

Regional Plan: Water for Otago

Amendment 4

Showing the amendments to the Regional Plan: Water made by the
Resource Management (Consenting and Other System Changes) Amendment Act 2025
And minor corrections made under Clause 20A of Schedule 1
of the Resource Management Act 1991

The amendments made by the Act are shown in ~~blue strikethrough~~ and underline.

The minor corrections that will be made are shown in ~~red strikethrough~~ and underline.

Otago Regional Council
Updated to ~~3 September 2022~~ 21 August 2025

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Chronicle of Key Events

Key event	Date notified	Date decisions released	Date operative
...
Plan Change 7 (Water permits) to the Regional Plan: Water	18 March 2020	17 November 2021	5 March 2022
Plan Change 8 (Discharge management) to the Regional Plan: Water	6 July 2020	31 January 2022 and 21 April 2022; 14 June 2022	4 June 2022 (Partially operative; Primary sector provisions) 3 September 2022 (Fully operative)
<u>Amendment 4 to the Regional Plan: Water</u>	<u>1 September 2025</u>	<u>N/A</u>	<u>21 August 2025</u>

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Introduction to the Amendment

The Resource Management (Freshwater and Other Matters) Amendment Act 2024, enacted in October 2024, prevented the Otago Regional Council from notifying a new regional planning framework for managing freshwater in Otago. This meant that several previously identified issues with the current plan could not be resolved through the new framework.

The inability to notify a new planning framework has resulted in uncertainty around achieving compliance with existing discharge rules, meaning many farmers would need to apply for resource consents. Water permit holders would also be faced with a complex planning regime when replacing expiring water permits.

In recent months, the Otago Regional Council has worked closely with the Government to address these issues through legislative amendments. The outcome of this process is incorporated within the Resource Management (Consenting and Other System Changes) Amendment Act (the Act), which came into force on 20 August 2025. The Act provides for the automatic extension of existing short-term water permits in Otago by five years. The Act also amends the Water Plan to:

- Establish a simplified consent pathway for longer-term permits that may need to be replaced before the new regional planning framework is in place.
- Revoke certain discharge provisions that are currently uncertain, unclear, and unenforceable.

The legislative changes introduced by the Act offer a short term holding pattern to avoid the undesirable outcomes that would have arisen should no action have been taken.

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Section F	Regionally Significant Wetlands
Section G	<i>[Repealed – 1 October 2013]</i>
Section H	<u>Nitrogen Sensitive Zones</u><i>[Repealed – 21 August 2025]</i>
Section J	<u>Schedule 16 Discharge Threshold Areas</u><i>[Repealed – 21 August 2025]</i>

Chapter 1 Introduction

1.4 Process of Plan preparation

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The Environment Court issued its decision on the urban provisions of Plan Change 8 on 14 June 2022. Plan Change 8 was made fully operative on 3 September 2022.

Amendment 4 to the Regional Plan: Water for Otago included amendments as directed by the Resource Management (Consenting and Other System Changes) Amendment Act 2025. The amendments relate to provisions managing water allocation and diffuse rural discharges. Amendment 4 was made on 21 August 2025.

Chapter 6 Water Quantity

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- 6.4.18** Where a resource consent for the taking of water has not been exercised for a continuous period of 2 years or more, disregarding years of seasonal extremes, the Otago Regional Council may cancel the consent.

...

<p><u>Note:</u> <u>In addition to Policy 6.4.19, sections 127A, 127B and 127C of the RMA apply.</u></p>

- 6.4.19** When setting the duration of a resource consent to take and use water, to consider:
- (a) The duration of the purpose of use;
 - (b) The presence of a catchment minimum flow or aquifer restriction level;
 - (c) Climatic variability and consequent changes in local demand for water;
 - (d) The extent to which the risk of potentially significant, adverse effects arising from the activity may be adequately managed through review conditions;
 - (e) Conditions that allow for adaptive management of the take and use of water;
 - (f) The value of the investment in infrastructure; and
 - (g) Use of industry best practice.

Chapter 7 Water Quality

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 ~~*[Repealed 21 August 2025]/Schedule 16 discharge thresholds apply to permitted activities, from 1 April 2026, at or below the reference flows set in Schedule 16B based on median flows.*~~

...

7.D.5 When considering any discharge under section 12.C, have regard to:

- (a) The effects, including cumulative effects, of the discharge on water quality, ecosystem health and natural and human use values, including Kāi Tahu cultural and spiritual beliefs, values and uses; and
- (b) The physical characteristics of the land and the sensitivity of the receiving water; and
- (c) The quality and performance of the discharge management system to be used, and in particular:
 - (i) Options to be employed to reduce any adverse environmental effects of the discharge; and
 - (ii) Monitoring of the performance of the discharge management system; and

- (d) Any staged timeframe and any environmental management plan to achieve:
 - (i) Compliance with the permitted activity rules ~~and Schedule 16 discharge thresholds~~ for the duration of the consent; or
 - (ii) The demonstrable reduction of adverse environmental effects of the discharge over the duration of the consent; and
- (e) Trends in the quality of the receiving water relative to the Schedule 15 freshwater characteristics, limits, and targets and relative to any national bottom lines specified in Appendices 2A and 2B of the NPSFM 2020; and
- (f) The extent to which potentially significant~~;~~ adverse effects arising from the discharge are avoided; and
- (g) The value of the existing 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) The social, cultural and economic value of the use of land and water that gives rise to the discharge.

Chapter 10A

Objective, Policies & Rules for Replacement Water Take & Use Permits

10A.2 Policies

...

Duration

Note: In addition to Policies 10A.2.2 and 10A.2.3, sections 127A, 127B and 127C of the RMA apply.

- 10A.2.2** Irrespective of any other policies in this Plan concerning consent duration, only grant resource consents for takes and uses of freshwater, where this activity was not previously authorised by a Deemed Permit or by a water permit expiring prior to 31 December 2025, for a duration of no more than six years.

10A.3 Rules

~~Note 1: If the application is for a resource consent for the taking and use of water and the activity was not previously authorised by an existing Deemed Permit or by a water permit expiring before 31 December 2025, refer to the rules in Chapter 12 of this Plan.~~

Note ~~1~~²: Where, under Rule 10A.3.1.1, any of entry conditions (iii), (iv) and (vi) do not apply to an activity for which resource consent is sought, that condition is deemed to be met.

Note ~~2~~³: The matters of control in Rule 10.3.1.1 and matters of discretion in Rule 10A.3.1A.1 refer to 'existing water permit conditions'. The phrase 'existing water permit conditions' is to be interpreted as applying to both Deemed Permits and existing water permits referred to in the entry conditions to the rules.

10A.3.1 Controlled activity: Resource consent required

10A.3.1.1 Despite any other rule or rules in this Plan:

- (a) Any activity that is currently authorised under a Deemed Permit; or
- (b) The take and use of surface water (including groundwater considered as surface water under Policy 6.4.1A (a), (b) and (c) of this Plan) that is currently authorised by an existing water permit ~~where that water permit expires prior to 31 December 2025,~~

is a **controlled** activity provided the following conditions are met:

- (i) The consent duration sought is no more than six years; and
- (ii) The Deemed Permit or water permit that is being replaced is a valid permit; and
- (iii) The application demonstrates that the total land area under irrigation does not exceed the maximum area irrigated in the period 1 September 2017 to 18 March 2020, if the abstracted water is used for irrigation except where:
 - (a) Any additional area to be irrigated is only for orchard or viticulture land uses and all mainline irrigation pipes servicing that additional area were installed before 18 March 2020; and
- (iv) Except where (vii) applies, the rate of take shall be no more than the rate of take limit recorded during the water years (1 July to 30 June) for which water meter data is available up until 30 June 2020, as calculated in accordance with the methodology in Schedule 10A.4; and
- (v) Any existing residual flow, minimum flow, or take cessation condition (whichever is applicable) on the expiring Deemed Permit or water permit is included in the application for resource consent; and
- (vi) Except where (vii) applies, the volume of water taken shall be no more than the daily volume limit, and monthly volume limit, and annual volume limit (whichever one or more are applicable) recorded during the water years (1 July to 30 June) for which water meter data is available up until 30 June 2020, as calculated in accordance with the methodology in Schedule 10A.4; and
- (vii) For takes authorised by a Deemed Permit or water permit where metering is not required by condition of resource consent or by the Resource Management (Measurement and Reporting of Water Takes) Regulations 2010, the rate of take and the volume of water sought is no more than the existing consented instantaneous rate of take and volumes; and
- (viii) Where the application is to replace an Upstream Deemed Permit that was subject to a Downstream Permit with a Higher Right of Priority, the applicant proposes a condition:
 - (a) To cease taking water when:
 - (1) There is insufficient flow at the point of take of the Downstream Permit with a Higher Right of Priority; and
 - (2) Notice has been given by the holder of the Downstream Permit with a Higher Right of Priority; and
 - (b) Requiring the provision of a Contact Management Plan to the Consent Authority.

The Council reserves control over the following matters:

- (a) In accordance with historical use and existing water permit conditions, the volume and rate of water taken, dammed, discharged or diverted; and
- (aa) Where (iii)(a) applies, the maximum size of the additional area to be irrigated, and use of good management practices on the additional area; and
- (b) Any existing consent conditions concerning operating procedures administered through a water allocation committee that exists for the catchment; and
- (c) Any other conditions on the expiring permit to be replaced, where those matters are not otherwise addressed by the entry conditions of this rule or matters of control; and
- (d) A condition may be imposed requiring the holder of an Upstream Replacement Water Permit:
 - (i) To cease taking water when:
 - (1) There is insufficient flow at the point of take authorised by a Downstream Permit with a Higher Right of Priority; and
 - (2) Notice has been given by the holder of the Downstream Permit with a Higher Right of Priority; and
 - (ii) Requiring the provision of a Contact Management Plan to the Consent Authority; and
- (e) Review conditions; and
- (f) Compliance monitoring; and
- (g) The point and method of measurement and the method for transmitting recorded data to Council.

Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification.

10A.3.1A Restricted discretionary activity: Resource consent required

10A.3.1A.1 Despite any other rule or rules in this Plan:

- (a) Any activity that is currently authorised under a Deemed Permit; or
- (b) The take and use of surface water (including groundwater considered as surface water under Policy 6.4.1A (a), (b) and (c) of this Plan) that is currently authorised by an existing water permit ~~where that water permit expires prior to 31 December 2025,~~

is a *restricted discretionary* activity providing the following conditions are met:

- (i) The activity meets Conditions (i), (ii), (iii), (v), and (viii) of Rule 10A.3.1.1 but does not meet Conditions (iv) and (vi); and
- (ii) Where the activity does not meet (iv) and (vi) of Rule 10A.3.1.1 a water meter for the take has been installed, or an exemption under the Resource Management

(Measurement and Reporting of Water Takes) Regulations 2010 from water metering has been granted.

The Council will restrict its discretion to the following matters:

- (a)
 - (i) Whether the water meter data in combination with other relevant methods and data accurately represents historical use; and
 - (ii) Whether the volume and rate taken, dammed, discharged or diverted is in accordance with the historical rate of take and volume and within existing water permit conditions; and
 - (1) For community water supplies, within existing water permit volume and rate limits, the extent to which there is a need to provide for population growth within the term of the consent; and
 - (2) Where 10A.3.1.1 (iii)(a) applies, the maximum size of the additional area to be irrigated and use of good management practices on the additional area; and
- (b) Any existing consent conditions concerning operating procedures administered through a water allocation committee that exists for the catchment; and
- (c) Any other conditions on the expiring permit to be replaced, where those matters are not otherwise addressed by the entry conditions of this rule or matters of discretion; and
- (d) A condition may be imposed requiring the holder of an Upstream Replacement Water Permit:
 - (i) To cease taking water when:
 - (1) There is insufficient flow at the point of take authorised by a Downstream Permit with a Higher Right of Priority; and
 - (2) Notice has been given by the holder of the Downstream Permit with a Higher Right of Priority; and
 - (ii) Requiring the provision of a Contact Management Plan to the Consent Authority; and

- (e) Review conditions; and
- (f) Compliance monitoring; and
- (g) The point and method of measurement and the method for transmitting recorded data to Council.

Pursuant to sections 95A and 95B of the RMA, an application for resource consent under this rule will be processed and considered without public or limited notification.

...

10A.3.2 Non-complying activity: Resource consent required

10A.3.2.1 Despite any other rule or rules in this Plan:

- (a) Any activity that is the replacement of an activity authorised under a Deemed Permit; or
- (b) The take and use of surface water (including groundwater considered as surface water under Policy 6.4.1A (a), (b) and (c) of this Plan) that is the replacement of a take and use authorised by an existing water permit ~~where that water permit expires prior to 31 December 2025,~~

that does not meet any one or more of the conditions of:

- (i) Rule 10A.3.1.1 (excluding Conditions (iv) and (vi));
- (ii) Rule 10A.3.1A.1;
- (iii) Rule 10A.3.1B.1,

is a ***non-complying*** activity.

Chapter 12 Rules: Water Take, Use and Management

12.C Other discharges

...

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

...

- 12.C.0.2 The discharge of any contaminant from 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.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 5*); 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 drain¹ 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 6*); 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 race² 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 7*); 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

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.

- (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) ~~[Repealed 21 August 2025] From 1 April 2026, the discharge also complies with 12.C.1.1A.~~

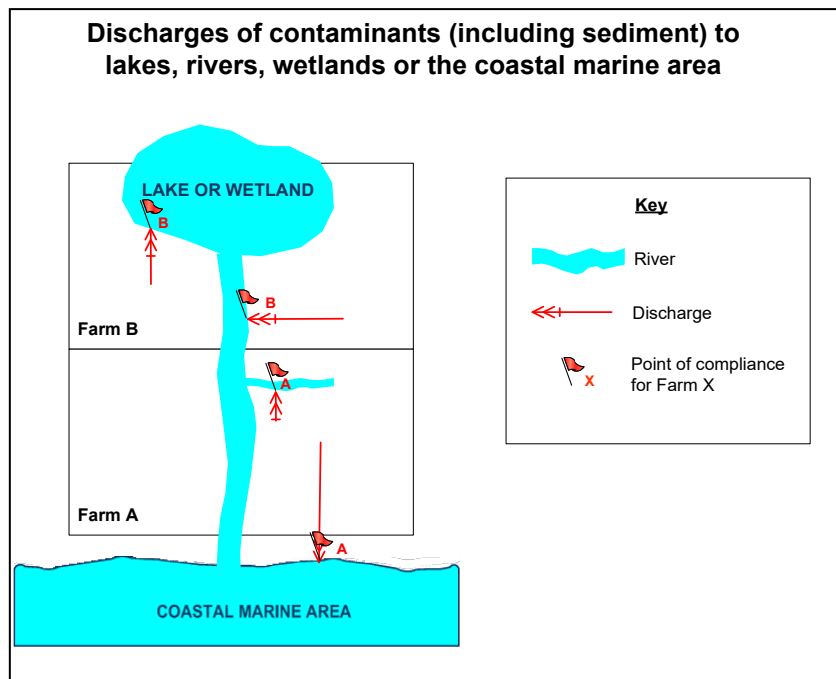


Figure 5: Implementation of Rule 12.C.1.1(d)(i)

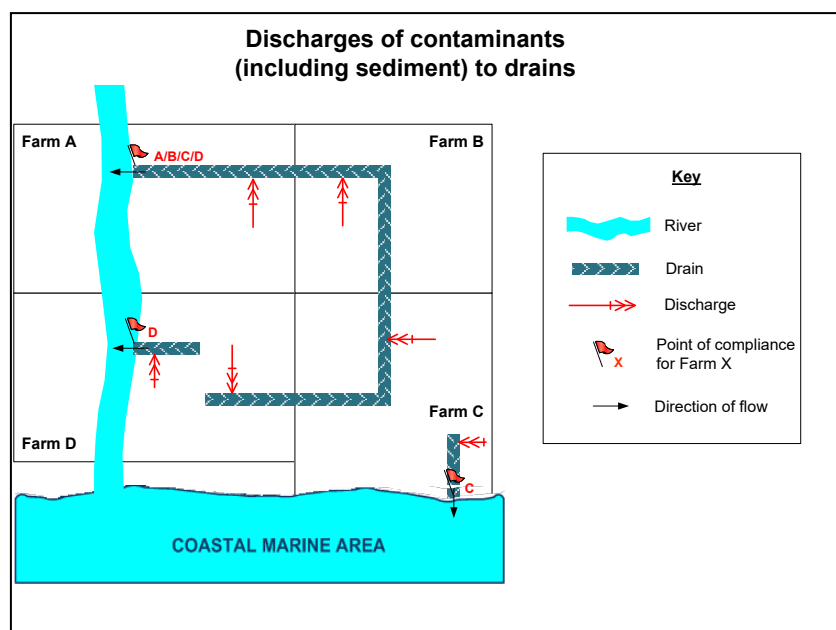


Figure 6: Implementation of Rule 12.C.1.1(e)(i)

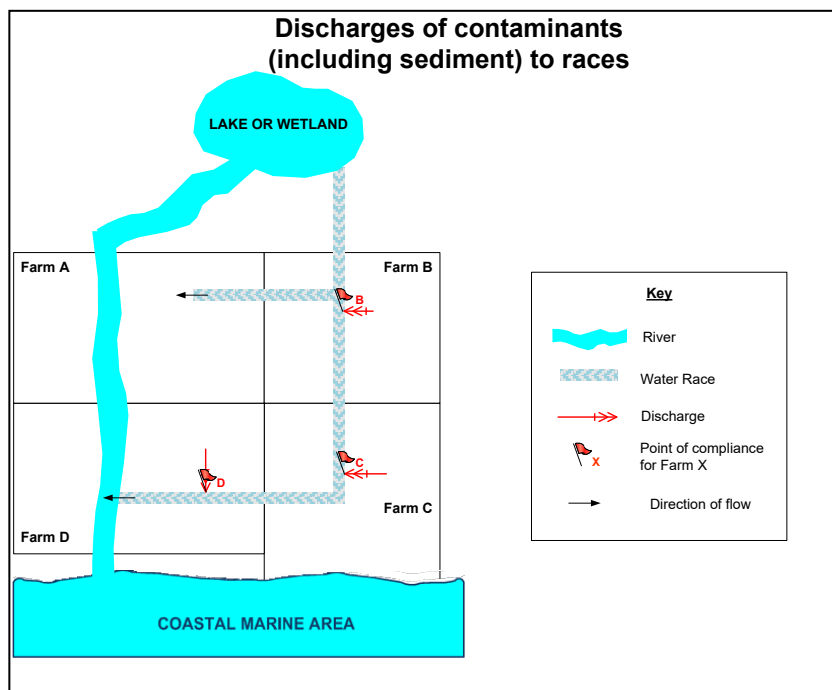


Figure 7: Implementation of Rule 12.C.1.1(f)(i)

12.C.1.1A ~~[Repealed 21 August 2025]~~ From 1 April 2026, 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 8),~~

~~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 runoff, 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 9);~~
~~or~~

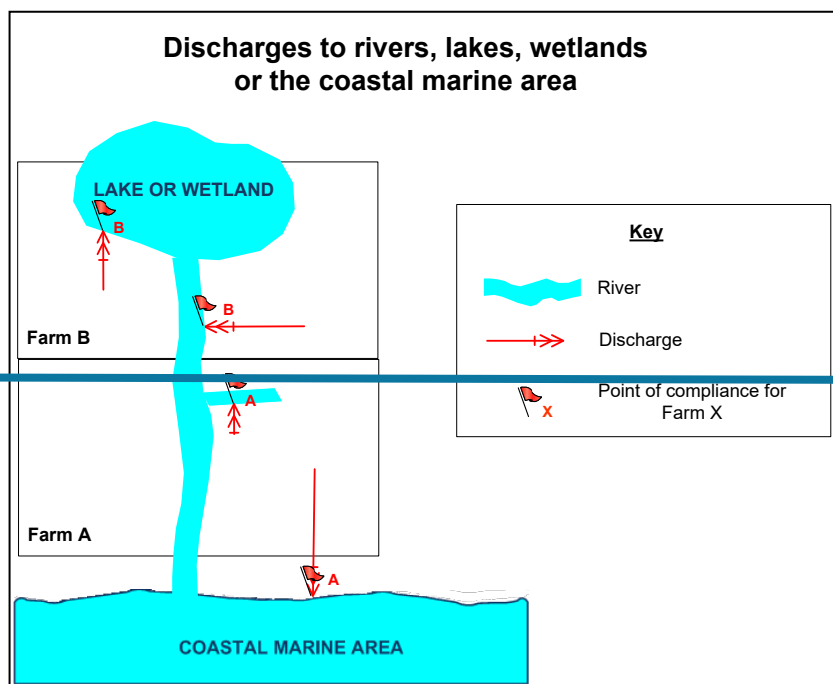


Figure 8: Implementation of Rule 12.C.1.1A(a)(i)

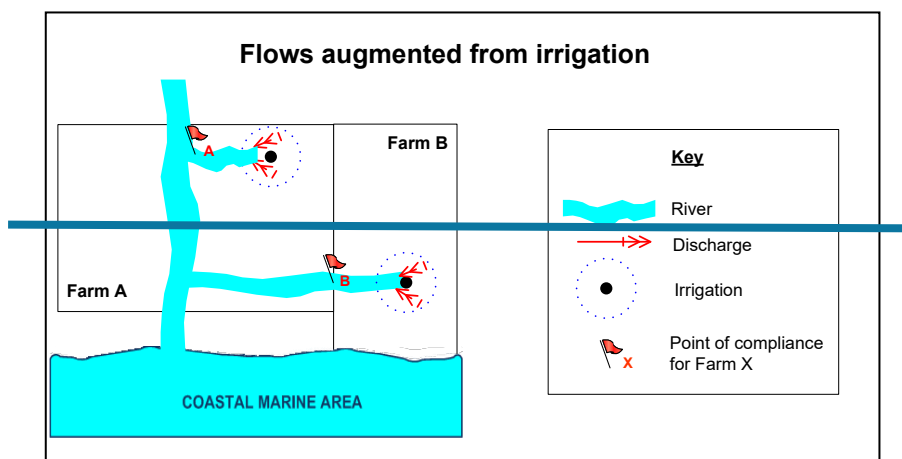


Figure 9: Implementation of Rule 12.C.1.1A(a)(ii)

- (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 exceedance³ 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 10);~~

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.~~

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 11);~~
or

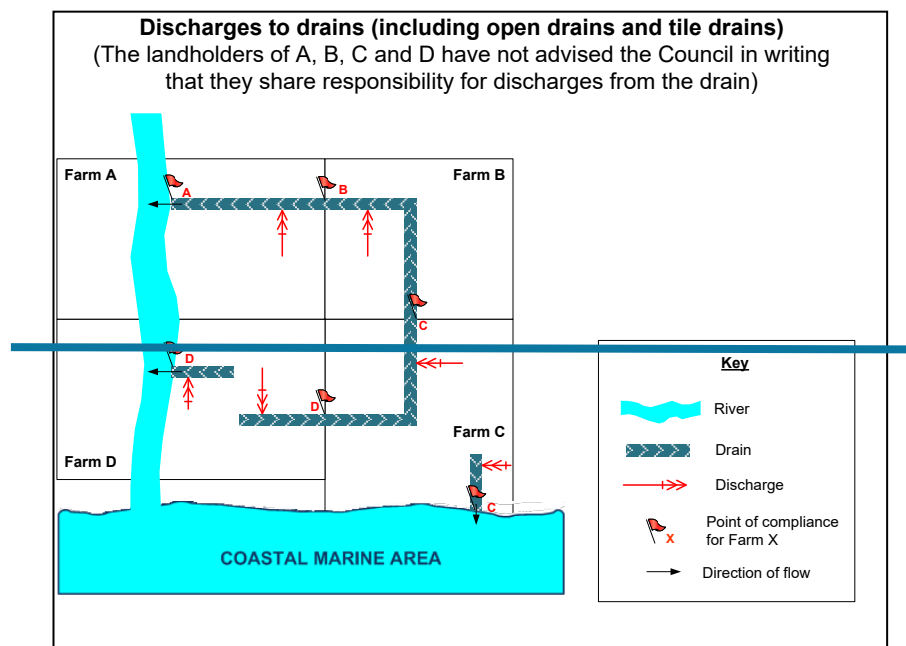


Figure 10: Implementation of Rule 12.C.1.1A(b)(i)

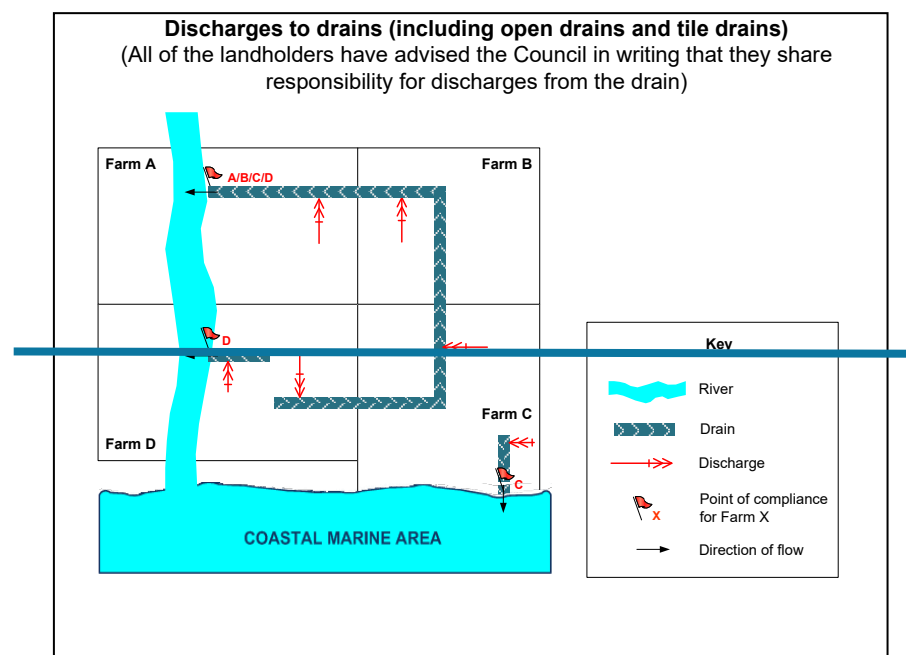


Figure 11: Implementation of Rule 12.C.1.1A(b)(ii)

- (e) ~~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 12);~~~~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 13).~~

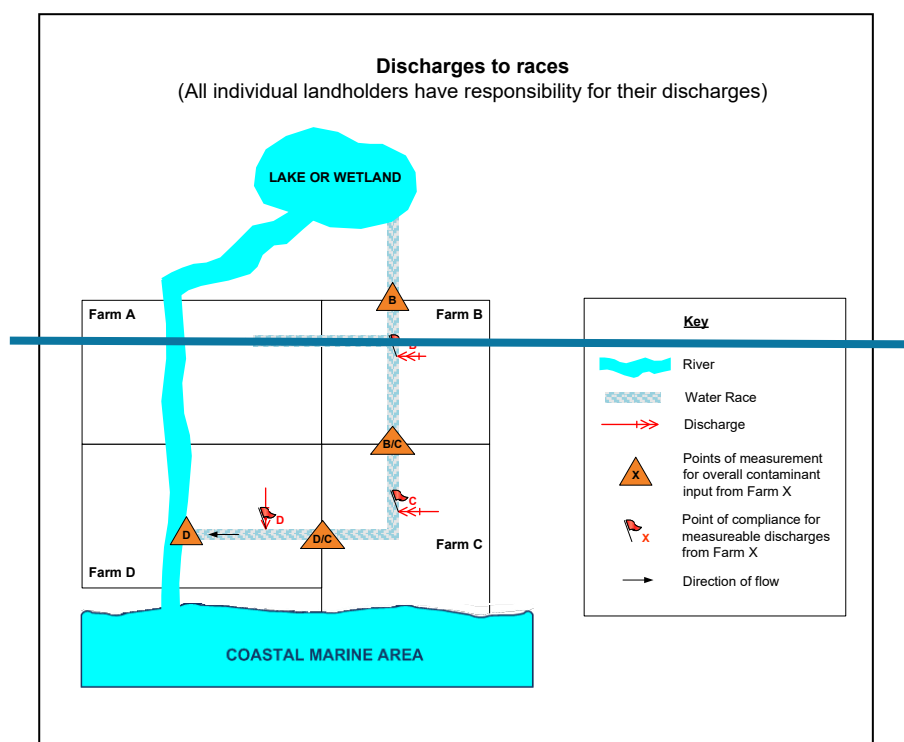


Figure 12: Implementation of Rule 12.C.1.1A(e)(i)

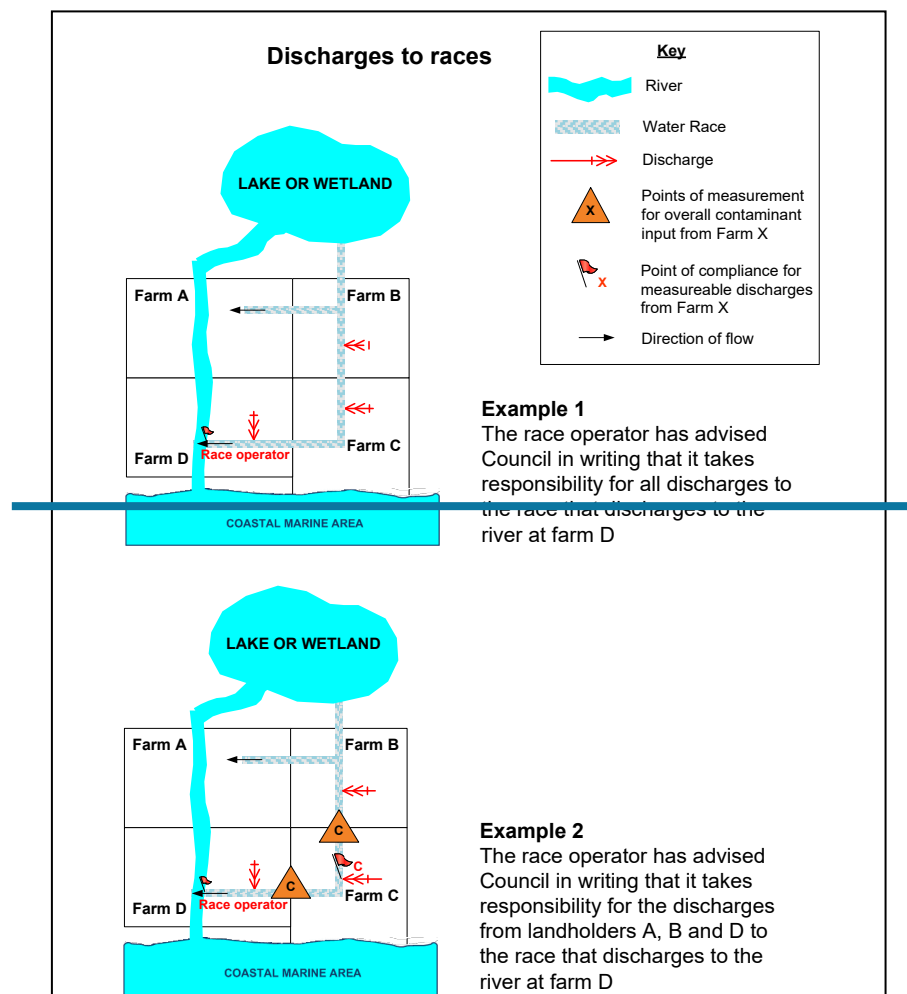


Figure 13: Implementation of Rule 12.C.1.1A(c)(ii)

...

- 12.C.1.3 ~~[Repealed 21 August 2025]~~The discharge of nitrogen⁴ onto or into land in circumstances which may result in nitrogen entering groundwater, is a **permitted** activity, providing:
- (a) From 1 April 2026, 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;

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

~~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 2026, 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 information. From 1 April 2026, 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.~~

2.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 nitrogen⁵ 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) ~~[Repealed 21 August 2025] 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

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

- (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
- (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.

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~~.

Chapter 20 Schedules

Table of Contents for Schedules 1 to 21

...

15.	Schedule of characteristics and numerical limits and targets for Good Quality Water in Otago lakes and rivers	20-Error! Bookmark not defined.
16.	<u>[Repealed – 21 August 2025] Schedule permitted activity discharge thresholds for water quality</u>	20-23
	16A– Permitted activity discharge thresholds for water quality by discharge threshold area [Repealed – 21 August 2025]	20-24
	16B– Representative flow monitoring sites and reference flows [Repealed – 21 August 2025]	20-26

16. [Repealed – 21 August 2025] 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 [Repealed – 21 August 2025] Permitted activity discharge thresholds for water quality by discharge threshold area

Discharge Threshold Area 1 Catchments	Nitrate-nitrite nitrogen	Dissolved reactive phosphorus	Ammoniacal nitrogen	<i>Escherichia coli</i>
Timeframe	1 April 2026			
<ul style="list-style-type: none"> ▪ 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

SCHEDULE 16: ~~DISCHARGE THRESHOLDS~~ [REPEALED]

Discharge Threshold Area 2 Catchments	Nitrate-nitrite nitrogen	Dissolved reactive phosphorus	Ammoniacal nitrogen	<i>Escherichia coli</i>
Timeframe	1 April 2026			
<ul style="list-style-type: none"> ■ 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 *[Repealed – 21 August 2025]* 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>).

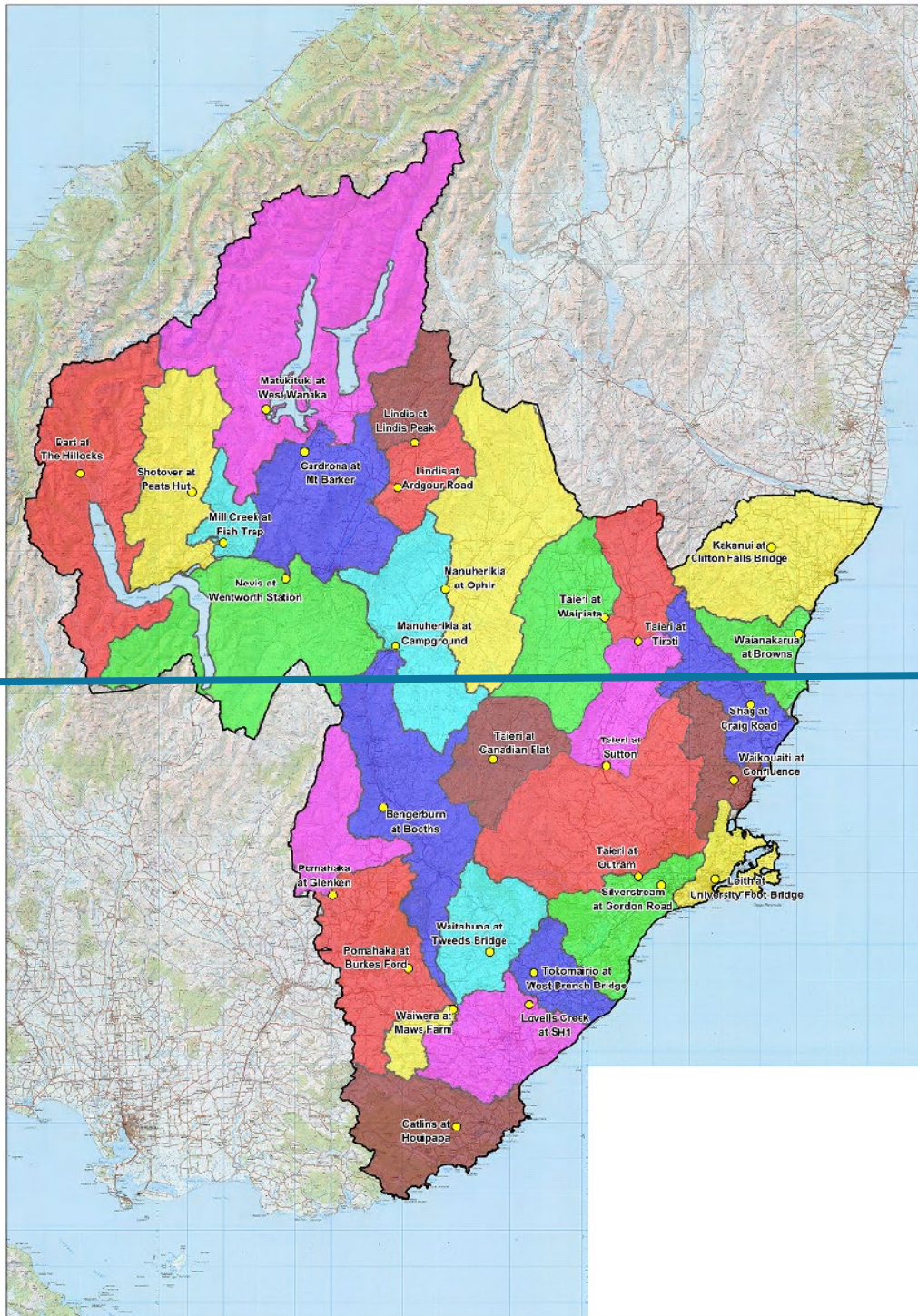
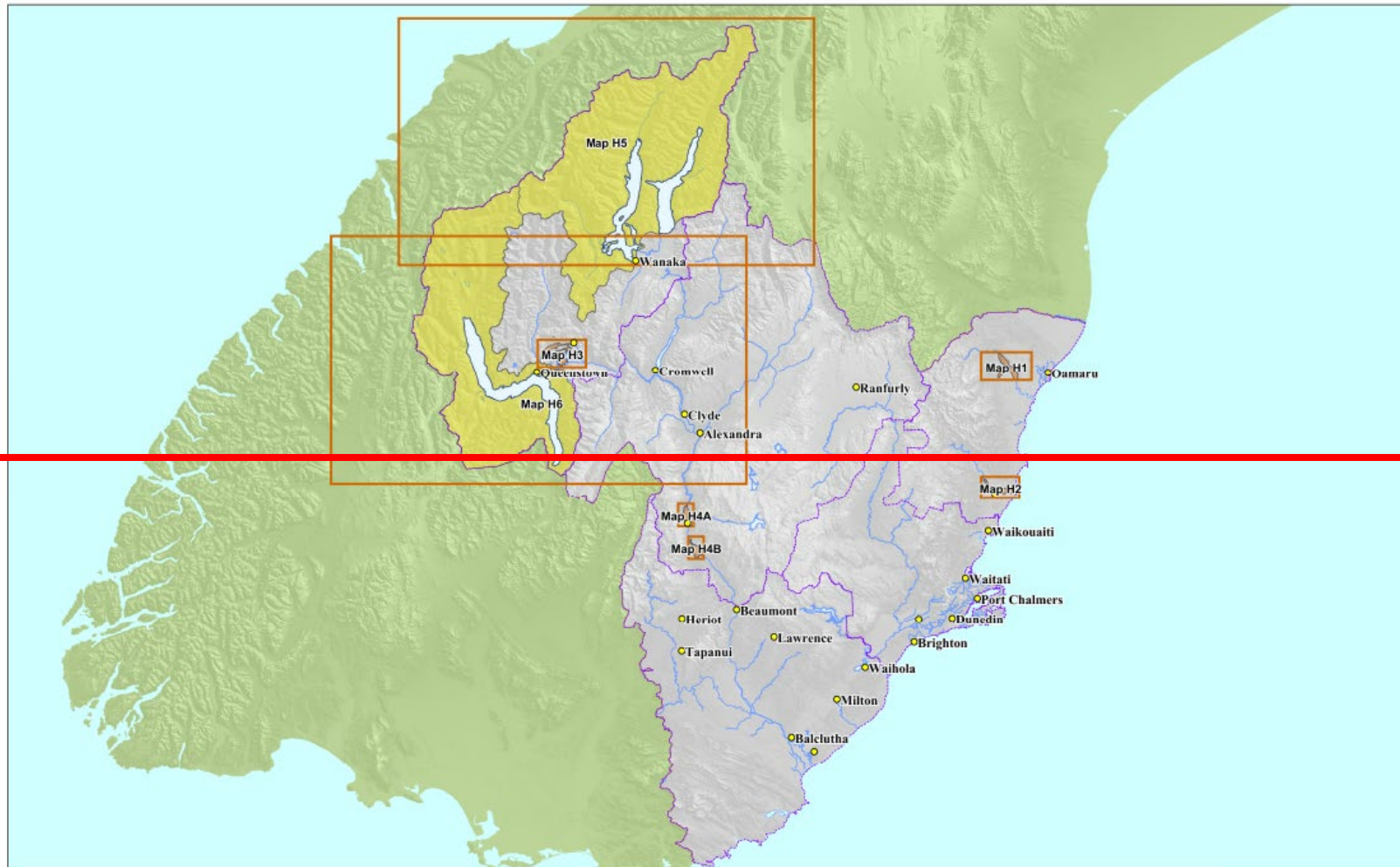


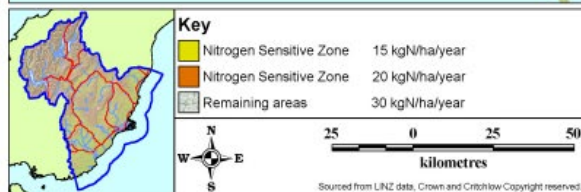
Table 16B—Reference flows at each representative flow monitoring site

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 (cumees)
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
Waiānakarua at Browns	0.78
Waikouaiti at Confluence	1.34
Waitahuna at Tweeds Bridge	1.55
Waiwera at Maws Farm	1.58

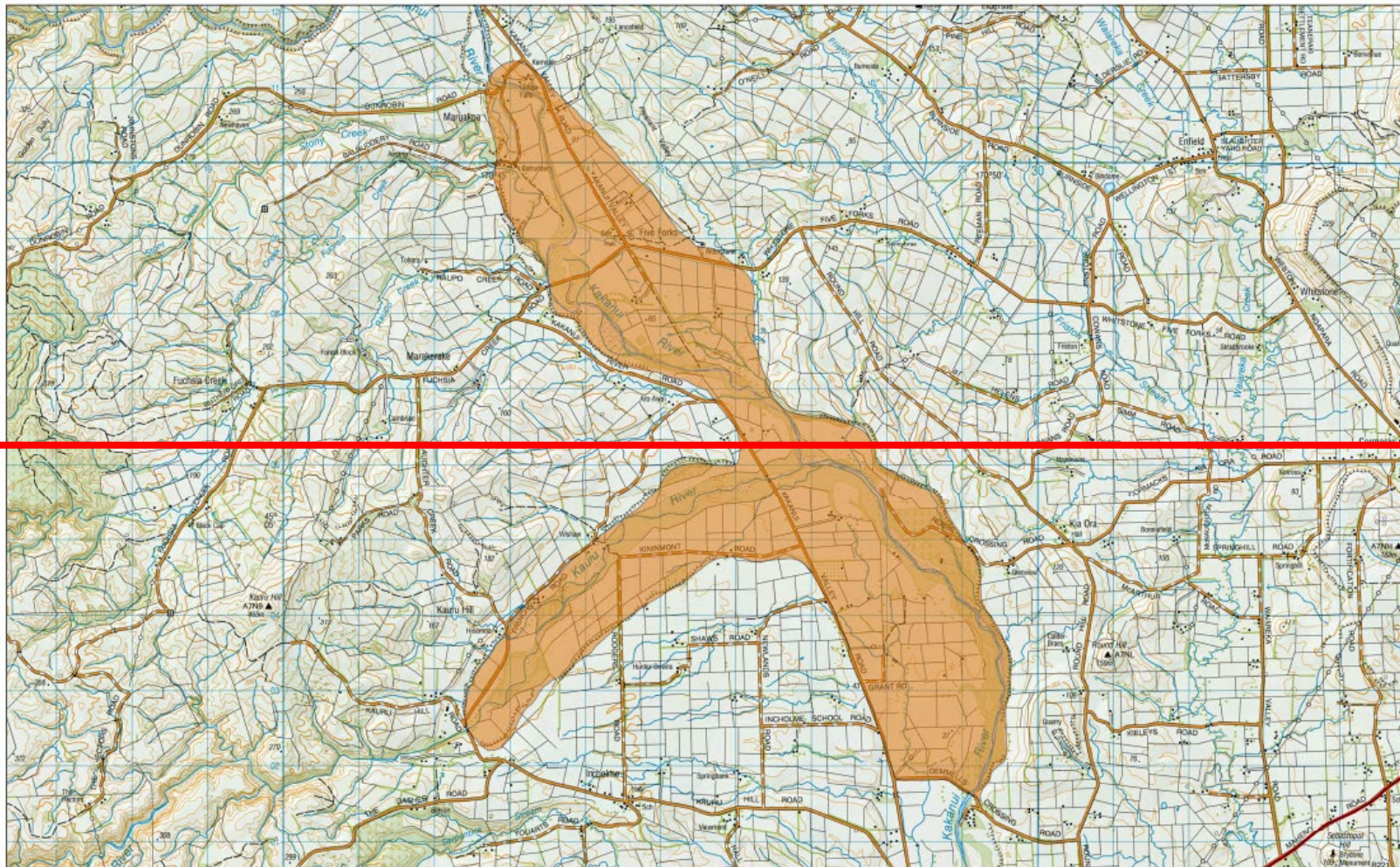


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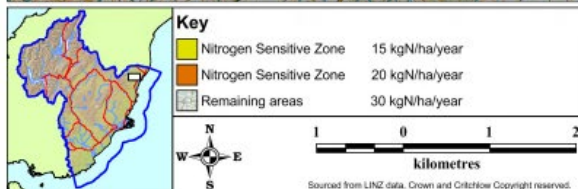


~~Nitrogen Sensitive Zones~~
~~Map H~~
[Repealed 21 August 2025]



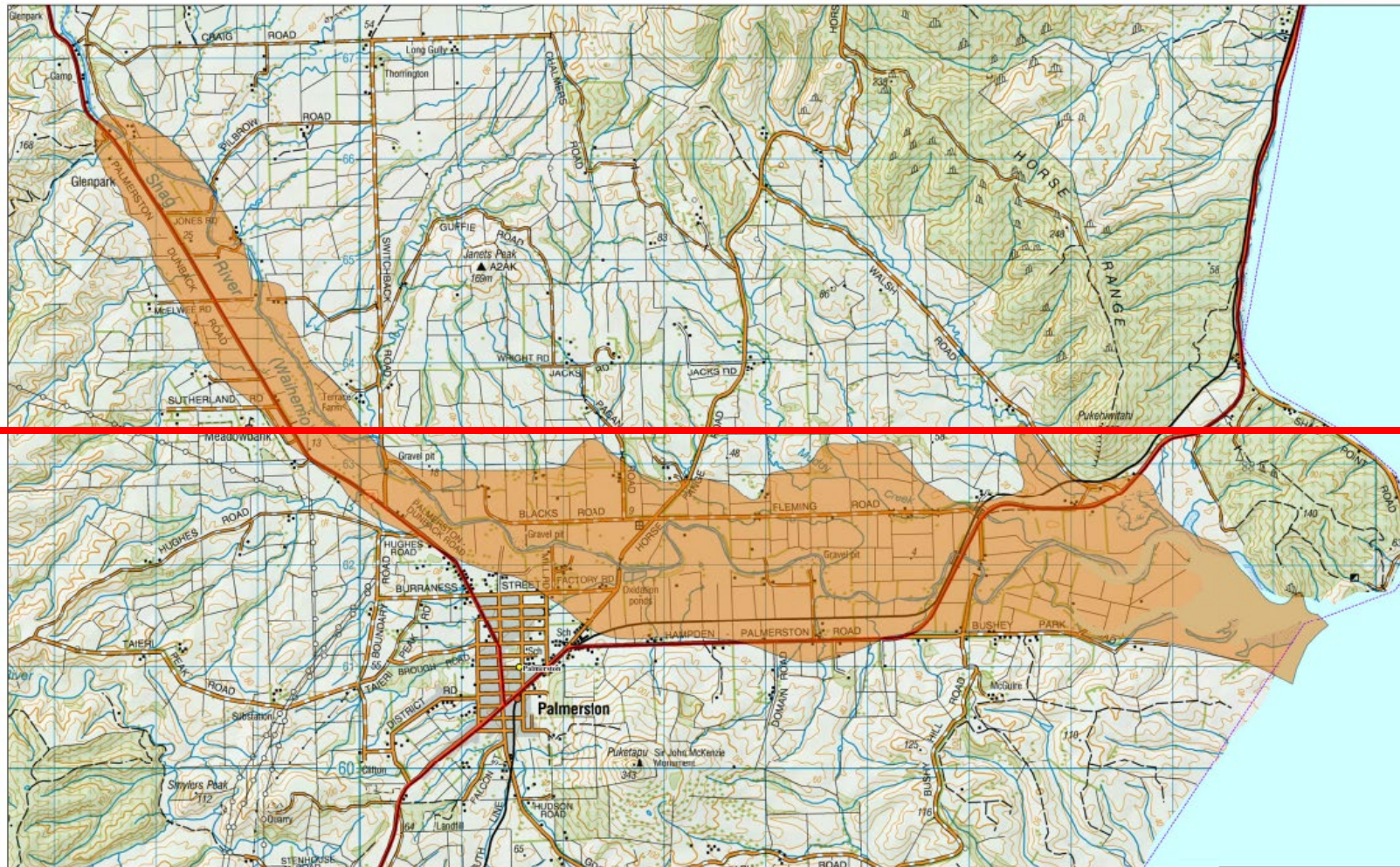


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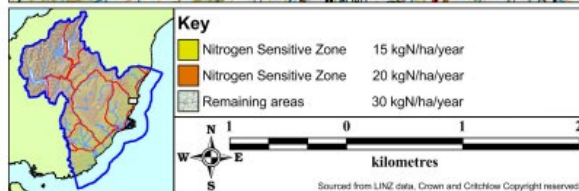


~~**Nitrogen Sensitive Zones**~~
~~**Map H1 - Kakanui - Kauru Aquifer**~~
[Repealed 21 August 2025]



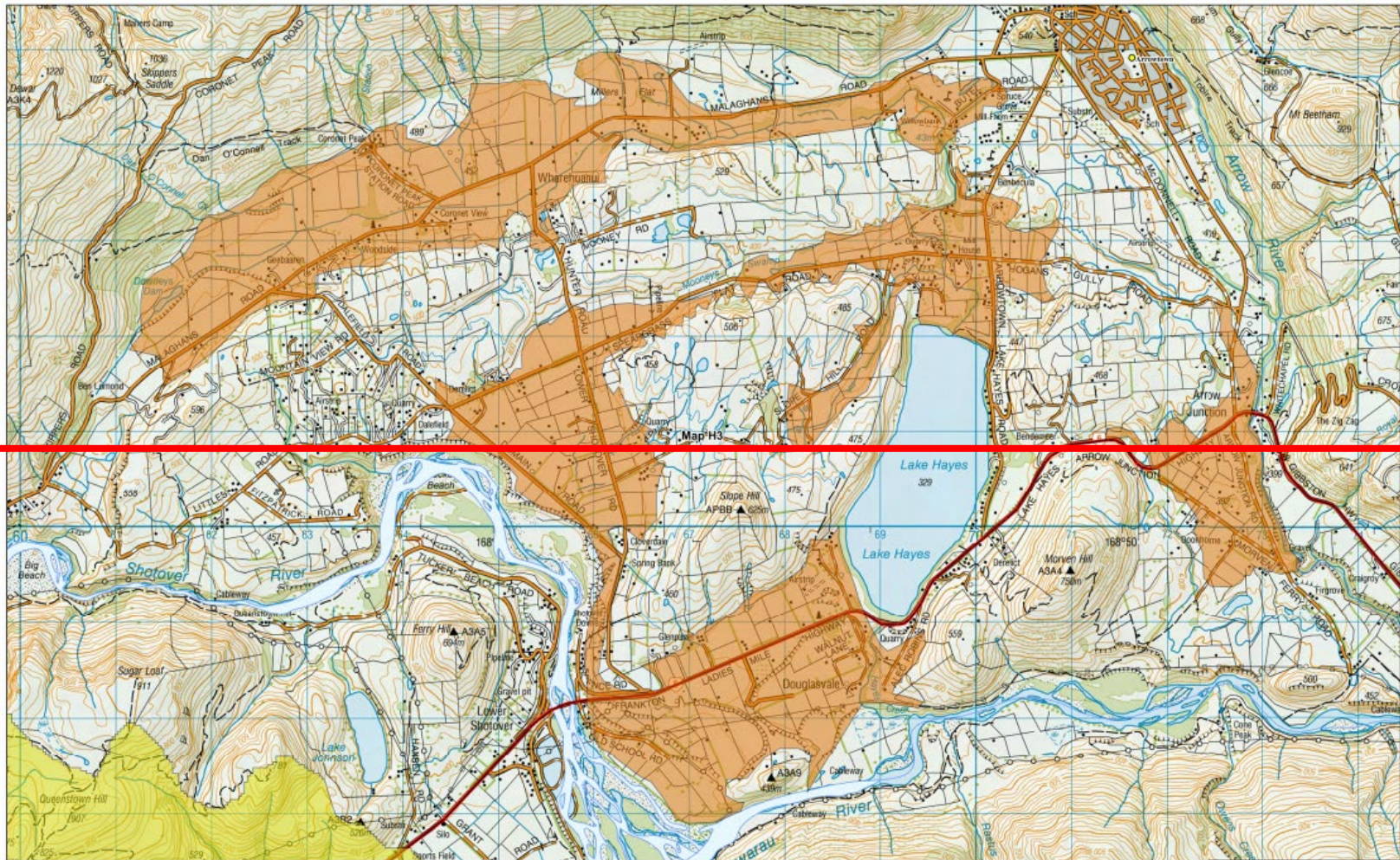


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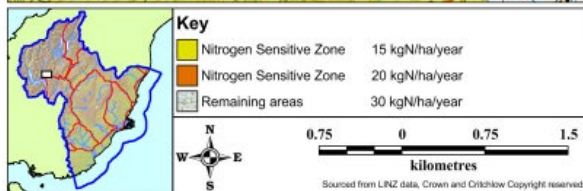


~~**Nitrogen Sensitive Zones**~~
~~**Map H2 Shag Alluvium Aquifer**~~
[Repealed 21 August 2025]



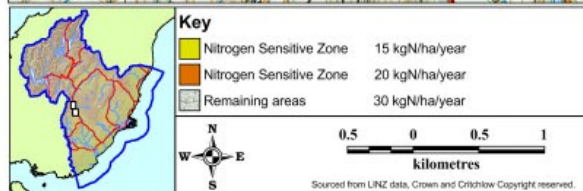
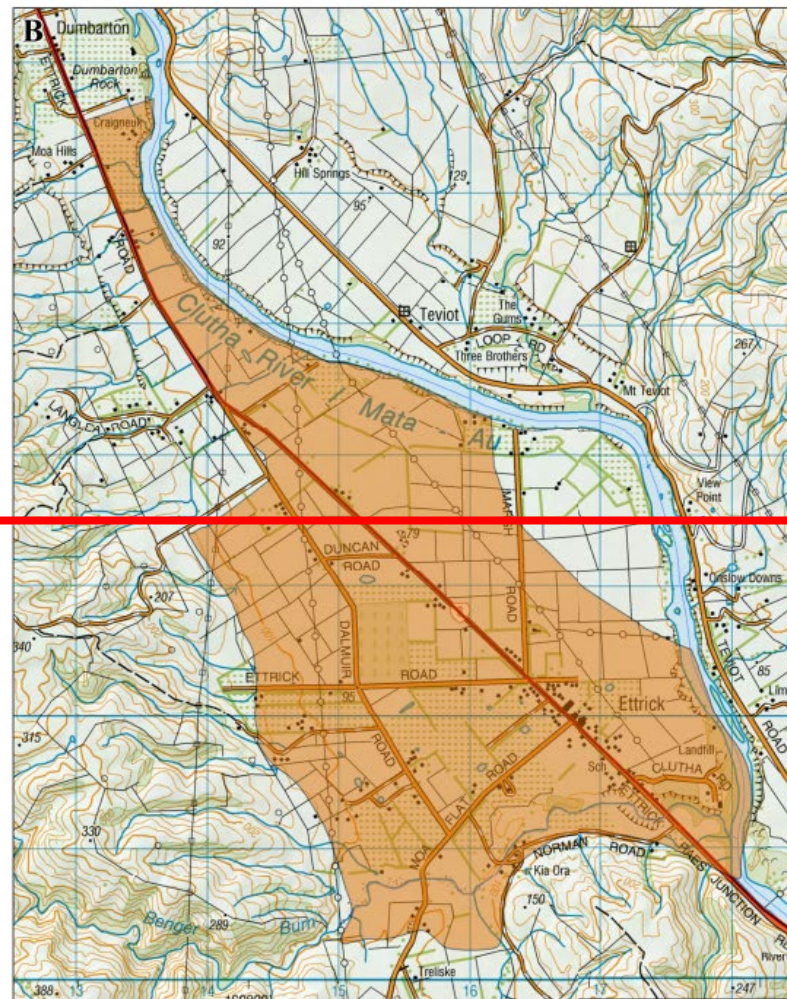
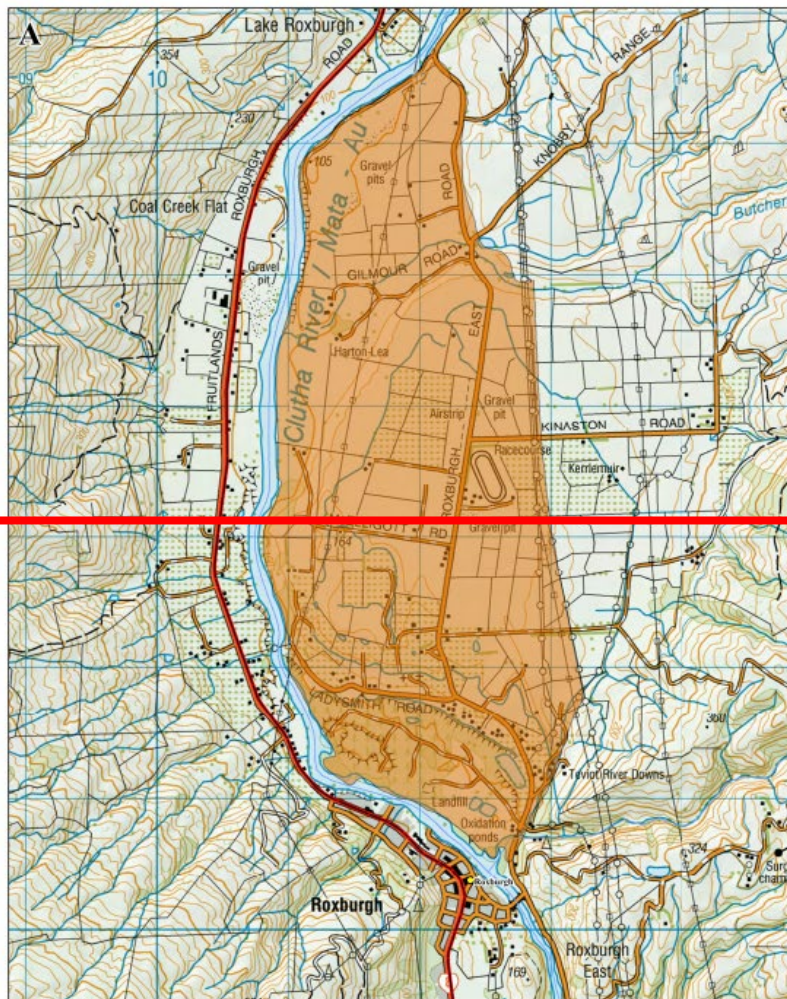


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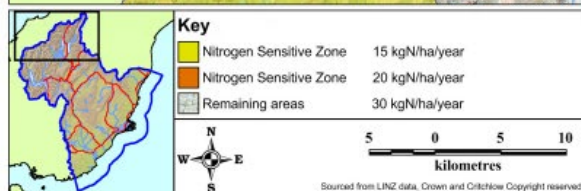
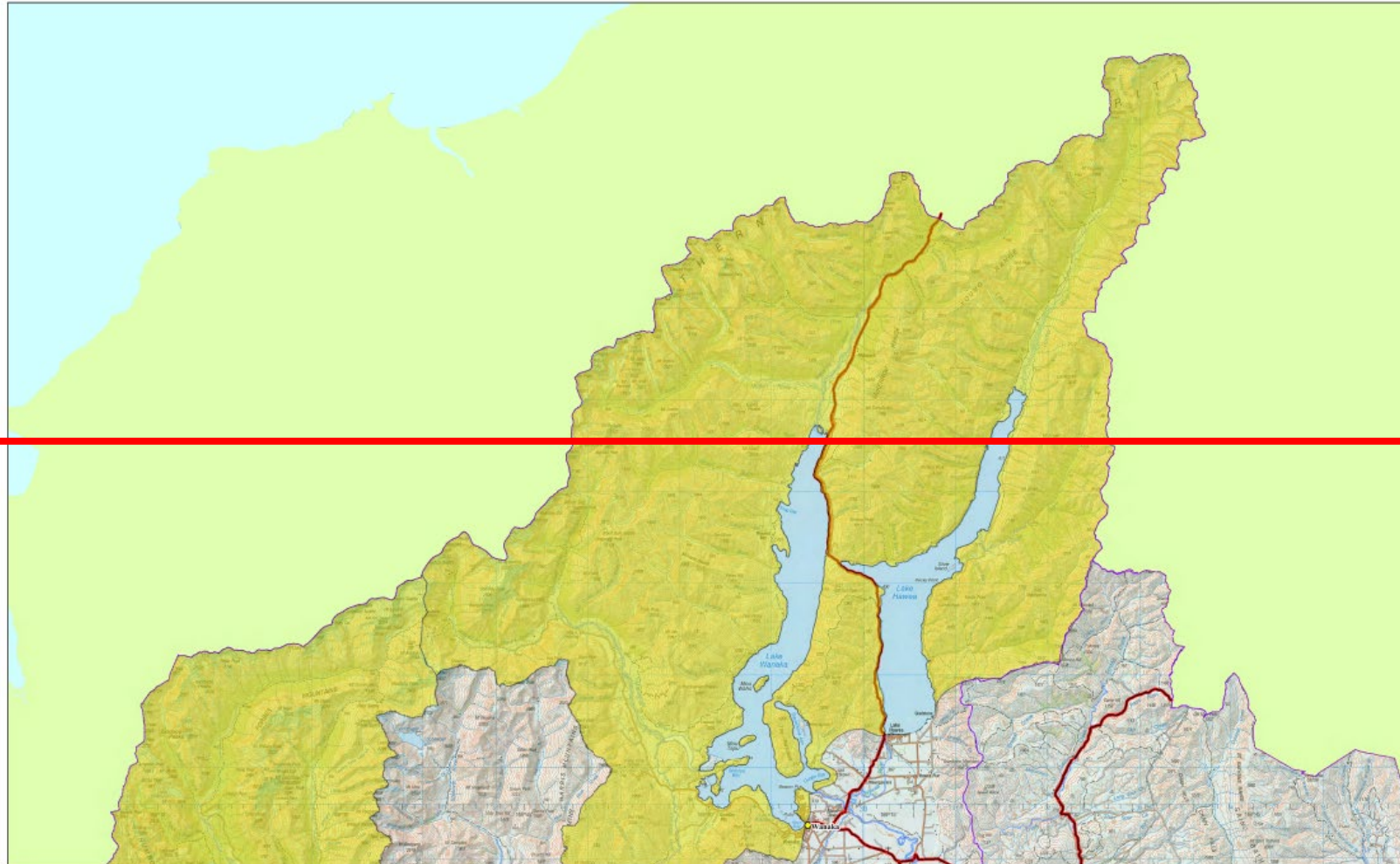


~~Nitrogen Sensitive Zones~~
~~Map H3 Wakatipu Basin Aquifer~~
[Repealed 21 August 2025]





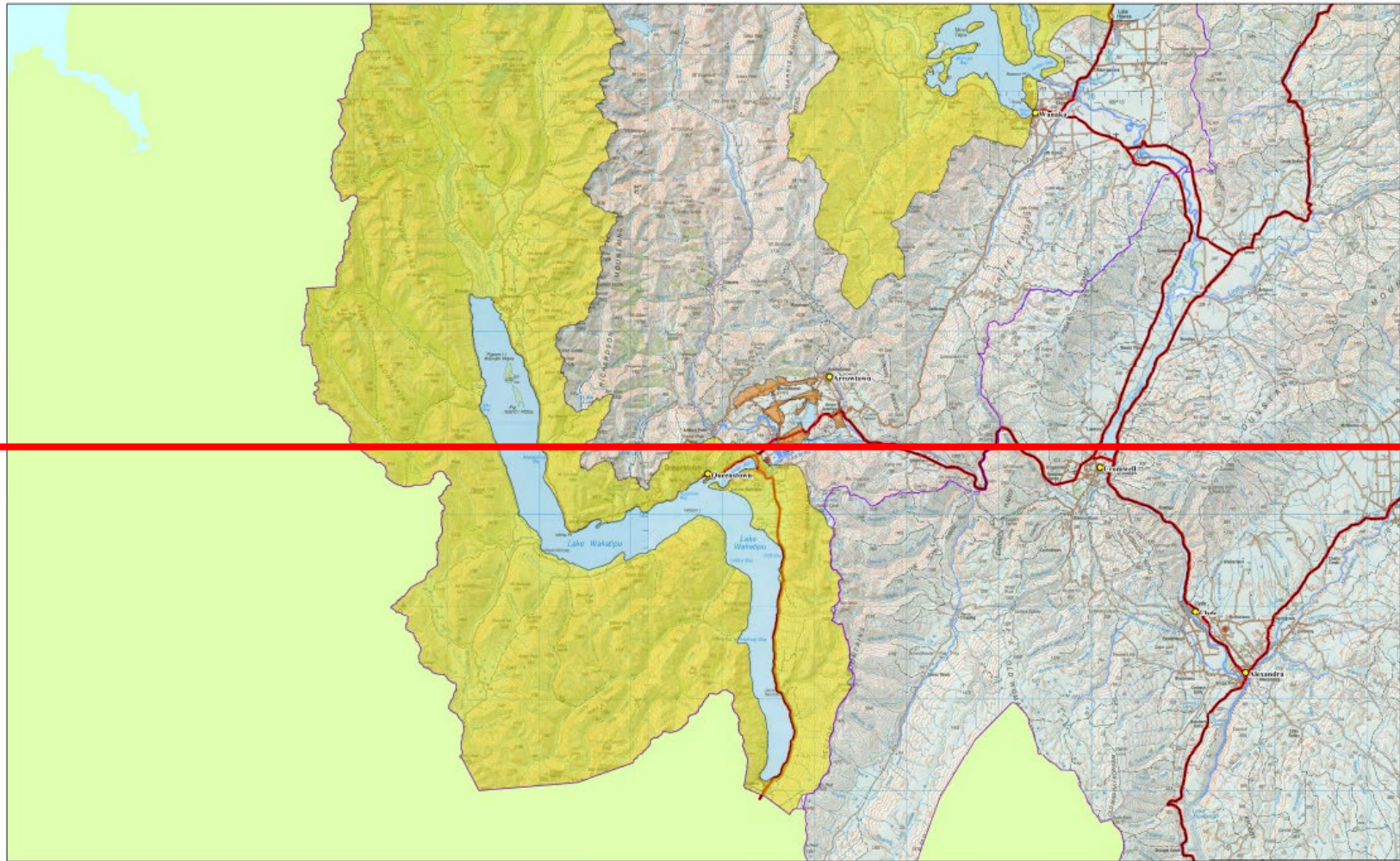
~~Nitrogen Sensitive Zones~~
~~Map H4 Roxburgh and Ettrick Aquifers~~
[Repealed 21 August 2025]



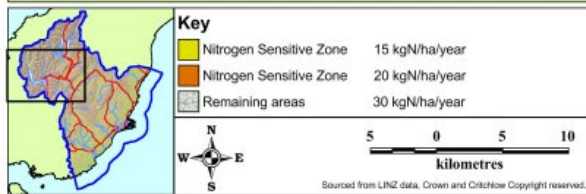
~~**Nitrogen Sensitive Zones**~~
~~**Map H5 Lakes Area (Wanaka)**~~
[Repealed 21 August 2025]

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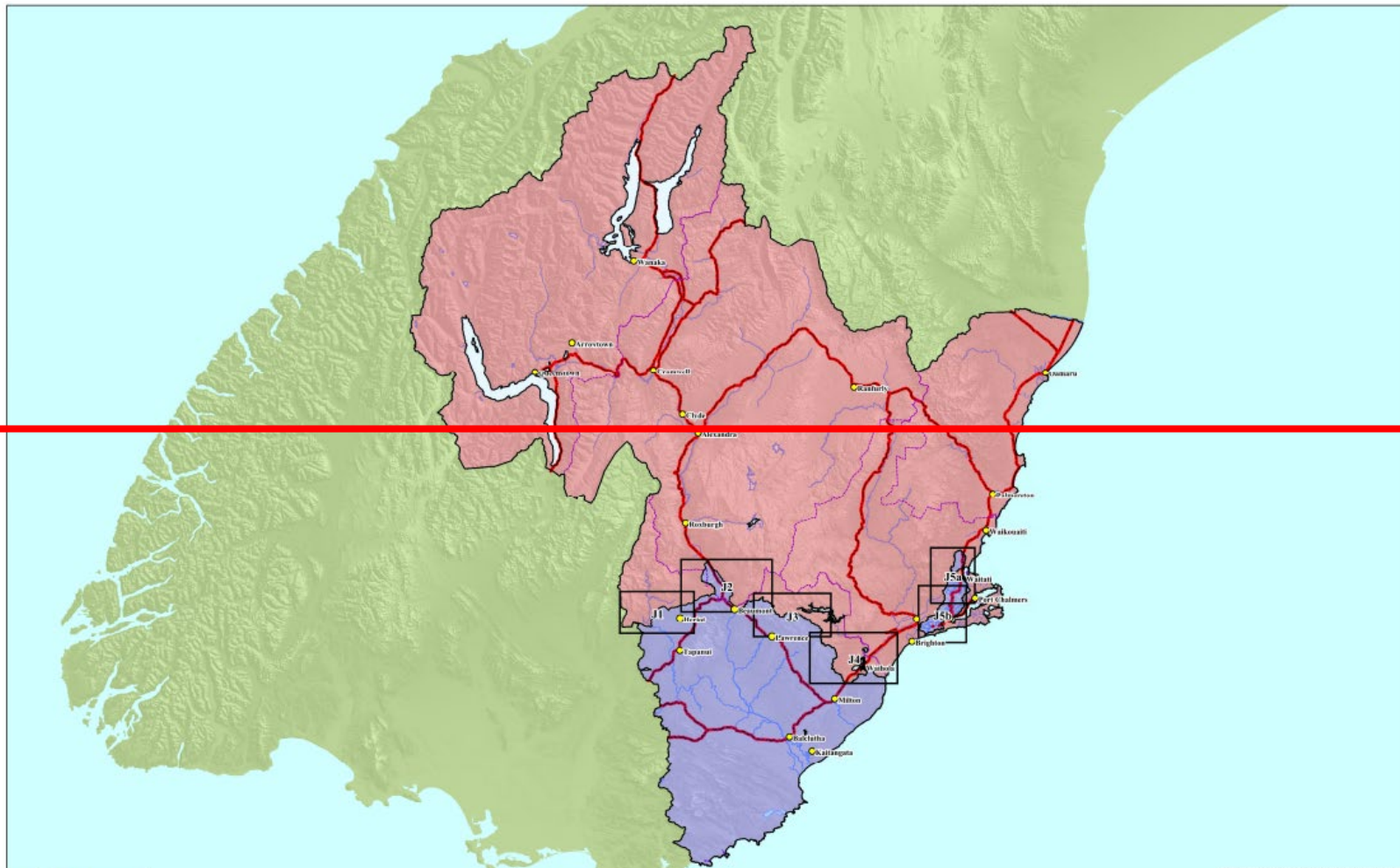


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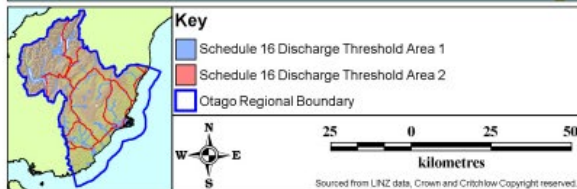


~~**Nitrogen Sensitive Zones**~~
~~**Map H6 Lakes Area (Queenstown)**~~
[Repealed 21 August 2025]



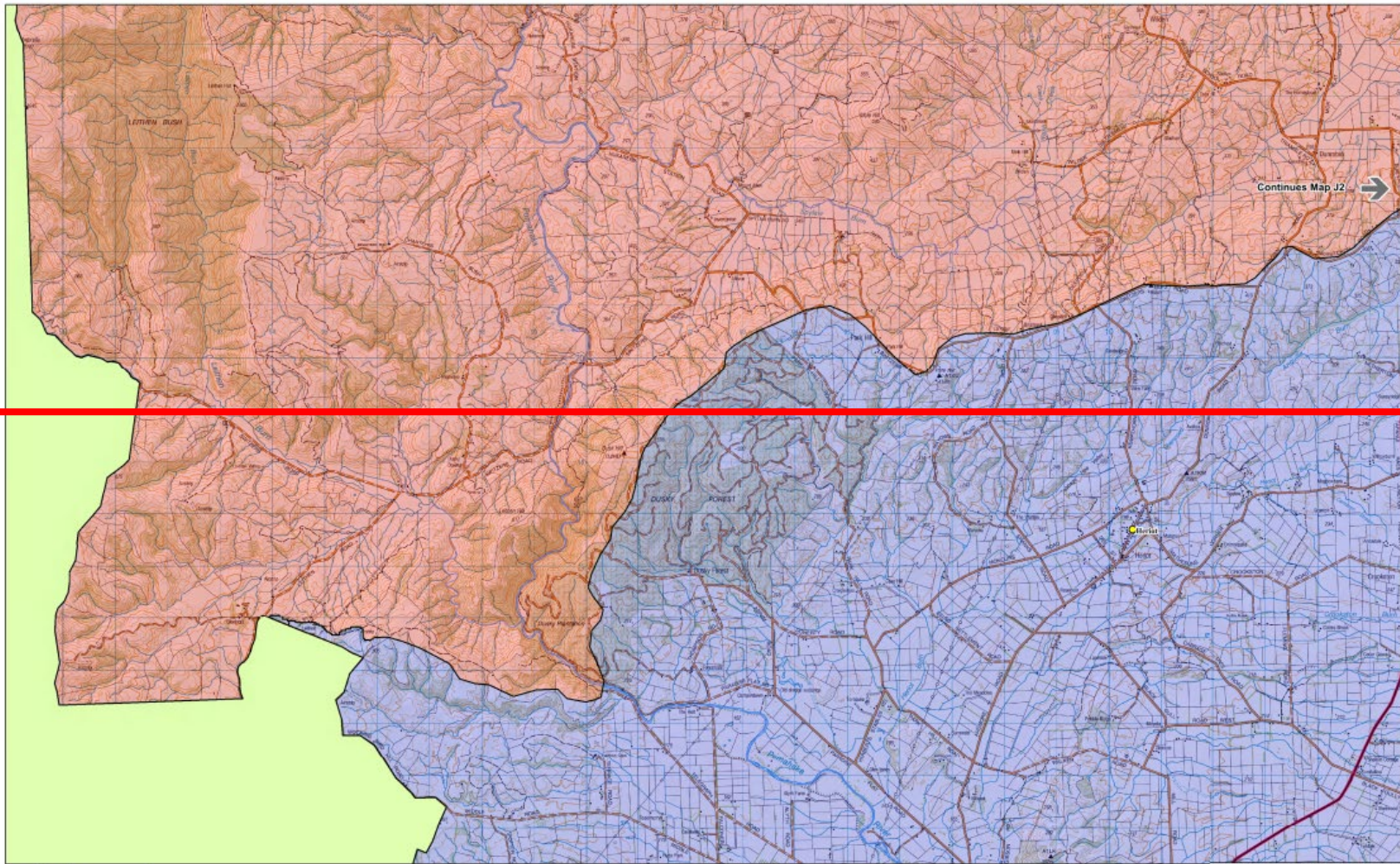


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~~Schedule 16 Discharge Threshold Areas~~ ~~Map J~~ *[Repealed 21 August 2025]*





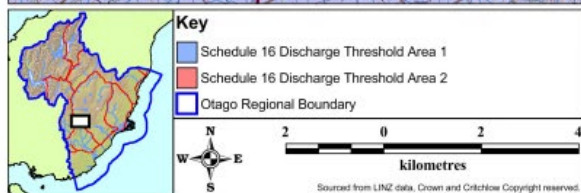
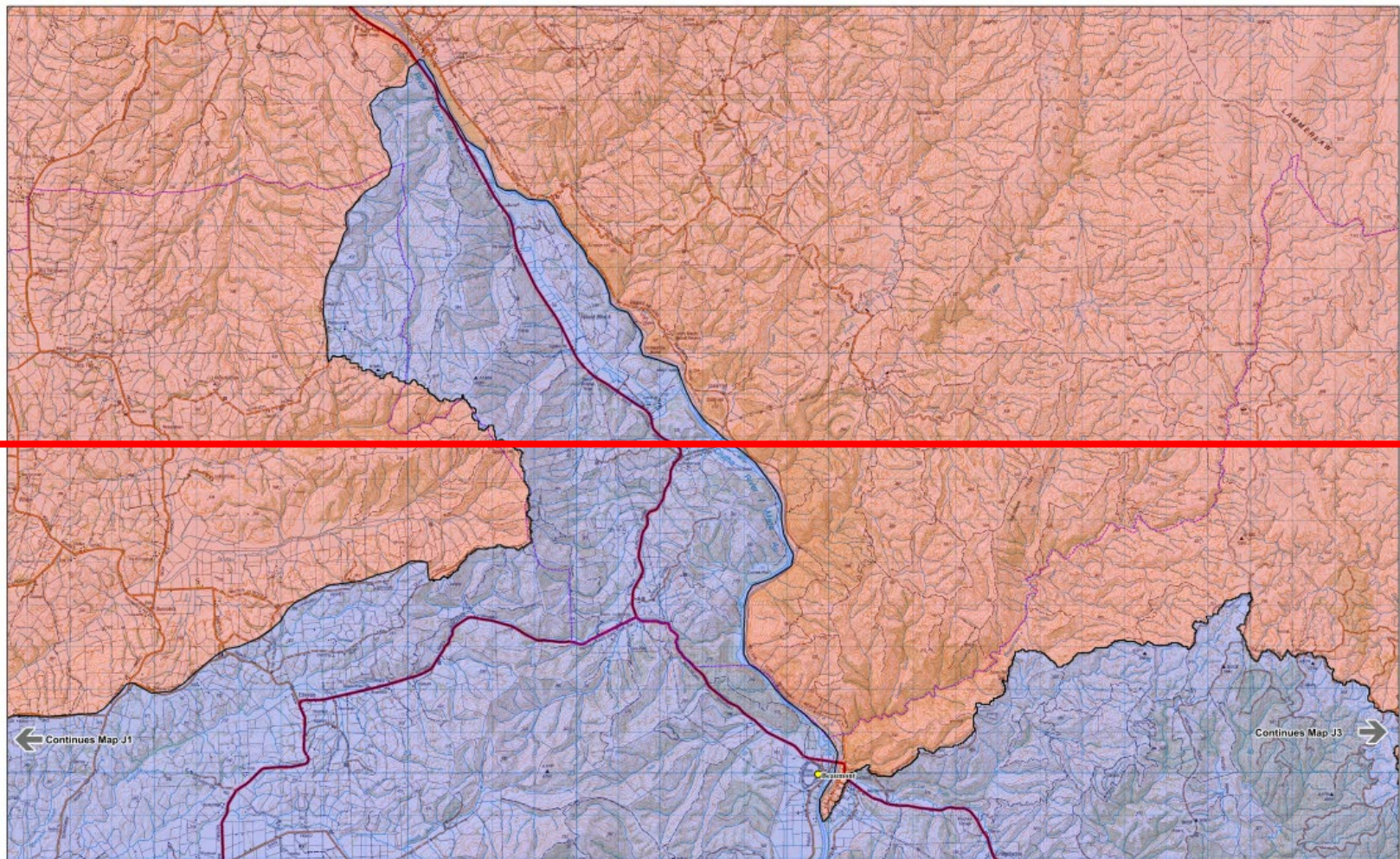
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~~Schedule 16 Discharge Threshold Areas~~

~~Map J1~~ [Repealed 21 August 2025]

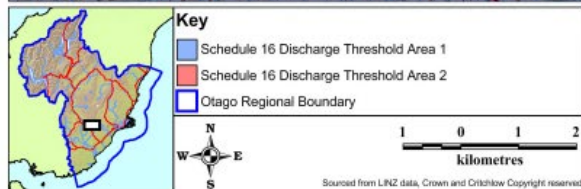
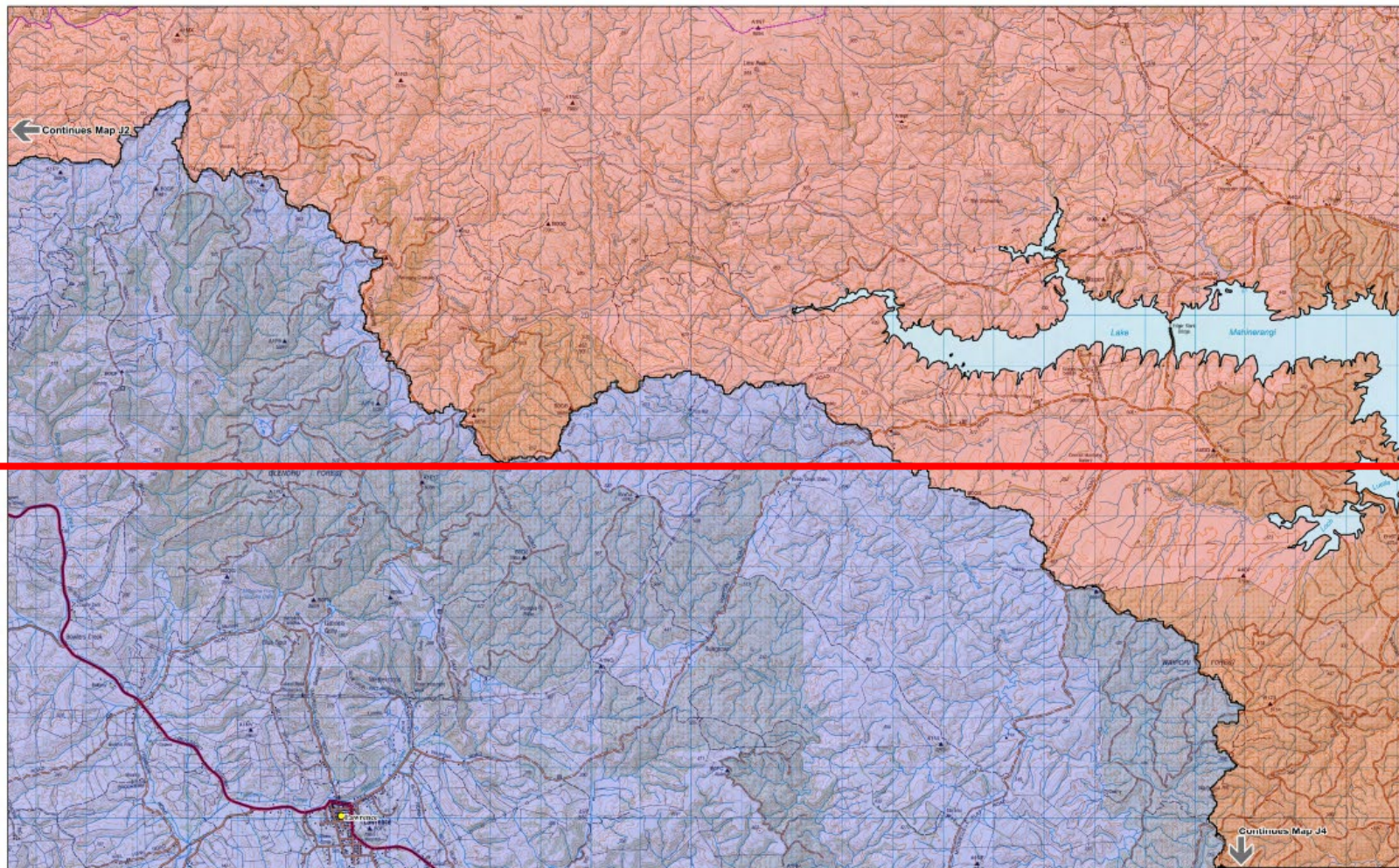




~~**Schedule 16 Discharge Threshold Areas**~~
~~**Map J2**~~ *[Repealed 21 August 2025]*

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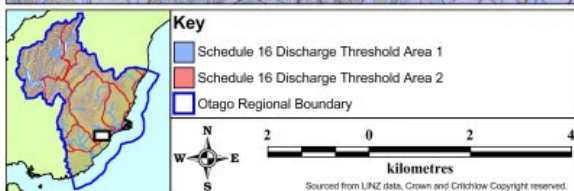
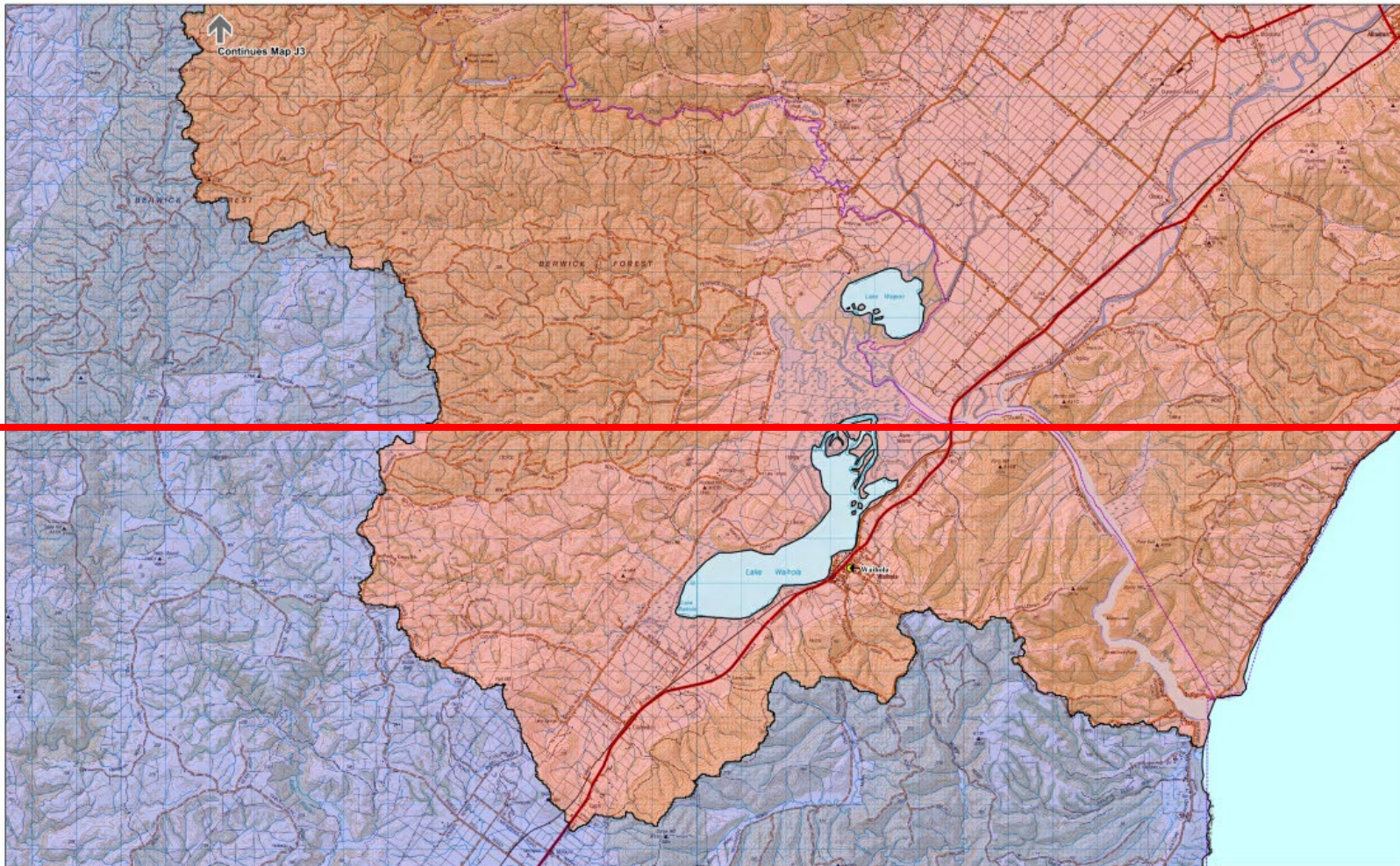




~~Schedule 16 Discharge Threshold Areas~~ ~~Map J3~~ [Repealed 21 August 2025]

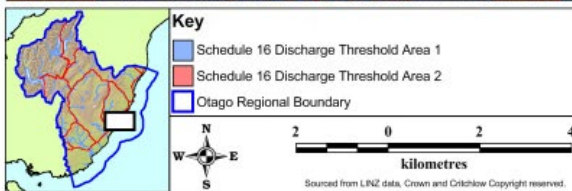
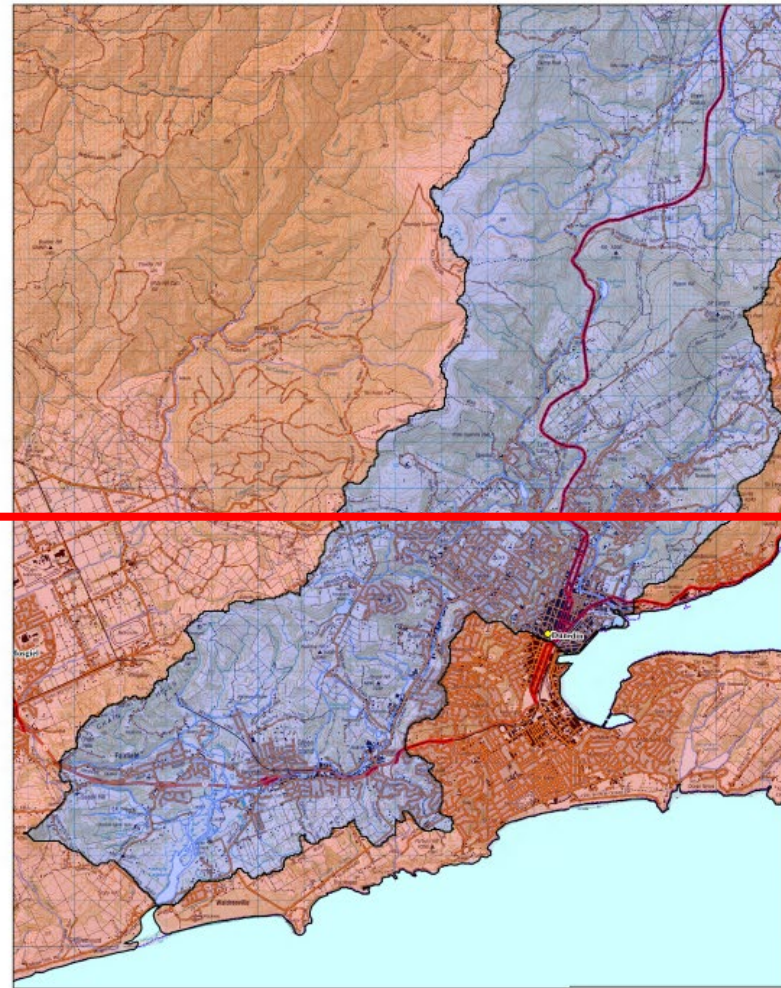
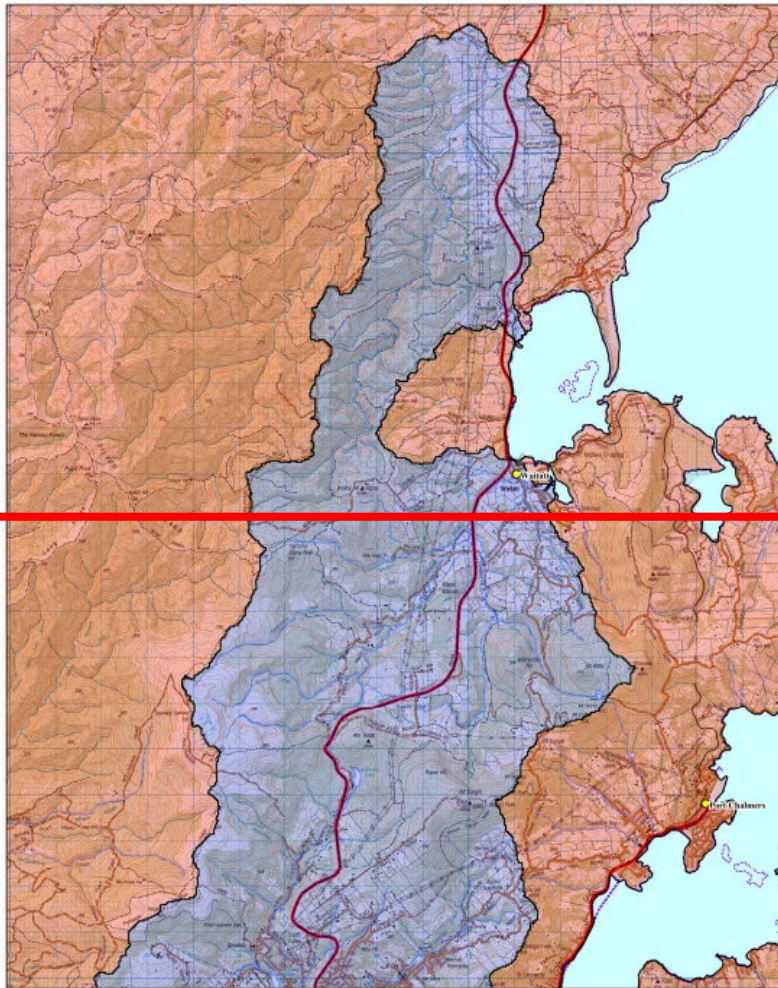
Source: Land Information New Zealand Topo50 Maps
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~~Schedule 16 Discharge Threshold Areas~~
~~Map J4~~ *[Repealed 21 August 2025]*





~~**Schedule 16 Discharge Threshold Areas**~~
~~**Map J5**~~ *[Repealed 21 August 2025]*

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