result in a single operative regional policy statement for Otago. This will simplify and reduce the cost of resource consents because it will no longer be necessary to assess resource consent applications against both the Otago Regional Policy Statement 2019 (ORPS 2019) and the pORPS. The benefits to making the pORPS operative are likely to continue during the period of transition into the new resource management system.

RECOMMENDATION

That the Council:

1) ***Notes** this report.*
2) ***Notes** that all appeals on provisions of the proposed Otago Regional Policy Statement 2021 have been resolved.*
3) ***Notes** that all amendments under clause 16 of Schedule 1 of the Resource Management Act 1991 have been made and there are no variations under clause 16A of the Resource Management Act 1991.*
4) ***Approves**, under clause 17 of Schedule 1 of the Resource Management Act 1991, the proposed Otago Regional Policy Statement 2021.*
5) ***Approves**, under clause 20 of Schedule 1 of the Resource Management Act 1991, public notice being given on 30 May 2026, making the proposed Otago Regional Policy Statement 2021 operative on 12 June 2026.*

6) ***Notes*** *that under clause 17(3) of Schedule 1 of the Resource Management Act 1991, the Council's Common Seal shall be affixed to the Otago Regional Policy Statement 2021 and witnessed by two Councillors.*
7) ***Notes*** *that when the proposed Otago Regional Policy Statement 2021 becomes operative, the Otago Regional Policy Statement 2019 will cease to be operative.*
8) ***Notes*** *that the Housing Bottom Lines for Dunedin and Queenstown will be included in the Otago Regional Policy Statement 2021 under section 55(2A)(a) of the Resource Management Act 1991.*
9) ***Notes*** *that public notice will be given on 17 June 2026 of the amendment of the Otago Regional Policy Statement 2021 to include the Housing Bottom Lines for Dunedin and Queenstown under section 55(2A)(b) of the Resource Management Act 1991.*

BACKGROUND

[5] In November 2019, the Minister for the Environment recommended that the Otago Regional Council (ORC) undertake a complete review of the ORPS 2019 (which was then partially operative), leading to the development of the pORPS 2021.

[6] The pORPS was first publicly notified in June 2021. It was notified as a freshwater planning instrument as defined in section 80A of the RMA and prepared under the freshwater planning process in Part 4 of Schedule 1 of the RMA. In September 2021, the ORC brought proceedings in the High Court under the Declaratory Judgments Act 1908 to determine whether the whole pORPS was a freshwater planning instrument. In July 2022, the Court determined that only the parts of the pORPS that directly relate to freshwater could be treated as a freshwater planning instrument. In accordance with the Court's declaration, ORC decided which parts of the pORPS related to freshwater and the pORPS was separated into a freshwater and a non-freshwater planning instrument. The non-freshwater instrument parts of the pORPS were subject to the process in Schedule 1 of the RMA and kept the original notification date. The freshwater planning instrument parts were subject to the freshwater planning process and were publicly notified in September 2022.

[7] Submissions and hearings on the pORPS occurred from 2021 to 2023. The Council made decisions on the recommendations of the respective hearing's panels in 2024 [Resolution CM24-124]. Appeals were made to the High Court (on the freshwater planning instrument parts) and to the Environment Court (on the non-freshwater planning instrument parts).

[8] Mediation of appeals took place from August 2024 to June 2025, and all appeal points were resolved through mediation. The Courts subsequently issued consent orders, which formally amended the pORPS in accordance with the mediation agreements, and otherwise dismissed appeal points.

[9] The pORPS has been amended in accordance with the consent orders and to include alterations of minor effect and minor corrections under clause 16(2) of RMA Schedule 1, in accordance with delegations. The final tracked appeals version of the pORPS is included as Attachment 1, and a clean version of the pORPS is included as Attachment 2.

DISCUSSION

The pORPS has reached the final stage of the RMA Schedule 1 process

[10] Schedule 1 of the RMA sets out the process for the preparation and change of policy statements and plans. The provisions relevant to this stage of the pORPS are the same for both the freshwater and non-freshwater parts of the pORPS.[1]

[11] The pORPS has reached the final stage of this process. All appeals have been resolved, all consent orders have been issued, final amendments under clause 16(2) have been made and no variations were initiated under clause 16A. This means clause 17 now applies.

[12] Clause 17 provides that: "A local authority shall approve a proposed policy statement or plan (other than a regional coastal plan) once it has made amendments under clause 16 or variations under clause 16A (if any)."

[13] Appealed provisions are past the stage where they may be withdrawn under clause 8D of Schedule 1 of the RMA. Under clause 8D a proposed policy statement which is subject to an appeal may only be withdrawn before the hearing of the appeal commences. The pORPS is past that stage, appeals having been heard on the papers and consent orders made by the Court. Parts of the pORPS not appealed may still be withdrawn, however the breadth of appeals was such that there is no part capable of consideration for withdrawal as a distinct section and/or without impacting the meaning of the remainder of the pORPS.

The 'Plan Stop' directive does not apply to the pORPS

[14] The Resource Management (Consenting and Other System Changes) Amendment Act 2025 came into force on 21 August 2025 as sections 80O to 80YT of the RMA. This implemented the Government's 'Plan Stop' directive, which requires work to stop on plan reviews, changes or variations.

[15] However, the 'Plan Stop' directive specifically excludes proposed policy statements that have been heard, in whole or in part, before 21 August 2025 (RMA section 80O). Hearings on the pORPS were completed by this date, so it is excluded from the 'Plan Stop' directive and can be made operative.

The pORPS and the updated national direction framework

[16] Under RMA section 62(3), regional policy statements must give effect to national policy statements, New Zealand coastal policy statements and national planning standards (collectively "national direction"). Since the pORPS was notified, the Government has introduced new national direction and amended existing national direction. It is therefore necessary to consider how the pORPS will sit within the updated national direction framework.

[17] The ORPS 2019 is inconsistent with multiple national policy statements because it was developed before they were introduced, and it does not comply with the National Planning Standards 2019 for the same reason.

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[1] Section 80A(6) of the RMA, under which the relevant clauses 8D, 16, 16A, 17 and 20 from Part 1 of Schedule 1 of the RMA are applied to the freshwater planning process

[18] The pORPS was developed more recently than the ORPS 2019, so it gives effect to national direction introduced or amended after the ORPS 2019 was developed. The pORPS complies with the National Planning Standards 2019 and has been updated to give effect to changes to national direction that occurred during the Schedule 1 process, insofar as possible within the scope of submissions and appeals. Changes were made to give effect to the National Policy Statement for Indigenous Biodiversity 2023, the National Policy Statement for Greenhouse Gas Emissions from Industrial Process Heat 2023 and amendments to the National Policy Statement for Freshwater Management 2020.

[19] Further relevant new or amended national direction under the RMA came into effect on 15 January 2026. At that time, all appeal points on all chapters of the pORPS had been determined by earlier consent orders, except for UFD – Urban form and development. For those earlier chapters that were already subject to consent orders and beyond challenge, changes could not be made to give effect to the January 2026 tranche of national direction. The UFD – Urban form and development chapter was amended to give effect to new and amended national direction in the National Policy Statement for Electricity Networks insofar as that was possible within the scope of appeals.

[20] Because the scope of appeals was very limited by the time the new direction came out, the pORPS may not fully give effect to all national direction. However, if there is any inconsistency, the higher order documents (i.e. the national direction) will prevail, overriding lower order documents (i.e. the pORPS).

[21] In terms of the Government's 'Plan Stop' directive (sections 80O to 80YT of the RMA) no policy statement change to give effect to new or amended national direction is to be notified before 31 December 2027 unless an exemption applies (for example, if the national direction itself directs that it be implemented earlier), or an amendment is directed to occur under section 55 of the RMA without using the Schedule 1 process.

There are benefits to making the pORPS operative

[22] There are significant cost and efficiency benefits to having a single operative regional policy statement for Otago. Under the RMA, resource consent applicants and consents planners must have regard to both the ORPS 2019 and the pORPS (section 104(1)(b)(v)). Decision-makers must determine how much weight is given to the provisions in each regional policy statement. The pORPS has reached the stage where all provisions are beyond appeal, so its provisions must be given greatest weight (effectively treated as operative). However, resource consent applications must still be assessed against the ORPS 2019 and the pORPS, causing significant wasted time.

[23] If the pORPS is made operative, only one regional policy statement will need to be considered. This would reduce the complexity of preparing and assessing applications, saving time and money for all involved.

[24] If the Council does not make the pORPS operative, then it will remain the case that both the ORPS 2019 and the pORPS must be assessed for consent applications, even though the pORPS provisions are beyond appeal and treated as if operative.

[25] Looking forward, the Government is in the process of replacing the RMA with a new resource management system. The Planning and Natural Environment Bills were introduced in December 2025 and are expected to pass into law around the middle of

2026. Based on the Bills, after a transition period, regional policy statements will no longer exist under the new system; instead, each region will have a regional combined plan comprising a regional spatial plan, a regional natural environment plan, and land use plans for each district.

[26] Plan-making under the new system is expected to begin in 2027 and be completed in 2029. During this transition period, RMA national direction, plans and consenting processes will still apply, so it will still be beneficial for consent applicants and consents planners to only have to consider one regional policy statement.

Inclusion of housing bottom lines in the pORPS

[27] Clause 3.6(2)(a) of the National Policy Statement on Urban Development 2020 (NPSUD) requires a regional council to insert housing bottom lines into its regional policy statement. Under section 43AA of the RMA, 'regional policy statement' means an operative regional policy statement, so the housing bottom lines cannot be inserted into the pORPS until it is made operative. Under clause 3.6(4) of the NPSUD, the inclusion of the Housing Bottom Lines is done without using Schedule 1 process.

[28] The attached versions of the pORPS do not therefore include the housing bottom lines for Dunedin and Queenstown, which are in Schedule 6 of the ORPS 2019. These will be inserted into the pORPS when it is made operative, in accordance with the NPSUD.

[29] Public notice must be given within 5 working days after the housing bottom lines are inserted (RMA section 55(2A)).

[30] If the Council approves the pORPS and makes it operative, the housing bottom lines would then be inserted into the document on the same date it is made operative, and public notice given within 5 working days after insertion.

Requirements around making the pORPS operative

[31] If the Council approves making the pORPS operative, the operative date requirements in clause 20 of Schedule 1 RMA will apply. Public notice of the operative date must be given at least 5 working days before the date on which the pORPS becomes operative. Copies of the pORPS must be provided to the Minister for the Environment, Otago territorial authorities, iwi authorities and Otago public libraries.

[32] To ensure that all the requirements of clause 20 are met, staff recommend that:

a. Public notice is given on 30 May 2026, with the pORPS becoming operative on 12 June 2026, and

b. The housing bottom lines for Dunedin and Queenstown are inserted into pORPS APP10 on 12 June 2026, and public notice of this is given on 17 June 2026.

[33] A copy of the public notice of the pORPS becoming operative is included as Attachment 3.

[34] Additionally, Council's Common Seal will need to be affixed to the pORPS for it to be made operative (RMA Schedule 1, clause 17(3)).

OPTIONS

Option 1 – Approve making the pORPS operative (recommended)

[35] The pORPS is at the final stage of the RMA Schedule 1 process. It better achieves the purpose of the RMA and gives better effect to national direction than the ORPS 2019. Because it is now beyond appeal it must be given greater weight than the ORPS 2019 in consent decisions, effectively treated as if it were operative. Making the pORPS operative will mean that only one regional policy statement will need to be considered in consenting, which will have efficiency and cost benefits.

Option 2 – Not make the pORPS operative (not recommended)

[36] As noted above, clause 17 of Schedule 1 provides that a local authority shall approve a proposed policy statement once it has made any amendments under clause 16 or variations under clause 16A. All amendments under clause 16 have been made and there are no variations under clause 16A. All appeals have been resolved and Court orders made. Until the Council approves the pORPS and makes it operative, both the ORPS 2019 and the pORPS must be assessed in resource consent applications and decisions, despite the pORPS having greatest weight and being treated as if it were operative.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[37] The RMA requires that 'There shall at all times be for each region 1 regional policy statement prepared by the Regional Council in the manner set out in Schedule 1' (Section 60(1)).

[38] Regional policy statements guide the development of regional and district plans and inform consent processes. A regional policy statement is therefore a key part of the Council's strategic framework.

[39] The ORPS was made fully operative in February 2024. The pORPS was developed following a recommendation from the Minister for the Environment in 2019.

Financial Considerations

[40] The remaining costs of following the Schedule 1 process to make the pORPS operative are fully budgeted for, comprising budgeted staff time and costs of approximately $3000 for printing and posting hard copies of the pORPS as set out in the Resource Management Act.

Significance and Engagement

[41] Under the Council's Significance and Engagement Policy, the development of a regional policy statement is significant, because it impacts on both the ORC's and territorial authorities' plan making and consenting processes and sets high-level direction for resource management in Otago.

[42] The pORPS has been well canvassed through iwi, public and stakeholder consultation, and it has reached the final stage of the RMA Schedule 1 process. Accordingly, it does not require further consideration under the Significance and Engagement Policy.

Legislative and Risk Considerations

[43] The RMA requires regional councils to have an operative regional policy statement at all times.

[44] Regional policy statements must give effect to national policy statements, the New Zealand Coastal Policy Statement 2010 and the National Planning Standards 2019 (RMA section 62(3)). In turn, regional plans and district plans must give effect to regional policy statements (RMA sections 67(3) and 75(3)).

[45] The ORPS 2019 is inconsistent with several current national policy statements because it was developed before they were introduced. For the same reason, it does not comply with the National Planning Standards 2019.

[46] As discussed above, the pORPS may not give full effect to the most recent be national direction but has to the extent possible given effect to national direction which came into force during the pORPS process. However, national direction will override any regional policy statement provisions that are not consistent in decision-making on plans and consents.

[47] The Government's 'Plan Stop' directive does not apply to the pORPS, and although the Government is in the process of replacing the RMA with a new resource management system, existing plans (including regional policy statements) will remain in place during the transition period into the new system.

Climate Change Considerations

[48] There are no relevant climate change considerations.

Communications Considerations

[49] If the Council approves making the pORPS operative, public notice will be given on the Council website and in the Otago Daily Times noting the date on which the pORPS will become operative, and the date on which it was amended to include the Housing Bottom Lines for Dunedin and Queenstown. A media release will also be published on the ORC website.

[50] Full information about the pORPS process is available on the Council website, and this will be updated if the pORPS is made operative.

[51] The operative version of the pORPS will be available on the Council website, at the offices of the Council and territorial authorities, and at public libraries. On the Council website, the final tracked appeals version of the pORPS will also be available.

NEXT STEPS

[52] If the Council approves the pORPS being made operative, staff will:

a. Ensure the Council's Common Seal is affixed to the pORPS;

b. Circulate copies of the pORPS (the operative version with seal affixed) in accordance with clause 20 of RMA Schedule 1;

c. Publish a public notice of the pORPS being made operative and make a media release;

d. Insert the Housing Bottom Lines into APP10 of the pORPS once it is made operative, and publish a public notice of this amendment; and

e. Update information on the Council website.

ATTACHMENTS

1. pORPS 2021 - Clean Version to be Made Operative [**10.1.1** - 284 pages]
2. pORPS 2021 - Tracked Appeals Version 14 May 2026 [**10.1.2** - 348 pages]
3. Public Notice - pORPS to Become Operative [**10.1.3** - 1 page]

To be made operative

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

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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 well-being.

The ORPS responds to identified significant regional values and resource management issues relating to Otago's *environment*, *historic heritage*, economy, food production, 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.

Description of the region

At 32,000 km^2, the Otago region is the third 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/Te Awamoko, following the north branch of the Kakanui/Kākaunui 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/Poumāhaka River catchment, and Umbrella and Kōpūwai Ranges to encompass the headwaters of the glacial alpine lakes, Whakatipu Waimāori (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 225,186.[1] 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 enrols 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 generation facilities[2] 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.

[1] 2018 Census place summaries: Stats NZ (n.d.) https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region (accessed 26 May 2021).
[2] W Fitzgerald (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.[3] 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.[4] 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, Whakatipu- Waimāori (Lake Wakatipu) and Hāwea and including artificial *lakes* Te Wairere/Dunstan, Roxburgh and Onslow, constitute about 23% of New Zealand's total *lake* surface area. The primary catchments are Lakes Wānaka, Whakatipu Waimāori (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,

[3] GR Macara (2015). The Climate and Weather of Otago, Second Edition. *NIWA SCIENCE AND TECHNOLOGY SERIES,* 67th ser.
[4] Central Otago Climate (n.d.) https://centralotagonz.com/opportunities/working-here (accessed 26 May 2021).

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.

How the policy statement works

Statutory context

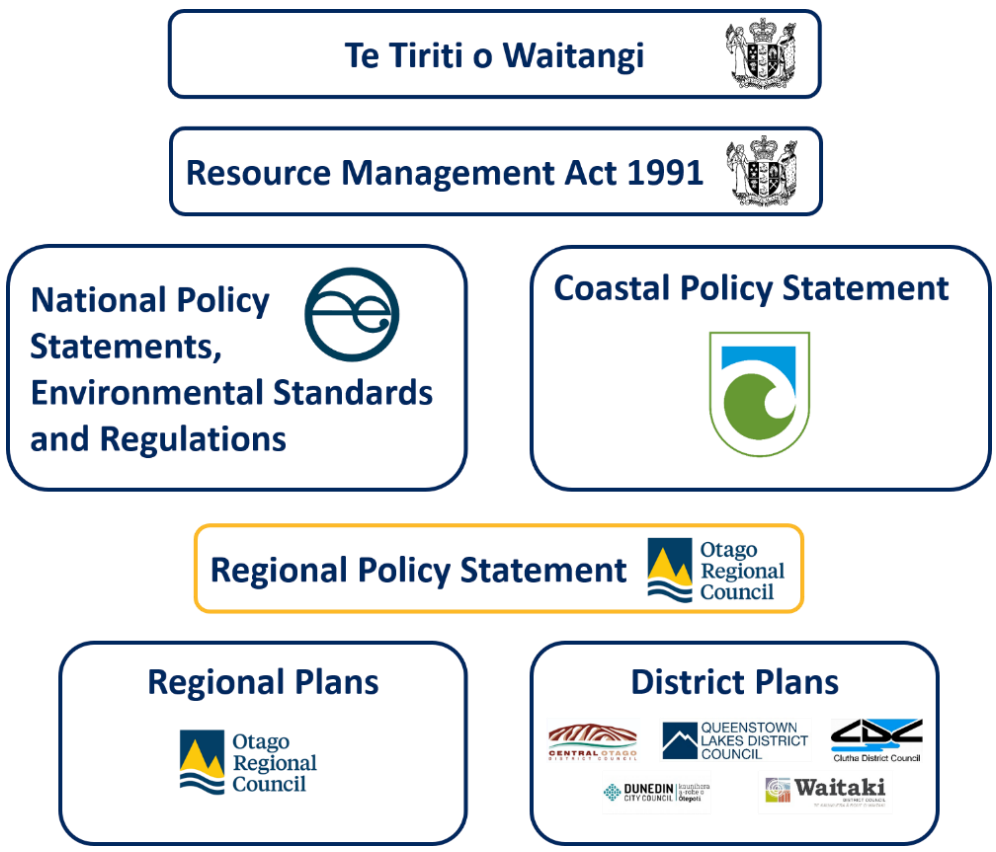
Resource Management Act 1991

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 1 – Position of the Regional Policy Statement within the resource management planning framework



Partnership, Te Tiriti o Waitangi and Kāi Tahu[5]

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.[6]

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:

[5] 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).

[6] 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 commercial forestry trees on land where there is no commercial forestry and where commercial 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
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

Term	Definition
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
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 *biological diversity*
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 *greenhouse gases*
Coastal hazard	means a subset of *natural hazards* covering tidal or coastal storm inundation, rising sea level, tsunami or meteorological tsunami inundation, coastal erosion (shorelines or cliffs), rise in *groundwater* levels from storm tides and sea-level rise (plus associated liquefaction), and salinisation of surface *fresh waters* and *groundwater* 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)

Term	Definition
Commercial 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 exotic continuous-cover forestry or plantation forestry
Commercial port activity	means activities carried out to service commercial ship operators calling at Port Chalmers and Dunedin, (including the wharves at Ravensbourne and Careys Bay) which include: (a) Operation of marine services vessels; (b) Loading and unloading of goods and passengers carried by sea (except for loading and unloading of passengers at Ravensbourne); (c) Facilities for the storage of goods carried by sea; (d) Buildings, installations, other structures or equipment at or adjacent to a port and used in connection with the ports' operation or administration; (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 MAP3; (h) Installation and maintenance of beacons and markers for navigation safety; and (i) Provision and maintenance of the mole at Aramoana.
Community-scale irrigation and stockwater infrastructure	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.
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
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

Term	Definition
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 APP8, 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 *LF – Land and freshwater* 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
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).

Term	Definition
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)
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

Term	Definition
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. *Ecological regions and districts of New Zealand.* Wellington: Department of Conservation.
Ecological integrity	has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 (as set out below) means the extent to which an ecosystem is able to support and maintain its: (a) composition (being its natural diversity of *indigenous species*, *habitats*, and communities); and (b) structure (being its biotic and abiotic physical features); and (c) functions (being its ecological and physical processes).
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)	means an approach to managing the adverse effects of an activity of *indigenous biodiversity* 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, *biodiversity offsetting* is provided where possible; then (e) where *biodiversity offsetting* of more than minor residual adverse effects is not possible, *biodiversity compensation* is provided; then (f) if *biodiversity compensation* is not appropriate, the activity itself is avoided, unless the activity is *regionally significant infrastructure* and *nationally significant infrastructure* that is either *renewable electricity generation* or the *National Grid* then: (i) for the *National Grid:* (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; (ii) for *renewable electricity generation*, consider whether the activity should be allowed, including by considering whether 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

Term	Definition
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
Established activity	has the same meaning as in clause 3.15 of the National Policy Statement for Indigenous Biodiversity 2023 (as set out below) means an activity (including maintenance, operation, and upgrade) that: (a) is in, or affects, an *SNA*; and (b) is not a new *subdivision*, use, or development.
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-P16)	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)

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 *sewage,* or *industrial and trade waste.*
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 *industrial process heat* (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 *SNA* that is an area used intermittently by *specified highly mobile fauna*
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 *land* that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when *land* is rezoned and therefore ceases to be highly productive land
Highly valued natural features and landscapes	means areas which contain attributes and values of significance under Sections 7(c) and 7(f) of the RMA 1991, which have been identified in accordance with APP11.
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— (i) historic sites, structures, places, and areas; and

Term	Definition
	(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 *habitats.*
Indigenous species (in relation to the ECO chapter)	means species that occur naturally in Otago.
Indigenous vegetation	means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district[7] or freshwater or marine bioregion in which that area is located

[7] WM McEwen (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 *waste,* with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes *sewage* and greywater.
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 *land*
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
Limit (in relation to IM-P8)	means: (a) minimum acceptable state of an aspect of the natural environment, or (b) maximum amount of acceptable harm or pressure on the natural environment.
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 *territorial authority*

Term	Definition
Loss of values	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) 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: (a) the value identified for it under the NOF process; or (b) any of the following, whether or not they are identified under the NOF process: (i) ecosystem health (ii) indigenous biodiversity (iii) hydrological functioning (iv) Māori *freshwater* values (v) amenity values
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 *land* identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification
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.

Term	Definition
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 *indigenous* species: (ii) indigenous species occupancy across their natural range: (iii) the properties and function of ecosystems and *habitats* used or occupied by *indigenous biodiversity:* (iv) the full range and extent of ecosystems and *habitats* used or occupied by *indigenous biodiversity:* (v) connectivity between, and buffering around, ecosystems used or occupied by *indigenous biodiversity:* (vi) the resilience and adaptability of ecosystems; and (b) where necessary, the restoration and enhancement of ecosystems and *habitats.*
Māori land	for the purposes of this RPS, means land within the region that is: (a) owned by Te Rūnanga o Ngāi Tahu or its constituent papatipu rūnaka, (b) Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Māori Act 1993, (c) Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Māori Act 1993, (d) 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, (e) 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, (f) vested in a Trust or Māori incorporation under Te Ture Whenua Māori Act 1993, (g) held or claimed (whether as an entitlement, part of an ancillary claim, or because it was transferred or vested) either, (i) as part of redress for the settlement of Treaty of Waitangi

Term	Definition
	claims, or (ii) 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 (iii) as SILNA lands, (h) 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 evidence of that connection is provided to, and confirmed by either: (i) the Māori Land Court (under its jurisdiction over General land owned by Māori); or (ii) 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
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

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 inland wetland	means a wetland (as defined in the Act) that is not: (a) in the coastal marine area; or (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 (c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or (d) 700 or more consumers; or (e) a geothermal wetland; or (f) a wetland that; or (i) is within an area of pasture used for grazing; and (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 (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
New, for a heat device (for the interpretation of EIT-EN-P16)	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 *existing*
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
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

Term	Definition
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 *subdivision,* use and development of native reserves, *Māori land* and associated resources by *mana whenua* or owners of Māori land to provide for their communal living in accordance with Kāi Tahu tikaka which may include cultural, social, housing, educational, recreational, environmental or commercial 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
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

Term	Definition
PM_{10}	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.
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

Term	Definition
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 *land,* means the ability of the *land* to support land-based *primary production* 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, *local authority* covenants, and easements); and (c) the size and shape of existing and proposed *land* parcels
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 *freshwater* and the *coastal marine area)*	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

Term	Definition
Regionally significant infrastructure	means: (a) roads which provide a lifeline connection for a community OR roads classified as being of regional importance in accordance with the One Network Framework, (b) *electricity sub-transmission infrastructure*, (c) *significant electricity distribution infrastructure*, (d) *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, (e) networks for the purpose of telecommunication and radiocommunication as respectively defined in section 5 of the Telecommunications Act 2001 and in section 2 of the Radiocommunications Act 1989, (f) public transport, terminals and stations, (g) the following airports: Dunedin, Queenstown, Wānaka, Alexandra, Balclutha, Cromwell, Ōamaru, Taiari, (h) navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant, (i) defence facilities for defence purposes in accordance with the Defence Act 1990, (j) established *community-scale irrigation and stockwater infrastructure*, (k) community *drinking water* abstraction, supply treatment and distribution *infrastructure* that provides no fewer than 25households with *drinking water* for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution *infrastructure* (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking water supplies), (l) community *stormwater infrastructure*, (m) *wastewater* and *sewage* collection, treatment and disposal infrastructure serving no fewer than 25 households, (n) oil terminals, bulk fuel storage and supply infrastructure, and ancillary pipelines at Port Chalmers and Dunedin Bulk Port, (o) Otago Regional Council's hazard mitigation works including flood protection infrastructure and drainage schemes, (p) *ski area infrastructure* at Remarkables, Cardrona, Treble Cone and Coronet Peak, and (q) any *infrastructure* identified as *nationally significant infrastructure*.

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 commercial forestry trees on land less than 5 years after commercial 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 *habitats*, 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 *land* surface and margins of *water bodies* against erosion and scour in areas of concentrated *water* flow or wave energy

Term	Definition
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	means any area of *land* that is not an *urban area*
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 *environment* that directly supports, services, or is dependent on *primary production*
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 which supplies: (a) essential public services (such as emergency services *lifeline utilities*); (b) other *regionally significant infrastructure* or individual consumers requiring supply of 1MW or more; (c) 700 or more consumers; or (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.

Term	Definition
Significant natural area	means: (a) any area that, after the commencement date, is notified or included in a *regional plan* or *district plan* as an SNA following an assessment of the area in accordance with APP2; 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 an *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) *infrastructure* 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 *water*, 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 APP8, 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
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 APP14 (as set out in the box below): means the *Threatened or At Risk species* of highly mobile fauna that are identified in APP14.

Term	Definition
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) *infrastructure* that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002), (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, (c) *infrastructure* 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), (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, (e) defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990.
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

Term	Definition
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.
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
Urban area	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. *Urban environments* are a subset of *urban areas.*
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 *mana whenua* and their culture and traditions with their ancestral lands, water, sites, wāhi tapu and other taoka.

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 *waste* that is defined by its composition or source (for example, organic *waste*, electronic *waste,* or construction and demolition *waste*); 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

Term	Definition
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; 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

Term	Definition
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 forestry, shelter belts, amenity planting, or an already established wilding conifer species tree population

Abbreviations

Abbreviation	Full Terms
Air Plan	Regional Plan: Air for Otago
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
NESF	National Environmental Standards for Freshwater 2020
NESCF	National Environmental Standards for Commercial Forestry 2017
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
NPSIB	National Policy Statement for Indigenous Biodiversity 2023
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
ORPS	Otago Regional Policy Statement
RPS	Regional Policy Statement
RMA	Resource Management Act 1991
SILNA	South Island Landless Natives Act 1906
SNA	Significant Natural Area

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, polices and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on *resource consent* 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 for Electricity Networks 2008 Transmission 2008	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 for Greenhouse Gas Emissions from Industrial Process Heat 2023	The policy statement has not yet been reviewed. The NPS came into force during the preparation of this RPS under Schedule 1 of the RMA and has been given effect to in this RPS to the extent doing so was within scope of submissions and appeals
National Policy Statement for Highly Productive Land 2022	The policy statement has not yet been reviewed. The NPS came into force during the preparation of this RPS under Schedule 1 of the RMA and has been given effect to in this RPS to the extent doing so was within scope of submissions and appeals
National Policy Statement for Indigenous Biodiversity 2023	The policy statement has not yet been reviewed. The NPS came into force during the preparation of this RPS under Schedule 1 of the RMA and has been given effect to in this RPS to the extent doing so was within scope of submissions and appeals
National Policy Statement for Infrastructure 2025	The policy statement has not yet been reviewed
National Policy Statement for Natural Hazards 2025	The policy statement has not yet been reviewed

National Policy Statement for Renewable Electricity Generation 2011	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
New Zealand Coastal Policy Statement 2010	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. 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 • 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 • Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025 • Resource Management (National Environmental Standards for Greenhouse Gases from Industrial Process Heat) Regulations 2023 • Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021

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 (Discount on Administrative Charges) Regulations 2010 • Resource Management (Exemption) Regulations 1996 • Resource Management (Exemption) Regulations 2017 • Resource Management (Forms, Fees, and Procedure) Regulations 2003 • Resource Management (Infringement Offences) Regulations 1999 • Resource Management (Marine Pollution) Regulations 1998 • Resource Management (Measurement and Reporting of Water Takes) Regulations 2010 • Resource Management (Measurement and Reporting of Water Takes) Amendment Regulations 2020 • Resource Management (Network Utility Operations) Regulations 2016 • Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991 • 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
Water Conservation (Mataura River) Order 1997	The policy statement has not yet been reviewed

MW – Mana whenua

Recognition of hapū and iwi

Kāi Tahu[8]

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. *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 – 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 hāpu 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.

https://www.terunangaomoeraki.org/

[8] 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.

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

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

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 ī te pū au

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

Te Tiriti o Waitangi establishes a partnership between Kāi Tahu and the Crown. The RMA 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 for[9] and that the principles of the Treaty of Waitangi are taken into account.[10] 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.

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.

[9] Section 6 of the Resource Management Act (1991).
[10] Section 8 of the Resource Management Act (1991).

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). 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.

Hauora

Hauora is a holistic understanding of health and well-being. For Kāi Tahu, te hauora o te taiao (the health of the *environment*), te hauora o te wai (the health of the *waterbody*) and te hauora o te tangata (the health of the people) are all interconnected. Due to this connection, the state of the health and well-being 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.

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
- Waihola/Waipōuri Wetland - Schedule 70
- Waitaki River – Schedule 72[11]
- 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

[11] 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
- Taiari 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.

Mātaitai and taiāpure are mechanisms under the Fisheries Act that provide for management of customary fisheries areas and are applicable to both coastal and *freshwater* fisheries environments.

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

There are also four mātaitai in Otago:

- Moeraki Mātaitai Reserve includes areas of *coastal waters* at Moeraki and Katiki (https://www.mpi.govt.nz/dmsdocument/15220-Moeraki-North-Otago-Mataitai-Reserve)
- Waikōuaiti Mātaitai Reserve includes *freshwater* and estuarine waters of the Waikōuaiti River (https://www.mpi.govt.nz/dmsdocument/12954-Waikouaiti-South-Canterbury-Mataitai- Reserve)
- Ōtākou Mātaitai Reserve includes most of the Otago Harbour north of a line from Harwood to Pulling Point

  (https://www.mpi.govt.nz/dmsdocument/14077-Otakou-mataitai-reserve)
- Puna-wai-Tōriki (Hays Gap) Mātaitai Reserve includes an area of *coastal waters* north of Nugget Point

  (https://www.mpi.govt.nz/dmsdocument/15223-Puna-wai-Toriki-Hays-Gap-South-Otago-Mataitai-Reserve)

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 Taiari Plains.

The following table lists the reserves in Otago which are also mapped in MAP1 – 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 Ōtākou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Ōtākou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the 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 (Otago Regional Council, Queenstown Lakes District Council, Waitaki District Council, Clutha District Council, Central Otago District Council)
- 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 Whakatupu[12] 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

[12] https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-management-plan/documents/The%20Charter%20of%20Understanding.pdf (accessed 6 May 2026).

- Kāi Tahu ki Otago Natural Resources Management Plan 2005
- Te Tangi a Tauira: 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.*

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*.

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,

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

(9) recognising and providing for mātauraka and tikaka in environmental and resource management, and

(10) recognising and providing for rights and interests of owners of *Māori land.*

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 Tahu 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 –Use of native reserves and *Māori land*

Kāi Tahu are able to develop and use *land* and resources within native reserves and *Māori land* in accordance with mātauraka and tikaka, to provide for their economic, cultural and social aspirations, including for *papakāika* and marae related activities.

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,

(2) identify *indigenous species* and ecosystems that are taoka in accordance with ECO-M3,

(3) determine appropriate naming for places of significance in Otago,

(4) share information relevant to Kāi Tahu interests, and

(5) ensure assessments under (1) and (2) 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.

MW-M2 – Mātauraka Māori

Local authorities must work in partnership with Kāi Tahu to:

(1) incorporate mātauraka into resource management processes,

(2) 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

(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* 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) take into account iwi management plans and address resource management issues of significance to Kāi Tahu, and

(2) identify the location of native reserves and *Māori land* in *district plans*, and

(3) provide for the use and development of native reserves and *Māori land* in accordance with MW–P4 and recognise rakatirataka over this *land* by enabling *mana whenua,* and owners of Māori freehold *land* in relation to their *land*, to lead approaches to manage any adverse *effects* of such use on the *environment*,

(4) incorporate active protection of areas and resources recognised in the NTCSA,

(5) enable the purpose of the redress provided for in the NTCSA, including those arising from the Ancillary Claims and SILNA, and

(6) provide for the outcomes of settlements under the Māori Commercial Claims Aquaculture Settlement Act 2004.

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 well-being. 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* 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* support, and are impacted by, agricultural industries (e.g. grazing, cropping, horticulture, viticulture), plantation forestry, 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* 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

Statement

Otago is prone to a range of *natural hazards* that pose a risk to Otago communities, property, *infrastructure*, and the wider *environment*. A major event could cause severe damage and may isolate Otago communities for an extended time. Major events of concern include flooding, an earthquake on the Alpine fault, tsunami, coastal erosion, wildfires, and extreme weather events.

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* 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.

Economic

Otago's primary industries, *infrastructure*, energy and transport systems, and urban areas are exposed to the full range of hazards noted above, with potential for major-to-catastrophic economic consequences, including damage to production, *infrastructure* such as transport routes (highways, bridges), the built environment and communications, and often resulting in supply chain disruptions. *Natural hazards* could also impact on *renewable electricity generation* 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*.

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

For industry, hazards can damage production assets and *infrastructure* with associated costs, disrupt service delivery and limit availability and access to goods and services, and cause decline in sales and increased costs. Loss or changes in production flows can be either temporary or permanent depending on financial *resilience* of businesses, which is a function of their existing loan commitments, credit worthiness and insurance cover. Food security can also be affected.

Whilst the community and its businesses have substantial *resilience* to severe weather events and supply chain disruptions, there can be cumulative impacts from repeated events.

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 the number and types of crops and animals that the *land* can sustain, food production systems and related food supply and food security needs, and the potential for *renewable electricity generation*. 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*, whether that be mitigation or adaptation, will also impact on our economy and *environment*. An example of this will be the need to protect and maximise existing *renewable electricity generation activities* in the region, as well as providing for the development of new *renewable electricity generation activities*.

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* flow (low flow and floods), as well as increased occurrence of slips/landslides. Sea level rise will have impacts on coastal communities, *infrastructure* and habitats, while the risk of wildfire will also increase. Changing climate also risks increased biosecurity issues of increased plant, fungal and animal pests and diseases.

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 report.[13] The following discussion is based on potential *climate change* impacts at 2050.

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

[13] Tonkin+Taylor (2020) Otago Climate Change Risk Assessment (commissioned by the Otago Regional Council).

affect *water* availability since snow acts as a storage mechanism until the *water* is required in summer. 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* 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 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.[14]

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-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 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*, 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.

[14] P Hodgson (2001) Climate change impacts on New Zealand. https://environment.govt.nz/publications/climate-change-impacts-on-new-zealand/ (accessed 6 May 2026).

The Otago Pest Management Plan 2019–2029[15] seeks to meet ORC's responsibilities under Part 2 of the Biosecurity Act 1992 to provide regional leadership through activities that prevent, reduce, or eliminate adverse *effects* resulting from harmful species that are present in the region. That plan details which approaches are to be used for which pest species, and the methods to be used for control.

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

Impact snapshot

Environmental

Otago is one of the most biodiverse regions in New Zealand, with high levels of endemism. It is also one of the most modified regions in New Zealand. Both plant and animal species pests have significant impacts on biodiversity. Pests can also adversely impact waterways, 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.[16] 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.[17]

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

[15] https://www.orc.govt.nz/your-council/plans-and-strategies/regional-pest-management-plan/ (accessed 6 May 2026).
[16] Royal Society Te Apārangi (2014) Pests costing economy and environment billions. https://www.royalsociety.org.nz/news/pests-costing-economy-and-environment-billions (accessed 6 May 2026).
[17] SL Goldson, GW Bourdôt, EG Brockerhoff, AE Byrom, MN Clout, MS McGlone, WA Nelson, AJ Popay, DM Suckling & MD Templeton (2015) New Zealand pest management: current and future challenges, Journal of the Royal Society of New Zealand, 45:1, 31–58.

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 annum[18] 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 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).[19] 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

[18] JT Saunders, G Greer, G Bourdôt, C Saunders, T James, C Rolando, J Monge & MS Watt (2017) The economic costs of weeds on productive land in New Zealand, International Journal of Agricultural Sustainability, 15:4, 380–39. https://www.tandfonline.com/doi/abs/10.1080/14735903.2017.1334179?journalCode=tags20 (accessed 6 May 2026).

[19] Allergy New Zealand Annual Pollen Calendar (n.d.) https://stackset-allergynz-website-d95fbab4-800c-4-bucket-8ayg9lmdqvqj.s3.ap-southeast-2.amazonaws.com/public/J143988-Allergy-NZ-Pollen-Calendar-v2.pdf (accessed 6 May 2026).

and cultural outcomes and well-being. Most of Otago's population (87% or 225, 186[20] in 2018) live in urban areas, while non-urban areas comprise 99% of the region.[21] 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.[22]

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

[20] 2018 Census place summaries: Stats NZ. (n.d.) https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region (accessed 26 May 2021).
[21] 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.
[22] Stats NZ Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021).

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 PM_{10} emissions in all of these towns but Milton.[23] 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:

- the loss of *land* for *primary production* activities (either directly though building on it, or indirectly though *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 challenges 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

[23] E Wilton "Alexandra, Arrowtown, Mosgiel and Milton Air Emission Inventory – 2016" & "Wanaka, Cromwell and Clyde Air Emission Inventory – 2019", prepared for Otago Regional Council.

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.

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) 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)[24] 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 NPSFM 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 affecting *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.[25] How much an ecosystem is affected by taking *freshwater* is determined by departure from natural flow regimes, taking into account magnitude, frequency, timing, duration and rate of change, and ecosystem capacity to recover.

Economic

Freshwater in the Otago region is a factor of production that directly contributes to human needs (*water* supply), *primary production*, 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 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 well-being.

[24] https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management (accessed 26 May 2021).
[25] J Clapcott, R Young, J Sinner, M Wilcox, R Storey, J Quinn, C Daughney & A Canning (2018) Freshwater biophysical ecosystem health framework. Cawthron Institute, Report no. 3194.

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 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)[26] came into force to make immediate improvements to *water* quality within five 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/Kaikarae 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.[27] Between 2006 and 2017, trends in a number of *water* quality parameters were worsening.[28]

[26] https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policystatement-freshwater-management (accessed 26 May 2021).
[27] R Ozanne and A Uytendaal (2017) *State of the Environment Surface Water Quality in Otago 2006 to 2017*. Dunedin: Otago Regional Council.
[28] Ibid.

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 variable.[29] 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/Waiwhakaata.

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 NZ 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.

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.

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*. [30]

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

[29] R Ozanne and A Uytendaal (2017) *State of the Environment Surface Water Quality in Otago 2006 to 2017*. Dunedin: Otago Regional Council.
[30] United States Environmental Protection Agency (n.d.) Nutrient Pollution – The Effects: Economy https://www.epa.gov/nutrientpollution/effects-economy (accessed 6 May 2026).

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.[31] Where *water* quality cannot support these activities, the lifestyle of those living in Otago is impacted.

Degraded *water* quality reduces the mauri of the *water* and the habitats and species it supports, therefore also negatively affecting *mahika kai* and taoka species and places. This constitutes a loss of Kāi Tahu culture, affecting the intergenerational transfer of knowledge handed down from tūpuna over hundreds of years; and it culminates in a 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 the most modified regions in New Zealand.[32] This can be attributed to habitat loss, *land* use changes, vegetation clearance and the presence of pests and predators. Further, many of these *effects* are a result of the cumulative changes of past and current development. These cumulative *effects* have often not been identified, managed or measured. Leadership and coordination of the various initiatives to address *biodiversity* loss has also been lacking.

Context

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

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

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[31] 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).

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

The health of New Zealand's *biodiversity* has declined significantly since the arrival of humans. Environment Aotearoa 2019 found that our indigenous *biodiversity* is under significant pressure from introduced species, pollution, physical changes to our *environment* and harvesting of wild species.[33]

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.[34] 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 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.[35] 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.[36] 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*, are likely to be significant and there is potential for loss of *biodiversity* to adversely impact on the economy.

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[33] Ministry for the Environment & Stats NZ (2019) Environmental Reporting Series: *Environment Aotearoa 2019*. https://environment.govt.nz/publications/environment-aotearoa- 2019/ (accessed 6 May 2026).
[34] Wildlands (2020) Mapping of potential natural ecosystems and current ecosystems in Otago region. Unpublished Consultancy Report to Otago Regional Council R5015a.
[35] DR Schiel, SA Wood, RA Dunmore & DI Tayloe (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).
[36] Department of Conservation (2008) Unpublished data.

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.

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*. Recreational activities such as boating, fishing, swimming and general beach access are interconnected with coastal values. Conserving coastal *biodiversity* and marine reserves are associated with coastal values.[37] A key challenge is the protection of the coast's natural and cultural assets while enabling economic and social development opportunities to be realised.

Impact snapshot

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

[37] ORC Committee Report, *RPS Consultation Summary*, ORC Agenda 27 May 2020.

Environmental

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

Natural features, landscapes, seascapes, and *surf breaks* of national significance can be affected by human activity, *climate change*, and *natural hazards*. 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 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, 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*.

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*.

Urban growth is adversely affecting the natural features and landscapes around the *lakes*. The amount of growth is demonstrated in the Queenstown Lakes District, including Queenstown and Wānaka, where the population tripled in the last 20 years from 16,750 in 1999 to 47,400 in 2020.[38] Continued growth is projected over the 30 years from 2020 to 2050 (by 63%).[39]

This desire 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).[40] The Otago lakes area also supplies significant renewable electricity for use in Otago and beyond.

Impact snapshot

Environmental

Population pressures arising from urban development, and tourism population pressures are impacting on the *environment*. Lake 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*.[41]

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

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

[38] Infometrics online database (February 2021).
[39] Queenstown Lakes District Council demand projections by Utility.
[40] Infometrics online database (February 2021)
[41] Land, Air, Water, Aotearoa. Otago Region. https://www.lawa.org.nz/explore-data/otago-region/ (accessed 26 May 2021).

Urban development brings economic development and improved opportunities and standards of living to the Otago Lakes area but can adversely impact on both the *environment* and how *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-I10 – 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*

Statement

The ability to access, 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 nation. Access to, and the ability to use and develop, *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* that need to be appropriately managed.

Context

The well-being of Otago's communities relies on the ability to access, use and develop 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 and well-being of people and communities in the region.

Failing to plan and provide for activities that contribute to the regional economy can have adverse socio-economic 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* 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 physical 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, use and develop natural resources. Activities that use *natural and physical resources* can achieve positive *environmental outcomes*, for example enhancing public health, safety and well-being, 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 generation* and other *infrastructure*, will have a significant role to play in addressing *climate change*.

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.

Economic

Activities that rely on *natural and physical resources* generate direct and indirect economic benefits; therefore, the ability for these activities to operate, maintain, upgrade and develop 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.

The ability to access, use and develop *natural and physical resources* or a lack of integrated management and long-term strategic planning for activities 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, 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.

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-I11 – 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 flow into streams and may harm the coastal environment. *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 as 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.[42]

However, economic activity needs to more effectively account for and manage its impacts on the region's natural resources.[43] Where business and social activity does not account for its impacts on natural resources in the long term, not only is the sustainability of the region's natural resources threatened, but equally the associated long term economic, social and cultural values are also threatened.

Impact snapshot

Environmental

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

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

Economic

The costs of production can rise because of poor quality natural resources, for example, through higher input costs (e.g. fertiliser, weed and pest control); and remediation requirements (e.g. riverbank restoration, erosion control). Some *land* management practices can compromise 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.

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.

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[42] Infometrics online database (August 2020).
[43] ORC (2020) RPS Review 2020 – Community Consultation Summary Report. https://www.orc.govt.nz/media/8882/community-consultation-summary-report-draft.pdf (accessed 6 May 2026).

SRMR-I12 – 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.[44]

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, 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 impact assessment in order to provide consenting decisions for regulated activities)[45] 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).

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[44] Ministry of Civil Defence & Emergency Management (2019) National Disaster Resilience Strategy. https://www.civildefence.govt.nz/cdem-sector/plans-and-strategies/national-disaster-resilience-strategy/national-disaster-resilience- strategy-summary-version/ (accessed 6 May 2026).

[45] RJ Wenning, SE Apitz, L Kapustka & T Seager (2017) The need for resilience in environmental impact assessment [editorial], Integrated Environmental Assessment and Management, 13:6, 969–970. https://par.nsf.gov/servlets/purl/10047476 (accessed 6 May 2026).

It will also be sustained through community *resilience* so that it can adapt and nimbly respond to future challenges.

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

Introduction

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

RMIA-WAI – Wai Māori

Context

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

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

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

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

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

Kāi Tahu values and interests are not properly considered in current *land* and *water* resource management. The well-being of *mahika kai* 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 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-I3 – The *effects* of *land* and *water* use activities on *freshwater* habitats have resulted in adverse *effects* on the diversity and abundance of *mahika kai* resources and harvesting activity

Mahika kai is the gathering of foods and other resources, the places where they are gathered, and the practices used in doing so. *Mahika kai* is an intrinsic part of Kāi Tahu identity and economic well-being. Kāi Tahu fishing rights were explicitly protected by the Treaty of Waitangi. Not only was the right to engage in *mahika kai* activity confirmed, so too was the expectation that such activity will continue to be successful as measured by reference to past practice. However, as described in evidence provided to the Waitangi Tribunal in the Ngāi Tahu claim, there has been a dramatic loss of *mahika kai* resources and places of procurement since the Treaty was signed. This loss is greater than the loss of kai. It is a loss of Kāi Tahu culture, as it affects the intergenerational transfer of mātauraka handed down from tūpuna over hundreds of years. It represents a 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-I4 – 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-I5 – Poor integration of *water* management, across agencies and across a catchment, hinders effective and holistic *freshwater* management

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

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

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

Specific concerns related to RMIA-WAI-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* on one species will be felt throughout the rest of the system. *Effects* 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* 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 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 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) encroachments

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

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

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

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

Biodiversity is managed by several entities who have different approaches and powers through their separate governing legislation. For example, regional and district councils have obligations under the Resource Management Act 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.

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 treatment plant at or near a wāhi tapu or wāhi taoka. *Nohoaka,* as sites where *mahika kai* is gathered or was gathered in the past, are particularly at risk from the combination of direct and indirect *effects,* and from cumulative adverse *effects. Nohoaka* sites are degraded when *mahika kai* can no longer be gathered there.

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 impeded

Access to culturally important sites has been impeded in many ways, affecting the ability of *mana whenua* to carry out customary activities and maintain relationships with wāhi tapu and wāhi taoka. 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* that must be valued, used with respect, and passed on intact to the next generation. Pollution of the atmosphere adversely affects the mauri of this taoka and other taoka such as plants and animals.

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

The cultural impacts of air pollution and *discharges* to air are poorly understood and seldom recognised. *Discharges* to air can adversely affect health and can be culturally offensive. Clean air is important to the health of *mahika kai* and people, and odour and other emissions impact on the tapu of wāhi tapu sites. Air emissions can also reduce the visibility of *wāhi tūpūna* 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 *coastal 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 harbour 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 tūpūna* 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 resources* in ways that support or restore the life-supporting capacities of air, *water*, soil, and ecosystems 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* and *climate change mitigation*):

(1) are aligned with national level *climate change* responses,

(2) assist with achieving the national emissions reduction targets and plans, including by having a highly renewable energy system, and

(3) are recognised as integral to achieving the outcomes sought by this RPS.

Policies

IM-P1 – 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*] and roto [*lakes*] and wai tai (including te takutai moana [*coastal marine area*]) and *mahika kai* and *habitats* of taoka species.

IM-P2 – 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*,

(3) recognise and provide for ecosystem complexity and interconnections, and

(4) anticipate, or respond swiftly to, changes in activities, pressures, and trends.

IM-P3 – 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-P4 – 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 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.

IM-P5 – Cross boundary management

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

IM-P6 – 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.

IM-P7 – *Climate change adaptation* and *climate change mitigation*

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

(1) manage the *effects* of *climate change* on existing activities and the wider environment, and

(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, and

(3) provide Otago's communities, including Kāi Tahu, with the best chance to thrive, and

(4) enhance environmental, social, economic, and cultural *resilience* to the adverse *effects* of *climate change,* including by facilitating activities that reduce those effects, and

(5) protect Otago's existing renewable electricity facilities and provides for the development of new *renewable electricity generation* and *infrastructure*.

IM-P8 – Contravening *limits* for *climate change mitigation* 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* 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 unless those provisions give effect to national direction if they are satisfied that:

(1) 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,

(2) adverse *effects* on the *environment* are avoided, remedied, or mitigated so that they are minimised to the extent reasonably practicable and, if applicable, any more than minor residual adverse *effects* are offset, or compensated for, and

(3) there is no reasonably practicable alternative location or site for the activity.

IM-P9 – 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-P10 – Sustaining resource potential and life-supporting capacity

When preparing *regional plans* and *district plans,* 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 environment by:

(1) considering whether it is necessary to set limits or thresholds, and

(2) encouraging activities to be established in places, and carried out in ways, that are compatible with the natural capabilities and capacities of the resources they rely on, and

(3) regularly assessing and adjusting 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-P11 – 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.

Methods

IM-M1 – *Regional plans* and *district plans*

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

(1) establish 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-P7,

(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,

(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* 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 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* 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 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,

(2) identify natural and built resources vital to environmental (including *indigenous biodiversity* and ecosystems) and community *resilience* and well-being,

(3) identify vulnerable resources and communities and develop adaptation pathways for them where possible, and

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

IM-M5 – Other methods

Local authorities 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* and ensure that it supports the cultural, social and economic well-being of people and the community. 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* 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*, involvement of *mana whenua* in resource management, the fundamental importance of environmental health to human well-being, and holistic assessment of human *effects* on the *environment*. They also address the *effects* of *climate change* as the key threat to environmental stability.

The provisions 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* 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 *resilience* in the natural *environment.*
IM-AER2	*Resilience* in the natural *environment* 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 *climate change* and there are observable changes in community behaviour towards more sustainable lifestyles.
IM-AER4	Plan development and decision-making processes demonstrate improved awareness of the interdependencies and interconnectedness of *natural and physical resources* within the region, and across regional and jurisdictional boundaries.

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* 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*, including *ambient air quality standards* and guidelines, where those have been set as *limits*, 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.

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* and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and transport, and

(2) prioritising actions to reduce PM_{10} 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

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

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) managing *discharges* to air so they 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 effects* from existing consented or permitted discharges to air, unless these can be appropriately managed.

AIR-P5 – 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:

(1) set *limits* (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,

(2) manage the adverse *effects* of *discharges* to air by avoiding noxious or dangerous *effects* and managing *discharges* to air so that they do not cause offensive or objectionable effects,

(3) include provisions to avoid, remedy, or mitigate other adverse *effects* from *discharges* to air,

(4) prioritise the actions set out in AIR-P2 to reduce PM_{10} *and* $PM_{2.5}$ concentrations in *polluted airsheds,*

(5) 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* 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.

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,

(2) managing the spatial distribution of activities,

(3) managing new sensitive activities to avoid *reverse sensitivity effects* 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

(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* of *discharges* to air.

Principal reasons

AIR-PR1

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

The provisions in this chapter set out the framework for a review of the Air Plan and supports ORC's obligation to both observe and enforce the NESAQ. Implementation of the provisions in this chapter will occur primarily through regional *plans* 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 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 *effects* of activities, and any *discharges* 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 *discharges* into air.
AIR-AER5	Where air quality complies with ambient air quality *limits* it is maintained.
AIR-AER6	Otago is compliant with NESAQ requirements.

CE – Coastal environment

Objectives

CE-O1 – Te Mauri o te Moana

The health of Otago's *water* in the coastal environment is:

(1) protected from inappropriate activities so as to protect the health and well-being of the wider *environment* and the mauri of *coastal waters*, and

(2) restored where it is *degraded*, including through enhancing *coastal water* quality where it has deteriorated from its natural condition.

CE-O2 – Safeguarding the coastal environment (Te Hauora o Te Tai o Arai Te Uru)

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

(1) *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,

(2) the dynamic and interdependent natural biological and physical processes in the coastal environment are maintained or enhanced,

(3) the diversity of indigenous coastal flora and fauna is maintained, and areas of significant or representative indigenous *biodiversity* and sites of biological importance are protected,

(4) *surf breaks* of national significance are protected,

(5) 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

(6) the ongoing effects of *climate change* within the coastal environment are identified and planned for.

CE-O3 – Public access and recreation

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

CE-O4 – Natural character, features and landscapes

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.

CE-O5 – Mana moana

The enduring cultural relationship of Kāi Tahu with Otago's coastal environment is recognised and provided for, and Kāi Tahu are enabled 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-O6 – Activities in the coastal environment

Activities in the coastal environment:

(1) make efficient use of space occupied in the *coastal marine area*,

(2) are of a scale, density and design compatible with their location,

(3) are only provided for within appropriate locations and limits acknowledging that some activities have a *functional need* to be located in the coastal environment,

(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,

(5) do not compromise the health and abundance of customary fisheries, including within mātaitai reserves and taiāpure, and

(6) do not compromise the ability of Kāi Tahu to develop, use and protect native reserves and *Māori land*.

Policies

CE-P1 – Integrated management/ki uta ki tai

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-P2 – Links with other chapters

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

(a) ECO-P4 to ECO-P7 and associated methods,

(b) EIT-INF-P4 and associated methods, and

(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) HAZ – Hazards and risks,

(f) HCV – Heritage and historical values, and

(g) UFD – Urban form and development.

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

CE-P3 – Identification

Identify the following in the coastal environment:

(1) the landward extent of the coastal environment, recognising that the coastal environment includes:

(a) the *coastal marine area*,

(b) islands within the *coastal marine area*,

(c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal *wetlands*, and the margins of these,

(d) areas at risk from *coastal hazards* as identified in HAZ-NH-P1,

(e) coastal vegetation and the *habitat* of indigenous coastal species including migratory birds,

(f) elements and features that contribute to the natural character, landscape, visual qualities or *amenity values*,

(g) items of Kāi 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:

(i) the health of *coastal water*, or

(ii) ecosystems, and natural *habitats*, or

(iii) water-based recreational activities, or

(b) is restricting existing uses, such as:

(i) customary fisheries, including mātaitai 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*, mātaitai and taiapure, and any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004, and

(4) the nationally significant *surf breaks* at Karitāne, Papatowai, The Spit, and Whareakeake.

CE-P4 – *Coastal water* quality

Manage *water* quality in the coastal environment by:

(1) restoring *coastal water* quality where it is considered to have deteriorated to the extent described within CE-P3(2),

(2) 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,

(3) sustaining Kāi Tahu relationships with and customary uses of *coastal water*,

(4) 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, including by managing the *effects* of *commercial forestry* activities on *coastal water* quality in accordance with the NES-CF, unless additional stringency is justified,

(6) maintaining or enhancing *water* quality within areas of *coastal water* identified in CE-P3(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-P5 – Natural character

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

(1) identifying areas and values of high and outstanding natural character which may include matters such as:

  (a) natural elements, processes and patterns,

  (b) biophysical, ecological, geological and geomorphological aspects,

  (c) natural landforms such as headlands, peninsulas, cliffs, dunes, *wetlands*, estuaries, reefs, *freshwater* springs and *surf breaks*,

  (d) the natural movement of *water* and sediment,

  (e) the natural darkness of the night sky,

  (f) places or areas that are wild or scenic,

  (g) a range of natural character from pristine to modified,

  (h) experiential attributes, including the sounds and smell of the sea, and their context or setting,

(2) avoiding adverse *effects* on natural character in areas identified as having outstanding natural character,

(3) avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on natural character outside the areas in (2) above, and

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

CE-P6 – Coastal *indigenous biodiversity*

Protect *indigenous biodiversity* in the coastal environment by:

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

(a) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists,

(b) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened,

(c) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare,

(d) *habitats* of indigenous species where the species are at the limit of their natural range, or are naturally rare,

(e) areas containing nationally significant examples of indigenous community types, and

(f) areas set aside for full or partial protection of *indigenous biodiversity* under other legislation, and

(2) identifying and avoiding significant adverse *effects* and avoiding, remedying or mitigating other adverse *effects* on the following ecosystems, vegetation types and areas:

(a) areas of predominantly *indigenous vegetation* in the coastal environment,

(b) *habitats* in the coastal environment that are important during the vulnerable life stages of indigenous species,

(c) indigenous ecosystems and *habitats* that are only found in the coastal environment and are particularly vulnerable,

(d) areas sensitive to modification, including estuaries, lagoons, coastal *wetlands*, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh,

(e) *habitats* of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes,

(f) *habitats*, including areas and routes, important to migratory species,

(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-P7 – Natural features and landscapes (including seascapes)

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 APP11,

(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-P8 – Surf breaks

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-P9 – Public access

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

(1) maintaining or enhancing public walking access,

(2) controlling vehicle access, and

(3) restricting public walking and vehicle access where necessary:

  (a) to protect public health and safety,

  (b) to protect *significant natural areas*,

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

  (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-P10 – Activities on *land* within the coastal environment

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

(1) encouraging the consolidation of existing coastal settlements and *urban areas* where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth,

(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,

(3) recognising the *functional needs* and *operational needs* of *infrastructure*,

(4) 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,

(5) requiring development to be set back from the *coastal marine area* and other *water bodies* in the coastal environment where practicable and reasonable, to protect the natural character, open space, public access and *amenity values* of the coastal environment,

(6) 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,

(7) taking into account the ongoing *effects* of *climate change* and *coastal hazard* risk, and

(8) enabling the use of native reserves and *Māori land* by *mana whenua* and owners of Māori freehold land in accordance with MW-P4.

CE-P11 – Activities within the *coastal marine area*

Use and development in the *coastal marine area*:

(1) must enable multiple uses of the *coastal marine area* wherever reasonable and practicable, and

(2) must maintain or improve the health, integrity, form, function and *resilience* of the *coastal marine area*, or

(3) should generally have a *functional need* or *operational need* to be located in the *coastal marine area*, or

(4) must have a public benefit or opportunity for public recreation that cannot practicably be located outside the *coastal marine area*.

CE-P12 – Aquaculture

Provide for the development and operation of *aquaculture activities* taking into account policies CE-P4 to CE-P13, 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,

(3) the potential social, economic and cultural benefits associated with the operation and development of *aquaculture activities*, and

(4) aquaculture settlement outcomes in accordance with MW-P2(8A) and MWM5(4).

CE-P13 – *Reclamation* and de-reclamation

Manage *reclamation* and de-reclamation by:

(1) 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* can only occur immediately adjacent to the *coastal marine area*,

  (c) there are no practicable alternative methods of providing for the activity, and

  (d) the *reclamation* will provide significant regional or national benefit, and

(2) 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-P14 – Rakatirataka and *kaitiakitaka*

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, mātaitai reserves and taiāpure in decision making,

(5) incorporating mātauraka Māori in the management and monitoring of activities in the coastal environment, and

(6) having regard to the principles of the Treaty of Waitangi, and the purpose of the redress provided for in the NTCSA, including redress arising from the Ancillary Claims and SILNA by:

  (a) enabling *mana whenua*, and owners of Māori freehold land in relation to their *land*, to lead approaches to the management of the effects of use and development of native reserves and *Māori land* in accordance with mātauraka and tikaka, and

  (b) acknowledging that *effects* of the use and development of native reserves and *Māori land*, including on the matters otherwise provided for in CE-P5, CE-P6, CE-P7 and CE-P10(5), may be appropriate on that *land*.

CE-P15 – *Discharges* of *wastewater, sewage, greywater*, animal effluent, and *industrial and trade waste* in the coastal environment

Minimise the adverse *effects* of *discharges* of *wastewater, sewage, greywater,* animal effluent, and *industrial and trade waste* in the coastal environment by:

(1) recognising and providing for Kāi Tahu values, and having particular regard to the *effects* of *discharges* of *wastewater* and *sewage* on those values, in resource-management decision-making,

(2) in relation to *discharges* to *coastal water* from activities on *land:*

  (a) not allowing the new direct *discharge* of untreated *wastewater, sewage,* animal effluent, and *industrial and trade waste* to *coastal water*,

  (b) phasing out existing direct *discharges* of treated and untreated *wastewater, sewage,* animal effluent, or *industrial and trade waste* to *coastal water* to the extent practicable,

  (c) requiring new *discharges* of treated *wastewater, sewage,* animal effluent, and *industrial and trade waste* to be to *land* and not to *coastal water*, unless,

    (i) there has been adequate consideration of alternative methods, sites and routes for undertaking the *discharge*, and either

    (ii) the adverse *effects* associated with a *discharge* to *land* are demonstrably greater than a *discharge* to *coastal water*, or

    (iii) the adverse *effects* associated with a *discharge* to *coastal water* are significantly less than, and replace, an existing *discharge(s)*,

(d) requiring that all *discharges* containing *sewage* or *industrial and trade waste* are *discharged* into a reticulated *wastewater* system, where one is made available by its operator, unless alternative treatment and disposal methods will result in improved outcomes for *coastal water*,

(e) requiring 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, and

(f) promoting source control as a method for reducing *contaminants* in *discharges*,

(3) in relation to *discharges* to *fresh water* in the coastal environment, applying LF-FW-P17,

(4) in relation to *discharges* from ports and other relevant marine facilities:

(a) requiring operators of ports, marinas, and other relevant marine facilities to:

(i) provide for the collection of *wastewater* and *sewage* from vessels,

(ii) manage the safe containment and disposal of *waste* and other residues from vessel maintenance; and

(b) where appropriate, providing for the establishment of facilities for the collection of *sewage* and other wastes from recreational and commercial boating.

CE-P16 – *Discharges* of *stormwater* in the coastal environment

Minimise the adverse *effects* of *discharges* of *stormwater*, including from a reticulated system, in the coastal environment by:

(1) requiring integrated catchment management plans for management of *stormwater* in urban areas,

(2) requiring all *stormwater* to be *discharged* into a reticulated system, where one is made available by its operator, unless alternative treatment and disposal methods will result in the same or improved outcomes for *coastal water*,

(3) implementing methods to progressively reduce unintentional *stormwater* inflows to *wastewater* systems,

(4) promoting source control as a method for reducing *contaminants* in *stormwater discharges* and the use of good practice guidelines for managing *stormwater*, and

(5) in relation to *discharges* of *stormwater* to *freshwater* in the coastal environment, applying LF-FW-P16.

Methods

CE-M1 – *Mana whenua*/mana moana involvement

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) and supporting the establishment of mātaitai 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* and ecosystems, and

(4) providing relevant information to *mana whenua* for the purposes of (1), (2), and (3).

CE-M2 – Identifying the coastal environment

Local authorities must work collaboratively, including with *local authorities* in neighbouring regions, to:

(1) identify the landward extent of the coastal environment, in accordance with CE-P3(1),

(2) map the landward extent of the coastal environment area in the relevant *regional plans* and *district plans*.

CE-M3 – Identifying other areas

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-P5(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-P7(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 features and landscapes (including seascapes) being considered outstanding,

(3) identify areas and values of *indigenous biodiversity* within their jurisdictions in accordance with CE-P6, 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-M4 – *Regional plans*

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

(1) map areas of deteriorated *water* quality in the coastal environment, in accordance with CE- P3(2)

(2) 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,

(3) set water quality limits and targets for *coastal waters* in accordance with CE-P4,

(4) map the areas and characteristics of, and access to, *surf breaks* of national significance,

(5) 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,

(6) 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) managing *discharges* of *wastewater*, *sewage*, *greywater*, animal effluent, and *industrial and trade waste* in the coastal environment in accordance with CE-P15,

(c) managing *discharges* of *stormwater* in the coastal environment in accordance with CE-P16,

(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 excluding the impacts of harvesting *commercial forestry*, and

(iii) reducing sediment loadings in runoff and in *stormwater* systems through controls on *land* use activities, and

(e) controlling the impacts of harvesting *commercial forestry,* in accordance with the NESCF, unless additional stringency is justified,

(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,

(7) 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-P4, CE-P5, CE-P6, CE-P7 and HCV-WT-P2, and

(b) manage Otago's *surf breaks* of national significance in accordance with CE-P8,

(8) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM- P4 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,

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

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

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

(12) manage *reclamation* and de-reclamation activities in accordance with CE-P13, in addition to the other matters in CE-P1 to P12 and P14, and when *reclamation* is considered suitable in accordance with CE-P13, have particular regard to the matters listed in Policy 10(2) and (3) of the NZCPS,

(13) require stock to be excluded from the *coastal marine area,* adjoining intertidal areas and *coastal water* and riparian margins in the coastal environment, and

(14) 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-P4, CE-P5, CE-P6, CE-P7, and CE-P14, and

(15) identify any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004.

CE-M5 – *District plans*

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

(1) control the location, density and form of *subdivision* in the coastal environment (outside the *coastal marine area*),

(2) control the location, scale and form of *buildings* and *structures* in the coastal environment (outside the *coastal marine area*),

(3) control the location and scale of *earthworks,* mining, and vegetation planting, modification and removal in the coastal environment (outside the *coastal marine area*), excluding *commercial forestry* activities,

(4) in relation to *commercial forestry* activities, manage the location and scale of *earthworks*, and vegetation planting, modification and removal in the coastal environment, in accordance with the NESCF, unless additional stringency is justified,

(5) 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-P1,

(6) require *resource consent* for uses of *land* on reclamations that have occurred after the date this RPS becomes operative,

(7) provide for the establishment of *esplanade reserves* and *esplanade strips*,

(8) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-P4 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 the effects of climate change,

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

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

(11) enable the use of native reserves and *Māori land* by *mana whenua* and owners of Māori freehold land in accordance with CE-P10(8), and recognise rakatirataka over this *land* by enabling *mana whenua*, and owners of Māori freehold land in relation to their *land*, to lead approaches to manage any adverse *effects* of such use on the *environment* in accordance with CE-P14(6),

(12) provide access to *surf breaks* of national significance, and

(13) 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-P2, CE-P4, CE-P5, CE-P7 and CE-P14.

CE-M6 – Other incentives and mechanisms

Local authorities shall consider the use of other mechanisms or incentives to assist in achieving Policies CE-P3 to CE-P14, including:

(1) identifying areas and opportunities within the coastal environment for restoration or rehabilitation,

(2) identifying opportunities to enhance or restore public walking access in accordance with Policy 19(c) of the NZCPS,

(3) promoting the removal of abandoned or redundant *structures* that have no heritage, amenity or reuse value,

(4) funding assistance for restoration projects (for example, through Otago Regional Council's ECO Fund),

(5) development or design guidelines (for example, colour palettes for *structures* in the coastal environment),

(6) rating differentials for *land* that is protected due to its status as a high or outstanding natural character area,

(7) education and advice,

(8) research relevant to the *effects* of activities on:

  (a) coastal network *infrastructure*,

  (b) coastal values,

  (c) *coastal hazards*,

  (d) riparian vegetation cover or any *land* cover that contributes to supporting coastal values or mitigating coastal hazards, or

  (e) areas particularly sensitive to *land* use changes, or

  (f) *coastal water* quality, or

  (g) coastal *habitats* and ecosystems,

(9) facilitating the restoration, rehabilitation or creation of coastal *habitats*, particularly when it:

  (a) encourages the natural regeneration of indigenous species, or

  (b) buffers or links ecosystems, *habitats* and areas of significance that contribute to ecological corridors, or

  (c) maintains or enhances the provision of indigenous ecosystem services, or

(d) benefits *mahika kai* and kaimoana species or customary fisheries areas, or

(e) will lead to the improvement of areas of deteriorated *water* quality, and

(10) bylaws controlling vehicle access to and along the *coastal marine area* in accordance with Policy 20 of the NZCPS.

CE-M7 – Monitoring

Otago Regional Council shall:

(1) establish a long-term monitoring programme for *coastal waters* and coastal ecosystems that incorporates cultural health monitoring,

(2) record information (including monitoring data) about the state of *coastal waters* and coastal ecosystems and the challenges to their health and well-being,

(3) regularly prepare reports on the matters in (1) and (2) and publish those reports, and

(4) take action where the results of monitoring show that this is necessary to achieve the objectives of this policy statement.

Explanation

CE-E1 – Explanation

The provisions in this chapter recognise that the coastal environment is a finite resource with a range of values that need to be preserved. The policies within the chapter are designed to protect the coastal environment from inappropriate activities. The coastal environment is also recognised as dynamic and the policies, in association with others in this RPS, 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 can be influenced by activities which are undertaken beyond the coastal environment. This interconnectedness between coastal and *freshwater environments* means provisions contained within the LF – Land and freshwater chapter may also need to be considered to manage the coastal environment.

Some of the policies in the NZCPS are highly prescriptive and will be most effectively implemented through *regional plans* 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* 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 this RPS, as set out in CE-P2.

Principal reasons

CE-PR1 – Principal reasons

The coastal environment includes the *coastal marine area*, islands within the *coastal marine area* and the area landward of the line of mean high-water springs. The landward extent of the coastal environment is determined by the natural and physical elements, features and processes set out in Policy 1(2) of the NZCPS. The importance of the coastal environment is reflected in the statutory resource management framework, particularly as identified in sections 6 and 7 of the RMA and as set out in the NZCPS.

A number of activities occur within or affect the coastal *environment* including urban development, recreational activities, transport *infrastructure*, port activities, *infrastructure,* energy generation and transmission, food production and other farming activities, *commercial forestry*, *rural industry* and *mineral* extraction. These activities can be important contributors to the existing and future health and well-being of communities. However, poorly located or managed activities can have adverse *effects* that compromise the values of the coastal environment such as natural character, biophysical processes, *water* quality, *surf breaks*, *indigenous biodiversity* and natural landscapes.

The coastal environment is highly valued by Kāi Tahu *mana whenua*, with a number of areas in the coastal environment recognised in statutory acknowledgments in the NTCSA. 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 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 this RPS 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 The values of the coastal environment are not adversely affected or lost because of inappropriate uses of the *natural and physical resources* 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 *water* in areas identified as having deteriorated *water* quality.

CE-AER5 The quality of *coastal water* 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 *natural hazards* to people and communities.

CE-AER7 The public have improved access to, along, and adjacent to the *coastal marine area.*

CE-AER8 The mauri of the coastal environment is protected, and restored where it has been degraded.

CE-AER9 Customary uses, including practices associated with *mahika kai* and kaimoana, are supported, and *mana whenua* exercise their kaitiaki role within the coastal environment.

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 improved 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 – nā te wai ko te hauora o kā mea katoa,

(2) there is an integral kinship relationship between *water* and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,

(3) each *water body* has a unique whakapapa and characteristics,

(4) *fresh water, land,* and *coastal water* have a connectedness that supports and perpetuates life,

(5) protecting the health and well-being of *water* protects the wider *environment*,

(6) Kāi Tahu exercise rakatirataka, manaakitaka and their *kaitiakitaka* duty of care and attention over wai and all the life it supports, and

(7) 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 exercise of *mana whenua* to uphold this,[46]

(2) second, the health needs of people, (te hauora o te tangata) interacting with *water* through:

(a) ingestion (such as drinking of *water* and consuming resources harvested from the *water body*),

(b) immersive activities (such as harvesting resources and primary contact), and

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

(3) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.

[46] In matters of mana, the associated spiritual and cultural responsibilities connect natural resources and *mana whenua* in a kinshiprelationship that is reciprocal and stems from the time of creation.

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,*

(2) manages the *effects* of the use and development of *land* to maintain or enhance the health and well-being of *freshwater*, *coastal water* and associated ecosystems,

(3) encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,

(4) has regard to foreseeable *climate change* risks, and the potential *effects* of *climate change* on *water bodies,* including on their natural functioning,

(5) has regard to cumulative *effects,* and

(6) applies a precautionary approach where there is limited available information or uncertainty about potential adverse *effects,* in accordance with IM-P4.

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.

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* mātaitai,

(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 is a central element in Kāi Tahu creation traditions. It was present very early in the whakapapa of the world: in the beginning there was total darkness, followed by the emergence of light and a great void of nothingness. In time Maku mated with Mahoronuiatea which resulted in great expanses of *water*, then Papatūānuku 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*, 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* 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.

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* 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*) 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* is available for use, different uses may be prioritised in different *FMUs* or rohe depending on the values identified by communities and the *environmental outcomes* 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 affects aquatic life and opportunities for *mahika kai* gathering and recreational uses such as swimming and kayaking.

Anticipated environmental results

LF-WAI-AER1	The mauri of Otago's *water bodies* and the health and well-being of *water bodies* and *freshwater* ecosystems is protected, and restored where *degraded*.
LF-WAI-AER2	Kāi Tahu are actively involved in the management of *fresh water* and able to effectively exercise their rakatirataka, manaakitaka and *kaitiakitaka*.

LF-FW – Fresh water

Objectives

LF-FW-O2 – Visions set for each *FMU* and rohe

In each *FMU* and rohe in Otago and within the timeframes specified in the *freshwater* visions in LF-FW-O3 to LF-FW-O7:

(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* 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* and *renewable electricity generation activities* are provided for.

LF-FW-O3 – Clutha Mata-au *FMU* vision

In the Clutha Mata-au *FMU,* and in addition to the matters in LF-FW-O2:

(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,

(2) sustainable abstraction occurs from *lakes, river* main stems or *groundwater* in preference to tributaries, to the extent reasonably practicable,

(3) 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*, is recognised, provided for 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,

(4) *water bodies* support a range of outdoor recreation opportunities,

(5) in the Upper Lakes rohe, the high quality *waters* of the *lakes* and their tributaries are protected, and if *degraded* are improved recognising the significance of the purity of these *waters* to Kāi Tahu and to the wider community,

(6) in the Lower Clutha rohe, opportunities to restore the natural form and function of *water bodies* are promoted wherever practicable, and

(7) 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-FW-O4 – North Otago *FMU* vision

By 2050 in the North Otago *FMU,* and in addition to the matters in LF-FW-O2:

(1) the Waitaki River is managed holistically, ki uta ki tai, despite its catchments spanning the Canterbury and Otago regions,

(2) the national significance of the Waitaki hydroelectricity generation scheme is recognised, and

(3) healthy riparian margins, *wetlands*, estuaries and lagoons support the health of downstream coastal ecosystems.

LF-FW-O5 – Taiari *FMU* vision

By 2050 in the Taiari *FMU,* and in addition to the matters in LF-FW-O2:

(1) the upper and lower catchment *wetland* complexes, including the Waipōuri/Waihola *wetland* complex, Upper Taiari *wetland* complex, and connected tussock areas are protected, restored or enhanced where they have been *degraded* or lost,

(2) the gravel *bed* of the lower Taiari is restored and sedimentation of the Waipōuri/Waihola *wetland* complex is reduced,

(3) 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 potential future development of these schemes is provided for, in so far as is consistent with LF-FW-O2(1)–(6) and LF-FW-O5(1), and

(4) creative ecological approaches contribute to reduced occurrence of didymo.

LF-FW-O6 – Dunedin & Coast *FMU* vision

By 2040 in the Dunedin & Coast *FMU,* and in addition to the matters in LF-FW-O2:

(1) healthy riparian margins, *wetlands,* estuaries and lagoons support the health of downstream coastal ecosystems, and

(2) opportunities to restore the natural form and function of *water bodies* are promoted wherever practicable.

LF-FW-O7 – Catlins *FMU* vision

By 2035 in the Catlins *FMU,* and in addition to the matters in LF-FW-O2:

(1) the high degree of naturalness of the *water bodies* and ecosystem connections between the forests, *freshwater* and coastal environment are preserved, and

(2) healthy, clear and clean *water* supports opportunities for recreation.

LF-FW-O8 – *Fresh water*

In Otago's *water bodies* and their catchments, the 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*, use and development and, where *degraded*, restoration is promoted so that:

(1) *mahika kai* and other *mana whenua* values are sustained and enhanced now and for future generations,

(2) in relation to the extent and diversity of indigenous ecosystem types and *habitats*:

  (a) for *wetlands* outside the *coastal marine area*, there is no net decrease, and preferably an increase, and

  (b) for *natural inland wetlands*, there is no decrease, and preferably an increase, other than as provided by the NPSFM, and

(3) there is no reduction and, where *degraded*, there is an improvement in *wetland* ecosystem health, hydrological functioning, *amenity values*, extent or *water* quality, and

(4) their flood attenuation and *water* 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 *subdivision*, use and development.

Policies

LF-FW-P5 – *Freshwater Management Units* (*FMU*s) and rohe

Otago's *freshwater* 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 MAP2:

Table 3 – Freshwater Management Units and rohe

Freshwater Management Unit	**Rohe**
Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha
Taiari	n/a
North Otago	n/a
Dunedin & Coast	n/a
Catlins	n/a

LF-FW-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-P7 – Transitions over time

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

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

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

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

LF-FW-P8 – *Fresh water*

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

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

(2) the *habitats* of indigenous species with life stages dependent on *water bodies* are protected and sustained,

(3) the *habitats* of trout and salmon are protected insofar as this is consistent with (2),

(4) 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,

(5) *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

(6) resources harvested from *water bodies* including *mahika kai* and *drinking water* are safe for human consumption.

LF-FW-P9 – 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* as set out in LF-FW-M5,

(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* 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*,

(3) ensuring that no more *fresh water* is abstracted than is necessary for its intended use,

(4) ensuring that the efficiency of *freshwater* 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* 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-P10 – Identifying *wetlands*

By 3 September 2030, identify and map:

(1) any *wetland* at risk of loss of extent or values,

(2) any *wetland* 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) 0.05 hectares or greater in extent, or

  (b) 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-P11 – Managing *wetlands*

Otago's *wetlands* are managed:

(1) in the coastal environment, in accordance with CE – Coastal Environment, and

(2) by applying clause 3.22(1) to (3) of the NPSFM to *natural inland wetlands*, and

(3) to improve the ecosystem health, hydrological functioning and extent of *wetlands* that have been *degraded* or lost by promoting:

  (a) an increase in the extent and condition of *habitat* for indigenous species,

  (b) the restoration of hydrological processes,

  (c) control of *pest* species and vegetation clearance, and

  (d) the exclusion of stock, except where stock grazing is used to enhance *wetland* values, and

(4) to sustain and enhance Māori f*reshwater* values.

LF-FW-P12 – Otago's *outstanding water bodies*

Otago's *outstanding water bodies* are:

(1) the Kawarau River and tributaries described in the Water Conservation (Kawarau) Order 1997,

(2) Lake Wānaka and the outflow and tributaries described in the Lake Wanaka Preservation Act 1973, and

(3) any other *water bodies* identified in accordance with APP1.

LF-FW-P13 –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-P14 – Preserving natural character and instream values

Preserve the natural character and instream values of *lakes* and *rivers* 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* of the activity are managed by applying the *effects management hierarchy (in relation to natural inland wetlands and rivers*),

(2) not granting *resource consent* 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*,

  (c) if *aquatic offsetting* or *aquatic compensation* is applied, the applicant has complied with principles 1 to 6 in APP5 and APP6, and has had to regard to the remaining principles in APP5 and APP6, 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 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 Wānaka,

(7) preventing modification that would permanently reduce the braided character of a *river*,

(8) controlling the use of *water* and *land* that would adversely affect the natural character of the *water body*, and

(9) maintaining or enhancing the values of riparian margins to support *habitat* and *biodiversity*, reduce *contaminant* loss to *water bodies* and support natural flow behaviour.

LF-FW-P15 – Restoring natural character and instream values

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:

(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-P16 – *Stormwater discharges*

Minimise the adverse *effects* of direct and indirect *discharges* of *stormwater* to *fresh water* by:

(1) requiring:

(a) 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* inflows to *wastewater* systems,

(d) that any *stormwater discharges* do not prevent *water bodies* from meeting any applicable water quality standards set for *FMUs* and/or rohe, and

(e) the use of *water* sensitive design techniques wherever practicable, and

(2) promoting the reticulation of *stormwater* in *urban areas* where appropriate, and

(3) promoting source control as a method for reducing *contaminants* in *discharges* and the use of good practice guidelines for managing *stormwater.*

LF-FW-P17 – *Discharges* of *wastewater,* animal effluent, *sewage, greywater* and *industrial and trade waste*

Minimise the adverse *effects* of direct and indirect *discharges* of wastewater*,* animal effluent, *sewage, greywater* and *industrial and trade waste* to *fresh water* by:

(1) phasing out existing *discharges* of *wastewater, sewage* or *industrial and trade waste* directly to *freshwater* to the extent practicable,

(2) requiring:

(a) new *discharges* of *wastewater*, *sewage* or *industrial and trade waste* to be to *land*, 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)*, or

(iii) the *discharge* is to a constructed *water body* from which there is no *discharge* of water or *contaminants,* and,

(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*.

Methods

LF-FW-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

(4) education, advocacy and co-ordination to encourage efficient use of *freshwater*, including *water* harvesting, use of storage and consideration of alternative water supply.

LF-FW-M4 – *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-P12,

(2) identify the outstanding values of those *water bodies* (if any) in accordance with APP1,

(3) consult with the public and relevant *local authorities* 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-M5 – *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:

(1) implement the required steps in the NOF process in accordance with the NPSFM,

(2) 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,

(3) provide for the allocation and use of *fresh water* in accordance with LF-FW-P9, including by providing for off-stream *water* storage,

(4) identify and manage *wetlands* in accordance with LF-FW-P8 and LF-FW-P11 while recognising that some activities in and around *wetlands* are managed under the NPSFM, NESF and the NESCF,

(5) manage the adverse *effects* of *stormwater* and *discharges* containing animal effluent, *sewage,* or *industrial and trade waste* in accordance with LF-FW-P16 and LF-FW-P17, and

(6) recognise and respond to Kāi Tahu cultural and spiritual concerns about mixing of *water* between different catchments.

LF-FW-M6 – *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-M4, and

(2) include provisions to protect the significant and outstanding values of *outstanding water bodies*,

(3) 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*,

(4) require, wherever practicable, the adoption of water sensitive design techniques when managing the *subdivision,* use or development of *land*, and

(5) 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-M7 – Action plans

Otago Regional Council:

(1) must prepare an action plan for achieving any target *attribute* states for *attributes* described in Appendix 2B of the NPSFM,

(2) may prepare an action plan for achieving any target *attribute* states for *attributes* described in Appendix 2A of the NPSFM, and

(3) may prepare an action plan for any other purpose set out in the NPSFM, and

(4) must prepare any action plan in accordance with clause 3.15 of the NPSFM.

LF-FW-M8 – 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-M8(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* of trout and salmon, including fish passage, will be consistent with the protection of the *habitat* 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* 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-M9 – 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* 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-M10 – Monitoring

Otago Regional Council, for every *FMU*, must:

(1) establish a long-term monitoring programme that incorporates cultural health monitoring,

(2) record information (including monitoring data) about the state of *water bodies* and *freshwater* ecosystems and the challenges to their health and well-being

(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-M11 – Other methods

In addition to methods LF-FW-M3 to LF-FW-M10, the methods in the LF-WAI and LF-LS sections are also applicable.

Explanation

LF-FW-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.

Implementing the NPSFM requires Council to identify *FMUs* that include all *freshwater bodies* within the region. Policy LF-FW-P5 identifies Otago's five *FMUs*: Clutha Mata-au *FMU*, Taiari *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-FW-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 *natural inland 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* and hydrological values of wetland systems.

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 they meet the criteria in APP1 which lists the types of values which may be considered outstanding: cultural and spiritual, ecology, landscape, natural character, recreation and physical. The significant values of *outstanding water bodies* are to be identified and protected from adverse *effects*.

Preserving the natural character of *lakes* and *rivers*, and their *beds* and margins, is a matter of national importance under section 6 of the RMA. 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.

The impact of *discharges* of *stormwater* and *wastewater* on *freshwater bodies* is a significant issue for *mana whenua* and has contributed to *water* quality issues in some *water bodies*. The policies set out a

range of actions to be implemented in order to improve the quality of these *discharges* and reduce their adverse *effects* on receiving environments.

Principal reasons

LF-FW-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 *freshwater* 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 *freshwater* 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.

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 RMA. The provisions in this section will underpin the development of the Council's *regional plans* and provide a foundation for implementing the requirements of the NPSFM, including the development of *environmental outcomes*, *attribute* states, target *attribute* states and limits.

Anticipated environmental results

LF-FW-AER3	The *fresh water* visions in this section implement *Te Mana o Te Wai* according to the particular characteristics of *FMUs* and rohe and the outcomes they seek are achieved within the timeframes specified.
LF-FW-AER4	*Fresh water* is allocated within *limits* that contribute to achieving specified *environmental outcomes* for *water bodies* within timeframes set out in *regional plans* that are no less stringent than the timeframes in the LF-FW section of this chapter.
LF-FW-AER5	*Specified rivers* and *lakes* are suitable for primary contact within the timeframes set out in LF-FW-P8.
LF-FW-AER6	*Degraded water* quality is improved so that it meets specified *environmental outcomes* within timeframes set out in *regional plans* that are no less stringent than the timeframes in the objectives in the LF-FW section of this chapter.

LF-FW-AER7	*Water* in Otago's aquifers is suitable for human consumption, unless that *water* is naturally unsuitable for consumption.
LF-FW-AER8	Where *water* is not *degraded*, there is no reduction in *water* quality.
LF-FW-AER9	Direct *discharges* of *wastewater* to *water* are phased out to the greatest extent practicable and the frequency of *wastewater* overflows is reduced.
LF-FW-AER10	The quality of *stormwater discharges* from existing *urban areas* is improved.
LF-FW-AER11	There is an improvement in the extent and condition or quality of Otago's *wetlands*.
LF-FW-AER12	The economic, social, and cultural well-being of communities is sustained.

LF-LS – *Land* and soil

Objectives

LF-LS-O11 – *Land* and soil

The availability and *productive capacity* of *highly productive land* for *primary production* is protected from inappropriate use and development 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,

(2) sustains the potential of *land* and soil to meet the reasonably foreseeable needs of future generations while recognising the extractive nature of mining,

(3) contributes to achieving *environmental outcomes* for *fresh water*, and

(4) recognises the role of these resources in providing for the social, economic, and cultural well-being of Otago's people and communities.

LF-LS-O13 – Development in *rural areas*

Use and development in Otago's *rural areas* occurs in a way that:

(1) provides for the ongoing use of *rural areas* for *primary production* and *rural industry,*

(2) does not compromise the long term viability of *primary production* and rural communities, and

(3) enables the use and development of native reserves and *Māori land.*

Policies

LF-LS-P18 – 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 APP7 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,

(2) 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 APP7 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,

(3) other than the *afforestation* or *replanting* of *plantation forests*, avoiding the planting of *wilding conifer* species listed in APP7 and any other *pests* in a way that is consistent with the Otago Regional Pest Management Plan 2019-2029,

(4) enabling the control of *pests* on *land,* and

(5) supporting initiatives to control or eliminate *pests* and limit or prevent their further spread.

LF-LS-P19 – 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-P20 – Soil values

Maintain the health and productive potential of soils, to the extent reasonably practicable, 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-P21 – Soil erosion

Minimise soil erosion, and the associated risk of sedimentation in *water bodies*, resulting from *land* use activities by:

(1) maintaining vegetative cover on erosion-prone *land,* to the extent practicable,

(2) 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-P22 – *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-P23 – *Land* use and *fresh water*

The health and well-being of *water bodies* and *freshwater* ecosystems is maintained or, if *degraded*, improved to meet *environmental outcomes* set for *FMUs* and/or rohe by:

(1) reducing or otherwise managing the adverse *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 values of riparian margins.

LF-LS-P24 – Highly productive land

Maintain the availability and *productive capacity* of *highly productive land* by identifying and managing the use of *highly productive land* in accordance with the NPSHPL.

LF-LS-P25 –*Rural areas*

The management of use and development in *rural areas*:

(1) 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 well-being within rural communities and the wider region,

(2) prioritises land-based *primary production* on *highly productive land* in accordance with the NPSHPL, except as provided for in (4) below,

(3) provides for *primary production*, *rural industry,* and supporting activities, and recognises:

  (a) the importance of these activities to the social and economic well-being of Otago's communities, and

  (b) that mining and aggregate activities can only be located where those resources are present,

(4) enables the use by Kāi Tahu of native reserves and *Māori land* in accordance with MW-P4,

(5) 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 (4) or the NPSHPL, and

(6) 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.

LF-LS-P26 – Rural lifestyle development

The establishment, development or expansion of rural lifestyle development only occurs where:

(1) 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,

(2) it minimises impacts on existing or anticipated *primary production, rural industry* and other rural activities and the potential for *reverse sensitivity effects,*

(3) it avoids *highly productive land* except as provided for in the NPSHPL,

(4) 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-P27 – 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*,

(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 tupuna*,

(g) establishing vegetation, or

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

Methods

LF-LS-M12 – Identification of *highly productive land*

(1) Otago Regional Council must identify *highly productive land* in Otago in accordance with LS-LS-P7:

(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, 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.

LF-LS-M13 – *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*, and

(3) enable the *discharge* of *contaminants* to *land* for *pest* control, and

(4) implement policies LF-LS-P19 to LF-LS-P27.

LF-LS-M14 – *District plans*

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

(1) manage activities that may affect the ability of *environmental outcomes* for *fresh water* to be achieved,

(2) manage *land* use change by:

  (a) managing the planting of *pest plants* in accordance with LF-LS-P18, and, when identifying any need for and size of a buffer zone for the purposes of LF-LS-P18, *territorial 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 APP7 into the area to be protected,

  (b) avoiding, where practicable, and otherwise minimising the removal of montane tall tussock grasslands, to recognise their ability to capture and hold precipitation, and

(3) provide for and promote the creation and enhancement of vegetated riparian margins and constructed *wetlands*, and maintain these where they already exist,

(4) 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

(5) maintain the availability and *productive capacity* of *highly productive land* identified and mapped under LF-LS-M12 in accordance with LF-LS-P24, and

(6) manage development in *rural areas* in accordance with LF-LS-P25,

(7) manage rural lifestyle activities development in in accordance with LF-LS-P26.

LF-LS-M15 – 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 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 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-M16 – Other methods

In addition to methods LF-LS-M12, to LF-LS-M15, the methods in the LF-WAI and LF-FW sections are also applicable.

Explanation

LF-LS-E3 – Explanation

The policies in this section of the LF chapter seek to maintain the health of Otago's soils, reduce the impact of *pests* 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* 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-PR3 – 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* 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 *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*.

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 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*, 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. 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* will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of *infrastructure* servicing irrespective of whether this is onsite, community or through connections to urban reticulated schemes.

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-AER13	The area of *land* vegetated by *wilding conifers* is reduced.
LF-LS-AER14	The extent and distribution of *pests* does not increase.
LF-LS-AER15	The life-supporting capacity of soil is maintained or improved throughout Otago.
LF-LS-AER16	The availability and capability of Otago's *highly productive land* is maintained.
LF-LS-AER17	The use of *land* supports the achievement of *environmental outcomes* and objectives in Otago's *FMUs* and rohe.
LF-LS-AER18	New rural lifestyle development occurs within areas appropriate for this use.
LF-LS-AER19	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 biodiversity*

Otago's *indigenous biodiversity* is healthy and thriving and, at a minimum, any overall decline in condition, quantity and diversity is halted.

ECO-O2 – Restoring and enhancing

Restoration and enhancement activities result in an overall increase in the extent and *occupancy* of Otago's *indigenous biodiversity*.

ECO-O3 – *Kaitiakitaka* and stewardship

Kāi Tahu exercise their rakatirataka and 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).

ECO-O4 – Social, economic and cultural well-being

While achieving ECO-O1, ECO-O2 and ECO-O3, the social, cultural and economic well-being of people and communities now and in the future is provided for.

Policies

ECO-P1 – Coastal and *freshwater indigenous biodiversity*

This chapter applies to all forms of *indigenous biodiversity* except that:

(1) ECO-P3 only applies to *land* covered by *water, water bodies*, or *freshwater* ecosystems that are not within a *natural inland wetland* if those areas are contained within a wider *significant natural area* identified in accordance with ECO-M2, and

(2) ECO-P4, ECO-P5, ECO-P6, ECO-P7, and ECO-P12 do not apply in the coastal environment or to *land* covered by *water, water bodies*, or *freshwater* ecosystems.

ECO-P2 – *Kaitiakitaka*

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*,

(2) working with Kāi Tahu to identify *indigenous species* and ecosystems that are taoka,

(3) incorporating the use of mātauraka Māori in the management and monitoring of *indigenous biodiversity*, and

(4) facilitating access to and use of *indigenous biodiversity* by Kāi Tahu, including *mahika kai*, according to tikaka.

ECO-P3 – Identifying *significant natural areas* and taoka

Except as provided for by ECO-P1, 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* and ecosystems that are taoka, including those identified by *mana whenua* as requiring protection, in accordance with ECO-M3.

ECO-P4 – Protecting *significant natural areas* and taoka

Except as provided for by ECO-P1, ECO-P5, and ECO-P6, :(1) protect *significant natural areas* by first avoiding the following adverse *effects*:

(a) loss of ecosystem representation and extent,

(b) disruption to sequences, mosaics, or *ecosystem function*,

(c) fragmentation of *significant natural areas* or the loss of buffers or connections within an *SNA*,

(d) a reduction in the function of the *significant natural area* as a buffer or connection to other important *habitats* or ecosystems, or

(e) a reduction in the population size or occupancy of *Threatened or At Risk (declining) species* that use a *significant natural area* for any part of their life cycle, and

(2) protect *indigenous species* and ecosystems that are taoka by first avoiding adverse *effects* that result in any loss of taoka values identified by *mana whenua* as requiring protection under ECO-P3(2), and

(3) after (1) and (2), applying the *effects management hierarchy (in relation to indigenous biodiversity)* to areas and values other than those covered by ECO-P4(1), and

(4) prior to *significant natural areas* and *indigenous species* and ecosystems that are taoka being identified and mapped in accordance with ECO-P3, adopt a precautionary approach towards activities in accordance with IM-P4(2).

ECO-P5 – Provision for specified new activities

Except as provided for by ECO-P1,' 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* or notices of requirement for the following activities in *significant natural areas*, or where they may adversely affect *indigenous species* and ecosystems that are taoka (but are not specified *highly mobile fauna)* that have been identified by *mana whenua* as requiring protection:

(1) except as provided for in (2), new *subdivision*, use or development for the purpose of the construction 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* or ecosystems that are taoka, and there are no practicable alternative locations,

(2) the development, operation, maintenance or upgrade of *renewable electricity generation* 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* or ecosystems that are taoka, and alternative sites, methods and designs have been considered under EIT-EN-P17,

(3) new *subdivision,* use or development for the purpose of *mineral* extraction that provides 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,

(4) new *subdivision,* use or development for the purpose of aggregate extraction that provides 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, and there are no practicable alternative locations, and

(5) the sustainable use of *mahika kai* and kaimoana (seafood) by *mana whenua*.

(6) activities that are for the purpose of protecting, maintaining, restoring or enhancing a *significant natural area* or *indigenous species* or ecosystems that are taoka,

(7) activities that are for the purpose of addressing a severe or immediate risk to public health or safety,

(8) activities that are for the purpose of 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

(9) activities that are for the purpose of harvesting indigenous tree species from a *significant natural area* carried out in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949.

ECO-P6 – Managing adverse *effects* of *established activities* on *significant natural areas*

Except as provided for by ECO-P7, enable *established activities* (excluding activities managed under ECO-P4 and ECO-P5) 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,* subject to ECO-P11.

ECO-P7 – Maintaining *indigenous biodiversity*

Except as provided for by ECO-P1, and excluding areas protected under ECO-P4, manage Otago's *indigenous biodiversity* by all of the following:

(1) applying the *effects management hierarchy (in relation to indigenous biodiversity)* to manage significant adverse *effects* on *indigenous biodiversity* and recognising and providing for the protection of significant *indigenous biodiversity* values identified under ECO-M2(5),

(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* and *nationally significant infrastructure* that is either *renewable electricity generation* or the *National Grid* avoid, remedy or mitigate adverse *effects* to the extent practicable, and

(4) when significant *indigenous biodiversity* values are identified under ECO-M2(5), protecting those values in *district plans*.

ECO-P8 – *Restoration* and enhancement

The extent, *occupancy* and condition of Otago's *indigenous biodiversity* is increased by:

(1) restoring and enhancing *habitat* for *indigenous species*, including taoka and *mahika kai* species,

(2) improving the health and *resilience* of *indigenous biodiversity*, including ecosystems, species, *ecosystem function*, and *intrinsic values*,

(3) buffering or linking ecosystems, *habitats* and ecological corridors, ki uta ki tai, and

(4) prioritising all the following for *restoration*:

  (a) *significant natural areas* whose *ecological integrity* is *degraded*,

  (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 – Integrated approach

Manage *indigenous biodiversity* and the *effects* on it from *subdivision*, 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,

(3) acknowledging that *climate change* will affect *indigenous biodiversity* and managing activities which may exacerbate the *effects* of *climate change*,

(4) providing for the coordinated management and control of *subdivision*, use and development, as it affects *indigenous biodiversity* across administrative boundaries,

(5) working towards aligning strategies and other planning tools required or provided for in legislation that are relevant to *indigenous biodiversity*,

(6) recognising the critical role of people and communities in actively managing the remaining *indigenous biodiversity* occurring on private *land,* and

(7) adopting regulatory and non-regulatory regional *pest* management programmes (including, where necessary, in relation to *wilding conifers*).

ECO-P10 – Resilience to *climate change*

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 and adapting to the *effects* of *climate change*.

ECO-P11 – Plantation forestry activities

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, and

(3) the maintenance of *indigenous biodiversity* under ECO-P7 in a way that provides for *plantation forestry* activities to continue.

ECO-P12 – Managing *indigenous biodiversity* on native reserves and *Māori land*

In relation to native reserves and *Māori land* outside the coastal environment, recognise and give practical effect to Kāi Tahu rakatirataka and *kaitiakitaka* by:

(1) enabling *mana whenua*, and owners of Māori freehold *land* in relation to their *land*, to lead approaches to the management of the *effect*s of use and development of native reserves and *Māori land* on *indigenous biodiversity*, in accordance with mātauraka and tikaka,

(2) applying mātauraka and tikaka to protect identified taoka and SNAs, and maintain and restore *indigenous biodiversity*:

(a) to the extent practicable,

(b) in a manner appropriate to the particular native reserve or *Māori land*, and

(c) having regard to the principles of the Treaty of Waitangi, and the purpose of the redress provided for in the NTCSA, including redress arising from the Ancillary Claims and SILNA, and

(3) recognising that there are circumstances where the use and development of native reserves and *Māori land*, as provided in MW-P4, will prevail over the *indigenous biodiversity* values of that *land*, and

(4) recognising that this policy applies instead of ECO-P4 to ECO-P7 in relation to native reserves and *Māori land*.

Methods

ECO-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(iii) of the RMA, the *local authorities* responsible for the control of *land* use to maintain indigenous *biological diversity* are:

(1) the regional council and *territorial authorities* are responsible for specifying objectives, policies and methods in *regional plans* and *district plans* for managing the margins of *wetlands*, *rivers* and *lakes*,

(2) the regional council is responsible for specifying objectives, policies and methods in *regional plans*:

(a) in the *coastal marine area*,

(b) in *wetlands*, *lakes* and *rivers*, and

(c) in, on or under the *beds* of *rivers* and *lakes*,

(3) in addition to (1), *territorial authorities* are responsible for specifying objectives, policies and methods in *district plans* outside of the areas listed in (2) above if they are not managed by the regional council under (4), and

(4) the regional council may be responsible for specifying objectives, policies and methods in *regional plans* outside of the areas listed (1) above if:

(a) the regional council reaches agreement with the relevant *territorial authority* or *territorial authorities*, and

(b) if applicable, a transfer of powers in accordance with section 33 of the RMA occurs from the relevant *territorial authority* or *territorial authorities* to the regional council.

ECO-M2 – Identification of *significant natural areas*

Local authorities must:

(1) in accordance with the statement of responsibilities in ECO-M1, identify the areas and *indigenous biodiversity* values of *significant natural areas* as required by ECO-P3, and

(2) map (including verification wherever practicable) the areas and include the *indigenous biodiversity* values identified under (1) in the relevant *regional plans* and *district plans*, and

(3) identify areas and values of *indigenous biodiversity* within their jurisdictions in accordance with CE-P6, map the areas and describe their values in the relevant *regional plans* and *district plans,* and

(4) recognise that *indigenous biodiversity* spans jurisdictional boundaries by:

  (a) working collaboratively to ensure the areas identified by different *local authorities* are not artificially fragmented when identifying *significant natural areas* that span jurisdictional boundaries, and

  (b) ensuring that *indigenous biodiversity* is managed in accordance with this RPS,

(5) 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*, plan changes and notices of requirement that identify whether affected areas are *significant natural areas* in accordance with APP2, and

(6) in the following areas, prioritise identification under (1):

  (a) intermontane basins that contain *indigenous vegetation* and *habitats*,

  (b) areas of dryland shrubs,

  (c) areas which include braided *river* systems, including the Makarore, Mātakitaki and Lower Waitaki Rivers,

  (d) areas of montane tall tussock grasslands, and

  (e) limestone habitats, and

(7) 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*:

    (i) conducts a physical inspection of the area, or

    (ii) 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 council will assist the *territorial authority* in undertaking its district-wide assessment, and

  (c) where a *territorial authority* has identified a *significant natural area*, 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 in accordance with any timeframes specified in the NPSIB, and

  (d) if a *local authority* becomes aware (as a result of a *resource consent* application, notice of requirement or any other means) that an area may be an area of significant *indigenous*

vegetation or significant *habitat* of indigenous fauna that qualifies as a *significant natural area*, the *local 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 *local authority*, and

(e) when a *territorial authority* does its 10-yearly plan review, it assesses its district in accordance with ECO-P3 and APP2 to determine whether changes are needed, and

(8) allow an area of Crown-owned land to qualify as a *significant natural area* without the need for the assessment required by ECO-P3, using APP2, if:

(a) the *land* 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 taoka

Local authorities must:

(1) work together with *mana whenua* to agree a process for:

(a) identifying *indigenous species* 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* and *district plans* to include matters (1)(b) to (1)(d) above, and

(4) recognise that the possible adverse *effects* on identified taoka include *effects* on:

(a) the mauri of the taoka,

(b) the values of the taoka as identified by *mana whenua,*

(c) the historical, cultural, and spiritual relationship of *takata whenua* with the taoka*,* as identified by *mana whenua,* and

(5) notify the relevant landowner of the presence of the taoka prior to identifying acknowledged taoka in a proposed *district plan.*

ECO-M4 – *Regional plans*

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

(1) provide for the use of *lakes* and *rivers,* and their *beds,* including:

(a) activities undertaken for the purposes of *pest* control or maintaining or enhancing the *habitats* of indigenous fauna, and

(b) the maintenance and use of existing *structures* that are lawfully established (including *infrastructure*), and

(c) *infrastructure* that has a *functional need* or *operational need* to be sited or operated in a particular location,

(2) 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*, of provisions for *mahika kai* and kaimoana activities that may provide an alternative approach to *effects* management than the policies in this ECO chapter (in accordance with ECO-M8,

(3) provide for activities undertaken for the purpose of restoring or enhancing the *habitats* of indigenous fauna, and

(4) recognise that where access to and use of *indigenous biodiversity* by any person would require access to or through private *land*, such access is subject to the consent of the landowner.

ECO-M5 – Increasing indigenous vegetation cover

(1) Otago Regional Council must:

(a) assess the percentage of *indigenous vegetation* cover in

(i) each of its *urban environments*; and

(ii) its non-urban environments

(b)the assessment may be done by a desktop analysis, by ground truthing, or both, and must be done in collaboration with relevant *territorial authorities* and *mana whenua* (to the extent they wish to be involved),

(c) set a target of at least 10% *indigenous vegetation* cover for any urban or non-urban environment that has less than 10% cover of *indigenous vegetation*, and

(i) consider, in consultation with *mana whenua* and *territorial authorities*, setting higher targets for urban and non-urban environments that already have at least 10% coverage of *indigenous vegetation*, and

(ii) include any *indigenous vegetation* cover targets in their regional policy statements.

(2) *Local authorities* must promote the increase of *indigenous vegetation* cover in their regions and districts through objectives, policies, and methods in their policy statements and plans:

(a) having regard to any targets set under ECO-M5(1)(c); and

(b) giving priority to all the following:

(i) areas referred to in ECO-P8(4),

(ii) ensuring *indigenous species* richness appropriate to the ecosystem,

(iii) *restoration* at a landscape scale across the region, and

(iv) using species, and seed from species, that are local to the area.

ECO-M6 – *Specified highly mobile fauna*

Local authorities must:

(1) include objectives, policies, or methods in their policy statements and plans for managing the adverse *effects* of new *subdivision*, use, and development on highly mobile fauna areas, in order to maintain viable populations of *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* and their *habitats* in their regions and districts.

ECO-M7 – *Maintenance of improved pasture for farming*

Local authorities must allow the *maintenance of improved pasture* to continue if:

(1) 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

(2) any adverse *effects* of the *maintenance of improved pasture* on a *significant natural area* are no greater in intensity, scale, or character than the *effects* of activities previously undertaken as part of the regular cycle of periodic maintenance of that pasture; and

(3) the *improved pasture* has not itself become a *significant natural area*; and

(4) the *land* is not an uncultivated *depositional landform;* and

(5) the *maintenance of improved pasture* will not adversely affect a *Threatened or At Risk (declining)* species.

ECO-M8 – Native reserves and Māori land

Local authorities must:

(1) work in partnership (which includes acting in good faith) with *mana whenua* and owners of native reserves and *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* management for *indigenous biodiversity* than the policies in this ECO chapter (excluding ECO-P12), and

(2) ensure that objectives, policies, and methods developed under (1):

(a) enable new occupation, use, and development of native reserves and *Māori land* to support the social, cultural, and economic well-being of *mana whenua* and owners of Māori freehold *land,* and

(b) enable the provision of new *papakāika,* marae and ancillary community facilities, dwellings, and associated *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 on native reserves and *Māori land*, and enable options for offsetting and compensation, and

(d) recognise and be responsive to the fact there may be no or limited alternative location for *mana whenua* and owners of Māori freehold *land* to occupy, use, and develop their *lands*, 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* and owners of Māori freehold *land* have faced in occupying, using, and developing their ancestral lands.

ECO-M9 – *District plans*

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

(1) provide for the use of *land* and the surface of *water bodies* including:

(a) activities undertaken for the purposes of *pest* control or maintaining or enhancing the *habitats* of indigenous fauna, and

(b) the maintenance and use of existing *structures* (including *infrastructure*), and

(c) *infrastructure* that has a *functional* or *operational need* to be sited or operated in a particular location,

(2) manage the clearance or modification of *indigenous vegetation*, while allowing for *mahika kai* activities (including through the development, in partnership with *mana whenua*, of provisions for *mahika kai* activities that may provide an alternative approach to *effects* 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* 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 relation to indigenous biodiversity)* have not been followed, and

(5) provide for activities undertaken for the purpose of restoring or enhancing the *habitats* of indigenous fauna,

(6) require buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area* (subject to LS-FS-P1), and

(7) recognise that where access to and use of *indigenous biodiversity* by any person would require access to or through private *land*, such access is subject to the consent of the landowner.

ECO-M10 – Engagement

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-M11 – Kāi Tahu *kaitiakitaka*

Local authorities 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* is early, meaningful, and in accordance with *tikaka* 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 kaiora (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-M12 – Information requirements

Local authorities must:

(1) require that, in relation to an application for a *resource consent* for an activity that would have more than minor adverse *effects* 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) ensure the report required within ECO-M12(1) above must:

(a) include a description of the existing ecological features and values of the site, including those in APP2 if applicable; and

(b) include a description of the adverse *effects* of the proposal on *indigenous biodiversity* and how those *effects* will be managed; and

(c) identify any *effects* 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 APP3 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* is proposed, set out:

(i) a detailed plan of what is proposed; and

(ii) a description of how the relevant principles in APP4 have been addressed; and

(iii) an assessment of the likely success of the plan in achieving its outcomes; and

(3) after a report is prepared in accordance with (1) and (2), assess the area in accordance with APP2 as soon as practicable.

ECO-M13 – Monitoring

Local authorities will:

(1) establish long-term monitoring programmes for areas identified under ECO-P3 that measure the net loss and gain of *indigenous biodiversity*,

(2) record information (including data) over time about the state of species, vegetation types and 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-M14 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies ECO-P2 to ECO-P9, including:

(1) providing information and guidance on the maintenance, *restoration* and enhancement of indigenous ecosystems, *habitats,* 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* 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*, including through the QEII National Trust,

(6) advocating for a collaborative approach between central and local government to fund *indigenous biodiversity* maintenance and enhancement, and

(7) gathering information on indigenous ecosystems, *habitats*, and taoka and *mahika kai* species and ecosystems, including outside *significant natural areas*.

ECO-M15 – Regional Biodiversity Strategy

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 – Explanation

The first policy in this chapter outlines how the kaitiaki role of Kāi Tahu will be recognised in Otago. The policies which follow then set out a management regime for identifying *significant natural areas* and *indigenous species* and ecosystems that are taoka and protecting them by avoiding particular adverse *effects* on them. The policies recognise that these restrictions may be unduly restrictive for some activities within *significant natural areas*, including existing activities already established. To maintain ecosystems and *indigenous biodiversity*, the policies set out mandatory and sequential steps in an *effects management hierarchy* to be implemented through decision making, including providing for *biodiversity offsetting* and *biodiversity compensation* if certain criteria are met.

Although the objectives of this chapter apply within the coastal environment, the specific management approach for *biodiversity* is contained in the CE – Coastal environment chapter. Given the *biodiversity* loss that has occurred in Otago historically, restoration or enhancement will play a part in achieving the objectives of this chapter and these activities are promoted.

The policies recognise that managing ecosystems and *indigenous biodiversity* requires co-ordination across different areas and types of resources, as well as across organisations, communities and individual landowners. This articulates the stewardship role of all people and communities in Otago in respect of *indigenous biodiversity*.

Principal reasons

ECO-PR1 – Principal reasons

The health of New Zealand's *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 managing the *effects* of *land* use, development and *subdivision* activities on *indigenous biodiversity*.

The provisions in this chapter assist in maintaining, protecting and restoring *indigenous biodiversity* by:

- stating the outcomes sought for ecosystems and *indigenous biodiversity* in Otago,
- requiring identification and protection of *significant natural areas* and *indigenous species* and ecosystems that are taoka, and
- directing how *indigenous biodiversity* is to be maintained.

This chapter will assist with achieving the outcomes sought by *Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy 2020.* Implementation of the provisions in this chapter will occur primarily through *regional 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-AER1	There is no further decline in the condition, quantity or diversity of Otago's *indigenous biodiversity*.
ECO-AER2	The condition, quantity and diversity of *indigenous biodiversity* within Otago improves over the life of this Regional Policy Statement.
ECO-AER3	Kāi Tahu are involved in the management of *indigenous biodiversity* and able to effectively exercise their *kaitiakitaka*.

EIT – Energy, infrastructure and transport

EIT-INF – Infrastructure

Objectives

EIT-INF-O1 – Provision of *infrastructure*

Effective, efficient, safe and resilient *infrastructure, nationally significant infrastructure* and *regionally significant infrastructure* enables 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, while adverse *effects* are managed.

EIT-INF-O2 – Integration

Development of *infrastructure* and *land* use change is coordinated, where appropriate.

EIT-INF-O3 – Protecting *infrastructure* with national or regional significance

Regionally significant infrastructure and *nationally significant infrastructure* are not compromised by subdivision, use and development.

EIT-INF-O4 – 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*.

Policies

EIT-INF-P1 – Providing for electricity distribution

Recognise and provide for electricity distribution infrastructure, by all of the following:

(1) managing adverse *effects* in accordance with EIT-INF-P4 and EIT-INF-P5,

(2) recognising the *functional needs* of electricity distribution activities,

(3) restricting the establishment of activities that may result in *reverse sensitivity effects*,

(4) avoiding, remedying or mitigating adverse *effects* from other activities on the *functional needs* of that *infrastructure*,

(5) identifying *significant electricity distribution infrastructure* and managing *effects* of potentially incompatible activities through methods such as corridors, and

(6) ensuring that the ability to develop, use and protect native reserves and *Māori land* in accordance with MW-P4 is not compromised.

EIT-INF-P2 – 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-P3 – 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,

(2) it is*resilient*, to the extent reasonably practicable, to the current and future *effects* of sea level rise and *climate change*,

(3) it is, as far as practicable, co-ordinated with long-term *land* use planning, and

(4) its delivery, operation or use is efficient.

EIT-INF-P4 – 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,
- (c) *natural inland wetlands* and *rivers*,
- (d) *outstanding water bodies*,
- (f) areas or places of significant or outstanding *historic heritage*, and
- (g) *wāhi tupuna*, 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, regionally significant infrastructure,* or electricity *distribution networks*:
  - (i) in *significant natural areas,* in accordance with ECO-P4, ECO-P5, and ECO-P6,
  - (ii) in *natural inland wetlands* or *rivers,* in accordance with LF-FW-P11 and LF-FW-P14,
  - (iii) in *outstanding water bodies,* in accordance with LF-FW-P13,
  - (iv) in relation to *wāhi tūpuna*, in accordance with HCV-WT-P2,
  - (v) in other areas listed in EIT-INF-P4(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, and
    - (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
- (b) for all *infrastructure* that is not *nationally significant infrastructure, regionally significant infrastructure* or electricity *distribution networks,* 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-P6(3) will apply.

EIT-INF-P5 – 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-P6 – Decision making considerations

When considering proposals to develop or upgrade *infrastructure*:

(1) require consideration of alternative sites, methods and designs if adverse *effects* are potentially significant or irreversible, and

(2) require consideration of the current and future effects of sea level rise and climate change, and

(3) recognise that upgrades of *infrastructure* may provide opportunities to reduce adverse *effects* of the existing *infrastructure*.

EIT-INF-P7 – Protecting *nationally significant infrastructure* and *regionally significant infrastructure*

Protect the efficient and effective operation, maintenance, upgrading and development of *nationally significant infrastructure* and *regionally significant infrastructure* by:

(1) to the extent reasonably possible, managing activities, to ensure that of the operation, maintenance, upgrading and development of *nationally significant infrastructure* or *regionally significant infrastructure*, is not compromised,

(2) to the extent reasonably possible, managing activities to avoid *reverse sensitivity effects* on *nationally significant infrastructure* or *regionally significant infrastructure*, and

(3) identifying areas where *sensitive activities* are to be avoided.

EIT-INF-P8 – Providing for the *National Grid*

Facilitate the operation, maintenance, upgrade and development of the *National Grid* by:

(1) enabling the reasonable operation, maintenance and minor upgrading requirements of established *National Grid* assets, and

(2) providing for more than minor upgrading, and development of *National Grid* assets.

EIT-INF-P9 – 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-P11(1) and (2),

(4) managing *effects* on the values or extent of rivers and lakes in accordance with LF-FW-P14(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 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 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-P9 and other policies in this regional policy statement, EIT-INF-P9 prevails over those policies.

EIT-INF-P10 – 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-P7.

EIT-INF-P11 – 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.

Methods

EIT-INF-M1 – *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* or *contaminants*, and

(2) recognise and provide for the operation, maintenance, upgrade and development of the *National Grid.*

EIT-INF-M2 – *District plans*

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

(1) require a strategic approach to the integration of *land* use and infrastructure, *nationally significant infrastructure* or *regionally significant infrastructure*,

(2) manage the subdivision, *use* and development of *land* to ensure *infrastructure*, *nationally significant infrastructure* or *regionally significant infrastructure* can develop to meet increased demand,

(3) 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* and *rivers*,

(4) ensure that development is adequately served with *infrastructure*

(5) 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.

EIT-INF-M3 – 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-E1 – 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 *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-PR1 – 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-AER1	*Infrastructure* provides safe, effective and efficient services to the Otago community and beyond.
EIT-INF-AER2	The provision of *infrastructure* is co-ordinated and integrated to service growth efficiently.
EIT-INF-AER3	*Nationally significant infrastructure* and *regionally significant infrastructure* is protected from adverse *effects*, including *reverse sensitivity effects* caused by incompatible activities.
EIT-INF-AER4	The adverse *effects* associated with *infrastructure* are avoided to the extent practicable or are minimised.

EIT-EN – Energy

Objectives

EIT-EN-O5 – Energy and social and economic well-being

The health and well-being of Otago's communities and economy are supported by *renewable electricity generation* within the region that is safe, secure, and *resilient*.

EIT-EN-O6 – 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-O7 – *Greenhouse gas* emissions and renewable energy targets

Otago's *renewable electricity generation* supports the overall reduction in New Zealand *greenhouse gas* emissions and achieving the national target for emissions reduction.

EIT-EN-O8 – *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-O9 – 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-P12 – 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-P13 – 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*, and

(2) have particular regard to the need for, and benefits of, maintaining and increasing *renewable electricity generation* capacity.

EIT-EN-P14 – 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-P15 – 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-P16 – Non-renewable electricity generation

In relation to non-renewable electricity generation:

(1) except as provided for in (2) below, restrict the development of non-renewable electricity generation activities in Otago, 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*:

  (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-P17 – Managing *effects*

Manage the adverse effects of *renewable electricity generation activities* by:

(1) applying EIT-INF-P4 and EIT-INF-P5, while

(2) having particular regard to:

  (a) the *functional need* to locate *renewable electricity generation activities* where resources are available,

  (b) the *operational need* to locate where it is possible to connect to the *National Grid* or *electricity sub-transmission infrastructure*, and

(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 more than minor residual adverse *effects* are offset or compensated for; and

(4) 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, and

(5) 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-P18 – *Small and community scale distributed electricity generation*

Provide for *small and community scale distributed electricity generation* activities that increase the local community's *resilience* and security of energy supply.

EIT-EN-P19 – 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-M4 – *Regional plans*

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

(1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,

(2) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities*, including identifying activities that quality as minor upgrades, that:

  (a) are within the beds of *lakes* and *rivers* and the *coastal marine area*, or

  (b) involve the taking, use, damming or diversion of *water* and *discharge* of *water* or *contaminants*,

(3) 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* assets, and

(4) restrict the establishment of activities that may adversely affect the efficient functioning of *renewable electricity generation activities* (including impacts on generation capacity).

EIT-EN-M5 – *District plans*

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

(1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,

(2) manage the adverse *effects* of developing or upgrading *renewable electricity generation activities* that are on:

  (a) the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area*, or

  (b) the beds of *lakes* and *rivers*,

(3) 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*,

(4) restrict the establishment or occurrence of activities that may adversely affect the efficient functioning of *renewable electricity generation infrastructure,*

(5) map *significant electricity distribution infrastructure* and, where necessary, provide controls on activities to ensure that the *functional needs* of the *significant electricity distribution infrastructure* are not compromised,

(6) where necessary, establishing controls for *buildings*, *structures* and other activities adjacent to electricity *infrastructure*, to ensure the *functional needs* of that *infrastructure* are not compromised based on NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992), and

(7) require the design of *subdivision* development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation.

EIT-EN-M6 – 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*.

(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-E2 – Explanation

The policies in this section are designed to set a clear preference for *renewable electricity generation activities* contributing to meeting New Zealand's national target for *renewable electricity generation*. *Renewable electricity generation* is a matter of national importance and a key component in responding to *climate change* and energy demands. Increasing energy security will assist with ensuring that communities have options for clean heat and electricity for health and wellbeing services.

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.

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-PR2 – 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.

In relation to the *National Grid* and *significant electricity distribution infrastructure* (which are both a subset of i*nfrastructure*), 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-AER5 The proportion of electricity generated by *renewable electricity generation activities* (including *small and community scale distributed electricity generation*) in Otago increases over time.

EIT-EN-AER6 Energy use in Otago becomes more efficient over time and security of supply is maintained.

EIT-EN-AER7 The adverse *effects* associated with *renewable electricity generation activities* are avoided, remedied or mitigated, or where appropriate, offset or compensated for.

EIT-EN-AER8 The proportion of *greenhouse gas* emissions per capita from energy generation reduces over time.

EIT-TRAN – Transport

Objectives

EIT-TRAN-O10 – 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* of *climate change*, and the changing needs of communities.

EIT-TRAN-O11 – 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-O12 – *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-O13 – *Commercial port activities*

Commercial port activities operate safely and efficiently.

Policies

EIT-TRAN-P20 – 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-P21 – 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 spaces, including the *coastal marine area*, *lakes* and *rivers*.

EIT-TRAN-P22 – 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-P23 – 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* 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-P24 – 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-P25 – *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,

(2) providing for the efficient and safe operation of *commercial port activities* 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-P4 to CE-P13, CE-P14(4), CE-P15, CE-P16 and HAZ-NH-P5,

(3) if any of policies CE-P4 to CE-P13, CE-P14(4), CE-P15 and CE-P16, 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-P4 to CE-P13, CE-P14(4), CE-P15 and CE-P16,' 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,'

(4) 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-P4 to CE-P13, CE-P14(4), CE-P15, CE-P16, or in respect of natural hazards where HAZ-NH-P5 cannot be met, 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* and *rivers* or the *coastal marine area*, or

(b) involves the taking, use, damming or diversion of *water* and *discharge* of *water* and *contaminants*,

(2) 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 MAP3:

(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, 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,

(4) 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,

(5) restrict or prevent the establishment or expansion of activities adjacent to transport *infrastructure* that may compromise the operation or safety of the transport system,

(6) provide for the establishment of transport *infrastructure* that supports modes of transport that are not reliant on *fossil fuels*, and

(7) include policies and methods that provide for *commercial port activities* and avoid encroachment of activities which give rise to *reverse sensitivity effects*.

EIT-TRAN-M9 – Regional Land Transport Plan

Otago Regional Council will take into account the objectives, provisions and methods of this chapter in preparing its Regional Land Transport Plan and Regional Public Transport Plan.

Explanation

EIT-TRAN-E3 – Explanation

The policies in this section seek to ensure that transport *infrastructure* is well designed and functions effectively, including providing for accessibility for different modes and purposes. This includes managing potential *effects* of other activities on the transport system and ensuring strategic decision making in the provision of transport *infrastructure* to best provide for connectivity. The policies also recognise the contribution of the transport system to emissions and provide for networks that seek to adopt technologies which reduce the adverse *effects* on the *environment* arising from fuel usage. In relation to *commercial port activities* taking place within the coastal environment, the provisions of the CE – Coastal Environment chapter also apply.

Principal reasons

EIT-TRAN-PR3 – Principal reasons

The transport system is critical for connecting people and communities and transporting goods, the effective functioning of Otago's economy and the well-being of Otago's community. The transport network can, however, have adverse *effects* on the *environment* and impact on community well-being. If there is sufficient demand, integration and the necessary *infrastructure*, modal choices can be provided and by giving preference to modes with lower environmental *effects*, the adverse impacts of the transport system can be reduced. However, as large parts of the Otago region are rural, reliance on private vehicles will remain the preferred, or the only practical, transport option for many people. This should not exclude the potential for improvements in modal choice or accessibility for a range of abilities and sectors of the community. Planning for transport *infrastructure* should be co-ordinated with urban and commercial growth and development to enable the transport system to effectively serve local communities and avoid reducing the efficiency of existing *infrastructure*.

Anticipated environmental results

EIT-TRAN-AER9	Structure planning and *district plans* 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 *public transport* increases over the life of this RPS.
EIT-TRAN-AER12	*Public transport* patronage increases over the life of this RPS.
EIT-TRAN-AER13	*Greenhouse gas* emissions arising from the transport system reduce over time from increased active transport, shared travel and *public transport* 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*

Objectives

HAZ-NH-O1 – *Natural hazards*

Activities do not exacerbate *natural hazard* risks within Otago, and are managed to reduce significant *natural hazard* risk.

HAZ-NH-O2 – Adaptation

Otago's people, communities, property, and other aspects of the *environment* 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-P1 – Identifying areas subject to *coastal hazards*

Identify areas that are potentially affected by *coastal hazards*, giving priority to the identification of areas at high risk of being affected.

HAZ-NH-P2 – Identifying areas subject to *natural hazards*

For *hazards* not identified in accordance with HAZ-NH-P1, 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 hazard*s, where present,

(3) changes over time, including due to *climate change*,

(4) the likelihood of different hazard scenarios occurring, and

(5) any other exacerbating factors.

HAZ-NH-P3 – *Coastal hazard* risk assessments

Within areas identified under HAZ-P1 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 APP8.

HAZ-NH-P4 – *Natural hazard* risk assessments

Within areas identified under HAZ-NH-P2 as being subject to *natural hazards,* assess the *natural hazard* risk as significant, tolerable, or acceptable by determining a range of *natural hazard* event scenarios and their potential consequences in accordance with APP8.

HAZ-NH-P5 – Managing new activities for *coastal hazard* risk and *natural hazard* risk

For *natural hazard* risk that has been determined in accordance with HAZ-NH-P4, HAZ-NH-P3 and APP8, 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-P6 – Existing *natural hazard* risk

In areas identified under HAZ-NH-P2 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,

(2) managing existing activities within areas of significant risk to people, communities, and property,

(3) encouraging design that facilitates:

  (b) relocation to areas of acceptable risk, or

  (c) reduction of risk,

(4) relocating *lifeline utilities*, and facilities for essential and emergency services, away from areas of significant risk, where appropriate and practicable, and

(5) enabling development, upgrade, maintenance and operation of *lifeline utilities* and facilities for essential and emergency services.

HAZ-NH-P7 – Precautionary approach to *natural hazard* risk

Where the *natural hazard* risk, either individually or cumulatively, is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk by adopting an avoidance or adaptive management response.

HAZ-NH-P8 – 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-P9 – 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:

(1) 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, property, and other aspects of the *environment,* 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

(2) the *hard protection structure* protects a *lifeline utility*, or a facility for essential or emergency services.

HAZ-NH-P10 – *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-P11 – Protection of hazard mitigation measures, *lifeline utilities,* and essential or emergency services

Protect hazard mitigation measures, *lifeline utilities*, and essential or emergency services, including by:

(1) avoiding significant adverse *effects* on those measures, utilities or services,

(2) avoiding, and only where avoidance is not practicable, remedying or mitigating other adverse *effects* on those measures, utilities or services,

(3) maintaining access to those measures, utilities or services for maintenance and operational purposes,

(4) restricting the establishment of other activities that may result in *reverse sensitivity effects* on those measures, utilities or services, and

(5) providing for necessary operation, maintenance and upgrades.

HAZ-NH-P12 – 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 land,* to ensure that *land* is able to be used and developed in accordance with MW-P4, 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 specifying objectives, policies and methods (including mapping) in *regional plans*:

(a) in the *coastal marine area*,

(b) in *wetlands*, *lakes* and *rivers*,

(c) in, on or under the *beds* of *rivers* and *lakes*, and

(d) on *land* in relation to the avoidance or mitigation of *natural hazards*,

(3) *territorial authorities* are responsible for specifying objectives, policies and methods (including mapping) in *district plans* for *land* outside of the areas listed in (2)(a), (b) and (c).

HAZ-NH-M2 – 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-P2, 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-P1 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-P1 and HAZ-NH-P2 for inclusion in the *natural hazard* register or database in addition to areas already identified by the Otago Regional Council.

HAZ-NH-M3 – *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-P3, HAZ-NH-P4 and APP8, including by:

(a) consulting with communities, stakeholders and Kāi Tahu, including with *local authorities* in neighbouring regions regarding risk levels,

(b) developing a risk table in accordance with Step 3 of APP8 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*,

(d) encouraging system *resilience*, and

(5) agree how *natural hazard* management is undertaken to achieve a collaborative approach between the local authorities.

HAZ-NH-M4 – *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-P5 to HAZ-NH-P8, and the outcomes of the risk table established within HAZ-NH-M3(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-P8,

(4) provide for *hard protection structures* in accordance with HAZ-NH-P9,

(5) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-P10 and HAZ-NH-P11, and

(6) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P7 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.

HAZ-NH-M5 – *District plans*

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

(1) achieve policies HAZ-NH-P5 to HAZ-NH-P8, and incorporate the outcomes of the risk table established within HAZ-NH-M3(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*,*

(2) 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-P8,

(3) provide for *hard protection structures* in accordance with HAZ-NH-P9,

(4) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-P10 and HAZ-NH-P11,

(5) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P7 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

(6) 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 to change the use of *land* in areas subject to *natural hazards*, including:

(a) an assessment of the level of *natural hazard* risk associated with the proposal in accordance with APP8, and

(b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P5 and HAZ-NH-P6.

HAZ-NH-M6 – *Natural hazard* assessment

(1) Prior to the *natural hazard* risk assessment required by HAZ-NH-M3(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-P5 and HAZ-NH-P6,

(2) Once the *natural hazard* risk assessment required by HAZ-NH-M3(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 APP8 for *resource consent* applications.

HAZ-NH-M7 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies HAZ-NH-P1 to HAZ-NH-P12, 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

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 *effects* of *natural hazards* events and processes.
HAZ-NH-AER2	No developments proceed that have a significant level of risk.
HAZ-NH-AER3	The level of risk associated with new development does not exceed a tolerable level.
HAZ-NH-AER4	Where existing development is subject to risks from *natural hazards*, the level of risk is reduced to a tolerable level.
HAZ-NH-AER5	The impact on people, communities and property, *lifeline utilities,* and essential services from *natural hazards* and *climate change* is managed to a tolerable or acceptable level.

HAZ-CL – *Contaminated land*

Objectives

HAZ-CL-O3 – *Contaminated land*

Contaminated land and *waste* materials are managed to protect human health and do not harm Kāi Tahu values and the *environment* in Otago.

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 land* 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*, 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.

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,

(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.

HAZ-CL-P19 – 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-P4 and ECO-P6,

  (b) in *natural inland wetlands*, in accordance with LF-FW-P11,

  (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.

Methods

HAZ-CL-M8 – *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-P15, manage the *effects* of the use of *contaminated land* on:

(i) the quality of air, *water* and *land*; and

(ii) the *coastal marine area*, and the *beds* of *rivers*, *lakes* and other *water bodies*,

(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-M9 – *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-M10 – *Waste* management and minimisation plans

Local authorities must develop *waste* management and minimisation plans in accordance with the Waste Minimisation Act 2008.

HAZ-CL-M11 – Prioritisation and action plans

Otago Regional Council and *territorial authorities*, in consultation with Kāi Tahu and the community, must together:

(1) identify closed *landfills* and *contaminated land* at risk from the *effects* of *climate change,*

(2) assess the risk and the potential *effects* of release of *contaminants,*

(3) develop and implement action plans to avoid release of *contaminants* from 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-M12 – Other incentives and mechanisms

Local authorities may:

(1) encourage the application of the *waste* management hierarchy by:

(a) giving preference to reducing *waste* generated,

(b) reusing *waste*,

(c) recycling *waste*,

(d) recovering resources from *waste*, and

(e) only disposing residual *waste* to a disposal facility,

(2) provide information and guidance on *waste* minimisation and management, and

(3) advocate for:

(a) the implementation of the *waste* hierarchy throughout the region, and

(b) the development of *infrastructure* and services to provide for recycling and disposal services across the region.

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* 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*.

The *waste* management hierarchy is an internationally recognised management model for the reduction of residual *waste*. The *waste* management hierarchy can be applied to all *waste* streams. When making decisions about a *land* use or activity, it is possible to include methods that will reduce *waste* over the lifetime of that *land* use or activity.

Anticipated environmental results

HAZ-CL-AER6	The *environment*, people and communities are not harmed by *waste* materials.
HAZ-CL-AER7	The waste hierarchy is implemented, resulting in less *waste* requiring disposal and a reduction of the environmental *effects* generated from *waste*.

HCV – Historical and cultural values

HCV-WT – *Wāhi tūpuna*

Objectives

HCV-WT-O1 – Kāi Tahu *wāhi tūpuna*

Wāhi tūpuna and their associated cultural values are identified and protected.

HCV-WT-O2 – Rakatirataka

The rakatirataka of *mana whenua* over *wāhi tūpuna* is recognised, and *mana whenua* are able to exercise their role as kaitiaki within these areas.

Policies

HCV-WT-P1 – Recognise and identify *wāhi tūpuna*

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*

Wāhi tūpuna are protected by:

(1) avoiding significant adverse *effects* on the cultural values of identified *wāhi tūpuna*,

(2) avoiding, as the first priority, other adverse *effects* on the cultural values of identified *wāhi tupuna*,

(3) 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-P3 – Management of *wāhi tūpuna*

Wāhi tūpuna are protected by:

(1) managing identified *wāhi tūpuna* in accordance with tikaka Māori, and

(2) encouraging the enhancement of access to *wāhi tūpuna* to the extent compatible with the particular *wāhi tūpuna*.

Methods

HCV-WT-M1 – 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

(2) collaborate with Kāi Tahu to share information relevant to Kāi Tahu interests.

HCV-WT-M2 – Identification

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 APP9,

(2) 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

(3) 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-M3 – *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 activities in, or affecting, *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 APP13, and

(5) maintain existing access to identified *wāhi tūpuna* sites and areas and promote improved access where practicable.

Explanation

HCV-WT-E1 – Explanation

Providing for *wāhi tūpuna* plays a role in recognising the resource management principles in sections 6(e), 7(a) and 8 of the RMA. The policies in this chapter recognise the cultural and contemporary significance of *wāhi tūpuna* to Kāi Tahu and acknowledge that the identification of *wāhi tūpuna* and the associated values can only be undertaken by Kāi Tahu.

Wāhi tūpuna can be impacted by a range of activities, requiring a range of different management responses. The policies in this chapter are designed to achieve active protection of *wāhi tūpuna* 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	*Wāhi tūpuna* areas and sites are identified in the relevant *regional plans* and *district plans* using tikaka for identification of wāhi tūpuna and their values and the manner of recording those being determined by Kāi Tahu.
HCV-WT-AER2	*Wāhi tūpuna* and their values are protected and improved where their values have been degraded by human activities.

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, people's understanding and appreciation of it is enhanced, and it is protected for future generations against inappropriate *subdivision*, use and development.

Policies

HCV-HH-P4 – 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* and routes,

(6) industrial *historic heritage,* including mills, quarries, limekilns, grain stores, water supply *infrastructure* 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-P5 – Identifying *historic heritage*

Identify the places and areas of *historic heritage* in Otago in accordance with APP10.

HCV-HH-P6 – Managing *historic heritage*

Except as provided for in EIT-INF-P4 and EIT-INF-P9, protect *historic heritage* from inappropriate subdivision, use and development by:

(1) requiring the use of accidental discovery protocols in accordance with APP13,

(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-P7 applies, or

  (b) a project has significant public benefit that outweighs the loss of *historic heritage*; or

  (c) the activity has functional or locational constraints:

    (i) and has a significant public benefit; or

    (ii) will enable access to, and enhance people's understanding and appreciation of, the *historic heritage* area or place, or

  (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* are minor and relate to work necessary to adapt a *historic heritage building* to modern use and;

(3) avoiding, remedying or mitigating adverse *effects* on other areas or places with *historic heritage* values or qualities.

HCV-HH-P7 – 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*

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-P5 that are located in the *beds* of *lakes* and *rivers*, *wetlands* and the *coastal marine area,*

(2) control the following where they may adversely affect *historic heritage*:

  (a) the character, location, scale and form of *structures* in the *beds* of *lakes* and *rivers, wetlands* and in the *coastal marine area*,

  (b) *indigenous vegetation* removal in the *beds* of *lakes* and *rivers*, *wetlands* and the *coastal marine area,*

  (c) *earthworks*, deposition and disturbance to and in the *beds* of *lakes* and *rivers* and in the *coastal marine area*,

  (d) *discharges* to air,

  (e) taking, use, damming and diversion of, and *discharges* to, *water*, and

(f) the disturbance, demolition or alteration of physical elements or *structures* of *historic heritage* in the *beds* of *lakes* and *rivers* and in the *coastal marine area*,

(3) enable Kāi Tahu to identify places and areas with *historic heritage* values for *mana whenua* in accordance with HCV-HH-P5 that are located on the *beds* of *lakes* and *rivers*, and in *wetlands* and the *coastal marine areas*,

(4) include implementation methods to protect *historic heritage* that are in accordance with HCV-HH-P6 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

(5) 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*

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-P5 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* 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*,

(3) enable Kāi Tahu to identify places and areas with *historic heritage* values for *mana whenua* in accordance with HCV-HH-P5 that are located on the beds of *lakes* and *rivers*, and in *wetlands* and the *coastal marine areas*,

(4) include implementation methods to protect *historic heritage* places and areas required by HCV-HH-P6, and may also include:

(a) assessment criteria, development standards or thresholds to control the scale, intensity, form and location of activities (including for the purposes of controlling cumulative adverse *effects*),

(b) conditions on *resource consents* and designations to provide buffers or setbacks between *historic heritage* places or areas and other incompatible activity,

(c) accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may unearth archaeological features,

(d) providing for activities seeking to retain *historic heritage* places, areas or landscapes, including adaptive reuse, maintenance and seismic strengthening,

(e) including heritage alert layers in plans to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values, and

(5) require the use of accidental discovery protocols as conditions on *resource consents* and designations for *earthworks* or other activities that may unearth archaeological features.

HCV-HH-M6 – Incentives and education

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving HCV-HH-P4 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.

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 *and* enhancement of *historic heritage* through encouraging its ongoing use and adaptive reuse 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 *historic heritage* are identified and protected.
HCV-HH-AER4	The number, type, extent and distribution of *historic heritage* sites and places with special or outstanding values or qualities are maintained.
HCV-HH-AER5	Otago's existing built *historic heritage* is maintained and enhanced through efficient use, or adaptive reuse, where appropriate.

NFL – Natural features and landscapes

Advice note: *Pursuant to CE-P2 the provisions within this chapter do not apply in the coastal environment.*

Objectives

NFL-O1 – Outstanding natural features and landscapes

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.

NFL-O2 – *Highly valued natural features and landscapes*

The identified values of any *highly valued natural features and landscapes* are maintained or enhanced.

Policies

NFL-P1 – Identification

Any identification of the areas and values of outstanding natural features and landscapes or *highly valued natural features and landscapes,* occurs in accordance with APP11 and MW-M1(5).

NFL-P2 – Protection of outstanding natural features and landscapes

Protect outstanding natural features and landscapes from inappropriate *subdivision*, use and development by:

(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* of *infrastructure* on the values of outstanding natural features and landscapes in accordance with EIT-INF-P4 and EIT-INF-P9.

NFL-P3 – Management of activities within *highly valued natural features and landscapes*

Manage adverse *effects* of *subdivision*, use and development within any identified *highly valued natural features and landscapes* having particular regard to the maintenance or enhancement of the values of those areas.

NFL-P4 – Restoration

Promote restoration of the areas and values of outstanding natural features and landscapes and *highly valued natural features and landscapes* where those areas or values have been reduced or lost.

NFL-P5 – Managing landscape values on native reserves and *Māori land*

When managing the effects of *subdivision*, use and development of native reserves and *Māori land* on outstanding natural features and landscapes and *highly valued natural features and landscapes*, recognise and give practical effect to Kai Tahu rakatirataka by:

(1) having regard to the principles of the Treaty of Waitangi, and the purpose of the redress provided for in the NTCSA, including redress arising from the Ancillary Claims and SILNA,

(2) enabling *mana whenua*, and owners of Māori freehold *land* in relation to their *land*, to lead approaches to the management of those *effects*, and

(3) while achieving the outcomes provided for under NFL-P2 and NFL-P3, also achieving the outcomes provided for under MW-P4.

Methods

NFL-M1 – Identification

Territorial authorities:

(1) may identify *highly valued natural features and landscapes,* and

(2) must:

  (a) 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,

  (b) 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 from inappropriate use and development the values that contribute to the natural feature and landscape being considered outstanding,

  (c) 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 Kāi Tahu,

  (d) recognise that natural features and landscapes and any identifying *highly valued 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) and (2)(a), to ensure that the identification of outstanding natural features and landscapes are treated uniformly across district boundaries and, where appropriate, regional boundaries, and

  (e) prioritise identification under (2(a)) 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, and

  (f) ensure the requirements of MW-M1(4) are met, and

  (g) if identifying *highly valued natural features and landscapes* under (1):

    (i) implement (2)(c) and (f) above, and

    (ii) include in their *district plans* a map or maps.

NFL-M2 – *Regional plans*

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:

(1) protect outstanding natural features and landscapes in accordance with NFL-P2 and NFL-P5,

(2) manage adverse *effects* on *highly valued natural features and landscapes* in accordance with NFL-P3 and NFL-P5, and

(3) provide for and encourage activities undertaken for the purpose of restoring outstanding natural features and landscapes and *highly valued natural features and landscapes* in accordance with NFL-P4.

NFL-M3 – *District plans*

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

(1) control the *subdivision*, use and development of *land* and the use of the surface of *water bodies* in order to:

  (a) protect outstanding natural features or landscapes in accordance with NFL-P2 and NFL-P5, and

  (b) manage adverse *effects* on *highly valued natural features and landscapes* in accordance with NFL-P3 and NFL-P5.

(2) manage *wilding conifer* spread in accordance with LF-LS-P18, and

(3) provide for and encourage activities undertaken for the purpose of restoring outstanding natural features and landscapes and *highly valued natural features and landscapes* in accordance with NFL-P4.

NFL-M4 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving the outcomes sought by the policies in this chapter, including:

(1) funding assistance for restoration projects (for example, through the Regional Council's ECO Fund),

(2) purchase of *land* that forms part of a natural feature or landscape,

(3) development or design guidelines (for example, colour palettes for *structures* in or on natural features or landscapes),

(4) rates relief for *land* that is protected due to its status as an outstanding natural feature or landscape, or use is constrained due to its status as a *highly values natural feature and landscape*,

(5) education and advice,

(6) waiver or reduction of processing fees for activities where the primary purpose is to enhance the values of outstanding natural features and landscapes or identified *highly valued natural features and landscapes*, and

(7) advocating for a collaborative approach between central and local government to fund and carry out *wilding conifer* control.

Explanation

NFL-E1 – Explanation

The policies in this chapter are designed to require outstanding 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 chapter also allows for *highly valued natural features and landscapes* to be identified. Where *highly valued natural features and landscapes* are identified, policies require the management of adverse effects having particular regard to the maintenance or enhancement of these *highly valued natural features and landscapes* in accordance with section 7 of the RMA. This distinction recognises that these areas have values with differing degrees of significance and that, generally those classified as 'highly valued' will have a greater capacity to accommodate land use change and development without values being adversely affected. The policies seek to control the impact of *wilding conifers* which are a particular threat to Otago's natural features and landscapes, in a way that recognises the regulations in the NESCF.

Principal reasons

NFL-PR1 – Principal reasons

Natural features include resources that are the result of natural processes, particularly those reflecting a particular geology, topography, geomorphology, hydrology, ecology, or other physical attribute that creates a natural feature or combination of natural features. Landscapes include the natural and physical attributes of *land* together with air and *water*, which change over time and which is made known by people's evolving perceptions and associations. Natural features and landscapes also have 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, and managing *effects* on *highly valued natural features and landscapes* by:

- requiring the identification of outstanding natural features and landscapes using regionally consistent criteria,
- requiring the protection of outstanding natural features and landscapes,
- requiring specified actions on the part of Otago's *local authorities* in managing natural features and landscapes,
- allowing for the identification of *highly valued natural features and landscapes* using regionally consistent criteria,
- requiring the management of adverse *effects* having particular regard to the maintenance or enhancement of any identified *highly valued natural features and landscapes*.

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

NFL-AER1	The number, type, extent and distribution of identified outstanding natural features and landscapes are maintained over the life of this RPS.
NFL-AER2	The values of outstanding natural features and landscapes and *highly valued natural features and landscapes* are not reduced or lost.

UFD – Urban form and development

Objectives

UFD-O1 – Development of *urban areas*

The development and change of Otago's *urban areas* occurs in a strategic and coordinated way, which results in *well-functioning urban environments,* that:

(1) accommodate the diverse and changing needs and preferences of Otago's people and communities, now and in the future,

(2) integrate effectively with *infrastructure, development infrastructure* and *additional infrastructure,* and surrounding *urban areas* and *rural areas,* including by managing *reverse sensitivity effects* and direct *effects* on electricity networks,

(3) are consolidated, well-connected and have a well-designed urban form,

(4) have effective and efficient *infrastructure, development infrastructure* and *additional infrastructure*,

(5) support *climate change adaptation* and *climate change mitigation*, and

(6) takes into account the values and aspirations of iwi, hapū and whānau, including for urban development.

Policies

UFD-P1 – Strategic planning

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,

(2) ensure the integration of *land* use, urban intensification, and urban expansion with *infrastructure*, including how, where and when necessary *development infrastructure* and *additional infrastructure* will be provided, and by whom,

(3) take into account whether urban expansion may contravene *limits (in relation to freshwater*),

(4) 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,

(5) 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*,

(6) indicate how connectivity will be improved and connections will be provided within *urban areas*,

(7) 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,

(8) facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, and

(9) identify areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved, including by consultation with *infrastructure* providers.

UFD-P2 – Sufficiency of *development capacity*

Ensure that at least sufficient housing and business *development capacity* is provided in *urban areas* in the short, medium and long term, including by:

(1) 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,

(2) being responsive to plan changes that demonstrate compliance with UFD-P7, and

(3) requiring Tier 2 *urban environments* to meet, at least, the relevant housing bottom lines in APP12.

UFD-P3 – Urban intensification

Manage intensification in *urban areas*, so that as a minimum the intensification:

(1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,

(2) is well-served by efficient and effective *infrastructure, 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*,

(4) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,

(5) protects the efficient and effective operation, maintenance, upgrading and development of *nationally significant infrastructure* and *regionally significant infrastructure* in accordance with EIT-INF-P7, and electricity distribution infrastructure in accordance with EIT-INF-P1, and

(6) except as provided for in (5), limits, to the extent reasonably possible, the effects on operation, maintenance, upgrading and development of *development infrastructure* and *additional infrastructure*.

UFD-P4 – Urban expansion

Expansion of existing *urban areas* should only occur where, at a minimum, the expansion:

(1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment,*

(2) 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,

(3) achieves consolidated, well designed and sustainable development in and around existing *urban areas*,

(4) is logically and appropriately staged, and will not result in inefficient or sporadic patterns of settlement and residential growth,

(5) is integrated efficiently and effectively with *infrastructure, development infrastructure* and *additional infrastructure* in a strategic, timely and co-ordinated way,

(6) addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,

(7) manages adverse *effects* on other values or resources identified by this RPS that require specific management or protection,

(8) avoids, *highly productive land* except as provided for in the NPSHPL, 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,

(9) protects the efficient and effective operation, maintenance, upgrading and development of *nationally significant infrastructure* and *regionally significant infrastructure* in accordance with EIT-INF-P7, and electricity distribution infrastructure in accordance with EIT-INF-P1, and

(10) except as provided for in (9), limits, to the extent reasonably possible, the effects on operation, maintenance, upgrading and development of *development infrastructure* and *additional infrastructure*.

UFD-P5 – Commercial activities

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,* and

(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.

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, and

(3) managing the establishment of non-industrial activities, in industrial zones, to avoid the likelihood of *reverse sensitivity effects* on existing or potential *industrial activities* arising, unless the potential for *reverse sensitivity* is insignificant.

UFD-P7 – Criteria for significant development capacity

A proposed plan change will only be considered as providing *significant development capacity* for the purpose of clause 3.8 of the NPSUD if it meets all of the following criteria:

(1) required *development infrastructure* can be provided effectively and efficiently for the proposal, without preventing or delaying other planned *development infrastructure*,

(2) 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

(3) when considering the significance of the proposal's contribution to a matter in (2), 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.

UFD-P8 – Development on native reserves and *Māori land*

In *urban areas*, Kāi Tahu are able to use and develop native reserves and *Māori land* in accordance with MW-P4.

Methods

UFD-M1 – Strategic planning

Otago Regional Council and *territorial authorities*:

(1) must, where they are Tier 2 local authorities, jointly determine housing *development capacity* that is feasible and likely to be taken up in the medium and long terms through *Housing and Business Development Capacity Assessments*,

(2) should, for other districts, jointly determine demand and potential supply responses through similar, but appropriately scaled strategic planning approaches,

(3) must, where they are Tier 2 and Tier 3 *local authorities*, monitor and regularly assess and report on the supply of, and demand for, residential, commercial and industrial zoned *land development capacity* available at the regional, district and *urban environment* scales, and other *local authorities* are encouraged to do so,

(4) must coordinate the redevelopment and intensification of *urban areas* and the development of expansions to *urban areas* with *infrastructure* planning and development programmes, to:

(a) provide the required *development infrastructure* and *additional infrastructure* in an integrated, timely, efficient and effective way, and

(b) identify major existing and future activities, constraints and opportunities

and for Tier 2 *local authorities* to achieve this through jointly developed *Future Development Strategies* and/or strategic planning, and for all other *local authorities* through strategic planning in accordance with UFD-P1, and

considering, in relation to native reserves and *Māori land*, the range of servicing solutions that will enable the use and development of that *land* in accordance with MW-P4,

(5) must, where they are Tier 2 *local authorities*, develop housing bottom lines for *urban environments* and include those bottom lines in APP12 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,

(7) must involve *mana whenua,* and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, and

(8) must ensure that owners of Māori freehold *land* are included in planning processes that may affect their *land*.

UFD-M2 – *District plans*

Territorial authorities must prepare or amend their *district plans* as soon as practicable, and maintain thereafter, to:

(1) identify and provide for urban expansion and intensification to occur in accordance with:

(a) any adopted *future development strategy* for the relevant district or region, which must be completed in time to inform the 2024 Long Term Plan, or

(b) where there is no *future development strategy,* a *local authority* adopted strategic plan developed in accordance with UFD-P1, for the relevant area, district or region,

(2) in accordance with any required *Housing and Business Development Capacity Assessments* or monitoring, including any *competitiveness margin*, ensure there is always 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 APP12, 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* and development to maximise passive winter solar gain and winter heat retention, including through roading, lot size, dimensions, layout and orientation,

(4) identify and provide for locations that are suitable for urban intensification in accordance with UFD-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,

(8) involve *mana whenua* and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making, and

(9) ensure that owners of Māori freehold *land* are included in planning processes that may affect their *land.*

UFD-M3 – Design of public spaces and surrounds

Territorial authorities must design and maintain public places and spaces, including streets, open spaces, public *buildings* and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.

Explanation

UFD-E1 – Explanation

The policies in this chapter are designed to facilitate the provision of sufficient housing and business capacity and ensure all of the region's *urban areas* demonstrate the features of *well-functioning urban environments* and meet the needs of current and future communities. Urban intensification 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, 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 reasons

The provisions in this chapter assist in fulfilling the functions of the regional council under section 30(ba) and *territorial authorities* under section 31(aa) of the 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.

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* will also continue to be required even where growth is limited, resulting in changes in the built environment. Some of these changes will also be driven by changes in the natural environment, including the impacts of *climate change*. *Urban areas* are highly dynamic by nature, so the provisions in this chapter seek to manage, rather than limit, the form, function, growth and development of *urban areas* in a way that best provides for the community's well- being both now and into the future.

The pace and scale of growth and change, and the scale and nature of *urban environments* and areas in the region is variable, meaning no single response at a regional level is appropriate in all cases. Accordingly, the process identified in this RPS remains flexible and responsive (outside of Tier 2 *urban environments*, which have specific requirements under the NPSUD). Key requirements of strategic planning include considering and providing for reasonably expected changes in overall quantum of demand and supply as well as changes in needs and preferences that may drive or add to these changes in demand, designing to maximise the efficient use of energy, *land* and *infrastructure* (including transport *infrastructure*). This can best be achieved by prioritising development in and around the region's existing urban areas as the primary focus of the region's growth and change, by enabling development within and adjacent to those *urban areas*, where it generally is most suitable and most efficient to do so.

These strategic planning processes provide the mechanism by which longer term issues can be considered, integration between *land* use and infrastructure can be achieved, and various constraints, opportunities and key trade-offs can be identified and appropriately resolved, while identifying and managing the values and resources identified in this RPS. These processes, and others should always involve *mana whenua,* and owners of Māori freehold land in relation to their *land,* 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 suns 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 councils and *territorial authorities* are different, each brings different focus and responsibilities to the task of achieving *well-functioning urban environments.* Working together, and with others, in accordance with specified joint responsibilities under the NPSUD, will assist with achieving the purpose of the RMA and the outcomes sought by this RPS.

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 Kāi Tahu*,* central government, communities and developers to deliver the quality and quantity of urban development needed to meet demand and provide for change, improve *land* and development market competitiveness, and achieve *resilient,* efficient and attractive urban places.

Anticipated environmental results

UFD-AER1	Appropriately scaled strategic planning occurs in advance of regulatory planning, and regulatory plans are changed in a timely manner to facilitate the outcomes identified in these processes.
UFD-AER2	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*.
UFD-AER3	*Development infrastructure* is in place in time to facilitate reasonably expected urban intensification or planned expansion.
UFD-AER4	New developments including redevelopments are designed to maximise energy and transport efficiency and minimise impacts on *water* quality and quantity.
UFD-AER5	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 *active transport* and, where available, *public transport*.
UFD-AER6	The mode share and use of *active transport* and where available, *public transport* increases.
UFD-AER7	There is an increased range of housing types and locations and an increased number of *dwellings*, particularly more affordable housing in existing and planned *urban areas*.
UFD-AER8	The current and future needs of business are met by the availability of a range of opportunities for *land* and space that meets their requirements.

UFD-AER9	New rural lifestyle development occurs within areas appropriate for this use.
UFD-AER10	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-AER11	*Mana whenua,* and owners of Māori freehold land in relation to their *land,* are involved in strategic planning and other planning processes.

PART 4 – EVALUATION AND MONITORING

Monitoring the efficiency and effectiveness of the policy statement

ORC must monitor the efficiency and effectiveness of its RPS provisions and publish the results every five years. The RPS needs to include the procedures for monitoring its methods and policies.

Existing monitoring procedure

ORC has policies and procedures in place to gather information and to monitor and report on how well Otago's *natural and physical resources* are managed. These include State of the Environment reporting, *resource consent* monitoring, and annual reporting against objectives in the Council's Long-Term Plan. These policies and procedures will be reviewed and updated to reflect ORPS environmental goals (objectives) and ensure the right information is being gathered to monitor the environmental results anticipated.

The ORPS is relevant to all decision making under the RMA 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.

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

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 *water body* 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 *water body* 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 *water body* with naturalness that: (1) exhibits a 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 *water body* which is recognised as providing an outstanding recreational experience for an activity which is directly related to the *water*.	Angling, fishing, kayaking, rafting, jetboating
Physical	A *water body* which has an outstanding geomorphological, geological or hydrological feature which is dependent on the *water body's* condition and functioning.	Science

APP2 – Criteria for identifying areas that qualify as *significant natural areas* (SNAs)

This appendix sets out the criteria for identifying significant *indigenous vegetation* 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 and in accordance with the following principles:

(a) partnership: *territorial authorities* engage early with *mana whenua* and landowners and share information about *indigenous biodiversity,* potential management options, and any support and incentives that may be available:

(b) transparency: *territorial authorities* clearly inform *mana whenua* and landowners about how any information gathered will be used and make existing information, draft assessments and other relevant information available to *mana whenua* 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* 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 are applied consistently, regardless of who owns the *land*:

(f) boundaries: the boundaries of areas of significant *indigenous vegetation* or significant *habitat* of 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:

(d) ecological context.

(2) If an area would qualify 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 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)*, 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 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 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) of the NPSIB, 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* or *habitat* of indigenous fauna in an area is typical or characteristic of the *indigenous biodiversity* of the relevant *ecological district.*

(2) Significant *indigenous vegetation* has *ecological integrity* typical of the *indigenous vegetation* of the *ecological district* in the present-day *environment*. It includes seral (regenerating) *indigenous vegetation* that is recovering following natural or induced disturbance, provided species composition is typical of that type of *indigenous vegetation*.

(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* 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* or *habitat* is protected elsewhere in the *ecological district.*

(5) When considering the typical character of an *ecological district,* any highly developed *land* 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 least 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 pattern 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* 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 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* under this criterion has at least one of the following attributes:

(a) at least a moderate diversity of *indigenous species*, 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* or ecosystems.

Key assessment principles

(2) **Rarity** is the scarcity (natural or induced) of indigenous elements: species, *habitats,* 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* or ecosystems** is assessed using *ecological districts* and *land environments*.

(5) **Distinctiveness** includes distribution limits, type localities, local endemism, relict distributions and special 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)* in the New Zealand Threat Classification System lists:

(b) an *indigenous vegetation* type or an *indigenous species* that is uncommon within the region or *ecological district:*

(c) an *indigenous species* or plant community at or near its natural distributional limit:

(d) *indigenous vegetation* 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* or *habitat* of indigenous fauna occurring on naturally uncommon ecosystems:

(f) the type locality of an *indigenous species*:

(g) the presence of a distinctive assemblage or community of *indigenous species*:

(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 maintaining a population of indigenous fauna during a critical part of their lifecycle (either seasonally or permanently).

APP3 – Principles for *biodiversity offsetting*

These principles apply to the use of *biodiversity offsets* for adverse *effects* on *indigenous biodiversity.* An applicant is to comply with principles 1 to 6 and have regard to the remaining principles as appropriate.

(1) **Adherence to *effects management hierarchy*:** A *biodiversity offset* is a commitment to redress more than minor residual adverse *effects* and should be contemplated only after steps to avoid, minimise, and remedy adverse *effects* are demonstrated to have been sequentially exhausted.

(2) **When *biodiversity offsetting* is not appropriate:** *Biodiversity offsets* 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* cannot be offset because of the irreplaceability or vulnerability of the *indigenous biodiversity* affected:

(b) *effects* on *indigenous biodiversity* are uncertain, unknown, or little understood, but potential *effects* 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 Threatened *taxa,* other than kānuka (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (Rolfe et al, 2022); or

(e) the likely worsening of the conservation status of any *Threatened or At Risk indigenous biodiversity* as listed under the New Zealand Threat Classification System (Rolfe et al, 2022); or

(f) the removal or loss of *ecological integrity* and *resilience* of a naturally uncommon ecosystem type that contains *indigenous vegetation* or *habitat* for 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* depend on introduced species for their persistence; and

(b) amount; and

(c) condition (structure and quality).

(4) **Additionality:** A *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* of the activity.

(5) **Leakage:** *Biodiversity offset* design and implementation avoids displacing harm to other *indigenous biodiversity* in the same or any other location.

(6) **Long-term outcomes:** A *biodiversity 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:** *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* 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* is a documented process informed by science and mātauraka Māori.

(10) ***Mana whenua* and stakeholder participation:** Opportunity for the effective and early participation of *mana whenua* and stakeholders is demonstrated when planning *biodiversity offsets*, including their evaluation, selection, design, implementation, and monitoring.

(11) **Transparency:** The design and implementation of a *biodiversity offset*, and communication of its results to the public, is undertaken in a transparent and timely manner.

APP4 – Principles for *biodiversity compensation*

These principles apply to the use of *biodiversity compensation* for adverse *effects* on *indigenous biodiversity.* An applicant is to comply with principles 1 to 6 and have regard to the remaining principles as appropriate.

(1) **Adherence to *effects management hierarchy*:** *Biodiversity compensation* is a commitment to redress more than minor residual adverse *effects*, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse *effects* 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* on *indigenous biodiversity* are uncertain, unknown, or little understood, but potential *effects* are significantly adverse or irreversible;

(c) there are no technically feasible options by which to secure a proposed net gain within acceptable timeframes;

(d) the loss from an ecological district of Threatened taxa, other than kānuka (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (Rolfe et al, 2022);

(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 (Rolfe et al, 2022);

(f) the removal or loss of *ecological integrity* and *resilience* of a naturally uncommon ecosystem type that contains *indigenous vegetation* or *habitat* for indigenous fauna;

(g) the likely worsening of the conservation status of any *Threatened or At Risk indigenous biodiversity* listed under the New Zealand Threat Classification System (Rolfe et al, 2022).

(3) **Scale of *biodiversity compensation*:** The *indigenous biodiversity* values lost through the activity to which the *biodiversity compensation* applies are addressed by positive *effects* to *indigenous biodiversity* (including when *indigenous species* depend on introduced species 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* 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 managed 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* and ecosystems, spatial connections, and *ecosystem function.*

(8) **Time lags:** The delay between loss of, or *effects* 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).

(9) **Trading up:** When trading up forms part of *biodiversity compensation*, 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* and stakeholder participation:** Opportunity for the effective and early participation of *mana whenua* and stakeholders is demonstrated when planning for *biodiversity compensation*, including its evaluation, selection, design, implementation, and monitoring.

(13) **Transparency:** The design and implementation of *biodiversity compensation*, and communication of its results to the public, is undertaken in a transparent and timely manner.

(14) **Achievability:** Demonstrate the *biodiversity compensation* outcome is achievable.

APP5 – Principles for *aquatic offsetting*

These principles apply to the use of *aquatic offsets* for the loss of extent or values of *natural inland wetlands* and *rivers* ("extent or values" below).

(1) **Adherence to *effects management hierarchy*:** An *aquatic offset* is a commitment to redress more than minor residual adverse *effects*, and should be contemplated only after steps to avoid, minimise, and remedy adverse *effects* are demonstrated to have been sequentially exhausted.

(2) **When *aquatic offsetting* is not appropriate:** *Aquatic offsets* 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* cannot be offset because of the irreplaceability or vulnerability of the extent or values affected:

  (b) *effects* on the extent or values are uncertain, unknown, or little understood, but potential *effects* 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* 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* of the activity.

(5) **Leakage:** *Aquatic offset* design and implementation avoids displacing harm to other locations (including harm to existing *biodiversity* 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* action 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, spatial and hydrological connections, and *ecosystem function*.

(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 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 an *aquatic offset* is a documented process informed by science where available, and mātauraka Māori at place.

(10) ***Takata whenua* or stakeholder participation:** Opportunity for the effective and early participation of *takata whenua* or stakeholders is demonstrated when planning *aquatic offsets*, including their evaluation, selection, design, implementation, and monitoring.

(11) **Transparency:** The design and implementation of an *aquatic offset*, and communication of its results to the public, is undertaken in a transparent and timely manner.

APP6 – Principles for *aquatic compensation*

These principles apply to the use of *aquatic compensation* for the loss of extent or values of *natural inland wetlands* and *rivers* ("extent or values" below).

(1) **Adherence to *effects management hierarchy*:** *Aquatic compensation* is a commitment to redress more than minor residual adverse *effects*, and should be contemplated only after steps to avoid, minimise, remedy, and offset adverse *effects* are demonstrated to have been sequentially exhausted.

(2) **When *aquatic compensation* is not appropriate:** *Aquatic compensation* 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 or *river bed*, or its values, including species, are irreplaceable or vulnerable:

  (b) *effects* on the extent or values are uncertain, unknown, or little understood, but potential *effects* 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* 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* of the activity.

(5) **Leakage:** *Aquatic compensation* design and implementation avoids displacing harm to other locations (including harm to existing *biodiversity* at the compensation site).

(6) **Long-term outcomes:** *Aquatic compensation* is managed 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:** An *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*. The action considers the landscape context of both the impact site and the compensation site, taking into account interactions between species, *habitats* and ecosystems, spatial and hydrological connections, and *ecosystem function*.

(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*, 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)* 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 mātauraka Māori:** The design and implementation of *aquatic compensation* is a documented process informed by science where available, and mātauraka Māori at place.

(12) ***Takata whenua* or stakeholder participation:** Opportunity for the effective and early participation of *takata whenua* or stakeholders is demonstrated when planning *aquatic compensation*, 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.

APP7 – Conifer species with spread risk

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.

Table 5: Conifer species with spread risk

Common name	Botanical name
Big cone pine	*Pinus coulteri*
Bishops pine	*Pinus muricata*
Contorta (lodgepole) pine	*Pinus contorta*
Corsican pine, Black pine	*Pinus nigra*
Douglas fir	*Pseudotsuga menziesii*
Dwarf mountain pine	*Pinus uncinata*
Japanese cedar	*Cryptomeria japonica*
Japanese larch	*Larix kaempferi*
Larch	*Larix decidua*
Lawson's cypress	*Chamaecyparis lawsoniana*
Maritime pine	*Pinus pinaster*
Mountain pine	*Pinus mugo*
Norfolk Island pine	*Araucaria heterophylla*
Norway spruce	*Picea abies*
Patula pine	*Pinus patula*
Ponderosa pine	*Pinus ponderosa*
Radiata pine	*Pinus radiata*
Scots pine	*Pinus sylvestris*
Sitka spruce	*Picea sylvestris*
Slash pine	*Pinus elliottii*
Spruce	*Picea sp.*
Strobus pine	*Pinus strobus*
Western red cedar	*Thuja plicata*
Western white pine	*Pinus monticola*

APP8 – 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.

(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

The matters listed in (1) to (12) below, are used to inform the consequence (catastrophic, major, moderate, minor, or insignificant) of the *natural hazard* scenarios identified in Step 1 for Table 7 considering:

(1) the nature and scale of existing activities in the area,

(2) the natural and scale of the activity proposed or provided for and any hazard mitigation measures,

(3) individual and community vulnerability and *resilience*,

(4) impacts on individual and community health and safety,

(5) impacts on social, cultural and economic well-being,

(6) impacts on *infrastructure* and property, including access and services,

(7) available and viable risk reduction and hazard mitigation measures,

(8) *lifeline utilities*, essential and emergency services, and their co-dependence,

(9) implications for civil defence agencies and emergency services,

(10) the changing *natural hazard* environment,

(11) cumulative *effects* including multiple and *cascading hazards,* where present, and

(12) 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	≥50% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	21-49% of *buildings* within hazard impact area have functionality compromised	11-24% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	11-20% of *buildings* within hazard impact area have functionality compromised	6-10% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	2-10% of *buildings* within hazard impact area have functionality compromised	1-5% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	< 1% of *buildings* 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

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 Hatching: *Quantitative assessment required*					

Notes:

Table 8 above has been included as a region-wide baseline. As set out in HAZ-NH-M3(1) *local authorities* are required to undertake a consultation process with communities, stakeholders and partners regarding risk levels 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 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 using the following methodology:[47]

(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,[48] including the maximum credible event.

[47] This methodology has been developed in general accordance with the Australian Geomechanics Society, 2007 methodology, which may usefully provide additional guidance.
[48] The model should include an analysis of uncertainty.

(2) Model the Annual Individual Fatality Risk (AIFR)[49] and Annual Property Risk (APR)[50] 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-P7.

[49] Annual probability that an individual most at risk is killed in any one year as a result of the hazards occurring.
[50] Annual probability of total property loss (relating to permanent structures) as a result of the hazards occurring.

APP9 – Identifying *wāhi tūpuna*

This appendix is a guide to assist in identifying *wāhi tūpuna*. It is not a complete list of all *wāhi tūpuna* in Otago.

Kāi Tahu use the term *'wāhi tūpuna'* to describe landscapes 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 *mahika kai* 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 *mahika kai*	The places where the customary gathering of food or natural materials occurs. *Mahika kai* 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 *mahika kai* 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

Area of significance	Explanation
	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 *mana whenua*. 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).

APP10 – Identification criteria for places and areas of *historic heritage*

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: [51]

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

[51] The identification criteria in APP10 follows R O'Brian & J Barnes-Wylie (2019) Guidelines for Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangi Kōrero, 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 reflects significant technical accomplishment in comparison with other similar examples or, in the view of experts or practitioners in the field, has characteristics making the place particularly able to contribute towards our understanding of this technology.
Traditional	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.

2.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,*

(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/Rārangi Kōrero (2019).

APP11 – Identification criteria for outstanding natural features and landscapes and *highly valued natural features and landscapes* (including seascapes)

The areas and the values of outstanding natural features and landscapes and *highly valued natural features and landscapes* (including seascapes) are identified using the following factors:

Physical (natural and human)	(a)	Geology and geomorphology,
	(b)	Topography and hydrology (including drainage patterns),
	(c)	Climate and weather patterns,
	(d)	Soil patterns,
	(e)	Vegetation patterns,
	(f)	Ecological (flora and fauna) and dynamic components,
	(g)	Settlements and occupation,
	(h)	Roads and circulation,
	(i)	Land use – cadastral pattern,
	(j)	*Buildings*,
	(k)	Archaeology and heritage features,
	(l)	*Mana whenua* features.
Associative	(m)	*Mana whenua* creation and origin traditions manifest in landscape features,
	(n)	*Mana whenua* associations and experience – (historic, contemporary, and future) including pūrākau, whakapapa, tikaka, and mātauraka,
	(o)	*Mana whenua* metaphysical aspects such as wairua and mauri,
	(p)	Legal personification of landscape features,
	(q)	Shared and recognised values of a landscape derived from community life including the community's livelihood, its history and reason for being in that place, places of social life and gathering, places associated with metaphysical meanings such as retreat, contemplation, and commemoration,
	(r)	Landscape values associated with identity such as attributes that are emblematic for an area, places that are central to a community (main street, wharf, park), features that are anthropomorphised. Landscapes that are engaged through activities such traditional food and resource gathering, recreational use, food and wine that reflect a locale, tourism based on landscape experience or appreciation of a landscape's qualities.
Perceptual	(s)	Geomorphic legibility (how obviously a landscape expresses the geomorphic processes),
	(t)	Wayfinding and mental maps (legibility or visual clarity of landmarks, routes, nodes, edges, and areas of different character),
	(u)	Memorability,
	(v)	Coherence (the extent to which patterns reinforce each other, coherence between human patterns and underlying natural landscape),

(w) Aesthetic qualities,

(x) Naturalness,

(y) Views.

Note that physical, associative, and perceptual factors are sometimes transient: they may be present occasionally or seasonally or in different weather conditions. An assessor should be aware of such transient attributes that may not be immediately apparent.

APP12 – 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.

APP13 – 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.

APP14 – Specified highly mobile fauna

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Anarhynchus frontalis	ngutu parore/wrybill	Coastal/riverine	Threatened (Nationally Increasing)	Yes	Yes
Anas chlorotis	pāteke/brown teal	wetland/riverine	Threatened (Nationally increasing)		Yes
Anas superciliosa superciliosa	pārera/grey duck	wetland/riverine	Threatened (Nationally Vulnerable)		Yes
Anthus novaeseelandiae novaeseelandiae	pīhoihoi/NZ pipit	forest/open	At Risk (Declining)	Yes	
Apteryx australis 'northern Fiordland'	northern Fiordland tokoeka	forest/open	Threatened (Nationally Vulnerable)		
Apteryx australis australis	southern Fiordland tokoeka	forest/open	Threatened (Nationally Endangered)		
Apteryx haastii	roa/great spotted kiwi	forest/open	Threatened (Nationally Vulnerable)		
Ardea modesta	kotuku/white heron	wetland/riverine	Threatened (Nationally Critical)		Yes
Botaurus poiciloptilus	matuku/bittern	wetland/riverine	Threatened (Nationally Critical)	Yes	Yes
Bowdleria punctate stewartiana	mātātā/Stewart Island fernbird	wetland/riverine	Threatened (Nationally Vulnerable)		
Bowdleria punctata punctata	koroātito/South Island fernbird	wetland/riverine	At Risk (Declining)	Yes	
Bowdleria punctata vealeae	mātātā/North Island fernbird	wetland/riverine	At Risk (Declining)		
Calidris canutus rogersi	huahou/lesser knot	coastal/riverine	At Risk (Declining)	Maybe?	
Chalinolobus tuberculatus	pekapeka/long-tailed bat	forest/open	Threatened (Nationally Critical)	Yes	yes
Charadrius bicinctus bicinctus	pohowera/banded dotterel	coastal/riverine	At Risk (Declining)	Yes	

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Charadrius obscurus aquilonius	tūtiriwhatu/northern NZ dotterel	coastal/riverine	Threatened (Nationally Increasing)		
Charadrius obscurus obscurus	tūtiriwhatu/southern NZ dotterel	coastal/riverine	Threatened (Nationally Critical)		
Chlidonias albostriatus	tara pirohe/blackfronted tern	coastal/riverine	Threatened (Nationally Endangered)	Yes	Yes
Egretta sacra sacra	matuku moana/reef heron	coastal/riverine	Threatened (Nationally Endangered)	Yes	Yes
Falco novaeseelandiae ferox	kārearea/bush falcon	forest/open	Threatened (Nationally Increasing)		
Falco novaeseelandiae novaeseelandiae	kārearea/eastern falcon	forest/open	Threatened (Nationally Vulnerable)		
Falco novaeseelandiae 'southern'	kārearea/southern falcon	forest/open	Threatened (Nationally Endangered)		
Gallirallus australis greyi	North Island weka	forest/open	At Risk (Relict)		
Gallirallus philippensis assimilis	moho pererū/banded rail	wetland/riverine	At Risk (Declining)		
Haematopus finschi	tōrea/South Island pied oystercatcher	coastal/riverine	At Risk (Declining)	Yes	
Haematopus unicolor	tōrea tai/variable oystercatcher	coastal/riverine	At Risk (Recovering)	Yes	
Himantopus novaezelandiae	kakī/black stilt	wetland/riverine	Threatened (Nationally Critical)	Yes	Yes
Hydroprogne caspia	taranui/Caspian tern	coastal/riverine	Threatened (Nationally Vulnerable)	Yes	Yes
Hymenolaimus malacorhynchos	whio/blue duck	riverine	Threatened (Nationally Vulnerable)	Yes	Yes
Larus bulleri	tarāpukā/black-billed gull	coastal/riverine	At Risk (Declining)	Yes	
Larus novaehollandiae scopulinus	tarāpunga/red-billed gull	coastal/riverine	At Risk (Declining)	Yes	

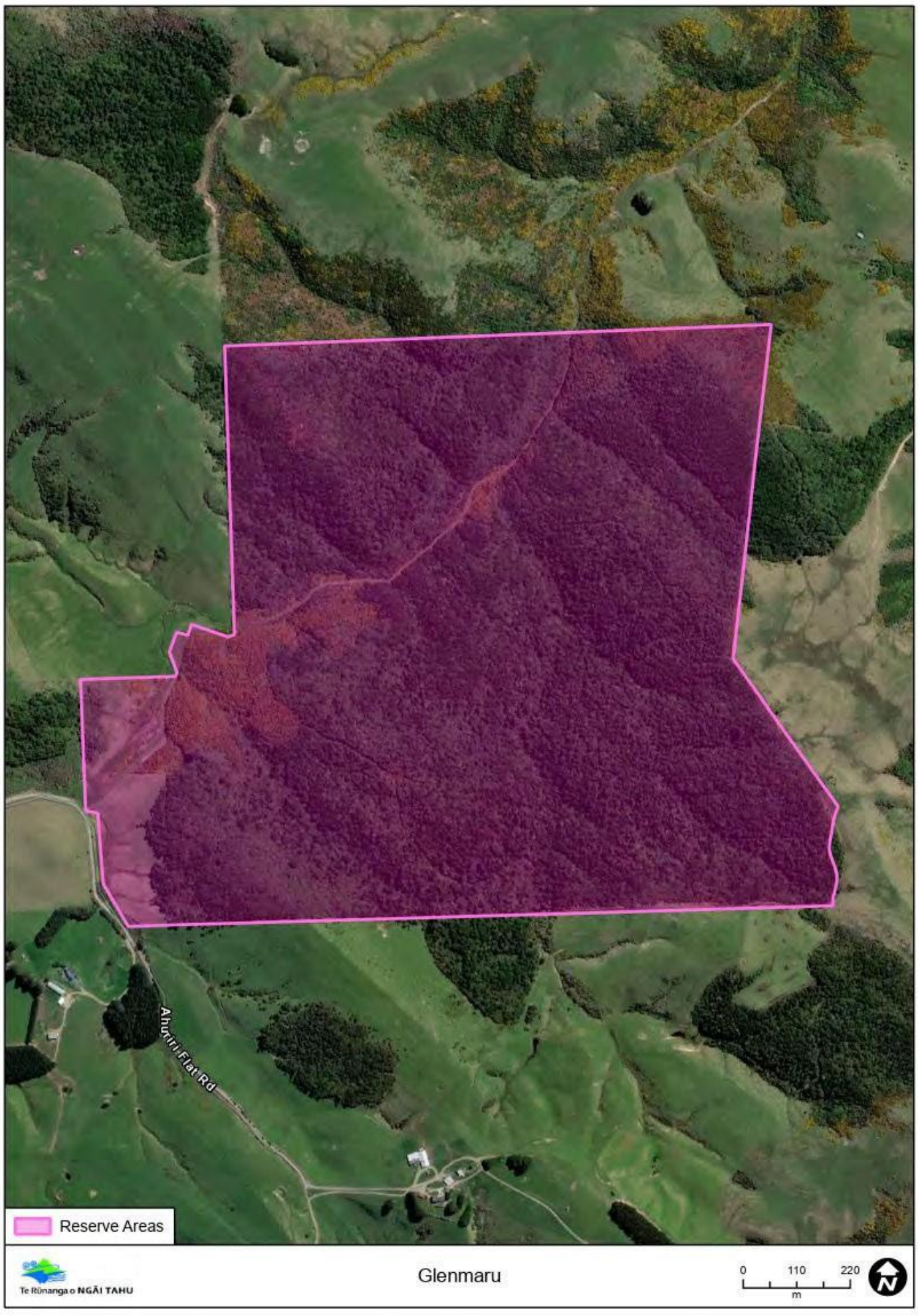
Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Limosa lapponica baueri	kuaka/eastern bartailed godwit	coastal/riverine	At Risk (Declining)	Yes	
Mystacina tuberculata aupourica	pekapeka/northern short-tailed bat	forest/open	Threatened (Nationally Endangered)		
Mystacina tuberculata rhyacobia	pekapeka/central shorttailed bat	forest/open	At Risk (Declining)		
Mystacina tuberculata tuberculata	pekapeka/southern short-tailed bat	forest/open	At Risk (Recovering)	Yes / maybe?	
Nestor meridionalis meridionalis	kākā/South Island kākā	forest/open	Threatened (Nationally Vulnerable)	Yes	
Nestor meridionalis septentrionalis	kākā/North Island kākā	forest/open	At Risk (Recovering)		
Nestor notabilis	kea	forest/open	Threatened (Nationally Endangered)	Yes	
Petroica australis australis	kakariwai/South Island robin	forest/open	At Risk (Declining)	Yes	
Phalacrocorax varius varius	kāruhiruhi/pied shag	coastal/riverine	At Risk (Recovering)	Yes	
Podiceps cristatus australis	kāmana/southern crested grebe	wetland/riverine	Threatened (Nationally Vulnerable)	Yes	Yes
Poliocephalus rufopectus	weweia/NZ dabchick	wetland/riverine	Threatened (Nationally Increasing)		
Porzana pusilla affinis	koitareke/marsh crake	wetland/riverine	At Risk (Declining)	Yes	
Porzana tabuensis	pūweto/spotless crake	wetland/riverine	At Risk (Declining)		
Sterna striata striata	tara/white-fronted tern	coastal/riverine	At Risk (Declining)	Yes	
Sternula nereis davisae	tara iti/NZ fairy tern	coastal/riverine	Threatened (Nationally Critical)		
Thinornis novaeseelandiae	tuturuatu/NZ shore plover	coastal/riverine	Threatened (Nationally Critical)		

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Xenicus gilviventris 'northern'	pīwauwau/northern rock wren	forest/open	Threatened (Nationally Critical)		
Xenicus gilviventris 'southern	pīwauwau/southern rock wren	forest/open	Threatened (Nationally Endangered)	Yes	

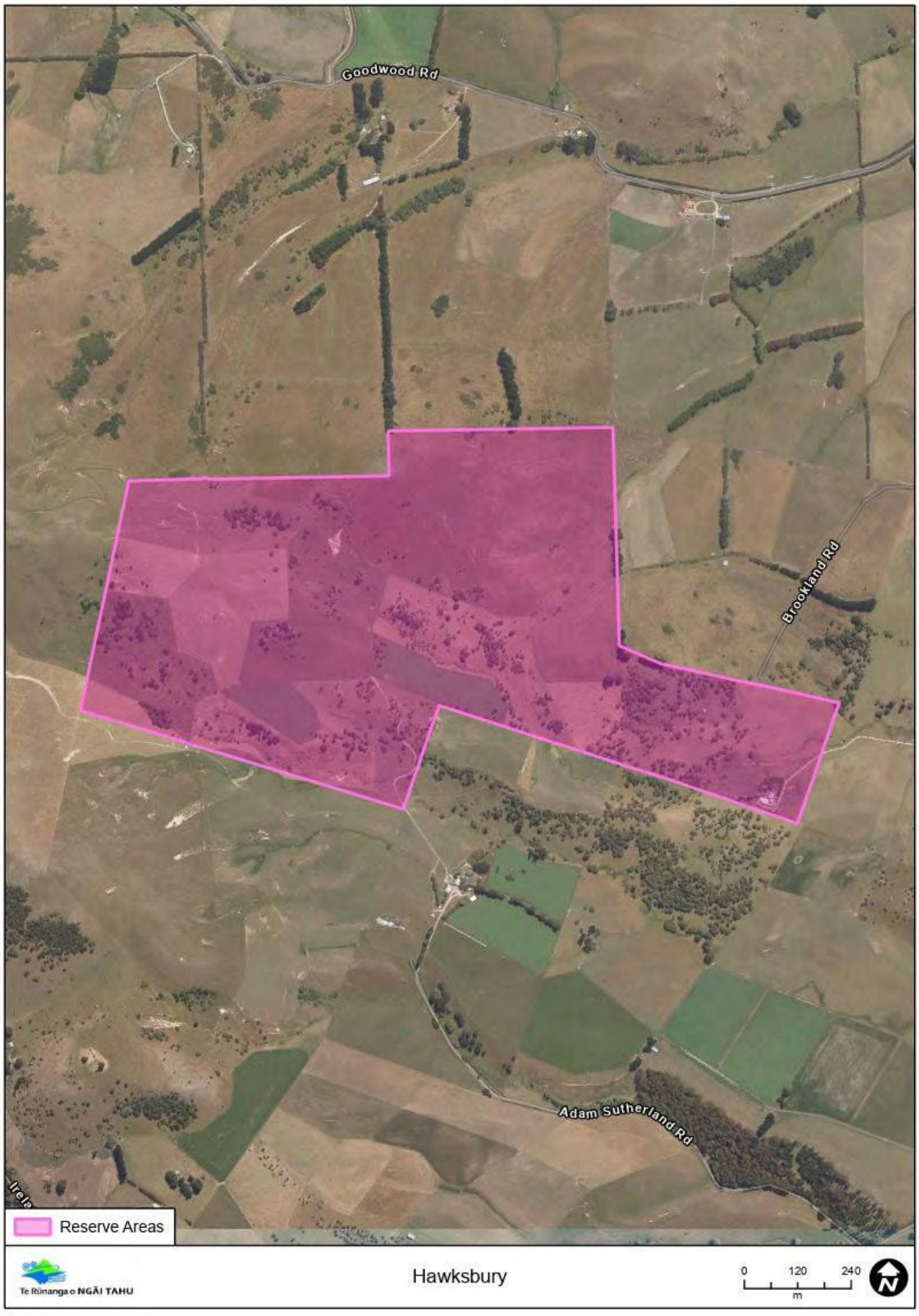
MAP1 – Native Reserves

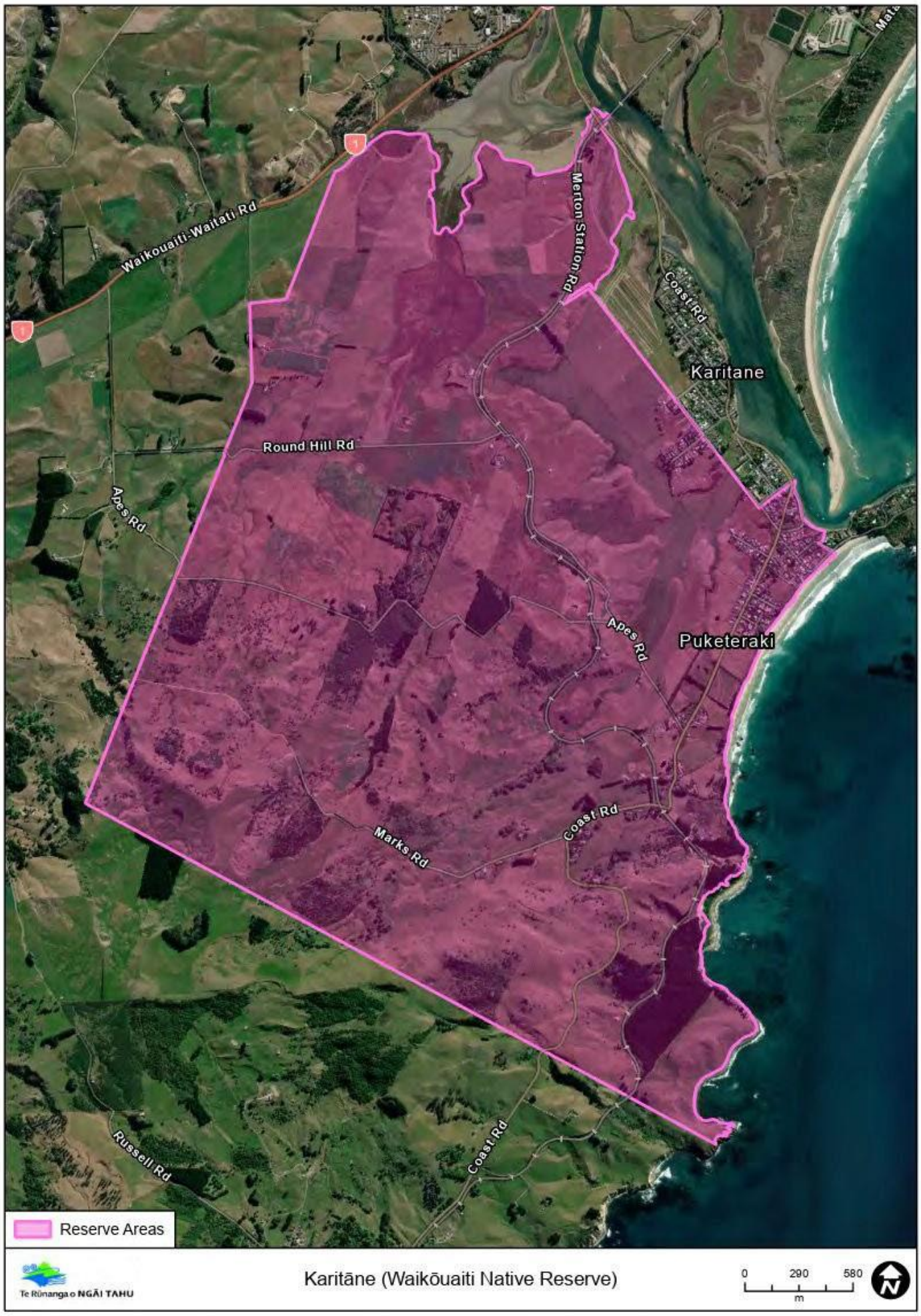
Coast Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Brinns Point
0
70
140
m

Finlayson Rd
Finlayson Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Clarendon
0
62.5
125
m
N

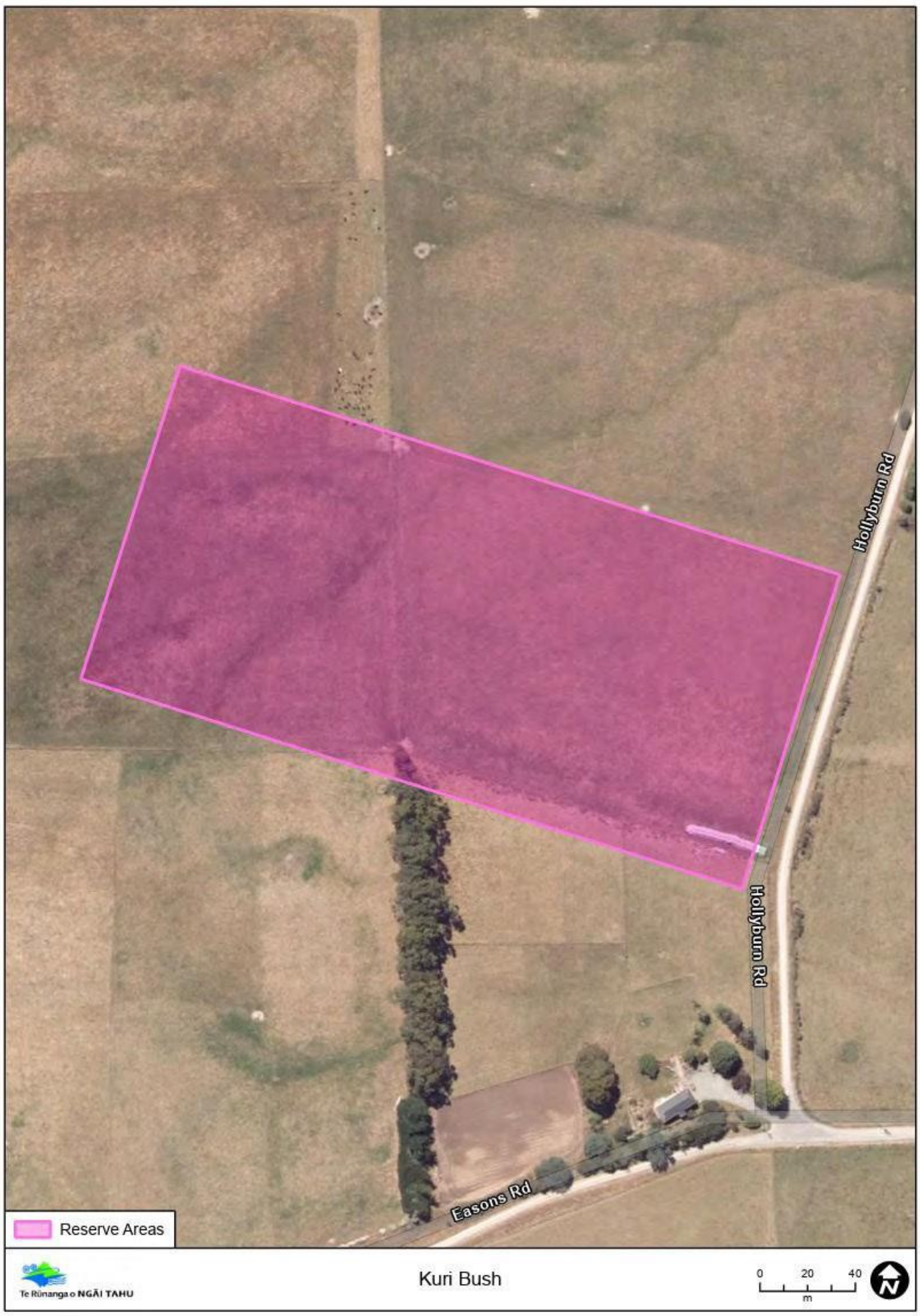

Ahuriri Flat Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Glenmaru
0
110
220
m

Centre Cres
Urquhart Pl
Forest Hts
Reserve Areas
Te Rūnanga o NGĀI TAHU
Hāwea-Wānaka Block (Wānaka Plantation
0
60
120
m

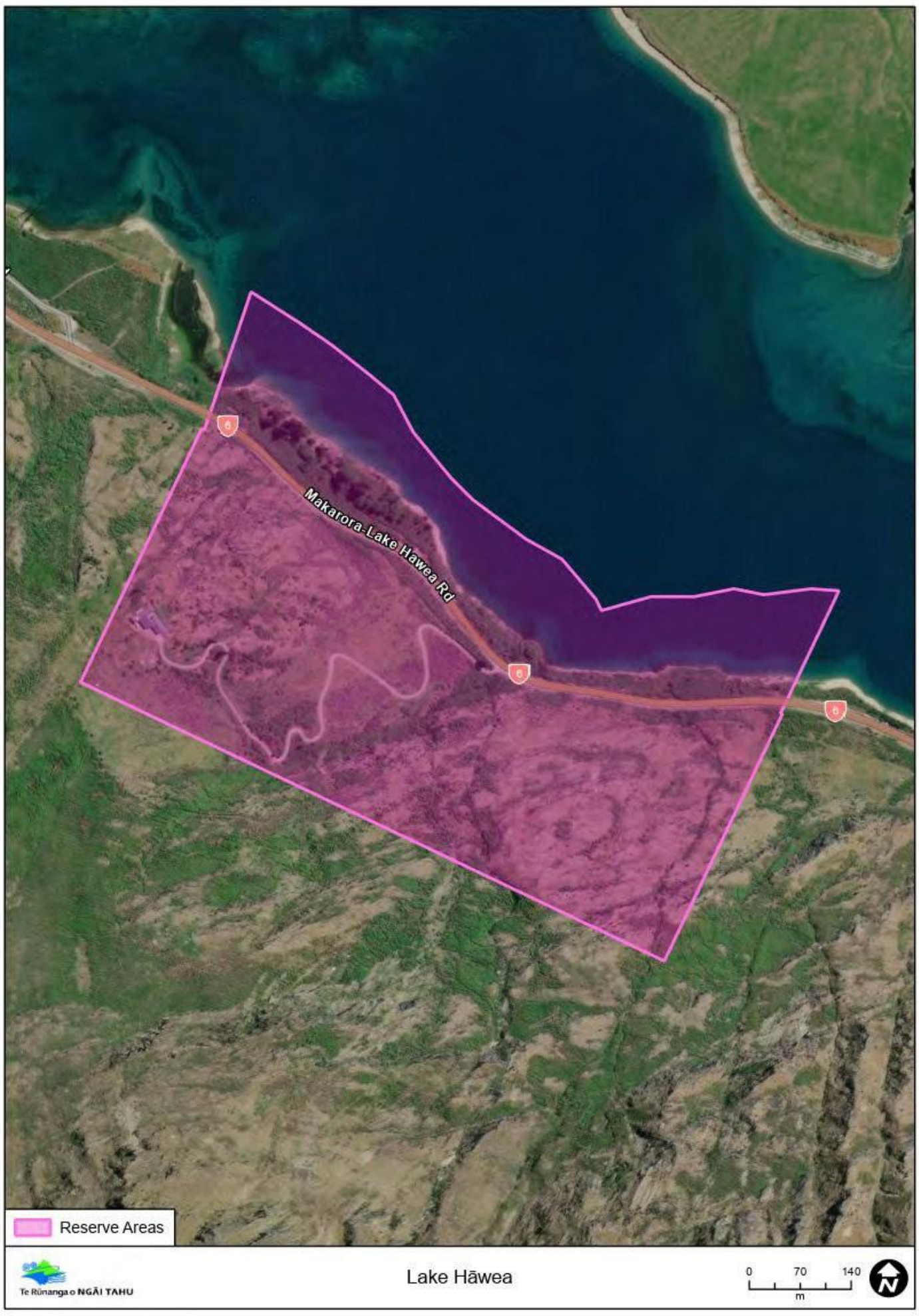

Goodwood Rd
Brookland Rd
Adam Sutherland Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Hawksbury
0
120
240
m


Waikouaiti-Waitati Rd
Merton Station Rd
Coast Rd
Karitane
Round Hill Rd
Apes Rd
Apes Rd
Puketeraki
Marks Rd
Coast Rd
Russell Rd
Coast Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Karitāne (Waikōuaiti Native Reserve)
0
290
580
m
N

Kaik Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Korotuaheka
0
130
260
m


Hollyburn Rd
Hollyburn Rd
Easons Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Kuri Bush
0
20
40
m

269

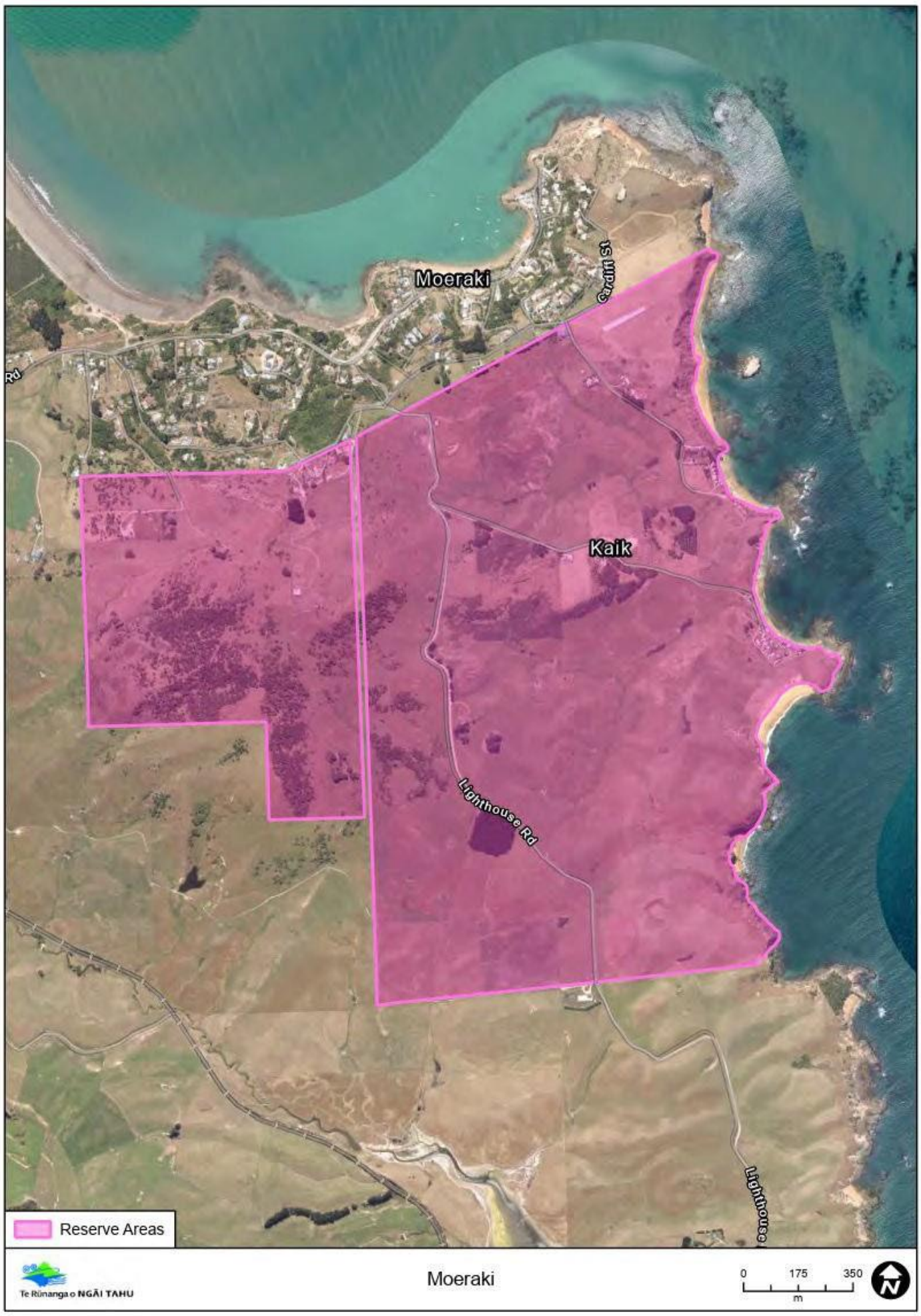

Makarora-Lake Hawea Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Lake Hāwea
0
70
140
m

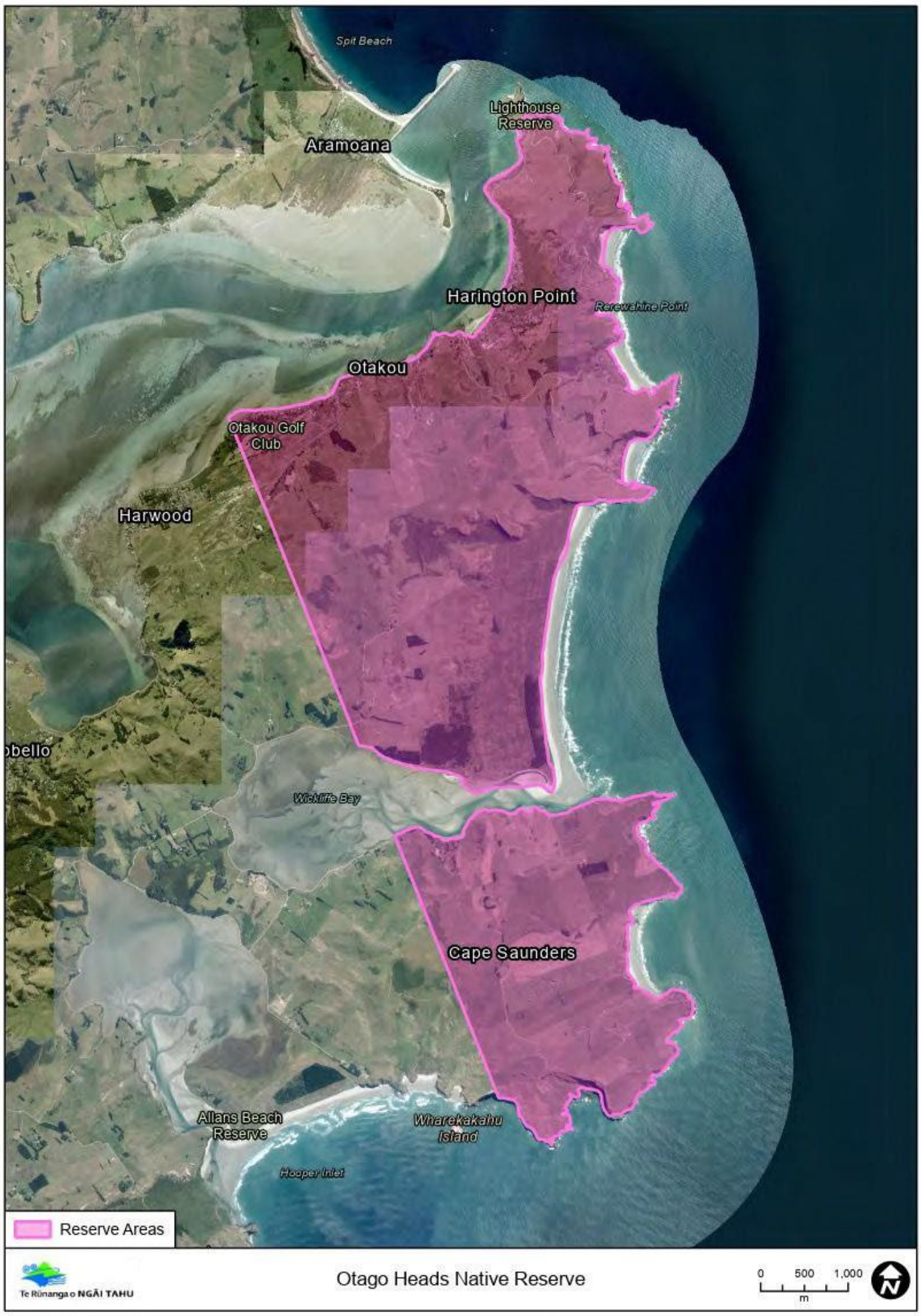
Reserve Areas
Te Rūnanga o NGĀI TAHU
Lake Tatawai
0
12.5
25
m

Rata St
Totara St
Tarata St
Kaka Point
Reserve Areas
Te Rūnanga o NGĀI TAHU
Maranuku
0
137.5
275
m

Reserve Areas
Te Rūnanga o NGĀI TAHU
Matainaka and Hawksbury Fishing Easement
0
15
30
m
N

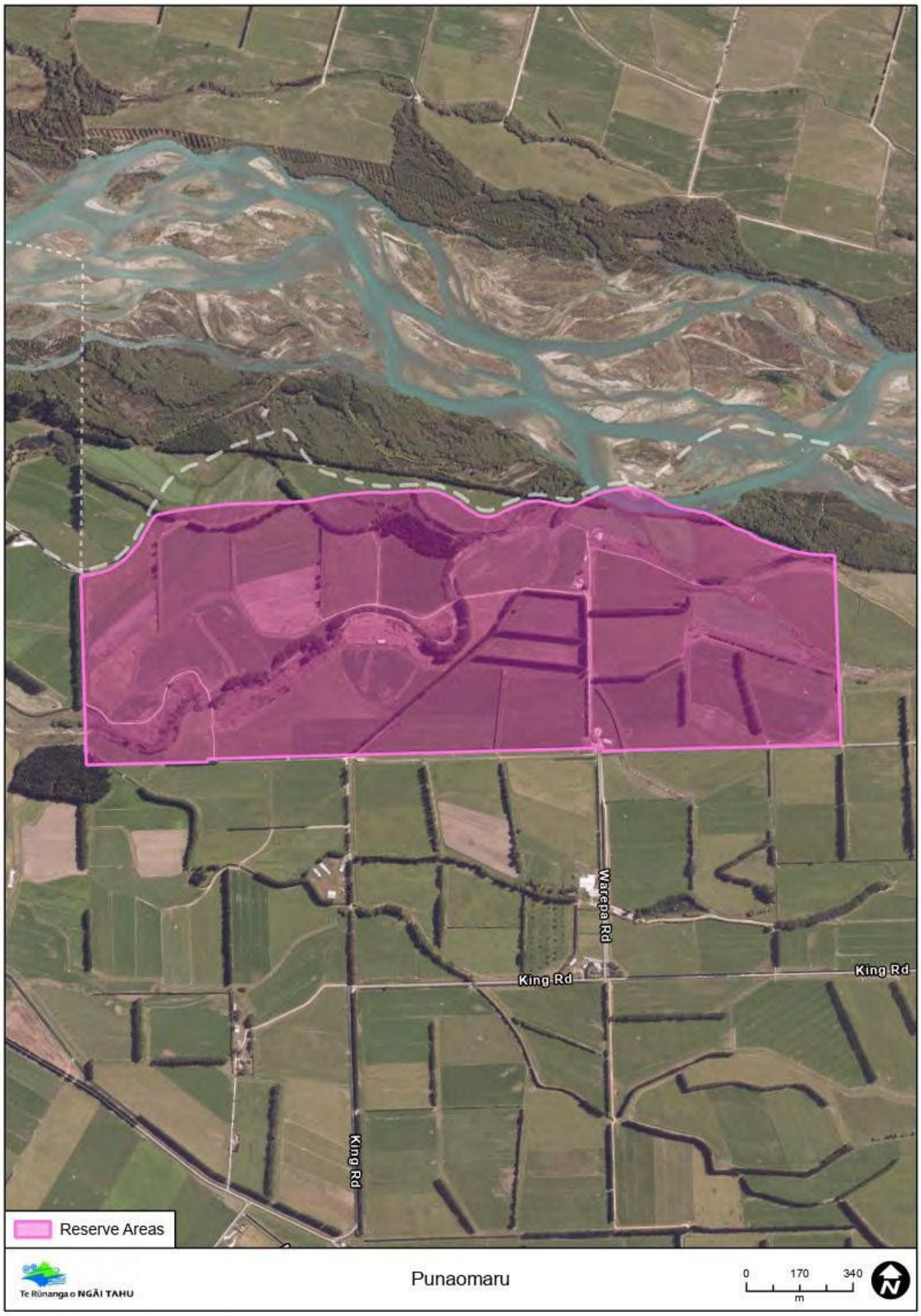
273


Moeraki
Cardiff St
Kaik
Lighthouse Rd
Lighthouse
Reserve Areas
Te Rūnanga o NGĀI TAHU
Moeraki
0
175
350
m

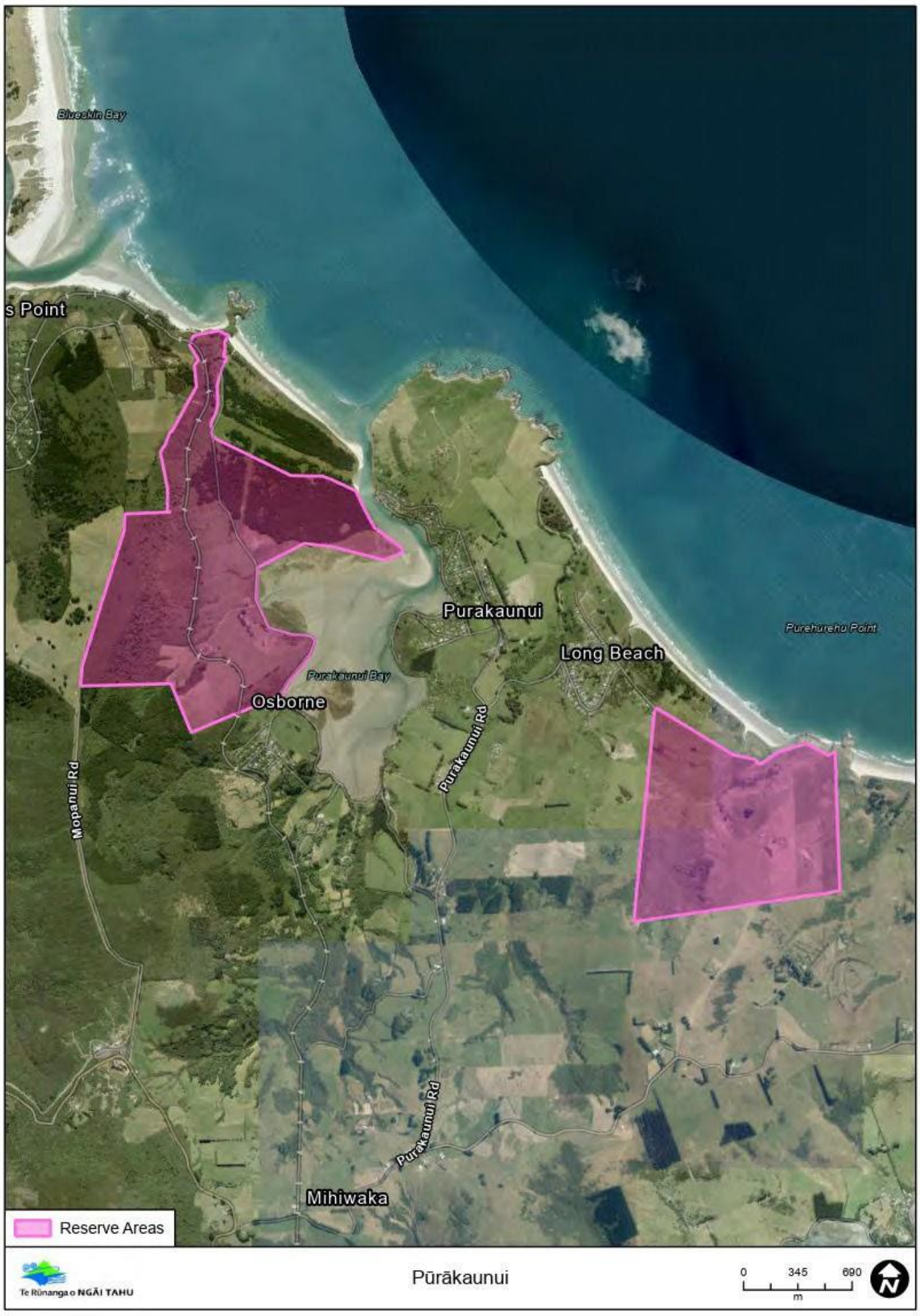

Spit Beach
Lighthouse Reserve
Aramoana
Harrington Point
Rerewahine Point
Otakou
Otakou Golf Club
Harwood
Wickliffe Bay
Cape Saunders
Allans Beach Reserve
Wharekakahu Island
Hooper Inlet
Reserve Areas
Te Rūnanga o NGĀI TAHU
Otago Heads Native Reserve
0 500 1,000
m

Macandrew Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Port Chalmers
0 5 10
m
N

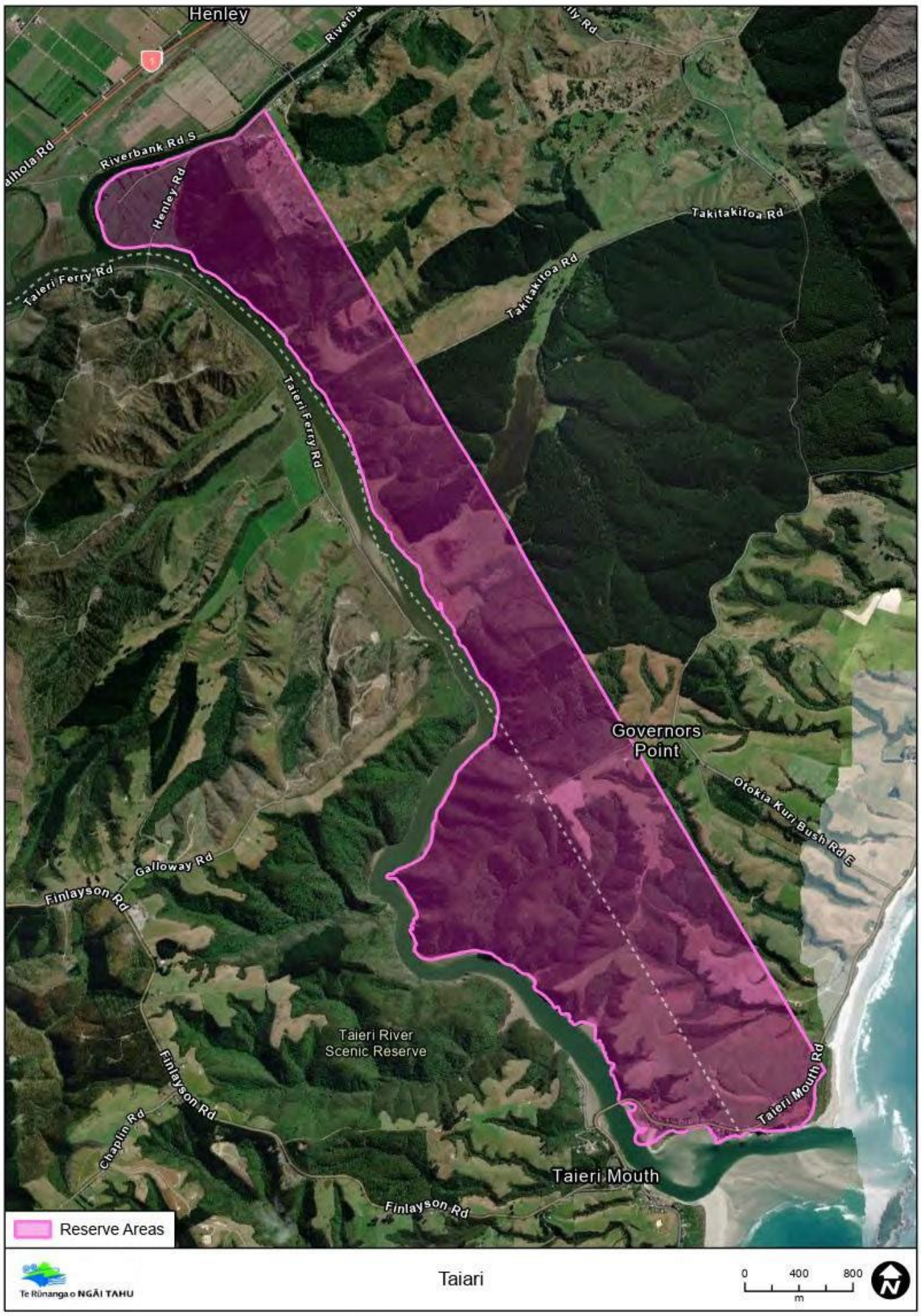
276

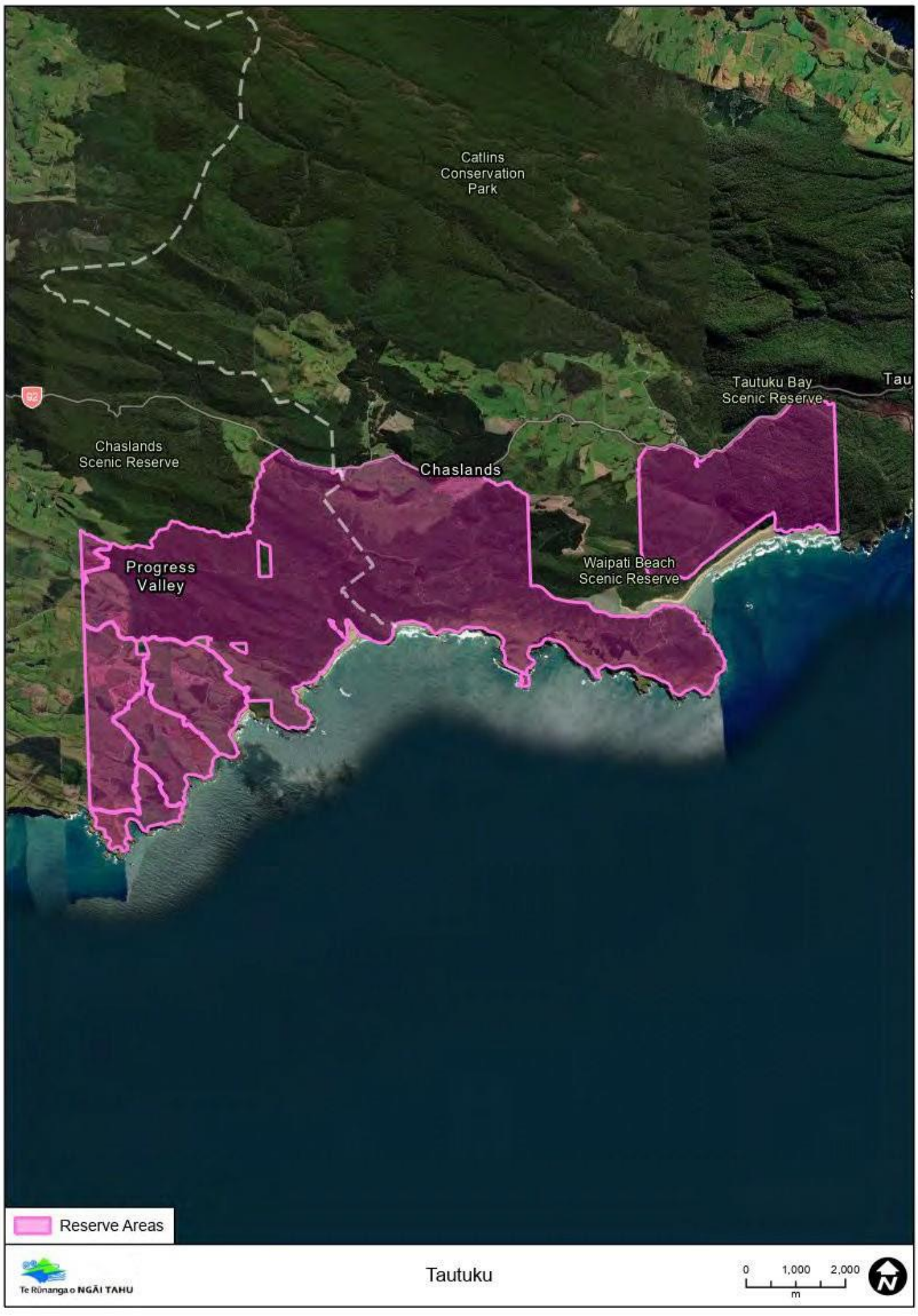

Warepa Rd
King Rd
King Rd
King Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Punaomaru
0
170
340
m

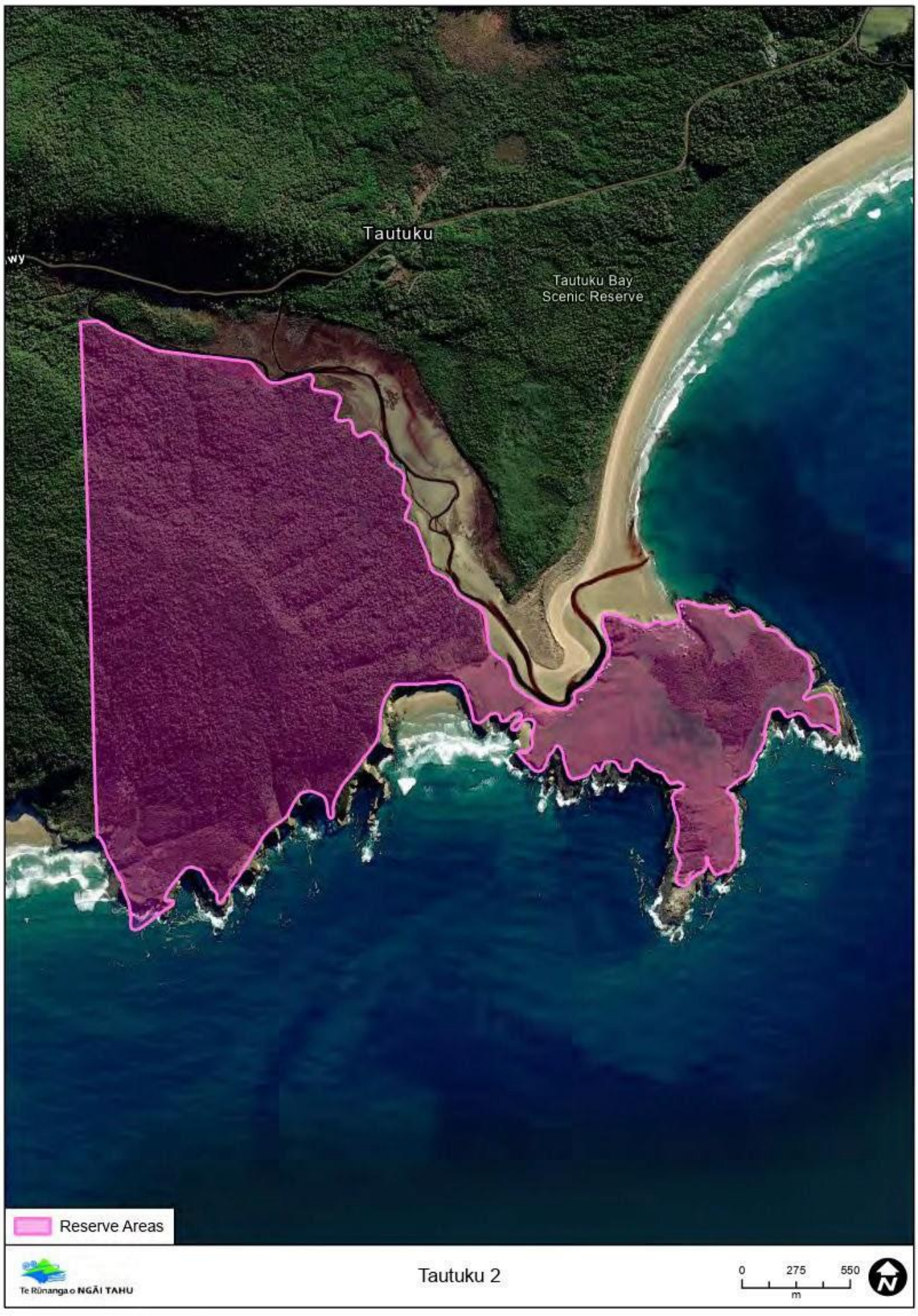
277


Blueskin Bay
s Point
Purakaunui
Purehurehu Point
Long Beach
Purakaunui Bay
Osborne
Purakaunui Rd
Mopanui Rd
Purakaunui Rd
Mihiwaka
Reserve Areas
Te Rūnanga o NGĀI TAHU
Pūrākaunui
0
345
690
m

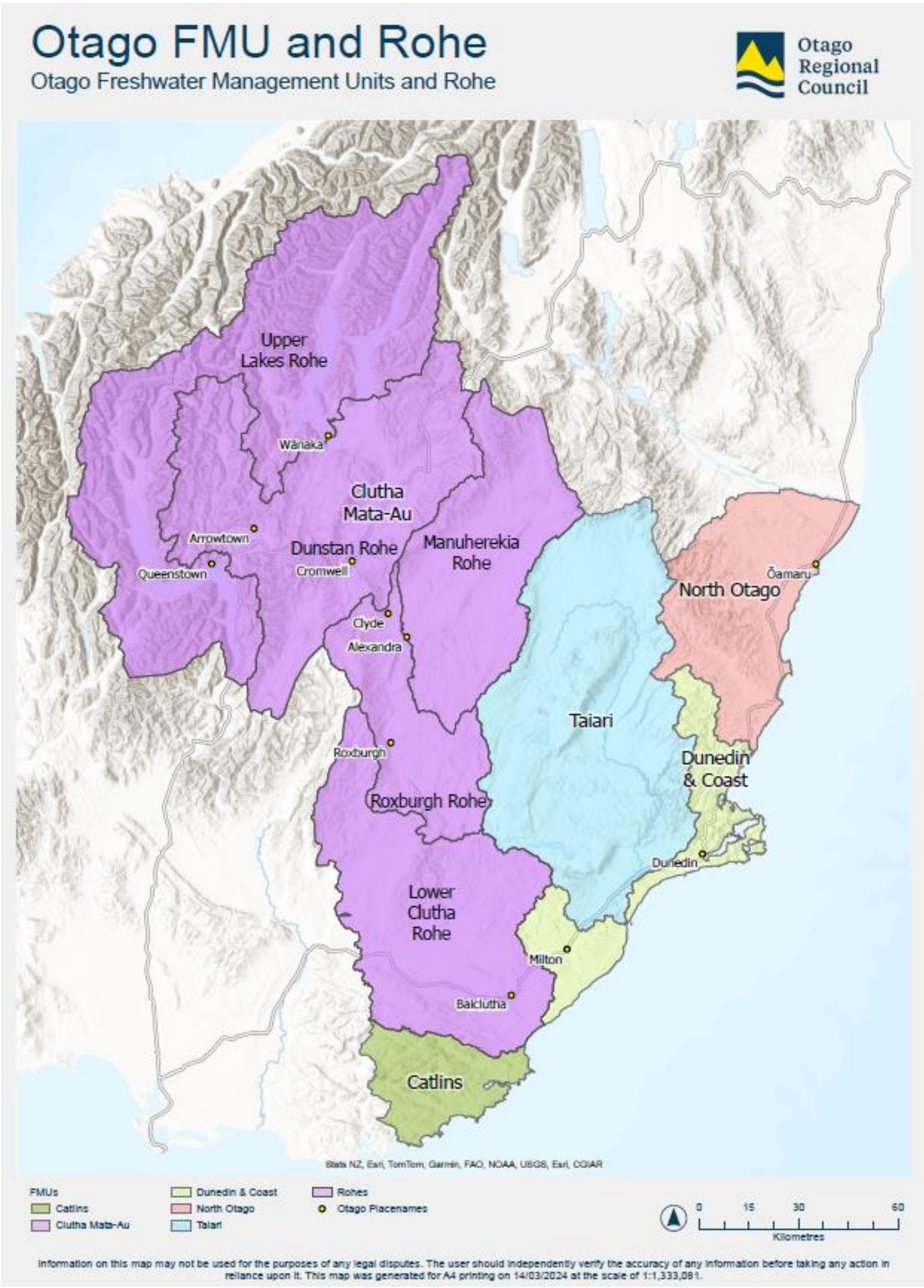
278


Henley
Riverbank Rd S
Henley Rd
Takitakitoa Rd
Taieri Ferry Rd
Governors Point
Otokia Kuri Bush Rd E
Galloway Rd
Finlayson Rd
Taieri River Scenic Reserve
Taieri Mouth Rd
Chaplin Rd
Taieri Mouth
Reserve Areas
Taiari
Te Rūnanga o NGĀI TAHU
0
400
800
m

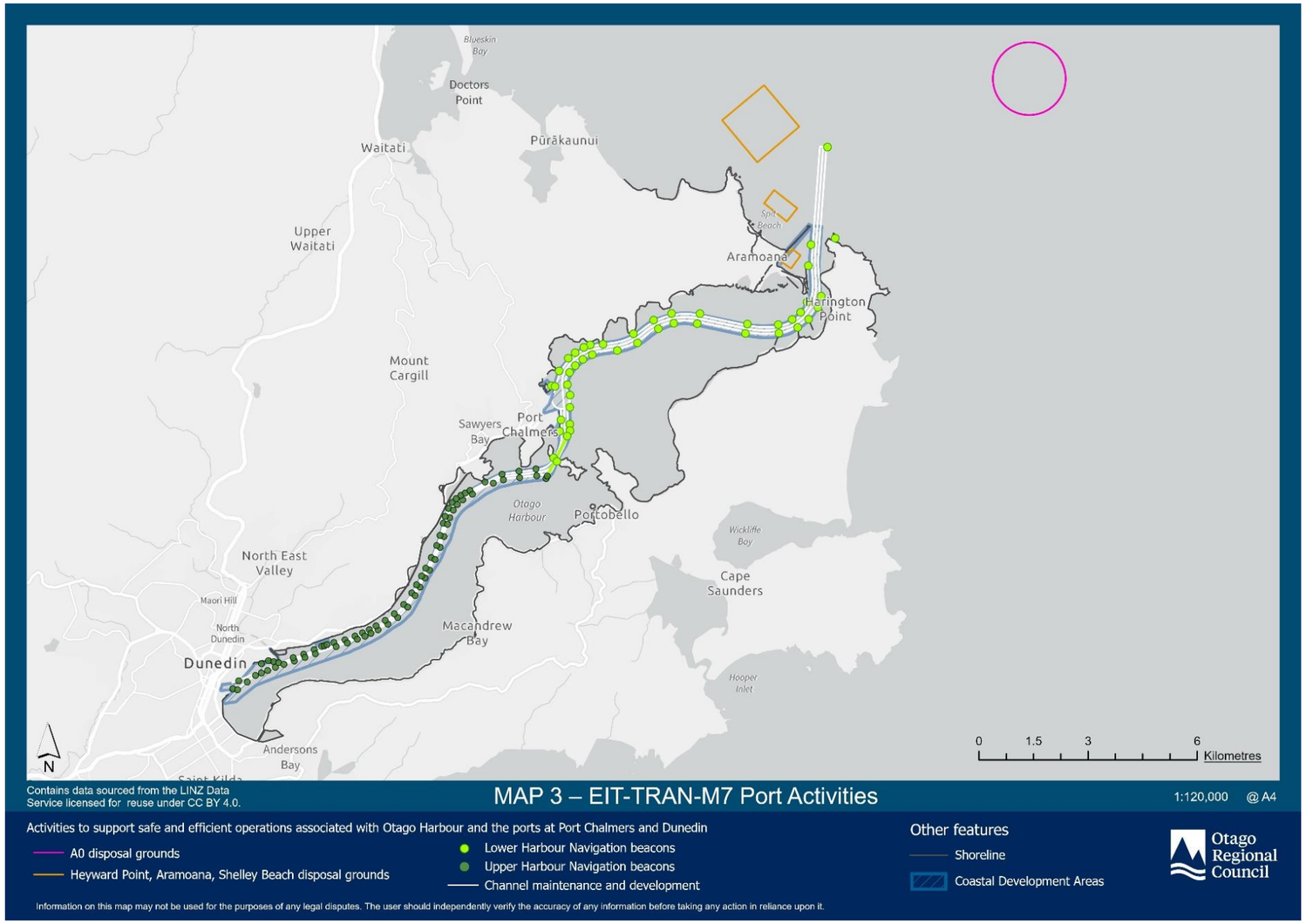

Catlins
Conservation
Park
Tautuku Bay
Scenic Reserve
Tau
Chaslands
Scenic Reserve
Chaslands
Progress
Valley
Waipati Beach
Scenic Reserve
Reserve Areas
Te Rūnanga o NGĀI TAHU
Tautuku
0
1,000
2,000
m


Tautuku
Tautuku Bay
Scenic Reserve
Reserve Areas
Te Rūnanga o NGĀI TAHU
Tautuku 2
0
275
550
m

MAP2 – Freshwater Management Units



MAP3 – EIT-TRAN-M7 Port Activities



Tracked Appeals Version

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
14 May 2026	Minor corrections pursuant to Clause 16(2) of Schedule 1 to the Resource Management Act 1991 – Memorandum	Refer to Cl 16(2) Memorandum
20 March 2026	Environment Court Consent Order sealed 20 March 2026: Decision No. [2026] 51	UFD – Refer to Environment Court Consent Order 20 March 2026: Decision No. 51
9 December 2025	Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] 397	NFL – Refer to Environment Court Consent Order 9 December 2025: Decision No. 397
9 December 2025	Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] 396	ECO – Refer to Environment Court Consent Order 9 December 2025: Decision No. 396
9 December 2025	Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] 395	HCV – Refer to Environment Court Consent Order 9 December 2025: Decision No. 395
7 November 2025 and 9 December 2025	Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] 366 and Corrigendum dated 9 December 2025: Decision No. [2025] NZEnvC 394	CE – Refer to Environment Court Consent Order 7 November 2025 Decision No. 366 and Corrigendum dated 9 December 2025 Decision No. 394
22 October 2025	Order of the High Court sealed 22 October 2025: CIV-2024-412-41	LF-WAI-O1 – Te Mana o te Wai Refer to Order of the High Court sealed 22 October 2025
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
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.	SRMR – Refer to Environment Court Consent Order 24 June 2025

	[2025] NZEnvc 208	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

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 made~~,~~ through resolution of High Court and Environment Court 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~~ reflects 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**
Underlined text	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.~~[1]

[1] Clause 16(2) memorandum (14 May 2026)

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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 well-being.[2]

The ORPS responds to identified significant regional values and resource management issues relating to Otago's *environment*, *historic heritage*, economy, food production, ~~and~~[3] 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.

[2] Clause 16(2) memorandum (14 May 2026)
[3] Clause 16(2) memorandum (5 May 2025)

Description of the region

At 32,000 km^2, the Otago region is the third~~second~~[4] 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/Te Awamoko,[5] following the north branch of the Kakanui/Kākaunui[6] 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/Poumāhaka[7] River catchment, and Umbrella and Kōpūwai Ranges to encompass the headwaters of the glacial alpine lakes, ~~Whakatipu-wai-māori~~Whakatipu Waimāori[8] (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 225,186.[9] 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 enrols 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~~[10] generation facilities[11] 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.

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[4] Clause 16(2) memorandum (5 May 2025)
[5] Clause 16(2) memorandum (14 May 2026)
[6] Clause 16(2) memorandum (14 May 2026)
[7] Clause 16(2) memorandum (14 May 2026)
[8] Clause 16(2) memorandum (14 May 2026)
[9] 2018 Census place summaries: Stats NZ (n.d.) https://www.stats.govt.nz/tools/2018-census-place-summaries/otago-region (accessed 26 May 2021).
[10] Clause 16(2) memorandum (24 March 2025)
[11] W Fitzgerald (2019) *Dunedin Energy Study 2017–2018*. University of Otago.

Otago is home to important ~~indigenous biodiversity~~*indigenous biodiversity*[12] for Aotearoa, some of which is specific to Otago. Nationally significant ~~indigenous biodiversity~~*indigenous biodiversity*[13] features include inland saline habitats, ephemeral wetlands, endemic and threatened inland galaxiid fish and lizard populations, western forest habitats, and coastal fauna.

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.[14] 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.[15] 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

[12] Clause 16(2) memorandum (14 May 2026)
[13] Clause 16(2) memorandum (14 May 2026)
[14] GR Macara (2015). The Climate and Weather of Otago, Second Edition. *NIWA SCIENCE AND TECHNOLOGY SERIES,* 67th ser.
[15] Central Otago Climate (n.d.) https://centralotagonz.com/opportunities/working-here (accessed 26 May 2021).

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~~Wanaka~~[16], Whakatipu-~~wai māori~~ Waimāori[17] (Lake Wakatipu) and Hāwea and including artificial *lakes* Te Wairere/[18]Dunstan, Roxburgh and Onslow, constitute about 23% of New Zealand's total *lake* surface area. The primary catchments are Lakes Wānaka~~Wanaka~~[19], Whakatipu~~-wai māori~~ Waimāori[20] (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.

[16] Clause 16(2) memorandum (5 December 2024)
[17] Clause 16(2) memorandum (5 December 2024)
[18] Clause 16(2) memorandum (5 December 2024)
[19] Clause 16(2) memorandum (5 December 2024)
[20] Clause 16(2) memorandum (5 December 2024)

How the policy statement works

Statutory context

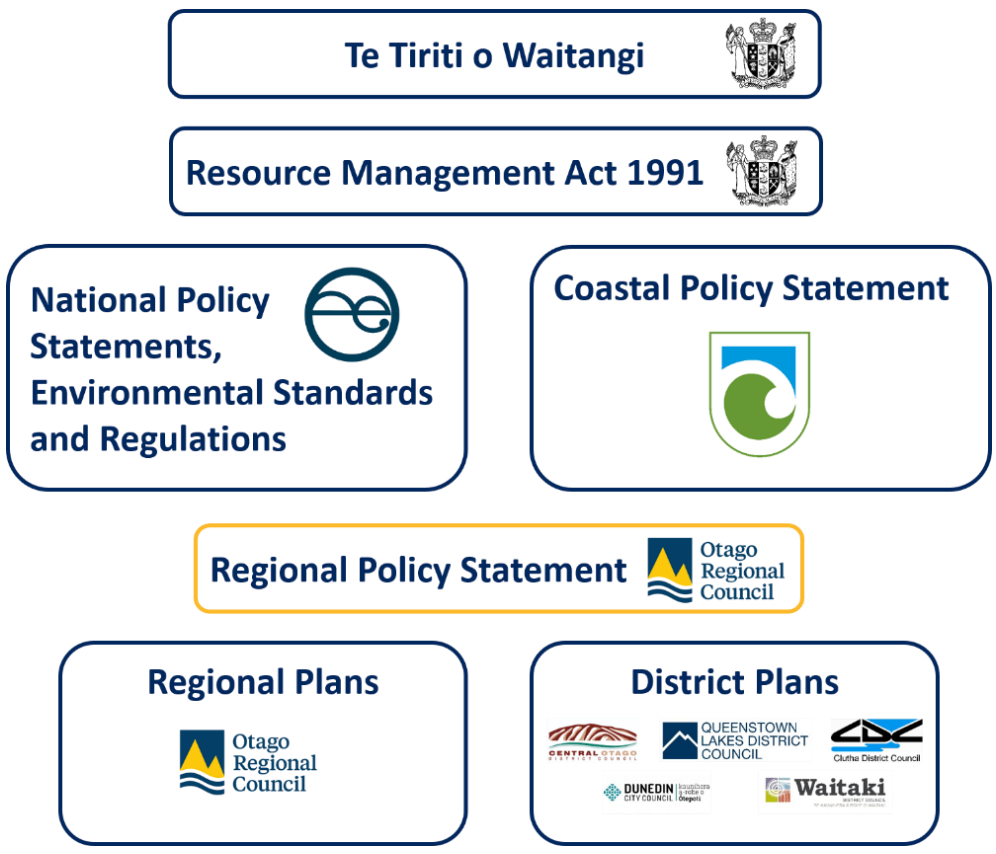
Resource Management Act 1991

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 1~~2~~[21] – Position of the Regional Policy Statement within the resource management planning framework



[21] Clause 16(2) memorandum (24 March 2025)

Partnership, Te Tiriti o Waitangi and Kāi Tahu[22]

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.[23]

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:

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[22] 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).

[23] 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 commercial~~plantation~~[24] forestry trees on land where there is no commercial~~plantation~~[25] forestry and where commercial~~plantation~~[26] 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

[24] Clause 16(2) memorandum (24 March 2025)
[25] Clause 16(2) memorandum (24 March 2025)
[26] 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 *biological diversity*
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 *greenhouse gases*
Coastal hazard	means a subset of *natural hazards* covering tidal or coastal storm inundation, rising sea level, tsunami or meteorological tsunami inundation, coastal erosion (shorelines or cliffs), rise in *groundwater* levels from storm tides and sea-level rise (plus associated liquefaction), and salinisation of surface *fresh waters* and *groundwater* 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)

Term	Definition
Commercial forestry[27]	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 exotic continuous-cover forestry or plantation forestry
Commercial port activity	means ~~commercial shipping operations associated with the Otago Harbour and the~~ activities carried out to service commercial ship operators calling at ~~the ports at~~ Port Chalmers and Dunedin, (including the ~~wharf~~ wharves at Ravensbourne and Careys Bay)[28] which include: (a) Operation of marine services vessels ~~commercial ships in Otago Harbour~~;[29] (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)~~;[30] (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)~~;[31] (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~~MAP3;[32] (h) Installation and maintenance of beacons and markers for navigation safety; and (i) Provision and maintenance of the mole at Aramoana.
Community-scale irrigation and stockwater infrastructure[33]	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.
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

[27] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[28] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[29] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[30] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[31] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[32] Clause 16(2) memorandum (14 May 2026)
[33] 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~~APP8,[34] 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 *LF – Land and freshwater* 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)

[34] Clause 16(2) memorandum (14 May 2026)

Term	Definition
	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
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

Term	Definition
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)
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. *Ecological regions and districts of New Zealand.* Wellington: Department of Conservation.

Term	Definition
Ecological integrity[35]	has the same meaning as in clause 1.6 of the National Policy Statement for Indigenous Biodiversity 2023 (as set out below) means the extent to which an ecosystem is able to support and maintain its: (a) composition (being its natural diversity of *indigenous species*, *habitats*, and communities); and (b) structure (being its biotic and abiotic physical features); and (c) functions (being its ecological and physical processes).
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
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

[35] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

Term	Definition
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
Effects management hierarchy (in relation to indigenous biodiversity)	means an approach to managing the adverse effects of an activity of *indigenous biodiversity* 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, *biodiversity offsetting* is provided where possible; then (e) where *biodiversity offsetting* of more than minor residual adverse effects is not possible, *biodiversity compensation* is provided; then (f) if *biodiversity compensation* is not appropriate, the activity itself is avoided, unless the activity is *regionally significant infrastructure* and *nationally significant infrastructure* that is either *renewable electricity generation* or the *National Grid* then: ~~(g) if compensation is not appropriate to address any residual adverse effects:~~

Term	Definition
	~~(ia)~~(i)[36] for the *National Grid:*[37] (~~i~~I) the activity must be avoided if the residual adverse effects are significant; but (~~ii~~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~~.~~;[38] ~~(iia)~~(ii)[39] for *renewable electricity generation*, consider whether the activity should be allowed, including by considering whether the national significance and benefits of the activity outweigh the residual adverse effects.~~for the *National Grid:*~~[40]
Electricity sub-transmission infrastructure	means electricity infrastructure which conveys electricity between energy generation sources, the ~~National Grid~~National Grid[41] and zone substations and between zone substations.

[36] Clause 16(2) memorandum (14 May 2026)
[37] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[38] Clause 16(2) memorandum (14 May 2026)
[39] Clause 16(2) memorandum (14 May 2026)
[40] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[41] Clause 16(2) memorandum (14 May 2026)

Term	Definition
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
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
Established activity[42]	has the same meaning as in clause 3.15 of the National Policy Statement for Indigenous Biodiversity 2023 (as set out below) means an activity (including maintenance, operation, and upgrade) that: (a) is in, or affects, an *SNA*; and (b) is not a new *subdivision*, use, or development.

[42] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

Term	Definition
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~~P16)[43]	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)
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

[43] Clause 16(2) memorandum (14 May 2026)

Term	Definition
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
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 (CO_2): (b) methane (CH_4): (c) nitrous oxide (N_2O): (d) any hydrofluorocarbon: (e) any perfluorocarbon: (f) sulphur hexafluoride (SF_6)
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 *sewage,* or *industrial and trade waste.*
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

Term	Definition
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.
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 *industrial process heat* (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 *SNA* that is an area used intermittently by *specified highly mobile fauna*
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 *land* that has been mapped in accordance with clause 3.4 and is included in an operative regional policy statement as required by clause 3.5 (but see clause 3.5(7) for what is treated as highly productive land before the maps are included in an operative regional policy statement and clause 3.5(6) for when *land* is rezoned and therefore ceases to be highly productive land

Term	Definition
Highly valued natural features and landscapes[44]	means areas which contain attributes and values of significance under Sections 7(c) and 7(f) of the RMA 1991, which have been identified in accordance with APP~~9~~11.[45]
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— (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

[44] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[45] Clause 16(2) memorandum (14 May 2026)

Term	Definition
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 *habitats.*
Indigenous species (in relation to the ECO chapter)[46]	means species that occur naturally in Otago.
Indigenous vegetation	means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district[47] 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.~~
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 *waste,* with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes *sewage* and greywater.

[46] Clause 16(2) memorandum (14 May 2026)
[47] WM McEwen (ed.) (1987) Ecological regions and districts of New Zealand. Wellington: Department of Conservation.

Term	Definition
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: (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

Term	Definition
	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 *land*
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
Limit (in relation to IM-P~~12~~8)[48, 49]	means: (~~1~~a)[50] minimum acceptable state of an aspect of the natural environment, or (~~2~~b)[51] maximum amount of acceptable harm or pressure on the natural environment.
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 *territorial authority*

[48] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[49] Clause 16(2) memorandum (14 May 2026)
[50] Clause 16(2) memorandum (14 May 2026)
[51] Clause 16(2) memorandum (14 May 2026)

Term	Definition
Loss of values[52]	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) 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: (a) the value identified for it under the NOF process; or (b) any of the following, whether or not they are identified under the NOF process: (i) ecosystem health (ii) indigenous biodiversity (iii) hydrological functioning (iv) Māori *freshwater* values (v) amenity values
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 *land* identified as Land Use Capability Class 1, 2, or 3, as mapped by the New Zealand Land Resource Inventory or by any more detailed mapping that uses the Land Use Capability classification
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.

[52] Clause 16(2) memorandum (24 March 2025)

Term	Definition
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 *indigenous* species: (ii) indigenous species occupancy across their natural range: (iii) the properties and function of ecosystems and *habitats* used or occupied by *indigenous biodiversity:* (iv) the full range and extent of ecosystems and *habitats* used or occupied by *indigenous biodiversity:* (v) connectivity between, and buffering around, ecosystems used or occupied by *indigenous biodiversity:* (vi) the resilience and adaptability of ecosystems; and (b) where necessary, the restoration and enhancement of ecosystems and *habitats.*
Māori land	for the purposes of this RPS, means land within the region that is: (~~1~~a)[53] 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 development~~[54], (~~2~~b)[55] Māori communal land gazetted as Māori reservation under s338 Te Ture Whenua Māori Act 1993, (~~3~~c)[56] Māori customary land and Māori freehold land as defined in s4 and s129 Te Ture Whenua Māori Act 1993, (4d)[57] 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~~e)[58] general land owned by Māori (as defined in Te Ture Whenua Māori

[53] Clause 16(2) memorandum (14 May 2026)
[54] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[55] Clause 16(2) memorandum (14 May 2026)
[56] Clause 16(2) memorandum (14 May 2026)
[57] Clause 16(2) memorandum (14 May 2026)
[58] Clause 16(2) memorandum (14 May 2026)

Term	Definition
	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~~f)[59] vested in a Trust or Māori incorporation under Te Ture Whenua Māori Act 1993, (~~7~~g)[60] held or claimed (whether as an entitlement, part of an ancillary claim, or because it was transferred or vested) either, (~~a~~i)[61] as part of redress for the settlement of Treaty of Waitangi claims, or (~~b~~ii)[62] 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~~iii)[63] as SILNA lands, (~~8~~h)[64] 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 of that connection is provided to, and confirmed by either: (~~a~~i)[65, 66] the Māori Land Court (under its jurisdiction over General land owned by Māori);[67] or (~~b~~ii)[68, 69] 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

[59] Clause 16(2) memorandum (14 May 2026)
[60] Clause 16(2) memorandum (14 May 2026)
[61] Clause 16(2) memorandum (14 May 2026)
[62] Clause 16(2) memorandum (14 May 2026)
[63] Clause 16(2) memorandum (14 May 2026)
[64] Clause 16(2) memorandum (14 May 2026)
[65] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[66] Clause 16(2) memorandum (14 May 2026)
[67] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[68] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[69] Clause 16(2) memorandum (14 May 2026)

Term	Definition
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
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
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

Term	Definition
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
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

Term	Definition
Natural inland wetland[70]	means a wetland (as defined in the Act) that is not: (a) in the coastal marine area; or (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 (c) a wetland that has developed in or around a deliberately constructed water body, since the construction of the water body; or (d) 700 or more consumers; or (e) a geothermal wetland; or (f) a wetland that; or (i) is within an area of pasture used for grazing; and (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 (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
New, for a heat device (for the interpretation of EIT-EN-~~P5~~P16)[71]	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 *existing*
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~~*indigenous biodiversity*,[72] 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
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

[70] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[71] Clause 16(2) memorandum (14 May 2026)
[72] Clause 16(2) memorandum (14 May 2026)

Term	Definition
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 *subdivision,* use and development ~~by *mana whenua*~~ of native reserves, *Māori land* and associated resources by *mana whenua* or owners of Māori land to provide for their communal living ~~themselves~~ in ~~general~~ accordance with Kāi Tahu tikaka ~~Māori for their cultural and traditional purposes,~~ which may include cultural, social, housing, educational, recreational, environmental or commercial~~home occupation~~[73] 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
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

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

Term	Definition
PM_{10}	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.
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

Term	Definition
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 *land,* means the ability of the *land* to support land-based *primary production* 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, *local authority* covenants, and easements); and (c) the size and shape of existing and proposed *land* parcels
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 *freshwater* and the *coastal marine area)*	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

Term	Definition
Regionally significant infrastructure	means: (~~1~~a)[74] 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~~b)[75] ~~electricity sub-transmission infrastructure~~*electricity sub-transmission infrastructure*,[76] (~~2A~~c)[77] ~~significant electricity distribution infrastructure~~*significant electricity distribution infrastructure*,[78] (~~3~~d)[79] ~~renewable electricity generation facilities~~*renewable electricity generation facilities* that connect with the local distribution network but not including ~~renewable electricity generation facilities~~renewable electricity generation facilities[80] designed and operated principally for supplying a single premise or facility, (~~4~~e)[81] networks for the purpose of telecommunication and radiocommunication ~~networks,~~ as respectively defined in section 5 of the Telecommunications Act 2001 and in section 2 of the Radiocommunications Act 1989,[82] (~~5~~f)[83] public transport, terminals and stations, (~~6~~g)[84] the following airports: Dunedin, Queenstown, Wānaka, Alexandra, Balclutha, Cromwell, Ōamaru, Taiari,~~.~~[85] (~~7~~h)[86] navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant, (~~8~~i)[87] defence facilities for defence purposes in accordance with the Defence Act 1990, (~~8A~~j)[88] established ~~community-scale irrigation and stockwater infrastructure~~*community-scale irrigation and stockwater infrastructure*,[89]

[74] Clause 16(2) memorandum (14 May 2026)
[75] Clause 16(2) memorandum (14 May 2026)
[76] Clause 16(2) memorandum (14 May 2026)
[77] Clause 16(2) memorandum (14 May 2026)
[78] Clause 16(2) memorandum (14 May 2026)
[79] Clause 16(2) memorandum (14 May 2026)
[80] Clause 16(2) memorandum (14 May 2026)
[81] Clause 16(2) memorandum (14 May 2026)
[82] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[83] Clause 16(2) memorandum (14 May 2026)
[84] Clause 16(2) memorandum (14 May 2026)
[85] Clause 16(2) memorandum (5 May 2025)
[86] Clause 16(2) memorandum (14 May 2026)
[87] Clause 16(2) memorandum (14 May 2026)
[88] Clause 16(2) memorandum (14 May 2026)
[89] Clause 16(2) memorandum (14 October 2025)

Term	Definition
	(~~9~~k)[90] community ~~drinking water~~*drinking water* abstraction, supply treatment and distribution *infrastructure* that provides no fewer than 25 households with ~~drinking water~~*drinking water*[91] for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution *infrastructure* (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking ~~-~~water[92] supplies), (~~10~~l)[93] community ~~stormwater~~ *stormwater*[94] *infrastructure*, (~~11~~m)[95] ~~wastewater~~ *wastewater* and ~~sewage~~ *sewage*[96] collection, treatment and disposal infrastructure serving no fewer than 25 households, (~~11A~~n)[97] oil terminals, bulk fuel storage and supply infrastructure, and ancillary pipelines at Port Chalmers and Dunedin Bulk Port,[98] (~~12~~o)[99] 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,~~ [100] (~~14~~p)[101] *ski area infrastructure* at Remarkables, Cardrona, Treble Cone and Coronet Peak,[102] and (~~15~~q)[103] any *infrastructure* identified as *nationally significant infrastructure*.
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

[90] Clause 16(2) memorandum (14 May 2026)
[91] Clause 16(2) memorandum (14 October 2025)
[92] Clause 16(2) memorandum (14 October 2025)
[93] Clause 16(2) memorandum (14 May 2026)
[94] Clause 16(2) memorandum (14 May 2026)
[95] Clause 16(2) memorandum (14 May 2026)
[96] Clause 16(2) memorandum (14 May 2026)
[97] Clause 16(2) memorandum (14 May 2026)
[98] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[99] Clause 16(2) memorandum (14 May 2026)
[100] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[101] Clause 16(2) memorandum (14 May 2026)
[102] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[103] Clause 16(2) memorandum (14 May 2026)

Term	Definition
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 commercial~~plantation~~ forestry trees on land less than 5 years after commercial~~plantation~~[104] 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 *habitats*, 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 *land* surface and margins of *water bodies* against erosion and scour in areas of concentrated *water* flow or wave energy
~~**Risk (in relation to natural**~~	~~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)~~

[104] Clause 16(2) memorandum (24 March 2025)

Term	Definition
~~hazards)~~[105]	
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	means any area of ~~land~~ *land*[106] that is not an *urban area*
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 *environment* that directly supports, services, or is dependent on *primary production*
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 plan~~[107] which supplies: (a) essential public services (such as emergency services ~~hospitals and~~ *lifeline utilities*~~facilities~~);[108] (b) other ~~regionally significant infrastructure~~*regionally significant infrastructure*[109] or individual consumers requiring supply of 1MW or more;

[105] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[106] Clause 16(2) memorandum (14 October 2025)
[107] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[108] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[109] Clause 16(2) memorandum (14 May 2026)

Term	Definition
	(c) 700 or more consumers; or (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 area	~~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:~~[110] means: (a) any area that, after the commencement date, is notified or included in a *regional plan* or *district plan* as an SNA following an assessment of the area in accordance with ~~Appendix 2~~ APP2;[111] 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 an *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) *infrastructure* 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 *water*, 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~~APP8,[112] 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

[110] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[111] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[112] Clause 16(2) memorandum (14 May 2026)

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~~ APP14[113] (as set out in the box below): means the *Threatened or At Risk species* of highly mobile fauna that are identified in ~~APP12~~APP14.[114]
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) *infrastructure* that delivers a service operated by a lifeline utility (as defined in the Civil Defence Emergency Management Act 2002);[115] (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;[116] (c) *infrastructure* 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);[117] (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;[118] (e) defence facilities operated by the New Zealand Defence Force to meet its obligations under the Defence Act 1990.

[113] Clause 16(2) memorandum (14 May 2026)
[114] Clause 16(2) memorandum (14 May 2026)
[115] Clause 16(2) memorandum (5 May 2025)
[116] Clause 16(2) memorandum (5 May 2025)
[117] Clause 16(2) memorandum (5 May 2025)
[118] 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[119]
Urban area	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~~*district plans*[120] 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~~*district plan*[121] zone equivalent. *Urban environments* are a subset of *urban areas.*
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~~ *mana whenua* and their culture and traditions with their ancestral lands, water, sites~~,~~[122] wāhi tapu and other taoka.

[119] Clause 16(2) memorandum (5 May 2025)
[120] Clause 16(2) memorandum (14 May 2026)
[121] Clause 16(2) memorandum (14 May 2026)
[122] Clause 16(2) memorandum (14 May 2026)

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 *waste* that is defined by its composition or source (for example, organic *waste*, electronic *waste,* or construction and demolition *waste*); 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

Term	Definition
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; 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

Term	Definition
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~~plantation~~[123] forestry, shelter belts, amenity planting, or an already established wilding conifer species tree population

[123] Clause 16(2) memorandum (24 March 2025)

Abbreviations

Abbreviation	Full Terms
Air Plan	Regional Plan: Air for Otago
~~CDC~~[124]	~~Clutha District Council~~
~~CODC~~[125]	~~Central Otago District Council~~
~~DCC~~[126]	~~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~~[127]	~~National Environmental Standard for Electricity Transmission Activities 2009~~
NESF	National Environmental Standards for Freshwater 2020
NESCF~~NESPF~~[128]	National Environmental Standards for Commercial~~Plantation~~[129] Forestry 2017
~~NESTF~~[130]	~~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
NPSIB[131]	National Policy Statement for Indigenous Biodiversity 2023
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

[124] Clause 16(2) memorandum (14 May 2026)
[125] Clause 16(2) memorandum (14 May 2026)
[126] Clause 16(2) memorandum (14 May 2026)
[127] Clause 16(2) memorandum (14 May 2026)
[128] Clause 16(2) memorandum (24 March 2025)
[129] Clause 16(2) memorandum (24 March 2025)
[130] Clause 16(2) memorandum (14 May 2026)
[131] Clause 16(2) memorandum (14 May 2026)

ORPS[132]	Otago Regional Policy Statement
~~QLDC~~[133]	~~Queenstown Lakes District Council~~
RPS	Regional Policy Statement
RMA	Resource Management Act 1991
SILNA[134]	South Island Landless Natives Act 1906
SNA	Significant Natural Area
~~Waste Plan~~[135]	~~Regional Plan: Waste for Otago~~
~~Water Plan~~[136]	~~Regional Plan: Water for Otago~~
~~WDC~~[137]	~~Waitaki District Council~~

[132] Clause 16(2) memorandum (14 May 2026)
[133] Clause 16(2) memorandum (14 May 2026)
[134] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[135] Clause 16(2) memorandum (14 May 2026)
[136] Clause 16(2) memorandum (14 May 2026)
[137] Clause 16(2) memorandum (14 May 2026)

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, polices and methods that must be given effect to by policy statements and plans. NPSs and the NZCPS must also be given regard to by consent authorities when making decisions on *resource consent* 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 for Electricity Networks 2008 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 for Greenhouse Gas Emissions from Industrial Process Heat 2023	The policy statement has not yet been reviewed. The NPS came into force during the preparation of this RPS under Schedule 1 of the RMA and has been given effect to in this RPS to the extent doing so was within scope of submissions and appeals
National Policy Statement for Highly Productive Land 2022	The policy statement has not yet been reviewed. The NPS came into force during the preparation of this RPS under Schedule 1 of the RMA and has been given effect to in this RPS to the extent doing so was within scope of submissions and appeals
National Policy Statement for Indigenous Biodiversity 2023	The policy statement has not yet been reviewed. The NPS came into force during the preparation of this RPS under Schedule 1 of the RMA and has been given effect to in this RPS to the extent doing so was within scope of submissions and appeals

National Policy Statement for Infrastructure 2025	The policy statement has not yet been reviewed
National Policy Statement for Natural Hazards 2025	The policy statement has not yet been reviewed
National Policy Statement for Renewable Electricity Generation 2011	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
New Zealand Coastal Policy Statement 2010[138]	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*.~~[139] 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
- 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
- Resource Management (National Environmental Standards for Detached Minor Residential Units) Regulations 2025
- Resource Management (National Environmental Standards for Greenhouse Gases from Industrial Process Heat) Regulations 2023
- Resource Management (National Environmental Standards for Storing Tyres Outdoors) Regulations 2021[140]

[138] Clause 16(2) memorandum (14 May 2026)
[139] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[140] Clause 16(2) memorandum (14 May 2026)

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 (Discount on Administrative Charges) Regulations 2010 • ~~Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991~~ • Resource Management (Exemption) Regulations 1996 • Resource Management (Exemption) Regulations 2017 • Resource Management (Forms, Fees, and Procedure) Regulations 2003 • Resource Management (Infringement Offences) Regulations 1999 • 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 (Measurement and Reporting of Water Takes) Amendment Regulations 2020 • Resource Management (Network Utility Operations) Regulations 2016 • ~~Resource Management (Exemption) Regulations 2017.~~ • Resource Management (Transitional, Fees, Rents, and Royalties) Regulations 1991 ~~Resource Management (Stock Exclusion) Regulations 2020~~ • ~~Resource Management (Discount on Administrative Charges) Regulations~~ [141]

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
Water Conservation (Mataura River) Order 1997[142]	The policy statement has not yet been reviewed

[141] Clause 16(2) memorandum (14 May 2026)
[142] Clause 16(2) memorandum (14 May 2026)

MW – Mana whenua

Recognition of hapū and iwi

Kāi Tahu[143]

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.[144] *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 RūnangaRūnaka[145] – 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 hāpu 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.

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[143] 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.

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

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

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

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 ī te pū au

"From the source to the mouth of the sea, all things are joined together as one"
Te Tiriti o Waitangi establishes a partnership between Kāi Tahu and the Crown. The RMA 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 for[146] and that the principles of the Treaty of Waitangi are taken into account.[147] 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.

[146] Section 6 of the Resource Management Act (1991).
[147] 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~~taio~~).[148] 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.

[148] Clause 16(2) memorandum (5 May 2025)

Hauora

Hauora is a holistic understanding of health and well-being.[149] 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~~[150] te hauora o te tangata (the health of the people) are all interconnected. Due to this connection, the state of the health and well-being 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

[149] Clause 16(2) memorandum (14 May 2026)
[150] Clause 16(2) memorandum (5 May 2025)

whakapapa connections to *land,* taoka and tūpuna, and passing on cultural values and mātauraka to the next generation.

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
- Waihola/Waipōuri Wetland - Schedule 70
- Waitaki River – Schedule 72[151]
- 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

[151] 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
- Taiari 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.

Mātaitai and taiāpure are mechanisms under the Fisheries Act that provide for management of customary fisheries areas and are applicable to both coastal and *freshwater* fisheries environments.

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

There are also four mātaitai in Otago:

- Moeraki Mātaitai Reserve includes areas of *coastal waters* at Moeraki and Katiki (https://www.mpi.govt.nz/dmsdocument/15220-Moeraki-North-Otago-Mataitai-Reserve)
- Waikōuaiti Mātaitai Reserve includes *freshwater* and estuarine waters of the Waikōuaiti River (https://www.mpi.govt.nz/dmsdocument/12954-Waikouaiti-South-Canterbury-Mataitai- Reserve-)
- Ōtākou Mātaitai Reserve includes most of the Otago Harbour north of a line from Harwood to Pulling Point

  (https://www.mpi.govt.nz/dmsdocument/14077-Otakou-mataitai-reserve)
- Puna-wai-Tōriki (Hays Gap) Mātaitai Reserve includes an area of *coastal waters* north of Nugget Point

  (https://www.mpi.govt.nz/dmsdocument/15223-Puna-wai-Toriki-Hays-Gap-South-Otago-Mataitai-Reserve)

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~~native reserve[152] is any property or site that is a:

- Native ~~Reserve~~ reserve[153] excluded from the Ōtākou Land Purchases (1844)
- Native ~~Reserve~~ reserve[154] excluded from the Kemps Land Purchases (1848)
- Reserve granted by the Native Land Court (1868)
- Half ~~Caste~~ caste ~~Reserve~~ reserve[155] (1881)
- Landless ~~Native~~ native ~~Reserve~~ reserve[156] (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

[152] Clause 16(2) memorandum (14 May 2026)
[153] Clause 16(2) memorandum (14 May 2026)
[154] Clause 16(2) memorandum (14 May 2026)
[155] Clause 16(2) memorandum (14 May 2026)
[156] Clause 16(2) memorandum (14 May 2026)

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 Taiari Plains.

The following table lists the reserves in Otago which are also mapped in ~~MAP0~~ MAP1[157] – Native reserves. Many of the sections within these ~~Native Reserves~~native reserves[158] 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 Ōtākou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Ōtākou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the 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

[157] Clause 16(2) memorandum (14 May 2026)
[158] Clause 16(2) memorandum (14 May 2026)

Location	Comments	Reserve Type
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
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~~Otago Regional Council, Queenstown Lakes District Council, Waitaki District Council, Clutha District Council, Central Otago District Council)[159]
- 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.

[159] Clause 16(2) memorandum (14 May 2026)

He Huarahi mō Ngā Uri Whakatupu[160] 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
- Te Tangi a Tauira: 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.*[161]

[160] https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/iwi-management-plan/documents/The%20Charter%20of%20Understanding.pdf (accessed 6 May 2026). ~~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)~~

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

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*.

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~~*mana whenua*,[162]

(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,

[162] Clause 16(2) memorandum (14 May 2026)

(8~~A~~)[163] *regional plans* and *district plans* recognising and providing for aquaculture settlement outcomes identified under the Māori Commercial Aquaculture Claims Settlement Act 2004, ~~and~~[164]

(9~~8B~~)[165] recognising and providing for mātauraka and tikaka in environmental and resource management, and~~.~~[166]

(10~~9~~)[167] recognising and providing for rights and interests of owners of *Māori land.*[168]

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~~ Tahu[169] 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[170] of ~~Native Reserves~~native reserves[171] and *Māori land*

Kāi Tahu are able to~~:~~

~~(1)~~[172] develop and use *land* and resources within native reserves and *Māori land*~~, including within land affected by an ONFL overlay,~~[173] in accordance with mātauraka and tikaka, to provide for their economic,[174] 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*.~~[175]

[163] Clause 16(2) memorandum (5 May 2025)
[164] Clause 16(2) memorandum (5 May 2025)
[165] Clause 16(2) memorandum (5 May 2025)
[166] Clause 16(2) memorandum (5 May 2025)
[167] Clause 16(2) memorandum (5 May 2025)
[168] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[169] Clause 16(2) memorandum (14 October 2025)
[170] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[171] Clause 16(2) memorandum (14 May 2026)
[172] Clause 16(2) memorandum (14 May 2026)
[173] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[174] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[175] 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,

(~~3~~2)[176] identify ~~indigenous species~~*indigenous species*[177] and ecosystems that are taoka in accordance with ECO-M3,

(~~4A~~3)[~~178~~179] determine appropriate naming for places of significance in Otago, ~~and~~

(~~5~~4~~B~~4)[~~180~~181] share information relevant to Kāi Tahu interests~~.~~, and

(~~6~~55)[~~182~~183] ensure assessments under (1) and ~~(3)~~(2)[184] 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.[185]

MW-M2 – Mātauraka Māori

Local authorities must work in partnership with Kāi Tahu to:

(1~~A~~2)[186] incorporate mātauraka into resource management processes,

(2~~B~~2)[187] 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-

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[176] Clause 16(2) memorandum (14 October 2025)
[177] Clause 16(2) memorandum (14 October 2025)
[~~178~~] ~~Clause 16(2) memorandum (5 May 2025)~~
[179] Clause 16(2) memorandum (14 October 2025)
[~~180~~] ~~Clause 16(2) memorandum (5 May 2025)~~
[181] Clause 16(2) memorandum (14 October 2025)
[~~182~~] ~~Clause 16(2) memorandum (5 May 2025)~~
[183] Clause 16(2) memorandum (14 October 2025)
[184] Clause 16(2) memorandum (14 October 2025)
[185] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[186] Clause 16(2) memorandum (5 May 2025)
[187] Clause 16(2) memorandum (5 May 2025)

making, and implementation, and

(3) facilitate efficient and effective processes for applicants to consult Kāi Tahu on *resource consent* applications, private plan change requests, notices of requirement, and notices of requirement for heritage orders.

MW-M4 – Kāi Tahu rakatirataka

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 whenua*[188] 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~~*Regional plans* and ~~district plans~~*district plans*[189]

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

(1)[190] take into account iwi management plans and address resource management issues of significance to Kāi Tahu, and

(2~~1A~~)[191] identify the location of native reserves and *Māori land* in ~~district plans~~*district plans*, and[192, 193]

(3~~2~~)[194] 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~~ *land*,[195] to lead approaches to manage any adverse *effects* of such use on the *environment*.[196]

(4~~3~~)[197] incorporate active protection of areas and resources recognised in the NTCSA,

(5~~3A~~)[198] enable the purpose of the redress provided for in the NTCSA, including those arising from the Ancillary Claims and SILNA, and[199]

(6~~4~~)[200] provide for the outcomes of settlements under the Māori Commercial Claims Aquaculture

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[188] Clause 16(2) memorandum (14 October 2025)
[189] Clause 16(2) memorandum (14 May 2026)
[190] Clause 16(2) memorandum (5 May 2025)
[191] Clause 16(2) memorandum (5 May 2025)
[192] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[193] Clause 16(2) memorandum (14 May 2026)
[194] Clause 16(2) memorandum (5 May 2025)
[195] Clause 16(2) memorandum (14 October 2025)
[196] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[197] Clause 16(2) memorandum (5 May 2025)
[198] Clause 16(2) memorandum (5 May 2025)
[199] Environment Court Consent Order sealed 3 April 2025: Decision No. [2025] NZEnvC 107
[200] Clause 16(2) memorandum (5 May 2025)

Settlement Act 2004.

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 well-being.[201] 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.

[201] Clause 16(2) memorandum (14 May 2026)

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*[202] 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*[203] support, and are impacted by, agricultural industries (e.g. grazing, cropping, horticulture, viticulture), plantation forestry,[204] 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*[205] 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

[202] Clause 16(2) memorandum (14 October 2025)
[203] Clause 16(2) memorandum (14 October 2025)
[204] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[205] 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*.[206] A major event could cause severe damage and may isolate Otago communities for an extended time. Major events of concern include flooding, an earthquake on the Alpine fault, tsunami, coastal erosion, wildfires, and extreme weather events.

Context

The Otago region is exposed to a wide variety of *natural hazards* that impact on people, property, *infrastructure*, ~~historic heritage~~*historic heritage*[207] 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*[208] 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

[206] Clause 16(2) memorandum (14 October 2025)
[207] Clause 16(2) memorandum (14 May 2026)
[208] Clause 16(2) memorandum (14 October 2025)

flooding, potential permanent inundation and coastal erosion. While *effects* are localised, *natural hazard* impacts can be significant where threatened ecosystems or species are involved.

Economic

Otago's primary industries, *infrastructure*, energy and transport systems, and urban areas are exposed to the full range of hazards noted above, with potential for major-to-catastrophic economic consequences, including damage to production, *infrastructure* such as transport routes (highways, bridges), the built environment and communications, and often resulting in supply chain disruptions. ~~Natural hazards~~ *Natural hazards*[209] 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*.[210]

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*[211] 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*

[209] Clause 16(2) memorandum (14 October 2025)
[210] Clause 16(2) memorandum (14 October 2025)
[211] Clause 16(2) memorandum (14 October 2025)

Statement

Otago's climate is changing, and these changes will continue for the foreseeable future. Central Otago is likely to see more varied precipitation, leading to increased flooding and reduced *water* reliability. This will be compounded by stronger winds, increased temperatures and longer dry periods, which may affect the number and types of crops and animals that the ~~land~~ *land*[212] can sustain, food production systems and related food supply and food security needs, and the potential for ~~renewable electricity~~*energy*[213] ~~generation~~ *renewable electricity generation*.[214] 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*,[215] whether that be mitigation or adaptation, will also impact on our economy and ~~environment~~ *environment*.[216] An example of this will be the need to protect and maximise existing ~~renewable electricity generation activities~~ *renewable electricity generation activities*[217] in the region, as well as providing for the development of new ~~renewable electricity generation activities~~ *renewable electricity generation activities*.[218]

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~~ *river*[219] flow (low flow and floods), as well as increased occurrence of slips/landslides. Sea level rise will have impacts on coastal communities, ~~infrastructure~~ *infrastructure*[220] 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.

[212] Clause 16(2) memorandum (14 October 2025)
~~[213] Clause 16(2) memorandum (5 December 2024)~~
[214] Clause 16(2) memorandum (14 October 2025)
[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)

Impact snapshot

Climate change impacts arising from changes in temperature, rainfall, *river* flows and flooding have been assessed in the Otago Regional Council's commissioned report: Otago Climate Change Risk Assessment Phase 1 report[221]. The following discussion is based on potential *climate change* impacts at 2050.

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.[~~222~~223] 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*[224] itself.

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[221] Tonkin+Taylor (2020) Otago Climate Change Risk Assessment (commissioned by the Otago Regional Council).

[~~222~~] ~~https://www.mfe.govt.nz/climate-change/likely-impacts-of-climate-change/how-could-climate-change-affect-my-region/otago~~

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

[224] Clause 16(2) memorandum (14 October 2025)

Economy

Regional industry

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

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

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.[225]

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

[225] P Hodgson (2001) Climate change impacts on New Zealand. https://environment.govt.nz/publications/climate-change-impacts-on-new-zealand/ (accessed 6 May 2026). ~~https://environment.govt.nz/assets/Publications/Files/impacts-report-jun01.pdf (accessed 28 May 2021)~~

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-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~~*indigenous biodiversity*,[226] 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~~contaminant~~[227] 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*[228], 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~~*indigenous biodiversity*[229] health and recreation activities. ~~Climate change~~*Climate change*[230] may compound the impacts of existing pest species and provide opportunities for new pest species to establish.

Context

Otago's landscape, ~~water~~ *water*[231] 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 2019–2029[232] 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.

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[226] Clause 16(2) memorandum (14 May 2026)
[227] Clause 16(2) memorandum (5 December 2024)
[228] Clause 16(2) memorandum (5 May 2025)
[229] Clause 16(2) memorandum (14 May 2026)
[230] Clause 16(2) memorandum (14 May 2026)
[231] Clause 16(2) memorandum (14 May 2026)
[232] https://www.orc.govt.nz/your-council/plans-and-strategies/regional-pest-management-plan/ (accessed 6 May 2026) ~~https://www.orc.govt.nz/media/8029/orc-pest-management-plan-2019_final_digital.pdf (accessed 26 May 2021)~~.

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~~*indigenous biodiversity*,[233] protection of landscape, recreation, cultural and *amenity values* and minimising the impact on agricultural production. The Strategy also supports pest management and seeks to integrate the regulatory and non-regulatory programmes. Collaborative partnership models of pest management are increasingly being developed and adopted in conjunction with community groups and land holders.

Impact snapshot

Environmental

Otago is one of the most biodiverse regions in New Zealand, with high levels of endemism. It is also one of the most modified regions in New Zealand. Both plant and animal species pests have significant impacts on biodiversity. Pests can also adversely impact waterways, 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.[234] 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.[235]

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

[233] Clause 16(2) memorandum (14 May 2026)
[234] Royal Society Te Apārangi (2014) Pests costing economy and environment billions. https://www.royalsociety.org.nz/news/pests-costing-economy-and-environment-billions ~~(accessed 26 May 2021)~~(accessed 6 May 2026).
[235] SL Goldson, GW Bourdôt, EG Brockerhoff, AE Byrom, MN Clout, MS McGlone, WA Nelson, AJ Popay, DM Suckling & MD Templeton (2015) New Zealand pest management: current and future challenges, Journal of the Royal Society of New Zealand, 45:1, 31–58.

of fruit infected with fruitfly in a traveller's bag. Pests also adversely affect tourism through loss of landscape values (e.g. ~~wilding conifers~~*wilding conifers*)[236] 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 annum[237] 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 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).[238] 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~~ *land*[239] 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, 186[240] in 2018) live in

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[236] Clause 16(2) memorandum (14 May 2026)

[237] JT Saunders, G Greer, G Bourdôt, C Saunders, T James, C Rolando, J Monge & MS Watt (2017) The economic costs of weeds on productive land in New Zealand, International Journal of Agricultural Sustainability, 15:4, 380–39. https://www.tandfonline.com/doi/abs/10.1080/14735903.2017.1334179?journalCode=tags20 ~~(accessed 26 May 2021)~~(accessed 6 May 2026).

[238] Allergy New Zealand Annual Pollen Calendar (n.d.) https://stackset-allergynz-website-d95fbab4-800c-4-bucket-8ayg9lmdqvqj.s3.ap-southeast-2.amazonaws.com/public/J143988-Allergy-NZ-Pollen-Calendar-v2.pdf (accessed 6 May 2026). ~~(accessed 14 October 2025)~~ ~~(http://www.allergy.org.nz/site/allergynz/files/Annual%20Pollen%20Calendar.pdf (accessed 26 May 2021)~~

[239] Clause 16(2) memorandum (14 May 2026)

[240] 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).

urban areas, while non-urban areas comprise 99% of the region.[241] Otago's total population under a medium scenario is projected to increase by 20% between 2018 and 2048, with Queenstown ~~Lakes~~ Lakes[242] population projected to grow by 60%, Central Otago by 42%, Dunedin and Waitaki by 8%, and Clutha by 4% over the same period.[243]

Otago's urban areas, like its people and landscapes, are also diverse. The attraction of urban areas results from the benefits of proximity and access to a variety of other people, experiences, goods, services (e.g. shopping, education, specialist service providers, recreation and leisure facilities and *infrastructure* (usually described as agglomeration effect)). These are generally considered to exceed the inconveniences such as congestion, pollution, and noise. Growth in some urban areas and demand for living in and visiting Otago can also be driven by proximity and access to highly valued natural features, such as the coast, mountains, *lakes,* and *rivers*. The open space and landscapes provided in rural areas also drives demand for rural residential living, 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~~*historic heritage*,[244] 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.

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[241] 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.
[242] Clause 16(2) memorandum (14 May 2026)
[243] Stats NZ Subnational Population Projections, 2018 base, published 31 March 2021 (accessed 26 May 2021).
[244] Clause 16(2) memorandum (14 May 2026)

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 PM_{10} emissions in all of these towns but Milton.[245] 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:

- the loss of *land* for *primary production* activities (either directly though building on it, or indirectly though ~~reverse sensitivity~~*reverse sensitivity* ~~effects~~*effects*);[246]
- 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 challenge~~d~~[247] 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~~ *infrastructure* ahead of demand. While this can cause financial and operational issues for ~~infrastructure~~ *infrastructure* providers, undersized or delayed ~~infrastructure~~ *infrastructure*[248] 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.

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[245] E Wilton "Alexandra, Arrowtown, Mosgiel and Milton Air Emission Inventory – 2016" & "Wanaka, Cromwell and Clyde Air Emission Inventory – 2019", prepared for Otago Regional Council.
[246] Clause 16(2) memorandum (14 May 2026)
[247] Clause 16(2) memorandum (5 May 2025)
[248] Clause 16(2) memorandum (14 May 2026)

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.

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~~)[249] 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.

[249] Clause 16(2) memorandum (14 May 2026)

On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM)[250] 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~~NPSFM 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 affecting *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.[251] How much an ecosystem is affected by taking *freshwater* is determined by departure from natural flow regimes, taking into account magnitude, frequency, timing, duration and rate of change, and ecosystem capacity to recover.

Economic

Freshwater in the Otago region is a factor of production that directly contributes to human needs (*water* supply), ~~primary production~~ *primary production*,[252] 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[253] 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 well-being.[254]

SRMR-I6 – Declining *water* quality has adverse *effects* on the *environment*, our

[250] https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policy-statement-freshwater-management (accessed 26 May 2021).
[251] J Clapcott, R Young, J Sinner, M Wilcox, R Storey, J Quinn, C Daughney & A Canning (2018) Freshwater biophysical ecosystem health framework. Cawthron Institute, Report no. 3194.
[252] Clause 16(2) memorandum (14 October 2025)
[253] Clause 16(2) memorandum (14 October 2025)
[254] Clause 16(2) memorandum (14 May 2026)

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[255] 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)[256] came into force to make immediate improvements to *water* quality within five 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/Kaikarae Stream, and sub-catchments within the ~~lower~~ Lower Clutha rohe,[257] 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.[258] Between 2006 and 2017, trends in a number of *water* quality parameters were worsening.[259]

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[255] Clause 16(2) memorandum (14 October 2025)
[256] https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/national-policystatement-freshwater-management (accessed 26 May 2021).
[257] Clause 16(2) memorandum (14 May 2026)
[258] R Ozanne and A Uytendaal (2017) *State of the Environment Surface Water Quality in Otago 2006 to 2017*. Dunedin: Otago Regional Council.
[259] Ibid.

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 variable.[260] 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/Waiwhakaata.[261]

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~~ NZ Drinking Water Standards[262] for *E. coli*; highlighting localized problems, likely due to inadequate bore head security. In addition to human sources of poorer ~~groundwater~~ *groundwater* quality, low ~~groundwater~~ *groundwater*[263] 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.

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.

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*.[264]

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[260] Ibid.
[261] Clause 16(2) memorandum (14 May 2026)
[262] Clause 16(2) memorandum (14 May 2026)
[263] Clause 16(2) memorandum (14 May 2026)
[264] United States Environmental Protection Agency (n.d.) Nutrient Pollution – The Effects: Economy https://www.epa.gov/nutrientpollution/effects-economy (accessed 6 May 2026). ~~(accessed 26 May 2021)~~

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.[265] 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*[266] 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 the most modified regions in New Zealand.[267] This can be attributed to habitat loss, ~~land~~ *land*[268] 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

[265] 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).
[266] Clause 16(2) memorandum (14 October 2025)
[267] Wildlands (2020) Mapping of potential natural ecosystems and current ecosystems in Otago region. Unpublished Consultancy Report to Otago Regional Council R5015a.
[268] Clause 16(2) memorandum (14 May 2026)

live. New Zealand's high level of ~~indigenous~~ *indigenous*[269] *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 2019 found that our indigenous *biodiversity* is under significant pressure from introduced species, pollution, physical changes to our *environment* and harvesting of wild species.[270]

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~~ *land*[271] fragmentation and grassland "improvement", poor *water* quality (nutrients and sediments), dredging and overfishing.

There are 61 ecosystems in the Otago region.[272] 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 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.[273] 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.[274] The effects of *climate change* will add significantly to risks of continuing *biodiversity* decline.

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[269] Clause 16(2) memorandum (14 October 2025)
[270] Ministry for the Environment & Stats NZ (2019) Environmental Reporting Series: *Environment Aotearoa 2019*. https://environment.govt.nz/publications/environment-aotearoa- 2019/ (accessed 6 May 2026). ~~https://environment.govt.nz/assets/Publications/Files/environment-aotearoa-2019.pdf (accessed 26 May 2021)~~
[271] Clause 16(2) memorandum (14 May 2026)
[272] Wildlands (2020) Mapping of potential natural ecosystems and current ecosystems in Otago region. Unpublished Consultancy Report to Otago Regional Council R5015a.
[273] DR Schiel, SA Wood, RA Dunmore & DI Tayloe (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).
[274] Department of Conservation (2008) Unpublished data.

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*,[275] 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~~ *land* adjoining the coast where coastal characteristics apply (as outlined in NZCPS Policy 1), and the ~~coastal marine area~~*coastal marine area*[276] out to the twelve nautical mile seaward limit. The coastal environment is a finite resource which is sensitive to change. Recent rapid expansion of some types of coastal development is a significant issue for the sustainable management of the coastal environment of Otago.

Activities occurring within or affecting the coastal environment include urban development, recreational activities, transport *infrastructure*, energy generation and transmission, ~~land~~ *land*[277] 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.

[275] Clause 16(2) memorandum (14 October 2025)
[276] Clause 16(2) memorandum (14 May 2026)
[277] Clause 16(2) memorandum (14 May 2026)

The community values the coast for its landscapes, natural character, recreational uses and associated habitat for ~~biodiversity~~ *biodiversity*.[278] Recreational activities such as boating, fishing, swimming and general beach access are interconnected with coastal values. Conserving coastal ~~biodiversity~~ *biodiversity*[279] and marine reserves are associated with coastal values.[280] 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*[281] 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*[282] 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*.[283] 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~~*coastal waters*[284] 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[285] on the coast; and beach erosion can impact social values and beach recreation ~~*use*~~use.[286]

Economic

Deterioration of coastal assets and values causes loss of production and income, increases *infrastructure* costs and costs of production, and loss of property values. There are also costs associated with mitigation, for example in the case of coastal erosion. Other economic impacts include recreation and tourism industries being adversely impacted by degraded coastal environments; marine industry production suffering because of poor *water* quality; dredging of sedimentation; and costs of mitigating adverse impacts, e.g. combatting invasive ~~pests~~ *pests*.[287]

[278] Clause 16(2) memorandum (14 October 2025)
[279] Clause 16(2) memorandum (14 October 2025)
[280] ORC Committee Report, *RPS Consultation Summary*, ORC Agenda 27 May 2020.
[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 May 2026)
[285] Clause 16(2) memorandum (14 October 2025)
[286] Clause 16(2) memorandum (14 May 2026)
[287] Clause 16(2) memorandum (14 October 2025)

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*.[288]

Urban growth is adversely affecting the natural features and landscapes around the ~~lakes~~ *lakes*.[289] 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.[290] Continued growth is projected over the 30 years from 2020 to 2050 (by 63%).[291]

This desire ~~of~~[292] to enjoy the outstanding natural environments of the Otago ~~*lakes*~~ lakes[293] 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~~,~~[294] tourism employment accounted for an estimated 56% (or 17,758) of the jobs in the Queenstown ~~Lakes district~~ 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).[295] The Otago ~~Lakes~~ lakes area also supplies significant renewable electricity for ~~*use*~~ use[296] in Otago and beyond.

[288] Clause 16(2) memorandum (14 October 2025)
[289] Clause 16(2) memorandum (14 October 2025)
[290] Infometrics online database (February 2021).
[291] Queenstown Lakes District Council demand projections by Utility.
[292] Clause 16(2) memorandum (5 May 2025)
[293] Clause 16(2) memorandum (14 May 2026)
[294] Clause 16(2) memorandum (14 May 2026)
[295] Infometrics online database (February 2021)
[296] 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*.[297]

However, *water* quality is being adversely impacted by increased population, urban development and tourism demand which is straining existing waste management ~~infrastructure~~ *infrastructure*.[298] 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~~Lakes[299] 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-I10~~A~~[300] – 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

[297] Land, Air, Water, Aotearoa. Otago Region. https://www.lawa.org.nz/explore-data/otago-region/ (accessed 26 May 2021).
[298] Clause 16(2) memorandum (14 October 2025)
[299] Clause 16(2) memorandum (14 October 2025)
[300] Clause 16(2) memorandum (14 May 2026)

achievement of *environmental outcomes*

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 nation[301]. Access to, and the ability to use and develop[302], *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[303] need to be appropriately managed.

Context

The well-being of Otago's communities relies on the ability to access, ~~and~~ use and develop[304] 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 and[305] 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~~[306] adverse socio-economic[307] 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*[308] 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 physical~~*natural and physical*[309,310] ~~resources~~ *resources*[311] 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 develop[312] natural resources. Activities that use *natural and physical resources* can achieve positive *environmental outcomes*, for example enhancing public health, safety and well-

[301] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[302] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[303] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[304] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[305] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[306] Clause 16(2) memorandum (5 December 2024)
[307] Clause 16(2) memorandum (24 March 2025)
[308] Clause 16(2) memorandum (5 May 2025)
[309] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[310] Clause 16(2) memorandum (14 May 2026)
[311] Clause 16(2) memorandum (14 May 2026)
[312] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

being,[313, 314] 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 generation~~ *renewable electricity generation* and other ~~infrastructure~~ *infrastructure*, will have a significant role to play in addressing ~~climate change~~ *climate change*.[315]

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~~*effects* on the ~~environment~~*environment*[316] can be avoided or mitigated.[317]

The use and development of ~~natural and physical resources~~*natural and physical resources*[318] in close proximity to existing activities may have direct, or ~~reverse sensitivity~~*reverse sensitivity*, ~~effects~~*effects*[319] on the ability to undertake, operate, maintain, upgrade and develop those existing activities.[320]

Economic

Activities that rely on *natural and physical resources* generate direct and indirect economic benefits; therefore, the~~ir~~ ability for these activities to operate, maintain, upgrade and develop~~or to improve their operational efficiency~~[321] 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.[322]

The ability to access~~, and~~ use and develop *natural and physical resources* or a lack of integrated management and long-term strategic planning for activities[323] 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, live~~e~~ability, recreation, resilience, food security and investment into communities. There is a community expectation that ~~infrastructure~~*infrastructure*[324] is available to support our way of life.[325]

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.

[313] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[314] Clause 16(2) memorandum (14 May 2026)
[315] Clause 16(2) memorandum (14 October 2025)
[316] Clause 16(2) memorandum (14 May 2026)
[317] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[318] Clause 16(2) memorandum (14 May 2026)
[319] Clause 16(2) memorandum (14 May 2026)
[320] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[321] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[322] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[323] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[324] Clause 16(2) memorandum (14 May 2026)
[325] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208

SRMR-~~I10~~ I11[326] – 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 flow~~s~~ into streams and may harm~~builds up in~~ the coastal environment~~, smothering kelp forests and affecting rich underwater habitats~~.[327] *Water* abstraction and ~~wastewater~~ *wastewater* and ~~stormwater~~ *stormwater* ~~discharges~~ *discharges*[328] 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~~*environment*,[329] 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 as[330] 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.[331]

However, economic activity needs to more effectively account for and manage its impacts on the region's natural resources.[332] 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~~ *biodiversity*[333] 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*.[334] Economic activity also has the potential to compromise or destroy natural

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[326] Clause 16(2) memorandum (14 May 2026)
[327] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[328] Clause 16(2) memorandum (14 May 2026)
[329] Clause 16(2) memorandum (14 May 2026)
[330] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 208
[331] Infometrics online database (August 2020).
[332] ORC (2020) RPS Review 2020 – Community Consultation Summary Report. https://www.orc.govt.nz/media/8882/community-consultation-summary-report-draft.pdf (accessed 6 May 2026). ~~(accessed 26 May 2021)~~
[333] Clause 16(2) memorandum (14 October 2025)
[334] Clause 16(2) memorandum (14 October 2025)

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~~ *land* management practices can compromise the ability of land to support ~~primary production~~*primary production*,[335] for example, loss of soil through erosion or soil structure through compaction. Marine industries (e.g. fishing and aquaculture) can also be adversely affected.

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~~ I12[336] – 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.[337]

[335] Clause 16(2) memorandum (14 May 2026)
[336] Clause 16(2) memorandum (14 May 2026)
[337] Ministry of Civil Defence & Emergency Management (2019) National Disaster Resilience Strategy. https://www.civildefence.govt.nz/cdem-sector/plans-and-strategies/national-disaster-resilience-strategy/national-disaster-resilience- strategy-summary-version/ ~~(accessed 26 May 2021)~~(accessed 6 May 2026)

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,[338] 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 impact assessment in order to provide consenting decisions for regulated activities)[339] 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.

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

[339] RJ Wenning, SE Apitz, L Kapustka & T Seager (2017) The need for resilience in environmental impact assessment [editorial], Integrated Environmental Assessment and Management, 13:6, 969–970. https://par.nsf.gov/servlets/purl/10047476 (accessed 6 May 2026). ~~(accessed 26 May 2021)~~

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

Introduction

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

RMIA-WAI – Wai Māori

Context

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

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

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

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

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

Kāi Tahu values and interests are not properly considered in current *land* and *water* resource management. The well-being of *mahika kai* 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 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-I3 – 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*[340] 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-I4 – 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-I5 – Poor integration of *water* management, across agencies and across a catchment, hinders effective and holistic *freshwater* management

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

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

[340] Clause 16(2) memorandum (14 October 2025)

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~~*indigenous species*[341] 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~~*indigenous species*[342] 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*[343] on one species will be felt throughout the rest of the system. ~~Effects~~ *Effects*[344] 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*[345] 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~~ *indigenous*[346] *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 corridors.
- Impacts on *mahika kai* and aquatic ecosystems from a lack of effective catchment-wide riparian management.

[341] Clause 16(2) memorandum (14 May 2026)
[342] Clause 16(2) memorandum (14 May 2026)
[343] Clause 16(2) memorandum (14 October 2025)
[344] Clause 16(2) memorandum (14 October 2025)
[345] Clause 16(2) memorandum (14 October 2025)
[346] Clause 16(2) memorandum (14 May 2026)

- 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~~*indigenous species*[347] 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~~ *indigenous*[348] *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) encroachments

Climate change is now affecting and will continue to affect ~~habitat~~ *habitat*[349] 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~~ *habitat*[350] and distributions for some species and affect ~~habitat~~ *habitat*[351] quality. These *effects* may also accumulate; for example, a native species may have worse and less ~~habitat~~ *habitat*[352] 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~~ *biodiversity*[353]

Currently there are not enough protected and secure areas for ~~biodiversity~~ *biodiversity*[354] in Otago. To ensure the long-term survival of our region's most *threatened species*, a series of protected areas must be established, ideally in a network connected by corridors so that each individual population is more *resilient* as well as the species' overall population.

RMIA-MKB-I5 – Inconsistent approaches to ~~biodiversity~~ *biodiversity*[355] protection amongst regulatory authorities

[347] Clause 16(2) memorandum (14 May 2026)
[348] Clause 16(2) memorandum (14 October 2025)
[349] Clause 16(2) memorandum (14 October 2025)
[350] Clause 16(2) memorandum (14 October 2025)
[351] Clause 16(2) memorandum (14 October 2025)
[352] Clause 16(2) memorandum (14 October 2025)
[353] Clause 16(2) memorandum (14 October 2025)
[354] Clause 16(2) memorandum (14 October 2025)
[355] Clause 16(2) memorandum (14 October 2025)

~~Biodiversity~~ *Biodiversity*[356] 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.

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*.

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

- 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*~~ wastewater[357] treatment plant at or near a wāhi tapu or wāhi taoka. *Nohoaka,* as sites where *mahika kai* is gathered or was gathered in the past, are particularly at risk from the combination of direct and indirect *effects,* and from cumulative adverse *effects. Nohoaka* sites are degraded when *mahika kai* can no longer be gathered there.

Specific concerns include:

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

- 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 impeded

Access to culturally important sites has been impeded in many ways, affecting the ability of *mana whenua* to carry out customary activities and maintain relationships with wāhi tapu and wāhi taoka. 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*[358] that must be valued, used with respect, and passed on intact to the next generation. Pollution of the atmosphere adversely affects the mauri of this taoka and other taoka such as plants and animals.

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

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

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

- 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*~~ *coastal*[359] *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~~ harbour[360] 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*.

[359] Clause 16(2) memorandum (14 May 2026)
[360] Clause 16(2) memorandum (14 May 2026)

- 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 tūpūna* 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 resources*[361] 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,~~[362] 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*[363] and *climate change mitigation*[364]):

(1) are aligned with national level *climate change* responses,

(2) assist with achieving the national emissions reduction target~~s for emissions reduction~~ and plans,[365] including by having a highly renewable energy system, and

(3) are recognised as integral to achieving the outcomes sought by this RPS.

[361] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[362] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[363] Clause 16(2) memorandum (5 December 2024)
[364] Clause 16(2) memorandum (5 December 2024)
[365] 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.~~ [366]

IM-~~P3~~ P1[367] – 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~~ *habitats*[368] of taoka species.

IM-~~P4~~ P2[369] – Setting a strategic approach to ecosystem health

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

[366] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[367] Clause 16(2) memorandum (14 May 2026)
[368] Clause 16(2) memorandum (14 October 2025)
[369] Clause 16(2) memorandum (14 May 2026)

(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*,

(3) recognise and provide for ecosystem complexity and interconnections, and

(4) anticipate, or respond swiftly to, changes in activities, pressures, and trends.

IM-~~P5~~ P3[370] – 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~~ P4[371] – 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.[372]

IM-~~P7~~ P5[373] – Cross boundary management

Coordinate the management of *natural and physical resources* and the~~ environment~~ *environment*[374] across jurisdictional boundaries and, whenever possible, between overlapping or related agency responsibilities.

IM-~~P8~~ P6[375] – 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

[370] Clause 16(2) memorandum (14 May 2026)
[371] Clause 16(2) memorandum (14 May 2026)
[372] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[373] Clause 16(2) memorandum (14 May 2026)
[374] Clause 16(2) memorandum (14 October 2025)
[375] Clause 16(2) memorandum (14 May 2026)

~~mana whenua~~*mana whenua*,[376]

(2) assessing how the *effects* are likely to change over time, and

(3) taking into account those changes in resource management processes and decisions.

IM-~~P10~~ P7[377] – *Climate change adaptation*[378] and *climate change mitigation*[379]

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[380]

(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, and[381]

(3) provide Otago's communities, including Kāi Tahu, with the best chance to thrive, and

(4) enhance environmental, social, economic, and cultural *resilience* to the adverse *effects* of *climate change,* including by facilitating~~on~~[382] activities that reduce those effects, and

(5) protect~~s~~[383] Otago's existing renewable electricity facilities and provides for the development of new ~~renewable electricity generation~~*renewable electricity generation* and ~~infrastructure~~*infrastructure*.[384]

IM-~~P12~~ P8 – Contravening ~~limits~~ *limits*[385] for *climate change mitigation*[386] 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~~ *limits*[387] set in, or resulting from, any policy or method of this RPS unless those provisions give effect to national direction if they are satisfied that:[388]

(~~2~~1)[389] 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,[390]

(~~3~~2)[391] 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

[376] Clause 16(2) memorandum (14 May 2026)
[377] Clause 16(2) memorandum (14 May 2026)
[378] Clause 16(2) memorandum (5 December 2024)
[379] Clause 16(2) memorandum (5 December 2024)
[380] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[381] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[382] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[383] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[384] Clause 16(2) memorandum (14 May 2026)
[385] Clause 16(2) memorandum (14 May 2026)
[386] Clause 16(2) memorandum (5 December 2024)
[387] Clause 16(2) memorandum (14 May 2026)
[388] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[389] Clause 16(2) memorandum (14 October 2025)
[390] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[391] Clause 16(2) memorandum (14 October 2025)

minor[392] residual adverse *effects* are offset, or compensated for, and

~~(5) the activity will not contravene a national policy statement or national environmental standard.~~[393]

(43)[394] there is no reasonably practicable alternative location or site for the activity.[395]

IM-~~P13~~ P9[396] – 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~~ P10 – Sustaining resource potential and life-supporting capacity[397,398]

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 environment[399] 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[400]

(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, and[401]

(3) regularly assessing and adjusting ~~limits and~~ [402] 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-P~~15~~11[403] – 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.[404]

Methods

[392] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[393] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[394] Clause 16(2) memorandum (14 October 2025)
[395] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[396] Clause 16(2) memorandum (14 May 2026)
[397] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[398] Clause 16(2) memorandum (14 May 2026)
[399] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[400] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[401] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[402] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296
[403] Clause 16(2) memorandum (14 May 2026)
[404] Environment Court Consent Order sealed 9 September 2025: Decision No. [2025] NZEnvC 296

IM-M1 – ~~Regional~~ *Regional plans* and ~~district plans~~*district plans*[405]

Local authorities must prepare or amend and maintain their *regional* *plans*[406] and *district plans* to:

(1) establish~~, by December 2030,~~[407] 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~~P7,[408]

(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,

(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~~,~~[409]

(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 authorities*[410] 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 authorities*[411] 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 authorities*[412] in neighbouring regions) to enable consistent implementation of the objectives, policies and methods of this RPS where appropriate, and

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[405] Clause 16(2) memorandum (14 May 2026)
[406] Clause 16(2) memorandum (14 May 2026)
[407] Clause 16(2) memorandum (24 March 2025)
[408] Clause 16(2) memorandum (14 May 2026)
[409] Clause 16(2) memorandum (14 May 2026)
[410] Clause 16(2) memorandum (14 October 2025)
[411] Clause 16(2) memorandum (14 October 2025)
[412] Clause 16(2) memorandum (14 October 2025)

(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 authorities*[413] 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,

(~~1A~~2)[414] identify natural and built resources vital to environmental (including ~~indigenous~~ *indigenous*[415] *biodiversity* and ecosystems) and community *resilience* and well-being,

(~~1B~~3)[416] identify vulnerable resources and communities and develop adaptation pathways for them where possible, and

(~~2~~4)[417] develop guidance to support communities to be prepared and *resilient*.

IM-M5 – Other methods

~~Local authorities~~*Local authorities*[418] 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~~ *environment*[419] and ensure that it supports the cultural, social and economic well-being of people and the community~~'s cultural, social, and economic well-being~~.[420] 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

[413] Clause 16(2) memorandum (14 October 2025)
[414] Clause 16(2) memorandum (14 October 2025)
[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] Clause 16(2) memorandum (14 October 2025)
[419] Clause 16(2) memorandum (14 October 2025)
[420] Clause 16(2) memorandum (14 May 2026)

ensure the ~~environment's~~ *environment's*[421] 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*,[422] involvement of *mana whenua* in resource management, the fundamental importance of environmental health to human well-being, and holistic assessment of human *effects* on the *environment*. They also address the *effects* of *climate change* as the key threat to environmental stability.

The provisions 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 authorities*[423] 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 *resilience* in the natural *environment.*

IM-AER2 *Resilience* in the natural *environment*~~*envrionment*~~[424] 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 *climate change* and there are observable changes in community behaviour towards more sustainable lifestyles.

IM-AER4 Plan development and decision-making processes demonstrate improved awareness of the interdependencies and interconnectedness of *natural and physical resources* within the region, and across regional and jurisdictional boundaries.

[421] Clause 16(2) memorandum (14 October 2025)
[422] Clause 16(2) memorandum (14 October 2025)
[423] Clause 16(2) memorandum (14 October 2025)
[424] 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*[425] 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*,[426] including *ambient air quality standards* and guidelines, where those have been set as ~~limits~~ *limits*,[427] 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.~~[428]

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*[429] and timeframes for improving ambient air quality, including by managing the spatial distribution of activities and transport, and

(2) prioritising actions to reduce PM_{10} 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

[425] Clause 16(2) memorandum (14 October 2025)
[426] Clause 16(2) memorandum (14 October 2025)
[427] Clause 16(2) memorandum (14 October 2025)
[428] Clause 16(2) memorandum (5 December 2024)
[429] Clause 16(2) memorandum (14 October 2025)

that do not comply with the standards set in the NESAQ.[430]

AIR-P3 – Providing for ~~discharges~~ *discharges*[431] 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[432] 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*[433] ~~effects~~ *effects*[434] from existing consented or permitted discharges to air, unless these can be appropriately managed.

AIR-~~P6~~ P5[435] – 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.

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[430] Clause 16(2) memorandum (5 December 2024)
[431] Clause 16(2) memorandum (14 May 2026)
[432] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206
[433] Clause 16(2) memorandum (14 October 2025)
[434] Clause 16(2) memorandum (14 October 2025)
[435] Clause 16(2) memorandum (14 May 2026)

AIR-M2 – ~~Regional plans~~*Regional plans*[436]

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

(~~1A~~1)[437] set ~~limits~~ *limits*[438] (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,

(~~1~~2)[439] manage the adverse ~~effects~~ *effects*[440] of ~~discharges~~ *discharges*[441] to air by avoiding noxious or dangerous ~~effects~~ *effects*[442] and managing~~ensuring~~[443] ~~discharges~~ *discharges*[444] to air so that they[445] do not cause offensive or objectionable effects,

(~~2~~3)[446] include provisions to avoid, remedy, or mitigate other adverse *effects* from *discharges* to air,

(~~3~~4)[447] prioritise the actions set out in AIR-P2 to reduce PM_{10} *and* $PM_{2.5}$ concentrations in *polluted airsheds,*

(45)[448] 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~~ *discharges*[449] to air do not adversely affect *mana whenua* values or the ability of owners of native reserves and ~~Māori land~~*Māori land*[450] to use, develop and protect that land in accordance with MW-P4.[451]

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~~[452]

(2) managing the spatial distribution of activities,~~-~~[453]

(3) managing new sensitive activities to avoid ~~reverse sensitivity~~ *reverse sensitivity*[454] ~~effects~~*effects*[455] in relation to consented and permitted activities that ~~discharge~~ *discharge*[456] to air.

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[436] Clause 16(2) memorandum (14 May 2026)
[437] Clause 16(2) memorandum (14 October 2025)
[438] Clause 16(2) memorandum (14 October 2025)
[439] Clause 16(2) memorandum (14 October 2025)
[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] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206
[444] Clause 16(2) memorandum (14 October 2025)
[445] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206
[446] Clause 16(2) memorandum (14 October 2025)
[447] Clause 16(2) memorandum (14 October 2025)
[448] Clause 16(2) memorandum (14 October 2025)
[449] Clause 16(2) memorandum (14 October 2025)
[450] Clause 16(2) memorandum (14 May 2026)
[451] Environment Court Consent Order sealed 24 June 2025: Decision No. [2025] NZEnvC 206
[452] Clause 16(2) memorandum (5 May 2025)
[453] Clause 16(2) memorandum (5 May 2025)
[454] Clause 16(2) memorandum (14 October 2025)
[455] Clause 16(2) memorandum (14 October 2025)
[456] Clause 16(2) memorandum (14 May 2026)

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

(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*[457] to air.

[457] Clause 16(2) memorandum (14 October 2025)

Principal reasons

AIR-PR1

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

The provisions in this chapter set out the framework for a review of the Air Plan and supports ORC's obligation to both observe and enforce the NESAQ. Implementation of the provisions in this chapter will occur primarily through regional *plans* 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~~ ~~*degraded*~~[458] degraded[459] 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 *effects* of activities, and any *discharges* 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 *discharges* into air.
AIR-AER5	Where air quality complies with ambient air quality ~~limits~~ *limits*[460] it is maintained.
AIR-AER6	Otago is compliant with NESAQ requirements.

[458] ~~Clause 16(2) memorandum (14 October 2025)~~
[459] Clause 16(2) memorandum (14 May 2026)
[460] Clause 16(2) memorandum (14 October 2025)

CE – Coastal environment

Objectives

CE-O1~~A~~[461] – Te Mauri o te Moana

The health of Otago's ~~*coastal water*~~ *water* in the coastal environment[462] is:

(~~a~~1)[463] 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*,[464] and

(~~b~~2)[465] restored where it is ~~degraded~~ *degraded*,[466] including through enhancing *coastal water* quality where it has deteriorated from its natural condition.

CE-~~O1~~ O2[467] – Safeguarding the coastal environment (Te Hauora o Te Tai o Arai Te Uru)

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

(~~2~~1)[468] *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~~2)[469] the dynamic and interdependent natural biological and physical processes in the coastal environment are maintained or enhanced,

(~~4~~3)[470] the diversity of indigenous coastal flora and fauna is maintained, and areas of significant or representative indigenous *biodiversity* and sites of biological importance are protected,[471]

(~~5~~4)[472] *surf breaks* of national significance are protected,

(~~6~~5)[473] 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~~6)[474] the ongoing effects of *climate change* within the coastal environment are identified and planned for.

[461] Clause 16(2) memorandum (14 May 2026)
[462] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[463] Clause 16(2) memorandum (14 May 2026)
[464] Clause 16(2) memorandum (14 October 2025)
[465] Clause 16(2) memorandum (14 May 2026)
[466] Clause 16(2) memorandum (14 October 2025)
[467] Clause 16(2) memorandum (14 May 2026)
[468] Clause 16(2) memorandum (14 May 2026)
[469] Clause 16(2) memorandum (14 May 2026)
[470] Clause 16(2) memorandum (14 May 2026)
[471] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[472] Clause 16(2) memorandum (14 May 2026)
[473] Clause 16(2) memorandum (14 May 2026)
[474] Clause 16(2) memorandum (14 May 2026)

CE-~~O2~~ O3[475] – Public access and recreation

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

CE-~~O3~~ O4[476] – Natural character, features and landscapes

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.

CE-~~O4~~ O5[477] – Mana moana

The enduring cultural relationship of Kāi Tahu with Otago's coastal environment is recognised and provided for, and ~~*mana whenua*~~Kāi Tahu are ~~able~~ enabled[478] 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~~ O6[479] – Activities in the coastal environment

Activities in the coastal environment:

(1) make efficient use of space occupied in the *coastal marine area*,

(2) are of a scale, density and design compatible with their location,

(3) are only provided for within appropriate locations and limits acknowledging that some activities have a *functional need* to be located in the coastal environment, ~~and~~[480]

(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~~.~~,

(5) do not compromise the health and abundance of customary fisheries, including within mātaitai reserves and taiāpure, and

(6) do not compromise the ability of Kāi Tahu to develop, use and protect native reserves and *Māori land*.[481]

Policies

[475] Clause 16(2) memorandum (14 May 2026)
[476] Clause 16(2) memorandum (14 May 2026)
[477] Clause 16(2) memorandum (14 May 2026)
[478] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[479] Clause 16(2) memorandum (14 May 2026)
[480] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[481] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

CE-P1~~A~~[482] – Integrated management/ki uta ki tai

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~~ P2[483] – Links with other chapters

(1) the provisions of the ECO~~,~~ and EIT~~, and HAZ~~[484] chapters apply within the coastal environment, except for the following provisions:

(a) ECO-~~P3~~ P4 to ECO-~~P6~~ P7[485] and associated methods,

(b) EIT-INF-~~P13~~ P4[486] and associated methods, and

~~(c) HAZ-NH-P1 to HAZ-NH- P4 and associated methods, and~~[487]

(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) HAZ – Hazards and risks[488,489]

(e~~f~~)[490] HCV – Heritage and historical values, and

(f~~g~~)[491] UFD – Urban form and development~~, and~~.[492]

~~(g) HAZ – Hazards and risks~~[493]

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

[482] Clause 16(2) memorandum (14 May 2026)
[483] Clause 16(2) memorandum (14 May 2026)
[484] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[485] Clause 16(2) memorandum (14 May 2026)
[486] Clause 16(2) memorandum (14 May 2026)
[487] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[488] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[489] Clause 16(2) memorandum (14 May 2026)
[490] Clause 16(2) memorandum (14 May 2026)
[491] Clause 16(2) memorandum (14 May 2026)
[492] Clause 16(2) memorandum (14 May 2026)
[493] ~~Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307~~

CE-~~P2~~ P3[494] – Identification

Identify the following in the coastal environment:

(1) the landward extent of the coastal environment, recognising that the coastal environment includes:

(a) the *coastal marine area*,

(b) islands within the *coastal marine area*,

(c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal ~~wetlands~~ *wetlands*,[495] and the margins of these,

(d) areas at risk from ~~coastal hazards~~ *coastal hazards*[496] as identified in HAZ-NH-P1~~A~~,[497]

(e) coastal vegetation and the ~~habitat~~ *habitat*[498] 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:

(i) the health of *coastal water*, or

(ii) ecosystems, and natural ~~habitats~~ *habitats*,[499] or

(iii) water-based recreational activities, or

(b) is restricting existing uses, such as:

(i) customary fisheries, including mātaitai 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*, mātaitai and taiapure, and any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004, and

(~~5~~4)[500] the nationally significant *surf breaks* at Karitāne, Papatowai, The Spit, and Whareakeake.

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[494] Clause 16(2) memorandum (14 May 2026)
[495] Clause 16(2) memorandum (14 October 2025)
[496] Clause 16(2) memorandum (14 October 2025)
[497] Clause 16(2) memorandum (14 May 2026)
[498] Clause 16(2) memorandum (14 October 2025)
[499] Clause 16(2) memorandum (14 October 2025)
[500] Clause 16(2) memorandum (14 May 2026)

CE-~~P3~~ P4[501] – *Coastal water* quality

Manage *water* quality in the coastal environment by:

(1~~A~~)[502] restoring *coastal water* quality where it is considered to have deteriorated to the extent described within CE-~~P2~~P3(2),[503]

(~~1~~2)[504] 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~~3)[505] sustaining Kāi Tahu relationships with and customary uses of *coastal water*,

(~~3~~4)[506] 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, including by managing the *effects* of *commercial forestry* activities on *coastal water* quality in accordance with the NES-CF, unless additional stringency is justified,[507]

(6) maintaining or enhancing *water* quality within areas of *coastal water* identified in CE-~~P2~~P3(3)[508] 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~~ P5[509] – Natural character

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

(1) identifying areas and values of high and outstanding natural character which may include matters such as:

(a) natural elements, processes and patterns,

(b) biophysical, ecological, geological and geomorphological aspects,

(c) natural landforms such as headlands, peninsulas, cliffs, dunes, *wetlands*, estuaries, reefs, *freshwater* springs and *surf breaks*,

(d) the natural movement of *water* and sediment,

(e) the natural darkness of the night sky,

(f) places or areas that are wild or scenic,

(g) a range of natural character from pristine to modified,

(h) experiential attributes, including the sounds and smell of the sea, and their context or setting,

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[501] Clause 16(2) memorandum (14 May 2026)
[502] Clause 16(2) memorandum (14 May 2026)
[503] Clause 16(2) memorandum (14 May 2026)
[504] Clause 16(2) memorandum (14 May 2026)
[505] Clause 16(2) memorandum (14 May 2026)
[506] Clause 16(2) memorandum (14 May 2026)
[507] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[508] Clause 16(2) memorandum (14 May 2026)
[509] Clause 16(2) memorandum (14 May 2026)

(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~~4)[510] promoting *activities* and projects that will restore or rehabilitate natural character in the coastal environment where it has been reduced or lost.

CE-~~P5~~ P6 – Coastal ~~indigenous~~ *indigenous*[511] *biodiversity*

Protect ~~indigenous~~ *indigenous*[512] *biodiversity* in the coastal environment by:

(1) identifying and avoiding adverse ~~effects~~ *effects*[513] 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~~ *habitats*[514] 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~~ *indigenous*[515] *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 vegetation*[516] in the coastal environment,

(b) ~~habitats~~ *habitats*[517] in the coastal environment that are important during the vulnerable life stages of indigenous species,

(c) indigenous ecosystems and ~~habitats~~ *habitats*[518] 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,

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[510] Clause 16(2) memorandum (14 May 2026)
[511] Clause 16(2) memorandum (14 May 2026)
[512] Clause 16(2) memorandum (14 May 2026)
[513] Clause 16(2) memorandum (14 October 2025)
[514] Clause 16(2) memorandum (14 October 2025)
[515] Clause 16(2) memorandum (14 October 2025)
[516] Clause 16(2) memorandum (14 October 2025)
[517] Clause 16(2) memorandum (14 October 2025)
[518] Clause 16(2) memorandum (14 May 2026)

(e) ~~habitats~~ *habitats*[519] of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes,

(f) ~~habitats~~*habitats*,[520] 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~~ P7[521] – Natural features and landscapes (including seascapes)

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~~APP11,[522]

(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~~ P8[523] – Surf breaks

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~~ P9[524] – Public access

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

(1~~A~~)[525] maintaining or enhancing public walking access,

(~~1B~~2)[526] controlling vehicle access, and

(~~1C~~3)[527] restricting public walking and vehicle access where necessary:

(a) to protect public health and safety,

(b) to protect ~~significant natural areas~~ *significant natural areas*,[528]

[519] Clause 16(2) memorandum (14 May 2026)
[520] Clause 16(2) memorandum (14 May 2026)
[521] Clause 16(2) memorandum (14 May 2026)
[522] Clause 16(2) memorandum (14 May 2026)
[523] Clause 16(2) memorandum (14 May 2026)
[524] Clause 16(2) memorandum (14 May 2026)
[525] Clause 16(2) memorandum (14 May 2026)
[526] Clause 16(2) memorandum (14 May 2026)
[527] Clause 16(2) memorandum (14 May 2026)
[528] Clause 16(2) memorandum (14 October 2025)

(c) to protect dunes, estuaries and other sensitive natural areas or ~~*habitats*~~ *habitats*,[529]

(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~~ P10[530] – Activities on *land* within the coastal environment

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

(1) encouraging the consolidation of existing coastal settlements and *urban areas* where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth,

(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~~3)[531] recognising ~~and providing for~~[532] the *functional needs*[533] and *operational needs*[534] of ~~infrastructure~~*infrastructure*,[535]

(~~3~~4)[536] 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~~5)[537] requiring development to be set back from the *coastal marine area* and other ~~*coastal*~~ *water bodies* in the coastal environment[538] where practicable and reasonable, to protect the natural character, open space, public access and *amenity values* of the coastal environment,

(~~5~~6)[539] 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~~7)[540] taking into account the ongoing *effects* of *climate change* and *coastal hazard* risk~~.~~, and[541]

(~~7~~8)[542] enabling the use of native reserves and *Māori land* by *mana whenua* and owners of Māori

[529] Clause 16(2) memorandum (14 October 2025)
[530] Clause 16(2) memorandum (14 May 2026)
[531] Clause 16(2) memorandum (14 May 2026)
[532] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[533] Clause 16(2) memorandum (24 March 2025)
[534] Clause 16(2) memorandum (24 March 2025)
[535] Clause 16(2) memorandum (14 May 2026)
[536] Clause 16(2) memorandum (14 May 2026)
[537] Clause 16(2) memorandum (14 May 2026)
[538] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[539] Clause 16(2) memorandum (14 May 2026)
[540] Clause 16(2) memorandum (14 May 2026)
[541] Clause 16(2) memorandum (14 May 2026)
[542] Clause 16(2) memorandum (14 May 2026)

freehold land in accordance with MW-P4.[543]

~~(7) enabling mana whenua to provide for their cultural and social needs for *papakāika*papakāinga[544], marae and associated developments and make appropriate provision for them.~~[545]

CE-~~P10~~ P11[546] – Activities within the *coastal marine area*

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

(1) must enable multiple uses of the *coastal marine area* wherever reasonable and practicable, and

(2) must maintain or improve the health, integrity, form, function and *resilience* of the *coastal marine area*, or

(3) should generally[547] have a ~~functional need~~*functional need* or ~~operational need~~*operational need* to be located in the ~~coastal marine area~~*coastal marine area*,[548] or

(4) must[549] have a public benefit or opportunity for public recreation that cannot practicably be located outside the *coastal marine area*.

CE-~~P11~~ P12[550] – Aquaculture

Provide for the development and operation of *aquaculture activities* taking into account policies CE-~~P3~~ P4 to CE-~~P12~~P13,[551] 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*~~.~~, and

(4) aquaculture settlement outcomes in accordance with MW-P2(8A) and MWM5(4).[552]

CE-~~P12~~ P13[553] – *Reclamation* and de-reclamation

Manage ~~reclamation~~ *reclamation*[554] and de-reclamation by:

[543] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

~~[544] Clause 16(2) memorandum (5 December 2024)~~

[545] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

[546] Clause 16(2) memorandum (14 May 2026)

[547] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

[548] Clause 16(2) memorandum (14 May 2026)

[549] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

[550] Clause 16(2) memorandum (14 May 2026)

[551] Clause 16(2) memorandum (14 May 2026)

[552] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

[553] Clause 16(2) memorandum (14 May 2026)

[554] Clause 16(2) memorandum (14 May 2026)

(1~~A~~)[555] 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*[556] can only occur immediately adjacent to the *coastal marine area*,

(c) there are no practicable alternative methods of providing for the activity, and[557]

(d) the ~~reclamation~~ *reclamation*[558] will provide significant regional or national benefit, and

(~~1B~~2)[559] 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~~ P14[560] – Rakatirataka and *kaitiakitaka*

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, mātaitai reserves and taiāpure in decision making, ~~and~~[561]

(5) incorporating mātauraka ~~Maōri~~ Māori[562] in the management and monitoring of activities in the coastal environment~~.~~, and

(6) having regard to the principles of the Treaty of Waitangi, and the purpose of the redress provided for in the NTCSA, including redress arising from the Ancillary Claims and SILNA by:

(a) enabling *mana whenua*, and owners of Māori freehold land in relation to their *land*, to lead approaches to the management of the effects of use and development of native reserves and *Māori land* in accordance with mātauraka and tikaka, and

(b) acknowledging that *effects* of the use and development of native reserves and *Māori land*, including on the matters otherwise provided for in CE-P4~~5~~5, CE-P5~~6~~6, CE-P6~~7~~7 and CE-P~~9(4)~~10(5),[563] may be appropriate on that *land*.[564]

[555] Clause 16(2) memorandum (14 May 2026)
[556] Clause 16(2) memorandum (14 October 2025)
[557] Clause 16(2) memorandum (24 March 2025)
[558] Clause 16(2) memorandum (14 October 2025)
[559] Clause 16(2) memorandum (14 May 2026)
[560] Clause 16(2) memorandum (14 May 2026)
[561] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[562] Clause 16(2) memorandum (14 May 2026)
[563] Clause 16(2) memorandum (14 May 2026)
[564] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394

CE-~~P14~~P15[565] – *Discharges* of *wastewater, sewage, greywater*, animal effluent, and *industrial and trade waste* in the coastal environment

Minimise the adverse ~~effects~~*effects* of ~~discharges~~*discharges*[566] of *wastewater, sewage, greywater,* animal effluent, and *industrial and trade waste* in the coastal environment by:

(1) recognising and providing for Kāi Tahu values, and having particular regard to the ~~effects~~*effects*[567] of *discharges* of *wastewater* and[568] ~~sewage~~*sewage*[569] on those values, in resource-management decision-making,

(2) in relation to *discharges* to *coastal water* from activities on *land*~~.~~:[570]

(a) not allowing the new direct *discharge* of untreated *wastewater, sewage,* animal effluent, and *industrial and trade waste* to *coastal water*,

(b) phasing out existing direct *discharges* of treated and untreated *wastewater, sewage,* animal effluent, or *industrial and trade waste* to *coastal water* to the extent practicable,

(c) requiring new *discharges* of treated *wastewater, sewage,* animal effluent, and *industrial and trade waste* to be to *land* and not to *coastal water*, unless,

(i) there has been adequate consideration of alternative methods, sites and routes for undertaking the *discharge*, and either

(ii) the adverse ~~effects~~*effects*[571] associated with a *discharge* to *land* are demonstrably greater than a *discharge* to *coastal water*, or

(iii) the adverse ~~effects~~*effects*[572] associated with a *discharge* to *coastal water* are significantly less than, and replace, an existing *discharge(s),*

(d) requiring that all *discharges* containing *sewage* or *industrial and trade waste* are *discharged* into a reticulated *wastewater* system, where one is made available by its operator, unless alternative treatment and disposal methods will result in improved outcomes for *coastal water,*

(e) requiring 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, and

(f) promoting source control as a method for reducing *contaminants* in *discharges*,

(3) in relation to *discharges* to *fresh water* in the coastal environment, applying LF-FW-P~~16~~17,[573]

(4) in relation to *discharges* from ports and other relevant marine facilities:

(a) requiring operators of ports, marinas, and other relevant marine facilities to:

(i) provide for the collection of *wastewater* and *sewage* from vessels,

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[565] Clause 16(2) memorandum (14 May 2026)
[566] Clause 16(2) memorandum (14 May 2026)
[567] Clause 16(2) memorandum (14 May 2026)
[568] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[569] Clause 16(2) memorandum (14 May 2026)
[570] Clause 16(2) memorandum (14 May 2026)
[571] Clause 16(2) memorandum (14 May 2026)
[572] Clause 16(2) memorandum (14 May 2026)
[573] Clause 16(2) memorandum (14 May 2026)

(ii) manage the safe containment and disposal of *waste* and other residues from vessel maintenance; and

(b) where appropriate, providing for the establishment of facilities for the collection of *sewage* and other wastes from recreational and commercial boating.[574]

CE-~~P15~~P16[575] – *Discharges* of *stormwater* in the coastal environment

Minimise the adverse ~~effects~~*effects*[576] of *discharges* of *stormwater*, including from a reticulated system, in the coastal environment by:

(1) requiring integrated catchment management plans for management of *stormwater* in urban areas,

(2) requiring all *stormwater* to be *discharged* into a reticulated system, where one is made available by its operator, unless alternative treatment and disposal methods will result in the same or improved outcomes for *coastal water*,

(3) implementing methods to progressively reduce unintentional ~~stormwater~~*stormwater*[577] inflows to *wastewater* systems,

(4) promoting source control as a method for reducing *contaminants* in *stormwater discharges* and the use of good practice guidelines for managing *stormwater*, and

(5) in relation to *discharges* of *stormwater* to *freshwater* in the coastal environment, applying LF-FW-P~~15~~16.[578, 579]

Methods

CE-M1~~A~~[580] – *Mana whenua*/mana moana involvement

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~~)[581] and supporting the establishment of mātaitai 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 water*[582] and ecosystems, and

(4) providing relevant information to *mana whenua* for the purposes of (1), (2), and (3).

[574] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[575] Clause 16(2) memorandum (14 May 2026)
[576] Clause 16(2) memorandum (14 May 2026)
[577] Clause 16(2) memorandum (14 May 2026)
[578] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[579] Clause 16(2) memorandum (14 May 2026)
[580] Clause 16(2) memorandum (14 May 2026)
[581] Clause 16(2) memorandum (14 October 2025)
[582] Clause 16(2) memorandum (14 October 2025)

CE-~~M1~~ M2[583] – Identifying the coastal environment

Local authorities must~~:(1)~~[584] work collaboratively, including with *local authorities* in neighbouring regions, to:

(~~a~~1)[585] identify the landward extent of the coastal environment, in accordance with CE-~~P2~~P3)(1),[586]

(~~b~~2)[587] map the landward extent of the coastal environment area in the relevant *regional plans* and *district plans*.

CE-~~M2~~ M3[588] – Identifying other areas

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~~P5(1),[589] 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~~P7(1),[590] 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 features and landscapes (including seascapes) being considered outstanding,

(3) identify areas and values of ~~indigenous~~ *indigenous*[591] *biodiversity* within their jurisdictions in accordance with CE-~~P5~~P6,[592] 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~~ M4[593] – *Regional plans*

Otago Regional Council must prepare or amend and maintain its *regional plans* ~~no later than 31 December 2028~~[594] to:

(1) map areas of deteriorated *water* quality in the coastal environment, in accordance with CE-~~P2~~P3(2)[595]

[583] Clause 16(2) memorandum (14 May 2026)
[584] Clause 16(2) memorandum (14 October 2025)
[585] Clause 16(2) memorandum (14 October 2025)
[586] Clause 16(2) memorandum (14 May 2026)
[587] Clause 16(2) memorandum (14 October 2025)
[588] Clause 16(2) memorandum (14 May 2026)
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[590] Clause 16(2) memorandum (14 May 2026)
[591] Clause 16(2) memorandum (14 October 2025)
[592] Clause 16(2) memorandum (14 May 2026)
[593] Clause 16(2) memorandum (14 May 2026)
[594] Clause 16(2) memorandum (24 March 2025)
[595] Clause 16(2) memorandum (14 May 2026)

(~~1A~~2)[596] 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~~3)[597] set water quality limits and targets for *coastal waters* in accordance with CE-~~P3~~P4,[598]

(~~2~~4)[599] map the areas and characteristics of, and access to, *surf breaks* of national significance,

(~~3~~5)[600] 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~~6)[601] 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,

(~~a~~b)[602] managing *discharges* of *wastewater*, ~~sewage~~*sewage*,[603] *greywater*, animal effluent, and *industrial and trade waste* in the coastal environment in accordance with CE-P~~14~~15,[604]

(~~a~~c)[605] managing *discharges* of *stormwater* in the coastal environment in accordance with CE-P~~15~~16,[606, 607]

~~(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~~

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[596] Clause 16(2) memorandum (14 May 2026)
[597] Clause 16(2) memorandum (14 May 2026)
[598] Clause 16(2) memorandum (14 May 2026)
[599] Clause 16(2) memorandum (14 May 2026)
[600] Clause 16(2) memorandum (14 May 2026)
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[603] Clause 16(2) memorandum (14 May 2026)
[604] Clause 16(2) memorandum (14 May 2026)
[605] Clause 16(2) memorandum (14 May 2026)
[606] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[607] Clause 16(2) memorandum (14 May 2026)

~~*tangata whenua* and the affected community, and~~[608]

(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~~ excluding the impacts of harvesting ~~*plantation*~~*commercial*[609] *forestry*, and

(iii) reducing sediment loadings in runoff and in *stormwater* systems through controls on *land* use activities, and

(~~da~~e)[610] controlling the impacts of harvesting *commercial forestry,* in accordance with the NESCF, unless additional stringency is justified,

~~(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~~[611]

(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~~7) 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~~P4, CE-~~P4~~P5, CE-~~P5~~P6, CE-~~P6~~ P7[612] and HCV-WT-P2, and

(b) manage Otago's *surf breaks* of national significance in accordance with CE-~~P7~~P8,[613]

(~~6~~8) include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM- ~~P6~~ P4[614] 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,

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[608] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[609] Clause 16(2) memorandum (24 March 2025)
[610] Clause 16(2) memorandum (14 May 2026)
[611] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[612] Clause 16(2) memorandum (14 May 2026)
[613] Clause 16(2) memorandum (14 May 2026)
[614] Clause 16(2) memorandum (14 May 2026)

(~~7~~9) identify areas that may be appropriate for aquaculture,

(~~8~~10) provide for walking access to, along, and adjacent to the *coastal marine area* in accordance with Policy 19 of the NZCPS,

(~~9~~11) control vehicle access to, along, and adjacent to the *coastal marine area* in accordance with Policy 20 of the NZCPS,

(~~10~~12) manage *reclamation* and de-reclamation activities in accordance with CE-~~P12~~P13,[615] in addition to the other matters in CE-P1~~A~~ to P~~11~~12 and P~~13~~14,[616, 617] and when *reclamation* is considered suitable in accordance with CE-~~P12~~P13,[618] have particular regard to the matters listed in Policy 10(2) and (3) of the NZCPS,

(~~11~~13) require stock to be excluded from the *coastal marine area,* adjoining intertidal areas and *coastal water* and riparian margins in the coastal environment, and

(~~12~~14) 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~~P4, CE-~~P4~~P5, CE-~~P5~~P6, CE-~~P6~~P7, and CE-~~P13~~P14,[619] and

(~~13~~15) identify any aquaculture settlement areas gazetted under the Māori Commercial Aquaculture Claims Settlement Act 2004.

CE-~~M4~~ M5 – ~~District plans~~*District plans*[620]

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*), excluding *commercial forestry* activities,[621]

(~~3AA~~4)[622] in relation to *commercial forestry* activities, manage the location and scale of *earthworks*, and vegetation planting, modification and removal in the coastal environment, in accordance with the NESCF, unless additional stringency is justified,[623]

(~~3A~~5)[624] achieve the integrated management of, and control over, land use activities which could cause

[615] Clause 16(2) memorandum (14 May 2026)
[616] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[617] Clause 16(2) memorandum (14 May 2026)
[618] Clause 16(2) memorandum (14 May 2026)
[619] Clause 16(2) memorandum (14 May 2026)
[620] Clause 16(2) memorandum (14 May 2026)
[621] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[622] Clause 16(2) memorandum (14 May 2026)
[623] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[624] Clause 16(2) memorandum (14 May 2026)

direct or indirect *effects* on the *coastal marine area* in accordance with CE-P1~~A~~,[625]

(~~4~~6)[626] require *resource consent* for uses of *land* on reclamations that have occurred after the date this RPS becomes operative,

(~~5~~7)[627] provide for the establishment of *esplanade reserves* and *esplanade strips*,

(~~6~~8)[628] include provisions requiring the adoption of a precautionary approach to assessing the *effects* of activities in the coastal environment in accordance with IM-~~P6~~ P4[629] where:

(a) there is scientific uncertainty or a lack of relevant knowledge, or

(b) there are potentially significant or irreversible adverse *effects*, or[630]

(c) coastal resources are potentially vulnerable to the effects of climate change~~.~~,[631]

(~~7~~9)[632] provide for walking access to, along, and adjacent to the *coastal marine area* in accordance with Policy 19 of the NZCPS,

(~~8~~10)[633] 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,~~

(~~9~~11)[634] enable the use of native reserves and *Māori land* by *mana whenua* and owners of Māori freehold land in accordance with CE-P~~9(7)~~10(8),[635] and recognise rakatirataka over this *land* by enabling *mana whenua*, and owners of Māori freehold land in relation to their *land*, to lead approaches to manage any adverse *effects* of such use on the *environment* in accordance with CE-P~~13~~14(6),[636, 637]

(~~10~~12)[638] provide access to *surf breaks* of national significance, and

(~~11~~13)[639] provide for and encourage activities undertaken for the primary purpose of enhancing ~~coastal water~~*coastal water*[640] quality, coastal ~~habitats~~ *habitats*[641] and ecosystems, customary fisheries and other *mahika kai* activities restoring natural character, features, or landscapes in accordance with CE-~~P1~~P2, CE-~~P3~~P4, CE-~~P4~~P5, CE-~~P6~~ P7 and CE-~~P13~~P14.[642]

[625] Clause 16(2) memorandum (14 May 2026)
[626] Clause 16(2) memorandum (14 May 2026)
[627] Clause 16(2) memorandum (14 May 2026)
[628] Clause 16(2) memorandum (14 May 2026)
[629] Clause 16(2) memorandum (14 May 2026)
[630] Clause 16(2) memorandum (14 May 2026)
[631] Clause 16(2) memorandum (14 May 2026)
[632] Clause 16(2) memorandum (14 May 2026)
[633] Clause 16(2) memorandum (14 May 2026)
[634] Clause 16(2) memorandum (14 May 2026)
[635] Clause 16(2) memorandum (14 May 2026)
[636] Environment Court Consent Order sealed 7 November 2025: Decision No. [2025] NZEnvC 366 and Corrigendum dated 9 December 2025: Decision No. NZEnvC 394
[637] Clause 16(2) memorandum (14 May 2026)
[638] Clause 16(2) memorandum (14 May 2026)
[639] Clause 16(2) memorandum (14 May 2026)
[640] Clause 16(2) memorandum (14 May 2026)
[641] Clause 16(2) memorandum (14 May 2026)
[642] Clause 16(2) memorandum (14 May 2026)

CE-~~M5~~ M6[643] – Other incentives and mechanisms

Local authorities shall consider the use of other mechanisms or incentives to assist in achieving Policies CE-~~P2~~ P3 to CE-~~P13~~P14,[644] 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~~ *structures*[645] 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*,[646]

(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 water*[647] quality, or

(g) coastal ~~habitats~~ *habitats*[648] and ecosystems,

(9) facilitating the restoration, rehabilitation or creation of coastal ~~habitats~~ *habitats*,[649] particularly when it:

(a) encourages the natural regeneration of indigenous species, or[650]

(b) buffers or links ecosystems, ~~habitats~~ *habitats*[651] and areas of significance that contribute to ecological corridors, or[652]

(c) maintains or enhances the provision of indigenous ecosystem services, or[653]

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[643] Clause 16(2) memorandum (14 May 2026)
[644] Clause 16(2) memorandum (14 May 2026)
[645] Clause 16(2) memorandum (14 October 2025)
[646] Clause 16(2) memorandum (14 October 2025)
[647] Clause 16(2) memorandum (14 October 2025)
[648] Clause 16(2) memorandum (14 October 2025)
[649] Clause 16(2) memorandum (14 October 2025)
[650] Clause 16(2) memorandum (5 December 2024)
[651] Clause 16(2) memorandum (14 October 2025)
[652] Clause 16(2) memorandum (5 December 2024)
[653] Clause 16(2) memorandum (5 December 2024)

(d) benefits *mahika kai* and kaimoana species or customary fisheries areas, or

(e) will lead to the improvement of areas of deteriorated ~~water~~ *water*[654] quality, and

(10) bylaws controlling vehicle access to and along the *coastal marine area* in accordance with Policy 20 of the NZCPS.

CE-~~M6~~ M7[655] – Monitoring

Otago Regional Council shall:

(1) establish a long-term monitoring programme for ~~coastal waters~~ *coastal waters*[656] and coastal ecosystems that incorporates cultural health monitoring,

(2) record information (including monitoring data) about the state of ~~coastal waters~~*coastal waters*[657] 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 – Explanation

The provisions in this chapter recognise that the coastal environment is a finite resource with a range of values that need to be preserved. The policies within the chapter are designed to protect the coastal environment from inappropriate activities. The coastal environment is also recognised as dynamic and the policies, in association with others in ~~the ORPS~~this RPS,[658] 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*.

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[654] Clause 16(2) memorandum (14 October 2025)
[655] Clause 16(2) memorandum (14 May 2026)
[656] Clause 16(2) memorandum (14 October 2025)
[657] Clause 16(2) memorandum (14 May 2026)
[658] Clause 16(2) memorandum (14 October 2025)

~~Coastal waters~~*Coastal waters*[659] can be influenced by activities which are undertaken beyond the coastal environment. This interconnectedness between coastal and~~ freshwater~~ *freshwater* ~~environments~~ *environments*[660] 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*[661] 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*[662] 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,[663] as set out in CE-~~P1~~P2.[664]

Principal reasons

CE-PR1 – Principal reasons

The coastal environment includes the *coastal marine area*, islands within the *coastal marine area* and the area landward of the line of mean high-water springs. The landward extent of the coastal environment is determined by the natural and physical elements, features and processes set out in Policy 1(2) of the NZCPS. The importance of the coastal environment is reflected in the statutory resource management framework, particularly as identified in sections 6 and 7 of the RMA 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 industry*[665] 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~~ *indigenous*[666] *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~~.[667] 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.

[659] Clause 16(2) memorandum (14 October 2025)
[660] Clause 16(2) memorandum (14 October 2025)
[661] Clause 16(2) memorandum (14 October 2025)
[662] Clause 16(2) memorandum (14 October 2025)
[663] Clause 16(2) memorandum (14 October 2025)
[664] Clause 16(2) memorandum (14 May 2026)
[665] Clause 16(2) memorandum (14 October 2025)
[666] Clause 16(2) memorandum (14 October 2025)
[667] Clause 16(2) memorandum (14 October 2025)

The *coastal waters* are a *receiving environment* for *freshwater*, gravels, sediment and *contaminants* from the terrestrial landscape - of particular concern are the significant *discharges* of sediments, transported by *rivers* and waterways, that have a smothering effect on the benthic systems of the coastal area, including the important kelp beds. The interconnection of the *land* and sea environments is central to the ki uta ki tai ('mountains to the sea') philosophy. This interconnection requires careful consideration in managing the *effects* of *land* use activities.

Other chapters of ~~the Regional Policy Statement~~this RPS[668] 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	The values of the coastal environment are not adversely affected or lost because of inappropriate uses of the *natural and physical resources* 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 *water* in areas identified as having deteriorated *water* quality.
CE-AER5	The quality of *coastal water* 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 *natural hazards* to people and communities.
CE-AER7	The public have improved access to, along, and adjacent to the *coastal marine area.*
CE-AER8	The mauri of the coastal environment is protected, and restored where it has been degraded.
CE-AER9	Customary uses, including practices associated with *mahika kai* and kaimoana, are supported, and *mana whenua* exercise their kaitiaki role within the coastal environment.

[668] Clause 16(2) memorandum (14 October 2025)

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 improved[669] where they are *degraded*, so that the mauri of those ~~water bodies~~*water bodies*[670] 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~~ kā[671] mea katoa,

(2) there is an integral kinship relationship between ~~water~~ *water*[672] 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~~5)[673] protecting the health and well-being of *water* protects the wider *environment*,

(~~5~~6)[674] Kāi Tahu exercise rakatirataka, manaakitaka and their *kaitiakitaka* duty of care and attention over wai and all the life it supports, and

(~~6~~7)[675] 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~~[676] and the exercise of *mana whenua* to uphold this~~these~~,[677]

(2) second, the health needs of people, (te hauora o te tangata) interacting with *water* through:

(a) ingestion (such as drinking of ~~water~~ *water*[678] and consuming resources harvested from the

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[669] Order of the High Court sealed 22 October 2025: CIV-2024-412-41
[670] Clause 16(2) memorandum (14 May 2026)
[671] Clause 16(2) memorandum (14 October 2025)
[672] Clause 16(2) memorandum (14 October 2025)
[673] Clause 16(2) memorandum (14 May 2026)
[674] Clause 16(2) memorandum (14 May 2026)
[675] Clause 16(2) memorandum (14 May 2026)
[676] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[677] In matters of mana, the associated spiritual and cultural responsibilities connect natural resources and *mana whenua* in a kinshiprelationship that is reciprocal and stems from the time of creation.
[678] Clause 16(2) memorandum (14 October 2025)

~~water body~~*water body*[679]), ~~and~~

(b) immersive activities (such as harvesting resources and primary contact), and

(c) personal hygiene activities (such as food preparation, utensil washing, oral hygiene, showering and flushing the toilet), and[680]

(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~~2)[681] manages the ~~effects~~ *effects*[682] of the use and development of ~~land~~ *land*[683] to maintain or enhance the health and well-being of *freshwater*, *coastal water* and associated ecosystems,

(~~5~~3)[684] encourages the coordination and sequencing of regional or urban growth to ensure it is sustainable,

(~~6~~4)[685] has regard to foreseeable *climate change* risks, and the potential ~~effects~~ *effects*[686] of *climate change* on *water bodies,* including on their natural functioning,

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[679] Clause 16(2) memorandum (14 October 2025)
[680] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[681] Clause 16(2) memorandum (14 May 2026)
[682] Clause 16(2) memorandum (14 October 2025)
[683] Clause 16(2) memorandum (14 October 2025)
[684] Clause 16(2) memorandum (14 May 2026)
[685] Clause 16(2) memorandum (14 May 2026)
[686] Clause 16(2) memorandum (14 October 2025)

(~~7~~5)[687] has regard to cumulative *effects,* and

(~~8~~6)[688] applies a precautionary approach where there is limited available information or uncertainty about potential adverse *effects,* in accordance with IM-~~P6~~P4.[689]

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.

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* mātaitai,

(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~~ *Water*[690] 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~~*water*,[691] 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

[687] Clause 16(2) memorandum (14 May 2026)
[688] Clause 16(2) memorandum (14 May 2026)
[689] Clause 16(2) memorandum (14 May 2026)
[690] Clause 16(2) memorandum (14 October 2025)
[691] Clause 16(2) memorandum (14 October 2025)

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~~*rivers*,[692] 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~~ *water*[693] 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.

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* ~~and~~[694] 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*)[695] 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

[692] Clause 16(2) memorandum (14 October 2025)
[693] Clause 16(2) memorandum (14 October 2025)
[694] Clause 16(2) memorandum (5 May 2025)
[695] Clause 16(2) memorandum (14 October 2025)

that *water* can be used for economic purposes. When ~~water~~ *water*[696] is available for use, different uses may be prioritised in different ~~FMUs~~ *FMUs*[697] or rohe depending on the values identified by communities and the ~~environmental outcomes~~*environmental outcomes*[698] 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[699] aquatic life and opportunities for ~~mahika kai~~*mahika kai*[700] gathering and recreational uses such as swimming and kayaking.

Anticipated environmental results

LF-WAI-~~AER2~~AER1[701]	The mauri of Otago's ~~water bodies~~*water bodies*[702] and the health and well-being of *water bodies* and *freshwater* ecosystems is protected, and restored where ~~degraded~~*degraded*.[703]
LF-WAI-~~AER1~~AER2[704]	Kāi Tahu are actively involved in the management of *fresh water* and able to effectively exercise their rakatirataka, manaakitaka and *kaitiakitaka*.

[696] Clause 16(2) memorandum (14 October 2025)
[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 May 2026)
[702] Clause 16(2) memorandum (14 October 2025)
[703] Clause 16(2) memorandum (14 October 2025)
[704] Clause 16(2) memorandum (14 May 2026)

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~~O2[705] – Visions set for each ~~FMU~~ *FMU*[706] and rohe

In each ~~FMU~~ *FMU*[707] and rohe in Otago and within the timeframes specified in the *freshwater* visions in LF-~~VM-O2~~FW-O3 to LF-~~VM-O6~~FW-O7:[708]

(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 production*[709] 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 activities*[710] are provided for.

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[705] Clause 16(2) memorandum (14 May 2026)
[706] Clause 16(2) memorandum (14 October 2025)
[707] Clause 16(2) memorandum (14 October 2025)
[708] Clause 16(2) memorandum (14 May 2026)
[709] Clause 16(2) memorandum (14 October 2025)
[710] Clause 16(2) memorandum (14 October 2025)

LF-~~VM~~FW-~~O2~~O3[711] – Clutha Mata-au *FMU* vision

In the Clutha Mata-au *FMU,* and in addition to the matters in LF-FW-~~O1A~~O2:[712]

(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~~2)[713] sustainable abstraction occurs from *lakes, river* main stems or *groundwater* in preference to tributaries, to the extent reasonably practicable,

(~~6~~3)[714] 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*[715], is recognised, provided for[716] 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~~.~~,[717] ~~within this modified catchment,~~[718]

(~~6A~~4)[719] *water bodies* support a range of outdoor recreation opportunities,

(~~7~~5)[720] in the Upper Lakes rohe, the high quality *waters* of the *lakes* and their tributaries are protected, and if ~~degraded~~ *degraded*[721] are improved recognising the significance of the purity of these *waters* to Kāi Tahu and to the wider community,

(~~7A~~6)[722] in the Lower Clutha rohe, opportunities to restore the natural form and function of *water bodies* are promoted wherever practicable, and

(~~8~~7)[723] 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~~FW-~~O3~~O4[724] – North Otago *FMU* vision

By 2050 in the North Otago *FMU,* and in addition to the matters in LF-FW-~~O1A~~O2:[725]

(1) the Waitaki River is managed holistically, ki uta ki tai, despite its catchments spanning the

[711] Clause 16(2) memorandum (14 May 2026)
[712] Clause 16(2) memorandum (14 May 2026)
[713] Clause 16(2) memorandum (14 May 2026)
[714] Clause 16(2) memorandum (14 May 2026)
[715] Clause 16(2) memorandum (5 December 2024)
[716] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[717] Clause 16(2) memorandum (14 May 2026)
[718] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[719] Clause 16(2) memorandum (14 May 2026)
[720] Clause 16(2) memorandum (14 May 2026)
[721] Clause 16(2) memorandum (14 October 2025)
[722] Clause 16(2) memorandum (14 May 2026)
[723] Clause 16(2) memorandum (14 May 2026)
[724] Clause 16(2) memorandum (14 May 2026)
[725] Clause 16(2) memorandum (14 May 2026)

Canterbury and Otago regions,

(~~1A~~2)[726] the national significance of the Waitaki hydroelectricity generation scheme is recognised, and[727]

(3) healthy riparian margins, *wetlands*, estuaries and lagoons support the health of downstream coastal ecosystems.,[728]

LF-~~VM~~FW-~~O4~~O5[729] – Taiari *FMU* vision

By 2050 in the Taiari *FMU,* and in addition to the matters in LF-FW-~~O1A~~O2:[730]

(~~3~~1)[731] the upper and lower catchment *wetland* complexes, including the Waipōuri/Waihola ~~wetland~~ *wetland* complex, Upper Taiari ~~wetland~~ *wetland*[732] complex, and connected tussock areas are protected, restored or enhanced where they have been ~~degraded~~ *degraded*[733] or lost,

(~~4~~2)[734] the gravel *bed* of the lower Taiari is restored and sedimentation of the Waipōuri/Waihola ~~wetland~~ *wetland*[735] complex is reduced,

(~~4A~~3)[736] 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~~while~~ potential future~~further~~ development of these schemes is provided for, in so far as is consistent with LF-FW-O1 A2(1)–(6) and LF-~~VM-O4(3)~~FW-O5(1),[737, 738] and

(~~5~~4)[739] creative ecological approaches contribute to reduced occurrence of didymo.

LF-~~VM~~FW-~~O5~~O6[740] – Dunedin & Coast *FMU* vision

By 2040 in the Dunedin & Coast *FMU,* and in addition to the matters in LF-FW-~~O1A~~O2:[741]

(~~3~~1)[742] healthy riparian margins, *wetlands,* estuaries and lagoons support the health of downstream coastal ecosystems, and[743]

(~~4~~2)[744] opportunities to restore the natural form and function of *water bodies* are promoted wherever practicable.

[726] Clause 16(2) memorandum (14 May 2026)
[727] Clause 16(2) memorandum (5 December 2024)
[728] Clause 16(2) memorandum (5 December 2024)
[729] Clause 16(2) memorandum (14 May 2026)
[730] Clause 16(2) memorandum (14 May 2026)
[731] Clause 16(2) memorandum (14 May 2026)
[732] Clause 16(2) memorandum (14 October 2025)
[733] Clause 16(2) memorandum (14 October 2025)
[734] Clause 16(2) memorandum (14 May 2026)
[735] Clause 16(2) memorandum (14 October 2025)
[736] Clause 16(2) memorandum (14 May 2026)
[737] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[738] Clause 16(2) memorandum (14 May 2026)
[739] Clause 16(2) memorandum (14 May 2026)
[740] Clause 16(2) memorandum (14 May 2026)
[741] Clause 16(2) memorandum (14 May 2026)
[742] Clause 16(2) memorandum (14 May 2026)
[743] Clause 16(2) memorandum (5 December 2024)
[744] Clause 16(2) memorandum (14 May 2026)

LF-~~VM~~FW-~~O6~~O7[745] – Catlins *FMU* vision

By 2035 in the Catlins *FMU,* and in addition to the matters in LF-FW-~~O1A~~O2:[746]

(~~4~~1)[747] the high degree of naturalness of the *water bodies* and ecosystem connections between the forests, *freshwater* and coastal environment are preserved, and

(~~6~~2)[748] healthy, clear and clean *water* supports opportunities for recreation.

LF-FW-O8 – *Fresh water*

In Otago's *water bodies* and their catchments, :[749]

~~(5) T~~the[750] 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*,[751] use and development and, where ~~degraded~~*degraded*,[752] restoration is promoted so that:

(1) ~~mahika kai~~*mahika kai*[753] and other *mana whenua* values are sustained and enhanced now and for future generations,

(2) ~~there is no net decrease, and preferably an increase, in~~ relation to[754] the extent and diversity of ~~wetland~~ indigenous ecosystem types and ~~habitats~~*habitats*:[755] ~~, and~~[756]

(a) for ~~wetlands~~*wetlands*[757] outside the ~~coastal marine area~~*coastal marine area*,[758] there is no net decrease, and preferably an increase, and[759]

(b) for ~~natural inland wetlands~~*natural inland wetlands*,[760] there is no decrease, and preferably an increase, other than as provided by the NPSFM, and[761]

(3) there is no reduction and, where ~~degraded~~*degraded*, there is an improvement in ~~wetland~~ *wetland*[762]ecosystem health, hydrological functioning, *amenity values*, extent or *water* quality, and

(4) their flood attenuation and ~~water~~ *water*[763] storage capacity is maintained or improved.

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[745] Clause 16(2) memorandum (14 May 2026)
[746] Clause 16(2) memorandum (14 May 2026)
[747] Clause 16(2) memorandum (14 May 2026)
[748] Clause 16(2) memorandum (14 May 2026)
[749] Clause 16(2) memorandum (5 December 2024)
[750] Clause 16(2) memorandum (5 December 2024)
[751] Clause 16(2) memorandum (14 October 2025)
[752] Clause 16(2) memorandum (14 October 2025)
[753] Clause 16(2) memorandum (14 October 2025)
[754] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[755] Clause 16(2) memorandum (14 October 2025)
[756] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[757] Clause 16(2) memorandum (14 October 2025)
[758] Clause 16(2) memorandum (14 October 2025)
[759] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[760] Clause 16(2) memorandum (14 October 2025)
[761] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[762] Clause 16(2) memorandum (14 October 2025)
[763] Clause 16(2) memorandum (14 October 2025)

LF-FW-O10 – Natural character

The natural character of *wetlands, lakes* and *rivers* and their margins is preserved and protected from inappropriate ~~subdivision~~*subdivision*,[764] use and development.

Policies

LF-~~VM~~FW-P5 [765] – ~~Freshwater Management Units~~*Freshwater Management Units* (~~FMUs~~*FMUs*)[766] and rohe

Otago's ~~fresh water~~ *freshwater*[767,768] 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~~MAP2:[769]

Table 3 – Freshwater Management Units and rohe

Freshwater Management Unit	**Rohe**
Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha
Taiari	n/a
North Otago	n/a
Dunedin & Coast	n/a
Catlins	n/a

LF-~~VM~~FW-P6[770] – 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*,

[764] Clause 16(2) memorandum (14 October 2025)
[765] Clause 16(2) memorandum (14 May 2026)
[766] Clause 16(2) memorandum (14 October 2025)
[767] Clause 16(2) memorandum (14 October 2025)
[768] Clause 16(2) memorandum (14 May 2026)
[769] Clause 16(2) memorandum (14 May 2026)
[770] Clause 16(2) memorandum (14 May 2026)

(3) *limits* and action plans to achieve *environmental outcomes,* including by achieving target ~~attribute~~ *attribute*[771] 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~~ P7[772] – Transitions over time

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

(1) recognising that changes to practices and activities will need to occur over time[773]; 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~~ P8[774] – *Fresh water*

Environmental outcomes, attribute states (including target *attribute* states), environmental flows and levels, and ~~limits~~ *limits*[775] ensure that:

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

(2) the ~~habitats~~ *habitats* of indigenous species with life stages dependent on *water* ~~bodies~~ *bodies*[776] are protected and sustained,

(~~2A~~3)[777] the ~~habitats~~ *habitats*[778] of trout and salmon are protected insofar as this is consistent with (2),

(~~2B~~4)[779] 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~~5)[780] *specified rivers and lakes* are suitable for primary contact within the following timeframes:

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[771] Clause 16(2) memorandum (14 May 2026)
[772] Clause 16(2) memorandum (14 May 2026)
[773] Clause 16(2) memorandum (5 December 2024)
[774] Clause 16(2) memorandum (14 May 2026)
[775] Clause 16(2) memorandum (14 October 2025)
[776] Clause 16(2) memorandum (14 October 2025)
[777] Clause 16(2) memorandum (14 May 2026)
[778] Clause 16(2) memorandum (14 October 2025)
[779] Clause 16(2) memorandum (14 May 2026)
[780] Clause 16(2) memorandum (14 May 2026)

(a) by 2030, 90% of *rivers* and 98% of *lakes*, and

(b) by 2040, 95% of *rivers* and 100% of *lakes*, and

(~~4~~6)[781] resources harvested from *water bodies* including *mahika kai* and *drinking water* are safe for human consumption.

LF-FW-~~P7A~~ P9[782] – 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-allocation*[783] as set out in LF-FW-~~M6~~M5,[784]

(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 water*[785] 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*,[786]

(3) ensuring that no more *fresh water* is abstracted than is necessary for its intended use,

(4) ensuring that the efficiency of ~~*fresh water*~~*freshwater*[787] 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~~ *resilience*[788] 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~~ P10[789] – Identifying *wetlands*

By 3 September 2030, identify and map:

(1) any ~~wetland~~ *wetland*[790] at risk of loss of extent or values,

(2) any ~~wetland~~ *wetland*[791] identified in a farm environment plan, or that may be affected by any application for, or a review of, a ~~resource consent~~*resource consent*,[792] and

[781] Clause 16(2) memorandum (14 May 2026)
[782] Clause 16(2) memorandum (14 May 2026)
[783] Clause 16(2) memorandum (14 October 2025)
[784] Clause 16(2) memorandum (14 May 2026)
[785] Clause 16(2) memorandum (14 October 2025)
[786] Clause 16(2) memorandum (14 October 2025)
[787] Clause 16(2) memorandum (14 May 2026)
[788] Clause 16(2) memorandum (14 October 2025)
[789] Clause 16(2) memorandum (14 May 2026)
[790] Clause 16(2) memorandum (14 October 2025)
[791] Clause 16(2) memorandum (14 October 2025)
[792] Clause 16(2) memorandum (14 May 2026)

(3) all other ~~natural inland wetlands~~*natural inland wetlands*[793] that are:

(a~~i~~)[794] 0.05 hectares or greater in extent, or

(b~~ii~~)[795] 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~~ P11[796] – Managing ~~wetlands~~*wetlands*[797]

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~~, and[798]

(2) by applying clause 3.22(1) to (3) of the NPSFM to ~~all natural inland~~[799] ~~wetlands~~*natural inland wetlands*,[800] and

(3) to improve the ecosystem health, hydrological functioning and extent of ~~wetlands~~ *wetlands*[801] that have been ~~degraded~~ *degraded*[802] or lost by promoting:

(a) an increase in the extent and condition of ~~habitat~~ *habitat*[803] for indigenous species,

(b) the restoration of hydrological processes,

(c) control of ~~pest~~ *pest*[804] species and vegetation clearance, and

(d) the exclusion of stock, except where stock grazing is used to enhance ~~wetland~~ *wetland*[805] values~~.~~, and

(4) to sustain and enhance Māori ~~freshwater~~*freshwater*[806] values.[807]

LF-FW-~~P11~~ P12[808] – Otago's *outstanding water bodies*

Otago's ~~outstanding~~ *outstanding*[809] ~~water bodies~~*water bodies*[810] are:

(1) the Kawarau River and tributaries described in the Water Conservation (Kawarau) Order 1997,

(2) Lake ~~Wanaka~~ Wānaka[811] and the outflow and tributaries described in the Lake Wanaka Preservation Act 1973, and

[793] Clause 16(2) memorandum (14 May 2026)
[794] Clause 16(2) memorandum (5 December 2024)
[795] Clause 16(2) memorandum (5 December 2024)
[796] Clause 16(2) memorandum (14 May 2026)
[797] Clause 16(2) memorandum (14 October 2025)
[798] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[799] ~~Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042~~
[800] Clause 16(2) memorandum (14 May 2026)
[801] Clause 16(2) memorandum (14 October 2025)
[802] Clause 16(2) memorandum (14 October 2025)
[803] Clause 16(2) memorandum (14 October 2025)
[804] Clause 16(2) memorandum (14 October 2025)
[805] Clause 16(2) memorandum (14 October 2025)
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[807] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[808] Clause 16(2) memorandum (14 May 2026)
[809] Clause 16(2) memorandum (14 May 2026)
[810] Clause 16(2) memorandum (14 October 2025)
[811] Clause 16(2) memorandum (14 October 2025)

(43)[812] any other *water bodies* identified in accordance with APP1.

LF-FW-~~P12~~ P13[813] –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~~ P14[814] – Preserving natural character and instream values

Preserve the natural character and instream values of *lakes* and *rivers* 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*[815] 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*),[816]

(2) not granting ~~resource consent~~*resource consent*[817] 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~~*in relation to natural inland wetlands and rivers)*[818] 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)~~*effects management hierarchy (in relation to natural inland wetlands and rivers)* in respect of any ~~loss of values~~*loss of values*[819] or extent of the ~~river~~*river*,[820]

(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~~APP~~4A~~5 and APP~~4B~~6,[821, 822] and has had to regard to the remaining principles in ~~Appendix 6 and 7 of the NPSFM~~APP~~4A~~5 and APP~~4B~~6,[823, 824] 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~~offspring~~[825] 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

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[812] Clause 16(2) memorandum (14 May 2026)
[813] Clause 16(2) memorandum (14 May 2026)
[814] Clause 16(2) memorandum (14 May 2026)
[815] Clause 16(2) memorandum (14 October 2025)
[816] Clause 16(2) memorandum (14 October 2025)
[817] Clause 16(2) memorandum (14 October 2025)
[818] Clause 16(2) memorandum (14 May 2026)
[819] Clause 16(2) memorandum (14 May 2026)
[820] Clause 16(2) memorandum (14 October 2025)
[821] Clause 16(2) memorandum (14 October 2025)
[822] Clause 16(2) memorandum (14 May 2026)
[823] Clause 16(2) memorandum (14 October 2025)
[824] Clause 16(2) memorandum (14 May 2026)
[825] Clause 16(2) memorandum (24 March 2025)

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,[826]

(7) preventing modification that would permanently reduce the braided character of a *river*,

(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*,[827] reduce *contaminant* loss to *water bodies* and support natural flow behaviour.

LF-FW-~~P14~~ P15[828] – Restoring natural character and instream values

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~~:[829]

(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~~ P16[830] – *Stormwater discharges*

Minimise the adverse *effects* of direct and indirect *discharges* of *stormwater* to *fresh water* by:

(~~2~~1)[831] requiring:

(a~~b~~)[832] 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~~ *stormwater*[833] inflows to *wastewater* systems,

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[826] Clause 16(2) memorandum (14 October 2025)
[827] Clause 16(2) memorandum (14 October 2025)
[828] Clause 16(2) memorandum (14 May 2026)
[829] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[830] Clause 16(2) memorandum (14 May 2026)
[831] Clause 16(2) memorandum (14 May 2026)
[832] Clause 16(2) memorandum (14 May 2026)
[833] Clause 16(2) memorandum (14 October 2025)

(~~e~~d)[834] that any *stormwater discharges* do not prevent *water bodies* from meeting any applicable water quality standards set for *FMUs* and/or rohe, and

(~~f~~e)[835] the use of ~~water~~ *water*[836] sensitive design techniques wherever practicable, and

(~~3~~2)[837] promoting the reticulation of *stormwater* in ~~urban areas~~*urban areas*[838] where appropriate, and

(~~4~~3)[839] promoting source control as a method for reducing *contaminants* in *discharges* and the use of good practice guidelines for managing *stormwater.*

LF-FW-~~P16~~ P17[840] – *Discharges* of *wastewater,* ~~containing~~[841] animal effluent, *sewage, greywater* and *industrial and trade waste*

Minimise the adverse *effects* of direct and indirect *discharges* of wastewater,~~containing~~[842] animal effluent, *sewage, greywater* and *industrial and trade waste* to *fresh water* by:

(1) phasing out existing *discharges* of ~~wastewater~~*wastewater,*[843] ~~containing~~[844] *sewage* or *industrial and trade waste* directly to *fresh*[845] *water*[846] to the extent practicable,

(2) requiring:

(a) new ~~discharges~~ *discharges* of ~~wastewater~~*wastewater,*[847] ~~containing~~[848] ~~sewage~~ *sewage* or ~~industrial and trade waste~~*industrial and trade waste*[849] to be to ~~land~~*land*,[850] 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)~~*discharge(s),*[851] or

(iii) the ~~discharge~~*discharge*[852] is to a constructed ~~water body~~*water body*[853] from which there is no *discharge* of water or *contaminants*~~.~~, and[854, 855]

(b) ~~discharges~~ *discharges* of animal effluent from ~~land-based primary production~~*land-based*

[834] Clause 16(2) memorandum (14 May 2026)
[835] Clause 16(2) memorandum (14 May 2026)
[836] Clause 16(2) memorandum (14 October 2025)
[837] Clause 16(2) memorandum (14 May 2026)
[838] Clause 16(2) memorandum (14 October 2025)
[839] Clause 16(2) memorandum (14 May 2026)
[840] Clause 16(2) memorandum (14 May 2026)
[841] Clause 16(2) memorandum (24 March 2025)
[842] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[843] Clause 16(2) memorandum (14 October 2025)
[844] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[845] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[846] Clause 16(2) memorandum (14 October 2025)
[847] Clause 16(2) memorandum (14 October 2025)
[848] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[849] Clause 16(2) memorandum (14 October 2025)
[850] Clause 16(2) memorandum (14 October 2025)
[851] Clause 16(2) memorandum (14 October 2025)
[852] Clause 16(2) memorandum (14 October 2025)
[853] Clause 16(2) memorandum (14 October 2025)
[854] Clause 16(2) memorandum (14 May 2026)
[855] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042

primary production to be to ~~land~~*land*,[856]

(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~~ *FMUs*[857] 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*.

Methods

LF-~~VM~~FW-M3 [858] – 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

(4~~A~~)[859] education, advocacy and co-ordination to encourage efficient use of ~~freshwater~~*freshwater*,[860] including ~~water~~ *water*[861] 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.~~[862]

LF-FW-~~M5~~ M4[863] – *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

[856] Clause 16(2) memorandum (14 May 2026)
[857] Clause 16(2) memorandum (14 May 2026)
[858] Clause 16(2) memorandum (14 May 2026)
[859] Clause 16(2) memorandum (14 May 2026)
[860] Clause 16(2) memorandum (14 October 2025)
[861] Clause 16(2) memorandum (14 October 2025)
[862] Clause 16(2) memorandum (14 October 2025)
[863] Clause 16(2) memorandum (14 May 2026)

outstanding values, including those *water bodies* listed in LF-FW-~~P11~~P12,[864]

(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*[865] 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~~ M5[866] – *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:

(1~~A~~)[867] implement the required steps in the NOF process in accordance with the NPSFM,

(~~3~~2)[868] 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~~3)[869] provide for the allocation and use of *fresh water* in accordance with LF-FW-~~P7A~~P9,[870] including by providing for off-stream ~~water~~ *water*[871] storage,

(~~7~~4)[872] identify and manage *wetlands* in accordance with LF-FW-~~P7~~P8[873]~~, LF-FW-P9~~[874] and LF-FW-~~P10A~~[875]P11[876] while recognising that some activities in and around *wetlands* are managed under the NPSFM,[877] NESF and the NESCF,

(~~8~~5)[878] manage the adverse *effects* of *stormwater* and ~~discharges~~ *discharges*[879] containing animal effluent, *sewage,* or *industrial and trade waste* in accordance with LF-FW-~~P15~~ P16 and LF-FW-~~P16~~P17,[880] and

(~~9~~6)[881] recognise and respond to Kāi Tahu cultural and spiritual concerns about mixing of ~~water~~ *water*[882] between different catchments.

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[864] Clause 16(2) memorandum (14 May 2026)
[865] Clause 16(2) memorandum (14 October 2025)
[866] Clause 16(2) memorandum (14 May 2026)
[867] Clause 16(2) memorandum (14 May 2026)
[868] Clause 16(2) memorandum (14 May 2026)
[869] Clause 16(2) memorandum (14 May 2026)
[870] Clause 16(2) memorandum (14 May 2026)
[871] Clause 16(2) memorandum (14 October 2025)
[872] Clause 16(2) memorandum (14 May 2026)
[873] Clause 16(2) memorandum (14 May 2026)
[874] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[875] ~~Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042~~
[876] Clause 16(2) memorandum (14 May 2026)
[877] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[878] Clause 16(2) memorandum (14 May 2026)
[879] Clause 16(2) memorandum (14 May 2026)
[880] Clause 16(2) memorandum (14 May 2026)
[881] Clause 16(2) memorandum (14 May 2026)
[882] Clause 16(2) memorandum (14 October 2025)

LF-FW-~~M7~~ M6[883] – ~~District plans~~*District plans*[884]

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~~M4,[885] and

(2) include provisions to protect the significant and outstanding values of *outstanding water bodies*,

(~~1A~~3)[886] include provisions to preserve the natural character of ~~lakes~~ *lakes* and ~~rivers~~ *rivers* and their margins from the adverse ~~effects~~ *effects* of ~~land~~ *land* use and development and activities on the surface of ~~water~~*water*,[887]

(~~3~~4)[888] require, wherever practicable, the adoption of water sensitive design techniques when managing the *subdivision,* use or development of *land*, and

(~~4~~5)[889] 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~~ M7[890] – 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~~3)[891] may prepare an action plan for any other purpose set out in the NPSFM, and

(~~3~~4)[892] must prepare any action plan in accordance with clause 3.15 of the NPSFM.

LF-FW-M8~~A~~[893] – 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

[883] Clause 16(2) memorandum (14 May 2026)
[884] Clause 16(2) memorandum (14 May 2026)
[885] Clause 16(2) memorandum (14 May 2026)
[886] Clause 16(2) memorandum (14 October 2025)
[887] Clause 16(2) memorandum (14 May 2026)
[888] Clause 16(2) memorandum (14 October 2025)
[889] Clause 16(2) memorandum (14 October 2025)
[890] Clause 16(2) memorandum (14 May 2026)
[891] Clause 16(2) memorandum (14 May 2026)
[892] Clause 16(2) memorandum (14 May 2026)
[893] Clause 16(2) memorandum (14 May 2026)

Department of Conservation, the Fish and Game Council for the relevant areas, Kāi Tahu, and the matters set out in LF-FW-M8~~-A~~[894](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~~ *habitats*[895] 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~~ *habitat*[896] 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~~ *effects*[897] 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~~ M9[898] – 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 whenua*[899] 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~~ M10[900] – Monitoring

Otago Regional Council, for every *FMU*, must:

(1) establish a long-term monitoring programme that incorporates cultural health monitoring,

(2) record information (including monitoring data) about the state of *water bodies* and *freshwater*

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[894] Clause 16(2) memorandum (14 May 2026)
[895] Clause 16(2) memorandum (14 May 2026)
[896] Clause 16(2) memorandum (14 October 2025)
[897] Clause 16(2) memorandum (14 October 2025)
[898] Clause 16(2) memorandum (14 May 2026)
[899] Clause 16(2) memorandum (14 October 2025)
[900] Clause 16(2) memorandum (14 May 2026)

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~~ M11[901] – Other methods

In addition to methods ~~LF-FW-M5~~LF-VM-M3[902] LF-FW-M3 to LF-FW-~~M9~~M10,[903] the methods in the LF-WAI~~, LF-VM~~[904] and LF-LS sections are also applicable.

Explanation

LF-~~VM~~FW-E2[905] – 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*~~)~~[906] that include all *freshwater bodies* within the region. Policy LF-~~VM~~FW-P5[907] identifies Otago's five *FMUs*: Clutha Mata-au *FMU*, Taiari *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~~FW-P6[908] 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~~*natural inland wetlands*[909] (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~~*natural inland wetlands*,[910] 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 biodiversity*[911] and hydrological values of wetland systems.~~ *[Note to reader: originally LF-FW-E3 para 2]*~~

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[901] Clause 16(2) memorandum (14 May 2026)
[902] ~~Clause 16(2) memorandum (14 October 2025)~~
[903] Clause 16(2) memorandum (14 May 2026)
[904] Clause 16(2) memorandum (14 October 2025)
[905] Clause 16(2) memorandum (14 May 2026)
[906] Clause 16(2) memorandum (14 October 2025)
[907] Clause 16(2) memorandum (14 May 2026)
[908] Clause 16(2) memorandum (14 May 2026)
[909] Clause 16(2) memorandum (14 May 2026)
[910] Clause 16(2) memorandum (14 May 2026)
[911] Clause 16(2) memorandum (14 October 2025)

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~~[912] they meet the criteria in APP1 which lists the types of values which may be considered outstanding: cultural and spiritual, ecology, landscape, natural character, recreation and physical. The significant values of *outstanding water bodies* are to be identified and protected from adverse *effects*. ~~*[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 RMA ~~1991~~.[913] 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~~FW-PR2 [914] – 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*~~*freshwater*[915] 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*~~*freshwater*[916] 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]*~~

[912] Clause 16(2) memorandum (14 October 2025)
[913] Clause 16(2) memorandum (14 October 2025)
[914] Clause 16(2) memorandum (14 May 2026)
[915] Clause 16(2) memorandum (14 May 2026)
[916] Clause 16(2) memorandum (14 May 2026)

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 RMA ~~1991~~.[917] 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

LF-~~VM~~FW-AER3[918]	The *fresh water* visions in this section implement *Te Mana o Te Wai* according to the particular characteristics of ~~FMUs~~ *FMUs*[919] and rohe and the outcomes they seek are achieved within the timeframes specified.
LF-FW-AER4	*Fresh water* is allocated within ~~limits~~ *limits* that contribute to achieving specified *environmental outcomes* for *water bodies* within timeframes set out in *regional plans* that are no less stringent than the timeframes in the ~~LF-VM~~LF-FW[920] section of this chapter.
LF-FW-AER5	*Specified rivers* and *lakes* are suitable for primary contact within the timeframes set out in LF-FW-~~P7~~P8.[921]
LF-FW-AER6	*Degraded water* quality is improved so that it meets specified *environmental outcomes* within timeframes set out in *regional plans* that are no less stringent than the timeframes in the objectives in the LF-FW section of this chapter.
LF-FW-AER7	*Water* in Otago's aquifers is suitable for human consumption, unless that *water* is naturally unsuitable for consumption.
LF-FW-AER8	Where *water* is not *degraded*, there is no reduction in *water* quality.
LF-FW-AER9	Direct *discharges* of *wastewater* to *water* are phased out to the greatest extent practicable and the frequency of *wastewater* overflows is reduced.
LF-FW-AER10	The quality of *stormwater discharges* from existing *urban areas* is improved.
LF-FW-AER11	There is an improvement in the extent and condition or quality of Otago's *wetlands*.
LF-FW-~~AER11A~~AER12[922]	The economic, social, and cultural well-being of communities is sustained.

[917] Clause 16(2) memorandum (14 October 2025)
[918] Clause 16(2) memorandum (14 May 2026)
[919] Clause 16(2) memorandum (14 October 2025)
[920] Clause 16(2) memorandum (14 October 2025)
[921] Clause 16(2) memorandum (14 May 2026)
[922] Clause 16(2) memorandum (14 May 2026)

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*[923] of *highly productive land*[924] for *primary production* is protected from inappropriate use and development[925] 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~~2)[926] sustains the potential of *land* and soil to meet the reasonably foreseeable needs of future generations while recognising the extractive nature of mining,[927]

(~~2~~3)[928] contributes to achieving *environmental outcomes* for *fresh water*, and

(~~3~~4)[929] recognises the role of these resources in providing for the social, economic, and cultural well-being of Otago's people and communities.

~~UFD-O4~~LF-LS-O13[930] – Development in *rural areas*

Use and ~~Development~~ development[931] in Otago's *rural areas* occurs in a way that:

[923] Clause 16(2) memorandum (5 December 2024)
[924] Clause 16(2) memorandum (5 December 2024)
[925] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[926] Clause 16(2) memorandum (14 May 2026)
[927] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[928] Clause 16(2) memorandum (14 May 2026)
[929] Clause 16(2) memorandum (14 May 2026)
[930] Clause 16(2) memorandum (14 May 2026)
[931] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

(41)[932] provides for the ongoing use of *rural areas* for *primary production* and *rural industry,* ~~and~~[933]

(~~4~~A2)[934] does not compromise the long term viability of *primary production* and rural communities~~.~~, and

(~~5~~3)[935] enables the use and development of ~~Native Reserves~~native reserves[936] and *Māori land.*[937]

Policies

LF-LS-~~P16A~~P18[938] – Managing *pests*

Reduce the impact of *pests*, including *wilding conifers*, by:

(1) avoiding afforestation and replanting of plantation forests with ~~wilding conifer~~*wilding conifer*[939] species listed in ~~APP5~~ APP7[940] 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,

(~~1~~A2)[941] 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 APP~~5~~7[942] 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,[943]

(~~2~~3)[944] ~~outside~~ other than the *afforestation* or *replanting* of[945] *plantation forests*, avoiding the planting of *wilding conifer* species listed in ~~APP5~~ APP7[946] and any other *pests* in a way that is consistent with the Otago Regional Pest Management Plan 2019-2029,

(~~3~~4)[947] enabling the control of *pests* on *land,* and

(~~4~~5)[948] supporting initiatives to control or eliminate *pests* and limit or prevent[949] their further spread.

[932] Clause 16(2) memorandum (14 May 2026)
[933] Clause 16(2) memorandum (14 May 2026)
[934] Clause 16(2) memorandum (14 May 2026)
[935] Clause 16(2) memorandum (14 May 2026)
[936] Clause 16(2) memorandum (14 May 2026)
[937] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[938] Clause 16(2) memorandum (14 May 2026)
[939] Clause 16(2) memorandum (14 May 2026)
[940] Clause 16(2) memorandum (14 May 2026)
[941] Clause 16(2) memorandum (14 May 2026)
[942] Clause 16(2) memorandum (14 May 2026)
[943] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[944] Clause 16(2) memorandum (14 May 2026)
[945] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[946] Clause 16(2) memorandum (14 May 2026)
[947] Clause 16(2) memorandum (14 May 2026)
[948] Clause 16(2) memorandum (14 May 2026)
[949] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

LF-LS-~~P16~~ P19[950] – 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~~ P20[951] – Soil values

Maintain the health and productive potential of soils, to the extent reasonably practicable,[952] 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~~ P21[953] – Soil erosion

Minimise soil erosion, and the associated risk of sedimentation in ~~water bodies~~*water bodies*,[954] resulting from *land* use activities by:

(~~2~~1)[955] maintaining vegetative cover on erosion-prone *land,* to the extent practicable,

(~~1~~2)[956] 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~~ P22[957] – *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.[958]

[950] Clause 16(2) memorandum (14 May 2026)
[951] Clause 16(2) memorandum (14 May 2026)
[952] Clause 16(2) memorandum (14 October 2025)
[953] Clause 16(2) memorandum (14 May 2026)
[954] Clause 16(2) memorandum (14 October 2025)
[955] Clause 16(2) memorandum (14 May 2026)
[956] Clause 16(2) memorandum (14 May 2026)
[957] Clause 16(2) memorandum (14 May 2026)
[958] Clause 16(2) memorandum (14 May 2026)

LF-LS-~~P21~~ P23[959] – *Land* use and *fresh water*

The health and well-being of *water bodies* and ~~freshwater~~ *freshwater*[960] ecosystems is maintained or, if ~~degraded~~*degraded*,[961] improved[962] to meet *environmental outcomes* set for ~~*Freshwater Management Units*~~*FMUs*[963] and/or rohe by:

(1) reducing or otherwise managing~~maintaining~~[964] the adverse ~~effects~~ *effects*[965] 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~~[966] values of riparian margins.

LF-LS-~~P19~~ P24[967] – Highly productive land

Maintain the availability and *productive capacity*[968] of *highly productive*[969] *land* by~~:~~

~~(1) identifying *highly productive*[970] *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;*~~

~~(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~~

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[959] Clause 16(2) memorandum (14 May 2026)
[960] Clause 16(2) memorandum (14 October 2025)
[961] Clause 16(2) memorandum (14 October 2025)
[962] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[963] Clause 16(2) memorandum (14 October 2025)
[964] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[965] Clause 16(2) memorandum (14 October 2025)
[966] Order of the High Court sealed 8 January 2025: CIV-2024-412-000037 / 000038 / 000040 / 000041 / 000042
[967] Clause 16(2) memorandum (14 May 2026)
[968] Clause 16(2) memorandum (5 December 2024)
[969] Clause 16(2) memorandum (5 December 2024)
[970] ~~Clause 16(2) memorandum (5 December 2024)~~

~~(2) prioritising~~ identifying and managing[971] the use of *highly productive land* ~~for *land-based primary production*~~[972] in accordance with the NPSHPL.

~~UFD-P7~~LF-LS-P25 – ~~Rural Areas~~*Rural areas*[973]

The management of use and[974] development in *rural areas*:

(~~2~~1)[975] 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 well-being[976] within rural communities and the wider region,

(~~3~~2)[977] prioritises land-based *primary production* on ~~highly productive land~~*highly productive land*[978] in accordance with the ~~NPS-HPL~~NPSHPL,[979] except as provided for in (~~5~~4)[980] below,

(~~4~~3)[981] provides for *primary production*, *rural industry*, and supporting activities, and recognises:

(a) the importance of these activities to the social and economic well-being[982] of Otago's communities, and

(b) that mining and aggregate activities can only be located where those resources are present,[983]

(~~5~~4)[984] enables the use by Kāi Tahu of ~~Native Reserves~~native reserves and ~~Māori Land~~*Māori land*[985]~~, for papakāika, kāika, nohoaka, marae and marae related activities~~[986] in accordance with MW-P4,

(~~6~~5)[987] restricts the establishment of non-rural activities which could adversely affect, including by way of ~~reverse sensitivity~~*reverse sensitivity*[988] or fragmentation, the ~~productive capacity~~*productive capacity* of ~~highly productive~~*highly productive*[989] *land*, or existing or anticipated *primary production* and *rural industry* activities, except as provided for in (~~5~~4)[990] or the ~~NPS-HPL~~NPSHPL[991]~~.; and~~[992], and[993]

(~~7~~6)[994] 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,

[971] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[972] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[973] Clause 16(2) memorandum (14 May 2026)
[974] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[975] Clause 16(2) memorandum (14 May 2026)
[976] Clause 16(2) memorandum (14 May 2026)
[977] Clause 16(2) memorandum (14 May 2026)
[978] Clause 16(2) memorandum (14 May 2026)
[979] Clause 16(2) memorandum (14 May 2026)
[980] Clause 16(2) memorandum (14 May 2026)
[981] Clause 16(2) memorandum (14 May 2026)
[982] Clause 16(2) memorandum (14 May 2026)
[983] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[984] Clause 16(2) memorandum (14 May 2026)
[985] Clause 16(2) memorandum (14 May 2026)
[986] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[987] Clause 16(2) memorandum (14 May 2026)
[988] Clause 16(2) memorandum (14 May 2026)
[989] Clause 16(2) memorandum (14 May 2026)
[990] Clause 16(2) memorandum (14 May 2026)
[991] Clause 16(2) memorandum (14 May 2026)
[992] ~~Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333~~
[993] Clause 16(2) memorandum (14 May 2026)
[994] Clause 16(2) memorandum (14 May 2026)

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.[995]

~~UFD-P8~~LF-LS-P26[996] – Rural lifestyle development

The establishment, development or expansion of rural lifestyle development only occurs where:

(~~2~~1)[997] 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~~2)[998] it minimises impacts on existing or anticipate~~d~~ds[999] *primary production, rural industry* and other rural activities and the potential for ~~reverse sensitivity~~*reverse sensitivity*[1000] *effects*~~.~~,[1001]

(~~4~~3)[1002] it avoids *highly productive land* except as provided for in the ~~NPS-HPL~~NPSHPL,[1003]

(~~5~~4)[1004] 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~~ P27[1005] – 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,

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[995] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[996] Clause 16(2) memorandum (14 May 2026)
[997] Clause 16(2) memorandum (14 May 2026)
[998] Clause 16(2) memorandum (14 May 2026)
[999] Clause 16(2) memorandum (5 December 2024)
[1000] Clause 16(2) memorandum (14 May 2026)
[1001] Clause 16(2) memorandum (5 May 2025)
[1002] Clause 16(2) memorandum (14 May 2026)
[1003] Clause 16(2) memorandum (14 May 2026)
[1004] Clause 16(2) memorandum (14 May 2026)
[1005] Clause 16(2) memorandum (14 May 2026)

(b) ~~significant natural areas~~*significant natural areas*,[1006]

(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*,[1007]

(g) establishing vegetation, or

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

Methods

LF-LS-~~M11A~~M12[1008] – Identification of *highly productive land*

(1) ~~In collaboration with *territorial authorities* and in consultation with *mana whenua,*~~[1009]Otago Regional Council must identify *highly productive land* in Otago in accordance with LS-LS-P~~19(1)~~7[1010]~~:~~

(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,[1011] 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.~~[1012]

LF-LS-~~M11~~ M13[1013] – *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

[1006] Clause 16(2) memorandum (14 October 2025)
[1007] Clause 16(2) memorandum (14 October 2025)
[1008] Clause 16(2) memorandum (14 May 2026)
[1009] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[1010] Clause 16(2) memorandum (14 May 2026)
[1011] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[1012] Clause 16(2) memorandum (5 December 2024)
[1013] Clause 16(2) memorandum (14 May 2026)

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*,[1014] and

(~~2A~~3)[1015] enable the *discharge* of *contaminants* to *land* for *pest* control, and

(~~34~~)[1016] implement policies LF-LS-~~P16~~ P19 to LF-LS-~~P22~~P27.[1017]

LF-LS-~~M12~~ M14[1018] – *District plans*

Territorial authorities must prepare or amend and maintain their *district plans* ~~no later than 31 December 2026~~[1019] to:

(~~1A~~)[1020] manage activities that may affect the ability of *environmental outcomes* for *fresh water* to be achieved,[1021]

(~~1~~2)[1022] manage *land* use change by:

(a~~a~~)[1023] ~~avoiding~~ managing the planting of *pest plants* in accordance with LF-LS-~~P16A~~P18,[1024] and, when identifying any need for and size of a buffer zone for the purposes of LF-LS-P~~16A~~18,[1025] *territorial 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 APP~~5~~7[1026] into the area to be protected,[1027]

~~(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~~[1028]

(b) avoiding, where practicable, and otherwise[1029] minimising the removal of montane tall tussock grasslands, to recognise their ability to capture and hold precipitation, and

(~~2~~3)[1030] provide for and promote the creation and enhancement of vegetated riparian margins and constructed *wetlands*, and maintain these where they already exist,

(~~3~~4)[1031] 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

[1014] Clause 16(2) memorandum (14 October 2025)
[1015] Clause 16(2) memorandum (14 May 2026)
[1016] Clause 16(2) memorandum (14 May 2026)
[1017] Clause 16(2) memorandum (14 May 2026)
[1018] Clause 16(2) memorandum (14 May 2026)
[1019] Clause 16(2) memorandum (24 March 2025)
[1020] Clause 16(2) memorandum (14 May 2026)
[1021] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[1022] Clause 16(2) memorandum (14 May 2026)
[1023] Clause 16(2) memorandum (14 May 2026)
[1024] Clause 16(2) memorandum (14 May 2026)
[1025] Clause 16(2) memorandum (14 May 2026)
[1026] Clause 16(2) memorandum (14 May 2026)
[1027] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[1028] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[1029] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[1030] Clause 16(2) memorandum (14 May 2026)
[1031] Clause 16(2) memorandum (14 May 2026)

(~~4~~5)[1032] maintain the availability and *productive capacity* of *highly productive land* identified and mapped under LF-LS-~~M11A~~M12 in accordance with LF-LS-~~P19~~P24,[1033] and

(~~8~~6)[1034] manage development in *rural areas* in accordance with ~~UFD-P7~~LF-LS-P25,[1035]

(~~9~~7)[1036] manage ~~and~~[1037] rural lifestyle activities development in in accordance with ~~UFD-P8~~LF-LS-P26.[1038]

LF-LS-~~M13~~ M15[1039] – 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*[1040] *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*[1041] *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~~ M16[1042] – Other methods

In addition to methods LF-LS-~~M11A~~M12[1043,1044] to LF-LS-~~M13~~M15,[1045] the methods in the LF-WAI and LF-FW sections are also applicable.

Explanation

LF-LS-~~E4~~ E3[1046] – 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*[1047] 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

[1032] Clause 16(2) memorandum (14 May 2026)
[1033] Clause 16(2) memorandum (14 May 2026)
[1034] Clause 16(2) memorandum (14 May 2026)
[1035] Clause 16(2) memorandum (14 May 2026)
[1036] Clause 16(2) memorandum (14 May 2026)
[1037] Clause 16(2) memorandum (5 May 2025)
[1038] Clause 16(2) memorandum (14 May 2026)
[1039] Clause 16(2) memorandum (14 May 2026)
[1040] Clause 16(2) memorandum (14 October 2025)
[1041] Clause 16(2) memorandum (14 October 2025)
[1042] Clause 16(2) memorandum (14 May 2026)
[1044] Clause 16(2) memorandum (14 May 2026)
[1045] Clause 16(2) memorandum (14 May 2026)
[1046] Clause 16(2) memorandum (14 May 2026)
[1047] Clause 16(2) memorandum (14 October 2025)

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*[1048] 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~~ PR3 [1049] – 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*[1050] 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 *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

[1048] Clause 16(2) memorandum (14 October 2025)
[1049] Clause 16(2) memorandum (14 May 2026)
[1050] Clause 16(2) memorandum (14 October 2025)

constrained by external factors such as economics, erosion, natural and human induced hazards, animal, and plant ~~pests~~*pests*.[1051]

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*[1052] 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*,[1053] 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~~.[1054] 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*[1055] will need to be aware of the potential future constraints on future urban expansion and development, including the cumulative impacts of ~~infrastructure~~ *infrastructure*[1056] 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~~AER13[1057]	The area of *land* vegetated by *wilding conifers* is reduced.
LF-LS-~~AER12B~~AER14[1058]	The extent and distribution of *pests* does not increase.
LF-LS-~~AER12~~AER15[1059]	The life-supporting capacity of soil is maintained or improved throughout Otago.
LF-LS-~~AER13~~AER16[1060]	The availability and capability of Otago's ~~highly productive land~~*highly productive land*[1061] is maintained.
LF-LS-~~AER14~~AER17[1062]	The use of *land* supports the achievement of *environmental outcomes* and objectives in Otago's *FMUs* and rohe.

[1051] Clause 16(2) memorandum (14 October 2025)
[1052] Clause 16(2) memorandum (14 October 2025)
[1053] Clause 16(2) memorandum (14 October 2025)
[1054] Clause 16(2) memorandum (14 May 2026)
[1055] Clause 16(2) memorandum (14 October 2025)
[1056] Clause 16(2) memorandum (14 October 2025)
[1057] Clause 16(2) memorandum (14 May 2026)
[1058] Clause 16(2) memorandum (14 May 2026)
[1059] Clause 16(2) memorandum (14 May 2026)
[1060] Clause 16(2) memorandum (14 May 2026)
[1061] Clause 16(2) memorandum (14 October 2025)
[1062] Clause 16(2) memorandum (14 May 2026)

~~**UFD-AER11**~~**LF-LS-AER18**[1063]	New rural lifestyle development occurs within areas appropriate for this use.
LF-LS-~~AER15~~AER19[1064]	The establishment of activities within *rural areas* does not result in adverse *effects* on activities functionally dependent on rural resources and rural surroundings.

[1063] Clause 16(2) memorandum (14 May 2026)
[1064] Clause 16(2) memorandum (14 May 2026)

TOPICS

ECO – Ecosystems and indigenous *biodiversity*

Objectives

ECO-O1 – ~~Indigenous~~ *Indigenous*[1065] *biodiversity*

Otago's *indigenous biodiversity* is healthy and thriving and, at a minimum,[1066] any overall decline in condition, quantity and diversity is halted.

ECO-O2 – Restoring and enhancing

Restoration and enhancement activities result in an overall increase in the extent and *occupancy* of Otago's *indigenous biodiversity*.

ECO-O3 – *Kaitiakitaka* and stewardship

~~*Mana whenua*~~Kāi Tahu exercise their rakatirataka and[1067] 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).

ECO-O4 – Social, economic and cultural well-being

While achieving ECO-O1, ECO-O2 and ECO-O3, the social, cultural and economic well-being of people and communities now and in the future is provided for.[1068]

Policies

ECO-~~P7~~ P1[1069] – Coastal and *freshwater*[1070] *indigenous biodiversity*[1071]

~~*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.~~

This chapter applies to all forms of *indigenous biodiversity* except that:

(1) ECO-P~~2~~3[1072] only applies to *land* covered by *water*, *water bodies*, or *freshwater* ecosystems that are not within a *natural inland wetland* if those areas are contained within a wider *significant natural*

[1065] Clause 16(2) memorandum (14 October 2025)
[1066] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1067] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1068] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1069] Clause 16(2) memorandum (14 May 2026)
[1070] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1071] Clause 16(2) memorandum (5 May 2025)
[1072] Clause 16(2) memorandum (14 May 2026)

area identified in accordance with ECO-M2, and

(2) ECO-P~~3~~4, ECO-P~~4~~5, ECO-P~~5A~~6, ECO-P~~6~~7, and ECO-P~~13~~12[1073] do not apply in the coastal environment or to *land* covered by *water, water bodies*, or *freshwater* ecosystems.[1074]

ECO-~~P1~~ P2[1075] – *Kaitiakitaka*

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~~2)[1076] working with Kāi Tahu to identify *indigenous species* and ecosystems that are taoka,

(~~2~~3)[1077] incorporating the use of mātauraka Māori in the management and monitoring of *indigenous biodiversity*, and

(~~3~~4)[1078] facilitating access to and use of *indigenous biodiversity* by Kāi Tahu, including ~~mahika kai~~*mahika kai*,[1079] according to tikaka.

ECO-~~P2~~ P3[1080] – Identifying *significant natural areas* and taoka

Except as provided for by ECO-P~~7~~1,[1081] i~~I~~dentify[1082] 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*[1083] and ecosystems that are taoka, including those identified by *mana whenua* as requiring protection, in accordance with ECO-M3.

ECO-~~P3~~ P4[1084] – Protecting *significant natural areas* and taoka

~~Outside the coastal environment, and e~~Except[1085] as provided for by ECO-P1, ECO-~~P4~~P5, ~~and~~ and ECO-~~P5A~~P6, ~~and ECO-P7~~[1086] ~~protect *significant natural areas* and indigenous species and ecosystems that are taoka by~~:[1087]

(1) protect *significant natural areas* by first avoiding the following adverse *effects* ~~that result in~~:[1088]

(~~a~~a)[1089] loss of ecosystem representation and extent,

[1073] Clause 16(2) memorandum (14 May 2026)
[1074] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1075] Clause 16(2) memorandum (14 May 2026)
[1076] Clause 16(2) memorandum (14 May 2026)
[1077] Clause 16(2) memorandum (14 May 2026)
[1078] Clause 16(2) memorandum (14 May 2026)
[1079] Clause 16(2) memorandum (14 October 2025)
[1080] Clause 16(2) memorandum (14 May 2026)
[1081] Clause 16(2) memorandum (14 May 2026)
[1082] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1083] Clause 16(2) memorandum (14 October 2025)
[1084] Clause 16(2) memorandum (14 May 2026)
[1085] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1086] Clause 16(2) memorandum (14 May 2026)
[1087] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1088] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1089] Clause 16(2) memorandum (14 May 2026)

(~~a~~b)[1090] disruption to sequences, mosaics, or *ecosystem function*,

(~~a~~c)[1091] fragmentation of *significant natural areas* or the loss of buffers or connections within an *SNA*,

(~~a~~d)[1092] a reduction in the function of the *significant natural area* as a buffer or connection to other important ~~habitats~~ *habitats*[1093] or ecosystems, or

(~~a~~e)[1094] a reduction in the population size or occupancy of *Threatened or At Risk (declining) species* that use a~~n~~[1095] *significant natural area* for any part of their life cycle, and[1096]

(2) protect *indigenous species* and ecosystems that are taoka by first avoiding adverse *effects* that result in ~~(b)~~[1097] any loss of taoka values identified by *mana whenua* as requiring protection under ECO-~~P2~~P3(2),[1098] and

(~~2~~A3)[1099] after (1) and (2),[1100] applying the *effects management hierarchy (in relation to indigenous biodiversity)* to areas and values other than those covered by ECO-~~P3~~P4(1),[1101] and

(~~3~~4)[1102] prior to *significant natural areas* and ~~indigenous species~~*indigenous species*[1103] and ecosystems that are taoka being identified and mapped in accordance with ECO-~~P2~~P3,[1104] adopt a precautionary approach towards activities in accordance with IM-~~P6~~P4(2).[1105]

ECO-~~P4~~ P5[1106] – Provision for specified[1107] new activities

~~Outside of the coastal environment~~Except as provided for by ECO-P~~7~~1,[1108, 1109] 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*[1110] or notices of requirement for the following activities in *significant natural areas*, or where they may adversely affect ~~indigenous species~~*indigenous species*[1111] and ecosystems that are taoka (but are not specified *highly mobile fauna)*[1112] that have been identified by *mana whenua* as requiring protection:

[1090] Clause 16(2) memorandum (14 May 2026)
[1091] Clause 16(2) memorandum (14 May 2026)
[1092] Clause 16(2) memorandum (14 May 2026)
[1093] Clause 16(2) memorandum (14 October 2025)
[1094] Clause 16(2) memorandum (14 May 2026)
[1095] Clause 16(2) memorandum (5 May 2025)
[1096] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1097] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1098] Clause 16(2) memorandum (14 May 2026)
[1099] Clause 16(2) memorandum (14 May 2026)
[1100] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1101] Clause 16(2) memorandum (14 May 2026)
[1102] Clause 16(2) memorandum (14 May 2026)
[1103] Clause 16(2) memorandum (14 October 2025)
[1104] Clause 16(2) memorandum (14 May 2026)
[1105] Clause 16(2) memorandum (14 May 2026)
[1106] Clause 16(2) memorandum (14 May 2026)
[1107] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1108] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1109] Clause 16(2) memorandum (14 May 2026)
[1110] Clause 16(2) memorandum (14 October 2025)
[1111] Clause 16(2) memorandum (14 October 2025)
[1112] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

(1) except as provided for in (~~1AA~~2),[1113] new *subdivision*, use or development for the purpose of the construction~~the development, operation, maintenance~~[1114] 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*[1115] or ecosystems that are taoka, and there are no practicable alternative locations,

(~~1AA~~2)[1116] the development, operation, maintenance or upgrade of *renewable electricity generation* 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* or ecosystems that are taoka, and alternative sites, methods and designs have been considered under EIT-EN-~~P6~~P17,[1117, 1118]

(~~1A~~3)[1119] new *subdivision,* use or development for the purpose of ~~the development, operation and maintenance of~~ *mineral* extraction ~~activities~~that provide~~s~~[1120] 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~~4)[1121] new *subdivision,* use or development for the purpose of ~~the development, operation and maintenance of~~ aggregate extraction~~ activities~~ that provide~~s~~ 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, and there are no practicable alternative locations, and[1122]

~~(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*,~~[1123]

(~~2A~~5)[1124] 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,~~[1125]

[1113] Clause 16(2) memorandum (14 May 2026)
[1114] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1115] Clause 16(2) memorandum (14 October 2025)
[1116] Clause 16(2) memorandum (14 May 2026)
[1117] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1118] Clause 16(2) memorandum (14 May 2026)
[1119] Clause 16(2) memorandum (14 May 2026)
[1120] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1121] Clause 16(2) memorandum (14 May 2026)
[1122] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1123] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1124] Clause 16(2) memorandum (14 May 2026)
[1125] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

(~~4~~6)[1126] 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~~7)[1127] activities that are for the purpose of addressing a severe or immediate risk to public health or safety,

(~~6~~8)[1128] activities that are for the purpose of ~~a~~[1129] 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~~9)[1130] activities that are for the purpose of harvesting indigenous tree species from a~~n~~[1131] *significant natural area* carried out in accordance with a forest management plan or permit under Part 3A of the Forests Act 1949.

ECO-~~P5A~~ P6[1132] – Managing adverse ~~effects~~ *effects*[1133] of *established activities* on *significant natural areas*[1134]

~~Outside of the coastal environment~~Except as provided for by ECO-P7, enable *established activities* ~~the maintenance, operation, and upgrade of established activities~~[1135] (excluding activities managed under ECO-~~P3~~ P4 and ECO-~~P4~~P5)~~,~~[1136, 1137] 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*, subject to ECO-P~~12~~11.[1138, 1139]

ECO-~~P6~~ P7[1140] – Maintaining ~~indigenous~~ *indigenous*[1141] *biodiversity*

~~Outside the coastal environment~~Except as provided for by ECO-P~~7~~1,[1142] and excluding areas protected under ECO-~~P3~~P4,[1143] manage Otago's *indigenous biodiversity* by all of the following:[1144]

(1) applying the *effects management hierarchy (in relation to indigenous biodiversity)*[1145] to manage

[1126] Clause 16(2) memorandum (14 May 2026)
[1127] Clause 16(2) memorandum (14 May 2026)
[1128] Clause 16(2) memorandum (14 May 2026)
[1129] Clause 16(2) memorandum (5 May 2025)
[1130] Clause 16(2) memorandum (14 May 2026)
[1131] Clause 16(2) memorandum (5 May 2025)
[1132] Clause 16(2) memorandum (14 May 2026)
[1133] Clause 16(2) memorandum (14 October 2025)
[1134] Clause 16(2) memorandum (5 May 2025)
[1135] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1136] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1137] Clause 16(2) memorandum (14 May 2026)
[1138] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1139] Clause 16(2) memorandum (14 May 2026)
[1140] Clause 16(2) memorandum (14 May 2026)
[1141] Clause 16(2) memorandum (14 October 2025)
[1142] Clause 16(2) memorandum (14 May 2026)
[1143] Clause 16(2) memorandum (14 May 2026)
[1144] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1145] Clause 16(2) memorandum (5 May 2025)

significant adverse ~~effects~~ *effects*[1146] on ~~indigenous biodiversity~~*indigenous biodiversity*~~)~~[1147] and recognising and providing for the protection of significant *indigenous biodiversity* values identified under ECO-M2(~~4~~5),[1148] ~~and~~[1149]

(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*[1150] and *nationally significant infrastructure*[1151] that is either *renewable electricity generation*[1152] or the *National Grid*[1153] avoid, remedy or mitigate adverse *effects*[1154] to the extent practicable~~.~~, and

(4) when significant *indigenous biodiversity* values are identified under ECO-M2(~~4~~5),[1155] protecting those values in *district plans*.[1156]

ECO-P8 – *Restoration* and enhancement[1157]

The extent, *occupancy* and condition of Otago's ~~indigenous~~ *indigenous*[1158] *biodiversity* is increased by:

(1) restoring and enhancing ~~habitat~~ *habitat*[1159] for ~~indigenous species~~*indigenous species*, including taoka and ~~mahika kai~~*mahika kai*[1160] species,

(2) improving the health and *resilience* of *indigenous biodiversity*, including ecosystems, species, ~~ecosystem function~~*ecosystem function*,[1161] and *intrinsic values*,

(3) buffering or linking ecosystems, ~~habitats~~ *habitats*[1162] 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*,[1163]

(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

[1146] Clause 16(2) memorandum (14 October 2025)
[1147] Clause 16(2) memorandum (14 October 2025)
[1148] Clause 16(2) memorandum (14 May 2026)
[1149] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1150] Clause 16(2) memorandum (5 May 2025)
[1151] Clause 16(2) memorandum (5 May 2025)
[1152] Clause 16(2) memorandum (5 May 2025)
[1153] Clause 16(2) memorandum (5 May 2025)
[1154] Clause 16(2) memorandum (5 May 2025)
[1155] Clause 16(2) memorandum (14 May 2026)
[1156] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1157] Clause 16(2) memorandum (5 May 2025)
[1158] Clause 16(2) memorandum (14 October 2025)
[1159] Clause 16(2) memorandum (14 May 2026)
[1160] Clause 16(2) memorandum (14 October 2025)
[1161] Clause 16(2) memorandum (14 October 2025)
[1162] Clause 16(2) memorandum (14 October 2025)
[1163] Clause 16(2) memorandum (14 October 2025)

indigenous biodiversity restoration.

ECO-~~P10~~ P9[1164] – Integrated approach

Manage *indigenous biodiversity* and the *effects* on it from ~~subdivision~~*subdivision*,[1165] 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~~ *effects* of ~~land use~~*land use*[1166] activities on coastal biodiversity and ecosystems,

(~~2A~~3)[1167] acknowledging that *climate change* will affect *indigenous biodiversity* and managing activities which may exacerbate the *effects* of *climate change*,

(~~3~~4)[1168] providing for the coordinated management and control of ~~subdivision~~*subdivision*,[1169] use and development, as it affects *indigenous biodiversity* across administrative boundaries,

(~~4~~5)[1170] working towards aligning strategies and other planning tools required or provided for in legislation that are relevant to *indigenous biodiversity*,

(~~5~~6)[1171] recognising the critical role of people and communities in actively managing the remaining *indigenous biodiversity* occurring on private *land,* and

(~~6~~7)[1172] adopting regulatory and non-regulatory regional *pest* management programmes (including, where necessary, in relation to *wilding conifers*).[1173]

ECO-~~P11~~ P10[1174] – Resilience to *climate change*

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

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[1164] Clause 16(2) memorandum (14 May 2026)
[1165] Clause 16(2) memorandum (14 October 2025)
[1166] Clause 16(2) memorandum (14 May 2026)
[1167] Clause 16(2) memorandum (14 May 2026)
[1168] Clause 16(2) memorandum (14 May 2026)
[1169] Clause 16(2) memorandum (14 October 2025)
[1170] Clause 16(2) memorandum (14 May 2026)
[1171] Clause 16(2) memorandum (14 May 2026)
[1172] Clause 16(2) memorandum (14 May 2026)
[1173] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1174] Clause 16(2) memorandum (14 May 2026)

viable niches as the climate changes, and

(4) recognising the role of *indigenous biodiversity* in mitigating and adapting to[1175] the *effects* of *climate change*.

ECO-~~P12~~ P11[1176] – Plantation forestry activities

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~~.~~, and

(3) the maintenance of *indigenous biodiversity* under ECO-P~~6~~7[1177] in a way that provides for *plantation forestry* activities to continue.[1178]

ECO-~~P13~~P12[1179] – Managing *indigenous biodiversity* on native reserves and *Māori land*

In relation to native reserves and *Māori land* outside the coastal environment, recognise and give practical effect to Kāi Tahu rakatirataka and *kaitiakitaka* by:

(1) enabling *mana whenua*, and owners of Māori freehold *land* in relation to their *land*, to lead approaches to the management of the *effect*s of use and development of native reserves and *Māori land* on *indigenous biodiversity*, in accordance with mātauraka and tikaka,

(2) applying mātauraka and tikaka to protect identified taoka and SNAs, and maintain and restore *indigenous biodiversity*:

(a) to the extent practicable,

(b) in a manner appropriate to the particular native reserve or *Māori land*, and

(c) having regard to the principles of the Treaty of Waitangi, and the purpose of the redress provided for in the NTCSA, including redress arising from the Ancillary Claims and SILNA, and

(3) recognising that there are circumstances where the use and development of native reserves and *Māori land*, as provided in MW-P4, will prevail over the *indigenous biodiversity* values of that *land*, and

(4) recognising that this policy applies instead of ECO-P~~3~~4 to ECO-P~~6~~7[1180] in relation to native reserves and *Māori land*.[1181]

[1175] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1176] Clause 16(2) memorandum (14 May 2026)
[1177] Clause 16(2) memorandum (14 May 2026)
[1178] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1179] Clause 16(2) memorandum (14 May 2026)
[1180] Clause 16(2) memorandum (14 May 2026)
[1181] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

Methods

ECO-M1 – Statement of responsibilities

In accordance with section 62(1)(i)(iii) of the RMA ~~1991~~[1182], the *local authorities* responsible for the control of *land* use to maintain indigenous *biological diversity* are:

(1) the ~~Regional Council~~ regional council[1183] and *territorial authorities* are responsible for specifying objectives, policies and methods in *regional plans*[1184] and *district plans* for managing the margins of *wetlands*, *rivers* and *lakes*,

(2) the ~~Regional Council~~ regional council[1185] is responsible for specifying objectives, policies and methods in *regional plans*:

(a) in the ~~coastal marine area~~*coastal marine area*,[1186]

(b) in ~~wetlands~~*wetlands*,[1187] ~~lakes~~ *lakes*[1188] and ~~rivers~~*rivers*,[1189] 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 council[1190] under (4), and

(4) the ~~Regional Council~~ regional council[1191] 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 council[1192] reaches agreement with the relevant *territorial authority* or *territorial authorities*, and

(b) if applicable, a transfer of powers in accordance with section 33 of the RMA ~~1991~~[1193]occurs from the relevant *territorial authority* or *territorial authorities* to the ~~Regional Council~~regional council.[1194]

ECO-M2 – Identification of *significant natural areas*

~~Local authorities~~*Local authorities*[1195] 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~~P3,[1196] and

(2) map ~~and~~ (including verification wherever practicable)~~verify~~ the areas and include the *indigenous*

[1182] Clause 16(2) memorandum (14 May 2026)
[1183] Clause 16(2) memorandum (14 October 2025)
[1184] Clause 16(2) memorandum (14 May 2026)
[1185] Clause 16(2) memorandum (14 October 2025)
[1186] Clause 16(2) memorandum (14 October 2025)
[1187] Clause 16(2) memorandum (14 October 2025)
[1188] Clause 16(2) memorandum (14 October 2025)
[1189] Clause 16(2) memorandum (14 October 2025)
[1190] Clause 16(2) memorandum (14 October 2025)
[1191] Clause 16(2) memorandum (14 October 2025)
[1192] Clause 16(2) memorandum (14 October 2025)
[1193] Clause 16(2) memorandum (14 October 2025)
[1194] Clause 16(2) memorandum (14 October 2025)
[1195] Clause 16(2) memorandum (14 October 2025)
[1196] Clause 16(2) memorandum (14 May 2026)

biodiversity values identified under (1) in the relevant *regional plans* and *district plans* ~~no later than 31 December 2030~~,[1197] and[1198]

(3~~A~~)[1199] identify areas and values of *indigenous biodiversity* within their jurisdictions in accordance with CE-~~P5~~P6,[1200] map the areas and describe their values in the relevant *regional plans* and *district plans,* and

(~~3~~4)[1201] recognise that *indigenous biodiversity*[1202] 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*[1203] is managed in accordance with this RPS,

(~~4~~5)[1204] 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~~6)[1205] in the following areas, prioritise identification under (1):[1206]

(a) intermontane basins that contain *indigenous vegetation*[1207] and *habitats*,[1208]

(b) areas of dryland shrubs,

(c) areas which include braided ~~*rivers*~~*river* systems,[1209] including the Makarore, Mātakitaki and Lower Waitaki Rivers,

(d) areas of montane tall tussock grasslands, and

(e) limestone habitats~~.~~, and[1210]

(~~6~~7)[1211] ~~When~~ when[1212] 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*[1213]:

(i) conducts a physical inspection of the area, or[1214]

(ii) ~~or,~~[1215] if a physical inspection is not practicable, uses the best information available to

[1197] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1198] Clause 16(2) memorandum (5 May 2025)
[1199] Clause 16(2) memorandum (14 May 2026)
[1200] Clause 16(2) memorandum (14 May 2026)
[1201] Clause 16(2) memorandum (14 May 2026)
[1202] Clause 16(2) memorandum (5 May 2025)
[1203] Clause 16(2) memorandum (5 May 2025)
[1204] Clause 16(2) memorandum (14 May 2026)
[1205] Clause 16(2) memorandum (14 May 2026)
[1206] Clause 16(2) memorandum (5 May 2025)
[1207] Clause 16(2) memorandum (5 May 2025)
[1208] Clause 16(2) memorandum (5 May 2025)
[1209] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1210] Clause 16(2) memorandum (5 December 2024)
[1211] Clause 16(2) memorandum (14 May 2026)
[1212] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1213] Clause 16(2) memorandum (5 May 2025)
[1214] Clause 16(2) memorandum (5 May 2025)
[1215] Clause 16(2) memorandum (5 May 2025)

it at the time, and

(b) if requested by a *territorial authority,* the regional council[1216] will assist the *territorial authority*[1217] 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 in accordance with any timeframes specified in the NPSIB,[1218] and

(d) if a ~~*territorial*~~ *local*[1219] *authority* becomes aware (as a result of a ~~resource consent~~*resource consent*[1220] application, notice of requirement or any other means) that an area may be an area of significant *indigenous vegetation* or significant *habitat* of indigenous fauna that qualifies as a *significant natural area*, the ~~*territorial*~~ *local*[1221] *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*~~ *local*[1222] *authority*, and

(e) when a *territorial authority* does its 10-yearly plan review, it assesses its district in accordance with ECO-~~P2~~ P3[1223] and APP2 to determine whether changes are needed, and

(~~7~~8)[1224] allow an area of Crown-owned land to qualify as a *significant natural area* without the need for the assessment required by ECO-~~P2~~P3,[1225] using APP2, if:

(a) the ~~land~~ *land*[1226] 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,

[1216] Clause 16(2) memorandum (5 May 2025)
[1217] Clause 16(2) memorandum (5 May 2025)
[1218] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1219] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1220] Clause 16(2) memorandum (14 October 2025)
[1221] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1222] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1223] Clause 16(2) memorandum (14 May 2026)
[1224] Clause 16(2) memorandum (14 May 2026)
[1225] Clause 16(2) memorandum (14 May 2026)
[1226] Clause 16(2) memorandum (14 October 2025)

ecological area, or wildlife management area under the Conservation Act 1987, or an isolated part of a national park.

ECO-M3 – Identification of taoka

Local authorities must:

(1) work together with *mana whenua* to agree a process for:

(a) identifying ~~indigenous species~~*indigenous species*[1227] 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*[1228] and *district plans* to include matters (1)(b) to (1)(d) above, and

(4) recognise that the possible adverse *effects* on identified taoka[1229] include *effects* on:

(a) the mauri of the taoka[1230],

(b) the values of the taoka[1231] as identified by *mana whenua*,[1232]

(c) the historical, cultural, and spiritual relationship of ~~the tangata whenua~~*takata whenua*[1233] with the taoka[1234], as identified by *mana whenua,* and

(5) notify the relevant landowner of the presence~~present~~[1235] of the ~~*taoka*~~ taoka[1236] prior to identifying acknowledged ~~*taoka*~~ taoka[1237] in a proposed *district plan.*

ECO-M4 – *Regional plans*

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,~~[1238] provide for the use of *lakes* and *rivers*,[1239] and their *beds,* including:

[1227] Clause 16(2) memorandum (14 October 2025)
[1228] Clause 16(2) memorandum (14 October 2025)
[1229] Clause 16(2) memorandum (5 May 2025)
[1230] Clause 16(2) memorandum (5 May 2025)
[1231] Clause 16(2) memorandum (5 May 2025)
[1232] Clause 16(2) memorandum (5 May 2025)
[1233] Clause 16(2) memorandum (14 October 2025)
[1234] Clause 16(2) memorandum (5 May 2025)
[1235] Clause 16(2) memorandum (5 May 2025)
[1236] Clause 16(2) memorandum (5 May 2025)
[1237] Clause 16(2) memorandum (5 May 2025)
[1238] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1239] Clause 16(2) memorandum (14 October 2025)

(a) activities undertaken for the purposes of ~~pest~~ *pest*[1240] control or maintaining or enhancing the *habitats*[1241] 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~~2)[1242] 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*[1243], of provisions for *mahika kai*[1244] and kaimoana activities that may provide an alternative approach to ~~effects~~ *effects*[1245] management than the policies in this ECO chapter (in accordance with ECO-M~~4D~~8,[1246, 1247]

~~(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 relation to indigenous biodiversity)* in ECO-P6[1248] have not been followed, and~~[1249]

(3) provide for activities undertaken for the purpose of restoring or enhancing the *habitats*[1250] of indigenous fauna~~.~~, and

(4) recognise that where access to and use of *indigenous biodiversity* by any person would require access to or through private *land*, such access is subject to the consent of the landowner.[1251]

ECO-~~M4A~~ M5[1252] – Increasing indigenous vegetation cover

(1)[1253] Otago Regional Council must:

(a~~1~~)[1254] assess the percentage of ~~indigenous vegetation~~*indigenous vegetation*[1255] cover in

(i~~a~~)[1256] each of its ~~urban environments~~*urban environments*;[1257] and

[1240] Clause 16(2) memorandum (14 October 2025)
[1241] Clause 16(2) memorandum (5 May 2025)
[1242] Clause 16(2) memorandum (14 May 2026)
[1243] Clause 16(2) memorandum (5 May 2025)
[1244] Clause 16(2) memorandum (5 May 2025)
[1245] Clause 16(2) memorandum (14 October 2025)
[1246] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1247] Clause 16(2) memorandum (14 May 2026)
[1248] ~~Clause 16(2) memorandum (5 May 2025)~~
[1249] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1250] Clause 16(2) memorandum (5 May 2025)
[1251] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1252] Clause 16(2) memorandum (14 May 2026)
[1253] Clause 16(2) memorandum (24 March 2025)
[1254] Clause 16(2) memorandum (24 March 2025)
[1255] Clause 16(2) memorandum (14 October 2025)
[1256] Clause 16(2) memorandum (24 March 2025)
[1257] Clause 16(2) memorandum (14 October 2025)

(ii~~b~~)[1258] its non-urban environments

(b~~2~~)[1259] the assessment may be done by a desktop analysis, by ground truthing, or both, and must be done in collaboration with relevant *territorial authorities*[1260],[1261] and *mana whenua* (to the extent they wish to be involved),

(c~~3~~)[1262] 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*,[1263] and

(i~~a~~)[1264] 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*,[1265] and

(ii~~b~~)[1266] include any ~~indigenous vegetation~~*indigenous vegetation*[1267] cover targets in their regional policy statements.

(2)[1268] ~~Local authorities~~*Local authorities* must~~:~~

~~(a1)~~[1269] promote the increase of ~~indigenous vegetation~~*indigenous vegetation*[1270] cover in their regions and districts through objectives, policies, and methods in their policy statements and plans:

(i~~a~~a)[1271]1272 having regard to any targets set under ECO-~~M4A(3)~~M5(1)(c);[1273] and

(ii~~b~~b)[1274]1275 giving priority to all the following:

(~~i~~i)~~i.~~[1276]1277 areas referred to in ECO-P8(4~~):~~),[1278]

(~~ii~~ii)~~ii.~~[1279]1280 ensuring *indigenous species* richness appropriate to the ecosystem~~:~~,[1281]

[1258] Clause 16(2) memorandum (24 March 2025)
[1259] Clause 16(2) memorandum (24 March 2025)
[1260] Clause 16(2) memorandum (5 May 2025)
[1261] Clause 16(2) memorandum (14 May 2026)
[1262] Clause 16(2) memorandum (24 March 2025)
[1263] Clause 16(2) memorandum (14 October 2025)
[1264] Clause 16(2) memorandum (24 March 2025)
[1265] Clause 16(2) memorandum (14 October 2025)
[1266] Clause 16(2) memorandum (24 March 2025)
[1267] Clause 16(2) memorandum (14 May 2026)
[1268] Clause 16(2) memorandum (24 March 2025)
[1269] ~~Clause 16(2) memorandum (24 March 2025)~~
[1270] Clause 16(2) memorandum (14 May 2026)
[1271] ~~Clause 16(2) memorandum (24 March 2025)~~
[1272] Clause 16(2) memorandum (14 October 2025)
[1273] Clause 16(2) memorandum (14 May 2026)
[1274] ~~Clause 16(2) memorandum (24 March 2025)~~
[1275] Clause 16(2) memorandum (14 October 2025)
[1276] ~~Clause 16(2) memorandum (24 March 2025)~~
[1277] Clause 16(2) memorandum (14 October 2025)
[1278] Clause 16(2) memorandum (14 October 2025)
[1279] ~~Clause 16(2) memorandum (24 March 2025)~~
[1280] Clause 16(2) memorandum (14 October 2025)
[1281] Clause 16(2) memorandum (14 October 2025)

(~~III~~iii)~~iii.~~[1282][1283] *restoration* at a landscape scale across the region~~;~~,[1284] and

(~~IV~~iv)~~iv.~~[1285][1286] using species, and seed from species, that are local to the area.

ECO-~~M4B~~ M6[1287] – ~~Specified highly mobile fauna~~*Specified highly mobile fauna*[1288]

~~Local authorities~~*Local authorities*[1289] must:

(1) include objectives, policies, or methods in their policy statements and plans for managing the adverse ~~effects~~ *effects*[1290] of new ~~subdivision~~*subdivision*,[1291] use, and development on highly mobile fauna areas, in order to maintain viable populations of ~~specified highly mobile fauna~~*specified highly mobile fauna*[1292] across their natural range~~.~~, and[1293]

(2) provide information to their communities about:

(a) highly mobile fauna and their *habitats;* and

(b) best practice techniques for managing adverse ~~effects~~ *effects*[1294] on any ~~specified highly mobile fauna~~*specified highly mobile fauna*[1295] and their *habitats* in their regions and districts.

ECO-~~M4C~~ M7[1296] – *Maintenance of improved pasture for farming*[1297]

~~Local authorities~~*Local authorities*[1298] must~~:~~

~~(1)~~ allow the *maintenance of improved pasture* to continue if:

(~~a~~1)[1299] 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

(~~b~~2)[1300] any adverse ~~effects~~ *effects*[1301] of the *maintenance of improved pasture* on a *significant natural area* are no greater in intensity, scale, or character than the ~~effects~~ *effects*[1302] of activities previously undertaken as part of the regular cycle of periodic maintenance of that pasture; and

(~~c~~3)[1303] the ~~improved pasture~~*improved pasture*[1304] has not itself become a~~n significant natural area~~

~~1282 Clause 16(2) memorandum (24 March 2025)~~
1283 Clause 16(2) memorandum (14 October 2025)
1284 Clause 16(2) memorandum (14 October 2025)
~~1285 Clause 16(2) memorandum (24 March 2025)~~
1286 Clause 16(2) memorandum (14 October 2025)
1287 Clause 16(2) memorandum (14 May 2026)
1288 Clause 16(2) memorandum (14 October 2025)
1289 Clause 16(2) memorandum (14 October 2025)
1290 Clause 16(2) memorandum (14 October 2025)
1291 Clause 16(2) memorandum (14 October 2025)
1292 Clause 16(2) memorandum (14 October 2025)
1293 Clause 16(2) memorandum (14 October 2025)
1294 Clause 16(2) memorandum (14 May 2026)
1295 Clause 16(2) memorandum (14 October 2025)
1296 Clause 16(2) memorandum (14 May 2026)
1297 Clause 16(2) memorandum (5 May 2025)
1298 Clause 16(2) memorandum (14 October 2025)
1299 Clause 16(2) memorandum (14 October 2025)
1300 Clause 16(2) memorandum (14 October 2025)
1301 Clause 16(2) memorandum (14 October 2025)
1302 Clause 16(2) memorandum (14 October 2025)
1303 Clause 16(2) memorandum (14 October 2025)
1304 Clause 16(2) memorandum (14 October 2025)

significant natural area[1305]; and

(~~d~~4)[1306] the ~~land~~ *land* is not an uncultivated ~~*Depositional*~~ *depositional*[1307] *landform;* and

(~~e~~5)[1308] the *maintenance of improved pasture*[1309] will not adversely affect a *Threatened or At Risk (declining)*[1310] species.

ECO-~~M4D~~ M8[1311] – Native reserves and Māori land

Local authorities must:

(1) work in partnership (which includes acting in good faith) with *mana whenua* and owners of native reserves and ~~Māori land~~*Māori land*[1312] to develop, and include in *district plans* and *regional plans* objectives, policies, and methods that may include providing an alternative approach to ~~effects~~ *effects*[1313] management for *indigenous biodiversity*[1314] than the policies in this ECO chapter (excluding ECO-P~~13~~12[1315]~~CE-P5~~), and ~~These objectives, policies and methods will seek, to the extent practicable to:~~[1316]

~~(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~~[1317]

(2) ensure that objectives, policies, and methods developed under (~~6~~1):[1318]

(a) enable new occupation, use, and development of ~~nature~~ native[1319] reserves and ~~Māori land~~*Māori land*[1320] to support the social, cultural, and economic well-being[1321] of *mana whenua* and owners of Māori freehold *land*,[1322] and

(b) enable the provision of new *papakāika,* marae and ancillary community facilities, dwellings, and associated ~~infrastructure~~*infrastructure*,[1323] 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*~~ taoka[1324] on native reserves and ~~Māori land~~*Māori land*,[1325] and enable options for

[1305] Clause 16(2) memorandum (5 May 2025)
[1306] Clause 16(2) memorandum (14 October 2025)
[1307] Clause 16(2) memorandum (14 October 2025)
[1308] Clause 16(2) memorandum (14 October 2025)
[1309] Clause 16(2) memorandum (5 May 2025)
[1310] Clause 16(2) memorandum (5 May 2025)
[1311] Clause 16(2) memorandum (14 May 2026)
[1312] Clause 16(2) memorandum (14 October 2025)
[1313] Clause 16(2) memorandum (14 October 2025)
[1314] Clause 16(2) memorandum (5 May 2025)
[1315] Clause 16(2) memorandum (14 May 2026)
[1316] ~~Clause 16(2) memorandum (5 May 2025)~~
[1317] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1318] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1319] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1320] Clause 16(2) memorandum (14 October 2025)
[1321] Clause 16(2) memorandum (14 May 2026)
[1322] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1323] Clause 16(2) memorandum (14 October 2025)
[1324] Clause 16(2) memorandum (14 October 2025)
[1325] Clause 16(2) memorandum (14 October 2025)

offsetting and compensation, and

(d) recognise and be responsive~~responsible~~[1326] to the fact there may be no or limited alternative location for *mana whenua* and owners of Māori freehold *land*[1327] to occupy, use, and develop their ~~lands~~*lands*,[1328] 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* and owners of Māori freehold *land*[1329] have faced in occupying, using, and developing their ancestral lands.

ECO-~~M5~~ M9[1330] – *District plans*

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

(1) ~~if the requirements of ECO-P3 to ECO-P6 are met,~~[1331] 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~~ *habitats*[1332] 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~~*indigenous vegetation*,[1333] while allowing for *mahika kai* activities (including through the development, in partnership with *mana whenua*[1334], of provisions for *mahika kai*[1335] activities that may provide an alternative approach to ~~effects~~ *effects*[1336] 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~~*resource consent*[1337] applications to include information that demonstrates that the sequential steps in the *effects management hierarchy* (*in relation to indigenous biodiversity)*[1338] have been followed, and

(b) that consents are not granted if the sequential steps in the *effects management hierarchy (in*

[1326] Clause 16(2) memorandum (5 May 2025)
[1327] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1328] Clause 16(2) memorandum (14 October 2025)
[1329] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1330] Clause 16(2) memorandum (14 May 2026)
[1331] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1332] Clause 16(2) memorandum (14 October 2025)
[1333] Clause 16(2) memorandum (14 October 2025)
[1334] Clause 16(2) memorandum (5 May 2025)
[1335] Clause 16(2) memorandum (5 May 2025)
[1336] Clause 16(2) memorandum (14 October 2025)
[1337] Clause 16(2) memorandum (14 October 2025)
[1338] Clause 16(2) memorandum (5 May 2025)

relation to indigenous biodiversity)[1339] have not been followed, ~~and~~[1340]

(5) provide for activities undertaken for the purpose of restoring or enhancing the *habitats*[1341] of indigenous fauna, and

(~~7~~6)[1342] require buffer zones adjacent to *significant natural areas* where it is necessary to protect the *significant natural area* (subject to LS-FS-P1~~6A~~),[1343] and

(~~8~~7)[1344] recognise that where access to and use of *indigenous biodiversity* by any person would require access to or through private *land*, such access is subject to the consent of the landowner.[1345]

ECO-~~M6~~ M10[1346] – Engagement

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~~ M11[1347] – Kāi Tahu *kaitiakitaka*[1348]

Local authorities[1349] 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*[1350] is early, meaningful, and in accordance with ~~tikanga~~ *tikaka*[1351] 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 kaiora (the health of *indigenous biodiversity),*

(6) where appropriate, incorporating Kāi Tahu mātauraka and tikaka in *indigenous biodiversity*

[1339] Clause 16(2) memorandum (5 May 2025)
[1340] Clause 16(2) memorandum (14 May 2026)
[1341] Clause 16(2) memorandum (5 May 2025)
[1342] Clause 16(2) memorandum (14 May 2026)
[1343] Clause 16(2) memorandum (14 May 2026)
[1344] Clause 16(2) memorandum (14 May 2026)
[1345] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1346] Clause 16(2) memorandum (14 May 2026)
[1347] Clause 16(2) memorandum (14 May 2026)
[1348] Clause 16(2) memorandum (5 May 2025)
[1349] Clause 16(2) memorandum (5 May 2025)
[1350] Clause 16(2) memorandum (5 May 2025)
[1351] Clause 16(2) memorandum (14 October 2025)

management and monitoring, and

(7) providing relevant information to *mana whenua* for the purposes of *indigenous biodiversity* management and monitoring.

ECO-~~M7B~~ M12[1352] – Information requirements

Local authorities[1353] must:

(1) require that, in relation to an application for a ~~resource consent~~*resource consent*[1354] for an activity that would have more than minor adverse ~~effects~~ *effects*[1355] 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) ensure the report required within ~~ECO-M2(4A)ECO-M7B(1)~~[1356] ECO-M12(1)[1357] above must:

(a) include a description of the existing ecological features and values of the site, including those in APP2 if applicable;[1358] and

(b) include a description of the adverse ~~effects~~ *effects*[1359] of the proposal on *indigenous biodiversity* and how those ~~effects~~ *effects*[1360] will be managed; and

(c) identify any ~~effects~~ *effects*[1361] 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 APP3~~APP4~~[1362] have been addressed; and

(iii) an assessment of the likely success of the plan in achieving a net gain in biodiversity values; and

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[1352] Clause 16(2) memorandum (14 May 2026)
[1353] Clause 16(2) memorandum (5 May 2025)
[1354] Clause 16(2) memorandum (14 October 2025)
[1355] Clause 16(2) memorandum (14 October 2025)
[1356] ~~Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396~~
[1357] Clause 16(2) memorandum (14 May 2026)
[1358] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1359] Clause 16(2) memorandum (14 October 2025)
[1360] Clause 16(2) memorandum (14 October 2025)
[1361] Clause 16(2) memorandum (14 October 2025)
[1362] Clause 16(2) memorandum (5 May 2025)

(h) if *biodiversity compensation*[1363] is proposed, set out:

(i) a detailed plan of what is proposed; and

(ii) a description of how the relevant principles in APP4~~Appendix 4 of this National Policy Statement~~[1364] have been addressed; and

(iii) an assessment of the likely success of the plan in achieving its outcomes~~.~~; and

(3) after a report is prepared in accordance with (1) and (2), assess the area in accordance with APP2 as soon as practicable.[1365]

ECO-~~M7~~ M13[1366] – Monitoring

Local authorities[1367] will:

(1) establish long-term monitoring programmes for areas identified under ECO-~~P2~~ P3[1368] that measure the net loss and gain of *indigenous biodiversity*[1369],

(2) record information (including data) over time about the state of species, vegetation types and 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~~ M14[1370] – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies ECO-~~P1~~ P2 to ECO-~~P10~~P9,[1371] including:

(1) providing information and guidance on the maintenance, ~~restoration~~ *restoration*[1372] and enhancement of indigenous ecosystems, *habitats*[1373], taoka and *mahika kai* species and ecosystems,

(2) funding assistance for ~~restoration~~ *restoration*[1374] projects (for example, through Otago Regional Council's ECO Fund),

(3) supporting the control of ~~pest~~ *pest*[1375] 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,

[1363] Clause 16(2) memorandum (5 May 2025)
[1364] Clause 16(2) memorandum (5 May 2025)
[1365] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1366] Clause 16(2) memorandum (14 May 2026)
[1367] Clause 16(2) memorandum (5 May 2025)
[1368] Clause 16(2) memorandum (14 May 2026)
[1369] Clause 16(2) memorandum (5 May 2025)
[1370] Clause 16(2) memorandum (14 May 2026)
[1371] Clause 16(2) memorandum (14 May 2026)
[1372] Clause 16(2) memorandum (14 October 2025)
[1373] Clause 16(2) memorandum (5 May 2025)
[1374] Clause 16(2) memorandum (14 May 2026)
[1375] Clause 16(2) memorandum (14 October 2025)

(5) covenants to protect areas of *indigenous biodiversity*[1376], including through the QEII National Trust,

(6) advocating for a collaborative approach between central and local government to fund *indigenous biodiversity*[1377] maintenance and enhancement, and

(7) gathering information on indigenous ecosystems, *habitats*[1378], and taoka and *mahika kai* species and ecosystems, including outside *significant natural areas*.

ECO-~~M9~~ M15[1379] – Regional Biodiversity Strategy

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 – Explanation

The first policy in this chapter outlines how the kaitiaki role of Kāi Tahu will be recognised in Otago. The policies which follow then set out a management regime for identifying *significant natural areas* and ~~indigenous species~~*indigenous species*[1380] 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 ~~effects management hierarchy~~*effects management hierarchy*[1381] to be implemented through decision making, including providing for *biodiversity* ~~offsetting~~ *offsetting* and ~~compensation~~ *biodiversity compensation*[1382] 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~~ *indigenous*[1383] *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~~ *indigenous*[1384] *biodiversity*.

Principal reasons

ECO-PR1 – Principal reasons

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

[1376] Clause 16(2) memorandum (5 May 2025)
[1377] Clause 16(2) memorandum (5 May 2025)
[1378] Clause 16(2) memorandum (5 May 2025)
[1379] Clause 16(2) memorandum (14 May 2026)
[1380] Clause 16(2) memorandum (14 October 2025)
[1381] Clause 16(2) memorandum (14 October 2025)
[1382] Clause 16(2) memorandum (14 October 2025)
[1383] Clause 16(2) memorandum (14 October 2025)
[1384] Clause 16(2) memorandum (14 October 2025)

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 managing the *effects* of *land* use, development and *subdivision* activities on ~~how~~ *indigenous biodiversity* ~~is to be managed~~.[1385]

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~~*indigenous species*[1386] 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-AER1	There is no further decline in the condition, quantity or diversity of Otago's *indigenous biodiversity*.[1387]
ECO-AER2	The condition, quantity and diversity of *indigenous biodiversity*[1388] within Otago improves over the life of this Regional Policy Statement.
ECO-AER3	Kāi Tahu are involved in the management of *indigenous biodiversity*[1389] and able to effectively exercise their *kaitiakitaka*.

[1385] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[1386] Clause 16(2) memorandum (14 October 2025)
[1387] Clause 16(2) memorandum (5 May 2025)
[1388] Clause 16(2) memorandum (5 May 2025)
[1389] Clause 16(2) memorandum (5 May 2025)

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~~ O1[1390] – Provision of *infrastructure*

Effective, efficient, safe and resilient *infrastructure, nationally significant infrastructure* and *regionally significant infrastructure* enables ~~the~~[1391] 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~~.~~, while adverse *effects* are managed.[1392]

EIT-INF-~~O5~~ O2[1393] – 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*~~.[1394]

EIT-INF-~~OXO~~3[1395] – Protecting ~~infrastructure~~*infrastructure*[1396] with national or regional significance

Regionally significant infrastructure and *nationally significant infrastructure* are not compromised by subdivision, use and development.[1397]

EIT-INF-~~O6~~O4[1398] – 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.~~[1399]

[1390] Clause 16(2) memorandum (14 May 2026)
[1391] Clause 16(2) memorandum (14 May 2026)
[1392] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1393] Clause 16(2) memorandum (14 May 2026)
[1394] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1395] Clause 16(2) memorandum (14 May 2026)
[1396] Clause 16(2) memorandum (14 May 2026)
[1397] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1398] Clause 16(2) memorandum (14 May 2026)
[1399] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

Policies

EIT-~~EN~~INF-~~P9A~~ P1[1400] – Providing for electricity distribution

Recognise and provide for electricity distribution infrastructure, by all of the following:

(1~~A~~)[1401] managing adverse *effects* in accordance with EIT-INF-P~~13~~4 and EIT-INF-P~~13~~A5,[1402, 1403]

(~~1~~2)[1404] recognising the ~~functional needs~~*functional needs*[1405] of electricity distribution activities~~;~~,[1406]

(~~2~~3)[1407] restricting the establishment of activities that may result in ~~reverse sensitivity~~*reverse sensitivity effects*~~effects~~*effects*~~;~~,[1408]

(~~3~~4)[1409] avoiding, remedying or mitigating adverse ~~effects~~ *effects* from other activities on the ~~functional needs~~*functional needs* of that ~~infrastructure~~*infrastructure*~~;~~,[1410]

~~(4) minimising adverse effects of new and upgraded electricity distribution infrastructure on existing land uses;~~[1411]

(~~5~~5)[1412] identifying ~~significant electricity distribution infrastructure~~*significant electricity distribution infrastructure*[1413] and managing ~~effects~~ *effects*[1414] of potentially incompatible activities through methods such as corridors~~.~~, and[1415]

(~~5A~~6)[1416] ensuring that the ability to develop, use and protect native reserves and *Māori land* in accordance with MW-P4 is not compromised.[1417]

EIT-INF-~~P10~~ P2[1418] – 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~~ P3[1419] – Upgrades and development

Provide for upgrades to existing, and development of new, *nationally significant infrastructure* or *regionally significant infrastructure* while ensuring that:

[1400] Clause 16(2) memorandum (14 May 2026)
[1401] Clause 16(2) memorandum (14 May 2026)
[1402] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1403] Clause 16(2) memorandum (14 May 2026)
[1404] Clause 16(2) memorandum (14 May 2026)
[1405] Clause 16(2) memorandum (14 May 2026)
[1406] Clause 16(2) memorandum (14 May 2026)
[1407] Clause 16(2) memorandum (14 May 2026)
[1408] Clause 16(2) memorandum (14 May 2026)
[1409] Clause 16(2) memorandum (14 May 2026)
[1410] Clause 16(2) memorandum (14 May 2026)
[1411] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1412] Clause 16(2) memorandum (14 May 2026)
[1413] Clause 16(2) memorandum (14 October 2025)
[1414] Clause 16(2) memorandum (14 October 2025)
[1415] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1416] Clause 16(2) memorandum (14 May 2026)
[1417] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1418] Clause 16(2) memorandum (14 May 2026)
[1419] Clause 16(2) memorandum (14 May 2026)

(1) it is designed and located, as far as practicable, to maintain functionality during and after *natural hazard* events,

(~~1~~A2)[1420] it is ~~resilient~~*resilient*,[1421] to the extent reasonably practicable, to the current and future *effects* of sea level rise and *climate change*,[1422]

(~~2~~3)[1423] it is, as far as practicable, co-ordinated with long-term *land* use planning, and

(~~3~~4)[1424] its delivery, operation or use is efficient.

EIT-INF-~~P13~~ P4[1425] – 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~~*significant natural areas*,[1426]

(b) outstanding natural features and landscapes,

(c) ~~natural inland~~*natural inland*[1427, 1428] ~~wetlands~~ *wetlands*[1429] and *rivers*,[1430]

(d) ~~outstanding water bodies~~*outstanding water bodies*,[1431]

(f) areas or places of significant or outstanding *historic heritage*, and

(g) ~~wāhi tupuna~~*wāhi tupuna*,[1432] 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*:[1433]

(i) in *significant natural areas,* in accordance with ECO-P~~3~~4, ECO-~~P4~~P5, and ECO-~~P5A,~~[1434]P6,[1435]

(ii) in ~~natural inland~~*natural inland*[1436, 1437] *wetlands* or *rivers*, in accordance with LF-FW-

[1420] Clause 16(2) memorandum (14 May 2026)
[1421] Clause 16(2) memorandum (14 May 2026)
[1422] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1423] Clause 16(2) memorandum (14 May 2026)
[1424] Clause 16(2) memorandum (14 May 2026)
[1425] Clause 16(2) memorandum (14 May 2026)
[1426] Clause 16(2) memorandum (14 May 2026)
[1427] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1428] Clause 16(2) memorandum (14 May 2026)
[1429] Clause 16(2) memorandum (14 May 2026)
[1430] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1431] Clause 16(2) memorandum (14 May 2026)
[1432] Clause 16(2) memorandum (14 October 2025)
[1433] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1434] ~~Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323~~
[1435] Clause 16(2) memorandum (14 May 2026)
[1436] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1437] Clause 16(2) memorandum (14 May 2026)

P~~10A~~11 and LF-FW-P~~13~~14[1438] ~~the relevant provisions in the NESF~~,[1439]

(iii) in *outstanding water bodies,* in accordance with LF-FW-~~P12~~P13,[1440]

(~~iii~~iv)[1441] in relation to *wāhi tūpuna*, in accordance with HCV-WT-P2,

(~~i~~v)[1442] in other areas listed in EIT-INF-~~P13~~ P4(1)[1443] 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, and[1444]

(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~~*effects*,[1445] and.[1446]

(b) for all *infrastructure* that is not *nationally significant infrastructure*, ~~or~~ *regionally significant infrastructure*, or electricity *distribution networks,*[1447] avoid adverse *effects* on the values that contribute to the area's outstanding nature or significance except in relation to ~~historic heritage~~*historic heritage*[1448] which is not significant or outstanding, then HCV-HH-~~P5~~P6(3)[1449] will apply.

EIT-INF-~~P13A~~ P5[1450] – 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~~ P6[1451] – Decision making considerations

When considering proposals to develop or upgrade *infrastructure*:

(1) require consideration of alternative sites, methods and designs if adverse *effects* are potentially significant or irreversible, and

(~~1A~~2)[1452] require consideration of the current and future effects of sea level rise and climate change, and[1453]

(~~2~~3)[1454] 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~~

[1438] Clause 16(2) memorandum (14 May 2026)
[1439] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1440] Clause 16(2) memorandum (14 May 2026)
[1441] Clause 16(2) memorandum (14 May 2026)
[1442] Clause 16(2) memorandum (14 May 2026)
[1443] Clause 16(2) memorandum (14 May 2026)
[1444] Clause 16(2) memorandum (5 December 2024)
[1445] Clause 16(2) memorandum (14 October 2025)
[1446] Clause 16(2) memorandum (5 December 2024)
[1447] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1448] Clause 16(2) memorandum (14 May 2026)
[1449] Clause 16(2) memorandum (14 May 2026)
[1450] Clause 16(2) memorandum (14 May 2026)
[1451] Clause 16(2) memorandum (14 May 2026)
[1452] Clause 16(2) memorandum (14 May 2026)
[1453] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1454] Clause 16(2) memorandum (14 May 2026)

~~*sensitive activities,* where appropriate~~.[1455]

EIT-INF-~~P15~~ P7[1456] – Protecting *nationally significant infrastructure* and *regionally significant infrastructure*

Protect the efficient and effective operation, maintenance, upgrading and development[1457] 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~~of the operation, maintenance, upgrading and development of *nationally significant infrastructure* or *regionally significant infrastructure*, is not compromised,[1458]

(2) ~~avoiding activities,~~ to the extent reasonably possible ~~practicable~~, managing activities to avoid ~~that may result in~~[1459] ~~reverse sensitivity~~*reverse sensitivity*[1460] *effects* on *nationally significant infrastructure* or *regionally significant infrastructure*, and

(3) identifying areas where *sensitive activities* are to be avoided.[1461]

~~(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.~~[1462]

EIT-~~EN~~INF[1463]-~~P16~~P8[1464] – 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:[1465]

(~~4~~1)[1466] enabling the reasonable operation, maintenance and minor ~~upgrade~~ upgrading[1467] requirements of established *National Grid* assets, and

(~~1~~2)[1468] 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,~~[1469]

~~(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*~~

[1455] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1456] Clause 16(2) memorandum (14 May 2026)
[1457] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1458] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1459] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1460] Clause 16(2) memorandum (14 May 2026)
[1461] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1462] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1463] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1464] Clause 16(2) memorandum (14 May 2026)
[1465] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1466] Clause 16(2) memorandum (14 May 2026)
[1467] ~~Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323~~
[1468] Clause 16(2) memorandum (14 May 2026)
[1469] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

~~on town centres, areas of high amenity or recreational value and existing *sensitive activities*,~~

~~(6) in rural areas, seeking[1470] to avoid adverse effects in areas of high natural character and areas of high recreation value and amenity, and, where this is not practicable, applying[1471] EIT-INF-P13(2)(a)(iv), and~~

~~(7) in addition to clause (6), apply EIT-INF-P13 where relevant.~~[1472]

EIT-INF-~~PX~~P9[1473] – Managing the ~~effects~~*effects*[1474] of the development of the *National Grid* within and outside the coastal environment

Manage the adverse ~~effects~~*effects*[1475] 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~~*effects*[1476] on the values and characteristics of town centres, areas of high recreation value and existing *sensitive activities*,

(3) managing ~~effects~~*effects*[1477] on the values or extent of *wetlands* in accordance with LF-FW-P~~10A~~11(1) and (2),[1478]

(4) managing ~~effects~~*effects*[1479] on the values or extent of rivers and lakes in accordance with LF-FW-P~~13~~14(1) and (2),[1480]

(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~~*effects*[1481] 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*,

[1470] ~~Clause 16(2) memorandum (5 December 2024)~~
[1471] ~~Clause 16(2) memorandum (5 December 2024)~~
[1472] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1473] Clause 16(2) memorandum (14 May 2026)
[1474] Clause 16(2) memorandum (14 May 2026)
[1475] Clause 16(2) memorandum (14 May 2026)
[1476] Clause 16(2) memorandum (14 May 2026)
[1477] Clause 16(2) memorandum (14 May 2026)
[1478] Clause 16(2) memorandum (14 May 2026)
[1479] Clause 16(2) memorandum (14 May 2026)
[1480] Clause 16(2) memorandum (14 May 2026)
[1481] Clause 16(2) memorandum (14 May 2026)

(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~~*historic heritage*,[1482]

(f) in rural environments, areas of high recreation value and amenity (including *highly values*~~d~~[1483] *natural features and landscapes*) and existing *sensitive activities*,

(9) where adverse ~~effects~~*effects*[1484] 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~~*operational needs* and ~~functional needs~~*functional needs*[1485] of the *National Grid* and the extent those requirements constrain measures to avoid, remedy or mitigate adverse ~~effects~~*effects*,[1486]

(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-P~~X~~9 and other policies in this regional policy statement, EIT-INF-P~~X~~9[1487] prevails over those policies.[1488]

[1482] Clause 16(2) memorandum (14 May 2026)
[1483] Clause 16(2) memorandum (14 October 2025)
[1484] Clause 16(2) memorandum (14 May 2026)
[1485] Clause 16(2) memorandum (14 May 2026)
[1486] Clause 16(2) memorandum (14 May 2026)
[1487] Clause 16(2) memorandum (14 May 2026)
[1488] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

EIT-INF-~~P17~~ P10[1489] – 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~~P7.[1490]

EIT-INF-~~PZ~~P11[1491] – 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.[1492]

Methods

EIT-INF-~~M4~~ M1[1493] – ~~Regional plans~~*Regional plans*[1494]

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~~*coastal marine area*,[1495] or

(c) involve the taking, use, damming or diversion of *water* or,

(d) involve the ~~discharge~~ *discharge*[1496] of ~~water~~ *water*[1497] or ~~contaminants~~*contaminants*,[1498] and

(2) recognise and provide for the operation, maintenance, upgrade and development of the *National Grid.*[1499]

EIT-INF-~~M5~~ M2[1500] – ~~District plans~~*District plans*[1501]

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

(1) require a strategic approach to the integration of ~~land~~ *land*[1502] use and infrastructure, ~~nationally significant infrastructure~~*nationally significant infrastructure*[1503] or ~~regionally significant infrastructure~~*regionally significant infrastructure*,[1504]

[1489] Clause 16(2) memorandum (14 May 2026)
[1490] Clause 16(2) memorandum (14 May 2026)
[1491] Clause 16(2) memorandum (14 May 2026)
[1492] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1493] Clause 16(2) memorandum (14 May 2026)
[1494] Clause 16(2) memorandum (14 May 2026)
[1495] Clause 16(2) memorandum (14 May 2026)
[1496] Clause 16(2) memorandum (14 May 2026)
[1497] Clause 16(2) memorandum (14 October 2025)
[1498] Clause 16(2) memorandum (14 May 2026)
[1499] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1500] Clause 16(2) memorandum (14 May 2026)
[1501] Clause 16(2) memorandum (14 May 2026)
[1502] Clause 16(2) memorandum (14 October 2025)
[1503] Clause 16(2) memorandum (14 October 2025)
[1504] Clause 16(2) memorandum (14 October 2025)

(42)[1505] manage the subdivision, *use* and development of *land* to ensure *infrastructure*, *nationally significant infrastructure* or *regionally significant infrastructure* can develop to meet increased demand,

(53)[1506] 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*,[1507]

(64)[1508] ensure that development is adequately served with *infrastructure*

(X5)[1509] 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.[1510]

EIT-INF-~~M6~~ M3[1511] – 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~~ E1[1512] – 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 *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.

[1505] Clause 16(2) memorandum (14 May 2026)
[1506] Clause 16(2) memorandum (14 May 2026)
[1507] Clause 16(2) memorandum (14 October 2025)
[1508] Clause 16(2) memorandum (14 May 2026)
[1509] Clause 16(2) memorandum (14 May 2026)
[1510] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1511] Clause 16(2) memorandum (14 May 2026)
[1512] Clause 16(2) memorandum (14 May 2026)

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~~ PR1[1513] – 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~~AER1[1514]	*Infrastructure* provides safe, effective and efficient services to the Otago community and beyond.
EIT-INF-~~AER6~~AER2[1515]	The provision of *infrastructure* is co-ordinated and integrated to service growth efficiently.
EIT-INF-~~AER7~~AER3[1516]	*Nationally significant infrastructure*[1517] and *regionally significant infrastructure* is protected from adverse ~~effects~~*effects*,[1518] including ~~reverse sensitivity~~*reverse sensitivity*[1519] *effects* caused by incompatible activities.

[1513] Clause 16(2) memorandum (14 May 2026)
[1514] Clause 16(2) memorandum (14 May 2026)
[1515] Clause 16(2) memorandum (14 May 2026)
[1516] Clause 16(2) memorandum (14 May 2026)
[1517] Clause 16(2) memorandum (5 December 2024)
[1518] Clause 16(2) memorandum (14 May 2026)
[1519] Clause 16(2) memorandum (14 May 2026)

EIT-INF-~~AER8~~AER4[1520]	The adverse *effects* associated with *infrastructure* are avoided to the extent practicable or are minimised.

[1520] Clause 16(2) memorandum (14 May 2026)

EIT-EN – Energy

Objectives

EIT-EN-~~O1~~ O5[1521] – Energy and social and economic well-being

The health and well-being[1522] of Otago's communities and economy are supported by *renewable electricity~~energy~~*[1523] *generation* within the region that is safe, secure, and *resilient*.

EIT-EN-~~O3~~ O6[1524] – 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~~ O7[1525] – ~~Greenhouse gas~~*Greenhouse gas*[1526] emissions and renewable energy targets

Otago's *renewable electricity~~energy~~*[1527]*generation* supports the overall reduction in New Zealand ~~greenhouse gas~~*greenhouse gas*[1528] emissions and achieving the national target for emissions reduction.

EIT-EN-~~O2~~ O8[1529] – ~~Renewable electricity generation~~*Renewable electricity generation*[1530]

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~~ O9[1531] – Long-term planning for the ~~National Grid~~*National Grid*[1532] and distribution infrastructure

Long-term investment in, and planning for, electricity transmission *infrastructure*, and its integration with *land* use, is sustained.

Policies

[1521] Clause 16(2) memorandum (14 May 2026)
[1522] Clause 16(2) memorandum (14 May 2026)
[1523] Clause 16(2) memorandum (24 March 2025)
[1524] Clause 16(2) memorandum (14 May 2026)
[1525] Clause 16(2) memorandum (14 May 2026)
[1526] Clause 16(2) memorandum (14 May 2026)
[1527] Clause 16(2) memorandum (24 March 2025)
[1528] Clause 16(2) memorandum (14 October 2025)
[1529] Clause 16(2) memorandum (14 May 2026)
[1530] Clause 16(2) memorandum (14 May 2026)
[1531] Clause 16(2) memorandum (14 May 2026)
[1532] Clause 16(2) memorandum (14 May 2026)

EIT-EN-~~P1~~ P12[1533] – Operation, maintenance and upgrade

The operation, maintenance, and upgrade of existing *renewable electricity generation activities* is provided for,[1534] including the maintenance of generation output and protection of operational capacity.

EIT-EN-~~P2~~ P13[1535] – 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*, and[1536]

(2) have particular regard to the need for, and benefits of, ~~maintenance~~ maintaining,[1537] and increasing ~~of current~~[1538] *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.*~~[1539]

EIT-EN-~~P3~~P14 – The security of ~~renewable electricity generation~~*renewable electricity generation*[1540] 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~~ P15[1541] – 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~~ P16 – Non-renewable electricity~~energy~~[1542] generation

In relation to non-renewable electricity ~~energy~~[1543]generation:

(1) except as provided for in (2) below, restrict the development of non-renewable electricity~~energy~~[1544] generation activities in Otago, ~~where practicable,~~[1545] and facilitate the replacement of non-renewable energy sources, including the use of ~~fossil fuels~~*fossil fuels*,[1546] in energy generation, and

(2) in relation to *new heat devices* for *industrial process heat*:

[1533] Clause 16(2) memorandum (14 May 2026)
[1534] Clause 16(2) memorandum (14 May 2026)
[1535] Clause 16(2) memorandum (14 May 2026)
[1536] Clause 16(2) memorandum (14 May 2026)
[1537] Clause 16(2) memorandum (14 May 2026)
[1538] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1539] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1540] Clause 16(2) memorandum (14 May 2026)
[1541] Clause 16(2) memorandum (14 May 2026)
[1542] Clause 16(2) memorandum (24 March 2025)
[1543] Clause 16(2) memorandum (24 March 2025)
[1544] Clause 16(2) memorandum (24 March 2025)
[1545] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1546] Clause 16(2) memorandum (14 May 2026)

(a) avoid ~~discharges~~ *discharges*[1547] 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~~ *discharges*[1548] from *new heat devices* that burn coal and deliver heat below 300 degrees Celsius, and

(c) avoid ~~discharges~~ *discharges*[1549] 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~~ *existing* ~~heat devices~~*heat devices*[1550] for ~~industrial process heat~~*industrial process heat*:[1551]

(a) restrict *discharges* from ~~existing~~ *existing*[1552] *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~~ P17[1553] – Managing *effects*

Manage the adverse effects of *renewable electricity generation activities* by:

(1) applying EIT-INF-~~P13~~ P4 and EIT-INF-P~~13~~A5,[1554] while[1555]

(2) having particular regard to:

(a) the ~~functional need~~*functional need*[1556] to locate ~~renewable electricity generation activities~~*renewable electricity generation activities*[1557] 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 minor[1558] residual adverse *effects* are offset or compensated for; and

(~~3~~A4)[1559] 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, and[1560]

[1547] Clause 16(2) memorandum (14 May 2026)
[1548] Clause 16(2) memorandum (14 May 2026)
[1549] Clause 16(2) memorandum (14 May 2026)
[1550] Clause 16(2) memorandum (14 May 2026)
[1551] Clause 16(2) memorandum (14 October 2025)
[1552] Clause 16(2) memorandum (14 May 2026)
[1553] Clause 16(2) memorandum (14 May 2026)
[1554] Clause 16(2) memorandum (14 May 2026)
[1555] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1556] Clause 16(2) memorandum (14 May 2026)
[1557] Clause 16(2) memorandum (14 October 2025)
[1558] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1559] Clause 16(2) memorandum (14 May 2026)
[1560] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

(45)[1561] 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.~~[1562]

EIT-EN-~~P8~~ P18[1563] – ~~Small and community scale distributed electricity generation~~*Small and community scale distributed electricity generation*[1564]

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~~ P19[1565] – 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~~ M4[1566] – ~~Regional plans~~*Regional plans*[1567]

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

(1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for *renewable electricity generation*,

(~~3~~2)[1568] manage the adverse *effects* of developing or upgrading *renewable electricity generation activities*, including identifying activities that quality as minor upgrades, that:

(a) are within the beds of ~~lakes~~ *lakes* and ~~rivers~~ *rivers* and the ~~coastal marine area~~*coastal marine area*,[1569] or

(b) involve the taking, use, damming or diversion of *water* and *discharge* of *water* or *contaminants*,

(43)[1570] provide for the operation and maintenance of existing *renewable electricity generation activities*, including their *natural and physical resource* requirements, along with opportunities to increase

[1561] Clause 16(2) memorandum (14 May 2026)
[1562] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1563] Clause 16(2) memorandum (14 May 2026)
[1564] Clause 16(2) memorandum (14 October 2025)
[1565] Clause 16(2) memorandum (14 May 2026)
[1566] Clause 16(2) memorandum (14 May 2026)
[1567] Clause 16(2) memorandum (14 May 2026)
[1568] Clause 16(2) memorandum (14 May 2026)
[1569] Clause 16(2) memorandum (14 October 2025)
[1570] Clause 16(2) memorandum (14 May 2026)

the installed capacity of ~~renewable electricity generation~~*renewable electricity generation*[1571] assets, and

(~~5~~4)[1572] 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~~ M5 – ~~District plans~~*District plans*[1573]

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~~2)[1574] 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:[1575]

(a) ~~are on~~[1576] the surface of *rivers* and *lakes* and on *land* outside the *coastal marine area*, or

(b) the beds of ~~lakes~~ *lakes* and ~~rivers~~*rivers*,[1577]

(~~4~~3)[1578] 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~~4)[1579] 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*,~~[1580]

~~(5B) map the *National Grid*, and identify a buffer corridor within which *sensitive activities* shall generally not be allowed,~~[1581]

(5~~C~~)[1582] map ~~significant electricity distribution infrastructure~~*significant electricity distribution infrastructure*[1583] and, where necessary, provide controls on activities to ensure that the ~~functional needs~~*functional needs*[1584] of the ~~significant electricity distribution infrastructure~~*significant electricity distribution infrastructure*[1585] are not compromised,

(~~5D~~6)[1586] where necessary, establishing controls for *buildings*, *structures* and other activities adjacent to electricity *infrastructure*, to ensure the *functional needs* of that *infrastructure* are not compromised based on NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity

[1571] Clause 16(2) memorandum (14 October 2025)
[1572] Clause 16(2) memorandum (14 May 2026)
[1573] Clause 16(2) memorandum (14 May 2026)
[1574] Clause 16(2) memorandum (14 May 2026)
[1575] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1576] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1577] Clause 16(2) memorandum (14 October 2025)
[1578] Clause 16(2) memorandum (14 May 2026)
[1579] Clause 16(2) memorandum (14 May 2026)
[1580] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1581] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1582] Clause 16(2) memorandum (14 May 2026)
[1583] Clause 16(2) memorandum (14 October 2025)
[1584] Clause 16(2) memorandum (14 October 2025)
[1585] Clause 16(2) memorandum (14 October 2025)
[1586] Clause 16(2) memorandum (14 May 2026)

(Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992), and

(~~6~~7)[1587] require the design of *subdivision* development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation.

EIT-EN-~~M3~~ M6[1588] – 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*.[1589]

(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~~ E2[1590] – 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 change*[1591] 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~~*reverse sensitivity*[1592] *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.

[1587] Clause 16(2) memorandum (14 May 2026)
[1588] Clause 16(2) memorandum (14 May 2026)
[1589] Clause 16(2) memorandum (14 October 2025)
[1590] Clause 16(2) memorandum (14 May 2026)
[1591] Clause 16(2) memorandum (14 October 2025)
[1592] Clause 16(2) memorandum (14 May 2026)

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~~ PR2[1593] – 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.[1594]

In relation to the *National Grid* and *significant electricity distribution infrastructure* (which are both a subset of ~~infrastructure~~*infrastructure*[1595]), 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~~AER5[1596] The proportion of electricity generated by *renewable electricity*~~*energy*~~[1597]

[1593] Clause 16(2) memorandum (14 May 2026)
[1594] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1595] Clause 16(2) memorandum (14 May 2026)
[1596] Clause 16(2) memorandum (14 May 2026)
[1597] Clause 16(2) memorandum (24 March 2025)

generation activities (including *small and community scale distributed electricity generation*) in Otago increases over time.

EIT-EN-~~AER2~~AER6[1598] Energy use in Otago becomes more efficient over time and security of supply is maintained.

EIT-EN-~~AER3~~AER7[1599] The adverse *effects* associated with *renewable* *electricity*~~*energy*~~[1600] *generation activities* are avoided, remedied or mitigated, or where appropriate, offset or compensated for.

EIT-EN-~~AER4~~AER8[1601] The proportion of *greenhouse gas* emissions per capita from energy generation reduces over time.

[1598] Clause 16(2) memorandum (14 May 2026)
[1599] Clause 16(2) memorandum (14 May 2026)
[1600] Clause 16(2) memorandum (24 March 2025)
[1601] Clause 16(2) memorandum (14 May 2026)

EIT-TRAN – Transport

Objectives

EIT-TRAN-~~O7~~ O10[1602] – 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*,[1603] and the changing needs of communities.

EIT-TRAN-~~O8~~ O11[1604] – 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~~ O12[1605] – *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~~*fossil fuels*[1606] for transportation.

EIT-TRAN-~~O10~~ O13 – ~~Commercial port activities~~*Commercial port activities*[1607]

Commercial port activities operate safely and efficiently.

Policies

EIT-TRAN-~~P18~~P20[1608] – 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.

[1602] Clause 16(2) memorandum (14 May 2026)
[1603] Clause 16(2) memorandum (14 October 2025)
[1604] Clause 16(2) memorandum (14 May 2026)
[1605] Clause 16(2) memorandum (14 May 2026)
[1606] Clause 16(2) memorandum (14 May 2026)
[1607] Clause 16(2) memorandum (14 May 2026)
[1608] Clause 16(2) memorandum (14 May 2026)

EIT-TRAN-~~P19~~ P21[1609] – 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 spaces, including the *coastal marine area*, *lakes* and *rivers*.

EIT-TRAN-~~P20~~ P22[1610] – 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~~ P23[1611] – 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~~*reverse sensitivity*[1612] *effects*,

(3) avoiding or minimising the ~~effects~~ *effects*[1613] 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~~ P24[1614] – Sustainable transportation

Enable the development of sustainable transport networks that enhance the uptake of new technologies and reduce reliance on ~~fossil fuels~~*fossil fuels*[1615] throughout Otago.

[1609] Clause 16(2) memorandum (14 May 2026)
[1610] Clause 16(2) memorandum (14 May 2026)
[1611] Clause 16(2) memorandum (14 May 2026)
[1612] Clause 16(2) memorandum (14 May 2026)
[1613] Clause 16(2) memorandum (14 October 2025)
[1614] Clause 16(2) memorandum (14 May 2026)
[1615] Clause 16(2) memorandum (14 May 2026)

EIT-TRAN-~~P23~~ P25[1616] **– *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,[1617]

(~~1~~2)[1618] 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-P~~3~~4 to CE-P~~12~~13, CE-P~~13~~14(4), CE-P~~14~~15, CE-P~~15~~16 and HAZ-NH-P~~3~~5,[1619, 1620]

~~(2) providing for the development of the ports' capacity for national and international shipping in and adjacent to existing port activities,~~[1621]

~~(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~~[1622]

(3) if any of policies CE-P~~3~~4 to CE-P~~12~~13, CE-P~~13~~14(4), CE-P~~14~~15 and CE-P~~15~~16,[1623] 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-P~~3~~4 to CE-P~~12~~13, CE-P~~13~~14(4), CE-P~~14~~15 and CE-P~~15~~16,[1624, 1625] 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~~;~~,[1626, 1627]

(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-P~~3~~4 to CE-P~~12~~13, CE-P~~13~~14(4), CE-P~~14~~15, CE-P~~15~~16,[1628] or in respect of natural hazards where HAZ-NH-P~~3~~5[1629] cannot be met,[1630] 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*.

[1616] Clause 16(2) memorandum (14 May 2026)
[1617] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1618] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1619] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1620] Clause 16(2) memorandum (14 May 2026)
[1621] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1622] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1623] Clause 16(2) memorandum (14 May 2026)
[1624] Clause 16(2) memorandum (14 May 2026)
[1625] Clause 16(2) memorandum (14 May 2026)
[1626] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[1627] Clause 16(2) memorandum (14 May 2026)
[1628] Clause 16(2) memorandum (14 May 2026)
[1629] Clause 16(2) memorandum (14 May 2026)
[1630] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323

Methods

EIT-TRAN-M7 – ~~Regional plans~~*Regional plans*[1631]

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*,[1632] 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~~MAP3:[1633]

(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, 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,

(~~3A~~4)[1634] 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~~.~~[1635]

[1631] Clause 16(2) memorandum (14 May 2026)
[1632] Clause 16(2) memorandum (14 October 2025)
[1633] Clause 16(2) memorandum (14 May 2026)
[1634] Clause 16(2) memorandum (14 May 2026)
[1635] Clause 16(2) memorandum (14 May 2026)

(45)[1636] 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)[1637] provide for the establishment of transport *infrastructure* that supports modes of transport that are not reliant on ~~fossil fuels~~*fossil fuels*,[1638] and

(67)[1639] include policies and methods that provide for *commercial port* ~~activities~~ *activities*[1640] and avoid encroachment of activities which give rise to ~~reverse sensitivity~~*reverse sensitivity*[1641] *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.~~[1642]

EIT-TRAN-M9 – Regional Land Transport Plan

Otago Regional Council will take into account the objectives, provisions and methods of this chapter in preparing its Regional Land Transport Plan and Regional Public Transport Plan.

Explanation

EIT-TRAN-E3 – Explanation

The policies in this section seek to ensure that transport *infrastructure* is well designed and functions effectively, including providing for accessibility for different modes and purposes. This includes managing potential *effects* of other activities on the transport system and ensuring strategic decision making in the provision of transport *infrastructure* to best provide for connectivity. The policies also recognise the contribution of the transport system to emissions and provide for networks that seek to adopt technologies which reduce the adverse *effects* on the *environment* arising from fuel usage. In relation to *commercial port activities* taking place within the coastal environment, the provisions of the CE – Coastal Environment chapter also apply.

Principal reasons

EIT-TRAN-PR3 – Principal reasons

The transport system is critical for connecting people and communities and transporting goods, the effective functioning of Otago's economy and the well-being of Otago's community. The transport network can, however, have adverse *effects* on the *environment* and impact on community well-being. If there is sufficient demand, integration and the necessary *infrastructure*, modal choices can be provided and by giving preference to modes with lower environmental *effects*, the adverse impacts of the transport system can be reduced. However, as large parts of the Otago region are rural, reliance on private vehicles will remain the preferred, or the only practical, transport option for many people. This should not exclude the potential for improvements in modal choice or accessibility for a range of abilities and sectors of the community. Planning for transport *infrastructure* should be co-ordinated with urban and commercial

[1636] Clause 16(2) memorandum (14 May 2026)
[1637] Clause 16(2) memorandum (14 May 2026)
[1638] Clause 16(2) memorandum (14 May 2026)
[1639] Clause 16(2) memorandum (14 May 2026)
[1640] Clause 16(2) memorandum (14 October 2025)
[1641] Clause 16(2) memorandum (14 May 2026)
[1642] Clause 16(2) memorandum (5 December 2024)

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 *district plans* 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 *public transport* increases over the life of this RPS.
EIT-TRAN-AER12	*Public transport* patronage increases over the life of this RPS.
EIT-TRAN-AER13	*Greenhouse gas* emissions arising from the transport system reduce over time from increased active transport, shared travel and *public transport* 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*

Objectives[1643]

HAZ-NH-O1 – *Natural hazards*

Activities do not exacerbate *natural hazard* ~~*R*~~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.~~[1644]

HAZ-NH-O2 – Adaptation

Otago's people, communities, ~~and~~ property, and other aspects of the *environment*[1645] 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-P1~~A~~[1646] – Identifying areas subject to *coastal hazards*

Identify areas that are potentially affected by *coastal hazards* ~~(including tsunami)~~,[1647] giving priority to the identification of areas at high risk of being affected.

HAZ-NH-~~P1~~P2[1648] – Identifying areas subject to *natural hazards*

For *hazards* not identified in accordance with HAZ-NH-P1~~A~~[1649], 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 hazard*s, where present,

~~(3) any cumulative *effects*,~~[1650]

(3~~4~~) changes over time, including due to ~~any *effects of*~~ *climate change*,

(4~~5~~) the likelihood of different hazard scenarios occurring, and

(5~~6~~)[1651] any other exacerbating factors.

[1643] Clause 16(2) memorandum (14 May 2026)
[1644] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1645] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1646] Clause 16(2) memorandum (14 May 2026)
[1647] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1648] Clause 16(2) memorandum (14 May 2026)
[1649] Clause 16(2) memorandum (14 May 2026)
[1650] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1651] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

HAZ-NH-P~~2~~A3[1652] – *Coastal hazard* risk assessments

Within areas identified under HAZ-P1~~A~~[1653] 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 APP~~6~~8.[1654, 1655]

HAZ-NH-~~P2~~P4[1656] – *Natural hazard ~~R~~*risk[1657] assessments

Within areas identified under HAZ-NH-~~P1~~ P2[1658] as being subject[1659] to *natural hazards,* assess the[1660] *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 within~~ [1661]~~APP6~~APP8.[1662]

HAZ-NH-~~P3~~ P5[1663] – Managing ~~N~~new activities for *coastal hazard* risk and *natural hazard* risk[1664]

~~Once the level of~~For *natural hazard* risk ~~associated with an activity~~ that has been determined in accordance with HAZ-NH-P4~~2~~, HAZ-NH-P3~~2A~~ and APP~~6~~8,[1665, 1666] 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~~ P6[1667] – Existing *natural hazard* risk

In areas identified under HAZ-NH-~~P1~~ P2[1668] 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~~2)[1669] managing existing activities within areas of significant risk to people, communities, and property,

(4~~3~~)[1670] encouraging design that facilitates:

[1652] Clause 16(2) memorandum (14 May 2026)
[1653] Clause 16(2) memorandum (14 May 2026)
[1654] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1655] Clause 16(2) memorandum (14 May 2026)
[1656] Clause 16(2) memorandum (14 May 2026)
[1657] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1658] Clause 16(2) memorandum (14 May 2026)
[1659] Clause 16(2) memorandum (5 December 2024)
[1660] Clause 16(2) memorandum (5 May 2025)
[1661] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1662] Clause 16(2) memorandum (14 May 2026)
[1663] Clause 16(2) memorandum (14 May 2026)
[1664] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1665] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1666] Clause 16(2) memorandum (14 May 2026)
[1667] Clause 16(2) memorandum (14 May 2026)
[1668] Clause 16(2) memorandum (14 May 2026)
[1669] Clause 16(2) memorandum (14 May 2026)
[1670] Clause 16(2) memorandum (14 May 2026)

(b) relocation to areas of acceptable risk, or

(c) reduction of risk,

(~~5~~4)[1671] relocating *lifeline utilities*, and facilities for essential and emergency services, away from areas of significant risk, where appropriate and practicable, and

(~~6~~5)[1672] enabling development, upgrade, maintenance and operation of *lifeline utilities* and facilities for essential and emergency services.

HAZ-NH-~~P5~~ P7[1673] – Precautionary approach to *natural hazard* risk

Where the *natural hazard* risk,[1674] 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~~ P8[1675] – 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~~ P9[1676] – 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:

(~~1A~~1)[1677] 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,*[1678] 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

(~~1B~~2)[1679] the *hard protection structure* protects a *lifeline utility*, or a facility for essential or emergency services.

HAZ-NH-~~P8~~ P10[1680] – *Lifeline utilities* and facilities for essential or emergency services

Locate, and design *lifeline utilities* and facilities for essential or emergency services to:

[1671] Clause 16(2) memorandum (14 May 2026)
[1672] Clause 16(2) memorandum (14 May 2026)
[1673] Clause 16(2) memorandum (14 May 2026)
[1674] Clause 16(2) memorandum (14 October 2025)
[1675] Clause 16(2) memorandum (14 May 2026)
[1676] Clause 16(2) memorandum (14 May 2026)
[1677] Clause 16(2) memorandum (14 October 2025)
[1678] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1679] Clause 16(2) memorandum (14 October 2025)
[1680] Clause 16(2) memorandum (14 May 2026)

(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~~ P11[1681] – Protection of hazard mitigation measures, *lifeline utilities,* and essential or emergency services

Protect ~~the *functional needs* and *operational needs*[1682] of~~[1683] hazard mitigation measures, *lifeline utilities*, and essential or emergency services, including by:

(1) avoiding significant adverse *effects* on those measures, utilities or services,

(2) avoiding, and only where avoidance is not practicable, remedying or mitigating other adverse *effects* on those measures, utilities or services,

(3) maintaining access to those measures, utilities or services for maintenance and operational purposes, ~~and~~[1684]

(4) restricting the establishment of other activities that may result in ~~reverse sensitivity~~*reverse sensitivity*[1685] *effects* on those measures, utilities or services~~.~~, and[1686]

(5) providing for necessary operation, maintenance and upgrades.[1687]

~~**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.~~[1688]

HAZ-NH-~~P11~~ P12[1689] – 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*[1690] *land,* to

[1681] Clause 16(2) memorandum (14 May 2026)
[1682] ~~Clause 16(2) memorandum (24 March 2025)~~
[1683] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1684] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1685] Clause 16(2) memorandum (14 May 2026)
[1686] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1687] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1688] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1689] Clause 16(2) memorandum (14 May 2026)
[1690] Clause 16(2) memorandum (14 October 2025)

ensure that *land* is able to be used and developed in accordance with MW-P4,[1691] 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)[1692] in *regional plans*:

(~~i~~a)[1693] in the ~~coastal marine area~~*coastal marine area*,[1694]

(~~ii~~b)[1695] in ~~wetlands~~*wetlands*, ~~lakes~~ *lakes* and ~~rivers~~*rivers*,[1696]

(~~iii~~c)[1697] in, on or under the *beds* of *rivers* and *lakes*, and

(~~iv~~d)[1698] on ~~land~~ *land*[1699] in relation to the avoidance or mitigation of *natural hazards*~~risk reduction~~,[1700]

~~(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 time[1701], and where required, update the *natural hazard* mapping areas identified in 2(b) and (c) above,~~[1702]

(3) ~~territorial authorities~~*territorial authorities*[1703] are responsible for~~:~~

~~(a)~~ specifying objectives, policies and methods (including mapping) in *district plans* for *land* outside of

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[1691] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1692] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1693] Clause 16(2) memorandum (14 May 2026)
[1694] Clause 16(2) memorandum (14 October 2025)
[1695] Clause 16(2) memorandum (14 May 2026)
[1696] Clause 16(2) memorandum (14 October 2025)
[1697] Clause 16(2) memorandum (14 May 2026)
[1698] Clause 16(2) memorandum (14 May 2026)
[1699] Clause 16(2) memorandum (14 October 2025)
[1700] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1701] ~~Clause 16(2) memorandum (5 December 2024)~~
[1702] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1703] Clause 16(2) memorandum (14 October 2025)

the areas listed in (2)(a)~~(i), (ii) and (iii). And~~, (b) and (c).[1704, 1705]

~~(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).*~~[1706]

HAZ-NH-~~MX~~M2[1707] – 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-P~~1~~2,[1708] 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-P1~~A~~[1709] 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~~*natural hazard*[1710] 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-P1 and HAZ-NH-P~~1A~~2[1711] for inclusion in the *natural hazard* register or database in addition to areas already identified by the Otago Regional Council.[1712]

HAZ-NH-~~M2~~ M3[1713] – *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~~P3, HAZ-NH-P~~2A~~4 and ~~APP6~~APP8,[1714] including by:

(a) consulting with communities, stakeholders and Kāi Tahu, including with *local authorities* in neighbouring regions ~~partners~~[1715]regarding risk levels ~~thresholds~~,[1716]

(b) developing a ~~Risk Table~~risk table[1717] in accordance with Step 3 of ~~APP6~~ APP8[1718] at a district or community scale, and

[1704] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1705] Clause 16(2) memorandum (14 May 2026)
[1706] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1707] Clause 16(2) memorandum (14 May 2026)
[1708] Clause 16(2) memorandum (14 May 2026)
[1709] Clause 16(2) memorandum (14 May 2026)
[1710] Clause 16(2) memorandum (14 May 2026)
[1711] Clause 16(2) memorandum (14 May 2026)
[1712] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1713] Clause 16(2) memorandum (14 May 2026)
[1714] Clause 16(2) memorandum (14 May 2026)
[1715] Clause 16(2) memorandum (5 December 2024)
[1716] Clause 16(2) memorandum (14 May 2026)
[1717] Clause 16(2) memorandum (14 May 2026)
[1718] Clause 16(2) memorandum (14 May 2026)

(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*, ~~and~~[1719]

(d) encouraging system *resilience*~~.~~, and[1720]

(5) agree how *natural hazard* management is undertaken to achieve a collaborative approach between the local authorities.[1721]

HAZ-NH-~~M3~~ M4[1722] – *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~~ P5 to HAZ-NH-~~P6~~P8, and the outcomes of the ~~Risk Table~~risk table[1723] established within HAZ-NH-~~M2~~M3(1),[1724]

(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~~P8,[1725]

(4) provide for *hard protection structures* in accordance with HAZ-NH-~~P7~~P9,[1726]

(5) provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-~~P8~~ P10 and HAZ-NH-~~P9~~P11,[1727] and[1728]

(6) include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-~~P5~~ P7[1729] 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~~

[1719] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1720] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1721] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1722] Clause 16(2) memorandum (14 May 2026)
[1723] Clause 16(2) memorandum (14 May 2026)
[1724] Clause 16(2) memorandum (14 May 2026)
[1725] Clause 16(2) memorandum (14 May 2026)
[1726] Clause 16(2) memorandum (14 May 2026)
[1727] Clause 16(2) memorandum (14 May 2026)
[1728] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1729] Clause 16(2) memorandum (14 May 2026)

~~(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*.~~[1730]

HAZ-NH-~~M4~~ M5[1731] – *District plans*

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

(1) achieve policies HAZ-NH-~~P3~~ P5 to HAZ-NH-~~P6~~P8, and incorporate the outcomes of the ~~Risk Table~~risk table[1732] established within HAZ-NH-~~M2~~M3(1),[1733] 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~~2)[1734] 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~~P8,[1735]

(~~4~~3)[1736] provide for *hard protection structures* in accordance with HAZ-NH-~~P7~~P9,[1737]

(~~5~~4)[1738] provide for the *functional needs* of hazard mitigation measures, *lifeline utilities*, and essential or emergency services in accordance with HAZ-NH-~~P8~~ P10 and HAZ-NH-~~P9~~P11,[1739]

(~~6~~5)[1740] include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-~~P5~~ P7[1741] 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~~6)[1742] 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*~~

[1730] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1731] Clause 16(2) memorandum (14 May 2026)
[1732] Clause 16(2) memorandum (14 May 2026)
[1733] Clause 16(2) memorandum (14 May 2026)
[1734] Clause 16(2) memorandum (14 May 2026)
[1735] Clause 16(2) memorandum (14 May 2026)
[1736] Clause 16(2) memorandum (14 May 2026)
[1737] Clause 16(2) memorandum (14 May 2026)
[1738] Clause 16(2) memorandum (14 May 2026)
[1739] Clause 16(2) memorandum (14 May 2026)
[1740] Clause 16(2) memorandum (14 May 2026)
[1741] Clause 16(2) memorandum (14 May 2026)
[1742] Clause 16(2) memorandum (14 May 2026)

~~*plan* and made operative, the *natural hazard risk* assessment must include~~ including:[1743]

(a) an assessment of the level of *natural hazard* risk associated with the proposal in accordance with ~~APP6~~APP8,[1744] and

(b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-~~P3~~ P5 and HAZ-NH-~~P4~~P6[1745] ~~., 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*.~~[1746]

HAZ-NH-~~MX~~M6[1747] – *Natural hazard* assessment

(1) Prior to the *natural hazard* risk assessment required by HAZ-NH-M~~2~~3(1)[1748] being completed, included in the relevant ~~regional plan~~*regional plan* or ~~district plan~~*district plan*,[1749] and made operative, when a *natural hazard* risk assessment is required within a ~~regional plan~~*regional plan* or ~~district plan~~ *district plan* as part of a ~~resource consent~~*resource consent*, ~~local authorities~~*local authorities*[1750] 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-P~~3~~5 and HAZ-NH-P~~4~~6,[1751]

(2) Once the *natural hazard* risk assessment required by HAZ-NH-M~~2~~3(1)[1752] 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 APP~~6~~8[1753] for *resource consent* applications.[1754]

HAZ-NH-~~M5~~ M7[1755] – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies HAZ-NH-P1A~~[1756]~~ to HAZ-NH-~~P11~~P12,[1757] 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*,

[1743] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1744] Clause 16(2) memorandum (14 May 2026)
[1745] Clause 16(2) memorandum (14 May 2026)
[1746] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1747] Clause 16(2) memorandum (14 May 2026)
[1748] Clause 16(2) memorandum (14 May 2026)
[1749] Clause 16(2) memorandum (14 May 2026)
[1750] Clause 16(2) memorandum (14 May 2026)
[1751] Clause 16(2) memorandum (14 May 2026)
[1752] Clause 16(2) memorandum (14 May 2026)
[1753] Clause 16(2) memorandum (14 May 2026)
[1754] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1755] Clause 16(2) memorandum (14 May 2026)
~~[1756] Clause 16(2) memorandum (14 October 2025)~~
[1757] Clause 16(2) memorandum (14 May 2026)

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

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 *effects* of *natural hazards* events and processes.
HAZ-NH-AER2	No developments proceed that have a significant level of risk.
HAZ-NH-AER3	The level of risk associated with new development does not exceed a tolerable level.
HAZ-NH-AER4	Where existing development is subject to risks from *natural hazards*, the level of risk is reduced to a tolerable level.
HAZ-NH-AER5	The impact on people, communities and property, *lifeline utilities,* and essential services from *natural hazards* and *climate change* is managed to a tolerable or acceptable level.

HAZ-CL – *Contaminated land*

Objectives

HAZ-CL-O3 – ~~Contaminated land~~*Contaminated land*[1758]

Contaminated land and *waste* materials are managed to protect human health and do not harm Kāi Tahu~~,~~ values and the *environment* in Otago.[1759]

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~~ *contaminated land*[1760] 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*,[1761] 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.

[1758] Clause 16(2) memorandum (14 October 2025)
[1759] Clause 16(2) memorandum (14 October 2025)
[1760] Clause 16(2) memorandum (14 May 2026)
[1761] 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~~*reverse sensitivity*[1762] *effects* near *waste* management facilities and services~~.~~, and[1763]

(5) have particular regard to adverse *effects* on the cultural values of identified ~~wāhi tūpuna~~*wāhi tūpuna*[1764] in accordance with HCV-WT-P2.[1765]

HAZ-CL-~~PX~~P19[1766] – Operation and development of municipal *landfills*

(1) ~~recognise~~Recognise[1767] the regional importance of operation and development of ~~landfills~~*landfills*[1768] 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~~When[1769] 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~~*natural inland*[1770] *wetlands*,

(c) *wāhi tūpuna*, and

(d) outstanding natural landscapes,

(3) ~~if~~If[1771] 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-P~~3~~4 and ECO-P~~5A~~6,[1772]

(b) in ~~natural inland~~*natural inland wetlands*,[1773] in accordance with LF-FW-P~~10A~~11,[1774]

(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

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[1762] Clause 16(2) memorandum (14 May 2026)
[1763] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1764] Clause 16(2) memorandum (14 May 2026)
[1765] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1766] Clause 16(2) memorandum (14 May 2026)
[1767] Clause 16(2) memorandum (14 May 2026)
[1768] Clause 16(2) memorandum (14 May 2026)
[1769] Clause 16(2) memorandum (14 May 2026)
[1770] Clause 16(2) memorandum (14 May 2026)
[1771] Clause 16(2) memorandum (14 May 2026)
[1772] Clause 16(2) memorandum (14 May 2026)
[1773] Clause 16(2) memorandum (14 May 2026)
[1774] Clause 16(2) memorandum (14 May 2026)

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~~Ensure[1775] that the ability to develop, use and protect *native reserves* and Māori *land* in accordance with MW-P4 is not compromised.[1776]

Methods

HAZ-CL-~~M6~~ M8[1777] – *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-P15,[1778] 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*[1779] 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~~ M9[1780] – *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~~ M10[1781] – *Waste* management and minimisation plans

Local authorities must develop *waste* management and minimisation plans in accordance with the Waste Minimisation Act 2008.

[1775] Clause 16(2) memorandum (14 May 2026)
[1776] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[1777] Clause 16(2) memorandum (14 May 2026)
[1778] Clause 16(2) memorandum (14 October 2025)
[1779] Clause 16(2) memorandum (14 October 2025)
[1780] Clause 16(2) memorandum (14 May 2026)
[1781] Clause 16(2) memorandum (14 May 2026)

HAZ-CL-~~M8A~~ M11[1782] – Prioritisation and action plans

Otago Regional Council and ~~territorial authorities~~*territorial authorities*,[1783] in consultation with Kāi Tahu and the community, must together:

(1) identify closed *landfills* and *contaminated land* at risk from the ~~effects~~ *effects*[1784] 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~~[1785] 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~~ M12[1786] – Other incentives and mechanisms

Local authorities may:

(1) encourage the application of the *waste* management hierarchy by:

  (a) giving preference to reducing ~~waste~~ *waste*[1787] 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.

[1782] Clause 16(2) memorandum (14 May 2026)
[1783] Clause 16(2) memorandum (14 May 2026)
[1784] Clause 16(2) memorandum (14 October 2025)
[1785] Clause 16(2) memorandum (14 October 2025)
[1786] Clause 16(2) memorandum (14 May 2026)
[1787] Clause 16(2) memorandum (14 October 2025)

Principal reasons

HAZ-CL-PR2 – Principal reasons

Resources need to be carefully used to minimise the material disposed of as *waste*. ~~Waste~~ *Waste*[1788] 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*.

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*,[1789] 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*.

[1788] Clause 16(2) memorandum (14 October 2025)
[1789] 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 – Rakatirataka

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*

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~~ *effects*[1790] on *wāhi tūpuna*

Wāhi tūpuna are protected by:

(1) avoiding significant adverse *effects* on the cultural values of identified *wāhi tūpuna*,

(~~1A~~2)[1791] avoiding, as the first priority, other adverse ~~effects~~ *effects* on the cultural values of identified ~~wāhi tūpuna~~*wāhi tupuna*,[1792]

(~~2~~3)[1793] 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~~ P3[1794] – Management of *wāhi tūpuna*

Wāhi tūpuna are protected by:

[1790] Clause 16(2) memorandum (14 May 2026)
[1791] Clause 16(2) memorandum (14 May 2026)
[1792] Clause 16(2) memorandum (14 October 2025)
[1793] Clause 16(2) memorandum (14 May 2026)
[1794] Clause 16(2) memorandum (14 May 2026)

(~~3~~1)[1795] managing identified *wāhi tūpuna* in accordance with tikaka Māori, and

(~~5~~2)[1796] encouraging the enhancement of access to *wāhi tūpuna* to the extent compatible with the particular *wāhi tūpuna*.

Methods

HCV-WT-~~M3~~ M1[1797] – 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~~2)[1798] collaborate with Kāi Tahu to share information relevant to Kāi Tahu interests.

HCV-WT-~~M1~~ M2[1799] – Identification

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~~APP9,[1800]

(~~3~~2)[1801] 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~~3)[1802] identify, record (using methods determined by *mana whenua* (which may include mapping)),[1803] and protect the sites, areas and values identified under (1) in the relevant *regional plans* and *district plans.*

HCV-WT-~~M2~~ M3[1804] – *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~~[1805] activities in, or affecting~~adjacent to~~,[1806] *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,

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[1795] Clause 16(2) memorandum (14 May 2026)
[1796] Clause 16(2) memorandum (14 May 2026)
[1797] Clause 16(2) memorandum (14 May 2026)
[1798] Clause 16(2) memorandum (14 May 2026)
[1799] Clause 16(2) memorandum (14 May 2026)
[1800] Clause 16(2) memorandum (14 May 2026)
[1801] Clause 16(2) memorandum (14 May 2026)
[1802] Clause 16(2) memorandum (14 May 2026)
[1803] Clause 16(2) memorandum (14 May 2026)
[1804] Clause 16(2) memorandum (14 May 2026)
[1805] Clause 16(2) memorandum (24 March 2025)
[1806] Clause 16(2) memorandum (24 March 2025)

(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~~APP13,[1807] and

(5) maintain existing access to identified *wāhi tūpuna* sites and areas and promote improved access where practicable.

Explanation

HCV-WT-E1 – Explanation

Providing for *wāhi tūpuna* plays a role in recognising the resource management principles in sections 6(e), 7(a) and 8 of the RMA. The policies in this chapter recognise the cultural and contemporary significance of *wāhi tūpuna* to Kāi Tahu and acknowledge that the identification of *wāhi tūpuna* and the associated values can only be undertaken by Kāi Tahu.

Wāhi tūpuna can be impacted by a range of activities, requiring a range of different management responses. The policies in this chapter are designed to achieve active protection of *wāhi tūpuna* 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	*Wāhi tūpuna* ~~*areas*~~ areas and sites are identified in the relevant *regional plans* and *district plans* using ~~tiakaka~~ tikaka[1808] for identification of wāhi tūpuna and their values and the manner of recording those being determined by Kāi Tahu.

[1807] Clause 16(2) memorandum (14 May 2026)
[1808] Clause 16(2) memorandum (14 October 2025)

HCV-WT-AER2	*Wāhi tūpuna* and their values are protected and improved where their values have been degraded by human activities.

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~~[1809] people's understanding and appreciation of it is enhanced, and ~~that~~[1810]it is protected for future generations against inappropriate ~~subdivision~~*subdivision*,[1811] use and development.

Policies

HCV-HH-~~P3~~ P4[1812] – 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~~ *infrastructure*[1813] and routes,

(6) industrial *historic heritage,* including mills, quarries, limekilns, grain stores, water supply ~~infrastructure~~ *infrastructure*[1814] 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~~ historic[1815] places within the meaning under section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

[1809] Clause 16(2) memorandum (14 May 2026)
[1810] Clause 16(2) memorandum (5 December 2024)
[1811] Clause 16(2) memorandum (14 October 2025)
[1812] Clause 16(2) memorandum (14 May 2026)
[1813] Clause 16(2) memorandum (14 October 2025)
[1814] Clause 16(2) memorandum (14 October 2025)
[1815] Clause 16(2) memorandum (14 May 2026)

HCV-HH-~~P4~~ P5[1816] – Identifying *historic heritage*

Identify the places and areas of *historic heritage* in Otago in accordance with ~~APP8~~APP10.[1817]

HCV-HH-~~P5~~ P6[1818] – Managing *historic heritage*

Except as provided for in EIT-INF-~~P13~~ P4 and EIT-INF-~~PX~~P9,[1819, 1820] protect *historic heritage* from inappropriate subdivision, use and development by:

(1) requiring the use of accidental discovery protocols in accordance with ~~APP11~~APP13,[1821]

(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-~~P6A~~P7[1822, 1823] applies, or

(b) a project has significant public benefit that outweighs the loss of ~~historic heritage~~*historic heritage*;[1824] or

(c) the activity has functional or locational constraints:[1825]

(i) and has a significant public benefit; or

(ii) will enable access to, and enhance people's understanding and appreciation of, the *historic heritage* area or place, or[1826]

(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~~*historic heritage* ~~building~~ *building*[1827] to modern use~~.~~ and;[1828]

(3) avoiding, remedying or mitigating adverse *effects* on other areas or places with *historic heritage* values or qualities.[1829]

HCV-HH-~~P6A~~ P7[1830] – 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.

[1816] Clause 16(2) memorandum (14 May 2026)
[1817] Clause 16(2) memorandum (14 May 2026)
[1818] Clause 16(2) memorandum (14 May 2026)
[1819] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 395
[1820] Clause 16(2) memorandum (14 May 2026)
[1821] Clause 16(2) memorandum (14 May 2026)
[1822] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 395
[1823] Clause 16(2) memorandum (14 May 2026)
[1824] Clause 16(2) memorandum (14 October 2025)
[1825] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 395
[1826] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 395
[1827] Clause 16(2) memorandum (14 October 2025)
[1828] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 395
[1829] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 395
[1830] Clause 16(2) memorandum (14 May 2026)

Methods

HCV-HH-M4 – *Regional plans*

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~~ P5[1831] that are located in the *beds* of *lakes* and *rivers*, *wetlands* and the *coastal marine area,*

(2) control the following where they may adversely affect *historic heritage*:

(a) the character, location, scale and form of *structures* in the *beds* of *lakes* and *rivers, wetlands* and in the *coastal marine area*,

(b) ~~indigenous vegetation~~*indigenous vegetation*[1832] removal in the *beds* of *lakes* and *rivers*, *wetlands* and the *coastal marine area,*

(c) *earthworks*, deposition and disturbance to and in the *beds* of *lakes* and *rivers* and in the *coastal marine area*,

(d) ~~discharges~~ *discharges*[1833] 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~~3)[1834] 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~~ P5[1835] that are located on the ~~beds~~ *beds* of ~~lakes~~ *lakes* and ~~rivers~~*rivers*,[1836] and in ~~wetlands~~ *wetlands* and the ~~coastal marine areas~~*coastal marine areas*,[1837]

(~~3~~4)[1838] include implementation methods to protect *historic heritage* that are in accordance with HCV-HH-~~P5~~ P6[1839] 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~~5)[1840] require the use of accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may encounter archaeological features.

[1831] Clause 16(2) memorandum (14 May 2026)
[1832] Clause 16(2) memorandum (14 October 2025)
[1833] Clause 16(2) memorandum (14 October 2025)
[1834] Clause 16(2) memorandum (14 May 2026)
[1835] Clause 16(2) memorandum (14 May 2026)
[1836] Clause 16(2) memorandum (14 October 2025)
[1837] Clause 16(2) memorandum (14 October 2025)
[1838] Clause 16(2) memorandum (14 May 2026)
[1839] Clause 16(2) memorandum (14 May 2026)
[1840] Clause 16(2) memorandum (14 May 2026)

HCV-HH-M5 – *District Plans*

Territorial authorities must prepare or amend and maintain their *district plans* to the extent necessary to:

(1) identify places and areas with *historic heritage* in accordance with HCV-HH-~~P4~~ P5[1841] 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 vegetation*[1842] 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~~3)[1843] 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~~ P5[1844] 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*,[1845]

(~~3~~4)[1846] include implementation methods to protect *historic heritage* places and areas required by HCV-HH-~~P5~~P6,[1847] and may also include:

(a) assessment criteria, development standards or thresholds to control the scale, intensity, form and location of activities (including for the purposes of controlling cumulative adverse *effects*),

(b) conditions on *resource consents* and designations to provide buffers or setbacks between *historic heritage* places or areas and other incompatible activity,

(c) accidental discovery protocols as conditions on *resource consents* for *earthworks* or other activities that may unearth archaeological features,

(d) providing for activities seeking to retain *historic heritage* places, areas or landscapes, including adaptive reuse, maintenance and seismic strengthening,

(e) including heritage alert layers in plans to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values, and

(~~4~~5)[1848] require the use of accidental discovery protocols as conditions on *resource consents* and designations for *earthworks* or other activities that may unearth archaeological features.

[1841] Clause 16(2) memorandum (14 May 2026)
[1842] Clause 16(2) memorandum (14 October 2025)
[1843] Clause 16(2) memorandum (14 May 2026)
[1844] Clause 16(2) memorandum (14 May 2026)
[1845] Clause 16(2) memorandum (14 October 2025)
[1846] Clause 16(2) memorandum (14 May 2026)
[1847] Clause 16(2) memorandum (14 May 2026)
[1848] Clause 16(2) memorandum (14 May 2026)

HCV-HH-M6 – Incentives and education

Local authorities are encouraged to use other mechanisms or incentives to assist in achieving HCV-HH-~~P3~~ P4 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.

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[1849] 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*.

[1849] Clause 16(2) memorandum (14 October 2025)

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 *historic heritage* are identified and protected.
HCV-HH-AER4	The number, type, extent and distribution of *historic heritage* sites and places with special or outstanding values or qualities are maintained.
HCV-HH-AER5	Otago's existing built *historic heritage* is maintained and enhanced through efficient use, or adaptive reuse, where appropriate.

NFL – Natural features and landscapes

Advice note: *Pursuant to CE-~~P1~~ P2*[1850] *the provisions within this chapter do not apply in the coastal environment.*

Objectives

NFL-O1 – Outstanding ~~*natural features and landscapes*~~natural features and landscapes[1851]

The areas and values of Otago's outstanding ~~*natural features and landscapes*~~natural features and landscapes[1852] 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.

NFL-O2 – *Highly valued natural features and landscapes*

The identified values of any *highly valued natural features and landscapes* are maintained or enhanced.[1853]

Policies

NFL-P1 – Identification

Any ~~Identify~~ identification of the areas and values of outstanding ~~*natural features and landscapes*~~natural features and landscapes[1854] or *highly valued natural features and landscapes,* occurs in accordance with APP~~9~~11[1855] and MW-M1(5).~~Te Tangi a te Manu: Aotearoa New Zealand Landscape Assessment Guidelines', Tuia Pito Ora New Zealand Institute of Landscape Architects, July 2022.~~[1856]

NFL-P2 – Protection of outstanding natural features and landscapes

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,~~[1857]

(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*[1858] on the values of outstanding natural features and landscapes in accordance with EIT-INF-~~P13~~ P4 and EIT-INF-

[1850] Clause 16(2) memorandum (14 May 2026)
[1851] Clause 16(2) memorandum (14 October 2025)
[1852] Clause 16(2) memorandum (14 May 2026)
[1853] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1854] Clause 16(2) memorandum (14 May 2026)
[1855] Clause 16(2) memorandum (14 May 2026)
[1856] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1857] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1858] Clause 16(2) memorandum (14 October 2025)

~~Px~~P9.[1859, 1860]

NFL-P3 – Management of activities within *highly valued natural features and landscapes*

Manage adverse *effects* of *subdivision*, use and development within any identified *highly valued natural features and landscapes* having particular regard to the maintenance or enhancement of the values of those areas.[1861]

NFL-P4 – Restoration

Promote restoration of the areas and values of outstanding natural features and landscapes[1862] and *highly valued natural features and landscapes* where those areas or values have been reduced or lost.[1863]

NFL-~~Px~~P5[1864] – Managing landscape values on ~~Native Reserves~~native reserves and ~~Māori land~~*Māori land*[1865]

When managing the effects of *subdivision*, use and development of ~~Native Reserves~~native reserves and ~~Māori land~~*Māori land*[1866] on outstanding natural features and landscapes[1867] and *highly valued natural features and landscapes*, recognise and give practical effect to Kai Tahu rakatirataka by:

(1) having regard to the principles of the Treaty of Waitangi, and the purpose of the redress provided for in the NTCSA, including redress arising from the Ancillary Claims and SILNA,

(2) enabling *mana whenua*, and owners of Māori freehold *land* in relation to their ~~land~~*land*,[1868] to lead approaches to the management of those *effects*, and

(3) while achieving the outcomes provided for under NFL-P2 and NFL-P3, also achieving the outcomes provided for under MW-P4.[1869]

Methods

NFL-M1 – Identification

Territorial authorities ~~must~~:

(1) may identify *highly valued natural features and landscapes*, and[1870]

(2~~B~~)[1871] must:[1872]

(~~1~~a) 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,

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[1859] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1860] Clause 16(2) memorandum (14 May 2026)
[1861] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1862] Clause 16(2) memorandum (14 May 2026)
[1863] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1864] Clause 16(2) memorandum (14 May 2026)
[1865] Clause 16(2) memorandum (14 May 2026)
[1866] Clause 16(2) memorandum (14 May 2026)
[1867] Clause 16(2) memorandum (14 May 2026)
[1868] Clause 16(2) memorandum (14 May 2026)
[1869] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1870] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1871] Clause 16(2) memorandum (14 May 2026)
[1872] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397

(~~2~~b) 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*~~natural features and landscapes[1873] to accommodate use or development while protecting from inappropriate use and development[1874] the values that contribute to the natural feature and landscape being considered outstanding,

(~~2A~~c) 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*~~Kāi Tahu,[1875]

(~~3~~d) recognise that natural features and landscapes and any identifying *highly valued natural features and landscapes*[1876] may span jurisdictional boundaries and work together, including with the Regional Council and adjoining Regional Councils, to identify areas under (1) and (2~~B~~)(a)[1877, 1878] to ensure that the identification of outstanding natural features and landscapes are treated uniformly across district boundaries and, where appropriate, regional boundaries, and

(~~4~~e) prioritise identification under (~~1~~2~~B~~(a))[1879, 1880] 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~~.~~, and

(f) ensure the requirements of MW-M1(~~5~~4)[1881] are met, and

(g) if identifying *highly valued natural features and landscapes* under (1):

(i) implement (2~~B~~)(c)[1882] and (f) above, and

(ii) include in their *district plans* a map or maps.[1883]

NFL-M2 – *Regional plans*

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:[1884]

(1) protect outstanding natural features and landscapes in accordance with NFL-P2~~.~~ and NFL-~~Px~~P5,[1885]

(2) manage adverse ~~effects~~*effects*[1886] on *highly valued natural features and landscapes* in accordance with NFL-P3 and NFL-~~Px~~P5,[1887] and

(3) provide for and encourage activities undertaken for the purpose of restoring outstanding natural features and landscapes and *highly valued natural features and landscapes* in accordance with NFL-

[1873] Clause 16(2) memorandum (14 May 2026)
[1874] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1875] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1876] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1877] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1878] Clause 16(2) memorandum (14 May 2026)
[1879] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1880] Clause 16(2) memorandum (14 May 2026)
[1881] Clause 16(2) memorandum (14 May 2026)
[1882] Clause 16(2) memorandum (14 May 2026)
[1883] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1884] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1885] Clause 16(2) memorandum (14 May 2026)
[1886] Clause 16(2) memorandum (14 May 2026)
[1887] Clause 16(2) memorandum (14 May 2026)

P4.[1888]

NFL-M3 – *District plans*

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

(1) control the *subdivision*, use and development of *land* and the use of the surface of *water bodies* in order to:

(a) protect outstanding natural features or landscapes in accordance with NFL-P2 and NFL-~~Px~~P5,[1889] and

(b) manage adverse *effects* on *highly valued natural features and landscapes* in accordance with NFL-P3 and ~~NFL-Px.~~[1890] NFL-P5.[1891]

(~~3~~2)[1892] manage *wilding conifer* spread in accordance with LF-LS-~~P16A~~P18[1893]~~.~~, and

(3~~A~~)[1894] provide for and encourage activities undertaken for the purpose of restoring outstanding natural features and landscapes and *highly valued natural features and landscapes* in accordance with NFL-P4.[1895]

NFL-M4 – Other incentives and mechanisms

Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving the outcomes sought by the policies in this chapter, including:

(1) funding assistance for restoration projects (for example, through the Regional Council's ECO Fund),

(2) purchase of *land* that forms part of a natural feature or landscape,

(3) development or design guidelines (for example, colour palettes for *structures* in or on natural features or landscapes),

(4) rates relief for *land* that is protected due to its status as an outstanding natural feature or landscape, or use is constrained due to its status as a *highly values natural feature and landscape,*[1896]

(5) education and advice,

(6) waiver or reduction of processing fees for activities where the primary purpose is to enhance the values of outstanding natural features and landscapes or identified *highly valued* *natural features* ~~*or*~~ *and*[1897] *landscapes*, and

(7) advocating for a collaborative approach between central and local government to fund and carry out *wilding conifer* control.

Explanation

[1888] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1889] Clause 16(2) memorandum (14 May 2026)
[1890] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1891] Clause 16(2) memorandum (14 May 2026)
[1892] Clause 16(2) memorandum (14 May 2026)
[1893] Clause 16(2) memorandum (14 May 2026)
[1894] Clause 16(2) memorandum (14 May 2026)
[1895] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1896] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1897] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397

NFL-E1 – Explanation

The policies in this chapter are designed to require outstanding ~~*natural features and landscapes*~~natural features and landscapes[1898] 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 chapter also allows for *highly valued natural features and landscapes* to be identified. Where *highly valued natural features and landscapes* are identified, policies require the management of adverse effects having particular regard to the maintenance or enhancement of these *highly valued natural features and landscapes* in accordance with section 7 of the RMA. This distinction recognises that these areas have values with differing degrees of significance and that, generally those classified as 'highly valued' will have a greater capacity to accommodate land use change and development without values being adversely affected. The policies seek to control the impact of *wilding conifers* which are a particular threat to Otago's natural features and landscapes, in a way that recognises the regulations in the ~~NESPF~~NESCF.[1899]

Principal reasons

NFL-PR1 – Principal reasons

Natural features include resources that are the result of natural processes, particularly those reflecting a particular geology, topography, geomorphology, hydrology, ecology, or other physical attribute that creates a natural feature or combination of natural features. Landscapes include the natural and physical attributes of *land* together with air and *water*, which change over time and which is made known by people's evolving perceptions and associations. Natural features and landscapes also have 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*~~natural features and landscapes,[1900] and managing *effects* on *highly valued natural features and landscapes* by ~~requiring~~:[1901]

- requiring the identification of outstanding ~~*natural features and landscapes*~~natural features and landscapes[1902] using regionally consistent criteria,
- requiring the protection of outstanding ~~*natural features and landscapes*~~natural features and landscapes,[1903]
- requiring specified actions on the part of Otago's *local authorities* in managing natural features and landscapes~~.~~,
- allowing for the identification of *highly valued natural features and landscapes* using regionally consistent criteria,
- requiring the management of adverse *effects* having particular regard to the maintenance or enhancement of any identified *highly valued natural features and landscapes*.[1904]

[1898] Clause 16(2) memorandum (14 May 2026)
[1899] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1900] Clause 16(2) memorandum (14 May 2026)
[1901] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1902] Clause 16(2) memorandum (14 May 2026)
[1903] Clause 16(2) memorandum (14 May 2026)
[1904] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397

Implementation of the provisions in this chapter will occur primarily through *regional plan*[1905] and *district plan* provisions, however *local authorities* may also choose to adopt additional non-regulatory methods to support the achievement of the objectives.

Anticipated environmental results

NFL-AER1 The number, type, extent and distribution of identified outstanding ~~*natural features and landscapes*~~natural features and landscapes[1906] are maintained over the life of this RPS.

NFL-AER2 The values of outstanding natural features and landscapes[1907] and *highly valued natural features and landscapes* are not reduced or lost.

[1905] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397
[1906] Clause 16(2) memorandum (14 May 2026)
[1907] Clause 16(2) memorandum (14 May 2026)

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*

The development and change of Otago's *urban areas* occurs in a strategic and coordinated way, which results in *well-functioning urban environments,* that:[1908]

(1) accommodate~~s~~ the diverse and changing needs and preferences of Otago's people and communities, now and in the future,

(2) integrate~~s~~ effectively with *infrastructure, development infrastructure* and *additional infrastructure,* and surrounding *urban areas* and *rural areas,* including by managing ~~*reverse sensitivity*~~*reverse sensitivity* ~~*effects*~~*effects* and direct ~~*effects*~~*effects* on electricity networks,[1909, 1910]

(~~2A~~3)[1911] ~~results in a~~ are consolidated, well-connected and have a well-designed urban form~~, which is integrated with *infrastructure,* and~~[1912]

(~~2AB~~4)[1913] have effective and efficient *infrastructure, development infrastructure* and *additional infrastructure*,[1914]

(~~2B~~5)[1915] support~~s~~ *climate change adaptation*[1916] and *climate change mitigation*[1917]~~.~~, and[1918]

(~~3~~6)[1919] takes into account the values and aspirations of iwi, hapū and whānau, including for urban development.[1920]

[1908] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1909] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1910] Clause 16(2) memorandum (14 May 2026)
[1911] Clause 16(2) memorandum (14 May 2026)
[1912] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1913] Clause 16(2) memorandum (14 May 2026)
[1914] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1915] Clause 16(2) memorandum (14 May 2026)
[1916] Clause 16(2) memorandum (5 December 2024)
[1917] Clause 16(2) memorandum (5 December 2024)
[1918] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1919] Clause 16(2) memorandum (14 May 2026)
[1920] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51

Policies

UFD-P1 – Strategic planning

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,

(~~1A~~2)[1921] ensure the integration of *land* use, urban intensification, and urban expansion ~~and~~ with[1922] *infrastructure*, including how, where and when necessary *development infrastructure* and *additional infrastructure* will be provided, and by whom,

(~~1B~~3)[1923] take into account whether urban expansion may contravene ~~limits (in relation to~~*limits (in relation to freshwater)*,[1924, 1925]

(~~2~~4)[1926] 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~~5)[1927] 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~~6)[1928] indicate how connectivity will be improved and connections will be provided within *urban areas*,

(~~6~~7)[1929] 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~~8)[1930] facilitate involvement of the current community and respond to the reasonably foreseeable needs of future communities, and

(~~8A~~9)[1931] identify areas of potential conflict between incompatible activities and sets out the methods by which these are to be resolved~~.~~, including by consultation with ~~infrastructure~~*infrastructure*[1932] providers.[1933]

UFD-P2 – Sufficiency of *development capacity*

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~~1)[1934] responding to any demonstrated insufficiency in housing or business *development capacity* by increasing *development capacity* or providing more *development infrastructure* as required, as soon

[1921] Clause 16(2) memorandum (14 May 2026)
[1922] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1923] Clause 16(2) memorandum (14 May 2026)
[1924] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1925] Clause 16(2) memorandum (14 May 2026)
[1926] Clause 16(2) memorandum (14 May 2026)
[1927] Clause 16(2) memorandum (14 May 2026)
[1928] Clause 16(2) memorandum (14 May 2026)
[1929] Clause 16(2) memorandum (14 May 2026)
[1930] Clause 16(2) memorandum (14 May 2026)
[1931] Clause 16(2) memorandum (14 May 2026)
[1932] Clause 16(2) memorandum (14 May 2026)
[1933] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1934] Clause 16(2) memorandum (14 May 2026)

as practicable,

(~~5A~~2)[1935] being responsive to plan changes that demonstrate compliance with UFD-~~P10~~P7,[1936] and

(~~6~~3)[1937] requiring Tier 2 *urban environments* to meet, at least, the relevant housing bottom lines in ~~APP10~~APP12.[1938]

UFD-P3 – Urban intensification

Manage intensification in ~~urban areas~~*urban areas*,[1939] so that as a minimum ~~it~~the intensification[1940]~~:~~.[1941]

(1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment*,

(2) is well-served by efficient and effective *infrastructure*, ~~existing or planned~~ [1942] ~~development infrastructure~~*development infrastructure* and ~~additional infrastructure~~*additional infrastructure*,[1943]

(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*, ~~and~~[1944]1945

(~~5~~4)[1946] addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents~~.~~[1947],[1948]

(~~6~~5)[1949] protects the efficient and effective operation, maintenance, upgrading and development of *nationally significant infrastructure* and *regionally significant infrastructure* in accordance with EIT-INF-P~~15~~7,[1950] and electricity distribution infrastructure in accordance with EIT-INF-P~~9A~~1,[1951] and

(~~7~~6)[1952] except as provided for in (~~6~~5),[1953] limits, to the extent reasonably possible, the effects on operation, maintenance, upgrading and development of *development infrastructure* and *additional infrastructure*.[1954]

UFD-P4 – Urban expansion

Expansion of existing *urban areas* ~~may~~ should only[1955] occur where, at a minimum,[1956] the expansion:

[1935] Clause 16(2) memorandum (14 May 2026)
[1936] Clause 16(2) memorandum (14 May 2026)
[1937] Clause 16(2) memorandum (14 May 2026)
[1938] Clause 16(2) memorandum (14 May 2026)
[1939] Clause 16(2) memorandum (14 October 2025)
[1940] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1941] Clause 16(2) memorandum (5 May 2025)
[1942] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1943] Clause 16(2) memorandum (14 May 2026)
[1944] ~~Clause 16(2) memorandum (5 December 2024)~~
[1945] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1946] Clause 16(2) memorandum (14 May 2026)
[1947] ~~Clause 16(2) memorandum (5 December 2024)~~
[1948] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1949] Clause 16(2) memorandum (14 May 2026)
[1950] Clause 16(2) memorandum (14 May 2026)
[1951] Clause 16(2) memorandum (14 May 2026)
[1952] Clause 16(2) memorandum (14 May 2026)
[1953] Clause 16(2) memorandum (14 May 2026)
[1954] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1955] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1956] Clause 16(2) memorandum (5 December 2024)

(1) contributes to establishing or maintaining the qualities of a *well-functioning urban environment,*

(~~1A~~2)[1957] 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~~3)[1958] achieves consolidated, well designed and sustainable development in and around existing *urban areas*,

(~~2~~4)[1959] is logically and appropriately staged, and will not result in inefficient or sporadic patterns of settlement and residential growth,

(~~3~~5)[1960] is integrated efficiently and effectively with *infrastructure,*[1961] *development infrastructure* and *additional infrastructure* in a strategic, timely and co-ordinated way,

(~~4~~6)[1962] addresses issues of concern to iwi and hapū, including those identified in any relevant iwi planning documents,

(~~5~~7)[1963] manages adverse *effects* on other values or resources identified by this RPS that require specific management or protection, ~~and~~[1964][1965]

(~~6~~8)[1966] avoids, ~~highly productive land~~*highly productive land* except as provided for in the ~~NPS-HPL~~NPSHPL,[1967] 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~~.~~,

(~~7~~9)[1968] protects the efficient and effective operation, maintenance, upgrading and development of *nationally significant infrastructure* and *regionally significant infrastructure* in accordance with EIT-INF-P~~15~~7,[1969] and electricity distribution infrastructure in accordance with EIT-INF-P~~9A~~1,[1970] and

(~~8~~10)[1971] except as provided for in (~~7~~9),[1972] limits, to the extent reasonably possible, the effects on operation, maintenance, upgrading and development of *development infrastructure* and *additional infrastructure*.[1973]

UFD-P5 – Commercial activities

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,

[1957] Clause 16(2) memorandum (14 May 2026)
[1958] Clause 16(2) memorandum (14 May 2026)
[1959] Clause 16(2) memorandum (14 May 2026)
[1960] Clause 16(2) memorandum (14 May 2026)
[1961] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1962] Clause 16(2) memorandum (14 May 2026)
[1963] Clause 16(2) memorandum (14 May 2026)
[1964] ~~Clause 16(2) memorandum (5 December 2024)~~
[1965] Clause 16(2) memorandum (14 May 2026)
[1966] Clause 16(2) memorandum (14 May 2026)
[1967] Clause 16(2) memorandum (14 May 2026)
[1968] Clause 16(2) memorandum (14 May 2026)
[1969] Clause 16(2) memorandum (14 May 2026)
[1970] Clause 16(2) memorandum (14 May 2026)
[1971] Clause 16(2) memorandum (14 May 2026)
[1972] Clause 16(2) memorandum (14 May 2026)
[1973] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51

especially if they are highly accessible by *public transport* or *active transport,* and

(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.~~[1974]

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, and[1975]

(3) managing the establishment of non-industrial activities, in industrial zones, to avoid the likelihood of ~~reverse sensitivity~~*reverse sensitivity effects* on existing or potential *industrial activities* arising, unless the potential for ~~reverse sensitivity~~*reverse sensitivity*[1976] is insignificant.

UFD-~~P10~~ P7[1977] – Criteria for significant development capacity

A proposed plan change will only be considered as providing *significant development capacity* for the purpose of clause 3.8 of the NPSUD if it ~~*Significant development capacity* is provided for where a proposed plan change affecting an *urban environment*~~[1978]meets all of the following criteria:

(~~3~~1)[1979] required *development infrastructure* can be provided effectively and efficiently for the proposal, ~~and~~ without preventing or delaying other ~~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~~,[1980]

(~~4~~2)[1981] 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~~3)[1982] when considering the significance of the proposal's contribution to a matter in (~~4~~2),[1983] this means that the proposal's contribution:

(a) is of high yield relative to either the forecast demand or the identified shortfall,

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[1974] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1975] Clause 16(2) memorandum (14 May 2026)
[1976] Clause 16(2) memorandum (14 May 2026)
[1977] Clause 16(2) memorandum (14 May 2026)
[1978] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1979] Clause 16(2) memorandum (14 May 2026)
[1980] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1981] Clause 16(2) memorandum (14 May 2026)
[1982] Clause 16(2) memorandum (14 May 2026)
[1983] Clause 16(2) memorandum (14 May 2026)

(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.

UFD-~~PX~~P8[1984] – Development on native reserves and *Māori ~~Land~~land*[1985]

In *urban areas*, Kāi Tahu are able to use and develop native reserves and *Māori land* in accordance with MW-P4.[1986]

Methods

UFD-M1 – Strategic planning

Otago Regional Council and *territorial authorities*:

(1) must, where they are Tier 2 local authorities, jointly determine housing *development capacity* that is feasible and likely to be taken up in the medium and long terms through *Housing and Business Development Capacity Assessments*,

(2) should, for other districts, jointly determine demand and potential supply responses through similar, but appropriately scaled strategic planning approaches,

(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*[1987] 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, timely, efficient and effective way, and

(b) identify major existing and future activities, constraints and opportunities

and for Tier 2 ~~local authorities~~*local authorities*[1988] 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, and

considering, in relation to native reserves and *Māori land*, the range of servicing solutions that will enable the use and development of that *land* in accordance with MW-P4,[1989]

(5) must, where they are Tier 2 ~~local authorities~~*local authorities*,[1990] develop housing bottom lines for *urban environments* and include those bottom lines in ~~APP10~~ APP12[1991] and in the relevant *district plans*,

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[1984] Clause 16(2) memorandum (14 May 2026)
[1985] Clause 16(2) memorandum (14 May 2026)
[1986] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1987] Clause 16(2) memorandum (14 October 2025)
[1988] Clause 16(2) memorandum (14 October 2025)
[1989] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1990] Clause 16(2) memorandum (14 October 2025)
[1991] Clause 16(2) memorandum (14 May 2026)

(6) must individually or jointly develop further regulatory or non-regulatory methods and actions to implement strategic and spatial plans, including to guide the detail of how, when and where development occurs, including matters of urban design, requirements around the timing, provision, and responsibilities for open space, connections and infrastructure, including by third parties, and the ongoing management of effects of urban development on matters of local importance, ~~and~~

(7) must involve *mana whenua,* and provide opportunities for iwi, hapū and whānau involvement in planning processes, including in decision making~~.~~, and[1992]

(~~7A~~8)[1993] must ensure that owners of Māori freehold ~~land~~*land*[1994] are included in planning processes that may affect their *land*.[1995]

UFD-M2 – *District plans*

Territorial authorities must prepare or amend their *district plans* as soon as practicable, and maintain thereafter, to:

(1) identify and provide for urban expansion and intensification to occur in accordance with:

(a) any adopted *future development strategy* for the relevant district or region, which must be completed in time to inform the 2024 Long Term Plan, or

(b) where there is no *future development strategy,* a *local authority* adopted strategic plan developed in accordance with UFD-P1, for the relevant area, district or region,

(2) in accordance with any required *Housing and Business Development Capacity Assessments* or monitoring, including any *competitiveness margin*, ensure there is always sufficient *development capacity* that is feasible and likely to be taken up and, for Tier 2 ~~urban environments~~*urban environments*,[1996] at a minimum meets the bottom lines for housing in ~~APP 10~~APP12,[1997] 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~~*reverse sensitivity*[1998] *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*[1999] and development to maximise passive winter solar gain and winter heat retention, including through roading, lot size, dimensions, layout and orientation,

[1992] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1993] Clause 16(2) memorandum (14 May 2026)
[1994] Clause 16(2) memorandum (14 May 2026)
[1995] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[1996] Clause 16(2) memorandum (14 May 2026)
[1997] Clause 16(2) memorandum (14 May 2026)
[1998] Clause 16(2) memorandum (14 May 2026)
[1999] 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, and

(~~8A~~9)[2000] ensure that owners of Māori freehold ~~land~~*land*[2001] are included in planning processes that may affect their *land.*[2002]

UFD-M3 – Design of public spaces and surrounds

Territorial authorities must design and maintain public places and spaces, including streets, open spaces, public *buildings* and publicly accessible spaces so that they are safe, attractive, accessible and usable by everyone in the community.

Explanation

UFD-E1 – Explanation

The policies in this chapter are designed to facilitate the provision of sufficient housing and business capacity and ensure all of the region's *urban areas* demonstrate the features of *well-functioning urban environments* and meet the needs of current and future communities. Urban intensification 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

[2000] Clause 16(2) memorandum (14 May 2026)
[2001] Clause 16(2) memorandum (14 May 2026)
[2002] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51

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, 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 reasons

The provisions in this chapter assist in fulfilling the functions of the regional council under section 30(ba) and *territorial authorities* under section 31(aa) of the 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.[2003]

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~~ *infrastructure*[2004] 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*.[2005] ~~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 areas*[2006] 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 environments*[2007] and areas in the region is variable, meaning no single response at a regional level is

[2003] Clause 16(2) memorandum (14 October 2025)
[2004] Clause 16(2) memorandum (14 October 2025)
[2005] Clause 16(2) memorandum (14 October 2025)
[2006] Clause 16(2) memorandum (14 October 2025)
[2007] Clause 16(2) memorandum (14 October 2025)

appropriate in all cases. Accordingly, the process identified in this RPS remains flexible and responsive (outside of Tier 2 ~~urban environments~~*urban environments*,[2008] 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~~ *infrastructure* (including transport ~~infrastructure~~*infrastructure*).[2009] 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*,[2010] 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*[2011] 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,* and owners of Māori freehold land in relation to their *land,*[2012] 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 suns 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 councils[2013] and ~~territorial authorities~~*territorial authorities*[2014] 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*~~Kāi Tahu[2015], 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.

[2008] Clause 16(2) memorandum (14 October 2025)
[2009] Clause 16(2) memorandum (14 October 2025)
[2010] Clause 16(2) memorandum (14 October 2025)
[2011] Clause 16(2) memorandum (14 October 2025)
[2012] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51
[2013] Clause 16(2) memorandum (14 May 2026)
[2014] Clause 16(2) memorandum (14 October 2025)
[2015] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51

Anticipated environmental results

UFD-AER1 Appropriately scaled strategic planning occurs in advance of regulatory planning, and regulatory plans are changed in a timely manner to facilitate the outcomes identified in these processes.

UFD-AER2 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*.

UFD-AER3 *Development infrastructure* is in place in time to facilitate reasonably expected urban intensification or planned expansion.

UFD-AER4 New developments including redevelopments are designed to maximise energy and transport efficiency and minimise impacts on *water* quality and quantity.

UFD-AER5 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 *active transport* and, where available, *public transport*.

UFD-AER6 The mode share and use of *active transport* and where available, *public transport* increases.

UFD-~~AER9~~AER7[2016] There is an increased range of housing types and locations and an increased number of *dwellings*, particularly more affordable housing in existing and planned *urban areas*.

UFD-~~AER10~~AER8[2017] The current and future needs of business are met by the availability of a range of opportunities for *land* and space that meets their requirements.

UFD-~~AER11~~AER9[2018] New rural lifestyle development occurs within areas appropriate for this use.

UFD-~~AER12~~AER10[2019] 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-~~AER13~~AER11[2020] *Mana whenua*, and owners of Māori freehold land in relation to their *land*,[2021] are involved in strategic planning and other planning processes.

[2016] Clause 16(2) memorandum (14 May 2026)
[2017] Clause 16(2) memorandum (14 May 2026)
[2018] Clause 16(2) memorandum (14 May 2026)
[2019] Clause 16(2) memorandum (14 May 2026)
[2020] Clause 16(2) memorandum (14 May 2026)
[2021] Environment Court Consent Order sealed 20 March: Decision No. [2026] NZEnvC 51

PART 4 – EVALUATION AND MONITORING

Monitoring the efficiency and effectiveness of the policy statement

ORC must monitor the efficiency and effectiveness of its RPS provisions and publish the results every five years. The RPS needs to include the procedures for monitoring its methods and policies.

Existing monitoring procedure

ORC has policies and procedures in place to gather information and to monitor and report on how well Otago's *natural and physical resources* are managed. These include State of the Environment reporting, *resource consent* monitoring, and annual reporting against objectives in the Council's Long-Term Plan. These policies and procedures will be reviewed and updated to reflect ORPS environmental goals (objectives) and ensure the right information is being gathered to monitor the environmental results anticipated.

The ORPS is relevant to all decision making under the RMA 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.

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

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 *water body* 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 *water body* 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 *water body* with naturalness that: (1) exhibits a[2022] 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 *water body* which is recognised as providing an outstanding recreational experience for an activity which is directly related to the *water*.	Angling, fishing, kayaking, rafting, jetboating
Physical	A *water body* which has an outstanding geomorphological, geological or hydrological feature which is dependent on the *water body's* condition and functioning.	Science

[2022] Clause 16(2) memorandum (14 May 2026)

APP2 – Criteria for identifying areas that qualify as *significant~~indigenous~~*[2023] *natural areas* (SNAs)

This appendix sets out the criteria for identifying significant ~~indigenous vegetation~~*indigenous vegetation*[2024] 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~~[2025] and in accordance with the following principles:

(a) partnership: ~~territorial authorities~~*territorial authorities* engage early with ~~mana whenua~~*mana whenua*[2026] and landowners and share information about *indigenous biodiversity,* potential management options, and any support and incentives that may be available:

(b) transparency: ~~territorial authorities~~*territorial authorities* clearly inform ~~mana whenua~~*mana whenua* and landowners about how any information gathered will be used and make existing information, draft assessments and other relevant information available to ~~mana whenua~~*mana whenua*[2027] 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*[2028] 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~~[2029] are applied consistently, regardless of who owns the ~~land~~*land*:[2030]

(f) boundaries: the boundaries of areas of significant ~~indigenous vegetation~~*indigenous vegetation*[2031] or significant *habitat* of~~if~~[2032] 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:

[2023] Clause 16(2) memorandum (5 December 2024)
[2024] Clause 16(2) memorandum (14 October 2025)
[2025] Clause 16(2) memorandum (24 March 2025)
[2026] Clause 16(2) memorandum (14 October 2025)
[2027] Clause 16(2) memorandum (14 October 2025)
[2028] Clause 16(2) memorandum (5 May 2025)
[2029] Clause 16(2) memorandum (24 March 2025)
[2030] Clause 16(2) memorandum (14 October 2025)
[2031] Clause 16(2) memorandum (14 October 2025)
[2032] Clause 16(2) memorandum (24 March 2025)

(b) diversity and pattern:

(c) rarity and distinctiveness:

(d) ecological context.

(2) If an area would qualify~~quality~~[2033] 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~~quality~~[2034] 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)*[2035], 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~~ratiry~~[2036] 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*,[2037] 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) of the NPSIB,[2038] 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

[2033] Clause 16(2) memorandum (24 March 2025)
[2034] Clause 16(2) memorandum (24 March 2025)
[2035] Clause 16(2) memorandum (5 May 2025)
[2036] Clause 16(2) memorandum (24 March 2025)
[2037] Clause 16(2) memorandum (14 October 2025)
[2038] Clause 16(2) memorandum (14 May 2026)

expertise).

A Representativeness criterion

(1) Representativeness is the extent to which the ~~indigenous vegetation~~*indigenous vegetation*[2039] or *habitat* of indigenous fauna in an area is typical or characteristic of the *indigenous biodiversity* of the relevant *ecological district.*

(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*.[2040]

(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 vegetation*[2041] and the *habitats* of indigenous fauna, which is where most *indigenous biodiversity* is present. It may also include degraded ~~indigenous vegetation~~*indigenous vegetation*,[2042] 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 vegetation*[2043] or *habitat* is protected elsewhere in the *ecological district.*

(5) When considering the typical character of an *ecological district,* any highly developed ~~land~~ *land*[2044] 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 least[2045] 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 pattern[2046] of

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[2039] Clause 16(2) memorandum (14 October 2025)
[2040] Clause 16(2) memorandum (14 October 2025)
[2041] Clause 16(2) memorandum (14 October 2025)
[2042] Clause 16(2) memorandum (14 May 2026)
[2043] Clause 16(2) memorandum (14 October 2025)
[2044] Clause 16(2) memorandum (14 October 2025)
[2045] Clause 16(2) memorandum (24 March 2025)
[2046] Clause 16(2) memorandum (24 March 2025)

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 diversity*[2047] 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 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 area*[2048] under this criterion has at least one of the following attributes:

(a) at least a moderate diversity of ~~indigenous species~~*indigenous species*,[2049] 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 vegetation*[2050] or ecosystems.[2051]

Key assessment principles

(2) **Rarity** is the scarcity (natural or induced) of indigenous elements: species, *habitats*~~*habits*~~[2052], 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*.[2053]

(5) **Distinctiveness** includes distribution limits, type localities, local endemism, relict distributions and special~~species~~[2054] 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:

[2047] Clause 16(2) memorandum (14 October 2025)
[2048] Clause 16(2) memorandum (14 October 2025)
[2049] Clause 16(2) memorandum (14 October 2025)
[2050] Clause 16(2) memorandum (14 October 2025)
[2051] Clause 16(2) memorandum (24 March 2025)
[2052] Clause 16(2) memorandum (24 March 2025)
[2053] Clause 16(2) memorandum (14 October 2025)
[2054] Clause 16(2) memorandum (24 March 2025)

(a) provides *habitat* for an indigenous species that is listed as *Threatened or At Risk (declining)*[2055] in the New Zealand Threat Classification System lists:

(b) an ~~indigenous vegetation~~*indigenous vegetation*[2056] type or an ~~indigenous species~~*indigenous species*[2057] that is uncommon within the region or *ecological district:*

(c) an ~~indigenous species~~*indigenous species*[2058] or plant community at or near its natural distributional limit:

(d) ~~indigenous vegetation~~*indigenous vegetation*[2059] that has been reduced to less than 20 per cent of its prehuman extent in the *ecological district,* region, or ~~land~~ *land*[2060] environment:

(e) ~~indigenous vegetation~~*indigenous vegetation*[2061] or *habitat* of indigenous fauna occurring on naturally uncommon ecosystems:

(f) the type locality of an ~~indigenous species~~*indigenous species*:[2062]

(g) the presence of a distinctive assemblage or community of ~~indigenous species~~*indigenous species*:[2063]

(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

[2055] Clause 16(2) memorandum (5 May 2025)
[2056] Clause 16(2) memorandum (14 October 2025)
[2057] Clause 16(2) memorandum (14 May 2026)
[2058] Clause 16(2) memorandum (14 October 2025)
[2059] Clause 16(2) memorandum (14 October 2025)
[2060] Clause 16(2) memorandum (14 May 2026)
[2061] Clause 16(2) memorandum (14 October 2025)
[2062] Clause 16(2) memorandum (14 October 2025)
[2063] Clause 16(2) memorandum (14 October 2025)

ecological district; and

(e) an area that is important for maintaining 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~~.[2064]

[2064] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

APP3 – Principles for ~~biodiversity offsetting~~*biodiversity offsetting*[2065]

These principles apply to the use of ~~biodiversity offsets~~*biodiversity offsets* for adverse ~~effects~~ *effects*[2066] on *indigenous biodiversity.* An applicant is to comply with principles 1 to 6 and have regard to the remaining principles as appropriate.[2067]

(1) **Adherence to ~~effects management hierarchy~~*effects management hierarchy*:**[2068] 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*[2069] are demonstrated to have been sequentially exhausted.

(2) **When *biodiversity offsetting* is not appropriate:** ~~Biodiversity offsets~~*Biodiversity offsets*[2070] 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*[2071] 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*[2072] 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~~[2073] Threatened *taxa,* other than ~~kanuka~~ kānuka[2074] (*Kunzea robusta* and *Kunzea serotina*), under the New Zealand Threat Classification System (~~Townsend et al, 2008~~Rolfe et al, 2022);[2075] or

(e) the likely worsening of the conservation status of any ~~Threatened or At Risk~~*Threatened or At Risk*[2076] *indigenous biodiversity* as listed under the New Zealand Threat Classification System (~~Townsend et al, 2008~~Rolfe et al, 2022);[2077] or

(f) the removal or loss of ~~health~~ *ecological integrity* and *resilience* of a naturally uncommon ecosystem type that ~~is associated with~~contains *indigenous vegetation* or *habitat* ~~of~~ for[2078] indigenous fauna.

(3) **Net gain:** This principle reflects a standard of acceptability for demonstrating, and then achieving,

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[2065] Clause 16(2) memorandum (14 October 2025)
[2066] Clause 16(2) memorandum (14 October 2025)
[2067] Clause 16(2) memorandum (24 March 2025)
[2068] Clause 16(2) memorandum (14 October 2025)
[2069] Clause 16(2) memorandum (14 October 2025)
[2070] Clause 16(2) memorandum (14 October 2025)
[2071] Clause 16(2) memorandum (14 October 2025)
[2072] Clause 16(2) memorandum (14 October 2025)
[2073] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2074] Clause 16(2) memorandum (14 October 2025)
[2075] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2076] Clause 16(2) memorandum (14 May 2026)
[2077] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2078] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

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 species*[2079] depend on introduced species for their persistence; and

(b) amount; and

(c) condition (structure and quality).

(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~~ *effects*[2080] of the activity.

(5) **Leakage:** ~~Biodiversity offset~~*Biodiversity offset*[2081] design and implementation avoids displacing harm~~d~~[2082] to other *indigenous biodiversity* in the same or any other location.

(6) **Long-term outcomes:** A ~~biodiversity offset~~*biodiversity offset*[2083] 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~~ *effects*[2084] 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 offset*[2085] 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 offsets*,[2086] including their evaluation, selection, design, implementation, and monitoring.

(11) **Transparency:** The design and implementation of a ~~biodiversity offset~~*biodiversity offset*,[2087] and communication of its results to the public, is undertaken in a transparent and timely manner.

[2079] Clause 16(2) memorandum (14 October 2025)
[2080] Clause 16(2) memorandum (14 October 2025)
[2081] Clause 16(2) memorandum (14 October 2025)
[2082] Clause 16(2) memorandum (24 March 2025)
[2083] Clause 16(2) memorandum (14 October 2025)
[2084] Clause 16(2) memorandum (14 October 2025)
[2085] Clause 16(2) memorandum (14 October 2025)
[2086] Clause 16(2) memorandum (14 October 2025)
[2087] Clause 16(2) memorandum (14 October 2025)

APP4 – Principles for ~~biodiversity compensation~~*biodiversity compensation*[2088]

These principles apply to the use of ~~biodiversity compensation~~*biodiversity compensation* for adverse ~~effects~~ *effects*[2089] on *indigenous biodiversity.* An applicant is to comply with principles 1 to 6 and have regard to the remaining principles as appropriate.[2090]

(1) **Adherence to ~~effects management hierarchy~~*effects management hierarchy*:**[2091] *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~~ *effects*[2092] 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~~ *effects*[2093] on *indigenous biodiversity* are uncertain, unknown, or ~~a~~[2094] little understood, but potential ~~effects~~ *effects*[2095] are significantly adverse or irreversible;

(c) there are no technically feasible options by which to secure a proposed net gain within acceptable timeframes;~~.~~[2096]

(d) the loss from an ecological district of Threatened taxa, other than ~~kanuka~~ kānuka (~~Kunzea robusta~~*Kunzea robusta* and ~~Kunzea serotina~~*Kunzea serotina*),[2097] under the New Zealand Threat Classification System (~~Townsend et al, 2008~~Rolfe et al, 2022);[2098] ~~or,~~[2099]

(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~~Rolfe et al, 2022)[2100];~~.~~[2101]

(f) the removal or loss of ~~health~~ *ecological integrity*[2102] and *resilience* of a naturally uncommon ecosystem type that ~~is associated with~~contains[2103] *indigenous vegetation* or *habitat* ~~of~~ for[2104]

[2088] Clause 16(2) memorandum (14 October 2025)
[2089] Clause 16(2) memorandum (14 October 2025)
[2090] Clause 16(2) memorandum (24 March 2025)
[2091] Clause 16(2) memorandum (14 October 2025)
[2092] Clause 16(2) memorandum (14 October 2025)
[2093] Clause 16(2) memorandum (14 October 2025)
[2094] Clause 16(2) memorandum (24 March 2025)
[2095] Clause 16(2) memorandum (14 October 2025)
[2096] Clause 16(2) memorandum (24 March 2025)
[2097] Clause 16(2) memorandum (14 October 2025)
[2098] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2099] Clause 16(2) memorandum (24 March 2025)
[2100] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2101] Clause 16(2) memorandum (24 March 2025)
[2102] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2103] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2104] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

indigenous fauna;~~,~~[2105]

(g) the likely worsening of the conservation status of any *Threatened or At Risk*[2106] *indigenous biodiversity* listed under the New Zealand Threat Classification System (~~Townsend et al, 2008~~Rolfe et al, 2022).[2107]

(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~~ *effects*[2108] to *indigenous biodiversity* (including when ~~indigenous species~~*indigenous species*[2109] depend on introduced species for their persistence), that outweigh the adverse ~~effects~~*effects*.[2110]

(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*[2111] 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 managed[2112] 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*~~,~~[2113] and ecosystems, spatial connections, and *ecosystem function.*

(8) **Time lags:** The delay between loss of, or ~~effects~~ *effects*[2114] 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).[2115]

(9) **Trading up:** When trading up forms part of *biodiversity compensation*[2116], 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

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[2105] Clause 16(2) memorandum (24 March 2025)
[2106] Clause 16(2) memorandum (5 May 2025)
[2107] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396
[2108] Clause 16(2) memorandum (14 October 2025)
[2109] Clause 16(2) memorandum (14 May 2026)
[2110] Clause 16(2) memorandum (14 May 2026)
[2111] Clause 16(2) memorandum (14 October 2025)
[2112] Clause 16(2) memorandum (24 March 2025)
[2113] Clause 16(2) memorandum (24 March 2025)
[2114] Clause 16(2) memorandum (14 October 2025)
[2115] Clause 16(2) memorandum (14 October 2025)
[2116] Clause 16(2) memorandum (24 March 2025)

(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*,[2117] including its evaluation, selection, design, implementation, and monitoring.

(13) **Transparency:** The design and implementation of *biodiversity compensation*[2118], and communication of its results to the public, is undertaken in a transparent and timely manner.

(14) **Achievability:** Demonstrate ~~The~~ the *biodiversity compensation* outcome is ~~demonstrably~~ achievable.[2119]

[2117] Clause 16(2) memorandum (14 October 2025)
[2118] Clause 16(2) memorandum (24 March 2025)
[2119] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 396

~~APP4A~~ APP5[2120] – Principles for ~~aquatic offsetting~~*aquatic offsetting*[2121]

These principles apply to the use of ~~aquatic offsets~~*aquatic offsets* for the loss of extent or values of ~~natural inland~~*natural inland*[2122] ~~wetlands~~ *wetlands* and ~~rivers~~ *rivers*[2123] ("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~~ *effects*[2124] are demonstrated to have been sequentially exhausted.

(2) **When ~~aquatic offsetting~~*aquatic offsetting* is not appropriate:** ~~Aquatic offsets~~*Aquatic offsets*[2125] 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~~ *effects*[2126] 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~~ *effects*[2127] 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~~ *effects*[2128] of the activity.

(5) **Leakage:** ~~Aquatic offset~~*Aquatic offset* design and implementation avoids displacing harm to other locations (including harm to existing ~~biodiversity~~ *biodiversity*[2129] at the offset site).

(6) **Long-term outcomes:** An ~~aquatic offset~~*aquatic offset*[2130] 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

[2120] Clause 16(2) memorandum (14 May 2026)
[2121] Clause 16(2) memorandum (14 October 2025)
[2122] Clause 16(2) memorandum (14 May 2026)
[2123] Clause 16(2) memorandum (14 October 2025)
[2124] Clause 16(2) memorandum (14 October 2025)
[2125] Clause 16(2) memorandum (14 October 2025)
[2126] Clause 16(2) memorandum (14 October 2025)
[2127] Clause 16(2) memorandum (14 October 2025)
[2128] Clause 16(2) memorandum (14 October 2025)
[2129] Clause 16(2) memorandum (14 October 2025)
[2130] Clause 16(2) memorandum (14 May 2026)

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*.[2131]

(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 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[2132] 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*,[2133] including their evaluation, selection, design, implementation, and monitoring.

(11) **Transparency:** The design and implementation of an ~~aquatic offset~~*aquatic offset*,[2134] and communication of its results to the public, is undertaken in a transparent and timely manner.

[2131] Clause 16(2) memorandum (14 October 2025)
[2132] Clause 16(2) memorandum (14 October 2025)
[2133] Clause 16(2) memorandum (14 October 2025)
[2134] Clause 16(2) memorandum (14 October 2025)

~~APP4B~~ APP6[2135] – Principles for ~~aquatic compensation~~*aquatic compensation*[2136]

These principles apply to the use of ~~aquatic compensation~~*aquatic compensation* for the loss of extent or values of ~~natural inland~~*natural inland*[2137] ~~wetlands~~ *wetlands* and ~~rivers~~ *rivers*[2138] ("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~~ *effects*[2139] are demonstrated to have been sequentially exhausted.

(2) **When ~~aquatic compensation~~*aquatic compensation* is not appropriate:** ~~Aquatic compensation~~*Aquatic compensation*[2140] is not appropriate where, in terms of conservation outcomes, the extent or values are not able to be compensated for. Examples of ~~aquatic compensation~~*aquatic compensation*[2141] not being appropriate would include where:

(a) the affected part of the ~~natural inland~~*natural inland*[2142] ~~wetland~~ wetland or ~~river~~ *river* ~~bed~~*bed*,[2143] 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~~ *effects*[2144] are significantly adverse:

(c) there are no technically feasible options by which to secure gains within an acceptable timeframe.

(3) **Scale of ~~aquatic compensation~~*aquatic compensation*:** The extent or values to be lost through the activity to which the ~~aquatic compensation~~*aquatic compensation* applies are addressed by positive ~~effects~~ *effects* that outweigh the adverse ~~effects~~*effects*.[2145]

(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~~ *effects*[2146] of the activity.

(5) **Leakage:** ~~Aquatic compensation~~*Aquatic compensation* design and implementation avoids displacing harm to other locations (including harm to existing ~~biodiversity~~ *biodiversity*[2147] at the compensation site).

[2135] Clause 16(2) memorandum (14 May 2026)
[2136] Clause 16(2) memorandum (14 October 2025)
[2137] Clause 16(2) memorandum (14 May 2026)
[2138] Clause 16(2) memorandum (14 October 2025)
[2139] Clause 16(2) memorandum (14 October 2025)
[2140] Clause 16(2) memorandum (14 October 2025)
[2141] Clause 16(2) memorandum (14 May 2026)
[2142] Clause 16(2) memorandum (14 May 2026)
[2143] Clause 16(2) memorandum (14 October 2025)
[2144] Clause 16(2) memorandum (14 October 2025)
[2145] Clause 16(2) memorandum (14 May 2026)
[2146] Clause 16(2) memorandum (14 October 2025)
[2147] Clause 16(2) memorandum (14 October 2025)

(6) **Long-term outcomes:** ~~Aquatic compensation~~*Aquatic compensation*[2148] is managed 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:** 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*.[2149]

(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)*[2150] 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[2151] 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*,[2152] including its evaluation, selection, design, implementation, and monitoring.

(13) **Transparency:** The design and implementation of ~~aquatic compensation~~*aquatic compensation*, [2153] and communication of its results to the public, is undertaken in a transparent and timely manner.

[2148] Clause 16(2) memorandum (14 May 2026)
[2149] Clause 16(2) memorandum (14 October 2025)
[2150] Clause 16(2) memorandum (14 October 2025)
[2151] Clause 16(2) memorandum (14 October 2025)
[2152] Clause 16(2) memorandum (14 October 2025)
[2153] Clause 16(2) memorandum (14 May 2026)

~~APP5~~ APP7[2154] – ~~Species prone to *wilding conifer spread*~~Conifer species with spread risk[2155]

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.[2156]

Table 5: ~~Species prone to wilding conifer spread~~Conifer species with spread risk[2157]

Common name	Botanical name
Big cone pine	*Pinus coulteri*
Bishops pine	*Pinus muricata*
Contorta (lodgepole) pine	*Pinus contorta*
Corsican pine, Black pine	*Pinus nigra*
Douglas fir	*Pseudotsuga menziesii*
Dwarf mountain pine	*Pinus uncinata*
Japanese cedar	*Cryptomeria japonica*
Japanese larch	*Larix kaempferi*
Larch	*Larix decidua*
Lawson's cypress	*Chamaecyparis lawsoniana*
~~Macrocarpa~~	~~*Cupressus macrocarpa*~~[2158]
Maritime pine	*Pinus pinaster*
Mountain pine	*Pinus mugo*
Norfolk Island pine	*Araucaria heterophylla*
Norway spruce	*Picea abies*
Patula pine	*Pinus patula*
~~Pine~~	~~*Pinus sp./Pine*~~[2159]
Ponderosa pine	*Pinus ponderosa*
Radiata pine	*Pinus radiata*
Scots pine	*Pinus sylvestris*
Sitka spruce	*Picea sylvestris*
Slash pine	*Pinus elliottii*
Spruce	*Picea sp.*
Strobus pine	*Pinus strobus*

[2154] Clause 16(2) memorandum (14 May 2026)
[2155] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[2156] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[2157] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[2158] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333
[2159] Environment Court Consent Order sealed 17 October 2025: Decision No. [2025] NZEnvC 333

Western red cedar	*Thuja plicata*
Western white pine	*Pinus monticola*

~~APP6~~ APP8[2160] – 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~~.~~.[2161]

(2) Use Table 6 to assign a likelihood descriptor to the three ~~natural hazard~~*natural hazard*[2162] 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).~~[2163]

~~Using Table 7 and t~~The matters listed in (1) to (~~10~~11~~1~~12)[2164] 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 7[2165] considering:

(1) the nature and scale of existing[2166] activities in the area,

(~~1~~A2)[2167] the natural and scale of the activity proposed or provided for and any hazard mitigation

[2160] Clause 16(2) memorandum (14 May 2026)
[2161] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[2162] Clause 16(2) memorandum (14 May 2026)
[2163] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[2164] Clause 16(2) memorandum (14 May 2026)
[2165] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[2166] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[2167] Clause 16(2) memorandum (14 May 2026)

measures,[2168]

(~~2~~3)[2169] individual and community vulnerability and *resilience*,

(~~3~~4)[2170] impacts on individual and community health and safety,

(~~4~~5)[2171] impacts on social, cultural and economic well-being,

(~~5~~6)[2172] impacts on *infrastructure* and property, including access and services,

(~~6~~7)[2173] available and viable risk reduction and hazard mitigation measures,

(~~7~~8)[2174] *lifeline utilities*, essential and emergency services, and their co-dependence,

(~~8~~9)[2175] implications for civil defence agencies and emergency services,

(~~9~~10)[2176] the changing *natural hazard* environment,

(~~10~~11)[2177] cumulative *effects* including ~~*multiple*~~ multiple[2178] and *cascading hazards,* where present, and

(~~11~~12)[2179] 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	≥50% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	21-49% of *buildings* within hazard impact area have functionality compromised	11-24% of *buildings* 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

[2168] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[2169] Clause 16(2) memorandum (14 May 2026)
[2170] Clause 16(2) memorandum (14 May 2026)
[2171] Clause 16(2) memorandum (14 May 2026)
[2172] Clause 16(2) memorandum (14 May 2026)
[2173] Clause 16(2) memorandum (14 May 2026)
[2174] Clause 16(2) memorandum (14 May 2026)
[2175] Clause 16(2) memorandum (14 May 2026)
[2176] Clause 16(2) memorandum (14 May 2026)
[2177] Clause 16(2) memorandum (14 May 2026)
[2178] Clause 16(2) memorandum (14 October 2025)
[2179] Clause 16(2) memorandum (14 May 2026)

Moderate **(III)**	6-10% of *buildings* of social/cultural significance within hazard impact area have functionality compromised	11-20% of *buildings* within hazard impact area have functionality compromised	6-10% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	2-10% of *buildings* within hazard impact area have functionality compromised	1-5% of *buildings* 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 *buildings* of social/cultural significance within hazard impact area have functionality compromised	< 1% of *buildings* 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
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~~ 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~~,~~ [2180] Hatching: *Quantitative assessment required*					

[2180] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307

Notes:

Table 8 above has been included as a region-wide baseline. As set out in HAZ-NH-~~M2~~M3(1)[2181] *local authorities* are required to undertake a consultation process with communities, stakeholders and partners regarding risk levels ~~thresholds~~[2182]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 u~~tili~~sing[2183] the following methodology:[2184]

(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,[2185] including the maximum credible event.

(2) Model the Annual Individual Fatality Risk (AIFR)[2186] and Annual Property Risk (APR)[2187] 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.

[2181] Clause 16(2) memorandum (14 May 2026)
[2182] Clause 16(2) memorandum (14 May 2026)
[2183] Environment Court Consent Order sealed 12 September 2025: Decision No. [2025] NZEnvC 307
[2184] This methodology has been developed in general accordance with the Australian Geomechanics Society, 2007 methodology, which may usefully provide additional guidance.
[2185] The model should include an analysis of uncertainty.
[2186] Annual probability that an individual most at risk is killed in any one year as a result of the hazards occurring.
[2187] Annual probability of total property loss (relating to permanent structures) as a result of the hazards occurring.

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~~P7.[2188]

[2188] Clause 16(2) memorandum (14 May 2026)

~~APP7~~ APP9[2189] – Identifying *wāhi tūpuna*

This appendix is a guide to assist in identifying *wāhi tūpuna*. It is not a complete list of all *wāhi tūpuna* in Otago.

Kāi Tahu use the term *'wāhi tūpuna'* to describe landscapes and places that embody the relationship of ~~mana whenua~~*mana whenua*[2190] 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 *mahika kai* 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 *mahika kai*	The places where the customary gathering of food or natural materials occurs. *Mahika kai* 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 *mahika kai* 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.

[2189] Clause 16(2) memorandum (14 May 2026)
[2190] Clause 16(2) memorandum (14 May 2026)

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 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 *mana whenua*. 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~~ APP10[2191] – Identification criteria for places and areas of *historic heritage*

1. Identifying Areas and Places with ~~Historic Heritage~~*Historic Heritage*[2192]

A place or area is considered to have *historic heritage* if it meets any one or more of criteria below:[2193]

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

[2191] Clause 16(2) memorandum (14 May 2026)
[2192] Clause 16(2) memorandum (14 May 2026)
[2193] The identification criteria in ~~APP8~~ APP10 follows R O'Brian & J Barnes-Wylie (2019) Guidelines for Assessing Historic Places and Historic Areas for the New Zealand Heritage List/Rārangi Kōrero, 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.

OR

The place reflects significant technical accomplishment in comparison with other similar examples or, in the view of experts or practitioners in the field, has characteristics making the place particularly able to contribute towards our understanding of this technology.

Traditional 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.

2.[2194] Identification of Special or Outstanding Heritage Values or Qualities

Where, for example, in a ~~resource consent~~*resource consent*[2195] or notice of requirement process, a place or an area that has been identified as having ~~historic heritage~~*historic heritage*[2196] 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~~s~~*,

(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/Rārangi Kōrero (2019).

[2194] Clause 16(2) memorandum (14 May 2026)
[2195] Clause 16(2) memorandum (14 May 2026)
[2196] Clause 16(2) memorandum (14 May 2026)

~~APP9~~APP11[2197] – Identification criteria for outstanding natural features and landscapes[2198] and *highly valued natural features and landscapes* (including seascapes)

The areas and the values of outstanding natural features and landscapes and *highly valued natural features and landscapes* (including seascapes) are identified using the following factors:

Physical (natural and human)	(a) Geology and geomorphology, (b) Topography and hydrology (including drainage patterns), (c) Climate and weather patterns, (d) Soil patterns, (e) Vegetation patterns, (f) Ecological (flora and fauna) and dynamic components, (g) Settlements and occupation, (h) Roads and circulation, (i) Land use – cadastral pattern, (j) *Buildings*, (k) Archaeology and heritage features, (l) *Mana whenua* features.
Associative	(m) *Mana whenua* creation and origin traditions manifest in landscape features, (n) *Mana whenua* associations and experience – (historic, contemporary, and future) including pūrākau, whakapapa, tikaka, and mātauraka, (o) *Mana whenua* metaphysical aspects such as wairua and mauri, (p) Legal personification of landscape features, (q) Shared and recognised values of a landscape derived from community life including the community's livelihood, its history and reason for being in that place, places of social life and gathering, places associated with metaphysical meanings such as retreat, contemplation, and commemoration, (r) Landscape values associated with identity such as attributes that are emblematic for an area, places that are central to a community (main street, wharf, park), features that are anthropomorphised. Landscapes that are engaged through activities such traditional food and resource gathering, recreational use, food and wine that reflect a locale, tourism based on landscape experience or appreciation of a landscape's qualities.
Perceptual	(s) Geomorphic legibility (how obviously a landscape expresses the geomorphic processes), (t) Wayfinding and mental maps (legibility or visual clarity of landmarks, routes, nodes, edges, and areas of different character),

[2197] Clause 16(2) memorandum (14 May 2026)
[2198] Clause 16(2) memorandum (14 May 2026)

(u) Memorability,

(v) Coherence (the extent to which patterns reinforce each other, coherence between human patterns and underlying natural landscape),

(w) Aesthetic qualities,

(x) Naturalness,

(y) Views.

Note that physical, associative, and perceptual factors are sometimes transient: they may be present occasionally or seasonally or in different weather conditions. An assessor should be aware of such transient attributes that may not be immediately apparent.[2199]

[2199] Environment Court Consent Order sealed 9 December 2025: Decision No. [2025] NZEnvC 397

~~APP10~~ APP12[2200] – 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.

[2200] Clause 16(2) memorandum (14 May 2026)

~~APP11~~ APP13 – Accidental ~~Discovery Protocol~~discovery protocol[2201]

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.

[2201] Clause 16(2) memorandum (14 May 2026)

~~APP12~~ APP14[2202] – Specified highly mobile fauna

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Anarhynchus frontalis	ngutu parore/wrybill	Coastal/riverine	Threatened (Nationally Increasing)	Yes	Yes
Anas chlorotis	pāteke/brown teal	wetland/riverine	Threatened (Nationally increasing)		Yes
Anas superciliosa superciliosa	pārera/grey duck	wetland/riverine	Threatened (Nationally Vulnerable)		Yes
Anthus novaeseelandiae novaeseelandiae	pīhoihoi/NZ pipit	forest/open	At Risk (Declining)	Yes	
Apteryx australis 'northern Fiordland'	northern Fiordland tokoeka	forest/open	Threatened (Nationally Vulnerable)		
Apteryx australis australis	southern Fiordland tokoeka	forest/open	Threatened (Nationally Endangered)		
Apteryx haastii	roa/great spotted kiwi	forest/open	Threatened (Nationally Vulnerable)		
Ardea modesta	kotuku/white heron	wetland/riverine	Threatened (Nationally Critical)		Yes
Botaurus poiciloptilus	matuku/bittern	wetland/riverine	Threatened (Nationally Critical)	Yes	Yes
Bowdleria punctate stewartiana	mātātā/Stewart Island fernbird	wetland/riverine	Threatened (Nationally Vulnerable)		
Bowdleria punctata punctata	koroātito/South Island fernbird	wetland/riverine	At Risk (Declining)	Yes	
Bowdleria punctata vealeae	mātātā/North Island fernbird	wetland/riverine	At Risk (Declining)		
Calidris canutus rogersi	huahou/lesser knot	coastal/riverine	At Risk (Declining)	Maybe?	
Chalinolobus tuberculatus	pekapeka/long-tailed bat	forest/open	Threatened (Nationally Critical)	Yes	yes
Charadrius	pohowera/banded	coastal/riverine	At Risk	Yes	

[2202] Clause 16(2) memorandum (14 May 2026)

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
bicinctus bicinctus	dotterel		(Declining)		
Charadrius obscurus aquilonius	tūtiriwhatu/northern NZ dotterel	coastal/riverine	Threatened (Nationally Increasing)		
Charadrius obscurus obscurus	tūtiriwhatu/southern NZ dotterel	coastal/riverine	Threatened (Nationally Critical)		
Chlidonias albostriatus	tara pirohe/blackfronted tern	coastal/riverine	Threatened (Nationally Endangered)	Yes	Yes
Egretta sacra sacra	matuku moana/reef heron	coastal/riverine	Threatened (Nationally Endangered)	Yes	Yes
Falco novaeseelandiae ferox	kārearea/bush falcon	forest/open	Threatened (Nationally Increasing)		
Falco novaeseelandiae novaeseelandiae	kārearea/eastern falcon	forest/open	Threatened (Nationally Vulnerable)		
Falco novaeseelandiae 'southern'	kārearea/southern falcon	forest/open	Threatened (Nationally Endangered)		
Gallirallus australis greyi	North Island weka	forest/open	At Risk (Relict)		
Gallirallus philippensis assimilis	moho pererū/banded rail	wetland/riverine	At Risk (Declining)		
Haematopus finschi	tōrea/South Island pied oystercatcher	coastal/riverine	At Risk (Declining)	Yes	
Haematopus unicolor	tōrea tai/variable oystercatcher	coastal/riverine	At Risk (Recovering)	Yes	
Himantopus novaezelandiae	kakī/black stilt	wetland/riverine	Threatened (Nationally Critical)	Yes	Yes
Hydroprogne caspia	taranui/Caspian tern	coastal/riverine	Threatened (Nationally Vulnerable)	Yes	Yes
Hymenolaimus malacorhynchos	whio/blue duck	riverine	Threatened (Nationally Vulnerable)	Yes	Yes
Larus bulleri	tarāpukā/black-billed gull	coastal/riverine	At Risk (Declining)	Yes	
Larus novaehollandiae scopulinus	tarāpunga/red-billed gull	coastal/riverine	At Risk (Declining)	Yes	

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Limosa lapponica baueri	kuaka/eastern bartailed godwit	coastal/riverine	At Risk (Declining)	Yes	
Mystacina tuberculata aupourica	pekapeka/northern short-tailed bat	forest/open	Threatened (Nationally Endangered)		
Mystacina tuberculata rhyacobia	pekapeka/central shorttailed bat	forest/open	At Risk (Declining)		
Mystacina tuberculata tuberculata	pekapeka/southern short-tailed bat	forest/open	At Risk (Recovering)	Yes / maybe?	
Nestor meridionalis meridionalis	kākā/South Island kākā	forest/open	Threatened (Nationally Vulnerable)	Yes	
Nestor meridionalis septentrionalis	kākā/North Island kākā	forest/open	At Risk (Recovering)		
Nestor notabilis	kea	forest/open	Threatened (Nationally Endangered)	Yes	
Petroica australis australis	kakariwai/South Island robin	forest/open	At Risk (Declining)	Yes	
Phalacrocorax varius varius	kāruhiruhi/pied shag	coastal/riverine	At Risk (Recovering)	Yes	
Podiceps cristatus australis	kāmana/southern crested grebe	wetland/riverine	Threatened (Nationally Vulnerable)	Yes	Yes
Poliocephalus rufopectus	weweia/NZ dabchick	wetland/riverine	Threatened (Nationally Increasing)		
Porzana pusilla affinis	koitareke/marsh crake	wetland/riverine	At Risk (Declining)	Yes	
Porzana tabuensis	pūweto/spotless crake	wetland/riverine	At Risk (Declining)		
Sterna striata striata	tara/white-fronted tern	coastal/riverine	At Risk (Declining)	Yes	
Sternula nereis davisae	tara iti/NZ fairy tern	coastal/riverine	Threatened (Nationally Critical)		
Thinornis novaeseelandiae	tuturuatu/NZ shore plover	coastal/riverine	Threatened (Nationally Critical)		
Xenicus gilviventris 'northern'	pīwauwau/northern rock wren	forest/open	Threatened (Nationally Critical)		

Scientific Name	Common name	Ecosystem	Threat category	Found in Otago?	Listed in ORC's Schedule?
Xenicus gilviventris 'southern	pīwauwau/southern rock wren	forest/open	Threatened (Nationally Endangered)	Yes	

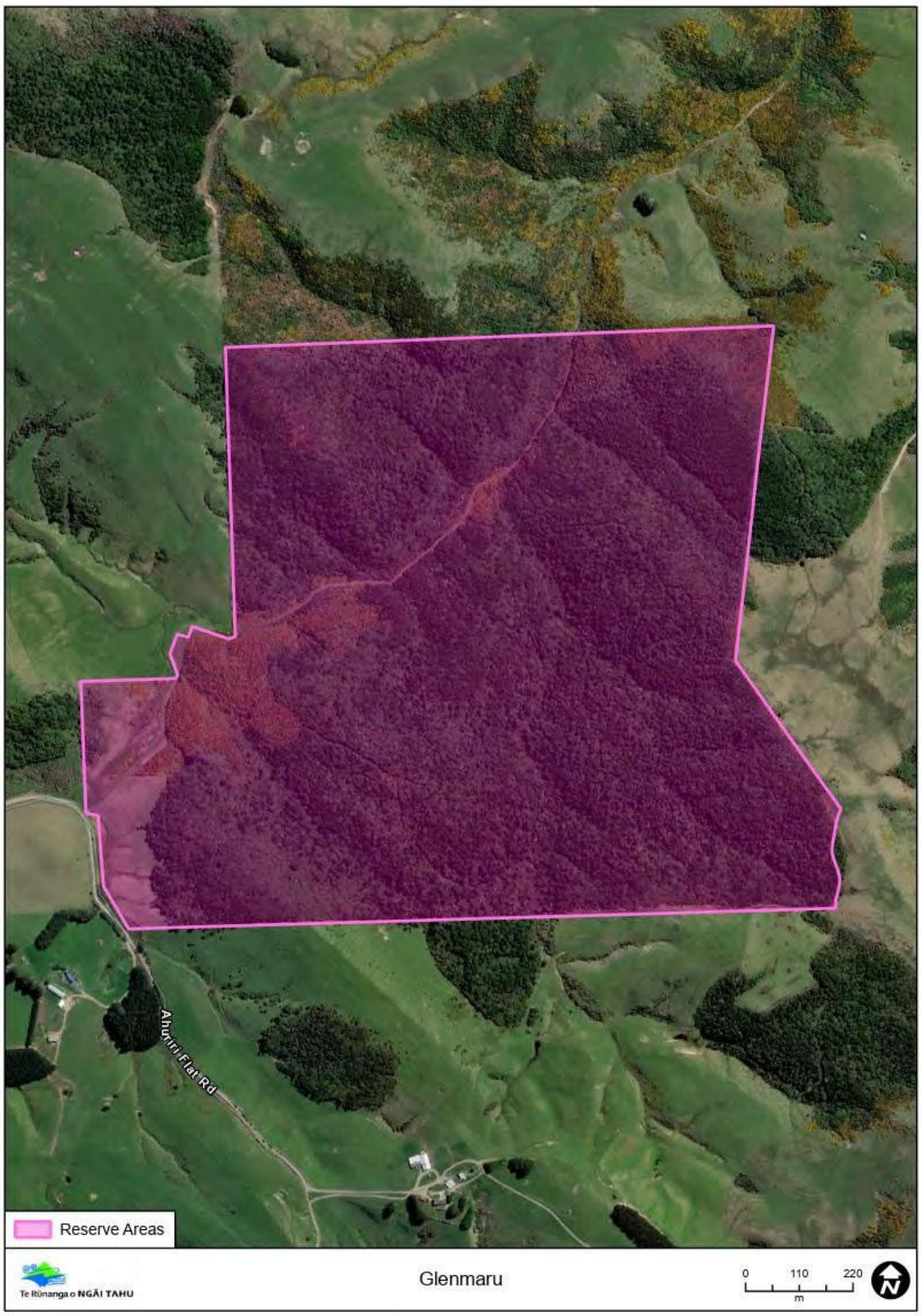
~~MAP0~~ MAP1[2203] – Native Reserves

[2203] Clause 16(2) memorandum (14 May 2026)

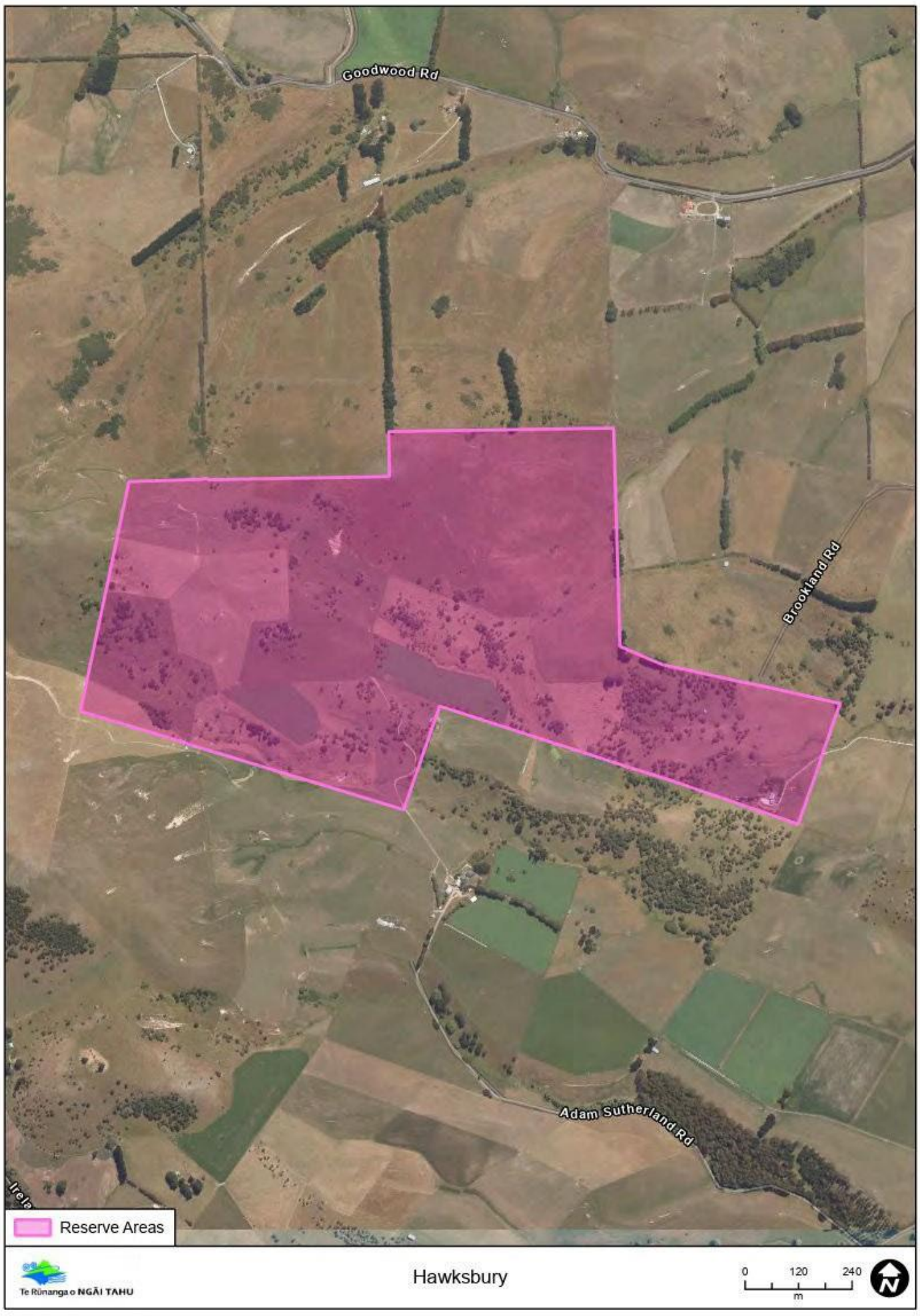
Heyward Point Rd
Aramoana Rd
Aramoana Rd
Pari St
Paloona St
Reserve Areas
Te Rūnanga o NGĀI TAHU
Aramoana
0
80
160
m

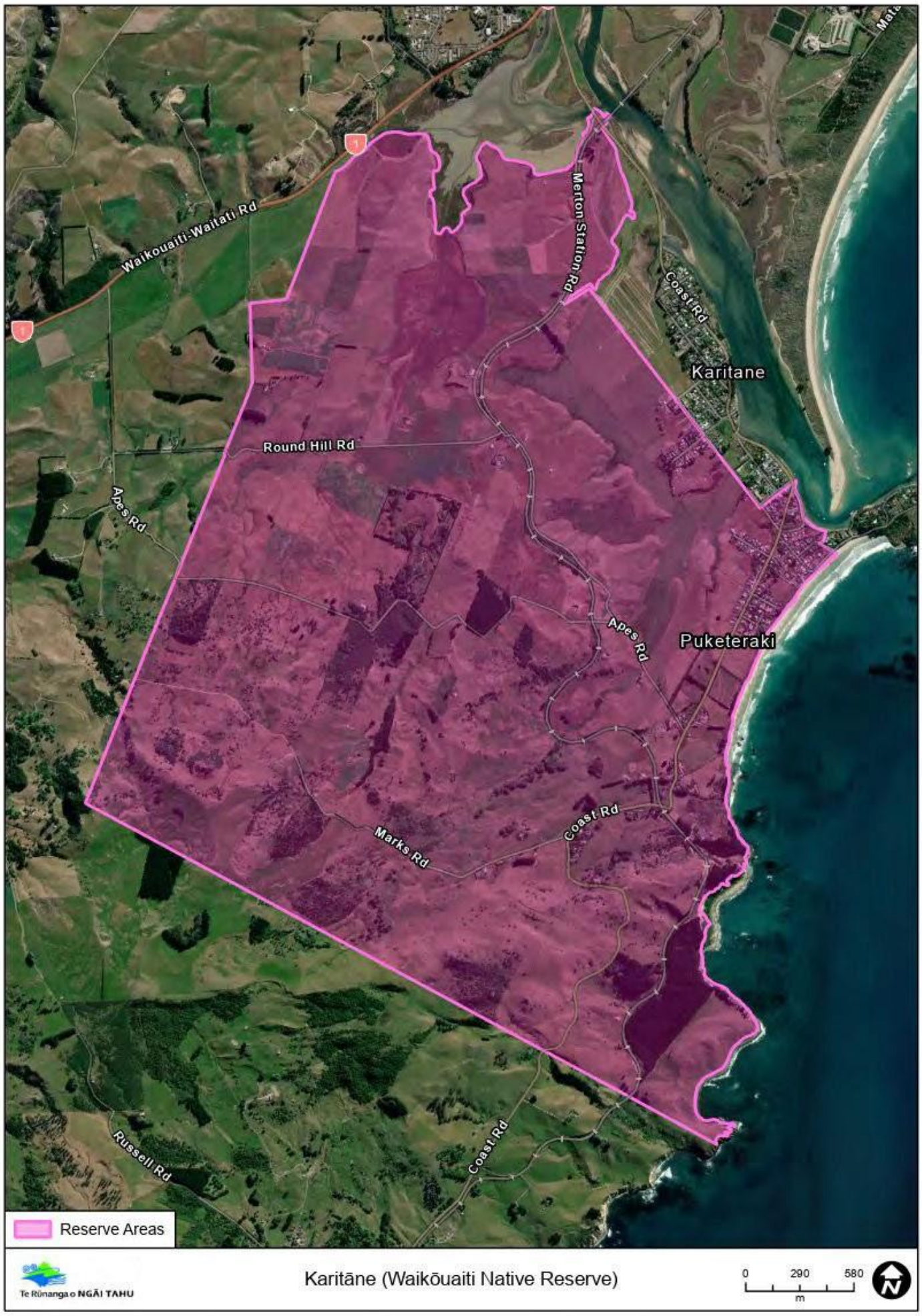
Coast Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Brinns Point
0
70
140
m

Finlayson Rd
Finlayson Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Clarendon
0
62.5
125
m

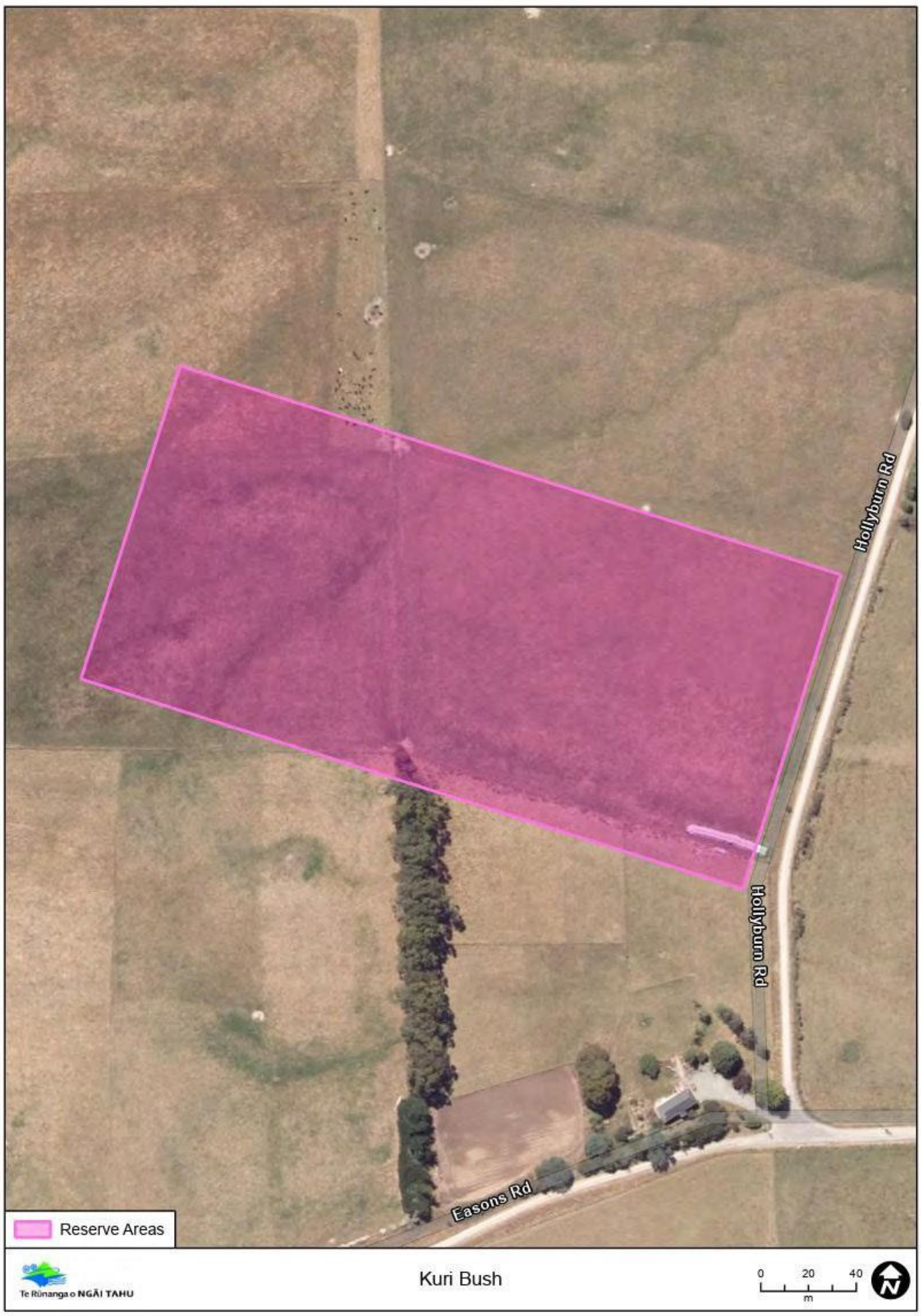

Ahuriri Flat Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Glenmaru
0
110
220
m

Centre Cres
Urquhart Pl
Forest Hts
Reserve Areas
Te Rūnanga o NGĀI TAHU
Hāwea-Wānaka Block (Wānaka Plantation
0
60
120
m


Goodwood Rd
Brookland Rd
Adam Sutherland Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Hawksbury
0
120
240
m


Waikouaiti-Waitati Rd
Merton Station Rd
Coast Rd
Karitane
Round Hill Rd
Apes Rd
Apes Rd
Puketeraki
Marks Rd
Coast Rd
Russell Rd
Coast Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Karitāne (Waikōuaiti Native Reserve)
0
290
580
m

Kaik Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Korotuaheka
0
130
260
m

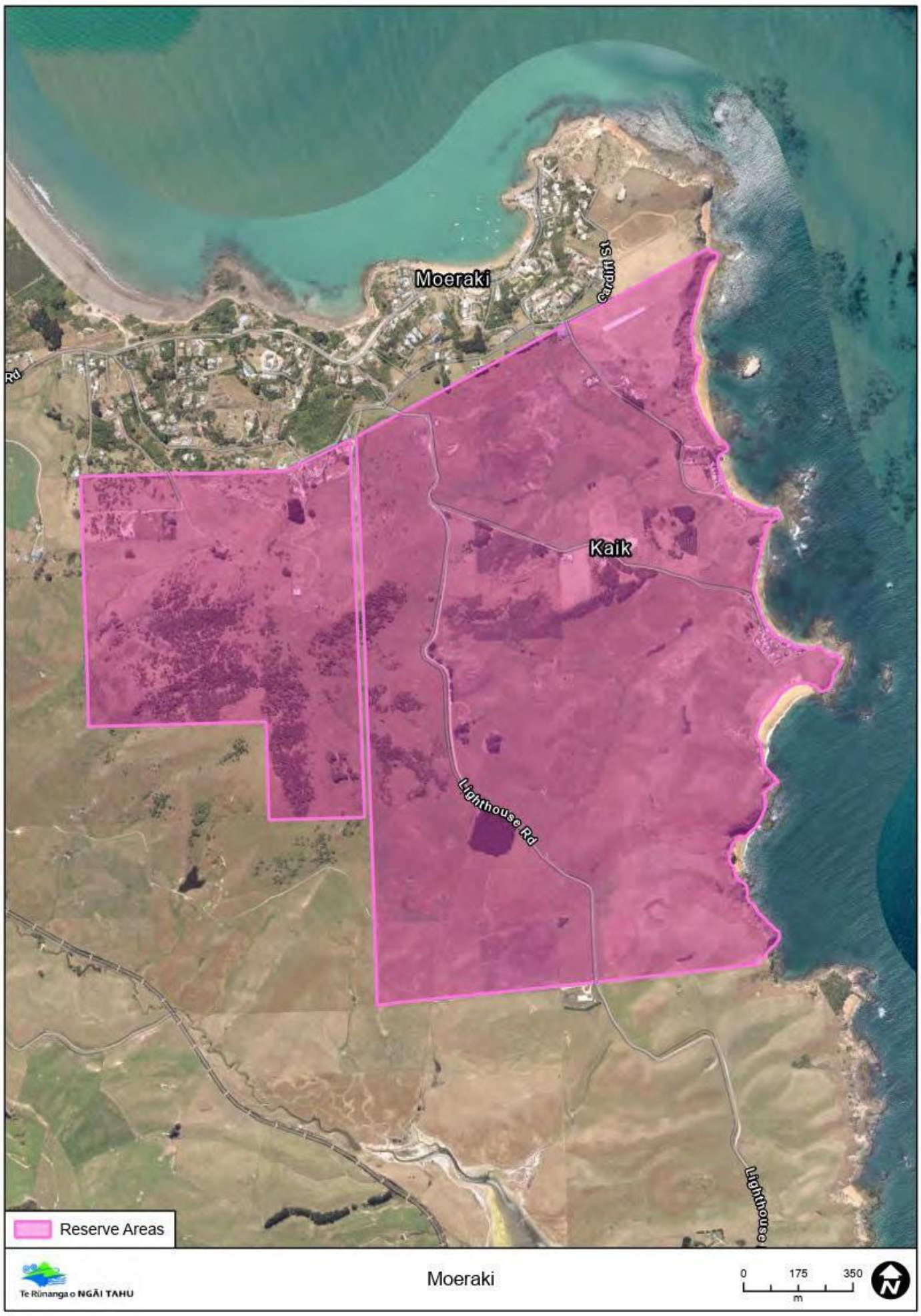

Hollyburn Rd
Hollyburn Rd
Easons Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Kuri Bush
0
20
40
m

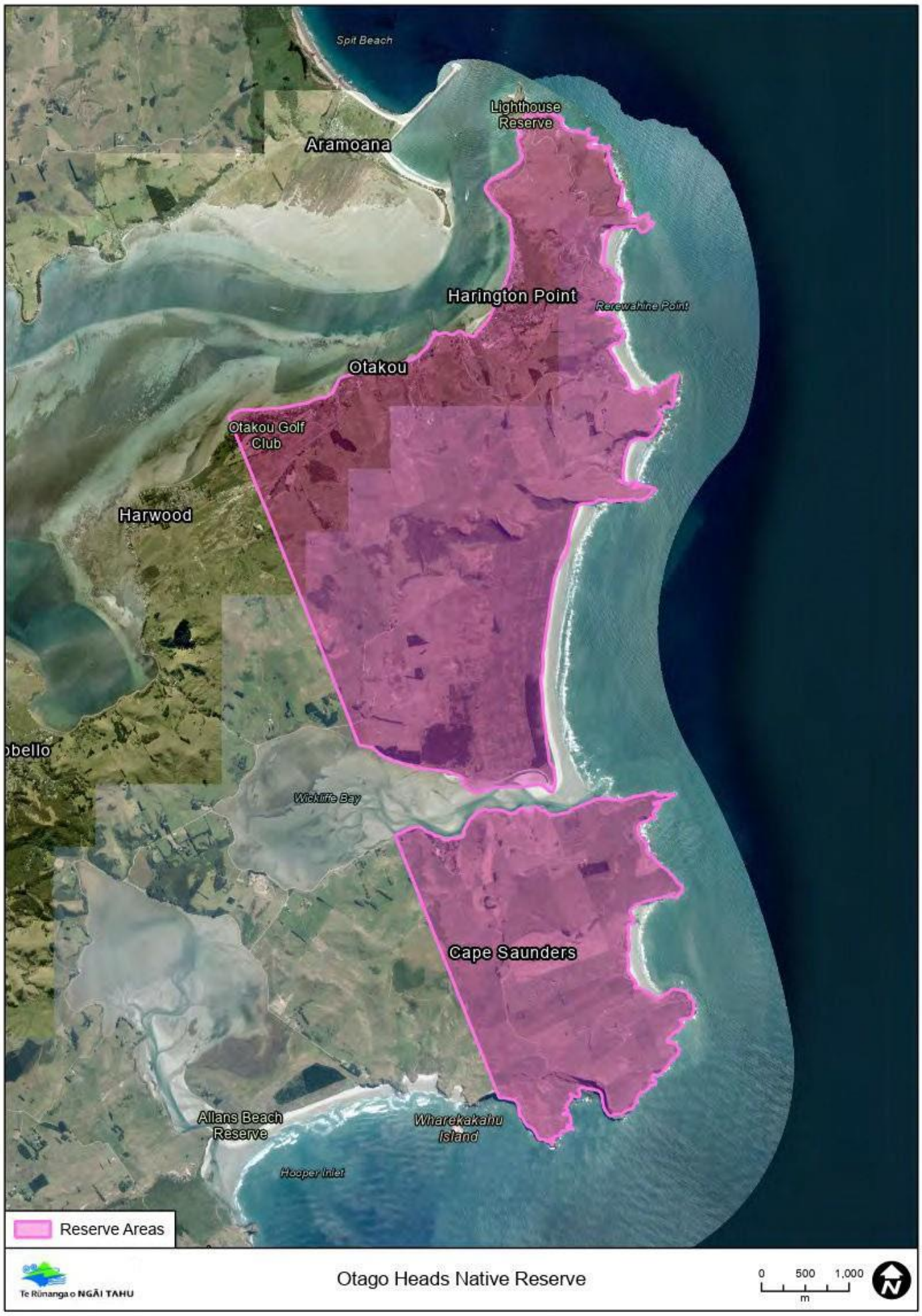
Makarora-Lake Hawea Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Lake Hāwea
0
70
140
m

Reserve Areas
Te Rūnanga o NGĀI TAHU
Lake Tatawai
0
12.5
25
m
N

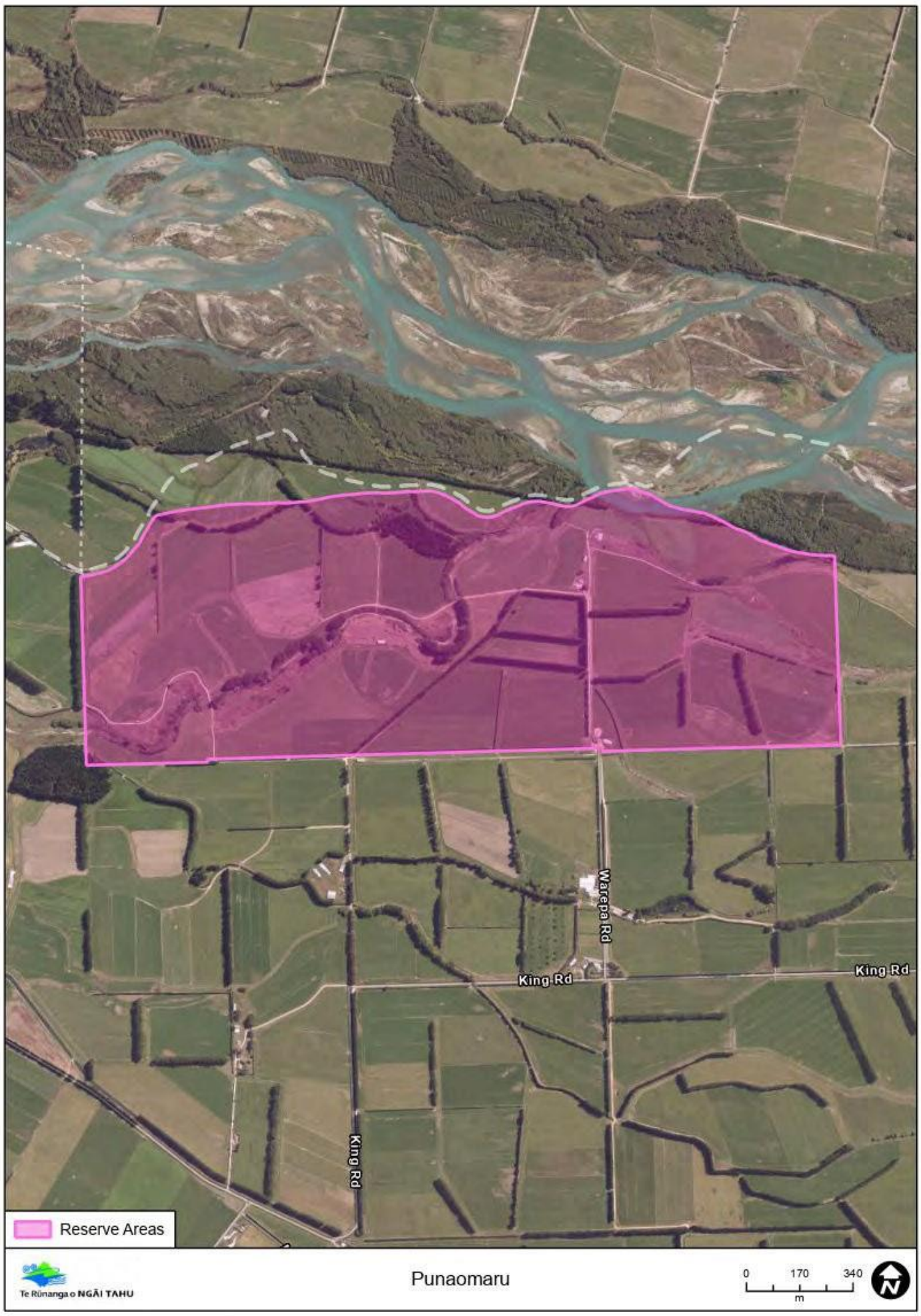
Rata St
Totara St
Tarata St
Kaka Point
Reserve Areas
Te Rūnanga o NGĀI TAHU
Maranuku
0
137.5
275
m

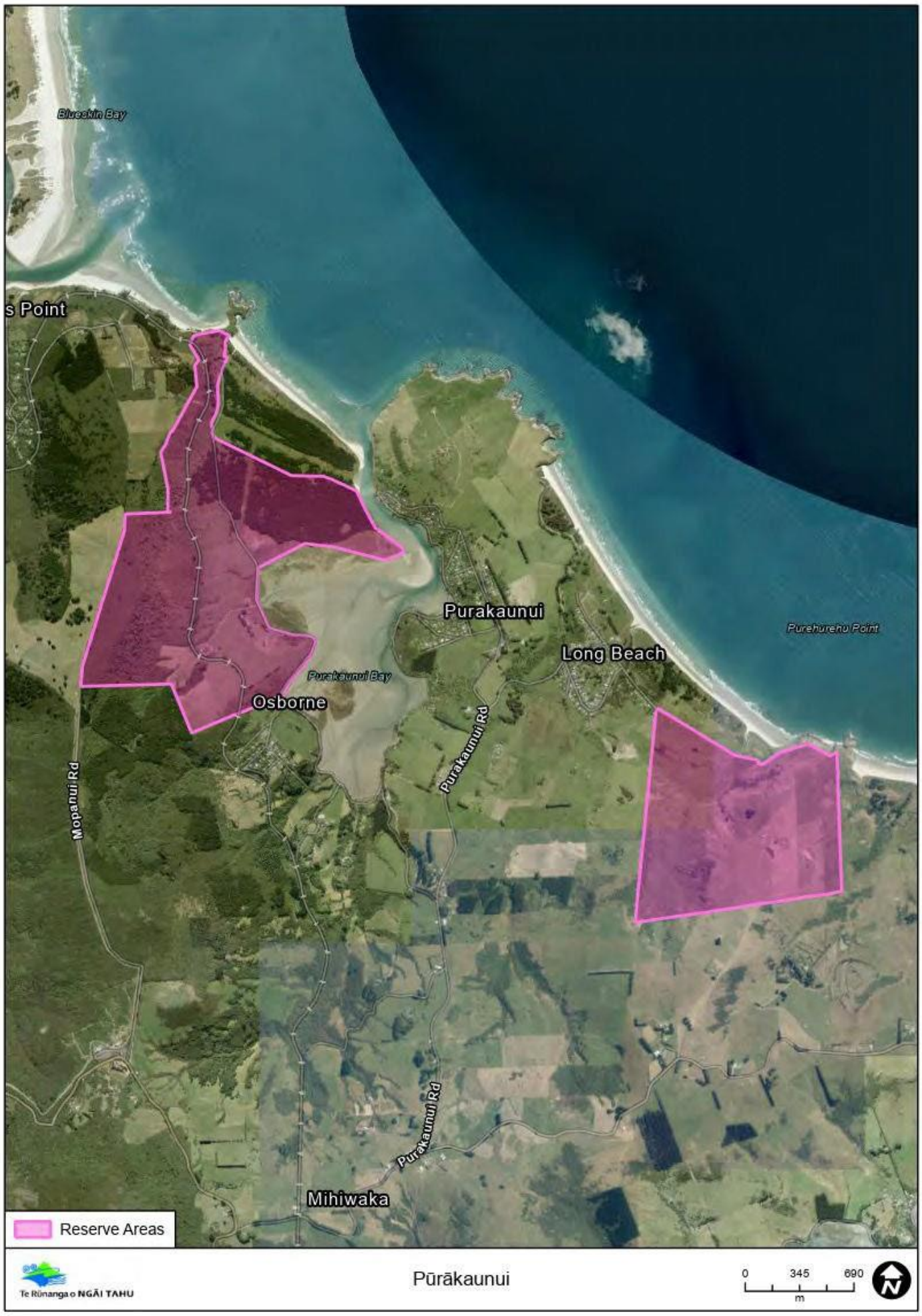
Reserve Areas
Te Rūnanga o NGĀI TAHU
Matainaka and Hawksbury Fishing Easement
0
15
30
m
N

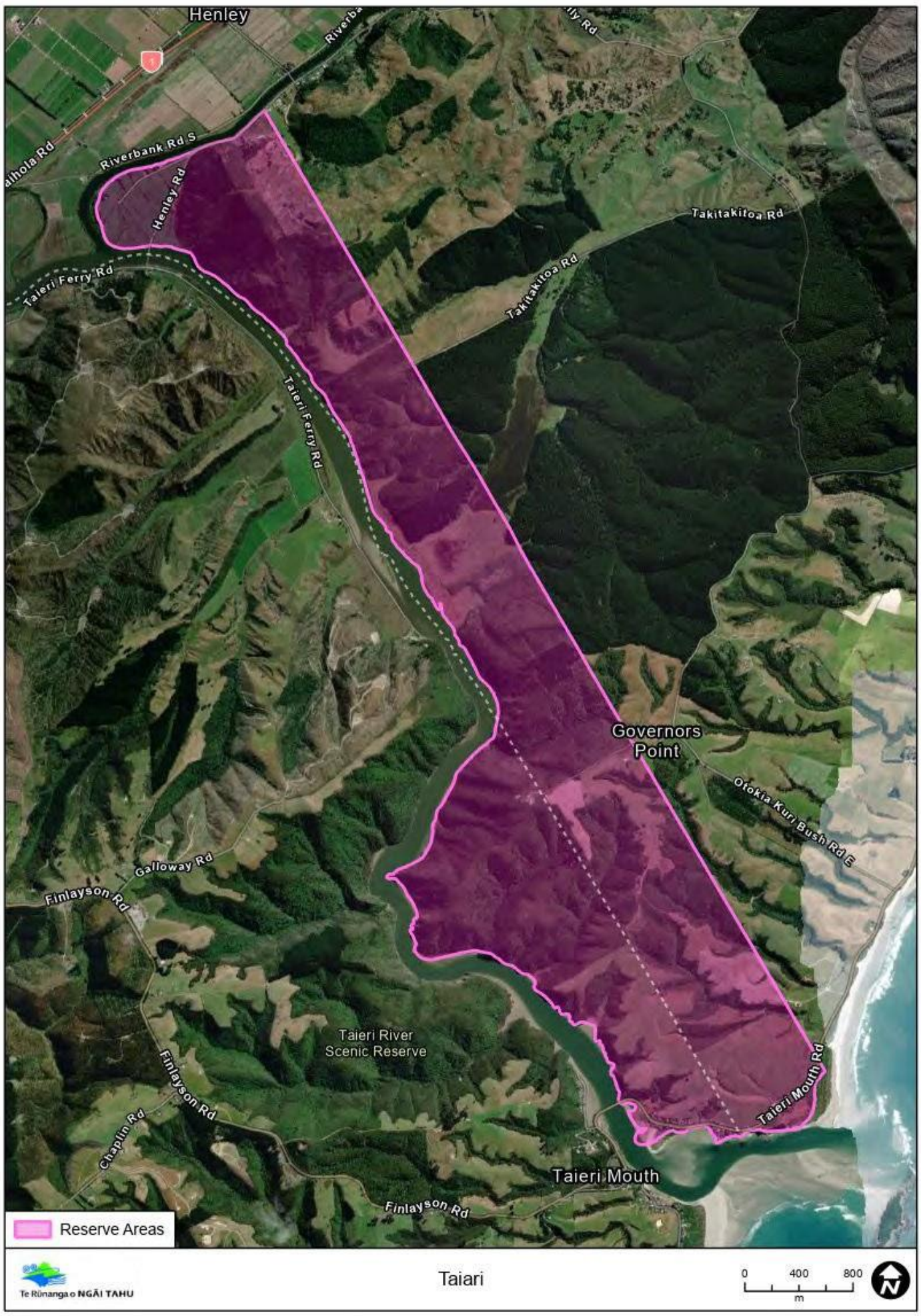

Moeraki
Gordon St
Kaik
Lighthouse Rd
Lighthouse
Reserve Areas
Te Rūnanga o NGĀI TAHU
Moeraki
0
175
350
m
N

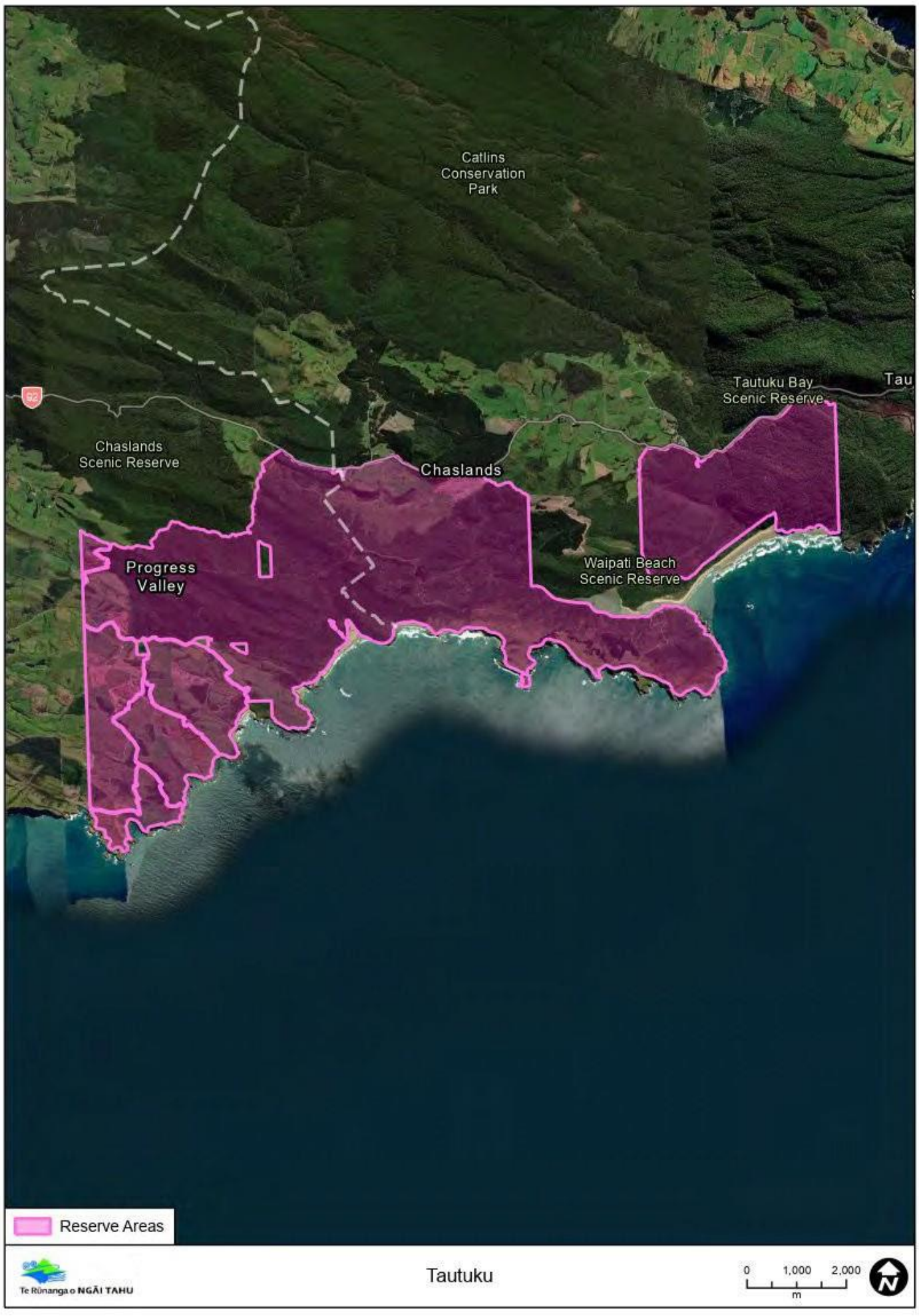

Spit Beach
Lighthouse Reserve
Aramoana
Harington Point
Rerewahine Point
Otakou
Otakou Golf Club
Harwood
Wickliffe Bay
Cape Saunders
Allans Beach Reserve
Wharekakahu Island
Hooper Inlet
Reserve Areas
Te Rūnanga o NGĀI TAHU
Otago Heads Native Reserve
0 500 1,000
m

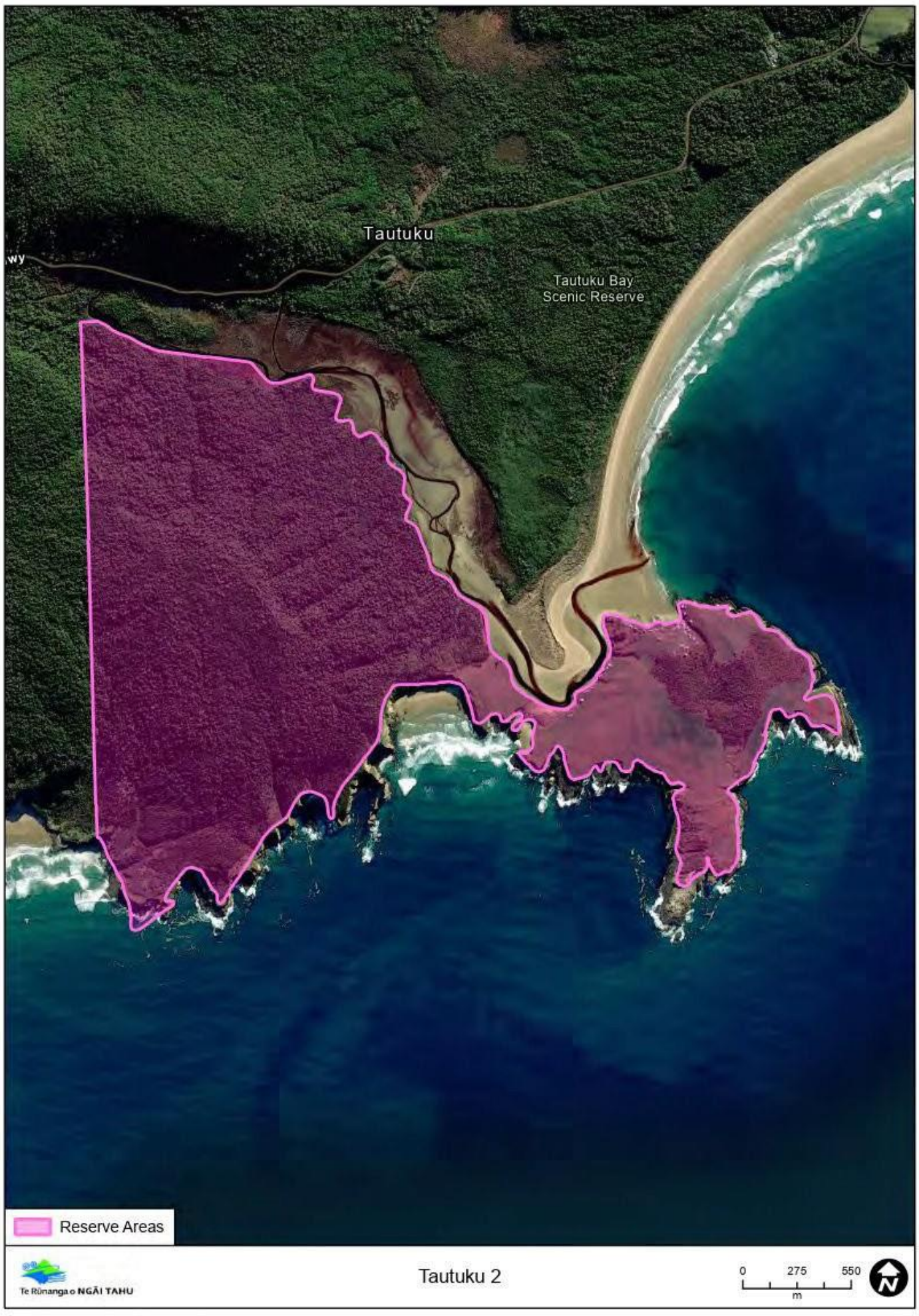
Macandrew Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Port Chalmers
0 5 10
m


Warepa Rd
King Rd
King Rd
King Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Punaomaru
0
170
340
m

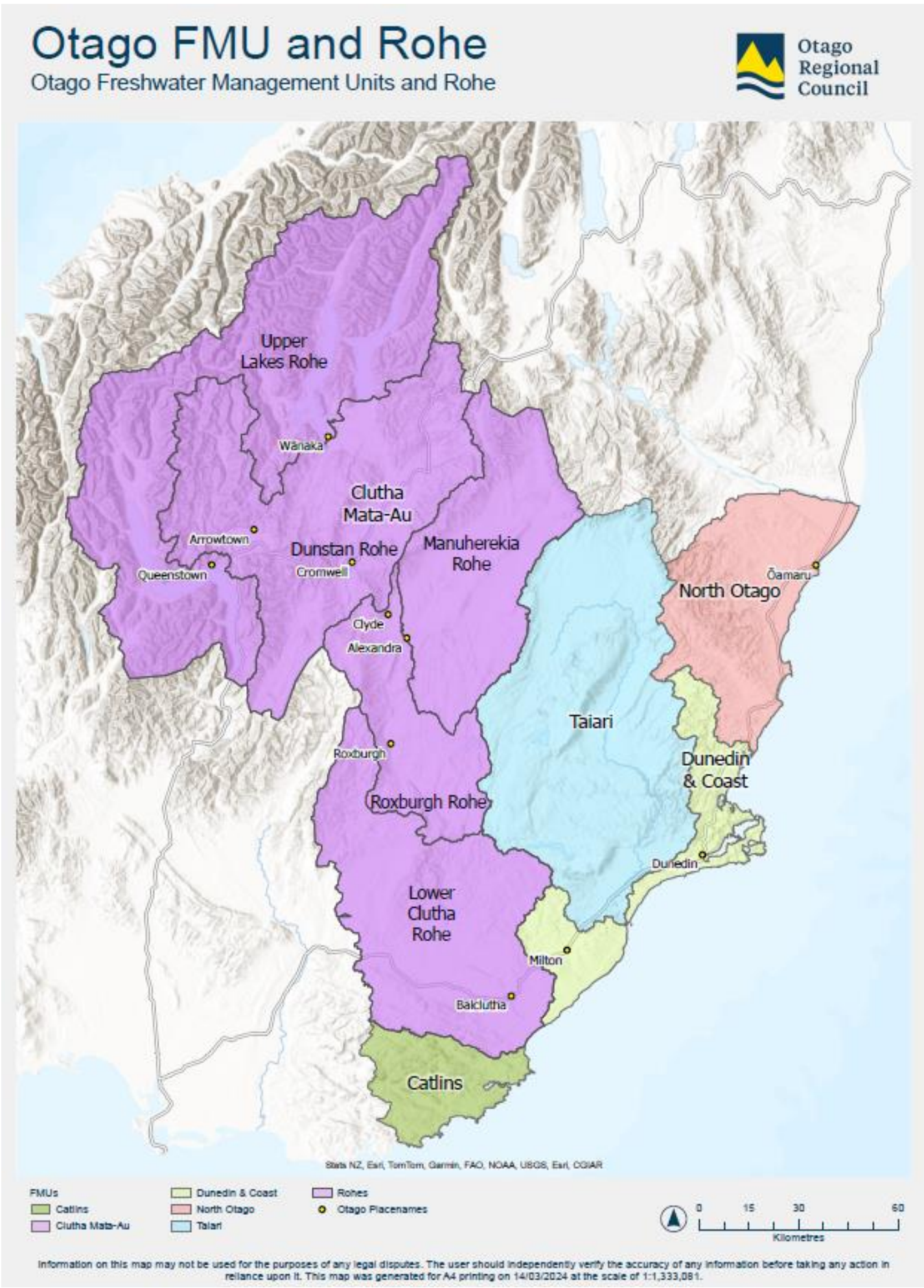

Blueskin Bay
s Point
Purakaunui
Purehurehu Point
Long Beach
Purakaunui Bay
Osborne
Purakaunui Rd
Mopanui Rd
Purakaunui Rd
Mihiwaka
Reserve Areas
Pūrākaunui
Te Rūnanga o NGĀI TAHU
0
345
690
m


Henley
Riverbank Rd S
Henley Rd
Taieri Ferry Rd
Takitakitoa Rd
Takitakitoa Rd
Governors Point
Otokia Kuri Bush Rd E
Galloway Rd
Finlayson Rd
Taieri River Scenic Reserve
Taieri Mouth Rd
Chaplin Rd
Finlayson Rd
Taieri Mouth
Finlayson Rd
Reserve Areas
Te Rūnanga o NGĀI TAHU
Taiari
0
400
800
m


Catlins
Conservation
Park
92
Chaslands
Scenic Reserve
Chaslands
Tautuku Bay
Scenic Reserve
Tau
Progress
Valley
Waipati Beach
Scenic Reserve
Reserve Areas
Te Rūnanga o NGĀI TAHU
Tautuku
0
1,000
2,000
m

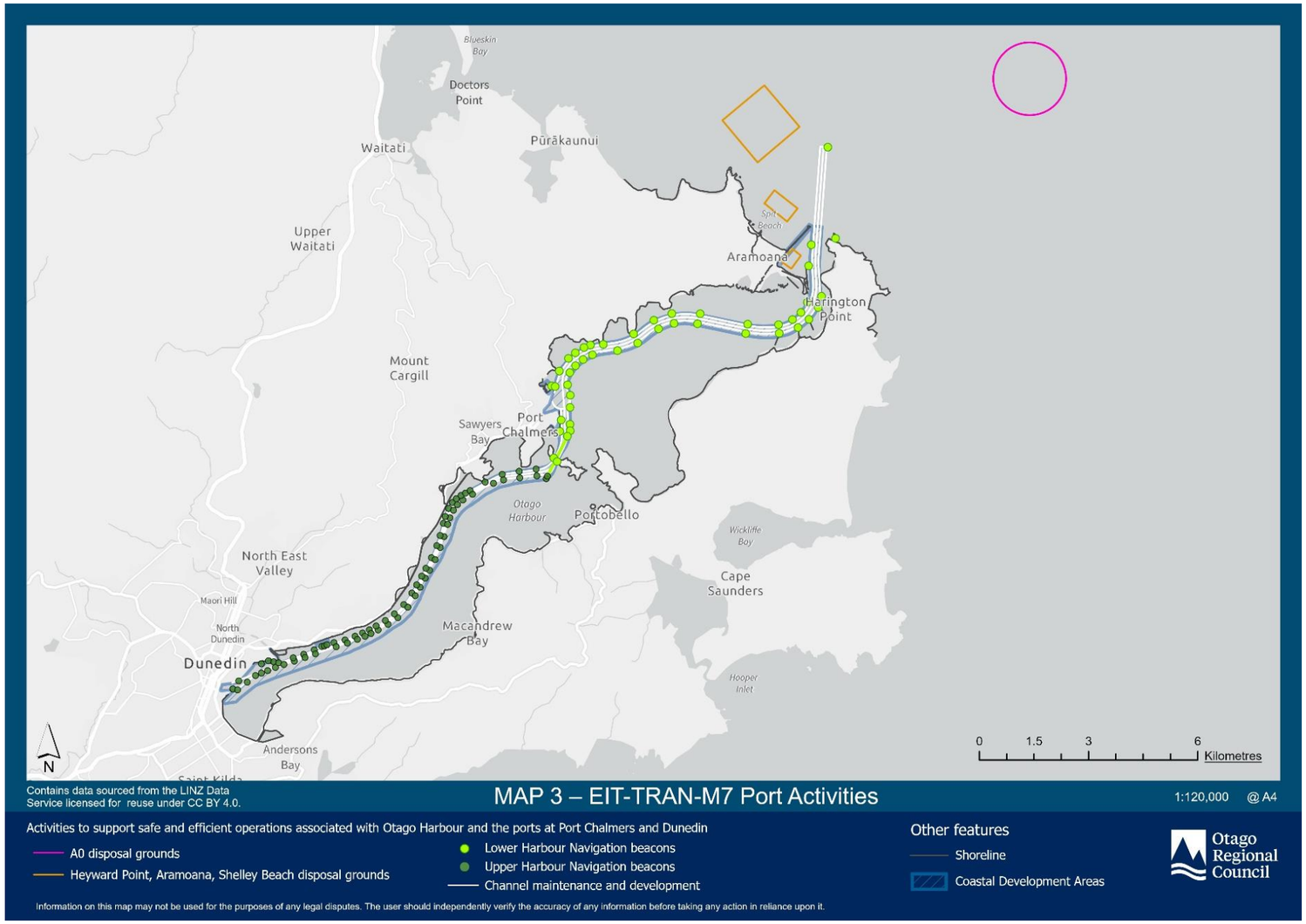

Tautuku
Tautuku Bay
Scenic Reserve
Reserve Areas
Te Rūnanga o NGĀI TAHU
Tautuku 2
0
275
550
m

~~MAP1~~ MAP2[2204] – Freshwater Management Units



~~MAP2~~ MAP3 – EIT-TRAN-M7 Port Activities[2205, 2206]

[2205] Environment Court Consent Order sealed 2 October 2025: Decision No. [2025] NZEnvC 323
[2206] Clause 16(2) memorandum (14 May 2026)


Blueskin Bay
Doctors Point
Waitati
Pūrākaunui
Upper Waitati
Spit Beach
Aramoana
Harrington Point
Mount Cargill
Sawyers Bay
Port Chalmers
Otago Harbour
Portobello
Wickliffe Bay
North East Valley
Cape Saunders
Maori Hill
North Dunedin
Macandrew Bay
Dunedin
Hooper Inlet
Andersons Bay
N
0 1.5 3 6
Kilometres
Contains data sourced from the LINZ Data Service licensed for reuse under CC BY 4.0.
MAP 3 – EIT-TRAN-M7 Port Activities
1:120,000 @ A4
Activities to support safe and efficient operations associated with Otago Harbour and the ports at Port Chalmers and Dunedin
A0 disposal grounds
Heyward Point, Aramoana, Shelley Beach disposal grounds
Lower Harbour Navigation beacons
Upper Harbour Navigation beacons
Channel maintenance and development
Other features
Shoreline
Coastal Development Areas
Otago Regional Council
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.

Proposed Otago Regional Policy Statement 2021 to become operative

Operative Date of the Proposed Otago Regional Policy Statement 2021

The proposed Otago Regional Policy Statement 2021 becomes operative on 12 June 2026.

From 12 June 2026 the Otago Regional Policy Statement 2019 ceases to be operative.

The Otago Regional Policy Statement 2021 will be available at orc.govt.nz/ORPS2021 and at Council offices and public libraries throughout Otago.

Notified in accordance with Clause 20(2) of Schedule 1 of the Resource Management Act 1991.

Anita Dawe

General Manager Regional Planning and Transport

Signed on behalf of the Otago Regional Council

30th of May 2026

10.2. Otago Navigation Safety Bylaw Adoption

Prepared for: Council

Report No. ENV2604

Activity: Regulatory - Harbour Management

Author: Vyvienne Evans (Policy Analyst)

Endorsed by: Joanna Gilroy (General Manager Environmental Delivery)

Date: 27 May 2026

Portfolio Leads: Cr Noone and Cr Byars, Environmental Delivery

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PURPOSE

[1] To seek Council's approval for the adoption of the proposed Otago Regional Council Navigation Safety Bylaw 2026.

EXECUTIVE SUMMARY

[2] The Otago Regional Council Navigation Safety Bylaw 2020 (the 2020 bylaw) was reviewed by staff in 2025, and a draft Otago Regional Council Navigation Safety Bylaw 2026 (the draft bylaw) was developed and consulted on.

[3] Post a hearing and consideration of submissions, the Hearing Panel (the Panel) has recommended amendments to the draft bylaw. The changes to the 2020 bylaw remain broadly the same as those presented to Council in December 2025 and include:

a. New requirement for commercial vessels operating within Otago Harbour to have an automatic identification system (AIS);
b. Changes to anchoring rules in Otago Harbour;
c. New online reporting option for maritime incidents; and
d. Minor other changes for clarity and readability.

[4] The bylaw has been revised to reflect the recommendations of the Panel, and it can now be considered for adoption by Council.

RECOMMENDATION

That the Council:

1) ***Notes** this report, the proposed Otago Regional Council Navigation Safety Bylaw 2026 (tracked change and clean versions), the Panel's recommendation report, the Harbourmaster submissions analysis, and the table of submissions.*
2) ***Notes** that that the members of the Hearing Panel can speak to the hearing process and presentation of the recommendations report and answer questions from Councillors, but will recuse themselves from voting on recommendations 3 to 6.*
3) ***Adopts** the Hearing Panel's recommendations on submissions and recommended amendments to the proposed Otago Regional Council Navigation Safety Bylaw 2026 set out in Attachments 1 and 2 of this Report.*

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4) ***Determines*** *that the proposed Otago Regional Council Navigation Safety Bylaw 2026 is the most appropriate form of bylaw in accordance with section 155(1) of the Local Government Act 2002.*
5) ***Determines*** *that the proposed Otago Regional Council Navigation Safety Bylaw 2026 does not give rise to any implications under the New Zealand Bill of Rights Act 1990 in accordance with section 155(2) of the Local Government Act 2002.*
6) ***Makes*** *the Otago Regional Council Navigation Safety Bylaw 2026.*
7) ***Notes*** *that the Council's Common Seal shall be affixed to the Otago Regional Council Navigation Safety Bylaw 2026 and witnessed by two Councillors.*
8) ***Gives*** *public notice of making the Otago Regional Council Navigation Safety Bylaw 2026 on 30 May 2026 which states that the Otago Regional Council Navigation Safety Bylaw 2026 will come into operation on 1 June 2026.*

BACKGROUND

[5] Otago Regional Council (ORC) has a responsibility to manage navigational safety in Otago under the Maritime Transport Act 1994 (MTA), and the MTA empowers regional councils to make navigation safety bylaws under the Local Government Act 2002 (LGA) to ensure maritime safety. The 2020 bylaw has assisted with the regulation of ports, harbours, waters and maritime-related activities in the Otago region (excluding the Queenstown Lakes District, where responsibility has been delegated to the Queenstown Lakes District Council). The LGA sets out that bylaws must be reviewed within five years of the date it is first made. The 2020 bylaw was first adopted on 3 April 2019 and amended in 2020. It was automatically revoked on 3 April 2026 under section 160A of the LGA. On 26 November 2025, Council approved the commencement of the process for reviewing the 2020 bylaw under the LGA. The bylaw review process to date is summarised below and in Table 1.

[6] On 9 December 2025, Council approved public consultation on the draft bylaw. At the same meeting, authority to hear submissions and make recommendations to Council on the draft bylaw was delegated to a Hearing Panel of three Councillors: Kate Wilson, Gary Kelliher and Robbie Byars.

[7] Public consultation was undertaken from 12 January to 20 February 2026; members of the public could submit on the draft bylaw through the Council website. Consultation was undertaken in accordance with He Mahi Rau Rika – Council's Significance, Engagement and Māori Participation Policy 2022 (which requires use of the Special Consultative Procedure under sections 83 and 86 of the LGA).

[8] In total, 19 submissions on the draft bylaw were received from 17 people and organisations, and four submitters wished to speak to their submissions. Staff prepared an analysis of submissions for the Panel. The Panel convened in public on 18 March 2026 and heard all four submitters. The Panel then adjourned and briefly reconvened on 26 March 2026 to clarify a technical matter. Recordings of the hearing are available on the ORC website. The first part of the hearing is available at https://www.orc.govt.nz/get-involved/events/2026/march/navigational-safety-bylaw-hearings/, and the second part is available at https://www.orc.govt.nz/get-involved/events/2026/march/navigational-safety-bylaw-hearings-continued-26-march-2026/.

[9] Additionally, Maritime New Zealand provided comments on the draft bylaw in December 2025, as part of their statutory oversight of navigation safety bylaws. Some of their recommendations were incorporated into the draft bylaw before it was notified for public consultation. The outstanding recommendations were addressed in the submissions analysis and considered by the Panel.

[10] The Harbourmaster submissions analysis is included as Attachment 3 and a table summarising the submissions received on the draft bylaw, including comments from Maritime New Zealand, is included as Attachment 4.

Table 1. *Bylaw development process and key milestones*

Date	Milestone
October 2025	Preliminary work investigating issues with the 2020 bylaw
November 2025	Informal consultation with the Harbourmaster National Bylaw Working Group and Maritime New Zealand
26 November 2025	Council approved commencement of the process for reviewing the 2020 bylaw under the LGA
9 December 2025	Council approved public consultation on the draft bylaw
December 2025	Statutory consultation with Maritime New Zealand
12 January – 20 February 2026	Formal consultation period with the public
18 and 26 March 2026	Hearing and deliberations by the Hearing Panel in Dunedin
19 March – 30 April 2026	Hearing Panel prepare recommendation report to Council on hearing and revised draft bylaw
27 – 28 May 2026	Council to consider adopting the draft bylaw

DISCUSSION

[11] The Hearing Panel has considered the submissions made on the draft bylaw and recommended amendments to it. The tracked change version of the bylaw is included as Attachment 2 and incorporates the Panel's recommendations. This version of the Bylaw is called the proposed Otago Regional Council Navigation Safety Bylaw 2026 (the proposed bylaw).

[12] The Panel's recommendation report is included as Attachment 1. Their recommended amendments are summarised below:

a. **Reinstate definitions that duplicate legislation:** some definitions were deleted in the draft bylaw as notified because they duplicated definitions in the MTA or the Maritime Rules. The Panel recommended reinstating these definitions and referencing where they originate from to ensure the bylaw is user friendly.
b. **Reinstate kill cord requirements:** clause 6 was deleted in the draft bylaw as notified, and the Panel recommended reinstating it, in line with the submissions analysis, to retain the requirement that vessels fitted with a kill cord have it fitted correctly at all times while underway.
c. **Insert a clause that clarifies swimming is not prohibited near landing places:** clause 9 restricts activities including swimming if they interfere with vessel

movements near landing places, to ensure the safety of all users. It is not an outright ban on swimming near landing places, and, in line with the submissions analysis, the Panel recommended the addition of new clause 9A to make that clearer.

d. **Delete clause 17 – 'Conduct near marine mammals':** marine mammals are already managed under the Marine Mammals Protection Regulations 1992 and a bylaw addressing navigation safety has no jurisdiction in this area, so the Panel recommended the deletion of clause 17, in line with the submissions analysis.

e. **Include Ōamaru Harbour in the 14-day limit on anchoring and add an explanatory note:** the draft bylaw as notified adjusted the anchoring requirements (clause 18) so that after a vessel has anchored in the Otago Harbour for 14 days, it cannot anchor there again for 6 months. In response to a submission from Waitaki District Council, the Panel recommended that clause 18 includes Oamaru Harbour. The Panel also recommended the addition of an explanatory note to clarify the intent of the clause and direct bylaw users towards appropriate solutions for longer stays.

f. **Require certain vessels carrying passengers to transmit an AIS signal while in Otago Harbour:** in the draft bylaw as notified, clause 22 (a new clause added during the bylaw review process) required larger commercial vessels and some commercial vessels carrying passengers to transmit an AIS signal when navigating in Otago Harbour. However, following discussion with the Harbourmaster at the hearing, the Panel recommended that the AIS requirement apply to all large vessels, medium vessels licensed to operate commercially and all vessels licensed to carry passengers.

g. **Add maps to improve clarity around speed requirements in Otago Harbour:** the Panel recommended, in line with the submissions analysis, including maps in a new Appendix I that show the speed requirements on the eastern side of Otago Harbour, to ensure that these are clear to all Harbour users.

h. **Amend map of Ōamaru Harbour in Appendix G:** the Panel recommended, in line with the submissions analysis, providing more detailed mapping of Ōamaru Harbour, to improve clarity around which boats have right of way, speed requirements, reserved areas, moorings and access.

i. **Amend the Special Speed Zones in Appendix E:** the Panel recommended, in line with the submission analysis, amending the Special Speed Zones for Manuherikia and Taieri Rivers and adding a Special Speed Zone for the Lindis River.

[13] As outlined in their report, the Panel considers that these changes appropriately respond to submissions and improve the effectiveness and efficiency of the draft bylaw as notified.

[14] Under section 155 of the LGA, Council must consider whether the proposed bylaw is the most appropriate form of bylaw and whether it gives rise to any implications under the New Zealand Bill of Rights Act 1990. Council considered these matters at the November 2025 meeting, before approving the commencement of the bylaw review process. In summary:

a. Compared to relying solely on the national maritime rules, a bylaw enables better management of local condition; it provides a mechanism for more geographically specific rules and for community input on these rules.

b. A standalone bylaw is the most appropriate form of bylaw as it ensures that the information is in one place and readily accessible.

c. The 2020 bylaw contributed to the safety of navigation and did not place any limitations on the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990. The proposed bylaw is based on the 2020 bylaw, and the amendments to the 2020 bylaw do not give rise to any implications under the Act.

[15] The Panel members can speak to the hearing process and the presentation of the recommendation report. However, they will recuse themselves from voting on recommendations 3 to 6 which relate to the adoption of the Panel's recommendations.

OPTIONS

Option 1 – Adopt the proposed Otago Regional Council Navigation Safety Bylaw 2026 (recommended)

[16] The proposed bylaw, as recommended by the Panel, is considered to be the most appropriate form of bylaw and the most effective and efficient way to address the issues identified during the bylaw review process. It will ensure that the Otago Regional Council Navigation Bylaw remains up to date, fit for purpose, and aligned with navigational safety best practice.

Option 2 – Do not adopt the proposed Otago Regional Council Navigation Safety Bylaw 2026 (not recommended)

[17] The 2020 bylaw was automatically revoked on 3 April 2026, and without a navigation safety bylaw, Council has limited powers to manage navigation safety issues. The Resource Management Act 1991 does not include provisions that address maritime safety or navigation, and relying solely on national maritime rules would limit the ability to manage local conditions, such as reserving areas for specific activities (e.g. swimming or rowing), setting regional standards for moorings, or accommodating jetboating on certain rivers and safe entry into the port.

[18] As a result, there is the potential for safer boating practices to lapse; without a bylaw, there will be a limited regulatory basis to support water users, and incidents and accidents across the region's waterways could increase.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[19] The draft bylaw connects the Strategic Directions to the Council's work programme for matters related to navigation safety.

Financial Considerations

[20] If the proposed bylaw is adopted, the cost of producing the necessary hard copies will be approximately $2500. This is an unbudgeted cost for this financial year, but can be accommodated. The main work required to implement the proposed bylaw will be updates to signage across Otago, which is expected to cost approximately $5000–$6000 over 2 years. Budget for updating signs as needed is included in the budget.

[21] The proposed bylaw will not increase the responsibilities or workload of the Harbourmaster Team so all implementation, including signage updates, will be delivered within the existing budgets.

Significance and Engagement

[22] Public consultation on the bylaw was undertaken in accordance with He Mahi Rau Rika – Council's Significance, Engagement and Māori Participation Policy 2022 and the requirements of the LGA. The Special Consultative Procedure has been followed.

Legislative and Risk Considerations

[23] Adopting the draft bylaw will minimise the risk of issues arising from not having a navigation safety bylaw in place.

[24] The draft bylaw has been developed in accordance with the requirements of the LGA and MTA and does not give rise to any implications under the New Zealand Bill of Rights Act 1990.

Climate Change Considerations

[25] There are no direct climate change considerations resulting from the decision to adopt the draft bylaw.

Communications Considerations

[26] If adopted, the bylaw would be available on the ORC website as the Otago Regional Council Navigation Safety Bylaw 2026, and the 2020 bylaw would be archived. Copies of the bylaw would also be available at ORC offices, in accordance with section 157 of the LGA.

[27] Public notice of the bylaw coming into operation would be given in accordance with section 157 of the LGA, along with a media release, advertising on social media and updates to the relevant parts of the ORC website.

NEXT STEPS

[28] If the Council agrees to adopt the proposed bylaw:

a. Two Councillors will attest to affixing of the Common Seal of the Council to the Otago Regional Council Navigation Safety Bylaw 2026.
b. All submitters will be advised of the Council's decision.
c. In accordance with section 157 of the Local Government Act 2002, the Council will give public notice of the making of the Otago Regional Council Navigation Safety Bylaw 2026 on 30 May 2026. The public notice will state:
    i. The date on which the Otago Regional Council Navigation Safety Bylaw 2026 will come into operation, which will be 1 June 2026, and
    ii. That copies of the bylaw may be inspected and obtained at the offices of the ORC on payment of a specified amount.
d. The Harbourmaster will review, and if necessary, update the navigation safety bylaw implementation plan, including any required changes to signage, public information, building awareness and undertaking water monitoring and enforcement activities.
e. As noted above, the 2026 Bylaw will be made available online, hard copies will be kept at ORC offices and the change in bylaw will be advertised to the public.

ATTACHMENTS

1. Hearing Panel's Recommendation Report - ORC Navigation Safety Bylaw [**10.2.1** - 28 pages]
2. Proposed ORC Navigation Safety Bylaw 2026 - Tracked Changes Version [**10.2.2** - 56 pages]
3. Harbourmaster Submissions Analysis - ORC Navigation Safety Bylaw [**10.2.3** - 24 pages]
4. Table of Submissions - ORC Navigation Safety Bylaw [**10.2.4** - 40 pages]

Recommendation Report

Draft Otago Navigation Safety Bylaw 2026

30 April 2026

447585.109#11053953v1

1 Introduction

1. We, Councillors Kate Wilson, Gary Kelliher and Robbie Byars, have been jointly appointed as the Hearing Panel (the Panel) for the Otago Navigation Safety Bylaw 2020 (the 2020 bylaw) review.

2. The hearing for the draft Otago Navigation Safety Bylaw (the draft bylaw) was undertaken in two parts, on 18 and 26 March 2026. The first part of the hearing was held in public on 18 March 2026 at the Otago Regional Council (ORC) Chambers. Four submitters spoke to their submissions at the hearing.

3. An analysis of submissions prepared by staff was taken as read. The ORC staff who wrote the submissions analysis, Tanith Robb and Steve Rushbrook (the Harbourmaster), answered questions from the Panel.

4. Michelle Mehlhopt from Wynn Williams, who has provided legal advice on the draft bylaw, also attended and answered questions from the Panel.

5. We adjourned the hearing on 18 March 2026 after seeking clarification about the intent and wording of clause 22. The hearing was briefly reconvened on 26 March 2026 so that the Panel could ask the Harbourmaster further questions on this matter.

6. As the second part of the hearing was solely about a technical matter, it was held in private over Zoom and attended by ORC staff and Michelle Mehlhopt. A recording of this part of the hearing is available on the ORC website.

7. The purpose of this report is to present the Panel's recommendations on the draft bylaw to Council, in order to support Council's consideration of adopting the draft bylaw. For each part of the bylaw submitted on, we have outlined the submissions made and any additional information presented at the hearing, followed by our discussion and recommendations. In many cases, we have adopted the reasoning and recommendations presented in the submissions analysis.

8. In making our recommendations on the draft bylaw, the Panel has been cognisant of the requirements Councils must meet in relation to bylaws, including the scope of the draft bylaw and restrictions on what can be included in it. Paragraphs 4 to 10 of the submissions analysis set out these requirements in more detail.

9. Further background on the draft bylaw can be found in section 2 of the submissions analysis report: https://www.orc.govt.nz/media/2xqh2sji/hearing-report-draft-navigation-safety-bylaw.pdf

2 Discussion and recommendations

10. In total, 19 submissions on the draft bylaw were received from 17 people and organisations.

11. Four submitters wished to speak to their submissions at the hearing:

    (a) Katherine McNabb,

    (b) Dallas Shaw and Grant Wilson representing Jet Boating New Zealand (JBNZ),

    (c) Paul Pope and Hugh O'Neill representing the Otago Peninsula Community Board (OPCB) and

    (d) Simon Blake from the Broad Bay Yacht Club.

12. Maritime New Zealand (MNZ) provided recommended changes to a draft version of the reviewed bylaw in December 2025, as part of their statutory oversight of draft navigation bylaws. MNZ's recommended amendments were included in the submissions analysis and are also included in this report from paragraph 138.

General comments on the Bylaw

Submissions and hearing

13. Seven submitters provided general comments on the draft bylaw.

14. Rob Bishop was concerned that the draft bylaw expands the scope of navigation controls in several areas, as it may increase monitoring, administration, and enforcement activity. The submitter asked for clarity on the rationale for the bylaw changes and what the increased costs for the ORC might be.

15. Two submitters, B Sinclair and Simon Blake, opposed all changes being proposed to the bylaw in general. B Sinclair wanted the current situation left alone and Simon Blake was concerned that the proposed changes would limit citizens' access to Otago Harbour.

16. Waitaki District Council (WDC) supported the intent of the bylaw review.

17. OPCB requested signage around launching sites in the Otago Peninsula be updated. OPCB also questioned why there is no acknowledgement of Te Rūnaka o Ōtākou as the kaitiaki of the Otago Harbour in the draft bylaw.

18. At the hearing, Simon Blake expressed concerns about the draft bylaw expanding the powers of the Harbourmaster and advocated for empowering community organisations such as yacht clubs to manage navigation safety. He highlighted the role that clubs play in keeping users of Otago Harbour safe and commented that ORC should work with

community organisations rather than taking a top-down approach.

19. During discussion with the submitter at the hearing, the Panel acknowledged that yacht clubs make a valuable contribution to navigation safety but noted that the bylaw plays a complimentary role as a regulatory backstop. The Harbourmaster clarified that his team engages with a variety of organisations, including yacht clubs, and that they take an 'education first' approach to compliance issues. The clubs are welcome to come to the Harbourmaster to discuss any issues they have, and they have an open invitation to the annual forum for discussion held by the Harbourmaster.

Discussion

20. We agree with the reasoning presented in paragraphs 22–24 of the submissions analysis. We have outlined this below and provided additional comments addressing the discussion at the hearing, where relevant.

21. Regarding concerns about the increased scope / restrictions / proposed changes to the bylaw, the roles and responsibilities of the Harbourmaster in the draft bylaw have existed in the 2020 bylaw for over five years. The Harbourmaster Team does not anticipate a significant shift in duties and responsibilities, and the draft bylaw would be implemented and delivered within ORC's current Harbourmaster resources and budget.

22. In relation to OPCB's comment on signage, the Harbourmaster Team regularly reviews and updates signage around Otago's waterways and would do so following the adoption of the draft bylaw. This would be delivered within existing budgets and workloads, separately from the bylaw process.

23. Te Rūnaka o Ōtākou provided input on the 2020 bylaw when it was developed. The purpose of the bylaw is to ensure navigation safety, rather than to address wider management or stewardship matters.

24. We consider that paragraph 21 above addresses the concerns raised by Simon Blake about the expansion of the Harbourmaster's powers, and that the other matters raised by the submitter were satisfactorily addressed through discussion at the hearing.

Recommended amendments

25. No amendments are recommended to the draft bylaw in response to the general comments received.

Part 1 Preliminary provisions

Amendments in the draft bylaw

26. The changes proposed in the draft bylaw consisted of deleting definitions from clause 3 'Interpretation', that duplicated legislation.

Submissions and hearing

27. Two submissions were received on the Preliminary provisions of the draft bylaw.

28. In relation to clause 2 'Application' of the draft bylaw, Katherine McNabb recommended that the Queenstown Lakes District Council (QLDC) be included in the Otago Regional Council area for the purposes of navigation safety. The submitter was concerned that the delegation to QLDC needed to be removed for the safety of water users.

29. OPCB was concerned about the definition of 'unseaworthy' used in clause 3 'Interpretation' of the draft bylaw, because it relied on an arbitrary decision of the Harbourmaster or one of their deputies. Simon Blake expressed a similar concern at the hearing.

30. At the hearing, Katherine McNabb highlighted the value of consistency in navigation safety requirements, and the Harbourmaster agreed that improved consistency is desirable. He advised that although the ability to address this through the bylaw review process is limited, ORC tries to alleviate issues arising from inconsistency between different bylaws through communication with QLDC and with neighbouring regional councils.

31. The Panel discussed what an alternative definition of 'unseaworthy' might look like with submitters OPCB and Simon Blake. OPCB suggested that the definition could include a set of criteria for seaworthiness, such as the vessel being structurally sound and having safety equipment, functioning propulsion and steering. Simon Blake commented that any highly experienced mariner can ascertain the seaworthiness of a vessel.

32. During the hearing, the Panel found that the deletion of definitions that duplicated legislation made the bylaw more difficult to read. It is unclear where to find the definitions of these terms when they are encountered in the draft bylaw if they are not included in clause 3 'Interpretation'.

Discussion

33. We agree with the reasoning presented in paragraphs 30–33 of the submissions analysis. We have outlined this below and included comments addressing the discussion at the hearing, where relevant.

34. The delegation of functions to QLDC is a separate process that sits outside of the bylaw. However, we agree with Katherine McNabb and the Harbourmaster that improved consistency in navigation safety requirements is desirable. As we mentioned at the hearing, ORC may have an opportunity to address this issue through a different avenue, such as the local government reform process.

35. We consider that the Harbourmaster has the experience and expertise to assess and manage unseaworthy vessels when they become a potential hazard to navigation. We also note that the definition of 'unseaworthy' in the draft bylaw has not been changed from the 2020 bylaw, and that this definition can be enforced. The enforceability of the definition is discussed further in paragraph 111 of the submissions analysis in response to comments from MNZ.

36. Regarding the deletion of definitions that duplicate legislation, we recommend that the definitions of any terms used in the draft bylaw are reinstated to make it more user friendly. However, the reinstated definitions should refer to the relevant legislation so that the source of each definition is clear.

37. Additionally, several definitions that do not duplicate legislation were deleted in the draft bylaw as notified. This was an administrative error, and we recommend they are reinstated.

Recommended amendments

38. No amendments are recommended to the draft bylaw in response to the comments received on Part 1 Preliminary provisions. However, we recommend the following changes to clause 3 'Interpretation'.

39. Reinstate the following definitions for the following terms so that their definitions refer to their source legislation:

    a. Accident
    b. Enforcement Officer
    c. Flag B
    d. Harbourmaster
    e. Incident
    f. Length Overall
    g. Master

h. Mishap

i. Personal Flotation Device

j. Person in charge of the vessel

k. Personal Water Craft

l. Pilot

m. Port Company

n. Power-driven vessel

o. Restricted Visibility

p. River

q. Territorial Sea

r. Underway

s. VHF

40. Reinstate the definitions for the following terms to correct an administrative error:

a. Access lane

b. Anchoring

c. Beacon

d. Manoeuvre

e. Mooring

f. Ship

Part 2 General Navigation Safety Requirements

Amendments in the draft bylaw

41. A new option to submit incident data online has been added to clause 5 ‘Notification of maritime accidents, incidents and mishaps’.

42. Clauses (from the 2020 bylaw) 6 ‘Person in charge of the vessel’, 7 ‘Carriage of personal flotation devices’, and 8 ‘Exemptions to the compulsory carriage of personal floatation devices’ have been deleted as they duplicate requirements under Part 91 of the Maritime Rules.

43. Some minor changes for clarity were made to clause 12 ‘Vessels to be identified’ and clause 13 ‘Navigational aids’.

Submissions and hearing

44. Nine submission points were received on Part 2. ‘General Safety Requirements’ of the bylaw.

45. Rob Bishop was concerned that the requirement to report all accidents, incidents, and hazards within 24 hours, including submitting Maritime NZ forms to the Harbourmaster, will increase reporting volume significantly. The submitter was concerned about the potential impact on workload for the Harbourmaster Team.

46. Tim Vick was disappointed to see the removal, rather than the strengthening, of the requirement to use a kill cord on a boat where fitted (deleted clause 6 ‘Person in charge of the vessel’). The submitter noted examples around the world of serious and life changing or ending injuries being caused due to not wearing the engine’s kill cord.

47. OPCB expressed support for clause 6 regarding the mandatory use of life jackets for vessels under 6 metres. Tim Vick was concerned that the wording of clause 6 ‘Wearing of personal floatation devices on vessels’ was unclear and suggested alternative wording. Katherine McNabb was concerned about the inconsistency of life jacket rules in New Zealand, and considered the provision in the draft bylaw did not comply with the national rules.

48. OPCB expressed concern about clause 7 ‘Minimum age for operating power-driven vessels’. They recommended that, in relation to the ages of operators of vessels capable of exceeding 10 knots, clarification and distinction was needed between wind powered and mechanical powered vessels.

49. The Otago Fish and Game Council (F&G) supports the retention of the general speed limit of 5 knots on rivers via clause 8 ‘Navigation on rivers’ provisions, to protect the environment and other river users. F&G suggested that where speed uplifts are appropriate, they can be identified and added into Appendix E.

50. Francois Lambrechts and OPCB were concerned that, as currently drafted, clause 9 ‘Fishing or swimming or diving around landing places’ may be interpreted as an outright ban on these activities when vessels are berthing or departing from public jetties or wharves.

51. No additional information about the submission points from OPCB, Katherine McNabb or F&G was raised during the hearing, except in relation to the mandatory use of life jackets on vessels under 6 metres. The Harbourmaster and Katherine McNabb commented that this may soon become a national requirement through an amendment to the Maritime Rules.

Discussion

52. We agree with the reasoning presented in paragraphs 45–52 of the submissions analysis. We have outlined this below and provided additional comments addressing the discussion at the hearing, where relevant.

53. Mandatory reporting of accidents, incidents and mishaps is a requirement under the 2020 bylaw and the Harbourmaster Team has a database in place to manage reports. No increase in workload is anticipated, but the proposed changes will enable boaties to make reports more easily via a website. Usually MNZ will investigate incidents, although enforcement can be through MNZ or the Harbourmaster as appropriate. However, we recommend that Rob Bishop’s submission is accepted in part, as clause 5(3) can be simplified for clarity.

54. We agree with Tim Vick’s concern about the removal of the kill cord provisions and recommend that clause 6 ‘Person in charge of the vessel’ is reinstated.

55. We note the support of OPCB in relation to the use of lifejackets. We recommend using Tim Vick’s alternative wording for clause 6, with the additional amendments outlined in the submissions analysis, to simplify and improve the clarity of the clause.

56. With regard to the consistency of life jacket provisions in New Zealand, the national rule (Maritime Rule 91.4(1)) only requires personal floatation devices to be carried on board in an accessible location. The Harbourmaster considers that the compulsory wearing of a personal floatation device has a significant safety impact and a better chance of saving lives. Additionally, the Maritime Rules may soon align with lifejacket requirement in the draft bylaw, as discussed at the hearing.

57. We note OPCB’s comments about clause 7 ‘Minimum age for operating power-driven vessels’, however, the wording is consistent with the national Maritime Rules, and therefore no change is recommended.

58. We note the support of F&G for the 5-knot speed limit on rivers to protect the environment and other river users.

59. The intention of clause 9 'Fishing or swimming or diving around landing places' is to stop people fishing, swimming or diving, if the activity interferes with vessel movements within 50 m of a landing place. The clause prioritises the safety of all users where multiple recreational activities may occur in the same area. However, we recommend that the submitters' points are accepted in part, as it is the bylaw could be clearer that clause 9 is not an outright ban of swimming etc near landing places, and vessel operators need to be vigilant of other people in the water.

60. In response to the submissions on clause 9, we recommend that the proposed additions to the draft bylaw suggested by Francois Lambrechts (except for the explanatory note, and with an additional clause referring specifically to clause 9(1)(a)) are inserted into the draft bylaw as clause 9A. These additions clarify the intent of clause 9(1)(a).

Recommended amendments

61. We recommend the following amendments to Part 2.

62. Amend clause 5(3) as follows:

~~(3) Persons reporting accidents under the Maritime Rules and the Maritime Transport Actshould provide to the Harbourmaster a copy of the appropriate Maritime New Zealand report form within 24 hours of submission~~ Notification of incidents should also be made to Maritime New Zealand: https://www.maritimenz.govt.nz/commercial/safety/notifications/incident-notification/

63. Reinstate clause 6 'Person in charge of the vessel':

6. Person in charge of the vessel

(1) The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel.

(2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.

(3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.

We note that this reinstated clause is labelled as clause 5A in the tracked changes version of the bylaw, to avoid it being confused with clause 6 'Wearing of personal flotation devices on vessels.' This numbering will be corrected in the final version of the draft bylaw.

64. Amend clause 6(4) as follows:

(4) Clause 6 does not apply to a person training for or participating in ~~or for any trick water skiing/wake boarding element of~~ a sporting event, if the training or event is supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime New Zealand ~~pursuant to part 91 of the Maritime Rules~~.

65. Add wording after clause 9 as follows:

9A. Swimming near landing places

(1) For the avoidance of doubt, nothing in clause 9(1)(a) prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the berthing, launching, retrieval, or departure of any vessel.

(2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place.

(3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places.

Part 3 Speed limits, Reserved Area and Access Lanes

Amendments in the draft bylaw

66. In the draft bylaw, clauses 17 ‘General speed limits’, 20 ‘Water Skiing, Parasailing, Paragliding and Towing’, and 21 ‘Divers to Display Flag Alpha (A)’ were deleted due to duplication of the Maritime Rules.

Submissions and hearing

67. 11 submission points were received on Part 3. ‘Speed limits, Reserved Area and Access Lanes’.

68. Francois Lambrechts submitted that there was ambiguity in the way the 5-knot speed limit in the eastern channel of Otago Harbour could be interpreted. The submitter recommended amending the bylaw, supporting maps, or signage to clarify that no speed uplift applies in the Company Bay / Macandrew Bay channel unless specifically stated. OPCB also noted that there was no map of the 5 knot areas around Macandrew Bay, Broad Bay and Portobello. OPCB sought that these areas and their associated speed restrictions should be included in the bylaw for clarity.

69. JBNZ proposed a number of speed uplifts under clause 14 ‘Special Speed Zone’, which are specified in F&G’s submission and summarised in paragraph 57 of the submissions analysis. The proposed uplifts target rivers during high flows, when other recreational use is less likely, and the environmental impact is lessened. F&G have no objection to the specific uplifts proposed.

70. Rob Bishop expressed concern about several zones identified in the bylaw, including special speed zones, reserved areas, and the halfway islands safety zone. The submitter was interested in the potential costs of implementing and maintaining the zones would create for Council.

71. The North Otago Yacht and Power Boat Club (NOYPBC) recommended that all boats should not exceed 5 knots within the whole Oamaru Harbour area at any time due to safety concerns.

72. OPCB expressed concern that yacht clubs and recreational users are powerless to enforce the 5 knot speed limit in Macandrew Bay, Broadbay and Portobello.

73. Katherine McNabb expressed concern that national rules and the QLDC Navigation Safety Bylaw refer to speed limits being ‘uplifted’, however, the Otago Navigation Safety Bylaw refers to ‘special speed zones’. The submitter was concerned that this might be confusing for the public.

74. OPCB considered clause 16, which relates to special events or ceremonies, is unnecessarily restrictive for yachting clubs who place temporary navigation buoys

out to create courses during the racing season.

75. OPCB also submitted that Clause 17 'Conduct near marine mammals' should reference national legislation and conservation management applicable to both commercial and recreational vessels.

76. No additional information about the submission points from Katherine McNabb, JBNZ and OPCB was raised at the hearing. However, the Harbourmaster highlighted that clause 16 would not apply to 'business as usual' events for clubs and other organisations.

Discussion

77. We agree with the reasoning presented in paragraphs 64–71 of the submissions analysis, which we have outlined below.

78. We recommend accepting the submission points raised by Francois Lambrechts and OPCB relating to the lack of clarity around speed requirements through the eastern channel of Otago Harbour. Including this information in the bylaw will provide better education for the public about the speed requirements in this area of the harbour.

79. We recommend that the proposed speed uplifts under clause 14 'Special Speed Zone' suggested by JBNZ, and unopposed by F&G, are included in Appendix E of the draft bylaw (which contains the special speed zones). In their submission, JBNZ noted that recreational jet boats are designed for effective and safe navigation when the hull is 'on the plane', which is typically achieved and maintained at speeds greater than 5 knots. This means that recreational jet boating can generally only be done at speeds greater than the draft bylaw's default maximum speed of 5 knots. The proposed changes to Appendix E will therefore provide enhanced access for jet boaters to specific rivers during high flows. Due to the state of Otago's waterways during high flows, we consider that the environmental effects of jet boat use will be lessened and the impact on other river users (for example anglers, swimmers, and kayakers) will be low.

80. With regard to Rob Bishop's submission on 'zones' in this Part, these provisions are not new. The zones are in the 2020 bylaw and have been in place for over five years. All of the required signage and markers are already in place and are checked and updated as appropriate. This is business as usual for the Harbourmaster Team, and it will continue to be delivered within existing budgets.

81. We note NOYPBC's submission on boats not exceeding 5 knots within Oamaru Harbour. The bylaw currently states that boats should not exceed 5 knots within 200 metres of the shore and this applies to Oamaru Harbour. There is signage around the harbour stating this restriction. However, the bylaw could make this requirement clearer and more transparent by amending the map of Oamaru

Harbour in Appendix G.

82. We note OPCB's concern about yacht clubs and recreational users being powerless to enforce the 5-knot speed limit in Macandrew Bay, Broadbay and Portobello. However, enforcing speed restrictions in Otago waterways is one of the roles and responsibilities of the Harbourmaster Team – this power cannot be delegated to yacht clubs and recreational users.

83. Regarding Katherine McNabb's concern about the different terminology used for 'speed uplift' across regulatory instruments, the 2020 bylaw uses the term 'special speed zone', and these areas are mapped in the Appendix. We consider that this provides sufficient certainty for users of the bylaw.

84. We note that OPCB's concern about the stringency of clause 16 'Special events', however, this clause does not affect 'business as usual' events for clubs and organisations, including laying and removing temporary marks for racing etc. All recreational clubs should have a safety plan in place that covers the normal activities of the club. Clause 16 relates specifically to special events, those larger or one-off events that could exceed the clubs' normal safety regime and would therefore need a specific safety plan. This is considered when approval for a special event is applied for from the Harbourmaster.

85. We accept in part OPCB's submission point about clause 17 'Conduct near marine mammals'. Marine mammals are managed by the Marine Mammals Protection Regulations 1992, which is the responsibility of the Department of Conservation. A navigation safety bylaw has no jurisdiction in this area, and we therefore recommend that clause 17 is removed in its entirety.

Recommended amendments

86. We recommend the following amendments to Part 3.

87. New maps are developed for a new Appendix I, with clear navigation safety information for the eastern channel of Otago Harbour.

88. The map of Oamaru Harbour in Appendix G is amended to make speed restrictions more explicit, specifically 5 knot areas and recreational use areas.

89. Amend Appendix E Special Speed Zones for Otago Inland Waters as follows:

Manuherikia River: Speed unlimited for ~~T~~the Manuherekia River from the confluence with the Clutha River upstream to the Falls Dam in St Bathans, from 1 July to 30 September inclusive when the flow is between 10 cumecs and 45 cumecs as measured at the Ophir gauge. In addition, speed is unlimited from 1 October to 31 March inclusive when the flow exceeds 20 cumecs measured at the Ophir gauge.

Taieri River: Speed unlimited for ~~T~~the Taieri River from the bridge at Outram downstream to the confluence with Waipori River, ~~5 July and 15 August~~ from 1 June to 31 August inclusive and from 1 November to 31 March inclusive when the flow is more than ~~30~~ 20 cumecs as measured at the Outram gauge.

Taieri River: Speed unlimited for ~~T~~the Taieri River from the Gravel Pit at Hyde downstream to the Pukerangi Road Bridge in Pukerangi, from 1 August ~~and September~~ to 31 December inclusive when the flow is more than 20 cumecs as measured at the ~~Waipiata~~ Tiroiti gauge.

90. Add an additional Special Speed Zone in Appendix E for the Lindis River as follows:

    Lindis River: Speed unlimited for the Lindis River from the confluence with the Clutha River upstream, from 1 July to 30 September inclusive when the flow is more than 20 cumecs as measured at the Ardgour Road gauge.

91. Delete clause 17 ‘Conduct near marine mammals’.

Part 4 Anchoring and mooring

Amendments in the draft bylaw

92. The draft bylaw adjusted the anchoring requirements in the 2020 bylaw. In practice, this would mean that after a vessel has utilised a 14-day allowance to anchor in one place, there would be no returning to anchor in Otago Harbour within 6 months.

Submissions and hearing

93. Nine submissions were received on Part 4. 'Anchoring and mooring'.

94. Simon Macrae, Norman Wood, Eric Bretscher, Tim Vick, Reece Allison, and James McEwan opposed the draft bylaw's restrictions around anchoring. Eric Bretscher said it is not clear what 'problem' the Council is trying to solve with these restrictions. The other submitters were concerned that the anchoring limit of 14 days in any six-month period was too restrictive and may not be workable (their submissions are outlined in more detail in paragraphs 80–82 of the submissions analysis).

95. WDC expressed a preference to retain the ability to apply clause 18(3) to Oamaru Harbour, submitted that the proposed change to clause 18(3) prevented them from doing so.

96. Clint Sapwell questioned how the change to clause 18 was relevant to Lake Dunstan and the waterpark in Cromwell that is anchored for a long period of time.

97. Rob Bishop expressed concern about the requirement for moorings to be inspected by a "Competent Person" and repaired to a standard specified by the Harbourmaster. The submitter suggested that this was a major shift and asked whether ORC intended to recover costs from mooring owners.

98. The proposed changes to anchoring restrictions were discussed at the hearing; the Panel had questions about the wording in the 2020 bylaw and the availability of alternatives to anchoring for longer than 14 days.

99. The Harbourmaster explained that 'proximate' can potentially mean anywhere in Otago Harbour and would include a location 100 metres away. He also acknowledged that options for berths and moorings in Otago Harbour are limited and advised that clause 18 is not intended to restrict access to the harbour. The intention is to promote safe anchoring and mooring by encouraging vessel owners to seek appropriate solutions for longer stays.

100. The Harbourmaster further advised the Panel that ORC provides visitor moorings, which can be booked online for up to 48 hours, and longer stays are possible with the approval of the Harbourmaster. He also confirmed that longer stays at anchor may be approved by the Harbourmaster where alternative solutions are not available. Requiring the

approval of the Harbourmaster for stays that exceed the 14-day limit will help to ensure that vessels are anchored in appropriate locations.

Discussion

101. The 2020 bylaw has a 14-day limit for anchoring. The draft bylaw amended this provision so that the phrase 'the same or proximate' is replaced by 'the Otago Harbour'. The provision in the 2020 bylaw reads:

"No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster."

The revised provision in the draft bylaw reads:

"*No vessel shall remain anchored within the Otago Harbour for longer than 14 days in any six month period without the prior approval of the Harbourmaster."*

102. The submissions analysis explains that the wording in the 2020 bylaw can result in boat users getting around the 14-day limit by shifting vessels to different locations. This can result in a lack of appropriate anchoring locations for visiting vessels, inappropriate anchoring positions creating safety and navigational issues, and would allow anchoring for longer periods of time than intended under the existing bylaw (which can create blackwater and greywater storage and disposal issues).

103. However, the submissions analysis recommended accepting the submissions that opposed the proposed anchoring restrictions and reverting to the wording in the 2020 bylaw. The reasoning for this was that while the current anchoring rules have the potential to create navigational and safety issues, to date the Harbourmaster has managed these risks through active management of the harbour. The retention of the current provision would also address WDC's request that clause 18 continues to apply to Oamaru Harbour.

104. After submissions were heard at the hearing, staff revised their recommendation. They concluded that the potential navigational safety issues arising from the wording in the 2020 bylaw should be addressed by amending the draft bylaw. Staff's revised recommendation was to use the wording in the draft bylaw, with the addition of 'Oamaru Harbour' to address WDC's submission.

105. Following discussion with the Harbourmaster at the hearing, our understanding is that the intent of clause 18 as proposed in the draft bylaw is to encourage vessel owners to seek appropriate solutions for longer stays. We are satisfied that these solutions are available, in the form of purchasing moorings, using visitor moorings and obtaining the Harbourmaster's approval for a longer stay at anchor. We understand that the Harbourmaster will use his discretion to enable safe anchoring

and mooring in Otago Harbour and will take an ‘education first’ approach to compliance.

106. On this basis, we recommend retaining the wording in the draft bylaw, with the addition of ‘Oamaru Harbour’ to the provision and an explanatory note that clarifies the intent of the provision and directs users toward options for longer stays.

107. We also note that Reece Allison’s submission related to his own situation, where his vessel is contravening the proposed anchoring for a mooring consent has not been progressed. If this matter has not been resolved, we encourage the submitter to contact the Harbourmaster to find a solution, which could include obtaining approval for a longer stay at anchor.

108. Turning to the submissions from Clint Sapwell and Rob Bishop, we agree with the reasoning in paragraphs 89 and 90 of the submissions analysis, which we have outlined below.

109. Regarding Clint Sapwell’s question, the provision in the draft bylaw would not apply to Lake Dunstan, however, the original provision in the 2020 bylaw does apply to Lake Dunstan. Moorings in Lake Dunstan are subject to resource consent by Central Otago District Council and consideration by Land Information New Zealand, this includes council owned swimming pontoons and a water park.

110. The requirement for moorings to be inspected is not new, it is part of the 2020 bylaw and there are no cost implications for the Harbourmaster Team. The standards are part of the consent process, and the owner of the resource consent is responsible for the maintenance of the mooring.

Recommended amendments

111. Amend clause 18(3) of the draft bylaw so that it includes Oamaru Harbour and an explanatory note:

18. Anchoring

(1) No vessel shall anchor in a navigational channel without approval from the Harbourmaster. A large vessel may anchor in a navigational channel at the direction of the pilot.

(2) No vessel shall anchor in a manner that obstructs moorings or moored vessels.

(3) No vessel shall remain anchored within the Otago Harbour ~~same or proximate location~~ or Oamaru Harbour for longer than 14 days in any six month period without the prior approval of the Harbourmaster.

(4) An anchored vessel may not be left unattended for more than 24 hours without the owner, or their representative checking that the vessel remains secure.

(5) Vessels are permitted to anchor in Oamaru Harbour in the area shown in Appendix G provided that subclauses (2) to (4) above are complied with.

Explanatory note: For clarity, the intention of clause 18 is to encourage vessel owners to seek an appropriate solution for longer stays.

Council provides moorings to be used by visiting vessels, which can be booked for stays of up to 48 hours on the Council website:
https://onlineservices.orc.govt.nz/facilities/facility/visitor-moorings

Vessel owners wishing to anchor in one place longer than 14 days should contact the Harbourmaster by phone on 0800 474 08 or by email at harbourmaster@orc.govt.nz.

Part 5 Special Provisions on Activities in Otago Harbour

Amendments in the draft bylaw

112. The draft bylaw includes a new requirement for commercial vessels operating within Otago Harbour to have an automatic identification system (AIS). This technology can assist vessels safely navigating around each other and can improve vessel management. While this is a new requirement under the Bylaw, most commercial vessels will have it in place already, so the change will be about having it switched on in the harbour.

Submissions and hearing

113. Two submissions were received on the requirement to have AIS transmitting in Otago Harbour. Both questioned whether the benefits of AIS outweighed the cost.

114. Eric Bretscher commented that the increase in cost and complexity from the point of view of the operator seems difficult to justify. Rob Bishop said that AIS is a valuable safety tool, but the practical and financial implications need to be clearly outlined. Both submitters suggested that smaller commercial vessels should be excluded.

115. Although neither of the submitters concerned with this matter spoke to their submissions, it was discussed at the hearing. The Panel had questions about the rationale for the requirement and the wording of clause 22.

Discussion

116. The submissions analysis identified that clause 22(1)(c) of the draft bylaw applies to commercial vessels over 18 metres in length overall, while 'medium vessel' is defined as 'any vessel more than 15 metres but less than 40 metres in length overall and under 500 gross tonnage.' For clarity and consistency within the bylaw provisions, we agree with the submissions analysis recommendation that clause 22(1)(c) applies to commercial vessels over 15 metres in length overall. We also recommend that the wording of this is amended to 'more than 15 metres in length overall'.

117. Regarding the rationale for clause 22, the submissions analysis provided the reasoning outlined below.

118. AIS is a proven system that allows for a better overview of safety of navigation in any waters. It also allows technical vision from ship to ship or ship to shore, giving a safer navigational picture to operate with.

119. There is a cost to the operator, dependent on the type of AIS installed. Most commercial operators already have AIS fitted and operational, and it can be switched off when not required—the new requirement in the draft bylaw is that AIS must be transmitting when navigating Otago Harbour. The Harbourmaster

considers the navigational safety benefits for all vessels within the Harbour outweigh the costs to operators of this requirement.

120. Following the adjournment of the hearing on 18 March 2026, the Panel remained uncertain that the cost to operators of smaller commercial vessels could be justified. These vessels would be captured by clauses 22(1)(e) and 22(1)(f) of the draft bylaw.

121. At the reconvened hearing on 26 March 2026, the Harbourmaster advised that installing a commercial AIS would cost approximately $2000–$3000, while a recreational AIS would cost $500–$1000, and that there was no ongoing operating cost. He commented that AIS is increasingly common even on recreational vessels due to its safety benefits. The Harbourmaster also emphasised the significance of the safety benefits for Otago Harbour, which has one of the most challenging entrances in the country.

122. Following this explanation, we were satisfied that there is a strong navigational safety rationale for requiring AIS transmission and that the cost of doing so will not be prohibitive even for small commercial operations.

123. Consequently, we consider it reasonable to require large vessels (subclauses (1)(a) and (1)(b)), medium vessels licensed to operate commercially (subclause (1)(c)) and vessels licensed to carry passengers (subclause (1)(d)) to transmit an AIS signal at all times. This means subclauses (1)(e) and (1)(f) can be deleted, which will simplify clause 22 and improve its clarity. We recommend that these amendments are made to the draft bylaw.

124. We also recommend several minor changes to the wording of clause 22 to improve its clarity, and that the wording linking the subclauses is ‘or’ rather than ‘and’, because only one of the subclauses needs to be met for the requirement to transmit an AIS signal when navigating Otago Harbour to apply.

Recommended amendments

125. We recommend that clause 22(1)(c) is amended as follows:

22. Transmission of Automatic Identification System (AIS) in Otago Harbour

(1) The following categories of vessels operating within Otago Harbour shall be required to transmit an accurate AIS signal~~;~~:

(a) All ~~commercial vessels~~ Vessels of 300 gross tons or more; or

(b) Tugs and barges ~~together~~ measuring 40 metres length overall ~~(LOA)~~ or greater; or

(c) ~~Commercial vessels~~ Vessels of ~~over 18~~ more than 15 metres length

overall ~~LOA~~ licensed to operate commercially; or

(d) ~~commercial vessels~~ Vessels licen~~c~~sed to carry ~~12 or more~~ passengers~~;~~.

~~(e) Commercial vessels operating with passengers during the hours of darkness or in restricted visibility; and~~

~~(f) Commercial vessels licensed as a commercial charter vessel to carry up to 12 passengers.~~

Appendix G

Submissions

126. Four submission points were received on Appendix G.

127. Eric Bretscher commented that weather and swell conditions can affect the temporary anchoring zone in Oamaru Harbour. The NOYPBC submitted that boats leaving the Oamaru harbour should give way to any and all boats entering the harbour (entering boats have the right of way).

128. WDC requested more detailed mapping in Appendix G to support clarity for users regarding reserved areas, moorings and access lanes. WDC also supported NOYPBC's submission that Appendix G of the draft bylaw be amended to show that boats entering Oamaru Harbour have right of way and that the draft bylaw be amended to specify that a speed limit of 5 knots applies to the mapped area.

129. WDC also sought assurance that categorising Oamaru Harbour as a "commercial port area":

- Aligns with ORC's intended regulatory treatment of Oamaru Harbour, recognising its mixed use (recreational, fishing, heritage, and events); and
- Does not inadvertently impose commercial scale operational expectations that exceed the nature of the harbour.

Discussion

130. We agree with the reasoning presented in paragraphs 103 and 104 of the submissions analysis, which we have outlined below.

131. We note and support the submitter comments. A more detailed and informative map of Oamaru Harbour would increase users' knowledge of the requirements around boat use in the Harbour.

132. The Harbourmaster acknowledges that Oamaru Harbour has a range of uses and notes that being described as a commercial port does not impose expectations of capacity or scale.

Recommended amendments

133. We recommend that the map of Oamaru Harbour in Appendix G is amended to make speed restrictions more explicit, provide information about which boats have right of way, and include more detailed mapping around reserved areas, moorings, and access lanes.

Maritime New Zealand Statutory Consultation

134. The Director of Maritime New Zealand (MNZ) is required to be consulted on new or reviewed navigation safety bylaws.

135. In December 2025, MNZ provided comments on a draft bylaw and met with the Harbourmaster to discuss the comments. Some of MNZ's recommendations were incorporated into the draft bylaw that was notified.

136. Regarding MNZ's outstanding recommendations, we agree with the reasoning presented in paragraphs 109–115 of the submissions analysis.

137. With respect to the use of 'proper speed' instead of 'speed', we agree that having consistent terminology is beneficial. However, 'speed' is a defined term in the draft bylaw (and the 2020 bylaw) and is the term used more frequently— 'proper speed' is only used once. The definition also encompasses the meaning of 'proper speed'. We therefore recommend that the term 'proper speed' in the draft bylaw is changed to 'speed'.

Recommended amendments

Part 1. Preliminary provisions

Clause 3. Interpretation

138. Insert a definition of 'person in charge' as follows:

"**Person in charge of the vessel**" means the master.

Amend the definition of 'sailboard' as follows:

"**Sailboard**" means any type of board including a windsurfer, ~~or~~ kiteboard, or wing and foiling craft that is propelled by any type of sail and intended to be navigated by a person on the board.

Part 2 General Navigation Safety Requirements

Clause 6. Wearing of personal flotation devices

139. Add the following:

(5) Clause 6 does not apply to—

(a) any surfboard or similar unpowered craft; and

(b) any sailboarder or windsurfer, if a wetsuit is worn at all times; and

(c) a diver on a boat of 6 metres or less in length overall that is used for recreational diving within 5 miles of shore, if a full body wetsuit is worn at

all times; and

(d) a member of a visiting foreign watersports team, if the person carries or wears a personal flotation device that is approved by the competent authority for use in that person's country of residence.

(f) a commercial raft.

(6) Clause 6 shall not apply in respect of any sporting event, training activity or ceremonial event if a support vessel that is capable of providing adequate assistance in the event of an emergency remains in the immediate vicinity of the recreational craft and the recreational craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the recreational craft. In this rule buoyancy aid means—

(a) a buoyancy aid as defined in NZ Standard 5823:1989 or NZ Standard 5823:2001 or NZS 5823:20051; or

(b) a buoyancy aid that the Director is satisfied substantially complies with the standard prescribed in paragraph (a) and that provides a minimum of 53 newtons of buoyancy.

Clause 7. Minimum age for operating power-driven vessels

140. Change 'Harbourmaster' to 'Council' and update the reference in 7(3) as follows:

(3) Subclause 7(**Error! Reference source not found.** does not apply to any person who has a written approval from the ~~Harbourmaster~~ Council. Written approvals may be given for training, competitions or other sporting events, and the ~~Harbourmaster~~ Council when considering whether or not to grant such an approval, shall have regard to the competence of the person, the level of supervision, and awareness of other relevant navigation safety matters.

Clause 9. Fishing or swimming or diving around landing places

141. Amend 9(2) as follows:

Subclause 9(1) does not apply to activities conducted by, on behalf of, or approved by ~~a marine facility~~ the owner within the relevant Commercial Port Area.

Clause 13. Navigational aids

142. Remove explanatory note as follows:

~~*Explanatory note: Approval from the Director of Maritime New Zealand may be required as well.*~~

Part 3. Speed Limits, Reserved Areas and Access Lanes

Clause 14. Special Speed Zone

143. Amend 14(2) as follows:

(2) An approval to use an SSZ identified ~~in any controls specified~~ by the Harbourmaster under this Bylaw, is approved for all persons from the date of commencement of the Bylaw for the period in which the Bylaw remains in force except where approval is restricted or revoked under ~~either subclause 14(3) or~~ subclause 14(4).

144. Delete 14(4):

~~*Harbourmaster may restrict use of SSZ*~~

~~(4) The Harbourmaster may at any time restrict the use of an SSZ to any degree the Harbourmaster sees fit, for a period of up to one year, if the Harbourmaster is of the opinion that the SSZ is not safe or that such restriction is necessary for a special event.~~

Clause 15. Reserved areas and access lanes

145. Retain 15(1) as follows:

(1) Locations of Reserved Areas and Access Lanes are identified in Appendix D and H.

146. Delete 15(2)(3) & (4) as follows.

~~(1) Any other waters may be reserved for an Access Lane or other specified maritime safety purpose or activity either:~~

~~a) by the Council issuing a written approval; or~~

~~b) by the Harbourmaster,~~

~~(2) The Harbourmaster may specify controls and suspension of the use of the Reserved Area by issue of a Local Notice to Mariners.~~

~~*Explanatory note: The controls made under the Otago Regional Council Navigation Safety Bylaw 2020 contain maps showing areas of navigable water permanently*~~

~~*reserved by Council for specified purposes and use. Local Notices to Mariners will be posted on the Council web site.*~~

~~(3) No person may operate a vessel in a reserved area other than in accordance with any condition imposed by the Harbourmaster for the reserved area.~~

147. Replace 15(5) and (6) to reflect Maritime Rule Part 91, as follows:

(2) A reserved area may be defined—

(a) by a regional council by a navigation bylaw; or

(b) by the Director by notice in the New Zealand Gazette.

(3) No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved.

(4) If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area.

Part 6. Special Provisions for Lake Dunstan Area

Clause 28. Lake Dunstan – Special Speed Zones

148. Delete the word 'proper' in clause 28(1) as follows:

(1) For the following areas the speed limits specified in Clause 17.1(a) and Clause 20.1(a) shall not apply, and subject to Clause 31, the following ~~proper~~ speed limits shall apply –

Part 7 Maritime Safety Administrative Matters

Clause 29. Written approvals

149. A comment was made by MNZ on clause 29 which in summary stated that the provision as drafted appears to allow an approval to be granted subject to any conditions, that it should be clarified as conditions can only be applied to an approval as allowed under the bylaw, and that the clause as drafted may allow conditions to be included which are outside of the authority of the granter or inconsistent with Maritime Rules and the MTA. ORC's legal counsel has suggested amendments to clause 29 to address MNZ's comment. We recommend that the following changes are made to clause 29 to address MNZ's comment:

(1) Any person may make application to the Harbourmaster for written approval as

allowed under this Bylaw. Applications must be:

(a) in a form and manner prescribed by the Harbourmaster; and

(b) be accompanied by any required fee.

(2) Written approval may be granted or refused and if granted subject to conditions that are:

(a) relevant to the activity for which written approval is sought;

(b) for the purposes of ensuring maritime safety; and

(c) not inconsistent with Maritime Rules or the Act.

(3) Any written approval required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable.

(4) No written approval required by this Bylaw shall have effect until any fee required for it has been paid.

3 Conclusion

150. We have considered and deliberated on all of the following:

(a) the provisions of the draft bylaw;

(b) the statement of proposal;

(c) submissions lodged on the draft bylaw;

(d) the submissions analysis; and

(e) the evidence and representations given at the hearing.

151. We recommend the provisions set out in the tracked changes and clean versions of the bylaw attached to this report. In addition to the amendments outlined in this report, the recommended provisions include minor amendments made for consistency and to correct typographical errors, and these are shown in the tracked changes version of the bylaw. The recommended amendments to the draft bylaw do not give rise to implications under the New Zealand Bill of Rights Act 1990 and we consider that the form of bylaw recommended is still the most appropriate form of bylaw.

OTAGO REGIONAL COUNCIL NAVIGATION SAFETY BYLAW 2026~~0~~

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Key

This version of the draft Otago Regional Council Navigation Safety Bylaw 2026 (the draft bylaw) has been prepared as a record of changes to the Otago Regional Council Navigation Safety Bylaw 2020 (the 2020 bylaw).

Appearance	**Explanation**
Black text	2020 bylaw text
Black text with underlining or strikethrough	Amendments to the draft bylaw (as proposed for public consultation)
Red text with underlining or strikethrough	Amendments to the draft bylaw recommended by the Hearing Panel

That pursuant to section 33M of the Maritime Transport Act 1994 and the Local Government Act 2002, the Otago Regional Council resolves that the Navigation Safety Bylaw 2026~~0~~ adopted on ~~22 July 2020~~ 27 May 2026, is hereby confirmed, and shall come into force on ~~1 September 2020~~ 1 June 2026.

The common seal of the Otago Regional Council was hereunto affixed on ~~22nd July 2020~~ 27 May 2026 in the presence of:

_____

Councillor

_____

Councillor

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Part 1. Preliminary Provisions

1. Title and commencement

This Bylaw is the Otago Regional Council Navigation Safety Bylaw 2026~~0~~.

This Bylaw comes into force on ~~01 September 2020.~~ 1 June 2026.

2. Application

1) This Bylaw applies to all waters in the Otago Region including the territorial sea and all inland waters apart from:

   The navigable waters in the Queenstown Lakes District Council area, which are administered by that council as shown in Appendix A.

3. Interpretation

1) In this Bylaw, unless the context otherwise requires:

~~"**Accident**" means an occurrence that involves a vessel and in which~~

~~a) a person is seriously harmed as a result of -~~
   ~~i. being on the vessel or~~
   ~~ii. direct contact with any part of the vessel, including any part that has become detached from the vessel, or~~
   ~~iii. direct exposure to the was of the vessel or interaction (other than direct contact) between two vessels; or~~
   ~~iv. being involved in the salvage of any vessel, except where the injuries are self-inflicted or inflicted by other persons, or when injuries are to stowaways hiding outside areas normally available to passengers and crew: or~~

~~b) the vessel sustains damage or structural failure that: -~~
   ~~i. adversely affects the structural strength, performance, or seaworthiness of the vessel or~~
   ~~ii. would normally require major repair or replacement of the affected component; or~~
   ~~iii. poses a threat to the safety of people on board the vessel or~~

~~c) there is a complete or partial failure of machinery or equipment that affects the seaworthiness of the vessel:~~

~~d) there is a loss of, or damage to, or movement of, or change in the state of the cargo if the vessel which poses a risk to the vessel or other vessels or~~

~~e) there is a significant loss of, or significant damage to, property (not being the cargo carried by the vessel) or the property of any person (whether or not on board the vessel), whether or not the loss or damage arises from an interaction between two vessels or~~

~~f) there is a loss or escape of any substance or thing that~~
   ~~i. may result or has resulted in serious harm to any person or~~
   ~~ii. may pose a risk, or has resulted in damage to the vessel or other vessels or~~
   ~~iii. may pose a risk, or has resulted in any damage to any property (whether or not on board the vessel): or~~

~~g) a person is lost overboard (whether or not subsequently found), or is missing or~~

~~h) the vessel is foundering, capsizing or being abandoned, stranded or been in a collision, or has a minor fire on board~~

"**Accident**" has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

means an occurrence that involves a vessel and in which

a) a person is seriously harmed as a result of -
   i. being on the vessel or
   ii. direct contact with any part of the vessel, including any part that has become detached from the vessel, or
   iii. direct exposure to the was of the vessel or interaction (other than direct contact) between two vessels; or
   iv. being involved in the salvage of any vessel, except where the injuries are self-inflicted or inflicted by other persons, or when injuries are to stowaways hiding outside areas normally available to passengers and crew: or
b) the vessel sustains damage or structural failure that: -
   i. adversely affects the structural strength, performance, or seaworthiness of the vessel or
   ii. would normally require major repair or replacement of the affected component; or
   iii. poses a threat to the safety of people on board the vessel or
c) there is a complete or partial failure of machinery or equipment that affects the seaworthiness of the vessel:
d) there is a loss of, or damage to, or movement of, or change in the state of the cargo if the vessel which poses a risk to the vessel or other vessels or
e) there is a significant loss of, or significant damage to, property (not being the cargo carried by the vessel) or the property of any person (whether or not on board the vessel), whether or not the loss or damage arises from an interaction between two vessels or
f) there is a loss or escape of any substance or thing that
   i. may result or has resulted in serious harm to any person or
   ii. may pose a risk, or has resulted in damage to the vessel or other vessels or
   iii. may pose a risk, or has resulted in any damage to any property (whether or not on board the vessel): or
g) a person is lost overboard (whether or not subsequently found), or is missing or
h) the vessel is foundering, capsizing or being abandoned, stranded or been in a collision, or has a minor fire on board

"**Act**" means the Maritime Transport Act 1994.

~~"**Access Lane**" means an area declared as an access lane under clause 15.~~

"**Access lane**" means an area declared as an access lane under clause 15.

~~"**Anchoring**" means the temporary securing of a vessel to the bed of the waterway by means of an anchor, cable or other device, that is normally retrieved from the water and stored on the vessel on departure.~~

"**Anchoring**" means the temporary securing of a vessel to the bed of the waterway by means of an anchor, cable or other device, that is normally retrieved from the water and stored on the vessel on departure.

~~"**Beacon**" means an aid to navigation identified with a beacon symbol as shown on Land Information New Zealand Chart 6612 Otago Harbour. Beacon numbers are as shown on Chart 6612.~~

"**Beacon**" means an aid to navigation identified with a beacon symbol as shown on Land Information New Zealand Chart 6612 Otago Harbour. Beacon numbers are as shown on Chart 6612.

"**Council**" means the Otago Regional Council.

"**Commercial ~~P~~port ~~A~~area**" means areas defined as a Coastal Development Area or a Coastal Harbourside Area in the Regional Coastal Plan for the Otago and Oamaru Harbours as shown in the maps in Appendix B and G.

"**Competent ~~P~~person**" when used in relation to the inspection and/or maintenance of moorings means a person or organisation who has demonstrated to the satisfaction of the Harbourmaster that they are suitably experienced and/or qualified to undertake inspections and/or maintenance of moorings.

~~"**Enforcement Officer**" means a person appointed by Council under section 33G of the Act.~~

"**Enforcement officer**" means a person appointed by Council under section 33G of the Act.

~~"**Flag A**" means flag A of the International Code of Signals (the divers flag) being a swallow tailed flag, or a rigid equivalent, coloured in white and blue with white to the mast, of not less than 600mm by 600mm.~~

~~"**Flag B**" means the flag B of the International Code of Signals being a swallow tailed flag, or a rigid equivalent, coloured in red of not less than 600mm by 600mm.~~

"**Flag B**" has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means the flag B of the International Code of Signals being a swallow tailed flag, or a rigid equivalent, coloured in red of not less than 600mm by 600mm.

"**Dunedin ~~W~~wharves**" means the ~~C~~ccommercial ~~P~~port ~~A~~area of Otago Harbour at Dunedin located west of beacon 67.

"**Halfway Islands Safety Zone**" means the area identified in Appendix F.

"**Harbour ~~A~~area**" means Otago Harbour or Oamaru Harbour.

"**Harbour Control**" means the Otago Harbour vessel traffic control centre operated by Port Otago Limited.

Explanatory note: Harbour Control is staffed at all times and may be contacted on VHF Channel 14. Alternative contact information for Harbour Control; Telephone: 472 9882; Email: harbourcontrol@portotago.co.nz.

"**Harbourmaster**" has the same meaning as in section 2 of the Act.

"Harbourmaster" has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

in relation to a port, a harbour, or other waters in a region, means any person appointed as a harbourmaster of that port or harbour, or those waters, under Part 3A

~~"**Incident**" means any occurrence, other than an accident, that is associated with the operation of a vessel and affects or could affect the safety of operation.~~

"**Incident**" has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)

means any occurrence, other than an accident, that is associated with the operation of a vessel and affects or could affect the safety of operation.

"**Lake Waihola**" means the lake area shown in Appendix H.

"**Landing ~~P~~place**" means a wharf, jetty, dock, quay, landing, pile mooring, pier, pontoon, boat ramp, slipway or other facility, where vessels can be or may be moored, launched or retrieved, but does not include a mooring.

"**Large ~~V~~vessel**" means any vessel 40 metres or greater in Length Overall, or 500 gross tonnage or greater. If a tug and tow or composite vessel, gross tonnage shall be the sum of gross tonnage for all of the connected vessels.

~~**"Length Overall"** has the same meaning as 'length overall' as defined in Maritime Rule Part 40C. If a tug and tow, Length Overall shall be the combination of the tug and object(s) towed but not the length of the towing medium.~~

~~*Explanatory note: Maritime Rule Part 40C defines length overall as "the length of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the ship. Fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, jet and outboard drive units) projecting beyond these terminal points must not be included in the length overall. Structures (such as bulbous bows, deckhouses, free flooding bait tanks and buoyancy tubing) projecting beyond these terminal points must be included in the length overall …".*~~

~~*Explanatory note: The Advisory Circular to Maritime Rule Part 40A has further guidance and interpretation of this definition.*~~

"Length overall" has the same meaning as in Part 40C of the Maritime Rules (as set out below). If a tug and tow, length overall shall be the combination of the tug and object(s) towed but not the length of the towing medium.

means the length of the ship measured from the foreside of the head of the stem to the aftermost part of the transom or stern of the ship. Fittings (such as beltings, bowsprits, platforms, gantries, trim tabs, jet and outboard drive units) projecting beyond these terminal points must not be included in the length overall for the purposes of this Part. Structures (such as bulbous bows, deckhouses, free flooding bait tanks and buoyancy tubing) projecting beyond these terminal points must be included in the length overall for the purposes of this Part.

Explanatory note: The Advisory Circular to Maritime Rule Part 40A has further guidance and interpretation of this definition.

"**Local Notice to Mariners**" means a notice related to maritime safety in Otago which is available to the public from the Council website.

~~"**Marine Mammal**" has the same meaning as in Section 2 of the Marine Mammal Protection Act.~~

~~"**Manoeuvre**" means actions that change the direction of a vessel.~~

"**Manoeuvre**" means actions that change the direction of a vessel.

~~"**Master**" means any person (except a pilot) having command or charge of any ship.~~

"**Master**" has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means any person (except a pilot) having command or charge of any ship.

"**Medium ~~V~~vessel**" means any vessel more than 15 metres but less than 40 metres in Length Overall and under 500 gross tonnage.

~~"**Mishap**" means an event that—~~

~~causes any person to be harmed; or~~

~~in different circumstances, might have caused any person to be harmed.~~

"**Mishap**" has the same meaning as in section 2 of the Maritime Transport Act 1994 (as set out below)
means an event that—

a) causes any person to be harmed; or

b) in different circumstances, might have caused any person to be harmed.

"**Mooring**" ~~means any weight or article placed in or on the foreshore or seabed or the bed of a water body for the purpose of securing a vessel, raft, aircraft, or floating structure, and includes any wire, rope, buoy, or other device attached or connected to the weight, but does not include an anchor that is normally removed with the vessel, raft, aircraft, or floating structure when it leaves the site or anchorage.~~

"**Mooring** ~~A~~**area**" means an area, where vessel moorings may be placed, identified by the Council as a mooring area in the Regional Coastal Plan.

"**Moving Prohibited Zone (MPZ)**" means the space of water in the Otago Harbour Shipping Channel extending:

a) For a ~~L~~large ~~V~~vessel, 100 metres astern and 100 metres to each side of the vessel, and continued at such width to 1,000 metres ahead when that vessel is underway.

b) For a tug in attendance of a large vessel, 100 metres all around the tug, in addition to the MPZ around the large vessel.

"**Navigable**" means able to be navigated by a vessel on, through, over or under the water.

"**Navigational** ~~C~~**channel**" means the Otago Harbour Shipping Channel, or the principal access to any other harbour area, or the principal navigational channel of an inland water.

"**Oamaru Harbour**" means the ~~C~~commercial ~~P~~port ~~A~~area located at Oamaru as shown in Appendix G.

"**Otago Harbour**" means the area comprising all waters enclosed by a line from Trig at Heyward Point then bearing 20 degrees for three nautical miles then bearing 126 degrees for 1.75 nautical miles then bearing 200 degrees for 3 nautical miles to Howletts Point, as published in the New Zealand Gazette Vol II July 1930 p.2233 and p.2234.

"**Otago Harbour Shipping Channel (OHSC)**" means the marked channel extending through Otago Harbour from the Fairway Beacon at the Channel Entrance through the gap between the Halfway Islands (Goat Island and Quarantine Island) to a line extending due south of Beacon 67 at the Dunedin Wharves as shown in Appendix C.

~~"**Otago Region**" means the area to which this Bylaw applies as listed in clause 2 of this Bylaw and shown in Part 88 (the map).~~

"**Owner**":

a) when used in relation to any vessel, has the same meaning as in the Act

when used in relation to any landing place, means the person holding a coastal permit under the Resource Management Act 1991 for the landing place and shall include a lessee of the landing place

when used in relation to Port Areas of Otago Harbour means Port Otago Limited

when used in relation to ~~C~~commercial ~~P~~port ~~A~~areas of Oamaru Harbour means the Waitaki District Council, or a port company established by the Waitaki District Council.

~~**"Parasailing" "Parakiting"** or **"Paragliding**" means any flying or gliding by use of a parachute or kite when being towed by a vessel~~

~~"**Personal Flotation Device**" means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by a recognised authority as meeting~~

~~a) type 401, 402, 403, 404, 405, or 408 in NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005; or~~

~~a national or international standard that the Director is satisfied substantially complies with types 401, 402, 403, 404, 405, or 408 of the NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005:~~

"**Personal flotation device**" has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means any serviceable buoyancy aid that is designed to be worn on the body and that is certified by a recognised authority as meeting

c) type 401, 402, 403, 404, 405, or 408 in NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005; or

d) a national or international standard that the Director is satisfied substantially

e) complies with types 401, 402, 403, 404, 405, or 408 of the NZ Standard 5823:1989 or NZ Standard 5823:2001 or type 401, 402, 403, 404, 405 or 406 in NZ Standard 5823:2005:

"**Person in charge of the vessel**": has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means the master

~~"**Personal Water Craft**" means a power-driven vessel that—~~

~~a) has a fully enclosed hull; and~~

~~does not take on water if capsized; and~~

~~is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated within it~~

"**Personal water craft**" has the same meaning as in section 2 of the Maritime Transport 1994 (as set out below)

means a power-driven vessel that—

a) has a fully enclosed hull; and

b) does not take on water if capsized; and

c) is designed to be operated by a person standing, sitting astride, or kneeling on it, but not seated within it

~~"**Pilot**" means any person, not being the master or a member of the crew of the ship, who has the conduct of the ship.~~

"**Pilot**" has the same meaning as in section 2 of the Maritime Transport 1994 (as set out below)

means any person, not being the master or a member of the crew of the ship, who has the conduct of the ship.

~~"**Pleasure Craft**" means~~

~~(a) a vessel that is not offered or used for hire or reward, and is used exclusively for—~~

~~(i) the owner's pleasure or as the owner's residence; or~~

~~(ii) recreational purposes by—~~

~~(A) the members of a club that owns the vessel:~~

~~(B) the beneficiaries of a trust that owns the vessel:~~

~~(C) the members of an incorporated society that owns the vessel; but~~

~~(b) excludes a vessel that is—~~

~~(i) provided for transport, sport, or recreation by, or on behalf of, an institution, hotel, motel, place of entertainment, or other establishment or business:~~

~~(ii) used on a voyage for pleasure if the vessel is normally used, or intended to be normally used, as a fishing vessel or for the carriage of passengers or cargo for hire or reward:~~

~~(iii) operated or provided by—~~

~~(A) a club, incorporated society, or trust for non-recreational purposes; or~~

~~(B) a business~~

~~"**Port Company**" has the same meaning as "port company" in the Port Companies Act 1988.~~

"**Port company**" has the same meaning as in the Port Companies Act 1988 (as set out below)

means a company formed and registered under the Companies Act 1955 as a port company in accordance with section 4 (as in force before the commencement of the Company Law Reform (Transitional Provisions) Act 1994).

~~"**Power-driven vessel**" means any vessel propelled by machinery.~~

"**Power-driven vessel**" has the same meaning as in Part 91 of the Maritime Rules (as set out below)

means any vessel propelled by machinery.

~~"**Regional Coastal Plan**" means the Council's Regional Plan: Coast for Otago.~~

"**Reserved ~~A~~area**" means an area declared as being reserved for a specified maritime safety purpose under Maritime Rules Part 91 or clause ~~15~~ 15 of this Bylaw.

Explanatory note: For the avoidance of doubt the only reserved areas in the Otago Region having legal status are those authorised under this Bylaw. All reserved areas authorised by previous bylaws, rules, or regulations made under any act have been revoked by this bylaw (or a previous bylaw) and have no effect or legal status.

~~"**Restricted Visibility**" means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or other similar causes.~~

"**Restricted visibility**" has the same meaning as in Part 22 of the Maritime Rules (as set out below)

means any condition in which visibility is restricted by fog, mist, falling snow, heavy rainstorms, sandstorms, or other similar causes.

~~"**River**" includes a stream and any natural, modified or artificial watercourse; but does not include any part of a river within the ebb and flow of the tide at ordinary spring tides:~~

"**River**" has the same meaning as in Part 91 of the Maritime Rules (as set out below)

includes a stream and any modified or artificial watercourse; but does not include any part of a river within the ebb and flow of the tide at ordinary spring tides.

"**Sailboard**" means any type of board including a windsurfer, ~~or~~ kiteboard, or wing and foiling craft that is propelled by any type of sail and intended to be navigated by a person ~~standing upright~~ on the board.

~~"**Ship**" has the same meaning as Vessel.~~

"**Ship**" has the same meaning as Vessel.

"**Shore**" when referring to distance from shore, means distance from the water's edge.

"**Speed**" means

(a) On the sea or lakes the speed through the water; or

(b) On rivers and estuaries, the speed through the water if travelling with the current, or speed over the ground if travelling against the current.

"Small ~~V~~vessel" means any vessel 15 metres or less in Length Overall.

"**Special Speed Zone (SSZ)**" means an area of water where the speed limit has been set under clause ~~1)~~14 14 or clause ~~32~~ 28 of this Bylaw.

Explanatory note: Under Maritime Rule Part 91 speed limits are generally 5 knots within 200m of shore or a structure, and within 50m of a person in the water.

"**Specified MPZ**" means a Moving Prohibited Zone specified for any vessel by the Harbourmaster in accordance with clause ~~28~~ 23(4) of this Bylaw.

"**Support ~~V~~vessel**" means any vessel used for coaching, marshalling and rescue attendance for training, regattas and competitions.

Explanatory note: For the sake of clarity, this definition relates to recreational and sporting activities and does not include port company vessels engaged in normal port operations.

"**Surfboard**" means any type of board that is used for surf riding.

~~"**Territorial Sea**" means the territorial sea of New Zealand which comprises those areas of the sea having, as their inner limits, the baseline described in sections 5 and 6 and 6A of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977 and, as their outer limits, a line measured seaward from that baseline, every point of which line is distant 12 nautical miles from the nearest point of the baseline.~~

"**Territorial sea**" means the territorial sea of New Zealand, which has the same definition as in section 3 of the Territorial Sea, Contiguous Zone, and Exclusive Economic Zone Act 1977 (as set out below)

the baseline described in sections 5 and 6 and 6A and, as their outer limits, a line measured seaward from that baseline, every point of which line is distant 12 nautical miles from the nearest point of the baseline.

~~"**Underway**" means a vessel not at anchor, or made fast to the shore, or aground.~~

"**Underway**" has the same meaning as in Part 22 of the Maritime Rules (as set out below) means a vessel not at anchor, or made fast to the shore, or aground.

"**Unseaworthy**" means, in the opinion of the Harbourmaster not being in a fit condition or readiness to navigate safely on the water.

"**Vessel**" means every description of ship, boat or craft used in navigation, whether or not is has any means of propulsion; and includes—

a) a barge, lighter, or other like vessel:

b) a hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates:

c) a submarine or other submersible:

d) a seaplane while it is on the surface of the water.

e) and shall include but is not limited to, a sledge, surfboard, sailboard, stand-up paddle board, raft, personal water craft or any other object intended or used to carry or support a person in or on the water

~~"**VHF**" means maritime very high frequency two-way radio on channels in the frequency range between 30 MHz and 300 MHz.~~

"**VHF**" has the same meaning as in Part 43 of the Maritime Rules (as set out below)

means very high frequency, being the frequency spectrum between 30 MHz and 300 MHz.

"**Waters**" means

(a) all the sea area including in estuaries, inlets or harbours and coastal waters, the outer boundary being the seaward limit of the territorial sea and the inner boundary being the water's edge; and

(b) all inland ~~navigable~~ waters of the Region.

Explanatory note: The seaward limit of the territorial sea is approximately 12 nautical miles from shore, the exact limits may be found on the Land Information New Zealand (LINZ) website. Inland waters includes all rivers lakes and ponds regardless of whether or not they are accessible to the general public.

"**Water ~~S~~skiing**" means- being towed barefoot or on an object of any kind other than a vessel.

NOTE:

To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable Acts, regulations, bylaws, Maritime Rules, rules in any District or Regional Plan and rules of law.

Unless the context requires another meaning, a term or expression that is defined in the Act or a Maritime Rule and used in this Bylaw, but not defined, has the meaning given by the Act or Maritime Rule.

Any explanatory notes are for information purposes only and do not form part of this Bylaw, and may be made, amended and revoked without formality.

4. Revocation

(1) This Bylaw revokes all existing speed uplifts or increases and restricted areas in the Otago Region previously authorised by the Otago Regional Council or its predecessors.

Part 2. General Navigation Safety Requirements

5. Notification of maritime accidents, incidents and mishaps

1) The person owning or having responsibility for, or in charge of, or having conduct of any vessel, Port Company property, other maritime facility, structure or object that:

   a) has been involved in any accident, incident, or mishap involving a vessel; or

   b) in any manner gives rise to a navigational hazard;

   Shall, as well as complying with any accident reporting requirements of Maritime Rules and the Act, as soon as practicable, ~~immediately~~ report the occurrence to the Harbourmaster.

   ~~For accidents incidents or mishaps in Otago Harbour the Harbourmaster shall be notified by a VHF radio call to Harbour Control immediately, where VHF communication is available after the incident.~~

2) For other accidents incidents or mishaps the Harbourmaster shall be contacted as soon as practicable within 24 hours of the incident by phone call or by email, or reported through the Hazman link – orc.govt.nz/ReportMarineIncident

Explanatory note: Harbourmaster email address is harbourmaster@orc.govt.nz

3) ~~Persons reporting accidents under the Maritime Rules and the Maritime Transport Act should provide to the Harbourmaster a copy of the appropriate Maritime New Zealand report form within 24 hours of submission~~ Notification of incidents should also be made to Maritime New Zealand. www.martimenz.govt.nz/commercial/safety/notifications/incident-notification/

   ~~The Harbourmaster may contact the owner of any vessel or property involved in any such accident, incident or mishap.~~

~~6. Person in charge of the vessel~~

~~1) The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel.~~

~~2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.~~

~~3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.~~

5A. Person in charge of the vessel

1) The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel.

2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.

3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.

~~7. Carriage of personal flotation devices~~

~~1) A person in charge of a pleasure craft must not operate it unless there are sufficient personal flotation devices for each person on board at all times that the vessel is underway.~~

2) Personal flotation devices must be:

a) in a readily accessible location on board the vessel;

b) of an appropriate size for each person on board;

c) an appropriate type for the activity being undertaken; and

d) in good operative condition.

8. Exemptions to the compulsory carriage of personal flotation devices

1) Clause 7 does not apply to:

any person on a surfboard or stand up paddle board when the board is attached to the person by means of a tether;

(a) any sailboard activity, if a wetsuit is worn at all times;

(b) a diver on a vessel of 6 metres length or less that is used for recreational diving within five nautical miles of shore, when a full body wetsuit is worn at all times;

(c) a person training for or participating in a sporting event, if the training or the event is supervised in accordance with a safety system approved by the Harbourmaster.

Explanatory note: The Harbourmaster may approve a sporting organisation if that organisation has in place a safety system that the Harbourmaster is satisfied provides an equivalent level of safety to the carriage or wearing of personal flotation devices.

(d) a sporting event, training activity, ceremonial or other authorised customary event if:

(i) a support vessel that is capable of providing adequate assistance in the event of an emergency remains in the immediate vicinity of the vessel and the vessel and support vessel in combination carry personal flotation devices or buoyancy aids of an appropriate type and size for every person on board in the event of any danger to the health and safety of occupants of the vessel; or

(ii) the Harbourmaster has approved a prior written exemption.

Explanatory note: The Harbourmaster may approve an exemption for a specified period if satisfied that adequate safety precautions are made for rescuing any person participating in the event or activity.

6. Wearing of personal flotation devices on vessels

1) Every person on board vessels 6 metres or less length overall must wear a properly secured personal flotation device of an appropriate size for that person at all times.

2) ~~Sub~~clause ~~9(1)~~ 6 does not apply if the person in charge of the vessel, after assessing all circumstances and determining there would be no reduction in safety, expressly authorises any person on board to not wear a personal flotation device.

~~1)~~ 3) ~~Sub~~clause ~~9(1)~~ 6 does not apply to a person who is below deck of the vessel unless expressly instructed to wear a personal flotation device by the person in charge of the vessel.

4) ~~Sub~~clause ~~9(1)~~ 6 does not apply to a person training for or participating in ~~or for any trick water skiing/wake boarding element of~~ a sporting event, if the training or event is supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime New Zealand ~~pursuant to part 91 of the Maritime Rules~~.

~~2)~~ 5) All persons must wear a properly secured personal flotation device of an appropriate size for that person when:

(a) in circumstances where tides, river flows, visibility, rough seas, adverse weather, when crossing a bar, in emergencies, or other situations that may cause danger or a risk to the safety of persons on board, or;

(b) being towed by a vessel.

6) Clause 6 does not apply to—

a) any surfboard or similar unpowered craft; and

b) any sailboarder or windsurfer, if a wetsuit is worn at all times; and

c) a diver on a boat of 6 metres or less in length overall that is used for recreational diving within 5 miles of shore, if a full body wetsuit is worn at all times; and

d) a member of a visiting foreign watersports team, if the person carries or wears a personal flotation device that is approved by the competent authority for use in that person's country of residence.

7) Clause 6 shall not apply in respect of any sporting event, training activity or ceremonial event if a support vessel that is capable of ~~proving~~ providing adequate assistance in the event of an emergency remains in the immediate vicinity of the recreational craft and the recreational craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the recreational craft. In this rule buoyancy aid means—

a) a buoyancy aid as defined in NZ Standard 5823:1989 or NZ Standard 5823:2001 or NZS 5823:20051; or

b) a buoyancy aid that the Director is satisfied substantially complies with the standard prescribed in paragraph (a) and that provides a minimum of 53 newtons of buoyancy.

Explanatory note: circumstances and activities that could result in people inadvertently being in the water includes the activity being undertaken by a person, the type of vessel, the activity the vessel is engaged in, adverse weather or sea conditions, and other nearby vessel activity that could result in collision. A person must wear and secure a suitable personal flotation device whilst on a vessel if instructed to do so by the Harbourmaster.

7. Minimum age for operating power-driven vessels

1) No person under the age of 15 years shall be in charge of, or navigate, a power-driven vessel that is capable of a speed exceeding 10 knots unless he or she is under the direct supervision of a person over the age of 15 years who is in immediate reach of the controls.

2) The person in charge of a power-driven vessel that is capable of a speed exceeding 10 knots must not allow any person who is under the age of 15 years to navigate that vessel in contravention of subclause ~~10~~7(1).

3) Subclause ~~10~~7(1) does not apply to any person who has a written approval from the ~~Harbourmaster~~ Council. Written approvals may be given for training, competitions or other sporting events, and the ~~Harbourmaster~~ Council, when considering whether or not to grant such an approval, shall have regard to the competence of the person, the level of supervision, and awareness of other relevant navigation safety matters.

8. Navigation on rivers

1) A person in charge of a vessel on a river must:

   a) Ensure that the vessel keeps to the starboard side of the navigable channel where safe and practicable; and

   b) When going upstream, give way to any vessel coming downstream; and

   c) Not navigate the vessel unless it is safe to do so and weather conditions are considered to permit safe navigation of the vessel; and

   d) Not exceed a speed of 5 knots on any river unless in an area designated as a SSZ, or a ~~R~~reserved ~~A~~area or an ~~A~~access ~~L~~lane.

Explanatory note for subclause 1)c): For example, not navigate immediately downstream of dams that are spilling.

9. Fishing or swimming or diving around landing places

1) No person shall fish, jump, dive or swim:

   a) From, or within 50 metres from, a landing place in a manner that interferes with the berthing or departure of any vessel, or

   b) In ~~C~~commercial ~~P~~port ~~A~~areas without the permission of the owner and shall comply with all conditions of that permission, or

2) Subclause ~~12~~9(1) does not apply to activities conducted by, on behalf of, or approved by ~~a marine facility~~ the owner within the relevant ~~C~~commercial ~~P~~port ~~A~~area.

9A. Swimming near landing places

1) For the avoidance of doubt, nothing in clause 9(1)(a) prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the berthing, launching, retrieval, or departure of any vessel.

2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place.

3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places.

10. Obstructions that may constitute or become a danger to maritime safety

1) No person may place any obstruction, including any fishing apparatus, in any waters that is likely to—

(a) restrict navigation; or

(b) cause injury or death to any person; or

(c) cause damage to any vessel or any property.

11. Vessels to be seaworthy

1) No person shall navigate any vessel in circumstances where the vessel is unseaworthy, except to remove the vessel from the water or to move it to a safe area.

2) No person shall operate any vessel in circumstances where persons on board have been advised by the Harbourmaster or an enforcement officer that the vessel is unseaworthy, except to comply with the directions of the Harbourmaster or enforcement officer to proceed to a safe area.

12. Vessels to be identified

1) No person shall navigate a vessel unless it displays an identifying name or number displayed above the waterline on each side of the vessel.

2) The identifying name or number shall;

a) consist of letters of the Roman alphabet or numbers that are not the vessel's brand, make or model; and

(b) be unique to that vessel; and

(c) unless complying with the requirements of an organisation listed in subclause 1~~5~~2(3~~2~~)(a), be a minimum height of 90 millimetres and be readable to the naked eye by day from a distance of at least 50 metres.

3) The identifying name or number referred to in subclause 1~~5~~2(1) shall be:

a) a registration or identification approved by and conforming to the requirements of:

(i) Maritime New Zealand (MNZ) or an equivalent foreign authority (e.g. a MNZ number or vessel's registered name); or

(ii) A sporting body as may be approved from time to time by the Harbourmaster and listed on the Council's website; or

b) the vessel's radio call sign; or

c) for any trailer borne vessel without a registration or identification listed in subclauses (a) or (b), the registration number of its trailer; or a unique identification name or number or,

d) for non-trailer borne vessels, an identifying name or number otherwise complying with the requirements of subclause 1~~5~~2(1), or

e) for sail vessels the identifying name or number may be the vessel's sail number.

4) Other non powered vessels under 6m length shall be marked with the current owner's name and contact details somewhere on the vessel.

5) Subject to subclause (4), subclauses (1), (2) and (3) do not apply to:

(a) non-powered vessels of six metres or less in length;
(b) paddle craft;
(c) vessels powered solely by oars;
(d) a vessel which is temporarily being operated on Otago waters and which displays markings which meet an identification requirement within the Navigation Safety Bylaws of the region in which the vessel normally operates.

Explanatory note: For the sake of clarity, "trailer borne vessel" refers to a vessel transported on a road-going trailer that is, or is required to be, registered. It does not include vessels stored on/launched from haul-out trailers – such vessels fall into the "non-trailer borne vessel" category.

13. Navigational aids

1) No person shall erect, maintain or display any sign, beacon, light, mark, buoy or other device that has the characteristics of a navigational aid and/or which may be used or mistaken as a navigational aid or warning, without the prior written approval from the Harbourmaster.

~~No person shall tie a vessel to any beacon, navigation marker, navigation buoy, light or other navigation structure, without the prior written permission of:~~

~~(a) The Harbourmaster if it is operated by the Council; or~~

~~(b)The Director of Maritime New Zealand if it is operated by Maritime New Zealand.~~

~~*Explanatory note: Approval from the Director of Maritime New Zealand may be required as well.*~~

Part 3. Speed Limits, Reserved Areas and Access Lanes

~~14. General speed limits~~

1) ~~No person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or an object) at a speed exceeding 5 knots:~~

   a) ~~within 50 metres of any other vessel, raft, or person in the water; or~~

   b) ~~within 200 metres of the shore or of any structure; or~~

   c) ~~within 200 metres of any vessel or raft that is flying Flag A of the International Code of Signals (divers flag).~~

2) ~~No person may propel or navigate a powered vessel at a speed exceeding 5 knots while any person has any portion of his or her body extending over the fore part, bow, or side of that vessel.~~

3) ~~No person may cause himself or herself to be towed by a vessel (whether or not on a water ski, aquaplane, or other similar object) at a speed exceeding 5 knots in any circumstances specified in subclause 17(1).~~

4) ~~Subclause 17(1) (a) shall not apply to:~~

   a) ~~a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this subclause; or~~

   b) ~~any vessels while participating in a yacht race or training administered by—~~

      (i) ~~a club affiliated to Yachting New Zealand; or~~

      (ii) ~~a non profit organisation involved in sail training or racing; or~~

   c) ~~a craft training for or participating in competitive rowing or paddling; or~~

   d) ~~a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel, if the vessel's duties cannot be performed in compliance with this clause; or~~

   e) ~~a vessel operating in accordance with a Special Speed Zone established under Clause 1)14 or clause 32 of this Bylaw.~~

5) ~~Subclause 17(1)(b) shall not apply to:~~

   a) ~~a vessel operating in an access lane or a reserved area for the purpose for which the access lane or reserved area was declared, unless, in the case of a reserved area, a navigation bylaw provides otherwise; or~~

   b) ~~a vessel operating in accordance with Special Speed Zone established under Clause 1)14 or clause 32 of this Bylaw, or~~

   c) ~~a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this clause; or~~

   d) ~~a craft training for or participating in competitive rowing or paddling; or~~

   (d) ~~a tug, pilot vessel, harbourmaster vessel, emergency response craft or police vessel when the vessel's duties cannot be performed in compliance with this clause.~~

~~Exemption:~~

6) ~~Vessels shall be exempt from compliance with the general speed limit specified in Clause 14 (1)b) provided that navigation is conducted in a safe manner and is authorised by~~

~~a) an approval to use SSZs pursuant to clause 1)14 (1) or clause 32 of this Bylaw provided that the vessel speed does not exceed the specified maximum speed for the vessel concerned in that SSZ; or~~

~~b) a Reserved Area or Access Lane pursuant to clause 15 or Part 6 of this Bylaw; or~~

~~(e) the Harbourmaster for specific vessels.~~

~~*Requirement for safe and considerate navigation:*~~

7) ~~No person is permitted by any provision of this Bylaw or any Maritime Rule to navigate a vessel in a manner that is likely to endanger any person or vessel.~~

Wake and ~~D~~draw off~~:~~

No person may operate a power-driven vessel at a speed or in a manner that any wake or draw-off endangers persons or property. This clause does not apply to a vessel over 500 gross tonnage, if the vessel cannot be safely navigated in compliance with this subclause

Speed over bars

The person in charge of a vessel may navigate a vessel at any speed required to enable the safe crossing of a river mouth bar.

14. Special Speed Zone (SSZ)

Each of the waters shown in 0Appendix D is declared under this Bylaw as a Special Speed Zone (SSZ).

1) An approval to use ~~an~~ a SSZ ~~identified in any controls specified~~ by the Harbourmaster under this Bylaw, is approved for all persons from the date of commencement of the Bylaw for the period in which the Bylaw remains in force except where approval is restricted or revoked under either subclause 1~~8~~4(2) ~~or subclause 184(3)~~.

Ability to restrict or revoke approval to use SSZs

2) The Harbourmaster may at any time restrict or revoke an approval given under subclause (2) in relation to any person if that person is, in the opinion of the Harbourmaster:

a) Using the SSZs in an unsafe manner;

b) In breach of the Bylaw in a manner that justifies restriction or revocation of the person's approval to use the SSZs.

~~*Harbourmaster may restrict use of SSZ*~~

3) ~~The Harbourmaster may at any time restrict the use of an SSZ to any degree the Harbourmaster sees fit, for a period of up to one year, if the Harbourmaster is of the opinion that the SSZ is not safe or that such restriction is necessary for a special event.~~

Explanatory note: Changes to the extent and permitted use of any SSZ will be posted on the ORC website in advance of any change.

15. Reserved Areas and Access Lanes

1) Locations of ~~R~~reserved ~~A~~areas and Aaccess ~~L~~lanes are identified in Appendix D and Appendix H.

~~Any other waters may be reserved for an Access Lane or other specified maritime safety purpose or activity either:~~

~~a) by the Council issuing a written approval; or~~

~~b) by the Harbourmaster,~~

~~2) The Harbourmaster may specify controls and suspension of the use of the Reserved Area by issue of a Local Notice to Mariners~~.

Explanatory note: The controls made under the Otago Regional Council Navigation Safety Bylaw 202~~0~~6 contain maps showing areas of navigable water permanently reserved by Council for specified purposes and use. Local Notices to Mariners will be posted on the Council web site.

~~3) No person may operate a vessel in a reserved area other than in accordance with any condition imposed by the Harbourmaster for the reserved area.~~

~~4) No person may enter a reserved area for any other purpose than that specified by the Harbourmaster.~~

~~5) While a reserved area is in use for the purpose specified by the Harbourmaster, no person may obstruct that use, or be in the specified area for any other purpose without prior approval of the Harbourmaster~~.

2) A reserved area may be defined—

(a) By a regional council by a navigation bylaw; or

(b) By the Director by notice in the New Zealand Gazette.

3) No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved.

4) If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area

~~16. Water Skiing, Parasailing, Paragliding and Towing~~

~~1) Speed of Towed Object or Watercraft~~

~~(a) No person, (whether or not on a water ski, aquaplane, or similar object), shall cause or allow themselves to be towed by a vessel at a proper speed exceeding 5 knots in any circumstances specified in clause 17.1 (a) and (c). (Note that speed limits for water skiing may be uplifted in reserved areas).~~

~~2) Dropping of Skis or Other Objects~~

~~(a) No person in charge of a vessel shall permit the vessel to continue onwards, after any person being towed by that vessel has dropped, whether accidentally or otherwise, any water ski or similar object that may cause danger to any other person or vessel, without taking immediate action to recover that water ski or similar floating object, unless the person has taken measures to ensure that the dropped ski or similar object is clearly visible to other water users.~~

~~3) Lookouts Required on Vessels used for Water Skiing and Towing~~

~~(a) No person in charge of a vessel shall use it or allow it to be used to tow any person on a vessel, surfboard, windsurfer, sailboard, water ski or skis, toboggan, aquaplane, wakeboard or other object, at a speed exceeding 5 knots, unless there is on the towing vessel, in addition to the person in charge, at least one other person aged 10 years or over who is acting as a lookout for immediately notifying the person in charge of the towing~~

~~vessel of any loss of control, letting go, or any other mishap that occurs to the person who is being towed.~~

~~(b) No person, whether on a vessel, water ski or skis or other objects or not, shall cause or allow themselves to be towed by any vessel, at a speed exceeding 5 knots, unless there is on the towing vessel, in addition to the person in charge, at least one other person aged 10 years or over who is acting as a lookout for immediately notifying the person in charge of the towing vessel of any loss of control, letting go, or any other mishap that occurs to the person who is being towed.~~

~~4. No Water Skiing at Night~~

~~(a) No person may operate a vessel that is towing any person on a water ski or skis, an aquaplane, toboggan, surfboard, windsurfer, sailboard or similar object, or who is barefoot skiing, between sunset and sunrise.~~

~~(b) No person on a water ski or skis, and aquaplane, toboggan, surfboard, windsurfer, sailboard or similar object, or who is barefoot skiing, shall cause or allow themselves to be towed by any vessel between sunset and sunrise.~~

~~17. Divers to Display Flag Alpha (A)~~

1) ~~The Master of every vessel from which underwater dive operations are in progress must ensure that Flag A of the International Code of Signals is displayed in such a manner that it can be clearly identified from another vessel at a distance in excess of 200 metres.~~

~~Every person diving from a vessel or independent of a vessel must ensure that Flag A is displayed in such a manner that it can be clearly identified from another vessel at a distance in excess of 200 metres.~~

16. Special events

1) A person that intends to conduct a sporting event, training activity, ceremonial or customary event or any other organised water activity on navigable water must obtain approval from the Harbourmaster if the activity is likely to affect normal operation of another vessel or any other user of the water, or:

   a) requires temporary suspension of the relevant speed clause(s) and any other relevant clause of the Maritime Rules or this Bylaw;

   b) requires an area to be temporarily reserved for a specific area for the purpose of the event; or

   c) requires the temporary suspension of a reserved area or access lane; or

   d) requires temporary installation of course markers or similar such structures in the water.

2) An application to temporarily reserve an area of navigable water may be approved or refused at the discretion of the Harbourmaster, upon such terms and conditions as the Harbourmaster thinks fit. Such conditions may include temporary suspension of use of defined waters by all other users, if reasonably required for maritime safety purposes in the opinion of the Harbourmaster.

Explanatory note: Temporary Reservations will be published by Local Notice to Mariners on the Council's website.

~~17. Conduct near marine mammals~~

~~1) In the vicinity of marine mammals, the person in charge of each vessel shall;~~
~~a) travel no faster than idle or 'no wake' speed within 300m of any marine mammal~~
~~b) approach whales and dolphins from behind and to the side~~
~~c) not circle them, obstruct their path or cut through any group.~~
~~d) keep at least 50m from whales (or 200m from any large whale mother and calf or calves).~~
~~e) idle slowly away. Speeds may be gradually increased to out-distance dolphins and should not exceed 10 knots within 300m of any dolphin.~~

~~*Explanatory note: the presence of marine mammals tends to attract vessels into a small area of water for viewing purposes. It is important for maritime safety that vessels operate in a consistent and predictable manner.*~~

~~2) Masters of large vessels are not obliged to comply with Clause 23 (1) if necessary for navigational safety reasons.~~

~~*Explanatory note: Masters of Large Vessels should slow down as much as conditions allow while keeping sufficient speed for control of the vessel to maintain navigational safety within the confines of the navigable waters.*~~

Part 4. Anchoring and Mooring

18. Anchoring

1) No ~~small or medium~~ vessel shall anchor in a ~~N~~navigational ~~C~~channel without approval from the Harbourmaster. A large vessel may anchor in a ~~N~~navigational ~~C~~channel at the direction of the ~~P~~pilot.

2) No vessel shall anchor in a manner that obstructs moorings or moored vessels.

3) No vessel shall remain anchored within the Otago Harbour or Oamaru Harbour ~~same or proximate location~~ for longer than 14 days in any six month period without the prior approval of the Harbourmaster.

4) An anchored vessel may not be left unattended for more than 24 hours without the owner, or their representative checking that the vessel remains secure.

5) Vessels are permitted to anchor in Oamaru Harbour in the area shown in Appendix G provided that clauses (1) to (3) above are complied with.

Explanatory note: For clarity, the intention of clause 18 is to encourage vessel owners to seek an appropriate solution for longer stays.

Council provides moorings to be used by visiting vessels, which can be booked for stays of up to 48 hours on the Council website: https://onlineservices.orc.govt.nz/facilities/facility/visitor-moorings

Vessel owners wishing to anchor in one place longer than 14 days should contact the Harbourmaster by phone on 0800 474 08 or by email at harbourmaster@orc.govt.nz

19. Vessels to be adequately secured

1) The person in charge of a vessel must ensure that it is securely anchored or moored, and secured while left unattended.

2) In securing the vessel, the person in charge of the vessel must only use rope, chain or other means of anchoring or mooring a vessel that is fit for purpose.

3) No person shall secure a vessel to any post, wharf, ring, fender, buoy or any other structure not fit for that purpose.

4) No person shall leave any vessel or other property in a place where it may create a navigation hazard or nuisance where it may interfere with the normal use of the waters by other persons.

5) No person shall set a vessel adrift or interfere with a~~her~~ moorings~~s~~ or fastening.

20. Moorings

1) No person shall lay, or move, a mooring unless:

   a) that person holds a coastal permit for that mooring from Council; or

   b) the mooring is a permitted activity in the Regional Coastal Plan.

2) No person shall secure a vessel to a mooring that exceeds the length, displacement, or draught specified in the coastal permit or in licencing arrangements with the coastal permit owner.

3) If at in any time in the opinion of the Harbourmaster any mooring is or may be in an insufficient state of repair the Harbourmaster may require the mooring to be:

a) inspected by a competent person approved by the Harbourmaster; and

b) repaired to a standard specified by the Harbourmaster within a period specified by the Harbourmaster.

Part 5. Special Provisions on Activities in Otago Harbour

21. Communication requirements for vessels in the Otago Harbour Shipping Channel

1) All vessels over 6 metres in length shall carry an operational marine VHF radio and maintain a radio watch on Channel 14 whilst navigating along the Otago Harbour Shipping Channel.

2) Between sunset and sunrise, or in conditions of restricted visibility, all vessels shall contact Harbour Control before entering or transiting along the Otago Harbour Shipping Channel.

3) The person in charge of all ~~M~~medium ~~V~~vessels and ~~L~~large ~~V~~vessels must contact Harbour Control before navigating along the Otago Harbour Shipping Channel.

22. Transmission of Automatic Identification System (AIS) in Otago Harbour

1) The following categories of vessels operating within Otago Harbour shall be required to transmit an accurate AIS signal;

   a) ~~All commercial vessels~~ Vessels of 300 gross tons or more; or

   b) Tugs and barges ~~together~~ measuring 40 metres length overall ~~(LOA)~~ or greater; or

   c) ~~Commercial vessels~~ Vessels of ~~over 18~~ more than 15 metres length overall ~~LOA~~ licensed to operate commercially; or

   d) ~~Commercial vessels~~ Vessels licen~~ce~~sed to carry ~~12 or more~~ passengers~~;~~.

   ~~e) Commercial vessels operating with passengers during the hours of darkness or in restricted visibility; and~~

   ~~f) Commercial vessels licenced as a commercial charter vessel to carry up to 12 passengers.~~

2) The owner or person in charge of every vessel required to transmit an AIS signal under this Bylaw must ensure that:

   a) The AIS transmits such information in accordance with the standards and requirements specified by the Harbourmaster and in accordance with the manufacturer's specifications; and

   b) The AIS operates continuously when the vessel is navigating within Otago Harbour.

23. Moving Prohibited Zone (MPZ)

1) No person shall navigate a vessel so as to be within an MPZ without the approval of the Harbourmaster.

2) Subclause 2~~8~~3(1) shall not apply to tugs or pilot vessels while they are carrying out towage or pilotage duties in relation to a vessel for which a MPZ applies.

Explanatory note: The MPZ is defined to only apply to waters within the Otago Harbour Shipping Channel. Small ~~and Medium V~~vessels may pass a ~~L~~large ~~V~~vessel transiting the Otago Harbour Shipping Channel provided that they pass outside the channel~~.~~, ~~P~~provided it is safe to do so.~~,~~ ~~Small and Medium vessels travelling inbound may need to cross to the port-hand side to bypass an MPZ outside of the marked channel, where the waters to starboard of the channel lie within 200m of shore.~~

3) Subclauses 2~~8~~3(1) and 2~~8~~3(2) shall not apply where the approval of the Harbourmaster has been obtained for a vessel to be within a MPZ or to pass another vessel in the Otago Harbour Shipping Channel.

4) A Specified MPZ may be declared by the Harbourmaster by Local Notice to Mariners to apply to any vessel for such times and duration as the Harbourmaster considers necessary.

24. Vessel movements in proximity to ships

1) Vessels may come within 200 metres of a berthed tanker showing Flag B when necessary to navigate past provided they maintain the largest separation that can be safely achieved.

Explanatory note: There is insufficient room for vessels using the Otago Harbour Shipping Channel to maintain the minimum 200m separation required under Maritime Rules for tankers berthed at the Dunedin Oil Jetty or LPG terminal.

~~A master must not cause any vessel to manoeuvre within 200 metres of a berthed tanker flying Flag B unless required to by the operation of the tanker.~~

~~*Explanatory note: refer to Interpretation section for definition of manoeuvre.*~~

~~No vessel may berth or come alongside within 100 metres of a berthed tanker flying Flag B.~~

2) No vessel shall approach or manoeuvre within 25 metres of a berthed large vessel without the prior permission of the large vessel or the Harbourmaster.

Explanatory note: Being in the vicinity of a ~~L~~large ~~V~~vessel will be unsafe at times due to the lack of visibility of vessels in close and due to activities such as cargo loading, release of mooring lines, and operation of the ship's propulsion systems.

25. Fishing in Otago Harbour Shipping Channel

1) Drift fishing and trolling using handheld rods or lines, either held in hand or placed in rod holders is permitted in the Otago Harbour Shipping Channel except when an MPZ applies in accordance with clause 23. Special restrictions apply in the vicinity of Halfway Islands in accordance with subclause 30(2).

2) The Halfway Islands Safety Zone is established as a ~~R~~reserved ~~A~~area for the area shown in ~~0~~ Appendix F. The person in charge of any vessel that is fishing in the Halfway Islands Safety Zone must:

   a) if intending to fish in the Halfway Islands Safety Zone, call Harbour Control on VHF Channel 14 prior to entry into the Zone, and

   b) call Harbour Control on VHF Channel 14 upon exit from the Halfway Islands Safety Zone, or upon the cessation of fishing activity, and

   c) maintain a radio watch on VHF Channel 14 while fishing in the Halfway Islands Safety Zone and immediately vacate the channel if:

      (i) a large vessel approaches the Safety Zone; or

      (ii) a long blast is given from a ship's whistle; or

(iii) the vessel indicates that it requires sea room by means of 5 short blasts on the ship's whistle, or a light signal of 5 rapid flashes, or call via VHF; or

(iv) if advised by Harbour Control; or

(v) if directed by the Harbourmaster.

26. Commercial Vessels Transiting the Victoria Channel

1) Non-piloted ~~medium-sized commercial vessels~~ medium vessels licensed to operated commercially are not to transit the Victoria Channel whilst a large vessel is in transit or about to transit the Victoria Channel inward or outward.

Part 6. Special Provisions for Lake Dunstan Area

Note:

The following access lanes are specified in accordance with Clause ~~19~~15 for the purpose of landing or launching vessels and landing or launching persons towed by those vessels on water skis or other objects:

No areas currently identified.

The following reserved areas are specified under Clause ~~19~~15. Notwithstanding the reservation of areas for a particular purpose or type of vessel, the safety of the vessel, toboggan, windsurfer, sailboard and its occupants, or any person being towed, when operating within or in the vicinity of any reserved area is the responsibility of the master of the vessel, toboggan, windsurfer or sailboard.

The following areas are set out on the map of Lake Dunstan in Appendix D

27. Lake Dunstan ~~-~~ – Reserved Areas

1) All watersports prohibited except use by anglers or waterfowl hunters–

Bendigo Wildlife Area being the area shown as shaded on the map in Appendix D being the area north of a line extending across Lake Dunstan from Rocky Point and marked by black posts with white horizontal bands.

2) Areas reserved for swimming and within which no person shall navigate a powered vessel –

Weatherall Creek

Dairy Creek Swimming Area

Sander's Inlet

Bannockburn Inlet (Part)

Lowburn Inlet (Part)

Lowburn Raft

Pisa Moorings

Old Cromwell

Fernbrook area

Deadmans Point to first pier of ~~B~~bridge (~~T~~true ~~R~~right side of lake)

The areas are marked by black posts with white horizontal bands and yellow buoys and are bound by lines extending from the shore as marked by the posts and buoys at the positions denoted on the map in Appendix D.

3) Areas reserved for wildlife and within which no person shall navigate a powered vessel –

Pisa Moorings

The areas are marked by black posts with white horizontal bands and yellow buoys and are bound by lines extending from the shore as marked by the posts and buoys at the positions denoted on the map in Appendix D.

28. Lake Dunstan Area – Special Speed Zones

1) For the following areas~~, the speed limits specified in Clause 17.1(a) and Clause 20.1(a) shall not apply,~~ and subject to Clause ~~31~~27, the following ~~proper~~ speed limits shall apply –

a) Clutha Arm – From Deadmans Bridge to northern point of Pisa Moorings – 5 knots within 50 metres of any vessel, raft or person in the water otherwise no speed limit.

b) Dunstan Arm – 5 knots within 50 metres of any vessel, raft or person in the water otherwise no speed limit.

c) Kawarau Arm – Roaring Meg 5 knots within 50m of any other vessel, raft or person in the water ~~other wise~~otherwise no speed limit.
~~Kawarau River – no speed limit upstream of footbridge at Goldfields Mining Centre for 4,100 metres.~~

d) From the northern point of Pisa Moorings to the Bendigo Wildlife area 5 knots within 200 metres of shore.
~~That part of the Lowburn Inlet that does not comprise the area within which no person shall operate a powered vessel as set out in Clause 9.1 – 5 knots.~~

- Bendigo Wildlife Area – 5 knots within the reserve being the area shown as shaded on the map in Schedule 1 being the area north of a line extending across Lake Dunstan from Rocky Point and marked by black posts with white horizontal bands. Notwithstanding the stated speed limit of 5 knots in this area vessels may access the Clutha River via the main river channel at a speed greater than 5 knots subject only to any other provision of this Bylaw stipulating a maximum speed.

e) McNulty Inlet – 5 knots.

~~The areas are marked with black posts with white horizontal bands.~~

These areas are set out on the map of Lake Dunstan in Appendix D

Part 7. Maritime Safety Administrative Matters

29. Written approvals

Any person may make application to the Harbourmaster for written approval as allowed under this Bylaw. Applications must be:

a) in a form and manner prescribed by the Harbourmaster; and

b) be accompanied by any required fee.

1) Written approval may be granted or refused and if granted subject to conditions that are:

a) relevant to the activity for which written approval is sought;

b) for the purposes of ensuring maritime safety; and

c) not inconsistent with the Maritime Rules or the Act.

2) Any written approval required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable.

3) No written approval, required by this Bylaw shall have effect until any fee required for it has been paid.

30. Offences and penalties

Offences

Every person commits an offence against this Bylaw who contravenes or permits a contravention of this Bylaw.

Penalties

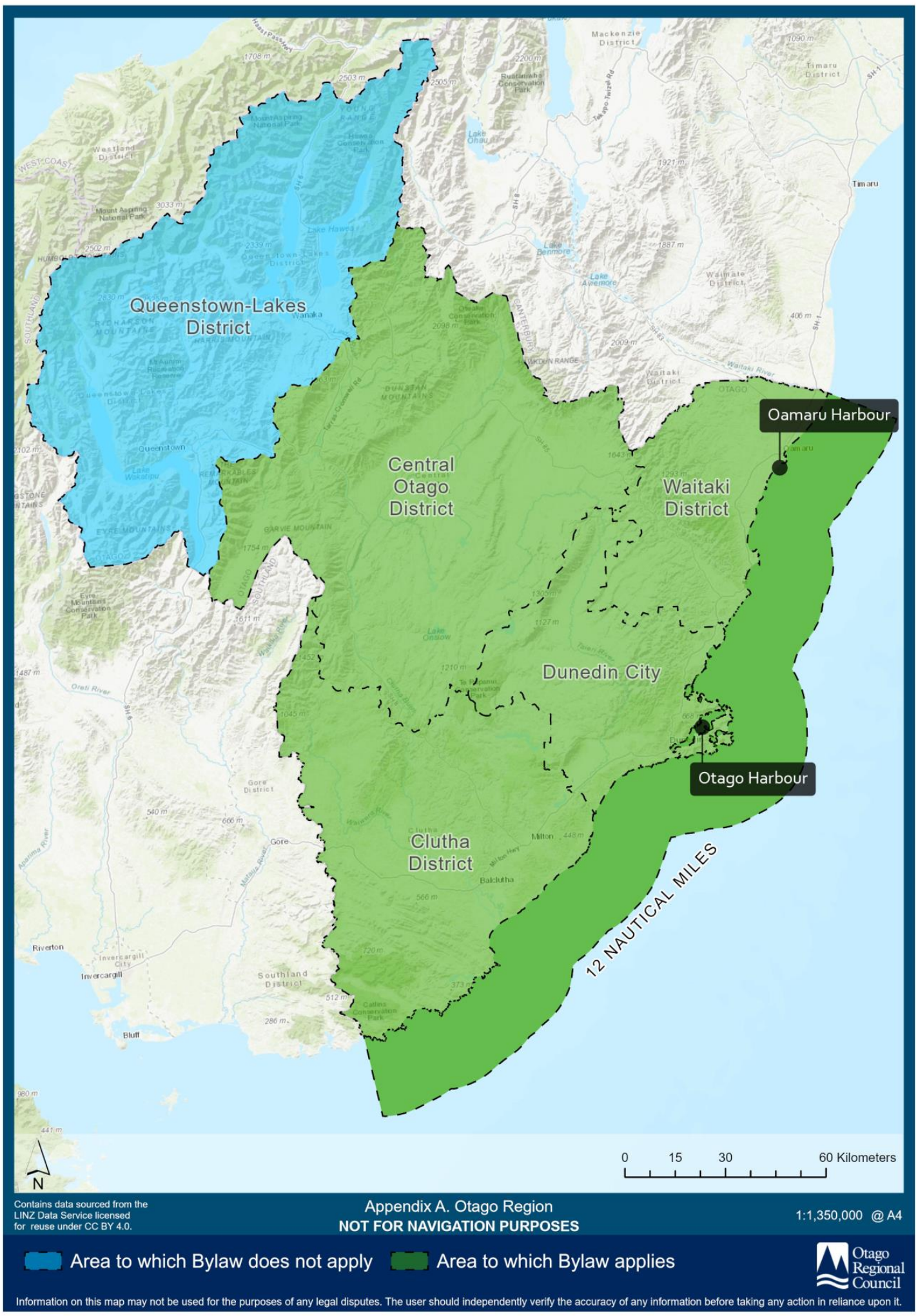
2) Every person who:

commits an offence against this Bylaw will be liable under the Act;

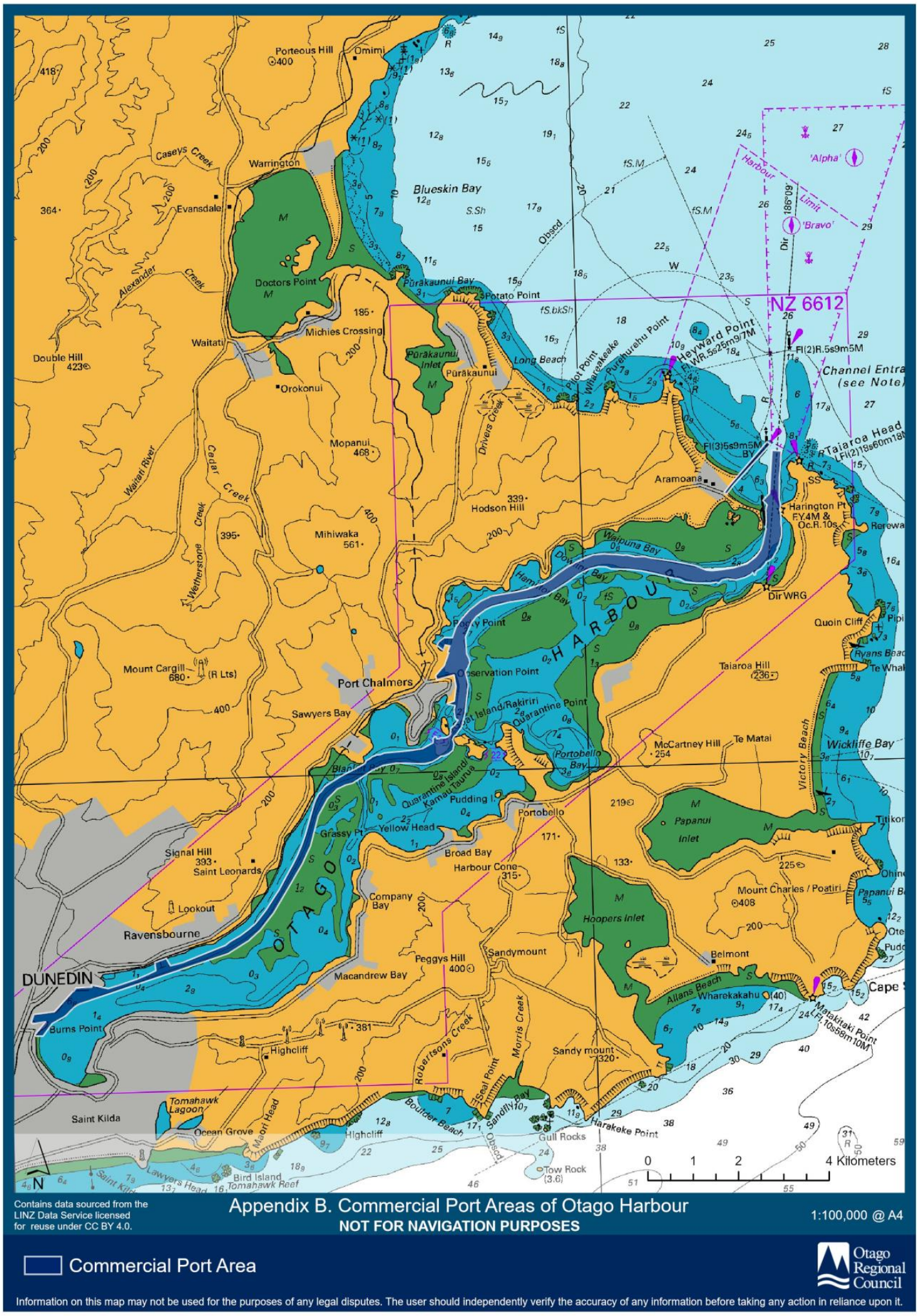
a) commits an infringement offence, set out in any applicable regulations created under the Act is liable to an infringement fee prescribed in the regulations made under the Act.

Part 8. Appendices

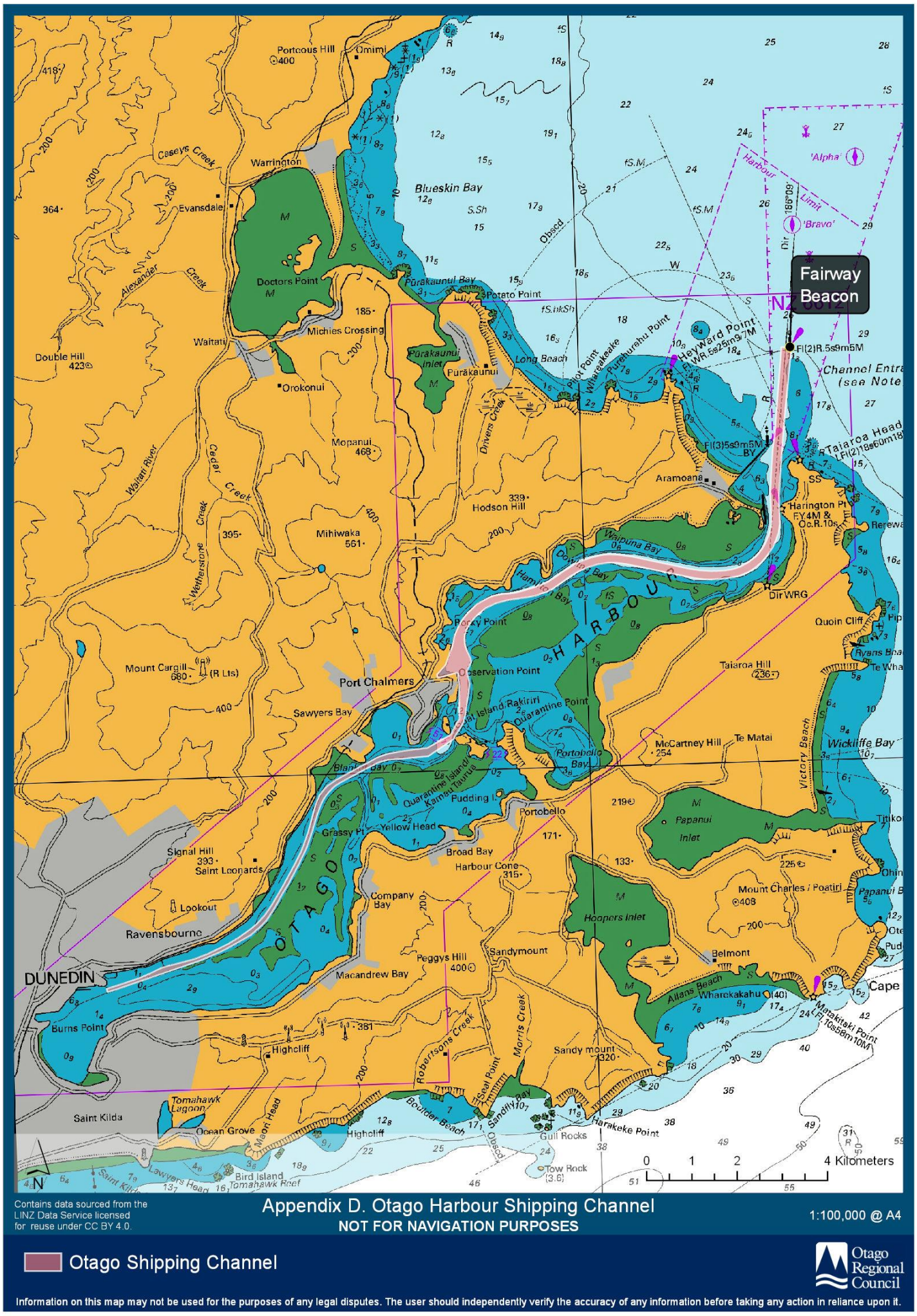
Appendix A. Otago Region



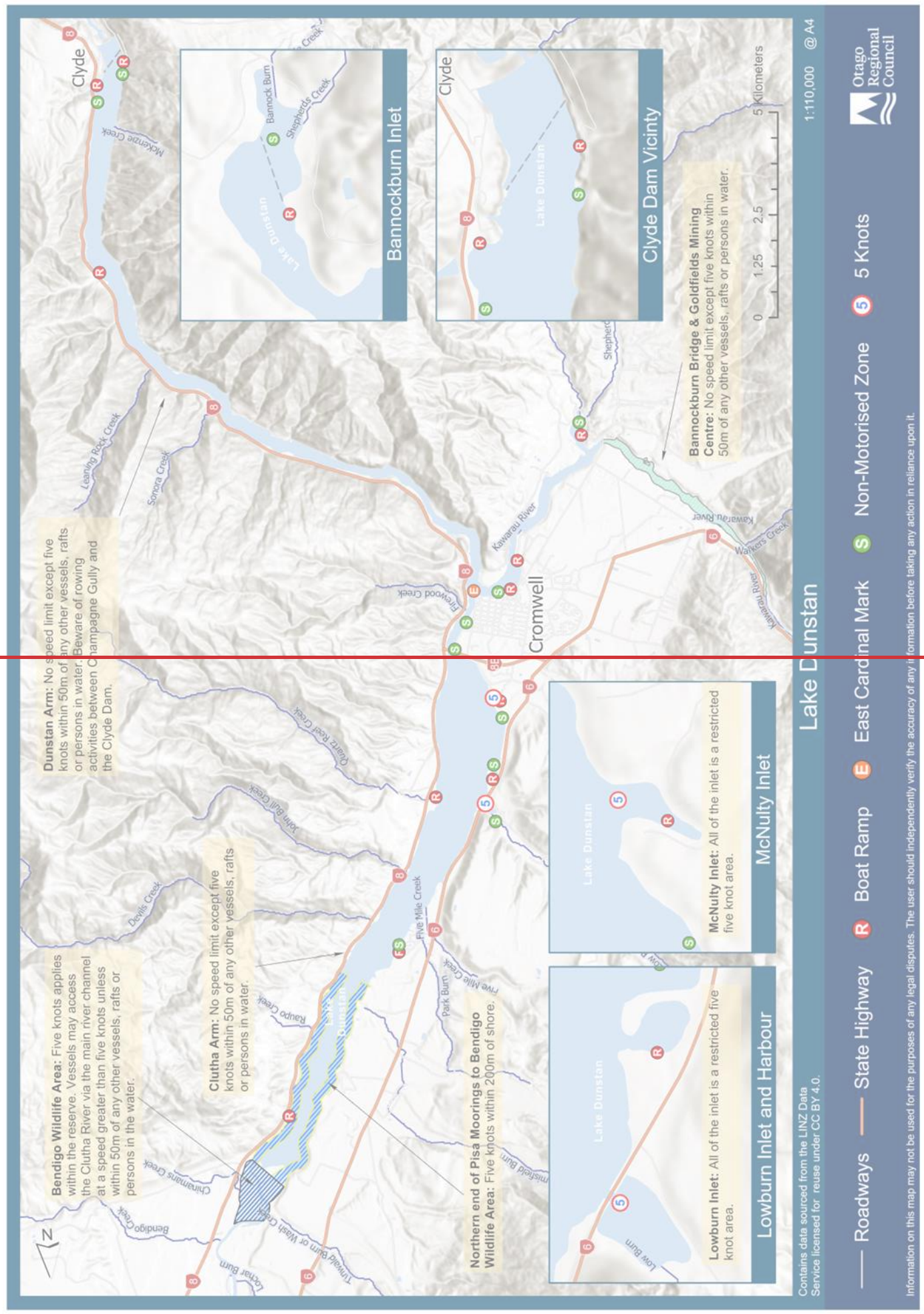
Appendix B. Commercial ~~P~~port ~~A~~areas of Otago Harbour



Appendix C. Otago Harbour Shipping Channel

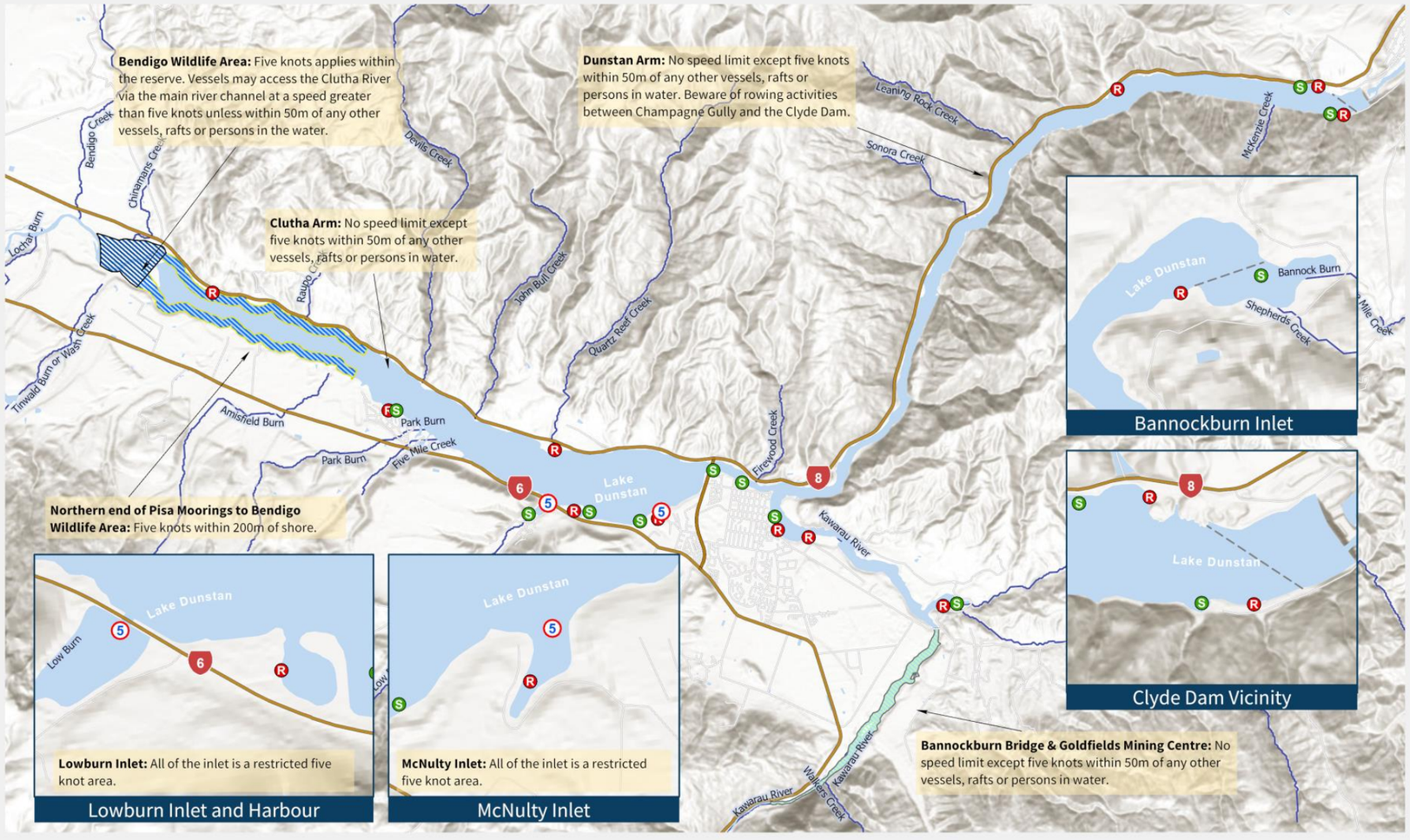


Appendix D Lake Dunstan and Reserved Areas



Lake Dunstan

Otago Regional Council



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Appendix E Special Speed Zones for Otago Inland Waters

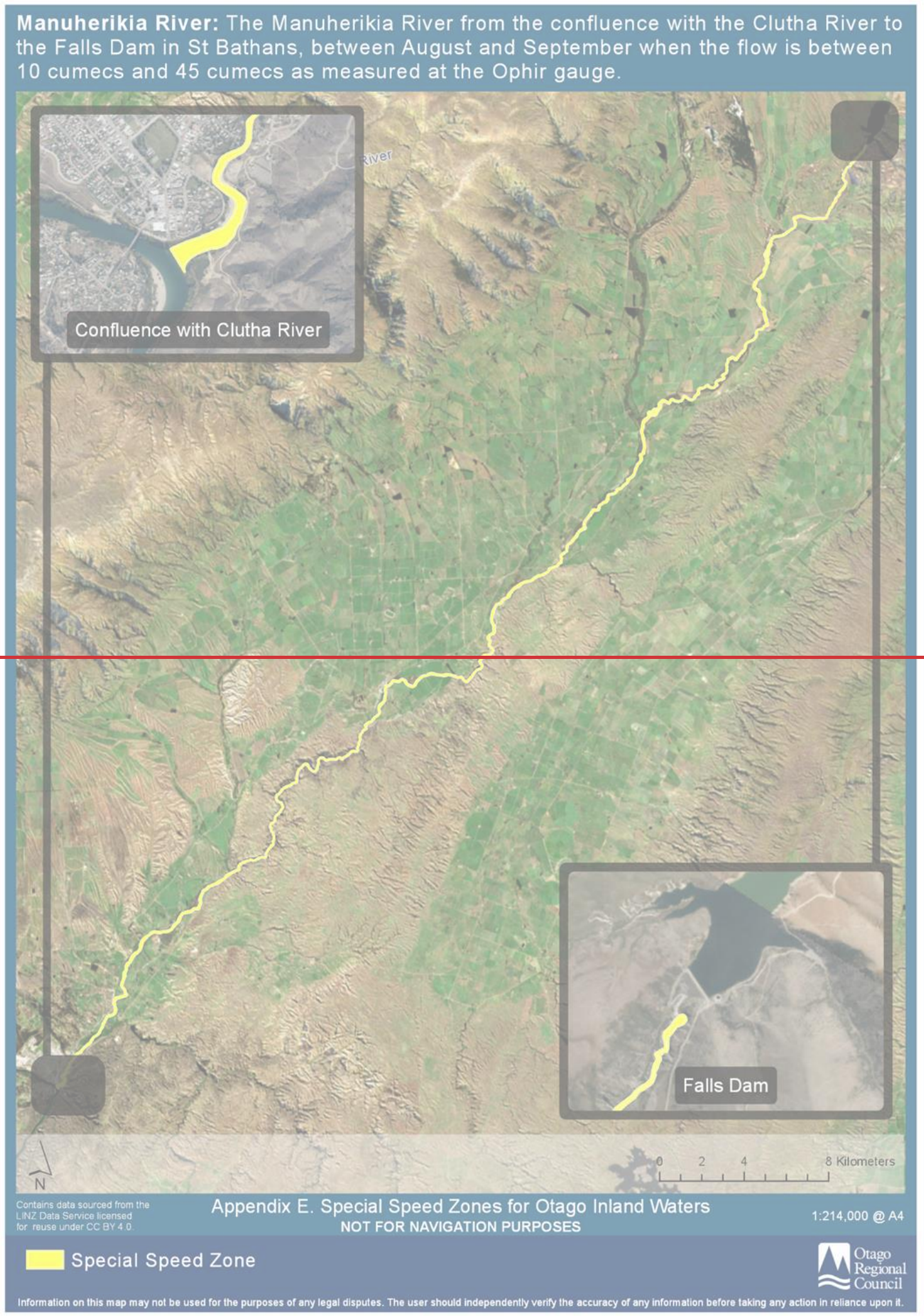
Lindis River

Special Speed Zones for Otago Inland Waters

Otago Regional Council

Lindis River: Speed unlimited for the Lindis River from the confluence with the Clutha River upstream, between July to September inclusive when the flow is more than 20 cumecs as measured at the Ardgour Road gauge.

Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.
This map was generated for A4 printing on 26/03/2026 at the scale of 1:250,000.


Manuherikia River: The Manuherikia River from the confluence with the Clutha River to the Falls Dam in St Bathans, between August and September when the flow is between 10 cumecs and 45 cumecs as measured at the Ophir gauge.
Confluence with Clutha River
Falls Dam
N
0 2 4 8 Kilometers
Contains data sourced from the LINZ Data Service licensed for reuse under CC BY 4.0.
Appendix E. Special Speed Zones for Otago Inland Waters
NOT FOR NAVIGATION PURPOSES
1:214,000 @ A4
Special Speed Zone
Otago Regional Council
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.

Appendix E.

Special Speed Zones for Otago Inland Waters

Otago Regional Council

Manuherikia River: The Manuherikia River from the confluence with the Clutha River to the Falls Dam in St Bathans, between July to September inclusive when the flow is between 10 cumecs and 45 cumecs as measured at the Ophir gauge. In addition, October to the following March inclusive when the flow exceeds 20 cumecs measured at the Ophir gauge.

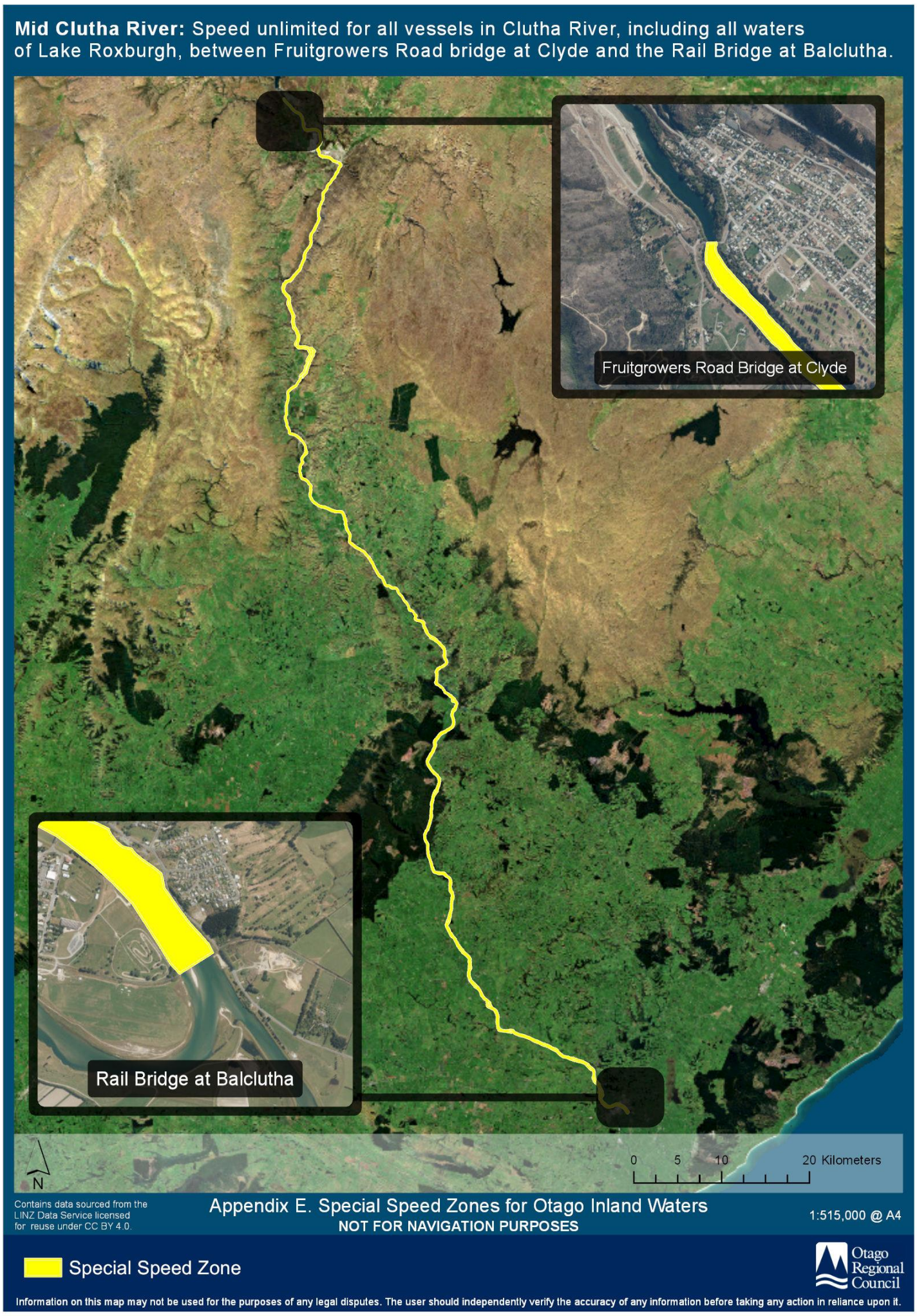
Special Speed Zone — State Highways

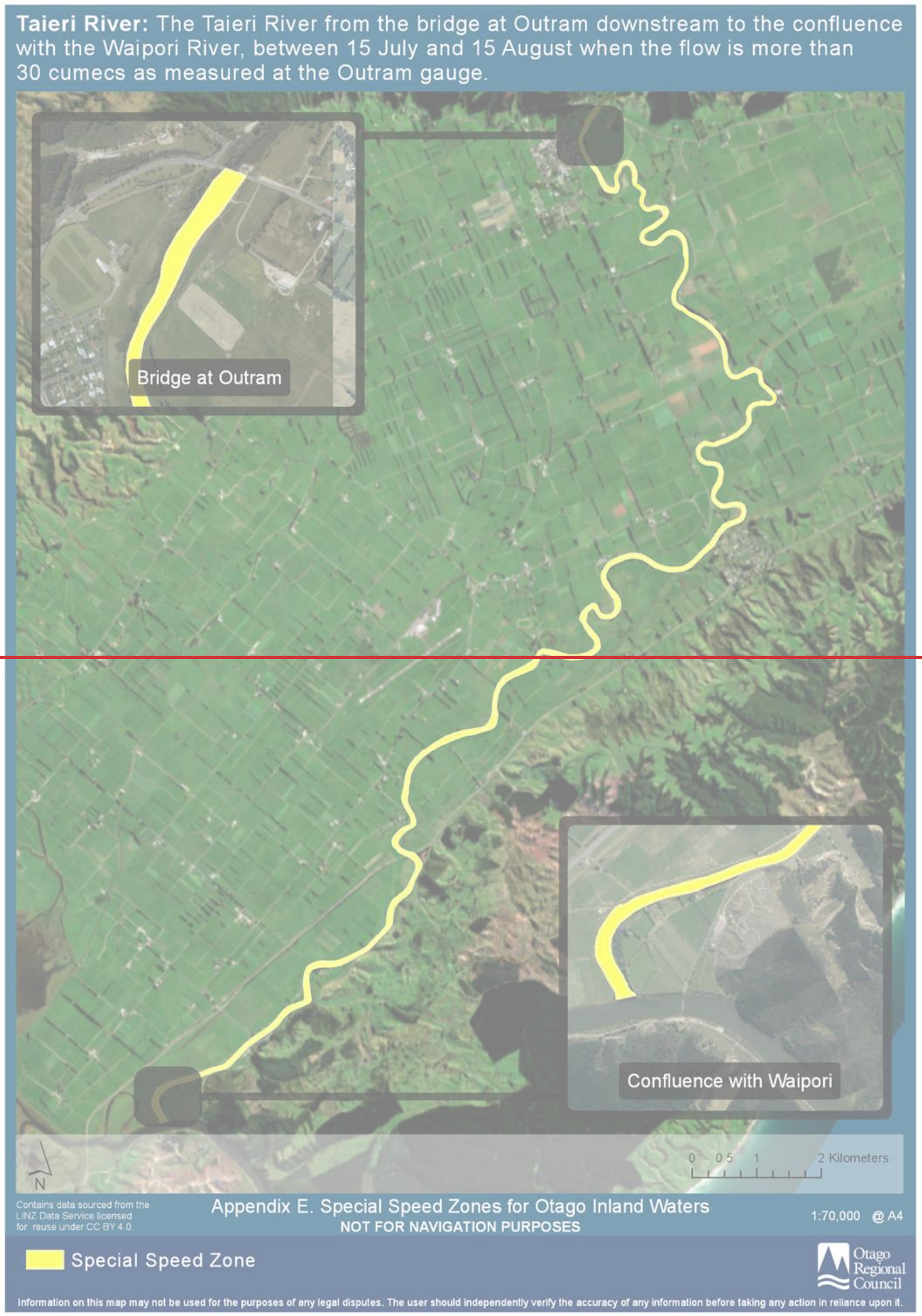
North

0 7 14

Kilometres

Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.
This map was generated for A4 printing on 26/03/2026 at the scale of 1:275,000.


Mid Clutha River: Speed unlimited for all vessels in Clutha River, including all waters of Lake Roxburgh, between Fruitgrowers Road bridge at Clyde and the Rail Bridge at Balclutha.
Fruitgrowers Road Bridge at Clyde
Rail Bridge at Balclutha
N
0 5 10 20 Kilometers
Contains data sourced from the LINZ Data Service licensed for reuse under CC BY 4.0.
Appendix E. Special Speed Zones for Otago Inland Waters
NOT FOR NAVIGATION PURPOSES
1:515,000 @ A4
Special Speed Zone
Otago Regional Council
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.


Taieri River: The Taieri River from the bridge at Outram downstream to the confluence with the Waipori River, between 15 July and 15 August when the flow is more than 30 cumecs as measured at the Outram gauge.
Bridge at Outram
Confluence with Waipori
0 0.5 1 2 Kilometers
N
Contains data sourced from the LINZ Data Service licensed for reuse under CC BY 4.0.
Appendix E. Special Speed Zones for Otago Inland Waters
NOT FOR NAVIGATION PURPOSES
1:70,000 @ A4
Special Speed Zone
Otago Regional Council
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.

Appendix E.

Special Speed Zones for Otago Inland Waters

Otago Regional Council

Taieri River: The Taieri River from the bridge at Outram downstream to the confluence with Waipori River, between June to August inclusive and November to the following March inclusive when the flow is more than 20 cumecs as measured at the Outram gauge.

Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.
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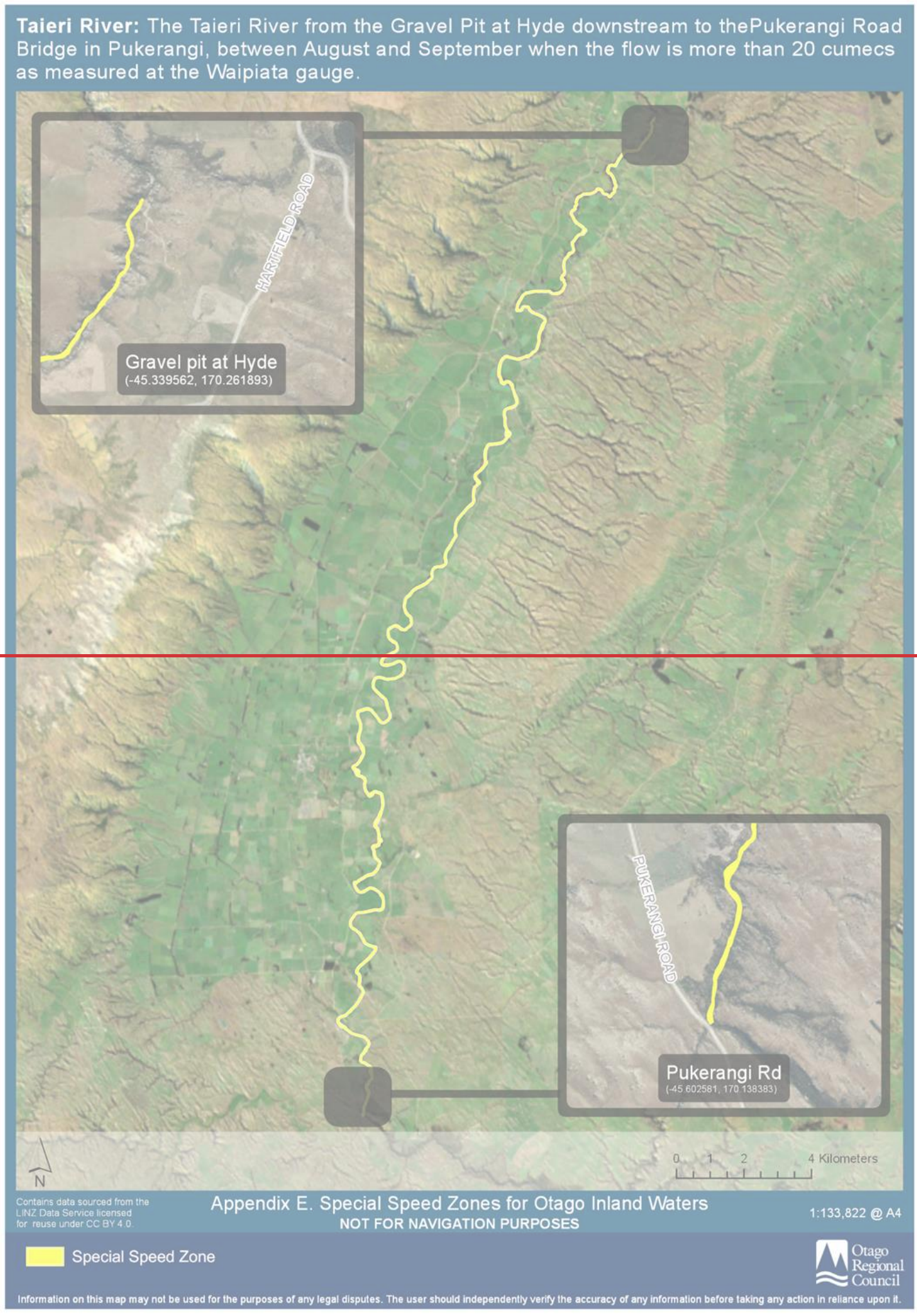

Taieri River: The Taieri River from the Gravel Pit at Hyde downstream to thePukerangi Road Bridge in Pukerangi, between August and September when the flow is more than 20 cumecs as measured at the Waipiata gauge.
HARTFIELD ROAD
Gravel pit at Hyde
(-45.339562, 170.261893)
PUKERANGI ROAD
Pukerangi Rd
(-45.602581, 170.138383)
N
0 1 2 4 Kilometers
Contains data sourced from the LINZ Data Service licensed for reuse under CC BY 4.0.
Appendix E. Special Speed Zones for Otago Inland Waters
NOT FOR NAVIGATION PURPOSES
1:133,822 @ A4
Special Speed Zone
Otago Regional Council
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.

Appendix E.

Special Speed Zones for Otago Inland Waters

Otago Regional Council

The Taieri River from the Gravel Pit at Hyde downstream to the Pukerangi Road Bridge in Pukerangi, between August to December inclusive when the flow is more than 20 cumecs as measured at the Tiroiti gauge.

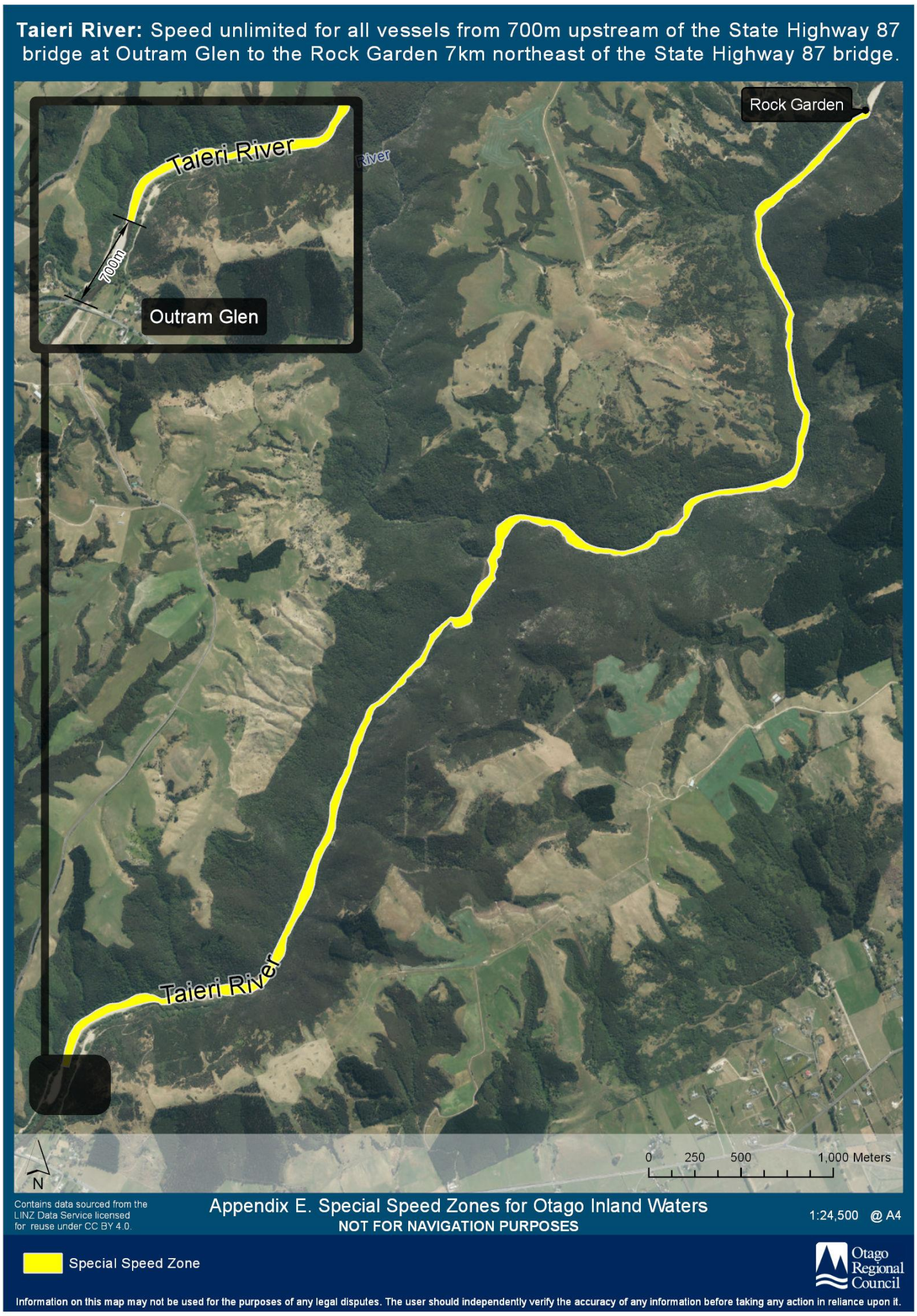
Special Speed Zone State Highways

North

0 3.5 7

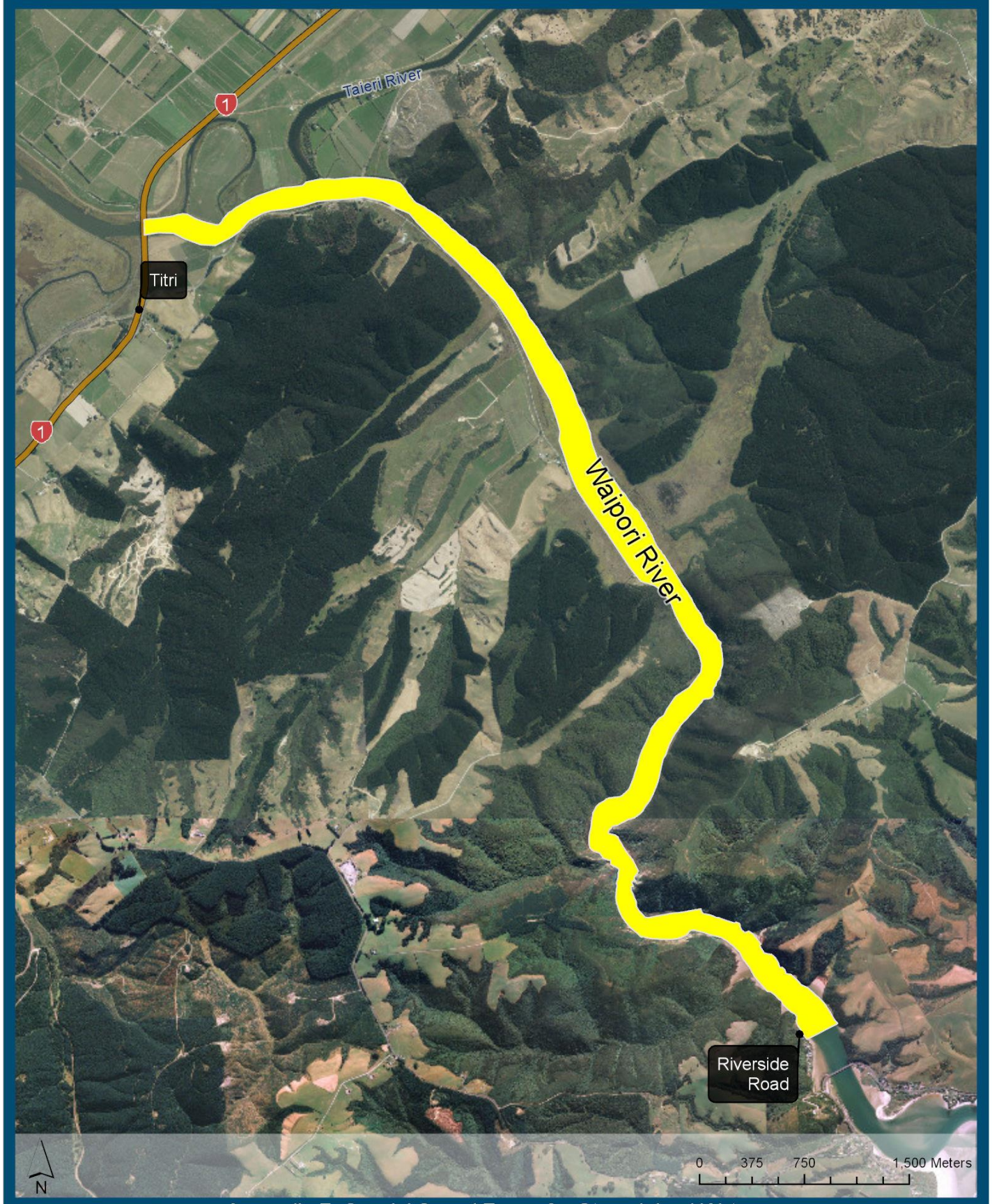
Kilometres

Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.
This map was generated for A4 printing on 26/03/2026 at the scale of 1:150,000.

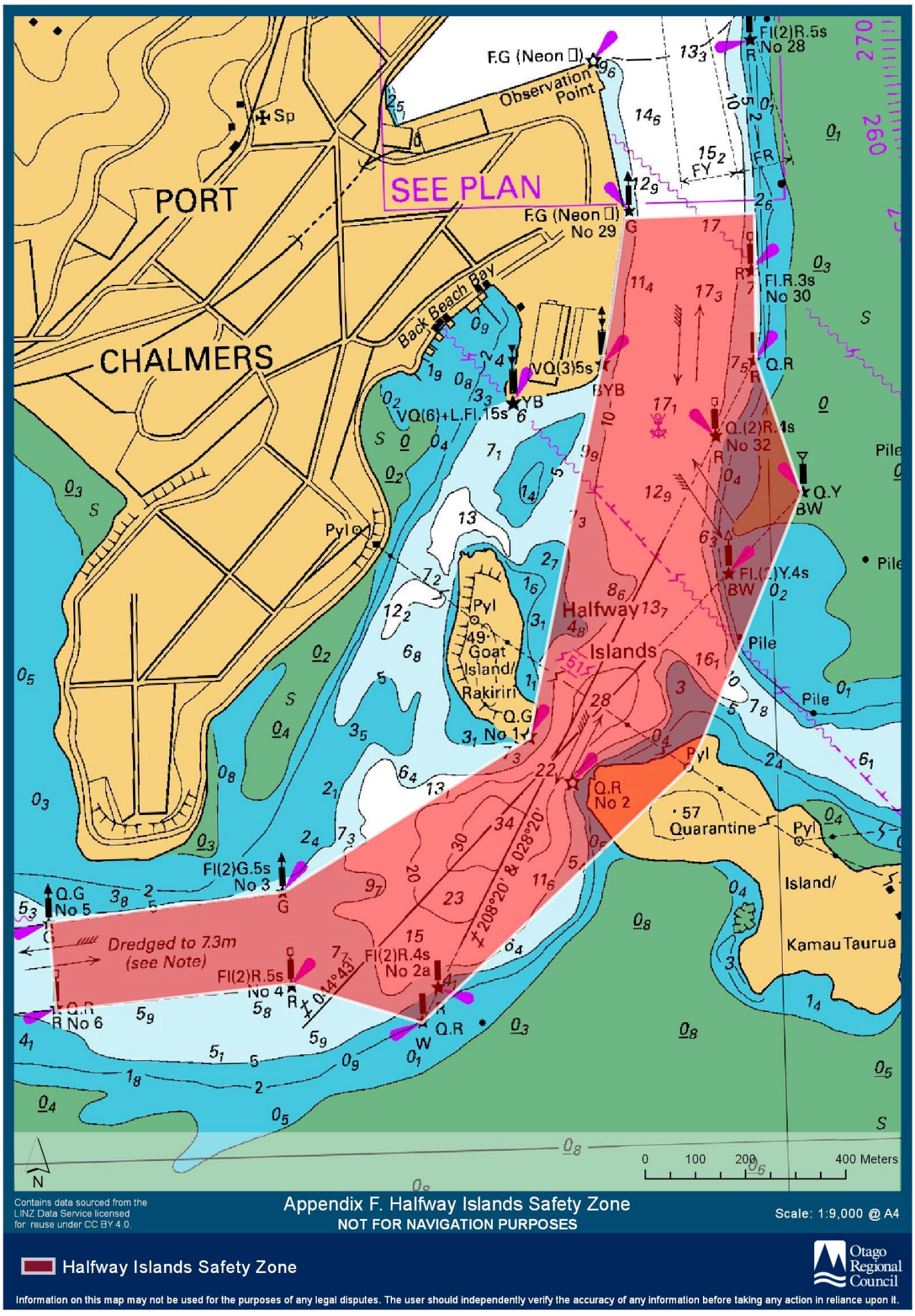

Taieri River: Speed unlimited for all vessels from 700m upstream of the State Highway 87 bridge at Outram Glen to the Rock Garden 7km northeast of the State Highway 87 bridge.
Rock Garden
Taieri River
700m
Outram Glen
Taieri River
N
0 250 500 1,000 Meters
Contains data sourced from the LINZ Data Service licensed for reuse under CC BY 4.0.
Appendix E. Special Speed Zones for Otago Inland Waters
NOT FOR NAVIGATION PURPOSES
1:24,500 @ A4
Special Speed Zone
Otago Regional Council
Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.

The Upper Clutha River: Speed unlimited for all vessels in Clutha River between boundary of Queenstown Lakes District Council and Lake Dunstan. Navigation safety for Lake Dunstan is administered by Central Otago District Council.

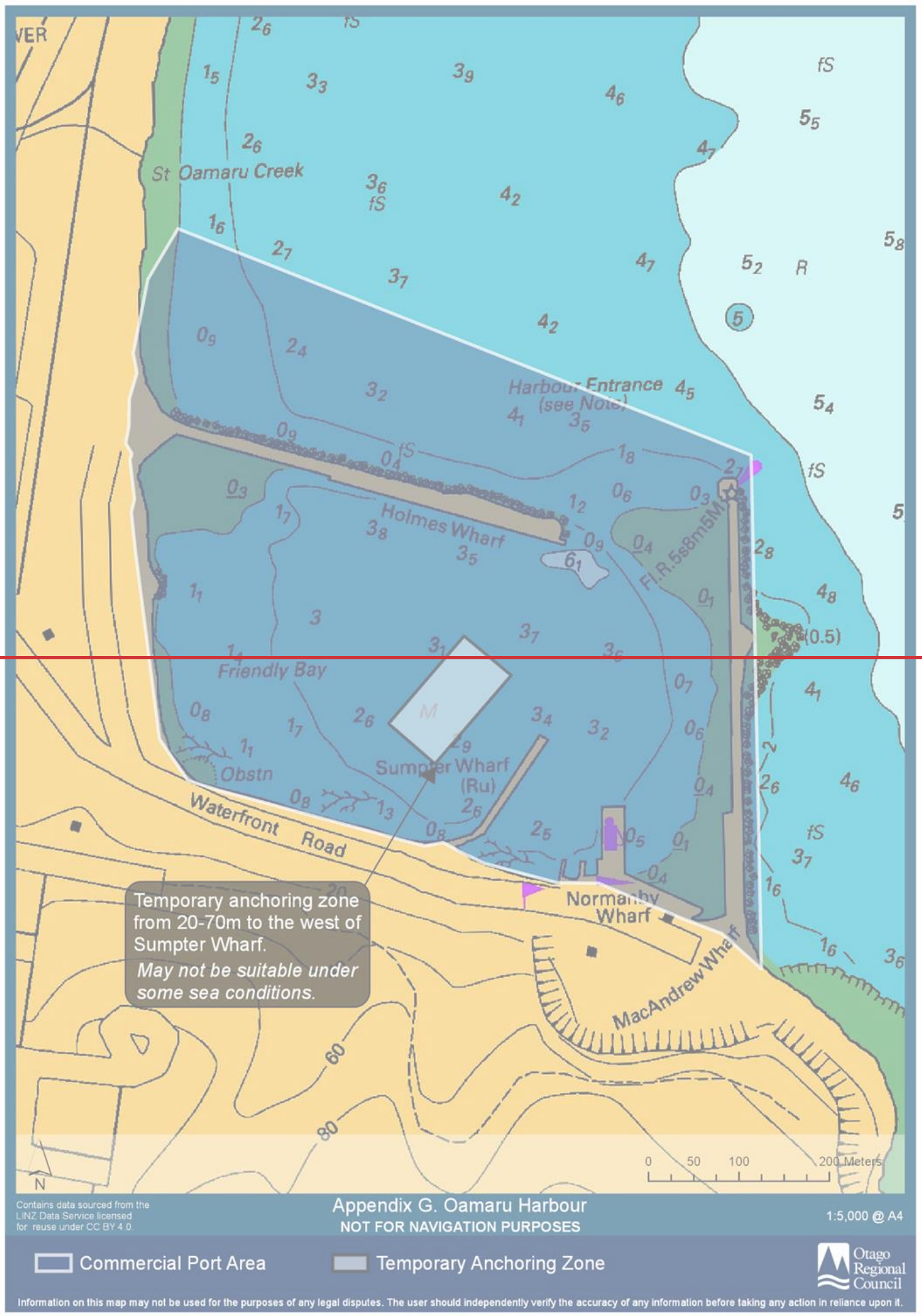
Waipori River: Speed unlimited for all vessels more than 30m from shore, from the upstream end of Riverside Road to the State Highway 1 bridge at Titri. Excludes Taieri River upstream of confluence with Waipori and other tributaries of Waipori River.



Appendix F Halfway Islands Safety Zone



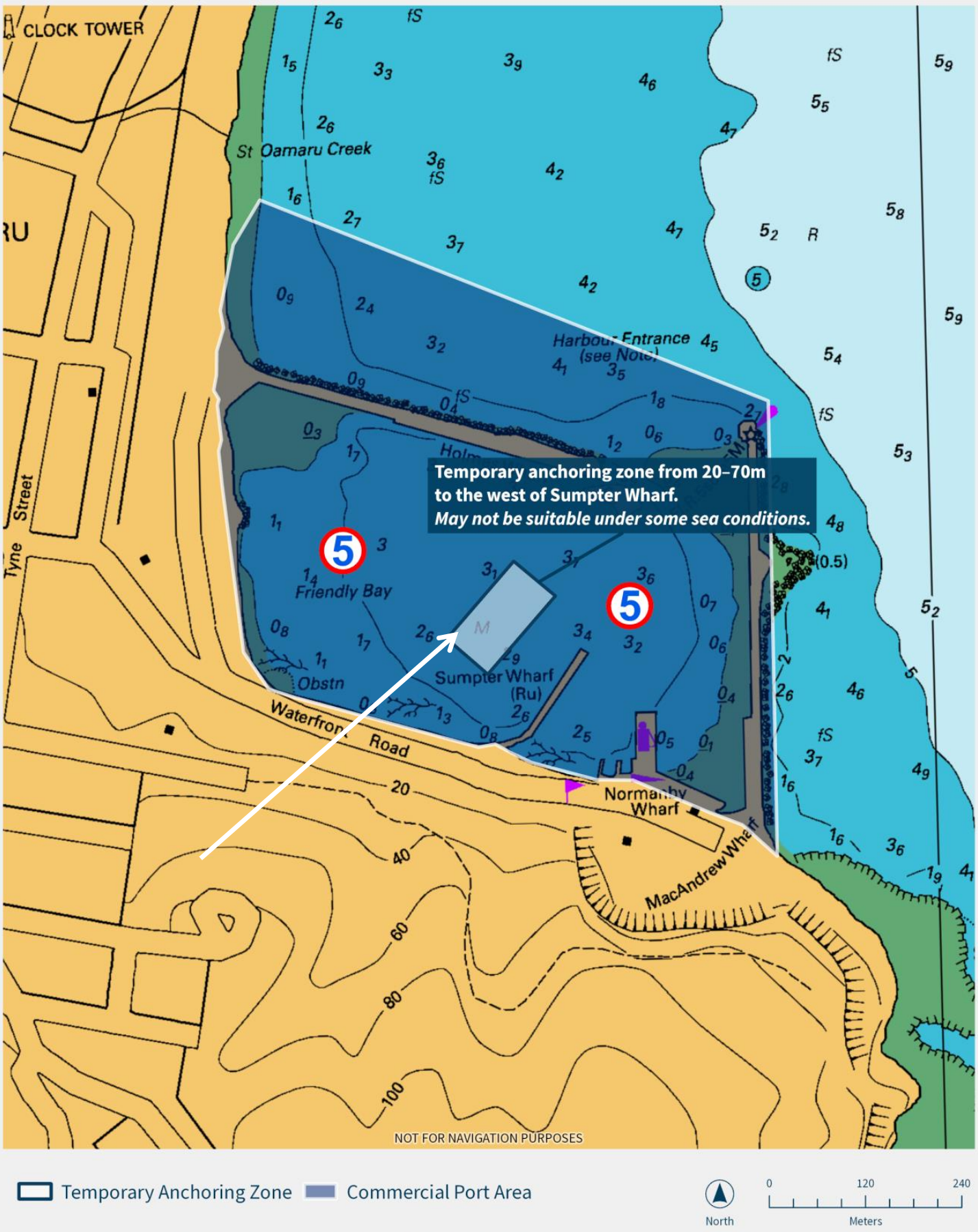
Appendix G Oamaru Harbour



Appendix G.

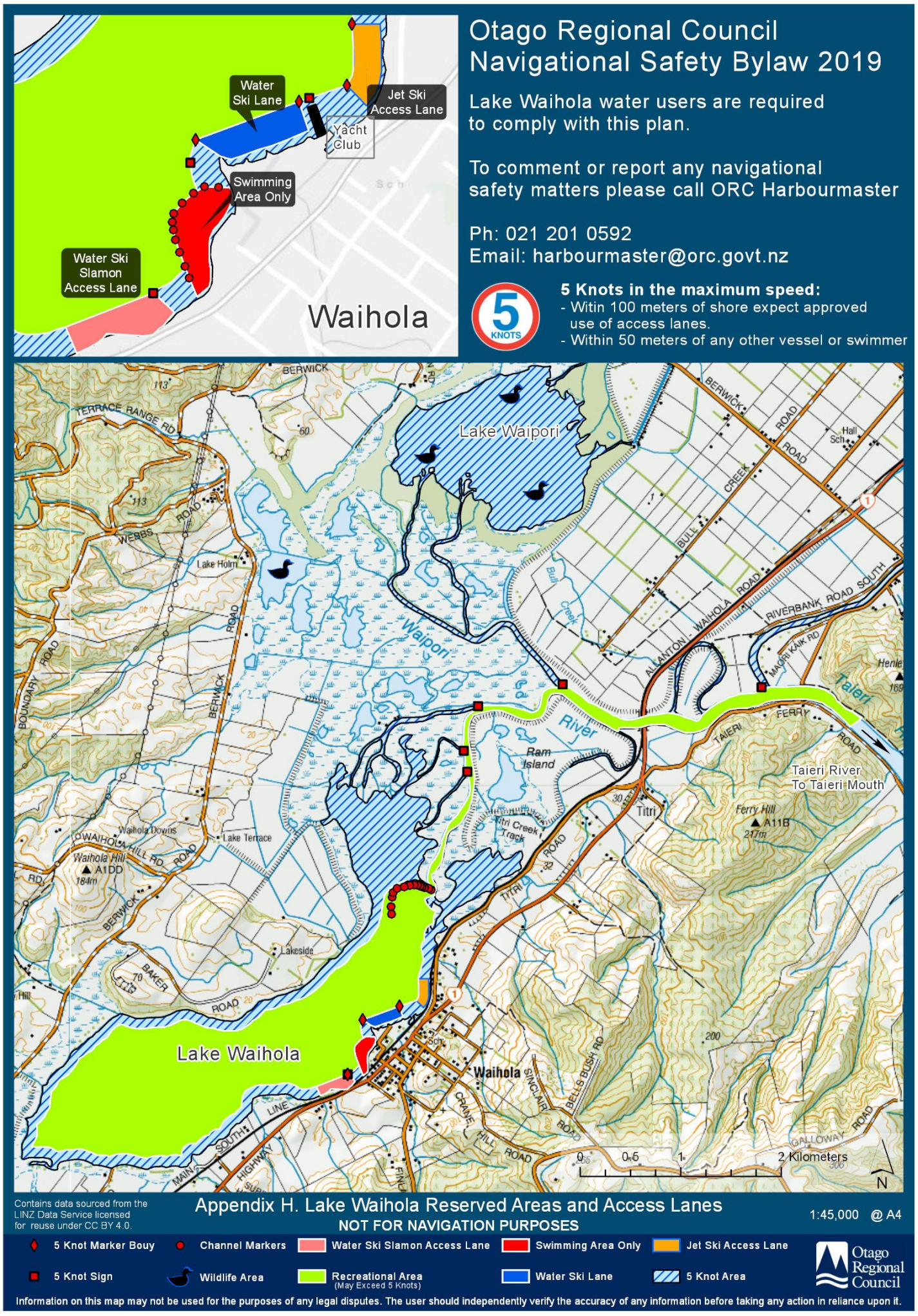
Oamaru Harbour

Otago Regional Council

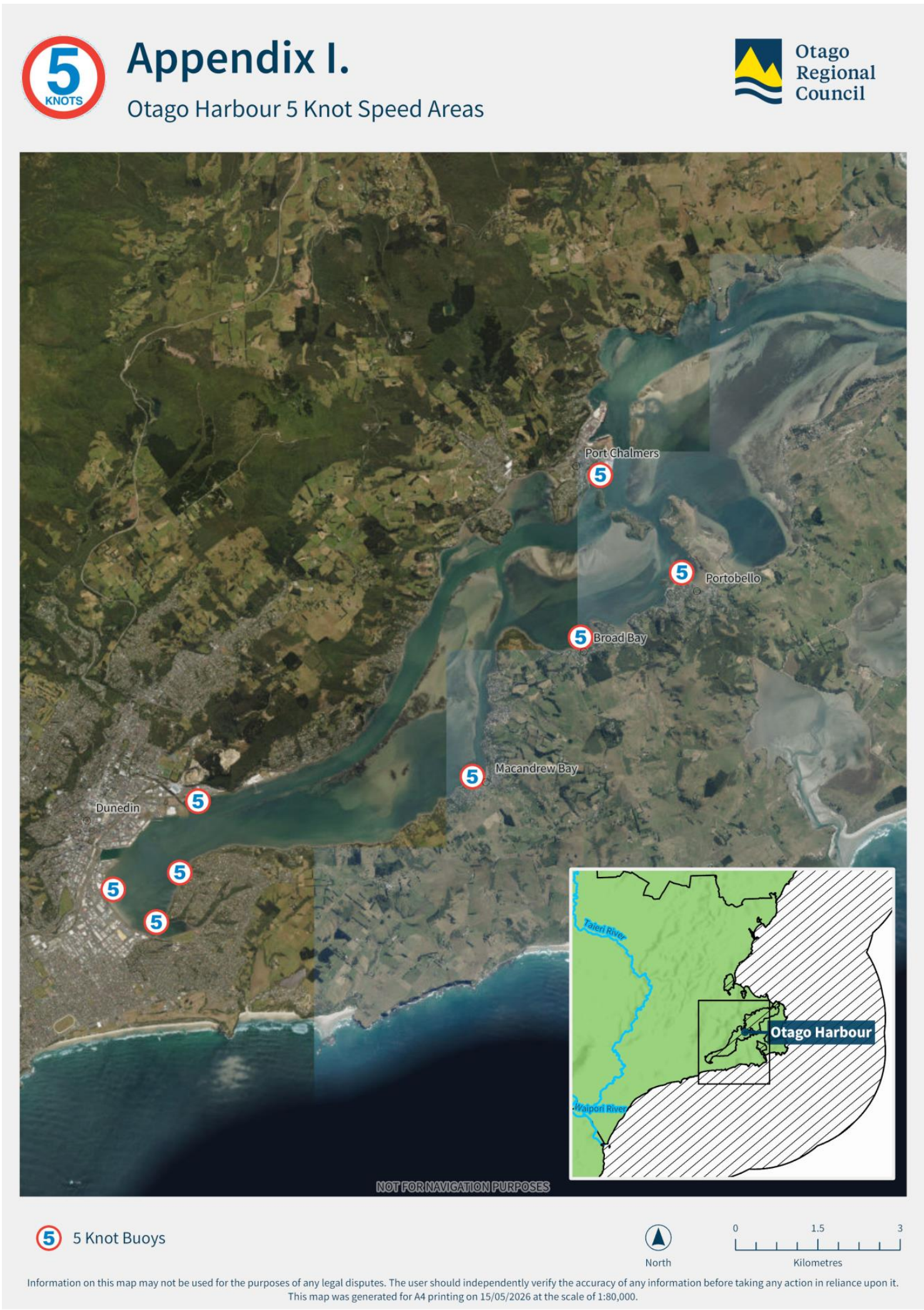


Information on this map may not be used for the purposes of any legal disputes. The user should independently verify the accuracy of any information before taking any action in reliance upon it.
This map was generated for A4 printing on 26/03/2026 at the scale of 1:6,000.

Appendix H Lake Waihola Reserved Areas and Access Lanes



Appendix I Otago Harbour 5 Knot Areas



Hearing Report – Draft Otago Navigation Safety Bylaw 2026

Purpose of the report

1. The purpose of this report is to present submissions on the draft Otago Navigation Safety Bylaw 2026 (the draft bylaw) to the hearings panel. At its 9 December 2025 meeting, Otago Regional Council (the Council) noted the proposed amendments to the draft bylaw and approved public consultation on it (https://www.orc.govt.nz/get-involved/events/2025/december/council-meeting-9-december-2025/).

2. This report provides an analysis of submissions on the draft bylaw and advice to the Hearing Panel (the Panel) on recommended amendments to respond to feedback received. The submissions received through public consultation on the draft bylaw can be viewed here: (https://www.orc.govt.nz/your-council/plans-and-strategies/harbourmaster-plans-and-policies/draft-navigation-safety-bylaw/#submissions).

3. This report is intended to support the Panel of Councillors that will undertake a hearing on submissions received. The hearing provides members of the public who have made a submission the opportunity to be heard by the Panel.

Background

Bylaws – Scope and limitations

4. The Maritime Transport Act 1994 (MTA) empowers regional councils to make navigation safety bylaws for the purpose of ensuring maritime safety to:[1]

   (a) regulate and control the use or management of ships:
   (b) regulate the placing and maintenance of moorings and maritime facilities:
   (c) prevent nuisances arising from the use of ships and seaplanes:
   (d) prevent nuisances arising from the actions of persons and things on or in the water:
   (e) reserve the use of any waters for specified persons, ships, or seaplanes:
   (f) in relation to boat races, swimming races, or similar events,—
      (i) prohibit or regulate the use of ships:

[1] MTA Section 33M

(ii) regulate, or authorise the organisers of an event to regulate, the admission of persons to specified areas:

(g) regulate and control the use of anchorages:

(h) prescribe ship traffic separation and management schemes:

(i) specify requirements for the carriage and use of personal flotation devices and buoyancy aids on pleasure craft:

(j) require the marking and identification of personal water craft.

5. In addition, the MTA sets out certain restrictions when a regional council is making a navigation bylaw. Section 33M(2) of the MTA provides that a navigation bylaw may not:

(a) limit or affect the ability of a port company or an operator of a commercial port to manage its operations within areas owned or controlled by it, except to the extent the regional council considers necessary in the interests of maritime safety:

(b) impose any charge in respect of the regional council's responsibilities in relation to oil pollution:

(c) impose licensing requirements in respect of any aspect of commercial shipping operations that is subject to any requirement contained in any maritime rule:

(d) be inconsistent with—

(i) regulations or rules made under this Act; or

(ii) the Resource Management Act 1991; or

(iii) the Lakes District Waterways Authority (Shotover River) Empowering Act 1985; or

(iv) the Northland Regional Council and Far North District Council Vesting and Empowering Act 1992.

6. The MTA provides navigation bylaws unique powers to enforce using infringement fees. Infringement fees are prescribed in regulations made by the Governor-General which specify which breaches of navigation bylaws are infringement offences. Regulations would need to be made first, before the Council can impose any infringement fees. In addition, the MTA specifies a range of further powers of Maritime New Zealand to ensure maritime safety.

The bylaw development process

7. The draft bylaw and submissions on the draft bylaw are now at the stage in the process to be considered by the Panel. The review process and key milestones for this bylaw review are summarised in Table 1 below.

8. This report also considers the requirements under section 155(2) of the Local Government Act 2002 (LGA) relevant to making a bylaw under the MTA. Before making the bylaw, the Council must determine whether the draft bylaw is the most appropriate form of bylaw and whether the draft bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990 (NZBORA).

9. It is considered that the draft bylaw, incorporating the amendments proposed in this report, is the most appropriate form of bylaw, for the reasons outlined in the Statement of Proposal (January 2026), which is available here: (https://www.orc.govt.nz/media/pprldqlu/statement-of-proposal-draft-orc-navigation-safety-bylaw-2026.pdf).[2]

10. In addition, it is not considered that the draft bylaw gives rise to any implications under the NZBORA,[3] nor is it considered inconsistent with the NZBORA.[4]

Table 1 Bylaw development process and key milestones

Date	Milestone
October 2025	Preliminary work investigating issues with the Otago Navigation Safety Bylaw 2020
November 2025	Informal consultation with the Harbourmaster National Bylaw Working Group and Maritime New Zealand
26 November 2025	Council approved commencement of the process for reviewing the Otago Navigation Safety Bylaw 2020 under the LGA
9 December 2025	Council approved public consultation on the draft bylaw
December 2025	Statutory consultation with Maritime New Zealand
12 January to 20 February 2026	Formal consultation period with the public
18 March 2026	Hearings and deliberations by the Hearing Panel in Dunedin
19 March – 16 April 2026	Hearing Panel to prepare recommendation report to Council on hearing and revised draft bylaw
27 – 28 May 2026	Council to deliberate and consider adopting the bylaw

Otago Navigation Safety Bylaw 2020

11. The Otago Navigation Safety Bylaw 2020 (the current bylaw) applies to all inland and coastal waters out to the limit of the territorial sea (12 nautical miles), but not the waters in the Queenstown Lakes District – responsibility for these waters has been

[2] LGA, section 155(2)(a).
[3] LGA, section 155(2)(b).
[4] LGA, section 155(3).

delegated to the Queenstown Lakes District Council. The current bylaw is available here: (https://www.orc.govt.nz/your-council/plans-and-strategies/harbourmaster-plans-and-policies/). Its purpose is to regulate the following matters:

(a) General navigation safety requirements;
(b) Speed limits, reserved areas and access lanes;
(c) Anchoring and mooring;
(d) Special controls on activities in Otago Harbour;
(e) Special provisions for Lake Dunstan Area;
(f) Maritime safety administrative matters.

The draft bylaw

12. The draft bylaw includes:

    (a) clauses that are proposed to be carried forward from the current bylaw without any amendment;
    (b) amendments proposed to clauses of the current bylaw; and
    (c) new clauses addressing matters that are not currently addressed in the current bylaw.

13. Table 2 provides an overview of the key issues that were identified through the bylaw review process, and consequential amendments to the bylaw that were consulted on.

Table 2 Overview of key issues and amendments in the draft bylaw, as notified

Issue identified through the review	Amendments included in the draft bylaw
• Currently only commercial vessels of 300 Gross Tonnage or more, or a tug or barge exceeding 40 metres in length, are required to carry and transmit an accurate AIS (automatic identification system) signal. Other commercial vessels operating in Otago do not. • AIS improves navigational safety by providing the ability for both harbour control and other vessels to identify each other in blind spots, darkness and low visibility scenarios, helping to reduce the risk of a maritime incident.	• A new requirement for commercial vessels carrying 12 or more passengers and commercial vessels 15-plus metres operating within Otago Harbour to have AIS. • This technology can assist vessels safely navigating around each other and can improve vessel management. • While this is a new requirement under the draft bylaw, most commercial vessels will have AIS in place already, so the change is focussed on having it switched on in the harbour.
• Currently there is a 14-day limit for anchoring in one place in Otago Harbour. • However, some boat users and owners are getting around the 14-day limit by shifting vessels to different locations. This	• An adjustment to the current anchoring requirements meaning that after a vessel has utilised a 14-day allowance to anchor in one place, there is no returning to anchor in Otago Harbour within 6 months.

Issue identified through the review	Amendments included in the draft bylaw
can result in a lack of appropriate anchoring locations for visiting vessels, and a loophole allowing for anchoring for longer periods of time than intended under the existing bylaw.	• This adjustment allows for better navigation safety management of the harbour.
• The Bylaw requires people to report accidents, incidents or mishaps in Otago Harbour to the Harbourmaster. • Since the original bylaw ORC has developed an online reporting system for maritime incidents.	• Provide an online incident report option via a Harbourmaster website page, in addition to the current email or phone call options.
• Some definitions and provisions are contained within the National Maritime Rules and therefore do not need to be replicated in the bylaw.	• Delete definitions and provisions that are in the Maritime Rules.
• Minor clarity and readability issues.	• Other minor changes for clarity and readability.

14. The draft bylaw is available here: (https://www.orc.govt.nz/your-council/plans-and-strategies/harbourmaster-plans-and-policies/draft-navigation-safety-bylaw/#draft).

Analysis and advice

15. Council's online survey asked for feedback on the draft bylaw. Respondents were invited to provide feedback on what they would change, and what they supported or did not support. Respondents could also email ORC or the Harbourmaster directly with any feedback.

16. In total, 19 submissions were received from 17 people and organisations that held a mix of views on the draft bylaw and provided a wide range of comments on a variety of provisions.

17. Maritime New Zealand (MNZ) provided recommended changes to a draft version of the reviewed bylaw in December 2025, as part of their statutory oversight of draft navigation bylaws. MNZ's recommended amendments are included in this report from paragraph 106.

General comments on the Bylaw

Submissions

18. Seven submitters provided general comments on the draft Bylaw. Rob Bishop was concerned that the draft Bylaw expands the scope of navigation controls in several areas, as it may increase monitoring, administration, and enforcement activity. The submitter asked for clarity on the rationale for the bylaw changes and what the increased costs for the Otago Regional Council (ORC) might be.

19. Two submitters, B Sinclair and Simon Blake, opposed all changes being proposed to the bylaw in general. B Sinclair wanted the current situation left alone and Simon Blake was concerned that the proposed changes would limit citizens' access to Otago Harbour.

20. Waitaki District Council (WDC) supported the intent of the bylaw review.

21. The Otago Peninsula Community Board (OPCB) requested signage around launching sites in the Otago Peninsula be updated. OPCB also questioned why there is no acknowledgement of Te Rūnaka o Ōtākou as the kaitiaki of the Otago Harbour in the draft bylaw.

Analysis

22. In regard to concerns about the increased scope / restrictions / proposed changes to the bylaw, the roles and responsibilities of the Harbourmaster in the draft Bylaw have existed in the current bylaw for over five years. The Harbourmaster Team does not anticipate a significant shift in duties and responsibilities, and the draft bylaw would be implemented and delivered within ORC's current Harbourmaster resources and budget.

23. In relation to OPCB's comment on signage, following the adoption of the reviewed bylaw, the Harbourmaster Team will look at signage around Otago's waterways and identify any changes required. This would be delivered within existing budgets and workloads, separately from the bylaw process.

24. The Harbourmaster notes that Te Rūnaka o Ōtākou provided input on the current bylaw when it was developed. The purpose of the bylaw is to ensure navigation safety, rather than to address wider management or stewardship matters.

Recommended amendments

25. No amendments are proposed to the draft bylaw in response to the general comments received.

Part 1 Preliminary provisions

Amendments in the draft bylaw

26. The changes proposed in the draft bylaw consisted of deleting definitions from clause 3. 'Interpretation', that duplicated Part 91 of the Maritime Rules.

Submissions

27. Two submissions were received on the Preliminary provisions of the draft bylaw.

28. In relation to clause 2 'Application' of the draft bylaw, Katie McNabb recommended that the Queenstown Lakes District Council (QLDC) be included in the Otago Regional Council area for the purposes of navigation safety. The submitter was concerned that the delegation to QLDC needed to be removed for the safety of water users.

29. The OPCB was concerned about the definition of 'unseaworthy' used in clause 3 'Interpretation' of the draft bylaw, because it relied on an arbitrary decision of the Harbourmaster or one of their deputies.

Analysis

30. Katie McNabb's comments are noted about the delegation of navigation safety responsibilities to QLDC, however the delegation of functions to QLDC is a separate process that sits outside of the bylaw.

31. In terms of the definition of unseaworthy, the definition in the current bylaw is as follows:

    "**Unseaworthy**" means, in the opinion of the Harbourmaster not being in a fit condition or readiness to navigate safely on the water.

32. The Oxford dictionary definition is:

    "unseaworthy"

    (of a boat or ship) not in a good enough condition to sail on the sea.

33. It is considered that the Harbourmaster has the experience and expertise to assess and manage unseaworthy vessels when they become a potential hazard to navigation. This is addressed further in paragraph 111 of the report in response to comments from MNZ.

Recommended amendments

34. No amendments are recommended to the draft bylaw in response to the comments received on Part 1 Preliminary provisions.

Part 2 General Navigation Safety Requirements

Amendments in the draft bylaw

35. A new option to submit incident data online has been added to clause 5 ‘Notification of maritime accidents, incidents and mishaps’.

36. Clauses (from the current bylaw) 6 ‘Person in charge of the vessel’, 7 ‘Carriage of personal floatation devices’, and 8 ‘Exemptions to the compulsory carriage of personal floatation devices’ have been deleted as they duplicate requirements under Part 91 of the Maritime Rules.

37. Some minor changes for clarity were made to clause 12 ‘Vessels to be identified’ and clause 13 ‘Navigational aids’.

Submissions

38. Nine submission points were received on Part 2. ‘General Safety Requirements’ of the bylaw.

39. Rob Bishop was concerned that the requirement to report all accidents, incidents, and hazards within 24 hours, including submitting Maritime NZ forms to the Harbourmaster, will increase reporting volume significantly. The submitter was concerned about the potential impact on workload for the Harbourmaster Team.

40. Tim Vick was disappointed to see the removal, rather than the strengthening, of the requirement to use a kill cord on a boat where fitted (deleted clause 6 ‘Person in charge of the vessel’). The submitter noted examples around the world of serious and life changing or ending injuries being caused due to not wearing the engine’s kill cord.

41. The OPCB expressed support for clause 6 regarding the mandatory use of life jackets for vessels under 6 metres. Tim Vick was concerned that the wording of clause 6 ‘Wearing of personal floatation devices on vessels’ was unclear and suggested alternative wording. Katie McNabb was concerned about the inconsistency of life jacket rules in New Zealand, and considered the provision in the draft bylaw did not comply with the national rules.

42. The OPCB expressed concern about clause 7 ‘Minimum age for operating power-driven vessels’. The Board recommended that, in relation to the ages of operators of vessels capable of exceeding 10 knots, clarification and distinction was needed between wind powered and mechanical powered vessels.

43. The Otago Fish and Game Council (F&G) supports the retention of the general speed limit of 5 knots on rivers via clause 8 ‘Navigation on rivers’ provisions, to protect the environment and other river users. F&G suggested that where speed uplifts are appropriate, they can be identified and added into Appendix E.

44. Francois Lambrechts and the OPCB were concerned that, as currently drafted, clause 9 ‘Fishing or swimming or diving around landing places’ may be interpreted as an outright ban on these activities when vessels are berthing or departing from public jetties or wharves.

Analysis

45. In regard to the concern about the mandatory reporting of accidents, this is a requirement under the current bylaw and the Harbourmaster Team already has a database in place to manage incidents and accidents. There is no anticipated increase in workload, however, the proposed changes will enable boaties to report incidents more easily via a website. Usually MNZ will investigate incidents, although enforcement can be through MNZ or the Harbourmaster as appropriate. However, Rob Bishop’s submission is supported in part, as clause 5(3) can be simplified for clarity.

46. Tim Vick’s concern about the removal of the kill cord provisions is noted and accepted. The reinstatement of clause 6 ‘Person in charge of the vessel’ is supported.

47. In terms of the comments on the use of life jackets, the support of the OPCB is noted. With regards to clarity of the provision, Tim Vick’s recommendation is supported with recommended edits to simplify the provision further.

48. With regards to the consistency of life jacket provisions in New Zealand, the national rule (Maritime Rule 91.4(1)) only requires personal floatation devices to be carried on board in an accessible location. The Harbourmaster considers that the compulsory wearing of a personal floatation device has a significant safety impact and a better chance of saving lives.

49. OPCB’s comments about clause 7 ‘Minimum age for operating power-driven vessels’ are noted, however, the wording is consistent with the national Maritime Rules, and therefore no change is recommended.

50. F&G's support of the 5 knot speed limit on rivers to protect the environment and other river users is noted.

51. The intention of clause 9 'Fishing or swimming or diving around landing places' is to stop people fishing, swimming or diving, if the activity interferes with vessel movements within 50m of a landing place. The clause prioritises the safety of all users where multiple recreational activities may occur in the same area. However, the submitters' points are supported in that it is not an outright ban of swimming etc in those areas, and vessel operators need to be vigilant of other people in the water. Several amendments are recommended in response to these submissions.

52. The proposed additions to the reviewed bylaw as suggested by Francois Lambrechts are accepted, without the explanation, as they clarify the intent of clause 9(1)(a).

Recommended amendments

53. The following amendments are recommended to Part 2.

54.1 Reinstate clause 6 'Person in charge of the vessel':

6. Person in charge of the vessel

(1) The person in charge of a vessel is responsible for the safety and wellbeing of every person on board and for the safe operation of the vessel.

(2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated.

(3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.

53.2 Amend 6(4) as follows:

(4) Clause 6 does not apply to a person training for or participating in ~~or for any trick water skiing/wake boarding element of~~ a sporting event, if the training or event is supervised in accordance with the safety system of a national sporting organisation approved by the Director of Maritime New Zealand ~~pursuant to part 91 of the Maritime Rules~~.

53.3 Add wording after clause 9 as follows.

9A. Swimming near landing places

(1) For the avoidance of doubt, nothing in clause 9 prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the berthing, launching, retrieval, or departure of any vessel.

(2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place.

(3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places.

Part 3 Speed limits, Reserved Area and Access Lanes

Amendments in the draft bylaw

54. In the draft bylaw, clauses 17 'General speed limits', 20 'Water Skiing, Parasailing, Paragliding and Towing', and 21 'Divers to Display Flag Alpha (A)' were deleted due to duplication with the Maritime Rules.

Submissions

55. 11 submission points were received on Part 3. 'Speed limits, Reserved Area and Access Lanes'.

56. Francois Lambrechts submitted that there was ambiguity in the way the 5-knot speed limit in the eastern channel of Otago Harbour could be interpreted. The submitter recommended amending the bylaw, supporting maps, or signage to clarify that no speed uplift applies in the Company Bay / Macandrew Bay channel unless specifically stated. OPCB also noted that there was no map of the 5 knot areas around Macandrew Bay, Broad Bay and Portobello. OPCB sought that these areas and their associated speed restrictions should be included in the bylaw for clarity.

57. Jet Boating New Zealand (JBNZ) proposed a number of speed uplifts under clause 14 'Special Speed Zone'. The proposed uplifts target rivers during high flows, when other recreational use is less likely, and the environmental impact is lessened. F&G have no objection to the specific uplifts proposed, which are specified in F&G's submission:

a. **Manuherikia River**
   i. Current uplifting: August/September when flow at Ophir gauge is between 10–45 cumecs
   ii. Agreed: Add July to current parameters and October to March if above 20 cumecs

b. **Upper Taieri**

i. Location: Pukerangi Road Bridge to Hyde Gravel Pit

ii. Current uplifting: August/September, flow above 20 cumecs at Waipiata gauge

iii. Agreed: Add October, November, and December to current uplifting period

c. **Lower Taieri**

i. Location: Confluence of Waipori River to Outram

ii. Current: 15 July to 15 August, flow >30 cumecs at Outram gauge

iii. Agreed: Closed April/May and September/October; open the rest of the year with flow above 20 cumecs

d. **Lindis River**

i. Current: Closed

ii. Agreed: Open July, August, and September when above 20 cumec

58. Rob Bishop expressed concern about several zones identified in the bylaw, including special speed zones, reserved areas, and the halfway islands safety zone. The submitter was interested in the potential costs implementing and maintaining the zones would create for Council.

59. The North Otago Yacht and Power Boat Club (NOYPBC) recommended that all boats should not exceed 5 knots within the whole Oamaru Harbour area at any time due to safety concerns.

60. OPCB expressed concern that yacht clubs and recreational users are powerless to enforce the 5 knot speed limit in Macandrew Bay, Broadbay and Portobello.

61. Katie McNabb expressed concern that national rules and the QLDC Navigation Safety Bylaw refer to speed limits being ‘uplifted’, however, the Otago Navigation Safety Bylaw refers to ‘special speed zones’. The submitter was concerned that this might be confusing for the public.

62. OPCB considered clause 16, which relates to special events or ceremonies, is unnecessarily restrictive for yachting clubs who place temporary navigation buoys out to create courses during the racing season.

63. OPCB also submitted that Clause 17 ‘Conduct near marine mammals’ should reference national legislation and conservation management applicable to both commercial and recreational vessels.

Analysis

64. The submission points raised by Francois Lambrechts and OPCB relating to the lack of clarity around speed requirements through the eastern channel of Otago Harbour are noted and accepted. Including information in the bylaw will provide better education for the public about the speed requirements in this area of the harbour.

65. The proposed speed uplifts under clause 14 ‘Special Speed Zone’ recommended by JBNZ, and unopposed by F&G, are noted and supported. It is recommended that the changes proposed by JBNZ are made to the draft bylaw, however the changes are to be made to Appendix E which contains the special speed zones, rather than clause 14. The proposed changes will provide enhanced access for jet boaters to specific rivers during high flows. Due to the state of Otago’s waterways during high flows, it is considered environmental effects of jet boat use will be lessened and the impact on other river users, for example anglers, swimmers, and kayakers, will be low.

66. With regard to Rob Bishop’s submission on ‘zones’ in this Part, these provisions are not new. The zones are in the current bylaw and have been in place for over five years. All of the required signage and markers are already in place and are checked and updated as appropriate. This is business as usual for the Harbourmaster Team, and it will continue to be delivered within existing budgets.

67. NOYPBC’s submission on boats not exceeding 5 knots within Oamaru Harbour are noted. The bylaw currently states that boats should not exceed 5 knots within 200m of shore and this applies to Oamaru Harbour. There is signage around the harbour stating this restriction. However, the bylaw could make this requirement clearer and more transparent by amending the map of Oamaru Harbour in Appendix G.

68. OPCB’s concern about yacht clubs and recreational users being powerless to enforce the 5-knot speed limit in Macandrew Bay, Broadbay and Portobello is noted. However, enforcing speed restrictions in Otago waterways is one of the roles and responsibilities of the Harbourmaster Team – this power cannot be delegated.

69. With regard to Katie McNabb’s concern about the different terminology used for ‘speed uplift’ across regulatory instruments, the current bylaw uses the term ‘special speed zone’, and these areas are mapped in the Appendix. It is considered that this provides sufficient certainty for users of the bylaw.

70. OPCB's concern about the stringency of clause 16 'Special events' is noted, however, this clause does not affect 'business as usual' events for clubs and organisations, including laying and removing temporary marks for racing etc. All recreational clubs should have a safety plan in place that covers the normal activities of the club. Clause 16 relates specifically to special events, those larger or one-off events that could exceed the clubs' normal safety regime and would therefore need a specific safety plan. This is considered when approval for a special event is applied for from the Harbourmaster.

71. OPCB's comments about clause 17 'Conduct near marine mammals' are noted and accepted in part. Marine mammals are managed by the Marine Mammals Protection Regulations 1992, which is the responsibility of the Department of Conservation. A navigation safety bylaw has no jurisdiction in this area, and therefore it is proposed that clause 17 is removed in its entirety.

Recommended amendments

72. It is proposed new maps are developed for a new Appendix I, with clear navigation safety information for the eastern channel of Otago Harbour.

73. It is recommended that the map of Oamaru Harbour in Appendix G is amended to make speed restrictions more explicit, specifically 5 knot areas and recreational use areas.

74. Amend Appendix E Special Speed Zones for Otago Inland Waters as follows:

Manuherikia River: Speed unlimited for ~~T~~the Manuherekia River from the confluence with the Clutha River to the Falls Dam in St Bathans, between July ~~August and~~ to September inclusive when the flow is between 10 cumecs and 45 cumecs as measured at the Ophir gauge. In addition, speed is unlimited October to the following March inclusive when the flow exceeds 20 cumecs measured at the Ophir gauge.

Taieri River: Speed unlimited for ~~T~~the Taieri River from the bridge at Outram downstream to the confluence with Waipori River, between ~~15 July and 15 August~~ June to August inclusive and November to the following March inclusive when the flow is more than ~~30~~ 20 cumecs as measured at the Outram gauge.

Taieri River: Speed unlimited for ~~T~~the Taieri River from the Gravel Pit at Hyde downstream to the Pukerangi Road Bridge in Pukerangi, between August ~~and September~~ to December inclusive when the flow is more than 20 cumecs as measured at the ~~Waipiata~~ Tiroiti gauge.

75. Add an additional Speed Zone in Appendix E for the Lindis River as follows:

    Lindis River: Speed unlimited for the Lindis River from the confluence with the Clutha River upstream, between July to September inclusive when the flow is more than 20 cumecs as measured at the Ardgour Road gauge.

76. Delete clause 17 ‘Conduct near marine mammals’

Part 4 Anchoring and mooring

Amendments in the draft bylaw

77. The draft bylaw adjusted the anchoring requirements in the current bylaw. In practice, this would mean that after a vessel has utilised a 14-day allowance to anchor in one place, there would be no returning to anchor in Otago Harbour within 6 months.

Submissions

78. Nine submissions were received on Part 4. ‘Anchoring and mooring’.

79. Simon Macrae, Norman Wood, Eric Bretscher, Tim Vick, Reece Allison, and James McEwan opposed the draft bylaw’s restrictions around anchoring.

80. Simon Macrae suggested a permit system for long term stays may be appropriate for people that want to stay and work on traveling holidays. Norman Wood commented that he did not see anchoring as a problem, and the restriction seemed a bit harsh. Eric Bretscher said it is not clear what ‘problem’ the Council is trying to solve and what the justification would be for creating a bylaw. The submitter suggested there are far too few boats and more than enough space for any yacht to become a problem.

81. Tim Vick suggested that the provision may have unintended consequences for boats regularly using Otago Harbour and expressed concern that the limit is overly restrictive. The submitter suggested the anchoring limit could be longer, or that a clause could be added requiring all vessels anchoring in the Otago Harbour for more than 14 days to provide details to the Harbourmaster.

82. Reece Allison commented that his vessel is contravening the proposed anchoring rules because his resource consent for a mooring consent has not been progressed. James McEwan submitted that the anchoring rule is not workable as there are currently no moorings for sale in Otago Harbour, either on Trademe, Facebook marketplace, or anywhere else online. The submitter commented that if people cannot anchor for longer, and if there are no moorings available to shift to, then the boat has no option

but to depart the harbour entirely. James McEwan submitted that this would lead to visiting yachts bypassing Otago completely, damaging Otago's maritime industry.

83. WDC submitted that the proposed change to clause 18(3) prevented the provision from applying to Oamaru Harbour – this is the current provision:

> *"No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster."*

Revised provision:

> "*No vessel shall remain anchored within the Otago Harbour for longer than 14 days in any six month period without the prior approval of the Harbourmaster."*

84. WDC expressed a preference to retain the ability to apply section 18(3) to Oamaru Harbour.

85. Clint Sapwell questioned how the change to clause 18 was relevant to Lake Dunstan and the waterpark in Cromwell that is anchored for a long period of time.

86. Rob Bishop expressed concern about the requirement for moorings to be inspected by a "Competent Person" and repaired to Harbourmaster specified standards. The submitter suggested that this was a major shift and asked whether ORC intended to recover costs from mooring owners.

Analysis

87. The current bylaw has a 14-day limit for anchoring in one place in Otago Harbour. The proposed amendments were intended to prevent boat users and owners getting around the 14-day limit by shifting vessels to different locations. This can result in a lack of appropriate anchoring locations for visiting vessels, inappropriate anchoring positions creating safety and navigational issues, and would allow anchoring for longer periods of time than intended under the existing bylaw (which can create blackwater and greywater storage and disposal issues).

88. The submissions opposing the proposed anchoring restrictions are noted and accepted. While the current anchoring rules have the potential to create navigational and safety issues, to date the Harbourmaster has managed these risks through active management of the harbour. It is important to note that there is the option for Harbourmaster to approve a longer stay, and vessel owners are encouraged to seek a

long-term solution if that is their intention. The retention of the current provision also addresses WDC submission that clause 18 continues to apply to Oamaru Harbour.

89. In regard to Clint Sapwell's question, the proposed provision in the draft bylaw would not apply to Lake Dunstan, however, the original provision in the current bylaw does apply to Lake Dunstan. Moorings in Lake Dunstan are subject to resource consent by Central Otago District Council and consideration by Land Information New Zealand, this includes council owned swimming pontoons and a water park.

90. The requirement for moorings to be inspected is not new, it is part of the current bylaw and there are no cost implications for the Harbourmaster Team. The standards are part of the consent process, and the owner of the resource consent is responsible for the maintenance of the mooring.

Recommended amendments

91. Amend clause 18(3) of the draft bylaw so that it reflects the wording in the current bylaw:

18. Anchoring

(1) No vessel shall anchor in a navigational channel without approval from the Harbourmaster. A large vessel may anchor in a navigational channel at the direction of the pilot.

(2) No vessel shall anchor in a manner that obstructs moorings or moored vessels.

(3) No vessel shall remain anchored within the ~~Otago Harbour~~ same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.

(4) An anchored vessel may not be left unattended for more than 24 hours without the owner, or their representative checking that the vessel remains secure.

(5) Vessels are permitted to anchor in Oamaru Harbour in the area shown in Appendix G provided that subclauses (2) to (4) above are complied with.

Part 5 Special Provisions on Activities in Otago Harbour

Amendments in the draft bylaw

92. The draft bylaw includes a new requirement for commercial vessels operating within Otago Harbour to have an automatic identification system (AIS). This technology can assist vessels safely navigating around each other and can improve vessel management. While this is a new requirement under the Bylaw, most commercial vessels will have it in place already, so the change will be about having it switched on in the harbour.

Submissions

93. Two submissions were received on the requirement to have AIS transmitting in Otago Harbour. Both questioned whether the benefits of AIS outweighed the cost.

94. Eric Bretscher commented that the increase in cost and complexity from the point of view of the operator seems difficult to justify. Rob Bishop said that AIS is a valuable safety tool, but the practical and financial implications need to be clearly outlined. Both submitters suggested that smaller commercial vessels should be excluded.

Analysis

95. AIS is a proven system that allows for a better overview of safety of navigation in any waters. It also allows technical vision from ship to ship or ship to shore, giving a safer navigational picture to operate with.

96. There is a cost to the operator, dependent on the type of AIS installed. Most commercial operators already have AIS fitted and operational. It is noted that it can be switched off when required – the new requirement in the reviewed bylaw is that AIS must be transmitting when transiting Otago Harbour. The Harbourmaster considers the navigational safety benefits for all vessels within the Harbour outweigh the costs to operators of this requirement.

97. As notified, the AIS requirement applies to specific categories of vessels, including those over 18 metres in length. However, 'medium vessel' is defined in the bylaw as 'any vessel more than 15 metres but less than 40 metres in Length Overall and under 500 gross tonnage'. For clarity and consistency within the bylaw provisions, it is recommended that the AIS transmission requirements apply to commercial vessels over 15 metres in length.

Recommended amendments

98. It is recommended that clause 22(1)(c) is amended so that it applies to medium sized vessels, as follows:

22. Transmission of Automatic Identification System (AIS) in Otago Harbour

(1) The following categories of vessels operating within Otago Harbour shall be required to transmit an accurate AIS signal;
   (a) All commercial vessels of 300 gross tons or more;
   (b) Tugs and barges together measuring 40 metres length overall (LOA) or greater;
   (c) Commercial vessels of over ~~18~~15 metres LOA;

(d) Commercial vessels licensed to carry 12 or more passengers;
(e) Commercial vessels operating with passengers during the hours of darkness or in restricted visibility; and
(f) Commercial vessels licensed as a commercial charter vessel to carry up to 12 passengers.

Appendix G

Submissions

99. Four submission points were received on Appendix G.

100. Eric Bretscher commented that weather and swell conditions can affect the temporary anchoring zone in Oamaru Harbour. The NOYPBC submitted that boats leaving the Oamaru harbour should give way to any and all boats entering the harbour (entering boats have the right of way).

101. WDC requested more detailed mapping in Appendix G to support clarity for users regarding reserved areas, moorings and access lanes. WDC also supported NOYPBC submission that Appendix G of the draft bylaw be amended to show that boats entering Oamaru Harbour have right of way and that the draft bylaw be amended to specify that a speed limit of 5 knots applies to the mapped area.

102. WDC also sought assurance that categorising Oamaru Harbour as a "commercial port area":
- Aligns with ORC's intended regulatory treatment of Oamaru Harbour, recognising its mixed use (recreational, fishing, heritage, and events); and
- Does not inadvertently impose commercial scale operational expectations that exceed the nature of the harbour.

Analysis

103. The submitter comments are noted and supported. A more detailed and informative map of Oamaru Harbour would increase users' knowledge of the requirement around boat use in the Harbour.

104. The Harbourmaster acknowledges that Oamaru Harbour has a range of uses and notes that being described as a commercial port does not impose expectations of capacity or scale.

Recommended amendments

105. It is recommended that the map of Oamaru Harbour in Appendix G is amended to make speed restrictions more explicit, provide information about the right of way, and include more detailed mapping around reserved areas, moorings, and access lanes.

Maritime New Zealand Statutory Consultation

106. The Director of Maritime New Zealand (MNZ) is required to be consulted on new or reviewed navigation safety bylaws.

107. In December 2025, MNZ provided comments on a draft bylaw and met with the Harbourmaster to discuss the comments. Some of MNZ's recommendations were incorporated into the draft bylaw that was notified.

108. MNZ's outstanding recommendations are addressed below.

Analysis

109. It is recommended that MNZ's proposed amendments to the draft bylaw provided by the statutory consultation process are accepted. These have been made in tracked changes below.

110. MNZ also raised issues with three aspects of the draft bylaw and recommended ORC seek legal advice on:

(a) the definition of 'unseaworthy';
(b) clause 12 'Vessels to be identified'; and
(c) clause 29 'Written approvals'.

111. MNZ queried whether the definition of 'unseaworthy' raised legal difficulties with enforcement. ORC's legal advice on the definition of 'unseaworthy' noted:

"While "in the opinion of the Harbourmaster" could be interpretated as importing an element of subjective discretion of whether something is "unseaworthy" and lacks some certainty in terms of enforcing the definition, the level of discretion provided for does not result in the definition being invalid or not able to be enforced."

112. MNZ also recommended ORC seek legal advice on clause 12 of the draft bylaw (largely unchanged from the current bylaw), as section 33M(1)(j) of the MTA requires 'personal water craft' to be marked and identified, but the draft bylaw requires 'vessels' to be

marked and identified. MNZ questioned whether this clause was within the scope of the bylaw making power.

113. ORC's legal advice confirmed that the clause 12 requirement is within scope of the Council's bylaw making powers, subject to the purpose of the provision being for navigation safety. The Harbourmaster has confirmed that clause 12 is to ensure vessels can be identified for the purpose of ensuring navigation safety, particularly for any required compliance and enforcement activity.

114. MNZ commented that clause 29 was drafted in a manner that allowed an approval to be granted subject to any condition, and suggested that the provision be clarified, so that conditions can only be applied as allowed under the bylaw.

115. ORC's legal advice recommended amendments to clause 29, and these are discussed below.

Recommended amendments

General

116. Change 'speed' throughout the reviewed bylaw to 'proper speed'.

Part 1. Preliminary provisions

Clause 3. Interpretation

117. Insert a definition of 'person in charge' as follows:

"**Person in charge of the vessel**" means the master.

Part 2 General Navigation Safety Requirements

Clause 6. Wearing of personal floatation devices

118. Add the following:

(5) Clause 6 does not apply to—

(a) any surfboard or similar unpowered craft; and

(b) any sailboarder or windsurfer, if a wetsuit is worn at all times; and

(c) a diver on a boat of 6 metres or less in length overall that is used for recreational diving within 5 miles of shore, if a full body wetsuit is worn at all times; and

(d) a member of a visiting foreign watersports team, if the person carries or wears a personal flotation device that is approved by the competent authority for use in that person's country of residence.

(f) a commercial raft.

(6) Clause 6 shall not apply in respect of any sporting event, training activity or ceremonial event if a support vessel that is capable of proving adequate assistance in the event of an emergency remains in the immediate vicinity of the recreational craft and the recreational craft or support vessel or both carry personal flotation devices or buoyancy aids of an appropriate size for each person on board the recreational craft. In this rule buoyancy aid means—

(a) a buoyancy aid as defined in NZ Standard 5823:1989 or NZ Standard 5823:2001 or NZS 5823:20051; or

(b) a buoyancy aid that the Director is satisfied substantially complies with the standard prescribed in paragraph (a) and that provides a minimum of 53 newtons of buoyancy.

Clause 7. Minimum age for operating power-driven vessels

119. Change 'Harbourmaster' to 'Regional Council' and update the reference.

Clause 9. Fishing or swimming or diving around landing places

120. Amend 9(2) as follows:

Subclause 9(1) does not apply to activities conducted by, on behalf of, or approved by ~~a marine facility~~ the owner within the relevant Commercial Port Area.

Clause 13. Navigational aids

121. Remove explanatory note as follows:

~~*Explanatory note: Approval from the Director of Maritime New Zealand may be required as well.*~~

Part 3. Speed Limits, Reserved Areas and Access Lanes

Clause 14. Special Speed Zone

122. Amend 14(2) as follows:

(2) An approval to use an SSZ identified ~~in any controls specified~~ by the Harbourmaster under this Bylaw, is approved for all persons from the date of commencement of the Bylaw for the period in which the Bylaw remains in force except where approval is restricted or revoked under ~~either subclause 14(3) or~~ subclause 14(4).

123. Delete 14(3):

~~*Harbourmaster may restrict use of SSZ*~~

~~3) The Harbourmaster may at any time restrict the use of an SSZ to any degree the Harbourmaster sees fit, for a period of up to one year, if the Harbourmaster is of the opinion that the SSZ is not safe or that such restriction is necessary for a special event.~~

Clause 15. Reserved areas and access lanes

124. Retain 15(1) as follows:

15(1) Locations of Reserved Areas and Access Lanes are identified in Appendix D and H.

125. Delete 15(2)(3) & (4) as follows.

~~2) Any other waters may be reserved for an Access Lane or other specified maritime safety purpose or activity either:~~

~~a) by the Council issuing a written approval; or~~

~~b) by the Harbourmaster,~~

~~3) The Harbourmaster may specify controls and suspension of the use of the Reserved Area by issue of a Local Notice to Mariners.~~

~~*Explanatory note: The controls made under the Otago Regional Council Navigation Safety Bylaw 2020 contain maps showing areas of navigable water permanently reserved by Council for specified purposes and use. Local Notices to Mariners will be posted on the Council web site.*~~

~~4) No person may operate a vessel in a reserved area other than in accordance with any condition imposed by the Harbourmaster for the reserved area.~~

126. Replace 15(5) and (6) to reflect Maritime Rule Part 91, as follows:

(2) A reserved area may be defined—

(a) by a regional council by a navigation bylaw; or

(b) by the Director by notice in the New Zealand Gazette.

(3) No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved.

(4) If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area.

Part 7 Maritime Safety Administrative Matters

Clause 29. Written approvals

127. A comment was made by MNZ on clause 29 which in summary stated that the provision as drafted appears to allow an approval to be granted subject to any conditions, that it should be clarified as conditions can only be applied to an approval as allowed under the bylaw, and that the clause as drafted may allow conditions to be included which are outside of the authority of the granter or inconsistent with Maritime Rules and the MTA. ORC's legal counsel has suggested amendments to clause 29 to address MNZ's comment. It is recommended that the following changes are made to clause 29 to address MNZ's comment:

(1) Any person may make application to the Harbourmaster for written approval as allowed under this Bylaw. Applications must be:

(a) in a form and manner prescribed by the Harbourmaster; and

(b) be accompanied by any required fee.

(2) Written approval may be granted or refused and if granted subject to conditions that are:

(a) relevant to the activity for which written approval is sought;

(b) for the purposes of ensuring maritime safety; and

(c) not inconsistent with Maritime Rules or the Act.

(3) Any written approval required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable.

(4) No written approval required by this Bylaw shall have effect until any fee required for it has been paid.

Submissions on Navigation Safety Bylaw (including pre-consultation comments from Maritime NZ)

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
1.	Rob Bishop	007-1	General comment	N/A	I support the intent of improving safety, but several of the proposed changes introduce new obligations that appear to carry significant operational and enforcement costs. As an individual harbour user, I'm keen to ensure the bylaw is both effective and realistically enforceable, and that the costs associated with these changes are clearly understood before the bylaw is finalized. The draft bylaw expands the scope of navigation controls in several areas — AIS requirements, mooring inspections, Reserved Areas, Special Speed Zones, and incident reporting. These changes may improve safety, but they also imply a substantial increase in monitoring, administration, and enforcement activity by ORC. Before these changes are adopted, I believe it's important that the Council provides clarity on: • How these new responsibilities will be resourced • What the expected operational costs are • Whether ORC currently has the capability to enforce the new rules • How compliance will be monitored in practice Without this information, it's difficult for the public to assess whether the proposed changes are proportionate and achievable.	No change.	The reviewed bylaw will be implemented and delivered within ORC's current Harbourmaster resources and budget. The current bylaw has been operational for five years and the Harbourmaster Team does not anticipate a significant shift in duties and responsibilities. The rationale for the bylaw review is provided in the Proposal Statement, which is available on ORC's website, and a tracked change version of the reviewed bylaw is also available on the website.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					To help the public understand the impact of the proposed bylaw, I respectfully request: 1. A clear summary of changes from the current bylaw 2. A costed implementation plan 3. Details of expected staffing and enforcement capability 4. A compliance and monitoring strategy 5. Information on cost recovery for mooring owners and commercial operators 6. An assessment of whether the proposed changes are proportionate to the risks they aim to address		
2.	Rob Bishop	007-3	General comment	Harbourmaster powers	The draft gives the Harbour Master broader authority, including: • Restricting or revoking SSZ approvals • Declaring Specified MPZs • Requiring mooring inspections and repairs • Approving or declining special events • Temporarily reserving or suspending areas These are substantial responsibilities. They will require more staff time, more patrols, and more administrative support. I would like to understand: • Whether ORC has assessed the additional workload • Whether more staff or equipment will be required	No change.	These responsibilities are part of the current bylaw and have been a function of the Harbourmaster's role for the past five years. Note – the Harbourmaster does not carry out mooring inspections or repairs, that is the resource consent owner's responsibility.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					• How these costs will be funded		
3.	B Sinclair	008-1	General comment	N/A	Leave the current situation alone, I do NOT support the changes being proposed.	No change.	Comment noted - the rationale for the changes are outlined on the Navigation Bylaw Review webpage.
4.	Simon Blake	010-1	General comment	Whole bylaw	None of this registration is necessary. All of these issues are already catered for or are common sense. This proposed law will severely limit citizens access to the Otago harbour. It is an attack on the rights of boat owners. It will stop kids learning to swim as they can no longer jump off floating docks. It is a bureaucratic power grab by the regional council and the harbour master.	No change.	The Navigation Safety Bylaw has been in place for 5 years. The reviewed bylaw does not impose any greater restrictions to access or the rights of boat owners. The purpose of the bylaw is to ensure the safe use of Otago's waterways.
5.	Waitaki District Council (WDC)	012-1	General comment	N/A	WDC supports the intent of the bylaw review, particularly ORC's goals of: • Improving navigational safety across the region • Ensuring that vessels operate safely through clear rules on lifejackets, speed, anchoring, and safe conduct • Updating the bylaw to reflect current practice and technology.	No change.	Comment noted.
6.	Otago Peninsula Community Board	014-9	General comment	N/A	There is no acknowledgement of Te Rūnaka o Ōtākou as the kaitiaki of the Otago Harbour in the draft bylaw. There is no discussion within the draft bylaw of their role in harbour	No change.	Te Rūnaka o Ōtākou provided input on the current bylaw, which has been operational for five

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					management or the implementation of rahui or other tikanga for the area.		years. The consultation undertaken was public, so Te Rūnaka o Ōtākou had the opportunity to submit.
7.	Otago Peninsula Community Board	014-10	General comment	N/A	All launching sites on the Otago Peninsula require updated signage reflecting the changes in this draft bylaw.	No change.	The Harbourmaster Team regularly reviews and updates signage around Otago's waterways. Following the adoption of the reviewed bylaw, the Team will look at signage and identify any changes required.
8.	Maritime New Zealand (MNZ)	018-13	General comment	N/A	In relation to proper speed we suggest that a consistent approach is applied – e.g. only use 'speed' or only use 'proper speed'. As Part 91 uses 'proper speed' it may be best to simply use that.	Accept.	Amending the bylaw would improve consistency and clarity.
9.	Katie McNabb	015-3	Part 1 Preliminary provisions	2. Application	There is a need for the Queenstown Lakes District Council to be included in the Otago Regional Council area. For the safety of water users in the area delegation must be removed. The extent of the area and the many commercial vessels, resident recreational craft and significant numbers of visiting craft, need a reliable and careful approach, firstly for education and secondly for enforcement. This is about saving lives. The large number of commercial craft was the driver for the Grant of Control made to the QLDC declaring the area a harbour, NZ Gazette	No change.	Comments noted. ORC is satisfied with the current split of responsibilities between the Queenstown Lakes Harbourmaster and the Otago Harbourmaster.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					1983, page 2010, which allowed the area to have a Harbour Master and its own bylaws, repealed with the introduction of Maritime Transport Act 1994 Rule Part 91, 21 March 2003. The QLDC area expanded substantially with local body amalgamation to include, Lakes Wanaka, Lake Hawea and rivers, Clutha, Hawea, Hunter, Makarora, Matukituki, and Wilkin. All these waters have commercial operations with the exception of the Hunter. The power to have navigation safety bylaws was subsequently delegated by the ORC in 2004, although the document is neither signed or fully dated it is none the less lawful and was passed by the ORC at a meeting on 1st The current situation is that the QLDC Harbour Master role operates under the authority and oversight of the QLDC. The council is responsible is responsible for the regulation of marine-related activities on its lakes and rivers and for enforcement of the bylaws. There is no mention of the role of the Otago Regional Council except as a paragraph on the title of the QLDC Navigation Safety Bylaw 2025. The existing arrangement is contracted out to a third party, i.e. external provider rather than directly employing a Harbour Master with oversight of the delegation by the ORC. An extraordinary arrangement with no guarantees of quality, qualifications of staff, of service and/or responsibility to the delegation from ORC.		

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
10.	MNZ	018-1	Part 1 Preliminary provisions 3. Interpretation	Definition of 'person in charge'	Recommend that this term be defined as it is in Maritime Rules Part 91.	Accept. As per row 17, below.	It is appropriate that the definition aligns with the Maritime Rules.
11.	MNZ	018-14	Part 1 Preliminary provisions 3. Interpretation	Definition of 'sailboard'	This means any type of board including a windsurfer or kiteboard that is propelled by any type of sail and intended to be navigated by a person on the board. We would like to understand what "sailboard" captures, is this intended to apply to wing and foiling craft? If so, we recommend that these be named to avoid ambiguity.	Accept. Amend definition as follows. "**Sailboard**" means any type of board including a windsurfer, ~~or~~ kiteboard, or wing and foiling craft, that is propelled by any type of sail and intended to be navigated by a person on the board.	The proposed amendment clarifies the definition of 'sailboard'.
12.	Otago Peninsula Community Board	014-6	Part 1 Preliminary provisions 3. Interpretation	Definition of 'unseaworthy'	There is no definition of 'unseaworthy'; it appears to be just an arbitrary decision of the Harbour Master or one of his deputies. There appears to be no rules around the decision and no recourse to challenge it.	No change.	The current bylaw definition is: "**Unseaworthy**" means, in the opinion of the Harbourmaster not being in a fit condition or readiness to navigate safely on the water.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
							The ordinary dictionary definition is: **“unseaworthy”** (of a boat or ship) not in a good enough condition to sail on the sea. ORC considers the Harbourmaster has the experience and expertise to assess and manage unseaworthy vessels when they become a potential hazard to navigation.
13.	MNZ	018-9	Part 1 Preliminary provisions 3. Interpretation	Definition of ‘unseaworthy’	Basing a seaworthiness standard on the “opinion of the harbourmaster” may create legal difficulties with enforcement. We recommend you seek legal advice on this point.	No change.	As per row 12., ORC considers the Harbourmaster has the experience and expertise to assess and manage unseaworthy vessels when they become a potential hazard to navigation. ORC sought legal advice in respect of MNZ’s comment. The legal advice concluded that the definition would not be invalid or incapable of being enforced. While the legal advice did not consider amendments were necessary to the definition,

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
							the advice discussed circumstances that could improve certainty and enforceability but ultimately concluded there would be limited utility in doing so.
14.	Rob Bishop	007-6	Part 2 General Navigation Safety Requirements	5. Notification of maritime accidents, incidents and mishaps	The requirement to report all accidents, incidents, and hazards within 24 hours — including submitting Maritime NZ forms to the Harbour Master — will increase reporting volume significantly. This will require: • A system to receive and track reports • Staff to triage and follow up • Enforcement capability Has ORC assessed the expected increase in workload and the staffing required to manage it?	Accept in part. Replace clause 5(3) as follows. ~~(3) Persons reporting accidents under the Maritime Rules and the Maritime Transport Act should provide to the Harbourmaster a copy of the appropriate Maritime New Zealand report form within 24 hours of submission to Maritime New Zealand. www.maritimenz.govt.nz /commercial/safety/notifications /incident-notification/~~ (3) Notification of incidents should also be made to Maritime New Zealand [add Web Link]	The Harbourmaster Team already has a database in place to manage incidents and accidents. There is no increase in workload – the change will enable boaties to report incidents more easily via a website. Usually, Maritime NZ will investigate incidents. Enforcement, if required, can be through MNZ or through ORC's process.
15.	MNZ	018-2	Part 2 General Navigation Safety Requirements	5. Notification of maritime accidents,	We understand why the Council may require information about vessels where they are, or have the potential to become, a navigational hazard. However, it does not appear that all	Amend as per row 14.	The requirement to notify the Harbourmaster Team about incidents is a feature of the current

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
				incidents and mishaps	events which fit within the definition of a 'accident, incident or mishap' may be, or may become, a navigational hazard. We suggest that the Council take advice on whether section 33M or 33F of the MTA gives authority to create an incident and accident notification requirement under a bylaw. We would also like to understand what 'other accidents, incidents or mishaps' as noted under clause 5(2) would include. We would like to understand the purpose of this clause, e.g. what this information would be used for and why. Furthermore, we would like to understand what the authority is that the Council would be relying on for the bylaw to be requiring this type of information be provided. Please advise.		bylaw. The information is placed on a database. This information gathered so that Council is able to risk assess navigational safety within Otago's waterways. Without incident information, risk assessment would become difficult to quantify. Maritime NZ does not currently share the incident information they receive.
16.	Tim Vick	006-1	Part 2 General Navigation Safety Requirements 6. Person in charge of the vessel (Deleted)	6.3 (Deleted)	It is disappointing to see the removal rather than the strengthening of the requirement to use a kill cord on a boat where fitted. Rather than removal of this requirement, I would propose that this should be retained and strengthened to state that - all vessels fitted with a kill cord must ensure that when the vessel is travelling in excess of 5 knots - the kill chord shall be used in a manner that should the helm move away from the controls, the engine will automatically be switched off. There are numerous cases in recent history from around the world of serious and life	Accept in part. Reinstate 6. Person in charge of the vessel Retain the original wording, as follows: **6. Person in charge of the vessel** (1) The person in charge of a vessel is responsible for the safety and wellbeing of every	The proposed amendment reinstates the requirement for a kill cord, and the original wording is preferred to ensure a kill cord is used at all times.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					changing or ending injuries being caused due to not wearing the engines kill cord, examples provided [in the submission].	person on board and for the safe operation of the vessel. (2) No vessel owner shall permit the vessel to leave the shore or any anchorage or mooring unless a person in charge of the vessel has been nominated. (3) Any person in charge of a vessel fitted with a kill cord must ensure that the kill cord is fitted correctly at all times whilst underway.	
17.	MNZ	018-3	Part 2 General Navigation Safety Requirements 6. Wearing of personal floatation devices on vessels	6(2) 'person in charge'	'Person in charge' is not a defined term. This is a defined term under Part 91. Furthermore, under the MTA it is the Master who is responsible for the safe operation of the vessel and compliance with the Act, regulations and rules (ref s19). We consider that without being defined there is a risk that this term may be interpreted inconsistently with the MTA. For consistency with Part 91, and to avoid conflict with the MTA we recommend defining this term, as 'means the master'.	Accept. Insert a definition of 'person in charge' as follows: "**Person in charge of the vessel**" means the master.	The proposed change will ensure consistency between the legislation and the reviewed bylaw.
18.	Tim Vick	006-2	Part 2 General Navigation Safety Requirements	6(4) (clean version) 6.2 (tracked version)	Clause 6 – Wearing of personal flotation devices on vessels, is unclear. Clause 6(4) [clean version] does not apply to a person training or participating in or for any trick water skiing/wake boarding element of a sporting event supervised in accordance with	Accept in part. Further edits are made to the recommended wording to simplify the provision further.	The proposed change aligns the wording with the maritime rules.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
			6. Wearing of personal floatation devices on vessels		the safety system of a national sporting organisation approved by the Director of Maritime New Zealand pursuant to part 91 of the Maritime Rules. I believe it is trying to say that "clause 6 does not apply to a person training or participation in a sporting event or any trick water skiing/wakeboarding event that is supervised in accordance with a safety system of a national sporting organisation approved by the Director of Maritime New Zealand pursuant to part 91 of the Maritime Rules."		
19.	Otago Peninsula Community Board	014-1	Part 2 General Navigation Safety Requirements	6. Wearing of personal floatation devices on vessels	The Board supports clause 6 regarding mandatory use of life jackets for vessels under 6 metres.	No change.	Comment noted.
20.	Katie McNabb	015-2	Part 2 General Navigation Safety Requirements	6. Wearing of personal floatation devices on vessels	Seven different life jacket rules in New Zealand, again the issue of inconsistency and compliance. The national rule sees MTA 1994 Rule Part 91, Operating Requirements 91.4 Neither of the rules below comply with the national rule. While I support the 6 metre and under rule, these rules they are inconsistent with the national rule. Inconsistent too, in that one refers to life jackets and the other personal flotation devices There seems to have been no oversight of the delegation from ORC to the QLDC during the bylaw process.	No change.	The national rule only requires personal floatation devices to be carried in an accessible location. Maritime Rule 91.4 : Operating requirements 91.4 Personal flotation devices (1) No person in charge of a recreational craft may use it unless there are on board at the time of use, and in a readily accessible location,

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					ORC *6. Wearing of personal flotation devices on vessels (1) Every person on board vessels 6 metres or less length overall must wear a properly secured personal flotation device of an appropriate size for that person at all times.* **QLDC** *21.3 Every person in charge of a recreational vessel 6 metres or less in length must ensure that while the recreational vessel is making way, each person wear a properly secured lifejacket of an appropriate size that securely fits the person*		sufficient personal flotation devices of an appropriate size for each person on board. ORC considers that the compulsory wearing of a personal floatation device has a huge safety impact and a better chance of saving lives.
21.	MNZ	018-10	Part 2 General Navigation Safety Requirements	6. Wearing of personal floatation devices on vessels	Maritime Rule 91.4 provides exemptions to when PFDs must be worn in times of heightened risk (Maritime Rule 91.4(6)), as under Maritime Rule 91.4(2) and Maritime Rule 91.4(5). We suggest reflecting those exceptions to wearing PFDs in times of heightened risk under Part 91 in this provision for consistency.	Accept. Add the exemptions to the clause.	The proposed change will ensure consistency between the legislation and the reviewed bylaw.
22.	Otago Peninsula Community Board	014-2	Part 2 General Navigation Safety Requirements	7. Minimum age for operating power-driven vessels	Clause 7 in relation to ages of operators of vessels capable of exceeding 10 knots needs clarification and distinction between wind powered and mechanical powered vessels. Experience has shown that foiling boats are capable of higher speeds based on new technology and these are part of the development of the yacht racing community's activities.	No change.	The wording is consistent with the national maritime rules.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					There is a significant difference between their use in racing or recreationally and mechanically powered boats. This aspect of the draft bylaw concerns our yachting fraternity.		
23.	MNZ	018-11	Part 2 General Navigation Safety Requirements	7. Minimum age for operating power-driven vessels	Clause 7(3) refers to approvals being provided by the Harbourmaster. However, it appears the authority for this power comes from Maritime Rule 91.5(3), which provides this power to the regional council. For consistency with Part 91 we recommend clause 10(3) be amended to reference the regional council not the Harbourmaster. Note this power may still be exercised by the Harbourmaster where delegated. We also recommend referencing the exception where an exemption is provided by the Director, as under Maritime Rule 91.5(4).	Accept. Change 'Harbourmaster' to 'Regional Council' and update the reference.	The proposed change will ensure consistency between the legislation and the reviewed bylaw.
24.	Otago Fish and Game Council	011-1	Part 2 General Navigation Safety Requirements	8. Navigation on rivers	Fish and Game supports the retention of the general speed limit of 5 knots on rivers via the Navigation on rivers provisions, to protect the environment and other river users. Boats travelling at speed on many river reaches in Otago can pose a safety issue to anglers and hunters, as well as disturb the peacefulness of the surrounds. Where speed uplifts are appropriate, they can be identified and added into Appendix E.	No change.	Support noted.
25.	Francois Lambrechts	003(B)-1	Part 2 General Navigation	9. Fishing or swimming or	As currently drafted, clause 9(1)(a) could be interpreted by some users as a general prohibition on swimming from, or within 50 metres of, a landing place. My understanding,	Accept in part. The additional explanatory note is not required.	The proposed change clarifies the intent of clause 9(1)(a).

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
			Safety Requirements	diving around landing places	however, is that the clause is intended to prohibit swimming only where it interferes with the berthing, launching, retrieval, or departure of vessels — not to ban swimming outright in these areas. This distinction is important in areas such as Macandrew Bay, where boat ramps are located in mixed-use coastal waters that are regularly and lawfully used by swimmers, paddleboarders, and other low-profile water users. Swimmers are legally present in many areas of Otago Harbour, including near landing places when they are not interfering with vessel movements. Vessel operators should therefore continue to navigate with due care, maintain a proper lookout, and operate at safe speeds appropriate to areas where swimmers may reasonably be expected to be present. It is important that vessels cannot assume that the absence of a reserved swimming area means there will be no swimmers in the water. To support clarity and shared understanding, I respectfully propose the following clarification be added to the bylaw: Proposed clarification – Swimming near landing places (1) For the avoidance of doubt, nothing in clause 9 prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the	Add wording as follows: 9A. Swimming near landing places (1) For the avoidance of doubt, nothing in clause 9 prohibits swimming from, or within 50 metres of, a landing place, provided that such swimming does not interfere with the berthing, launching, retrieval, or departure of any vessel. (2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place. (3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places. An accompanying explanatory note could further assist public understanding, for example:	

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					berthing, launching, retrieval, or departure of any vessel. (2) A person swimming in the vicinity of a landing place must take all reasonable steps to avoid obstructing vessels that are manoeuvring to or from that landing place. (3) The person in charge of a vessel remains responsible for navigating with due care and at a safe speed in areas where swimmers may reasonably be expected to be present, including in the vicinity of landing places. An accompanying explanatory note could further assist public understanding, for example: Explanatory note: This clause clarifies that recreational swimming near landing places is not prohibited in itself, but must not interfere with vessel movements. It also reinforces shared responsibility between swimmers and vessel operators in areas of mixed use. I believe this clarification would reduce confusion, support safe shared use of the harbour, and align well with the intent of the bylaw and existing maritime rules.		
26.	Otago Peninsula Community Board	014-3	Part 2 General Navigation Safety Requirements	9. Fishing or swimming or diving around landing places	The Board understands the safety concerns raised in clause 9 regarding fishing and swimming activities when vessels are berthing or departing from public jetties or wharves.	Accept. Proposed wording in row 25.	The proposed change clarifies the intent of clause 9(1)(a).

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					It needs to be made clear to the public that this is not a prohibition of use for those activities, but rather a safety measure while boats are docking or departing. Jetties and wharves are important recreational facilities in the Otago Peninsula and are largely managed by the Dunedin City Council for public access and enjoyment.		
27.	MNZ	018-15	Part 2 General Navigation Safety Requirements	9. Fishing or swimming or diving around landing places	Clause 9(2) refers to a “marine facility owner”. Query if this should be “owner” per defined term in relation to the “landing place”, or something else. For example, could it be council or port. Minor edit to clarify.	Accept. Amend as follows: Subclause 9(1) does not apply to activities conducted by, on behalf of, or approved by ~~a marine facility~~ <u>the</u> owner within the relevant Commercial Port Area.	The proposed change clarifies the meaning of clause 9(2).
28.	MNZ	018-4	Part 2 General Navigation Safety Requirements	12. Vessels to be identified	Section 33M(1)(j) of the MTA only allows bylaws that “require the marking and identification of personal water craft” rather than “vessels”. We recommend that you seek legal advice on whether this clause is within the scope of the bylaw making power in section 33M of the MTA and that the marking requirements do not conflict with other legislation.	No change.	ORC sought legal advice in respect of clause 12. The advice concluded that clause 12 as proposed is within the scope of the Council’s bylaw making powers, provided it is for the purpose of ensuring maritime safety.
29.	MNZ	018-5	Part 2 General Navigation Safety Requirements	13. Navigational aids	Unless acting under a delegation from the Director of powers under section 200 of the MTA, a Harbourmaster does not have authority to be approving or giving permission for the	Accept. Remove explanatory note.	The proposed deletion will clarify clause 13. The current wording of the

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					installation of Aids to Navigation (AtoNs). The way that this provision is written appears to suggest that all AtoNs must be approved by the Harbourmaster, which is not strictly true. We recommend amending this clause to clarify when approval from the Harbourmaster is required – e.g. in those circumstances where the Harbourmaster has been delegated the power to approve AtoNs. Approval by the Harbourmaster is not required in all cases, e.g. in many cases a person will instead be seeking approval from the Director, and although as part of the process the applicant is requested to receive the Harbourmasters sign off, this is not a legal requirement. We recommend that the explanatory note is either removed or amended to more clearly set out this process, and why in practice approval may be requested from both the Harbourmaster and the Director.	~~*Explanatory note: Approval from the Director of Maritime New Zealand may be required as well.*~~	clause is simple and uncomplicated. Further detail about when the Harbourmaster can give written approval is not required for the purposes of the reviewed bylaw.
30.	Francois Lambrechts	003(A)-1	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	My understanding is that, unless a specific speed uplift or Special Speed Zone is provided for in a bylaw, Maritime Rule Part 91 applies. This means vessels must not exceed 5 knots within 200 metres of the shore or any structure, and within 50 metres of a person in the water. In the Company Bay and Macandrew Bay area, the navigable channel does not extend much more than approximately 200 metres offshore at any point. As a result, vessels in this area should generally remain at or below 5 knots at all times. However, in practice, vessels	Accept. Develop maps for the Appendix with clear navigation safety information for the eastern channel of Otago Harbour.	The proposed change will provide better education about the speed requirements through the eastern channel of Otago Harbour.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					frequently travel well in excess of 5 knots through this section of the harbour. There are also 5-knot marker buoys in Macandrew Bay, and I am concerned that some boat users may interpret these markers to mean that once they have passed them, higher speeds are permitted. In this particular area, that interpretation would be incorrect under the default maritime rules, as vessels are still within 200 metres of shore. Given the popularity of this area with swimmers, paddleboarders, and other low-profile water users, I am concerned that the current ambiguity creates a real risk of a serious incident in the future. I respectfully suggest that the final bylaw, supporting maps, or signage could be strengthened to make the applicable speed limits in this area clearer and more explicit. This could include clarifying that no speed uplift applies in the Company Bay / Macandrew Bay secondary channel unless specifically stated, or improving signage and education to reinforce the 200-metre rule.		
31.	Otago Fish and Game Council	011-3	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	Fish and Game has been approached by the Otago Jet Boat Association about a number of speed uplifts that they intend to propose through this bylaw review. Having reviewed the proposals, Fish and Game offers no objection should they be put forward. This is because they are targeting rivers during high	Accept.	The proposed changes will provide enhanced and longer access for jet boaters to specific rivers during high flows.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					flows when anglers are unlikely to be present and the environmental impact is lessened. The speed uplifts which were proposed to Fish and Game are as follows: a. Manuherikia River i. Current uplifting: August/September when flow at Ophir gauge is between 10–45 cumecs ii. Agreed: Add July to current parameters and October to March if above 20 cumecs b. Upper Taieri i. Location: Pukerangi Road Bridge to Hyde Gravel Pit ii. Current uplifting: August/September, flow above 20 cumecs at Waipiata gauge iii. Agreed: Add October, November, and December to current uplifting period c. Lower Taieri i. Location: Confluence of Waipori River to Outram ii. Current: 15 July to 15 August, flow >30 cumecs at Outram gauge iii. Agreed: Closed April/May and September/October; open the rest of the year with flow above 20 cumecs d. Lindis River i. Current: Closed ii. Agreed: Open July, August, and September when above 20 cumec		

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
32.	Rob Bishop	007-5	Part 3 Speed Limits, Reserved Areas and Access Lanes Part 5 Special Provisions on Activities in Otago Harbour	14. Special Speed Zone and 15. Reserved Areas and Access Lanes 23. Fishing in Otago Harbour Shipping Channel (tracked version) 25. Fishing in Otago Harbour Shipping Channel (clean version)	The draft introduces or expands several zones, including: • Special Speed Zones • Reserved Areas • The Halfway Islands Safety Zone These zones will require: • New signage and markers • Public education • Ongoing patrols • Monitoring and enforcement I would like to see the cost estimates for implementing and maintaining these zones.	No change.	These provisions are in the current bylaw, they are not new. They have been in place for a number of years. All of the signage and markers are already in place and are checked and updated as appropriate. This is business as usual for the Harbourmaster Team and will continue to be delivered within existing budgets.
33.	North Otago Yacht & Power Boat Club Inc	013A-1	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	All Boats should not exceed 5 knots within the whole Oamaru harbour area at any time. Reason: It is important that no boat exceeds 5 knots within the harbour area given the confined space within the Harbour the number of boats moored reduced the area and visibility and the number of different users (Rowing, Sailing, Kayaking, Swimming etc) who use the harbour area at any time during the day. It is important that the harbour is available for use	No change.	The bylaw currently states that boats should not exceed 5 knots within 200m of shore. This applies to Oamaru Harbour. There is signage around the harbour stating this restriction.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					by all the different users and that their safety is always considered.		
34.	Otago Peninsula Community Board	014-4	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	In clause 14 relating to appendix d of the draft referring to special speed zones the Board notes that there is no map of the 5 knot areas around our main harbour sites at Macandrew Bay, Broad Bay and Portobello. These areas and its associated speed restrictions (currently marked by buoys) should be included in the draft for clarity.	Accept. Add a map into the appendix illustrates the speed limits around Otago Harbour.	The proposed change will enhance people's knowledge about speed limits on the eastern side of the Harbour.
35.	Otago Peninsula Community Board	014-7	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	Yacht clubs and recreational users are powerless to enforce the 5 knot speed restrictions in Macandrew Bay, Broad Bay and Portobello.	No change.	Enforcing speed restriction is one of the roles and responsibilities of the Harbourmaster Team. This power cannot be delegated.
36.	Katie McNabb	015-1	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	Inconsistency leads to poor compliance. Confusing and imagine if we had different road signage with regional variations around the country. Stop signs green in Auckland and red in other areas. Seven different life jacket rules have made compliance confusing. Since 1973, when navigation safety regulations were applied to inland waters it became necessary to uplift the regulations, below, in order for craft to navigate rivers lawfully. The suspension of these regulations was known as an 'uplifting'. The section of the Maritime Transport Act 1994 Rule Part 91	No change.	The current bylaw uses the term 'special speed zone', and these are mapped in the Appendix.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					MTA 1994 Rule Part 91 Speed of vessels (1) No person may, without reasonable excuse, propel or navigate a vessel (including a vessel towing a person or an object) at a proper speed exceeding 5 knots: (a) within 50 metres of any other vessel, raft, or person in the water; or (b) within 200 metres of the shore or of any structure The national rule and model by law uplifting the speed of vessels, as above, gets a parliamentary gazette notice detailing that the following river or rivers is/are uplifted. This allows for vessels to operate in rivers in particular, and also water ski lanes The clause in the ORC draft bylaws that allows vessels on rivers to travel over 5 knots, is called a Special Speed Zone, terminology not used in any other area of the country. ORC draft *8. Navigation on rivers* *(d) Not exceed a speed of 5 knots on any river unless in an area designated as an SSZ or reserved area or access lane* And then you get to QLDC the delegated area which has the following QLDC *Uplifting, means a lifting of, or change to, speed limits in this bylaw*		

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
37.	Jet Boating New Zealand	016-1	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	JBNZ seeks to amend the circumstances for activities within the existing Special Speed Zones as follows a. Speed unlimited for the Manuherekia River from the confluence with the Clutha River to the Falls Dam in St Bathans, between July ~~August and~~ to September inclusive when the flow is between 10 cumecs and 45 cumecs as measured at the Ophir gauge. In addition, October to the following March inclusive when the flow exceeds 20 cumecs measured at the Ophir gauge. b. Speed unlimited for the Taieri River from the Gravel Pit at Hyde downstream to the Pukerangi Road Bridge in Pukerangi, between August ~~and September~~ to December inclusive when the flow is more than 20 cumecs as measured at the ~~Waipiata~~ Tiroiti gauge. c. Speed unlimited for the Taieri River from the bridge at Outram downstream to the confluence with Waipori River, between ~~15 July and 15 August when~~ June to August inclusive and November to the following March inclusive when the flow is more than ~~30~~ 20 cumecs as measured at the Outram gauge.	Accept.	The proposed changes will provide enhanced and longer access for jet boaters to specific rivers during high flows.
38.	Jet Boating New Zealand	016-2	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	JBNZ also seeks an additional Special Speed Zone and qualified circumstances for unrestricted vessel speeds as follows. d. Speed unlimited for the Lindis River from the confluence with the Clutha River upstream,	Accept.	The proposed changes will provide enhanced and longer access for jet boaters to specific rivers during high flows.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					between July to September inclusive when the flow is more than 20 cumecs as measured at the Ardgour Road gauge.		
39.	MNZ	018-6	Part 3 Speed Limits, Reserved Areas and Access Lanes	14. Special Speed Zone	'Controls' as referred to in clause 14(2) is not defined, and it is not clear what this might include. Clause 14(3) appears to provide the Harbourmaster powers in effect remove/un-do privileges provided under an SSZ. We would like to understand what the purpose of clause 14(3) is, e.g. in what circumstances would you envisage this provision being used? Furthermore, we would like to understand what authority you consider supports the inclusion of this power under section 33F of the MTA or Maritime Rules Part 91.	Accept. Amend 14(2) as follows: (2) An approval to use an SSZ identified ~~in any controls specified~~ by the Harbourmaster under this Bylaw, is approved for all persons from the date of commencement of the Bylaw for the period in which the Bylaw remains in force except where approval is restricted or revoked under ~~either subclause 14(3) or~~ subclause 14(4). Delete 14(3): ~~*Harbourmaster may restrict use of SSZ*~~ ~~3) The Harbourmaster may at any time restrict the use of an SSZ to any degree the Harbourmaster sees fit, for a period of up to one year, if the Harbourmaster is of the opinion that the SSZ is not safe~~	The proposed amendments are to improve the clarity of clause 14.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
						~~or that such restriction is necessary for a special event.~~	
40.	MNZ	018-7	Part 3 Speed Limits, Reserved Areas and Access Lanes	15. Reserved areas and access lanes	Clause 15(2) appears to provide the regional council and Harbourmaster powers to create access lanes and other reserved areas outside of what is set by the bylaws. However, we consider that the access lanes should be defined in bylaws. Maritime NZ's view is supported by drafting of Maritime Rule 91.11 which states "where an access lane is defined by bylaws" the applicable regional council must follow the marking requirements in that rule. There does not appear to be authority for the Harbourmaster or regional council to define access lanes outside of the bylaw making process. Furthermore, section 33M(1)(e) of the MTA and Maritime Rule 91.12 both indicate that permanent reserved areas can only be defined under a bylaw or in the absence of a bylaw by the Director of Maritime NZ. Reserving an area on a permanent basis, or defining an access lane outside the bylaw process circumvents the public consultation processes associated with that process. Clause 15(3) we would like to understand what you mean by 'controls' and 'suspension of use' under this clause. Clause 15(4), (5) and (6) appears to provide the Harbourmaster powers in respect of reserved areas – e.g. to set conditions and purposes for the reserved areas and grant approval for reserved areas. These such powers are not	Accept. Retain 15(1). 15 (1) Locations of Reserved Areas and Access Lanes are identified in Appendix D and H. Delete 19(2)(3) & (4). ~~2) Any other waters may be reserved for an Access Lane or other specified maritime safety purpose or activity either:~~ ~~a) by the Council issuing a written approval; or~~ ~~b) by the Harbourmaster,~~ ~~3) The Harbourmaster may specify controls and suspension of the use of the Reserved Area by issue of a Local Notice to Mariners.~~	Clause 15 'Reserved areas and access lanes' requires amendment to fully align with Maritime Rule Part 91.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					reflected in Part 91 as being held by the Harbourmaster. We would like to better understand the purpose of clause 15(2), and what it allows the regional council and Harbourmaster to do. We would also like to understand what authority the regional council is relying on for this provision. If the purpose of this provision is to allow the regional council and harbourmaster powers to create permanent reserved areas and access lanes outside the bylaw process we ask that you remove this power. We would like to understand the authority you are relying on to create these provisions (clause 15(4),(5) and (6)) either under section 33F of the MTA or Part 91. We suggest this be amended to reflect Part 91. E.g: No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved. If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area.	~~*Explanatory note: The controls made under the Otago Regional Council Navigation Safety Bylaw 2020 contain maps showing areas of navigable water permanently reserved by Council for specified purposes and use. Local Notices to Mariners will be posted on the Council web site.*~~ ~~4) No person may operate a vessel in a reserved area other than in accordance with any condition imposed by the Harbourmaster for the reserved area.~~ Replace 15(5) and (6) to reflect Maritime Rule Part 91. (2) A reserved area may be defined— (a) by a regional council by a navigation bylaw; or (b) by the Director by notice in the New Zealand Gazette. (3) No person may obstruct another person while the other person is using a reserved area for the purpose for which it is reserved.	

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
						(4) If a person is using a reserved area for the purpose for which it is reserved, no other person may enter, remain in, or use the reserved area.	
41.	MNZ	018-8	Part 3 Speed Limits, Reserved Areas and Access Lanes	15. Reserved areas and access lanes	The explanatory note refers to the 2020 bylaw – suggest update to 2026.	Accept in principle. As a result of the changes proposed in row 40 the explanatory note is proposed to be deleted.	The proposed change would have corrected an internal reference to the reviewed bylaw.
42.	Otago Peninsula Community Board	014-8	Part 3 Speed Limits, Reserved Areas and Access Lanes	16. Special events	Clause 16 relating to special events or ceremonies is unnecessarily restrictive to yachting clubs who place temporary navigation buoys out to create courses during the racing season. These courses have existed for generations and have been well known in boating circles for many years. These activities should be exempt from this clause and clauses related to markers and buoys.	No change.	This process is for special events, not business as usual events for clubs and organisations. All recreational clubs should have a safety plan in place that cover the normal activities of the club. Larger/one off/special events would usually exceed the clubs' normal safety regime and therefore often need a specific safety plan. This is covered when a special event is applied for. It does not restrict clubs laying and removing

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
							temporary marks for racing etc.
43.	Otago Peninsula Community Board	014-5	Part 3 Speed Limits, Reserved Areas and Access Lanes	17. Conduct near marine mammals	Clause 17 in regard to rules relating to marine mammals should reference national legislation and conservation managements applicable to both commercial and recreational vessels. Otago Harbour has seen increasing numbers of marine mammals in recent years that has from time to time seen conflicts that could be avoided if the rules were clearer.	Accept in part. Delete clause 17.	Marine mammals are managed by the Marine Mammals Protection Regulations 1992. A navigation safety bylaw has no jurisdiction in this area, it is the responsibility of the Department of Conservation, and therefore it is proposed that clause 17 is removed in its entirety.
44.	Simon Macrae	001-1	Part 4 Anchoring and Mooring	18. Anchoring	Not having the 14 day rule and 60 days away, doesn't help people that want to stay and work in our town for traveling holidays, maybe make it a permit system for long term stays.	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: 18(2) No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.	The current bylaw provision (which has been in place for over 5 years) allows 14 days at anchor and then someone can anchor in another proximate location within the harbour. There is the option for Harbourmaster to approve a longer stay. We encourage people to seek a long-term solution if that is their intention. Note: the website mistakenly referred to ’60 days’ during the early stage of the consultation. The

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
							bylaw as notified referred to the correct 6 month period.
45.	Norman Wood	002-1	Part 4 Anchoring and Mooring	18. Anchoring	12 days isn't very long "in a 60 day period" and I interpret your "in one place" as being the whole harbour as "one place". I haven't seen it as a problem, lots of boats at anchor in one place. If you had a boat turn up in the harbour, lay anchor, and stay for months and months, effectively "living there" sure it could be a problem, especially if there are many - I haven't noticed this. Let's say a larger tourist boat turns up in the Otago Harbour, anchors off Portobello (a nice spot), they've got to move on after 12 days has been used in a 60 days period? Seems harsh.	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: <u>18(2)</u> <u>No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.</u>	The current bylaw provision (which has been in place for over 5 years) allows 14 days at anchor and then someone can anchor in another proximate location within the harbour. There is the option for Harbourmaster to approve a longer stay. We encourage people to seek a long-term solution if that is their intention. Note: the website mistakenly referred to ’60 days’ during the early stage of the consultation. The bylaw as notified referred to the correct 6 month period.
46.	Clint Sapwell	004-1	Part 4 Anchoring and Mooring	18. Anchoring	How is this relevant to lake Dunstan? There is one boat about 12m long that anchors. How about the water park in Cromwell that is anchored for a long period of time in a prime spot in lake dunstan? Completely a waste of resources and money!	No change.	As proposed in the draft bylaw, clause 18 would not apply to Lake Dunstan. The current bylaw provision applies to Lake Dunstan.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
47.	Eric Bretscher	005-1	Part 4 Anchoring and Mooring	18. Anchoring	It is not clear what "problem" the Council is trying to address and what the justification would be for creating a bylaw. Pleasure boating is a very, very limited activity everywhere south of the very top of the South Island. Otago Harbour is a large body of water comprising many bays which afford anchoring. Not only a visiting yacht can easily spend more than two weeks in it without representing an issue, but it is plainly unreasonable to attempt to force it out of the only all-weather shelter on the coast between Bluff (140NM away) and Oamaru (42NM away and dangerous to approach in heavy easterly swells) within just 14 days, being subsequently banned from returning for 2 months. A vessel undertaking a cruise to Stewart Island could easily pass Otago Peninsula twice within 60 days and could, at times, remain weather bound in Otago Harbour for more than 14 days without doing anything unusual. It seems quite obvious that there are far too few boats and more than enough space for any yacht to become a "problem" in the entirety of Otago Harbour. The Council appears to be attempting to address another issue and I would suggest to begin with stating it explicitly. A somewhat comparable bylaw exists in the Auckland region and it prohibits remaining anchored in the same location for more than 14 days. It is rarely enforced, as most anchored vessels don't represent a problem, regardless	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: <u>18(2)</u> <u>No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.</u>	The current bylaw provision (which has been in place for over 5 years) allows 14 days at anchor and then someone can anchor in another proximate location within the harbour. There is the option for Harbourmaster to approve a longer stay. We encourage people to seek a long-term solution if that is their intention. Note: the website mistakenly referred to ’60 days’ during the early stage of the consultation. The bylaw as notified referred to the correct 6 month period.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					of how long they stay in one place. The bylaw however enables taking action if and when a vessel becomes a problem.		
48.	Tim Vick	006-3	Part 4 Anchoring and Mooring	18. Anchoring	As the clause does not use any defined terms, I presume that all the words have their typical meaning as defined in a dictionary. Therefore as the clause states “No vessel shall remain anchored within the Otago Harbour for longer than 14 days”, it could be argued that provided that the boat spends some time every 14 days not anchored that the time limit resets. My understanding from media releases is this is not the desired outcome from this change. However if your intention is to limit a boat to only being able to anchor for up to a total of 14 days (either individually or concurrently) in a 6 month period, this may have unintended consequences. For example, 1. A boat that regularly goes out fishing though out the summer (6 month period) and drops anchor each time for whatever reason may exceed this limit 2. Port Chalmers race committee boat, is likely to anchor more than 14 times in a 6 month period 3. Trailer yacht cruisers on the harbour may well anchor more than 14 times/days in a 6 month period I therefore feel that the above limit is overly restrictive (with my understanding of the	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: 18(2) No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.	The current bylaw provision (which has been in place for over 5 years) allows 14 days at anchor and then someone can anchor in another proximate location within the harbour. There is the option for Harbourmaster to approve a longer stay. We encourage people to seek a long-term solution if that is their intention.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					intention to limit anchoring to a total of 14 days in a 6 month period) and has the potential to capture people that you are not intending to, leaving them open to potential prosecution. If you are wanting to limit long term anchoring in the harbour, it would seem reasonable that the limit could be much longer, or add a clause requiring that all vessels anchoring in the otago harbour for more than 14 days must provide on request details of their permanent mooring or storage location to the harbour master. If these details do not satisfy the harbourmaster that anchoring in the otago harbour is temporary, the vessel must be removed from the harbour.		
49.	Reece Allison	009-1	Part 4 Anchoring and Mooring	18. Anchoring	I purchased a vessel late last year, filled a mooring consent soon after, I was initially told the ORC would start getting things underway mid-January, however it hasn't made much traction. My vessel is now under anchor and would be deemed illegal under the new rules. I've tried to do the responsible boaty thing, and it’s now the ORC who are putting the harbour at risk.	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: <u>18(2)</u> <u>No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.</u>	The current bylaw provision (which has been in place for over 5 years) allows 14 days at anchor and then someone can anchor in another proximate location within the harbour. There is the option for Harbourmaster to approve a longer stay. We encourage people to seek a long-term solution if that is their intention.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
50.	WDC	012-2	Part 4 Anchoring and Mooring	18. Anchoring	The draft bylaw [clean version] proposes changing Part 4, Section 18 (3) from: *"No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster."* to: *"No vessel shall remain anchored within the Otago Harbour for longer than 14 days in any six month period without the prior approval of the Harbourmaster."* **Recommendation:** WDC wishes to retain the ability to apply Section 18 (3) and does not believe that clause 5: *"Vessels are permitted to anchor in Oamaru Harbour in the area shown in Appendix G provided that subclauses (2) to (4) above are complied with"* provides sufficient clarity. We propose the wording of clause 3 be amended to: *"No vessel shall remain anchored within the Otago Harbour or Oamaru Harbour for longer*	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: 18(2) No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.	The original wording allows for coverage in Oamaru Harbour.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					than 14 days in any six month period without the prior approval of the Harbourmaster".		
51.	Rob Bishop	007-4	Part 4 Anchoring and Mooring 20. Moorings	20(3)	The requirement for moorings to be inspected by a "Competent Person" and repaired to Harbour Master specified standards is a major shift. This will require: • Oversight of inspectors • Clear standards and documentation • Enforcement processes • Communication with mooring owners I would appreciate clarity on whether ORC intends to recover costs from mooring owners and what the expected financial impact will be.	No change.	These provisions are part of the current bylaw, there is no change. There are no cost implications for the Harbourmaster team. The standards are part of the consent process, the owner of the resource consent is responsible for the maintenance of the mooring.
52.	James McEwan	017-1	Part 4 Anchoring and Mooring	18. Anchoring	The anchoring rule is not workable, as there are currently no moorings for sale in Otago Harbour, either on Trademe, Facebook marketplace, or anywhere else I looked online. If people can't anchor for longer than the proposed time limit, and if there are no moorings available to shift to, then the boat has no option but to depart the harbour entirely. This will lead to visiting yachts bypassing Otago completely, further damaging our already fragile maritime industry here.	Accept in part. Replace proposed clause 18. Anchoring, with clause 24. Anchoring, in the current bylaw, i.e.: 18(2) No vessel shall remain anchored within the same or proximate location for longer than 14 days in any six month period without the prior approval of the Harbourmaster.	Comments noted. ORC acknowledges that there are very limited options for a permanent solution. The current bylaw provision (which has been in place for over 5 years) allows 14 days at anchor and then someone can anchor in another proximate location within the harbour. There is the option for Harbourmaster to approve a longer stay. We encourage people to seek a long-term solution if that is their intention.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
53.	Eric Bretscher	005-3	Part 5 Special Provisions on Activities in Otago Harbour	22. Transmission of Automatic Identification System (AIS) in Otago Harbour	I am unconvinced about the actual benefit that would ensue from the installation of AIS transmitters on small commercial craft as proposed. Ships cannot realistically avoid them in the restricted waters of Otago Harbour. On the other hand, their comparably shallow draft allows them to keep clear of ships, which are highly visible and follow a defined track. The increase in cost and complexity from the point of view of the operator seems difficult to justify.	No change.	AIS is a proven system that allows for a better overview of safety of navigation in any waters. It also allows technical vision from ship to ship or ship to shore, giving a safer navigational picture to operate with. Yes, there is a cost to the operator, dependent on the type of AIS installed. Most commercial operators would already have this fitted and operational. To note it can be switched off when required. We are requiring it to be transmitting when transiting Otago Harbour. All of the Otago Harbour navigational monitoring is carried out by Port Otago and the Harbour Control Team at Port Chalmers.
54.	Rob Bishop	007-2	Part 5 Special Provisions on Activities in	22. Transmission of Automatic Identification	The expansion of AIS obligations to include smaller commercial vessels, charter vessels,	No change.	AIS is a proven system that allows for a better overview of safety of navigation in any waters. It also allows

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
			Otago Harbour	System (AIS) in Otago Harbour	and vessels operating at night or in restricted visibility is a significant change. This raises several questions: • Does ORC have the infrastructure to monitor AIS signals? • Has the cost of this technology been assessed? • How will compliance be enforced? • What is the expected cost impact on smaller operators? AIS is a valuable safety tool, but the practical and financial implications need to be clearly outlined.		technical vision from ship to ship or ship to shore, giving a safer navigational picture to operate with. Yes, there is a cost to the operator, dependent on the type of AIS installed. Most commercial operators would already have this fitted and operation. To note it can be switched off when required. We are requiring it to be transmitting when transiting Otago Harbour. All of the Otago Harbour navigational monitoring is carried out by Port Otago and the Harbour Control Team at Port Chalmers.
55.	MNZ	018-12	Part 7 Maritime Safety Administrative Matters	29. Written approvals	Currently the way this provision is written appears to allow an approval to be granted subject to any conditions. We suggest that this is clarified, that conditions can only be applied as allowed under the bylaws. Leaving this clause written broadly may allow conditions to be included which are outside	Accept. Legal advice has provided the following drafting: (1) Any person may make application to the Harbourmaster for written approval as allowed	Legal advice was sought on the issue and an amendment has been provided to address the issue MNZ raises.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					authority of the granter or inconsistent with Maritime Rules and the MTA.	under this Bylaw. Applications must be: (a) in a form and manner prescribed by the Harbourmaster; and (b) be accompanied by any required fee. (2) Written approval may be granted or refused and if granted subject to conditions that are: (a) relevant to the activity for which written approval is sought; (b) for the purposes of ensuring maritime safety; and (c) not inconsistent with Maritime Rules or the Act. (3) Any written approval required by this Bylaw shall be displayed as required by its terms and conditions and must be produced forthwith on request by the Harbourmaster, an Enforcement Officer or a Constable. (4) No written approval required by this Bylaw shall have effect until any fee required for it has been paid.	
56.	Eric Bretscher	005-2	Appendix G Oamaru Harbour	Temporary anchoring zone	I wish to point out from experience that the designated anchoring area, W of Sumpter Wharf, offers very poor holding. Vessels can anchor reliably N of the end of Sumpter Wharf. The anchorage can become uncomfortable at	No change.	Comments noted.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					high tide with heavy swells outside, but it remains safe and holding is excellent. The body of open water parallel to Holmes Wharf is an access channel and could be designated as a prohibited anchoring area with some benefits. Occasional visitors have had to be moved on after anchoring there in the past.		
57.	WDC	012-3	Interpretation Appendix G Oamaru Harbour	Definition of 'Oamaru Harbour' Mapping of Oamaru Harbour	WDC notes that the draft bylaw identifies Oamaru Harbour as a "commercial port area". **Recommendation:** WDC seeks assurance that this categorisation: • Aligns with ORC's intended regulatory treatment of Oamaru Harbour, recognising its mixed use (recreational, fishing, heritage, and events); and • Does not inadvertently impose commercial scale operational expectations that exceed the nature of the harbour. WDC also notes that Regional Plan: Coast for Otago (page 32) refers to Otago Harbour as Otago's only commercial port. **Recommendation:**	Accept. Develop more detailed mapping of Oamaru Harbour in Appendix G.	To provide more clarity for users regarding reserved areas, moorings, and access lanes.

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
					WDC believes there should be alignment in both documents on the region's commercial ports, to ensure clarity for users, avoid regulatory ambiguity, and maintain consistency across regional and district planning instruments. The current map of Oamaru Harbour in Appendix G shows the Commercial Port Area and a Temporary Anchoring Zone. **Recommendations:** WDC requests more detailed mapping in Appendix G to support clarity for users regarding reserved areas, moorings, and access lanes. WDC would welcome to opportunity to work on this detail with the Harbourmaster, through the provisions of Part 3, Section 15 (2): *"Any other waters may be reserved for an access lane or other specified maritime safety purpose or activity either: (a) by the Council issuing a written approval; or (b) by the Harbourmaster."*		

	Submitter	Submission point	Section	Specific provision	Summary of decision requested	Recommendation	Reason
58.	WDC	012-4	Appendix G Oamaru Harbour	Speed and Right of Way	WDC supports the submission by North Otago Yacht and Power Boat Club in relation to speed and right of way in Oamaru Harbour. The aim of both recommendations is to increase safety in the Harbour by considering the mixed use and limited area of the Harbour. **Recommendations:** • Appendix G of the draft bylaw be amended to specify that a speed limit of 5 knots applies to the mapped area • Appendix G of the draft bylaw also be amended to show that boats entering Oamaru Harbour have right of way.	Accept. Amend Appendix G.	The proposed changes provide more visibility about the 5 knot limit and improve navigational safety by informing users who has the right of way.
59.	North Otago Yacht & Power Boat Club Inc	013B-1	Appendix G Oamaru Harbour	Right of Way	That Boats leaving the Oamaru harbour give way to any and all boats entering the harbour (entering boats have the right of way). Reason: Because of the limited area for boats to enter the harbour any boat entering is committed to a channel area and once they have started entering they have limited options to change course - this could result in catastrophic instances with boats being pushed up onto the rocks or grounded at the entrance.	Accept. Amend Appendix G.	The proposed change will provide clearer advice for users entering and leaving Oamaru Harbour.

10.3. Approval of Biosecurity Operational Plan 2026/27

Prepared for:	Council
Report No.	ENV2605
Activity:	Environmental - Biodiversity
Author:	Michelle Ewans (Biosecurity Specialist – Terrestrial), Robert Win (Team Leader Biosecurity Programmes), Tim Cooper (Team Leader Biosecurity Compliance) and Libby Caldwell (Manager Environmental Implementation)
Endorsed by:	Joanna Gilroy (General Manager Environmental Delivery)
Date:	27 May 2026
Portfolio Leads:	Cr Noone and Cr Byars, Environmental Delivery

PURPOSE

[1] To seek approval of the 2026-2027 Biosecurity Operational Plan.

EXECUTIVE SUMMARY

[2] The Otago Regional Pest Management Plan 2019-2029 (RPMP) was adopted in November 2019. The RPMP details the plants and animals that are pests in Otago and outlines how each pest will be managed. Under Section 100B of the Biosecurity Act 1993 (the Act), an Operational Plan is required to detail the nature and scope of activities Council intends to undertake in the annual implementation of the RPMP. This plan then needs to be submitted to the Minister of Biosecurity.

[3] The 2026-2027 Biosecurity Operational Plan (the Operational Plan) (Attachment 1) continues the progress made under the previous five Operational Plans, focusing on the following operational areas:

a. Continue property inspections, to assess compliance against pest management rules.
b. Maintain the focus on the five regional pest priorities (Exclusion pests, Wallabies, Wilding Conifers, Rabbits and Lagarosiphon).
c. Continue activities under the freshwater and marine components of the biosecurity programme.
d. Continue to explore opportunities to incorporate emerging technology into programmes to enhance effectiveness.

[4] The Operational Plan supports the implementation of the national programmes addressing wallabies and wilding conifers; the objectives of Integrated Catchment Management (ICM) and engaging with community groups (e.g., site-led programmes, community rabbit programmes and wilding conifer control groups). If the Operational Plan is approved by Council, the annual work plan for each workstream will be updated.

RECOMMENDATION

That the Council:

1) ***Notes** this report.*
2) ***Approves** the Otago Regional Council's 2026-2027 Biosecurity Operational Plan (Attachment 1 of the report) to enact the Otago Regional Pest Management Plan 2019-2029 and authorises the Chief Executive to correct minor errors to the 2026-2027 Biosecurity Operational Plan, if they arise.*
3) ***Notes** that a copy of the Otago Regional Council's Regional Pest Management Plan 2026-2027 Biosecurity Operational Plan will be provided to the Minister for Biosecurity (draft letter is included as Attachment 3 of the report).*
4) ***Notes** that staff will report back to Council any response from the Minister for Biosecurity.*

BACKGROUND

Regional Pest Management Plan

[5] In November 2019, Council adopted the Otago Regional Pest Management Plan 2019-2029 (RPMP). The RPMP details the regulatory and non-regulatory mechanisms Council will utilise for effective biosecurity leadership over the next 10 years. It contains pest control programmes, objectives and rules to manage pests that cause harm to the wellbeing of Otago's people, economy, and environment.

[6] The RPMP follows the National Policy Direction for Pest Management 2015 by classifying biosecurity implementation through one of five management programmes:

a. Exclusion
b. Eradication
c. Progressive Containment
d. Sustained Control
e. Site-led

[7] The RPMP is currently being reviewed and is on track to be operative by July 2028. The RPMP review is supported by a Councillor Reference Group, of which the members are Cr Noone, Cr Malcolm, Cr Byars and Cr Gillespie.

Regional Pest Management Plan – Operational Plan

[8] To deliver on the objectives of the RPMP, the Biosecurity Act (Section 100B), requires an Operational Plan be prepared. The Operational Plan outlines the activities the Council intends to undertake to achieve the objectives the RPMP and it must be consistent with the current RPMP. Consequently, the Operational Plan cannot introduce any new objectives, rules, or regulatory tools. Due to this, there is no statutory requirement to consult the community on the preparation of the Operational Plan. The Operational Plan is required to be accessible to the public and reviewed annually.

[9] As required by the Biosecurity Act, Council needs to evaluate progress of the Operational Plan against the deliverables and key performance indicators within five months from the end of the financial year. This report will be presented to Council in September and Council is required to inform the Minister of Biosecurity about delivery of the Operational Plan and its performance under Section 10B of the Biosecurity Act.

Biosecurity Annual Work Plan

[10] To implement the Operational Plan, a 2026-2027 Biosecurity Annual Work Plan will be finalised by 30 July 2026. The drafting of this plan is underway and it will identify the required activities to be delivered across Otago in the following workstreams:

a. formal compliance inspections (private and public land);
b. monitoring and surveillance of pest plants, pest animals and aquatic pests;
c. key public communications, education and engagement; and
d. community rabbit and site led programmes.

[11] Identified activities will be designed to enable the delivery of outcomes in the Operational Plan and to prioritise work based on time of year, resources and pest risk.

DISCUSSION

Biosecurity Operational Plan 2026-2027

[12] The Operational Plan details how the RPMP will be implemented through specific actions and their related performance measures and targets. For reasons of operational simplicity and efficiency, the Operational Plan aligns with Council's financial year of 1 July to 30 June. The Operational Plan continues the multi-year programme to manage biosecurity in Otago, building on the progress made under the previous four Operational Plans.

[13] Feedback is regularly requested from staff and lessons learnt have been incorporated into the 2026-2027 Biosecurity Operational Plan. Staff in the Environmental Implementation Team are also involved in sector groups where learnings from other Councils are also incorporated, where possible to ensure consistency in approaches to biosecurity. From this year's plan, changes have been made to the operational plan to: streamline Key Performance Indicators (KPIs), improve efficiency and effectiveness and ensure deliverables and outcomes are in line with an improved work planning process. The following improvements have been applied:

a. Ensuring deliverables are clear, practical and consistent and more closely tied to RPMP outcomes (exclusion, eradication, progressive containment, sustained control and values at place /site-led programmes).
b. Rapid response timeframes for exclusion pest species have been lowered (from 2 working days to 24 hours) to reflect the serious nature of any incursion.
c. Eradication species KPIs have been simplified and numeric targets applied. Rapid response for new sightings of eradication species is clearly prioritised.
d. Progressive containment KPIs now focus on defining progressive containment extent and increasing inspections within known sites to ensure support successful containment of each species.
e. Two new KPI's for wilding conifers have been added. These require the identification of advocacy and community support opportunities for wilding conifer control. This reflects the priority actions which Council endorsed in April 2026.
f. The number of rabbit inspections target to be undertaken for the year, has been significantly increased from the previous year. This is in response to high community interest in successful rabbit management and to align with the Councils priority action to strengthen pest management outcomes for the control of rabbits.

g. A new KPI has been added for rabbits for a Rabbit Working Group to be established, this reflects the priority actions that Council endorsed in April 2026.
h. Lagarosiphon is a priority pest species for Council. An additional KPI has been added which requires the development of a scoping document to assess opportunities for eradication or a step-change intervention for Lagarosiphon, including appropriate funding options and delivery models. This reflects the priority actions which Council endorsed in April 2026.
i. KPIs relating to the new gorse and broom free area (operative October 2024) have been updated, reflecting increased community priority for these species. Surveillance and follow-up compliance inspections across the entire programme will now occur on a four-year rotation.
j. Some deliverables have been removed and others added, to reflect the shift in focus for this programme (e.g. KPIs relating to process have been removed and inspections in 'buffer zones' for progressive containment species have been added). KPIs that have been removed from the Operational Plan still exist in the annual workplan. These deliverables will be tracked and reported on through a separate reporting mechanism.
k. To ensure that there is a focus on emerging freshwater and marine species and pathways continues, these deliverables remain in place.

[14] The proposed 2026-2027 Biosecurity Operational Plan is included as Attachment 1. The 2025-2026 Biosecurity Operational Plan with tracked changes is included as Attachment 2. This provides some context for how the Plan has changed from last year, including updates targets and priorities.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[15] The Operational Plan does not set policies or objectives. These have already been set in the RPMP that has been adopted by Council. The Operational Plan must be consistent with the RPMP in that it cannot introduce any new objectives, rules, or regulatory tools. The Minister is not required to approve the Plan but may disallow all or part of it if they believe that it is inconsistent, even in part, with the RPMP. A draft letter to the Minister of Biosecurity is included in Attachment 3.

[16] On 29 April 2026, Council approved a series of priority actions which included actions relating to the Biosecurity. These are listed below and have been reflected in the Operational Plan for 2026/27:

a. Strengthen pest management outcomes for control of rabbits, with the establishment of a working group and a focus on practical delivery, partnerships and community and landowner collaboration.
b. Assess opportunities for eradication or a step-change intervention for Lagarosiphon, including appropriate funding options and delivery models.
c. Support community and voluntary efforts to control wilding pines. Advocate for fair contributions from government and those responsible for the source of the wildings.

Financial Considerations

[17] The 2026-2027 Biosecurity Operational Plan is based on the 2024-2034 Long-Term Plan programme and budget and has been accounted for in the Annual Plan budget as adopted in April 2026 Council meeting.

[18] To deliver the Biosecurity work programme, the Annual Plan provides in the Biosecurity budget, for 18 staff working full time on Biosecurity to deliver this activity. External costs associated with the delivery of this programme are estimated at $3,555,220 (this includes: specialist technical input procurement of materials, delivery of control work, support for community groups). Of this $3,555,220, $1,798,220 is from ORC rates and $1,757,000 (estimated) is from MPI to support the Wallaby ($715,000), Wilding Conifer ($1,022,000) and Check Clean Dry ($20,000). The MPI costs are estimated at this stage whilst we await final agreements for this funding for next financial year.

Significance and Engagement

[19] As the Operational Plan is consistent with the current RPMP, there is no statutory requirement to consult with the community on the details of the Operational Plan.

Legislative and Risk Considerations

[20] The Biosecurity Operational Plan 2026-2027 is a legislative requirement of the Act and has been prepared in accordance with the Act.

Climate Change Considerations

[21] Climate change poses risks to biosecurity through factors such as the establishment of new pests, change in the ecological range of current pests and shifts in introduction pathways.

Communications Considerations

[22] Staff will work on a communications and engagement strategic plans to support the implementation of the operational plan. This will focus on biosecurity priorities, actions and active community education and advocacy of the RPMP.

[23] If approved by Council, the Biosecurity Operational Plan 2026-2027 will be available on the website for public access.

NEXT STEPS

[24] Delivery of this Operational Plan will commence on 1 July 2026.The next steps are to:

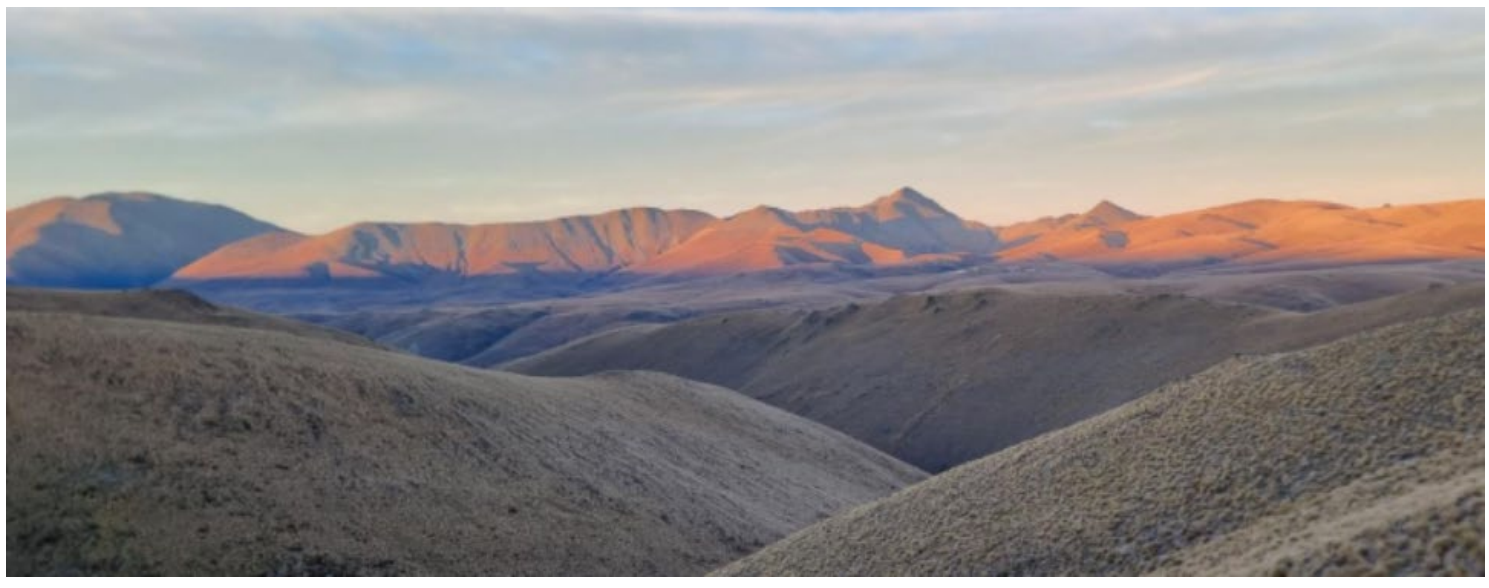
a. Provide a copy of the Operational Plan to the Minister for Biosecurity. As noted above, the Minister is not required to approve the Plan but may disallow all or part of the plan if they believe that it is inconsistent with the RPMP.
b. Finalise the 2026-2027 Biosecurity Annual Work Plan to deliver the Operational Plan objectives by 30 July 2026.

ATTACHMENTS

1. Biosecurity Operational Plan 2025 26 PROPOSED [**10.3.1** - 18 pages]
2. Biosecurity Operational Plan 2025 26 TRACKED CHANGES [**10.3.2** - 25 pages]
3. Draft Letter to Minister Operational Plan 2026-27 [**10.3.3** - 1 page]

Otago Regional Council

Biosecurity Operational Plan 2026-2027



Implementing the Otago Regional Pest Management Plan 2019-2029

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Biosecurity Operational Plan 2026 - 2027

Date: April 2026

Author: M. Ewans, Biosecurity Specialist - Terrestrial

Owner: R. Win, Team Leader Biosecurity Programmes and T. Cooper, Team Leader Biosecurity Compliance

Reviewed By: M. Boardman, Performance and Reporting Specialist – Environmental Delivery Data & Systems

Version Control

Version #	Date	Event/Changes made	Author
1	29 April 2026		M Ewans

Cover Photo

Central Otago Landscape (Photo Credit: Gary Smith)

1. Summary

1.1 Introduction

Under the Biosecurity Act (1993), the Otago Regional Council (ORC) is the regional management agency responsible for biosecurity and pest control. To achieve this regulatory function, ORC has developed the *Otago Regional Pest Management Plan 2019-2029* (RPMP) which sets objectives and rules for land occupiers to control pests to set levels.

Where a regional pest management plan is enacted, ORC is further required to prepare an annual operational plan that implements the RPMP. The Operational Plan is a publicly available document and is reported on each year to Council.

This document *(Biosecurity Operational Plan 2026-2027)* outlines the nature, scope, and priority activities that ORC intends to undertake for pest management across the Otago region for the financial year 1 July 2026 through to 30 June 2027. For context, it is important that the Operational Plan is read in conjunction with the RPMP. Where necessary, changes have been made from previous operational plans based on lessons learnt to improve efficiency and effectiveness.

1.2 Programmes of Work

Under the RPMP, pest management is classified into five programmes.

1. **Exclusion pest programme:** This programme will ensure specific pests that are present in New Zealand do not become established in Otago. Under Section 100V of the Biosecurity Act, there is provision to implement emergency controls for the incursion of any new pests that are not listed in the RPMP.
2. **Eradication pest programme:** This programme focuses on eradicating identified pests from the areas where they occur in the region. Eradication involves reducing the infestation of the pest to zero density.
3. **Progressive containment pest programme:** This programme aims to contain and reduce the geographic spread of the listed pests to specific areas. Containment arises where the pest is at high densities in specific parts of the Otago region, but in low densities or limited range in other parts. While eradication is not feasible, it is realistic to contain the pest from spreading to other 'clear' parts of the region.
4. **Sustained control pest programme:** This programme centers on the continuing control of the listed pests to reduce their impacts and spread to other properties. The emphasis is to manage the densities of the pests, so they do not reach a level where they cause significant environmental impact. Sustained control is a strategy for pests with a wide geographical spread that they cannot feasibly be contained.
5. **Site-led pest programmes:** This programme aims to exclude or – if present – eradicate, reduce or control, identified pests from specified locations.

1.3 Methods of Action

ORC achieves pest management outcomes through the following methods and provision of resources.

1. **Advocacy and education:** ORC will provide education, advice, and information to landowners and/or occupiers and the public about the impacts of pests and pathways (vectors) of pest spread and appropriate methods of control. The ORC will ensure land occupiers are informed of their responsibilities under the RPMP. This activity also includes contributing to research and cost-sharing with other agencies and developing/promoting 'good practice' around control methods aimed at pest management contractors and occupiers who are required to act.
2. **Inspection, monitoring, and surveillance:** Regular property inspections ensure that RPMP rules are being adhered to. The focus is to achieve voluntary compliance first before enforcement action is initiated. Monitoring is carried out to determine effectiveness of control and to understand trends of infestations. Surveillance activities focus on protecting the region from the incursion of new pests.
3. **Collaboration:** ORC works with landowner/occupier groups and central and local government agencies to develop consistent approaches for the effective management of pests. This includes Land Information New Zealand (LINZ), Department of Conservation (DOC), Ministry of Primary Industries (MPI), neighbouring regional councils and community groups like Predator Free Dunedin, and wilding conifer trusts.
4. **Requirement to Act** *(regulation)***:** RPMP rules are the 'backbone' of the pest management. These rules require identified pests to be controlled to specified standards or levels. Failure to comply with RPMP rules can lead to enforcement action by ORC.
5. **Service delivery:** This is achieved through the delivery of national programmes (wildings and wallabies) and the provision of direct control where special expertise is required that is beyond the capability of the land occupier to arrange. Service delivery includes engaging contractors to provide appropriate control tools (e.g. traps, spraying, shooting) and the approved release of biological control agents.

This work is supported by close engagement with organisations involved in implementing and funding biosecurity across the region, including the Ministry for Primary Industries (MPI), Land Information New Zealand (LINZ), the Department of Conservation (DOC), Kāi Tahu, other councils and community groups.

1.4 Operational Plan Reporting

As the lead management agency, ORC is responsible for reporting on activities and progress during the year. ORC is required by Section 100B of the Biosecurity Act 1993 to *"prepare a report on the operational plan and its implementation not later than 5 months after the end of each financial year".* This report is provided to the Minster of Biosecurity and is made available to the public through reporting to Council and on ORC's website.

2. Exclusion Pest Programme

2.1 Exclusion Pest Species

Objective: Over the duration of RPMP, preclude establishment of African feather grass, Chilean needle grass, egeria, false tamarisk, hornwort, and moth plant within the Otago region to prevent adverse effects on economic well-being and environmental values.

Deliverable		KPI		Target
1	Confirm incursion		Incursion response commences within 24 hours of a suspected exclusion pest sighting.	100%
2	Undertake incursion response.		Incursion response plans[1] are enacted within 5 working days of incursion confirmation.	100%

[1] Please see Otago Biosecurity Incursion Response Plan for detail.

3. Eradication Pest Programme

3.1 Bennett's wallaby

Objective: Reduce all infestations of Bennett's wallaby to zero levels within the Otago region to prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	Undertake incursion response.	a	Response[2] within 5 working days of a reported wallaby sighting.	100%
2	Collaborate with and participate in the national wallaby programme.	a	% of Operational Advisory Group meetings attended.	100%
		b	Fulfil requirements of MPI funding agreement.	100%

3.2 Rooks

Objective: Reduce all infestations of rooks to zero levels within the Otago region to prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	Undertake rapid response		Rapid response activities commence within 24 hours of a suspected eradication pest sighting.	100%
2	Progress toward eradication		Surveillance and control (where required) is undertaken at known rookeries.	100%

3.3 Spiny broom

Objective: Reduce all infestations of spiny broom to zero levels within the Otago region to prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	Undertake rapid response.		Rapid response activities that commence within 24 hours of a suspected eradication pest sighting.	100%
2	Progress toward eradication		Number of active sites to be monitored and moved toward eradication.	3

[2] Response includes any form of classification and field visit

4. Progressive Containment Pest Programme

4.1 Wilding conifers

Objective: Progressively contain and reduce the geographic extent of wilding conifers within the Otago Region to minimise adverse effects on economic well-being and the environment.

Deliverable		KPI	Target
1	Implement regional wilding conifer strategy.	% of actions from the regional strategy commenced within specified due timeframes.	100%
2	Advocate for regional wilding conifer support.	Advocate for fair contributions from government and those responsible for the source of the wildings, as opportunities allow.	100%
3	Collaborate with and participate in the national wilding conifer programme.	% of Operational Advisory Group meetings attended.	100%
4	Meet agreement requirements	% of requirements of MPI funding agreement fulfilled.	100%
5	Support community contributions to the wilding conifer programme.	Support community and voluntary efforts to control wilding pines, as funding allows.	100%

4.2 African love grass

Objective: Progressively contain and reduce the geographic distribution or extent of African love grass (ALG) at known sites within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI	Target
1	Advance progressive containment programme	Number of active sites monitored and maintained to progressive containment standards.	20
2	Delimit progressive containment area	Surveillance and monitoring completed in buffer sites, to ensure successful containment.	20

4.3 Nassella tussock

Objective: Progressively contain and reduce the geographic distribution or extent of Nassella tussock at known locations within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI	Target
1	Advance progressive containment area	Inspections completed within active sites to determine compliance.	200

2	Delimit progressive containment area.	Inspections completed in buffer sites, to ensure successful containment.	100

4.4 Old Man's Beard

Objective: Progressively contain and reduce the geographic distribution or extent of old man's beard (OMB) within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI	Target
1	Advance progressive containment programme	Inspections completed within priority areas.	100
2	Delimit progressive containment area	Inspections completed in buffer sites to ensure successful containment.	20

4.5 Spartina

Objective: Progressively contain and reduce the geographic distribution or extent of spartina within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI	Target
1	Advance progressive containment programme	Number of active spartina project areas monitored and maintained to progressive containment standards.	3
2	Delimit progressive containment area	Number of additional locations subject to surveillance for spartina.	1

4.5 Containment Pest Plants

Objective: Progressively contain and reduce the geographic distribution or extent of bomarea, boneseed, bur daisy, cape ivy, perennial nettle and white-edged nightshade within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI	Target
1	Progress toward progressive containment	Inspections completed within active sites to determine compliance.	160

5. Sustained Control Pest Programme

5.1 Feral Rabbits

Objective: Implement sustained control of feral rabbits to ensure population levels do not exceed Level 3 on the Modified McLean Scale to minimise adverse effects on production and environmental values within the Otago region.

Deliverable		KPI	Target
1	Establish a Rabbit Working Group.	Establish a Rabbit Working Group to strengthen pest management outcomes for the sustained control of feral rabbits. The working group will focus on practical delivery, partnerships and community and land occupier collaboration.	1
2	Compliance programme for sustained rabbit management	Inspections completed within active sites to determine compliance.	600
3	Community rabbit programme.	Number of project areas actively managed through a Community Rabbit Programme.	9

5.2 Gorse and broom

Objective: Implement sustained control of gorse and broom to ensure land that is **free** of gorse or broom or **being cleared of** gorse or broom does not become infested, to prevent adverse effects on production values and economic well-being.

Deliverable		KPI		Target
1	Undertake surveillance in New Gorse & Broom Free Area		Hectares of New Gorse and Broom Free Area subject to surveillance for the detection of gorse and broom.	438,779
2	Undertake inspections in New Gorse and Broom Free Area		Inspections completed where gorse or broom is detected through surveillance, to determine compliance.	250
3	Undertake inspections to ensure compliance with Good Neighbour Rules		Inspections completed to support compliance with Good Neighbour Rules.	80%

5.3 Wild Russell Lupin

Objective: Implement sustained control of the extent of Russell lupin and wild Russell lupin within specified distances from waterways and property boundaries to preclude establishment of wild Russell lupin and to prevent adverse effects on environmental values.

Deliverable	KPI	Target

1	Undertake monitoring.	Inspections completed in active sites to determine compliance.	20

5.4 Ragwort & Nodding Thistle

Objective: Implement sustained control of nodding thistle and ragwort on rural-zoned land within specified distances of property boundaries throughout the Otago region (Good Neighbour Rules; 'GNR') to prevent their spread to minimise adverse effects on production values and economic well-being.

Deliverable		KPI		Target
1	Respond to enquiries.		GNR enquiries around ragwort and nodding thistle are responded to within 10 working days.	100%

6. Site-Led Pest Programme

6.1 Otago Peninsula | West Harbour & Mount Cargill | Quarantine & Goat Islands

Objective: Otago Regional Council will take a lead role in supporting community groups and agencies in bringing about the desired levels of environmental protection to these sites [Otago Peninsula (9,000 ha), West Harbour & Mt Cargill (12,500 ha) and Quarantine & Goat Islands].

Deliverable		KPI		Target
1	Support successful outcomes for Site Led Programmes		Number of sites actively managed through a Site Led Programme.	2

6.2 Lagarosiphon

Objective: To support LINZ in controlling lagarosiphon in the region's rivers and lakes by:

- Preventing its establishment in Lake Wakatipu and other regional water bodies
- Progressively reducing its spread in Lake Wanaka and the Kawarau River
- Undertaking sustained control in Lake Dunstan

Deliverable		KPI	Target
1	Facilitate monitoring and control.	LINZ is supported in delivery of an agreed management plan, through funding in accordance with the approved funding agreement. This includes exploring additional or new areas of control or surveillance work.	100%
2	Raise awareness.	Annual communication, education, and awareness initiatives for lagarosiphon through the 'Check, Clean Dry' Program completed	100%
3	Identify opportunities for improvement	Assess opportunities for eradication or a step-change intervention for lagarosiphon, including appropriate funding options and delivery models.	1 (scoping document)

7. Monitoring & Surveillance

7.1 Freshwater

Objective:

To raise public awareness and identify and detect the presence of priority freshwater pest species by:

- Conducting targeted surveillance around the Otago region
- Ensuring the Freshwater Monitoring and Surveillance Plan remains current and effective by incorporating updated methods and target species
- Engagement with corbicula response at national level

Deliverable		KPI	Target
1	Monitor high priority waterbodies	Category 'High' waterbodies, as described in the draft Annual Biosecurity Workplan 2026/27, will be subject to onshore monitoring	20
2	Monitor medium priority waterbodies	# of Category 'Medium' waterbodies, as described in the draft Annual Biosecurity Workplan 2026/27, will be subject to onshore monitoring	10
3	Sector engagement	Engage with corbicula and other responses through attendance of national level and cross regional level meeting attendance	100%

7.2 Marine

Objective:

To raise public awareness and identify and manage the presence of priority marine pest species by

- Developing a Marine Monitoring and Surveillance Plan for Otago
- Eradicate the Mediterranean Fanworm from Otago harbour
- Engagement with the sector on pathways management

Deliverable		KPI	Target
1	Undertake monitoring and surveillance of marine pests.	Complete co-development of a Marine Monitoring and Surveillance Plan with tangata whenua	1
2	Raise awareness.	Communication, education, and awareness initiatives through the 'Protect your Paradise' Program completed.	100%
3	Sector engagement	Attendance of national and cross regional level meetings undertaken for the development of a sector position for pathways management.	100%

8. Glossary

For the purposes of this operational plan, the following definitions are provided. Further definitions can be found in the RPMP and the ORC Biosecurity Compliance and Enforcement Policy.

Active: A site currently being managed through a compliance pathway.

Annual Work Plan: A detailed description of how selected pests will be targeted to achieve the objectives of the RPMP.

Assessment: An inspection or monitoring visit.

Boundary: A line in a geographical space the delineates the surface extent between two (or more) adjoining land parcels.

Compliant: When a rule in the RPMP is adhered to.

Default Action: Work undertaken by the management agency to carry out pest control when a 'Notice of Direction' or 'Compliance Order' has not been complied with by an occupier, under section 128 of the BSA. The management agency can then recover costs and expenses reasonably incurred under section 129 of the BSA.

Known Site: A location that has a historical or current record of the pest being present. For ease of monitoring, a known site can include a buffer radius of up to 50 metres.

Inspection: A site visit (normally defined by a property) to determine compliance to RPMP rules undertaken by an authorised person as defined under the Biosecurity Act 1993.

Landowner: The same meaning as occupier in the Biosecurity Act 1993.

Land Parcel: A unique area of land, identified by the cadastral survey plan showing the legal boundaries, location, dimensions and area, along with the unique legal description (appellation).

Location: A geographical point on the surface of the earth. This will typically be identified by the GPS co-ordinates of northing and easting. For New Zealand, most common projections are the New Zealand Traverse Mercator or World Geodetic 1984).

Management Agency: The same meaning as in the Biosecurity Act 1993, specifically *"means the body specified as the management agency in a pest management plan or a pathway management plan".* For the purposes of the RPMP and Operational Plan, Otago Regional Council is the management agency for pests to be controlled in the Otago region.

Management Plan: A landowner/occupier agreement to manage selected pests as explained in the respective monitoring plan.

Modified McLean Scale: A scale that assesses rabbit population levels (see RPMP, Appendix 2).

Monitoring: Work undertaken to determine the prevalence and/or trend of a pest. This will normally be in-person visit to a location but can use remote sensing tools. Monitoring differs from inspection in that no subsequent enforcement is undertaken.

Notice of Direction (NOD): Actions required under a notice issued pursuant to section 122 of the Biosecurity Act 1993. A NOD can require a person to take action to address pest plant or animal problems or to comply with a rule in an RPMP.

Occupier: see 'Landowner'.

Non-Compliance: Any breach in a RPMP rule, upon a formal inspection. Non-compliance is liable for enforceable under the provisions of the BSA. For clarification, a breach of a RPMP rule does not have to be widespread across a property and may relate to a single location (or a defined area) within a property. Due to the potential of spread, the whole property is deemed non-compliant even if the infestation is localised.

Operational Plan: A plan prepared by the Management Agency under Section 100B of the Act.

Pest: The same meaning as in the Biosecurity Act 1993: "an organism specified as a pest in a pest management plan."

Property: For the purposes of this plan, a property is an extent of land that is either [1] under unique ownership (whether individual, joint, partnership or corporate) or [2] is managed as a single operational entity. A property can be made up of one or more adjoining land parcels (see land parcel).

Surveillance: Work undertaken to determine the status (presence and extent) of pest species. This can be in-person or, increasingly, use remote sensing tools.

Surveillance Plan: Describes the approaches used to determine the presence, or extent, of pest species. A surveillance plan may cover a number of pest species.

Surrounding Area: A wider area surrounding a known site. This is variable depending on context of the pest but, at a minimum, includes all adjoining properties to the property with the pest infestation. A property is considered adjoining even if it is separated by a road, paper road, waterway or easement. A designated surrounding area does not prevent pest assessments from being carried out in non-surrounding areas.

Water Body: Fresh water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

Wilding Conifer: Wilding conifers are any introduced conifer tree, including (but not limited to) any of the species listed in Table 3 of the RPMP.

Zero Level / Zero Density: The pest is not detectable in an area; however the pest may continue to appear afterwards due to plant seed sources or animal migration from an unmanaged area.

Appendix

Appendix 1: Timeframes associated with Biosecurity Inspections

Compliance Type	
Work Request *Pest Plants*	Minimum of six weeks, unless there is a significant biosecurity risk.
Work Request *Rabbits*	Minimum of two months, up to twelve months (dependent on practical control timeframes).
Notice of Direction *Pest Plants*	Minimum of six weeks, unless there is a significant biosecurity risk.
Notice of Direction *Rabbits*	Minimum of two months, up to twelve months (dependent on practical control timeframes).
Notes: 1. Where suitable, poisoning for rabbits is best in winter, hence the one-year timeframe for Notices of Direction ensures there is at least one winter to undertake control before re-inspection. 2. Timeframes are based on the date the letter was sent, not when the inspection was undertaken. 3. Re-inspections occur within a three-week period after the timeframe expires.	

Appendix 2: Priority Non-LINZ Freshwater Surveillance Sites

List of Non-LINZ water bodies to undertake aquatic macrophyte surveillance and monitoring in Otago. Includes invasion risk score, based on recreational activities and active/historic invasions of lagarosiphon.

	Sites	TLA	FMU	Boating (+3)	Fishing (+2)	Kayaking (+2)	Swimming (+1)	Active / Historic Infestation (+5)	Risk Score	Priority	Freq. of Inspection	X	Y
ORC Inspection Sites	Albert Town Detention Ponds	QLDC	Dunstan Rohe	-	-	-	-	Y	5	High	Annually	1297254	5045351
	Bullock Creek	QLDC	Upper Lakes Rohe	-	-	-	-	Y	5	High	Annually	1293951	5043603
	Make Lake	QLDC	Dunstan Rohe	Y	Y	Y	Y	-	8	High	Annually	1250390	5007304
	Fraser Dam	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1302561	4986732
	Conroys Dam	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1311306	4979160
	Butchers Dam	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1312985	4977832
	Pinders Pond	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1312896	4946282
	Manorburn Reservoir (Upper)	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1334473	4970976
	Poolburn Reservoir	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1345081	4977064
	Falls Dam	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1355832	5027581
	Blue Lake	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1348164	5026577
	Sites	**TLA**	**FMU**	**Boating (+3)**	**Fishing (+2)**	**Kayaking (+2)**	**Swimming (+1)**	**Known Infestation (+5)**	**Risk Score**	**Priority**	**Freq. of Inspection**	**X**	**Y**
Proposed Pond Surveillance Sites	Blakelys Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	0	Low	≥ 3 years	1368433	4995335
	Coalpit Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1372994	5010702
	Dunedin Botanic Garden Pond	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥ 3 years	1407417	4918898
	Hamiltons Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1376318	4985137
	Hoffmans Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1373662	5010457
	Jacks Point Pond	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1264700	4999912
	Lower Waitaki Irrigation Pond	WDC	North Otago FMU	Y	Y	Y	-	-	7	High	Annually	1444003	5013168
	Malones Dam	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥2 years	1345722	4912633
	Mathias Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1373908	4988763
	McAttamneys Head Pond	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1361587	4971879
	McKerrow Pond	WDC	North Otago FMU	Y	-	Y	-	-	5	High	Annually	1425218	4983831
	Milburns Pond (Victoria Dam)	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥2 years	1341855	4914460
	Nenthorn Dam	WDC	Taieri (South) FMU	-	Y	-	-	-	2	Medium	≥2 years	1391246	4962614
	Oamaru Public Garden Ponds	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1439544	5004070
	On-Edge Waterski and Wakeboard School	CODC	Roxburgh Rohe	Y	-	-	-	-	3	Medium	≥2 years	1324896	4929435
	Paerau Power Station Ponds	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1361053	4976530
	Pheonix Dam	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥2 years	1344804	4913777
	Private Ponds (Mooney Rd)	QLDC	Dunstan Rohe	-	-	-	-	-	0	Low	≥ 3 years	1266860	5013134
	Private Ponds (Threepwood Rd)	QLDC	Dunstan Rohe	-	-	-	-	-	0	Low	≥ 3 years	1268148	5010970
	Queenstown Gardens Pond	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1258334	5003866
	Ross Creek Reservoir	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥ 3 years	1405805	4919852
	Sawyers Bay Reservoir	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥3 years	1413502	4924838
	Southern Reservoir	DCC	Dunedin & Coast FMU	-	Y	-	-	-	2	Medium	≥2 years	1402075	4915104
	Sullivans Dam	DCC	Dunedin & Coast FMU	-	Y	-	-	-	2	Medium	≥2 years	1407518	4924429
	TGC Gaming Pond	WDC	Taieri (West) FMU	-	-	-	-	-	0	Low	≥3 years	1366613	4994294
	West Ewelburn Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1369490	5012672
	Willow Pond	QLDC	Dunstan Rohe	-	-	-	-	-	0	Low	≥3 years	1264780	5000695

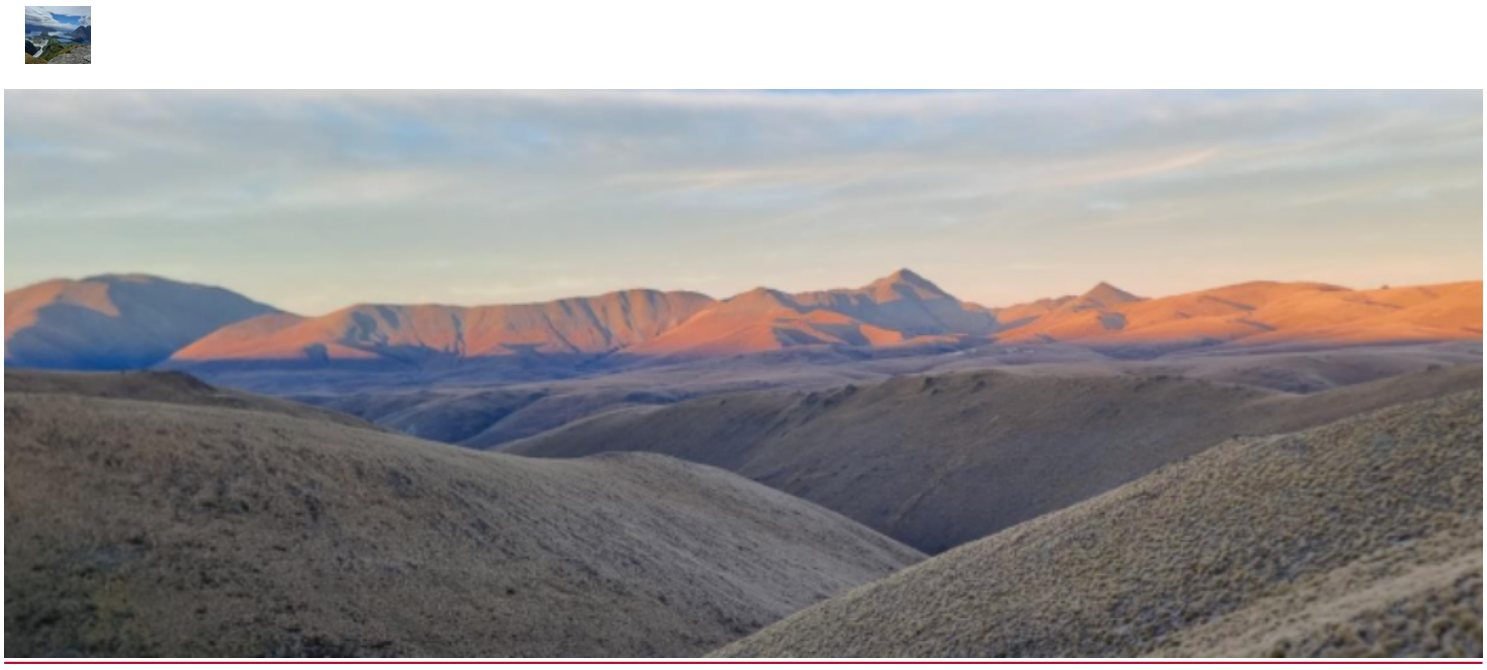
	Sites	TLA	FMU	Boating (+3)	Fishing (+2)	Kayaking (+2)	Swimming (+1)	Known Infestation (+5)	Risk Score	Priority	Freq. of Inspection	X	Y
Proposed Lake Surveillance Sites	Diamond Lake (Glenorchy)	QLDC	Upper Lakes Rohe	-	Y	Y	Y	-	5	High	Annually	1233918	5035798
	Diamond Lake (Wanaka)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3years	1279898	5048254
	Greenland Reservoir	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1336028	4964321
	Lake Dispute	QLDC	Upper Lakes Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1249420	5002380
	Lake Hāwea	QLDC	Upper Lakes Rohe	Y	Y	Y	Y	-	8	High	Annually	1303608	5053408
	Lake Hayes	QLDC	Dunstan Rohe	-	-	Y	Y	-	3	Medium	≥ 2years	1269653	5010456
	Lake Johnson	QLDC	Dunstan Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1263632	5007783
	Lake Kirkpatrick	QLDC	Dunstan Rohe	-	Y	Y	-	-	4	Medium	≥ 2years	1251302	5004516
	Lake Mahinerangi	CDC	Taieri (South) FMU	Y	Y	Y	Y	-	8	High	Annually	1362922	4919725
	Lake Onslow	CODC	Roxburgh Rohe	Y	Y	Y	Y	-	8	High	Annually	1336506	4950314
	Lake Sylvan	QLDC	Upper Lakes Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1229254	5039322
	Lake Tuakitoto	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1355098	4875688
	Lake Waihola	CDC	Taieri (South) FMU	Y	Y	Y	Y	-	8	High	Annually	1374154	4899549
	Lake Waipori	CDC	Taieri (South) FMU	-	Y	Y	Y	-	5	High	Annually	1376395	4905447
	Loganburn Reservoir	DCC	Taieri (East) FMU	Y	Y	Y	Y	-	8	High	Annually	1357997	4951596
	Manorburn Reservoir (Lower)	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1335620	4968132
	Unknown Water Body (1)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1237717	5019689
	Unknown Water Body (2)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1239295	4994880
	Tommahawk Lagoon	DCC	Dunedin & Coast FMU	-	Y	-	-	-	2	Medium	≥ 2years	1410076	4913892

	Sites	TLA	FMU	Boating (+3)	Fishing (+2)	Kayaking (+2)	Swimming (+1)	Known Infestation (+5)	Risk Score	Priority	Freq. of Inspection	X	Y
Proposed River Surveillance Sites	Arrow River	QLDC	Dunstan Rohe	-	Y	-	Y	-	3	Medium	≥ 2years	1271629	5015447
	Catlins River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1331094	4849158
	Dart River	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1230166	5031536
	Deep Stream	DCC	Taieri (South) FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1370443	4935547
	Dunstan Creek	CODC	Manuherekia Rohe	-	Y	-	Y	-	3	Medium	≥ 2years	1346596	5025896
	Horn Creek	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1258410	5004141
	Idaburn	CODC	Manuherekia Rohe	-	Y	Y	Y	-	5	High	Annually	1345168	5004920
	Kaikorai Stream	DCC	unedin & Coast FM	-	-	-	-	-	0	Low	≥ 3 years	1400045	4913403
	Kakanui River (1)	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1422922	5011046
	Kakanui River (2)	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1429101	5001653
	Kakanui River (3)	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1430339	4996561
	Kauru River	WDC	North Otago FMU	-	Y	-	-	-	2	Medium	≥ 2years	1426380	5005812
	Kingston Tributary (1)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3years	1263859	4971187
	Kingston Tributary (2)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3years	1264642	4970629
	Leith Stream	DCC	unedin & Coast FM	-	-	-	Y	-	1	Low	≥ 3 years	1407427	4918586
	Lindis River (1)	CODC	Dunstan Rohe	-	Y	Y	Y	-	5	High	Annually	1322853	5043229
	Lindis River (2)	CODC	Dunstan Rohe	-	Y	Y	Y	-	5	High	Annually	1324211	5032740
	Loganburn	CODC	Taieri (West) FMU	Y	Y	Y	-	-	7	High	Annually	1356961	4961867
	Makarora River (1)	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1298566	5095782
	Makarora River (2)	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1295831	5089154
	Manuherikia River (1)	CODC	Manuherekia Rohe	-	Y	Y	Y	-	5	High	Annually	1332864	5000955
	Manuherikia River (2)	CODC	Manuherekia Rohe	-	Y	Y	Y	-	5	High	Annually	1344710	5012756
	Matukituki River	QLDC	Upper Lakes Rohe	Y	Y	Y	Y	-	8	High	Annually	1281880	5049772
	Mokoreta River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1303994	4858513
	Nevis River	CODC	Dunstan Rohe	-	Y	Y	Y	-	5	Medium	≥ 2years	1285369	4989904
	Owaka River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1344855	4851242
	Pleasant River	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1420109	4956844
	Pomahaka River (1)	CDC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1302196	4936972
	Pomahaka River (2)	CDC	Lower Clutha Rohe	-	Y	Y	Y	-	5	High	Annually	1307510	4901274
	Pomahaka River (3)	CDC	Lower Clutha Rohe	-	Y	Y	Y	-	5	High	Annually	1323658	4888319
	Pool Burn	CODC	Manuherekia Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1340589	4996420
	Puerua River	CDC	Catlins FMU	-	Y	-	-	-	1	Low	≥ 3 years	1347443	4866456
	Rees River	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1235766	5030335
	Shag River	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1422574	4962001
	Shotover River	QLDC	Dunstan Rohe	Y	-	Y	Y	-	6	High	Annually	1263325	5009329
	Silver Stream (1)	DCC	Taieri (South) FMU	-	Y	-	-	-	1	Medium	≥ 2years	1398239	4919830
	Silver Stream (2)	DCC	Taieri (South) FMU	-	Y	-	-	-	2	Medium	≥ 2years	1388766	4915211
	Tahakopa River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1322905	4842286
	Taieri River (1)	CODC	Taieri (West) FMU	-	Y	Y	Y	-	5	High	Annually	1371299	4990893
	Taieri River (2)	CODC	Taieri (West) FMU	-	Y	Y	Y	-	5	High	Annually	1383899	4991070
	Taieri River (3)	DCC	Taieri (East) FMU	-	Y	Y	Y	-	5	High	Annually	1376833	4957097
	Taieri River (4)	DCC	Taieri (South) FMU	Y	Y	Y	Y	-	8	High	Annually	1385892	4919013
	Tokomairaro River	CDC	unedin & Coast FM	-	Y	-	Y	-	3	Medium	≥ 2years	1365653	4886454
	Tuapeka River	CDC	Lower Clutha Rohe	-	-	-	-	-	0	Low	≥ 3 years	1331504	4899034
	Waianakarua River	WDC	North Otago FMU	-	-	-	Y	-	1	Low	≥ 3 years	1428235	4985542
	Waiareka Creek (1)	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1433161	5007946
	Waiareka Creek (2)	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1433757	4998525
	Waikouaiti River	DCC	North Otago FMU	-	Y	-	-	-	2	Medium	≥ 2years	1414674	4946747
	Waipahi River	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1309821	4886978
	Waipori River (1)	CDC	Taieri (South) FMU	-	Y	Y	Y	-	5	High	Annually	1367668	4910303
	Waipori River (2)	CDC	Taieri (South) FMU	-	Y	Y	Y	-	5	High	Annually	1377068	4907049

Otago Regional Council

Biosecurity Operational Plan

2026~~5~~-2027~~6~~



Implementing the Otago Regional Pest Management Plan 2019-2029

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Biosecurity Operational Plan 2026~~5~~ - 2027~~6~~

Date: April 2026~~5~~

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Version Control

Version #	Date	Event/Changes made	Author
1	29~~2~~ April 2026~~5~~		M Ewans

Cover Photo

Central Otago Landscape (Photo Credit: Gary Smith) ~~Rocky Mountain, Wanaka (Photo Credit: Robert Win)~~

1. Summary

1.1 Introduction

Under the Biosecurity Act (1993), the Otago Regional Council (ORC) is the regional management agency responsible for biosecurity and pest control. To achieve this regulatory function, ORC has developed the *Otago Regional Pest Management Plan 2019-2029* (RPMP) which sets objectives and rules for land occupiers to control pests to set levels.

Where a regional pest management plan is enacted, ORC is further required to prepare an annual operational plan that implements the RPMP. The Operational Plan is a publicly available document and is reported on each year to Council.

This document *(Biosecurity Operational Plan 2026~~5~~-2027~~6~~)* outlines the nature, scope, and priority activities that ORC intends to undertake for pest management across the Otago region for the financial year 1 July 2026~~5~~ through to 30 June 2027~~6~~. For context, it is important that the Operational Plan is read in conjunction with the RPMP. Where necessary, changes have been made from previous operational plans based on lessons learnt to improve efficiency and effectiveness.

1.2 Programmes of Work

Under the RPMP, pest management is classified into five programmes.

1. **Exclusion pest programme:** This programme will ensure specific pests that are present in New Zealand do not become established in Otago. Under Section 100V of the Biosecurity Act, there is provision to implement emergency controls for the incursion of any new pests that are not listed in the RPMP.
2. **Eradication pest programme:** This programme focuses on eradicating identified pests from the areas where they occur in the region. Eradication involves reducing the infestation of the pest to zero density.
3. **Progressive containment pest programme:** This programme aims to contain and reduce the geographic spread of the listed pests to specific areas. Containment arises where the pest is at high densities in specific parts of the Otago region, but in low densities or limited range in other parts. While eradication is not feasible, it is realistic to contain the pest from spreading to other 'clear' parts of the region.
4. **Sustained control pest programme:** This programme ~~centres~~centers on the continuing control of the listed pests to reduce their impacts and spread to other properties. The emphasis~~e~~ is to manage the densities of the pests, so they do not reach a level where they cause significant environmental impact. Sustained control is a strategy for pests with a wide geographical spread that they cannot feasibly be contained.
5. **Site-led pest programmes:** This programme aims to exclude or – if present – eradicate, reduce or control, identified pests from specified locations.

1.3 Methods of Action

ORC achieves pest management outcomes through the following methods and provision of resources.

1. **Advocacy and education:** ORC will provide education, advice, and information to landowners and/or occupiers and the public about the impacts of pests and pathways (vectors) of pest spread and appropriate methods of control. The ORC will ensure land occupiers are informed of their responsibilities under the RPMP. This activity also includes contributing to research and cost-sharing with other agencies and developing/promoting 'good practice' around control methods aimed at pest management contractors and occupiers who are required to act.
2. **Inspection, monitoring, and surveillance:** Regular property inspections ensure that RPMP rules are being adhered to. The focus is to achieve voluntary compliance first before enforcement action is initiated. Monitoring is carried out to determine effectiveness of control and to understand trends of infestations. Surveillance activities focus on protecting the region from the incursion of new pests.
3. **Collaboration:** ORC works with landowner/occupier groups and central and local government agencies to develop consistent approaches for the effective management of pests. This includes Land Information New Zealand (LINZ), Department of Conservation (DOC), Ministry of Primary Industries (MPI), neighbouring regional councils and community groups like Predator Free Dunedin, and wilding conifer trusts.
4. **Requirement to Act** *(regulation)***:** RPMP rules are the 'backbone' of the pest management. These rules require identified pests to be controlled to specified standards or levels. Failure to comply with RPMP rules can lead to enforcement action by ORC.
5. **Service delivery:** This is achieved through the delivery of national programmes (wildings and wallabies) and the provision of direct control where special expertise is required that is beyond the capability of the land occupier to arrange. Service delivery includes engaging contractors to provide appropriate control tools (e.g. traps, spraying, shooting) and the approved release of biological control agents.

This work is supported by close engagement with organisations involved in implementing and funding biosecurity across the region, including the Ministry for Primary Industries (MPI), Land Information New Zealand (LINZ), the Department of Conservation (DOC), Kāi Tahu, other councils and community groups.

1.4 Operational Plan Reporting

As the lead management agency, ORC is responsible for reporting on activities and progress during the year. ORC is required by Section 100B of the Biosecurity Act 1993 to *"prepare a report on the operational plan and its implementation not later than 5 months after the end of each financial year".* This report is provided to the Minster of Biosecurity and is made available to the public through reporting to Council and on ORC's website.

2. Exclusion Pest Programme

2.1 Exclusion Pest Species

Objective: Over the duration of RPMP, preclude establishment of African feather grass, Chilean needle grass, egeria, false tamarisk, hornwort, and moth plant within the Otago region to prevent adverse effects on economic well-being and environmental values.

Deliverable		KPI		Target
1	~~Undertake~~ Confirm incursion ~~response.~~	~~a~~	~~% of investigations commenced within 2 working days of a suspected exclusion pest sighting.~~ Incursion response commences within 24 hours of a suspected exclusion pest sighting.	100%
		~~b~~	~~% of incursion response plans[1] enacted within 5 working days of incursion confirmation.~~	~~100%~~
2	Undertake incursion response.		Incursion response plans[1] are enacted within 5 working days of incursion confirmation.	100%

[1] Please see Otago Biosecurity Incursion Response Plan for detail.

3. Eradication Pest Programme

3.1 Bennett's wallaby

Objective: Reduce all infestations of Bennett's wallaby to zero levels within the Otago region to prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	Undertake incursion response.	a	Response[2] within 5 working days of a reported wallaby sighting.	100%
2	Collaborate with and participate in the national wallaby programme.	a	% of Operational Advisory Group meetings attended.	100%
		b	Fulfil requirements of MPI funding agreement.	100%

3.2 Rooks

Objective: Reduce all infestations of rooks to zero levels within the Otago region to prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	~~Undertake incursion response process.~~Undertake rapid response	~~a~~	~~% of investigations commenced within 2 working days of a suspected eradication pest sighting, to confirm an incursion.~~ Rapid response activities commence within 24 hours of a suspected eradication pest sighting.	100%
		~~b~~	~~% of incursion response plans enacted within 5 working days after incursion confirmed.~~	100%
2	Progress toward eradication		Surveillance and control (where required) is undertaken at known rookeries.	100%
~~2~~	~~Undertake monitoring.~~	~~a~~	~~Develop an annual Work Plan for monitoring of all known rookeries, prior to July 2025.~~	~~1~~
		~~b~~	~~100% of known sites monitored as described in the annual Work Plan.~~	~~100%~~
~~3~~	~~Raise awareness.~~	~~a~~	~~% of communication, education, and awareness initiatives completed as described in the annual Work Plan.~~	~~100%~~

3.3 Spiny broom

Objective: Reduce all infestations of spiny broom to zero levels within the Otago region to prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	Undertake ~~incursion~~ rapid response.	~~a~~	~~% investigations commenced within 2 working days of a suspected exclusion pest sighting, to confirm an incursion.~~ Rapid response activities that commence within 24 hours of a suspected eradication pest	100%

			sighting.	

[2] Response includes any form of classification and field visit

		~~b~~	~~% incursion response plans enacted within 5 working days of confirmation of incursion.~~	~~100%~~
2	~~Undertake monitoring.~~Progress toward eradication	~~a~~	~~Develop an annual Work Plan for monitoring of spiny broom at known sites, prior to July 2025.~~ Number of active sites to be monitored and moved toward eradication.	31~~1~~
		~~b~~	~~% of known sites monitored as described in the annual Work Plan.~~	~~100%~~
~~3~~	~~Facilitate control.~~	~~a~~	~~Where spiny broom is found at a known sites as identified in the annual Work Plan, control of those plants is undertaken prior to the next seeding event occurring.~~	~~100%~~
~~4~~	~~Raise awareness.~~	~~a~~	~~% of communication, education, and awareness initiatives completed, as described in the annual Work Plan.~~	~~100%~~

4. Progressive Containment Pest Programme

4.1 Wilding conifers

Objective: Progressively contain and reduce the geographic extent of wilding conifers within the Otago Region to minimise adverse effects on economic well-being and the environment.

~~Deliverable~~		~~KPI~~		~~Target~~
~~1~~	~~Implement regional wilding conifer strategy.~~	~~a~~	~~% of actions from the regional strategy commenced within specified due timeframes.~~	~~100%~~
~~2~~	~~Collaborate with and participate in the national wilding conifer programme.~~	~~a~~	~~% of Operational Advisory Group meetings attended.~~	~~100%~~
		~~b~~	~~% of requirements of MPI funding agreement fulfilled.~~	~~100%~~

Deliverable		KPI	Target
1	Implement regional wilding conifer strategy.	% of actions from the regional strategy commenced within specified due timeframes.	100%
2	Advocate for regional wilding conifer support.	Advocate for fair contributions from government and those responsible for the source of the wildings, as opportunities allow.	100%
3	Collaborate with and participate in the national wilding conifer programme.	% of Operational Advisory Group meetings attended.	100%
4	Meet agreement requirements	% of requirements of MPI funding agreement fulfilled.	100%
5	Support community contributions to the wilding conifer programme.	Support community and voluntary efforts to control wilding pines, as funding allows.	100%

4.2 African love grass

Objective: Progressively contain and reduce the geographic distribution or extent of African love grass (ALG) at known sites within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	~~Undertake monitoring.~~ Advance progressive containment programme	~~a~~	~~Develop an annual Work Plan for monitoring of known ALG sites prior to July 2025.~~	~~1~~
		~~b~~	~~% of known ALG sites monitored as described in the annual Work Plan.~~ Number of active sites monitored and maintained to progressive containment standards.	20~~100%~~

2	~~Facilitate control.~~Delimit progressive containment area	~~a~~	~~In any site, where ALG is found and where control is determined to be required, control is undertaken prior to the next seeding event occurring.~~ Surveillance and monitoring completed in buffer sites, to ensure successful containment.	20~~100%~~

4.3 Nassella tussock

Objective: Progressively contain and reduce the geographic distribution or extent of Nassella tussock at known locations within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	~~Undertake inspections.~~Advance progressive containment area	~~a~~	~~Develop an annual Work Plan for inspections of known Nassella tussock sites prior to July 2025.~~	~~1~~
		~~b~~	~~% of known sites inspected as described in the annual Work Plan.~~ Inspections completed within active sites to determine compliance.	200~~100%~~
2	~~Facilitate control.~~Delimit progressive containment area.	~~a~~	~~In any~~ new sites~~, where Nassella tussock is found, appropriate actions are undertaken to facilitate control to the required level for Nassella tussock in Otago.~~ Inspections completed in buffer sites, to ensure successful containment.	~~100%~~100
		~~b~~	~~Where a new site is identified, re-inspections will occur within required timeframes to ensure appropriate control is being undertaken.~~	~~100%~~

4.4 Old Man's Beard

Objective: Progressively contain and reduce the geographic distribution or extent of old man's beard (OMB) within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	~~Undertake inspections.~~Advance progressive containment programme	~~a~~	~~Develop an annual Work Plan for inspections in known OMB sites in Otago, where those sites intersect with areas of identified high-value biodiversity, prior to July 2025.~~	~~1~~
		~~b~~	~~% of known sites inspected, as described in the annual Work Plan.~~Inspections completed within priority areas.	~~100%~~100
2	Delimit progressive containment area ~~Facilitate control.~~	~~a~~	~~In any~~ new sites~~, where old man's beard is found, appropriate actions are undertaken to facilitate control to the required level for OMB in Otago.~~Inspections completed in buffer sites to ensure successful containment.	20~~100%~~

		~~b~~	~~Where a new site is identified, re-inspections will occur within required timeframes to ensure a control is being undertaken.~~	~~100%~~

4.5 Spartina

Objective: Progressively contain and reduce the geographic distribution or extent of spartina within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	~~Undertake monitoring.~~ Advance progressive containment programme	~~a~~	~~Develop an annual Work Plan for monitoring of known spartina sites in Otago, prior to July 2025.~~	~~1~~
		~~b~~	~~% of known sites monitored, as described in the annual Work Plan.~~Number of active spartina project areas monitored and maintained to progressive containment standards.	3~~100%~~
2	~~Facilitate control.~~ Delimit progressive containment area	~~a~~	~~In any site, where spartina is found, facilitate control to occur with landowner or external agencies prior to the next seeding event occurring.~~ Number of additional locations subject to surveillance for spartina.	~~100%~~1
~~3~~	~~Remote sensing.~~	~~a~~	~~Undertake an investigation into the use of remote sensing for spartina with a view to create efficiencies within the programme by 30 June 2026.~~	~~1~~

4.5 Containment Pest Plants

Objective: Progressively contain and reduce the geographic distribution or extent of bomarea, boneseed, bur daisy, cape ivy, perennial nettle and white-edged nightshade within the Otago region to minimise or prevent adverse effects on economic well-being and the environment.

Deliverable		KPI		Target
1	~~Undertake inspections.~~Progress toward progressive containment	~~a~~	~~Develop an annual Work Plan for known containment pest plants in Otago, prior to July 2025.~~	~~1~~
		~~b~~	~~% of known sites inspections, as described in the annual Work Plan.~~Inspections completed within active sites to determine compliance.	160~~100%~~
~~2~~	~~Facilitate control.~~	~~a~~	~~In any new sites, where containment pest plants are found, appropriate actions are undertaken to facilitate control to the required level for containment pest plants in Otago.~~	~~100%~~
		~~b~~	~~Where a new site is identified, re-inspections will occur within the required timeframes to ensure control is being undertaken.~~	~~100%~~

5. Sustained Control Pest Programme

5.1 Feral Rabbits

Objective: Implement sustained control of feral rabbits to ensure population levels do not exceed Level 3 on the Modified McLean Scale to minimise adverse effects on production and environmental values within the Otago region.

Deliverable		KPI		Target
1	Establish a Rabbit Working Group.	Establish a Rabbit Working Group to strengthen pest management outcomes for the sustained control of feral rabbits. The working group will focus on practical delivery, partnerships and community and landoccupier collaboration.		1
2~~1~~	Compliance programme for sustained rabbit management ~~Undertake inspections.~~	~~a~~	~~Develop an annual Work Plan for rabbit inspections in Otago, prior to July 2025.~~	~~1~~
		~~b~~	~~% of sites inspected, as described in the annual Work Plan~~. Inspections completed within active sites to determine compliance.	~~100%~~600
3~~2~~	~~Facilitate control.~~ Community rabbit programme.	~~a~~	~~In any inspected site, where rabbit control is required, appropriate actions are undertaken to facilitate control to at or below MMS 3 for rabbits in Otago.~~ Number of project areas actively managed through a Community Rabbit Programme.	~~100%~~ 9
~~3~~	~~Community rabbit programme.~~	~~a~~	~~Develop an annual Work Plan for community rabbit programmes in Otago, prior to July 2025.~~	~~1~~
		~~b~~	~~% of community rabbit programmes where landowner engagement is undertaken as per the annual Work Plan.~~	~~100%~~
		~~c~~	~~Seek approval from Council to include a funding stream through the ECO Fund process to support rabbit management~~	~~1~~
		~~d~~	~~Allocate Council approved funding to eligible and successful ECO Fund applications by 30 June 2026.~~	~~100%~~
~~4~~	~~Review rabbit management programme~~	~~a~~	~~Review rabbit management programme (including associated community rabbit programme) to determine effectiveness and identify improvements by 30 February 2026~~	~~1 report~~
		~~b~~	~~Findings of rabbit management review to be presented to Council by 30 June 2026.~~	~~1~~

5.2 Gorse and broom

Objective: Implement sustained control of gorse and broom to ensure land that is **free** of gorse or broom or **being cleared of** gorse or broom does not become infested, to prevent adverse effects on production values and economic well-being.

Deliverable		KPI		Target
1	Undertake ~~inspections.~~surveillance in New Gorse & Broom Free Area	~~a~~	~~Develop an annual Work Plan for gorse and broom inspections in Otago, prior to July 2025.~~ Hectares of New Gorse and Broom Free Area subject to surveillance for the detection of gorse and broom.	438,779~~1~~
		~~b~~	~~% of known sites inspections, as described in the annual Work Plan.~~	~~100%~~
2	~~Facilitate control.~~ Undertake inspections in New Gorse and Broom Free Area	~~a~~	~~In any monitored site, where gorse and/or broom control is determined to be required, appropriate actions are undertaken to facilitate control to the required level for gorse and/or broom in Otago.~~ Inspections completed where gorse or broom is detected through surveillance, to determine compliance.	250~~100~~ ~~%~~
3	~~Remote sensing.~~ Undertake inspections to ensure compliance with Good Neighbour Rules	~~a~~	~~Undertake an investigation into the use of remote sensing for gorse and broom with a view to create efficiencies within the programme by 30 June 2026.~~ Inspections completed to support compliance with Good Neighbour Rules.	80%~~1~~

5.3 ~~Wild~~ Russell Lupin

Objective: Implement sustained control of the extent of Russell lupin and wild Russell lupin within specified distances from waterways and property boundaries to preclude establishment of wild Russell lupin and to prevent adverse effects on environmental values.

Deliverable		KPI		Target
1	Undertake monitoring.	~~a~~	~~Develop an annual Work Plan for Russell lupin monitoring in Otago, prior to July 2025.~~	~~1~~
		~~b~~	~~% of known sites monitored, as described in the annual Work Plan.~~Inspections completed in active sites to determine compliance.	20~~100%~~
~~2~~	~~Facilitate control.~~	~~a~~	~~In any site, where Russell lupin control is determined to be required, appropriate actions are undertaken to facilitate control to the required level for Russell lupins in Otago.~~	~~100%~~

5.4 Ragwort & Nodding Thistle

Objective: Implement sustained control of nodding thistle and ragwort on rural-zoned land within specified distances of property boundaries throughout the Otago region (Good Neighbour Rules; 'GNR') to prevent their spread to minimise adverse effects on production values and economic well-being.

Deliverable		KPI		Target
1	Respond to enquiries.	~~a~~	~~Respond to GNR enquiries around ragwort and nodding thistle within 10 working days.~~ GNR enquiries around	100%

			ragwort and nodding thistle are responded to within 10 working days.	

~~5.5 Biocontrol~~

~~**Objective:** Implement sustained control of nodding thistle and ragwort on rural-zoned land within specified distances of property boundaries throughout the Otago region (Good Neighbour Rules; 'GNR') to prevent their spread to minimise adverse effects on production values and economic well-being.~~

~~Deliverable~~		~~KPI~~		~~Target~~
~~1~~	~~Implement biocontrol.~~	~~a~~	~~Develop an annual Work Plan for biocontrol activities in Otago, prior to July 2025.~~	~~1~~
		~~b~~	~~Implement biocontrol in approved sites as described in annual Work Plan.~~	~~100%~~
		~~c~~	~~Provide an annual summary of biocontrol activities undertaken for control of pest plant species, in Otago.~~	~~1~~

6. Site-Led Pest Programme

6.1 Otago Peninsula | West Harbour & Mount Cargill | Quarantine & Goat Islands

Objective: Otago Regional Council will take a lead role in supporting community groups and agencies in bringing about the desired levels of environmental protection to these sites [Otago Peninsula (9,000 ha), West Harbour & Mt Cargill (12,500 ha) and Quarantine & Goat Islands].

Deliverable		KPI		Target
1	~~Prepare a plan.~~Support successful outcomes for Site Led Programmes	~~a~~	~~Develop an annual Work Plan for site-led programmes, prior to July 2025.~~ Number of sites actively managed through a Site Led Programme.	~~1~~2
~~2~~	~~Support the plan.~~	~~a~~	~~% stated activities in the Work Plan that were successfully supported by ORC.~~	~~100%~~

6.2 Lagarosiphon

Objective: To support LINZ in controlling lagarosiphon in the region's rivers and lakes by:

- Preventing its establishment in Lake Wakatipu and other regional water bodies
- Progressively reducing its spread in Lake Wanaka and the Kawarau River
- Undertaking sustained control in Lake Dunstan

Deliverable		KPI	Target
1	Facilitate monitoring and control.	LINZ is supported in delivery of the agreed management plan, through funding in accordance with the approved funding agreement. This includes exploring additional or new areas of control or surveillance work.	100%
2	Raise awareness.	Annual communication, education, and awareness initiatives for lagarosiphon through the 'Check, Clean Dry' Program completed	100%
3	Identify opportunities for improvement	Assess opportunities for eradication or a step-change intervention for lagarosiphon, including appropriate funding options and delivery models.	1 (scoping document)

~~Deliverable~~		~~KPI~~		~~Target~~
~~1~~	~~Facilitate monitoring and control.~~	~~a~~	~~Support LINZ in the management and control of lagarosiphon by ensuring that (contingent upon funding approval through the annual planning process) disbursements are made in accordance with the provisions outlined in the approved funding agreement.~~	~~100%~~
~~2~~	~~Raise awareness.~~	~~a~~	~~% of communication, education, and awareness initiatives for lagarosiphon through the 'Check, Clean Dry' Program completed, as described in the annual Work Plan.~~	~~100%~~

7. Monitoring & Surveillance

7.1 Freshwater

Objective:

To raise public awareness and identify and detect the presence of priority freshwater pest species by:

- Conducting targeted surveillance around the Otago region
- Ensuring the Freshwater Monitoring and Surveillance Plan remains current and effective by incorporating updated methods and target species
- Engagement with corbicula response at national level

Deliverable		KPI		Target
1	~~Undertake monitoring and surveillance of freshwater pests.~~Monitor high priority waterbodies	~~a~~	~~Update the Freshwater Monitoring and Surveillance Plan to include appropriate methods and include relevant freshwater pest species by 1 October 2025~~ Category 'High' waterbodies will be subject to onshore monitoring	20~~1~~
		~~b~~	~~Undertake required monitoring of priority water bodies identified in the updated Freshwater Monitoring and Surveillance Plan to determine the presence of lagarosiphon and other freshwater pest species by 30 June 2026.~~	~~100%~~
2	Monitor medium priority waterbodies~~Raise awareness.~~	~~a~~	~~% of communication, education, and awareness initiatives for freshwater pests through the 'Check, Clean Dry' Program completed, as described in the annual Work Plan.~~ # of Category 'Medium' waterbodies will be subject to onshore monitoring	~~100%~~10
3	Sector engagement	~~a~~	Engage with corbicula and other responses through attendance of national level and cross regional level meeting attendance	100%

7.2 Marine

Objective:

To raise public awareness and identify and manage the presence of priority marine pest species by

- Developing a Marine Monitoring and Surveillance Plan for Otago
- Eradicate the Mediterranean Fanworm from Otago harbour
- Engagement with the sector on pathways management

Deliverable		KPI		Target
1	Undertake monitoring and surveillance of marine pests.	~~a~~	Complete c~~C~~o-development of a Marine Monitoring and Surveillance Plan with tangata whenua ~~by 31 December 2025~~	1

		~~b~~	~~Deliver an incursion response plan to aim for eradication of the Mediterranean Fanworm by 30 June 2026~~	~~1~~
2	Raise awareness.	~~a~~	Communication, education, and awareness initiatives through the 'Protect your Paradise' Program completed.~~% of communication, education, and awareness initiatives for marine pests through the 'Protect your Paradise' Program completed, as described in the annual Work Plan.~~	100%
3	Sector engagement	~~a~~	~~Engage with the development of a sector position to pathways management through attendance of national and cross regional level meetings~~ Attendance of national and cross regional level meetings undertaken for the development of a sector position for pathways management.	100%

8. Glossary

For the purposes of this operational plan, the following definitions are provided. Further definitions can be found in the RPMP and the ORC Biosecurity Compliance and Enforcement Policy.

Active: A site currently being managed through a compliance pathway.

Annual Work Plan: A detailed description of how selected pests will be targeted to achieve the objectives of the RPMP.

Assessment: An inspection or monitoring visit.

Boundary: A line in a geographical space the delineates the surface extent between two (or more) adjoining land parcels.

Compliant: When a rule in the RPMP is adhered to.

Default Action: Work undertaken by the management agency to carry out pest control when a 'Notice of Direction' or 'Compliance Order' has not been complied with by an occupier, under section 128 of the BSA. The management agency can then recover costs and expenses reasonably incurred under section 129 of the BSA.

Known Site: A location that has a historical or current record of the pest being present. For ease of monitoring, a known site can include a buffer radius of up to 50 metres.

Inspection: A site visit (normally defined by a property) to determine compliance to RPMP rules undertaken by an authorised person as defined under the Biosecurity Act 1993.

Landowner: The same meaning as occupier in the Biosecurity Act 1993.

Land Parcel: A unique area of land, identified by the cadastral survey plan showing the legal boundaries, location, dimensions and area, along with the unique legal description (appellation).

Location: A geographical point on the surface of the earth. This will typically be identified by the GPS co-ordinates of northing and easting. For New Zealand, most common projections are the New Zealand Traverse Mercator or World Geodetic 1984).

Management Agency: The same meaning as in the Biosecurity Act 1993, specifically *"means the body specified as the management agency in a pest management plan or a pathway management plan".* For the purposes of the RPMP and Operational Plan, Otago Regional Council is the management agency for pests to be controlled in the Otago region.

Management Plan: A landowner/occupier agreement to manage selected pests as explained in the respective monitoring plan.

Modified McLean Scale: A scale that assesses rabbit population levels (see RPMP, Appendix 2).

Monitoring: Work undertaken to determine the prevalence and/or trend of a pest. This will normally be in-person visit to a location but can use remote sensing tools. Monitoring differs from inspection in that no subsequent enforcement is undertaken.

Notice of Direction (NOD): Actions required under a notice issued pursuant to section 122 of the Biosecurity Act 1993. A NOD can require a person to take action to address pest plant or animal problems or to comply with a rule in an RPMP.

Occupier: see 'Landowner'.

Non-Compliance: Any breach in a RPMP rule, upon a formal inspection. Non-compliance is liable for enforceable under the provisions of the BSA. For clarification, a breach of a RPMP rule does not have to be widespread across a property and may relate to a single location (or a defined area) within a property. Due to the potential of spread, the whole property is deemed non-compliant even if the infestation is localised.

Operational Plan: A plan prepared by the Management Agency under Section 100B of the Act.

Pest: The same meaning as in the Biosecurity Act 1993: "an organism specified as a pest in a pest management plan."

Property: For the purposes of this plan, a property is an extent of land that is either [1] under unique ownership (whether individual, joint, partnership or corporate) or [2] is managed as a single operational entity. A property can be made up of one or more adjoining land parcels (see land parcel).

Surveillance: Work undertaken to determine the status (presence and extent) of pest species. This can be in-person or, increasingly, use remote sensing tools.

Surveillance Plan: Describes the approaches used to determine the presence, or extent, of pest species. A surveillance plan may cover a number of pest species.

Surrounding Area: A wider area surrounding a known site. This is variable depending on context of the pest but, at a minimum, includes all adjoining properties to the property with the pest infestation. A property is considered adjoining even if it is separated by a road, paper road, waterway or easement. A designated surrounding area does not prevent pest assessments from being carried out in non-surrounding areas.

Water Body: Fresh water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.

Wilding Conifer: Wilding conifers are any introduced conifer tree, including (but not limited to) any of the species listed in Table 3 of the RPMP.

Zero Level / Zero Density: The pest is not detectable in an area; however the pest may continue to appear afterwards due to plant seed sources or animal migration from an unmanaged area.

Appendix

Appendix 1: Timeframes associated with Biosecurity Inspections

~~Compliance Type~~	~~Plants~~	~~Rabbits~~
~~Work Request~~	~~Three months; except six weeks for Old Man's Beard between Oct-Feb.~~	~~May-Dec: six months; Jan-Apr: three months~~
~~Notice of Direction~~	~~Three months; except six weeks for Old Man's Beard between Oct-Feb.~~	~~One year~~
~~Notes:~~ ~~1. Where suitable, poisoning for rabbits is best in winter, hence the one-year timeframe for Notices of Direction ensures there is at least one winter to undertake control before re-inspection.~~ ~~2. Timeframes are based on the date the letter was sent, not when the inspection was undertaken.~~ ~~3. Re-inspections occur within a three-week period after the timeframe expires.~~		
Compliance Type		
Work Request *Pest Plants*	Minimum of six weeks, unless there is a significant biosecurity risk.	
Work Request *Rabbits*	Minimum of two months, up to twelve months (dependent on practical control timeframes).	
Notice of Direction *Pest Plants*	Minimum of six weeks, unless there is a significant biosecurity risk.	
Notice of Direction *Rabbits*	Minimum of two months, up to twelve months (dependent on practical control timeframes).	
Notes: 1. Where suitable, poisoning for rabbits is best in winter, hence the one-year timeframe for Notices of Direction ensures there is at least one winter to undertake control before re-inspection. 2. Timeframes are based on the date the letter was sent, not when the inspection was undertaken. 3. Re-inspections occur within a three-week period after the timeframe expires.		

Appendix 2: Priority Non-LINZ Freshwater Surveillance Sites

List of Non-LINZ water bodies to undertake aquatic macrophyte surveillance and monitoring in Otago. Includes invasion risk score, based on recreational activities and active/historic invasions of lagarosiphon.

	Sites	TLA	FMU	Boating (+3)	Fishing (+2)	Kayaking (+2)	Swimming (+1)	Active / Historic Infestation (+5)	Risk Score	Priority	Freq. of Inspection	X	Y
ORC Inspection Sites	Albert Town Detention Ponds	QLDC	Dunstan Rohe	-	-	-	-	Y	5	High	Annually	1297254	5045351
	Bullock Creek	QLDC	Upper Lakes Rohe	-	-	-	-	Y	5	High	Annually	1293951	5043603
	Moke Lake	QLDC	Dunstan Rohe	Y	Y	Y	Y	-	8	High	Annually	1250390	5007304
	Fraser Dam	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1302561	4986732
	Conroys Dam	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1311306	4979160
	Butchers Dam	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1312985	4977832
	Pinders Pond	CODC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1312896	4946282
	Manorburn Reservoir (Upper)	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1334473	4970976
	Poolburn Reservoir	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1345081	4977064
	Falls Dam	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1355832	5027581
	Blue Lake	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1348164	5026577
	Sites	**TLA**	**FMU**	**Boating (+3)**	**Fishing (+2)**	**Kayaking (+2)**	**Swimming (+1)**	**Known Infestation (+5)**	**Risk Score**	**Priority**	**Freq. of Inspection**	**X**	**Y**
Proposed Pond Surveillance Sites	Blakelys Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	0	Low	≥ 3 years	1368433	4995335
	Coalpit Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1372994	5010702
	Dunedin Botanic Garden Pond	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥ 3 years	1407417	4918898
	Hamiltons Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1376318	4985137
	Hoffmans Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1373662	5010457
	Jacks Point Pond	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1264700	4999912
	Lower Waitaki Irrigation Pond	WDC	North Otago FMU	Y	Y	Y	-	-	7	High	Annually	1444003	5013168
	Malones Dam	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥2 years	1345722	4912633
	Mathias Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1373908	4988763
	McAttamneys Head Pond	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1361587	4971879
	McKerrow Pond	WDC	North Otago FMU	Y	-	Y	-	-	5	High	Annually	1425218	4983831
	Millburns Pond (Victoria Dam)	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥2 years	1341855	4914460
	Nenthorn Dam	WDC	Taieri (South) FMU	-	Y	-	-	-	2	Medium	≥2 years	1391246	4962614
	Oamaru Public Garden Ponds	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1439544	5004070
	On-Edge Waterski and Wakeboard School	CODC	Roxburgh Rohe	Y	-	-	-	-	3	Medium	≥2 years	1324896	4929435
	Paerau Power Station Ponds	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1361053	4976530
	Pheonix Dam	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥2 years	1344804	4913777
	Private Ponds (Mooney Rd)	QLDC	Dunstan Rohe	-	-	-	-	-	0	Low	≥ 3 years	1266860	5013134
	Private Ponds (Threepwood Rd)	QLDC	Dunstan Rohe	-	-	-	-	-	0	Low	≥ 3 years	1268148	5010970
	Queenstown Gardens Pond	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1258334	5003866
	Ross Creek Reservoir	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥ 3 years	1405805	4919852
	Sawyers Bay Reservoir	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥3 years	1413502	4924838
	Southern Reservoir	DCC	Dunedin & Coast FMU	-	Y	-	-	-	2	Medium	≥2 years	1402075	4915104
	Sullivans Dam	DCC	Dunedin & Coast FMU	-	Y	-	-	-	2	Medium	≥2 years	1407518	4924429
	TGC Gaming Pond	WDC	Taieri (West) FMU	-	-	-	-	-	0	Low	≥3 years	1366613	4994294
	West Eweburn Dam	CODC	Taieri (West) FMU	-	Y	-	-	-	2	Medium	≥2 years	1369490	5012672
	Willow Pond	QLDC	Dunstan Rohe	-	-	-	-	-	0	Low	≥3 years	1264780	5000695

	Sites	TLA	FMU	Boating (+3)	Fishing (+2)	Kayaking (+2)	Swimming (+1)	Known Infestation (+5)	Risk Score	Priority	Freq. of Inspection	X	Y
Proposed Lake Surveillance Sites	Diamond Lake (Glenorchy)	QLDC	Upper Lakes Rohe	-	Y	Y	Y	-	5	High	Annually	1233918	5035798
	Diamond Lake (Wanaka)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3years	1279898	5048254
	Greenland Reservoir	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1336028	4964321
	Lake Dispute	QLDC	Upper Lakes Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1249420	5002380
	Lake Hāwea	QLDC	Upper Lakes Rohe	Y	Y	Y	Y	-	8	High	Annually	1303608	5053408
	Lake Hayes	QLDC	Dunstan Rohe	-	-	Y	Y	-	3	Medium	≥ 2years	1269653	5010456
	Lake Johnson	QLDC	Dunstan Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1263632	5007783
	Lake Kirkpatrick	QLDC	Dunstan Rohe	-	Y	Y	-	-	4	Medium	≥ 2years	1251302	5004516
	Lake Mahinerangi	CDC	Taieri (South) FMU	Y	Y	Y	Y	-	8	High	Annually	1362922	4919725
	Lake Onslow	CODC	Roxburgh Rohe	Y	Y	Y	Y	-	8	High	Annually	1336506	4950314
	Lake Sylvan	QLDC	Upper Lakes Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1229254	5039322
	Lake Tuakitoto	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1355098	4875688
	Lake Waihola	CDC	Taieri (South) FMU	Y	Y	Y	Y	-	8	High	Annually	1374154	4899549
	Lake Waipori	CDC	Taieri (South) FMU	-	Y	Y	Y	-	5	High	Annually	1376395	4905447
	Loganburn Reservoir	DCC	Taieri (East) FMU	Y	Y	Y	Y	-	8	High	Annually	1357997	4951596
	Manorburn Reservoir (Lower)	CODC	Manuherekia Rohe	Y	Y	Y	Y	-	8	High	Annually	1335620	4968132
	Unknown Water Body (1)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1237717	5019689
	Unknown Water Body (2)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1239295	4994880
	Tommahawk Lagoon	DCC	Dunedin & Coast FMU	-	Y	-	-	-	2	Medium	≥ 2years	1410076	4913892

	Sites	TLA	FMU	Boating (+3)	Fishing (+2)	Kayaking (+2)	Swimming (+1)	Known Infestation (+5)	Risk Score	Priority	Freq. of Inspection	X	Y
Proposed River Surveillance Sites	Arrow River	QLDC	Dunstan Rohe	-	Y	-	Y	-	3	Medium	≥ 2years	1271629	5015447
	Catlins River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1331094	4849158
	Dart River	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1230166	5031536
	Deep Stream	DCC	Taieri (South) FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1370443	4935547
	Dunstan Creek	CODC	Manuherekia Rohe	-	Y	-	Y	-	3	Medium	≥ 2years	1346596	5025896
	Horn Creek	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3 years	1258410	5004141
	Idaburn	CODC	Manuherekia Rohe	-	Y	Y	Y	-	5	High	Annually	1345168	5004920
	Kaikorai Stream	DCC	Dunedin & Coast FMU	-	-	-	-	-	0	Low	≥ 3 years	1400045	4913403
	Kakanui River (1)	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1422922	5011046
	Kakanui River (2)	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1429101	5001653
	Kakanui River (3)	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1430339	4996561
	Kauru River	WDC	North Otago FMU	-	Y	-	-	-	2	Medium	≥ 2years	1426380	5005812
	Kingston Tributary (1)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3years	1263859	4971187
	Kingston Tributary (2)	QLDC	Upper Lakes Rohe	-	-	-	-	-	0	Low	≥ 3years	1264642	4970629
	Leith Stream	DCC	Dunedin & Coast FMU	-	-	-	Y	-	1	Low	≥ 3 years	1407427	4918586
	Lindis River (1)	CODC	Dunstan Rohe	-	Y	Y	Y	-	5	High	Annually	1322853	5043229
	Lindis River (2)	CODC	Dunstan Rohe	-	Y	Y	Y	-	5	High	Annually	1324211	5032740
	Loganburn	CODC	Taieri (West) FMU	Y	Y	Y	-	-	7	High	Annually	1356961	4961867
	Makarora River (1)	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1298566	5095782
	Makarora River (2)	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1295831	5089154
	Manuherikia River (1)	CODC	Manuherekia Rohe	-	Y	Y	Y	-	5	High	Annually	1332864	5000955
	Manuherikia River (2)	CODC	Manuherekia Rohe	-	Y	Y	Y	-	5	High	Annually	1344710	5012756
	Matukituki River	QLDC	Upper Lakes Rohe	Y	Y	Y	Y	-	8	High	Annually	1281880	5049772
	Mokoreta River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1303994	4858513
	Nevis River	CODC	Dunstan Rohe	-	Y	Y	Y	-	5	Medium	≥ 2years	1285369	4989904
	Owaka River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1344855	4851242
	Pleasant River	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1420109	4956844
	Pomahaka River (1)	CDC	Roxburgh Rohe	-	Y	Y	Y	-	5	High	Annually	1302196	4936972
	Pomahaka River (2)	CDC	Lower Clutha Rohe	-	Y	Y	Y	-	5	High	Annually	1307510	4901274
	Pomahaka River (3)	CDC	Lower Clutha Rohe	-	Y	Y	Y	-	5	High	Annually	1323658	4888319
	Pool Burn	CODC	Manuherekia Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1340589	4996420
	Puerua River	CDC	Catlins FMU	-	Y	-	-	-	1	Low	≥ 3 years	1347443	4866456
	Rees River	QLDC	Upper Lakes Rohe	Y	Y	Y	-	-	7	High	Annually	1235766	5030335
	Shag River	WDC	North Otago FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1422574	4962001
	Shotover River	QLDC	Dunstan Rohe	Y	-	Y	Y	-	6	High	Annually	1263325	5009329
	Silver Stream (1)	DCC	Taieri (South) FMU	-	Y	-	-	-	1	Medium	≥ 2years	1398239	4919830
	Silver Stream (2)	DCC	Taieri (South) FMU	-	Y	-	-	-	2	Medium	≥ 2years	1388766	4915211
	Tahakopa River	CDC	Catlins FMU	-	Y	-	-	-	2	Medium	≥ 2years	1322905	4842286
	Taieri River (1)	CODC	Taieri (West) FMU	-	Y	Y	Y	-	5	High	Annually	1371299	4990893
	Taieri River (2)	CODC	Taieri (West) FMU	-	Y	Y	Y	-	5	High	Annually	1383899	4991070
	Taieri River (3)	DCC	Taieri (East) FMU	-	Y	Y	Y	-	5	High	Annually	1376833	4957097
	Taieri River (4)	DCC	Taieri (South) FMU	Y	Y	Y	Y	-	8	High	Annually	1385892	4919013
	Tokomairaro River	CDC	Dunedin & Coast FMU	-	Y	-	Y	-	3	Medium	≥ 2years	1365653	4886454
	Tuapeka River	CDC	Lower Clutha Rohe	-	-	-	-	-	0	Low	≥ 3 years	1331504	4899034
	Waianakarua River	WDC	North Otago FMU	-	-	-	Y	-	1	Low	≥ 3 years	1428235	4985542
	Waiareka Creek (1)	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1433161	5007946
	Waiareka Creek (2)	WDC	North Otago FMU	-	-	-	-	-	0	Low	≥ 3 years	1433757	4998525
	Waikouaiti River	DCC	North Otago FMU	-	Y	-	-	-	2	Medium	≥ 2years	1414674	4946747
	Waipahi River	CDC	Lower Clutha Rohe	-	Y	-	-	-	2	Medium	≥ 2years	1309821	4886978
	Waipori River (1)	CDC	Taieri (South) FMU	-	Y	Y	Y	-	5	High	Annually	1367668	4910303
	Waipori River (2)	CDC	Taieri (South) FMU	-	Y	Y	Y	-	5	High	Annually	1377068	4907049

Draft

Hon Andrew Hoggard

Minister for Biosecurity

Parliamentary Office

Freepost PO Box 18 888

Parliament Buildings

Wellington 6160

Email: andrew.hoggard@parliament.govt.nz

Dear Minister,

Otago Regional Council Biosecurity Operational Plan 2026-27

On behalf of the Otago Regional Council (ORC), I am pleased to provide you with a copy of ORC's 2026–27 Operational Plan for implementing the Otago Regional Pest Management Plan. The Operational Plan was adopted by Council on 27 May 2026.

As required under section 100B of the Biosecurity Act 1993, ORC prepares and submits an annual operational plan describing how the Council will implement its Regional Pest Management Plan and report on performance. This plan outlines how ORC will deliver its pest management commitments as part of the 2024–2034 Long Term Plan.

The 2026–27 plan continues our work to eradicate wallabies and contain the spread of wilding conifers. We appreciate the continued funding support from central government, which plays a vital role in protecting Otago's environment, economy, and rural character through these programmes.

I look forward to your response.

Yours sincerely

10.4. Council Delegations Manuals

Prepared for: Council

Report No. P&C2602

Activity: Legal

Author: Janet Ashcroft (Legal Counsel)

Endorsed by: Tami Sargeant (General Manager People and Corporate)

Date: 27 May 2026

Portfolio Leads: Chair Calvert and Cr Laws, Strategy and Customer

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PURPOSE

[1] To confirm that a comprehensive review of the current Delegations Manual has been completed, to provide advice to Council on two draft replacement Delegations Manuals that have been prepared following that review, and to seek approval to revoke the current Delegations Manual (published December 2025), and replace it with two Delegations Manuals; being a Council Delegations Manual and a Chief Executive Delegations Manual.

EXECUTIVE SUMMARY

[2] A comprehensive review of the current Delegations Manual has been completed.

[3] The purpose of the review was to ensure that all appropriate regional council matters are delegated, and sub delegated correctly and efficiently.

[4] As a consequence of the review, it is proposed to have two delegation manuals;

a. **Council Delegations Manual** – Delegations from Council to the Chief Executive and officers, being a public facing Delegations Manual that is updated by Council resolution and published on our website; and

b. **Chief Executive Delegations Manual** – Delegations from the Chief Executive to officers, intended to be an internal document setting out administrative delegations from the Chief Executive and other internal delegations that do not require Council resolution and are published on Council's intranet.

[5] The proposed changes do not materially alter the substantive delegations currently in place; rather, they reformat and separate the existing delegations into two manuals to improve clarity, efficiency, and administrative flexibility.

[6] This report seeks resolutions from Council to revoke the current Delegations Manual, and approve the adoption of the Council Delegations Manual (which it resolves to adopt) and a Chief Executive Delegations Manual (which does not require Council resolution for adoption).

RECOMMENDATION

That the Council:

1) ***Notes** this report.*
2) ***Resolves** to revoke the current Delegations Manual.*
3) ***Resolves** to adopt the attached Council Delegations Manual.*
4) ***Notes** the attached Chief Executive Delegations Manual does not require adoption by Council resolution and acknowledges the attached Memorandum from the Chief Executive which records that Chief Executive Delegations Manual is to be approved by the Chief Executive contemporaneously with Council resolutions made here.*

BACKGROUND

[7] The Council holds wide-ranging responsibilities, powers, functions and duties under legislation that apply to local government. Council is required to perform its obligations according to the legislation, regulations, and bylaws. To ensure that these requirements are performed efficiently and lawfully, Council officers need to have delegated authority from the Council to make decisions.

[8] Every decision that the Council makes is empowered by legislation, in that it is a specific power given to a local authority or regional council or is made under the 'power of general competence' under s 12 of Local Government Act 2002 (**LGA**). These powers sit with the governing body/elected member of the local authority automatically.

[9] It would be inefficient and time consuming for the Council to deal with every power, duty and function itself. Delegation to the Chief Executive and other officers is necessary for the Council to be efficient, effective, and is necessary for achieving its objectives of service delivery (including financial limits). The Chief Executive is in turn responsible for sub-delegating their powers to officers.

[10] The LGA envisages and enables such delegation. Delegation means the assignment of a power, function, or duty to another, together with the authority to carry out that duty or complete the action assigned with responsibility for the outcome. A delegate is not required to exercise a power or delegated function, and if a delegate considers that the circumstances support referral back to a delegee then explicit provision is made for this.

[11] Delegations are an important tool in ensuring that the Council meets its obligations under s 39 of the LGA to ensure, so far as is practicable, responsibility and processes for decision-making in relation to regulatory responsibilities is separated from responsibility and processes for decision-making for non-regulatory responsibilities.

[12] It is prudent to ensure Council's delegations are comprehensive, up to date and administered efficiently. Having correct and up-to-date delegations for Council functions reduces the risk of decisions that affect Council being made at the wrong levels or wrong areas of the organisation.

[13] Under s 42 of the LGA, a Chief Executive is responsible for implementing the decisions of the Council and ensuring the effective and efficient management of the Council's activities. It is therefore appropriate that a Chief Executive receives a wide-ranging delegation in order to discharge these duties. The Chief Executive is delegated all powers and authorities, other than those retained by Council, or contained within the delegations to committees or other subordinate decision-making bodies or community boards. In other words, if the Council has not retained the power, it can be exercised by the Chief Executive.

[14] Any new framework for delegations should empower the Council, its committees and staff, while ensuring there are processes and structures that maintain accountability. It is recommended that the following principles be used to guide the Council and officers when making new delegations. Delegations:

a. Must comply with all legal requirements, both in form and effect.
b. Should reflect the separate roles of governance and management. The Council sets the outcomes, authorises the overall allocation of resources, and monitors performance to ensure targets are met. Council officers implement Council policy and carry out the day-to-day operations, resulting in most activities being performed by staff.
c. Must promote efficiency and effectiveness. This requires, among other things, the effective devolution of responsibility from the Chief Executive to competent officers at all levels within the organisation.
d. Should be sub-delegated to those at the lowest, competent organisational level. The only time a decision should not be made by the person at the lowest competent level with the relevant delegation, is when that person determines that the decision should be escalated to a higher organisational level e.g. a manager, or the Council. The person to whom the decision has been referred can then decide in place of the person originally designated to make the decision. They cannot, however, rescind a decision if one has already been made. It is possible to refer decisions to those further up organisational levels as delegators retain all the powers, they have sub-delegated to others, along with the powers they have chosen not to delegate or sub-delegate.
e. Must provide for clear accountability. Delegations should reflect the lines of responsibility in the organisation. The Council should delegate its powers to committees and the Chief Executive (except under the Resource Management Act 1991 where delegations are direct to officers). The Chief Executive then sub-delegates to officers. This is set out in the Chief Executive's Delegations Manual.
f. Where appropriate, will impose limits on the extent of the power conferred. In particular, delegations should clearly identify when certain powers duties or functions cannot be sub-delegated.
g. Should be appropriately prescriptive. Delegations should clearly define the extent of the power, duty or function conferred.
h. Should enable the Council to function between meetings and when staff members are absent. Temporary delegations can be made where a staff member will be absent and requires someone else, who does not already have those delegations, to carry out their work.
i. Cannot be made for some functions.

[15] Reviewing the current Delegations Manual has provided the opportunity for a flexible approach; by splitting the Delegations Manual into two documents to ensure greater efficiency and responsiveness for incorporating amendments relating to minor changes:

a. **Council's Delegations Manual**: It records all delegations from Council to its committees, the Chief Executive, and directly to officers. It is being submitted to Council for formal adoption, and any future changes to Council's Delegations Manual will be captured in amendments for Council approval.
b. **Chief Executive Delegations Manual**: As noted earlier in this report, the Council's functions are wide-ranging, and it has powers and functions under many statutes and regulations. It would be inefficient and time consuming for the Council to deal with everything itself and so delegation to the chief executive is necessary. It records the Chief Executive's sub-delegations of their responsibilities, powers, and duties to officers. The Chief Executive's delegations may be amended by the Chief Executive at any time, provided that the amendments are recorded in writing, after which the Chief Executive Delegations Manual will be updated accordingly.

[16] Broadly speaking there are three types of delegations included in the Delegations Manuals:

a. **Statutory delegations**: This is where a power, function or duty, identified in a statute, has been assigned by that statute to regional councils. In many cases it is appropriate for the Council to delegate that power to specific officers.
b. **Financial and contractual delegations**: These are the delegations that give individual officers authority to enter into contracts on behalf of Council, subject to specific constraints.
c. **Administrative delegations**: These are the powers which are exercised on a routine basis within Council, for example approving of staff leave.

[17] Some minor changes were also required to reflect changes to Council Committees, legislation and those requested by staff to better respond to the way that the organisation does business as well as removing matters that did not require delegation (eg powers of enforcement officers). The primary change is structural, splitting the current manual into two documents and improving clarity, organisation, and usability.

DISCUSSION

[18] Included with this report is the current Delegations Manual, the draft Council Delegations Manual and draft Chief Executive Delegations Manual and a Memorandum from Chief Executive Richard Saunders.

[19] The draft Delegations Manuals are comprehensive and up to date.

[20] Under the current Delegations Manual any amendment to a delegation requires a resolution of Council even where this is not always required under the relevant legislation. One of the purposes of dividing the current Delegations Manual into two Manuals is to provide for more efficient delegation.

[21] The Council Delegations Manual is structured into six Parts:

a. **Part A** - **introductory and background information**, including the principles for making delegations and establishing the Council's legal powers for making delegations.
b. **Part B** - the **governance delegations** made by the Council to Committees and to the Chairperson.
c. **Part C** - the **general administrative delegations** made by the Council in relation to human resources matters, the release of information, correspondence (including submissions and applications for funding), the use of the Common Seal, delegations in relation to legal proceedings and obtaining professional advice.
d. **Part D** - the **contracting, financial, rating and property .**
e. **Part E** - the **regulatory delegations under the Resource Management Act 1991** Council makes to officers. These duties, responsibilities and powers are either not legally able to be further sub-delegated, or the Council has chosen to not enable further sub-delegation.
f. **Part F** - the **regulatory non-RMA delegations** Council makes to officers under the Local Government Act 2002 and other statutes.

[22] The Chief Executive Delegations Manual is structured into four Parts:

a. **Part A** - **introductory information**.
b. **Part B** - the **general administrative delegations** made by the Council in relation to human resources matters, the release of information, correspondence, delegations in relation to legal proceedings and obtaining professional advice.
c. **Part C** - the **contracting, financial, rating and property delegations**.
d. **Part D** - the **regulatory delegations** Chief Executive makes to officers under various statutes.

OPTIONS

[23] Council is asked to resolve to revoke the current Delegations Manual and adopt the attached draft Council Delegations Manual. If the Council makes the resolutions requested the Chief Executive Delegations Manual will be approved by the CE contemporaneously.

[24] If Council does not make the proposed resolutions, then the current Delegations Manual will remain in place.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[25] This paper proposes a continuation of current Council policy of providing delegation to Council staff.

Financial Considerations

[26] Dividing the current Delegations Manual into two will result in more efficient decision making. Staff time to upload the Council Delegations Manual to the website and Chief Executive Delegations Manual to the staff intranet is negligible.

Significance and Engagement

[27] No external consultation is required for this proposal as it is operational in nature. The amendments are not intended to change any of the substantive delegations.

[28] The persons who are affected by or interested in this matter are Council officers and elected members.

Legislative and Risk Considerations

[29] Section 10 of the LGA states the purpose of local government is:

a. to enable democratic local decision-making and action by, and on behalf of, communities; and
b. to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future.

[30] As such, the recommendation in this report is appropriate and within the ambit of s 10 of the LGA.

[31] Having current Delegations Manuals in place reduces the risk of decisions that affect the Council being made at the wrong levels in the organisation or of delegated decisions being challenged by third parties.

[32] Clause 32 schedule 7 of the LGA provides the Council the legal power to delegate some of its responsibilities, duties, or powers. Some powers cannot be delegated, and the Delegations reflect this.

[33] The recommended option is consistent with the requirements of the relevant designation, and delegations of this nature are consistent with the approach taken by most if not all other local authorities in New Zealand.

Climate Change Considerations

[34] There are no climate change considerations regarding the proposed delegations.

Communications Considerations

[35] If approved, the current Delegations Manual will be removed from the Council Website and the Council Delegations Manual will be uploaded to Council's website. The Chief Executive Delegations Manual will be published internally in Council's Policies and Procedures in Tiaki (Council's intranet).

NEXT STEPS

[36] If the new Council Delegations Manual is adopted, staff will upload it to Council's website.

ATTACHMENTS

1. Otago Regional Council Delegations Manual December 2025 [**10.4.1** - 86 pages]
2. Council Delegations Manual [**10.4.2** - 37 pages]
3. Chief Executive Delegations Manual [**10.4.3** - 34 pages]
4. 27 May 2026 Memo Legal Counsel re Chief Executive Delegations Manual [**10.4.4** - 1 page]

Otago Regional Council

OTAGO REGIONAL COUNCIL

DELEGATIONS MANUAL

December 2025

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1. Delegations Policy Framework

Chapter 1 of the Delegations Manual outlines the structure and policy framework of how delegations are managed at the Otago Regional Council.

Of particular note are the principles and general terms and conditions that apply to all Otago Regional Council delegations.

1. Introduction

1.1 Purpose

This document is the Delegations Manual for the Otago Regional Council (**Delegations Manual**).

The primary purpose of the Delegations Manual is to set out the delegations the Otago Regional **Council** (**ORC**) has given to its officers/staff, and to its elected members (**Council**). The delegations relate to administrative and financial matters as well as the ORC's statutory duties, responsibilities and powers.

To assist staff to understand the responsibilities of the ORC and Council committees, this Delegations Manual also records specified duties, functions, and powers which cannot be delegated and includes associated delegations.

1.2 Structure

The Delegations Manual is structured into three chapters.

Chapter 1 of the Delegations Manual presents **introductory and background information** for the Delegations Manual including the principles for making delegations and establishing the Council's legal powers for making delegations.

Chapter 2 of the Delegations Manual records:

- **Part A-** the **governance delegations** made by the Council to Committees of the Council; and

- **Part B**- the specific delegations Council makes to ORC staff under the RMA, LGA 2002 and Local Government (Rating) Act 2002 which are either not legally able to be further sub-delegated, or the Council chooses to ensure they cannot be subdelegated.

Chapter 3 of the Delegations Manual contains the delegations from the Council to the Chief Executive (or those delegations made via statute to the Chief Executive), some of which have then been sub-delegated to staff. Chapter 3 also contains some direct delegations to the Chairperson or Councillors (for example in relation to the use of the common seal). The delegations are divided into the following parts:

- **Part C** contains general **administrative delegations** relating to human resources matters, the release of information, submissions and funding, the use of the Common Seal, obtaining professional advice and legal proceedings.

- **Part D** contains **contracting, financial, rating and property delegations**, including financial delegations relating to expenditure (including financial delegation limits), contingency expenditure and other authority and procedures relating to other financial and accounting matters and delegations in respect of rating and property matters.

- **Part E** contains **regulatory non-RMA delegations** relating to the ORC's regulatory functions, duties and powers under other legislation including the Biosecurity Act 1993, the Building Act 2004, the Maritime Transport Act 1994, the Civil Defence Emergency Management Act 2002, the Land Drainage Act 1908 and the Soil Conservation and Rivers Control Act 1941.

1.3 Background

1.3.1 DEFINITION OF DELEGATION

A delegation is the conveying of a duty of power to act to another person, including the authority that the person making the decision would themselves have had in carrying out that duty or exercising that power.

For the purposes of administrative efficiency and expediency when conducting its day-to-day business, the Council delegate certain statutory duties, responsibilities and powers to committees, elected members, and/or officers/staff. Where permitted by statute, the Chief Executive delegates certain duties and responsibilities to a subordinate level. These delegations are a necessary operational requirement to promote effective and expeditious decision-making. Delegations avoid administrative delays and inefficiencies that might otherwise occur if all matters had to be referred to the Chief Executive or to Council every time a decision needed to be made.

1.3.2 THE LEGAL BASIS

In most cases, Council's elected members have the primary power of delegation as it is the body that is specified as the delegate in the empowering legislation. In some specific instances the legislation empowers the Chief Executive directly to have the power of delegation.

The Council's authority to delegate to its standing committees, subcommittees, members, to the Chief Executive or officers/staff is principally derived from Clause 32 of Schedule 7 of the Local Government Act 2002 (LGA 2002) which reads:

(1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of the local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except

(a) the power to make a rate; or

(b) the power to make a bylaw; or

(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or

(d) the power to adopt a long-term plan, annual plan, or annual report; or

(e) the power to appoint a chief executive; or

(f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or

(g) [repealed]

(h) the power to adopt a remuneration and employment policy.

(2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in subclause (1).

(3) A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.

(4) A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.

(5) A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.

(6) A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.

(7) To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

(8) The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.

Other statutes also confer or limit the ability for the Council to delegate decision-making powers and duties. Of note are:

- Section 34 (Delegation of functions, etc., by local authorities) of the Resource Management Act 1991
- Section 105 (Delegation to authorised persons) of the Biosecurity Act 1993
- Sections 42 (Delegation of powers by local authority) and 43 (Delegation of powers by officers) of the Local Government Official Information and Meetings Act 1987
- Sections 124 (Delegation of powers by local authority) and 125 (Delegation of powers by officers or local authority) of the Privacy Act 1993

Except as provided for elsewhere in this Delegations Manual, the delegation of a power, function or duty is made under Clause 32 of Schedule 7 of the LGA

1.3.3 PRINCIPLES, TERMS AND CONDITIONS

The delegations are derived from the Council and the Chief Executive.

When deciding to delegate any duties, responsibilities, and powers, the Council or Chief Executive will have regard to the principles outlined in Table 1.

In the exercise of any delegation, the delegate (i.e. the person given the delegation) must comply with the general terms and conditions, which are also outlined in Table 1. In addition to the general terms and conditions, the delegate must also comply with any additional terms and conditions that might apply to specific delegations.

Table 1: Principles, terms and conditions

Principles
1. Wherever possible, delegations to staff have been made on a wide basis to promote the most effective and efficient implementation and delivery of ORC's policies and objectives. 2. Delegations have generally been made to the lowest level of competence, commensurate with the degree of responsibility, difficulty and risk involved in the undertaking of the task delegated. 3. In deciding what is the lowest level of competence for each delegation, particular attention has been paid to the responsibilities and accountability for its correct and effective implementation and any reporting requirements.

4. In exercising delegations which are outside ORC's day-to-day business, staff will report back on the exercise of that delegation to the next relevant Council or Council Committee meeting.
5. Where ORC is expressly prevented from delegating some or all of its powers by a particular statute, it may delegate the power to do anything precedent to the exercise by the Council of that particular power or authority.

Terms and conditions

1. No delegations shall limit the power of ORC or Council or other delegator to exercise a function,duty or power in substitution for a delegate.
2. In the exercise of any delegation, the delegate will ensure they act in accordance with:
    a. any binding statutory authority (in relation to each delegation, relevant sections of theAct will be identified); and
    b. any relevant ORC policy or procedural documents (including reporting and recording) requirements.
3. In relation to delegations to officer level, every delegation will be to a stated officer and will be exercised in relation to the duties of their position as identified in their Position Description or when an officer has been appointed in an acting capacity.
4. Decisions, other than on minor or routine matters, made under delegated authority will be reported to Council or a relevant Committee.
5. For the avoidance of doubt, line managers shall have the same delegated powers as subordinate staff, unless the exercise of such delegation requires, by law, a particular qualification or registration. The delegations in this Manual are expressed as the lowest level in the organisation which can exercise the function, duty or power.
6. An officer who is delegated a responsibility, duty or power is also delegated any ancillary responsibilities, duties or powers necessary to give effect to that delegation.
7. Where a delegation refers to repealed legislation, the reference is to be read as a reference to the legislation that, with or without modification, replaces or corresponds to the repealed legislation.
8. A delegation once made cannot be further sub-delegated, unless the authority to sub-delegate is specified in the delegation.
9. Any power to appoint a person or approve an action or document includes the power to revoke any appointment or approval.
10. The Council may, at any time, revoke, suspend for a period, or amend the terms or conditions in relation to any delegation it has made. Where this occurs, it will be recorded by resolution of Council.
11. The Chief Executive may revoke or suspend for a period, or amend the terms and conditions, in any delegation to subordinates that they have made. Where this occurs, it will be recorded in writing to the relevant staff member and in relevant ORC procedures.
12. The Chief Executive may revoke, or limit, or suspend for a period, or reduce the extent of delegations made to named officers such that some or all of the function, duty or power must be exercised by a line manager of the person holding the delegation. This would be appropriate during the training or development of new staff, or where, in the view of the Chief Executive, particular types of decision may need greater scrutiny. Where this occurs, it will be recorded in writing to the relevant staff member and in relevant ORC procedures.

13. Unless expressed otherwise, where a delegation is to more than one officer, that power of delegation is to each officer separately.

1.3.4 SUB-DELEGATION

At times, it will be necessary for the performance of assigned duties for a staff member to have delegated authority additional to those specifically mentioned in the Delegations Manual. These situations may include staff acting temporarily in a role (such as acting Chief Executive or acting Manager) where they need to exercise the delegations of that higher role. Such sub-delegations will be recorded in writing in the form of a memo signed by the person granting the delegation, and a copy kept on the delegation file. A person exercising functions, powers or duties under a sub-delegation shall not have the authority to further delegate those functions, powers or duties.

Staff with delegated authority under this manual are empowered to delegate (in the above manner) to the appropriate staff member any authority, which has been delegated to them except the power to delegate, unless otherwise constrained by legislation or the terms of their delegation.

1.3.5 DECISION MAKING AND SIGNIFICANCE AND ENGAGEMENT

The decision-making requirements under the LGA 2002, including those in sections 76 and 79 must be complied with, including making decisions on what responsibilities should be delegated to staff in accordance with this Delegations Manual and also making decisions under delegated authority.

The degree to which compliance with the decision-making requirements in the LGA 2002 is required is proportional to the significance of the delegated decision or power and the resources available.

In every case, the delegate needs to determine the significance of the decision they are making or the power they are exercising, notwithstanding that they have the delegated authority to make the decision or take the action. The Council's Significance and Engagement Policy is relevant to this assessment.

Where the delegate determines that the decision to be made or power to be exercised may be significant, they should consider whether to refer the decision or exercise of the power back to the delegator before final action is taken. In considering this issue, the delegate needs to balance the delegated authority they have with the potential consequences. While a precautionary approach should be taken, delegates must not be averse to making decisions or taking action as required.

1.3.6 AUTHORITY

Unless stated otherwise in this Delegations Manual, delegations are made under Clause 32 of Schedule 7 of the LGA 2002.

1.3.7 REVIEWS AND UPDATES OF THE DELEGATIONS MANUAL

The Delegations Manual is a living document, and it will be reviewed periodically and when legislative change requires amendments. The Delegations Manual has been developed to record current delegations made by the Council or Chief Executive.

Certain delegations that have been made to the Chief Executive have been made so that they can be further sub-delegated by the Chief Executive (i.e. those in Chapter 3 of this Manual). Delegations under the Resource Management Act 1991 and the Local Government (Ratings) Act 2002 are legally not able to be further sub-delegated and may only be approved by a Council resolution.

The general terms and conditions of this Delegations Manual provides that a responsibility, duty or power delegated to an officer holding a named position is also delegated to any officer who performs or exercises the same or a substantially similar role or function, whatever the name of his or her position. Any changes in position names must be approved by the Chief Executive and this Delegations Manual will be updated accordingly.

The Chief Executive may authorise changes and updates to any Chapter 3 Chief Executive delegations or matters which he or she has sub-delegated, other than delegations under the Resource Management Act 1991 and the Local Government (Rating) Act 2002 as these two statutes prohibit sub-delegation. Any changes and updates to the delegations set out in Chapter 3 (authorised solely by the Chief Executive rather than the full Council) are set out in the relevant table below. There are some delegations in Chapter 3 which are made to the Chairperson or Councillors, and these cannot be sub-delegated by the Chief Executive.

The following amendments to ORC delegations have been approved by Council for the period 10 November 2022 to 25 September 2024

Date Amended	Amendment	Council Paper
9 November 2022	Version 1.5 of Delegations Manual Approved.	Resolution CM22-281
22 February 2023	Regional Leadership Committee: Future Development Strategies.	Resolution CM23-116
22 May 2024	Delegations to staff for Building (Dam Safety) Regulations 2022.	Resolution CM24-130

20 March 2024	Fresh Water Farm Plans to amend Council's Delegation Manual to provide delegations to staff under Part 9A of the Resource Management Act 1991 (RMA).	Resolution CM24-120
28 August 2024	Approved amendments to the Otago Regional Council Delegations Manual.	Resolution CM24-175
25 September 2024	Revoked the August 2024 version of the Delegations Manual and adopted this Delegation Manual to the extent it records delegations made by Council.	Resolution CM24-179
19 February 2025	Approved new delegations under the Fast Track Approvals Act 2024. Sections 17, 30,50,53,67 and 70.	Resolution CM25-122
19 March 2025	Adopts the proposed new committee structure and terms of reference as a trial, with or without changes, to be implemented ahead of the end of May committee meetings until the end of the triennium.	Resolution CM25-145
25 June 2025	Resolves to replace "Co-Chairs Regional Leadership Committee" with "Co-Chairs Environmental Delivery Committee" in the ORC Delegations Manual, specifically in Part B- the delegations Council makes to ORC staff and elected members under the Resource Management Act.	Resolution CM25-170
26 November 2025	Resolves to replace "Co-Chairs Environmental Delivery Committee" with "Portfolio Leads Environmental Delivery" in the ORC Delegations Manual, specifically in Part B- the delegations Council	Resolution CM25-232

	makes to ORC staff and elected members under the Resource Management Act.	

The following amendments to Chief Executive delegations in Chapter 3 have been approved by the Chief Executive for the period 10 November 2022 to 25 September 2024:

Date Amended	Amendment	Chief Executive approval
25 September 2024	Chapter 3 of Delegations Manual (including subdelegations) approved	Memorandum dated 16 September 2024 signed by Richard Saunders

2. DELEGATIONS RELATING TO COUNCIL, COMMITTEES AND DIRECT TO COUNCIL STAFF

PART A: COUNCIL AND COMMITTEES

Part A sets out those delegations that remain with the Council and the delegations given to the Council's Committees.

2. Council

In accordance with Clause 32 of Schedule 7 of the LGA 2002, the Council is required by legislation to make decisions on the following matters:

a. The power to make a rate; or
b. The power to make a bylaw; or
c. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
d. The power to appoint a chief executive; or
e. The power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
f. The power to adopt a remuneration and employment policy.

Other legislation, including the Resource Management Act 1991, the Biosecurity Act 1993 and the Land Transport Management Act 2003, provide that certain matters cannot be delegated and that certain decisions must be made by the Council.

3. Council committees

3.1 Introduction

The Council has the following committees:

- Finance Committee
- Environmental Strategy and Planning Committee
- Environmental Delivery Committee
- Public and Active Transport Committee
- Community and Partnerships Committee
- Science and Resilience Committee
- Audit and Risk Subcommittee
- Civil Defence and Emergency Management Joint Committee
- Regional Transport Committee (established by the Land Transport Management Act 2003)

The delegations in this section reflect the delegations provided in the Committee Structure, Membership and Terms of Reference 2022 - 2025 Triennium.

3.2 Finance Committee

The Finance Committee Terms of Reference (including delegations) were adopted by Council on 7 December 2022.

The Finance Committee is authorised by Council to:

- Receive information for noting.
- Award or approve contracts and tenders in excess of staff delegations and to a maximum of $2million.
- Consider and make recommendations to Council on matters of financial impact other than as provided for in the Annual Plan.
- Carry out any other function or duty delegated to it by Council.
- Appoint subcommittees or working parties as appropriate, provided they are limited to a time duration consistent with performance of their specified tasks, and receive reports from those subcommittees or working groups.

3.3 Environmental Strategy and Planning Committee

The Environmental Science and Policy Committee Terms of Reference (including delegations) were adopted on a trial basis, by Council on 19 March 2025.

The Environmental Strategy and Planning Committee is authorised by Council to:

- Receive information for noting.
- Receive reports from the Land and Water Regional Plan Governance Group.
- Make recommendations to Council on the matters within its responsibility.

Consider and make decisions concerning the Future Development Strategy work with the Dunedin City Council.

- Appoint working parties as appropriate, provided they are limited to a time duration consistent with performance of their specified tasks, and receive reports from those working groups. .
- Carry out any other function or duty delegated to it by Council.

3.4 Environmental Delivery Committee

The Environmental Implementation Committee Terms of Reference (including delegations) were adopted on a trial basis, by Council on 19 March 2025.

The Committee has no general decision-making or financial delegations. It can: :

- Receive information for noting.
- Make recommendations to Council when decisions are needed.
- Appoint working parties as appropriate, provided they are limited to a time duration consistent with performance of their specified tasks,
- Carry out any other function or duty delegated to it by Council.

3.5 Public and Active Transport Committee

The Public and Active Transport Committee Terms of Reference (including delegations) were adopted by Council on 7 December 2022.

The Public and Active Transport Committee is authorised by Council to:

- Receive information for noting.
- Make recommendations to Council when decisions are needed.
- Appoint working groups with representatives from territorial authorities and other agencies as appropriate, provided they are limited to a time duration consistent with performance of their specified tasks, and receive reports from those working groups.
- Carry out any other function or duty delegated to it by Council.

The Public and Active Transport Committee has no general decision-making or financial delegations.

3.6 Community and Partnerships Committee

The Community and Partnerships Committee Terms of Reference (including delegations) were adopted, on a trial basis by Council on 19 March 2025.

The Committee has no general decision-making or financial delegations. It can::

- Receive information for noting.
- Make recommendations to Council on the matters within its responsibility.
- Appoint working parties as appropriate, provided they are limited to a time duration consistent with performance of their specified tasks, and receive reporting from them.
- Carry out any other function or duty delegated to it by the Council.

3.7 Science and Resilience Committee

The Safety and Resilience Committee Terms of Reference (including delegations) were adopted on a trial basis by Council on 19 March 2025.

The Safety and Resilience Committee has no general decision-making or financial delegations. It can:

- Receive information for noting.
- Make recommendations to Council when decisions are needed.
- Appoint working parties as appropriate, provided they are limited to a time duration consistent with performance of their specified tasks.

Recommending formation of liaison groups to Council.

- Carry out any other function or duty delegated to it by the Council.

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3.8 Audit and Risk Subcommittee

The Audit and Risk Subcommittee Terms of Reference (including delegations) were adopted by Council on 7 December 2022.

The Audit and Risk Subcommittee is authorised by Council to:

- Receive information for noting.
- Receive the external audit engagement letters and letters of undertaking for audit functions and additional services provided by the external auditor.
- Review matters within its areas of responsibility and make recommendations to Council on those matters.
- Seek information it requires from the Chief Executive. The Chief Executive is required to cooperate with any requests unless excused by the Chairperson of the Council.
- Request access to outside legal or independent professional advice should it consider this necessary.

The Audit and Risk Subcommittee has no general decision-making or financial delegations.

3.9 Otago Civil Defence Emergency Management Group (Joint Committee)

The Otago Civil Defence Emergency Management Group (Joint Committee) Terms of Reference (including delegations) were adopted by Council on 7 December 2022.

The Otago Civil Defence Emergency Management Group (Joint Committee) is authorised by Council to:

- have all the delegated authorities that may be given as appropriate the powers, obligations and functions of the Group as specified in the Civil Defence Emergency Management Act 2002.
- have, authority to appoint subcommittees as appropriate.

Have authority to sub-delegate any authority able by law to be delegated.

The Otago Civil Defence Emergency Management Group (Joint Committee) has no general decision-making or financial delegations.

3.10 Otago Regional Council Transport Committee

The Otago Regional Council Transport Committee Terms of Reference (including delegations) were adopted by Council on 7 December 2022.

The Otago Regional Council Transport Committee is authorised by the Council to undertake the following:

Delegated Authority – Power to Act:

have authority to appoint a panel to hear RLTP, submissions.

- have authority to appoint, working parties, advisory groups and, where appropriate – where there is urgency or special circumstances; to appoint a sub-committee to deal with any matters of responsibility within its Terms of Reference and areas of responsibility, and to make recommendations on such matters, provided that a sub-committee so appointed shall not have the authority to act except by a resolution of the Otago Regional Council Transport Committee with specific limitations;
- have authority to make decisions in accordance with the Terms of Reference and the Land Transport Management Act 2003.

- Power to Act (for the information of Council):

- monitor transport activities in order to report on progress on the Regional Land Transport Plan;
- prepare and recommend variations to the Regional Land Transport Plan that trigger the Otago Regional Transport Committee's significance policy;
- consider and make recommendations on transport planning studies and associated outcomes;
- provide recommendations to relevant government agencies on transport priorities for the region and the allocation of national or regional transport funds.

PART B: DELEGATIONS FROM COUNCIL TO SPECIFIC ORC STAFF

Part B of this chapter sets out the delegations which Council authorises to specific ORC staff.

RESOURCE MANAGEMENT ACT 1991 DELEGATIONS

[a] This section sets out the functions under the RMA which are delegated;

[b] The Council delegates (to the extent authorised under the RMA) it's powers, duties, and functions in respect of resource management matters to the Chief Executive and council officers as set out below;

[c] The delegations are made under and must be acted on in accordance with the requirements of ss 34 and 34A of the RMA as well as the general delegation provision of clause 32 of schedule 7 of the LGA. This includes the limitations set out in those sections and the prohibition on sub-delegation;

[d] The powers have been delegated to specific office holders through their title as set out in the 'delegated to' column of the schedule;

[e] Any limitation on the power delegated has been specified in the 'function' column of the schedule below; and

[f] The 'function' column is a summary of the power delegated only. The complete provision of the RMA (set out in the 'section' column of the schedule) should be referred to as appropriate.

4. RMA General Matters

4.1 RMA Information and Reports

Section	Function	Delegated to
35(2A)	Prepare and make available to the public a report on monitoring activities undertaken by ORC in the course of exercising its functions under the RMA	GM Regional Planning and Transport GM Science and Resilience

4.2 RMA Administrative charges

Section	Function	Delegated to
36(5)	Require payment of additional charges over and above any fixed charges to enable the recovery of actual and reasonable costs.	Manager Policy and Planning Manager Consents Manager Compliance
36(6)	Approve an estimate of any additional charges likely to be imposed where requested by a person liable to pay an additional charge	Manager Policy and Planning Manager Consents Manager Compliance
36AAB(1)	Waive or remit the whole or any part of any charge referred to in s36 which would otherwise be payable.	Manager Policy and Planning Manager Consents Manager Compliance
36AAB(2)	Where a charge of a kind referred to in s 36 is payable, cease performing the action to which the charge relates until the charge has been paid in full.	Manager Policy and Planning Manager Consents Manager Compliance
36AA	Determine any discount under s 36AA on an administrative charge imposed under s 36.	Manager Policy and Planning Manager Consents Manager Compliance

4.3 RMA Power to waive or extend time limits or waive requirements

Section	Function	Delegated to
37(1)(a)	Extend time periods associated with a resource consent process, if the applicant has agreed to the extension.	Senior Consents Planner Team Leader Consents except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
	Extend time periods associated with a resource consent process, where the applicant has not agreed to the extension.	Manager Consents except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
	Extend any other time period not associated with a resource consent process.	GM Regional Planning and Transport GM Environmental Delivery
37(1)(b)	In relation to resource consent processes, waive a failure to comply with a requirement regarding the time or method of services of documents.	Manager Consents except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
	In relation to any process other than a resource consent process, waive a failure to comply with a requirement regarding the time or method of service of documents.	GM Regional Planning and Transport GM Environmental Delivery
37(2)	In relation to a resource consent process, waive compliance with a requirement (including a procedural requirement) to provide information or direct that the omission or inaccuracy be rectified, and the manner of the correction.	Manager Consents except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery

	In relation to any process other than a resource consent process, waive compliance with a requirement (including a procedural requirement) to provide information or direct that the omission or inaccuracy be rectified, and the manner of the correction.	GM Regional Planning and Transport GM Environmental Delivery Manager Compliance Manager Regulatory Data and Systems Manager Policy and Planning

4.4 RMA Commissioning reports

Section	Function	Delegated to
42A	Require an officer or commission a consultant or other person to prepare a report.	Principal Consents Planner Senior Consents Planner Team Leader Consents Team Leader RPS, Air and Coast Team Leader Freshwater and Land **except** where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
42A(3) 42A(4)(b) 42A(5)	Waive compliance with the requirements in ss 42A(3) and 42A(4)(b).	GM Regional Planning and Transport or GM Environmental Delivery

4.5 RMA Protection of sensitive information

Section	Function	Delegated to
42	Make an order under this section to avoid: serious offence to tikanga Māori, or to avoid the disclosure of the location of wahi tapu; the disclosure of a trade secret or unreasonable prejudice to the commercial position of the person who supplied, or is the subject of, the information; and, in the circumstances of the particular case, the importance of avoiding such offence, disclosure, or prejudice outweighs the public interest in making that information available.	GM Regional Planning and Transport GM Environmental Delivery

5. RMA Policy and Planning

5.1 RMA Evaluation reports

Section	Function	Delegated to
32 Schedule 1, clause 5	Direct the preparation of an evaluation report for a proposed policy statement or plan in accordance with section 32.	Team Leader RPS, Air and Coast Team Leader Freshwater and Land
32AA Schedule 1, clause 5	This is a report to be prepared or commissioned by the hearing panel making recommendations on the planning document.	
165H(1A)	Prepare a report summarising the matters required by section 165H(1) and make it available for inspection.	Manager Policy and Planning

5.2 RMA Consultation

Section	Function	Delegated to
Schedule 1, clause 3	Determine affected Ministers of the Crown, local authorities and other persons to consult with during the preparation of a proposed policy statement or plan	Manager Policy and Planning
Schedule 1, clause 4A	Consult with iwi and provide documents on any proposed RPS or Regional Plan	Manager Policy and Planning

5.3 RMA Notification

Section	Function	Delegated to
Schedule 1, clause 5(1C)	Determine whether persons are likely to be directly affected by the proposed policy statement or plan and determine what information to provide those persons.	Team Leader RPS, Air and Coast Team Leader Freshwater and Land
Schedule 1, clause 5(5)	Determine appropriate locations in the region to make any proposed policy statement or plan available.	Team Leader RPS, Air and Coast Team Leader Freshwater and Land

5.4 RMA Summary of decisions requested

Section	Function	Delegated to
Schedule 1, clause 7	Publicly notify a summary of decisions requested by persons making submissions on a proposed policy statement, plan, or plan change and/or serve notice on relevant persons where a decision was made to have limited notification of a RPS or Regional Plan	Team Leader RPS, Air and Coast Team Leader Freshwater and Land

5.5 RMA Resolution of disputes

Section	Function	Delegated to
Schedule 1, clause 8AA(1)	Invite persons to a meeting for the purpose of clarifying or facilitating the resolution of any matter relating to a proposed policy statement or plan.	GM Regional Planning & Transport
82	Resolution of disputes relating to inconsistencies between instruments by referral to the Environment Court (relates to inconsistency between water conservation orders and the Regional Policy Statement, or Regional Policy Statement or Plans and a District Plan, or between Regional Policy Statement or Plan and a national direction)	GM Regional Planning & Transport

5.6 RMA Amendments to policy statements or plans without using Schedule 1

Section	Function	Delegated to
Schedule 1, clause 16(1) and (2) Schedule 1, clause 20A	Amend a proposed or operative policy statement or plan in accordance with clauses 16(1), 16(2) (to give effect to national direction or a direction from the Environment Court) and 20A (to correct a minor error) without using the Schedule 1 process.	Manager Policy and Planning

292	Amend a plan without using the process in Schedule 1 of the RMA to remedy a mistake, defect, or uncertainty or to give full effect to a plan as directed by the Environment Court.	Team Leader RPS, Air and Coast Team Leader Freshwater and Land
85(3) 293	Make an amendment directed by the Environment Court under ss 85(3) and 293 without using the process in Schedule 1.	Manager Policy and Planning

5.7 RMA Notification of operative dates

Section	Function	Delegated to
Schedule 1, clause 20	Publicly notify a date on which a policy statement or plan becomes operative.	Manager Policy and Planning

5.8 RMA Private plan changes

Section	Function	Delegated to
Schedule 1, clause 23(1) and (2)	Require, by written notice, further or additional information in accordance with clause 23.	Manager Policy and Planning
Schedule 1, clause 23(3)	Commission a report in relation to a request made under clause 21 and notify the person who made the request.	Manager Policy and Planning
Schedule 1, clause 24	Modify a request made under clause 21 with the agreement of the person who made the request.	Manager Policy and Planning
Schedule 1, clause 28	Give notice that request made under clause 21 will be deemed to be withdrawn if not advised of wish to continue with request.	Manager Policy and Planning

5.9 RMA Incorporation of documents by reference

Section	Function	Delegated to
Schedule 1, clause 34	Consult on proposal to incorporate material by reference in a proposed plan, variation, or change in accordance with Schedule 1, clause 34.	Team Leader RPS, Air and Coast Team Leader Freshwater and Land

5.10 RMA Written approval on behalf of the ORC

Section	Function	Delegated to
104(3)(ii) 104(4)	Where ORC is an affected party, give or decline to give written approval on behalf of the ORC to a resource consent application, and withdraw any written approval given.	GM Regional Planning & Transport -for policy interests GM Science and Resilience – for operational matters

		GM People and Corporate – for property matters GM Environmental Delivery - for maritime interests

6. RMA Submissions

Council is responsible for setting the region's policy direction through its regional policy statement (RPS) which territorial authorities must give effect to. An important part of implementing the RPS is through making submissions on District or City Councils' proposed plans, plan changes, and resource consent applications. These submissions seek to implement Council's previous decisions so generally will not require further approval from Council.

Where Council has no relevant policy, but the issues raised in a plan change or consent application are significant the matter should be referred to Council for consideration. Where this is not possible within the time that is available a submission should be lodged subject to Council endorsement and the matter brought to the next Council or relevant Committee meeting.

Section	Function	Delegated to
96	Lodge or withdraw a submission on a resource consent application on behalf of Council.	GM Regional Planning and Transport– for policy interests or on behalf of GM Science and Resilience GM Environmental Delivery for maritime interests GM Science and Resilience – for operational matters GM People and Corporate – for property matters
149E 149F 149O	Make a submission to the EPA on a matter that has been called in or referred to it	GM Environmental Delivery GM Regional Planning and Transport
Schedule 1, clause 6 Schedule 1, clause 8	Lodge or withdraw a submission or further submission on a proposed plan or plan change on behalf of ORC.	Manager Policy and Planning
Part 5	Make a submission in relation to a proposed National Policy Statement, National Environmental Standard, NZ Coastal Policy Statement	Not delegated

7. RMA Resource consents and certificates of compliance

7.1 RMA Application for resource consents

Section	Function	Delegated to
88(3)	Determine that an application is incomplete.	Consents Planner
88(3A)	If an application is determined to be incomplete, return the application to the applicant with written reasons for the determination.	Consents Planner
91C(2)	Following a period of suspended processing, decide whether to return the application to the applicant with a written explanation as to why it is being returned or continue to process the application.	Team Leader Consents Principal Consents Planner
91C(3)	If a decision is made under section 91C(2) to return an application, return the application with a written explanation as to why it is being returned.	Team Leader Consents Principal Consents Planner
165D	Refuse to receive and application for a coastal permit where consent for a similar activity has been refused within the previous 12 months	Manager Consents

7.2 RMA Further Information requests

Section	Function	Delegated to
92(1)	Request further information relating to a resource consent application.	Senior Consents Planner
92(2)	Commission a person to prepare a report on any matter relating to a resource consent application.	Team Leader Consents Principal Consents Planner
92A(2)	When requesting further information under section 92, set a reasonable time within which the applicant must provide the information and tell the applicant in a written notice.	Senior Consents Planner

7.3 RMA Notification

Section	Function	Delegated to
91(1)	Defer the notification or hearing of an application for resource consent where it is considered other resource consents will also be required and it is appropriate that applications for one or more of those other resource consents be made before proceeding further.	Senior Consents Planner

91D	Decide to suspend the processing of a non-notified application when a request is received from an applicant under section 91D.	Senior Consents Planner
95(1)	Decide whether to give public or limited notification of a resource consent application in accordance with sections 95A and 95B and notify the application as determined appropriate.	Team Leader Consents; or Principal Consents Planner except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
95E 95F 95G 127(4)	Determine if a person is an affected person.	Team Leader Consents; or Principal Consents Planner except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
95D	For the purposes of deciding whether to publicly notify an application, determine whether the effects of the activity will be more than minor.	Team Leader Consents; or Principal Consents Planner except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery

7.4 RMA Submissions

Section	Function	Delegated to
97	Adopt an earlier closing date for submissions.	Manager Consents; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery

7.5 RMA Pre-hearing meetings and mediation

Section	Function	Delegated to
99(1)	Invite the applicant and submitters to attend a pre-hearing meeting.	Manager Consents; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
99(1)	Require the applicant and submitters to attend a pre-hearing meeting.	Manager Consents; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
99	Decide who will chair a pre-hearing meeting	Manager Consents; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
99(2)	Invite a person or persons to attend a pre-hearing meeting.	Manager Consents; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
99(2)	With the consent of the applicant, require a person or persons to attend a pre-hearing meeting.	Manager Consents; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery

99(8)	Decline to process a person's application or consider a person's submission if they were required but failed to attend a pre- hearing meeting.	GM Environmental Delivery; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
99A	Refer an applicant and submitters to mediation.	GM Environmental Delivery; except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
99A	Appoint mediators for consent applications	Any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery

7.6 RMA Hearings

Section	Function	Delegated to
34A(1) 34A(1A)	Appoint a hearing commissioner(s) to hear and decide resource consent applications and delegate to that person or persons all the necessary powers, functions, and duties in the RMA.	Manager Policy and Planning for plan hearings Any two of the following for a resource consent hearing: GM Environmental Delivery and Portfolio Leads Environmental Delivery
39 40 41A 41B 41C	To determine the procedures for the conduct of a hearing	The Hearings panel or Commissioners, or Commissioner sole appointed to hear and determine the particular plan proposal or consent application

41D	To strike out all of part of a submission in accordance with the section	Manager Consents The Hearings panel or Commissioners, or Commissioner sole appointed to hear and determine the particular plan proposal or consent application
100	Determine that a hearing of an application is necessary.	Manager Consents
100A(4)	Where an applicant or submitter has made a request under S 100A, appoint a hearing commissioner(s) to hear and decide the application.	Any two of the following: GM Environmental Delivery and Portfolio Leads Environmental Delivery
101(1) 101(3)	Fix and give notice of the commencement date, time and place of a hearing.	Senior Consents Support Planner; or Consents Support Co-ordinator
102(1)	In relation to joint hearings, agree that applications are sufficiently unrelated that a joint hearing is unnecessary.	Manager Consents
102(2)	Instead of the ORC, agree that for a joint hearing another authority should be responsible for notifying the hearing, setting the procedure, and providing administrative services.	Manager Consents
103(1)	Determine that applications for resource consents for the same proposal are sufficiently unrelated that it is unnecessary to hear and decide the applications together.	Manager Consents

7.7 RMA Decision-making on applications

Section	Function	Delegated to
104A 104B 104C 104D 104F 105 107 108 108AA 217	Determine applications and impose conditions for the following activities or types of application: Applications for a non-complying activity Determine applications and impose conditions for any activity where: the application was notified or limited notified but no hearing is required (subject to s 100) the recommended consent term is greater than 25 years. the recommended consent conditions are not consistent with the Council's standard consent conditions.	Manager Consents; Team Leader Consents; or Principal Consents Planner The Hearings panel or Commissioners, or Commissioner sole appointed to hear and determine a consent application including where the ORC is the applicant for consent.
104A 104B 104C 104D 104F 105 107 108 108AA 217	Determine applications and impose conditions for any other activity, where the recommended conditions are consistent with the Council's standard consent conditions and the recommended consent term is less or equal to 25 years.	Manager Consents; Team Leader Consents; or Principal Consents Planner The Hearings panel or Commissioners, or Commissioner sole appointed to hear and determine the particular consent application including where the ORC is the applicant for consent.
104A 104B 104C 104D 104F 105 107 108 108AA 217	Authority to decide non-notified resource consent applications to install or alter a bore.	Senior Consent Planner. The Hearings panel or Commissioners, or Commissioner sole appointed to hear and determine the particular a consent application including where the ORC is the applicant for consent.
108A 109	Implementation of requirement in a resource consent for a bond to secure the performance of consent conditions **Note:** If a bond or covenant is considered as a possible consent requirement than all matters relating to consent conditions under ss 104A, 104B, 104C, 104D, 104F, 105, 107, 108, 108AA and 217 must be considered together with delegation exercised by the GM Regulatory.	GM Environmental Delivery

110(1)	Refund or return the whole of a financial contribution or land in accordance with s 110.	GM Environmental Delivery
110(2)	Determine the portion of a financial contribution or land to retain to cover the costs incurred by the Council in relation to the activity and its discontinuance.	GM Environmental Delivery
114(2)	Determine what other authorities and persons are considered appropriate to be notified of a decision on a resource consent application.	Manager Consents
n/a – internal policy	Determine whether an application for financial support for resource consent processing fees for environmental enhancement projects is to be accepted or rejected, up to a maximum value of $10,000 taking into account budget availability and other factors. See ORC policy 'Financial Support for Resource Consent Processing Fees - Environmental Enhancement Projects' dated July 2021.	GM Environmental Delivery

7.8 RMA Duration of consent

Section	Function	Delegated to
124	Allow a resource consent holder to operate under an expired resource consent while the application for a new consent and any references (appeals) to the Environment Court are determined in accordance with s 124.	Team Leader Consents Principal Consents Planner Senior Consents Planner
125(1A)(b)	Determine an application for extension of the lapse date of a consent.	Manager Consents

7.9 RMA Cancellation and change of consents

Section	Function	Delegated to
126(1)	Cancel a resource consent by written notice in accordance with s 126.	Manager Compliance
126(2)	Revoke the notice of cancellation of a resource consent and determine a new period after which a new notice of cancellation may be issued in accordance with s 126.	GM Environmental Delivery
127	Change or cancel consent condition on application by the consent holder	Principal Consents Planner Manager Consents

7.10 RMA Review of consent conditions by consent authority

Section	Function	Delegated to
128 129	Determine whether to review the conditions of a resource consent, serve notice on a consent holder of the intention to review the conditions, and propose new conditions.	Manager Consents Manager Compliance

130	Determine whether notification of a review is required and whether a hearing be held.	Manager Consents
131 132	Change the conditions of a resource consent on a review under s 128.	Manager Consents

7.11 RMA Determining activities are permitted activities

Section	Function	Delegated to
87BB(1)(d)	Determine that an activity is a permitted activity in accordance with s 87BB(1)(a) to (c) and advise the person proposing to undertake the activity.	Team Leader Consents Principal Consents Planner

7.12 RMA Minor corrections

Section	Function	Delegated to
133A	Issue an amended consent that corrects minor mistakes or defects in the consent in accordance with s 133A.	Team Leader Consents Principal Consents Planner Senior Consents Planner

7.13 RMA Transfer and surrender

Section	Function	Delegated to
136(2)(b)(ii)	Approve the transfer of a water permit in whole or in part to another person on another site or to another site in accordance with s 136.	Manager Consents or Manager Regulatory Data and Systems; or Team Leader Compliance Support
137(3)(b)	Approve the transfer of a discharge permit in whole or in part to another person or another site in accordance with s 137.	Manager Consents or Manager Regulatory Data and Systems; or Team Leader Compliance Support
138(2)	Refuse to accept the surrender of part of a resource consent	Manager Consents Manager Consents or Manager Regulatory Data and Systems; or Team Leader Compliance Support

7.14 RMA Certificates of compliance or existing use

Section	Function	Delegated to
139(4)	Require further information to be provided in relation to a request for a certificate of compliance.	Consents Planner
139(5)	Issue a certificate of compliance.	Principal Consents Planner Team Leader Consents Senior Consents Planner

139A(3)	Require further information to be provided in relation to a request for an existing use certificate.	Consents Planner
139A(5)	Issue an existing use certificate.	Manager Consents
139A(8)	Revoke an existing use certificate in accordance with s 139A(7) and (8).	Manager Consents

7.15 RMA Permits over land other than that of the holders

Section	Function	Delegated to
417	To sign a certificate that defines a water race on land, as authorised by a mining privilege.	Not delegated by Council (Common Seal Required)

7.16 RMA Direct referral

Section	Function	Delegated to
87E	Decide whether to agree to an applicant's request for direct referral of a resource consent application to the Environment Court.	GM Environmental Delivery
87F	Approve the content of a report prepared under section 87F on an application that has been directly referred to the Environment Court.	Manager Consents

7.17 RMA Objections

Section	Function	Delegated to
357C	Hear and decide objections against certain decisions under ss 357, 357A and 357B – except where the objector has requested that the matter be resolved by a hearing commissioner.	Manager Consents Manager Compliance Except that if they made the decision that is the subject of the objection the objection must be determined by their General Manager, or the CE
357AB(2)	If requested by an applicant with a right of objection under s 357A(1)(f) or (g), appoint a hearing commissioner to consider the objection in accordance with s 357AB.	Environmental Delivery and Portfolio Leads Environmental Delivery
357C(4)	Hear and decide objections against additional charges collected under s 36(3).	GM Environmental Delivery Manager Compliance

7.18 RMA Consents where the ORC is the applicant

Section	Function	Delegated to
88(1)	Authority to apply for a resource consent on behalf of the ORC	GM Science and Resilience Any Harbourmaster

		GM Environmental Delivery
	For all delegations covered in sections 16.1 to 16.16 of this Manual decision making will be delegated to an external, independent and appropriately qualified commissioner appointed by two of the three: GM Regulatory and the co-chairs of the Regulatory Committee of Council. All analysis, processing, report writing and support for the Independent Commissioner will be provided by an independent consultant appointed by the Manager Consents from an approved panel of consultants.	Independent Commissioner Independent Consultant

7.19 RMA Consent applications where the ORC may be an affected party

Section	Function	Delegated to
95B	Authority to make submissions, or provide written approval of a resource consent application on behalf of Council where it is an affected party	GM Science and Resilience GM Regional Planning and Transport

8. RMA Enforcement and compliance

8.1 RMA Enforcement officers

Section	Function	Delegated to
38(1)	Authorise staff to act as enforcement officers.	Chief Executive
38(5)	Supply enforcement officers with warrants.	Chief Executive

8.2 RMA Requirement to supply information

Section	Function	Delegated to
388	Require information to be supplied by a person exercising a resource consent as to the nature and extent of activities carried out under the consent and the effects of the activities on the environment.	Environmental Officer

8.3 RMA Powers of entry or search

Section	Function	Delegated to
332	Use powers of entry for inspection in accordance with s 332.	Warranted Officer where specified on warrant
333	Use powers of entry for survey in accordance with s 333.	Warranted Officer where specified on warrant

334	Authority to apply to an issuing officer for a warrant for entry to search where there are reasonable grounds to believe an offence against the RMA has been or is suspected of having been committed that is punishable by imprisonment.	Manager Compliance

8.4 RMA Infringement notices

Section	Function	Delegated to
343B	To decide to proceed by way of filing a charging document or serving an infringement notice	GM Environmental Delivery
343B/C	To decide to withdraw an infringement notice.	Manager Compliance
343C	Where an enforcement officer observes a person committing an infringement offence or has reasonable cause to believe such an offence is being or has been committed by that person, authority to serve an infringement notice in respect of that offence.	Team Leader Compliance Monitoring Team Leader Investigations
343C	To commence proceedings for a defended infringement notice	GM Environmental Delivery

8.5 RMA Abatement notices

Section	Function	Delegated to
322	To decide to serve an abatement notice	Team Leader Compliance Monitoring Team Leader Investigations
325A	Determine that an abatement notice be cancelled, changed, or confirmed.	Manager Compliance

8.6 RMA Enforcement orders

Section	Function	Delegated to
316	Apply to the Environment Court for an enforcement order.	Manager Compliance
317	Where an application for an enforcement order is made, serve notice on every person directly affected by the application.	Team Leader Investigations
318	Give and withdraw notice of wish to be heard on an application for an enforcement order.	Team Leader Investigations

320	Apply to the Environment Court for an interim enforcement order.	Manager Compliance
321	If directly affected by an enforcement order, apply to the Environment Court to change or cancel the order.	Manager Compliance

8.7 RMA Offences

Section	Function	Delegated to
338	To initiate and/or withdraw a prosecution for an offence against the RMA.	GM Environmental Delivery
338	If a decision has been made to prosecute, authority to file a charging document on decisions to prosecute for offences.	GM Environmental Delivery

8.8 RMA Water shortage direction

Section	Function	Delegated to
329	Issue, amend or revoke a water shortage direction	GM Science and Resilience GM Regional Planning and Transport GM Environmental Delivery

8.9 RMA Reclamations

Section	Function	Delegated to
355B	Authority to act against unlawful reclamations.	GM Environmental Delivery

8.10 RMA Emergency works

Section	Function	Delegated to
330	Power to undertake emergency works for ORC and/or other preventative measures to contain or minimise adverse effects on the environment.	Manager Engineering GM Environmental Delivery
330A	Apply for a retrospective consent for emergency works	Manager Engineering
331(1)	Require reimbursement or seek compensation for any emergency action undertaken by the Council.	GM Environmental Delivery GM Science and Resilience
331(1A)	Apply for enforcement order under s 314(1)(d) to recover costs.	GM Environmental Delivery

9. RMA Court proceedings

9.1 RMA Environment court

Section	Function	Delegated to
120 174 192 195 Schedule 1, clause 14 Schedule 1, clause 27	Lodge, withdraw, or oppose an appeal to the Environment Court in relation to a resource consent, a designation, or a heritage order, plan reviews, policy statements, plan changes and new plans where the ORC is an applicant or has made a submission as an affected party. This delegation includes authority to enter into mediation, approve Consent Memoranda, draft Consent orders and side agreements, appear at hearings, present evidence, deal with costs, where these arrangements or activities protect ORC's interest as either the applicant or an affected party.	Manager Consents Manager Policy and Planning
174 179 192 195 Schedule 1, clause 14 Schedule 1, clause 27	Lodge, withdraw, or oppose an appeal to the Environment Court in relation to a resource consent where the ORC not an applicant or a decision maker.	GM Environmental Delivery GM Regional Planning and Transport
267	Participate and make decisions in Environment Court conferencing and/or appoint a representative who has authority (on behalf of Council) to participate and make decisions	Manager Consents Manager Compliance Manager Policy and Planning
268A	For RMA planning matters, settle a dispute or issues at stake at mediation or other alternative dispute resolution sessions to resolve proceedings directly relating to the contents of Otago Regional Council Regional Policy Statements and Plans, including approving Consent Memoranda, draft Consent Orders and side agreements, provided that a position paper is run by the relevant committee chair prior to the officer attending mediation or other alternative dispute resolution sessions For other RMA planning matters, settle a dispute or issues at stake at mediation or other alternative dispute resolution sessions, including approving Consent Memoranda, draft Consent Orders and side agreements	Manager Consents Manager Compliance Manager Policy and Planning
	For RMA resource consent and other RMA matters, approve Consent Memoranda, draft Consent Orders and side agreements.	Manager Consents Manager Compliance Manager Policy and Planning
272 275 277A	Decide to appear at proceedings before the Environment Court and call evidence, or new evidence for the ORC.	Manager Consents Manager Compliance Manager Policy and Planning

274	Lodge, withdraw, or oppose a notice of intention to become an interested party to Environment Court proceedings.	GM Regional Planning and Transport
278 279 280	Seek, withdraw, or oppose orders in accordance with ss 278, 279 and 280.	Manager Consents Manager Compliance Manager Policy and Planning
281	Lodge, withdraw, or oppose an application for a waiver or direction in accordance with section 281.	GM Regional Planning and Transport GM Environmental Delivery
285	Authority to approve an application for costs, respond to an application for costs, or waive the pursuit of costs in Court proceedings.	GM Regional Planning and Transport GM Environmental Delivery
291	Lodge, oppose, or withdraw a Notice of Motion (or originating application) with the Environment Court seeking an order and give or withdraw notice of a wish to be heard on an application.	GM Regional Planning and Transport GM Environmental Delivery
294	Apply to the Environment Court for a rehearing of its proceedings where new and important evidence has become available after the Court's decisions	GM Regional Planning and Transport
308G 311	Lodge, withdraw, join, or oppose an application for declaration with the Environment Court.	GM Regional Planning and Transport GM Environmental Delivery
356	Apply to the Environment Court for a matter to be determined by arbitration	Any General Manager

9.2 RMA High Court

Section	Function	Delegated to
149V 299 300	Lodge, withdraw, oppose, or join an appeal to the High Court and any related applications or proceedings.	Chief Executive
	Settle a dispute or issues at stake at mediation or other dispute resolution sessions.	
	Approve Consent Memoranda, draft Consent Orders, side agreements, or other documents required to settle a matter.	
301	Give or withdraw notice of intention to appear and be heard on appeal in High Court proceedings.	Chief Executive
305	Lodge, withdraw, oppose, or join an appeal to the High Court.	Chief Executive
306	Lodge, withdraw, or respond to an application for an extension of time.	Chief Executive

9.3 RMA Court of Appeal and Supreme Court

Section	Function	Delegated to
308 RMA Subpart 8 of Part 6 of Criminal Procedure Act 2011	Lodge, withdraw, join, or otherwise respond to an application for leave to appeal to the Court of Appeal, a Notice of Appeal to the Court of Appeal, or any related applications or proceedings and be heard in relation to any application or proceedings.	Chief Executive
	Settle a dispute or issues at stake at mediation or other dispute resolution sessions.	
	Approve Consent Memoranda, draft Consent Orders, side agreements, or other documents required to settle a matter.	

10. RMA Proposals of national significance

Section	Function	Delegated to
142(1)	Request that the Minister for the Environment call in a resource consent application as a matter is of national significance.	GM Environmental Delivery
142(2) 147(4)	Provide the Council's view on a direction to be made by the Minister for the Environment.	GM Environmental Delivery GM Regional Planning and Transport
149	Prepare a report requested by the EPA	Manager Consents
149B	Provide information to the EPA	Manager Consents Manager Policy and Planning Manager Compliance
149K	Provide suggestions to the Minister on the members of a Board of Inquiry	GM Environmental Delivery
149G 149M 149N	Prepare a report for the EPA on key planning matters relating to a called in application and provide information or comments to the EPA on proposed plans or plan changes	Manager Consents Manager Policy and Planning
149Q(4) 149Q(5)	Provide comments to the EPA on minor or technical aspects of a draft Board of Inquiry report.	Manager Consents GM Regional Planning and Transport
149W(2)(a)	Amend a proposed plan, change, or variation under clause 16(1) of Schedule 1 as if the decision were a direction of the Environment Court under s 293.	GM Regional Planning and Transport
149(ZD)	Recover actual and reasonable costs of a process involving a matter of national significance.	GM Environmental Delivery GM Regional Planning and Transport

11. RMA Water conservation orders

Section	Function	Delegated to
205 209 211	To make a submission to a special tribunal on a water conservation order, appeal to the Environment Court and power to be heard in person or be represented by another person at an inquiry conducted by the Environment Court under s 210.	GM Environmental Delivery GM Regional Planning and Transport

12. RMA Designations

Section	Function	Delegated to
168	Authority to give notice of a requirement for a designation to a territorial authority.	GM Science and Resilience, GM Regional Planning and Transport
172	Authority to make a decision on a recommendation on a notice of requirement for a designation	GM Science and Resilience, GM Regional Planning and Transport
174	Authority to appeal a decision of the territorial authority relating to a designation	GM Science and Resilience, GM Regional Planning and Transport
176 178	Authority to approve activities on land affected by a designation	GM Science and Resilience, GM Regional Planning and Transport
176A	Prepare an outline plan to be constructed on designated land	Manager Engineering
181 182	Authority to amend or remove a designation	GM Science and Resilience, GM Regional Planning and Transport
184	Authority to seek extension of a designation before lapsing	GM Science and Resilience, GM Regional Planning and Transport
195	Authority to appeal a matter subject to a heritage order	GM Science and Resilience, GM Regional Planning and Transport

13. Other RMA matters

Section	Function	Delegated to
80 186	Power to acquire land	Chief Executive

237D	Transfer of land to the Crown or ORC	Chief Executive
245	To approve or decline a plan of survey of a reclamation, or make a submission to a special tribunal on a water conservation order appeal to the Environment Court, and power to be heard in person or be represented by another person at an inquiry conducted by the Environment Court under s 210 to approve or decline a plan	Not delegated

14. RMA Regulations

14.1 RMA Measurement and Reporting of Water Takes

Regulation	Function	Delegated to
6(5)	Approving format of records	Manager Consents or Manager Regulatory Data and Systems
7(4)	Determining whether the certifier is suitably qualified	Manager Consents; or Manager Compliance; or Manager Regulatory Data and Systems
7A(5)	Approval to grant a later deadline for providing water meter records	Manager Consents; or Manager Compliance; or Manager Regulatory Data and Systems
8(4) 8(6)	Authority to request evidence from the consent holder	Consents Planner
9	Approval to measure water taken each week (instead of each day).	Team Leader Consents; or Team Leader Compliance Monitoring; or Manager Regulatory Data and Systems
10	Approval to use device or system installed near (instead of at) location from which water is taken.	Manager Consents; or Manager Compliance; or Manager Regulatory Data and Systems
11	Authority to revoke approval granted under regs 9 or 10.	Manager Consents; or Manager Compliance; or Manager Regulatory Data and Systems

14.2 Resource Management (Forms, Fees, and Procedure) Regulations 2003

Section	Function	Delegated to
clause 10A(2) Regulations	Require a notice to be affixed in a conspicuous place.	Manager Consents

15. RMA Regional Plan: Water for Otago

Section	Function	Delegated to
Rules: 12.1.2.4, 12.1.1.5, 12.2.2.2, 12.2.2.5 and 12.2.2.6	To suspend permitted activity takes of water as provided for in the Regional Plan: Water for Otago.	GM Regional Planning and Transport, GM Science and Resilience

16. RMA Fresh Water Farm Plans (FWFP)

Section of the Part 9A of the RMA	Function	Delegated to	Commencement
Part 217K	Appointment of certifiers for FWFPs in Otago.	GM Environmental Delivery	Commenced 1 February 2024
Part 217K	Appointment of auditors for FWFPs in Otago.	GM Environmental Delivery	Commenced 1 February 2024
217KA (1)	Appointment of an industry organisation to provide certification and audit services in Otago.	GM Environmental Delivery	Commenced 1 February 2024
217M Schedule 2 Part 2	Discontinue appointment of a certifier in Otago.	GM Environmental Delivery	Commenced 1 February 2024
217M Schedule 2 Part 3	Discontinue appointment of an auditor in Otago	GM Environmental Delivery	Commenced 1 February 2024

ADMINISTRATIVE DELEGATIONS- LGA

17. The Local Government Act 2002

[a] This section sets out the functions under the Local Government Act 2002 (LGA) which are delegated;

[b] The Council delegates (to the extent authorised under the LGA) specified responsibilities, duties, and powers to the Chief Executive and council offices as set out below;

[c] The delegations are made under and must be acted on in accordance with the requirements of clause 32A of Schedule 7 of the LGA as well as the general delegation provision of clause 32 of Schedule 7 of the LGA. This includes the limitations set out in those sections and the prohibition on sub-delegation;

[d] The powers have been delegated to specific office holders through their title as set out in the 'delegated to' column of the schedule;

[e] Any limitation on the power delegated has been specified in the 'function' column of the schedule below; and

[f] The 'function' column is a summary of the power delegated only. The complete provision of the LGA (set out in the 'section' column of the schedule) should be referred to as appropriate.

Section	Function	Delegated to
162	Apply for injunction restraining a person committing a breach of a Bylaw or an offence against this Act	GM Environmental Delivery GM Science and Resilience Harbourmaster
163	Removal or alteration of work or thing that is or has been constructed in breach of a bylaw and recovery of costs.	GM Environmental Delivery GM Science and Resilience Harbourmaster
164	To seize and impound property not on private land	Warranted officer where specified on warrant
165	To seek a search warrant	GM Environmental Delivery GM Science and Resilience Harbourmaster
168	To dispose of property seized and impounded	GM Environmental Delivery GM Science and Resilience Harbourmaster

171	Power of entry.	Warranted officer where specified on warrant
172	Power of entry for enforcement purposes.	Warranted officer where specified on warrant
173	Powers of entry in cases of emergency.	Warranted officer where specified on warrant
174	Authority to appoint an authorised person and issue warrants for the purposes of: Local Government Act 2002 Building Act 2004 Otago Regional Council Bylaws Soil Conservation and Rivers Control Act 1941 Land Drainage Act 1908	After considering whether or not to apply any limitation to the power before delegating it, as well as the limitations (if any) it will place on that power Chief Executive
174	Authority to act.	Warranted officer where specified on warrant
175	Power to recover costs of damage.	GM Science and Resilience GM Environmental Delivery
176	Power to recover costs of remedying damage arising from breach of bylaw.	GM Science and Resilience GM Environmental Delivery
177	Authority to appoint enforcement officers and issue warrants.	Chief Executive
181	Authorise construction of works on or under private land, or under a building on private land, considered necessary for land drainage and rivers clearance.	Manager Engineering
181(4)	Enter land to inspect, alter, renew, repair, or clean any work constructed under s 181.	Manager Engineering
182	Power of entry to check utility services.	Warranted officer where specified on warrant
185	Grant approval for occupier to undertake work	Manager Engineering
186	To approve works if owner or occupier defaults	GM Science and Resilience GM Environmental Delivery
187	To approve the recovery of costs	GM Science and Resilience GM Environmental Delivery
189 190	Power to acquire land	Chief Executive
224-236 238-239	To initiate or withdraw a prosecution for an offence against this Act.	GM Science and Resilience GM Environmental Delivery
241	Authority to file charging document.	GM Science and Resilience GM Environmental Delivery

18. Rating

18.1 Introduction

The following section of the Delegations Manual describes the delegations given in relation to rating matters.

The Chief Executive is delegated all powers, functions and duties under the Local Government (Rating) Act 2002 that are legally able to be delegated under section 132 of the Local Government (Rating) Act 2002.

The Local Government (Rating) Act 2002 prohibits the delegation of the power of delegation. Accordingly, the following table sets out a range of other delegations made by the Council to specified positions.

In relation to the Rating Valuations Act 1998 and the Rate Rebate Act 1973 the Council delegates to the Chief Executive all powers, functions and duties under these two Acts that are legally able to be delegated. In accordance with Clause 32 of Schedule 7 of the LGA, the Chief Executive has made the following sub-delegations as indicated below in the following tables.

18.2 Local Government (Rating)Act 2002

Section	Function	Delegated to
40	Power to correct rates	Finance Manager
41	Authority to issue an amended rates assessment if an error is encountered.	Finance Manager
54	Power not to collect rates that are uneconomic to collect	Finance Manager
61,62,63	Powers for recovery of unpaid rates	Finance Manager
85, 86	Power to remit rates pursuant to Council rates remission policy	Finance Manager to approve remission of rates on applications which meet the criteria of Council's policies
87,90	Power to postpone rates pursuant to Council rates postponement policy	Finance Manager to approve postponement of rates on applications which meet the criteria of the Council's policies

91-113	Rating of Māori freehold land including district valuation rolls, land vested in trustees, multiple ownership, using land in multiple ownership	GM Finance/CFO to be exercised in accordance with Council's policies
114-115	Power to remit or postpone rates on Māori Freehold land	GM Finance/CFO to be exercised in accordance with Council's policies

18.3. Rating Valuation Act 1998

Section	Function	Delegated to
43	Obligation to pay annually a share of the costs of any territorial authority in the region in preparing and maintaining is district valuation roll	GM Finance/CFO
43	Resolve any dispute regarding the amount payable, including in arbitration	Finance Manager

3. DELEGATIONS to CE and subdelegations to ORC staff

18A. Delegations to Chief Executive

18A.1 Introduction to Chapter 3

This section of the Delegations Manual contains delegations which have first been made from the Council to the Chief Executive, as well as statutory powers which sit with the Chief Executive. In some cases, these delegations have then been subdelegated from the Chief Executive to other Council officers.

For the avoidance of doubt, in respect of all responsibilities, powers, functions and duties listed in Chapter 3 of this Manual that originally sat with the Council, the Chief Executive is delegated all responsibilities, powers, functions and duties that are legally able to be delegated in accordance with the relevant empowering legislation (except as otherwise provided for in this Manual).

Where these delegated responsibilities, powers, functions and duties have then been subdelegated to other Council officers, this is set out in the various sections below.

This Chapter also contains some delegations specifically to the Chairperson or Councillors (in relation to the Use of the Common Seal; the Covid 19 Recovery (Fast Track Consenting) Act 2020; and the Civil Defence Emergency Management Act 2002). These delegations cannot be sub-delegated by the Chief Executive.

PART C: ADMINISTRATIVE DELEGATIONS

19. Human Resources delegations

19.1 Legislative delegation to the Chief Executive

Pursuant to section 42(2) of the LGA 2002, the Chief Executive is responsible, on behalf of the Council, for ensuring the effective and efficient management of the ORC employing staff and negotiating the terms of employment of staff.

The Chief Executive has absolute control over all employment-related matters concerning staff.

Further specific delegations made by the Chief Executive in relation to human resources under section 42(2) are prescribed below (the Human Resources Delegations).

Explanatory Note: The Chief Executive may appoint in writing, in consultation with the Chairperson *of the Council*, any person to be acting Chief Executive during temporary periods of absence from duties together with such of the Chief Executive's powers as he or she considers a*ppropriate.*

19.2 Principles of Human Resources delegations

In support of, and in addition to, the principles, terms and conditions outlined in Section 1.2.3 of this Delegations Manual, the following principles, terms and conditions are applied to the delegation of employment or people management activities:

(a) Human Resources Delegations are standardised across management roles (i.e. if a delegation is granted to General Managers, then everyone in a General Manager role holds that delegation).

(b) Human Resources Delegations automatically apply to the person appointed to that role (i.e. no additional documentation is required beyond acceptance of the employment agreement for the role).

(c) Human Resources Delegations are granted to the lowest appropriate tier (with demonstrated competence to execute the delegation) to empower and enable our people managers; this authority may also be executed by all managers in a direct line above that position.

(d) No Human Resources Delegations may be used to self-approve – the one up rule applies.

(e) Human Resources Delegations must be exercised in accordance with Staff Policies.

(f) The People and Safety Manager may sub-delegate their authority to a member(s) of the People and Safety team as appropriate.

19.3 Human Resources delegations

The Chief Executive retains the responsibility for all human resources matters. The Chief Executive retains the delegation for the following activities specified in Table 2 below.

Other delegations have been made by the Chief Executive to the General Managers, Managers and Team Leaders.

Explanatory Note: For the purpose of these human resources delegations: General Managers are defined as Tier 2 management roles with responsibility for a Group, reporting directly to the Chief executive. Managers are defined as Tier 3 management roles with responsibility for a department of ORC. Team Leaders are defined as any management roles below Managers (with or without the Team Leader title) which hold formal staff management responsibilities as outlined in the position description.

Table 2: Human Resources delegations

Chief Executive	General Managers (T2)	Managers (T3)	Team Leaders (T4)
Recruitment Requisitions			
▶ approve recruitment of additional Full Time Equivalent (FTE) permanent employee numbers (unbudgeted recruitment) ▶ approve recruitment where significant change has been made to a role	▶ approve like-for-like recruitment (permanent, fixed term and casual)	▶ make recommendations on recruitment (like for like and unbudgeted) to the appropriate approving manager ▶ engage the services of a recruitment agency with People and Safety agreement (provided Procurement Policy obligations have been met)	▶ make recommendations on recruitment (like for like) to the appropriate approving manager

Candidate Appointments			
▶ approve candidate offers which fall outside market range (above 100% of the assessed salary grade for the position) ▶ approve candidate offers for 2nd tier managers	▶ approve candidate offers within market range (up to 100% of the assessed salary grade for the position) ▶ sign offers of employment ▶ approve non-standard terms and conditions with the Manager People and Safety's agreement ▶ offer relocation expenses with the Manager People and Safety agreement	▶ make recommendations on candidate appointment, including salary recommendation, to the appropriate approving manager	▶ make recommendations on candidate appointment, including salary recommendation, to the appropriate approving manager
Employment Conditions			
▶ require and set dates for an annual shutdown period ▶ sign (on behalf of ORC) Collective Employment Agreements and bargaining Terms of Settlement	▶ determine actions to address conflict of interest situations ▶ approve staff entering into secondary employment ▶ deliver a Final warning with Manager People and Safety agreement ▶ second staff to other organisations subject to consultation with CE ▶ approve staff to present a paper or publication referencing Otago Regional Council ▶ approve requests for flexible working arrangements (formal, change to employment terms and conditions), and other standard employment	▶ determine the course of action following an external complaint against a staff member subject to consultation with General Manager/Manager People and Safety ▶ approve requests for flexible working arrangements (informal) ▶ second staff to other teams within the Group ▶ deliver a Verbal or First warning with People and Safety agreement ▶ make verbal employment offer subject to approval of request to appoint	▶ approve timesheets ▶ approve one-off or occasional work from home ▶ initiate a performance improvement process with Manager/People and Safety agreement

	agreement adjustments (i.e. changes to reporting line)		
Termination			
▶ approve termination of an employment agreement ▶ approve the outcome of change proposals and position disestablishments resulting in a triggering of redundancy clause in employment agreement ▶ ▶ approve payments under section s123(1)(c)(i) of the Employment Relations Act 2000	▶ attend employment mediations on behalf of ORC alongside the Chief Executive and/or Manager People and Safety ▶	▶	▶
Leave			
▶ approve corporate-wide paid leave for staff unable to work due to an emergency or severe weather situation ▶ approve the cash-out of annual leave ▶ grant paid and unpaid compassionate leave ▶ approve requests for leave without pay for greater than 5 days ▶ approve study leave	▶ approve requests for leave without pay for up to 5 days ▶ approve use of special leave subject to consultation with CE ▶ grant additional bereavement/tangi leave subject to consultation with CE ▶ sign off parental leave ▶ grant additional paid sick leave in situations of prolonged illness or injury (Discretionary Wellbeing Leave)	▶ provide a request for exemption from jury service ▶ approve use of partner/paternity leave ▶ approve use of domestic violence leave (in consultation with the Manager People and Safety) ▶ grant additional paid sick leave (fair and reasonable sick leave only), in accordance with the Fair and Reasonable Sick and Wellbeing Leave Policy	▶ approve sick, annual, bereavement or jury service leave ▶ approve utilisation of flexitime
Performance and Development			
	▶ approve attendance of overseas learning events ▶ approve study applications	▶ approve attendance at internal or external learning events with People and Safety agreement	

	▶ approve individual performance and development objectives and review outcomes		
Policies and Procedures			
▶ approve new policies, changes to existing and disestablishment of redundant/superseded policies	▶ policy ownership for cross-organisational policies within sphere of responsibility ▶ approval for divergence from existing policy	▶ policy expert (Legal Counsel or delegate) ▶ approve operational procedures and guidelines within sphere of responsibility	▶ approve standard operating procedures (SOPs)
Health, Safety and Wellbeing			
▶ approving requests for the consumption of alcohol at work-related functions ▶ duties as required of the primary Officer of the PCBU ▶ final approval of the Health and Safety Organisational Risk Register ▶ determine the resolution on any matters escalated by the Health and Safety Committee	▶ decide actions following harassment or bullying investigations unless delegated to a manager ▶ duties as required as Officers of the PCBU in matters relevant to their work groups ▶ approve Permit(s) to Work for work deemed 'high risk' (e.g. Asbestos removal, accessing a confined space) ▶ determine any corrective actions required on safety matters (e.g. following an audit, incident investigation, matters raised at the Health and Safety Committee) ▶ determine the resolution on any matters escalated by the Health and Safety Committee ▶ issuing a trespass notice	▶ approve catering for meetings and functions ▶ approve new and replacement garments and Personal Protective Equipment (PPE) for field work ▶ approval of safety training requirements for employees ▶ approval of ergonomic workstation assessments ▶ approval of Return to Work (RTW) Plans for injured or ill employees ▶ final sign off/closing out of incident investigations ▶ determine any corrective actions required on safety matters (e.g. following an audit, incident investigation, matters raised at the Health and Safety Committee)	▶ approve new and replacement garments and Personal Protective Equipment (PPE) for field work ▶ approval of safety training requirements for employees ▶ approval of ergonomic workstation assessments ▶ approval of Return to Work (RTW) Plans for injured or ill employees ▶
Recognition, Reward and Remuneration			
▶ approve overall salary increase following annual review (within	▶ decide appointment and amount of higher duties payments	▶ approve overtime and accumulation of flexitime	

governance-set budget)	▶ approve out of cycle remuneration increases (up to 100% of the assessed grade for the position)		

20. Requests and the release of information, correspondence, and public records

20.1 Local Government Official Information and Meetings Act 1987

The Council has certain obligations under the Local Government Official Information and Meetings Act 1987 (LGOIMA), relating to public (and public-excluded) Council meetings, with respect to the availability to the Public of reports and papers being presented by ORC staff to Council and in response to requests for information under the LGOIMA.

Section	Description	Delegated to
8	Information concerning existence of certain information	General Managers Any member of the Legal Team
10	Requests for official information	All staff
11	Assistance with requesting information	All staff
12	Transfer of requests	Any member of the Legal Team
13	Decisions on requests (including the decision to impose a charge for providing official information and consulting on release)	General Managers Any member of the Legal Team
14	Extension of time to provide official information	General Managers Any member of the Legal Team
15	Power to determine manner of presenting information	General Managers Any member of the Legal Team
16	Power to determine deletions of some information from documents	General Managers Any member of the Legal Team Consents Support Co-ordinators, Investigators,

		Team Leader Investigations
17, 17A, 17B, 18	Refusal of requests for information	General Managers Any member of the Legal Team
21, 22, 23	Right of access to internal rules affecting decisions / personal information	General Managers Any member of the Legal Team
24	Precautions regarding access to personal information	All staff
25	Correction of personal information	All staff
26	Refusal to supply personal information	General Managers Any member of the Legal Team
29	To comply with the requirements of an Ombudsman	General Managers Any member of the Legal Team
33	Requirement to notify decision of Ombudsman	General Managers
39	Publication of summary of report	General Managers Any member of the Legal Team
46	Public notification of meetings	GM Strategy and Customer Governance Support Officer
46A, 46B, 49, 51, 51AA	Availability of agendas, reports and minutes	GM Strategy and Customer Governance Support Officers
51A	Public notification of resolution at emergency meeting	GM Strategy and Customer Governance Support Officers

20.2. Privacy Act 2020

The Council has obligations to meet under the Privacy Act 2020.

Section/s	Description	Delegated to
201	Power to appoint Privacy Officers	Chief Executive
47, 49, 50, 51, 52, 53	Decision to refuse access to personal information	General Managers Privacy Officers
41, 43, 45, 46, 48, 55, 56, 60, 62, 63, 64, 65, 66	To treat the requests with urgency; To decide to transfer a request to another agency; To decide whether the request can be granted (including the decision to impose a charge); Where a request has been granted, whether any information should be withheld; Decision to extend the time limits; Deciding the way information is to be provided; Providing the reasons for refusal.	General Managers Privacy Officers
	All other powers and duties under the Privacy Act 2020.	Chief Executive

20.3. Public Records Act 2005

The Council has certain obligations under the Public Records Act 2005, including in relation to the disposal of Council records.

Section	Description	Delegated to
17	To provide for the creation and maintenance of local authority records	Team Leader Records and Information
40	To comply with the requirements in relation to protected records	Team Leader Records and Information

45, 46	To classify the access status of the Council's local authority records	Team Leader Records and Information
47	To provide for the public inspection of open access records	Team Leader Records and Information

20.4 Other

This Delegations Manual does not contain formal delegations in relation to the authorisation to sign correspondence (including email correspondence), media statements (including social media) and placement of public notices. Staff should refer to the relevant Staff Policies in relation to these matters.

21. Submissions

21.1. General

The authority to make a submission on any matters of general interest or concern to the Council (including proposed Government policies, discussion documents and legislation but **excluding** proposed plans and plan changes and resource consent applications under the RMA and any other policy or standard not delegated in this manual, where it is not possible within the available time to refer the matter to the Council or where there is no other delegation, is delegated to the Chief Executive or, in the Chief Executive's absence, the Acting Chief Executive.

NOTE: When this delegation is exercised, it must be reported to the next Council meeting.

22. Authorisation to use the Common Seal

The Council has the authority to impress on any document the Common Seal of the ORC.

Where the Common Seal is affixed to any document it shall be attested by any two Councillors. This delegation cannot be sub-delegated.

The Common Seal will be affixed to any document that is required to be executed under the Seal, including:

- Certain warrants to carry out statutory functions, including warrants made under the Biosecurity Act 1993, the Building Act 2004, and the LGA 2002.
- When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002.

- Regional Policy Statements and Regional Plans prepared under the Resource Management Act 1991.
- Bylaws prepared under the LGA2002 or other relevant statutes.
- Any documents (e.g. covenants, caveats, deed of agreement, s417 certificates or consent notices) which otherwise require the use of the Council's Common Seal.

The Common Seal is held by the Governance Support Officers.

23. Professional advice and legal proceedings

23.1 Authorisation to obtain professional advice

The authority to obtain professional advice, including but not limited to legal, engineering, financial, accounting and resource management, advice on Council's behalf is delegated to:

- Chief Executive
- General Managers
- Managers
- Legal Counsel
- Team Leaders

Explanatory note: In accordance with the general terms and conditions this delegation may only be exercised in accordance with financial delegations.

Any advice must also be sought in accordance with any arrangements that the Council has regarding the provision of services (i.e. if there is a preferred or agreed service provider). Legal Counsel should be advised of any external legal services engaged.

This delegation does not prohibit other staff members from liaising with professional advisors as part of the Council obtaining advice. Instead, it is intended to operate to ensure that the engagement of the advisor has been approved by one of the above staff members.

23.2 Court proceedings

Unless provided for elsewhere in this Delegation Manual, the following delegations for Court Proceedings apply.

Reference	Function	Delegated to
General Clause 32, Schedule 7 of LGA *2002*	The authority to decide whether to commence or defend any action before a Court, tribunal, arbitral panel or other such body subject to, at the delegate's discretion, discussion with the Chairperson, discussion with Legal Counsel, discussion with officers involved, discussion with the Council's insurers and reports being made to the relevant Committee of the Council	Chief Executive
General Clause 32, Schedule 7 of LGA *2002*	In the event the Chief Executive is unavailable or in exceptional circumstances where time does not permit consideration by the Chief Executive and where such action is necessary to protect or further Council's interests, the authority to commence or defend any action before a Court, tribunal, arbitral panel or other such body	GM Environmental Delivery GM People and Corporate GM Regional Planning and Transport
General Clause 32, Schedule 7 of LGA *2002*	The authority to settle a dispute or issues at stake at mediation or other dispute resolution sessions in relation to any matter before any Court, tribunal, arbitral panel, or other such body subject to, at the delegate's discretion, discussion with Legal Counsel, discussion with officers involved, discussion with the Council's insurers and reports being made to the Council or appropriate Committee.	All Managers
General Clause 32, Schedule 7 of LGA *2002*	The authority to: Initiate to have Court costs awarded; and Initiate legal proceedings to collect Court costs awarded	All General Managers
General Clause 32, Schedule 7 of LGA *2002*	The authority to take appropriate action within Council policy to recover debts, including, but not limited to Court and Tribunal proceedings and debt collection agencies	GM Finance
General Clause 32, Schedule 7 of LGA *2002*	The authority to initiate, prosecute, withdraw and do all things necessary to conduct appeals as follows: ▶ Environment Court to the High Court ▶ District Court to the High Court ▶ High Court to the Court of Appeal or Supreme Court ▶ Court of Appeal to the Supreme Court.	Chief Executive
Judicial Review High Court	Lodge, withdraw, oppose or join an application for Judicial Review with the High Court and any related applications or proceedings and be heard in relation to any application or proceedings subject to, at the	Chief Executive

Rule 30.3, Clause 32, Schedule 7 of LGA *2002*	delegate's discretion, discussion with the Chairperson, discussion with Legal Counsel, discussion with officers involved, discussion with the Council's insurers and reports being made to the relevant Committee of the Council	
Judicial Review High Court Rule 30.3, Clause 32, Schedule 7 of LGA *2002*	The authority to settle a dispute or issues at stake at mediation or other dispute resolution sessions in relation to judicial review proceedings subject to, at the delegate's discretion, discussion with Legal Counsel, discussion with officers involved, discussion with the Council's insurers and reports being made to the Council or appropriate Committee. This delegation includes the authority to approve Consent Memoranda, draft Consent Orders, side agreements or other documents required to settle a matter	Chief Executive

Specific terms and conditions:

- *The authority to settle any matter against the Council must be exercised in accordance with any financial delegations.*
- *The Chief Executive may sub-delegate these delegations.*

Explanatory Note:

- *Further delegations in relation to Court proceedings on property matters are listed in the property delegations.*
- *Further delegations in respect of specific statutory proceedings are listed in the regulatory delegations (e.g. under the Resource Management Act 1991 and Biosecurity Act 1993).*

PART D: CONTRACTING, FINANCIAL, RATING AND PROPERTY DELEGATIONS

Part D of the Delegations Manual sets out delegations relating to contracting and agreements, financial matters (excluding rating) and property delegations.

24. Contracting, Agreements and Memorandum of Understanding

24.1 Introduction

ORC enters into a range of different contracts and agreements as part of undertaking its day-to-day business. These range from non-binding memoranda of understanding (but which may have significant reputational impact), contracts and agreements of low financial value, to high financial value contracts and agreements.

This section of the Delegations Manual contains delegations in relation to these matters and should be read alongside the financial delegations.

24.2 Memorandum of Understanding

The authority to sign on Council's behalf any memorandum of understanding is delegated to all Managers.

This delegation may be sub-delegated.

24.3 Authorisation to sign Deeds

The Property Law Act 2007 requires Deeds to be signed by “two directors” in the case of a body corporate. “Directors” equates to Councillors (that is persons holding a governance as opposed to management role).

Attorneys may be appointed to execute a Deed on behalf of Council. The attorneys must be appointed by Deed, and that Deed of appointment must be executed by two “directors.”

24.4 Authorisation to sign contracts and other agreements (other than Deeds)

By resolution of Council, the Chief Executive has the power to authorise expenditure limited by the amount set in the Annual Plan, Long-term Plan or other specific authorisation by Council. The Chief Executive may, in turn, sub-delegate this authority to staff, and limit, suspend or withdraw said delegation at their discretion.

The exercise of delegation is on the total expenditure commitment, excluding GST and attention must be given to approved delegation levels. Staff must be aware of their delegations, and if necessary, obtain approval from appropriate staff with a higher delegation level if the procurement will exceed their own delegation limit.

Staff can only use their delegations within their area; delegations are not to be used elsewhere in Council.

Splitting procurement costs to bring the pricing under delegation or procurement level limits, while knowing that the total expenditure exceeds those limits, is prohibited.

Authority to sign off contracts and other agreements (excluding Deeds) rests with the relevant staff who have a level of delegation consistent with the total expenditure expected over the life of the contract (refer Financial Delegations Authority table). Once in place, individual invoices under that contract may be authorised by relevant staff with the level of delegation appropriate to each invoice.

If contract modification, extension or amendment is required, it is treated as being part of the original contract and can only be approved by the staff member of same or higher delegation level of that which approved the original contract, regardless of the size or value of the modification, extension or amendment

24.4.1 PROCUREMENT PRINCIPLES[1]

Council staff are guided by the following principles when procuring goods and/or services on behalf of ORC:

1. Council has a responsibility to manage its resources in an effective and efficient manner, and in doing so will consider best value for money over the whole of life cycle when procuring goods and services
2. Council may procure goods and services as sole procurer or in conjunction with other Councils or entities
3. Council will ensure open and effective competition as a competitive procurement process, as this is likely to result in a better procurement outcome
4. Council will provide a full and fair opportunity for both local and national suppliers
5. Council will comply with all relevant legislation, policies and procedures when engaging in the procurement process

[1] **Otago Regional Council Procurement Policy**

6. Council will require sustainably produced goods and services whenever possible, having regard to economic, environmental, social, and cultural impacts over their life cycle

Delegations by the Chief Executive set out in the Financial Delegations Register/Authority (refer Table 3 below) attach to the position.

Sub-delegations may be made without the approval of the Chief Executive but are subject to approval by the relevant Manager and General Manager. No further delegation is permitted.

Table 3: Financial Delegations Register/Authority

Position	Exp per contract $	Conditions/Additional Authority
Chief Executive		Limited by amount set in Annual Plan, Long Term Plan, or other specific authorisation by Council
GM Finance/CFO	150,000	Delegated amounts extended to $250,000 where payment is part of an approved contract; accept public tenders up to $250,000 on recommendation of appropriate General Manager.
GM Environmental Delivery	100,000	
GM People and Corporate	100,000	
GM Regional Planning and Transport	100,000	
GM Science and Resilience	100,000	Delegated amount increased to $250,000 where payment is part of an approved contract.
GM Strategy and Customer	100,000	
Chief Information Officer	50,000	
Legal Counsel	50,000	
Manager Engineering	50,000	
Manager Executive Advice	50,000	
Manager Transport	50,000	
Finance Manager	25,000	Delegated amount of $5,000 for Rates Refund; Authority to approve

		remission of rates penalties in accordance with agreed procedures; Authority to make supplier payments as required.
Harbourmaster	25,000	
Management Accountant	25,000	Authority to make supplier payments as required.
Manager Communications and Marketing	25,000	
Manager Compliance	25,000	
Manager Consents	25,000	
Manager Corporate Planning	25,000	
Manager Customer Experience	25,000	
Manager Emergency Management Otago	25,000	
Manager Environmental Implementation	25,000	
Manager Environmental Monitoring	25,000	
Manager Natural Hazards	25,000	
Manager People and Safety	25,000	
Manager Policy and Planning	25,000	
Manager Regulatory Data and Systems	25,000	
Manager Science	25000	
Manager Strategy	25,000	
Manager Support Services	25,000	
Principal Advisor - Environmental Implementation	10,000	
Project Delivery Specialist	10,000	
Team Leader Projects	10,000	Added role and delegation
Coordinator Records and Information	5,000	

EA to CE and Chair	5,000	
Engineering Officer - Taieri	5,000	
Environmental Resource Scientist	5,000	
Fleet and Facilities Advisor	5,000	
Health, Safety and Wellbeing Partner	5,000	
Network Infrastructure Lead	5,000	
People Services Coordinator	5,000	
People Services Lead	5,000	Added role and delegation
Principal Consents Planner	5,000	Added role and delegation
Procurement and Contracts Coordinator	5,000	
Safety **and** Training Coordinator	5,000	
Senior Engineering Officer Taieri	5,000	
Senior Field Officer Alexandra	5,000	
Team Leader Biodiversity	5,000	
Team Leader Biosecurity	5,000	Added role and delegation
Team Leader Brand and Marketing	5,000	
Team Leader Catchments	5,000	
Team Leader Commercial and Regulatory	5,000	
Team Leader Compliance (Coastal)	5,000	
Team Leader Compliance Monitoring	5,000	
Team Leader Compliance Support	5,000	
Team Leader Consents	5,000	

Team Leader Consents Business Support	5,000	Added role and delegation
Team Leader Data Systems	5,000	
Team Leader Environmental Monitoring	5,000	
Team Leader Fleet and Facilities	5,000	
Team Leader Freshwater and Land	5,000	
Team Leader Health, Safety and Wellbeing	5,000	Added role and delegation
Team Leader Investigations	5,000	
Team Leader Land	5,000	
Team Leader Media and Communications	5,000	Added role and delegation
Team Leader Public Transport Dunedin	5,000	
Team Leader RPS, Air and Coast	5,000	
Team Leader Urban Growth and Development	5,000	
Team Leader Water	5,000	
Senior Environmental Officer	1,000	
Delivery Lead - Biosecurity	500	
Delivery Lead - Catchments	500	
RITS Contract Lead - Public Transport Ticketing	-	No financial delegation, but has ability to approve timesheets and leave requests.

* = bank signatories

24.5 Contingency Expenditure

24.5.1 EMERGENCY PROCUREMENT

An emergency procurement situation can arise from natural disasters such as flooding and earthquakes. Emergency procurement is not available to compensate for poor planning or to

procure without a purchase order. In an emergency, the following procedure is to be followed by staff[2]:

- An emergency for procurement purposes must be classified by either the General Manager Finance CFO, Chief Executive, Chairperson or Group Controller of Emergency Management Otago.

The Chief Executive, General Manager Science and Resilience, Manager Engineering, and Group Manager Emergency Management Otago are authorised in emergency circumstances to undertake the necessary remedial or response action (within the same maximum limits as provided in the Financial Delegations Register) and, at the first subsequent meeting of the Council, report on action taken under the delegation.

24.6 Other financial commitments

24.6.1. INVOICE DEBTORS

The authority to approve invoices for revenue to be charged against debtor accounts is delegated to the relevant Manager and may be sub-delegated with approval from the relevant General Manager, where this sub-delegation will facilitate the invoicing process.

24.6.2. DEBT RECOVERY

In a number of areas of the Council's operation it may be necessary on occasion to negotiate a reduction in amounts owing or to write-off debts which cannot be collected.

With the exception of rates write-offs, the authority to approve write-downs and/or write-offs within the financial delegation limits above is delegated to General Manager Finance/CFO.

The authority to take appropriate action within ORC policy to recover debts within the financial delegation limits above, including, but not limited to Court, Tribunal proceedings and debt collection agencies is delegated to General Manager Finance/CFO, which can be subdelegated to Managers.

Explanatory note: See also court proceedings delegations.

24.6.3. RAISE CREDIT NOTES

Credit notes represent a disbursement of a Council asset. Authorisation to raise a credit note is delegated to any General Manager, in accordance with the maximum limits as provided in the Financial Delegations Register/Authority. This authority may be sub-delegated with approval from the relevant General Manager, where this sub-delegation will facilitate the process of raising credit notes.

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[2] Otago Regional Council Procurement Policy

24.6.4. BANKING AND PAYMENT SIGNATORY

Changes to banking arrangements requires the signature of General Manager Finance/CFO and a Finance Manager.

Specific terms and conditions: *All payments must be authorised by TWO approved signatories signing and countersigning appropriate documentation. Bank signatories are 'person specific'.*

24.6.5. OPERATIONAL EXPENDITURE – PAYROLL, PAYE, ACC AND OTHER TAXES

For payroll, PAYE, ACC and other taxes and deductions - any two authorised bank signatories jointly.

24.7 Specific Financial Delegations

24.7.1 REGIONAL ON-SCENE COMMANDER (MARINE OIL SPILL RESPONSE)

The Regional On-Scene Commander is a person trained and authorised by Maritime New Zealand and appointed by Council under the Maritime Transport Act 1994. Appointment by Council provides financial authorisations within the Tier II Marine Oil Spill Response Plan.

a. The Regional On-scene Commander is authorised to expend up to $50,000 of the Council's funds in relation to Marine Oil Spill Response operations.
b. The expenditure of $50,000 may be exceeded up to a limit of $100,000 with prior consultation with the Chief Executive or General Manager Science and Resilience.
c. Any person authorised by the Council when acting as Regional On-scene Commander, who for the time being is the Acting Regional On-scene Commander, is authorised to spend up to $50,000 in relation to Marine Oil Spill Response operations.
d. Regional On-scene Commanders are required as a condition of the delegation to:
    i. comply with Maritime New Zealand Operational Policy; and
    ii. comply with Council procedures and subsequently report to the next meeting

25. Property services

25.1 Leases and Licences

Matter	Function	Delegated to
New leases/ Licences	The authority to: (a) as lessor or lessee to sign agreements to lease for residential and commercial property granting leases for periods of no more than eight years (b) grant new leases or licenses for terms not exceeding twenty-one years for all other land (c) execute contracts of guarantee	GM People and Corporate

Assignment and subleasing	The authority as lessee or licensee to approve the sublease and assignment of leases and licenses	GM People and Corporate
Mortgages	The authority to: (a) secure a mortgage over the lessees' interest in the lease (b) vary mortgage terms (c) release a mortgage	Two of Finance Managers or GM People and Corporate or GM Finance / CFO
Rents	The authority to: (a) appoint an officer to set rentals for council property (b) set, review and reduce prices and rents in relation to existing Council leases or licenses	Manager Support Services Legal Counsel
Rents	The authority to: (a) issue rent/fee rebates (b) appoint an arbitrator where rent reviews are appealed	GM People and Corporate
Variation of leases	The authority to: approve variations to commercial, industrial and residential leases; and all licenses	GM People and Corporate Legal Counsel
Termination and surrender of leases	The authority: (a) as lessor or lessee, or licensor or licensee, to terminate leases or licences within the terms and conditions of the contract, including failure to pay rent (b) as property owner, lessor, assignor or licensor, to approve the surrender of leases and licences	GM People and Corporate Legal Counsel
Registration	The authority to sign an authority and instruction form authorising registration of a lease or any surrender, variation or renewal of a currently registered lease approved under the above delegations	GM People and Corporate
Consent	The authority to provide (or withhold) any consent required under a lease	Manager Support Services Legal Counsel

25.2 Otago Regional Council (Kuriwao Endowment Lands) Act 1994

Section	Function	Delegated to
9, 10	To exercise all rights, powers, and obligations of the lessor under leases	Legal Counsel
13	Authority to sign an authority and instruction form for the sale of land authorised by Council resolution	GM People and Corporate

25.3 General and miscellaneous

Matter	Function	Delegated to
Access	Authority to enter into, vary, revoke, or cancel an access agreement.	Any Manager
Land acquisition	Authority to approve minor land purchases or sales by agreement, for public works, subject to the transaction being in accordance with the Long-term Plan and to sign an authority and instruction form for the above purpose.	GM Science and Resilience
Affected party approvals For further delegations on affected party approvals see: 14.10	Providing approval, consents and make submissions or objections as adjoining landowner or potentially affected party in relation to property owned, leased or managed by Council This delegation maybe sub-delegated.	GM People and Corporate
Land Interests	Power to register, approve amendments to or withdrawals or discharges of caveats, easement certificates and releases of bonds or encumbrances **Specific terms and conditions**: This delegation will only be exercised upon confirmation that all obligations have been satisfied	GM People and Corporate GM Finance / CFO Legal Counsel
Signing Issues	Sign any other applications, documents, agreements or instruments or certify any documents or instrument in relation to any interest in land, on behalf of Council not otherwise provided in these property delegations. This delegation maybe sub-delegated.	GM People and Corporate
Emergency	Power to close a premises / facility in an emergency situation	Any General Manager
Use of Council Property and land	Authorise the use of any Council building, land, facility or equipment by an outside person or organisation in accordance with established guidelines	GM People and Corporate
Disposal	Dispose (whether by tender or otherwise) of any motor vehicle or item of plant or surplus Council asset in accordance with the policy	GM People and Corporate Manager Support Services
Statutory Land Charge	The authority to release a statutory land charge	GM People and Corporate
Easements and other interests	The authority to (a) create, vary and surrender, easements and covenants over Council land. (b) request removal of easements, covenants and profits à prendre from LINZ register and removal of fencing covenants from title; (c) to sign an authority and instruction form for the above purposes	GM People and Corporate

Explanatory note: Land owned by Otago Regional Council is held pursuant to a range of different statutes, often as endowment land. Further, other statutory obligations, including under the Public Bodies Leases Act 1969, may be relevant to how the land may be able to be dealt with.

For the avoidance of doubt, nothing in the above delegations relieves Council or ORC from complying with the statutory obligations that apply in relation to the land.

The exercise of property delegations must also be carried out in accordance with the financial delegations, e.g. the value of the lease may require a higher level of authority to sign the document than provided for in the delegations.

25.4. Trespass Act 1980

Section	Function	Delegated to
3	Power to (verbally) warn a trespasser to leave the property Power to issue (written) trespass notices This delegation maybe sub-delegated.	Any General Manager
4	Power to either at the time of the trespass or within a reasonable time, thereafter, verbally warn a trespasser to stay off the property This delegation maybe sub-delegated.	Any General Manager
4(2), 9(1)	Power to, where there is reasonable cause to suspect that any person is likely to trespass on ORC property, warn that person to stay off ORC property and to require that person to give their name and other particulars This delegation may be sub-delegated.	Any General Manager

PART E: REGULATORY NON-RMA DELEGATIONS

26. Council bylaws

26.1 Navigation Safety Bylaw 2020

The Otago Regional Council Navigation Safety Bylaw 2020 establishes a range of responsibilities, obligations and rules for the purpose of ensuring maritime safety for the waters in the Otago region as defined in the bylaw.

Except as provided below, delegations for the Navigation Safety Bylaw 2020 are provided for in the Maritime Transport Act 1994 and the Bylaw itself.

Clause	Function	Delegated to
Otago Regional Council written approval		
	For issuing or refusing any written approval on behalf of the Council.	GM Environmental Delivery

26.2 Flood Protection Management Bylaw 2022

Clause	Function	Delegated to
Authority to carry out work		
5.1	To approve or refuse authority under the Bylaw, including granting authority on such conditions as are considered appropriate.	Manager Engineering or Team Leader Commercial and Regulatory, except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Science and Resilience and Portfolio Leads Environmental Delivery
5.2	Determining, refunding, remitting or waiving the whole or any part of any fee payable under the Bylaw.	General Manager Science and Resilience except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Science and Resilience and Portfolio Leads Environmental Delivery
5.3	To uphold, amend or rescind a decision or authority under the Bylaw	Manager Engineering or Team Leader Commercial and Regulatory, except where ORC is the applicant then this is delegated to an independent decision maker(s) appointed by any two of the following: GM Science and Resilience and Portfolio Leads Environmental Delivery
Compliance and Enforcement		
6.1	Revocation of an authority granted under the Bylaw. Grant an extension to remedy a breach or failure	Manager Engineering or Team Leader Commercial and Regulatory
6.3	Issue a notice to remedy	GM Environmental Delivery GM Science and Resilience, GM Regional Planning and Transport

6.4	Authorisation of removal of works and cost recovery	Refer Local Government Act 2002 delegations

27. Biosecurity Act 1993

The Biosecurity Act 1993 contains legislative provisions and powers to enable the effective implementation, including enforcement, of a regional pest management plan. The Act provides powers to a Principal Officer (Chief Executive) and Authorised Persons (who are appointed by the Chief Executive under section 105(1) of the Act).

In addition to the functions and powers delegated by the Chief Executive to “authorised persons” this section sets out the functions and powers under the Biosecurity Act which are delegated.

The Council delegates (to the extent authorised under the Biosecurity Act) in respect of biosecurity matters to the Chief Executive and council officers, as set out below.

Section	Function	Delegated to
13(1)(a)	Power to carry out monitoring and surveillance of pests, pest agents, and unwanted organisms for the purposes of Part 5 of the Biosecurity Act	Delivery Lead - Biosecurity
13(1)(b)	Power to provide for the assessment and management or eradication of pests	Delivery Lead - Biosecurity
70-75	Prepare and review a regional pest management plan	GM Environmental Delivery to make recommendations to Council
76,96	Lodge, withdraw or oppose an application to the Environment Court Settle a dispute or issues at stake at mediation or other alternative dispute resolution sessions Approve Consent Memoranda, draft Consent Orders and side agreements Decide to appear at proceedings before the Environment Court and call evidence for the Council	GM Environmental Delivery
78	Exempt a person from a requirement in a rule in a regional pest plan.	Manager Environmental Implementation
90-95	Prepare and review a regional pathways management plan	GM Environmental Delivery to make recommendations to Council
98	Exempt a person from a requirement in a rule in a regional pathways management plan	Manager Environmental Implementation
100M 100N	Recovery of a levy as a debt due	GM Environmental Delivery

100V	Prepare a small scale management programme	GM Environmental Delivery can make recommendations to council
122	Power to issue or withdraw a Notice of Direction	Authorised Person
128	Power to act on default and authorise action for work and recover costs of that action	GM Environmental Delivery
129	Power to put a charge on the property	GM Finance/CFO
130	Power to declare a restricted place	Delivery Lead - Biosecurity
131	Declare a specified area to be a controlled area	GM Environmental Delivery
135	Power to recover costs of administering the Biosecurity Act and performing the functions, powers and duties provided for in the Act in accordance with S 135 and regulations	Manager Environmental Implementation in conjunction GM Finance/CFO as to the methods used
154	Power to issue/withdraw a Compliance Order	Manager Environmental Implementation
154M 154N 154O	To initiate and/or withdraw a prosecution for an offence under this Act Authority to file a charging document that has been laid in relation to a prosecution	GM Environmental Delivery
159	Commence, withdraw or join proceedings in respect of infringement offences	GM Environmental Delivery

28. The Building Act 2004

ORC is a regional authority under the Building Act 2004. Regional authorities have several functions, powers and duties in relation to dams. Under a 2021 Deed of Transfer the Council transferred certain functions powers and duties under the Building Act to the Canterbury Regional Council (ECAN).

The Delegations Manual has been updated to include Delegations to staff under the Building (Dam Safety) Regulations 2022.

The table below lists the delegations for the Building Act functions exercised by ORC. The Building Act requires persons exercising authority to have requisite qualifications and experience and limits the scope of authorities exercised by any individual to the extent of their registrations under the Act.

ORC uses qualified external advisers to ensure the quality and technical proficiency of the advice that it uses in making decisions under the Building Act.

Section	Function	Delegated to
Project Information Memorandum (PIM) functions		

31 34	Issue and re-issue a PIM in certain circumstances and provide a copy of a PIM to the applicant as required.	Senior Consents Planner or Consents Planner with Building Act responsibilities.
33	Determine further information required in relation to a PIM application.	Senior Consents Planner or Consents Planner with Building Act responsibilities
36	Attach development contribution notice.	Senior Consents Planner or Consents Planner with Building Act responsibilities.
37	Issue a certificate if a resource consent is required	Senior Consents Planner or Consents Planner with Building Act responsibilities
38	Provide copy of PIM to network utility operator(s) and/or statutory authority, if required.	Senior Consents Planner or Consents Planner with Building Act responsibilities
39	Advise Heritage New Zealand Pouhere Taonga of PIM application, if required.	Senior Consents Planner or Consents Planner with Building Act responsibilities
83(3)	Deciding to approve the removal of entry on a certificate of title	Senior Consents Planner or Consents Planner with Building Act responsibilities
Certificates of acceptance		
96(1) 98(1)	Deciding whether to issue a certificate of acceptance	Principal Consents Planner, Team Leader Consents, or Manager Consents
97(c)	Specifying any additional information that is required to be lodged with an application for a certificate of acceptance	Senior Consents Planner or Consents Planner with Building Act responsibilities
98(2)	Requiring further information in relation to an application for a certificate of acceptance	Senior Consents Planner or Consents Planner with Building Act responsibilities
99(2)	Qualifying a certificate of acceptance to the effect that only parts of the building work were able to be inspected	Manager Consents
Annual Building Warrant of Fitness		
109(c)	Deciding to accept a recommendation to amend a compliance schedule arising from the annual building warrant of fitness	Manager Consents
110(c)	Requirement to produce compliance schedule reports under s 110(a)	Manager Consents
Change of use, extension of life and subdivision of land		
115	Decision to allow the change of use of a building	Principal Consents Planner or Manager Consents

Classification of Dams		
134A(1)	Requiring an owner to classify a referable dam	Environmental Data Officer or Compliance Support Officer or Principal Compliance Specialist
136(1) 136(2)	Decision to approve or refuse a dam classification	Environmental Data Officer or Compliance Support Officer or Principal Compliance Specialist
138(1)	Requiring the re-audit of a classification	Environmental Data Officer or Compliance Support Officer or Principal Compliance Specialist
138(2)	Specifying a period beyond 15 working days for a dam classification re-audit	Manager Regulatory Data and Systems or Manager Compliance
Dam safety assurance programmes		
143(1)	Decision to approve of refuse to approve a dam safety assurance programme	Environmental Data Officer or Compliance Support Officer or Principal Compliance Specialist
145(1)	Directing the owner of a dam to have the dam safety assurance programme audited by a recognised engineer	Environmental Data Officer or Compliance Support Officer or Principal Compliance Specialist
145(2)	Requiring a period beyond 15 working days for a dam safety assurance programme to be re-audited	Manager Regulatory Data and Systems or Manager Compliance
146(2)(b)	Requesting a review of the dam safety assurance programme for an earthquake-prone or flood-prone dam	Manager Regulatory Data and Systems or Manager Compliance
148(a)(iii)	Decision on keeping a dam safety assurance programme in a place agreed by the Regional Council and the owner	Environmental Data Officer or Compliance Support Officer or

		Principal Compliance Specialist
Register of dams		
151	Maintain a register of dams in Otago	Environmental Data Officer or Compliance Support Officer or Principal Compliance Specialist
Dangerous dams		
154(1)	Determine that a dam is dangerous in terms of s153 and take action as set out in s154(1)(a), (b) and (c).	Manager Engineering or Manager Consents or Manager Compliance
155(1)(b)	Determining whether building consent is required in respect of work required by a notice	Manager Engineering or Manager Consents or Manager Compliance
156(1)	Apply to a District Court for an order enabling the Otago Regional Council to carry out building work.	GM Environmental Delivery GM Science and Resilience,
156(3)(b)	Recover costs of carrying out work under s156(1) from the owner.	GM Environmental Delivery GM Science and Resilience,
157(3)(b)	Decision to recover costs of taking action under section 157(2).	GM Environmental Delivery GM Science and Resilience,
158	To make an application to the District Court to confirm warrant for emergency work on a dam	GM Environmental Delivery GM Science and Resilience,
Issuing Notices to Fix		
164	Determination that a notice to fix should be issued, or should be issued by another authority	Manager Engineering; or Manager Consents; or Manager Compliance
165(1)	Determination of the matters relevant to issuing a notice to fix and the scope and nature of a notice to fix.	Manager Engineering; or Manager Consents; or Manager Compliance
167	Inspection of building work carried out in accordance with a notice to fix, a decision to confirmation or refuse to confirm that a notice to fix has been complied with and a decision to issue a further notice to fix if required.	Manager Engineering; or Manager Consents; or Manager Compliance
Determinations		

177 180	Making and withdrawing an application for a determination	GM Environmental Delivery
182(2)	Commencement of proceedings in the High Court where the matter has been the subject of a determination	GM Environmental Delivery
185(2)(b)	Agreeing on a period beyond 60 workings days for making a determination	GM Environmental Delivery
189(b)(ii)	Agreement to amendment of a determination for clarification purposes	GM Environmental Delivery
190(3)	Filing a direction to the District Court as to costs in respect of a determination	GM Environmental Delivery
Registration and Accreditation as Building Consent Authority		
194	Making application for registration as a building consent authority	GM Environmental Delivery
252(4)	Request to change the scope of accreditation	GM Environmental Delivery
253	Application for accreditation to perform Building Consent Authority functions	GM Environmental Delivery
200 202	Make submissions and respond to complaints or to an investigation	GM Environmental Delivery
276(2)(b)	To make submissions on a review of the regional authority	GM Environmental Delivery
Appeals		
208 209	Appealing a decision of the CEO of the Ministry responsible for the administration of the Building Act	Chief Executive
Carrying out building work on default		
220(2)	Making application to the District Court for an order in respect of building work required to be done	GM Environmental Delivery
220(4)(b)	Recovery of costs associated with carrying out building work authorised under s220(2)	GM Environmental Delivery
221	Disposal, sale, etc. of materials that result from carrying out building work authorised under s220(2)	GM Environmental Delivery
222	To authorise persons to carry out inspections under the Act	Chief Executive
Responsibilities of a Building Consent Authority that is not a Territorial Authority		
240(2)	Refusal to perform functions under the Building Act where fees, charges or levies are unpaid	Manager Consents
243	Power to impose fees or charge and recovery of costs and to collect levies	Manager Consents

Fees and charges		
281A 281B 281C 219	Setting fees, imposing fees and charges, charging of a fee for the issue of compliance schedule, increasing the amount of a fee or charge to meet additional costs, and waiving or refunding a fee – consistent with the Council's fees and charges policy	Manager Consents
Other matters		
315(1)	Making a complaint about a licensed building practitioner.	Manager Consents
363A(2)	Deciding whether to issue a certificate for public use	Principal Consents Planner or Manager Consents
363A(5)	Deciding and requesting further reasonable information	Principal Consents Planner or Manager Consents
403(4)(b)	Making submissions as an 'interested person' to proposed Orders in Council or regulations	GM Environmental Delivery
Schedule 1, part 1, clause 2	Deciding whether a building consent is not necessary	Manager Consents
Offences		
371(2)	Commencement of proceedings where an infringement notice has been issued	GM Environmental Delivery
372	Issuing an infringement notice	Warranted Officer where specified on warrant
372B(2)	Authorising officers to issue infringement notices	GM Environmental Delivery
377	Filing a charging document	GM Environmental Delivery
381(1) 381(2)	Making an application to the District Court for an injunction	Chief Executive

29. The COVID-19 Recovery (Fast-Track Consenting) Act 2020

In 2020, Central Government introduced the COVID-19 Recovery (Fast-track Consenting) Act 2020. The purpose of this Act is to fast-track projects that can boost employment and economic recovery. The Environmental Protection Authority (EPA) is the Government Department responsible for this legislation and for administering the process. Decisions on applications that use this process are made by Expert Consenting Panels. Membership of these panels can include those nominated by relevant local authorities.

The COVID-19 Recovery (Fast-track Consenting) Act 2020 was repealed on 8 July 2023 however the delegation below remains relevant until the applications, captured under that legislation, have proceeded through the hearing process.

Section	Function	Delegated to
Clause 3(2) of Schedule 5	Nominate a person to be part of an Expert Consenting Panel set up under the COVID-19 Recovery (Fast-Track Consenting) Act 2020.	Council Chairperson This delegation cannot be sub-delegated.

30. The Crown Minerals Act 1991

The Crown Minerals Act 1991 provided transition provisions for mining licences issued under the Mining Act 1971 which was repealed in 1991. There is now only one residual section left in schedule 1 of the Crown Minerals Act 1991 that refers to Regional Councils.

Section	Function	Delegated to
Schedule 1 clause 16	Require the holder of a coal mining right to increase the amount of bond or deposit.	GM Environmental Delivery
Schedule 1 clause 16	To make a determination whether the holder of an existing mining privilege has complied with the terms and conditions of the privilege.	GM Environmental Delivery

31. Land Transport Management Act 2003

Section	Function	Delegated to
116(2)	Duty of regional council to contract for the provision of every unit on an exclusive basis	GM Regional Planning and Transport
121	Obligations regarding notification and provision of copies of plans	GM Regional Planning and Transport
127	Power to (1) require information from operators of public transport services, including patronage and fare revenue data and (2) disclose other data to a person who is registered by the regional council to tender for the provision of a unit.	Manager Transport
128	Power to make decisions on the release of information and a duty to consult with relevant organisations.	Manager Transport
129	Power to make decisions on release of information and duty to consult with organisation	Manager Transport Legal Counsel

133	Authority to make decisions regarding the notification of a proposal to operate or vary exempt services.	Manager Transport
134	Authority to decide on the grounds in s 134 to decline registration or variation of exempt services.	Manager Transport
136	Authority regarding the registration of exempt services or variations to exempt services	Manager Transport
137	Authority to decide to deregister an exempt service and remove details of variations	Manager Transport
138	Authority to undertake the process for deregistering exempt services or removing details of variations	Manager Transport
139	Authority to make decisions in relation to the withdrawal of exempt services	Manager Transport
146 147 148 149	Authority to require a person to produce and inspect records. Authority to manage offences, including making decisions to initiate or withdraw a prosecution.	GM Regional Planning and Transport

31A. Transport - Other

Matter	Function	Delegated to
Bus advertising	Approval to approve/decline bus back advertising	Combination of: 1. Manager Communications and Marketing; and 2. Either one of: - Manager Transport or Team Leader Transport

32. Maritime Transport Act 1994

For the purpose of ensuring maritime safety in the Otago region, Council is empowered to regulate (1) ports, harbours, and waters in the region and (2) maritime related activities in the region.

Section	Function	Delegated to
Navigation safety		
33D(1)	Appoint a harbourmaster for any port, harbour or waters in the Otago region.	Chief Executive
33F	To initiate or withdraw a prosecution for an offence for contravening a direction or requirement under s 33F	GM Environmental Delivery

33G	Appoint enforcement officers and honorary enforcement officers for the purpose of ensuring maritime safety or enforcing navigation bylaws, and regulations and rules under this Act	Chief Executive
33I	To undertake harbour works for the purpose of ensuring maritime safety.	Any Harbourmaster
33J	Remove and deal with any wreck within the Otago region that is a hazard to navigation safety.	Any Harbourmaster
33L	Remove, store, sell, or otherwise dispose of an abandoned ship.	Any Harbourmaster
33M	Consult with the Director of Maritime New Zealand in preparing Navigation Safety bylaws.	Any Harbourmaster
33N	To initiate or withdraw a prosecution for an offence for contravening a navigation bylaw.	GM Environmental Delivery
33O	To decide to proceed against a person for an infringement offence under the Summary Proceedings Act 1957 or by serving an infringement notice.	Any Harbourmaster
33O/P	To decide to withdraw an infringement notice	Any Harbourmaster
33P	Where a Harbourmaster or an enforcement officer observes a person committing an infringement offence or has reasonable cause to believe such an offence is being or has been committed by that person, authority to serve an infringement notice in respect of that offence.	Enforcement Officer
33P	To commence proceedings for a defended infringement notice	GM Environmental Delivery
200(3A)	To erect, place, and maintain navigation aids in accordance with section 33I	Any Harbourmaster
Maritime response		
231	Authority to notify the Director of Maritime Safety and process matters relating to the Council's notification responsibilities.	Any Harbourmaster
Appointment of Regional On-scene Commander		
318	Authority to appoint a Regional On-scene Commander for the Otago region.	Chief Executive

33. River Engineering

Council has extensive functions in relation to river engineering which fall under a number of different statutes. These delegations should be read alongside the delegations made under the LGA, and the delegations made under the Flood Protection Management Bylaw 2012.

33.1 Land Drainage Act 1908

Section	Function	Delegated to

17	Authority to construct and maintain drains and watercourses.	Manager Engineering Manager Natural Hazards
18	Entry to lands for inspection, survey, or inquiry.	Warranted Officer where these powers are specified on the warrant
62	Order removal of an obstruction from a watercourse or drain where the obstruction is causing or likely to cause damage to any property. Authority to remove any obstruction from a watercourse or drain	Manager Engineering Manager Natural Hazards Manager Compliance
n/a	Consider and make decisions on taking enforcement action, including cost recovery and registration of a charge	GM Environmental Delivery, GM Science and Resilience

33.2 Public Works Act 1981

Section	Function	Delegated to
18	Prior negotiation required for acquisition of land for essential work	GM Science and Resilience
19	Authority to register, approve amendments to or to withdrawals or discharges of compensation certificates. Authority to sign an authority and instruction form for the above purposes	GM People and Corporate, GM Science and Resilience
110	Power of entry onto private land for the purposes of carrying out any public work or any proposed public work.	Manager Engineering,
111	Power of entry onto private land for survey and investigation purposes.	Manager Engineering
133 134	Provide for the removal of trees and hedges that interfere with public works.	Manager Engineering,
135	Emergency work on trees.	Manager Engineering
233 234	Obligation to provide notice before entry onto private land.	Manager Engineering
237	Approve excavations near public works.	Manager Engineering
238	Power to bring action for damage to public work.	GM Science and Resilience
239	Power to remove and/or dispose of abandoned property from public works land.	GM Science and Resilience

242	Consider and make decisions on taking enforcement action for offences committed.	GM Science and Resilience
242	Authority to file charging document for enforcement action.	GM Science and Resilience

33.3 Water and Soil Conservation Amendment Act 1971 (carried over by S413 RMA)

Section	Function	Delegated to
12	Issue a certificate of priority.	Team Leader Consents
14(1)(d)	Direct a privilege holder to stop water running to waste.	Warranted Enforcement Officer under the RMA
14(1)(g)	Require structures permitting private or public access over water races to be kept in good repair and condition.	Warranted Enforcement Officer under the RMA
14(1)(h)	Require privilege holder to record and report information concerning the exercise of the privilege.	Team Leader Consents Team Leader Compliance
14(2)	Give directions for the repair, strengthening or otherwise of dams	Manager Consents Manager Compliance
16(2)	Determination of what is a reasonable quantity of domestic needs of animals or for firefighting.	Manager Consents Manager Compliance
30	Provide certified copies of privileges	Team Leader Consents

33.4 Soil Conservation and Rivers Control Act 1941

ORC has the functions, duties, and powers of a catchment board and a regional water board under the Soil Conservation and Rivers Control Act 1941 in accordance with the 1989 local government reorganisation *Gazette* notice.

Section	Function	Delegated to
30A	To certify that a land improvement agreement has expired or has been terminated	Legal Counsel
30A	Enforcement in relation to Land Improvement Agreements	GM People and Corporate
30A	To determine requests for consents and approvals as a consequence of the Council having an interest in land by virtue of a land improvement agreement	Legal Counsel

30A	To authorise the release/discharge of a land improvement agreement on behalf of Council	GM People and Corporate
126	To carry out its functions under the Act, including the power to construct, reconstruct, alter, repair, and maintain works to control of regulate water to prevent or lessen the overflow or breaking of the banks of any watercourse	Manager Engineering Manager Natural Hazards
131	To determine to carry out or execute any works that the Council is empowered to undertake under this Act.	Manager Engineering Manager Natural Hazards
132	Power to enter land for survey and investigation	Manager Engineering Manager Natural Hazards
133	Decide to undertake work to maintain and improve watercourses and defences against water and authorise other staff and agents to undertake such works Decide to undertake urgent work to meet an emergency in respect of any watercourse or defences against water and authorise other staff and agents to undertake such works.	Manager Engineering Manager Natural Hazards
134(1)	Approve the planting or sowing and maintenance of trees, shrubs, plants, or grasses.	Manager Engineering Manager Natural Hazards
135	Decide to take any of the actions listed in s 135.	Manager Engineering Manager Natural Hazards
136	Where works may interfere with any road, street, footpath, or any other public work, give one months' notice (in writing) to the body in control of the road, street, footpath, or other public work.	Manager Engineering
137	Approval to give public notice or to undertake works on private land and resolve any objections.	Manager Engineering Manager Natural Hazards
138	To apportion costs with owners of land	GM Science and Resilience
139	To purchase land on a system of time payment (if approved by the Minister)	Chief Executive
153, 154	Consider and take all enforcement action as necessary and appropriate in relation to any person preventing, obstructing, or impeding the Council in carrying out the provisions of this Act, or doing any work or thing authorised by the Act.	GM Science and Resilience
153,154	Consider and take all enforcement action as necessary and appropriate in relation to any person that wilfully destroys any watercourse or defence against water, including all matters set out in Section 154.	GM Science and Resilience

153,154	Authority to file charging document when enforcement action is approved	GM Science and Resilience

34. Civil Defence Emergency Management Act 2002

The Otago CDEM Group is established under section 12 of the Civil Defence Emergency Management Act 2002 and is made up of representatives from each of the local authorities in the Otago region. This Group is responsible for managing civil defence in the region. Every local authority must be a member of a CDEM Group.

Section	Function	Delegated to
13(1)	Authority to represent the Council and act on its behalf on the Civil Defence Emergency Management (CDEM) Group under section 13(1) of the Civil Defence Emergency Management (CDEM) Act 2002	The Chairperson of the Council (or an elected member of Council approved by the Chairperson). This delegation cannot be further sub-delegated.
20	Membership of the CDEM Co-ordinating Executive Group	Chief Executive (or a person acting on the Chief Executive's behalf)

Explanatory Note: The Civil Defence Emergency Management Co-ordinating Executive Group is responsible for:

a. Providing advice to the CDEM Group (and advisory groups) and implementing its decisions.
b. Overseeing the development, implementation, monitoring and evaluation of the CDEM Group Plan.

35. Fast Track Approvals Act 2024

In December 2024, the new Fast Track Approvals Act (FTA) became law and applications can be lodged from 7 February 2025. This Act 'replaces' the COVID-19 Recovery (Fast Track Consenting) Act 2019 and includes listed projects and a pathway for projects to apply to be processed under the Act.

Section	Function	Delegated to
17	Respond to request for comments on applications for referral	General Manager Environmental Delivery or another General Manager Planning and Transport
30	Notify Consent Holder/applicant of existing consents	Manager Consents

50	Provide a nomination for a panel member	Two of the three of the Portfolio Leads Environmental Delivery e and General Manager Environmental Delivery
53	Respond to request for comments on substantive application	General Manager Environmental Delivery or another General Manager Planning and Transport
67	Respond to Panel request for further information	Manager Consents
70	Respond to request for comment on conditions	General Manager Environmental Delivery or another General Manager Planning and Transport

Otago Regional Council

Council DELEGATIONS MANUAL

Delegations from Council to the Chief Executive and officers

[Date]

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Structure

The Council Delegations Manual is structured into six Parts.

(a) **Part A** - **introductory and background information**, including the principles for making delegations and establishing the Council's legal powers for making delegations.

(b) **Part B** - the **governance delegations** made by the Council to Committees and to the Chairperson.

(c) **Part C** - the **general administrative delegations** made by the Council in relation to human resources matters, the release of information, correspondence (including submissions and applications for funding), the use of the Common Seal, delegations in relation to legal proceedings and obtaining professional advice

(d) **Part D** - the **contracting, financial, rating and property delegations** to the Chief Executive, Finance Manager and Chief Financial Officer.

(e) **Part E** - the **regulatory delegations under the Resource Management Act 1991 (RMA)** Council makes to officers. These duties, responsibilities and powers are either not legally able to be further sub-delegated, or the Council has chosen to not enable further delegation.

(f) **Part F** - the **regulatory non-RMA delegations** Council makes to officers under the Local Government Act 2002 (LGA) and other various statutes.

Part A: Introduction

1. Purpose

1.1 This document is the Council Delegations Manual (**Council Delegations Manual**) for the Otago Regional Council (**Council**).

1.2 The primary purpose of the Council Delegations Manual is to set out the delegations the Council has given to its elected members, committees, commissioners and officers. The delegations relate to administrative and financial matters as well as the Council's statutory duties, functions, responsibilities and powers.

1.3 Many duties, responsibilities, functions and powers are delegated to the Chief Executive. The Chief Executive's delegation of these powers to other Council officers, as well as the Chief Executive's delegation of various legislative powers held by them directly, are set out in the Chief Executive Delegations Manual.

1.4 The Council Delegations Manual and Chief Executive Delegations Manual should be read together.

1.5 For completeness, the Council Delegations Manual also records specific duties, responsibilities, functions and powers which cannot be delegated.

2. Background

Definition of delegations

2.1 A delegation is the conveying of a duty, responsibility, function or power to act to another person or a committee, including the authority that the person making the decision would themselves have had in carrying out or exercising that duty, responsibility, function or power.

2.2 For the purposes of administrative efficiency and expediency when conducting its day-to-day business, the Council delegates certain duties, responsibilities, functions and powers to a committee or other subordinate decision-making body, community board, or member or officer. Likewise, unless restricted by statute, the Chief Executive may delegate certain duties, responsibilities, functions and powers to any other officer, subject to any conditions, limitations, or prohibitions in the delegation (see Chief Executive Delegations Manual). These delegations are a necessary operational requirement to promote effective and expeditious decision-making.

2.3 Delegations avoid administrative delays and inefficiencies that might otherwise occur if all matters had to be referred to the Chief Executive or to Council every time a decision needed to be made.

3. Legal basis

3.1 In most cases, Council has the primary power of delegation as it is the body that is specified in the empowering legislation. In some specific instances the legislation empowers the Chief Executive directly to have the power of delegation.

3.2 The Council's authority to delegate to its committees, members, to the Chief Executive or

officers is principally derived from **Clause 32 of Schedule 7 of the LGA** which reads:

> **32 Delegations**
>
> (1) Unless expressly provided otherwise in this Act, or in any other Act, for the purposes of efficiency and effectiveness in the conduct of the local authority's business, a local authority may delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority any of its responsibilities, duties, or powers except
>
> (a) the power to make a rate; or
>
> (b) the power to make a bylaw; or
>
> (c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or
>
> (d) the power to adopt a long-term plan, annual plan, or annual report; or
>
> (e) the power to appoint a chief executive; or
>
> (f) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or
>
> (g) [repealed]
>
> (h) the power to adopt a remuneration and employment policy.
>
> (2) Nothing in this clause restricts the power of a local authority to delegate to a committee or other subordinate decision-making body, community board, or member or officer of the local authority the power to do anything precedent to the exercise by the local authority (after consultation with the committee or body or person) of any power or duty specified in subclause (1).
>
> (3) A committee or other subordinate decision-making body, community board, or member or officer of the local authority may delegate any of its responsibilities, duties, or powers to a subcommittee or person, subject to any conditions, limitations, or prohibitions imposed by the local authority or by the committee or body or person that makes the original delegation.
>
> (4) A committee, subcommittee, other subordinate decision-making body, community board, or member or officer of the local authority to which or to whom any responsibilities, powers, or duties are delegated may, without confirmation by the local authority or committee or body or person that made the delegation, exercise or perform them in the like manner and with the same effect as the local authority could itself have exercised or performed them.
>
> (5) A local authority may delegate to any other local authority, organisation, or person the enforcement, inspection, licensing, and administration related to bylaws and other regulatory matters.
>
> (6) A territorial authority must consider whether or not to delegate to a community board if the delegation would enable the community board to best achieve its role.
>
> (7) To avoid doubt, no delegation relieves the local authority, member, or officer of the liability or legal responsibility to perform or ensure performance of any function or duty.
>
> (8) The delegation powers in this clause are in addition to any power of delegation a local authority has under any other enactment.

3.3 Other statutes also confer or limit the ability for the Council to delegate decision-making powers and duties. Of note are:

(a) Section 34A of the RMA;

(b) Section 105 of the Biosecurity Act 1993; and

(c) Sections 42 and 43 of the Local Government Official Information and Meetings Act 1987 (**LGOIMA**).

3.4 Except as provided for elsewhere in this Delegations Manual, the delegation of a duty, responsibility, function or power is made under Clause 32 of Schedule 7 of the LGA.

3.5 Some statutory duty, responsibility, function or power are conferred on the Chief Executive, rather than the Council. The Chief Executive has the ability to delegate such matters to officers under **clause 32B, Schedule 7 of the LGA**, which reads:

> (1) An officer of a local authority may delegate to any other officer of the local authority 1 or more of his or her powers under this Act or any other enactment except—
>
> (a) the power to delegate under this clause; or
> (b) any power delegated to the officer under clause 32 that is subject to a prohibition on delegation; or
> (c) any power under an enactment where the enactment expressly prohibits the delegation of the power.
>
> (2) An officer acting under subclause (1) may include conditions, limitations, or prohibitions in the delegation.
> (3) An officer to whom any responsibilities, powers, or duties are delegated may, without confirmation by the officer that made the delegation, exercise or perform them in the like manner and with the same effect as if the officer who made the delegation could himself or herself have exercised or performed them.
> (4) To avoid doubt, no delegation relieves the officer of the liability or legal responsibility to perform or ensure performance of any function or duty.

3.6 Clause 32B also enables the Chief Executive to sub-delegate to officers many of the responsibilities, functions, powers and duties delegated to him or her by the Council.

3.7 Council has delegated many matters to the Chief Executive in the expectation that they will sub-delegate them to appropriate officers. However, some powers under the RMA and the Local Government (Ratings) Act 2002 are legally not able to be sub-delegated and so have been delegated by the Council to appropriate officers directly.

3.8 It should be noted that no delegation or sub-delegation relieves the Council or Chief Executive of the liability or legal responsibility to perform or ensure performance of any function or duty.

3.9 All officers have a responsibility to ensure that delegations are exercised in accordance with this Delegations Manual, even if they do not personally have any duties, responsibilities, functions and powers delegated to them. This includes checking the actions of others comply with the appropriate delegation and reporting suspected breaches of delegated authority to their appropriate superiors.

4. Principles, terms and conditions

4.1 Unless a delegation in this Delegation Manual states otherwise, the delegation is derived from the Council.

4.2 When deciding to delegate any duties, responsibilities, functions and powers, the Council will have regard to the principles outlined in Table 1 below.

4.3 In the exercise of any delegation, the delegate (i.e. the officer or committee given the delegation) must comply with the general terms and conditions, which are also outlined in Table 1. In addition to the general terms and conditions, the delegate must also comply with any additional conditions, limitations or prohibitions that might apply to the specific delegation.

Table 1: Principles, terms and conditions

Principles
1. Wherever possible, delegations to officers have been made on a wide basis to promote the most effective and efficient implementation and delivery of the Council's policies and objectives. 2. Delegations have generally been made to the lowest level of competence, commensurate with the degree of responsibility, difficulty and risk involved in the undertaking of the task delegated. 3. In deciding what is the lowest level of competence for each delegation, particular attention has been paid to the responsibilities and accountability for its correct and effective implementation and any reporting requirements. 4. While delegations are made to individual positions or tiers of management, it is expected that when more significant or sensitive decisions are being made under delegated authority, officers will collaborate in the decision-making process or consider referring the matter to Council or managers in a direct line above that position to ensure the best outcome for the Council. 5. In exercising delegations which are outside the Council's day-to-day business, officers will report back on the exercise of that delegation to the next relevant Council or Council Committee meeting. 6. Just because a duty, responsibility, function and power has been delegated does not mean that the delegate is obliged to make the decision. 7. Where the Council is expressly prevented from delegating some or all of its powers by a particular statute, it may delegate the power to do anything precedent to the exercise by the Council of that particular power or authority. 8. Before exercising any delegation, delegates should always bear in mind the statutory principles relating to local authorities, set out in s 14 of the LGA including but not limited to safeguarding public assets and to spend public funds within the standards of probity and financial prudence, such that all public assets and funds are appropriately used for the purposes intended.
Terms and conditions
1. No delegations limit the power of the Council or other delegators to exercise a responsibility, function, duty or power in substitution for a delegate. 2. In the exercise of any delegation, the delegate will ensure they act in accordance with: a. any binding statutory authority (in relation to each delegation, relevant sections of the Act will be identified); and b. any relevant Council policy or procedural documents (including reporting and recording) requirements. 3. In relation to delegations to officer level, every delegation will be to a stated officer and will be exercised in relation to the duties of their position as identified in their Position Description or when an officer has been appointed in an acting capacity. 4. Decisions, other than on minor or routine matters, made under delegated authority will be reported to Council or a relevant Committee. 5. A responsibility, function, duty or power delegated to an officer holding a named position is also delegated to any officer who performs or exercises the same or substantially similar role or function, whatever the name of his or her position, provided that the Chief Executive or the General Counsel has confirmed that the role or function is the same or substantially the same as the named position. 6. For the avoidance of doubt, managers have the same delegated powers as subordinate officers, unless the exercise of such delegation requires, by law, a particular qualification or registration. The delegations in this Manual are expressed as the lowest level in the organisation which can exercise the responsibility, function, duty or power. 7. An officer who is delegated a responsibility, function, duty or power is also delegated any ancillary responsibilities, functions, duties or powers necessary to give effect to that delegation.

8. Where a delegation refers to repealed legislation, the reference is to be read as a reference to the legislation that, with or without modification, replaces or corresponds to the repealed legislation. If the repealed legislation has not been replaced, or has no corresponding legislation, the delegation can no longer be exercised.

9. A delegation once made cannot be further sub-delegated, unless the authority to sub-delegate is specified in the delegation.

10. Any power to appoint a person or approve an action or document includes the power to revoke any appointment or approval.

11. The Council may, at any time, revoke, suspend for a period, or amend the terms or conditions in relation to any delegation it has made. Where this occurs, it will be recorded by resolution of Council. If the resolution relates to a delegation to the Chief Executive, the Chief Executive must correspondingly revoke, suspend, or amend any delegation effected by the Council's resolution.

12. Unless expressed otherwise, where a delegation is to more than one officer, that power of delegation is to each officer separately.

13. Where a delegation includes reference to a specific section in a statute the description of that delegated authority is a guide only; the delegate should refer back to the wording of the section itself to fully understand the scope of the authority delegated.

14. Where two different delegations apply to the action, both delegations must be complied with (for example, where a person is given a delegation to obtain professional advice, that delegation must also be exercised in accordance with the financial delegations given to the person).

15. Where a delegation refers to a committee, chairperson or other role and these do not exist, the reference to that delegation is to be read to correspond to the body or officer who most closely corresponds to that committee, chairperson or role.

Tiers of management

Tiers refer to the levels of authority within the organisation chart

Officer	**Tier**
Chief Executive	1
General Managers	2
Managers	3
Team Leaders or Officers that report to managers	4
Officers that report to team leaders	5

5. Acting on behalf of others

5.1 It may be necessary for an officer to exercise a delegation when the usual delegate is unavailable or on leave. Rather than sub-delegating the relevant power (which, under the general rules applying to all delegations, is not allowed) this is achieved by the delegate appointing someone to act in their role temporarily, provided that officer's role or function is the same or substantially the same as the named position. The person acting in the role will then assume the powers, duties, functions and responsibilities that apply to that position.

5.2 The person making the appointment should inform those who may be affected who will be acting in the relevant role, for what time period and what functions, powers, duties and responsibilities they are expected to exercise during that time.

5.3 When a person is exercising a delegation in an acting capacity, they must expressly state that they are doing so. This will often include using "(Acting)" in their job title.

6. Decision making and significance and engagement

6.1 The decision-making requirements under the LGA, including those in sections 76 and 79 must be complied with, including making decisions on what responsibilities should be delegated and also making decisions under delegated authority.

6.2 The degree to which compliance with the decision-making requirements in the LGA is required is proportional to the significance of the delegated decision or power and the resources available.

6.3 In every case, the delegate needs to determine the significance of the decision they are making or the power they are exercising, notwithstanding that they have the delegated authority to make the decision or take the action. The Council's Significance and Engagement Policy is relevant to this assessment.

6.4 Where the delegate determines that the decision to be made or power to be exercised may be significant, they should consider whether to refer the decision or exercise of the power back to the delegator before final action is taken. In considering this issue, the delegate needs to balance the delegated authority they have with the potential consequences. While a precautionary approach should be taken, delegates must not be averse to making decisions or taking action as required.

7. Reviews and updates of the Council Delegations Manual

7.1 The Council Delegations Manual is a living document, and it will be reviewed periodically by Council and when legislative change requires amendments. The Council Delegations Manual has been developed to record current delegations made by the Council.

7.2 Certain delegations that have been made to the Chief Executive have been made so that they can be further sub-delegated by the Chief Executive. Delegations and sub-delegations made by the Chief Executive are set out in the Chief Executive's Delegations Manual.

7.3 The general terms and conditions of this Delegations Manual provide that a duty, responsibility, function or power delegated to an officer holding a named position is also delegated to any officer who performs or exercises the same or substantially similar role or function, whatever the name of his or her position. Any changes in position names must be approved by the Chief Executive or Acting Chief Executive, and this Delegations Manual will be updated accordingly in due course, but the delegation can be exercised by those with the same or substantially similar role or function as the named role in the meantime.

Amendments

7.4 Amendments to the Council Delegations Manual will be recorded below.

7.5 The following amendments to Council delegations have been approved by Council for the period [Date].

Date Amended	Amendment	Council Paper

Part B: Council and Committees

Part B of the Delegations Manual sets out those delegations that remain with the Council and the delegations given to the Council's Committees and Chairperson.

8. Council

8.1 In accordance with Clause 32 of Schedule 7 of the LGA, the Council cannot delegate the following matters to a committee or other subordinate decision-making body, community board, or member or officer:

(a) the power to make a rate; or

(b) the power to make a bylaw; or

(c) the power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan; or

(d) the power to appoint a chief executive; or

(e) the power to adopt policies required to be adopted and consulted on under this Act in association with the long-term plan or developed for the purpose of the local governance statement; or

(f) the power to adopt a remuneration and employment policy.

8.2 These decisions must therefore be made by the Council.

8.3 Delegations under the RMA are legally not able to be further sub-delegated and can only be made by Council resolution.

8.4 Other legislation, including the RMA (section 34A), Local Government (Ratings) Act 2002 (section 132), the Biosecurity Act 1993 (section 100H) and the Land Transport Management Act 2003 (section 119), also provide that certain matters cannot be delegated and that certain decisions must therefore be made by the Council.

9. Council committees

9.1 The Council has the following committees:

(a) Audit and Risk Committee;

(b) Otago Regional Transport Committee;

(c) Otago Civil Defence and Emergency Management Joint Committee; and

(d) Otago Central Lakes Regional Deal Negotiation Joint Committee.

9.2 The delegations in this section reflect the delegations provided in the Governance Structure, Portfolio Terms of Reference and Council appointments 2025 - 2028 Triennium.

10. Audit and Risk Committee

10.1 The Audit and Risk Committee Terms of Reference (including delegations) were adopted by Council on 26 November 2025.

10.2 The Committee has no general decision-making or financial delegations. It can:

(a) Receive information for noting.

(b) Receive the external audit engagement letters and letters of undertaking for audit functions and additional services provided by the external auditor.

(c) Review matters within its areas of responsibility and make recommendations to Council on those matters.

(d) Seek information it requires from the Chief Executive. The Chief Executive is required to cooperate with any requests unless excused by the Chair of the Council.

(e) Request access to outside legal or independent professional advice should it consider this necessary.

11. Otago Regional Transport Committee

11.1 The Otago Regional Transport Committee Terms of Reference (including delegations) were adopted by Council on 26 November 2025.

11.2 The Council delegates to the Committee the following:

(a) Appoint a panel to hear the Regional Land Transport Plan, submissions, working parties, advisory groups.

(b) Where there is urgency or special circumstances, appoint a sub-committee to deal with any matters of responsibility within the Committee's Terms of Reference and areas of responsibility, to make recommendations to the Committee on matters within it's Terms of Reference, provided that a sub-committee does not have power to act other than by a resolution of the Committee with specific limitations.

(c) Make decisions in accordance with the Committee's Terms of Reference and the Land Transport Management Act 2003.

11.3 The Committee has the following power to:

(a) Monitor any transport activities of the Council, territorial authorities and New Zealand Transport Agency in order to report on progress on the Regional Land Transport Plan.

(b) Prepare and recommend variations to the Regional Land Transport Plan that trigger the Committee's significance policy.

(c) Consider and recommend transportation planning studies and associated outcomes.

(d) Provide recommendations to relevant government agencies on transport priorities for the region and the allocation of national or regional transport funds.

12. Otago Civil Defence and Emergency Management Joint Committee

12.1 The Otago Civil Defence and Emergency Management Group (**CDEM**) is established under section 12 of the Civil Defence Emergency Management Act 2002 and is made up of representatives from each of the local authorities in the Otago region and FENZ.

12.2 The CDEM (Joint Committee) Terms of Reference (including delegations) were adopted by Council on 26 November 2025.

12.3 The CDEM has all the delegated authorities given by each member Council, including authority to:

(a) fulfil the powers, obligations and functions of the Group as specified in the Civil Defence Emergency Management Act 2002;

(b) appoint subcommittees; and

(c) sub-delegate any authority able by law to be delegated.

13. Otago Central Lakes Regional Deal Negotiation Joint Committee

13.1 The Otago Central Lakes Regional Deal Negotiation Joint Committee Terms of Reference (including delegations) were adopted by Council on 26 November 2025. The Joint Committee is made up of two representatives from the Central Otago District Council, the Queenstown Lakes District Council referred to as 'Otago Central Lakes' (**OCL**) and the Council.

13.2 The Joint Committee has the following delegations:

(a) Make decisions on any matter coming within its Terms of Reference.

(b) Commission additional advice or evidence (including from external sources), or further definition of requirements, to support negotiations with central government.

(c) Agree joint prioritisation of agreed activity areas for OCL Regional Deal Negotiation Joint Committee, to guide negotiations with government.

(d) Agree, in principle, to components of a deal that are consistent with the agreed negotiating principles and within the agreed activity areas.

(e) Appoint a negotiating authority as the direct interface with central government for negotiations.

(f) Appoint a Chairperson and Deputy Chairperson in accordance with any process agreed by the Committee and the requirements of the LGA.

13.3 The Joint Committee may delegate any or all its responsibilities, duties or powers to a subcommittee that is made up of all the members of the Committee and the member's Chief Executives.

14. Council Chairperson

14.1 In 2020, Central Government introduced the COVID-19 Recovery (Fast-track Consenting) Act 2020. The purpose of this Act is to fast-track projects that can boost employment and economic

recovery. The Environmental Protection Authority is the Government Department responsible for this legislation and for administering the process. Decisions on applications that use this process are made by Expert Consenting Panels. Membership of these panels can include those nominated by relevant local authorities.

14.2 The COVID-19 Recovery (Fast-track Consenting) Act 2020 was repealed on 8 July 2023 however the delegation below remains relevant until the applications, captured under that legislation, have proceeded through the hearing process.

COVID-19 Recovery (Fast-track Consenting) Act 2020

Section	Function	Delegated to
Schedule 5, clause 3(2)	Nominate a person to be part of an Expert Consenting Panel.	Two of the three of the General Manager Environmental Delivery and the Environmental Delivery Portfolio Leads

Part C – Administrative Delegations

Part C of the Delegations Manual sets out general administrative delegations relating to human resources, the release of information, correspondence (including submissions and applications for funding), the use of the Common Seal, delegations in relation to legal proceedings and obtaining professional advice.

15. Human Resources

15.1 Pursuant to section 42(2) of the LGA, the Chief Executive is responsible, on behalf of the Council, for ensuring the effective and efficient management of the Council, employing officers and negotiating the terms of employment of officers. The Chief Executive has absolute control over all employment-related matters concerning officers.

16. Requests and the release of information, and correspondence, media releases and public records

Local Government Official Information & Meetings Act 1987

16.1 The Council delegates all duties, responsibilities, functions and powers under LGOIMA to the Chief Executive.

Privacy Act 2020

16.2 The Council delegates all duties, responsibilities, functions and powers under the Privacy Act to the Chief Executive.

Public Records Act 2005

16.3 The Council delegates all duties, responsibilities, functions and powers under the Public Records Act to the Chief Executive.

Other

16.4 This Delegations Manual does not contain formal delegations in relation to the authorisation to sign correspondence (including email correspondence), media statements (including social media) and placement of public notices.

16.5 All duties, responsibilities, functions and powers are delegated to the Chief Executive pursuant to clauses 32 of Schedule 7 of the LGA.

17. Authorisation to use the Common Seal

17.1 The Council has the authority to impress on any document the Common Seal of the Council. The Chief Executive is delegated the power to impress any document the Common Seal of the Council to give effect to:

(a) a resolution of the Council;

(b) the resolution of a committee of the Council; or

(c) any Council delegation to the Chief Executive;

which are legally required to be executed under the Common Seal.

17.2 The Common Seal will be affixed to any document that is required to be executed under the Seal, including:

(a) Certain warrants to carry out statutory functions, including warrants made under the Biosecurity Act 1993, the Building Act 2004, and the LGA.

(b) When executing any Memorandum of Transfer pursuant to section 80 of the Local Government (Rating) Act 2002.

(c) Regional Policy Statements and Regional Plans prepared under the RMA.

(d) Bylaws prepared under the LGA or other relevant statutes.

(e) Any documents (e.g. covenants, caveats, deed, s 417 certificates or consent notices) which require the use of the Common Seal.

17.3 Where the Common Seal is affixed to any document it must be attested by any two Councillors. This delegation cannot be sub-delegated.

17.4 The Common Seal is held by the Governance Support Officers who record when the Common Seal is applied.

18. Professional advice and legal proceedings

18.1 The following responsibilities, powers, duties and functions are delegated to the Chief Executive:

(a) obtain professional advice, including but not limited to legal, engineering, financial, accounting, and resource management advice on Council's behalf is delegated to the Chief Executive;

(b) commence, join, defend or settle any legal proceedings before any Court or Tribunal (including judicial review) on the Council's behalf, subject to, at the Chief Executive's discretion, discussion with the Chairperson, Legal Counsel, officers involved, insurers and reports being made to the relevant committee of the Council; and

(c) initiate or withdraw appeals as follows:

i. Environment Court to the High Court;

ii. District Court to the High Court;

iii. High Court to the Court of Appeal or Supreme Court; and

iv. Court of Appeal to the Supreme Court.

18.2 The delegation of the above responsibilities, powers, duties and functions are set out in the Chief Executive Delegation Manual.

18.3 Any advice must be sought in accordance with any arrangements that the Council has regarding the provision of services (i.e. if there is a preferred or agreed service provider). Legal Counsel should be advised of any external legal services engaged.

18.4 This delegation does not prohibit other officers from liaising with professional advisors as part of the Council obtaining advice.

Note: In accordance with the general terms and conditions this delegation may only be exercised in accordance with financial delegations.

19. Submissions

19.1 The authority to make a submission on any matters of general interest or concern to the Council such as proposed Government policies, discussion documents in circumstances where it is not possible within the available time to refer the matter to the Council or where there is no other delegation, is delegated to the Chief Executive or, in the Chief Executive's absence, the Acting Chief Executive.

19.2 This delegation does not apply to proposed plans and plan changes and resource consent applications under the RMA.

Note: When this delegation is exercised, it must be reported to the next Council meeting.

20. External funding

Applications for funding, grants or donations from external sources

20.1 The authority to seek and obtain external funding by way of grant or donation or other form of gifted funding for any project or programme or other activity that has been approved by Council and the power to receive and/or administer grants or funding is delegated to the Chief Executive.

Note: In accordance with the general terms and conditions this delegation may only be exercised in accordance with financial delegations.

Grants of funding from the Council to external sources

20.2 The authority to grant external funding by way of grant or donation or other form of gifted funding for any project or programme or other activity that has been approved by the Council and is in the Long Term Plan and Annual Plan is delegated to the Chief Executive.

Note: In accordance with the general terms and conditions this delegation may only be exercised in accordance with financial delegations.

Part D: Contracting, Financial, Property and Rating Delegations

Part D of the Delegations Manual sets out delegations relating to contracting and agreements, financial matters (including rating) and property delegations.

21. Contracting, Agreements, and Memorandum of Understanding

21.1 The Council enters into a range of different contracts and agreements as part of undertaking its day-to-day business. These range from non-binding memoranda of understanding (but which may have significant reputational impact), contracts and agreements of low financial value, to high financial value contracts and agreements.

21.2 The following responsibilities, powers, duties and functions are delegated to the Chief Executive:

(a) Sign a memorandum of understanding on the Council's behalf.

(b) Sign a deed under the Property Law Act 2007, as one of two signatories. The second signatory being an elected member.

(c) Sign contracts and other agreements (other than deeds) that authorise expenditure limited by the amount set in the Annual Plan, Long-term Plan or other specific authorisation by Council above what the Chief Executive holds.

Note: In accordance with the general terms and conditions this delegation may only be exercised in accordance with financial delegations.

22. Executing deeds

22.1 The authority to execute a deed under section 9 of the Property Law Act 2007 is delegated to the Chief Executive up to the financial commitment as set in any Annual Plan, Long Term Plan, or other specific authorisation by Council.

Specific terms and conditions

22.2 The execution of deeds must be:

(a) Authorised in accordance with relevant financial delegations and any other applicable delegation.

(b) It can be executed by Councilors under seal or by the Chief Executive and General Manager.

23. Financial

23.1 The delegation of financial powers enables the works and service objectives of the Council as set out in the Long Term Plan and Annual Plan to be achieved. Achieving the proposed outcomes is the objective, not spending the budget.

23.2 The Chief Executive is delegated all financial powers, responsibilities, duties and function up to the financial budget set in out any Annual Plan, Long Term Plan, or other specific authorisation by Council.

23.3 The amounts delegated to the Chief Executive will be reviewed and adjusted at least every three years to reflect any increase in CPI since the financial thresholds were last updated.

23.4 Temporary delegation may be made by any individual holding delegated authority to cover their absence from work. Temporary delegation can only be exercised to cover an absence (leave, business travel) and will not transfer accountability or responsibility (minimum two weeks and a maximum of three months).

23.5 Basic principles of financial delegations:

(a) No financial delegation empowers the delegate to commit expenditure or enter into contracts that are not provided for in the Annual Plan. The Annual Plan sets out the expenditure to be incurred and income to be received for the activities the Council is planning to undertake in the financial year the plan covers. As such, the Annual Plan sets out the financial limits and will be the basis against which all financial decisions will be judged.

(b) Delegated duties, responsibilities, functions or powers should be exercised in a like manner and with the same effect as if the delegator had performed them.

(c) All amounts in the delegations are GST exclusive.

(d) All amounts in the delegations relate to the whole of life of the contract – for example, a contract committing $10,000 for three years requires a financial delegation of at least $30,000.

(e) Expenditure commitment is the point where officers will incur a liability on the Council, for example, the issue of a Purchase Order to a supplier. All expenditure should have a Purchase Order approved prior to ordering the good or service. All Purchase Orders require approval prior to payment of the invoice.

(f) A manager must operate within the constraints of the budget and managers must be prepared to account for and explain any expenditure incurred.

(g) Where any final invoice from a creditor varies by more than 10% of the approved commitment, the invoice must be authorised by an officer with appropriate authority to approve the new total value of the invoice.

24. Property Services

24.1 The following duties, responsibilities, functions or powers are delegated to the Chief Executive:

(a) Enter into a deed of lease, lease agreement (as lessee or lessor) and to assign or sublease a lease.

(b) Secure a mortgage over a lessee’s interest, or to vary or release a lease.

(c) Vary, terminate or surrender a lease.

(d) Provide or withhold consent under a lease.

(e) All powers, duties and functions under the Otago Regional Council (Kuriwao Endowment Lands) Act 1994.

25. Rating

25.1 The following delegations of rating matters are set out below:

Local Government (Rating) Act 2002

25.2 The Chief Executive is delegated all duties, responsibilities, functions or powers under the Local Government (Rating) Act 2002 that are legally able to be delegated under section 132. The Local Government (Rating) Act 2002 prohibits the delegation of the power of delegation. Accordingly, the following table sets out a range of other delegations made by the Council to specified positions.

Section	Function	Delegated to
40 - 41 54 61 – 63	Correct rates Issue an amended rates assessment if an error is encountered Not to collect rates that are uneconomic to collect Recover unpaid rates	Group Financial Controller
85 - 87 90	Remit rates pursuant to Council rates remission policy Postpone rates pursuant to Council rates postponement policy	Group Financial Controller
91-115	Rating of Māori freehold land including district valuation rolls, land vested in trustees, multiple ownership and using land in multiple ownership pursuant to Council policy. Remit or postpone rates on Māori Freehold land pursuant to Council policy.	Chief Financial Officer Group Financial Controller

Rating Valuations Act 1998

25.3 In relation to the Rating Valuations Act 1998 the Council delegates to the Chief Executive all duties, responsibilities, functions and powers that are legally able to be delegated.

Rates Rebate Act 1973

25.4 In relation to the Rate Rebate Act 1973 the Council delegates to the Chief Executive all duties, responsibility, functions and powers that are legally able to be delegated.

Part E: Regulatory Delegations – Resource Management Act 1991

Part E of the Delegations Manual sets out regulatory delegations relating to resource management, general administrative matters, resource consents, certificates of compliance, proposals of national significance, designations, water conservation orders, planning matters, the Environment Court and Court proceedings and enforcement under the RMA.

26. Delegations to Chief Executive

26.1 Pursuant to section 34A(1) of the RMA, all the duties, responsibilities, functions and powers of the Council under the RMA other than:

(a) the powers to approve policy statements and plans under clause 17 of Schedule 1 of the RMA;

(b) the powers delegated to a specific position contained in the legislation and any associated regulations;

(c) delegations made specifically to a committee of the Council; and

(d) matters identified in the tables in this Part E as not being delegated;

are delegated to the Chief Executive.

26.2 For the avoidance of doubt, if the Council has duties, responsibilities, functions or powers under the RMA that are not specified in the tables in this Part E that are of an enforcement, inspection, licensing and administrative nature then the Chief Executive is delegated the duties, responsibility, function or power contained in them as if the matter was specified in these tables.

26.3 The Council further delegates responsibilities, duties, powers and functions under the RMA in the tables below. In accordance with section 34A(1)(b) of the RMA, officers (including the Chief Executive) **may not** sub-delegate any powers that have been delegated to them.

26.4 The delegations are made under and must be acted on in accordance with the requirements of sections 34 and 34A of the RMA as well as the general delegation provision of clause 32 of schedule 7 of the LGA. This includes the limitations set out in those sections and the prohibition on sub-delegation.

27. Key to RMA delegations

Type of RM Delegation	
Tier 1	Chief Executive
RM Consents	
Tier 2 – Consents	GM Environmental Delivery
Tier 3 – Consents	Manager Consents
Tier 4 – Consents	Principal Consents Planner

	Senior Consents Planner Team Leader Consents Senior Consents Support Co-ordinator
Tier 5 - Consents	Consents Planner Consents Support Co-ordinator
RM Planning	
Tier 2 - Planning	GM Regional Planning & Transport
Tier 3 - Planning	Manager Policy and Planning
Tier 4 - Planning	Team Leader RPS, Air and Coast Team Leader Freshwater and Land
RM Compliance	
Tier 2 - Compliance	GM Environmental Delivery
Tier 3 - Compliance	Manager Compliance Manager Environmental Delivery Data & Systems
Tier 4 – Compliance	Team Leader – Compliance support Team Leader Compliance Team Leader Investigations
Tier 5 – Compliance	Environmental officer
RM Engineering	
Tier 2	GM Science and Resilience
Tier 3	Manager Engineering 1
RM People and Corporate	
Tier 2	GM People and Corporate

27.1 Delegations exercised by a Tier can be exercised by all those in the Tiers above in the same category, as demonstrated by the order in which they appear in the table. For example, a delegation to Tier 4 Consents, can be exercised by the Consents Manager, the GM Environmental Delivery, GM Regional Planning & Transport and the Chief Executive.

27.2 The powers have been delegated to specific office holders through their title as set out in the 'delegate column of the schedule. Any limitation on the power delegated has been specified in the 'function' column of the schedule below. The 'function' column is a summary of the power delegated only. The complete provision of the RMA (set out in the 'section' column of the schedule) should be referred to as appropriate.

28. RMA: General Matters

Section	Function	Delegate
Information and Reports		
35(2A)	Prepare and make available a review of the results of monitoring the efficiency and effectiveness of policies, rules, or other methods in its policy statement or its plan	Tier 2 - Planning Tier 2 - Engineering

Section	Function	Delegate
Administrative charges		
36 36AAB 36AA	Require payment of additional charges over and above any fixed charges to enable the recovery of actual and reasonable costs Provide an estimate of any additional charges likely to be imposed where requested by a person liable to pay an additional charge Waive or remit the whole or any part of any charge referred to in section 36 which would otherwise be payable (subject to financial delegations) Determine any discount under section 36AA on an administrative charge imposed under section 36 in accordance with the Resource Management (Discount on Administrative Charges) Regulations 2010	Tier 3 – Consents Tier 3 – Compliance
Power to waive or extend time limits or waive requirements In relation to the below delegations, if Council is the applicant then this is delegated to an independent hearing commissioner appointed by the GM Environmental Delivery.		
37(1)(a)	Extend time periods associated with a resource consent process, if the applicant has agreed to the extension	Tier 4 - Consents
	Extend time periods associated with a resource consent process, where the applicant has not agreed to the extension	Tier 3 - Consents
	Extend any other time period not associated with a resource consent process	Tier 2 – Planning Tier 2 - Consents
37(1)(b)	In relation to resource consent, waive a failure to comply with a requirement regarding the time or method of services of documents	Tier 3 - Consents
	In relation to any process other than a resource consent process, waive a failure to comply with a requirement regarding the time or method of service of document	Tier 3 – Consents Tier 3 - Planning
37(2)	In relation to a resource consent, waive compliance with a requirement (including a procedural requirement) to provide information or direct that the omission or inaccuracy be rectified, and the manner of the correction	Tier 3 - Consents
	In relation to any process other than a resource consent, waive compliance with a requirement (including a procedural requirement) to provide information or direct that the omission or inaccuracy be rectified, and the manner of the correction	Tier 3 - Planning Tier 3 - Compliance Tier 3 - Consents
Commissioning reports		
42A	Require an officer or commission a consultant or other person to prepare a report	Tier 4 - Consents Tier 4 - Planning If the Council is the applicant then this is delegated to an independent planner or hearing commissioner appointed by the Tier 2 - Consents
42A(5)	Waive compliance with the requirements in ss 42A(3) and 42A(4)(b)	Tier 2 – Planning Tier 2 - Consents

Section	Function	Delegate
Protection of sensitive information		
42	Make an order to avoid serious offence to tikanga Māori, the disclosure of the location of wahi tapu, the disclosure of a trade secret or unreasonable prejudice to the commercial position of the person who supplied, or is the subject of, the information (subject to the public interest in making the information available)	Tier 2 - Planning Tier 2 - Consents Hearing commissioner

28.1 RMA: Policy and Planning All powers, functions and duties under Schedule 1 except for the power to approve a proposed policy statement or plan under clause 17 of Schedule 1

Section	Function	Delegate
Evaluation reports		
32 Schedule 1, clause 5	Direct the preparation of an evaluation report for a proposed policy statement or plan in accordance with section 32	Tier 4 - Planning
165H(1A)	Direct the preparation of a report summarising the matters required by section 165H(1) and make it available for inspection	Tier 3 – Planning
Consultation		
Schedule 1, clause 3	Determine affected Ministers, local authorities and other persons to consult and direct that they be consulted	Tier 3 – Planning
Notification		
Schedule 1, clauses 5, 7	Determine whether persons are likely to be directly affected by the proposed policy statement or plan Determine what information to provide to affected persons Determine appropriate locations in the region to make any proposed policy statement or plan available Publicly notify the proposed policy statement or plan Publicly notify a summary of submissions on a proposed policy statement, plan, or plan change Serve notice on relevant persons where decision made to have limited notification	Tier 3 - Planning
Resolution of disputes		
Schedule 1, clause 8AA(1) 82	Invite persons to a meeting for the purpose of clarifying or facilitating the resolution of any matter relating to a proposed policy statement or plan Refer a dispute to the Environment Court regarding potential inconsistency and whether a regional policy statement or plan gives effect to a national policy statement, NZ coastal policy statement or national planning standard	Tier 3 -Planning
Amendments to policy statements or plans without using Schedule 1 process		
292	By direction of the Environment Court amend a plan without using the process in Schedule 1 to remedy a mistake, defect, or uncertainty or to give full effect to a plan	Tier 4 - Planning
Notification of operative dates		
Schedule 1, clause 20	Publicly notify a date on which a policy statement or plan becomes operative	Tier 3 - Planning

Section	Function	Delegate
Private plan changes		
Schedule 1, clauses 23(1) and (2), 23(3), 24, and 28	Require, by written notice, further or additional information in accordance with clause 23. Commission a report in relation to a request made under clause 21 and notify the person who made the request Modify a request made under clause 21 with the agreement of the person who made the request Give notice that request made under clause 21 will be deemed to be withdrawn if not advised of wish to continue with request	Tier 3 - Planning
Schedule 1, Clause 25	Make a decision as to how to deal with a request made under Schedule 1 Clause 21 to change or prepare regional plans	Tier 3 - Planning

29. RMA: Submissions

29.1 Council is responsible for setting the region's policy direction through its regional policy statement (**RPS**) which territorial authorities must give effect to. An important part of implementing the RPS is by making submissions on District or City Councils' proposed district plans, plan changes, and resource consent applications. These submissions seek to implement Council's previous decisions so generally will not require further approval from Council.

29.2 Where Council has no relevant policy, but the issues raised in a plan change or consent application are significant, the matter should be referred to Council for consideration. Where this is not possible within the time that is available a submission should be lodged subject to Council endorsement and the matter brought to the next Council or relevant Committee meeting.

Section	Function	Delegated
96 130	Make or withdraw a submission on a resource consent application on behalf of Council	Tier 2 - Planning for policy matters Tier 2 – Engineering for operational matters Tier 2 – Consents for maritime matters Tier 2 - People and Corporate for property matters
149E 149F 149O	Make a submission or further submissions to the EPA on a matter that has been called in or referred to it	Tier 2 - Consents Tier 2 Planning
Schedule 1, clause 6, 8	Make or withdraw a submission or further submission on a proposed plan or plan change on behalf of the Council	Tier 2 -Planning

30. RMA: Resource consents and certificates of compliance

Section	Function	Delegate
Application for resource consents		
88(3)	Determine whether an application is incomplete	Tier 4 - Consents

Section	Function	Delegate
91 91D	Defer the notification or hearing of an application pending the application of additional consents Decide to suspend the processing of a non-notified application when a request is received from an applicant	Tier 4 -Consents
91C 91F	Following a period of suspended processing, decide whether to return the application to the applicant with the required written explanation	Tier 4 - Consents
165D	Refuse to receive an application for a coastal permit where consent for a similar activity has been refused within the previous 12 months	Tier 4 - Consents
Further information requests		
92(1)	Request further information and set a reasonable time for providing such information	Tier 4 - Consents
92(2)	Commission a person to prepare a report on any matter relating to a resource consent application	Tier 4 - Consents
Notification and submissions		
95(1) 95D – 95G 127(4)	Decide whether to give public or limited notification an application and notify the application	Tier 4 - Consents If Council is the applicant then this is delegated to an independent hearing commissioner appointed by the GM Environmental Delivery
97	Adopt an earlier closing date for submissions	Tier 3 – Consents
Pre-hearing meetings and mediation		
99	Invite or require the applicant and submitters to attend a pre-hearing meeting, and appoint the chairperson for the meeting	Tier 3 – Consents
99(8) 99A	Decline to process a person's application or consider a person's submission if failed to attend a pre- hearing meeting Refer an applicant and submitters to mediation, and appoint a mediator	Tier 2 - Consents
Hearings		
100A	Appoint a hearing commissioner(s) to hear and decide applications	Tier 3 – Planning for plan hearings Tier 2 – Consents Any two of the following for a resource consent hearing: GM Environmental Delivery and Environmental Delivery Portfolio Leads
39 40 – 41C	Determine the procedures for the conduct of a hearing	Hearing Commissioner (s)
41D	Strike out all or part of a submission	Tier 3 – Consents Hearings Commissioner(s)

Section	Function	Delegate
100 102(1) 103(1) 102(2)	Determine whether a hearing of an application is necessary In relation to joint hearings, agree that applications are sufficiently unrelated that a joint hearing is unnecessary Agree that for a joint hearing, another authority should be responsible for notifying the hearing, setting the procedure, and providing administrative services	Tier 3 -Consents
101	Fix and give notice of the commencement date, time and place of a hearing	Tier 4 – Consents Tier 5 - Consents in consultation with Hearing Commissioner(s)
Decision-making on applications		
104A – 104D 105 107 108 108AA 138A	Determine applications and impose conditions for a non-complying activity Determine applications and impose conditions for any activity where: • the application was notified or limited notified but no hearing is required (subject to s 100) • the consent term is greater than 25 years • the consent conditions are not consistent with the Council's standard consent conditions	Tier 4 - Consents Hearings Commissioner(s)
104A – 104D 104F 105 107 108 108AA 138A	Determine applications and impose conditions for any other activity, where the recommended conditions are consistent with the Council's standard consent conditions and the recommended consent term is less or equal to 25 years Note: under s 127B, water permit authorising the taking or use of water granted on and after the commencement date under the Regional Plan: Water for Otago must not exceed 6 years	Tier 3 – Consents Tier 4 - Consents The Hearings panel or Commissioners, or Commissioner sole appointed to hear and determine the particular consent application including where the Council is the applicant for consent.
104A – 104D 104F 105 107 108 108AA	Authority to decide non-notified resource consent applications to install or alter a bore	Tier 4 - Consents
108A 109	Grant a resource consent that includes conditions requiring a bond to secure the performance of consent conditions Note: If a bond or covenant is considered as a possible consent requirement then all matters relating to consent conditions under sections 104A - 104F, 105, 107, 108 and 108AA must be considered together with delegation exercised by the GM Environmental Delivery.	Tier 2 – Consents Hearing Commissioner(s)
110(1)	Refund or return some or all of a financial contribution or land	Tier 2 – Consents
114(2)	Determine what other authorities and persons are considered appropriate to be notified of a decision on a resource consent application	Tier 3 – Consents
Duration of consent		
124(2)(e)	Allow a resource consent holder to operate under an expired resource consent while the application for a new consent and appeals to the Environment Court	Tier 4 – Consents

Section	Function	Delegate
125(1A)(b)	Determine an application for extension of the lapse date of a consent	Tier 3 – Consents
Cancellation and change of consents		
126(1)	Cancel a resource consent if it has not been exercised in 5 years	Tier 3 – Compliance
126(2)	Revoke the notice of cancellation of a resource consent and determine a new period after which a new notice of cancellation may be issued	Tier 2 - Compliance
127	Change or cancel consent conditions	Tier 3 - Consents Tier 4 - Consents Hearing Commissioner (s)
Review of consent conditions by consent authority		
128 129	Determine whether to review the conditions of a resource consent Serve notice on a consent holder of the intention to review the conditions Propose new conditions	Tier 3 - Consents Tier 3 - Compliance
130	Determine whether notification of a review is required Determine whether a hearing be held	Tier 3 - Consents
131 132	Change the conditions of a resource consent on a review under section 128	Tier 3 - Consents Hearing Commissioner(s)
Determining activities are permitted activities		
87BB(1)(d)	Determine that an activity is a permitted	Tier 4- Consents Tier 4 Compliance
Minor corrections		
133A	Issue an amended consent that corrects minor mistakes or defects	Tier 4- Consents
Transfer and surrender		
136	Approve the transfer of a water permit to another person on another site or to another site	Tier 4- Consents Tier 4 - Compliance
137 138(2)	Approve the transfer of a discharge permit to another person or another site Refuse to accept the surrender of part of a resource consent	Tier 4 Consents Tier 4 Compliance
Certificate of compliance or existing use		
139(4) 139A(3)	Require further information in relation to a request for a certificate of compliance	Tier 4 - Consents
139(5)	Issue a certificate of compliance	Tier 4 - Consents
139A(5) 139A(8)	Issue an existing use certificate Revoke an existing use certificate	Tier 3 - Consents Tier 3 – Compliance

Section	Function	Delegate
Direct referrals		
87E	Decide whether to agree to a request for direct referral	Tier 2 - Consents
87F	Approve the content of a report prepared on an application that has been directly referred	Tier 3 - Consents
Objections		
357C	Consider an objection received	Tier 3 - Consents Tier 3 – Compliance
357C	If an objection is not resolved, hear and decide objections Note: If the Manager Consents or Manager Compliance considered the objection under sections 357C (3) or (4), the hearing must be conducted by the relevant General Manager, the CE, or a Hearing Commissioner	Tier 3 - Consents Tier 3 - Compliance Hearing Commissioner
357AB(2)	If requested by an applicant with a right of objection under section 357A(1)(f) or (g), appoint a hearing commissioner to consider the objection	Tier 2 - Consents

31. RMA: Consents where the Council is the applicant

31.1 In addition to being a consent authority and a local authority under the RMA, the Council may also be an applicant for consent or an affected party. In certain circumstances the Council may need to apply to or submit to itself. The following delegations apply in those circumstances.

31.2 Where the Council is also the applicant for resource consent, decision making will be delegated to an external, independent and appropriately qualified commissioner appointed by two of the three: GM Environmental Delivery and Environmental Delivery Portfolio Leads.

31.3 All analysis, processing, report writing and support for the Independent Commissioner will be provided by an independent consultant appointed by the Manager Consents from an approved panel of consultants.

Consent applications where the Council is the applicant

Section	Function	Delegate
88(1)	Apply for a resource consent on behalf of the Council	Tier 2 - Engineering Tier 2 - Consents Tier 2 - People and Corporate Harbourmaster

Consent applications where the Council is an affected party

Section	Function	Delegate
95B	Make submissions on behalf of Council where it is an affected party	Tier 2 - Engineering Tier 2 - Planning
95D 95E 104(3)(ii) 104(4)	Give or decline to give written approval on behalf of the Council to a resource consent application Withdraw any written approval given	Tier 2 – Planning for policy matters Tier 2 Engineering for operational matters

		Tier 2 - People and Corporate for property matters Tier 2 – Compliance for maritime matters

32. RMA: Enforcement and compliance

Section	Function	Delegate
Enforcement officers		
38	Appoint and warrant officers to act as enforcement officers	Tier 1 - Chief Executive
Power of entry or search		
334	Apply to an issuing officer for a warrant for entry to search where there are reasonable grounds to believe an offence against the RMA has been or is suspected of having been committed that is punishable by imprisonment	Tier 3 – Compliance
Infringement notices		
343B 343C	Proceed by way of filing a charging document in relation to an infringement offence Note: a charging document cannot be filed if the offence has been the subject of an infringement notice. Ensure that no such notice has been issued prior to proceeding under this delegation Discontinue proceedings for an infringement offence	Tier 2 - Compliance
343C	Decide to withdraw an infringement notice	Tier 3 - Compliance
Abatement notices		
325 324A	Cancel, change, or confirm an abatement notice Authority to consent to a stay of abatement notice	Tier 3 - Compliance
Enforcement orders		
316 320 355B 321	Apply for an enforcement order or interim enforcement orders If directly affected by an enforcement order, apply to change or cancel the order	Tier 3 - Compliance
317 318	Give and withdraw notice of wish to be heard on an application for an enforcement order in cases where the Council is not the applicant.	Tier 4 - Compliance
Offences		
338	Initiate and/or withdraw a prosecution	Tier 2 - Compliance
Unlawful reclamations		
355B(3)	Take any necessary action to remove unlawfully reclaimed land from the coastal marine area	Tier 2 - Compliance
Emergency works		
330 330A	Authorise works to remove the cause of, or mitigate any actual or likely adverse effect of, an emergency and inform the Council	Tier 2 – Compliance Tier 3 - Engineering

Section	Function	Delegate
330A	Apply for resource consent for emergency works	Tier 2 - Engineering
331(1)	Require reimbursement for any emergency action undertaken by the Council because of the default of any person	Tier 2 – Compliance Tier 2 – Engineering
331(1A)	Apply for enforcement orders to recover costs.	Tier 2 – Compliance

RMA: Court proceedings

Section	Function	Delegate
Environment Court		
120 174 192 195 267 281 Schedule 1, clause 14 clause 27	Defend an appeal and respond to any related applications Note: This delegation includes authority to engage and instruct legal counsel and witnesses, attend conferencing, enter mediation, approve Consent Memoranda, approve consent orders and side agreements. Lodge, withdraw, or oppose an appeal where the Council is an applicant or has made a submission. Note: This delegation includes authority to engage and instruct legal counsel and witnesses, attend conferencing, enter mediation, approve Consent Memoranda, approve consent orders and side agreements.	Tier 2 - Consents Tier 2 - Engineering
174 179 192 195 267 281 Schedule 1, clause 14 clause 27	Oppose an appeal or application in relation to a resource consent where the Council is not an applicant or a decision maker. Note: This delegation includes authority to engage and instruct legal counsel and witnesses, attend conferencing, enter mediation, approve Consent Memoranda, approve consent orders and side agreements.	Tier 3 - Consents Tier 3 – Planning
268A	For planning matters, settle a dispute at mediation or other alternative dispute resolution sessions to resolve proceedings directly relating to the contents of Otago Regional Council Regional Policy Statements and Plans, including approving Consent Memoranda, draft Consent Orders and side agreements, provided that a position paper is run by the relevant committee chair prior to the officer attending mediation or other alternative dispute resolution sessions For other RMA planning matters, settle a dispute or issues at mediation or other alternative dispute resolution, including approving Consent Memoranda, draft Consent Orders and side agreements	Tier 3 - Consents Tier 3 - Compliance Tier 3– Planning
274 294	Lodge, withdraw, or oppose a notice of intention to become an interested party Apply for a rehearing of a proceedings where new and important evidence has become available after the Court's decision	Tier 3 - Planning
285 291 308G 311	Make an application for costs, respond to an application for costs, or waive the pursuit of costs in Court proceedings Lodge, oppose, or withdraw a Notice of Motion (or originating application) seeking an order	Tier 2 - Planning Tier 3 - Consents Tier 2 - Engineering

Section	Function	Delegate
	Lodge or withdraw Notice of a wish to be heard on an application Lodge, withdraw, join, or oppose an application for declaration	
356	Apply for a matter to be determined by arbitration	Any General Manager
High Court		
149V 299-301 305 306	Lodge, withdraw, oppose, or join an application for judicial review or an appeal to the High Court and any related applications or proceedings Settle a dispute or issues at stake at mediation or other dispute resolution sessions Approve Consent Memoranda, draft Consent Orders, side agreements, or other documents required to settle a matter Lodge or withdraw notice of intention to appear and be heard on appeal in High Court proceedings Lodge, withdraw, oppose, or join an appeal to the High Court Lodge, withdraw, or respond to an application for an extension of time	Tier 1 Chief Executive
Court of Appeal and Supreme Court		
308 Subpart 8 of Part 6 of Criminal Procedure Act 2011	Lodge, withdraw, join, or otherwise respond to an application for leave to appeal to the Court of Appeal, a Notice of Appeal to the Court of Appeal, or any related applications or proceedings and be heard in relation to any application or proceedings Settle a dispute or issues at stake at mediation or other dispute resolution Approve Consent Memoranda, draft Consent Orders, side agreements, or other documents required to settle a matter	Tier 1 Chief Executive

33. RMA: Proposals of national significance

Section	Function	Delegate
oiul142(1)	Request that the Minister for the Environment call in a resource consent application as a matter is of national significance	Tier 2 - Consents
142(4) 147(4) 149(ZD)	Provide the Council's view on a direction to be made by the Minister for the Environment Seek to recover the actual and reasonable costs of a process involving a matter of national significance	Tier 2 - Consents Tier 2 - Planning
149K	Provide suggestions to the Minister on the members of a Board of Inquiry	Tier 2 - Consents
149G 149M 149N	Require a person to prepare a report for the EPA	Tier 3 - Planning Tier 3 - Consents
149Q(4) 149Q(5)	Provide comments to the EPA on minor or technical aspects of a draft Board of Inquiry report	Tier 2 - Consents Tier 3 - Consents

34. RMA: Water conservation orders

Section	Function	Delegate
205 209 211	Make a submission to a special tribunal or the Environment Court on a water conservation order. Seek to be heard in at an inquiry conducted by the Environment Court under s 210	Tier 2- Consents Tier 2 Planning

35. RMA: Designations – as requiring authority

Section	Function	Delegate
168 172 176 178 181 182 184	Give notice of a requirement for a designation Advise the territorial authority whether the requiring authority accepts or rejects its recommendation in whole or in part, including modifications as recommended by the territorial authority Approve activities on land affected by a designation Alter or remove a designation Seek extension of a designation before lapsing	Tier 3 Engineering Tier 2 Planning
176A	Prepare an outline plan to be constructed on designated land	Tier 3 - Engineering

36. RMA: Other matters

Section	Function	Delegate
Esplanade reserves and Reclamation		
237D	Declare that an esplanade reserve or part thereof is to be vested in the Council	Tier 1 - Chief Executive
Water shortage direction		
329	Issue, amend, revoke or renew a water shortage direction	Tier 2 - Engineering Tier 2 - Planning Tier 2 - Consents

37. Fresh Water Farm Plans (FWFP)

Section	Function	Delegate
217K 217KA (1) 217M Schedule 2 Part 2, Part3	Appoint certifiers and auditors Appoint an industry organisation to provide certification and audit services Discontinue appointment of a certifier	Tier 2 - Compliance

38. RMA: Regulations

Resource Management (Measurement and Reporting of Water Takes) Regulations 2010

Regulation	Function	Delegate
6(5)	Approve format of records as suitable for auditing	Tier 3 - Consents Tier 3 – Compliance

Regulation	Function	Delegate
7(4) 7A(5) 10 11	Determine whether the certifier is suitably qualified Grant a later deadline for providing water meter records Approve the use device or system installed near (instead of at) location from which water is taken Revoke approval granted under clauses 9 or 10	Tier 3 - Consents Tier 3 - Consents Tier 3 - Compliance
8A	Request evidence from the consent holder that the device or system that kept the records under regulation 6 has been verified as accurate in accordance with regulation 7	Tier 5 - Consents
9	Approval to measure water taken each week (instead of each day)	Tier 4 - Consents Tier 4 – Compliance

Resource Management (Forms, Fees, and Procedure) Regulations 2003

Regulation	Function	Delegate
10A(2)	Require a notice to be affixed in a conspicuous place	Tier 3 - Consents

39. Regional Plan: Water for Otago

Section	Function	Delegate
Rules: 12.1.2.4, 12.1.1.5, 12.2.2.2, 12.2.2.5 and 12.2.2.6	Suspend permitted activity takes of water as provided for in the Regional Plan: Water for Otago	Tier 2 - Planning Tier 2 – Engineering Tier 2 - Compliance

PART F: Regulatory Non-RMA Delegations

Part F of the Delegations Manual sets out regulatory delegations under the LGA and other various statutes.

40. Legislation and regulations

40.1 Local government is responsible for a large range of legislative obligations. Some obligations are generic and apply to all organisations (e.g. employment and health and safety legislative obligations). There is also a range of legislation that is specific to local government, and regional councils. The legislation sets out most of the regulatory powers that local authorities possess and the way in which those powers should be implemented.

40.2 As well as the duties, responsibilities, functions and powers that the Council has under specified statutes, under the LGA, the Council also has the power to make bylaws that affect the rights and responsibility of individuals within the region. The making of bylaws is a function that may not be delegated, but the powers created by bylaws and the enforcement of bylaws may be delegated. The delegation of these duties, responsibilities, functions and powers is also specified in this section of the Council Delegations Manual.

40.3 The Council delegates (to the extent authorised under the LGA specified responsibilities, functions, duties and powers to the Chief Executive and officers as set out below in Table 1.

40.4 The delegations are made under and must be acted on in accordance with the requirements of clause 32A of Schedule 7 of the LGA as well as the general delegation provision of clause 32 of Schedule 7 of the LGA. This includes the limitations set out in those sections and the prohibition on sub-delegation.

40.5 The Council delegates the following matters to the Chief Executive all the functions, powers, duties and responsibilities of the Council under the following Acts and associated regulations:

(a) Biosecurity Act 1993

(b) Building Act 2004

(c) Civil Defence Emergency Management Act 2002

(d) Crown Minerals Act 1991

(e) Hazardous Substances and New Organisms Act 1996

(f) Land Drainage Act 1908

(g) Land Transport Management Act 2003

(h) Local Government Act 2002

(i) Local Government Official Information and Meetings Act 1987

(j) Maritime Transport Act 1994

(k) Privacy Act 2020

(l) Property Law Act 2007

(m) Public Bodies Leases Act 1969

(n) Public Records Act 2005

(o) Public Works Act 1981

(p) Rating Valuations Act 1998

(q) Reserves Act 1977 (including all powers of the Minister of Conservation that have been delegated to the Council)

(r) Soil Conservation and Rivers Control Act 1941

(s) Trespass Act 1980

(t) Fast-track Approvals Act 2024

except for:

(a) the power to adopt plans, strategies, policies or bylaws;

(b) the functions, powers, duties and responsibilities delegated to a specific position contained in the legislation and any associated regulations; and

(c) functions, powers, duties and responsibilities that cannot legally be delegated (including those listed in clause 32(1)(a) to (h), Schedule 7 of the LGA).

40.6 The Chief Executive's delegation powers under the above acts are set out in the Chief Executive's Delegation Manual.

40.7 If the Council has duties, responsibilities, functions and powers under any other legislation or regulation that is not specified in the foregoing list that are of an enforcement, inspection, licensing and administrative nature, then the Chief Executive and any Acting Chief Executive is delegated the duties, responsibilities, functions and powers contained in them as if the legislation or other regulation was specified above.

40.8 The Council's delegation to any Acting Chief Executive may be exercised only when the Chief Executive is unavailable through absence or incapacity.

40.9 It is open to the Chief Executive and any Acting Chief Executive to sub-delegate the powers in the legislation listed above, and any regulations associated with such legislation (unless expressly stated otherwise in this Manual).

40.10 The Chief Executive's delegation of the powers under the above statutes are set out in the Chief Executive's Delegation Manual.

41. Bylaws

41.1 Under the LGA, the Council also has the power to make bylaws that affect the rights and responsibility of individuals within the region. The making of bylaws is a function that cannot

be delegated, but the powers created by bylaws and the enforcement of bylaws may be delegated.

41.2 The Council delegates the following matters to the Chief Executive all the responsibilities, powers, duties and functions that are of an enforcement, inspection, licensing and administrative nature contained in the following bylaws adopted by the Council (and any successors to them) set out as follows are delegated to the Chief Executive and any Acting Chief Executive:

(a) Otago Navigation Safety Bylaw 2020; and

(b) Flood Protection Management Bylaw 2022.

41.3 For the avoidance of doubt, if the Council has duties, responsibilities, functions or powers under any other bylaw that is not specified above that are of an enforcement, inspection, licensing and administrative nature, then the Chief Executive and any Acting Chief Executive is delegated the duties, responsibilities, functions and powers contained in them as if the bylaw was specified in the above list.

41.4 The Council's delegation to any Acting Chief Executive may be exercised only when the Chief Executive is unavailable through absence or incapacity. Chief Executive and any Acting Chief Executive may sub-delegate the powers in the bylaws listed above.

Otago Regional Council

Chief Executive DELEGATIONS MANUAL

Delegations from
the Chief Executive to officers
[Date]

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Structure

The Council Delegations Manual is structured into four Parts.

(a) **Part A** - **introductory information**.

(b) **Part B** - the **general administrative delegations** made by the Council in relation to human resources matters, the release of information, correspondence, delegations in relation to legal proceedings and obtaining professional advice.

(c) **Part C** - the **contracting, financial, rating and property delegations**.

(d) **Part D** - the **regulatory delegations** Chief Executive makes to officers under various statutes.

Part A: Introduction

1. Purpose

1.1 This document is the Chief Executive Delegations Manual for the Otago Regional Council (**CE Delegations Manual**).

1.2 The Otago Regional Council (**Council**) has delegated a wide range of duties, responsibilities, functions and powers to the Chief Executive, as set out in the Council Delegations Manual. These matters are either set out in statute or fall within the power of general competence under s 12 of the LGA. Subject to specific restrictions in the LGA or in the relevant empowering Act, these powers may be delegated to other officers.

1.3 There are also a number of statutes that give specific duties, responsibilities, functions and powers to the Chief Executive directly. Subject to specific restrictions in the relevant empowering statute, these powers may be delegated to officers.

1.4 These sub-delegations and delegations may be amended by the Chief Executive at any time provided that the amendments are recorded in writing, after which this CE Delegations Manual will be updated accordingly.

1.5 Notwithstanding the sub-delegations, the Chief Executive is still responsible to the governing body for the matters set out as s 42 of the LGA. The Chief Executive continues to be responsible for maintaining systems to enable effective planning and accurate reporting of the Council's financial and service performance, and the implementation and impact of Council policies.

1.6 The CE Delegations Manual contains delegation of duties, responsibilities, functions and powers that have been made from the Council to the Chief Executive, as well as the delegation of statutory powers, duties and functions which sit with the Chief Executive.

1.7 For the avoidance of doubt, in respect of all duties, responsibilities, functions and powers listed in the CE Delegations Manual that originally sat with the Council, the Chief Executive is delegated all duties, responsibilities, functions and powers that are legally able to be delegated in accordance with the relevant empowering legislation (except as otherwise provided for in this Manual).

1.8 Amendments to the CE Council Delegations Manual will be recorded below. The following amendments to Council delegations have been approved by Council for the period [Date].

Date Amended	Amendment

Part B: Administrative Delegations

Part B of the CE Delegations Manual sets out general administrative delegations relating to human resources, the release of information, correspondence, delegations in relation to legal proceedings and obtaining professional advice.

2. Human resources

Principles of Human Resources Delegations

2.1 Pursuant to section 42(2) of the LGA, the Chief Executive is responsible, on behalf of the Council, for ensuring the effective and efficient management of the Council, employing staff and negotiating the terms of employment of staff.

2.2 In support of, and in addition to, the principles, terms and conditions outlined in Table 1 above, the following principles, terms and conditions are applied to the delegation of employment or people management activities:

(a) Human Resources Delegations are standardised across management roles (i.e. if a delegation is granted to General Managers, then everyone in a General Manager position holds that delegation).

(b) Human Resources Delegations automatically apply to the officer appointed to that role (i.e. no additional documentation is required beyond acceptance of the employment agreement for the role).

(c) Human Resources Delegations are granted to the lowest appropriate tier (with demonstrated competence to execute the delegation) to empower and enable officer managers; this authority may also be executed by all managers in a direct line above that position.

(d) No Human Resources Delegations may be used to self-approve – the one up rule applies.

(e) Human Resources Delegations must be exercised in accordance with Staff Policies. Where there is an inconsistency, the CE Delegations Manual takes precedence.

(f) The Manager People and Safety may delegate their authority to a member(s) of the People and Safety team as appropriate.

(g) Even where an officer has delegation, if they are making a decision that includes a level of risk to the organisation or if they are not sure about the correct decision, they should consider raising it with their manager.

2.3 The Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 2 below.

2.4 For the purpose of the Human Resources Delegations, General Managers are defined as Tier 2 management roles with responsibility for a Directorate Group, reporting directly to the Chief Executive. Managers are defined as Tier 3 management roles with responsibility for a Team within

a Directorate of Council. Team Leaders are defined as any officer leadership roles below Managers (with or without the Team Leader title) who hold formal human resource management responsibilities as outlined in his or her position description.

Table 1 – Human resources delegations

Chief Executive	General Managers (T2)	Managers (T3)	Team Leaders (T4)
Recruitment Requisitions			
Approve recruitment of additional Full Time Equivalent (FTE) permanent employee numbers (unbudgeted recruitment) Approve recruitment where significant change has been made to a role	Approve like-for-like recruitment (permanent, fixed term and casual) Approve fixed term, or temporary resource, providing operational budget is available	Make recommendations on recruitment (like for like and unbudgeted) to the appropriate approving General Manager Engage the services of a recruitment agency with People and Safety agreement provided Procurement Policy obligations have been met	Make recommendations on recruitment (like for like) to the appropriate approving manager
Candidate Appointments			
Approve candidate offers which fall outside market range (above 102% of the assessed salary grade for the position) Approve candidate offers for Tier 2 managers	Approve candidate offers within market range (up to 102% of the assessed salary grade for the position) Approve non-standard terms and conditions with the Manager People and Safety's agreement	Approve candidate appointments and endorse or make recommendation on starting salary Offer relocation expenses with the Manager People and Safety agreement Make verbal employment offer and sign offers of employment subject to approval of request to appoint	Make recommendations on candidate appointment, including salary recommendation, to the appropriate approving manager Make a verbal offer (once approved by the Manager, GM / CE as required).
Employment Conditions			
Require and set dates for an annual shutdown period Sign (on behalf of the Council) Collective Employment Agreements and bargaining Terms of Settlement Approve organisation wide changes to terms and conditions within IEA contracts and policies	Determine actions to address conflict of interest situations Approve staff entering into secondary employment Deliver a final warning with Manager People and Safety agreement Second staff to other organisations subject to consultation with CE Approve staff to present a paper or publication referencing the Council Approve requests for flexible working arrangements (formal, change to employment terms and conditions), and other standard employment	Determine the course of action following an external complaint against a staff member subject to consultation with General Manager and Manager People and Safety agreement Approve requests for flexible working arrangements (informal) Make recommendations on feasibility of requests for flexible working arrangements (formal, change to employment terms and conditions), and other standard employment agreement adjustments (i.e. changes to reporting line) Second staff to other teams within the directorate Subject	Approve timesheets Approve one-off or occasional work from home Initiate a performance improvement process with Manager and People and Safety agreement

Chief Executive	General Managers (T2)	Managers (T3)	Team Leaders (T4)
	agreement adjustments (i.e. changes to reporting line)	to consultation with General Manager Deliver a verbal or first warning with People and Safety agreement	
Termination			
Approve termination of an employment agreement Approve the outcome of change proposals and position disestablishments resulting in a triggering of redundancy clause in employment agreement Approve payments under section s123(1)(c)(i) of the Employment Relations Act 2000	Attend employment mediations alongside the Chief Executive and/or the Manager People and Safety		
Leave			
Approve corporate-wide paid leave for staff unable to work due to an emergency or severe weather situation Approve the cash-out of annual leave more than one week Grant paid and unpaid compassionate or bereavement leave (more than five days) Approve requests for leave without pay for greater than 15 days	Approve requests for leave without pay for up to 15 days Approve use of special leave subject to consultation with the Chief Executive Grant additional bereavement/tangi leave up to five days Grant additional paid sick leave in situations of prolonged illness or injury (Discretionary Wellbeing Leave) Approve the cash-out of annual leave of one week or less, in consultation with the Manager Finance and Manager People and Safety Approve study leave	Provide a request for exemption from jury service Approve use of parental/partner/paternity leave in consultation with the People and Safety Team. Approve use of domestic violence leave in consultation with the Manager People and Safety Grant additional paid sick leave (fair and reasonable sick leave only), in accordance with the Fair and Reasonable Sick and Wellbeing Leave Policy Recommend approval of study leave in consultation with Manager People and Safety	Approve sick, annual, bereavement or jury service leave Approve utilisation of flexitime
Performance and Development			
Approve attendance of overseas learning events	Approve study applications Approve attendance at external learning events if over $1k	Approve attendance at internal or external learning events if in budget and under $1,000 Approve individual performance and development objectives and review outcomes	
Policies and Procedures			

Chief Executive	General Managers (T2)	Managers (T3)	Team Leaders (T4)
	Policy ownership for cross-organisational policies within sphere of responsibility Approve divergence from existing policy within sphere of responsibility.	Approve operational procedures and guidelines within sphere of responsibility	Approve standard operating procedures (SOPs)
Health, Safety and Wellbeing			
Consider approval of requests for the consumption of alcohol at work-related functions Duties as required of the primary Officer of the PCBU Final approval of the Health and Safety Organisational Risk Register	Decide actions following harassment or bullying investigations unless delegated to a manager Duties as required as Officers of the PCBU in matters relevant to their work groups Determine the resolution on any matters escalated by the Health and Safety Committee Issue a written trespass notice (this can be delegated to another person) Approve catering for meetings and functions	Decide actions following harassment or bullying investigations delegated to them by a GM Final sign off/closing out of incident investigations Determine any corrective actions required on safety matters (e.g. as a result of an audit, incident investigation, matters raised at the Health & Safety Committee) Approve Permit(s) to Work for work deemed 'high risk' (e.g. Asbestos removal, accessing a confined space)	Approve new and replacement garments and Personal Protective Equipment (PPE) for field work Approve safety training requirements for officers Approve ergonomic workstation assessments Approve Return to Work (RTW) Plans for injured or ill officers
Recognition, Reward & Remuneration			
Approve overall salary increase following annual review within governance-set budget Approve out of cycle remuneration adjustments	Approve higher duties payments	Approve overtime and accumulation of flexitime Propose out of cycle adjustments to remuneration in consultation with Manager People & Safety & General Manager	Propose out of cycle adjustments to remuneration in consultation with manager and Manager People and Safety and GM.

3. Requests and the release of information, correspondence and public records

3.1 The Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 3 below.

Local Government Official Information and Meetings Act 1987

Table 2 - Local Government Official Information and Meetings Act delegations

Section	Description	Delegated to
12	Transfer of requests or part of a request to another local authority or department.	Legal Team
13 – 15 17 17A 17B 18 26 29 39	Decide requests (including the decision to impose a charge for providing official information and consulting on release) Extend the time to provide official information Decide manner of presenting information Refusal of requests for information Refuse to supply personal information Comply with the requirements of an Ombudsman Publication of summary of report	General Managers Legal Team
25	Correct personal information	All staff
33	Requirement to notify decision of Ombudsman	General Managers
46 46A 46B 49 51 51A 51AA	Public notification of meetings Public notification of resolution at emergency meeting Availability of agendas, reports and minutes	GM Strategy and Customer Governance Support Officers

Privacy Act 2020

3.2 All responsibilities, functions, duties and powers under the Privacy Act 2020 are delegated to the Chief Executive, General Managers and Privacy Officers.

Public Records Act 2005

3.3 All responsibilities, functions, duties and powers under the Public Records Act 2005 are delegated to the Team Leader Records and Information.

Other

3.4 This Chief Executive Delegations Manual does not contain formal delegations in relation to the authorisation to sign correspondence (including email correspondence), media statements (including social media) and placement of public notices. Officers should refer to the relevant Staff Policies in relation to these matters.

4. Professional advice and legal proceedings

Authorisation to obtain professional advice

4.1 The authority to obtain external professional advice, including but not limited to legal, engineering, financial, accounting and resource management is delegated to:

(a) General Managers;

(b) Managers;

(c) In-house Legal Counsel; and

(d) Team Leaders.

Note: This delegation may only be exercised in accordance with financial delegations. Any advice must also be sought in accordance with any arrangements that the Council has regarding the provision of services (i.e. if there is a preferred or agreed service provider). Legal Counsel should be advised of any external legal services engaged. This delegation does not prohibit other officers from liaising with professional advisors as part of the Council obtaining advice. Instead, it is intended to operate to ensure that the engagement of the advisor has been approved by one of the above staff members.

Court proceedings

4.2 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 4 below in relation to court proceedings.

Table 3 – Court proceedings delegations

Reference	Function	Delegated to
Commence or defend proceedings in exceptional circumstances	Commence, join, defend or settle any action before a Court, tribunal, arbitral panel or other such body, in the event the Chief Executive or Acting Chief Executive being unavailable or in exceptional circumstances where time does not permit consideration by the Chief Executive or Acting Chief Executive and where such action is necessary to protect or further Council's interests.	GM Environmental Delivery GM People and Corporate GM Regional Planning and Transport
Settle proceedings	Settle a dispute or issues at stake at mediation or other alternative dispute resolution sessions in relation to any matter before any Court (including a judicial review), tribunal, arbitral panel, or other such body subject to, at the delegate's discretion, discussion with Legal Counsel, officers involved, insurers and reports being made to the Council	All Managers
Court costs	Initiate to have Court costs awarded Initiate legal proceedings to collect Court costs awarded.	All General Managers
Debt recovery	Take appropriate action within Council policy to recover debts, including, but not limited to Court and Tribunal proceedings and debt collection agencies	GM Finance

4.3 The authority to settle any matter against the Council must be exercised in accordance with any financial delegations.

Note: Delegations on property matters are listed in the property delegations. Delegations in respect of specific statutory proceedings are listed in the regulatory delegations (e.g. under the Resource Management Act 1991 and Biosecurity Act 1993).

Part C: Contracting, Memoranda of Understanding, Financial and Property Services

Part C of the Delegations Manual sets out delegations relating to contracting and agreements, financial matters and property delegations.

5. Introduction

5.1 The Council enters into a range of different contracts and agreements as part of undertaking its day-to-day business. These range from non-binding memoranda of understanding (but which may have significant reputational impact), contracts and agreements of low financial value, to high financial value contracts and agreements. The delegations must be read alongside the financial delegations.

Memorandum of understanding

5.2 The authority to sign on Council's behalf any memorandum of understanding is delegated to all Managers.

Authorisation to sign deeds delegation

5.3 The Property Law Act 2007 requires Deeds to be signed by "two directors" in the case of a body corporate. "Directors" equates to Councillors (that is persons holding a governance as opposed to management role).

5.4 Attorneys may be appointed to execute a Deed on behalf of Council. The attorneys must be appointed by Deed, and that Deed of appointment must be executed by two "directors."

Authorisation to sign contracts and other agreements (other than deeds)

5.5 The Chief Executive delegates the authority to sign contracts (other than deeds) that authorise expenditure limited by the amount set in the Annual Plan, Long-term Plan or other specific authorisation by Council. As set out in table 4 below.

5.6 The exercise of this delegation is on the total expenditure commitment, excluding GST and attention must be given to approved delegation financial levels. Officers must be aware of their delegations, and if necessary, obtain approval from appropriate officers with a higher delegation level if the procurement will exceed their own financial delegation limit.

5.7 Officers can only use their delegations within their area; delegations are not to be used elsewhere in Council.

5.8 Splitting procurement costs to bring the pricing under delegation or procurement level limits, while knowing that the total expenditure exceeds those limits, is prohibited.

5.9 Authority to sign off contracts and other agreements (excluding Deeds) rests with the officer who has a level of delegation consistent with the total expenditure expected over the life of the contract

(refer Financial Delegations Authority table). Once in place, individual invoices under that contract may be authorised by officers with the level of delegation appropriate to each invoice.

5.10 If contract modification, extension or amendment is required, it is treated as being part of the original contract and can only be approved by the officer of same or higher delegation level of that which approved the original contract, regardless of the size or value of the modification, extension or amendment.

6. Financial

6.1 Officers must meet the requirements as set out in the ORC Procurement Policy when procuring goods and/or services on behalf of the Council.[1]

6.2 Delegations by the Chief Executive are set out in Table 4 below.

Table 4 – Financial delegations

Position	Exp per contract $	Conditions/Additional Authority
Chief Executive		Limited by amount set in Annual Plan, Long Term Plan, or other specific authorisation by Council
GM Finance/CFO	150,000	Delegated amounts increased to $250,000 where payment is part of an approved contract Accept public tenders up to $250,000 on recommendation of appropriate General Manager.
GM Environmental Delivery	100,000	
GM People and Corporate	100,000	
GM Regional Planning and Transport	100,000	
GM Science and Resilience	100,000	Delegated amount increased to $250,000 where payment is part of an approved contract.
GM Strategy and Customer	100,000	
Chief Information Officer	50,000	
Legal Counsel	50,000	
Manager Engineering	50,000	
Manager Executive Advice	50,000	
Manager Transport	50,000	
Group Financial Controller	25,000	Delegated amount of $5,000 for Rates Refund Authority to approve remission of rates penalties in accordance with agreed procedures up to $100,000.

1 Otago Regional Council Procurement Policy

Position	Exp per contract $	Conditions/Additional Authority
		Authority to make supplier payments as required.
Harbourmaster	25,000	
Accountant	25,000	Authority to make supplier payments as required.
Manager Communications and Marketing	25,000	
Manager Compliance	25,000	
Manager Consents	25,000	
Manager Organisational Planning and Performance	25,000	
Manager Customer Experience	25,000	
Group Controller Emergency Management Otago	25,000	
Manager Environmental Implementation	25,000	
Manager Environmental Monitoring	25,000	
Manager Natural Hazards	25,000	
Manager People and Safety	25,000	
Manager Partnerships and Engagement	25,000	
Manager Policy and Planning	25,000	
Manager Regulatory Data and Systems	25,000	
Manager Science	25000	
Manager Strategy	25,000	
Manager Support Services	25,000	
Principal Advisor - Environmental Funding	10,000	
Project Delivery Specialist	10,000	
Team Leader Project Delivery	10,000	
Coordinator Records and Information	5,000	
EA to CE and Chair	5,000	

Position	Exp per contract $	Conditions/Additional Authority
Engineering Officer - Taieri	5,000	
Environmental Resource Scientist	5,000	
Fleet and Facilities Advisor	5,000	
Health, Safety and Wellbeing Partner	5,000	
Network Infrastructure Lead	5,000	
People Services Coordinator	5,000	
People Services Lead	5,000	
Principal Consents Planner	5,000	
Procurement and Contracts Coordinator	5,000	
Safety and Training Coordinator	5,000	
Senior Engineering Officer Taieri	5,000	
Senior Field Officer Alexandra	5,000	
Team Leader Biodiversity	5,000	
Team Leader Biosecurity Compliance	5,000	
Team Leader Biosecurity Programmes	5000	
Team Leader Brand and Marketing	5,000	
Team Leader Catchments	5,000	
Team Leader Integrated Catchment Management	5,000	
Team Leader Operations and Maintenance	5,000	
Team Leader Planning And Partnerships	5,000	
Team Leader River Management	5,000	
Team Leader Assets and Delivery	5,000	
Principal Procurement Specialist	5,000	
Contracts and Procurement Specialist	5,000	

Position	Exp per contract $	Conditions/Additional Authority
Team Leader Compliance (Coastal)	5,000	
Team Leader Compliance Monitoring	5,000	
Team Leader Compliance Support	5,000	
Team Leader Environmental Data	5,000	
Team Leader Environmental Implementation Support	5,000	
Team Leader Consents	5,000	
Team Leader Consents Business Support	5,000	
Team Leader Data Systems	As per	
Team Leader Environmental Monitoring	5,000	
Team Leader Fleet and Facilities	5,000	
Team Leader Records and Information	5,000	
Team Leader Freshwater and Land	5,000	
Team Leader Health, Safety and Wellbeing	5,000	
Team Leader Investigations	5,000	
Team Leader Land	5,000	
Team Leader Media and Communications	5,000	
Team Leader Public Transport Dunedin	5,000	
Team Leader RPS, Air and Coast	5,000	
Team Leader Urban Growth and Development	5,000	
Team Leader Water	5,000	
Senior Environmental Officer	1,000	

Contingency expenditure

6.3 Emergency procurement can arise from local or natural state of emergency or disaster such as flooding and earthquakes. Emergency procurement is not available to compensate for poor planning or to procure without a purchase order.

6.4 An emergency for procurement purposes must be classified by either the General Manager Finance CFO, Chief Executive, Chairperson or Group Controller of Emergency Management Otago.[2]

6.5 The Chief Executive, General Manager Science and Resilience, Manager Engineering, and Group Controller Emergency Management Otago are authorised in emergency circumstances to undertake the necessary remedial or response action (within the same maximum limits as provided in the Financial Delegations Register) and, at the first subsequent meeting of the Council, report on action taken under the delegation.

Other financial commitments

Invoicing debtors

6.6 The authority to approve invoices for revenue to be charged against debtor accounts is delegated to the relevant Manager and may be delegated with approval from the relevant General Manager, where this delegation will facilitate the invoicing process.

Debt recovery

6.7 In a number of areas of the Council's operation it may be necessary on occasion to negotiate a reduction in amounts owing or to write-off debts which cannot be collected.

6.8 With the exception of rates write-offs, the authority to approve write-downs and/or write-offs within the financial delegation limits above is delegated to General Manager Finance/CFO.

6.9 The authority to take appropriate action within Council policy to recover debts within the financial delegation limits above, including, but not limited to Court, Tribunal proceedings and debt collection agencies is delegated to General Manager Finance/CFO, which can be delegated to Managers.

Note: See also court proceedings delegations.

Raise credit notes

6.10 Credit notes represent a disbursement of a Council asset. Authorisation to raise a credit note is delegated to any General Manager, in accordance with the maximum limits as provided in the Financial Delegations Register/Authority. This authority may be delegated with approval from the relevant General Manager, where the delegation will facilitate the process of raising credit notes. Administration mistakes such as incorrect timesheets recording up to $5K can be approved by the department manager responsible for the area.

Banking and payment signatory

6.11 Changes to banking arrangements requires the signature of General Manager Finance/CFO and a Finance Manager. All payments must be authorised by TWO approved signatories signing and countersigning appropriate documentation. Bank signatories are 'person specific'.

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2 Otago Regional Council Procurement Policy

Operational expenditure – Payroll, PAYE, ACC and other taxes

6.12 For payroll, PAYE, ACC, other taxes and deductions and enter into term deposit arrangements - any two authorised bank signatories jointly.

Specific financial delegations

Regional On-Scene Commander (Marine Oil Spill Response)

6.13 The Regional On-Scene Commander is a person trained and authorised by Maritime New Zealand and appointed by the Chief Executive under delegation from the Minister of Transport pursuant to the Maritime Transport Act 1994. The delegation below details financial authorisations under the Tier II Marine Oil Spill Response Plan.

(a) The Regional On-scene Commander is authorised to spend up to $50,000 of the Council's funds in relation to Marine Oil Spill Response operations.

(b) The expenditure of $50,000 may be exceeded up to a limit of $100,000 with prior consultation with the Chief Executive or General Manager Science and Resilience.

(c) Regional On-scene Commanders are required as a condition of the delegation to:

i. comply with Maritime New Zealand Operational Policy; and

ii. comply with Council procedures and subsequently report to the next meeting

7. Property services

Leases and licences

7.1 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 5 below.

Table 5 – Leases and licences delegations

Matter	Function	Delegated to
New leases/ Licences	As lessor or lessee: (a) sign agreements to lease for residential and commercial property granting leases for periods of no more than eight years (b) grant new leases or licenses for terms not exceeding twenty-one years for all other land (c) execute contracts of guarantee	GM People and Corporate
Assignment and subleasing	As lessee or licensee approve the sublease and assignment of leases and licenses	GM People and Corporate
Mortgages	Secure a mortgage over the lessees' interest in the lease Vary mortgage terms Release a mortgage	Two of: Finance Managers GM People and Corporate

Matter	Function	Delegated to
		GM Finance / CFO
Rents	Appoint an officer to set rentals for council property Reset, review, increase or reduce prices and rents in relation to existing Council leases or licenses	Manager Support Services Legal Counsel
Rents	Issue rent/fee rebates Appoint an arbitrator where rent reviews are appealed	GM People and Corporate
Variation of leases	Approve variations to commercial, industrial and residential leases; and all licenses	GM People and Corporate Legal Counsel
Termination and surrender of leases	As lessor or lessee, or licensor or licensee, terminate leases or licences within the terms and conditions of the contract, including failure to pay rent As property owner, lessor, assignor or licensor, approve the surrender of leases and licences	GM People and Corporate Legal Counsel
Registration	Sign an authority and instruction form authorising registration of a lease or any surrender, variation or renewal of a currently registered lease approved under the above delegations	GM People and Corporate
Consent	Provide (or withhold) any consent required under a lease	Manager Support Services Legal Counsel

Otago Regional Council (Kuriwao Endowment Lands) Act 1994

7.2 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 7 below.

Table 6 - Otago Regional Council (Kuriwao Endowment Lands) Act delegations

Section	Function	Delegated to
9, 10	Exercise all rights, powers, and obligations of the lessor under leases	Legal Counsel
13	Sign an authority and instruction form for the sale of land authorised by Council resolution	GM People and Corporate

General and miscellaneous

7.3 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 8 below.

Table 7 – Miscellaneous delegations

Matter	Function	Delegated to
Access	Enter into, vary, revoke, or cancel an access agreement	Any Manager
Land acquisition	Approve minor land purchases or sales by agreement, for public works, subject to the transaction being in accordance with the Long-term Plan and to sign an authority and instruction form for the above purpose.	GM Science and Resilience
Affected party approvals	Provide approval, consents and make submissions or objections as adjoining landowner or potentially affected party in relation to property owned, leased or managed by Council This delegation may be delegated without the approval of the CE.	GM People and Corporate GM Science and Resilience
Land Interests	Register, approve amendments to or withdrawals or discharges of caveats, easement, land improvement agreements, certificates, and releases of bonds or encumbrances Specific terms and conditions: This delegation will only be exercised upon confirmation by the Chief Executive that all obligations have been satisfied	GM People and Corporate GM Finance / CFO Legal Counsel
Signing Issues	Sign any other applications, documents, agreements or instruments or certify any documents or instrument in relation to any interest in land, on behalf of Council not otherwise provided in these property delegations. This delegation may be delegated.	GM People and Corporate
Emergency	Close a premises / facility in an emergency situation	Any General Manager
Use of Council Property and land	Authorise the use of any Council building, land, facility or equipment by an outside person or organisation in accordance with established guidelines	GM People and Corporate
Disposal	Dispose (whether by tender or otherwise) of any motor vehicle or item of plant or surplus Council asset in accordance with the policy	GM People and Corporate Manager Support Services
Statutory Land Charge	Release a statutory land charge	GM People and Corporate
Easements and other interests	Create, vary and surrender, easements and covenants over Council land. Request removal of easements, covenants and profits à prendre from LINZ register and removal of fencing covenants from title Sign an authority and instruction form for the above purposes	GM People and Corporate

Note: Land owned by the Council is held pursuant to a range of different statutes, often as endowment land. Further, other statutory obligations, including under the Public Bodies Leases Act 1969, may be relevant to how the land may be able to be dealt with. For the avoidance of doubt, nothing in the above delegations relieves Council from complying with the statutory obligations that apply in relation to the land. The exercise of property delegations must also be carried out in accordance with the financial delegations, e.g. the value of the lease may require a higher level of authority to sign the document than provided for in the delegations.

Trespass Act 1980

7.4 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 9 below.

Table 8 – Trespass Act delegations

Section	Function	Delegated to
3 4 9	Verbally warn a trespasser to leave the property At the time of the trespass or within a reasonable time, verbally warn a trespasser to stay off the property	Any Team Leader
9(1)	Issue a written trespass notices This delegation may be delegated without the approval of the CE.	Any General Manager
4(2), 9(1)	Where there is reasonable cause to suspect that any person is likely to trespass on Council property, warn that person to stay off Council property and require that person to give their name and other particulars This delegation may be delegated without the approval of the CE.	Any General Manager

Part D: Regulatory Delegations

Part B of the Delegations Manual sets out the regulatory delegations under bylaws and various statutes.

8. Council bylaws

8.1 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in the tables below.

Navigation Safety Bylaw 2020

8.2 Except as provided below, delegations for the Navigation Safety Bylaw 2020 are provided for in the Maritime Transport Act 1994 and the Bylaw itself.

Clause	Function	Delegated to
Council written approval		
	Issue or refuse any written approval on behalf of the Council.	GM Environmental Delivery

Flood Protection Management Bylaw 2022

Clause	Function	Delegated to
Authority to carry out work		
5.1	Approve or refuse authority under the Bylaw, including granting authority on such conditions as are considered appropriate.	Manager Engineering Where the Council is the applicant then the delegation is to an independent decision maker(s) appointed by any two of the following: GM Science and Resilience and Portfolio Leads Environmental Delivery
5.2	Determine, refund, remit or waive the whole or any part of any fee payable under the Bylaw.	General Manager Science and Resilience Where the Council is the applicant then the delegation is to an independent decision maker(s) appointed by any two of the following: GM Science and Resilience and Portfolio Leads Environmental Delivery
5.3	Uphold, amend or rescind a decision or authority under the Bylaw	Manager Engineering Where the Council is the applicant then this the delegation is to an independent decision maker(s) appointed by any two of the following: GM Science and Resilience and Portfolio Leads Environmental Delivery

Clause	Function	Delegated to
Compliance and Enforcement		
6.1	Revoke authority granted under the Bylaw. Grant an extension to remedy a breach or failure	Manager Engineering
6.3	Issue a notice to remedy	GM Environmental Delivery GM Science and Resilience GM Regional Planning and Transport
6.4	Authorise the removal of works and cost recovery	Refer local Government act 2002 delegations

9. Legislation and regulations

Biosecurity Act 1993

9.1 The Biosecurity Act 1993 contains legislative provisions and powers to enable the effective implementation, including enforcement, of a regional pest management plan. The Act provides powers to a Principal Officer (Chief Executive) and Authorised Persons (who are appointed by the Chief Executive under section 105(1) of the Bisosecurity Act 1993).

9.2 In addition to the functions and powers delegated by the Chief Executive to "Authorised Persons" this section sets out the functions and powers under the Biosecurity Act which are delegated.

9.3 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 9 below.

Table 9 – Biosecurity Act delegations

Section	Function	Delegated to
13(1)(a) 13(1)(b)	Carry out monitoring and surveillance of pests, pest agents, and unwanted organisms for the purposes of Part 5 of the Biosecurity Act	Team Leader Biosecurity Compliance
130	Provide for the assessment and management or eradication of pests Declare a restricted place	Team Leader Biosecurity Compliance
70-75 90-95 100V	Prepare and review a regional pest management plan Prepare and review a regional pathways management plan Prepare a small scale management programme	GM Environmental Delivery to make recommendations to Council
76 96 100M 100N 128 131 154M 154N 154O	Lodge, withdraw or oppose an application to the Environment Court Settle a dispute or issues at stake at mediation or other alternative dispute resolution sessions Approve Consent Memoranda, draft Consent Orders and side agreements Decide to appear at proceedings before the Environment Court and call evidence for the Council Recover a levy as a debt due Act on default and authorise action for work and recover costs of that action Declare a specified area to be a controlled area	GM Environmental Delivery

Section	Function	Delegated to
159	Initiate and/or withdraw a prosecution for an offence under this Act File a charging document that has been laid in relation to a prosecution Commence, withdraw or join proceedings in respect of infringement offences	
78 98	Exempt a person from a requirement in a rule in a regional pest plan. Exempt a person from a requirement in a rule in a regional pathways management plan	Manager Environmental Implementation
100	Decide who shall be the management agency for a regional pest management plan	GM Environmental Delivery Manager Environmental Implementation
100B	Prepare operational plans and annual reports and circulate them to certain persons	GM Environmental Delivery Manager Environmental Implementation
103(7)	Power to appoint accredited persons	GM Environmental Delivery Manager Environmental Implementation
114A	Give written approval for the application of articles or substances to any place from for airspace above that place in accordance with section 114A	GM Environmental Delivery Manager Environmental Implementation
122	Issue or withdraw a Notice of Direction	Authorised Person
129	Put a charge on the property	GM Finance/CFO
135	Recover costs of administering the Biosecurity Act and performing the functions, powers and duties provided for in the Act in accordance with s 135 and regulations	Manager Environmental Implementation in conjunction GM Finance/CFO as to the methods used
154	Issue/withdraw a Compliance Order	Manager Environmental Implementation

Building Act 2004 and Building (Dam Safety) Regulations 2022

9.4 The Council is a regional authority under the Building Act 2004 and has the functions, powers and duties in relation to dams.

9.5 Under a 2021 Deed of Transfer the Council transferred certain functions powers and duties under the Building Act to the Canterbury Regional Council.

9.6 The table below lists the delegations for the Building Act functions exercised by the Council. The Building Act requires persons exercising authority to have requisite qualifications and experience and limits the scope of authorities exercised by any individual to the extent of their registrations under the Act.

9.7 The Council uses qualified external advisers to ensure the quality and technical proficiency of the advice that it uses in making decisions under the Building Act.

9.8 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 10 below.

Table 10 – Dam delegations

Section	Function	Delegated to
Project Information Memorandum (PIM) functions		
31 33 34 36-39 83(3)	Issue and re-issue a PIM in certain circumstances and provide a copy of a PIM to the applicant as required. Determine further information required in relation to a PIM application. Attach development contribution notice. Issue a certificate if a resource consent is required Provide copy of PIM to network utility operator(s) and/or statutory authority, if required. Advise Heritage New Zealand Pouhere Taonga of PIM application, if required Approve the removal of entry on a certificate of title	Principal Consents Planner Team Leader Consents
Certificates of acceptance		
96(1) 98(1)	Issue a certificate of acceptance	Principal Consents Planner, Team Leader Consents, or Manager Consents
97(c) 98(2)	Specify additional information that is required to be lodged with an application for a certificate of acceptance Require further information in relation to an application for a certificate of acceptance	Principal Consents Planner, Team Leader Consents
99(2)	Qualify a certificate of acceptance to the effect that only parts of the building work were able to be inspected	Manager Consents
Annual Building Warrant of Fitness		
109(c) 110(c)	Produce compliance schedule reports under s 110(a)	Manager Consents
Change of use, extension of life and subdivision of land		
115	Allow the change of use of a building	Manager Consents or Principal Consents Planner
116	Provide a written notice for the extension of life of a building in accordance with section 116	Principal Consents Planner Team Leader Consents
116A	Issue a certificate to allow subdivision of a land affecting a dam in accordance with section 116A	Principal Consents Planner Team Leader Consents
Classification of Dams		
134A(1) 136(1) 136(2)	Require an owner to classify a referable dam Approve or refuse a dam classification Require the re-audit of a classification	Environmental Data Officer Compliance Support Officer Principal Compliance Specialist

Section	Function	Delegated to
138(1)		
138(2)	Specify a period beyond 15 working days for a dam classification re-audit	Manager Environmental Delivery Data and Systems Manager Compliance
Dam safety assurance programmes		
143(1) 145(1)	Approve or refuse to approve a dam safety assurance programme Direct the owner of a dam to have the dam safety assurance programme audited by a recognised engineer	Environmental Data Officer Compliance Support Officer Principal Compliance Specialist
145(2) 146(2)(b)	Require a period beyond 15 working days for a dam safety assurance programme to be re-audited Request a review of the dam safety assurance programme for an earthquake-prone or flood-prone dam	Manager Environmental Delivery Data and Systems or Manager Compliance
148(a)(iii)	Keep a dam safety assurance programme in a place agreed by the Regional Council and the owner	Environmental Data Officer Compliance Support Officer Principal Compliance Specialist
Register of dams		
151	Maintain a register of dams in Otago	Environmental Data Officer Compliance Support Officer Principal Compliance Specialist
Dangerous dams		
154(1) 155(1)(b)	Determine that a dam is dangerous in terms of s153 and take action as set out in s154(1)(a), (b) and (c). Determine whether building consent is required in respect of work required by a notice	Manager Consents Manager Compliance
156(1) 156(3)(b) 157(3)(b) 158	Apply to a District Court for an order enabling the Otago Regional Council to carry out building work. Recover costs of carrying out work under s156(1) from the owner. Recover costs of taking action under section 157(2). Make an application to the District Court to confirm warrant for emergency work on a dam	GM Environmental Delivery GM Science and Resilience
Issuing Notices to Fix		
164	Determination that a notice to fix should be issued, or should be issued by another authority	Manager Consents Manager Compliance
165(1) 167	Determination of the matters relevant to issuing a notice to fix and the scope and nature of a notice to fix. Inspect building work carried out in accordance with a notice to fix Confirm or refuse to confirm that a notice to fix has been complied with Issue a further notice to fix if required.	Manager Consents Manager Compliance

Section	Function	Delegated to
Determinations		
177 180 182(2) 185(2)(b) 189(b)(ii) 190(3)	Make and withdraw an application for a determination Commence of proceedings in the High Court where the matter has been the subject of a determination Agree on a period beyond 60 workings days for making a determination Agree to amendment of a determination for clarification purposes File a direction to the District Court as to costs in respect of a determination	GM Environmental Delivery
Registration and Accreditation as Building Consent Authority		
194 252(4) 253 200 202 276(2)(b)	Make and application for registration as a building consent authority Request to change the scope of accreditation Apply for accreditation to perform Building Consent Authority functions Submit and respond to complaints or to an investigation Submit on a review of the regional authority	GM Environmental Delivery
Carrying out building work on default		
220(2) 220(4)(b) 221	Make an application to the District Court for an order in respect of building work required to be done Recover costs associated with carrying out building work authorised under s220(2) Dispose of, sell, etc. of materials that result from carrying out building work authorised under s220(2)	GM Environmental Delivery
Responsibilities of a Building Consent Authority that is not a Territorial Authority		
240(2) 243	Refuse to perform functions under the Building Act where fees, charges or levies are unpaid Impose fees or charge and recovery of costs and to collect levies	Manager Consents
Fees and charges		
281A, 281B, 281C, 219	Set fees, impose fees and charges, charge a fee for the issue of compliance schedule, increase the amount of a fee or charge to meet additional costs, and waive or refunding a fee – consistent with the Council's fees and charges policy	Manager Consents
Other matters		
315(1) Schedule 1, part 1, clause 2	Complain about a licensed building practitioner Decide whether a building consent is not necessary	Manager Consents
363A(2) 363A(5)	Decide whether to issue a certificate for public use Decide and request further reasonable information	Principal Consents Planner Manager Consents
403(4)(b)	Making submissions as an 'interested person' to proposed Orders in Council or regulations	GM Environmental Delivery

Section	Function	Delegated to
Offences		
371(2) 372B(2) 377	Commence of proceedings where an infringement notice has been issued Authorise officers to issue infringement notices File a charging document	GM Environmental Delivery
372	Issue an infringement notice	Warranted Officer where specified on warrant

Hazardous Substances and New Organisms Act 1996

9.9 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in table 11 below.

Table 11 Hazardous Substances and New Organisms Act 1996 Delegations

Section	Function	Delegated to
97(2)	Powers of enforcement under this Act	Any General Manager
98(1)	Power to appoint hazardous substances officers to enforce the provisions of this Act	Any General Manager
98(2)	Duty to notify the Authority of the place of work of enforcement officers and nature and level of enforcement to be provided	Any General Manager
108(2)	Power to cancel a compliance order	Any General Manager
108(7)	Duty to consider an application from a person directly affected by a compliance order, to change or cancel the order	Any General Manager

Crown Minerals Act 1991

9.10 The Crown Minerals Act 1991 provided transition provisions for mining licences issued under the Mining Act 1971 which was repealed in 1991. There is now only one residual section left in schedule 1 of the Crown Minerals Act 1991 that refers to Regional Councils which is delegated below.

Section	Function	Delegated to
Schedule 1 clause 16	Require the holder of a coal mining right to increase the amount of bond or deposit. Determine whether the holder of an existing mining privilege has complied with the terms and conditions of the privilege.	GM Environmental Delivery

Land Transport Management Act 2003

9.11 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 12 below.

Table 12 – Land Transport Management Act delegations

Section	Function	Delegated to
116(2) 121 146 - 149	Contract for the provision of every unit on an exclusive basis Notify and provide copies of plans Require a person to produce and inspect records. Manage offences, including making decisions to initiate or withdraw a prosecution.	GM Regional Planning and Transport
127 128 131 133 134 136 - 139	Require information from operators of public transport services, including patronage and fare revenue data Disclose other data to a person who is registered by the regional council to tender for the provision of a unit. Decide whether to release information and a duty to consult with relevant organisations. Keep a current register of all exempt services that must be registered under section 130 Decide whether to notify of a proposal to operate or vary exempt services. Decide whether to decline registration or variation of exempt services. Register exempt services or variations to exempt services Deregister an exempt service and remove details of variations Undertake the process for deregistering exempt services or removing details of variations Make decisions in relation to the withdrawal of exempt services	Manager Transport
129	Decide whether to release information and duty to consult with organisation	Manager Transport Legal Counsel

Transport - Other

9.12 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in the table below.

Matter	Function	Delegated to
Bus advertising	Approve/decline bus back advertising	Combination of: 1. Manager Communications and Marketing; and 2. Either one of: - Manager Transport or Team Leader Transport

Maritime Transport Act 1994

9.13 For the purpose of ensuring maritime safety in the Otago region, the Council is empowered to regulate ports, harbours, and waters, and maritime related activities in the region.

9.14 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 13 below.

Table 13 – Maritime Transport Act delegations

Section	Function	Delegated to
Navigation safety		
33F 33N 33P	Initiate or withdraw a prosecution for an offence for contravening a direction or requirement under s 33F Initiate or withdraw a prosecution for an offence for contravening a navigation bylaw. Commence proceedings for a defended infringement notice	GM Environmental Delivery
33I 33J 33M 33O/P 200(3A)	Undertake harbour works for the purpose of ensuring maritime safety. Remove and deal with any wreck within the Otago region that is a hazard to navigation safety. Remove, store, sell, or otherwise dispose of an abandoned ship. Consult with the Director of Maritime New Zealand in preparing Navigation Safety bylaws. Decide whether to proceed against a person for an infringement offence under the Summary Proceedings Act 1957 or by serving an infringement notice. Decide whether to withdraw an infringement notice Erect, place, and maintain navigation aids in accordance with section 33I	Any Harbourmaster
33P	Serve an infringement notice in respect of that offence where a Harbourmaster or an enforcement officer observes a person committing an infringement offence or has reasonable cause to believe such an offence is being or has been committed by that person,	Enforcement Officer
Maritime response		
231	Notify the Director of Maritime Safety and process matters relating to the Council's notification responsibilities.	Any Harbourmaster

River Engineering

9.15 Council has extensive functions in relation to river engineering which fall under a number of different statutes. These delegations should be read alongside the delegations made under the LGA, and the delegations made under the Flood Protection Management Bylaw 2022.

Land Drainage Act 1908

9.16 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 14 below.

Table 14 – Land Drainage Act delegations

Section	Function	Delegated to
17	Construct and maintain drains and watercourses.	Manager Engineering Manager Natural Hazards
18	Enter land for inspection, survey, or inquiry.	Warranted Officer where these powers are specified on the warrant
62	Order removal of an obstruction from a watercourse or drain where the obstruction is causing or likely to cause damage to any property. Authority to remove any obstruction from a watercourse or drain	Manager Engineering Manager Natural Hazards Manager Compliance
n/a	Consider and make decisions on taking enforcement action, including cost recovery and registration of a charge	GM Environmental Delivery, GM Science and Resilience

Public Works Act 1981

9.17 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 15 below.

Table 15 – Public Works Act delegations

Section	Function	Delegated to
17	Enter into an agreement to purchase any land for any public work	GM People and Corporate, GM Science and Resilience
18	Negotiating for acquisition of land	GM People and Corporate, GM Science and Resilience
19	Register, approve amendments to or to withdrawals or discharges of compensation certificates. Sign an authority and instruction form for the above purposes	GM People and Corporate, GM Science and Resilience
110 111 133 134 135 233 234 237	Enter onto private land for the purposes of carrying out any public work or any proposed public work. Enter onto private land for survey and investigation purposes. Decide whether to remove trees and hedges that interfere with public works. Emergency work on trees. Obligation to provide notice before entry onto private land. Approve excavations near public works.	Manager Engineering,
238 239 242	Action for damage to public work. Decide whether to remove and/or dispose of abandoned property from public works land. Consider and make decisions on taking enforcement action for offences committed. File charging document for enforcement action.	GM Science and Resilience

Soil Conservation and Rivers Control Act 1941

9.18 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 16 below.

Table 16 – Soil Conservation and Rivers Control Act delegations

Section	Function	Delegated to
17	Give written consent to the cutting, injuring, destroying, or removal of the whole or any part of any tree, shrub, plant, or grass, or any stone, mineral, or thing of any kind in a soil conservation reserve	GM Science and Resilience
20	As a Catchment Board to deal with land not required for soil conservation reserves; To grant licences and permits for various activities	GM Science and Resilience Manager Natural Hazards
30A	Certify that a land improvement agreement has expired or has been terminated Determine requests for consents and approvals as a consequence of the Council having an interest in land by virtue of a land improvement agreement	Legal Counsel
30A	Enforcement in relation to Land Improvement Agreements Authorise the release/discharge of a land improvement agreement on behalf of Council	GM People and Corporate
126 131 - 137	Approve giving public notice or to undertake works on private land and resolve any objections.	Manager Engineering Manager Natural Hazards
136	Where works may interfere with any road, street, footpath, or any other public work, give one months' notice (in writing) to the body in control of the road, street, footpath, or other public work.	Manager Engineering
138 153 154	Apportion costs with owners of land Consider and take all enforcement action as necessary and appropriate in relation to any person preventing, obstructing, or impeding the Council in carrying out the provisions of this Act, or doing any work or thing authorised by the Act. Consider and take all enforcement action as necessary and appropriate in relation to any person that wilfully destroys any watercourse or defence against water, including all matters set out in Section 154. Authority to file charging document when enforcement action is approved	GM Science and Resilience

Fast Track Approvals Act 2024

9.19 In December 2024, the new Fast Track Approvals Act (**FTA**) became law, and applications can be lodged from 7 February 2025. This Act 'replaces' the COVID-19 Recovery (Fast Track Consenting) Act 2019 and includes listed projects and a pathway for projects to apply to be processed under the Act.

9.20 Unless provided for elsewhere in this CE Delegation Manual, the Chief Executive retains and delegates the duties, responsibilities, functions and powers for the activities specified in Table 17 below.

Table 17 – Fast Track Approvals Act delegations

Section	Function	Delegated to
17 53	Respond to request for comments on applications for referral Respond to request for comments on substantive application	General Manager Environmental Delivery General Manager Planning and Transport
70	Respond to request for comment on conditions	Manager Consents
20 47(5) 76 90-91 104 Schedule 3, Clause 12	Respond to a request for further information from the Minister for Infrastructure. Notify the Minister when a competing application has been determined and any rights of appeal that relate to that application have been exhausted. Respond to any ministerial request for further information. Provide advice in relation to request a decision is called in or transferred to a Minister. Respond to a request for information that the EPA considers is held by the Council. Provide information under s 90 is subject to qualifications set out in s 91 where that information is sensitive to an iwi or a hapū. Seek to recover actual and reasonable costs incurred in consulting. Provide assistance before an application is lodged, and in performing or exercising its functions, duties, or powers. Assist the panel by providing advice if requested.	General Manager Environmental Delivery General Manager Planning and Transport Manager Consents
30 67	Notify consent holder/applicant of existing consents Respond to panel request for further information	Manager Consents
50 Schedule 3, clause 3	Provide a nomination for a panel member	Two of the three of the General Manager Environmental Delivery and the Environmental Delivery Portfolio Leads

MEMORANDUM

To: **Janet Ashcroft – Legal Counsel**

From: **Richard Saunders – Chief Executive**

Date: **27 May 2026**

Re: **Chief Executive Delegations Manual**

1. The Otago Regional Council (**Council**) is updating its current Delegations Manual (December 2025).

2. As the Chief Executive of the Council, I recognise that I have certain responsibilities, powers, functions and duties under legislation that apply to local government (including the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987, among others).

3. A number of the Council's responsibilities, powers, functions and duties have been delegated to me, in my position as Chief Executive.

4. To the extent that any of the responsibilities, powers, functions and duties delegated to me (either by the Council or legislation) are lawfully able to be sub-delegated by me, I record that the draft Chief Executive Delegations Manual as attached to the Council paper dated X May 2026 accurately reflects the extent of any delegations and sub-delegations made by me.

5. Any future amendments to these sub-delegations will occur via a register of Chief Executive delegations and sub-delegations and be recorded in the table in 1.8 of the Chief Executive Delegations Manual.

_____

Richard Saunders

Chief Executive

10.5. Engaging with Communities and Stakeholders to Explore Issues in Managing the Otago Coast

Prepared for: Council

Report No. P&P2603

Activity: RPS, Air and Coast

Author: Amy Young (Senior Policy Analyst)

Endorsed by: Anita Dawe (General Manager Regional Planning and Transport)

Date: 27 May 2026

Portfolio Leads: Cr Wilson and Cr Gillespie, Policy and Planning

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PURPOSE

[1] To seek approval to engage with the community and key stakeholders on coastal issues and opportunities, in order to inform the development of coastal planning provisions in the future resource management system.

EXECUTIVE SUMMARY

[2] The operative Regional Plan: Coast for Otago (Coast Plan) was notified in 1994 and is overdue for a review. The Long-Term Plan 2024-2034 (LTP) identifies a review of the Coast Plan as a key task, with targets of issues and options papers reported to Council by mid-2026, and notification of a new Coast Plan by mid-2028.

[3] The reform of the resource management system and the requirement to halt plan changes mean that the LTP targets will no longer be achieved.

[4] However, work has been continuing to identify the resource management issues and opportunities associated with the Otago coast, and to review the effectiveness of the existing Coast Plan. Regardless of the regulatory framework, it will be important for Council to have an up-to-date understanding of both the issues and opportunities, and what has and has not worked in the current Coast Plan.

[5] The next step in identifying issues and opportunities is to test staff thinking with key stakeholders and the public, to get a better understanding of those matters relevant to spatial planning and management of the Otago Coast and incorporate their feedback into the issues and opportunities report. Staff are seeking Council's endorsement to engage now in preparation for the new regulatory framework.

RECOMMENDATION

That the Council:

1) ***Notes** this report.*
2) ***Approves** Option 1 – direct staff to engage with the public and key stakeholders on coastal issues and opportunities to inform an issues and opportunities report that will be used to inform the new resource management framework when it is enacted.*

BACKGROUND

[6] The operative Coast Plan was notified in 1994 and is overdue for a review. A coast plan review is identified as key work in the LTP to be undertaken within years 1-3. The LTP aim was to report on issues and options for managing the Otago Coast to Council by 30 June 2026; and publicly notify a new Regional Plan Coast by 30 June 2028.

[7] The Resource Management (Consenting and Other System Changes) Amendment Act 2025 brought in changes to pause councils' work on changes to their RMA plans in preparation for the new resource management system.

Impacts of the new resource management system on coastal planning

[8] Through the Planning and Natural Environment Bills, the Government is seeking a more standardised approach to council plans which will require a regional combined plan that brings together:

- the regional spatial plan;
- land-use plans for each district or city; and
- the natural environment plan for the region.

[9] Under the new resource management system, the development of natural environment plans will occur once regional spatial plans (RSP's) are developed and must be in line with national instruments. Based on current understanding, most of the plan content will be standardised, with some flexibility to include customised rules for local needs. New national policy directions and standards, including new environmental limits, will impact and direct the structure, scope and content of the coast plan. These standards are yet to be released.

[10] The system changes impact the scope and key work milestones for the coast plan review identified in the LTP. The Natural Environment Bill has confirmed that regional councils will continue to play an important role in the management of the coast. Staff consider that, regardless of the system framework, Council will need to understand the resource management issues in the coast and what information can be accessed to provide evidence for these issues. However, it is inefficient to explore management options to address coastal issues until the new national standards and environmental limits are known and the direction is understood in relation to the forthcoming national planning instruments.

DISCUSSION

[11] A cross-council team, including staff from Aukaha and Te Ao Marama Inc on behalf of rūnaka, have been working on identifying key resource management issues and opportunities. As part of this work, staff have identified known topics from earlier ORC projects (such as engagement on the proposed Otago Regional Policy Statement, Te Awa Ōtākou Issues and Opportunities, and recent science work), as well as key information gaps.

[12] Work is also underway on a review of the current Coast Plan, to better understand what works well in the current framework and what does not. Measuring the effectiveness of the Coast Plan involves evaluating whether the objectives and anticipated environmental results sought by a plan's policies, rules and other methods have been achieved. Information is gathered from internal teams particularly the consents team and compliance teams as they are the main users and enforcers of the current plan. This process highlights gaps and issues in the current framework and helps to identify issues and opportunities for a new Resource Management framework.

Proposed engagement on issues and opportunities

[13] The next logical step in identifying issues and opportunities is to test internal thinking with key stakeholders and the public, to ensure that the right topics have been identified, with the ability for the engagement to highlight any topics missed or mis-characterised. Key stakeholders are those people/groups in the community that have a particular interest in the Otago coast and the diverse values and uses associated with this environment. These include mana whenua/iwi, territorial authorities, government agencies, infrastructure providers, commercial stakeholders, environmental interest groups, conservation agencies, recreational clubs and tourism representatives. Wider public engagement would be open for anyone who has an interest in Otago coastal issues.

[14] Feedback would be sought on a range of topics, such as Kāi Tahu values and relationships, natural hazards and climate change, biodiversity and biosecurity, landscape, water quality, public access, port activities and marine aquaculture.

[15] The purpose of the engagement is to deepen understanding of current coastal issues. Results from the engagement will inform plan development and can also inform non-regulatory initiatives. The council has various science and natural hazard studies underway or completed. However, there are still have knowledge gaps, especially at a detailed local level. Feedback on the issues and opportunities will help to fill gaps and identify areas which may need more studies in the future.

[16] The engagement would also gather stakeholder perspectives on the current Plan's effectiveness, including:

- The relevance and appropriateness of current plan issues and desired outcomes.
- The strengths (what works well) and weaknesses (management gaps) of the existing plan.
- The success of the plan's implementation and how to ensure a more effective future framework.
- Current, emerging, and future challenges for managing natural and physical resources in the coastal environment.

OPTIONS

[17] There are three options proposed. The first is the preferred option, which is to engage now. The other two options are to not engage at all, or to postpone engagement. Benefits and risks associated with each option are outlined in the tables below.

Option 1 (Preferred option): Engage with the public and key stakeholders on coastal issues and opportunities to inform an issues and opportunities report prior to the new resource management framework coming into force.	
Benefits	**Risks**
• Good understanding of key issues and opportunities to support the development of regional spatial plan and coast plan provisions in a new natural environment plan will be available early on. • Engaging with the public and stakeholders early in a process helps to build relationships and can lead to better outcomes. • Helps distribute engagement efforts over time, rather than compressing them into the shorter timeframes anticipated under the new resource management system, and reduces pressure on staff resources, stakeholder and the community. • Creates clear pathways for future collaboration, including on non-regulatory initiatives. • If engagement is undertaken now there will be only a slight delay in the delivery of the options report beyond the LTP target date of 30 June 2026.	• Some of the issues and opportunities identified may not be in scope of what can be addressed under the new resource management system and national direction. This risk is somewhat mitigated by not developing options until there is an understanding of what the new framework will look like. • Further engagement on issues may be required if additional matters are identified as a result of the changes to the resource management framework.

Option 2: Do not engage with the public or key stakeholders on issues and complete the issues and opportunities report based on available information.	
Benefits	**Risks**
• The LTP target of presenting an issues and opportunities paper to Council by 30 June 2026 can be achieved. • Saves costs and staff time in the short term.	• Report may focus on matters that may not be of concern to key stakeholders or the public. • Report has a greater likelihood of missing relevant topics. • Stakeholders and the community may not buy in to the process if they have not been involved. • Could have longer term impacts by requiring more resources to be invested in identifying and addressing all the relevant issues and opportunities during the plan development phase or the submissions or hearings process.

Option 3: Postpone engaging with the public and key stakeholders.	
Benefits	**Risks**
• Would allow staff to engage on both issues/opportunities and management options at the same time. • Ensures that the engagement does not include matters that Council will not be able to manage under the new system (for example, if there is a rule framework set at the national level, Council may not be able to manage a particular area of the coast).	• Engagement may not be as effective if Council needs to cover all resource management topics at the same time in a short timeframe. • Stakeholders and the public may not be able to engage in the coast to the same extent if stretched across multiple topic areas. • LTP target will not be achieved if engagement is postponed. Issues and opportunities report would be delayed further (when compared to option 1).

[18] Option 1 is the preferred option as the benefits of engaging early outweigh the risks of delaying or not engaging at all. Option 1 provides council staff and the community more time to identify issues and prepare for the new resource management framework. Even if the risks are realised and there are additional issues or issues that are no longer relevant, the preparatory work and relationship building will be valuable to future processes.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[19] Engaging with the community and key stakeholders directly relates to Council's priority action to 'Progress work to understand coastal environmental issues, opportunities and risks, in partnership with communities, to ensure a strong evidence base is available regardless of future regulatory settings.'

[20] This process delivers on a priority action recently approved by Council. '*Progress work to understand coastal environmental issues, opportunities and risks.'*

Financial Considerations

[21] The costs associated with the engagement on the coastal issues and opportunities are estimated to be $23,500 and approximately 0.3 fte of staff time. This is available from approved annual plan budgets for the purpose of Coastal Plan work.

Significance and Engagement

[22] The Coast Plan review is considered to meet the engagement significance threshold in accordance with *He Mahi Rau Rika: the Otago Regional Council Significance, Engagement and Māori Participation Policy* and a medium to high level of engagement is recommended.

Legislative and Risk Considerations

[23] There are no legal implications associated with engagement on issues and opportunities for the Otago coast. The risks of the options have been discussed in the options analysis section of this paper.

Climate Change Considerations

[24] The ORC Climate Strategy 2024 identifies two climate-related goals that are relevant to issues and opportunities for the Otago coast:

- Plans are in place to ensure the region's most vulnerable communities (both geographic and demographic) and ecosystems are resilient in the face of natural hazards; and
- Our Regional Policy Statement and regional plans control development in areas that are vulnerable to natural hazards.

[25] Climate change and natural hazards issues identified as part of the Coast Plan review will help to inform approaches to climate resilience provisions in the development of the regional spatial plan and natural environment plan provisions.

Communications Considerations

[26] A communications and engagement plan has been developed. A summary of this plan is appended to this report as Attachment 1.

NEXT STEPS

[27] If Council approves the preferred option, the next steps are to:

a. Carry out engagement in accordance with the communications and engagement plan
b. Collate and analyse the feedback received, and

c. Report back to Council with a Coastal Issues and Opportunities Report that incorporates the feedback received.

ATTACHMENTS

1. Coastal Engagement Plan Summary [**10.5.1** - 2 pages]

Attachment 1: Coast Engagement Plan Summary

1. Introduction

This engagement plan outlines how ORC intends to engage with stakeholders and the wider community to inform the completion of an *Issues and Opportunities Report* that will inform the future management of the Otago coast.

2. Project context and purpose

The Coastal Planning project has been split into two separate phases:

- **Phase 1: The development of an Issues and Opportunities Report**.
- **Phase 2: The development of a new planning framework**.

Phase 1 aims to produce an *Issues and Opportunities Report* identifying key challenges for managing the Otago coast. Engagement under Phase 1 of the project will inform the *Issues and Opportunities Report*, while also allowing feedback on the current planning framework to be gathered.

Key engagement objectives are to:

- Build relationships with stakeholders and communities
- Identify and confirm issues and opportunities
- Identify issues with the current regional planning framework

3. Target audiences

3.1 Mana whenua

Mana whenua are expected to have a strong interest in this project. ORC will engage with Kāi Tahu across all project phases to understand their perspectives on the management of the Otago coast, including resource management issues, cultural values and key priorities.

3.2 Key stakeholders

The project is expected to attract interest from a wide range of stakeholders, including commercial operators, conservation agencies, environmental groups, resource users, and recreational users. Government agencies, territorial authorities, neighbouring regional councils, and infrastructure providers are also likely to have a strong interest, contributing feedback, identifying issues, and suggesting potential approaches.

3.3 Community

A large portion of the region's population lives near the coast. Therefore, the engagement will target coastal communities in the Dunedin, Waitaki, and Clutha districts, with further opportunities for input provided to the wider regional community.

4. Engagement methods

Engagement methods for target audiences under Phase 1 are set out in the table below.

Target audience	Engagement methods
Mana whenua	• ORC to engage with Aukaha and Te Ao Marama Inc • Aukaha and Te Ao Marama Inc to facilitate hui with rūnaka (with limited or no involvement from ORC staff)
Key stakeholders	• In person workshops • Online workshops
Coastal communities	• Online surveys • Drop-in sessions • Digital and print communications

5. Timeframes

The key timeframes and tasks are summarised in the table below.

Timeframe	Stakeholder Engagement	Public Engagement
May – Early June	• Engagement plan completed • Engagement resources developed	
Late June	• Initial contact • Plan workshops	• Online survey • Plan engagement
July	• Stakeholder workshops • Follow up meetings	• Public surveys • Drop-in sessions
Mid-August	• Feedback period closes	• Feedback period closes
Late August - September	• Analyse engagement feedback • Finalise Issues and Opportunities Report	

6. Role of Councillors

Staff propose that Councillors support engagement on coastal issues and opportunities by promoting awareness of the engagement process, encouraging participation across the community and helping facilitate community discussions. Councillors would also assist in connecting the project team with relevant stakeholders and target audiences to support effective engagement.

10.6. Non-Financial Activity Performance as at Quarter 3 2025-26

Prepared for:	Council
Report No.	GOV2602
Activity:	Organisational Planning and Performance
Author:	Vanessa Vidallon (Corporate Planning Business Partner), Joanne Greatbanks (Manager Organisational Planning and Performance)
Endorsed by:	Amanda Vercoe (General Manager Strategy and Customer)
Date:	27 May 2026
Portfolio Leads:	Cr Malcolm and Cr Gardner, Finance

PURPOSE

[1] To present the Council's Activity Performance Report for the 9-month period ended 31 March 2026.

EXECUTIVE SUMMARY

[2] The Activity Performance Report shows non-financial performance against the measures and targets defined in the Annual Plan 2025-26, year two of the Long-Term Plan 2024-34.

[3] The LTP provides detailed targets for years one to three, and in less detail for years four to ten. These measures and targets are periodically reviewed as part of the Annual Plan process, to reflect improvement in how ORC measures performance, and changes in the understanding and expectations of performance.

[4] This report is concerned with year two, being the 2025-26 financial year and there are 61 service measures with targets for expected performance.

[5] Of the 61 performance measures, 48 are on track to achieve their targeted performance, 0 are at risk, 8 fell short of their targeted performance and 5 are yet to be measured.

[6] The 'Discussion' section talks to the different categories of service performance achievement. The attachment to this report provides the detailed results for quarter three.

[7] Quarterly quantitative data is provided, where appliable, to provide greater clarity and insight. The commentary continues to focus on year-to-date performance, while the additional figures help explain trends and progress within each quarter.

[8] We will continue to review and improve our performance approach.

RECOMMENDATION

That the Council:

1) ***Notes** this report.*
2) ***Notes** that the attached Activity Performance Report for the period 1 January 2026 to 31 March 2026 being quarter three of the 2025-26 financial year.*

BACKGROUND

[9] This report includes non-financial performance information relating to the service delivery activities in the Annual Plan 2025-26. Progress over the 2025-26 financial year is reported to the Council on a quarterly basis. At year-end, the Annual Report 2025-26 is completed, and following external audit, is approved by Council.

DISCUSSION

[10] The attachment shows activity performance recorded against the service measures and targets included in the Annual Plan 2025-26. As of 31 March 2026, there are 61 service targets, 48 are on track, 0 are at risk, 8 fell short of their targeted performance and 5 are yet to be measured.

On track (green)

[11] Of the 61 service targets, 48 are currently on track to be achieved.

At risk (yellow)

[12] There were no service targets considered to be at risk of not achieving their targeted performance.

[13] Throughout the year, performance measures have been assessed using a prudent, evidence-based approach. In preparation for the audit, this approach has been maintained, ensuring a realistic reflection of results at the end of quarter three. Measures previously identified as “at risk” have been reclassified as “off target” following a review of sustained performance over the past three quarters and the limited time remaining in the financial year. This ensures transparent and accurate reporting of expected year-end outcomes.

Not achieved (red)

[14] 8 service targets fell short of their targeted performance, with 4 being unable to be progressed due to ongoing central government reforms. These service measures include:

- Governance and Community Engagement Activity, and the timeliness of response to official information requests with a target of 100%.
  We received 57 LGOIMA requests for quarter three, with a total of 171 requests year to date. We have one late response from quarter one equating to 99.42% compliance (YTD). We will continue to prioritise timely completion of all future LGOIMAs.

  Performance against LGOIMA targets remains consistent between Quarter 2 and Quarter 3, reflecting strengthened processes and improved responsiveness that have supported more timely and consistent handling of requests. Continued focus

on these improvements will be important to sustain performance for the remainder of the year.

- Governance and Community Engagement Activity, and the completion of the survey and action plan by March 2026.

  The Community Survey report was presented to Council at the March meeting. The Action Plan is now scheduled for the June Council meeting and will not meet the original March target.

- Regional Planning Activity, and the revision of the draft Air Quality Strategy.

  Work is underway to determine the timing and approach for a new air quality strategy; however, given that key mechanisms—such as regulatory change and substantial funding—are not currently available, the target is unlikely to be met within the planned timeframe.

- Land and Water Activity, and the review of the draft LWRP against new national direction to freshwater.

  The Government has not released the new national direction for freshwater and will not do so until the new legislation is in place. Therefore, it is not possible to undertake a review of the draft LWRP against the new national direction. This work will need to be completed as part of the implementation of the new resource management system rather than a standalone review as originally planned.

- Land and Water Activity, with the target of issues and options papers developed and reported to Council by 30 June 2026.

  In light of the Government's Plan Stop directive, it is not appropriate to continue working on issues and options for amending the Coast Plan. Therefore, the focus has shifted to preparing an Issues / opportunities paper to inform the new planning system. The first draft of the Issues Paper is nearing completion. A Council presentation on ORC's technical work programme on the Coast is scheduled for May 2026, to be followed by a Council decision on stakeholder engagement. These additional steps have delayed the stakeholder engagement process and therefore the completion of the draft Issues Paper beyond the milestone set in ORC's Long-Term Plan.

- Air activity, and the target of completing a public engagement campaign and pre-notification consultation on draft Regional Plan – Air.

  In July, Central government announced their intention to halt the notification of new plan or regional policy statement reviews, changes or variations until the end of 2027. The Plan Stop commenced on 21 August 2025. As air quality work is not included in exemptions, work on the Air Plan has now stopped.

- Emergency Management Activity, and the target of acquiring adequate staff numbers trained and capable to coordinate a region wide response.

An external provider has been engaged intermittently over the first half of 2026 to support function leadership capability development, with staff required to prioritise attendance.
However, given levels of capability for function leaders are not expected to improve until mid-year, it is unlikely the end-of-year target will be achieved.

- Transport Activity, and the 90% target for Dunedin operated services departing Terminus on time.

  Year to date, on-time departures from the Terminus have averaged 84%, below the 90% target, and performance is not forecast to reach target by Q4. Achieving the target is considered possible with effective timetable adjustments; however, ongoing traffic congestion and roadworks/diversions continue to impact service reliability. Staff will continue to monitor the effectiveness of revised timetables and overall performance trends.

Not yet measured (grey) - pending results

[15] 5 transport service measures are due to be measured at quarter 4 as part of the end of year public transport survey.

Continuous Improvement

[16] We will continue to review and improve our performance approach – increasing the clarity of reported performance to drive stronger transparency.

OPTIONS

[17] There are no options as this is a noting report.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[18] This report is completed within the planning and reporting framework defined in Council's Annual Plan.

Financial Considerations

[19] This report compliments the Financial Performance Report also provided to this 27 May 2026 Council meeting.

Significance and Engagement

[20] No considerations.

Legislative and Risk Considerations

[21] Quarterly, and monthly activity performance is not a legal requirement but rather satisfies the level of oversight requested by Otago's elected regional councillors. It is provided in addition to the legally required Annual Report.

Climate Change Considerations

[22] No considerations.

Communications Considerations

[23] No considerations.

NEXT STEPS

[24] The quarter four, which is the year-end, Activity Performance Report is programmed for consideration on 27 August 2026 Council meeting.

ATTACHMENTS

1. Quarterly 3 LOSM Report - Landscape 2025 [**10.7.1** - 7 pages]

Activity Performance Report

2025-26 QUARTER THREE – @ **March** 2026

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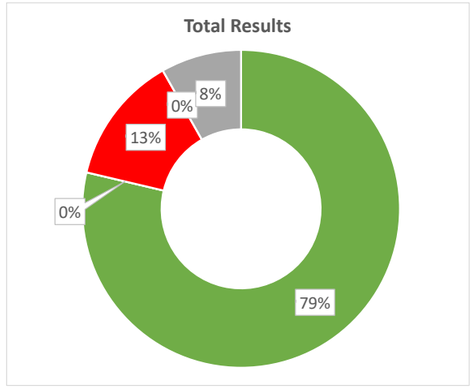
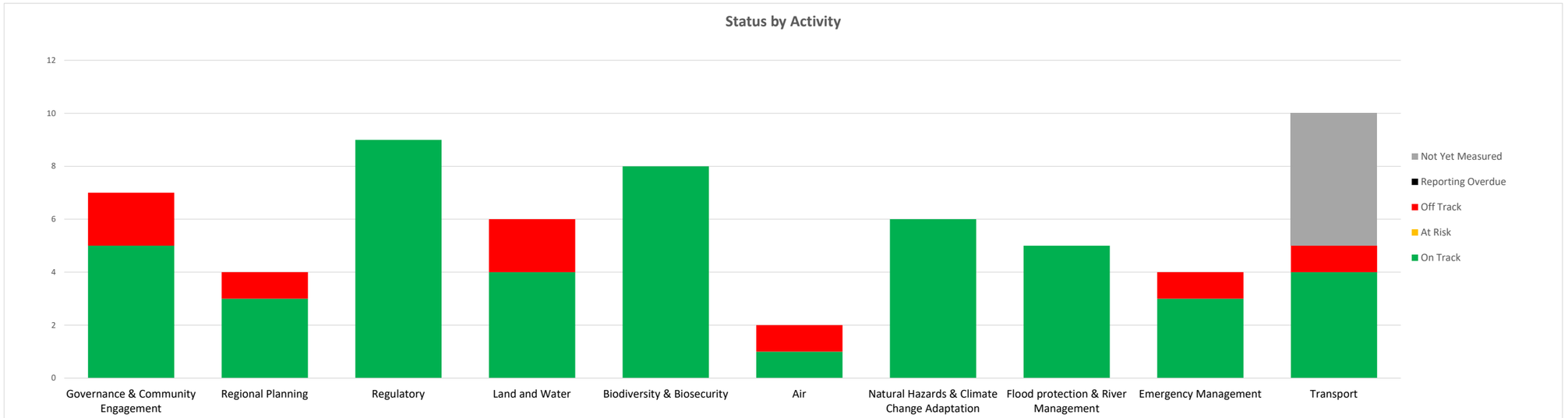
Service Delivery Performance

The 2025-26 Annual Plan contains 35 level of service statements, 57 measures and 61 targets related to activities being delivered in the 2025-26 year.



On Track / Achieved	48
At Risk	0
Off Track	8
Reporting Overdue	0
Not Yet Measured	5

A full list of measures, targets and the results for each quarter is included at the end of this report.



REGIONAL LEADERSHIP					
Governance & Community Engagement	**TARGET**	**Q1**	**Q2**	**Q3**	**COMMENT**
Percentage of official information requests responded to within 20 working days of being logged	**100%**	**71 (99%)**	**43 (100%)**	**57 (100%)**	We received 57 LGOIMA requests for quarter three, with a total of 171 requests year to date. We have one late response from quarter one equating to 99.42% compliance YTD. We will continue to prioritise timely completion of all future LGOIMAs.
Deliver our Long-Term Plan, annual reviews of the LTP, and reporting of performance against plan as per the statutory requirements	**Annual Plan [Yr3 LTP] adopted by council prior to 30 June 2026**				Development of the Annual Plan 2026-27 [Yr3 LTP] is on-track and expected to be approved by Council before 30 June 2026.

Deliver our Long-Term Plan, annual reviews of the LTP, and reporting of performance against plan as per the statutory requirements.	**Council financial and activity performance against Year 1 LTP 2024-34 reported to Council by 1 October 2025.**				Reporting of Council financial and activity performance against Year 1 LTP 2024-34 was reported to Council on 25 September 2025. This target has now been met.
Percentage of council agendas are publicly available two working days or more before a meeting	**100%**	**100%**	**100%**	**100%**	100% on target.
Biennual survey is conducted to understand and improve community awareness, perceptions and expectations of ORC.	**Survey and action plan completed March 2026.**				The Community Survey report was presented to Council at the March meeting. The Action Plan is now scheduled for the June Council meeting and will not meet the original March target.
Customers express high levels of satisfaction with customer service provision.	**Meet or exceed satisfaction target of 85%.**	**94%**	**92%**	**93%**	Customer satisfaction is currently tracking at 93% average over the previous 12 months
Increase opportunities for engagement with diverse groups across Otago to lift awareness and understanding of the work of the regional council and seek feedback on performance.	**Maintain or increase numbers**				On track to increase diverse engagement participation at strategic events, consultations and through ORC engagement activities.
Regional Planning		**Q1**	**Q2**	**Q3**	**COMMENT**
Develop a regional biodiversity strategy and implement ORC actions.	**Regional biodiversity strategy is adopted by 30 June 2026.**				The final Indigenous Biodiversity Strategy will be adopted by June 2026.
Develop a Regional Climate Change Strategy and implement ORC actions.	**ORC actions from the Regional Climate Change Strategy are implemented,**				Implementation of some of the new actions has begun, and other actions are well underway. Work has begun on a combined Climate and Biodiversity Implementation Plan.
Develop a Regional Climate Change Strategy and implement ORC actions.	**The effectiveness of the strategy is monitored and reported to Council annually.**				A report will be brought to Council in June 2026 detailing the implementation and effectiveness of the climate strategy, as required by the Level of Service measure.
Develop a Regional Air Quality Strategy and implement ORC actions.	**Draft Air Quality Strategy revised following public consultation by 30 June 2026.**				Work is underway to determine the timing and approach for a new air quality strategy; however, given that key mechanisms—such as regulatory change and substantial funding—are not currently available, the target is unlikely to be met within the planned timeframe.

Regulatory		**Q1**	**Q2**	**Q3**	**COMMENT**
Maintain 24-hour/7 day a week response for environmental incidents	**Pollution hotline staff available/on call 24/7**				I expect this measure to be on track
Maintain 20 appropriately trained responders for maritime oil pollution incidents	**20 responders attend 3 exercises per year**				Expected to meet expectations
Percentage of resource consent applications processed in accordance with Resource Management Act 1991 legislative timeframes	**≥98%**	**100%**	**100%**	**100%**	100% of consents have been processed within timeframes since the start of the new financial year.
Percentage of performance monitoring returns completed each year, as per the Compliance Audit and Performance Monitoring Schedule targets	**≥90%**	**116%**	**148%**	**108%**	We are well ahead of target with 5,960 returns processed against a target of 5,600 for this time of year. We expect to meet the target. Year to date is 106%.
Percentage of significant non-compliance identified where action is taken in accordance with Compliance Policy	**100%**	**100%**	**100%**	**100%**	100%. Target met.
Percentage of programmed inspections/audits completed each year, as per the Compliance Audit and Performance Monitoring Schedule targets	**≥90%**	**98%**	**147%**	**142%**	In the 2025/26 year to date, 1,228 audits and site inspections have been completed. This includes 878 consent audits, 317 Dairy inspections and 29 forestry audits. This is 147% of the planned compliance audits/inspections target. Percentage of target YTD: 147%.
Maintain compliance with Port and Harbour Marine Safety Code.	**Annual self review is completed by ORC and Port Otago Ltd (POL) and signed off by the chief executives.**				Expect to meet expectations
The safety campaign for recreational 'boaters' is delivered.	**Develop and deliver a recreational boating engagement plan.**				Expect to meet target at year end

Percentage of public enquiries for consent information completed within 10 working days.	**98%**	**100%**	**100%**	**100%**	Year to date, all public consent information has been completed within the 10 working day period.We are on track to meet the end of year target.

On Track | At Risk | Off Track | Reporting Overdue | Not Yet Measured

ENVIRONMENT					
Land and Water		**Q1**	**Q2**	**Q3**	**COMMENT**
Complete the Land and Water Regional Plan (LWRP)	**Review the draft LWRP against new national direction to freshwater.**				The Government has not released the new national direction for freshwater and will not do so until the new legislation is in place. Therefore, it is not possible to undertake a review of the draft LWRP against the new national direction. This work will need to be completed as part of the implementation of the new resource management system rather than a standalone review as originally planned.
ORC led and community/landowner supported workshops and events are delivered which promote best practice land management for soil conservation, water quality and/or the efficient use of water.	**At least 12 ORC led workshops or events are delivered annually**	**17**	**3**	**2**	22 ORC-led or co-led events delivered year-to-date. Yearly target has been achieved.
Site specific projects are developed for selected degraded waterbodies.	**At least 80% of project actions are progressed as scheduled.**				The site specific projects included in this measure are Tomahawk lagoon, Lake Tuakitoto and Waiwhakaata Lake Hayes. 83% of project actions are progressing as planned for all three.
Catchment Action Plans (CAPs) give effect to the ICM programme and are developed in partnership with iwi and in collaboration with the community.	**One Catchment Action Plan (CAP) to be presented to Council for approval by 30 June 2026.**				The annual target of one CAP preseted to Council has been acheived for this financial year with the endorsement of the Upper Lakes CAP. Work is ongoing to develop the Taieri CAP with catchment groups.
Report the results of environmental monitoring for freshwater, land use, estuarine, and regional coastal environments.	**Annual report for each of the 4 environments to Council prior to 30 June 2026.**				ON track
Complete a review of the Regional Plan: Coast.	**Issues and options papers developed and reported to Council by 30 June 2026.**				In light of the Government's Plan Stop directive, it is not appropriate to continue working on issues and options for amending the Coast Plan. Therefore, the focus has shifted to preparing an Issues / opportunities paper to inform the new planning system. The first draft of the Issues Paper is nearing completion. A Council presentation on ORC's technical work programme on the Coast is scheduled for May 2026, to be followed by a Council decision on stakeholder engagement. These additional steps have delayed the stakeholder engagement process and therefore the completion of the draft Issues Paper beyond the milestone set in ORC's Long-Term Plan.
Biodiversity & Biosecurity		**Q1**	**Q2**	**Q3**	**COMMENT**
Actions within the Biosecurity Operational Plan (BOP) are identified and progressed	**100% of priority pest management actions are achieved.**				The priority pest management actions are being progressed, this is currently on track.
Externally funded biosecurity projects/programmes are implemented as per their agreements.	**90% of deliverables in the agreements with Central Government are progressing as scheduled**				100% of deliverables are progressing as scheduled, as of end of March.
Biodiversity Forum-based joint projects to enhance indigenous biodiversity are developed.	**At least one new project is developed and implemented with biodiversity forum partners.**				Two projects are approved and progressing - threatened vascular plant and invasive plant management. Concept overviews/scope for additional projects are being developed and circulated to stakeholders.
Joint projects are implemented against milestones.	**At least 80% of project actions are progressed as scheduled.**				Two new project concepts approved and 100% of actions are progressing as scheduled, as of end of March.

Alignment between initiatives and deliverables receiving Council funding, and Council's strategic biodiversity strategic objectives.	**All environmental projects and initiatives are aligned to at least one of the Council's environmental strategic objectives.**				All projects that were awarded a grant in the 2025 funding round give effect to at least one of Council's environmental strategic objectives. Council has adopted the revised 2026 ECO Fund framework at its September meeting.
Externally funded freshwater projects/programmes are delivered as per their agreements.	**90% of deliverables in the agreements with Central Government are progressing as scheduled**				100% of deliverables are progressing as scheduled, as of end of March.
Report the results of environmental monitoring for regional indigenous biodiversity ecosystems.	**Annual report on monitoring programme completed and reported to Council on 30 June 2026.**				On track, reporting will be completed later in the financial year.
Actions within the Biosecurity Operational Plan (BOP) are identified and progressed.	**80% of non-priority pest management actions are achieved.**				This is currently on track. The non-priority pest work plan is progressing as scheduled.
Air		**Q1**	**Q2**	**Q3**	**COMMENT**
Implement a regional air monitoring programme.	**Annual report on monitoring programme on previous calendar year completed and reported to Council.**				on track for reporting in 2026
Complete review of the Regional Plan Air.	**Complete a public engagement campaign and pre-notification consultation on draft Regional Plan - Air.**				In July, Central government announced their intention to halt the notification of new plan or regional policy statement reviews, changes or variations until the end of 2027. The Plan Stop commenced on 21 August 2025. As air quality work is not included in exemptions, work on the Air Plan has now stopped.

On Track	At Risk	Off Track	Reporting Overdue	Not Yet Measured

CLIMATE CHANGE AND RESILIENCE					
Natural Hazards & Climate Change Adaptation		**Q1**	**Q2**	**Q3**	**COMMENT**
Natural hazards information is available via the web-based Otago Natural Hazards Database	**Database is accessible and up-to-date 100% of the time**				Database was accessible and up to date 100% of the time during the reporting period
Percentage of flood warnings that are issued in accordance with the flood warning manual	**100%**				24-hour flood management and response system operated during the reporting period. No issue expected.
Deliver a natural hazards management and adaptation work programme based on a new prioritisation process.	**Natural hazards prioritisation process as presented to the Safety and Resilience Committee in November 2024 is completed by June 2026.**				No issue expected.
Implement prioritised natural hazard risks adaptation works.	**Actions developed, implemented and reviewed, as per Head of Lake Whakatipu natural hazard adaptation strategy.**				Implementation planning and delivery underway. No issue expected.
Implement prioritised natural hazard risks adaptation works	**Support the South Dunedin Future Programme - South Dunedin Future natural hazards adaptation plan progresses as per annual work plan**				No issues expected, plan is progressing as per work plan. Plan to present option report to ORC and DCC in May or June.

Implement prioritised natural hazard risks adaptation works.	**Phase 1 and phase 2 of the Clutha Delta natural hazards adaptation programme completed by 30 June 2026.**				No issue expected.
Flood protection & River Management		**Q1**	**Q2**	**Q3**	**COMMENT**
Percentage of scheme renewals programme: Major flood protection and control works are maintained, repaired, and renewed to the key standards defined in relevant planning documents.	**>= 85% of renewal programmes completed**				The delivery programme and key mile stones for 2025/2026 have been developed to align with LTP and AP requirements. At this stage, 8 out of the 9 renewal projects are on track to meet their planned target (89%). One project is delayed due to no response being received from construction tender process.
Percentage of scheme maintenance programme: Major flood protection drainage and control works are maintained, repaired, and renewed to the key standards defined in relevant planning documents.	**>= 85% of planned maintenance programme completed**				It is expected the planned programme will be complete and the target of 85% will be achieved.
Percentage of planned maintenance programme: Channel works are maintained, repaired, and renewed to the key standards defined in relevant planning documents.	**>=85% of planned maintenance programme completed**				At this stage work is tracking as planned. It is expected that the year-end target of 85% programmed works complete will be achieved.
The flood repair programme is made available to affected communities within 4 months of the event.	**100%**				There have been no flood events so far this FY.
Percentage of identified and reported issues that have been investigated and appropriate action determined and communicated to affected landholders within 20 working days.	**98%**	**64 (100%)**	**75 (100%)**	**56 (100%)**	There have been 56 customer queries in so far in quarter three adding to 195 queries year to date. 100% of responses have been completed within the KPI of 20 working days.
Emergency Management		**Q1**	**Q2**	**Q3**	**COMMENT**
Emergency Management Otago staff are available to respond 24/7 to a Civil Defence emergency	**Maintain a duty roster for 24/7 365 coverage for initial responses to Civil Defence emergencies**				Expected to maintain LOSM throughout the year
Provide a regional coordination facility (ECC) capable of coordinating a region-wide emergency.	**An appropriate facility as defined in the CDEM Partnership Agreement is available for immediate activation.**				The Annex building has been established as a full-time hot facility. In alignment with the CDEM Partnership Agreement, the site is equipped with the necessary infrastructure, workspace, and adequately trained personnel to support sustained 24-hour operations when required. The facility is maintained in a state of readiness, allowing for immediate activation without the need for setup or lead-in time.
Support is provided to Emergency Management Otago to fulfil Otago CDEM Group requirements as defined in the CDEM Act and CDEM.	**Fulfil all requirements as the administering authority and the Otago CDEM Partnership Agreement**				All admin matters are being delivered as per partnership agreement. Expected to meet LOSM
Provide a regional coordination facility (ECC) capable of coordinating a region-wide emergency.	**Adequate staff (as defined in the Group Training and Capability Strategy) are trained and capable to coordinate a region wide response**				An external provider has been engaged intermittently over the first half of 2026 to support function leadership capability development, with staff required to prioritise attendance. However, given levels of capability for function leaders are not expected to improve until mid-year, it is unlikely the end-of-year target will be achieved.

On Track	At Risk	Off Track	Reporting Overdue	Not Yet Measured

TRANSPORT					
Transport		**Q1**	**Q2**	**Q3**	**COMMENT**

The Regional Land Transport Plan (RLTP) is reviewed and submitted in line with the Land Transport Management Act 2003 and any guidance issued by the New Zealand Transport Agency.	**RLTP implementation progress reported annually to Regional Transport Committee.**				The review of the RLTP is anticipated to be on track by the end of the year.
Percentage of Whakatipu scheduled services delivered.	**95%**	**99%**	**98%**	**98%**	Year to date, Whakatipu scheduled services achieved an average delivery performance of 99%. Overall, results reflect a high level of service reliability and sustained operational performance across the period. Year end target is expected to be achieved.
Percentage of Dunedin scheduled services delivered.	**95%**	**100%**	**100%**	**99%**	Year to date, Dunedin scheduled services have performed strongly, with an average delivery rate of 100%. Monthly results remained consistently high indicating reliable and stable service delivery throughout the period. Year end target is expected to be achieved.
Percentage of Whakatipu operated services departing terminus on time.	**90%**	**91%**	**91%**	**90%**	Year to date, Whakatipu operated services departing the Terminus on time have averaged 91%. Performance fluctuated across the period, with stronger results recorded in early spring and a decline toward the end of the year. The target is anticipated to be achieved.
Percentage of Dunedin operated services departing Terminus on time.	**90%**	85%	85%	84%	Year to date, on-time departures from the Terminus have averaged 84%, below the 90% target, and performance is not forecast to reach target by Q4. Achieving the target is considered possible with effective timetable adjustments; however, ongoing traffic congestion and roadworks/diversions continue to impact service reliability. Staff will continue to monitor the effectiveness of revised timetables and overall performance trends.
Overall passenger satisfaction with Dunedin Public Transport system at annual survey.	**Maintain or increase 3 yr rolling average >=90%**				Survey is completed in Q4. An update will be provided on the end of the financial year reporting.
Overall passenger satisfaction with Whakatipu Public Transport system at annual survey.	**Maintain or increase 3yr rolling average >=90%**				Survey is completed in Q4. An update will be provided on the end of the financial year reporting.
Annual public transport boardings in Queenstown	**Increase**				Survey is completed in Q4. An update will be provided on the end of the financial year reporting.
Annual public transport boardings in Dunedin	**Increase**				Survey is completed in Q4. An update will be provided on the end of the financial year reporting.
Percentage of users who are satisfied with the overall service of the Total Mobility scheme.	**Maintain or increase 3 yr rolling average >=90%**				Survey is completed in Q4. An update will be provided on the end of the financial year reporting.

On Track | At Risk | Off Track | Reporting Overdue | Not Yet Measured

10.7. Quarter 3 Financial Report (January-March)

Prepared for: Council

Report No. FIN2608

Activity: Finance

Author: Sean Geary (Manager Financial Planning and Analysis)

Endorsed by: Nick Donnelly (General Manager Finance)

Date: 27 May 2026

Portfolio Leads: Cr Malcolm and Cr Gardner, Finance

PURPOSE

[1] To present Council's Financial Reports for the 9-month period to 31 March 2026 being Quarter 3 of the 2025-26 financial year.

EXECUTIVE SUMMARY

[2] The actual operating surplus for the 9 months ending 31 March 2026 is $9,469,000. This is $6,959,000 ahead of budget of $2,510,000.

[3] Actual operating revenue is $103,704,000 which $1,394,000 (1%) ahead of budget of $102,310,000. This includes higher interest from on lending to Port Otago of $701,000 which is offset by higher interest costs in operating expenditure.

[4] Actual operating expenditure is $95,223,000 which is $5,828,000 (5.8%) under budget of $101,051,000. Other expenses are $7,258,000 under budget offset by finance costs $931,000 over budget (includes Port Otago on-lending cost noted above).

[5] Other expenses include underspends in Policy & Planning activities, Biosecurity and Public Transport due to the timing of CPI bus contract adjustments which increase as the year progresses.

[6] Actual other gains and losses are $988,000 which is $262,000 below budget of $1,250,000. This includes an $829,000 gain on the value of the long-term managed fund which is $294,000 below year to date budget.

[7] The forecast operating surplus for the full year to 30 June 2026 is $7,252,000 which is $6,521,000 ahead of budget of $730,000. This includes additional unbudgeted expenditure and grant revenue for flood scheme projects being partially funded by Tranche 2 of the Resilience Infrastructure Fund (RIF) and the accelerated timing of LiDAR in Natural Hazards. Policy & Planning expenditure which is under budget year to date is forecast to maintain that trend and remain underspent with the full year underspend forecast at $3,533,000 across the 3 planning activities. The forecast also assumes the $2,000,000 Large Scale Fund will not be spent.

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[8] The Statement of Financial Position shows as at 31 March 2026 Council has Total Equity of $934,909,000 which is an increase of $9,469,000 over the year to date.

- Current Assets include cash of $28,841,000 and the managed fund balance of $32,424,000.
- Borrowing is $175,342,000 which includes Council core debt of $25,000,000, and on lending to Port Otago of $150,000,000. Further details on Council's debt, cash and investments is provided in the Treasury Report.

RECOMMENDATION

That the Council:

1) ***Notes*** *this report and the attached Financial Reports for March 2026 (Quarter 3 of the 2025-26 financial year).*

BACKGROUND

[9] This report includes the following attached reports:

- SCRE and Activity Reports
  - Statement of Comprehensive Revenue and Expense (SCRE) reports showing operating surplus/deficit for the year to date and forecast for the full financial year to 30 June 2026.
  - Results are compared to the budget included in the Annual Plan 2025-26.
  - Includes results for Council as whole, a summary by Activity and results for each Group of Activities (including additional analysis by Significant Activity).
  - Capital expenditure.
- Statement of Financial Position
  - Balance sheet as at quarter end compared to previous year end (30 June 2025) and budget for the financial year-end (30 June 2026).
- Reserves Report
  - Summary of Council's reserves including movements in each reserve.
- Treasury Report
  - Further detail and analysis of cash, investments (managed fund) and borrowings.

DISCUSSION

Operating Surplus Variance – Actual Year to Date

[10] The actual operating surplus for the 9 months ending 31 March 2026 is $9,469,000. This is $6,959,000 ahead of budget of $2,510,000. Analysis of key activity variances are provided in the Table 1 below.

Activity Group	Activity	Surplus/(Deficit) Variance $'000	Comment
Regional Leadership	RPS, Strategy, Urban Dev & Response to Issues	903	Planning Work on Hold
Regional Leadership	Executive Management	(534)	Rescue Helicopter
Environment	Regional Plan: Air	485	Planning Work on Hold
Environment	Biosecurity	823	Timing of Contracts and In House Resourcing
Environment	Land & Water Planning	1,492	Planning Work on Hold
Safety and Resilience	River Management - Wakatipu/Wanaka	458	Timing of Contracts
Safety and Resilience	Natural Hazards	473	Timing of Contracts
Transport	Public Transport - Wakatipu	329	Timing of Infrastructure spend & additional fares
Transport	Public Transport - Dunedin	1,239	Contract savings & timing of Infrastruture spend
Corporate	ORC Property - Operational	547	Head Office rent timing
	Total	**6,215**	

Table 1: Year to date surplus / deficit variance by activity

Operating Surplus Variance – Forecast

[11] The forecast operating surplus for the full year to 30 June 2026 is $7,252,000 which is $6,521,000 ahead of budget of $730,000. Analysis of key activity variances are provided in the Table 2 below.

Activity Group	Activity	Surplus/(Deficit) Variance $'000	Comment
Regional Leadership	RPS, Strategy, Urban Dev & Response to Issues	960	Planning work on hold
Regional Leadership	Executive Management	(534)	Rescue Helicopter
Environment	Biodiversity Implementation	2,130	Large Scale Environment Fund
Environment	Biosecurity	428	Timing of Contracts & in house resourcing
Environment	Land & Water Planning	1,932	Planning work on hold
Environment	Regional Plan: Air	641	Planning work on hold
Safety and Resilience	Lwr Clutha Flood Protection & Drainage	1,363	Additional Grant funding
Safety and Resilience	River Management - Wakatipu/Wanaka	574	Timing of contracts
Transport	Public Transport - Dunedin	483	Contract Savings
Transport	Public Transport - Wakatipu	889	Additional Fares
Corporate	ORC Property - Operational	(2,814)	Timing of gain on sale
	Total	**6,052**	

Table 2: Forecast surplus / deficit variance by activity

[12] The key changes in year-end forecast from the actual year to date variances are:

a. Planning (3 activities) - actual year to date underspend is forecast to increase over the remainder of the year by $650,000.
b. Flood and drainage schemes – year end forecast assumes increased flood repair and RIF funding to be received. Net movement $1,700,000.
c. Large scale fund will not be spent of $2,000,000.
d. The above 3 items will be offset by the gain on sale of property not expected to occur by year end of $3,200,000.

[13] The forecast surplus movements from Quarter 2 to Quarter 3 increased by $2,000,000. key changes include:

a. Planning (3 activities) underspend has increased $400,000.
b. Quarter 2 forecast assumed Large Scale Fund of $2,000,000 would be spent by year end, Q3 assumes this won't occur.
c. Quarter 3 forecast has Lower Taieri Flood and Drainage expenditure transfers from Opex to Capex $2,000,000.
d. Increased fare revenue and decreased contract cost in Wakatipu PT $800,000.
e. Offset by gain on of property sale not expected to occur by year end $3,200,000.

Surplus Funding Impact

[14] The funding impact of the forecast operating surplus/(deficit) variance is shown in Table 3 below.

Council Forecast Q3 for year ending Jun 26	Surplus/(Deficit) $'000 Forecast	Budget	Variance	General Reserve	Targeted Reserve
Consents & Compliance	28	0	28	69	(41)
Governance & Community	(42)	(350)	308	308	
Regional Plans & Policies	833	(128)	960	960	
Regional Leadership	**819**	**(478)**	**1,297**	**1,338**	**(41)**
Air	741	(0)	741	741	
Biodiversity	546	(2,044)	2,590	2,590	
Water	1,156	(715)	1,872	1,872	
Environment	**2,444**	**(2,759)**	**5,204**	**5,204**	**0**
Emergency Management	32	0	32	0	32
Flood Protection	789	(1,157)	1,946	(0)	1,946
Natural Hazards	396	(148)	544	544	
Safety and Resilience	**1,217**	**(1,305)**	**2,522**	**544**	**1,978**
Public Transport - Dunedin	2,073	1,590	483	0	483
Public Transport - Other	(186)	(0)	(186)	0	(186)
Public Transport - Wakatipu	771	(118)	889	0	889
Regional Land Transport Planning	(97)	0	(97)	(97)	
Stock Truck Effluent Disposal	(1)	0	(1)	(1)	
Transport	**2,561**	**1,472**	**1,089**	**(97)**	**1,186**
Corporate	**210**	**3,801**	**(3,591)**	**(3,591)**	
Total Council	**7,252**	**730**	**6,521**	**3,398**	**3,123**

Table 3: Forecast Operating Surplus / (Deficit) funding allocation by activity

[15] The budget included Actual 2024-25 surpluses that were carried forward to the Annual Plan 2025-26. That included $700,000 for the Land & Water Regional Plan (General Reserve) and $550,000 for PT Whakatipu (Targeted Reserve). The Annual Plan 2025-26 also assumed the Large Scale Environment Fund $2,000,000 (in Biodiversity) would be reserve funded.

[16] Use of the forecast surpluses identified above in Regional Plans & Policies, Air, and Water have been considered for carry forward as part of the Annual Plan 2026-27 development process. The total of those forecast surplus variances is $3,400,000 and $1,400,000 has been carried forward in the Annual Plan 2026-27. The remainder is retained in the General Reserve for consideration in the LTP 2027-37.

Capital Expenditure

[17] Actual year to date capital expenditure is $7,296,000 which is $8,951,000 under budget of $16,247,000. The underspend includes:

- Lower Taieri Flood under $1,976,000 – timing of contour channel and RIF funded projects.
- Whare Rūnaka under $4,179,000 – timing of remainder of contribution to Port Otago ($4,330,000 to be paid by 30-June).
- Operational Property under $1,571,000 – timing of Whare Rūnaka furniture and fittings and IT costs.

[18] Forecast capital expenditure for the year to 30 June 2026 is $16,016,000 which is $4,542,000 under budget of $20,558,000. The underspend includes:

- Lower Taieri Flood & Drainage under $2,308,000 – timing of contour channel and RIF funded projects.
- West Taieri Drainage under $1,580,000 – timing of Contour Channel bridge 8 (moved to 2026-27).

Statement of Financial Position

[19] Key items to note in the Statement of Financial Position are:

- Total equity as at 31 March 2026 is $934,909,000 which is an increase of $9,469,000 over the year to date.
- Cash on hand is $28,841,000.
- The managed fund balance is $31,424,000.
- Borrowing is $175,432,000 which includes Council core debt of 25,000,000, and on lending to Port Otago of $150,000,000 (the remainder is accrued interest on ORC debt).

Reserves Report

[20] The Reserves Report provides a summary of Council's reserves as at 31 March 2026 and the movements in each reserve over the year to date.

[21] Key items to note in the Reserves Report are:

- Historic transport reserves are shown separately from any operational surpluses / deficits (this was effective from the start of the LTP 2024-34 period beginning on 1 July 2024).

Treasury Report

[22] Key items to note in the Treasury Report are:

- Cash and term deposits have increased $10,454,000 over the year to date.
- The Managed Fund balance has increased of $1,532,000 over the year to date (this is $34,000 ahead of year-to-date budget).
- Total debt has increased $185,000 over the year to date. This relates to on-lending to Port Otago.
- Council's cost of debt including swaps is 4.53%.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[23] This reports presents Councils actual year to date financial performance and forecast year-end financial performance compared to the financial estimates adopted in the Annual Plan 2025-26.

Financial Considerations

[24] There are no external costs associated with the production of this report. Staff time associated with this report is budgeted in the Financial Planning and Analysis (general rate funded) and Finance (overhead funded) activities included in the Annual Plan 2025-26.

Significance and Engagement

[25] No considerations.

Legislative and Risk Considerations

[26] No considerations.

Climate Change Considerations

[27] No considerations.

Communications Considerations

[28] No considerations.

NEXT STEPS

[29] The Financial Reports for June 2026 (Quarter 4 of the 2025-26 financial year) will be presented to Council in August 2026. These reports will be the preliminary unaudited financial results for the 2025-26 financial year. The Annual Report including final audited financial statements will be presented to the Audit and Risk Committee in September 2026 and to Council for adoption in October 2026.

ATTACHMENTS

1. SCRE and Activity Reports Mar-2026 [**10.7.1** - 8 pages]
2. Statement of Financial Position Mar-2026 [**10.7.2** - 1 page]
3. Reserves Summary Mar-2026 [**10.7.3** - 1 page]
4. Treasury Report Mar-2026 [**10.7.4** - 1 page]

Statement of Comprehensive Revenue Expenditure	Year to Date			Full Year Forecast		
Whole of Council	Actual	Budget	Variance	Forecast	Budget	Variance
For the period ending: March 2026						
Revenue						
Rates	51,311	51,351	(40)	68,427	68,467	(40)
Grants and subsidies	17,330	18,751	(1,420)	26,519	25,162	1,357
Dividends	15,475	15,000	475	20,475	20,000	475
Investment revenue	4,662	4,568	94	6,184	6,090	94
Other revenue	14,927	12,641	2,286	19,666	16,687	2,979
Total revenue	**103,704**	**102,310**	**1,394**	**141,271**	**136,406**	**4,865**
Expenditure						
Employee benefit expenses	32,166	31,789	(377)	42,905	42,388	(517)
Depreciation and amortisation	2,454	2,332	(122)	3,199	3,075	(124)
Finance costs	5,029	4,098	(931)	6,395	5,464	(931)
Other expenses	55,574	62,832	7,258	82,932	89,708	6,775
Internal Charges/Recoveries	(1)	(1)		(7)		7
Total operating expenditure	**95,223**	**101,051**	**5,828**	**135,424**	**140,634**	**5,210**
Other Gains/Losses	988	1,250	(262)	1,405	4,958	(3,553)
Surplus/(Deficit)	**9,469**	**2,510**	**6,959**	**7,252**	**730**	**6,521**
Fair value gain/loss on shares in subsidiary						
Fair value gain/loss on shares in subsidiary	-	-	-	29,649	29,649	-
Other Comprehensive Revenue and Expenses	**-**	**-**	**-**	**29,649**	**29,649**	**-**
Total other Comprehensive Revenue and Expenses	9,469	2,510	6,959	36,901	30,379	6,521
Operating Surplus/(Deficit) - as per SCRE above	9,469	2,510	6,959	7,252	730	6,521
Less:						
Transport Rates Deficit - Dunedin	1,358	1,358	-	1,810	1,810	-
Transport Rates Deficit - Wakatipu	347	347	-	463	463	-
Underlying Comprehensive Revenue and Expenses	7,764	805	6,959	4,979	(1,543)	6,521

COUNCIL - YEAR TO DATE	Revenue			Expenditure			Surplus / (Deficit)		
For the period ending: March 2026	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance
Consents & Compliance	11,517	10,630	887	11,369	10,630	(739)	148	1	147
Governance & Community	11,528	11,376	152	11,609	11,545	(64)	(81)	(169)	88
Regional Plans & Policies	1,888	1,884	4	1,081	1,980	899	807	(96)	903
REGIONAL LEADERSHIP	**24,933**	**23,890**	**1,043**	**24,059**	**24,155**	**96**	**874**	**(265)**	**1,139**
Air	1,330	1,327	3	657	1,320	663	672	7	666
Biodiversity	6,883	7,224	(342)	4,535	6,084	1,549	2,348	1,140	1,208
Water	14,495	14,676	(182)	12,660	14,343	1,683	1,835	333	1,501
ENVIRONMENT	**22,707**	**23,228**	**(520)**	**17,852**	**21,747**	**3,895**	**4,855**	**1,480**	**3,375**
Emergency Management	3,023	3,000	23	2,887	3,004	117	136	(4)	140
Flood Protection	6,873	8,274	(1,401)	7,083	8,764	1,680	(210)	(489)	279
Natural Hazards	3,222	2,467	755	2,686	2,620	(65)	537	(153)	690
SAFETY AND RESILIENCE	**13,118**	**13,742**	**(623)**	**12,656**	**14,388**	**1,732**	**462**	**(646)**	**1,108**
Public Transport - Dunedin	23,229	23,265	(36)	20,817	22,092	1,275	2,412	1,173	1,239
Public Transport - Other	2,491	1,833	658	2,533	1,833	(700)	(41)		(41)
Public Transport - Wakatipu	10,483	10,310	173	10,228	10,384	156	255	(74)	329
Regional Land Transport Planning	521	521	()	614	521	(93)	(93)		(93)
Stock Truck Effluent Disposal	97	129	(32)	78	129	51	19		19
TRANSPORT	**36,821**	**36,058**	**763**	**34,270**	**34,958**	**689**	**2,551**	**1,100**	**1,452**
Internal	(89)	1,350	(1,439)	1,515	1,697	183	(1,604)	(347)	(1,256)
Overheads	6,213	4,043	2,170	4,871	4,105	(766)	1,342	(62)	1,404
CORPORATE	**6,124**	**5,393**	**731**	**6,386**	**5,802**	**(583)**	**(262)**	**(410)**	**148**
TOTAL COUNCIL (REVENUE & EXPENDITURE)	**103,704**	**102,310**	**1,394**	**95,223**	**101,051**	**5,828**	**8,481**	**1,259**	**7,222**
Other Gains/Losses	988	1,250	(262)			-	988	1,250	(262)
TOTAL COUNCIL	**104,692**	**103,560**	**1,131**	**95,223**	**101,051**	**5,828**	**9,469**	**2,510**	**6,959**

COUNCIL - FORECAST	Revenue			Expenditure			Surplus / (Deficit)		
For the year ending: June 2026	Actual	Budget	Variance	Actual	Budget	Variance	Actual	Budget	Variance
Consents & Compliance	15,275	14,173	1,102	15,266	14,173	(1,093)	9		9
Governance & Community	15,349	15,167	182	15,391	15,518	126	(42)	(350)	308
Regional Plans & Policies	2,516	2,512	4	1,684	2,640	956	833	(128)	960
REGIONAL LEADERSHIP	**33,141**	**31,853**	**1,288**	**32,341**	**32,331**	**(10)**	**800**	**(478)**	**1,278**
Air	1,772	1,769	3	1,031	1,769	738	741	()	741
Biodiversity	9,767	9,794	(27)	9,220	11,838	2,617	546	(2,044)	2,590
Water	19,245	19,568	(323)	18,089	20,284	2,195	1,156	(715)	1,872
ENVIRONMENT	**30,785**	**31,131**	**(347)**	**28,340**	**33,891**	**5,550**	**2,444**	**(2,759)**	**5,204**
Emergency Management	4,023	4,000	23	3,990	4,000	10	32		32
Flood Protection	11,382	11,032	350	10,593	12,189	1,596	789	(1,157)	1,946
Natural Hazards	4,559	3,290	1,269	4,163	3,438	(725)	396	(148)	544
SAFETY AND RESILIENCE	**19,963**	**18,322**	**1,641**	**18,746**	**19,627**	**881**	**1,217**	**(1,305)**	**2,522**
Public Transport - Dunedin	30,997	31,020	(22)	28,924	29,430	506	2,073	1,590	483
Public Transport - Other	3,315	2,444	871	3,501	2,444	(1,057)	(186)	()	(186)
Public Transport - Wakatipu	14,520	13,779	742	13,749	13,897	148	771	(118)	889
Regional Land Transport Planning	672	694	(23)	769	694	(75)	(97)		(97)
Stock Truck Effluent Disposal	155	172	(16)	156	172	16	(1)		(1)
TRANSPORT	**49,660**	**48,109**	**1,551**	**47,099**	**46,637**	**(462)**	**2,561**	**1,472**	**1,089**
Homebase	-	-	-	-	-	-	-	-	-
Internal	161	1,601	(1,440)	2,652	2,675	22	(2,492)	(1,074)	(1,418)
Overheads	7,561	5,390	2,170	6,245	5,474	(771)	1,316	(83)	1,400
CORPORATE	**7,722**	**6,991**	**731**	**8,897**	**8,148**	**(749)**	**(1,176)**	**(1,157)**	**(18)**
TOTAL COUNCIL (REVENUE & EXPENDITURE)	**141,271**	**136,406**	**4,865**	**135,424**	**140,634**	**5,210**	**5,847**	**(4,228)**	**10,075**
Other Gains/Losses	1,405	4,958	(3,553)			-	1,405	4,958	(3,553)
TOTAL COUNCIL	**142,675**	**141,364**	**1,311**	**135,424**	**140,634**	**5,210**	**7,252**	**730**	**6,521**

REVENUE & EXPENSES	Year to Date			Full Year Forecast		
Regional Leadership	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue						
Grants and subsidies	117	57	60	162	77	85
Investment revenue	-	-	-	-	-	-
Other revenue	4,427	3,489	937	5,810	4,653	1,157
Rates	20,389	20,343	46	27,170	27,124	46
Total revenue	**24,933**	**23,890**	**1,043**	**33,141**	**31,853**	**1,288**
Expenditure						
Depreciation and amortisation	120	102	(19)	156	136	(21)
Employee benefit expenses	13,154	13,189	35	17,569	17,586	17
Finance costs	-	-	-	-	-	-
Internal Charges/Recoveries	5,925	5,794	(130)	7,857	7,726	(130)
Other expenses	4,860	5,070	210	6,759	6,883	124
Total operating expenditure	**24,059**	**24,155**	**96**	**32,341**	**32,331**	**(10)**
Surplus/(Deficit)	874	(265)	1,139	800	(478)	1,278

Significant Activities	Year to Date			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
CONSENTS & COMPLIANCE						
COMPLIANCE MONITORING & CONTAMINATED SITES						
Revenue	4,925	4,692	234	6,520	6,256	265
Expenditure	4,873	4,692	(181)	6,402	6,256	(146)
CONSENT PROCESSING						
Revenue	4,324	3,466	858	5,717	4,621	1,096
Expenditure	4,023	3,466	(558)	5,491	4,621	(869)
HARBOUR MANAGEMENT						
Revenue	699	751	(52)	945	1,002	(57)
Expenditure	733	751	18	1,005	1,002	(3)
INCIDENT RESPONSE & ENFORCEMENT						
Revenue	1,568	1,721	(153)	2,093	2,295	(202)
Expenditure	1,740	1,721	(19)	2,369	2,295	(74)
Surplus/(Deficit)	148	1	147	9		9
GOVERNANCE & COMMUNITY						
CHIEF ADVISOR TO CE AND CHAIR						
Revenue	313	312	1	417	416	1
Expenditure	320	309	(11)	427	416	(11)
COMMUNICATIONS AND MARKETING						
Revenue	1,747	1,743	4	2,329	2,325	4
Expenditure	1,571	1,725	153	2,201	2,325	124
CUSTOMER AND GOVERNANCE						
Revenue	2,512	2,506	6	3,348	3,342	6
Expenditure	2,688	2,871	183	3,513	3,692	179
EXECUTIVE MANAGEMENT						
Revenue	2,560	2,554	6	3,411	3,405	6
Expenditure	3,093	2,553	(540)	3,945	3,405	(540)
GOVERNANCE & FINANCIAL CONTRIBUTIONS						
Revenue	155	155		207	207	
Expenditure	140	155	15	186	207	20
LEGAL COUNSEL						
Revenue	933	931	2	1,243	1,241	2
Expenditure	819	931	111	1,097	1,241	144
MANAGEMENT ACCOUNTANT						
Revenue	582	580	1	775	774	1
Expenditure	578	580	2	772	774	2
ORGANISATIONAL PLANNING AND PERFORMANCE						
Revenue	872	870	2	1,162	1,160	2
Expenditure	617	823	207	880	1,160	280
PARTNERSHIPS AND ENGAGEMENT						
Revenue	818	691	127	1,078	921	157
Expenditure	872	619	(252)	1,081	921	(160)
STRATEGY						
Revenue	1,035	1,033	2	1,380	1,377	2
Expenditure	910	978	68	1,290	1,377	88
Surplus/(Deficit)	(81)	(169)	88	(42)	(350)	308
REGIONAL PLANS & POLICIES						
RPS, STRATEGY, URBAN DEV & RESPONSE TO ISSUES						
Revenue	1,888	1,884	4	2,516	2,512	4
Expenditure	1,081	1,980	899	1,684	2,640	956
Surplus/(Deficit)	807	(96)	903	833	(128)	960

REVENUE & EXPENSES	Year to Date			Full Year Forecast		
Environment	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue						
Grants and subsidies	1,368	2,001	(633)	2,370	2,830	(459)
Other revenue	83	-	83	83	-	83
Rates	21,256	21,226	30	28,332	28,301	30
Total revenue	**22,707**	**23,228**	**(520)**	**30,785**	**31,131**	**(347)**
Expenditure						
Depreciation and amortisation	364	331	(33)	474	441	(33)
Employee benefit expenses	8,103	7,928	(175)	10,671	10,571	(100)
Internal Charges/Recoveries	4,268	4,218	(50)	5,674	5,624	(50)
Other expenses	5,117	9,270	4,153	11,521	17,254	5,733
Total operating expenditure	**17,852**	**21,747**	**3,895**	**28,340**	**33,891**	**5,550**
Surplus/(Deficit)	4,855	1,480	3,375	2,444	(2,759)	5,204

Significant Activities	Year to Date			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
AIR						
AIR MONITORING						
Revenue	678	676	2	903	902	2
Expenditure	491	670	179	803	902	99
REGIONAL PLAN: AIR						
Revenue	652	650	2	869	867	2
Expenditure	167	650	484	228	867	639
Surplus/(Deficit)	672	7	666	741	()	741
BIODIVERSITY						
BIODIVERSITY IMPLEMENTATION						
Revenue	1,183	1,181	3	1,577	1,574	3
Expenditure	261	590	329	1,491	3,618	2,127
BIODIVERSITY SCIENCE & MONITORING						
Revenue	998	995	2	1,329	1,327	2
Expenditure	836	887	51	1,297	1,327	30
BIOSECURITY						
Revenue	4,702	5,048	(346)	6,861	6,892	(32)
Expenditure	3,438	4,607	1,169	6,433	6,892	459
Surplus/(Deficit)	2,348	1,140	1,208	546	(2,044)	2,590
WATER						
ENVIRONMENTAL MANAGEMENT						
Revenue	1,142	1,141	1	1,522	1,521	1
Expenditure	1,415	1,152	(264)	1,900	1,521	(378)
LAND & WATER IMPLEMENTATION						
Revenue	2,218	2,550	(331)	2,927	3,399	(472)
Expenditure	2,071	2,514	443	2,797	3,399	602
LAND & WATER PLANNING						
Revenue	1,956	1,951	5	2,606	2,602	5
Expenditure	1,000	2,488	1,488	1,390	3,317	1,927
LAND & WATER SCIENCE AND MONITORING						
Revenue	9,179	9,035	144	12,190	12,046	144
Expenditure	8,173	8,189	16	12,003	12,046	43
Surplus/(Deficit)	1,835	333	1,501	1,156	(715)	1,872

REVENUE & EXPENSES	Year to Date			Full Year Forecast		
Safety and Resilience	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue						
Grants and subsidies	734	1,314	(581)	3,387	1,753	1,634
Other revenue	421	445	(23)	620	593	27
Rates	11,963	11,983	(19)	15,957	15,976	(19)
Total revenue	**13,118**	**13,742**	**(623)**	**19,963**	**18,322**	**1,641**
Expenditure						
Depreciation and amortisation	664	715	51	902	953	51
Employee benefit expenses	4,716	4,888	173	6,345	6,518	173
Internal Charges/Recoveries	2,303	2,430	127	3,114	3,240	127
Other expenses	4,974	6,355	1,381	8,385	8,916	531
Total operating expenditure	**12,656**	**14,388**	**1,732**	**18,746**	**19,627**	**881**
Surplus/(Deficit)	462	(646)	1,108	1,217	(1,305)	2,522

Significant Activities	Year to Date			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
EMERGENCY MANAGEMENT						
EMERGENCY MANAGEMENT						
Revenue	3,023	3,000	23	4,023	4,000	23
Expenditure	2,887	3,004	117	3,990	4,000	10
Surplus/(Deficit)	136	(4)	140	32		32
FLOOD PROTECTION						
ALEXANDRA FLOOD PROTECTION						
Revenue	247	247		379	329	50
Expenditure	181	234	52	292	329	37
EAST TAIERI DRAINAGE						
Revenue	572	572		763	762	
Expenditure	697	754	57	983	1,023	40
LEITH FLOOD PROTECTION SCHEME						
Revenue	1,138	1,178	(40)	1,530	1,570	(40)
Expenditure	429	616	187	607	836	229
LWR CLUTHA FLOOD PROTECTION & DRAINAGE						
Revenue	1,138	1,115	23	2,690	1,487	1,203
Expenditure	1,523	1,579	56	2,023	2,183	160
LWR TAIERI FLOOD PROTECTION SCHEME						
Revenue	1,207	2,293	(1,086)	2,492	3,058	(565)
Expenditure	882	1,338	456	1,487	1,878	391
NON SCHEME MANAGEMENT						
Revenue	58	57		77	77	
Expenditure	5	50	45	31	77	45
RIVER MANAGEMENT - CENTRAL						
Revenue	307	306	1	409	409	1
Expenditure	350	456	106	525	626	101
RIVER MANAGEMENT - CLUTHA						
Revenue	364	364		486	485	
Expenditure	594	637	43	848	890	43
RIVER MANAGEMENT - DUNEDIN						
Revenue	199	199	()	265	266	()
Expenditure	552	496	(57)	754	713	(41)
RIVER MANAGEMENT - WAITAKI						
Revenue	495	495	1	660	659	1
Expenditure	460	652	193	889	876	(13)
RIVER MANAGEMENT - WAKATIPU/WANAKA						
Revenue	426	425	1	567	567	1
Expenditure	399	856	457	644	1,217	573
RIVER MANAGEMENT OVERSIGHT						
Expenditure		()	()	10	-	(10)
SCHEME OVERSIGHT						
Revenue	26	103	(77)	60	137	(77)
Expenditure	124	102	(23)	160	137	(23)
TOKOMARIRO DRAINAGE						
Revenue	144	144		192	192	
Expenditure	171	202	31	294	320	26
WEST TAIERI DRAINAGE						
Revenue	553	776	(223)	812	1,035	(223)
Expenditure	716	792	75	1,047	1,085	38
Surplus/(Deficit)	(210)	(489)	279	789	(1,157)	1,946
NATURAL HAZARDS						
FLOOD & LOW FLOW RISK MANAGEMENT						
Revenue	452	451	1	602	601	1
Expenditure	232	448	216	443	601	158
NATURAL HAZARDS						
Revenue	2,771	2,016	754	3,957	2,689	1,268
Expenditure	2,454	2,172	(282)	3,720	2,837	(883)
Surplus/(Deficit)	537	(153)	690	396	(148)	544

REVENUE & EXPENSES	Year to Date			Full Year Forecast		
Transport	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue						
Grants and subsidies	15,111	15,377	(267)	20,601	20,503	97
Other revenue	7,752	6,734	1,019	10,453	9,010	1,442
Rates	13,958	13,947	11	18,607	18,596	11
Total revenue	**36,821**	**36,058**	**763**	**49,660**	**48,109**	**1,551**
Expenditure						
Depreciation and amortisation	275	228	(47)	317	269	(47)
Employee benefit expenses	1,148	1,244	96	1,690	1,659	(31)
Internal Charges/Recoveries	652	644	(8)	867	859	(8)
Other expenses	32,194	32,842	648	44,225	43,850	(375)
Total operating expenditure	**34,270**	**34,958**	**689**	**47,099**	**46,637**	**(462)**
Surplus/(Deficit)	2,551	1,100	1,452	2,561	1,472	1,089

Significant Activities	Year to Date			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
PUBLIC TRANSPORT - DUNEDIN						
Revenue	23,229	23,265	(36)	30,997	31,020	(22)
Expenditure	20,817	22,092	1,275	28,924	29,430	506
PUBLIC TRANSPORT - OTHER						
Revenue	2,491	1,833	658	3,315	2,444	871
Expenditure	2,533	1,833	(700)	3,501	2,444	(1,057)
PUBLIC TRANSPORT - WAKATIPU						
Revenue	10,483	10,310	173	14,520	13,779	742
Expenditure	10,228	10,384	156	13,749	13,897	148
REGIONAL LAND TRANSPORT PLANNING						
Revenue	521	521	()	672	694	(23)
Expenditure	614	521	(93)	769	694	(75)
STOCK TRUCK EFFLUENT DISPOSAL						
Revenue	97	129	(32)	155	172	(16)
Expenditure	78	129	51	156	172	16
Surplus/(Deficit)	2,551	1,100	1,452	2,561	1,472	1,089

REVENUE & EXPENSES	Year to Date			Full Year Forecast		
Corporate	Actual	Budget	Variance	Forecast	Budget	Variance
Revenue						
Dividends	15,475	15,000	475	20,475	20,000	475
Grants and subsidies	-	-	-	-	-	-
Investment revenue	4,662	4,568	94	6,184	6,090	94
Other revenue	2,244	1,973	271	2,701	2,431	270
Rates	(16,256)	(16,148)	(108)	(21,639)	(21,531)	(108)
Total revenue	**6,124**	**5,393**	**731**	**7,722**	**6,991**	**731**
Expenditure						
Depreciation and amortisation	1,031	957	(74)	1,350	1,276	(74)
Employee benefit expenses	5,046	4,540	(506)	6,629	6,054	(576)
Finance costs	5,029	4,098	(931)	6,395	5,464	(931)
Internal Charges/Recoveries	(13,150)	(13,087)	63	(17,519)	(17,449)	69
Other expenses	8,430	9,295	865	12,042	12,805	763
Total operating expenditure	**6,386**	**5,802**	**(583)**	**8,897**	**8,148**	**(749)**
Surplus/(Deficit)	(262)	(410)	148	(1,176)	(1,157)	(18)

Significant Activities	Year to Date			Full Year Forecast		
	Actual	Budget	Variance	Forecast	Budget	Variance
INTERNAL						
INFORMATION SYSTEMS						
Revenue	94	-	94	94	-	94
Expenditure	1,346	855	(491)	1,717	1,140	(578)
ORC PROPERTY - OPERATIONAL						
Revenue	99	75	24	124	100	24
Expenditure	(832)	(308)	523	(452)		452
RATES COLLECTION						
Revenue	(296)	1,275	(1,571)	(71)	1,501	(1,572)
Expenditure	887	1,125	238	1,262	1,501	238
VEHICLES						
Revenue	14	-	14	14	-	14
Expenditure	113	26	(88)	125	34	(91)
Surplus/(Deficit)	(1,604)	(347)	(1,256)	(2,492)	(1,074)	(1,418)
OVERHEADS						
CORPORATE SUPPORT/RECORDS						
Expenditure	(6)	()	6	(3)		3
FINANCE						
Revenue	1,485	-	1,485	1,485	-	1,485
Expenditure	250	()	(250)	250		(250)
HEALTH & SAFETY						
Revenue	1	-	1	1	-	1
Expenditure	(46)	()	46	(49)		49
HUMAN RESOURCES						
Expenditure	(54)	()	53	(48)		48
KURIWAO LEASES						
Revenue	20	38	(18)	32	50	(18)
Expenditure	2	8	6	5	10	6
TREASURY						
Revenue	4,707	4,005	702	6,043	5,340	702
Expenditure	4,675	4,098	(577)	6,041	5,464	(577)
WHARE RUNAKA						
Expenditure	50	-	(50)	50	-	(50)
Surplus/(Deficit)	1,342	(62)	1,404	1,316	(83)	1,400

Capital Expenditure	Year to Date			Full Year Forecast		
For the period ending: March 2026	Actual	Budget	Variance	Forecast	Budget	Variance
Harbour Management	30	16	(14)	35	21	(14)
Incident Response & Enforcement	4	6	1	6	8	1
Regional Leadership	**34**	**22**	**(12)**	**42**	**29**	**(12)**
Air Monitoring	114	115	1	153	153	1
Biodiversity Science & Monitoring	-	115	115	38	153	115
Land & Water Science and Monitoring	645	406	(238)	780	542	(238)
Environment	**759**	**636**	**(123)**	**971**	**848**	**(123)**
East Taieri Drainage	()	240	240	10	460	450
Leith Flood Protection Scheme	82	69	(13)	115	102	(13)
Lwr Clutha Flood Protection & Drainage	1,102	336	(765)	2,078	613	(1,465)
Lwr Taieri Flood Protection Scheme	1,071	3,047	1,976	1,882	4,190	2,308
River Management - Clutha	-	12	12	10	22	12
River Management - Dunedin	-	195	195	10	598	588
Tokomariro Drainage	-	200	200	52	358	306
West Taieri Drainage	26	956	930	76	1,656	1,580
Safety and Resilience	**2,280**	**5,055**	**2,775**	**4,233**	**7,998**	**3,766**
Public Transport - Dunedin	130	-	(130)	130	-	(130)
Public Transport - Wakatipu	-	-	-	-	-	-
Transport	**130**	**-**	**(130)**	**130**	**-**	**(130)**
Information Systems	339	671	331	563	894	331
ORC Property - Operational	3,023	4,594	1,571	4,641	5,238	597
Vehicles	483	805	322	751	1,073	322
Finance	-	38	38	13	51	38
Whare Runaka	247	4,426	4,179	4,672	4,426	(247)
Corporate	**4,092**	**10,534**	**6,441**	**10,640**	**11,682**	**1,042**
Total Council Capital Expenditure	**7,296**	**16,247**	**8,951**	**16,016**	**20,558**	**4,542**

STATEMENT OF FINANCIAL POSITION

AS AT 31 MARCH 2026 $'000	March 2025 Current Year Actual	2025 Prior Year Actual	Year to Date Variance	2026 Current Year Budget
Assets				
CURRENT ASSETS				
Cash and cash equivalents	28,841	18,387	10,454	2,455
Trade and other receivables	20,186	15,854	4,332	18,180
Property held for sale	0	0	0	0
Related party receivable	150,000	57,102	92,898	0
Other financial assets	31,266	29,737	1,529	29,181
Other Current Assets	2,860	1,281	1,579	1,433
Borrower Notes	125	125	0	0
Total Current Assets	**233,279**	**122,486**	**110,793**	**51,249**
NON-CURRENT ASSETS				
Shares in subsidiary	788,120	788,120	0	780,239
Property, plant and equipment	109,420	104,523	4,897	109,835
Intangible assets	50	157	(107)	2,025
Related party receivable	0	92,832	(92,832)	150,088
Investment Property	17,000	17,000	0	17,134
Borrower Notes	500	500	0	500
Total Non-Current Assets	**915,090**	**1,003,132**	**(88,043)**	**1,059,821**
Total Assets	**1,148,368**	**1,125,618**	**22,750**	**1,111,070**
Liabilities				
CURRENT LIABILITIES				
Trade and other payables	33,801	20,575	13,226	22,594
Employee entitlements	4,317	4,602	(285)	2,716
Borrowings	160,342	67,169	93,172	69,878
Total Current Liabilities	**198,459**	**92,346**	**106,113**	**95,188**
NON-CURRENT LIABILITIES				
Non current borrowings	15,000	107,832	(92,832)	110,438
Total Non-Current Liabilities	**15,000**	**107,832**	**(92,832)**	**110,438**
Total Liabilities	**213,459**	**200,178**	**13,281**	**205,626**
NET ASSETS	**934,909**	**925,440**	**9,469**	**905,444**
Equity				
PUBLIC EQUITY				
Public Equity	126,694	114,124	12,570	120,576
Total Public Equity	**126,694**	**114,124**	**12,570**	**120,576**
RESERVES				
Reserves	808,215	811,316	(3,101)	784,868
Total Reserves	**808,215**	**811,316**	**(3,101)**	**784,868**
TOTAL EQUITY	**934,909**	**925,440**	**9,469**	**905,444**

SUMMARY OF RESERVES

AS AT 31 MARCH 2026 $'000	Opening Balance 1-Jul-2025	Transfers In	Transfers Out	Closing Balance 30-Jun-2025
GENERAL RESERVES				
General Reserve	69,226	65,124	(56,316)	78,034
Asset Replacement Reserve	8,112	1,812	(3,067)	6,857
Building Reserve	7,515	131	(1,873)	5,774
Emergency Response Reserve	4,925	95		5,020
Kuirwao Endowment Reserve	6,617	144	(343)	6,417
Asset Revaluation Reserve	16,029			16,029
Port Share Revaluation Reserve	768,120			768,120
Total General Reserves	**880,544**	**67,306**	**(61,599)**	**886,251**
TARGETED RESERVES				
River Management				
River Management Central	119	310	(350)	79
River Management Clutha	(767)	364	(613)	(1,016)
River Management Dunedin	240	201	(535)	(95)
River Management Queenstown Lakes	461	438	(387)	512
River Management Waitaki	1,137	524	(458)	1,203
Flood & Drainage				
Alexandra Flood	132	251	(152)	231
Leith Flood	(10,370)	1,138	(490)	(9,722)
Lower Clutha Flood &Drainage	(4,461)	1,401	(2,647)	(5,707)
Lower Taieri Flood	(49)	1,197	(1,928)	(780)
West Taieri Drainage	(1,947)	553	(675)	(2,069)
East Taieri Drainage	(460)	572	(684)	(573)
Tokomairiro Drainage	(68)	144	(171)	(95)
Transport				
Dunedin Transport	(360)	21,877	(20,721)	796
Dunedin Transport - Historic Balance	(10,445)	1,357	(244)	(9,332)
Queenstown Transport	532	10,148	(10,190)	489
Queenstown Transport - Historic Balance	(1,821)	348	(43)	(1,516)
Oamaru Transport	51	1	(35)	17
Other				
Catchment Management	960	3,621	(3,243)	1,338
Biosecurity	(955)	4,222	(2,765)	502
Wilding Pines	(817)	479	(707)	(1,045)
Emergency Management	(7)	4,669	(4,512)	151
Navigational Safety	(88)	669	(724)	(144)
Dairy Monitoring	(12)	12	-	()
Infrastructure Assets Reserve	73,892	2,410	(869)	75,434
Total Targeted Reserves	**44,897**	**56,905**	**(53,144)**	**48,658**
TOTAL RESERVES	**925,440**	**124,211**	**(114,742)**	**934,909**

TREASURY REPORT

AS AT 31 March 2026 $'000	March 2026 Actual	June 2025 Actual	Variance	Summary by Quarter

Cash and Term Deposits	Current vs Previous Year End			Current Financial Year			
BALANCES	**Mar-2026**	**Jun-2025**	**YTD Movement**	**25/26 Q1 Sep-25**	**25/26 Q2 Dec-25**	**25/26 Q3 Mar-26**	**0**
Cash	9,841	18,387	(8,546)	27,878	9,720	9,841	0
Term Deposits	19,000	0	19,000	0	25,000	19,000	0
Cash and Term Deposits	**28,841**	**18,387**	**10,454**	**27,878**	**34,720**	**28,841**	**0**

Managed Fund	Current vs Previous Year End			Current Financial Year			
ASSET ALLOCATION	**Mar-2026**	**Jun-2025**	**YTD Movement**	**25/26 Q1 Sep-25**	**25/26 Q2 Dec-25**	**25/26 Q3 Mar-26**	**0**
Cash	1,455	1,785	(330)	1,287	1,238	1,455	0
NZ Fixed Interest	7,301	10,075	(2,773)	11,051	7,404	7,301	0
International Fixed Interest	6,686	2,934	3,752	2,909	6,928	6,686	0
Total - Defensive	**15,442**	**14,794**	**648**	**15,247**	**15,570**	**15,442**	**0**
NZ Property	865	896	(32)	1,017	965	865	0
NZ Equities	5,088	5,127	(39)	5,227	5,443	5,088	0
Australian Equities	4,712	4,654	58	4,796	4,660	4,712	0
International Equities	5,317	4,421	896	5,085	5,510	5,317	0
Total - Growth	**15,982**	**15,098**	**884**	**16,126**	**16,578**	**15,982**	**0**
Total Managed Fund Balance	**31,424**	**29,892**	**1,532**	**31,373**	**32,148**	**31,424**	**0**

PORTFOLIO PERFORMANCE	**YTD Actual**	**YTD Budget**	**Variance**	**25/26 Q1 Sep-25**	**25/26 Q2 Dec-25**	**25/26 Q3 Mar-26**	**0**
Interest	320	200	120	125	132	63	0
Dividends	475	175	300	173	119	183	0
Other (Fees)	(92)		(92)	(32)	(33)	(28)	0
Market Value Gain / (Loss)	829	1,123	(294)	1,215	557	(944)	0
Desposit / (Withdrawal)			0	0	0	0	0
Total Portfolio Performance	**1,532**	**1,498**	**34**	**1,481**	**776**	**(725)**	**0**

Borrowing	Current vs Previous Year End			Current Financial Year			
LGFA DEBT	**Mar-2026**	**Jun-2025**	**YTD Movement**	**25/26 Q1 Sep-25**	**25/26 Q2 Dec-25**	**25/26 Q3 Mar-26**	**0**
Council	**25,000**	**25,000**	**0**	**40,000**	**25,000**	**25,000**	**0**
Port Otago	**150,000**	**149,815**	**185**	**146,573**	**149,976**	**150,000**	**0**
Total LGFA Debt	**175,000**	**174,815**	**185**	**186,573**	**174,976**	**175,000**	**0**

Cost of Funds							**2.540%**
COUNCIL DEBT	**Amount**	**Maturity**	**Rate**	**BKBM**	**Margin**	**Rate**	**Current BKBM**
Commercial Paper	5,000	Jun-2026	2.705%	2.505%	0.200%	2.705%	2.740%
Fixed Rate Bond	5,000	Apr-2026	5.700%				
Floating Rate Note	5,000	Apr-2027	3.205%	2.505%	0.700%	3.205%	3.240%
Fixed Rate Bond	5,000	May-2028	5.700%				
Floating Rate Note	5,000	Apr-2029	3.555%	2.505%	1.050%	3.555%	3.590%
Total Council Debt	**25,000**		**4.173%**	**2.505%**	**0.650%**	**3.155%**	**3.190%**

SWAPS	**Amount**	**Maturity**	**Rate**	**Live**	**vs Current BKBM**	**Net Cost / (Benefit)**
3 Years: 15-Apr-2025	2,000	May-2028	3.520%	2,000	0.980%	19,600
3 Years: 15-Apr-2026	5,000	May-2029	4.115%			
5 Years: 15-Apr-2025	5,500	May-2030	3.730%	5,500	1.190%	65,450
Total Swaps	**12,500**		**3.850%**	**7,500**	**1.134%**	**85,050**

COST OF FUNDS (Including Swap Cost)	**Amount**	**Maturity**	**Rate**	**Budget AP25/26**	**Rate Variance**	**Act vs Bud Variance $**
Total Debt	**25,000**		**4.534%**	**4.000%**	**0.534%**	**133,550**

10.8. Total Mobility

Prepared for: Council

Report No. TRN2609

Activity: Public Transport

Author: Laura Faulkner, Transport Officer

Endorsed by: Anita Dawe (General Manager Regional Planning and Transport)

Date: 27 May 2026

Portfolio Leads: Cr Hollyer and Cr Somerville, Transport

PURPOSE

[1] To provide an overview of Ministry of Transport (MoT) Total Mobility guidance to be implemented from 1 July 2026, and to seek a decision on a fare cap reduction.

EXECUTIVE SUMMARY

[2] Since increasing the subsidy level from 50% to 75% in 2022, Total Mobility services across New Zealand have seen significant increases in usage and user behaviour, with a 30% increase in trips since 2022/23 and 59% increase in card holders over the same time-period. Consequently, there has been increased demand and increased costs incurred for both central and local government, leading to an Otago Regional Council (ORC) forecasted overspend of $1.3m by the end of year 3 of the Long-Term Plan (LTP) cycle. This over-spend is consistent with other Public Transport Authorities (PTAs), requiring national level measures to effectively reduce over-expenditure.

[3] Staff reported to Council in August and December 2025 on the extent of funding pressures that the additional user-base and usage has put on the ORC rates share of funding, with limited ability to effectively reduce overspend within the current LTP cycle. The levers explored to potentially reduce expenditure included fare cap reduction and introducing trip caps. However, without the ability to also reduce the subsidy level, these levers were assessed as having limited impact to reduce overspend.

[4] On 9 December 2025, Council agreed to continue the provision of Total Mobility services until MoT released guidance.

[5] On 16 December 2025, the Minister of Transport, Chris Bishop announced three key changes to the Total Mobility scheme to ensure the ongoing financial viability of Total Mobility in both the short and long-term, to be implemented from 1 July 2026:

a. A reduction in subsidy from 75% to 65%; and
b. A recommendation for Public Transport Authorities to reduce fare caps by 10%.

Through lowering the subsidy contribution from the Crown, it will reduce its overall costs, and these savings will be provided to PTAs to reduce funding shortfalls over 2025 to 2030.

RECOMMENDATION

That the Council:

1) ***Notes** this report.*
2) ***Adopts the recommended** 10% reduction in the fare cap for Total Mobility (Option 1), to be implemented from 1 July 2026.*

BACKGROUND

[6] Total Mobility is a national scheme providing subsidised door-to-door transport for those with long-term impairments who are unable to safely and reliably use conventional public transport, such as fixed route buses. Total Mobility services are administered through PTA-contracted small passenger services (SPS).

[7] Co-funded by the New Zealand Transport Agency Waka Kotahi (NZTA) and PTAs, the scheme historically has provided a 50% subsidy up to a regionally set fare cap, however that subsidy was increased to 75% in 2022.

[8] For ORC the current fare cap is set at $50.00, enabling a maximum $37.50 subsidy per trip. Any trip costs over $50 is fully met by the passenger.

[9] Total Mobility is the primary way that ORC meets obligations in accordance with s36 of the Land Transport Management Act (LTMA) to consider the needs of transport disadvantaged persons in its Regional Land Transport Plan (RLTP).

[10] Otago has 17 contracted SPSs, providing Total Mobility services across Dunedin, Balclutha, Oamaru, Queenstown, Wanaka, and Alexandra.

[11] With increased awareness, affordability and changing demographics, demand for the Total Mobility scheme is projected to continue to grow. This reflects the value that Total Mobility provides as a vital transport option for the disabled community to access their daily transport needs.

[12] The current growth in demand and subsequent financial pressure faced by ORC is reflected nationally. Collectively PTAs have had ongoing discussions through national forums and with NZTA regarding increasing challenges of the scheme. Levers available to reduce expenditure at the PTA level have required national consensus and consistency to be operationally feasible, with limited effectiveness without a change in subsidy level.

[13] In 2024/25 for Otago, average and median total fares were just under $30 and $25 respectively, with 84% of trips in 2024/25 sitting under the current $50 fare cap.

[14] The below table demonstrates the average Total Mobility fare for Otago in 2024/25, under the 75% subsidy.

Metric	Cost per Trip
Average Total Fare	$29.66
Median Total Fare	$24.50
Average User Fare	$8.80
Median User Fare	$6.12
Average Public Sector Subsidy	$20.87
Median Public Sector Subsidy	$18.37

DISCUSSION

[15] On 16 December 2025, MoT announced changes to the Total Mobility scheme to be implemented from 1 July 2026[1]. The guidance is designed to alleviate the significant financial pressures currently faced by central and local government, while managing the financial impact on Total Mobility users. The key aspects of the guidance are:

- The fare subsidy level will reduce from the current 75 % down to 65 % from 1 July 2026.
- NZTA will work with public transport authorities to lower fare caps by approximately 10 percent.
- Through lowering the subsidy contribution, the Crown will reduce overall costs. These savings will be provided to PTAs to reduce funding shortfalls over 2025 to 2030.
- The Government is allocating $10 million from existing funding to reduce public transport authorities' funding shortfalls this financial year, with an announcement on ORC's share expected soon.

[16] The decreased subsidy level is a mandated requirement to be implemented by NZTA. This will be implemented from 1 July, and communicated to Total Mobility card holders ahead of it coming in.

[17] While the subsidy reduction is mandated, the level of fare cap reduction is to be decided by each PTA, with the starting point being a recommended 10% decrease, aimed to get Total Mobility back within budget by 2030.

[18] Staff recommend that a 10% fare cap reduction will balance the impact to Total Mobility users, while bringing ORC shortfall closer to budget. This is consistent with the broader national landscape, with the exception of smaller regions that already have significantly lower fare caps, and Invercargill City Council who has proposed a 20% fare cap reduction.

[19] In conjunction with the 1 July 2026 changes, MoT is investigating further options for on-going management of the Total Mobility scheme. Staff provided feedback on a consultation document earlier in the year, and outcomes from that are anticipated towards the end of 2026.

[1] https://www.beehive.govt.nz/release/changes-ensure-continued-access-transport-subsidy-disability-community

[20] In addition to communicating changes to existing card holders, the primary role of ORC in the implementation of MoT guidance is a decision regarding whether to implement a reduction in the fare cap, and if so, how much.

[21] In order to support a Council decision on implementing a fare cap, and the level of cap, staff have undertaken modelling based on the 2024/25 transaction data. This has enabled an estimation of the impact of the changes on ORC expenditure. The estimates assume static growth, which we know does not necessarily reflect the pattern of usage over the last few years.

[22] The NZTA recently allocated ORC its share of the one off $10 million Total Mobility fund. ORC's allocation was $811,000, and the year 3 CERF (Climate Emergency and Resilience Fund) allocation will be $771,000 (compared to the estimate of $860,000). This takes the estimated Year 3 end of year financial position from an over expenditure of $1.3million in December 2025, to an over expenditure of $600,000, which staff estimate would further reduce to $500,000 with the changes in fare cap and subsidy.

Fare cap reduction

[23] Reduction of fare caps will have an uneven impact on Total Mobility users. Those who live further from urban centres or in rural communities are more likely to require high-cost trips. Similarly, individuals with higher mobility needs will be affected to a greater extent, as companion services and mobility services tend to charge higher rates to cover the cost of labour.

[24] To be consistent with MoT guidance, PTAs are advised to reduce the maximum subsidy by approximately 10%. It is important to note that the reduction in fare cap will not have a direct correlation with increased cost to user, as the change will be in conjunction with the 65% subsidy.

65% subsidy

[25] Reducing the subsidy level to 65% is a mandated change and will impact all Total Mobility users.

[26] Applying the 65% subsidy to 2024/25 transactions, the total subsidy costs (the part not paid by a total mobility user), including NZTA and ORC share, would reduce from $2,970,487.87 to $2,574,396.17. This is a reduction of $396,091.70, reducing ORC's share of the expenditure by an estimated $158,436.

OPTIONS

[27] Staff have assessed the financial impacts of four options for Council to consider. These are set out below.

- **Option 1 (recommended):** Reduce the fare cap by the recommended amount of 10%. This would mean our fare cap would reduce from $50 to $45. The flow on effect would mean that the new maximum subsidy would be $29.25 per transaction. The user is anticipated to incur additional costs of approximately 28% if this fare cap was introduced. The 10% fare cap reduction is in line with MoT's guidance and required cost reduction for national spend to return within budget by 2030, while limiting the impact to Total Mobility users as much as possible.

- **Option 2(not recommended)**: Reduce the fare cap by 15%, to $42.50, creating a new maximum subsidy of $27.62. This will result in a 35.7% increase in costs to users and is higher than the recommended fare cap reduction.

- **Option 3(not recommended):** Reduce the fare cap by 20%, to $40, for a maximum subsidy per transaction of $26. This will result in a 44.2% increase in costs to users. This option also exceeds the recommended fare cap reduction.

- **Option 4 (not recommended):** Maintain the current $50 fare cap for a maximum subsidy of $37.50. This option is not recommended because it would undermine the objective of MoT's guidance and would need to be justified to NZTA and MoT. It also makes it harder for ORC to work towards a sustainable service.

[28] The table below details how the options will impact maximum subsidies per trip, and overall increased costs to users.

Option	Subsidy	Fare cap reduction	Fare cap	Maximum subsidy	Increase in cost to cardholders
1	65%	10%	$45	$29.25	28.2%
2	65%	15%	$42.50	$27.62	35.7%
3	65%	20%	$40	$26	44.2%
4	65%	0%	$50	$37.50	15%

[29] Taking the proposed fare cap reductions, and utilising the 2024/2025 data, staff have analysed the impact on the subsidy. For the 2024/25 period, there were a total of 142,312 transactions with total subsidy expenditure of $2,970,487.87. The impacts of the different fare cap options on the total subsidy expenditure, including ORC's portion is shown in the table below

Option	Fare reduction	Total anticipated expenditure*	Difference compared to 75% subsidy	ORC Portion	Number of. trips above amended fare cap
1	10%	$2,493,089.72	$477,398.72	$190,959	28,431
2	15%	$2,455,192.32	$525,295.55	$210,118	30,379
3	20%	$2,394,420.04	$576,067.83	$230,427	35,597
4	0%	$2,574,396.17	$396,091.70	$158,436	23,142

**Under 65% subsidy*

CONSIDERATIONS

Strategic Framework and Policy Considerations

[30] The provision of the Total Mobility scheme is consistent with Council's community wellbeing aspirations to design and deliver initiatives that contribute to accessibility and connectivity within communities.

Financial Considerations

[31] Staff anticipate that that there will be a remaining funding shortfall by end of year 3 of the LTP, subject to changes in user behaviour, amount of Crown support through recycled funds, and Climate Emergency Response Fund (CERF) funding.

[32] As noted in paragraph 22, staff have revised the anticipated Year 3 over expenditure from $1.3 million, to $600,000. If benefits of the fare cap and subsidy changes are realised, this could reduce down to $500,000 by the end of June 2027.

[33] MoT guidance anticipates that, if every PTA adopts a 10% fare cap reduction, in conjunction with the subsidy reduction, national Total Mobility expenditure will be back within budget by 2030. Staff note that the MoT guidance is predicated on static growth, which may not reflect actual usage.

Significance and Engagement

[34] The reduction to 65% subsidy will impact all users of the Total Mobility scheme, which is approximately 7,000 people in the Otago region. Any reduction in fare cap will impact those who have higher travel costs. The increase in user portion of Total Mobility fares, may impact some users access to transport.

[35] Staff will need to engage with stakeholders, operators and agencies to deliver messaging consistent with national communications. Multiple formats of engagement will need to be available to accommodate different disability types.

Legislative and Risk Considerations

[36] Total Mobility fulfils ORC's responsibility to section 35 Land Transport Management Act (2003) which requires consideration to the needs of transport disadvantaged. Currently, Total Mobility is the key means of supporting accessibility and mobility for members of the travelling public who cannot safely and reliably use public transport due to long-term impairment.

Climate Change Considerations

[37] Not applicable.

Communications Considerations

[38] ORC's plays a dual role in the implementation of MoT guidance, making a decision on the Otago Total Mobility fare cap, and communicating changes to Otago Total Mobility users prior to 1st July. Staff would need to communicate a decision to existing card holders, operators, agencies and service providers and would need to update its website and other information sources about any operational changes to the scheme.

[39] Communications would be required to be available in multiple media formats to ensure accessibility to information, as well as staff availability to support Total Mobility users through the changes.

NEXT STEPS

[40] Staff will implement the Otago Total Mobility scheme fare cap approved by Council from 1 July 2026 and communicate the changes to card-holders.

ATTACHMENTS

Nil

10.9. Annual Air Quality Report 2025

Prepared for: Council

Report No. S&R2604

Activity: Science

Author: Sarah Harrison (Air Quality Scientist)

Endorsed by: Tom Dyer (General Manager Science and Resilience)

Date: 27 May 2026

Portfolio Leads: Cr Kelliher and Cr Robertson, Science and Resilience

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PURPOSE

[1] This report presents the results of the State of the Environment (SOE) monitoring for air quality for the calendar year 2025.

EXECUTIVE SUMMARY

[2] This report provides a summary of the 2025 air quality data only. State and Trends reports, which contain long and short-term trend analysis, are produced every five years. The most recent one was published in June 2024.

[3] Monitoring of PM_{10} (particulate matter with a diameter less than 10 micrometres) was undertaken in the Alexandra, Arrowtown, Central Dunedin and Mosgiel airsheds in 2025. Alexandra, Arrowtown and Mosgiel recorded exceedances of the National Environmental Standard for Air Quality (NESAQ) during the winter months. The NESAQ limit for PM_{10} is 50 µg/m³ for a 24-hour average. Across the four monitored towns, there were a total of 16 exceedances in 2025. Alexandra and Arrowtown recorded four and ten exceedances, respectively, and Mosgiel recorded two.

[4] $PM_{2.5}$ (particulate matter with a diameter less than 2.5 micrometres) was monitored in Arrowtown, Central Dunedin, Clyde, Cromwell, Milton, Mosgiel, Queenstown (Frankton) and Wānaka in 2025. The site with the highest annual average was Clyde with 12 µg/m³. The site with the highest 24-hour average was Clyde with 77 µg/m³ on 18/07/2025. There are no current NESAQ limits for $PM_{2.5.}$

[5] Monitoring of black carbon (BC) was undertaken at Arrowtown in 2025. BC is a component of particulate matter and is an important pollutant affecting both climate and human health. There are no standards or guidelines for it currently. The data shows strong seasonal and daily patterns, similar to that of PM. The highest 24-hour average was 6 µg/m³ occurring on 23/07/2025.

RECOMMENDATION

That the Council:

*1) **Notes** this report.*

BACKGROUND

[6] Otago has several towns where air quality is considered degraded during winter, namely Alexandra, Arrowtown, Clyde, Cromwell, Milton and Mosgiel. The main pollutant of concern in Otago is particulate matter (PM) which is principally a product of combustion. In Otago, the main source of PM is home heating emissions (Wilton, 2019). Long-term exposure to PM_{10} and $PM_{2.5}$ contributes to the risks of developing and exacerbating existing cardiovascular and respiratory conditions, which makes them a serious threat to human health. Furthermore, recent research provides evidence that air pollution is dangerous at lower concentrations than previously thought (WHO, 2021).

[7] Otago Regional Council operates an SOE monitoring network for air quality monitoring and is required to report[1] exceedances of the NESAQ. The SOE network is currently being upgraded to include monitoring for $PM_{2.5}$ as well as expanded to add new sites. The upgrade process includes a period of co-location and subsequent equivalence testing of the new instruments compared to the existing ones to enable comparison. Further comparison data is still required to be able to correct for the new instruments and accurately report some of their data, but once completed, any data corrections can be backdated. During 2025, PM_{10} was monitored at four sites and $PM_{2.5}$ at eight sites.

AIR QUALITY ASSESSMENT FRAMEWORK

[8] Under the Resource Management Act (RMA), councils are required to monitor air quality in accordance with the NESAQ; any airshed at risk of exceeding the standard for any pollutant must be monitored. Otago currently has four gazetted airsheds, each comprised of multiple towns. By monitoring three of these four, ORC is compliant with NESAQ monitoring requirements which requires Regional Councils to monitor airsheds that likely experience exceedances (Otago's airshed 4 is likely not to experience exceedances). However, differences in emission sources and meteorology mean that it is unlikely that any one Otago town can accurately represent another.

[9] Air quality data can be compared to several standards and guidelines; however, the legal limit in Aotearoa New Zealand is 50 µg/m³ for a 24-hour average, under the NESAQ. The NESAQ is due to be updated, and limits for $PM_{2.5}$ were proposed in 2020. In 2021 the World Health Organization (WHO) released updated guidelines for many pollutants. In many cases, including for PM_{10}, the new WHO guidelines are stricter than they were previously, and $PM_{2.5}$ limits were added. The limits of the relevant standards and guidelines are listed in Table 1. The air quality data can also be categorised according to the Ministry for the Environment (MfE) Environmental Performance Indicators (EPI). The EPI categories indicate an appropriate action according to the concentrations (Table 2).

[1] ORC reports exceedances by way of public notice in the Otago Daily Times every month exceedances occur.

Table 1: Standards and guidelines for PM_{10} and $PM_{2.5}$

Pollutant	Averaging Time	NESAQ 2004		Proposed NESAQ 2020		WHO 2021	
		Value (µg/m³)	Allowable exceedances	Value (µg/m³)	Allowable exceedances	Value (µg/m³)	Allowable exceedances
PM_{10}	24-hour	50	1 per annum	50	1 per annum	45	3-4[b]
	Annual	20[a]	NA	NA	NA	15	NA
$PM_{2.5}$	24-hour			25	3 per annum	15	3-4[b]
	Annual			10	NA	5	NA

[a] Ambient Air Quality Guideline (AAQG) limit applies when there is no equivalent NESAQ limit
[b] 99th percentile, equating to 3-4 exceedances annually.

Table 2: Ministry for the Environment Environmental Performance Indicators for air quality

Category	Monitoring result compared to guideline	Description
Action	Exceeds the guideline	Unacceptable and action is required to reduce emissions
Alert	66-100%	Warning level which could lead to exceedances if trends are not curbed
Acceptable	33-66%	Maximum values might be a concern in sensitive locations, urgent action is not warranted
Good	10-33%	Peak measurements not likely to affect air quality
Excellent	0-10%	Not recommended for PM_{10} monitoring, PM_{10} in this range is classified as good instead

SOE MONITORING RESULTS: PM_{10}

[10] PM_{10} was monitored continuously at four sites across the region in 2025: Alexandra, Arrowtown, Central Dunedin and Mosgiel. A summary of the key PM_{10} indicators for 2025 are given in Table 3 and a list of the NESAQ exceedances are shown in Appendix 1. The highest annual mean occurred at the Mosgiel site with 14 µg/m³, meaning all sites met the WHO annual guideline of 15 µg/m³. The highest daily concentration, 78 µg/m³, was recorded at Alexandra on 25/07/2025. The most frequent number of exceedances occurred at the Arrowtown site, with daily concentrations exceeding the limit 10 times.

[11] Data capture was at least 97% at all sites, with the exception of Alexandra, where data capture was 87% due to an intermittent instrument error that occurred between 14/05/2025 and 19/06/2025 until the instrument could be replaced. Further data gaps occurred between 31/10/2025 and 03/11/2025 and between 06/11/2025 and 14/11/2025 due to maintenance and repairs, respectively.

Table 3: Key PM_{10} indicators for 2025

Site	Annual mean (µg/m³)	Winter mean (µg/m³)	Maximum 24-hour average concentration (µg/m³)	2nd highest 24-hour average concentration (µg/m³)	Number of NESAQ exceedances	Data capture (%)
Alexandra	13	21	78	70	4	87
Arrowtown	13	24	61	59	10	97
Central Dunedin	13	14	35	29	0	99
Mosgiel	14	20	64	59	2	98

[12] Figure 1 shows the seasonal patterns of the 24-hour average data in relation to the NESAQ limit and WHO guideline. Alexandra and Arrowtown have extreme seasonal variation, with high PM_{10} concentrations coming very close to and exceeding the limits. This data also shows that the concentrations can frequently approach the limit without becoming an exceedance. Mosgiel data also shows a slight seasonal pattern, while the Central Dunedin site has minimal annual variation. This data is reflective of PM sources in each airshed; Central Dunedin does not show a seasonal variation, as home heating emissions are not an important source compared to vehicle emissions and industrial activity. In addition, the Central Dunedin site has a milder climate, due to its coastal location. Mosgiel has a mixture of sources, while Alexandra and Arrowtown PM sources are primarily from winter home heating.

[13] When the data is sorted into the MfE indicator categories (Figure 2), all sites have over 70% of days in the “good” category. Arrowtown has approximately 10% of its data divided into the “alert” and “action” categories. Central Dunedin only had one day that can be categorised as “alert”. The Alexandra and Mosgiel data showed that less than 5% of days were in either the “alert” or “action” categories.

[14] The number of exceedances varies year to year due to climate patterns and meteorology influencing the ability of pollutants to disperse. Compared to previous years, the number of exceedances in 2025 is most similar to 2022 and 2023 for the Alexandra and Arrowtown sites (Figure 3).

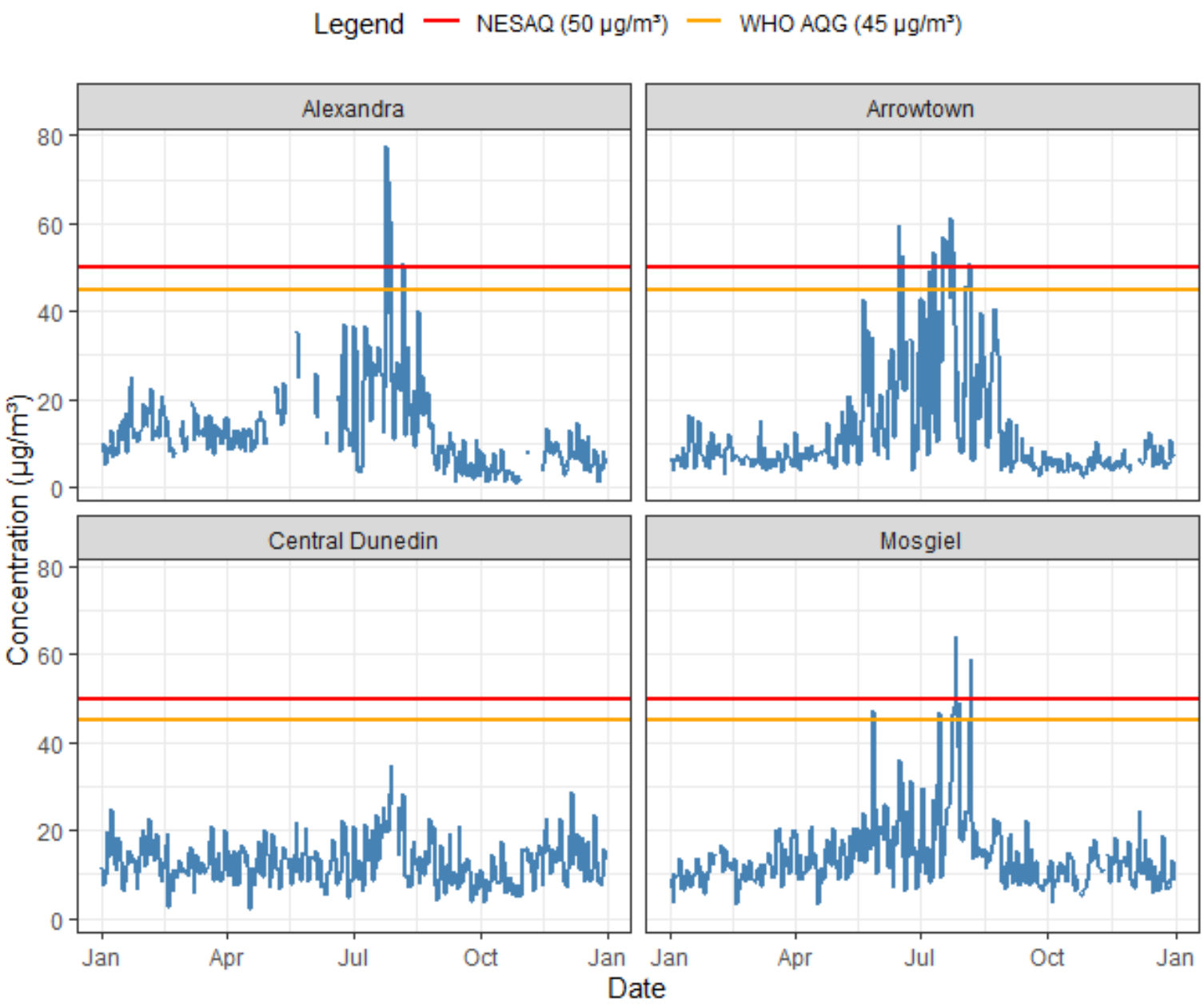


Figure 1: PM_{10} concentrations for 2025 (24-hour average)

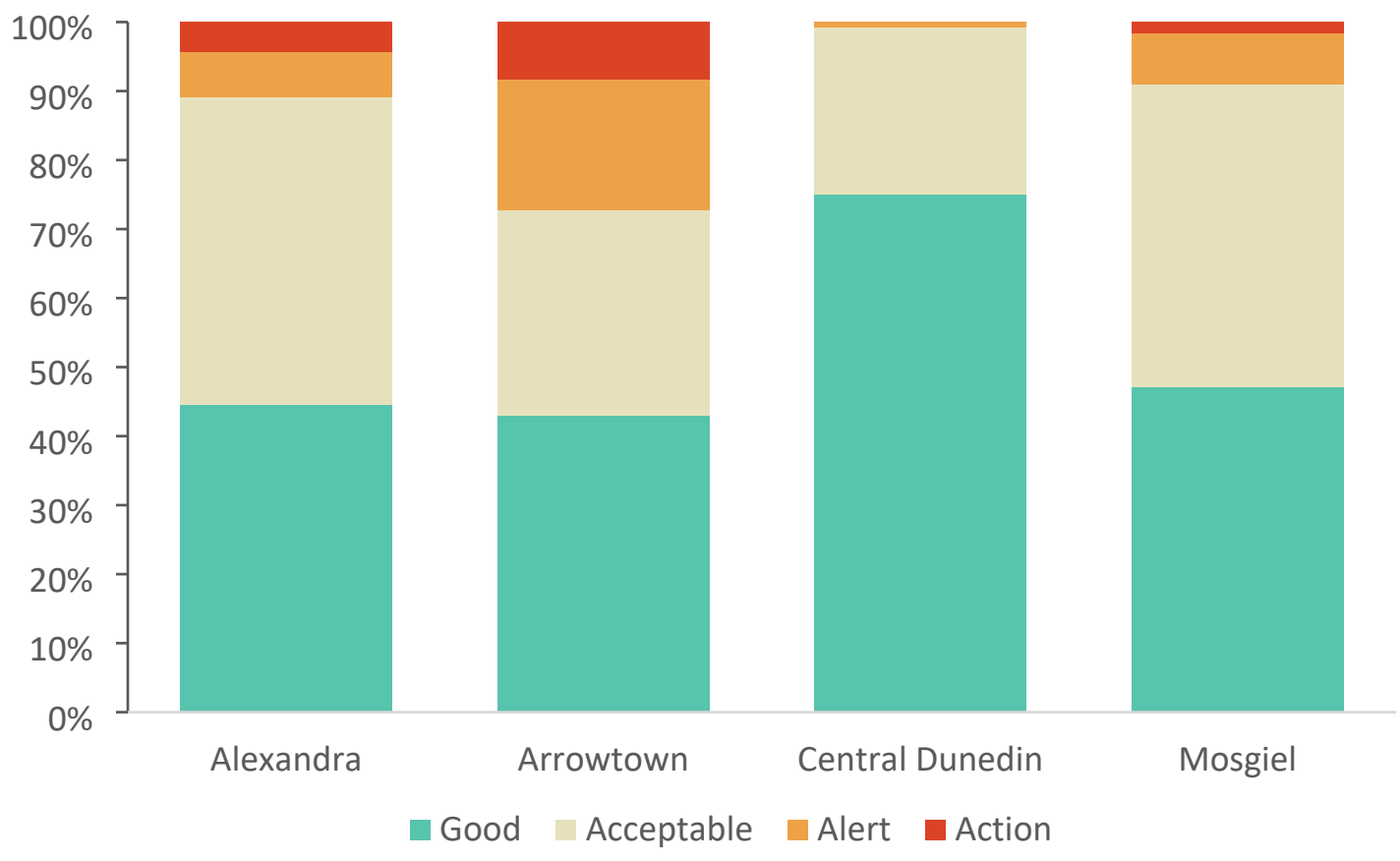


Figure 2: PM_{10} concentrations as air quality indicator categories for 2025 (24-hour average)

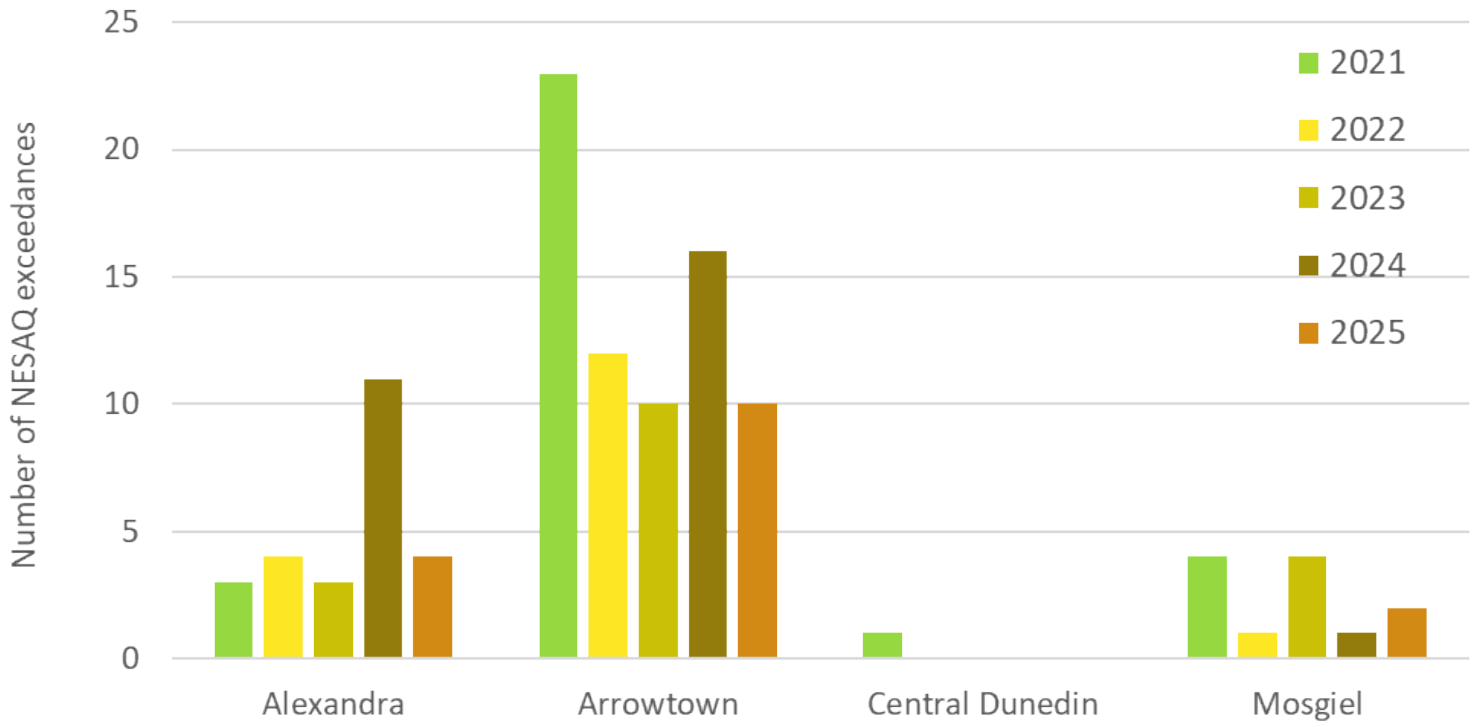


Figure 3: Number of PM_{10} exceedances 2021 – 2025. Note data was missing for the early part of winter 2025 in Alexandra and some exceedances may not have been recorded.

SOE MONITORING RESULTS: $PM_{2.5}$

[15] $PM_{2.5}$ was monitored continuously at eight sites across the region in 2025: Arrowtown, Central Dunedin, Clyde, Cromwell, Milton, Mosgiel, Queenstown (at Frankton) and Wānaka. $PM_{2.5}$ monitoring was added to the network in 2020 in anticipation of the update of the NESAQ. The instruments at Arrowtown, Central Dunedin and Mosgiel are considered equivalent to reference methods[2]. As such they will be able to be compared to standards and guidelines when these are established. However, a twelve-month period of co-location needs to be undertaken in order to establish a transformation factor for the data. As this twelve-month period began in December 2025, none of the $PM_{2.5}$ data has been compared to the proposed NESAQ limits or guidelines.

[16] A summary of the key $PM_{2.5}$ monitoring indicators for 2025 are given in Table 4. The highest annual mean occurred in Clyde with a concentration of 12 µg/m³; the lowest annual means occurred in Wānaka and Central Dunedin with concentrations of 5 µg/m³ and 6 µg/m³, respectively. The highest winter mean for 2025, 26 µg/m³, was recorded at the Clyde monitoring site. The highest daily concentration also occurred in Clyde, followed by Cromwell with 77 µg/m³ and 66 µg/m³, respectively. The data in Figure 4 shows very high winter concentrations in Arrowtown, Clyde, Cromwell and Milton. This seasonal pattern is evident (but less pronounced) in in Milton, Mosgiel, Queenstown and Wānaka. Central Dunedin does not show seasonal variation for $PM_{2.5}$. These patterns match those of PM_{10}.

[2] Monitoring methods required by NESAQ

[17] Data capture for $PM_{2.5}$ was between 91 and 100%. The Clyde, Cromwell and Queenstown site were removed from 2/12/2025 until the end of the year for planned maintenance, scheduled to occur outside of peak season.

Table 4: Key $PM_{2.5}$ indicators for 2025

Site	Annual mean (µg/m³)	Winter mean (µg/m³)	Maximum daily concentration (µg/m³)	Data capture (%)
Arrowtown	9	22	57	96
Central Dunedin	6	8	19	99
Clyde	12	26	77	91
Cromwell	9	21	66	94
Milton	8	16	58	99
Mosgiel	8	15	60	98
Queenstown	6	12	28	91
Wānaka	5	12	45	97

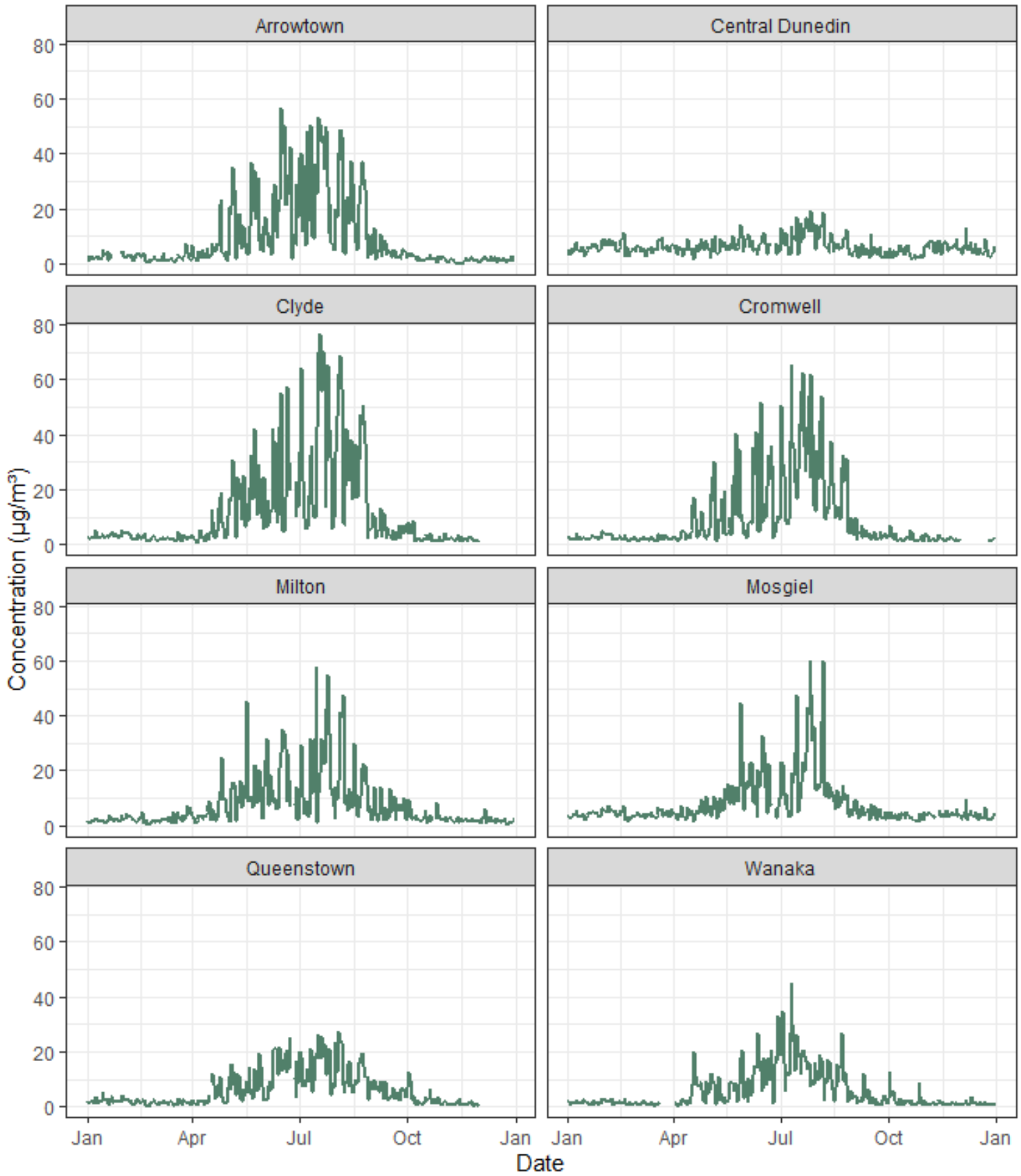


Figure 4: $PM_{2.5}$ concentrations for 2025 (24-hour average). Data cannot be compared to proposed standards or guidelines due to lack of co-location data (Arrowtown, Central Dunedin and Mosgiel), and due to the use of non-reference equivalent method instruments (all other sites).

SOE MONITORING RESULTS: MOBILE $PM_{2.5}$

[18] In late 2024, ORC procured a modified car trailer to be used as a mobile temporary air quality monitoring station (Figure 5). This enables the quick and efficient deployment of an instrument which is ideal for short-term or investigative monitoring and bypasses the more time consuming and expensive aspects of setting up a permanent site (access agreements, power supply, regulatory approval, etc). The trailer can be deployed multiple times per winter and could also be deployed during a significant event such as wildfire or pollution response.

Figure 5: Mobile monitoring trailer in operation at Albert Town

[19] In the winter of 2025, the trailer was deployed to two locations for the monitoring of $PM_{2.5}$; Albert Town during May and June and Hāwea during July and August. Albert Town sits within the Wānaka urban boundary but is not included within the airshed; it represents urban growth expanding outside of the airshed which was gazetted in 2005. Albert Town was monitored because previous investigations[3] in the Wānaka area indicated the potential for high PM concentrations, as it is low-lying and bordered by Mount Iron on one side and the Clutha Mata-Au on another. The results show that Albert Town frequently had higher concentrations than Wānaka (Figure 6), on average about 5 µg/m³. This data supports the inclusion of Albert Town into the Wānaka airshed in the future.

[20] Hāwea was monitored because a previous investigation[4] showed it was one of the most at risk airsheds for high PM concentrations among unmonitored airsheds in Otago. The results are comparable to Wānaka (Figure 5), compared here because it is the closest

[3] Spatial variation of air quality in Wanaka, 2019 https://www.orc.govt.nz/media/12356/spatial-variation-of-air-quality-in-wanaka-2019.pdf

[4] $PM_{2.5}$ investigation in Otago, 2021 https://www.orc.govt.nz/media/12900/pm2-5-investigation-in-otago-2021.pdf

similar site. However, the monitoring period only covered July to August, and PM across all sites dropped from mid-July onwards, indicating region-wide conditions that better enabled dispersion of pollution. It would be beneficial to repeat this study another winter, in order to obtain results that are representative of the coldest part of the year.

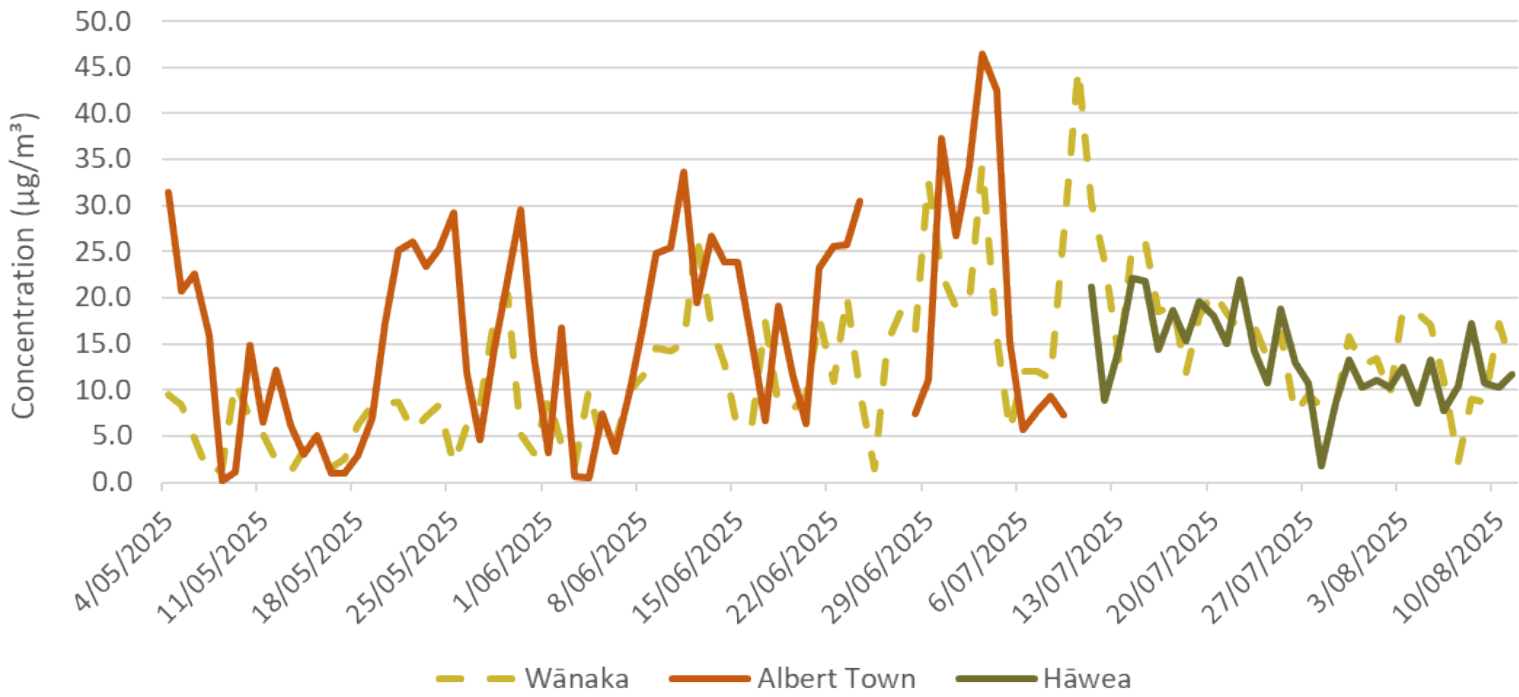
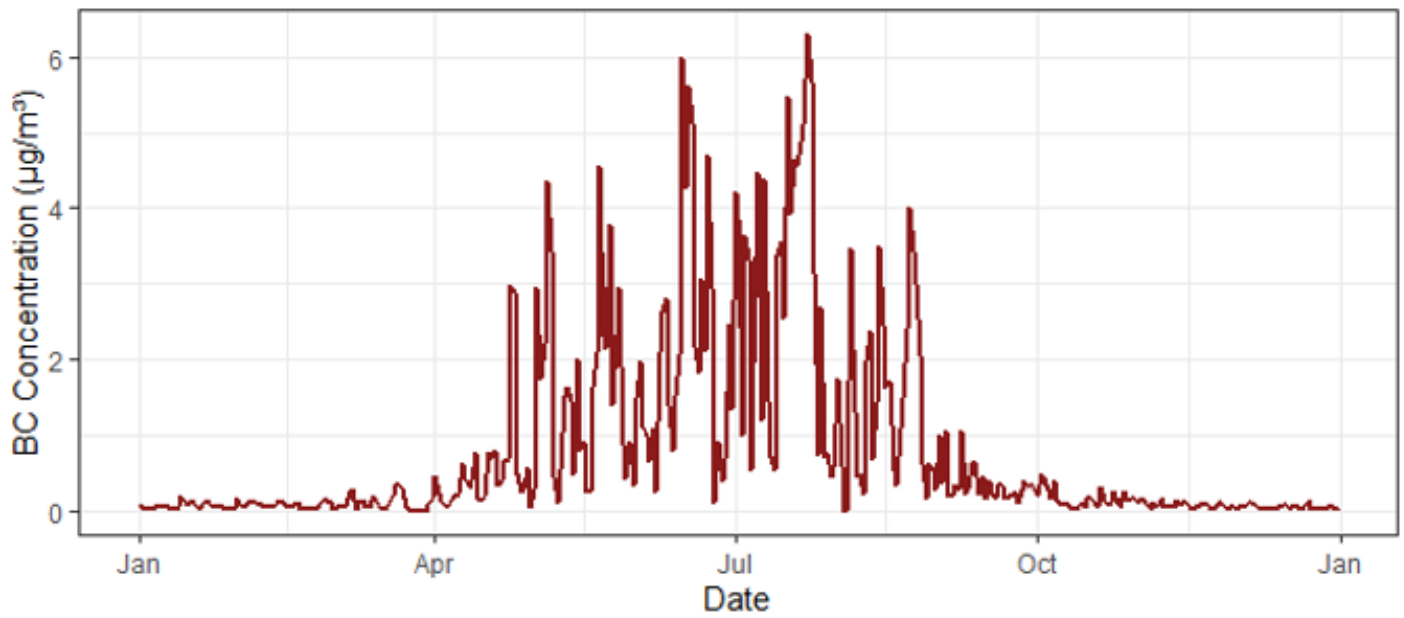


Figure 6: $PM_{2.5}$ at Albert Town and Hāwea, compared with Wānaka (24-hour average)

OTHER MONITORING RESULTS: BLACK CARBON

[21] Black carbon (BC) is both a climate change pollutant and human health pollutant. It is a very fine component of particulate matter. BC was monitored in Arrowtown during 2025, and the data shows very similar seasonal patterns (Figure 7) to PM_{10}. Because BC is only produced by combustion emissions, compared to PM_{10} which has other sources, it is comparatively very low during non-winter months. There are currently no standards or guidelines for BC, however monitoring is recommended by the WHO guidelines.



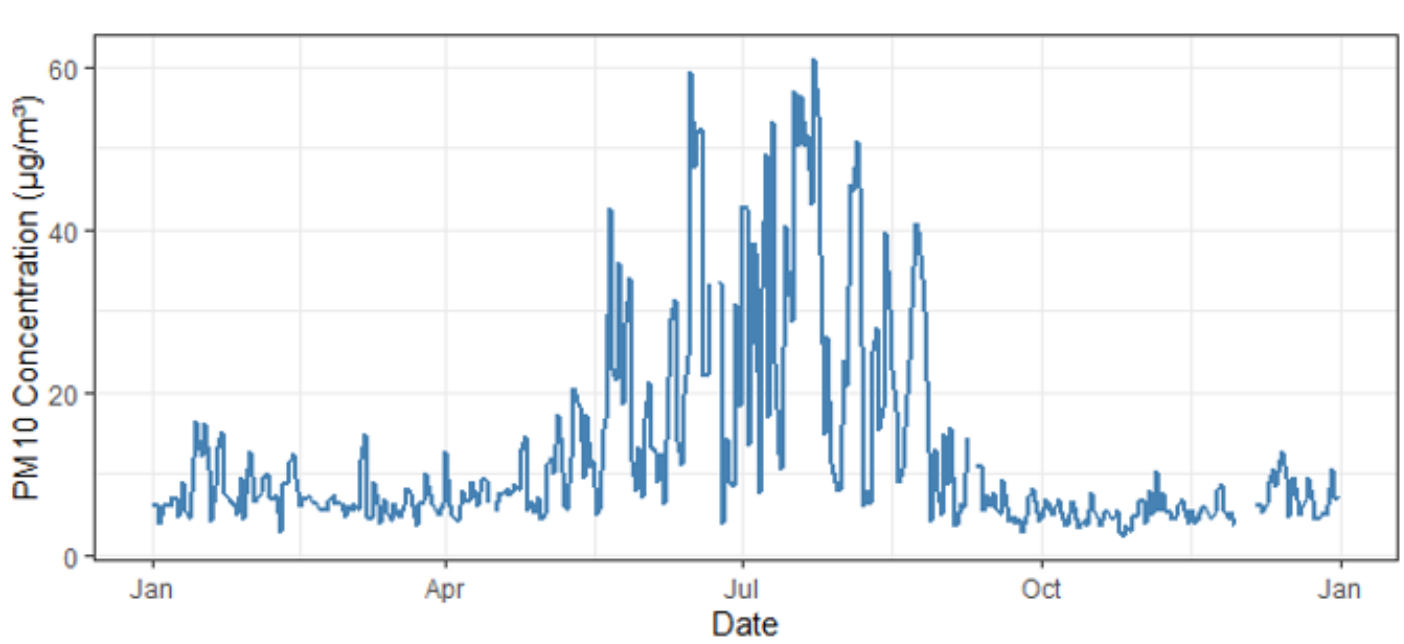


Figure 7: Black carbon and PM_{10} at Arrowtown for 2025 (24-hour average)

CONSIDERATIONS

Strategic Framework and Policy Considerations

[22] This programme supports the Environment focus area of the Strategic Directions by monitoring and investigating Otago's air quality for current and future pollutants.

Financial Considerations

[23] The air quality monitoring programme is a planned Long-Term Plan activity for Science and Environmental Monitoring.

[24] The indicative costs of the programme aspects covered in this report* are:

	Environmental Monitoring	Science
Opex	$40,000	$20,000
Staff Cost	$320,000	$64,000
Overheads/Vehicles	$125,000	$20,000
Capex	$290,000	-

* Note these costs cover the financial year 25-26, while the report presents data from the 2025 calendar year. These are expected to be broadly comparable.

Significance and Engagement

[25] N/A.

Legislative and Risk Considerations

[26] Managing air quality is a regional council requirement in accordance with the NESAQ.

Climate Change Considerations

[27] Monitoring black carbon contributes to ORC's understanding of this pollutant as a climate driver.

Communications Considerations

[28] Air quality communications will continue during 2026 with the Burn Dry Breathe Easy campaign.

[29] Air quality exceedances will continue to be reported in the ODT public notices and on the ORC website.

NEXT STEPS

[30] Monitoring network investigations and upgrades will continue in 2026.

APPENDIX 1: PM_{10} exceedance table for 2025

Site	Alexandra*	Arrowtown	Central Dunedin	Mosgiel
Date	**Concentration (µg/m³) 24-hour average**			
15/06/2025		59		
17/06/2025		52		
18/06/2025		53		
10/07/2025		53		
17/07/2025		57		
19/07/2025		56		
21/07/2025		52		
23/07/2025		61		
24/07/2025		54		
25/07/2025	78			
26/07/2025	70			64
28/07/2025	61			
5/08/2025		51		
6/08/2025	51			59
Total number of exceedances	**4**	**10**	**0**	**2**

* Data was missing for the early part of winter so some exceedances may not have been recorded.

ATTACHMENTS

Nil

10.10. Land and Soil Programme Update

Prepared for:	Council
Report No.	S&R2605
Activity:	Science
Author:	Erik Button (Scientist - Land and Soil), Mark Crawford (Scientist Land and Soil)
Endorsed by:	Tom Dyer (General Manager Science and Resilience)
Date:	27 May 2026
Portfolio Leads:	Cr Kelliher and Cr Robertson, Science and Resilience

PURPOSE

[1] This report provides an annual update on the Land and Soil science work programme. It is a summary of key workstreams and projects since the last programme update report was presented to Council in June 2025.

EXECUTIVE SUMMARY

[2] The Land and Soil programme was revitalised in 2021. Since then, it has expanded by establishing monitoring programmes, developing spatial datasets and supporting research projects. The land and soil programme supports the operations and needs of the ORC, the community, and meets the statutory requirements of the RMA (1991) and its proposed replacement, the Natural Environment Bill (2026).

[3] Highlights include the analysis of 74 soil samples in the region for the State of the Environment (SOE) Soil Health Monitoring Programme, facilitating the expansion of S-Map in Otago by 10% over the last four years, the development and management of a regional land use map, and establishing several collaborative research projects.

[4] The fourth of five years of planned expansion of the State of the Environment (SOE) Soil Health Monitoring Programme has increased the regional coverage, soil types and land uses represented. National reference ranges have been revised following a collaborative research project led by the Ministry for the Environment. These allow for consistent interpretation of results relative to land use and soil types and make recommendations for management interventions based on a traffic-light system, with ‘optimal’, ‘review’ and ‘revise’ statuses. The proportion of measurements meeting the ‘optimal’ status across land uses was 48% with the remaining 42% in the ‘review’ and 10% in the ‘revise’ status. The third year of trialling soil biological measurements within the programme has yielding some interesting preliminary results. These show a clear influence of land use on the presence and abundance of soil fauna (invertebrates) and that some soil measurements have a strong influence on soil biology (pH and porosity).

[5] ORC is supporting a three-year research project led by the Bioeconomy Sciences Institute (formerly AgResearch) to investigate alternative farm systems to intensive winter grazing. Intensive winter grazing of forage crops in Otago on less versatile soils of rolling downlands to steeper hill country can be a high-risk activity — even with mitigations in place and best practice followed. This study assesses the effects of different wintering systems on animal, plant and soil health, and how they influence farm system resilience. The first winter of monitoring has yielded preliminary results suggesting that alternative systems can recover faster than conventional ones and has focussed the monitoring approach for the second year of the project beginning this winter.

[6] A spatial prioritisation was developed for the Ministry of Primary Industries (MPI) funded Hill Country Erosion Programme as a decision support tool. This allows the Programme to effectively allocate resources to mitigate hill country areas combining the greatest risk of erosion and potential for mitigation. The tool was developed in-house using a modelling approach with support from a technical advisory group. The map has been central to a funding bid for a further four years of MPI funding and will be replicated in other regions.

[7] The mapping of previously unknown onsite wastewater management systems (OWMS; i.e. septic tanks) by Public Health and Forensic (PHF) science (formerly ESR) allows ORC to better understand and manage environmental pressures on drinking and groundwater. Of the 140,000 properties in Otago, it was estimated that 12% are not connected to a reticulated wastewater system and have OWMS that do not require resource consent. These ~17,000 properties dispose of wastewater potentially containing phosphorus, nitrogen, pathogens, suspended solids, organic compounds, pharmaceuticals, and household chemicals. A high density of OWMS can present a risk to groundwater, especially where it is used for drinking water.

RECOMMENDATION

That the Council:

1) ***Notes*** *this report.*

BACKGROUND

[8] The ORC's land and soil science programme was revitalised in 2021. Historically, land and soil science was a strong focus of this organisation and its predecessors (i.e. Otago Catchment Board). The revitalisation aligns ORC with RMA requirements and acknowledges the importance of soil conservation, land-based activities, and regional land use data in the management of the Otago environment and its natural resources.

[9] In the last five years, this work programme has responded to needs from within the organisation, and identified and filled gaps in datasets and information. The programme now meets the statutory requirements of the RMA (1991) and its proposed replacement, the Natural Environment Bill (2026), pertaining to monitoring and reporting on the life-giving capacity of soil resources. The monitoring and mapping programmes developed are being utilised across ORC and by the community for different applications, including nutrient modelling, economic analysis, policy development, catchment management, and decision support.

SOIL HEALTH MONITORING

[10] The State of the Environment (SOE) Soil Health monitoring programme aims to build a network of locations that represent the varied land uses, soil types and climatic zones of the region. These will be resampled every five years to develop a long-term dataset to inform the sustainability of soil use, resource management and policy development.

[11] In 2025, the fourth year of the monitoring programme, 18 new soil monitoring locations were established. This includes seven sites in the Manuherekia catchment, which had not yet been included in the programme. The total current number of monitoring locations now totals 74, spanning eleven land uses and six main soil types (Figure 1). Spring 2026 will mark the final year of new locations, focussed on under-represented land uses (arable, horticulture and 'natural' references), primarily in the Dunstan and Upper Lakes areas. Good regional representation means that we can have more confidence in the monitoring state and trends. The first re-sampling of sites is planned for spring 2027.

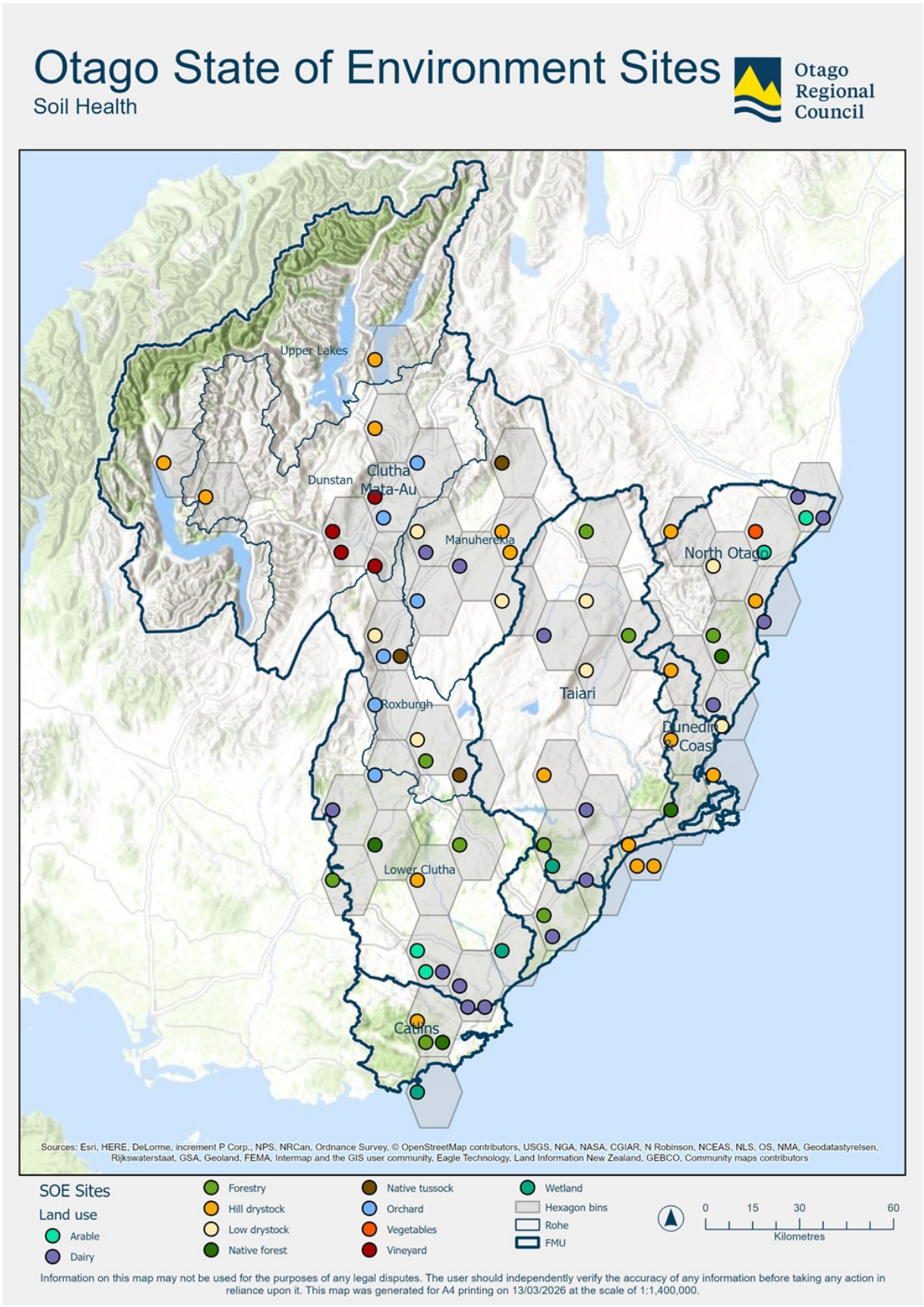


Figure 1. Map of the 74 established soil-health monitoring sites and their land use in Otago. The hexagons represent the area within which the monitoring sites are located. The position of

the points, representing monitoring sites, is fixed within the hexagons to anonymise their precise location to conform with landowner access agreements.

[12] The programme measurements and the reference ranges used to interpret soil health have been modified, following a revision of reference ranges in 2025 commissioned by the Ministry for the Environment[1]. The results of this revision are, in short, updated reference ranges, suggested new measurements, and a traffic-light framework to indicate the recommended management responses to avoid negative environmental and production outcomes (Table 1).

Table 1. Traffic-light-style reference range framework to support interpreting results.

Status	Meaning
Optimal	The results fall within typical/optimal ranges for the land use. It is good for production and good for the environment. It is recommended to continue monitoring to track any changes.
Review	The results fall outside the reference range. A review of possible causes is recommended to verify if values are acceptable for the site and/or if management practices can be modified to improve soil health or mitigate potential negative environmental outcomes.
Revise	The result falls outside the reference range by a significant amount or to a level that may have environmental and/or production implications. It is recommended to review management practices and revise these to improve soil health or mitigate potential negative environmental or production outcomes if appropriate.

[13] This framework (Table 1) was designed to support the interpretation of results and to enable participating landowners to make evidence-based decisions, if they so choose. The terminology used, ‘optimal, ‘review’, and ‘revise’, is suggestive and does not imply any obligation on the Council or landowners. The reference ranges were developed to reflect positive production and environmental outcomes. The ranges were derived using either agronomic recommendations, data reflecting ‘typical values’, or thresholds from studies that suggest limitations to production or environmental outcomes. The ranges can vary with land use and/or soil type as each has different requirements (Figure 2).

[14] The proportion of measurements falling in the ‘optimal’ category ranged from 17% to 80% (Table 2). Vegetable growing scored the lowest proportion of measurements meeting the ‘optimal’ status (17%), showing the reliance on high inputs and the impact of frequent cultivation on the soil. However, as this is based on a single location, more monitoring sites are needed to gain confidence in the representativeness of the result. It is planned to add further vegetable growing sites this year if suitable sites can be accessed and established. Dairy, arable, low drystock, viticulture and orchard land uses were ‘optimal’ between 36% and 55%. Hill drystock and exotic forestry scored the highest percentages within the ‘optimal’ range at 59% and 80%, respectively.

[15] Compaction of the soil is like squeezing a sponge – it makes it harder for water, air and plant roots to move through the soil which reduces plant productivity. This also makes runoff more likely which can reduce water quality. Low macroporosity together with high bulk densities suggest compaction of the soil by stock and machinery, especially

[1]Cavanagh, J., Drewry, J., Thompson-Morrison, H., Simcock, R., Mackay, A., Dominati, E., Hu, W., Müller, K., Beare, M., Garrett, L., Ghimire, C., Clinton, P., 2025. Revision of soil quality indicator target ranges. Manaaki Whenua Contract Report: LC4614 Prepared for: Ministry for the Environment. Report here.

during wet conditions, which can limit plant productivity and increase run off generation and surface erosion. This is prevalent to varying extents in most land uses apart from exotic forestry, but particularly in dairy and low drystock land uses (Figure 2).

[16] Soil organic matter is a key part of soil. It stores nutrients, is food for life in the soil and retains moisture. It is primarily made up of carbon and nitrogen, and depletion of these elements can occur from activities such as frequent cultivation, prolonged periods of bare ground, overgrazing and excessive chemical inputs. Where there is a higher land use intensity, the soil environment is disturbed more which creates conditions that increase organic matter decomposition. This is reflected in the results where these activities occur, such as arable, vegetable growing and pastoral systems with cropping activities (Figure 2).

[17] High phosphorus (P) levels measured in the soil increases the risks to water quality if soil washes into waterways in runoff. The majority of measured P levels are within the reference range, while there are several instances of the measurements measuring below the minimum range (e.g. in drystock). Low P levels are of less environmental concern than levels above the recommended range but may impact productivity. The vegetable growing land use had an extreme level above the recommended range (170 mg/kg), but there are also other land uses with high levels of P (a couple of dairy farms, a low drystock farm and an orchard; Figure 2). High P levels can reflect excess application of fertilizers (such as superphosphate) in previous decades, but current fertilizer application practice[2] reduces the risks associated with elevated P in soil.

[18] Measurements of potentially toxic elements showed that most sites do not exceed the expected background levels[3]. Three arsenic concentrations were above human health protection guidelines, although this depends on the relevant level of human contact to the soil (e.g. residential or industrial). However, these higher arsenic concentrations are likely from common naturally occurring geological sources in Otago which are less bioavailable[4]. A similar pattern can be seen in sites with high chromium, nickel and zinc concentrations, which are heavy metals associated with volcanic geology that naturally occurs around Dunedin and North Otago.

[19] Use of treated timber (chromated copper arsenate; CCA)[5] and current or historic chemical use (lead-arsenate, copper-based fungicides, impurities from fertiliser)[6,7], could be contributing to elevating concentrations above background levels in orchards and

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[2] The Fertiliser Association of New Zealand's (FANZ) Code of Practice for Fertiliser Nutrient Management (updated March 2023). Available here.

[3]Cavanagh, J., Thompson-Morrison, H., McNeill S., Bull, D., Beardmore, S., 2025. Determination and use of background concentrations of trace elements in soil in Otago and Southland. Bioeconomy Science Institute. Envirolink Grant: 2518-ORC17. Report here.

[4]Concentrations derived from natural weathering of geology are generally less mobile being bound within stable mineral lattices, whereas concentrations from human activities are often more mobile due to their presence in soluble, exchangeable forms (carbonates, oxides).

[5] Robinson, B., Greven, M., Green, S., Sivakumaran, S., Davidson, P. and Clothier, B., 2006. Leaching of copper, chromium and arsenic from treated vineyard posts in Marlborough, New Zealand. *Science of the Total Environment*, *364*(1-3), pp.113-123.

[6] Morgan, R.K. and Taylor, E., 2004. Copper accumulation in vineyard soils in New Zealand. *Environmental Sciences*, *1*(2), pp.139-167.

[7] Gaw, S.K., Wilkins, A.L., Kim, N.D., Palmer, G.T. and Robinson, P., 2006. Trace element and ΣDDT concentrations in horticultural soils from the Tasman, Waikato and Auckland regions of New Zealand. *Science of the total environment*, *355*(1-3), pp.31-47.

vineyards. Resampling of these sites will help determine whether these are stable or increasing over time. See the supplementary figure in Attachment 1 for the results.

[20] After establishing the final set of new locations this year, subsequent years will systematically re-sample sites every 5 years. This will indicate whether measured results are stable, or show trends of improving or degrading soil health. Communication of these long-term trends with landowners and industry bodies is planned.

[21] The Otago soil health monitoring dataset will be incorporated into national reporting of the state of land and soil health, such as the 'Our Land 2024' report produced by the Ministry for the Environment and Stats NZ[8].

[8] Ministry for the Environment & Stats NZ (2024). New Zealand's Environmental Reporting Series: Our land 2024. https://environment.govt.nz/publications/our-land-2024/

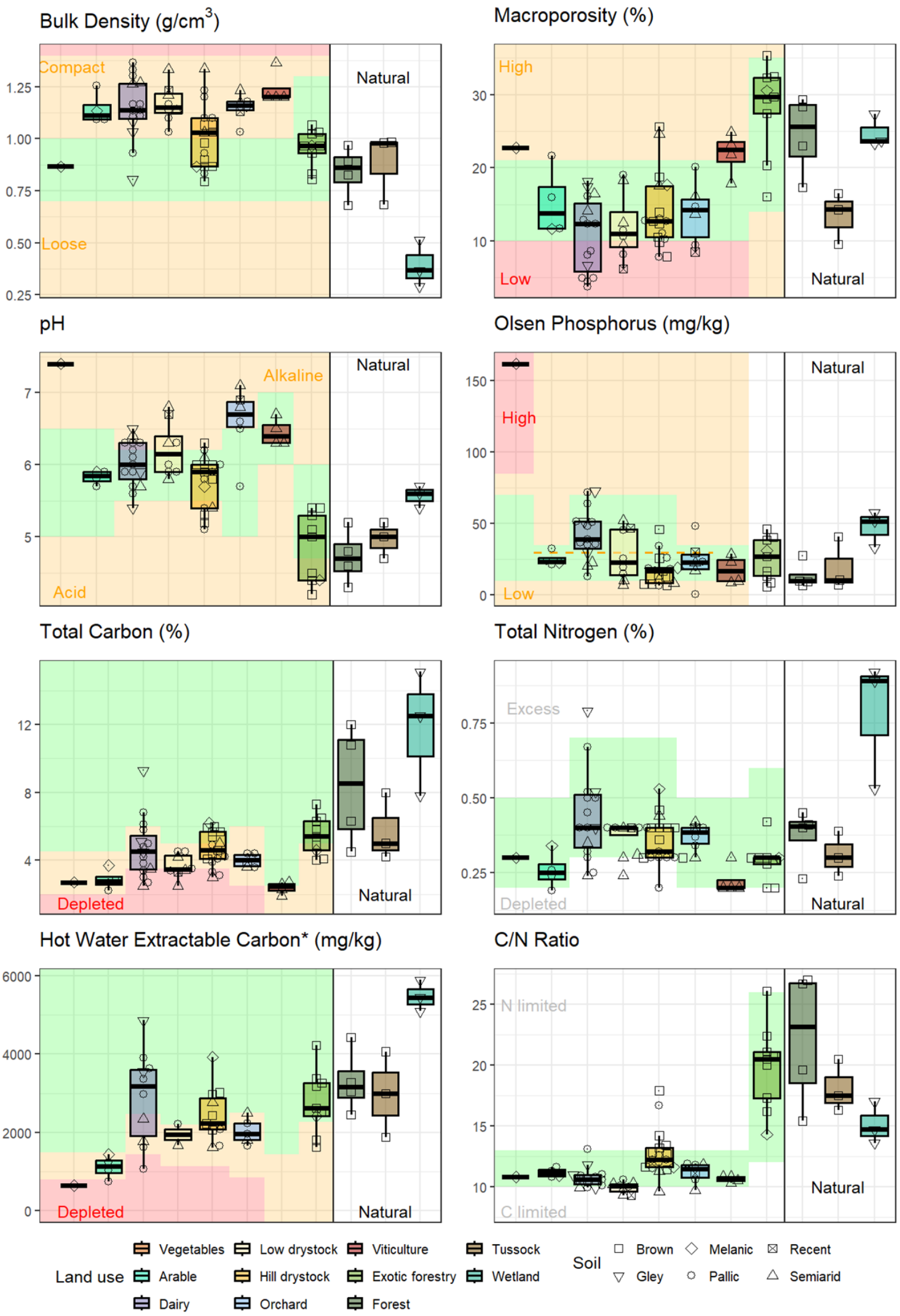

Figure 2. Boxplots of the land uses (Vegetables n=1; Arable n=4; Dairy n=15; Low drystock n=8; Hill drystock n=17; Orchard n=6; Viticulture n=4; Exotic forestry n=9; Forest n=4; Tussock n=3; Wetland n=3;) across soil measurements with points representing the NZSC soil orders. The background colours represent the status, where green is 'optimal', orange is 'review' and red is 'revise' – note these reference ranges vary with the different land uses. The dashed line in the Olsen P plot represents a limit for 'Recent' (geologically young) soil type only.

Table 2. The key chemical and physical soil health programme measurement results of different land uses aligned with the reference ranges. The coloured rows highlight the status of the majority of the land use. n is the number of sampled sites of the respective land use. HWEC is hot water extractable carbon.

			Measurements **meeting status (%)**						
Land use	**n**	**Status**	Bulk Density	Macroporosity	pH	Olsen P	Total carbon	HWEC*	Average
Vegetables	1	Optimal	100	0	0	0	0	0	17
		Review	0	100	100	0	100	0	50
		Revise	0	0	0	100	0	100	33
Arable	4	Optimal	0	75	100	100	0	0	46
		Review	100	25	0	0	100	75	50
		Revise	0	0	0	0	0	25	4
Dairy	15	Optimal	13	53	60	87	13	70	49
		Review	87	0	40	13	53	30	37
		Revise	0	47	0	0	33	10	15
Low drystock	8	Optimal	0	63	50	75	0	50	40
		Review	100	0	50	25	50	50	46
		Revise	0	38	0	0	50	0	15
Hill drystock	17	Optimal	47	71	65	71	41	60	59
		Review	53	12	35	29	41	40	35
		Revise	0	18	0	0	18	0	6
Orchard	6	Optimal	0	67	17	66	0	67	36
		Review	100	0	83	33	100	33	58
		Revise	0	33	0	0	0	0	6
Viticulture	4	Optimal	0	25	100	75	75	-	55
		Review	100	75	0	25	25	-	45
		Revise	0	0	0	0	0	-	0
Exotic forestry	9	Optimal	100	89	56	100	56	78	80
		Review	0	11	44	0	44	22	20
		Revise	0	0	0	0	0	0	0
All land uses	**74**	**Optimal**	33	55	56	72	23	46	48
		Review	68	28	44	16	64	36	42
		Revise	0	17	0	13	13	19	10

*This is a measurement that has been recommended for adoption by the recent revision project. Consequently, it has not been analysed for all sites.

[22] Soil is home to 59% of all life[9]. Despite a growing body of research, soil biology is not included in the standard parameters of the national soil health SOE monitoring programme, which focuses on more static soil physical and chemical properties. This means little is known about life in the soil of different land uses in Aotearoa New Zealand and how it might be affected by land management over time. There has been a growing understanding of the importance of soil biology and biodiversity in ecosystem functioning which has translated increasing into public interest. For example, recent documentaries have focussed on soil with a strong focus on biology – 'Kiss the Ground' (2020), 'Six Inches of Soil' (2023), and 'Planet Soil' (2023), explore the soil ecosystem.

[23] To address this gap, in 2023 three different soil biology measurements were added to the soil monitoring programme in Otago as a trial[10]. These are: hand searching soil samples in the field for large invertebrates, exposing a soil sample to heat and light to extract small invertebrates and identifying them under the microscope (done by Massey University students), and extracting and sequencing of soil DNA in collaboration with Otago University. The purpose of this was to answer four key questions: 1) what is the status of soil biology in Otago?; 2) How do methods of different complexity and cost compare?; 3) What is the relationship between the biological, chemical and physical soil measurements?; and to 4) can this work contribute to the development of a national soil biological health measurement?.

[24] While this work is ongoing, already more than 30,000 individual soil invertebrates have been counted and identified across two size classes (Figure 3). The presence/absence and abundance of the invertebrate groups demonstrate the different assemblages of soil fauna with land use. Some larger invertebrates (macro) can be more sensitive to disturbance, whereas other groups are more tolerant to disturbance. This work highlights differences in community complexity, the impacts of land uses on these differences and potential measurements that may be meaningful as benchmarks.

[25] Capturing soil DNA may be the ultimate way of monitoring what is living in the soil. We analysed samples for bacterial, fungal and invertebrate DNA, covering the key groups of soil organisms. While this work is ongoing with a final round of extraction and sequencing planned this year, preliminary results[11] show that soil porosity and pH had the strongest influence on the structures of the bacterial and fungal communities. This demonstrates the influence of land management on soil microbiology, which is crucial for nutrient cycling. In some cases, it was possible to identify obligate pathogenic and symbiotic taxa. Further analyses and untangling the relationship between taxa and measurements is needed to leverage meaningful information for council, landowners and the public. This is novel and unique work within the regional sector that has attracted strong interest from the recently established National Soil Biodiversity Working Group.

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[9] Anthony, M.A., Bender, S.F. and van der Heijden, M.G., 2023. Enumerating soil biodiversity. *Proceedings of the National Academy of Sciences*, 120(33), p.e2304663120.

[10] Background information can be found in past committee meeting paper on pages 262-265 - https://www.orc.govt.nz/media/vcph1d3v/20250604-sr-agenda.pdf.

[11] Nilsen, A., Summerfield, T., 2025. The impact of land use and land management on soil biological health. University of Otago. Report prepared for the Otago Regional Council. Envirolink 2433-ORC012.

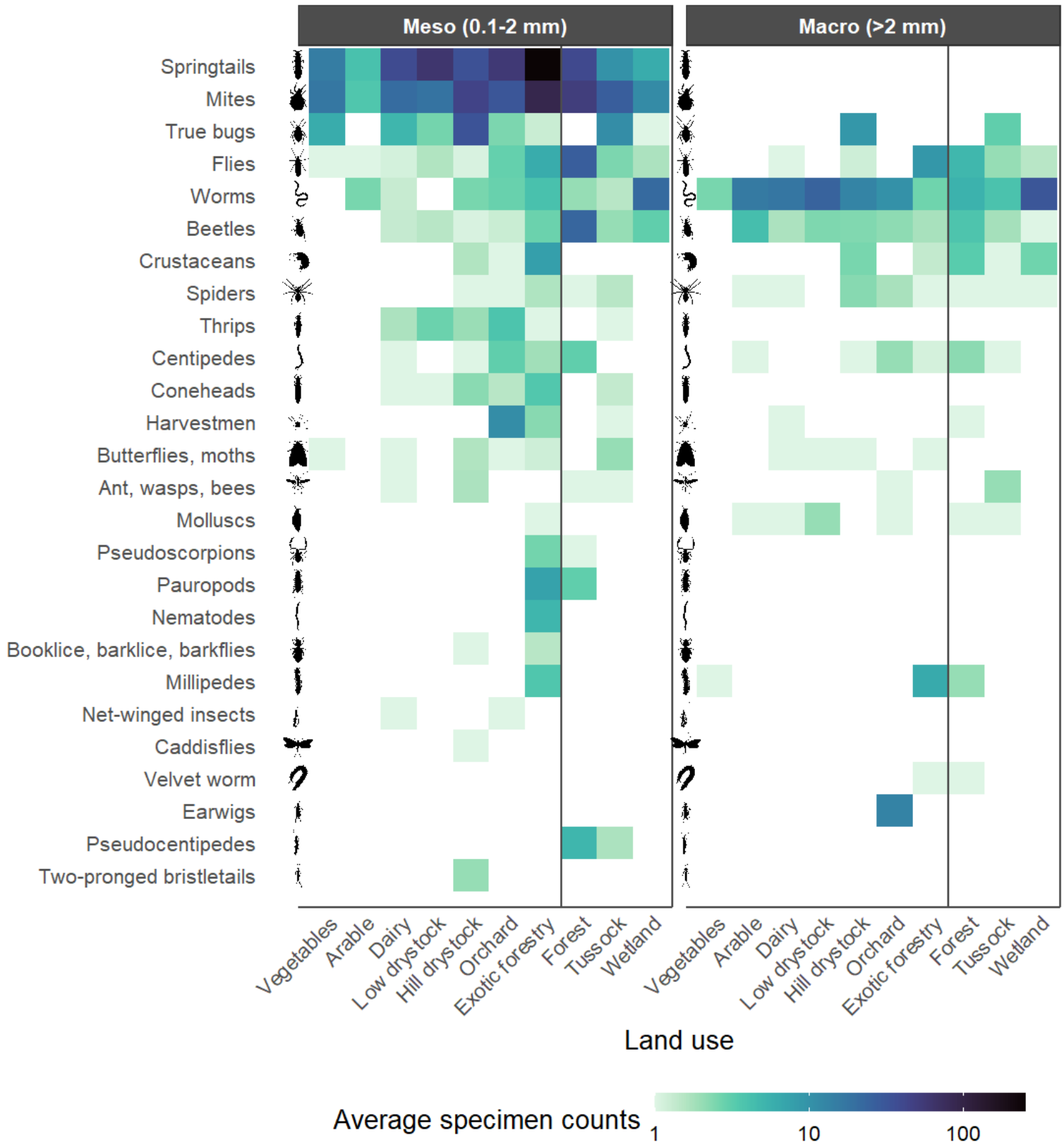

Figure 3. The presence and average counts of soil invertebrate groups across land uses from collection methods that target different sizes classes of invertebrates (Extraction - 'Meso' Hand searching - 'Macro'). The total number of sites is 52 (Vegetables = 1, Arable = 4, Dairy = 10, Low drystock = 2, Hill drystock = 11, Orchard = 5, Exotic forestry = 9, Forest = 4, Tussock = 3, Wetland = 3).

ALTERNATIVE APPROACHES TO ANIMAL WINTERING

[26] Intensive winter grazing (IWG) is a farming practice where high densities of livestock are fed in-situ forage crops over the winter period. This practice creates bare ground, which on Otago's less versatile soils (rolling downlands to steeper hill country), can be a high-risk activity. Even with mitigations in place and best practice followed, residual environmental risks remain due to bare-soil paddocks generated from intensive stock treading.

[27] Paddocks that have undergone IWG are prone to contaminant loss through surface runoff (sediment, phosphorus, pathogens) or subsurface drainage (nitrogen losses from stock urine due to the high concentrations of stock in a confined unvegetated area during wet winter months). Bare paddocks are especially vulnerable during heavy rainfall where contaminants can be washed off and into waterways. A Landcare Research satellite mapping programme estimated there was between 23,000 to 46,000 ha of winter forage cropping in Otago in the 2023 winter[12].

[28] The residual environmental risk from a widely used farming system (even operated to best practice), led to proactively exploring the potential of alternative forage systems which have less environmental impact but can retain farm profitability. The initial focus has been based around pasture-based wintering, where the intent is to retain some pasture cover during the winter.

[29] Following an ORC-commissioned and EnviroLink-funded literature review[13] by AgResearch (now part of the Bioeconomy Sciences Institute), discussions were held with some south Otago farmers and industry groups about the appetite to look at alternative systems. This illustrated an interest from farmers to move away from or modify IWG systems, but emphasised alternatives would need to be proven viable before farmers took the significant risk of transitioning from a 'tried and true' system. Building on this, a multi-year research project was established to assess the environmental, animal health, practical and business impacts of alternatives to IWG, and to provide farmers with a robust evidence-base and field-scale demonstrations of alternative wintering approaches. This is part of a larger study led by the BSI which also includes farms in Canterbury and Southland.

[12] Belliss, S., et al., 2023. Notes to accompany 2023 national winter forage layer.
[13] Monaghan, R., Stevens, D., 2024. Alternative field-based approaches to animal wintering that deliver some improved environmental and animal welfare outcomes: A stock-take of current knowledge. AgResearch Ltd. Report Number RE450/2024/023. envirolink.govt.nz/assets/Envirolink/2429-ORC011-Alternative-wintering-systems.pdf

[30] The first winter (2025) of the three-year research project at two Otago farms (a South Otago dairy farm and a sheep farm) has been completed. Both farms are incorporating alternative forage systems with good winter management practices and are willing to modify their systems to further improve environmental and animal welfare outcomes. The first year of monitoring consisted of drone-captured bare ground extent, feed quality, visual soil assessment, soil moisture content, soil infiltration rates, and animal welfare measurements (body condition score, coat mud score). These were implemented on 'conventional' IWG crops (fodder beet; swedes) and alternative forage systems (pasture-baleage, and combined crops, kale/plantain; turnips/ryegrass – see Fig. 4).

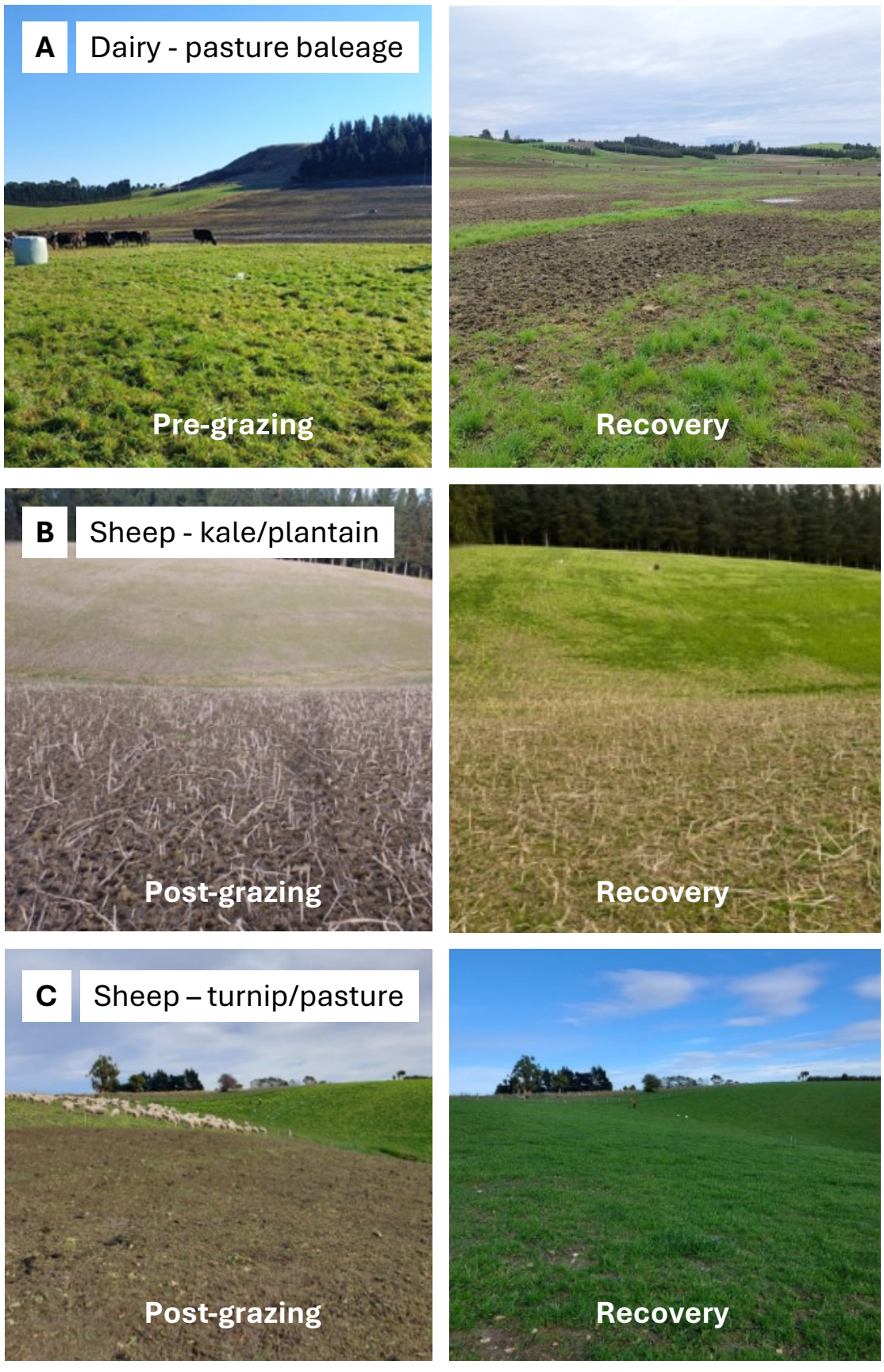

Figure 4. Examples of alternative forage systems and their post-grazing recovery in spring. A) Pre-winter grazing and spring recovery on the dairy pasture baleage paddock showing a patchy recovery;

B) Post winter grazing and strong spring plant cover recovery in the sheep kale/plantain paddock; C) Post winter grazing and spring recovery in the sheep leafy turnip with new hybrid ryegrass showed quick recovery despite the winter grazing soil damage.

HILL COUNTRY EROSION PRIORITISATION

[31] The Hill Country Erosion Programme (HCEP) is a partnership between the Ministry for Primary Industries (MPI), Te Uru Rākau NZ Forest Service, Otago Regional Council and landowners, encouraging and supporting sustainable management practices to protect vulnerable hill country. In Otago it was first funded by MPI for the 2023-2027 period with a proposal for another funding round recently submitted.

[32] The HCEP supports landowners to plan for, and treat, erosion-prone land to protect vulnerable hill country. To be able to do this effectively at a regional scale, the programme manager sought prioritisation support from the Land and Soil Science team. In conjunction with an established advisory group, a map was developed that ranked different hill country areas to identify land with high erosion rates, but also the greatest potential for mitigation. This group met regularly and steered the development of the prioritisation.

[33] Briefly, the prioritisation methodology classifies Otago hill country using elevation, slope, and land-use criteria, then uses modelled estimates to determine how much sediment these areas currently generate and how much could be reduced through mitigation. Hill country is mapped based on pastoral farming below 1,000 m elevation, within moderate slopes (15°-25°), with lower-elevation land (<500 m) given extra emphasis because it tends to be more intensively managed. SedNetNZ[14], a process-based sediment budgeting model, is then used to calculate sediment yield both under current management, and the potential reduction achievable through stock exclusion (used as a measurement for mitigation potential). These modelled values combined to highlight areas where both sediment generation and reduction potential are highest. The final output is a spatial prioritisation layer showing which hill-country areas offer the greatest opportunity for effective erosion-mitigation investment (Figure 5).

[14] A. Neverman and H. Smith, “SedNetNZ modelling for freshwater planning in Otago,” Manaaki Whenua – Landcare Research, vol. Prepared for: Otago Regional Council, no. Contract Report: LC5016, 2022. The SedNetNZ modelling in Otago was originally developed to support the proposed Land and Water Regional Plan and is being repurposed here.

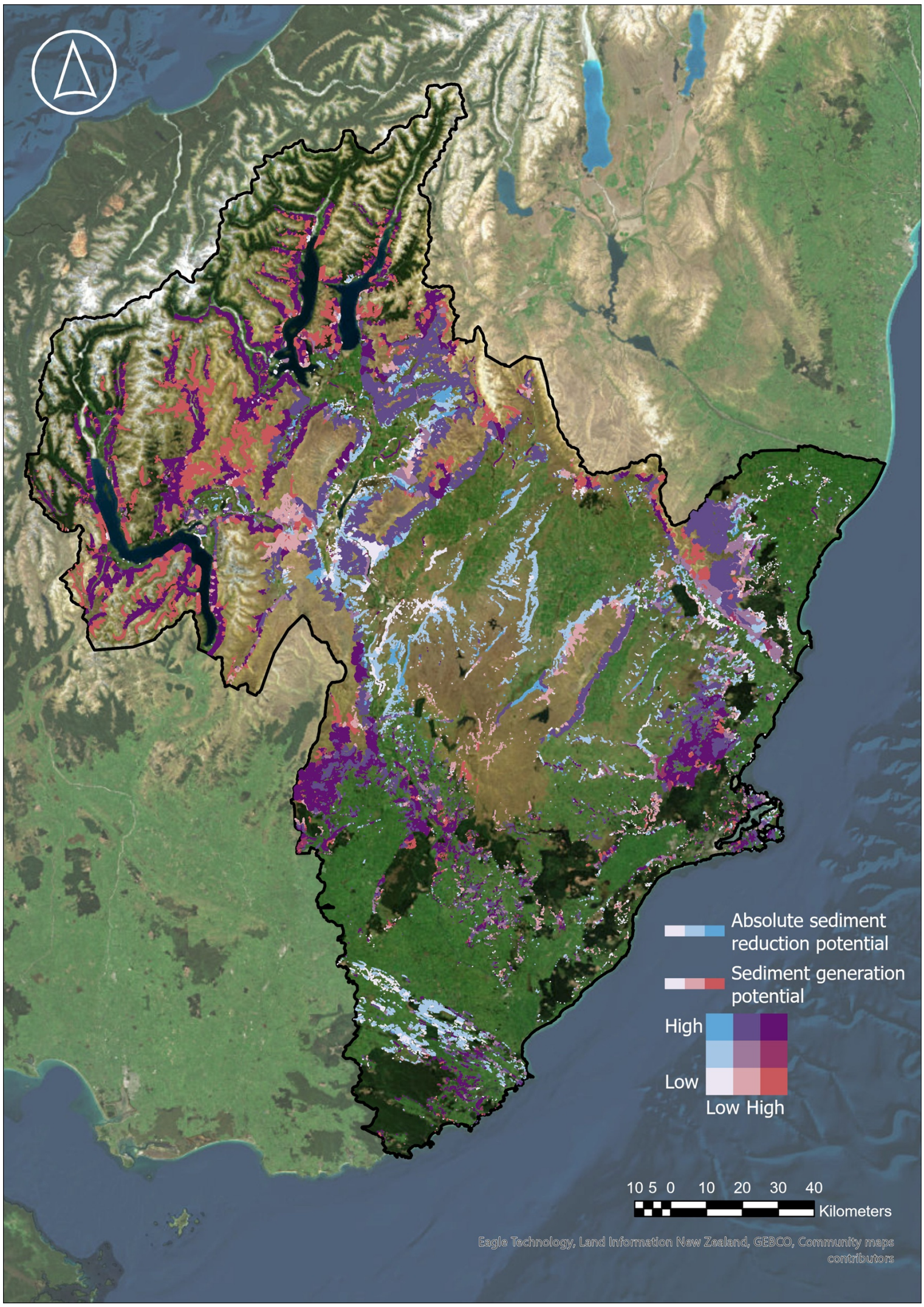

Figure 5. Spatial prioritisation of hill country erosion in Otago. The classes are derived from modelled averages and absolute differentials of sediment yield calculated based on a mitigation scenario that is applied to the identified hill country areas. Dark purple areas represent hill country with the highest priority for implementing mitigation measures for sediment erosion due to their combined high sediment generation (in red) and absolute sediment reduction (in blue) potentials.

[34] The map delineates 3,761 km^2 of hill country which corresponds to 11.8% of Otago with 3.4% of it being low hill country (<500 m) and 8.4% high hill country (500 - 1,000 m). Three general areas within Otago with the highest priority (medium to high sediment generation and medium to high sediment reduction potential) are identified. These are the hills southwest of Roxburgh, the hills North of the Silverpeaks mountain range (northwest of Dunedin), and the hillslopes of the more productive alpine ranges and valleys (Cardrona, Shotover and Matukituki). In addition, many smaller pockets of priority were identified. 7.5% of Otago is identified as highest priority for the HCEP.

[35] This spatial prioritisation was designed for use at a regional scale as a decision support tool for planning. At a property level, the tool's uncertainty is high and field verification and working with landowners is recommended for planning mitigations. Details of the methodology, and its limitations and assumptions are documented in the technical report[15]. A user guide has been developed, and the mapped prioritisation layer is hosted on the Otago web maps page.

[36] This work will strengthen the ORC proposal for further funding to MPI. In addition, the methodology was presented to the regional council sector and Marlborough District Council plans to replicate it in Marlborough with support from ORC.

ONSITE WASTEWATER MANAGEMENT SYSTEM MAPPING

[37] ORC is required to support territorial authorities and The Water Services Authority in the protection of drinking water sources and provide information on drinking water quality, risks and hazards under Sections 41 and 46 of the Water Services Act (2021)[16]. Effluent discharges from Onsite Wastewater Management Systems (OWMS – also commonly known as Septic Tanks), occur in occupied properties not connected to wastewater reticulation. OWMS are common in Otago, presenting both an environmental risk and a challenge to the ORC's requirements to comply with the Water Services Act[17]. Discharge from OWMS can contain a wide range of contaminants, including phosphorus (P), nitrogen (N), pathogens, suspended solids, organic compounds, pharmaceuticals, and household chemicals. Therefore, OWMS discharges impose a risk to drinking water, human health, and the environment, particularly for communities that rely on groundwater for drinking.

[38] OWMS typically consist of a septic tank and a disposal field, where wastewater is discharged and attenuated as it infiltrates to groundwater[18] or an above-ground system. Contamination risk from OWMS discharges increases when systems are not properly maintained, insufficiently treated wastewater is discharged, the density of OWMS is high, and where discharge occurs near groundwater bores.

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[15]Button, E. S. (2026). Otago Hill Country Spatial Prioritisation: Technical Report. Hill Country Erosion Programme. Otago Regional Council, Dunedin. https://www.orc.govt.nz/hillcountryprioritisation

[16]New Zealand Legislation. 2021. Water Services Act. https://www.legislation.govt.nz/act/public/2021/0036/latest/LMS374564.html

[17]An update to Council about the ORC's requirements under the Water Services Act is planned for June 2026.

[18]Robertson, W. 2021. *Septic System Impacts on Groundwater Quality*. 38 p. ISBN: 978-1-77470-004-4. Published by the Groundwater Project, Guelph, Ontario, Canada

[39] The ORC does not have information on the number or locations of all OWMS in the region. This is due to the Permitted Activity status under which OWMS discharges operate (where the discharge volume is below a certain threshold and it is not in a specific designated zone)[19], hence, these systems are not required to be consented and monitored. This lack of information means the contribution of OWMS to contaminant loading to ground and surface water cannot be accurately estimated, or the risks of such discharges established.

[40] In 2015, ORC estimated unconsented OWMS and highlighted the risks to groundwater[20]. However, there is a need to update the OWMS location estimates due to the significant development that has occurred in the last decade and increasing requirements to assess risks to drinking water sources. ORC engaged Public Health and Forensic (PHF) Science (formerly ESR) to model OWMS locations across Otago in 2025[21]. Results presented here are preliminary, with a final report pending.

[41] Using a GIS methodology tested in Canterbury that integrates multiple spatial layers (rating units, building outlines, wastewater pipelines, consents)[22], PHF estimated there are ~17,000 properties that are not connected to a centralised reticulated wastewater system (council or privately operated) in Otago (Table 3). These properties are likely serviced by an OWMS. However, only 0.2% of these properties have a resource consent and location known to ORC. Therefore, prior to this work, the location of approximately 99.8% of OWMS in Otago was largely unknown.

Table 3. Proportion of consented and unconsented OWMS across the territorial authority districts of Otago. Properties with OMWS and no consents were estimated by PHF[19].

Territorial Authority	Properties (2023)	Properties with OWMS discharge consent		Properties with OWMS and no consent	
		#	%	#	%
Central Otago	18,085	52	0.3	3,705	20.5
Clutha	15,984	18	0.1	3,688	23.1
Dunedin City	59,431	63	0.1	4,288	7.2
Queenstown-Lakes	32,472	162	0.5	2,352	7.2
Waitaki	14,283	46	0.3	2,753	19.3
Total	**140,255**	**341**	**0.2**	**16,786**	**12.0**

[42] The density of OWMS provides a proxy for the risk associated with wastewater discharge[23]. This highlighted several towns with high densities of OWMS, notably

[19]Regional Plan: Water for Otago: Rule 12.A.1.3 and 12.A.1.4 - Discharging more than 2,000 litres per day, or effluent is going onto a neighbouring property.

[20] Otago Regional Council, 2015. Groundwater Contamination Risk, Septic Tank Density and Distribution within Otago.

[21]Public Health & Forensic Science (PHF). 2025. *Estimating onsite wastewater management systems (OWMS) densities and nutrient loads – Otago*. Final Report pending.

[22] Qiu, R., Humphries, B., Orsi, A. and Weaver, L., 2023. Estimating On-site Wastewater Management System (OWMS) locations in Canterbury Region.

[23] Dowling, M.J., Amador, J.A., Anderson, S., Bengtson, S., Hemphill, K. and Loomis, G.W., 2024. Relationship between groundwater nitrate concentration and density of onsite wastewater treatment

Aramoana, Kingston, Clyde, Outram, and Glenorchy (illustrated in Figure 6). These are located near highly sensitive environments such as Lake Whakatipu, the Clutha Mata-Au and Taiari Rivers, and the coast, respectively. The data shows that the districts with the highest OWMS densities are Dunedin City, Central Otago and Queenstown-Lakes districts (Table 4).

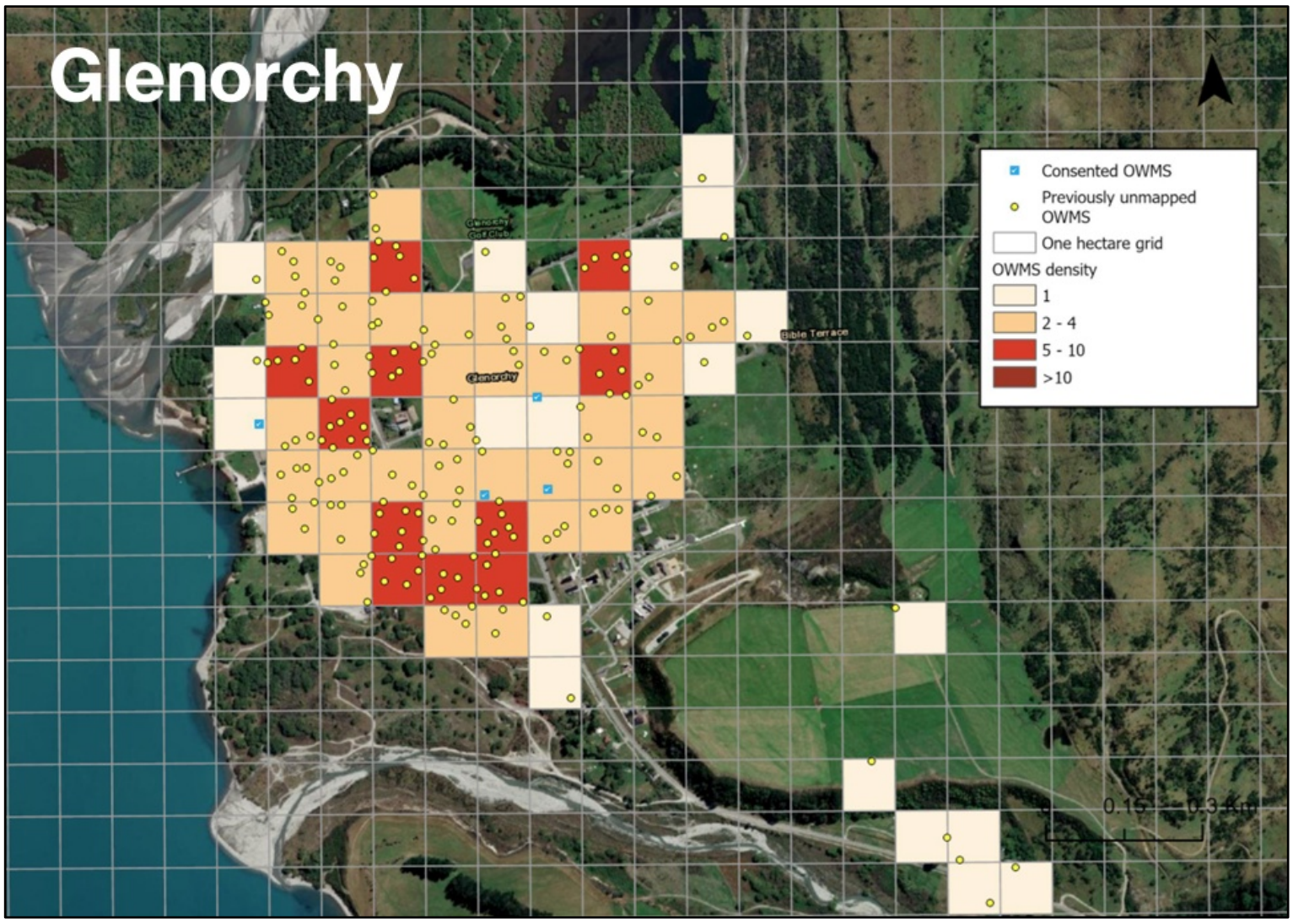

Figure 6. An example township in Otago (Glenorchy) with high densities of predicted OWMS. Glenorchy has a reticulated drinking water supply.

[43] Work to improve this dataset and the management of the risks associated with wastewater discharges is ongoing in collaboration with Territorial Authorities, the Water Services Authority, and internal ORC teams (consents, policy, compliance, GIS, and communications). Plans are being made for this mapping work to be updated annually.

Table 4. Number of hectare grids with different OWMS densities across the territorial authority districts of Otago. Colour coding corresponds to Figure 6.

Territorial Authorities	Density (# OWMS per ha)				
	1	2–4	5–10	>10	Total (ha)
Central Otago	2,917	209	49	1	3,176
Clutha	3,013	170	18	-	3,201
Dunedin City	2,691	359	92	-	3,142
Queenstown-Lakes	1,699	208	39	-	1,946
Waitaki	2,139	238	16	-	2,393
Total (ha)	**12,459**	**1,184**	**214**	**1**	**13,858**

systems: Role of soil parent material and impact on pollution risk. *Journal of Sustainable Water in the Built Environment*, *10*(3), p.04024003.

OTHER MAPPING PROGRAMMES

[44] The Land and Soil Science Programme manages multiple land use and activity mapping programmes for the benefit of resource management, public information, and policy development. An update to the land use map was completed in 2025 and will be updated in the future. The map of irrigation extent and types was updated in 2023 and will be updated periodically.

[45] The four-year programme to expand the Otago coverage of the national digital soil map, S-Map, mapped 10% of Otago and concluded in 2025 (329,000 ha mapped). The mapping has not been continued in 2026 due to the cessation of an 80% co-funding initiative from the Ministry for Primary Industries. Currently, 36% of Otago has been mapped, covering most lowlands and higher land use capability classes (1-3). We will seek to leverage central government funding to expand this work when it next becomes available.

3D PRINTED LANDSCAPES

[46] The use of a 3D printer to generate highly accurate landscape models is a powerful way to explore and communicate landscapes and their features. To date, several models have been created, inspiring many conversations internally and with the community about topography, catchments, land use, natural hazards and hydrology.

[47] This tool continues to be in high demand across different teams and for a variety of use cases. There is currently a waiting list. Since its purchase, many projects have been completed (Figure 7). In addition to landscapes, which are the main application of the printer, 3D scanned native species (e.g., kororā, kōaro) have been printed and given away as quiz prizes during community engagement events.

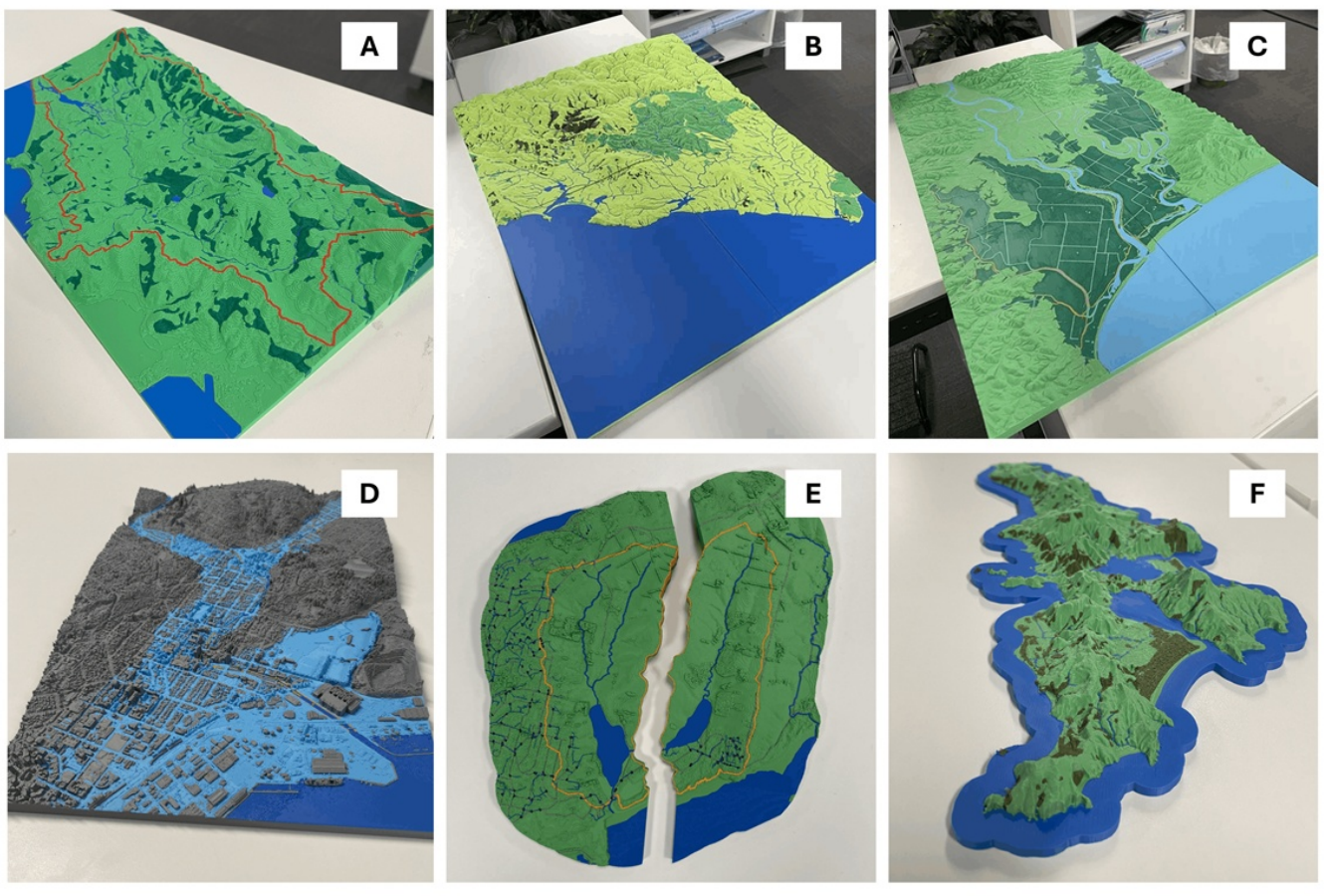

Figure 7. A selection of recent 3D-printed landscape models. A) Kaikorai catchment and valley, B) Pleasant/Te Hakapupu catchment with native and exotic forestry, C) the Lower

Clutha and Delta flood hazard and defences, D) North Dunedin flood hazard and defences, E) Tomahawk lagoon catchments and stormwater network, and F) the Otago Peninsula.

CONSIDERATIONS

Strategic Framework and Policy Considerations

[48] This work promotes best practice land management for soil conservation, maintaining water quality standards and nutrient and water use efficiency.

Financial Considerations

[49] The Land and Soil work programme is a funded and planned workstream under ORC's Long-Term Plan. The indicative staff and operational costs of the programme aspects covered in this 2025-26 update include:

Programme component	Cost	Total
SOE Soil Health Monitoring Programme		
Science staff time	$32,000	
Laboratory analysis	$10,000	
Soil profile characterisations	$13,000	
Soil biological analyses	$25,000	
Environmental Monitoring Expenses	$12,000	**$92,000**
Alternative Winter Grazing research		
Science staff time	$48,000	
Research contribution	$66,000	**$114,000**
Hill country erosion programme prioritisation		
Science staff time	$48,000	**$48,000**
OWMS mapping		
Science staff time	$16,000	
Research contribution	$5,000	**$21,000**
3D Printing		
Science staff time	$16,000	
Consumables	$1,000	**$17,000**
Total		**$292,000**

Significance and Engagement

[50] N/A

Legislative and Risk Considerations

[51] N/A

Climate Change Considerations

[52] Monitoring networks are designed to represent the range of climatic zones in the region which can contribute towards understanding environmental changes in response to climatic changes.

Communications Considerations

[53] The SOE Soil Health Monitoring Programme results will be added to the soil section of the ORC website[24], which hosts a range of resources and information about soil in Otago. Individual landowner 'soil health reports' will be provided to the most recent participants.

[54] Alternative Winter Grazing research is ongoing. On-farm field days, reporting and communication with farmers and industry groups are planned as the project matures.

[55] Hill country erosion prioritisation technical report has been published to the ORC website (https://www.orc.govt.nz/hillcountryprioritisation) with the online layer and user guidance also soon to be added. The prioritisation tool will underpin ORC's next bid for future Hill Country Erosion funding.

[56] OWMS mapping work is nearing completion, and the final report and spatial layer will be hosted on the ORC website once completed. A process to improve knowledge of the location and effect of OWMS is being established with TAs, the Water Service Authority, and a range of internal ORC teams.

[57] 3D printing has been communicated via the OnStream newsletter in the 'What the Tech' section and prints have been present and presented at various community engagement and consultation events.

NEXT STEPS

[58] The projects will continue as outlined above.

ATTACHMENTS

1. Supplementary Figure [**10.12.1** - 1 page]

[24] https://www.orc.govt.nz/environment/land-care/soil/soil-health-monitoring/

Supplementary figure. Boxplots of the land uses (Vegetables n=1; Arable n=4; Dairy n=15; Low drystock n=8; Hill drystock n=17; Orchard n=6; Viticulture n=4; Exotic forestry n=9; Forest n=4; Tussock n=3; Wetland n=3;) across soil trace elements with points representing the NZSC soil orders. The 'Above background' areas suggest the results are elevated due to human activity and/or natural geological sources.