Plan Change 6A
(Water Quality)

Regional Plan: Water for Otago

Otago Regional Council

1 May 2014
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This is a true and correct copy of Plan Change 6A to the Regional Plan: Water for Otago which was approved by the resolution of the Otago Regional Council on Wednesday, 26 March 2014.

Plan Change 6A to the Regional Plan: Water is deemed to be operative on Thursday, 1 May 2014.

The Common Seal of the Otago Regional Council was hereto affixed pursuant to the resolution of the Council passed on Wednesday, 26 March 2014 in the presence of:

Stephen Woodhead
Chairperson

Peter Bodeker
Chief Executive

OTAGO REGIONAL COUNCIL
Common Seal

Introduction

Plan Change 6A (Water Quality) to the Regional Plan: Water for Otago, sets out an effects-based approach to managing discharges to water, with a focus on controlling contaminant discharges rather than the land use activities that create them. Discharge thresholds are set for common contaminants, and discharges within those thresholds are permitted. Land managers have the flexibility to meet the discharge thresholds in the way that best suits their operation.

Plan Change 6A (Water Quality) was publicly notified on Saturday 31 March 2012. Submissions closed on Tuesday 2 May 2012. A total of 334 submissions were received, seven of which were received after the formal submission period. Three submissions were deemed invalid in their entirety as they did not relate to the plan change.

The *Summary of Decisions Requested by Submitters* and call for further submissions was notified on Saturday 2 June 2012, with further submissions closing on Monday 18 June 2012. There were 77 further submissions received, two of which were received after the formal further submission period. Time limits were waived for all late submissions, under delegated authority.

The Hearing Committee heard evidence from 171 submitters and their representatives over 22 days between Monday 10 September 2012 and Thursday 25 October 2012 at Dunedin, Balclutha, Wanaka, Alexandra and Oamaru.

The Council's decision on the plan change was publicly notified on Saturday 20 April 2013.

Twenty-one appeals (with 35 parties joining the appeals under section 274 of the RMA) were resolved through mediation, approved by Court Order on 28 February 2014. Plan Change 6A (Water Quality) is operative on 1 May 2014.

The following sections detail the newly operative provisions of Plan Change 6A (Water Quality) in order of chapters in the Regional Plan: Water for Otago and the Regional Plan: Water for Otago Maps.

An updated version of the operative Regional Plan: Water for Otago, incorporating Plan Change 6A, and a revised version of the Regional Plan: Water for Otago Maps, incorporating the new H-series and J-series of the Water Plan maps are also available.

Chronicle of Key Events

Key event	Date notified	Date decisions released	Date operative
Regional Plan: Water	28 February 1998	7 July 2000	1 January 2004
Variation No. 1 to the Regional Plan: Water	3 October 1998	7 July 2000	1 January 2004
Waitaki Catchment Water Allocation Regional Plan	19 February 2005	30 September 2005	3 July 2006
Plan Change 1A to the Regional Plan: Water	17 August 2005	1 April 2006	1 August 2006
Plan Change 1B (Minimum Flows) to the Regional Plan: Water	20 December 2008	31 October 2009	1 March 2010
Plan Change 3A (Minimum Flow for Taieri River at Tiroiti) to the Regional Plan: Water	26 June 2010	8 December 2010	1 May 2011
Amendment 1 (NPS Freshwater Management) to the Regional Plan: Water	24 June 2011	24 June 2011	1 July 2011
Plan Change 1C (Water Allocation and Use) to the Regional Plan: Water	20 December 2008	10 April 2010	1 March 2012
Plan Change 4A (Groundwater and North Otago Volcanic Aquifer) to the Regional Plan: Water	18 September 2010	24 September 2011	1 March 2012
Plan Change 2 (Regionally Significant Wetlands)	2 July 2011	12 May 2012	1 October 2013
Plan Change 6A (Water Quality)	31 March 2012	20 April 2013	1 May 2014

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1
Introduction

1.1 to 1.3 *[Unchanged]*

1.4 Process of Plan preparation

A number of legal instruments, which were operative in Otago on 1 October 1991 (when the Resource Management Act came into force), formed rules in the Transitional Regional Plan, constituted by Section 368 of the Resource Management Act. Some of these rules related to water and water bodies, and comprised notices, authorisations, bylaws, determinations and resolutions. This Regional Plan: Water was prepared to partly supersede the Transitional Regional Plan, thus the transitional rules which related to water were deleted when this Plan became operative. The rules deleted, and any replacement provisions, are listed in Schedule 13.

In developing this Regional Plan: Water, the Otago Regional Council consulted with a variety of individuals, groups and agencies.

Following preliminary consultation, a Consultative Draft of the Regional Plan: Water, was released in September 1996. Over 70 meetings were held throughout Otago to introduce and explain the Consultative Draft, and it attracted written comments from 110 individuals and groups representing a wide range of interests. This feedback was used to further refine the provisions of the Plan. Background reports were compiled which provided additional information about aspects of Otago's water resources. These reports remain available from the Otago Regional Council:

- Background Report 1: Water Quantity
- Background Report 2: Water Quality
- Background Report 3: Groundwater
- Background Report 4: Significant Wetlands
- Background Report 5: Resource Description
- Background Report 6: Kakanui Catchment Water Resource Investigations

The Proposed Regional Plan: Water for Otago was notified on 28 February 1998, in accordance with the requirements of the First Schedule of the Resource Management Act 1991. Submissions were received from 280 individuals and groups, followed by 64 further submissions. Many submitters spoke at the 18 public hearings held in Dunedin, Alexandra, Oamaru and Balclutha between 17 August 1998 and 9 November 1998.

Proposed Variation No.1 was notified on 3 October 1998, to manage the construction, reconstruction or modification of defences against water built for the purpose of flood mitigation. Ten submissions and five further submissions were received.

Following the hearings and the consideration of evidence, decisions on the submissions received on both the Proposed Regional Plan: Water and the Proposed Variation No.1 were released on 7 July 2000. Several organisations and individuals made references (appeals) to the Environment Court regarding the decisions. The 171 reference points were resolved by negotiated agreements and Court decisions in

the period up to 4 July 2003. These changes were incorporated into the Plan and the Plan made operative.

Proposed Plan Change 1A was notified on 17 August 2005 to make miscellaneous amendments consequential to recent changes to the Resource Management Act and other minor changes. Four submissions and one further submission were received. Following the hearing, decisions on the submissions received were released on 1 April 2006. Plan Change 1A was made operative on 1 August 2006.

On 3 July 2006, the Waitaki Catchment Water Allocation Regional Plan became operative and added new provisions to this Plan.

Proposed Plan Change 1B (Minimum Flows) was notified on 20 December 2008 to set minimum flows and primary allocation limits for the Luggate, Trotters and Waianakarua catchments in Schedule 2A, and to include Schedule 2D outlining matters for consideration when setting minimum flows and primary allocation limits. A total of 71 submissions and six further submissions were received. Following the hearing, decisions on the submissions received were released on 31 October 2009. Plan Change 1B (Minimum Flows) was made operative on 1 March 2010.

Proposed Plan Change 3A (Minimum Flow for Taieri River at Tiroiti) was notified on 26 June 2010 to introduce an additional minimum flow monitoring site at Tiroiti. A total of six submissions and two further submissions were received. Following the hearing, decisions on the submissions received were released on 8 December 2010. Plan Change 3A (Minimum Flow for Taieri River at Tiroiti) was made operative on 1 May 2011.

Amendment 1 to the Regional Plan: Water included a policy on water quality, as directed by the National Policy Statement for Freshwater Management 2011. It was made operative on 1 July 2011. This was superseded by Plan Change 6A (Water Quality).

Proposed Plan Change 1C (Water Allocation and Use) was notified on 20 December 2008 to improve the overall effectiveness with which limited water resources are used, enabling the community to go forward and benefit from future opportunities to use water. Fifty-nine submissions and fifteen further submissions were received. Following the hearing, decisions on the submissions received were released on 10 April 2010. Plan Change 1C (Water Allocation and Use) was made operative on 1 March 2012.

Proposed Plan Change 4A (Groundwater and North Otago Volcanic Aquifer) builds on the groundwater management system of taking water within a maximum allocation volume, established under Proposed Plan Change 1C (Water Allocation and Use), with focus on the North Otago Volcanic Aquifer. It was notified on Saturday 18 September 2010, and a total of nine submissions and two further submissions were received. Following the hearing, decisions on submissions received were released on 24 September 2011. Plan Change 4A (Groundwater and North Otago Volcanic Aquifer) was made operative on 1 March 2012.

Proposed Plan Change 2 (Regionally Significant Wetlands) was notified on Saturday 2 July 2011. It identified additional Regionally Significant Wetlands, strengthened protection for Regionally Significant Wetlands, and made those provisions easier to read and understand. A total of forty-nine submissions and nine further submissions were received. Following the hearing, decisions on submissions received were released on 2 May 2012. Plan Change 2 was made operative on 1 October 2013.

Proposed Plan Change 6A (Water Quality) addresses the effects of land use practices on water quality through new discharge rules. It was notified on Saturday 31 March 2012 and a total of 334 submissions and 77 further submissions were received. Following the hearing, decisions on submissions received were released on 20 April 2013. Plan Change 6A (Water Quality) was made operative on 1 May 2014.

1.4.1 *[Unchanged]*

1.5 *[Unchanged]*

7
Water Quality

7.1 Introduction

The provisions in this chapter are in addition to those in Chapter 5, which seek to maintain or enhance the natural and human use values supported by lakes, and rivers and wetlands; and those included in Chapter 9, which contain policies on groundwater quality.

7.2 Issues in general *[Repealed – 1 May 2014]*

7.3 Issues related to point source discharges to water *[Repealed – 1 May 2014]*

7.4 Issues related to non-point source discharges to water *[Repealed – 1 May 2014]*

7.5 Objective *[Repealed – 1 May 2014]*

7.A Objectives

7.A.1 To maintain water quality in Otago lakes, rivers, wetlands, and groundwater, but enhance water quality where it is degraded.

7.A.2 To enable the discharge of water or contaminants to water or land, in a way that maintains water quality and supports natural and human use values, including Kāi Tahu values.

7.A.3 To have individuals and communities manage their discharges to reduce adverse effects, including cumulative effects, on water quality.

7.B Policies general

7.B.1 Manage the quality of water in Otago lakes, rivers, wetlands and groundwater by:

(a) Describing, in Table 15.1 of Schedule 15, characteristics indicative of good quality water; and
(b) Setting, in Table 15.2 of Schedule 15, receiving water numerical limits and targets for achieving good quality water; and
(c) Maintaining, from the dates specified in Schedule 15, good quality water; and
(d) Enhancing water quality where it does not meet Schedule 15 limits, to meet those limits by the date specified in the Schedule; and
(e) Recognising the differences in the effects and management of point and non-point source discharges; and
(f) Recognising discharge effects on groundwater; and
(g) Promoting the discharge of contaminants to land in preference to water.

7.B.2 Avoid objectionable discharges of water or contaminants to maintain the natural and human use values, including Kāi Tahu values, of Otago lakes, rivers, wetlands, groundwater and open drains and water races that join them.

7.B.3 Allow discharges of water or contaminants to Otago lakes, rivers, wetlands and groundwater that have minor effects or that are short-term discharges with short-term adverse effects.

7.B.4 When considering any discharge of water or contaminants to land, have regard to:

(a) The ability of the land to assimilate the water or contaminants; and
(b) Any potential soil contamination; and
(c) Any potential land instability; and
(d) Any potential adverse effects on water quality; and
(e) Any potential adverse effects on use of any proximate coastal marine area for contact recreation and seafood gathering.

7.B.5 When considering any discharge of water from one catchment to water in another catchment, have regard to:

(a) Kāi Tahu values; and
(b) The adverse effects of introducing species that are new to the receiving catchment.

7.B.6 When assessing any consent to discharge contaminants to water, consider the need for and the extent of any zone for physical mixing, within which water will not meet the characteristics and limits described in Schedule 15, by taking account of:

(a) The sensitivity of the receiving environment; and
(b) The natural and human use values, including Kāi Tahu values; and
(c) The natural character of the water body; and
(d) The amenity values supported by the water body; and
(e) The physical processes acting on the area of discharge; and
(f) The particular discharge, including contaminant type, concentration and volume; and
(g) The provision of cost-effective community infrastructure; and
(h) Good quality water as described in Schedule 15.

7.B.7 Encourage land management practices that reduce the adverse effects of water or contaminants discharged into water.

7.B.8 Encourage adaptive management and innovation that reduces the level of contaminants in discharges.

7.C Policies for discharges of human sewage, hazardous substances, hazardous wastes, specified contaminants, and stormwater; and discharges from industrial or trade premises and consented dams

7.6 Policies for the enhancement of water quality *[Repealed – 1 May 2014]*

7.7 Policies for point source discharges *[Repealed – 1 May 2014]*

7.7.1 *[Repealed – 1 May 2014]*

7.7.2 *[Amended to 7.B.4 – 1 May 2014]*

7.7.3 *[Renumbered as 7.C.1 – 1 May 2014]*

7.7.4 *[Renumbered as 7.C.2 – 1 May 2014]*

7.7.5 *[Repealed – 1 May 2014]*

7.7.6 *[Amended to 7.B.6 – 1 May 2014]*

7.7.7 *[Renumbered as 7.C.3 – 1 May 2014]*

7.7.8 *[Repealed – 1 May 2014]*

7.7.9 *[Renumbered as 7.C.4 – 1 May 2014]*

7.7.10 *[Renumbered as 7.C.5 – 1 May 2014]*

7.7.11 *[Renumbered as 7.C.6 – 1 May 2014]*

7.8 Policies for non-point source discharges *[Repealed – 1 May 2014]*

7.8.1 *[Repealed – 1 May 2014]*

7.8.2 *[Renumbered as 7.C.7 – 1 May 2014]*

7.8.3 *[Renumbered as 7.C.8 – 1 May 2014]*

7.8.4 *[Renumbered as 7.C.9 – 1 May 2014]*

7.8.5 *[Renumbered as 7.C.10 – 1 May 2014]*

7.8.6 *[Renumbered as 7.C.11 – 1 May 2014]*

7.D Policies for discharges of water and contaminants, excluding those discharges provided for in 7.C

7.D.1 Encourage innovation in management practices and the sharing of information, including by:

(a) Council:
- **(i) Providing and facilitating the sharing of information on water management and plan implementation including through fora, field days and brochures; and**
- **(ii) Supporting landholders in measuring or assessing contaminants in discharges; and**
- **(iii) Supporting the development of means to measure or assess contaminants in discharges; and**
- **(iv) Monitoring progress towards achievement of water quality objectives and Schedule 15 limits and targets, and making this information available on the Council website.**

(b) Landholders:
- **(i) Implementing practices that reduce the level of contaminants in discharges; and**
- **(ii) Providing relevant information to support the catchment or aquifer studies undertaken by Council; and**
- **(iii) Working as a group to achieve good quality water.**

7.D.2 Schedule 16 discharge thresholds apply to permitted activities, from 1 April 2020, at or below the reference flows set in Schedule 16B based on median flows.

7.D.3 Prohibit objectionable discharges of water or contaminants that degrade the natural and human use values, including Kāi Tahu values, of Otago lakes, rivers, wetlands and groundwater.

7.D.4 Provide for the restricted discretionary consenting of any discharge under section 12.C:

(a) Where changes to land management practices or infrastructure have not been sufficient to meet permitted activity rules; or
(b) As part of the development of technology or innovative practices associated with improving water quality; or
(c) From a short-term activity with short-term adverse effects;

and the duration will not exceed:

(1) Two years for discharges from a short-term activity with short-term adverse effects; or
(2) Five years for all other discharges where the contaminants in the discharge result from the activities of the applicant.

7.D.5 When considering any discharge under section 12.C, including the duration of any consent, have regard to:

(a) The effects, including cumulative effects, of the discharge on water quality and natural and human use values, including Kāi Tahu values; and
(b) The physical characteristics of the land; and
(c) The discharge management system used, or proposed to be used, in particular, options to be employed to reduce any adverse environmental effects of the activity; and
(d) Any staged timeframe and any environmental management plan to achieve:
(i) Compliance with the permitted activity rules and Schedule 16 discharge thresholds during the duration of the consent; or
(ii) The reduction of adverse environmental effects of the discharge, where the permitted activity rules and Schedule 16 discharge thresholds cannot be met; and
(e) Trends in the quality of the receiving water relative to the Schedule 15 freshwater characteristics, limits, and targets; and
(f) The extent to which the risk of potentially significant, adverse effects arising from the activity may be adequately managed through review conditions; and
(g) The value of the investment in infrastructure; and
(h) The current state of technical knowledge and the use of industry best practice for managing environmental effects; and
(i) The extent to which co-ordinating the discharges across multiple landholdings enables water quality objectives to be more effectively met; and
(j) Recognising the social, cultural and economic value of the use of land and water that gives rise to the discharge.

7.9 Anticipated environmental results *[Repealed – 1 May 2014]*

12

Rules: Water Take, Use and Management

12.0 Applications for taking water *[Unchanged]*

12.1 The taking and use of surface water *[Unchanged]*

12.2 The taking and use of groundwater *[Unchanged]*

12.3 The damming or diversion of water *[Unchanged]*

12.4 Discharge of stormwater *[Repealed – 1 May 2014]*

12.4.1 Permitted activities: No resource consent required *[Repealed – 1 May 2014]*

12.4.1.1 *[Moved to 12.B.1.8 – 1 May 2014]*

12.4.1.2 *[Moved to 12.B.1.9 – 1 May 2014]*

12.4.2 Restricted discretionary activities: Resource consent required *[Repealed – 1 May 2014]*

12.4.2.1 *[Moved to 12.B.3.1 – 1 May 2014]*

12.5 Discharge of drainage water *[Repealed – 1 May 2014]*

12.5.1 *[Repealed – 1 May 2014]*

12.5.2 *[Repealed – 1 May 2014]*

12.6 Discharge of human sewage *[Renumbered as 12.A – 1 May 2014]*

12.6.1 *[Renumbered as 12.A.1 – 1 May 2014]*

12.6.1.1 *[Renumbered as 12.A.1.1 – 1 May 2014]*

12.6.1.2 *[Renumbered as 12.A.1.2 – 1 May 2014]*

12.6.1.3 *[Renumbered as 12.A.1.3 – 1 May 2014]*

12.6.1.4 *[Renumbered as 12.A.1.4 – 1 May 2014]*

12.6.2 *[Renumbered as 12.A.2 – 1 May 2014]*

12.6.2.1 *[Renumbered as 12.A.2.1 – 1 May 2014]*

12.7 Discharge of pesticides *[Repealed – 1 May 2014]*

12.7.1 *[Amended to 12.B.1 – 1 May 2014]*

12.7.2 *[Repealed – 1 May 2014]*

12.A Discharge of human sewage

12.A.A General Rules for section 12.A

12.A.A.1 The discharge rules in section 12.A apply where a discharge contains human sewage.

Note:	The approval of particular technologies for the on-site treatment of human sewage under particular land conditions will usually require the involvement of the relevant city or district council, under the Building Act 2004 or the Health Act 1956. This Plan deals only with the effect of the discharge on the environment, and does not promote any particular technology or treatment method.

12.B Discharge of hazardous substances, hazardous wastes, specified contaminants, and stormwater; and discharges from industrial or trade premises and consented dams

12.B.A General Rules for section 12.B

12.B.A.1 The discharge rules in section 12.B apply where a discharge:
(a) Contains a contaminant provided for in section 12.B; or
(b) Is from an industrial or trade premises or consented dam.

12.B.A.2 The discharge rules in section 12.A apply in addition to 12.B where a discharge contains human sewage.

12.B.1 Permitted activities: No resource consent required

12.B.1.1 The discharge of any herbicide to water for the control of aquatic plants is a ***permitted*** activity, providing:
(a) The herbicide and any associated additive are authorised for aquatic use in New Zealand, and are used in accordance with the authorisation; and
(b) The discharge is carried out in accordance with any manufacturers' directions and is carried out by a person who holds a GROWSAFE Registered Chemical Applicator certificate; and
(c) The herbicide is applied in the form of a gel; and
(d) The discharge is for the purpose of controlling aquatic plants and does not exceed the quantity, concentration or rate required for that purpose; and
(e) No lawful take of water is adversely affected as a result of the discharge; and

(f) The discharger notifies, at least one week before commencing the discharge:
   (i) Every person taking water for domestic supply, and every holder of a resource consent or deemed permit for the taking of water within one kilometre downstream of the proposed discharge in any river or water race, or within one kilometre of the proposed discharge in any lake; and
   (ii) The community through Public Notice, where the discharge will occur directly into a lake, river or any Regionally Significant Wetland.

12.B.1.2 Except as provided for by Rule 12.B.1.1, the land-based discharge of any pesticide onto land is a ***permitted*** activity, providing:
(a) The pesticide is authorised for use in New Zealand and is used in accordance with the authorisation; and
(b) The discharge is carried out in accordance with any manufacturers' directions; and
(c) The discharge is for the purpose of controlling animals, plants or other organisms and does not exceed the quantity, concentration or rate required for that purpose; and
(d) There is no direct discharge of the pesticide to water in any water body, drain, water race or the coastal marine area; and
(e) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

12.B.1.3 The discharge of herbicide to air or land in circumstances where it will enter water, is a ***permitted*** activity, providing:
(a) The herbicide and any associated additive are authorised for use in or over water in New Zealand and are used in accordance with the authorisation; and
(b) The use is carried out in accordance with any manufacturers' directions; and
(c) The discharge is for the purpose of controlling plants and does not exceed the quantity, concentration or rate required for that purpose; and
(d) All reasonable measures are taken to minimise any direct discharge of the herbicide to water in any water body, drain, water race, or to the coastal marine area; and
(e) No lawful take of water is adversely affected as a result of the discharge; and
(f) The discharger notifies, at least one week before commencing the discharge:
   (i) Every person taking water for domestic supply, and every holder of a resource consent or deemed permit for the taking of water within one kilometre downstream of the proposed discharge alongside any river or water race, or within one kilometre of the proposed discharge alongside any lake; and
   (ii) The community through Public Notice, where the

discharge will occur directly into any lake, river or any Regionally Significant Wetland; and

(g) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

12.B.1.4 Except as provided for by Rule 12.B.1.3, the aerial discharge of any pesticide onto land in circumstances where it, or any contaminant associated with its breakdown, may enter water, is a ***permitted*** activity, providing:

(a) The pesticide is authorised for use in New Zealand and is used in accordance with the authorisation; and

(b) The discharge is carried out in accordance with any manufacturers' directions, by a person who holds a GROWSAFE Pilots Chemical Rating certificate; and

(c) The discharge is for the purpose of controlling animals, plants or other organisms and does not exceed the quantity, concentration or rate required for that purpose; and

(d) All reasonable measures are taken to prevent any discharge of the pesticide within 20 metres of water in any water body, drain or water race, or of the coastal marine area; and

(e) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

12.B.1.5 The discharge of fertiliser onto production land, in circumstances where it may enter water, is a ***permitted*** activity, providing:

(a) All reasonable measures are taken to minimise any discharge of the fertiliser to water in any water body, drain or water race, or to the coastal marine area; and

(b) The discharge is carried out in accordance with the manufacturer's directions; and

(c) There is no damage to fauna or New Zealand native flora, in or on any Regionally Significant Wetland.

12.B.1.6 The discharge of sullage, cooling water or water from any drinking-water supply reservoir, water supply pipeline or swimming pool to water, or onto or into land in circumstances where it may enter water, is a ***permitted*** activity, providing:

(a) The discharge does not contain:

(i) A greater concentration of faecal coliforms than that of the receiving water, or a concentration that could cause the faecal coliform concentration of the receiving water, after reasonable mixing, to exceed 150 CFU per 100 mls; or

(ii) Any disinfectant, antiseptic or pesticide; or

(iii) Any residual flocculant, except for aluminium at acid-soluble aluminium concentrations less than 0.1 grams per cubic metre; or

(iv) Any free or residual chlorine at the point where the discharge enters water in any surface water body or mean high water springs; or

(v) Human sewage; or
(vi) Any hazardous substance; and

(b) The discharge does not increase the natural temperature of the receiving water, after reasonable mixing, by more than 3° Celsius, and does not cause the temperature of the receiving water, after reasonable mixing, to rise above 25° Celsius; and
(c) The discharge does not increase the suspended solids levels in the receiving water, after reasonable mixing, by more than 10 grams per cubic metre; and
(d) The discharge does not change the pH of the receiving water, after reasonable mixing, by more than 0.5 pH units; and
(e) The discharge does not, after reasonable mixing, give rise to any significant adverse effect on aquatic life; and
(f) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and
(g) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and
(h) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

12.B.1.7 The discharge of water which has been used for the purpose of holding live organisms to water, or onto or into land in circumstances where it may enter water, is a ***permitted*** activity, providing:

(a) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and
(b) There is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland; and
(c) No contaminant has been added that is toxic to the aquatic life of the receiving water body; and
(d) The discharge contains no pest plant material (as identified in the Pest Management Strategy for Otago 2001); and
(e) The discharge does not increase the natural temperature of the receiving waters, after reasonable mixing, by more than 3° Celsius, and does not cause the temperature of the receiving water, after reasonable mixing, to rise above 25° Celsius; and
(f) The discharge does not increase the suspended solids levels in the receiving water, after reasonable mixing, by more than 10 grams per cubic metre; and
(g) The discharge does not, after reasonable mixing, give rise to any significant adverse effect on aquatic life; and
(h) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage.

12.B.1.8 The discharge of stormwater from a reticulated stormwater system to water, or onto or into land in circumstances where it may enter water, is a ***permitted*** activity, providing:

(a) Where the system is lawfully installed, or extended, after 28 February 1998:
   (i) The discharge is not to any Regionally Significant Wetland; and
   (ii) Provision is made for the interception and removal of any contaminant which would give rise to the effects identified in Condition (d) of this rule; and
(b) The discharge does not contain any human sewage; and
(c) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and
(d) The stormwater discharged, after reasonable mixing, does not give rise to all or any of the following effects in the receiving water:
   (i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
   (ii) Any conspicuous change in the colour or visual clarity; or
   (iii) Any emission of objectionable odour; or
   (iv) The rendering of fresh water unsuitable for consumption by farm animals; or
   (v) Any significant adverse effects on aquatic life.

12.B.1.9 The discharge of stormwater from any road not connected to a reticulated stormwater system to water, or onto or into land, is a ***permitted*** activity, providing:

(a) The discharge does not cause flooding of any other person's property, erosion, land instability, sedimentation or property damage; and
(b) Where the road is subject to works, provision is made for the interception of any contaminant to avoid, after reasonable mixing, the following effects in the receiving water:
   (i) The production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
   (ii) Any conspicuous change in the colour or visual clarity; or
   (iii) Any emission of objectionable odour; or
   (iv) The rendering of fresh water unsuitable for consumption by farm animals; or
   (v) Any significant adverse effects on aquatic life.

12.B.1.10 The discharge of any contaminant, excluding settled sediment, present in water impounded by a dam that is not permitted by Rule 13.2.1.3, to water in a lake or river, is a ***permitted*** activity, providing:

(a) The purpose of the dam is not for the storage of contaminants; and
(b) The dam operator has not caused the contaminant to be discharged into the dam from which it is discharged; and
(c) The discharge, after reasonable mixing does not give rise to all or any of the following effects:
  (i) The production of any conspicuous oil or grease films, scum or foams, or floatable or suspended materials; or
  (ii) Any conspicuous change in colour or visual clarity; or
  (iii) Any emission of objectionable odour; or
  (iv) The rendering of fresh water unsuitable for consumption by farm animals; or
  (v) Any significant adverse effect on aquatic life; and
(d) The discharge ceases when an enforcement officer of the Otago Regional Council requires the discharge to cease to provide for clean-up operations and prevent adverse effects on the environment.

12.B.1.11 Except as provided for by Rule 12.B.1.10, the discharge of a trace amount of any contaminant, originating from within a hydro-electric power structure, into water, is a ***permitted*** activity.

12.B.2 Controlled activities: Resource consent required but always granted

12.B.2.1 The discharge of tracer dye to water is a ***controlled*** activity, providing it is chemically inert, non-radioactive, and non-toxic.

In granting any resource consent for the discharge of tracer dye in terms of this rule, the Otago Regional Council will restrict the exercise of its control to the following:
(a) Any adverse effects of the discharge on:
  (i) Any natural and human use value identified in Schedule 1 for any affected water body;
  (ii) The natural character of any affected water body; and
  (iii) Any amenity value supported by any affected water body; and
(b) Any adverse effect on an existing lawful take of water; and
(c) The location and timing of the discharge; and
(d) The nature of the dye; and
(e) The duration of the resource consent; and
(f) The information and monitoring requirements; and
(g) Any bond; and
(h) The review of conditions of the resource consent.

Applications may be considered without notification under Section 93 and without service under Section 94(1) of the Resource Management Act on persons who, in the opinion of the consent authority, may be adversely affected by the activity.

12.B.3 Restricted discretionary activities: Resource consent required

12.B.3.1 Except as provided for by Rules 12.B.1.8 and 12.B.1.9, the discharge of stormwater to water, or onto or into land in circumstances where it may enter water, is a ***restricted discretionary*** activity.

In considering any resource consent for the discharge of stormwater in terms of this rule, the Otago Regional Council will restrict the exercise of its discretion to the following:

(a) Any adverse effects of the discharge on:
  (i) Any natural and human use value identified in Schedule 1 for any affected water body;
  (ii) The natural character of any affected water body;
  (iii) Any amenity value supported by any affected water body; and
  (iv) Any heritage value associated with any affected water body; and
(b) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
(c) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected; and
(d) The volume, rate and method of the discharge; and
(e) The nature of the discharge; and
(f) Treatment options; and
(g) The location of the discharge point or area, and alternative receiving environments; and
(h) The likelihood of erosion, land instability, sedimentation or property damage resulting from the discharge of stormwater; and
(i) The potential for soil contamination; and
(j) The duration of the resource consent; and
(k) The information and monitoring requirements; and
(l) Any bond; and
(m) Any existing lawful activity associated with any affected water body; and
(n) The review of conditions of the resource consent.

12.B.4 Discretionary activities: Resource consent required

12.B.4.1 The discharge of water (excluding stormwater) or any contaminant from an industrial or trade premises or a consented dam to water or to land is a ***discretionary*** activity, unless it is permitted by Rule 12.B.1.6, 12.B.1.7, 12.B.1.10 or 12.B.1.11.

12.B.4.2 The discharge of any hazardous substance to water or onto or into land in circumstances which may result in that substance entering water is a ***discretionary*** activity, unless it is:

(a) Permitted by a rule in 12.B.1; or

(b) Provided for by a rule in 12.B.2 or 12.B.3.

12.B.4.3 The discharge of water or any contaminant covered in section 12.B.1 or 12.B.2, to water or onto or into land in circumstances which may result in that water or contaminant entering water, is a ***discretionary*** activity, unless it is:
(a) Permitted by a rule in 12.B.1; or
(b) Provided for by a rule in 12.B.2, 12.B.3, 12.B.4.1 or 12.B.4.2.

12.8 Discharge of agricultural waste and fertiliser *[Repealed – 1 May 2014]*

12.8.1 *[Repealed – 1 May 2014]*

12.8.1.1 *[Repealed – 1 May 2014]*

12.8.1.2 *[Repealed – 1 May 2014]*

12.8.1.3 *[Repealed – 1 May 2014]*

12.8.1.4 *[Repealed – 1 May 2014]*

12.8.1.5 *[Rule moved to 12.B.1.5 – 1 May 2014]*

12.8.2 *[Repealed – 1 May 2014]*

12.8.3 *[Repealed – 1 May 2014]*

12.9 Discharges from drilling and bore testing *[Repealed – 1 May 2014]*

12.9.1 *[Repealed – 1 May 2014]*

12.9.2 *[Repealed – 1 May 2014]*

12.10 Discharges from vessels *[Repealed – 1 May 2014]*

12.10.1 *[Repealed – 1 May 2014]*

12.10.2 *[Repealed – 1 May 2014]*

12.11 Discharge of water or tracer dye *[Repealed – 1 May 2014]*

12.11.1 *[Repealed – 1 May 2014]*

12.11.2 *[Repealed – 1 May 2014]*

12.11.2.1 *[Rule moved to 12.B.1.6 – 1 May 2014]*

12.11.2.2 *[Rule moved to 12.B.1.7 – 1 May 2014]*

12.11.2.3 *[Repealed – 1 May 2014]*

12.11.3 *[Repealed – 1 May 2014]*

12.11.3.1 *[Rule moved to 12.B.2.1 – 1 May 2014]*

12.12 Discharges from dams and reservoirs *[Repealed – 1 May 2014]*

12.12.1 *[Repealed – 1 May 2014]*

12.12.1.1 *[Rule moved to 12.B.1.10 – 1 May 2014]*

12.12.1.2 *[Rule moved to 12.B.1.11 – 1 May 2014]*

12.13 Other discharges *[Repealed – 1 May 2014]*

12.13.1 *[Repealed – 1 May 2014]*

12.C Other discharges

12.C.A General Rules for section 12.C

12.C.A.1 Discharge rules in section 12.C apply to any discharge not provided for in sections 12.A, 12.B or 13.5.

12.C.A.2 Within section 12.C, prohibited activity rules prevail over any permitted, controlled, restricted discretionary and discretionary activity rules.

12.C.0 Prohibited activities: No resource consent will be granted

12.C.0.1 The discharge of any contaminant to water, that produces an objectionable odour, or a conspicuous oil or grease film, scum, or foam in any:
(i) Lake, river or Regionally Significant Wetland; or
(ii) Drain or water race that flows to a lake, river, Regionally Significant Wetland or coastal marine area; or
(iii) Bore or soak hole,
is a ***prohibited*** activity.

12.C.0.2 The discharge of any contaminant from an animal waste system, silage storage or a composting process:
(i) To any lake, river or Regionally Significant Wetland; or
(ii) To any drain or water race that goes to a lake, river, Regionally Significant Wetland or coastal marine area; or
(iii) To the bed of any lake, river or Regionally Significant Wetland; or
(iv) To any bore or soak hole; or

(v) To land in a manner that results in overland flow entering any:
  (a) Lake, river, Regionally Significant Wetland or coastal marine area that is not permitted under Rule 12.C.1.1 or 12.C.1.1A; or
  (b) Drain or water race that goes to any lake, river, Regionally Significant Wetland or coastal marine area that is not permitted under Rule 12.C.1.1 or 12.C.1.1A; or

(vi) To land within 50 metres of:
  (a) Any lake, river or Regionally Significant Wetland; or
  (b) Any bore or soak hole; or

(vii) To saturated land; or

(viii) That results in ponding,

is a ***prohibited*** activity.

12.C.0.3 Any discharge of sediment from disturbed land to water in any:
(i) Lake, river or Regionally Significant Wetland; or
(ii) Drain or water race that flows to a lake, river, Regionally Significant Wetland or coastal marine area,

where no measure is taken to mitigate sediment runoff, is a ***prohibited*** activity.

12.C.1 Permitted activities: No resource consent required

12.C.1.1 The discharge of water or any contaminant to water, or onto or into land in circumstances which may result in a contaminant entering water, is a ***permitted*** activity, providing:
(a) The discharge does not result in flooding, erosion, land instability or property damage; and
(b) There is no discharge of water from one catchment to water in another catchment; and
(c) The discharge does not change the water level range or hydrological function of any Regionally Significant Wetland; and
(d) When the discharge, including any discharge from a drain or water race, enters water in any lake, river, wetland or the coastal marine area; the discharge:
  (i) Does not result in:
    (1) A conspicuous change in colour or visual clarity; or
    (2) A noticeable increase in local sedimentation,

    in the receiving water (*refer to Figure 1*); and
  (ii) Does not have floatable or suspended organic materials; and
  (iii) Does not have an odour, oil or grease film, scum or foam; and

(e) When the discharge enters water in any drain[1] that goes to a lake, river, wetland, or the coastal marine area, the discharge:
  (i) Does not result in:
    (1) A conspicuous change in colour or visual clarity; or
    (2) A noticeable increase in local sedimentation,
    in the lake, river, wetland or the coastal marine area (*refer to Figure 2*); and
  (ii) Does not result in the production of conspicuous floatable or suspended organic materials in the drain at the first of:
    (1) The downstream boundary of the landholding where the discharge occurs; or
    (2) Immediately before the drain enters a river, lake, wetland or the coastal marine area; and
  (iii) Does not have an odour, oil or grease film, scum or foam; and

(f) When the discharge enters water in any water race[2] that goes to a lake, river, wetland, or the coastal marine area, the discharge:
  (i) Does not result in:
    (1) A conspicuous change in colour or visual clarity; or
    (2) A noticeable increase in local sedimentation,
    in the water race (*refer to Figure 3*); and
  (ii) Does not result in the production of conspicuous floatable or suspended organic materials in the race at the first of:
    (1) The downstream boundary of the landholding where the discharge occurs; or
    (2) Immediately before the race enters a river, lake, wetland or the coastal marine area; and
  (iii) Does not have an odour, oil or grease film, scum or foam; and

(g) From 1 April 2020, the discharge also complies with 12.C.1.1A.

[1] In Rules 12.C.1.1 and 12.C.1.1A, 'drain' includes any system of drains that goes to a lake, river, wetland or the coastal marine area.
[2] In Rules 12.C.1.1 and 12.C.1.1A, 'water race' includes any system of water races that goes to a lake, river, wetland or the coastal marine area.

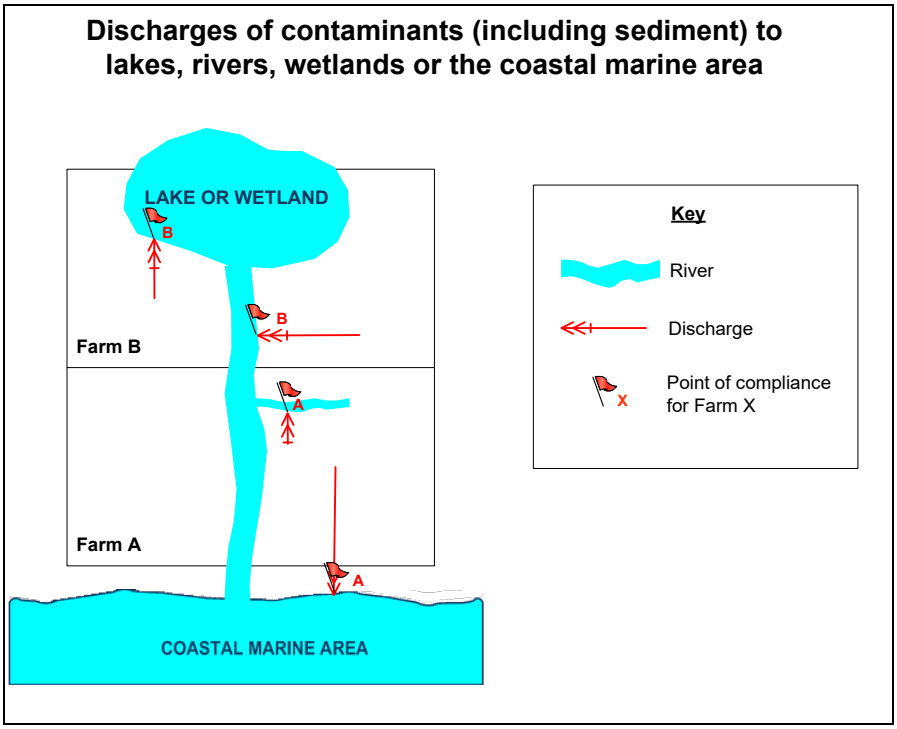

Figure 1: Implementation of Rule 12.C.1.1(d)(i)

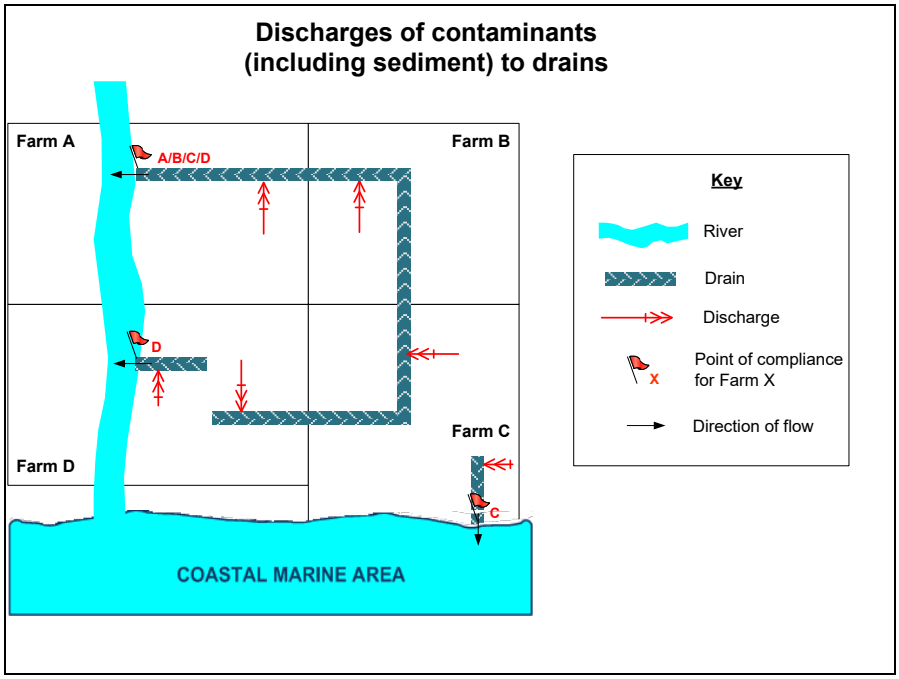

Figure 2: Implementation of Rule 12.C.1.1(e)(i)

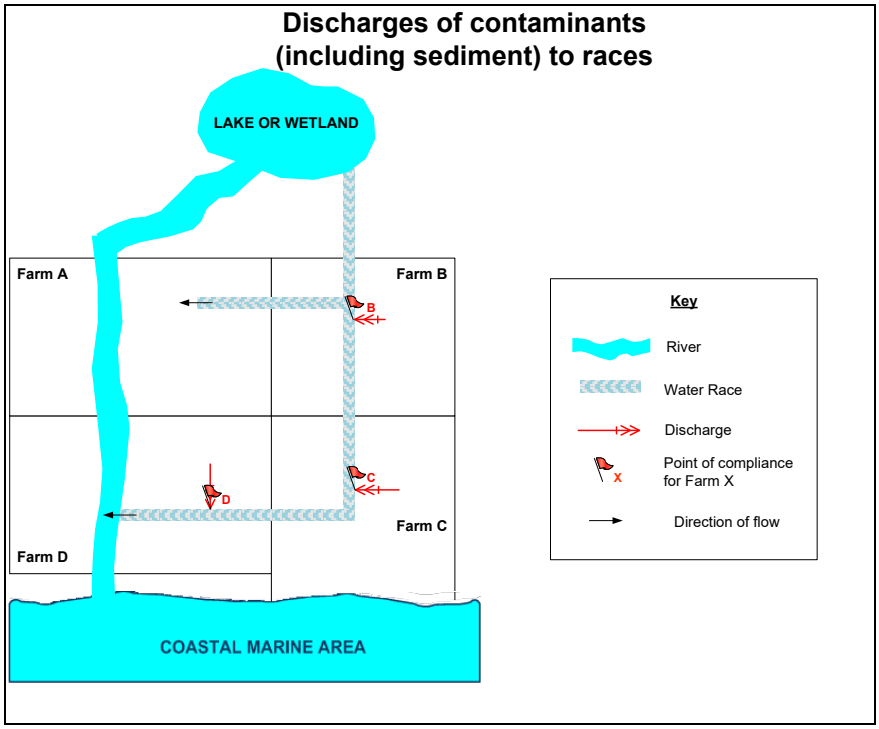

Figure 3: Implementation of Rule 12.C.1.1(f)(i)

12.C.1.1A From 1 April 2020, in addition to Rule 12.C.1.1, when the water flow at the relevant representative flow monitoring site is at or below the reference flow in Schedule 16B, the following conditions apply:

(a) (i) If the discharge causes contaminants to first enter water in any lake, river, wetland, or the coastal marine area, the discharge does not exceed any of the thresholds in Schedule 16A immediately before entering a river, lake, wetland or the coastal marine area (*refer to Figure 4*),

except:

(ii) If the discharge causes contaminants to first enter water in a river which originates in the landholding where the discharge occurs and which conveys irrigation run-off, then the discharge does not result in the exceedance of any of the thresholds in Schedule 16A at the first of:

(1) The downstream boundary of the landholding where the discharge occurs; or

(2) Immediately before the river joins another river, lake, wetland or the coastal marine area (*refer to Figure 5*); or

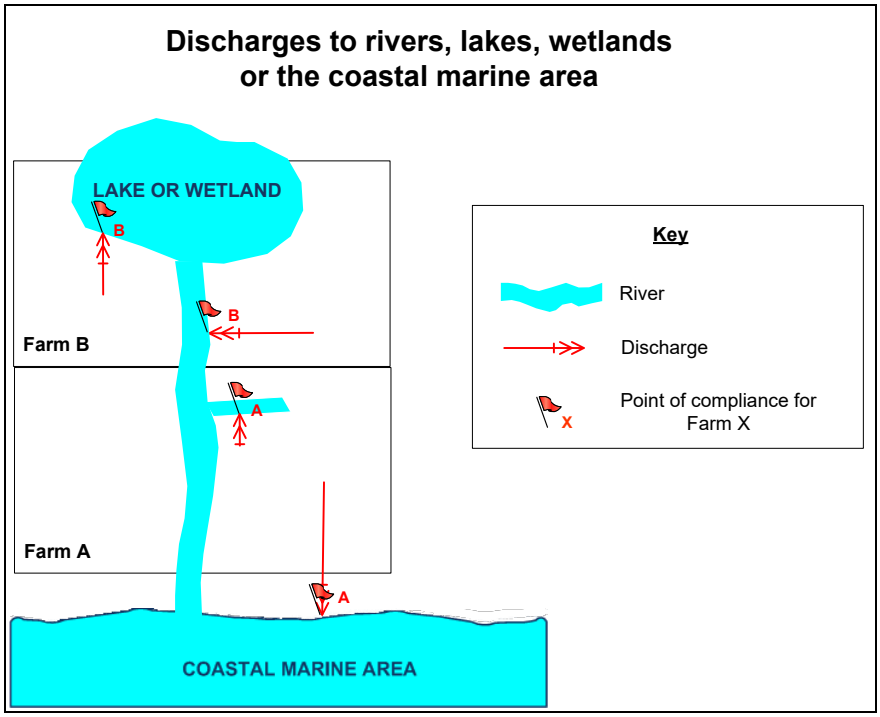

Figure 4: Implementation of Rule 12.C.1.1A(a)(i)

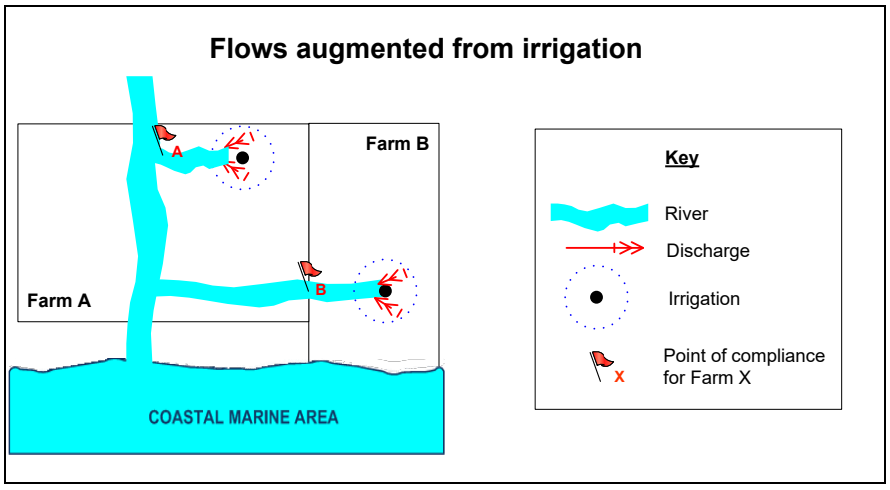

Figure 5: Implementation of Rule 12.C.1.1A(a)(ii)

(b) If the discharge causes contaminants to first enter water in a drain that goes to a lake, river, wetland or the coastal marine area, then:

(i) The discharge does not result in the exceedance[3] of any of the thresholds in Schedule 16A within the drain at the first of:

(1) The downstream boundary of the landholding where the discharge occurs; or

(2) Immediately before the drain enters a river, lake, wetland or the coastal marine area (*refer to Figure 6*),

except:

(ii) If all of the dischargers to the drain have advised the Council in writing that they share responsibility for discharges from that drain, contaminants in the drain do not exceed any of the thresholds in Schedule 16A immediately before the drain enters a lake, river, wetland or the coastal marine area (*refer to Figure 7*); or

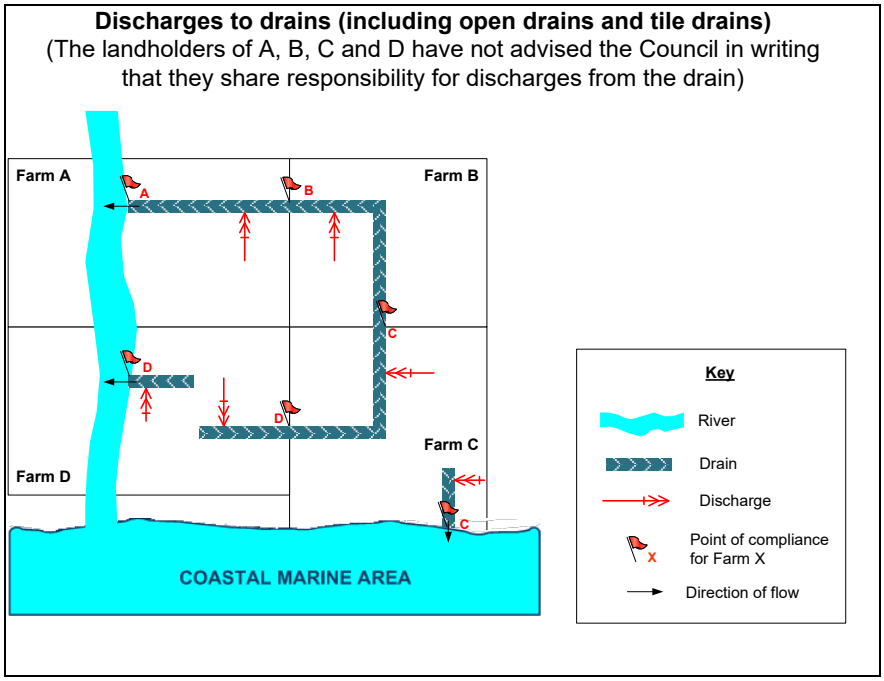

Figure 6: Implementation of Rule 12.C.1.1A(b)(i)

[3] In determining whether the discharge results in the exceedance of any of the thresholds in Schedule 16A, the concentration of contaminants at the upstream boundary of the landholding where the discharge occurred shall be excluded.

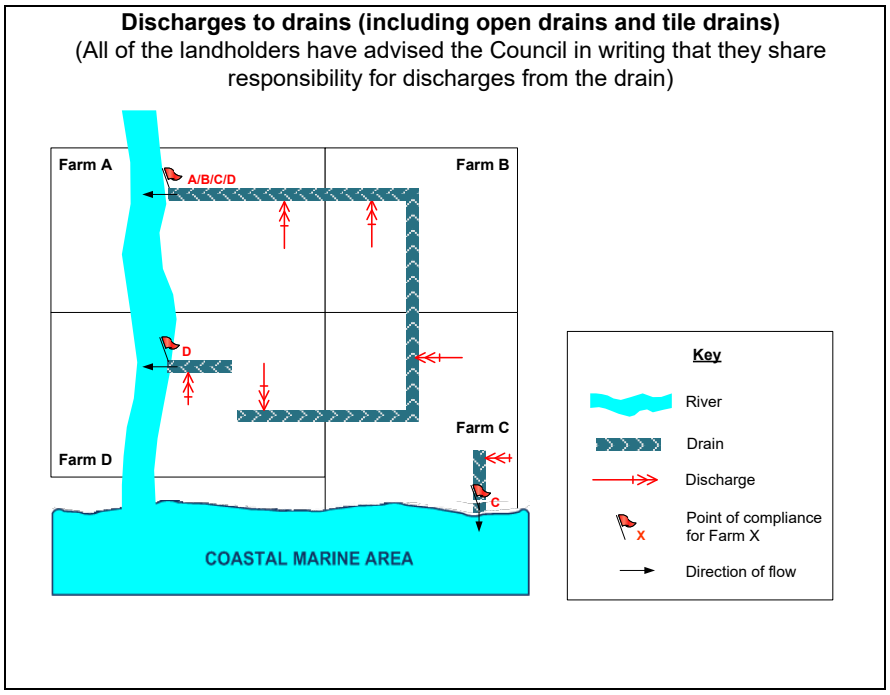

Figure 7: Implementation of Rule 12.C.1.1A(b)(ii)

(c) If the discharge causes contaminants to first enter water in a water race that goes to a lake, river, wetland or the coastal marine area then:

(i) (1) Any measurable discharge does not exceed any of the thresholds in Schedule 16A immediately before entering the water race; and

(2) The cumulative contaminant discharge into the water race between the upstream boundary of the landholding where the discharge occurs and the first of:

(a) The downstream boundary of the same landholding; or

(b) Immediately before the water race enters a river, lake, wetland or the coastal marine area (*refer to Figure 8*),

does not exceed any of the thresholds in Schedule 16A,

except:

(ii) If the race operator has advised the Council in writing that it takes responsibility for discharges to the race from specified landholdings:

(1) Paragraph (i) does not apply to discharges from those specified landholdings; and

(2) Contaminants in the water race do not exceed any of the thresholds in Schedule 16A immediately before the race enters a lake, river, wetland or the coastal marine area (*refer to Figure 9*).

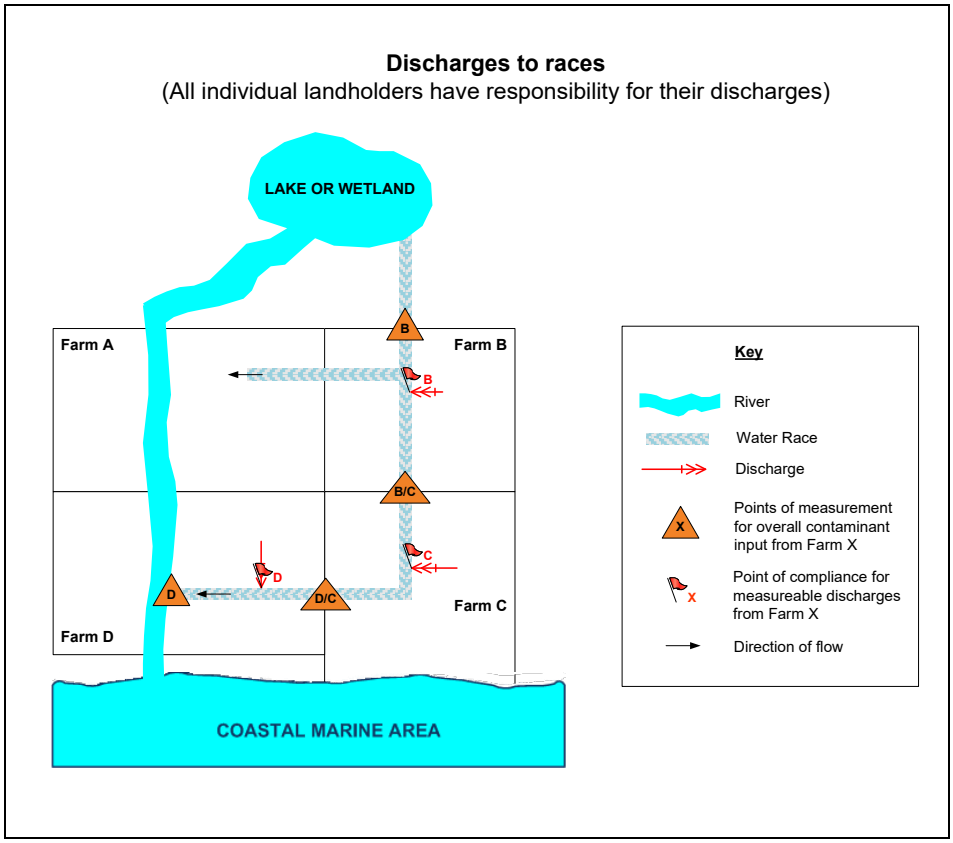

Figure 8: Implementation of Rule 12.C.1.1A(c)(i)

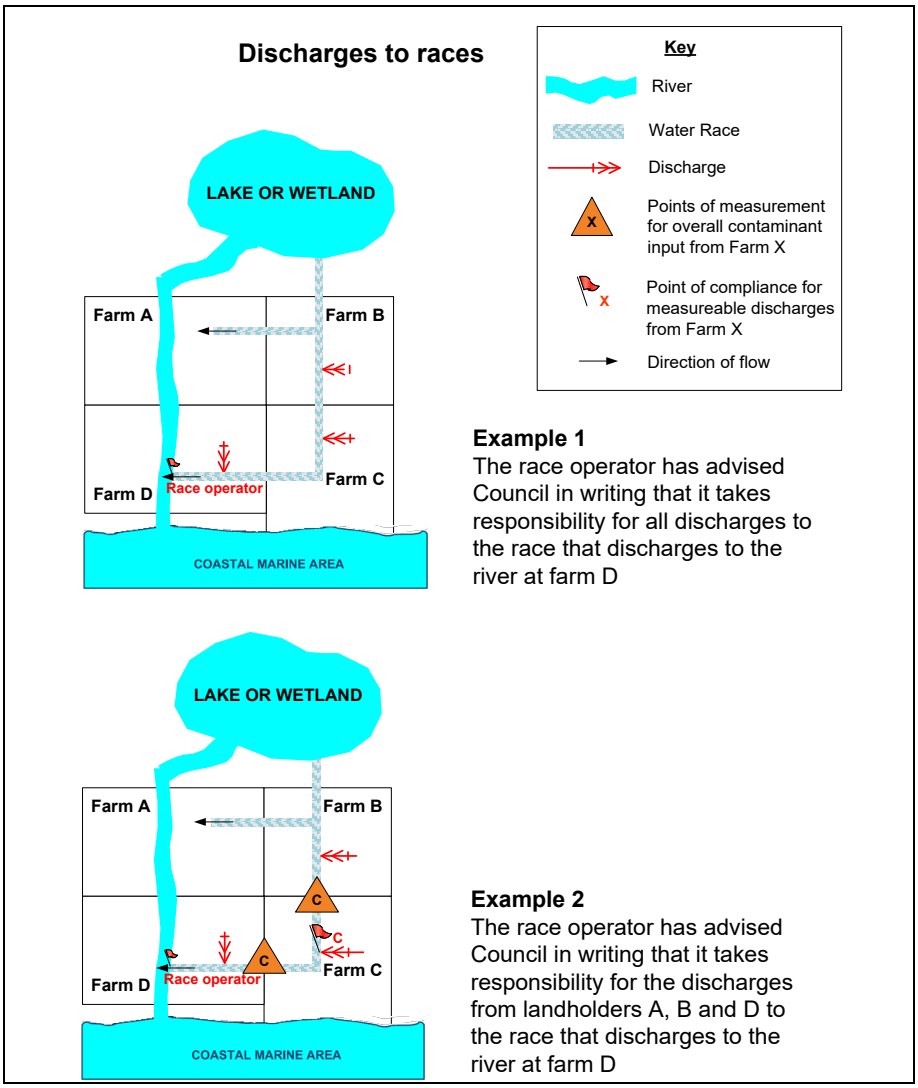

Figure 9: Implementation of Rule 12.C.1.1A(c)(ii)

12.C.1.2 Notwithstanding Rule 12.C.1.1, the discharge of water or any contaminant from the source water body through:
(i) A water race; or
(ii) A dam:
(1) Permitted under Rule 13.2.1.3; and
(2) Not for the purpose of the storage of contaminants,

to any lake, river, wetland, or any water race or drain that flows to a lake, river or wetland, is a ***permitted*** activity, providing:
(a) The race or dam operator has not caused any contaminant to be discharged into the race or dam from which it is discharged; and
(b) There is no discharge of water from one catchment to water in another catchment; and
(c) There is no change to the water level range or hydrological function of any Regionally Significant Wetland; and
(d) The discharge does not:
(1) Result in flooding, erosion, land instability or property damage; or
(2) Result in a conspicuous change in colour or visual clarity; or
(3) Have floatable or suspended materials.

12.C.1.3 The discharge of nitrogen[4] onto or into land in circumstances which may result in nitrogen entering groundwater, is a ***permitted*** activity, providing:
(a) From 01 April 2020, the nitrogen leaching rate does not exceed:
(i) 15 kgN/ha/year for the total area of land managed by a landholder that is located over the relevant Nitrogen Sensitive Zone identified in Maps H5 and H6; and
(ii) 20 kgN/ha/year for the total area of land managed by a landholder that is located over the relevant Nitrogen Sensitive Zone identified in Maps H1 to H4; and
(iii) 30 kgN/ha/year for the total area of land managed by a landholder that is located outside any Nitrogen Sensitive Zone identified in Maps H1 to H6,

as calculated using OVERSEER® version 6 by a Certified Nutrient Management Advisor in accordance with OVERSEER® Best Practice Data Input Standards; and
(b) (i) From 1 May 2014 to 31 March 2020, the landholder for outdoor pork, fruit (excluding grapes), berry and rotational vegetable production will keep a record of all inputs into the farm system and evidence that practices complied with the relevant industry good management practices and provide Council upon request with that

[4] For the purpose of Rule 12.C.1.3, nitrogen comprises of organic nitrogen, ammoniacal nitrogen, nitrite nitrogen and nitrate nitrogen forms.

information. From 1 April 2020, 12.C.1.3(b)(ii) will apply; and

(ii) From 1 May 2014, in all other cases, the landholder will:
  (1) Maintain a record of all necessary data to run OVERSEER® version 6; and
  (2) Provide Council upon request with:
    (a) All necessary data to run OVERSEER® version 6; or
    (b) Any available OVERSEER® version 6 output and input parameter report prepared by a Certified Nutrient Management Advisor in accordance with OVERSEER® Best Practice Data Input Standards.

12.C.2 Restricted discretionary activities: Resource consent required

12.C.2.1 The discharge of water or any contaminant:
(i) To water; or
(ii) Onto or into land in circumstances which may result in a contaminant entering water,

for a period up to five years, is a ***restricted discretionary*** activity, unless the discharge:
(a) Is prohibited by a rule in 12.C.0; or
(b) Is permitted by Rules 12.C.1.1, 12.C.1.1A or 12.C.1.2; or
(c) Will result in flooding, erosion, land instability or property damage; or
(d) Is of water from one catchment to water in another catchment; or
(e) Will change the water level range or hydrological function of any Regionally Significant Wetland; or
(f) Has previously been authorised by resource consent granted under this rule.

The matters to which the Council has restricted the exercise of its discretion are set out in Rule 12.C.2.4.

The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.

12.C.2.2 The discharge of water or any contaminant:
(i) To water; or
(ii) Onto or into land in circumstances which may result in a contaminant entering water,

for a period up to two years, from a short-term activity with a short-term effect, is a ***restricted discretionary*** activity, unless the discharge:
(a) Is prohibited by a rule in 12.C.0; or
(b) Is permitted by Rules 12.C.1.1, 12.C.1.1A or 12.C.1.2; or

(c) Will result in flooding, erosion, land instability or property damage; or
(d) Is of water from one catchment to water in another catchment; or
(e) Will change the water level range or hydrological function of any Regionally Significant Wetland.

The matters to which the Council has restricted the exercise of its discretion are set out in Rule 12.C.2.4.

The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.

12.C.2.3 The discharge of nitrogen[5] onto or into land in circumstances which may result in nitrogen entering groundwater for a period up to five years is a ***restricted discretionary*** activity, unless the discharge:
(a) Is prohibited by a rule in 12.C.0; or
(b) Is permitted by Rule 12.C.1.3, or
(c) Has previously been authorised by a resource consent granted under this rule.

The matters to which the Council has restricted the exercise of its discretion are set out in Rule 12.C.2.4.

The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.

12.C.2.4 Restricted discretionary activity discretions
In considering any resource consent in terms of Rules 12.C.2.1 to 12.C.2.3, the Council will restrict the exercise of its discretion to:
(a) The nature, type, volume, frequency and location of the discharge; and
(b) The concentration and loading of contaminants in the discharge; and
(c) In the case of an application under Rules 12.C.2.1 and 12.C.2.3, the staged timeframe for achieving the permitted activity conditions in Rules 12.C.1.1, 12.C.1.1A or 12.C.1.3; and
(d) In the case of an application under 12.C.2.2, the staged timeframe to address adverse effects on water quality; and
(e) In the case of an application previously consented under Rule 12.C.2.2, compliance with conditions of the previous resource consent; and

[5] For the purpose of Rule 12.C.2.3, nitrogen comprises of organic nitrogen, ammoniacal nitrogen, nitrite nitrogen and nitrate nitrogen forms.

(f) Any change to infrastructure and the staging of implementation of those changes; and
(g) Any adverse effect on water quality, including cumulative effects, and consideration of trends in the quality of the receiving water; and
(h) Any adverse effect of the discharge on any natural or human use value, including Kāi Tahu values and use of the coastal marine area for contact recreation and seafood gathering; and
(i) The need for and extent of any mixing zone; and
(j) Any co-ordination of discharges across multiple landholdings; and
(k) The extent to which the contaminant results from the activities of the applicant; and
(l) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
(m) Any erosion, land instability, sedimentation or property damage resulting from the discharge; and
(n) Any financial contribution for any Regionally Significant Wetland or on any regionally significant wetland value; and
(o) The information and monitoring requirements; and
(p) The duration of the resource consent; and
(q) The review of conditions of the resource consent.

12.C.3 Discretionary activities: Resource consent required

12.C.3.1 The discharge of water from one catchment to water in another catchment is a ***discretionary*** activity.

12.C.3.2 The discharge of water or any contaminant:
(i) To water; or
(ii) Onto or into land in circumstances which may result in a contaminant entering water

is a ***discretionary*** activity, unless it is:
(a) Prohibited by a rule in 12.C.0; or
(b) Permitted by a rule in 12.C.1; or
(c) Provided for by a rule in 12.C.2.

13

Rules: Land Use on Lake or River Beds or Regionally Significant Wetlands

13.1 The use of a structure

13.1.1 Permitted activities: No resource consent required

13.1.1.1 The use of any structure that is fixed in, on, under, or over the bed of any lake or river, or any Regionally Significant Wetland, is a ***permitted*** activity, providing:

(a) The structure is lawfully established; and
(b) In the case of a change in use, the effects of the new use of the structure are the same or similar in character, intensity and scale as the preceding use; and
(c) Measures are taken to avoid animal waste entering the lake, river or Regionally Significant Wetland; and
(d) The structure is maintained in good repair.

13.1.2 Restricted discretionary activities: Resource consent required

13.1.2.1 Except as provided for by Rule 13.1.1.1, the use of a structure that is fixed in, on under or over the bed of any lake or river, or any Regionally Significant Wetland, is a ***restricted discretionary*** activity.

In considering any resource consent for the use of any structure in terms of this rule, the Otago Regional Council will restrict the exercise of its discretion to the following:

(a) Any adverse effect on the function or structural integrity of the structure; and
(b) Any measures to avoid animal waste entering the lake, river, or Regionally Significant Wetland; and
(c) The duration of the resource consent; and
(d) The information and monitoring requirements; and
(e) Any insurance or other appropriate means of remedying the effects of failure; and
(f) Any bond; and
(g) The review of conditions of the resource consent.

The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.

13.2 The erection or placement of a structure

13.2.1 Permitted activities: No resource consent required

13.2.1.1 – 13.2.1.6 *[unchanged]*

13.2.1.7 The erection or placement of any single span bridge including for pipes over the bed of a lake or river, or any Regionally Significant Wetland, is a ***permitted*** activity, providing:

(a) The bridge or its erection or placement, does not cause any flooding, nor cause any erosion of the bed or banks of the

lake or river, or Regionally Significant Wetland, or property damage; and

(b) No more than 20 metres of bridge occurs on any 250 metre stretch of any lake or river; and
(c) There is no reduction in the flood conveyance of the lake, river or Regionally Significant Wetland; and
(d) The bridge soffit is no lower than the top of the higher river bank; and
(e) The bridge and its abutments are secured against bed erosion, flood water and debris loading; and
(f) Where the bridge is intended for use by stock, measures are taken to avoid animal waste entering the lake, river or Regionally Significant Wetland; and
(g) If the bridge is situated over or on public land, then public access over the public land is maintained.

13.2.1.7A The erection or placement of any boardwalk in, on or over a Regionally Significant Wetland, is a ***permitted*** activity, providing the erection or placement, or the boardwalk, does not cause any flooding, nor any erosion.

13.2.1.7B Unless covered by Rule 13.2.1.7 or 13.2.1.7A, the erection or placement of any crossing in or on the bed of a lake or river, or any Regionally Significant Wetland, is a ***permitted*** activity, providing:

(a) The crossing, or its erection or placement, does not cause any flooding, nor cause erosion of the bed or banks of the lake, river or Regionally Significant Wetland, or property damage; and
(b) The top of the crossing is no higher than:
    (i) 2 metres above the lowest part of the bed where it is located; or
    (ii) 3.5 metres above the lowest part of the bed where it is located, if the catchment upstream of the crossing is 50 hectares or less in area and there is a culvert with a minimum diameter of 1.2 metres (or equivalent cross-sectional area); and
(c) No more than 24 metres of crossing occurs on any 250 metre stretch of any lake or river, with a minimum separation distance between any two crossings in or on the same lake or river of 12 metres; and
(d) There is no reduction in the flood conveyance of the lake, river or Regionally Significant Wetland; and
(e) The crossing and any ancillary structures are stable under flood conditions, and secured against bed erosion and debris loading; and
(f) Fish passage is retained; and
(g) Movement of bed material is not impeded; and

(h) Where the crossing is intended for use by stock, measures are taken to avoid animal waste entering the lake, river or Regionally Significant Wetland; and
(i) If the crossing is situated over or on public land, then public access over the public land is maintained.

13.2.1.8 *[Unchanged]*

13.2.2 Restricted discretionary activities: Resource consent required

13.2.2.1 Except as provided for by Rules 13.2.1.1, 13.2.1.2 and 13.2.1.5 to 13.2.1.7B, the erection or placement of any fence, pipe, line, cable, whitebait stand, eel trap, maimai, jetty, single span bridge or crossing in, on, under, or over the bed of any lake or river, or the erection or placement of any fence, pipe, line, cable, jetty, bridge, crossing or boardwalk in, on, under or over any Regionally Significant Wetland, is a ***restricted discretionary*** activity.

In considering any resource consent for the erection or placement of any fence, pipe, line, cable, whitebait stand, eel trap, maimai, jetty, single span bridge or crossing in terms of this rule, the Otago Regional Council will restrict the exercise of its discretion to the following:

(a) Any adverse effects of the activity on:
  (i) Any natural and human use value identified in Schedule 1 for any affected water body; and
  (ii) The natural character of any affected water body; and
  (iii) Any amenity value supported by any affected water body; and
  (iv) Any heritage value associated with any affected water body; and
(b) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
(c) Flow and sediment processes; and
(d) Any adverse effect on a defence against water; and
(e) Any adverse effect on existing public access; and
(f) Fish passage; and
(g) The method of construction; and
(h) Any measures to avoid animal waste entering the lake, river, or Regionally Significant Wetland; and
(i) The duration of the resource consent; and
(j) The information and monitoring requirements; and
(k) Any existing lawful activity associated with any affected water body; and
(l) Any bond; and
(m) The review of conditions of the resource consent; and
(n) Any financial contribution for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected.

The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.

13.2.3 *[Unchanged]*

13.3 The repair, maintenance, extension, alteration, replacement or reconstruction of a structure

13.3.1 *[Unchanged]*

13.3.2 Restricted discretionary activities: Resource consent required

13.3.2.1 Except as provided for by Rules 13.3.1.1 and 13.3.1.2, the extension, alteration, replacement or reconstruction of any structure, fixed in, on, under or over the bed of any lake or river, or any Regionally Significant Wetland, is a ***restricted discretionary*** activity.

In considering any resource consent for the extension, alteration, replacement or reconstruction of any structure in terms of this rule, the Otago Regional Council will restrict the exercise of its discretion to the following:

(a) Any adverse effects of the activity on:
  (i) Any natural and human use value identified in Schedule 1 for any affected water body; and
  (ii) The natural character of any affected water body; and
  (iii) Any amenity value supported by any affected water body; and
  (iv) Any heritage value associated with any affected water body; and
(b) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and
(c) Flow and sediment processes; and
(d) Any adverse effect on a defence against water; and
(e) Any adverse effect on existing public access; and
(f) The method of construction; and
(g) The duration of the resource consent; and
(h) The information and monitoring requirements; and
(i) Any existing lawful activity associated with any affected water body; and
(j) Any insurance or other appropriate means of remedying the effects of failure; and
(k) Any bond; and
(l) A financial contribution if the structure is a dam, or for regionally significant wetland values or Regionally Significant Wetlands that are adversely affected; and
(m) The review of conditions of the resource consent; and
(n) Any measures to avoid animal waste entering the lake, river, or Regionally Significant Wetland.

The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.

13.4 Demolition or removal of a structure *[Unchanged]*

13.5 Alteration of the bed of a lake or river, or of a Regionally Significant Wetland

13.5.A General rules for section 13.5

13.5.A.1 Discharges of bed material resulting from the alteration of the bed of a lake or river, or a Regionally Significant Wetland, are addressed only through rules in section 13.5.

Note: Alteration includes any disturbance, and the associated remobilisation (discharge) and redeposition (deposit) of bed material already present, reclamation or deposition of cleanfill associated with works in the bed.

13.5.1 Permitted activities: No resource consent required

13.5.1.1 The disturbance of the bed of any lake or river, or any Regionally Significant Wetland, and any resulting discharge or deposition of bed material associated with:

(i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal, of any structure that is fixed in, on, under or over the bed of any lake or river, or the wetland; or

(ii) The clearance of debris or alluvium from within, or immediately surrounding, any structure in order to safeguard the function or structural integrity of the structure; or

(iii) The maintenance or reinstatement of a water intake, in order to enable the exercise of a lawful take of water,

is a ***permitted*** activity, providing:

(a) Except in the case of the demolition or removal of a structure, the structure is lawfully established; and

(b) Except in the case of (i), there is no increase in the scale of the existing structure; and

(c) If work is undertaken between 1 May and 30 September inclusive, the Department of Conservation and the relevant Fish and Game Council will be notified as soon as reasonably practicable in advance; and

(d) The bed or wetland disturbance is limited to the extent necessary to undertake the work; and

(e) The bed or wetland disturbance does not cause any flooding or erosion; and

(f) The time necessary to carry out and complete the whole of the work within the wetted bed of the lake or river does not exceed 10 hours in duration; and
(g) All reasonable steps are taken to minimise the release of sediment to the lake or river during the disturbance, and there is no conspicuous change in the colour or visual clarity of the water body beyond a distance of 200 metres downstream of the disturbance; and
(h) No lawful take of water is adversely affected as a result of the bed or wetland disturbance; and
(i) The site is left tidy following completion of the activity; and
(j) Except for activities covered by Rules 13.2.1.5, 13.2.1.6, or 13.2.1.8, there is no change to the water level range or hydrological function of any Regionally Significant Wetland; and
(k) Except for activities covered by Rules 13.2.1.5, 13.2.1.6, or 13.2.1.8, there is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

13.5.1.2 The disturbance of the bed of any river for the purpose of clearing any material that has accumulated as a result of a storm event, excluding alluvium, in order to maintain the flood carrying capacity of the bed of the river, and any resulting discharge or deposition of bed material, is a ***permitted*** activity, providing:
(a) The bed disturbance is limited to the extent necessary to clear the debris; and
(b) The bed disturbance does not cause any flooding or erosion; and
(c) The time necessary to carry out and complete the whole of the work within the wetted bed does not exceed 10 hours in duration; and
(d) All reasonable steps are taken to minimise the release of sediment to the lake or river during the activity, and there is no conspicuous change in the colour or visual clarity of the water body beyond a distance of 200 metres downstream of the disturbance; and
(e) No lawful take of water is adversely affected as a result of the bed disturbance; and
(f) The site is left tidy following completion of the activity.

13.5.1.3 The disturbance or reclamation of, or the deposition of any substance in, on or under, either the bed of any lake or river, or any Regionally Significant Wetland, and any resulting discharge of bed material, for the purpose of:
(i) The erection, placement, extension, alteration, replacement, reconstruction, repair, maintenance, demolition or removal, of any structure carried out under Rules 13.2.1.1 to 13.2.1.7B, 13.3.1.1, 13.3.1.2 or 13.4.1.1; or
(ii) The repair or maintenance of any defence against water constructed or placed by artificial means,

is a ***permitted*** activity providing:

(a) The structure or defence against water is lawfully established; and
(b) There is no change to the original scale of the structure or defence against water; and
(c) The time necessary to carry out and complete the whole of the work within the wetted bed of the lake or river does not exceed 10 hours in duration; and
(d) All reasonable steps are taken to minimise the release of sediment to the lake, river or wetland during the activity, and there is no conspicuous change in the colour or visual clarity of the water body beyond a distance of 200 metres downstream of the activity; and
(e) No lawful take of water is adversely affected as a result of the activity; and
(f) In the case of reclamation or deposition, only cleanfill is used; and
(g) The site is left tidy following completion of the activity; and
(h) Except for activities covered by Rules 13.2.1.5, 13.2.1.6, or 13.2.1.8, there is no change to the water level range or hydrological function of any Regionally Significant Wetland; and
(i) Except for activities covered by Rules 13.2.1.5, 13.2.1.6, or 13.2.1.8, there is no damage to fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

13.5.1.4 The disturbance or reclamation of, or the deposition of any substance in, on or under, the bed of any lake or river, for the purpose of the reinstatement of any bank of a lake or river which has been eroded by a flood event, and any resulting discharge of bed material, is a ***permitted*** activity providing:

(a) There is no change to the scale of the bank existing before the flood event; and
(b) The activity is carried out within twelve months of the flood event that caused the erosion; and
(c) The time necessary to carry out and complete the whole of the work within the wetted bed does not exceed 10 hours in duration; and
(d) All reasonable steps are taken to minimise the release of sediment to the lake or river during the activity, and there is no conspicuous change in the colour or visual clarity of the water body beyond a distance of 200 metres downstream of the activity; and
(e) No lawful take of water is adversely affected as a result of the repair or maintenance; and
(f) In the case of reclamation or deposition, only cleanfill is used; and
(g) The site is left tidy following completion of the activity.

13.5.1.5 The disturbance of the bed of any lake or river associated with the control of aquatic pest plants, and any resulting discharge or deposition of bed material, is a ***permitted*** activity providing:

(a) The control is carried out under Rule 13.7.1.1, or under a resource consent; and

(b) The bed disturbance is limited to that which is necessary for the removal of the plant material.

13.5.1.5A *[Unchanged]*

13.5.1.5B The disturbance of any Regionally Significant Wetland, for the purpose of drain maintenance, and any resulting discharge or deposition of bed material, is a ***permitted*** activity, providing:

(a) The disturbance is limited to that necessary to address water accumulating on land outside of any Regionally Significant Wetland; and

(b) The drain was lawfully constructed on or before 2 July 2011; and

(c) The drain has been maintained within the preceding 15 years; and

(d) There is no increase in the drain dimensions from the last maintenance; and

(e) All reasonable measures are taken to minimise the release of sediment to any water body during the disturbance, and there is no conspicuous change in the colour or visual clarity of any water body beyond a distance of 100 metres downstream of the disturbance; and

(f) All reasonable steps are taken to minimise damage to fauna and New Zealand native flora; and

(g) At least ten working days prior to commencing the maintenance, the Otago Regional Council is given notice of the location and date of the drain maintenance; and

(h) Within ten working days after the drain maintenance is carried out, the Otago Regional Council is provided with:

(i) Photographs of:

(a) The drain immediately before and after maintenance; and

(b) The wetland adjoining the drain being maintained, showing vegetation cover; and

(ii) Dimensions (longitude and cross-section) of the drain immediately before and after maintenance; and

(iii) A map or line diagram identifying the location and course of the drain.

13.5.1.6 – 13.5.1.7 *[Unchanged]*

13.5.1.8 *[Repealed – 1 May 2014]*

13.5.1.8A The disturbance of the bed of any lake or river, or any Regionally Significant Wetland by livestock, excluding intentional driving of livestock, and any resulting discharge or deposition of bed material, is a ***permitted*** activity, providing it does not:

(a) Involve feeding out on that bed or wetland; or
(b) Cause or induce noticeable slumping, pugging or erosion; or
(c) Result in a visual change in colour or clarity of water; or
(d) Damage fauna, or New Zealand native flora, in or on any Regionally Significant Wetland.

13.5.1.8B The disturbance of the bed of any lake or river, or any Regionally Significant Wetland, by livestock where they are being intentionally driven, and any resulting discharge or deposition of bed material, is a ***permitted*** activity, providing there is no:

(a) Existing structure available for use; or
(b) Visual change in colour or clarity of water, after the disturbance ceases; or
(c) Noticeable slumping, pugging or erosion.

13.5.1.9 The drilling of land on the bed of any lake or river, other than for the purpose of creating a bore, and any disturbance of the bed associated with that drilling, and any resulting discharge or deposition of bed material, is a ***permitted*** activity providing:

(a) The bed disturbance is limited to the extent necessary for the drilling; and
(b) The drill hole is filled or sealed on completion of the work so that contaminants are prevented from entering the hole at any level; and
(c) The activity does not occur in the wet bed; and
(d) The site is left tidy following completion of the activity.

13.5.2 *[Unchanged]*

13.5.3 Discretionary activities: Resource consent required

13.5.3.1 *[Unchanged]*

13.5.3.2 Unless covered by Rules 13.5.1.1, 31.5.1.3, 13.5.1.5A, 13.5.1.5B, 13.5.1.8A, 13.5.1.8B or 13.5.2.1, the alteration of any Regionally Significant Wetland, is a ***discretionary*** activity.

Principal reasons for adopting
The alteration of the bed of a lake or river can only occur if it is expressly allowed by a rule in a regional plan or any proposed regional plan, or by a resource consent (Section 13(1) of the Resource Management Act).

No person may disturb, remove, damage, or destroy any plant or part of any plant (whether exotic or indigenous) or the habitats of any such plants or of animals in, on, or under the bed of any lake or river in a manner that contravenes a rule in a regional plan or proposed regional plan, unless that activity is expressly allowed by a resource consent or is an existing lawful use allowed by Section 20A of the Act (Resource Management Act Section 13(2)(b)).

Rules 13.5.2.1 and 13.5.3.1 provide for the preservation of the natural state of the shoreline of Lake Wanaka, consistent with Section 4 (c) of the Lake Wanaka Preservation Act 1973.

The alteration of the bed of a lake or river under Rules 13.5.1.1 to 13.5.1.9 will have no more than minor adverse effects on the natural and human use values supported by water bodies, or on any other person, since the activities involve minimal disturbance of the bed. Any other activity involving the alteration of the bed of a lake or river is either a restricted discretionary or a discretionary activity in order that any adverse effects can be assessed.

13.6 The introduction or planting of vegetation *[Unchanged]*

13.7 The removal of vegetation *[Unchanged]*

15

Methods other than Rules

15.1 to 15.4 *[Unchanged]*

15.5 Codes of practice and environmental management systems

15.5.1 Development and implementation of codes of practice and environmental management systems

15.5.1.1 The Otago Regional Council encourages and supports the development and use of codes of practice and environmental management systems that reduce adverse effects on water resources.

15.5.1.2 *[Repealed – 1 May 2014]*

15.6 to 15.9 *[Unchanged]*

15.10 Plan Implementation

15.10.1 Schedule 15

15.10.1.1 From the date specified in Schedule 15, where water quality fails to meet the Schedule 15 limits and targets, the Council:

(a) Will investigate the cause; and
(b) May take action to address any unauthorised discharge; and
(c) May review the Schedule 15 limits and targets and alternative permitted discharge rules, including Schedule 16 thresholds.

15.10.2 Groundwater

15.10.2.1 The regional council will maintain (through its Annual Plan and Long Term Plan) a groundwater programme that:

(a) Investigates water quality in the aquifers in the Otago region;
(b) Reviews and sets nitrogen leaching rates; and
(c) Makes changes to the plan under the RMA to introduce revised and/or additional nitrogen controls.

In developing and implementing the groundwater programme the regional council will engage with stakeholders over the scope, methodology (including socio-economic analysis) and sequencing of the investigation process prior to any statutory process. The review of leaching rates will be prioritised in areas that will be identified as high risk for farmer non-compliance and/or risk of not achieving environmental objectives and any revised leaching rates included in this plan prior to 2020.

16

Information Requirements

16.1 Introduction *[Unchanged]*

16.2 General information required *[Unchanged]*

16.3 Specific information requirements

16.3.1 to 16.3.2 *[Unchanged]*

16.3.3 *[Repealed – 1 May 2014]*

16.3.4 to 16.3.13 *[Unchanged]*

16.4 Provision of further information *[Unchanged]*

20
Schedules

15 Schedule of characteristics and numerical limits and targets for good quality water in Otago lakes and rivers

Table 15.1 Characteristics indicative of good quality water

Characteristic	Description	Contaminant effect
Clarity	When standing in knee-deep water, the bed is easily and clearly seen.	Sediment reduces the clarity of water, and has an adverse effect on freshwater fish and invertebrate habitat.
Colour	Water-colour is not altered by contamination. Some rivers have natural colour such as tannin-stain.	A change in colour can be indicative of contamination by sediment or organic matter, linked to potentially high concentrations of DRP, NNN, ammoniacal nitrogen or *E coli*.
Sediment	Riffles and runs are free of obvious clay and silt deposits. Walking across a riffle or run should not produce an obvious plume. Some rivers are naturally high in sediment.	Sediment affects the colour of water, and has an adverse effect on freshwater fish and invertebrate habitat, and can result in high concentrations of phosphorus, and allow *E coli* to persist.
Smell	Water is odourless.	Smell can be indicative of contamination from a source high in ammoniacal nitrogen or *E coli* or the decay of excessive amounts of algae which limits people's opportunity to appreciate water.
Algae	Filamentous algae in rivers should cover less than 30% of the river bed. Floating algae occurring in lakes and rivers should not reduce water clarity. Algal growth in rivers or lakes should not cause slime on the surface of the water.	Excessive nitrogen and phosphorus contribute to algal growth which has an adverse effect on freshwater fish and invertebrate habitat, amenity and recreation values, and angling opportunities.
Bank appearance	Functioning riparian margins: ▪ Vegetation is healthy. ▪ Banks are stable. ▪ No obvious livestock disturbance.	Healthy riparian margins mitigate sediment and nutrient discharges, and provide habitat for invertebrates.

Table 15.2 Receiving water numerical limits and targets for achieving good quality water

The limits for Groups 1, 2 and 3 are achieved when 80% of samples collected at a site, when flows are at or below median flow, over a rolling 5-year period, meet or are better than the limits in Schedule 15.

A target date of 31 March 2025 is set when the contaminant concentration does not meet the limit as at 31 March 2012.

Table 15.2.1: Receiving Water Group 1

	Nitrate-nitrite nitrogen	**Dissolved reactive phosphorus**	**Ammoniacal nitrogen**	***Escherichia coli***	**Turbidity**
	0.444 mg/l	**0.026 mg/l**	**0.1 mg/l**	**260 cfu/100 ml**	**5 NTU**
Catlins	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2025
Careys Creek	31 March 2012				
Kaikorai	31 March 2012	31 March 2012	31 March 2012	31 March 2025	31 March 2012
Leith	31 March 2025	31 March 2025	31 March 2012	31 March 2025	31 March 2012
Mokoreta (within Otago)	31 March 2025	31 March 2025	31 March 2012	31 March 2025	31 March 2012
Owaka	31 March 2025	31 March 2025	31 March 2012	31 March 2025	31 March 2025
Pomahaka, downstream of Glenken	31 March 2025	31 March 2025	31 March 2012	31 March 2025	31 March 2025
Tahakopa	31 March 2012	31 March 2012	31 March 2012	31 March 2025	31 March 2025
Tokomairiro	31 March 2012	31 March 2012	31 March 2012	31 March 2025	31 March 2012
Tuapeka	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2012
Waitahuna	31 March 2012	31 March 2012	31 March 2012	31 March 2025	31 March 2012
Waitati	31 March 2012	31 March 2012	31 March 2012	31 March 2025	31 March 2012
Waiwera	31 March 2025	31 March 2025	31 March 2012	31 March 2025	31 March 2012
Any unlisted tributary on the true right bank of the **Clutha/Mata-Au**, south of Judge Creek	31 March 2012				
Any unlisted tributary on the true left bank of the **Clutha/Mata-Au**, south of the Tuapeka catchment					
Any unlisted catchment that discharges to the **coas**t, south of Taieri Mouth					

Table 15.2.2: Receiving Water Group 2

	Nitrate-nitrite nitrogen	Dissolved reactive phosphorus	Ammoniacal nitrogen	*Escherichia coli*	Turbidity
	0.075 mg/l	**0.01 mg/l**	**0.1 mg/l**	**260 cfu/100 ml**	**5 NTU**
Cardrona	31 March 2012				
Clutha/Mata-Au and any unlisted tributary (Luggate to mouth, including Lake Roxburgh, and excluding tributaries described in Group 1)	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2025
Fraser	31 March 2012				
Kakanui	31 March 2025	31March 2025	31 March 2012	31 March 2012	31 March 2012
Kawarau downstream of the Shotover confluence	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2012
Lake Dunstan	31 March 2012				
Lindis	31March 2025	31March 2025	31 March 2012	31 March 2012	31 March 2012
Luggate	31 March 2012				
Manuherikia	31 March 2012	31 March 2025	31 March 2012	31 March 2012	31 March 2012
Mill Creek (tributary to Lake Hayes)	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2012
Pomahaka, upstream of Glenken	31 March 2012				
Shag	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2012
Shotover	31 March 2012	31 March 2012	31 March 2012	31 March 2012	Exempt
Taieri	31March 2025	31 March 2025	31 March 2012	31 March 2025	31March 2025
Trotters	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2012
Waianakarua	31 March 2025	31 March 2012	31 March 2012	31 March 2012	31 March 2012
Waikouaiti	31 March 2012				
Waipori					
Waitaki tributaries within Otago	31 March 2025	31March 2025	31 March 2012	31 March 2025	31 March 2012
Any unlisted catchment that discharges to the **coast**, north of Taieri Mouth	31 March 2012				

Table 15.2.3: Receiving Water Group 3

	Nitrate-nitrite nitrogen	Dissolved reactive phosphorus	Ammoniacal nitrogen	*Escherichia coli*	Turbidity
	0.075 mg/l	**0.005 mg/l**	**0.01 mg/l**	**50 cfu/100 ml**	**3 NTU**
Clutha/Mata-Au, above Luggate	31 March 2012				
Dart	31 March 2012	31 March 2012	31 March 2012	31 March 2012	Exempt
Kawarau, upstream of the Shotover confluence	31 March 2012				
Matukituki	31 March 2012	31 March 2012	31 March 2012	31 March 2012	Exempt
Tributaries to **Lakes Hawea, Wakatipu,** & **Wanaka**	31 March 2012				

The limits for Groups 4 and 5 are achieved when 80% of samples collected at a site, over a rolling 5-year period, meet or are better than the limits in Schedule 15.

A target date of 31 March 2025 is set when the contaminant concentration does not meet the limit as at 31 March 2012.

Table 15.2.4: Receiving Water Group 4

	Total nitrogen	Total phosphorus	Ammoniacal nitrogen	*Escherichia coli*	Turbidity
	0.55 mg/l	**0.033 mg/l**	**0.1 mg/l**	**126 cfu/100 ml**	**5 NTU**
Lake Hayes	31 March 2012	31March 2025	31 March 2012	31 March 2012	31 March 2012
Lake Johnson	31March 2025	31March 2025	31 March 2012	31 March 2012	31 March 2012
Lake Onslow	31 March 2012	31March 2025	31 March 2012	31 March 2012	31March 2025
Lake Tuakitoto	31March 2025	31March 2025	31 March 2012	31 March 2025	31March 2025
Lake Waipori & Waihola	31March 2025	31March 2025	31 March 2012	31 March 2012	31March 2025

Table 15.2.5: Receiving Water Group 5

	Total Nitrogen	Total Phosphorus	Ammoniacal nitrogen	*Escherichia coli*[3]	Turbidity
	0.1 mg/l	**0.005mg/l**	**0.01 mg/l**	**10 cfu/100 ml**	**3 NTU**
Lake Hawea	31 March 2012				
Lake Wakatipu	31 March 2012	31March 2025	31 March 2012	31 March 2012	31 March 2012
Lake Wanaka	31 March 2012				

mg/l = milligrams per litre
cfu/100 ml = colony-forming units per 100 millilitres
NTU = nephelometric turbidity units

Map 15.1 Receiving Water Groups

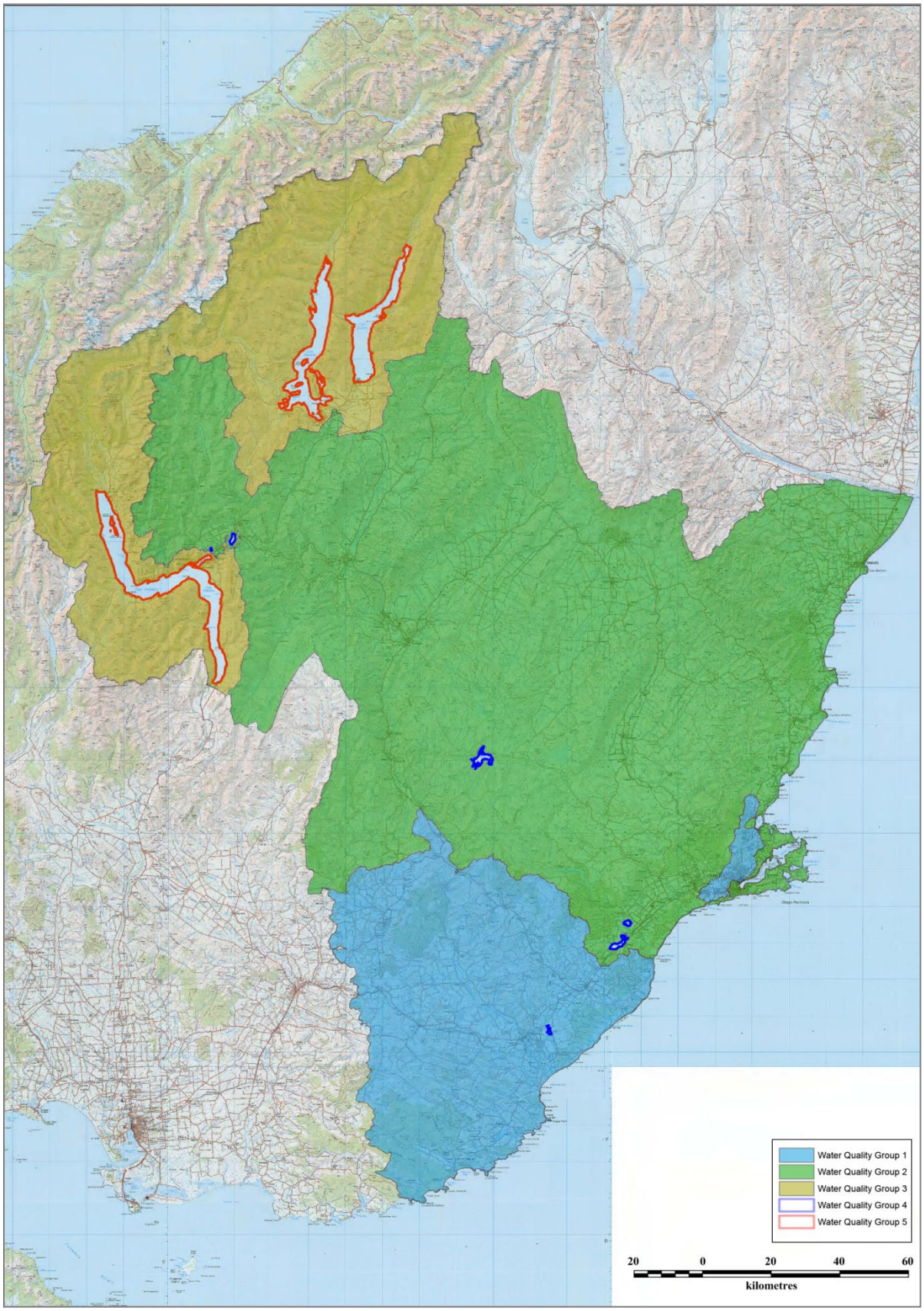

Table 15.3 Aquifer Concentration Limits

Aquifer/Zone	Aquifer N concentration limit (mg/L)	Reason for Limit
*	*	*

* To be populated following aquifer studies

16 Schedule of permitted activity discharge thresholds for water quality

Schedule 16 describes the thresholds that apply to discharges permitted under Rule 12.C.1.1A in the catchments of each discharge threshold area. Discharge Threshold Areas 1 and 2 catchments are shown on the J-series Maps.

16A Permitted activity discharge thresholds for water quality by discharge threshold area

Discharge Threshold Area 1 Catchments	**Nitrate-nitrite nitrogen**	**Dissolved reactive phosphorus**	**Ammoniacal nitrogen**	***Escherichia coli***
Timeframe	1 April 2020			
▪ **Catlins** ▪ **Careys Creek** ▪ **Kaikorai** ▪ **Leith** ▪ **Mokoreta** (within Otago) ▪ **Owaka** ▪ **Pomahaka**, downstream of Glenken ▪ **Tahakopa** ▪ **Tokomairiro** ▪ **Tuapeka** ▪ **Waitahuna** ▪ **Waitati** ▪ **Waiwera** ▪ Any unlisted tributary on the true right bank of the **Clutha/Mata-Au**, south of Judge Creek ▪ Any unlisted tributary on the true left bank of the **Clutha/Mata-Au**, south of the Tuapeka ▪ Any unlisted catchment that discharges to the **coast**, south of Taieri Mouth	3.6 mg/l	0.045 mg/l	0.2 mg/l	550 cfu/100 ml

Discharge Threshold Area 2 Catchments	Nitrate-nitrite nitrogen	Dissolved reactive phosphorus	Ammoniacal nitrogen	*Escherichia coli*
Timeframe	1 April 2020			
▪ **Cardrona** ▪ **Clutha/Mata-Au** (above Luggate) ▪ **Clutha/Mata-Au** and any unlisted tributary (Luggate to mouth, including Lake Roxburgh, and excluding tributaries described in Discharge Threshold Catchment Area 1) ▪ **Fraser** ▪ **Kakanui** ▪ **Kawarau** ▪ **Lake Dunstan** ▪ **Lake Hayes** ▪ **Lake Hawea** and any tributary ▪ **Lake Johnson** ▪ **Lake Onslow** ▪ **Lake Tuakitoto** ▪ **Lake Waipori** & **Waihola** ▪ **Lake Wakatipu** and any tributary ▪ **Lake Wanaka** and any tributary ▪ **Lindis** ▪ **Luggate** ▪ **Manuherikia** ▪ **Mill Creek** (tributary to Lake Hayes) ▪ **Pomahaka**, upstream of Glenken ▪ **Shag** ▪ **Shotover** ▪ **Taieri** ▪ **Trotters** ▪ **Waianakarua** ▪ **Waikouaiti** ▪ **Waipori** ▪ **Waitaki** tributaries within Otago ▪ Any unlisted catchment that discharges to the **coast**, north of Taieri Mouth	1.0 mg/l	0.035 mg/l	0.2 mg/l	550 cfu/100 ml

mg/l = milligrams per litre
cfu/100 ml = colony-forming units per 100 millilitres

16B Representative flow monitoring sites and reference flows

Map 16B Representative flow monitoring sites for every part of Otago

Representative flow monitoring sites are shown on the Water Info website (http://water.orc.govt.nz/WaterInfo/Default.aspx).

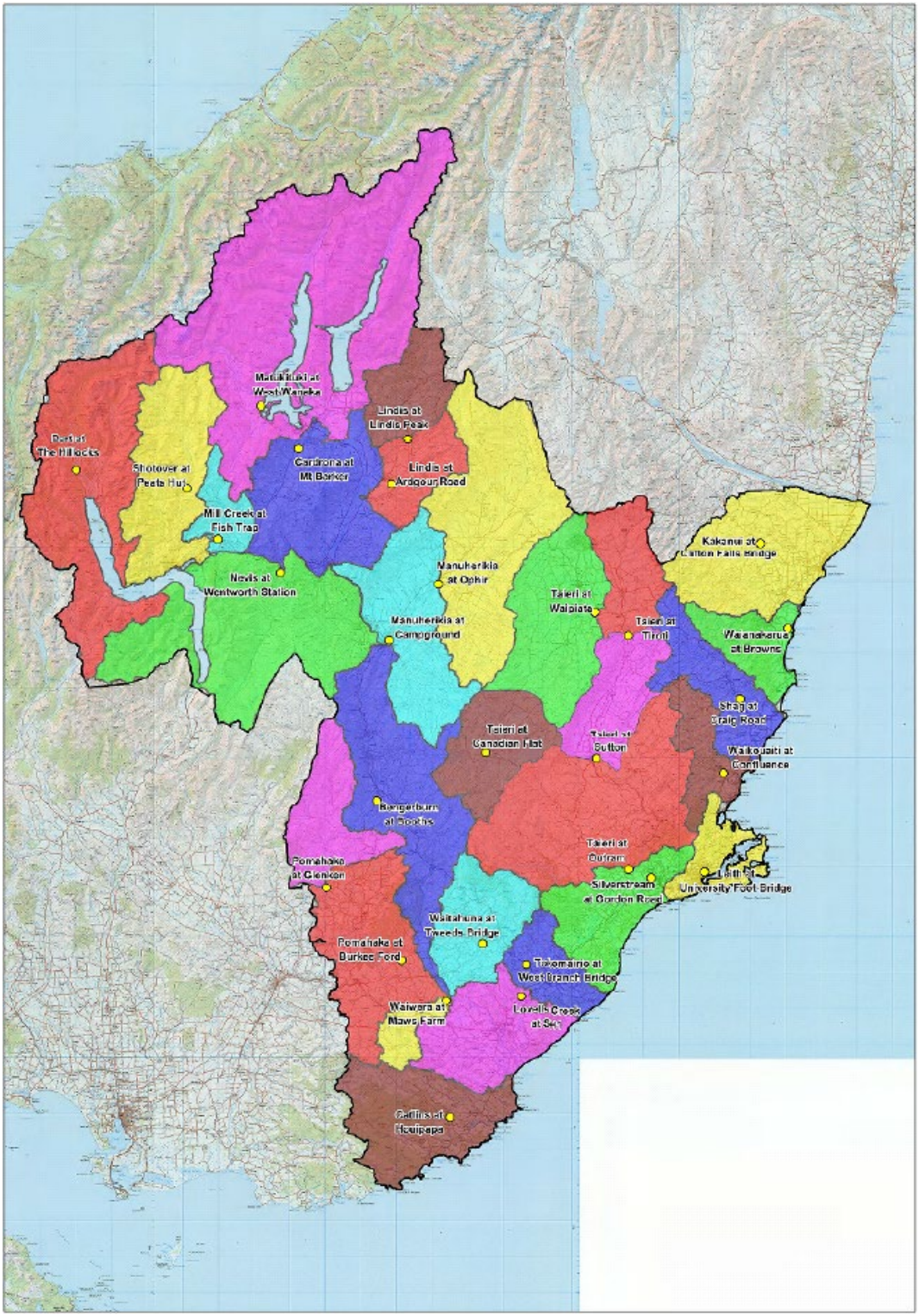

Table 16B Reference flows at each representative flow monitoring site

Reference flows are fixed and have been calculated using median flow data from 01/01/2007 to 01/01/2013. River flows for Otago are available on the Water Info website (http://water.orc.govt.nz/WaterInfo/Default.aspx).

Monitoring Flow Site	Reference flow (cumecs)
Bengerburn at Booths	0.37
Cardrona at Mt Barker	1.95
Catlins at Houipapa	2.34
Dart at The Hillocks	51.49
Kakanui at Clifton Falls Bridge	1.29
Leith at University Foot Bridge	0.34
Lindis at Ardgour Road	3.50
Lindis at Lindis Peak	3.51
Lovells Creek at SH1	0.14
Manuherikia at Campground	11.60
Manuherikia at Ophir	8.01
Matukituki at West Wanaka	44.99
Mill Creek at Fish Trap	0.35
Nevis at Wentworth Station	7.25
Pomahaka at Burkes Ford	15.48
Pomahaka at Glenken	7.00
Shag at Craig Road	0.65
Shotover at Peats	18.12
Silverstream at Gordon Road	0.30
Taieri at Canadian Flat	2.45
Taieri at Outram	15.86
Taieri at Sutton	10.52
Taieri at Tiroiti	7.88
Taieri at Waipiata	6.02
Tokomairiro at West Branch Bridge	0.44
Waianakarua at Browns	0.78
Waikouaiti at Confluence	1.34
Waitahuna at Tweeds Bridge	1.55
Waiwera at Maws Farm	1.58

21
Glossary

Add the following definitions to the glossary:

Animal waste system	Includes collection, storage, treatment, disposal or application of liquid or solid animal waste.
Conspicuous change in visual clarity	A visual change in water clarity of more than 40%.

Amend the following definitions in the glossary:

Bore	Every device or means, including any well or pit, which is drilled or constructed for the purpose of taking groundwater, or which results in groundwater being taken, other than piezometers or other monitoring devices used for water sampling purposes only.
Fertiliser	Any proprietary substance specifically manufactured for use in increasing the nutrient status of land. Excludes compost, effluent or seaweed.
Industrial or trade premises	Means - (a) Any premises used for any industrial or trade purposes; or (b) Any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes, or used for composting organic materials; or (c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process - but does not include any production land. In this plan, the phrase 'industrial or trade premises' includes any structure associated with electricity generation.
Wetland	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. In this plan, 'wetland' excludes any wetland constructed for the purpose of water quality management.

Regional Plan: Water for Otago

Maps