

**BEFORE THE COMMISSIONERS APPOINTED ON BEHALF
OF THE OTAGO REGIONAL COUNCIL**

UNDER	the Resource Management Act 1991 (the Act or RMA)
IN THE MATTER	of an original submission on the Freshwater Planning Instruments Parts of Proposed Regional Policy Statement for Otago 2021 (PRPS)
BETWEEN	OTAGO WATER RESOURCE USER GROUP Submitter FPI043 FEDERATED FARMERS NZ INC Submitter FPI026 and FSFPI033 DAIRY NZ LTD Submitter FPI024 and FSFPI024 BEEF + LAMB NEW ZEALAND LTD and DEER INDUSTRY NEW ZEALAND Submitter FPI025 and FSFPI025
AND	OTAGO REGIONAL COUNCIL Local Authority

BRIEF OF EVIDENCE OF CLAIRE PERKINS



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INTRODUCTION

1. My full name is Claire Rose Perkins.
2. I am employed as a Senior Planner and Planning Team Lead at Landpro Limited, a firm of consulting planners and surveyors. I hold the qualification of BAppSc (Hons) in Environmental Management from Otago University. I have been a planning and environmental consultant for 17 years, 11 of those with Stantec (formerly MWH New Zealand) and for the last 5 years with Landpro Ltd, providing consultancy services for a wide range of clients throughout New Zealand.
3. I hold associate membership with the New Zealand Planning Institute.
4. In this time, I have undertaken a wide variety of resource management related work for various clients, including preparing resource consent applications, preparing assessments of effects, stakeholder engagement and consent management services, with a particular focus on water resources in the rural environment.
5. I was involved in providing expert planning evidence for Otago Regional Council's (ORC) Plan Change 7 hearings and contributed to the refinement of those provisions through caucusing.
6. I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2023. I have complied with it in preparing this evidence and I agree to comply with it in presenting evidence at this hearing. The evidence that I give is within my area of expertise except where I state that my evidence is given in reliance on another person's evidence. I have considered all material facts that are known to me that might alter or detract from the opinions that I express in this evidence.

Scope of Evidence

7. This evidence focuses on the specific provisions identified as forming the Freshwater Planning Instrument part of the Proposed Otago Regional Policy Statement 2021 (PRPS). Where appropriate, I have made reference to the evidence of experts who have already presented to the panel through the non-freshwater part of the hearing process, with who's views I also agree with.
8. I cover the following matters:
 - a. My opinion on the consultation and engagement process that led to the development of the freshwater visions & how consistent they are with the direction in the National Policy Statement for Freshwater Management (NPSFM) and Resource Management Act (RMA).
 - b. Giving effect to Te Mana o te Wai – rural provisions and recommended resource management issue relating to resource use
 - c. With the acknowledgement of the need for a resource management issue related to resource use identified through the non-freshwater part of the hearing process, and on reflection of the engagement process, my views on how the transition to achieving the visions and thereby giving effect to the NPSFM could be better accommodated in the PRPS including timeframes to achieve those visions. This includes recommendation of three new policies to be included as freshwater provisions.
 - d. A brief evaluation of the proposed new provisions put forward in my evidence that would support the requirements of S32AA of the RMA.

PRPS ENGAGEMENT PROCESS

9. In this section I have provided a summary of the PRPS consultation process to date to highlight the importance of this submission and hearing stage of the process in providing community level input into the development of the long-term visions.

10. The NPSFM¹ requires that Councils must engage with communities and tangata whenua to identify long-term visions, environmental outcomes and other elements of the National Objectives Framework (NOF).
11. The NPSFM (in clause 3.3(3)) states that long-term visions must:
 - a. *“be developed through engagement with communities and tangata whenua about their long-term wishes for the water bodies and freshwater ecosystems in the region; and*
 - b. *be informed by an understanding of the history of, and environmental pressures on, the FMU, part of the FMU or catchment; and*
 - c. *express what communities and tangata whenua want the FMU, part of the FMU or catchment to be like in the future.”*
12. However, the NPSFM does not go so far as to prescribe what the engagement process should look like.
13. From my perspective, effective community engagement requires communication with many communities, individuals and groups, and to take feedback on board by circling back with options. It appears to be more demanding than “consultation” as it has become understood under the RMA including, for example the principles of consultation specified in the Local Government Act (s82).
14. The process undertaken for the vision setting in the PRPS is summarised in the attached document titled “*RPS Freshwater Visions Consultation Report*” (‘Consultation Report’) that was prepared by ORC following completion of the consultation process (**Appendix 1**).
15. At a community level, it included in person public workshops at multiple locations around the region between 27 October and 26 November 2020, alongside an online feedback process over the same period.
16. I attended one of these consultation workshops in Wanaka on 25 November 2020. At the time we were asked to provide our views on our short, medium and long-term wishes for the Upper Lakes rohe across a

¹ Clause 3.3 and 3.7 of NPSFM

number of environmental, social, cultural and economic values. My experience of this, and observing others' participation, was that it was very hard to clearly articulate future wishes without knowing in detail the current state of the environment, the state of social, cultural or economic wellbeing or the potential interrelationships.

17. Effective engagement should involve coming back to the community with draft visions to see what was distilled from the feedback, identifying tensions that might exist and having discussions with communities about how these might be resolved, whether some things have priority and so on. I acknowledge that the Council's time constraints may have meant this didn't happen before notification of the PRPS².
18. There has also been no quantification of the costs required to achieve the visions and any subsequent discussions with the community regarding whether they agree that the visions are appropriately ambitious, but reasonable. Nor has there been any discussion on whether the visions can be achieved within the timeframes put forward by Council (noting that these timeframes do not appear to link back to specific community feedback) and the Council is yet to identify what is required to achieve the Visions, making such an assessment inherently difficult to complete.
19. Witnesses called for the Submitters³ have demonstrated the differences in costs that can arise with differing timelines for implementation. Other witnesses, such as Mr Plunket, Mr Jolly and Mr O'Sullivan have described the practical challenges associated with implementing large scale projects and the time that this can take to achieve. In my opinion it is this type of information is critical to discuss with the community and to determine the appropriateness of what has been proposed particularly in respect of timeframes for achieving the proposed visions for the rural community.

² Public consultation on the visions was held from 27 October to 26 November 2020, with the PRPS being notified on 26 June 2021.

³ Evidence of Mario Cadena and Benje Patterson

20. In summarising where to from here following the consultation period of October-November 2020, the Consultation Report notes that (my emphasis)⁴:

“ORC will use the information collected from this consultation process to create vision statements for each FMU and Rohe, which will be inserted in the RPS. Communities will be able to respond to those visions, and everything else in the RPS, when it is notified....”

21. Notification of the PRPS has been the first chance for the community to see the provisions as a whole following their feedback and start to understand what they may mean for them. The submissions and this hearings process are therefore a critical piece in the engagement process for this RPS (possibly more so than might be desirable if the ORC had more time to carry out a full engagement process) to get as much consensus as possible on the PRPS provisions. In my view this is important because the Visions and their implementation deadlines need to be supported by and driven to fruition by the communities themselves.
22. It is important to reiterate that there is still no clear understanding of the effects of the PRPS on the social, cultural and economic wellbeing of communities because of the lack of assessment of economic or social costs in the s32 report which has been traversed in the evidence of Mike Freeman for the non-FPI part (para 24-25).
23. To be consistent with the NPSFM, and solve these shortcomings, I propose the inclusion of new process provisions that directs effective engagement with the local communities, alongside the ability to circle back to the visions and timeframes once the changes required are more clearly understood. This is discussed further in subsequent sections of my evidence⁵.

⁴ Paragraph 117 – Consultation Report

⁵ Paragraphs 61, 74 and 80

FRESHWATER VISIONS

24. The s42A author has recommended significant changes be made to the freshwater visions⁶ resulting in one region wide objective supported by some very brief vision statements of discrete matters for each FMU. This was in response to a number of submissions on repetition in the visions as notified⁷. It is unclear if this objective is intended to operate as a vision at region-wide level or not.
25. I have included below a clean version of the s42A recommendation without track changes shown for LF-FW-O1A (Region-wide objective) and LF-VM-O2 (Clutha Mata-au FMU vision) for reference.

⁶ Section 8.4 of the s42A report

⁷ Paragraphs 870-876 of the s42A report – responding to submissions from Fish and Game, Forest and Bird and Kāi Tahu ki Otago, Department of Conservation and Te Rūnanga o Ngāi Tahu

LF-FW-01A – Region-wide objective for fresh water

In all FMUs and rohe in Otago and within the timeframes specified in the freshwater visions in LF-VM-O2 to LF-VM-O6:

- (1) healthy freshwater ecosystems support healthy populations of indigenous species and mahika kai that are safe for consumption,*
- (2) the interconnection of land, freshwater (including groundwater) and coastal water is recognised,*
- (3) indigenous species migrate easily and as naturally as possible*
- (4) the natural character, including form and function, of water bodies reflects their natural behaviours to the greatest extent practicable,*
- (5) the ongoing relationship of Kāi Tahu with wāhi tūpuna, including access to and use of water bodies, is sustained,*
- (6) the health of the water supports the health of people and their connections with water bodies,*
- (7) innovative and sustainable land and water management practices provide for the health and well-being of water bodies and freshwater ecosystems and improve resilience to the effects of climate change, and*
- (8) direct discharges of wastewater to water bodies are phased out to the greatest extent practicable.*

LF-VM-O2 – Clutha Mata-au FMU vision

In the Clutha Mata-au FMU:

- (1) management of the FMU recognises that:

 - a. the Clutha Mata-au is a single connected system ki uta ki tai, and*
 - b. the source of the wai is pure, coming directly from Tāwhirimātea to the top of the mauka and into the awa,**
- (2) the national significance of the Clutha hydro-electricity generation scheme is recognised,*
- (6A) water bodies support a range of outdoor recreation opportunities*
- (7) in the Upper Lakes rohe, the high quality waters of the lakes and their tributaries are protected, and if degraded are improved, recognising the significance of the purity of these waters to Kāi Tahu and to the wider community,*
- (7A) in the Lower Clutha rohe, opportunities to restore the natural form and function of water bodies are promoted wherever possible, and*
- (8) the outcomes sought in this vision are to be achieved within the following timeframes:

 - a. by 2030 in the Upper Lakes rohe,*
 - b. by 2045 in the Dunstan, Roxburgh and Lower Clutha rohe, and*
 - c. by 2050 in the Manuherekia rohe.**

26. I do not consider that a region-wide objective is consistent with the NPSFM. The NPSFM states that long-term visions may be set at a minimum level of an FMU, but can also be part of FMU (rohe) or catchment⁸. It is my view therefore that the amendments proposed in the section 42A report mean that the only 'Vision statements' are those included in LF-VM-O2-O6. The Ministry for Environment (MfE) Document "*Guidance on the National Objectives Framework of the NPSFM*" ('MfE Guidance Document'), while not legally binding, is very clear that (under Clause 3.3 of the NPSFM) a "*single regional long-term vision is not allowed*"⁹.
27. Through a single objective there is a failure to take account of the different characteristics of rohe and catchments. A region-wide vision cannot properly reflect the history and environmental pressures of individual FMUs, rohe or catchments as required by Clause 3.3(3)(d) of the NPSFM. The evidence of the Farmer Witnesses called by the submitters demonstrates the diversity of the Otago Region. This is also captured in the Otago Catchment Stories¹⁰ report discussed in the Evidence of Kate Scott. The 'Description of the Region'¹¹ at the start of the PRPS itself discusses the diverse nature of the Otago Region.
28. The Freshwater Farm Plan (FWFP) regulations¹² have been summarised by Kate Scott in her evidence. These regulations require that each catchment determines its "catchment context", which infers a more nuanced approach than a region-wide objective. Regulation 4 of the FWFP regulations describe the components of the catchment context, challenges and values in relation to a local area, that would include "*existing information on landforms, soil data, climate data, freshwater data, freshwater bodies, contaminants, sites that are significant to the community, and significant species or ecosystems*"¹³.

⁸ NPSFM Clause 3.3(2)(a)

⁹ Page 38 of NOF guidance document

¹⁰ <https://www.orc.govt.nz/media/14059/otago-catchment-stories-summary-report-final.pdf>

¹¹ Proposed Regional Policy Statement for Otago Page 7-10

¹² Resource Management (Freshwater Farm Plans) Regulations 2023

¹³ FWFP Regulation 4(a).

This supports the need for useful guidance of at minimum specific FMU or rohe level visions in the PRPS.

29. The evidence of Ian Lloyd and Brendan Sheehan helpfully provides a discussion on how the hydrology of some of Otago's catchments have been significantly altered through historic resource use. This includes the operation of priority regimes associated with deemed water permits and mining rights and presence of old dam structures and race networks. These systems have been in place for at least decades if not over a century in some cases and have influenced the values present in some of these catchments. A region-wide vision cannot recognise this.
30. Further, the Council was also clear in its identification of the Clutha FMU¹⁴ that smaller individual rohe were needed to account for connectedness through the one FMU, but also to provide for the wide variety of uses, influences and environments that occur along the river's length.
31. The evidence of the Farmer witnesses¹⁵ also highlights the differences between catchments and different focus that the various catchment groups have had to respond to their local challenges and context.
32. The S32 Report¹⁶ acknowledges that *"the ORC Science work programme for identifying limits for FMUs has categorised Otago's FMUs and rohe into four categories based around the degree of modification from natural states (i.e. use and hydrological complexity) and values"*.
33. Whilst the Consultation Report identifies similarities across the FMU's, there is a difference in the significance or importance of each of these when compared to the values of the respective parts of the region. This cannot accurately be reflected in one single vision/objective which, if rolled out region-wide, ignores specific catchments and natural

¹⁴ Paragraph 868 of S42A report, Paragraph 11 of Consultation Report

¹⁵ Evidence of Logan Wallace, Emma Crutchley, Joanna Hay, Luke Kane, Randall Aspinall, Richard Plunket, Bruce Jolly and Kelly Heckler

¹⁶ Page 34 of s32 Report

processes (for example, natural turbidity variability in glacial fed rivers compared to spring-fed streams).

34. One vision or objective implies that one response to achieving each element would be appropriate region-wide and this is not the case. Even if the same words were used within individual visions, this would provide more clarity to support development of FMU specific responses to those independent vision statements. For example, the natural character of water bodies, and therefore goals and actions that may be required to reflect natural behaviours will be very different between the Clutha Mata-au FMU, North Otago FMU, Taiari FMU and Catlins FMU as each comes with a different history of resource use, damming and other environmental pressures, including those that are naturally occurring.
35. My recommendation is that individual visions are retained for each FMU and rohe, and that the proposed region-wide objective for freshwater LF-FW-O1A is deleted.

GIVING EFFECT TO NPSFM

36. As has been highlighted by other planning witnesses¹⁷ through the hearing for the non-freshwater parts, the PRPS needs to give effect to the full hierarchy of NPSFM Te Mana o te Wai obligations.
37. In giving effect to Te Mana o te Wai, lower order planning instruments must give effect to the hierarchy of obligations when developing the long-term visions. This will require the prioritisation of the health and wellbeing of freshwater¹⁸ but is not limited to an environmental protection focus that ignores the other parts of the hierarchy.
38. The concept of Te Mana o te Wai is more than just a hierarchy of obligations, it is “*about restoring and preserving the balance between the water, the wider environment and community*”¹⁹. I accept that this is not a trade-off between Te Mana o te Wai and other goals that community may have, but that it is about supporting healthy freshwater

¹⁷ For example, Mike Freeman evidence.

¹⁸ Clause 3.2 of the NPSFM

¹⁹ Clause 1.3(1) NPSFM

and a healthy environment while identifying what that means at a community level, and as set out in section 3.2(1) (NPSFM) *”to determine how Te Mana o Te Wai applies to water bodies...”*.

39. This is supported by Policy 15 of NPSFM which requires that:

“Communities are enabled to provide for their social, economic and cultural wellbeing in a way that is consistent with NPS”

and Council’s function under section 30(1)(b) of the Act:

“the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance”

40. Te Mana o te Wai is also about taking an integrated approach to the management of freshwater as required by clause 3.2(2)(e) NPSFM, which will require actively engaging with the community throughout the NOF process as discussed in paragraphs (9) to (22) of this evidence.
41. I have read the Joint Witness Statements (JWS) recommending two new issues relating to resource use from the non-freshwater hearing. I agree with the need for these issues to be included and consider it to be relevant to the freshwater provisions, and in particular the importance of resource use within rural communities.
42. At present, there is no objective or policy framework that specifically responds to this issue. I am aware there was some suggestion through legal submissions and several witnesses²⁰ at the non-freshwater hearing of the potential for a rural objective or rural chapter to be developed. It is a suggestion that I support. However, because of the wider scope, beyond freshwater, that such an objective or chapter would have, I have not made a recommendation on that here and instead move onto my recommendations on how the resource use issue could be brought through into the objective and policy framework of the Freshwater Planning Instrument.

²⁰ Legal submissions of Phil Page at [88]

43. With the changes that have been proposed to the visions through the s42A report, I do not consider that resource (primarily water in this context) use and the importance of the rural sector have been adequately addressed through the freshwater provisions, and that the visions are not a true reflection of the feedback received from the community consultation that occurred.
44. One of the key themes from all the feedback²¹ is:
- “finding ways for communities to retain their integrity and prosper within the envelope of environmental health”*
45. Interestingly, one of the amended visions in the s42A report does include some reference to the importance of water allocation to the rural community for the Taiari FMU, but not others.
- “(5A) within limits, the allocation of freshwater provides for land-based primary production that supports the social, economic, and cultural well-being of communities in this FMU”.*
46. I agree with including this in the vision, and recommend it is included in the vision for each FMU as it is entirely relevant to resource use that occurs, and is an identified value, across Otago. However, I recommend the deletion of all words after *“communities”* as this suggests that the rural sector only supports communities within the FMU, when benefits from the food and fibre sector are felt across the region and country.
47. In respect of the Manuherekia rohe²², where the vision consultation process was slightly different to the other FMUs due to a concurrent LWP process, a draft vision was provided in the online survey for feedback. Responses included that many in the community felt the economic value and desired outcomes of the community in terms of sustainable land and water use were not appropriately covered in the draft vision²³. This is not reflected in the s42A report version of the visions.

²¹ Paragraph 50 of Consultation Report

²² Paragraphs 20 and 65 of the Consultation Report

²³ Paragraph 69 of Consultation Report

48. To address this, I recommend that at least the following is included in the vision for each FMU, similar to the original consideration of the role of sustainable land and water use within the visions as notified. This would also respond to the new resource use issue and bring that through into the objectives, as well as address the need for the primary sector to improve its resilience to climate change²⁴:

“Innovative and sustainable land and water management practices:

- a. *support primary production,*
- b. *enable continued social, economic and cultural wellbeing of rural communities, and*
- c. *improve resilience of primary production to the effects of climate change.”*

49. I do not consider that any reference to actions, such as the reduction of discharges as originally notified in the Dunstan, Manuherekia and Roxburgh rohe visions, are appropriate within a vision as this is not a desired state but an action that could be taken to achieve a desired state. The Land and Water Plan (LWP) process is the appropriate planning framework to set out the need for reductions and meeting the NPSFM obligations rather than the RPS. In addition, any requirement for a reduction necessitates an understanding of the state of the individual FMUs and rohe and whether the other visions about desired state and use of the freshwater bodies are already being achieved, or how close they are to being achieved, which is not currently available.
50. There has been some recognition of resource use proposed in the s42A report through a new policy – LF-FW-P7A. I have included this proposed policy below (in paragraph 51) with my recommended changes highlighted in grey.
51. I would like to highlight, what is in my opinion a fundamental drafting flaw. It is almost trite to say that policies implement objectives. LF-FW-P7A is a Policy that should be implementing an Objective. Given the current drafting of the Freshwater Visions (which are the Objectives) this policy can, in my opinion, only be engaged in the Taiari via LF-VM-

²⁴ Legal submissions of Phil Page at [89]-[97]

O4(5A) because this is currently the only FMU/Rohe where there is a provision that recognises the need for water allocation. Based on my understanding and having reviewed the evidence filed by the Submitters it is apparent that the need for water allocation provision applies to all FMU's and demonstrates the need for a 'resource use clause' within all the FMU visions.

52. I am reasonably comfortable with this proposed policy (LF-FW-P7A) but consider that the following changes should be made. The need for over-allocation to be phased out is already included (with better clarity about distinguishing between "phased out" and "avoided") in Policy LF-FW-P7. This new policy (LF-FW-P7A) deals with allocation 'within limits' therefore the provision should be more focused on how the benefits of freshwater can be recognised while considering all the relevant matters identified:

"LF-FW-P7A – Water allocation and use

Within limits and in accordance with any relevant environmental flows and levels, the benefits of using fresh water are recognised ~~and over-allocation is either phased out or avoided by~~ while:

(1) allocating fresh water efficiently to support the social, economic, and cultural well-being of people and communities to the extent possible within limits, including for:

(a) community drinking water supplies,

(b) renewable electricity generation, and

(c) land-based primary production,

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

(3) ensuring that the efficiency of freshwater abstraction, storage, and conveyancing infrastructure is improved, including by providing for off-stream storage capacity, and

(4) providing for spatial and temporal sharing of allocated fresh water between uses and users where feasible.”

TRANSITION FRAMEWORK

53. The S32 Report comments on social & economic costs and identifies that the PRPS is a ‘paradigm shift’. However, as discussed above, the quantum of social, cultural and economic change required is not identified, even in the broadest of senses²⁵.
54. Clause 3.3(4) of the NPSFM requires that Councils must assess if an FMU, part of an FMU or catchment can provide for its long-term vision, or whether improvements to the health and wellbeing of waterbodies and freshwater ecosystems are required to achieve the vision. There has been a lack of analysis in relation to whether the visions are ambitious, but reasonable (that is, difficult to achieve but not impossible) as required by the NPS.
55. It is not yet clear how far away the FMU’s are from achieving the draft visions at present. Do they already meet them? What gaps are there? Or are they ‘miles away’? How long is needed to reach them in real terms? I understand that we don’t yet have clarity on what the NOF process looks like and what specific target attribute states are needed to meet the visions, and therefore we don’t know the scale of regulatory or non-regulatory responses needed in the LWP.

Transition Policy

56. The question that I have been seeking to address is how can we fill this gap without starting again from scratch or delaying the RPS process further. The Submitters do not wish to see further delays. As will be apparent from the evidence of the Farmer witnesses, uncertainty is a significant barrier to progress. It is not in the best interests of the Otago community for there to be further delay.
57. Some direction in relation to this issue is provided through the MfE Guidance Document on the National Objectives Framework. Page 39 of

²⁵ Paragraph 113 of s32 report

the MfE Guidance Document outlines that the setting of visions is an iterative or circular process. There is acknowledgement that given the timeframes for development of the visions that we may not have all the best available information desired. However, the MfE Guidance Document also describes this iterative process as one that, once limits have been identified to achieve the visions, may require the community to weigh up the relative costs and benefits (degree of consequences) and then may seek to change the values and target attribute states they were originally planning on achieving if they are unsustainable or the consequences of trying to achieve them will be too great²⁶.

58. As discussed in relation to the engagement process, the community has not yet had the opportunity to discuss the costs and benefits associated with achieving the visions. The circular, iterative process I am promoting would enable this to occur as greater clarity and information is available about what is required to achieve the visions.
59. This supports my understanding of the NPSFM implementation in that it is one that will continue to evolve and be re-visited over time. It appears that while MfE anticipated this iterative process requirement, there is no specific guidance in the NPSFM on providing transitional support to Councils or communities through this period.
60. The S32 Report²⁷ also acknowledges that “*there is uncertainty around the specific improvements that may be required within the FMU and each rohe and the implications for activities in these areas. There may be opportunities to set more specific timeframes for particular actions as ORC prepares its new LWP*”, but does not identify any direct policy to support this approach.
61. I am recommending a process policy (and some consequential changes) that will guide how the visions (and in particular the timeframes) may be re-visited allowing the community to circle back on visions further downstream as we find out how we may or may not achieve them. If

²⁶ Page 39 of MfE Guidance Document

²⁷ Page 34-35 of S32 Report

specific goals²⁸ cannot be identified now to achieve the visions (which is a requirement in the NPSFM), then the framework for determining them needs to be set up, while ensuring that those parts of the community that may be more affected, such as the rural community are actively engaged in the process.

62. This process policy will direct the feedback loop as the LWP provisions are developed. It provides a method for assessing consequences of change to meet targets and limits to achieve the vision and determining the timeframe to get there. It will loop back to the vision timeline and allow a revised timeline in the Land and Water plan to 'override' the timeline in the RPS. This would be consistent with the requirement in the NPSFM to use the best available information and allow a process that can be implemented efficiently. As we progress through the process and have better information and more clarity, we should rely on that and provide an avenue for it to be implemented.
63. My recommended new policy is set out below:

LF-FW-P7B – Support sustainable transition to achieve Freshwater Visions

Recognise that achieving the freshwater visions is likely to result in significant changes in land use activities and/or infrastructure by:

- a. At the time of setting of environmental outcomes, attribute states, environmental flows and levels identify:
- i. Changes required by resource users;
 - ii. How those changes can be implemented;
 - iii. Costs of implementing those changes;
 - iv. The timeframe required to manage the costs of those changes in a way that can be sustained by the community that is

²⁸ As a matter of practice goals need to possess certain criteria – specific, measureable, achievable, realistic and timebound. The visions in the RPS do not meet these criteria. Use of SMART goals has been incorporated into Freshwater Farm Plan regime.

ambitious but reasonable, and whether the dates in the visions need to be extended or brought forward in the Land and Water Plan.

64. Consequential recommended changes to the wording around the timeframes in the visions is shown below as an example for the Clutha Mata-au vision. Similar changes will be required to the other FMU visions.

“LF-VM-O2 – Clutha Mata-au FMU vision

(8) *the outcomes sought in this vision are to be achieved within the following timeframes, **unless amended through the Land and Water Plan in accordance with LF-FW-P7B:***

(a) by 2030 in the Upper Lakes rohe,

*(b) by 2045 in the Dunstan, Roxburgh and Lower Clutha rohe,
and*

(c) by 2050 in the Manuherehia rohe.”

65. The above policy and changes to the visions wording will still provide certainty that a vision can be set now, with associated timeframes as the backstop as required by the NPSFM, but given the lack of goals, significant uncertainties surrounding their implementation and costs, the community can have confidence that robust consideration of the implications of these visions can be addressed through the LWP development, with associated changes made to the implementation timeframe if required.
66. In my opinion a transitional policy such as this is particularly important from an efficiency and effectiveness perspective. If there is no mechanism to evolve the timeframes then the only option would be to amend the PRPS provisions themselves through a Schedule 1 RMA process. This is both costly and an inefficient use of resources. The process that is enabled through these recommended provisions will be faster and more effective in arriving at amendments to the implementation timeframes if they are deemed too ambitious (or

conversely not ambitious enough) and giving effect to the NPSFM, than either delaying the development of the visions and timeframes until more information is available or changing the PRPS timeframes themselves.

67. It is also unlikely that any s32 assessment prepared as part of the LWP development would appropriately address the reasonableness and ambitiousness of the PRPS timeframes, as it would instead refer to them as concrete dates set within a higher order planning document. This is similar to what we have seen with the current s32 report for the PRPS where the timeframe dates are acknowledged as not being based on robust science, or directly linked to community feedback²⁹. Such an approach would mean the deficiencies of the vision setting exercise to date would continue, and in my view may not properly give effect to Te Mana o te Wai or achieve the purpose of the Act.

Emphasise existing regulatory and non-regulatory methods

68. Because of the absence of understanding on the degree of change required to achieve the visions, there needs to be guidance on the approach to be taken to manage land and freshwater in the LWP. In my opinion the policy framework also needs to recognise what is already being done and will be further implemented through other regulatory obligations such as Certified Freshwater Farm Plans (CFWFP). It is also apparent from the evidence filed for the Submitters that other non-regulatory methods (e.g. catchment groups) have achieved significant environmental improvements without the need for regulatory intervention. Such initiatives should be enabled to help solve any issues rather than heading straight to a regulatory approach.
69. The recent gazetting of the FWFP regulations is an important non-LWP rules based regulatory method to consider when re-visiting the visions, implementation timeframe, and NOF process. CFWFPs will be the primary instrument that applies to rural communities moving forward and will drive them towards achieving Te Mana o te Wai within their individual properties and as part of a wider catchment, rohe and FMU. The timeframe for implementing CFWFPs within Otago is between February

²⁹ Section 4.3.5.2 of the S32 Report

2024 and November 2025³⁰ which will mean they are all in place before the LWP is operative.

70. There is also a suite of other regulatory interventions that have recently come into force and are being implemented by the farming sector, most of which are directed at land and water management practices. They are set out in the Evidence of Kate Scott.
71. The evidence of Luke Kane describes how in the Pomahaka catchment, the Pomahaka Water Care Group, has successfully worked together to establish a strong community focus on improving water quality within their catchment, within a framework of water quality outcomes provided in the Regional Plan: Water (RPW). Their efforts as a catchment group have been successful in establishing a general trend of water quality improvements for the majority of the catchment with on the ground changes and environmental improvements including fencing waterways, riparian planting and habitat restoration³¹.
72. This change has occurred within only 9 years and emphasises how important providing for a non-regulatory pathway is, and that regulatory rules should not always be the first-choice option for managing the use of land and freshwater resources. Where they are supported and encouraged ahead of a highly regulated framework they can be more responsive and have been shown to work without substantial regulatory intervention³².
73. This is echoed by all of the Farmer Witnesses who each describe the catchment-based initiatives they are aware of, and the significant challenges and costs associated with responding to the array of regulatory changes and the burden that places on operators. Effectively, they cannot sustain everything all at once. To require that will mean that

³⁰ Implementation timeframes endorsed by ORC Councillors on 28 June 2023.

³¹ Paragraphs 42-48 of evidence of Luke Kane.

³² Refer paragraph 33 of Evidence of Kate Scott

some cannot sustain themselves causing adverse consequences for their social, cultural and economic³³ wellbeing and health and safety³⁴.

74. Current challenges are already being faced by some rural sectors. The rural sector in Otago is still working through implementation of provisions in the National Environmental Standards for Freshwater (NESF) and ORC's Plan Change 8 which will be implemented over the next 2-3 years, in addition to CFWFPs being rolled out from February 2024. The challenges associated with this are discussed by the various Farmer Witnesses. The extent of regulatory change is also set out in the Evidence of Kate Scott. Multiple regulatory regimes with overlapping requirements creates uncertainty, duplication and unnecessary cost. In my opinion it is more efficient to allow for the current requirements to be implemented and allow for the benefits to accrue within catchments before pushing ahead with additional regulatory methods when they may not be required and the costs may outweigh the benefits.
75. However, the reverse may also be true in catchments that are degraded. In those circumstances it may be appropriate to implement additional regulatory methods that require more change and at a faster pace than the existing methods to achieve improvements within a tighter timeframe. Although, I also note that in some cases improvements may require significant changes or upgrades to large infrastructure which may require long lead times to fund and complete. The response required is 'horses for courses'.
76. There is also the issue of how much cost farming business can support in a short window of time. For example, compliance with the requirements of Plan Change 8 will require some dairy farms within Otago to spend hundreds of thousands of dollars to construct new infrastructure. That significant capital expenditure will (in some cases at least) limit what other significant changes can be implemented in the

³³ Brief of Evidence of Mario Cardena analyses the economic sustainability of implementing change over time within the Dairy Sector.

³⁴ Brief of Evidence of Mike Lord and Joanna Hay discuss the mental health implications within the rural sector.

short to medium term. Therefore, consideration needs to be given to how implementation can be staged to ensure it can be sustained.

77. To address this, I have recommended the following policy which will require appropriate consideration of the level of regulatory intervention required, and avoid duplication of management of land and freshwater resources across several pieces of legislation³⁵:

LF-FW-P7C Recognise existing regulatory and non-regulatory measures when managing land and freshwater

When determining what methods to use to manage land and freshwater, give preference to the methods requiring the least additional regulatory intervention in the land and water plan, where this will enable progress towards achieving the visions, by:

- a. Staging the implementation of any new regulatory requirements in recognition of the existing costs associated with addressing regulations that are already in force so that the implementation of new regulation can be managed by resource users;
- b. Relying on implementation of Freshwater Farm Plan Regulations;
- c. Avoiding where possible new rules for matters already managed by:
 - i. National Environmental Standards; and
 - ii. Regulations made under the Resource Management Act
- d. Leveraging existing catchment groups or community collectives;
- e. Not imposing new regulatory requirements where water quality is already at the target attribute state;
- f. Establishing trigger points where additional regulatory intervention is required to prevent degradation

³⁵ A full list and explanation of these can be found in paragraph 19 of the evidence of Kate Scott

Policy for active engagement

78. Finally, because the visions will impact the rural communities that live in the FMUs the most and they will have to change the most, we need to ensure that robust engagement with the rural community occurs.
79. The rural sector is a large sector of the Otago community³⁶, and a significant degree of change is likely to be required by the rural community compared to others within the region. Therefore, it is critical that they are actively engaged in the NOF process through the LWP development. The evidence of Mario Cadena is very clear regarding the ability of the dairy sector to sustain the change that may be required by the visions within the timeframes proposed, and the potentially significant losses to the regional economy that may result from a timeframe that is too ambitious.
80. Consultation feedback³⁷ included recognition from the community that there will need to be collaboration between all parties in an FMU to achieve long-term aspirations (landowners, businesses, agencies & Councils) and community feedback through the vision setting was clear that a sustainable approach to resource use was going to be needed.
81. Currently Method LF-VM-M3 recommends that the community should be involved in achieving the objectives and policies but has no real weight. My recommendation is to elevate something similar to this into policy because it will provide greater direction in the preparation of the plans to follow, and have a focus on the level of engagement required with the rural community. In my opinion this would also give better effect to the NPSFM.
82. LF-VM-M3 reads as follows with recommended changes from the s42A report underlined:

³⁶ Brief of Evidence of Benje Patterson

³⁷ Paragraph 93 of the Consultation Report

LF-VM-M3 – Community involvement

Otago Regional Council must work with Kāi Tahu and communities to achieve the objectives and policies in this chapter, including by:

(1) engaging with Kāi Tahu, communities and stakeholders to identify values and environmental outcomes for Otago’s FMUs and rohe and the methods to achieve those outcomes,

(2) encouraging community stewardship of water resources and programmes to address freshwater issues at a local catchment level, including through catchment groups,

(3) supporting community initiatives, industry-led guidelines, codes of practice and environmental accords that contribute to maintaining or improving the health and well-being of water bodies., and

~~(4) supporting industry-led guidelines, codes of practice and environmental accords where these would contribute to achieving the objectives of this RPS.~~

83. My recommended policy is as follows:

LF-VM-P7C – Local community involvement

When developing and implementing planning instruments to give effect to the objectives and policies in this policy statement through integrated management of land and freshwater, Otago Regional Council must actively engage with local communities, at the rohe and catchment level, to:

(1) identify values and environmental outcomes for Otago’s FMUs, rohe and catchments and the methods to achieve those outcomes, including as required by the NOF process; and

(2) develop and implement action plans that may be adapted over time with trigger points where additional regulatory and/or non-regulatory intervention is required; and

(3) at a local catchment level, including through catchment groups, encourage community initiatives to maintain or improve the health and well-being of waterbodies.

84. Giving this engagement requirement more weight through the policy level rather than relying on it as a method, will ensure that ORC can be held accountable for the degree of engagement that is needed with the rural sector.

S32AA ASSESSMENT OF NEW POLICIES

85. To assist the panel in making a decision on these provisions, I have provided a brief assessment of my recommended additional provisions in accordance with S32 and 32AA of the Act.
86. These proposed policy provisions represent a practicable option to achieve the objectives when compared against the provisions included within the PRPS and s42A report (s32(1)(b)(i)). The reasons for this are that:
- a. Without these additional transitional provisions, there is no robust framework to guide the iterative process to allow an evaluation of whether the visions are ambitious and reasonable in terms of both their ultimate goal and the timeframes to achieve them;
 - b. Keeping with the status quo provisions as provided in the s42A report may result in significant costs to the community that are unsustainable if not able to be revisited;
 - c. The provision responding to the need to fully consider existing regulations that are in place, and appropriate non-regulatory options will better achieve the objectives by ensuring the right pathway of actions is chosen that addresses the implementation of regulations such as CFWFPs and encourages non-regulatory methods such as community groups which enable better cooperation between communities, mana whenua and stakeholders to embed changes;
 - d. There is a strong need to ensure that the rural communities are heavily involved in the NOF process and development of action plans. This is

provided through the proposed policy pathway, without it there is a risk that they are simply “consulted” once the NOF process is well advanced which is not consistent with Clause 3.7(1) of the NPSFM.

87. A summary of any additional costs and benefits of my proposed transitional provisions is set out below:

Benefits	Costs
<ul style="list-style-type: none"> • Environmental – on the ground action may occur faster with a focus on supporting non-regulatory methods such as catchment groups • Economic – more ability to plan and prepare for costs associated with change and potential for costs to be reduced through balance of actions (e.g. minimising repetition and focusing on non-regulatory approaches) • Social - local and particularly rural communities are supported in their wider social well-being through better consideration of the sustainability of change and reducing the stress of change. Communities will feel part of the process through active engagement. • Cultural – Cultural outcomes are retained through these provisions 	<ul style="list-style-type: none"> • Environmental – potential changes to the timeframes may delay when visions are achieved • Economic - not including these provisions may result in significant costs to communities and the regional economy due to unreasonable timeframes, doubling up of provisions and overlapping implementation periods. • Social – rural communities are likely to suffer if significant economic costs result in drastic changes and loss of some businesses. An inability to be actively engaged will likely mean communities do not feel connected to the process • Cultural – potential changes to the timeframes may delay identified cultural values being achieved.

88. From an efficiency & effectiveness perspective the transitional policies will be a faster and more cost-effective way of assessing the appropriateness of the visions as more reliable and detailed information about their implementation comes to light through the Land and Water plan processes. Particularly whether the visions are ambitious and reasonable, and determining whether amendments to them are required while still enabling a planning framework that will give effect to the

NPSFM. Appropriate consideration of the level of regulatory intervention required, and avoiding duplication of management of land and freshwater resources across a number of pieces of legislation will also be a more effective and efficient way of giving effect to Te Mana o te Wai framework.

89. The evidence of the Farmer Witnesses indicates that encouraging catchment-based solutions as the 'first cab off the rank' is likely to facilitate faster responses within catchments by incentivising progress (in order to avoid a regulatory 'stick') and enabling catchments to co-ordinate their response at catchment level and farm level through the implementation of Farm Plans etc.
90. There is very little risk of acting through inclusion of these provisions as they do not materially change what is included in the PRPS, do not require any further information to be able to include them and generally reflect what should already occur under the NPSFM. However, the risk of not acting and including these provisions is, as highlighted above, potentially very significant costs to the communities that can't be sustained in the proposed timeframes, and the potential for overlap of regulations that do not result in a better outcome for the health and well-being of waterbodies, and simply add regulatory burden to the resource users. This approach will not create any new environmental risks because they can be managed through 'backstop' regulatory regimes in the event that non-regulatory tools are assessed as inadequate.

OTHER CHANGES TO PROVISIONS

91. Attached in **Appendix 2** is a table of the full freshwater provisions as recommended in the s42A report with my comments suggested changes.

CONCLUSION

92. The key points addressed in my evidence are as follows:
 - a. The process taken to develop the visions has not provided for effective community engagement and discussions with communities about the tensions that might exist in the draft visions and how these might be

resolved or achieved. There is also a lack of any clear understanding of the effects of the PRPS on the social, cultural and economic wellbeing of communities.

- b. I have recommended new process provisions to address these shortcomings and to ensure that rural communities are actively engaged in the NOF process and evaluation of whether the visions are appropriately ambitious but reasonable.
- c. I support the inclusion of a resource use issue as identified through the JWSs from the non-freshwater hearing. To ensure that this is followed through into objectives, I have recommended a new statement be added into the visions with some minor amendments to the policies.
- d. The visions as amended through the s42A report to include the majority of the vision statements at a region-wide objective level is not consistent with the NPSFM and fails to properly reflect the history and environmental pressures of individual FMUs, rohe or catchments.
- e. The need for an iterative process where the visions and timelines can be circled back to is essential, particularly in light of the lack of certain and available information on the degree of change for the visions to be achieved. I have put forward a process provision that will allow for a transition while also promoting the need to consider concurrent regulations and give priority to non-regulatory methods such as catchment groups where these may be as effective, or more effective than additional rules in the future LWP.
- f. Without the provisions I have recommended there is a very real risk of potentially very significant costs to the communities that can't be sustained in the proposed timeframes, and the potential for overlap of regulations that do not result in a better outcome for the health and well-being of waterbodies.

A handwritten signature in blue ink, appearing to read 'Claire Perkins', written over a faint horizontal line.

Name: Claire Perkins

Date: 30 June 2023

Appendix 1: RPS Freshwater Visions Consultation Report



Consultation report:
RPS Long-Term Visions for Fresh Water,
October – November 2020

Prepared by James Adams
Senior Policy Analyst
RPS, Air, and Coast Team
January 2021

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Introduction

1. Over a 5-week span through October and November 2020, ORC staff and councillors presented 23 workshops at 18 centres throughout Otago to discuss visions for fresh water with local communities.¹ These discussions, along with results from an online survey, other feedback, and existing information held by ORC, are being used to develop long-term visions for fresh water in Otago that will be included in the Regional Policy Statement (RPS) as objectives.
2. This consultation report describes why the consultation happened and how the workshops functioned. It then summarises all the information ORC received and explains how it will be used.
3. To avoid confusion, this is a separate process from other community discussions ORC has held, and will hold, about implementing the new National Policy Statement for Freshwater Management 2020 (NPSFM) and the National Environmental Standards for Freshwater 2020 (NES Freshwater). Although there is some overlap in subject matter, the long-term visions for fresh water are part of developing the RPS and, after that, a new land and water regional plan, as opposed to implementation discussions about the immediate practical changes that will occur due to new regulation.
4. Communities will have further opportunities to contribute to land and water regional plan development and participate in implementation discussions.
5. ORC gratefully acknowledges the time and effort taken to contribute to this process by Kāi Tahu representatives, community members, and stakeholders alike.

Why the consultation happened

6. In November 2019, after a s24A investigation report on ORC's freshwater management and allocation functions,² the Minister for the Environment made several recommendations to the ORC to address its Resource Management Act (RMA) planning framework. ORC committed to a work programme to address those recommendations, which included the review and notification of a new Regional Policy Statement (RPS) by November 2020, in order to make it operative by 1 April 2022, in time to guide land and water regional plan development.
7. In September 2020, the Ministry for the Environment released a new National Policy Statement for Freshwater Management (NPSFM). The new NPSFM includes a requirement to develop long-term freshwater visions for each Freshwater Management Unit (FMU) in Otago, or parts of those FMUs if appropriate. These visions need to be included as objectives in the RPS.³ The new NPSFM also now requires community input on FMU boundaries.⁴
8. Prior to the new NPSFM taking effect, creating FMU visions was part of the intended process for developing a new land and water regional plan. The new NPSFM requirement meant that

¹ See Appendix 1

² Peter Skelton *Investigation of Freshwater Management and Allocation Functions at Otago Regional Council: Report to the Minister for the Environment* (Wellington: Ministry for the Environment, 2019)

³ National Policy Statement for Freshwater Management 2020, cl 3.3.

⁴ National Policy Statement for Freshwater Management 2020, cl. 3.7(1)(a)

this part of the process had to be brought forward so that the visions could be included in the RPS. This necessitated extending the RPS work programme to accommodate a consultation programme and vision development. The new notification date, agreed with the Minister, is now June 2021.

What a Freshwater Management Unit (FMU) is

9. FMUs were required under the previous iteration of the NPSFM. ORC had previously established them, within input from iwi, for Otago through agreement in Council (see Appendix 2), though these had not been formalised through an RMA process.
10. FMUs are defined areas for freshwater management in a region. In Otago, the boundaries were established based on several factors, such as similar land uses, similar water quality or quantity issues, hydrological factors and connections between catchments, communities of interest, and existing monitoring and jurisdictional boundaries.
11. The Clutha Mata-au FMU has been subdivided into smaller units, called rohe, to account for the connectedness of the entire Clutha Mata-au catchment while providing for the wide variety of uses, influences, and environments that occur along the river's path.
12. The interconnectedness of freshwater environments means that, while ORC considers the proposed FMU and rohe boundaries are appropriate, it acknowledges there are other reasonable ways these boundaries could be set.

What a vision does

13. The purpose of long-term visions for fresh water is to articulate the high-level community aspirations for fresh water in each FMU to help guide freshwater management. The detail on water management for each FMU – rules, levels, flows, limits and so on - belongs in a land and water regional plan. The vision workshops therefore begin a longer conversation to develop a comprehensive framework for freshwater management in Otago.
14. Though the new requirement delayed RPS notification, it also created opportunity. Placing a community generated vision in the RPS as an objective means regional and district plans must give effect to it, putting community aspirations at the core of freshwater management.⁵
15. The new approach means that community visions will guide the land and water regional plan development process, creating a necessary strong link between the regional plan and the RPS.

The NPSFM sets parameters for visions

16. Visions for the FMUs must reflect and be developed through engagement with communities and tangata whenua, expressing what they desire those areas to be like in the future.⁶ Other main requirements are:
 - the visions need to take account of local history and environmental pressures;

⁵ Resource Management Act 1991 ss67(3)(c) and 75(3)(c).

⁶ National Policy Statement for Freshwater Management 2020, cl 3.3.

- the visions must set goals that are ambitious but reasonable, with a timeframe to achieve them;
- the visions are bound by NPSFM requirements, particularly the te mana o te wai hierarchy of priorities, which may be briefly stated as water health first, human health second, other human needs third.⁷ In application this concept is more nuanced, with significant input on meaning and practice from tangata whenua.

⁷ National Policy Statement for Freshwater Management 2020, cl 1.3.

Consultation methodology

17. Consultation on long-term visions had several strands:
 - a series of community workshops covering all FMUs and Rohe;
 - an online survey;
 - written feedback and face to face meetings with iwi representatives;
 - other submissions or reports received as an adjunct to these processes (such as the Shaping Our Future report, prepared by the Upper Clutha community, which represented a significant amount of research and community consultation).
18. Consultation was also designed to recognise and accommodate connections to the upcoming land and water regional plan development process, and other concerns about ORC's wider work that might arise.

Community workshops

19. Twenty-three community workshops were undertaken over the period 27 October to 26 November 2020 at 18 locations across Otago (see Appendix 1). Workshop attendance totalled 237, excluding Councillors and ORC staff.
20. The Manuherekia Rohe of the Clutha Mata-au FMU was not included in the workshop process, because it was already undergoing its own pre-existing comprehensive process. In addition to broader conversations with the community over the past few years, the Manuherekia Reference Group has been operating for some time alongside a dedicated team from ORC to develop a management regime for that catchment, and the new NPSFM requirements will be wrapped into that process. The work that has previously been done lent itself to the drafting of a freshwater vision for the Rohe which was then subject to consultation online.
21. Three to four staff and 2 or 3 regional councillors attended each meeting. They helped answer questions and facilitate breakout groups.
22. At each venue, maps were available of the FMU or rohe (sometimes multiple rohe were discussed), with some time given over as people arrived for discussion and introductions. A facilitator managed the meeting logistics and timekeeping.
23. Also available were short information sheets prepared by ORC staff, summarising what information ORC currently held about the FMU, including scientific monitoring and trend information. The full version of ORC's most recent State of the Environment Report was also available.⁸
24. Each workshop began with a short presentation to explain why the consultation was occurring, the key concepts and regulations involved, and how the workshop would be run, and was followed by a short question and answer session. This session raised several issues across the meetings that, while beyond the scope of the visions development, will be important for ORC to note and act on.

⁸ Adam Uytendaal; Rachel Ozanne *State of the Environment Surface Water Quality in Otago 2006 to 2017* (Otago Regional Council: Dunedin, 2017)

25. The workshop then broke into smaller groups for interactive discussions about aspirations for freshwater in the FMU. Each group was assisted by an ORC facilitator. A worksheet was used (fig. 1) to help facilitate discussion and record ideas. As well as recording community members' long-term aspirations, this also helped with setting out the pathway to reaching long term goals with more specific short- and medium-term goals the community considered important.
26. The worksheet's second column included a series of prompts for discussion, drawing on values identified in the NPSFM. The priorities row was included to facilitate a further prioritising exercise that was proposed, but not used as part of the final workshops.
27. Each group member was then given 5 sticky dots, which they could use to identify the 5 issues or visions their breakout group had discussed that they considered to be the most important. They also had the option of putting multiple dots against a vision or idea if they considered it particularly important.
28. Finally, each breakout group fed back a summary of its worksheet to the workshop as a whole.

		Short term (5years)	Medium term (5-20years)	Long term (20+ years)
Environment	Water quality Water quantity Habitat Aquatic Life Ecological Processes Threatened Species Natural Character			
Cultural / Social	Human contact Fishing Drinking Water Supply Heritage Passive Recreation / amenity			
Economic	Hydroelectric Power Generation Irrigation, Cultivation & Food and Beverage Production Commercial / Industrial use Research values			
Priorities				

Figure 1: Worksheet used for Long-term freshwater vision workshops

29. The NPSFM requirement to establish timeframes for achieving visions was standardised on the worksheets into short (< 5 years), medium (5 -20 years) and long term (>20 years) time frames. Given the broad concepts being discussed and the ultimate goal of creating RPS objectives, staff considered this approach struck a reasonable balance by addressing a level of detail oriented to the level of discussion while setting up a framework for achieving goals as the NPSFM requires.

30. Through the introductory presentation, staff noted the council's proposed FMU and rohe boundaries, and asked attendees to consider whether any change was required.
31. The workshop period was followed by a short email survey to participants to gauge responses to the process. Feedback received during this process will be used to help inform future engagement processes, particularly as it relates to the development of a land and water regional plan.

Online Survey

32. As a parallel process to the community workshops, ORC ran an online survey using Your Say (see Appendix 3). The survey was constructed using the worksheet as a guide to encourage a consistency in the level of detail as to that collected during the workshops.
33. ORC received 216 individual online survey responses (the feedback period ran from 20 October to 27 November 2020).
34. As mentioned previously, community workshops were not undertaken for the Manuherekia Rohe; instead a draft vision was prepared and feedback was sought via an online survey.

Iwi consultation

35. ORC had ongoing discussion with Kāi Tahu through Aukaha and Te Ao Marama Inc, on behalf of affected runaka in Otago and Murihiku. Iwi elected not to attend the individual workshops, preferring to respond separately in a format that suited the values and concerns they wanted to express.
36. Aukaha provided feedback from their runaka on general principles for all the visions, as well as some specific points on each FMU. Te Ao Marama, on behalf of their respective runaka, provided specific feedback by FMU.

Other responses

37. ORC also received a further 10 written responses separate to the online survey process. Some stakeholders preferred to provide feedback as a traditional paper or letter, providing greater scope to discuss a range of issues.

Feedback Summary

Processing the data

38. Through the various channels of feedback, ORC received a considerable amount of information.
39. The information was processed using a qualitative research software package (Atlas.ti), designed for analysing qualitative data.
40. All information received was tagged and collated into the FMU and rohe consultation summaries provided later in this report. For the purposes of vision development, staff focussed on responses to the 20-year time frame, while taking note of shorter-term goals.
41. The information provided for aspirations in the short and medium term will be more thoroughly analysed and utilised as part of the Land and Water Plan development process. As mentioned earlier, the RPS and a land and water regional plan need to work in sequence to facilitate a cohesive land and water management regime. These visions discussions and the information gathered are contributing to this process.
42. Information received that did not belong in the visions process, but was nonetheless valuable to ORC operations, was summarised and raised with ELT to be addressed through internal council processes.

Methodology

43. ORC processed the information using the following methodology:
 - a. Developing a way to categorise the information which helped relate feedback to NPSFM requirements;
 - b. Initially inputting and analysing data based on those categories, and then expanding the categories to account for the feedback received, with a focus on long term (>20 year) considerations;
 - c. Capturing community views on impacts and actions to inform the future development of the Land and Water Plan;
 - d. Identifying key themes across categories and creating a series of consultation summaries for each FMU or Rohe.
44. This approach allowed for consistency across multiple analysts, using both the Atlas.ti software and a unified structure.

What we received

45. The following section summarises the information ORC received through consultation for each FMU or Rohe, based on the methodology described above.
46. The Clutha Mata-au FMU as a whole is not represented, being the summation of the rohe summaries.
47. In each summary, the “Local Context” section describes the way communities see their respective areas and the things that matter to them. It notes some of the key issues raised, and some of the actions people would like to see taken. These elements will inform the visions and are also important to the ongoing development of the Regional Freshwater and Land Plan.
48. The “Long term aspirations to inform freshwater vision development” collates the main goals and visions that came through for each FMU or Rohe. These will have the most influence on the visions’ content. Note that, because the final vision statements will be high level, they may not address all these points directly, or use the same language. They will be informed by the range of feedback received and should reflect the spirit of the range of visions the community has put forward, in the context of NPSFM requirements.
49. Note the section on the Manuherekia Rohe is slightly different in format, as it is undergoing a modified process, as described earlier.

General principles

50. Key themes that appeared across all feedback were
 - fish passage in the Clutha Mata-au FMU;
 - reducing or eliminating stormwater and wastewater discharges to freshwater, and eliminating direct discharges;
 - fit for purpose monitoring;
 - protecting native species and habitat;
 - a need to rethink activities in both urban and rural areas to ensure Otago’s freshwater environments remain healthy;
 - finding ways for communities to retain their integrity and prosper within the envelope of environmental health.

Iwi values

51. FMU specific points are captured in the FMU and Rohe summaries below; however, there were clear general principles in iwi feedback:
 - recognising and honouring te mana o te wai and upholding the mauri of the wai;
 - increasing areas and populations of indigenous biota;
 - connecting biodiversity corridors;
 - restoring flows in waterbodies impacted by abstraction;
 - protecting native fish from the mortal impact of hydroelectricity infrastructure;
 - sustaining the connection of mana whenua with Otago’s water bodies, through recognising rakatirataka and enabling exercise of kaitiakitaka

- providing for practice of mahika kai and other mana whenua aspirations as land and water users;
- enabling mātauraka regarding freshwater and the resources it supports to be retained, kept alive and transferred to future generations.
- no further loss of values;
- ki uta ki tai (mountains to sea) management – treating waterbodies as a whole system;
- restoration achieved within a generation.

Consultation feedback summaries by FMU

Upper Lakes Rohe⁹ (part of the Clutha Mata-au FMU)

52. The following collates community views on the long-term freshwater vision for the Upper Lakes Rohe, which ORC received principally through community workshops at Queenstown and Wanaka, online surveys, and the Shaping Our Future report, mentioned earlier. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

53. Communities in the Upper Lakes want clean and functioning waterbodies that contribute to a healthy environment, social opportunities, and economic stability. Being able to fish, swim in, and drink the pristine water are valued recreational opportunities and economic attractions. Many respondents saw preserving both the natural character and outstanding water bodies as a shared responsibility across communities, local government, and economic entities, to ensure the source lakes of the Clutha River are kept pristine for future generations.
54. While the lakes are generally considered pristine with significant natural character, several respondents were concerned that current monitoring was not capturing the full picture, especially for water quality at the lakes' edges, where human use impacts are highest. Some noted a perceived decrease in native birds and fish, such as the common bullies around the Wanaka lake edge and called for improvement in monitoring and water quality.
55. There was also widespread unease among respondents about the impacts both tourism and subsequent urban growth were having on local water and wastewater infrastructure, and the surrounding environment. The community was particularly concerned that urban growth will degrade natural outstanding landscapes and waterways, and the increased pressure on already strained water infrastructure will lead to impacts on water quality.
56. Pest species such as didymo and lake snow are also causing water quality issues which affect the environmental, social and, ultimately, economic functions of the water bodies. Valuing, restoring, and enhancing the natural environment and native ecosystems are considered key drivers for securing social and economic prosperity.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none">• Freshwater environments reflect their natural state, supporting thriving endemic bush cover and native habitat that is home to a high density of native birds and fish, ensuring no native species are endangered.• Pests are significantly reduced, or eradicated, particularly lake snow and didymo, and endemic native species are the first choice for riparian planting.
Social/Cultural	<ul style="list-style-type: none">• Water bodies are swimmable, and drinkable without treatment, safe for fishing and mahika kai.

⁹ See glossary

	<ul style="list-style-type: none"> • Urban growth and land use are managed to fit within environmental capacities for ongoing ecosystem health, allowing rivers the freedom to move and change naturally. • Water management recognises the strong ties and affinity to the area for many people of different backgrounds, and the need to retain the aesthetic values that underpin them. • All water users share responsibilities and opportunities brought by a pristine environment, with environmental care and low-impact living as intergenerational core values. • An engaged, informed, and knowledgeable community.
Economic	<ul style="list-style-type: none"> • Economic use focuses on best practice, minimising environmental impact and recognising healthy freshwater ecosystems as vital to economic activity.

Dunstan Rohe¹⁰ (part of the Clutha Mata-au FMU)

57. The following collates community views on the long-term freshwater vision for the Dunstan Rohe, which ORC received principally through community workshops at Cromwell, Arrowtown, and Wanaka, and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

58. Respondents consider the Rohe to have good water quality and special natural character and want to maintain this into the future. The Wakatipu Basin community was concerned about the state of Lake Hayes and plans for improving quality in the lake. Good water quality underpins agriculture (in particular horticulture and viticulture) and tourism, which are key economic drivers. People wanted to see native species back in the rohe, particularly tuna.
59. Pests were identified as a key threat to habitat quality and the economy, particularly wilding pines and lake weeds. Community members were also concerned about the impact of trout and salmon on native fish, especially tuna.
60. To preserve local ecology and water quality, land uses need to be appropriate to the climate, soil types, and resources available, and have appropriate infrastructure servicing them. There was general concern about how climate change will exacerbate adverse effects. Farm Environment Plans were identified as a useful tool, provided they are implemented and audited properly.
61. Respondents emphasised the need for good information about water quality, quantity, and hydrology. They considered monitoring and data is not currently good enough to determine an environmental baseline, and therefore can't provide for adequate management. The monitoring network needs to be fit for purpose.
62. There was a sense that urban communities needed to better understand urban effects on water and be responsible for them. Urban waste, stormwater, and silt run off were raised as particular issues. Rural respondents also wanted rural residential development confined to non-productive land.
63. Community resilience could be enhanced through flexible consenting that provides for actual needs for water (particularly for horticulture, which has variable use across years), support for on-farm water storage in feasible places, and small-scale energy production. Some respondents saw water spilt through the dams as a potential source for harvesting and storage.
64. The community saw improved relationships as key to addressing existing issues, supported by a more transparent regulatory process and more collaboration between agencies on common tasks, making it easy for people to do the right thing. Some communities in the Dunstan Rohe have been independently discussing the future for their part of the area, with groups like Shaping our Future developing community visions. They want to see community led decisions supported and implemented by regulatory agencies.

¹⁰ See glossary

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none"> • Rivers, lakes, and their margins are restored and maintained to reflect their natural state, providing a safe haven for flourishing native species, free from pests, and providing ecological services from run-off control to climate change resilience. • The rohe remains attractive; clean and green is a reality, not just a tagline. • Waterways are safe for swimming and drinking, and support the range of environmental and human needs, with substantial riparian areas minimising sediment and nutrient run off. • Flows reflect rivers' natural behaviour, providing ample fish habitat and resilience to climate change effects, with water available for harvesting and storage.
Social/Cultural	<ul style="list-style-type: none"> • Implementing te mana o te wai provides for threatened species, restores mahika kai, and underpins the essential long-term partnership between pakeha and takata whenua. • Trout and native fish are provided for, including a healthy eel population suitable for harvesting. • Sustainable drinkable waterways and lakes. • Otago is a recreation destination for locals and visitors, with all water safe for swimming. • ORC actively facilitates efficient water harvesting for long-term water reliability.
Economic	<ul style="list-style-type: none"> • The area is recognised as the world's best producer of fresh produce and wine, underpinned by excellent water quality, the right activities in the right places, and well managed infrastructure, sustainably supporting economies and communities. • Otago is recognised as a world tourist destination, with tourism managed to be within infrastructure capacity and provide economic and environmental benefits for local communities.

Manuherekia Rohe (part of the Clutha Mata-au FMU)

65. As mentioned previously in the report, the process for consulting on the Manuherekia vision was different to that which has been undertaken on the remaining FMU and Rohe. This was due to previous consultations on the values and aspirations for the Rohe in 2019. The feedback from the previous consultation enabled a draft vision to be prepared, and feedback sought directly on that vision.
66. Below is the draft vision which was the subject to online consultation across the consultation period:

“Within the Manuherekia Rohe the health and mauri of freshwater ecosystems is prioritised, whilst achieving and sustaining the social, economic and cultural wellbeing of mana whenua and communities through:

- river and tributary flows and water quality that sustain ecosystem health.
- healthy habitats of all freshwater and avian species;
- no species endemic to the Rohe being in the threatened category;
- all wetlands being highly functioning and protected; and
- sustaining the naturalness and distinctiveness of the waterbodies, their margins and surrounding landscapes;
- Connections between the health of freshwater and the wellbeing of mana whenua and the community are recognised and celebrated.

This will be achieved by ensuring:

- By 31 December 2025, an enduring water management regime is in place, which supports restoration of degraded ecosystems and climate change resilience, through efficient water use, best practice land management and enabling adaptive management; all remaining wetlands and the braided river character in the upper catchment are protected.
- By 2040, water quality and flows sustain a healthy ecosystem, water is suitable and safe for contact recreation, drinking water supply, and access to mahika kai, which supports the visibility of Wāhi Tūpuna and mana whenua connections
- By 2050 the river and tributary flows and water quality have been restored, land uses have adapted or changed to reflect the new water management regime.”

Feedback received

67. The following collates the feedback received on the draft vision.
68. Water in the catchment supports several highly valued and often competing values. Feedback received across the board covered both a desire to see a strengthening of the environmental bottom line and tightening of timeframes to achieve such and a greater focus on enabling the use of water and the economic value it plays in supporting the community. There was also feedback that the river was in good health now and that nothing needed to change.
69. Many in the community felt the economic value and desired outcomes of the community were not appropriately covered in the draft vision. Of particular importance was a secure and reliable supply of water for irrigation; equity between users; more efficient use of available

water; increase to irrigated area and ongoing support for the tourism industry. A stronger representation of the community within the vision was desired by some respondents.

70. Feedback also acknowledged some of the tensions within the draft visions, such as protecting and encouraging native species to thrive, whilst providing for the healthy habitats of avian and freshwater species and sought clarification within the vision to address this concern.
71. There was general support for achieving and sustaining drinkable and swimmable water, and access to mahika kai. Although there was some debate over the appropriateness of the timeframes set, with a number of respondents believing them to be too long, and wanting to see achievement sooner, with a concern being expressed that if we take too long it will be too late for improvements. Additional detail to specify outcomes within the timeframes was supported, as was further clarification on the use of “restore”, with the question being posed, what are we restoring to?
72. The integration of land use and the health of the water was supported in the vision, but that this should be at such a level not to constrain future policy direction within the Land and Water Regional Plan to determine what that would look like for this rohe.

Roxburgh Rohe (part of the Clutha Mata-au FMU)

73. The following collates community views on the long-term freshwater vision for the Roxburgh Rohe, which ORC received principally through community workshops at Clyde and Roxburgh, and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

74. Respondents largely perceived water quality and quantity to be good. Some community members suggested that there are untapped water resources that could be more efficiently utilised to support both the communities and economy. There was concern about upstream discharges and the lack of information available about causes of water quality issues.
75. Communities felt that the biodiversity in waterways was currently good and it should be the communities that are responsible for keeping these levels stable. This was also the case for natural character.
76. In some cases, modified areas were valued as much as unmodified areas, for example, the ecology and natural character associated with the dams. Some respondents viewed the notion that the environment be returned to a specific point in history as unreasonable and arbitrary.
77. Large scale hydroelectricity generation was acknowledged as important, however there was opposition to increasing the amount of large-scale damming.
78. Food production is a vital part of the Roxburgh Rohe's local economy. Having flexibility to develop innovative, adaptable, and efficient irrigation schemes is highly valued, and allows the community to continue irrigating within environmental limits. Community level research was encouraged to support a 'ground up' approach to understanding local needs. Combining information and education with regional experts and monitoring data would facilitate greater partnership between the ORC and the community to produce tailored and effective outcomes for water management.
79. There was also a discussion about the boundaries for the Roxburgh Rohe, and there was some confusion about why Roxburgh Township was not included. The current boundaries have Roxburgh township in the Lower Clutha Rohe.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none"> • Communities are connected to, and responsible for, thriving and biodiverse ecosystems in partnership with the ORC and across generations. • Stable natural character integrated with realistic and beneficial enhancements. • Clean potable water available for recreational and economic uses, free of sediment. • Efficient, affordable, and secure water supplies to ensure supportive productivity.
Social/Cultural	<ul style="list-style-type: none"> • Water is drinkable and free of water-soluble pollutants and other discharges across generations.

	<ul style="list-style-type: none"> • Healthy numbers of trout and other valued species are present in the waterways for continued recreational fishing. • Water is freely accessible for everyone. • Communal sense of connection to the land and investing into the wellbeing of the environment for economic and social stability. • Everyone has continued access to clean waterways suitable for recreational fishing, swimming, and kayaking. • Resilient, efficient, and secure water stores. • Water treated as taonga, meeting Iwi aspirations for wāhi tapu.
Economic	<ul style="list-style-type: none"> • Food Production: Food producers in the Roxburgh Rohe are recognised as world leaders in environmentally ethical, profitable, and efficiently sustainable food production. • Large scale hydroelectricity generation remains stable. • Irrigation is adaptable, innovative, efficient, and integrated. • Expert and community level research and monitoring data is integrated with community action and education for best practice water management.

Lower Clutha Rohe¹¹ (part of the Clutha Mata-au FMU)

80. The following collates community views on the long-term freshwater vision for the Lower Clutha Rohe, which ORC received principally through community workshops at Ettrick, Tapanui, Balclutha, Roxburgh, and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

81. Respondents considered that the water quality was good and well maintained by those who use the water. It was accepted that most waterways were drinkable and swimmable and therefore the visions should reflect the desire to maintain current water quality.
82. The community suggested better monitoring, research, and data transparency is needed to determine the natural baseline for water quality and defining more precisely whether and where water issues exist. ORC could then target problem areas with tailored regulatory or non-regulatory approaches, alongside community education.
83. Community members were generally concerned about sewage and other discharges from upstream urbanised areas. They considered urban areas need to understand the effects of urban discharges and take responsibility. It was suggested that education would greatly improve both water quality and rural-urban relationships.
84. Food production is considered the life blood of the community, contributing to local and national identity and economy. Access to water for irrigation is integral to enabling communities to continue farming across generations. Respondents saw family run farms as custodians of the land and were concerned about any changes that would favour a move to an impersonal, corporate approach.
85. Several respondents suggested that flushing by the dams could be coordinated with the need to take and store water lower down the main stem, to increase efficiency of water use.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none"> Waterways have healthy, functional, and beautiful biodiverse ecosystems across pest free environments. Attractive and stable natural character integrated with functioning biodiversity. Future generations have access to reliable and sustainable potable water supplies. Widely accessible and adaptable water supplies for both the community and economy in the face of hazards and climate change.
Social/Cultural	<ul style="list-style-type: none"> Future generations have easy access to safe, secure, swimmable, and drinkable waterways. Iwi have access to flourishing mahika kai sites. Abundant recreational fishing species and access to recreational fishing.

¹¹ See glossary

	<ul style="list-style-type: none"> • The ORC and local communities working in true partnership to achieve water quality outcomes.
Economic	<ul style="list-style-type: none"> • Robust, resilient, and growing intergenerational farming economy supported by research and best practice. • Stable hydroelectricity power schemes working with the local communities for efficient use of water. • Widely utilised and efficient irrigation schemes for food production. • Farming practices improving the water quality through operation. • Transparent and targeted water quality monitoring reports for the community supported by education facilitated by the ORC.

North Otago FMU¹²

86. The following collates community views on the long-term freshwater vision for the North Otago FMU which ORC received principally through community workshops at Oamaru and Palmerston and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

87. North Otago FMU communities were concerned about water quality, in particular the Kakanui and its estuary. Respondents generally agreed that water quality should at least be maintained, and ideally improved across the FMU. Memories of swimming, fishing, and collecting mahika kai in rural rivers were common, as was people's desire to enable their children to do the same. Respondents also recognised that each river and catchment would need a bespoke approach, and that people would need to work collaboratively to achieve that.
88. Identified drivers of poor water quality included urban storm water, forestry, and lack of fencing of waterways. Suggested solutions included investment in storm water and sewerage infrastructure along with improved planning and regulation of forestry activities and fencing and revegetation of riparian areas and wetlands.
89. Some respondents were satisfied with current biodiversity health, though many were not. All wanted to see thriving biodiversity and healthy aquatic habitats maintained or improved. Proposed approaches included riparian planting, community education, and supporting landowners to identify, plan and manage biodiversity on their property. Trout present an issue, both having recreational value and posing a threat to native fish species.
90. Feedback showed that agriculture plays a key role in North Otago FMU's economy, making certainty of access to water vital, especially as climate change is expected to make the FMU drier. Irrigation was raised as key to future success.
91. Some community members noted that climate change could provide opportunity for diversification. This included land use practices suitable for a dryer climate and high value recreation development. The latter would rely on good water quality and healthy biodiversity.
92. Feedback provided various suggestions to ensure economic use could co-exist with environmental, social, and cultural values. General suggestions included improved use efficiency, water storage and practices to improve water retention and soil quality. Other points raised included maintaining and further developing irrigation infrastructure, identifying and protecting high value agricultural land from urban development, investing in technology for agriculture, and managing land use to ensure the right activities occur in the right places (e.g. forestry, dairying).
93. Data collection and monitoring were identified as important for all aspects of management – cultural values, water quality and quantity and biodiversity. Respondents considered that achieving long term aspirations will require more collaboration between all parties in the

¹² See glossary

FMU- landowners, businesses, agencies and councils, and more integration of policy, regulation, and spatial planning.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none"> • Biodiversity in North Otago is flourishing - habitats have been maintained and enhanced; rivers and waterways are healthy and can support sustainable recreational fishing; biodiversity needs are considered in each catchment and in farm planning. • North Otago ecosystems are resilient, and their condition has been improving through careful stewardship and sustainable approaches to management. • The natural character of North Otago is maintained. • Management of catchments and water resource uses ensures that all water meets water quality standards. • All water is managed sustainably and there is clarity and transparency in access and administration.
Social/Cultural	<ul style="list-style-type: none"> • Community water access is maintained. • North Otago water heritage is recognised and maintained. • Mahika kai is understood by the community and lwi access is maintained • Recreational fishing is enhanced in larger waterways. • A resilient and sustainable North Otago where development is sustainable and considers future generations. The North Otago community is resilient, capable and works together. • The North Otago community is thriving and growing.
Economic	<ul style="list-style-type: none"> • Long term sustainable farming systems and practices support a thriving economy. • Freshwater and marine fisheries are ecologically sustainable. • Irrigation is developed, managed, and maintained to support a sustainable economy. • North Otago has a culture of innovation based on its unique value proposition. • North Otago has a vibrant economy which is connected to the region; the economy is supported by a balance between the economic uses and social values of water. Development is sustainable and considers future generations. • Tourism is a high value contributor to North Otago's economy.

Taieri FMU

94. The following collates community views on the long-term freshwater vision for the Taieri FMU, which ORC received principally through community workshops at Ranfurly, Middlemarch, Mosgiel and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

95. The Taieri FMU is home to threatened species of Galaxiids, which the community wants to retain. Challenges will include retaining trout, which, despite being a threat to Galaxiids, are still valued for recreational fishing. Didymo was also considered a significant problem for both biodiversity and water quality, and these conflicts require creative ecological solutions.
96. Communities valued the FMU's unique and distinct natural character, including the scroll plains, wetlands, rocky outcrops, and Sutton Salt Lake. These are unique features and will need unique management approaches to maintain them for future generations to enjoy. There was strong opposition to forestry in the Taieri FMU, as a threat to natural character and agriculture.
97. Agriculture is the primary economic driver in the Taieri, and the communities want to see it remain this way across generations. Irrigation ensures the stability of agricultural practices, so needs to be resilient to climate change.
98. Respondents saw several initiatives as possibilities for securing their future. Water storage will be important to secure water supply and support adaptation to climate change and other hazards. Flood protection, and wastewater and water supply infrastructure improvements were seen as logical solutions for inevitable population growth. Small scale hydropower generation and other renewable energy sources could also help make farming practices more sustainable and increasingly economically viable, although the current cost associated with small scale hydroelectricity generation makes it unfeasible.
99. Monitoring and data transparency were key themes in feedback. Some suggested improving water education for the community to increase engagement on water issues across rural and urban populations. Rural and urban populations need to share responsibility for water health.
100. Across the consultation meetings it became apparent that the Taieri is made up of unique and distinct areas that may require different management approaches within the Freshwater Management Unit.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none">• Thriving and diverse ecology integrated with attractive riparian zones across a pest free environment.• The unique natural character and features of the Taieri are beautiful and valued, continuing to contribute to the community sense of place.• Local water quality remains pristine and resilient across generations, free of grey and black water discharges.
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	<ul style="list-style-type: none"> Secure and reliably stored water available for the community and economic needs.
Social/Cultural	<ul style="list-style-type: none"> Accessible, resilient, and valued water stores that are integrated with well-functioning infrastructure to meet the needs of an increasing population. Community can continue to freely access recreational fishing. Waterways continue to be accessible, swimmable, and drinkable across generations. Communities across ages, diversities and users who are well engaged with catchment management in partnership with the ORC. Communities have a healthy sustained connection to their waterways and both Mahika Kai sites and Wahi Tapu are understood, thriving, and protected for Iwi.
Economic	<ul style="list-style-type: none"> Agriculture remains the primary economic driver for the Taieri across generations who utilise sustainable, prosperous, and adaptable agricultural practices. Hydroelectric power, including other renewable energy sources, is widespread and utilised for innovative, renewable, and sustainable farming practices. Irrigation is climate change resilient and carried out efficiently and with best practice. Waterways are monitored to establish tailored targets, and communities have access to education based on transparent water data.

Dunedin & Coast FMU

101. The following collates community views on the long-term freshwater vision for Dunedin and Coast FMU which ORC received principally through community workshops at North East Valley, Orokonui, Milton and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

102. Many Dunedin & Coast FMU community members felt a connection to the area's natural character and diversity, such as the harbour, peninsula and coastal areas, and their associated natural, social and cultural values, while acknowledging the complexity inherent in managing these alongside the activities necessary to support a growing urban area. This drove a desire to maintain and protect water quality, including connected aquatic and estuary ecosystems, and biodiversity and kai species such as whitebait, eels, and lobsters. Several felt the long-term goal should be to restore the riparian habitats and biodiversity to as close to "yesterday" as possible. Others considered it more feasible to aim for functional and healthy networked habitats and ecosystems with good water quality ki uta ki tai.
103. Community feedback indicated concern about maintaining access to swimmable and drinkable water and to mahika kai. Urban and industrial discharges into urban waterways such as Kaikorai Stream, and the cumulative impacts of these, were mentioned as particular concerns, as was the plan to develop a landfill site on Otokia Creek. Some residents living close to river mouths were concerned about low flows resulting from over-allocation upstream and considered that minimum flows need to be established. Several people also noted the councils' role in providing quality recreation facilities, such as bike tracks, to support people's connection to the environment.
104. Suggested improvements included planning infrastructure to meet population growth needs with minimal impact and controlling land use, for example protecting highly productive land, controlling carbon farming, preventing further irrigation development, encouraging sustainable rural land uses and improving forestry regulation. Some respondents suggested that, to encourage water being properly valued and efficiently used, people should pay for the water they use.
105. Hydroelectricity was discussed with some members of the community continuing to favour it as a sustainable source of energy while others preferred developing alternative sources like wind.
106. Some people called for more data to better inform future management. They considered better information was needed to understand the sources of water quality issues and effects of current actions, and to identify baselines. Cultural mapping was also raised as important to good management.
107. Several respondents wanted a catchment framework and more regular engagement and information sharing to foster stewardship and a shared understanding of issues and solutions, as well as guidance on topics like restoration, weed control, and flood mitigation. People also said councils needed to work better together, with other agencies, and with the community to manage environmental concerns, such as the impact of trout on native fish and heavy metal

poisoning from gunshot in estuaries, and provide integrated approaches to, for example, pest management.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none"> • Biodiversity and habitats are thriving from the mountains to the sea - and are protected, enhanced, connected, and restored. Waterways are healthy and accessible and native fish are protected from introduced fish. • Mahika kai is sustainable, safe, and accessible. • Natural character of Dunedin is maintained. • Stewardship by everybody means that future generations have reliable access to sustainable quality water supplies. • Allocations are sustainable and water flows approximate natural flows which support a functional ecosystem. There is stewardship of water. • Long term stewardship approach prevents cumulative impacts.
Social/Cultural	<ul style="list-style-type: none"> • Future generations have easy access to safe, secure, swimmable, and drinkable waterways. • Sustainable mahika kai – with access for all. • Recreational fishing is sustainable. • Communities are empowered and engaged across generations to share and address problems in integrated and holistic way in catchments. We all know about and take responsibility for the health of the catchment; healthy environment provides for healthy people. • Rivers swimmable and drinkable, but lower priority than ecosystem health.
Economic	<ul style="list-style-type: none"> • Farming contributes to the local economy. Highly productive land is protected, and lifestyle blocks are restricted to marginal land. Costs of externalities are factored into prices and regulation is workable for all landowners. Opportunities for high value production are explored and supported. • Hydroelectricity generation schemes are sustainable, renewable, and low impact. • Population growth is supported by sustainable, efficient, and renewable infrastructure development. • Irrigation is maintained to support balanced regional wellbeing.

Catlins FMU

108. The following collates community views on the long-term freshwater vision for the Catlins FMU which ORC received principally through community workshops at Owaka and through online surveys. It summarises the range of long-term aspirations participants provided and seeks to reflect the context given for local views and preferences.

Local context

109. People considered maintaining water quality in the Catlins FMU was vital to ensuring a long future for key community values such as fishing, mahika kai and recreational water pursuits such as swimming and kayaking. Community members considered some improvement in water quality was needed and could be supported by investing in proper infrastructure such as sealed roads, constructing flood prevention structures, and regulating forestry to minimise sedimentation.
110. Many people saw maintaining the FMU’s unique natural character and natural and rural landscapes as an important long-term objective, with potential to drive economic growth through tourism. This went hand in hand with maintaining biodiversity, including natural vegetation and iconic threatened species such as yellow eyed penguins. Some community members did note the negative impact of sea lions and seals on habitats and fish populations.
111. Actions proposed to support these values included planning appropriate sites for development so that the landscape is preserved, maintaining heritage values, and carefully managing tourism’s negative impacts (e.g. freedom campers) to minimise impacts on the local community. Access to drinking water supply at Owaka would also need careful consideration under growth scenarios.
112. Proposed approaches to support biodiversity included weed control, riparian protection, farm planning and an integrated approach to possum control on both private and public land. Guidance on best practice land management was seen as something that would benefit biodiversity in the long term. The community wanted better knowledge about how to manage threats to yellow eyed penguins and broader community education about threatened species.
113. The community values the FMU’s rural character and would largely prefer to maintain the agricultural base for the economy. This will require planning to manage extent and location of urban development, along with control of forestry development.

Long-term aspirations to inform freshwater vision development

Environmental	<ul style="list-style-type: none"> • Healthy ocean ecosystems, including fish populations; citizen science is part of research. • The amazing and unique natural character of the Catlins is maintained for children of the future and is accessible. • Water quality maintained and improved. • Water quantity will be sustainable and sufficient for both humans and ecosystem function.
Social/Cultural	<ul style="list-style-type: none"> • Recreational food gathering (mahika kai) is sustainable.

	<ul style="list-style-type: none"> • Heritage sites recognised and better used for education and raising awareness. • Community access to fishing is maintained. • Human economy sits within a sustainable ecosystem.
Economic	<ul style="list-style-type: none"> • Farming by NZ families is maintained as an important part of the regional economy. • Zero carbon economy.

Other feedback

FMU boundary changes

114. Workshop participants and people responding to the online survey were also able to comment on the FMU and Rohe boundaries. Feedback suggested some potential alterations:
- Extending the Roxburgh Rohe below the Roxburgh dam and including the township of Roxburgh as well as the lake,
 - Moving the boundary between Upper Lakes FMU and Dunstan FMU up to Lake Hawea's outlet, so that the Hawea River becomes part of Dunstan FMU along with the Kawarau and Upper Clutha Mata-au.
115. ORC is considering these changes and will release the finalised boundaries as part of the notified RPS in June 2021.

General issues arising from consultation

116. Although the primary goal of the survey and workshops was to gather information for constructing FMU visions, and leading the initial work on the Land and Water Plan, they also provided an avenue for more wide ranging feedback and discussion about the ORC's performance, role and functions. Across all discussions and responses, several consistent themes emerged:
- ORC could improve internal information sharing so groups are more aware of each other's work, and to ensure community members get the help they need without hassle;
 - ORC needs to improve its engagement processes to ensure Otago communities are up to date with ORC's activities and so that ORC keeps abreast of community needs and concerns;
 - Consultation processes need to allow time for people to be properly engaged, consider issues and respond fully;
 - ORC's monitoring network needs to be improved to meet community information requirements and support good environmental management;
 - There is a lack of understanding between rural and urban communities in Otago, and ORC can play a role in improving this through education, information, and more consistent engagement.

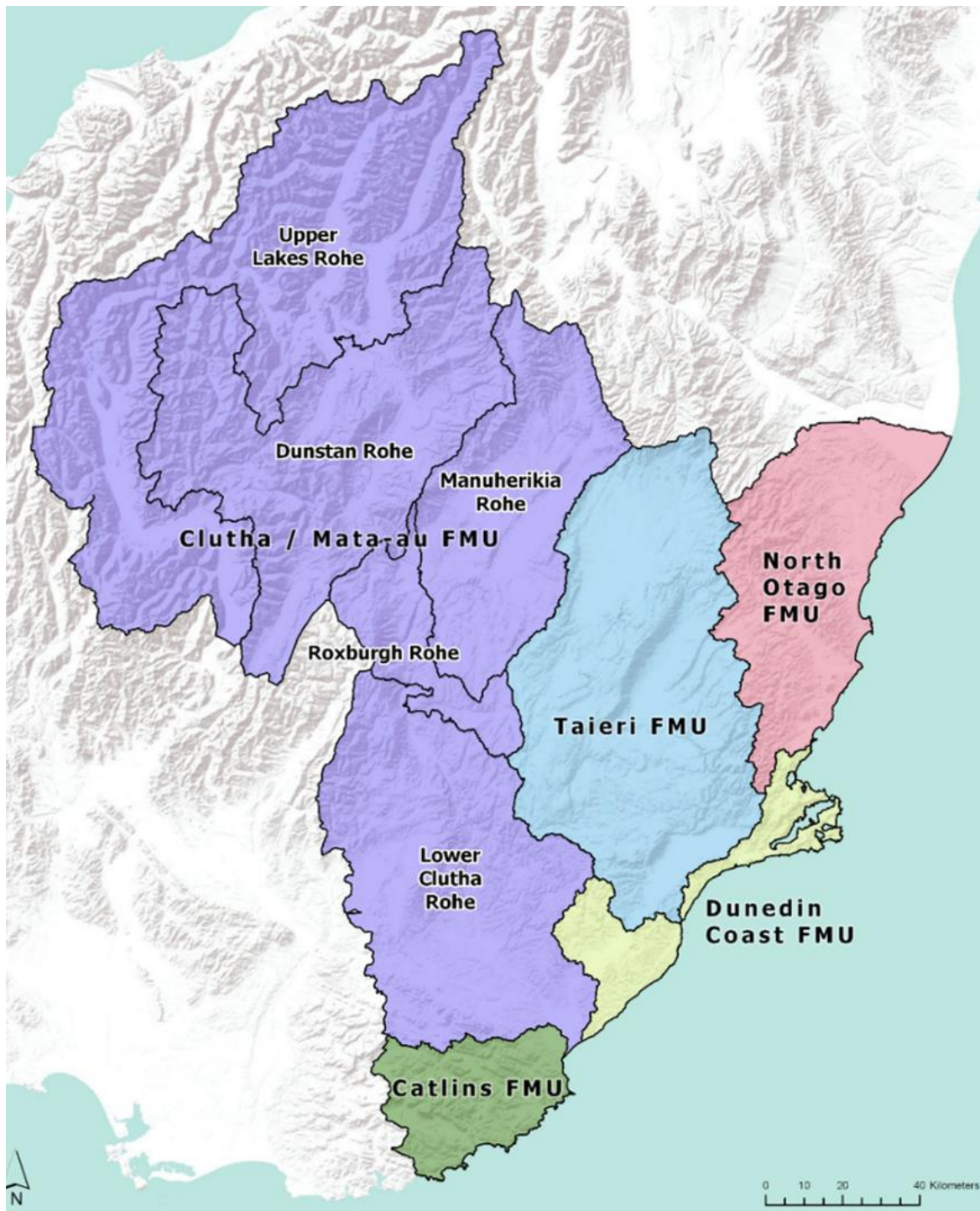
Where we go from here

117. ORC will use the information collected from this consultation process to create vision statements for each FMU and Rohe, which will be inserted in the RPS. Communities will be able to respond to those visions, and everything else in the RPS, when it is notified in June 2021.
118. Visions distil a range of values, aspirations, and thoughts, into relatively brief and broad statements about future goals. While the visions development process will draw on all the information collected, the focus will be on communities' long-term aspirations, combined with scientific data the ORC holds, and the NPSFM's requirements. While the exact language and expression the community has provided may not appear in the visions, the final draft versions should still reflect the spirit and intent of community feedback.
119. The consultation process has provided a wealth of feedback that goes beyond the brief of a vision statement or in some cases, beyond the scope of the RPS, especially concerning specific issues, concerns, and short-term actions. This feedback will help to guide development of the Otago Regional Water and Land Plan and will be the seed for future consultation as part of that process.

Appendix 1: Meeting schedule

Date	FMU / Rohe	Location	Afternoon	Evening	Venue
Tue 27 Oct	Catlins	Owaka	NA	5:30 - 7.00	Owaka Memorial Hall Ovenden St Owaka
Wed 28 Oct	North Otago	Oamaru	12.30 - 2.00	6.00 - 7.30	Oamaru Opera House 90 Thames St Oamaru
Thu 29 Oct	North Otago	Palmerston	12.30 - 2.00	NA	Palmerston Community Hall 104A Ronaldsay Street, Palmerston
Mon 2 Nov	Taieri	Ranfurly	12.30 - 2.00	6.00 - 7.30	Ranfurly Town Hall Northland St Ranfurly
Tue 3 Nov	Clutha/Mata-Au and Dunstan	Cromwell	12.30 - 2.00	NA	Cromwell Presbyterian Centre Elspeth St Cromwell
	Clutha/Mata-Au and Roxburgh	Clyde	NA	5.30 - 7.00	Clyde Hall Fruitgrowers Road Clyde
Tue 10 Nov	Taieri	Mosgiel	12.30 - 2.00	NA	Mosgiel Coronation Hall 99 Gordon Road Mosgiel
	Dunedin Coast	Dunedin	NA	6.00 - 7.30	Salvation Army Hall North East Valley Dunedin
Wed 11 Nov	Dunedin Coast	Orokonui Sanctuary	NA	6.30 - 8.00	Orokonui Sanctuary 600 Blueskin Road Dunedin
Thu 12 Nov	Taieri	Middlemarch	12.30 - 2.00	6.00- 7.30	Middlemarch Memorial Hall
Tue 17 Nov	Clutha/Mata-Au and Lower Clutha	Ettrick	NA	5.30 - 7.00	Ettrick Hall Ettrick
	Clutha/Mata-Au and Roxburgh	Roxburgh	12.30 - 2.00	NA	Roxburgh Memorial Hall Scotland St Roxburgh
Wed 18 Nov	Clutha/Mata-Au and Lower Clutha	Tapanui	12.30 - 2.00	5.30 - 7.00	West Otago Community Centre (Social Room) 3 Suffolk St Tapanui
Thu 19 Nov	Dunedin Coast	Milton	12.30 - 2.00	NA	Milton Coronation Hall 98 Union St Milton
	Clutha/Mata-Au and Lower Clutha	Balclutha	NA	6.00 - 7.30	Cross Recreation Centre 18 Glasgow St Balclutha
Tue 24 Nov	Clutha/Mata-Au and Upper lakes	Queenstown	NA	6.00 - 7.30	St Peters Church Hall 2 Church St Queenstown
Wed 25 Nov	Clutha/Mata-Au and Upper Lakes	Wanaka	12.30 - 2.00	6.00 - 7.30	Lake Wanaka Centre 89 Ardmore St Wanaka
Thu 26 Nov	Clutha/Mata-Au and Dunstan	Arrowtown	12.30 - 2.00	NA	Arrowtown Bowling Club 6 Hertford St Arrowtown

Appendix 2: First proposal for FMU boundaries



Appendix 3: Online survey questions

Note:

- The questions in this appendix have been adapted from the online format to improve reading ease and questions regarding personal details have been removed. Because of this, question numbering may differ from that which respondents to the online survey experienced.
- For each question asking people to provide a vision or goals, there was a supplementary question about timeframes, which asked when they would like to see their vision or goal achieved, with options of short term (5 years), medium term (5-20 years), or long term (20+ years).

Q1: Which FMU do you live in (or wish to comment on)?

Q2: Which rohe do you live in?

Q3: While you are here, we'd like to hear if you have any comments about the boundaries of Otago's FMUs and rohe?

Q4: What is your vision or goal for water quality in waterways near you?

Q5: What is your vision or goal for water quantity in waterways near you?

Q6: What is your goal or vision for the habitat surrounding waterways near you?

Q7: What is your goal or vision for aquatic life living in waterways in your area?

Q8: What is your goal or vision for the ecology of waterways in your area?

Q9: What is your goal or vision for threatened species in your area?

Q10: What is your goal for the natural character of waterways in your area?

Q11: Are there any other environmental values, issues, or topics you'd like to raise?

Q12: What is your goal or vision for mahika kai in your area?

Q13: What is your goal or vision for wai tapu in your area?

Q14: When would you like to see this vision or goal above achieved?

Q15: What is your goal or vision for navigation, launching and landing of watercraft and Tauranga Waka?

Q16: Do you have a connectedness with a waterway or part of a waterway? If so, what is your vision or goal for continuing to have a connection with this waterway?

- Q17:** Are there any other cultural values or topics you'd like to raise?
- Q18:** What is your goal or vision for swimming or recreation in or on waterways near you?
- Q19:** What is your goal or vision for fishing in waterways in your area?
- Q20:** When would you like to see this vision or goal above achieved?
- Q21:** What is your vision or goal for drinking water supply?
- Q22:** When would you like to see this vision or goal above achieved?
- Q23:** What is your vision or goal for heritage and historic water use sites in your area?
- Q24:** When would you like to see this vision or goal above achieved?
- Q25:** What is your goal or vision for recreation and amenity values for waterways in your area?
- Q26:** When would you like to see this vision or goal above achieved?
- Q27:** Are there any other social values or topics you'd like to raise?
- Q28:** What is your vision or goal for hydroelectric power generation?
- Q29:** What is your goal or vision for irrigation, cultivation, and food and beverage production?
- Q30:** What is your goal or vision for commercial and industrial uses of freshwater?
- Q31:** What is your goal or vision for research values?
- Q32:** Are there any other economic values or topics you'd like to raise?
- Q33:** We would like your feedback on the draft vision for the Manuherekia Rohe. Please add your feedback below.

Appendix 2: Table of changes to FPI provisions

In the table below where I have recommended some amendments these are shown in grey shading and either ~~strike through~~ for deletions or **bold underline** for additions against the s42A report recommendations. Unless stated, I generally support the changes that have been recommended in the s42A report.

S42A report recommendations	Comment
<p>Definitions – minor amendments have been made</p>	<p>Agree with the recommended changes in the s42A report that mainly aligns the definitions to the NPSFM.</p>
<p>SRMR-15 – Freshwater demand exceeds capacity in some places</p> <p>Statement</p> <p>In <i>water</i>-short catchments, <i>freshwater</i> availability may not be able to meet competing demands from the health and well-being needs of the <i>environment</i>, the health and well-being needs of people, and the ability of people and communities to provide for their social, economic and cultural well-being. Many of these catchments are also experiencing urban growth, changes in rural <i>land</i> uses, and increased demand for hydro-electric generation. Individually and cumulatively these can alter demand including further increases in demand on <i>freshwater</i> supply. Some catchments are complex, making it challenging to identify or mitigate these <i>effects</i>.</p> <p>Context</p> <p><i>Freshwater</i>, including <i>rivers</i> and streams, <i>lakes</i>, <i>groundwater</i> systems, and <i>wetlands</i>, is a finite resource, critical to the <i>environment</i>, society and the economy. In Otago, access to, allocation, and <i>use of freshwater</i> reflects current demands and historical development associated with “deemed permits” (water permits under the RMA 1991) and a permissive water resource management regime. The deemed permits originated from mining licences issued under historic mining legislation and which enabled water to continue to be used for a range of uses until October 2021. These have now been replaced with short term permits of 6 year duration on the same terms as provided under Plan Change 7 to the Regional Plan: Water to enable the Council to develop a new planning framework that gives effect to Te Mana o te Wai.</p> <p>Population growth and land-use intensification in urban and rural environments can create increased demand for <i>freshwater</i> for human consumption, irrigation, <i>renewable electricity generation</i> and other economic uses. <i>Freshwater</i> resources in some places are reaching, or are beyond, their sustainable abstraction limits. However, there continues to be debate in the community about how historical <i>freshwater</i> allocations can be adjusted to achieve a balance of prioritise protection of the mauri the health</p>	<p>Have recommended some minor amendments including the following:</p> <ul style="list-style-type: none"> - A sentence be added to provide clarity around the mining permits which have now be rolled over through Plan Change 7. - Deletion of the phrase “within five years” in relation to when water quality improvements need to be made. Thile the NESF was in place as an interim measure to halt water quality decline while regional plans caught up with their own regulation to give effect to Te Mana o te Wai, there is no specific reference to a 5 year period. The obligation in Clause 3.11(6)(a) of the NPSFM is progress towards achieving the target attribute states within 10 years so I have replaced the five year time frame with 10 years.

S42A report recommendations	Comment
<p>and well-being of <i>water bodies</i>, meet the health needs of people, and provide for economic, environmental, social and cultural needs well-being.</p> <p>On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM) came into force. They have a goal of <u>making immediate improvements so that improving freshwater quality is materially improving within five ten years</u>, reversing past damage <u>degradation</u> and bringing New Zealand's <i>freshwater</i> resources, waterways and ecosystems to a healthy state within a generation. The NPS-FM also clarified the need to provide first for the health and well-being of <i>water bodies</i> and <i>freshwater</i> ecosystems; then health and needs of people (such as <i>drinking water</i>); and finally then the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</p> <p>Impact snapshot</p> <p>Environmental</p> <p><i>Freshwater</i> abstraction can reduce <i>water</i> level or flow and connections between different <i>water bodies</i>. This can negatively impact ecosystems by affecting <i>freshwater</i> habitat size and the shape and condition of the <i>water body</i>, including <i>bed</i>, banks, margin, riparian vegetation, connections to <i>groundwater</i>, <i>water</i> chemistry (for example by increasing concentrations of pollutants), and interaction between species and their habitat. How much an ecosystem is affected by taking <i>freshwater</i> is determined by departure from natural flow regimes, taking into account magnitude, frequency, timing, duration and rate of change, and ecosystem capacity to recover.</p> <p>Economic</p> <p><i>Freshwater</i> in the Otago region is a factor of production that directly contributes to human needs (urban water supply) agriculture <i>primary production</i>, <i>industry</i>, and hydro-electric power supply, and mineral extraction. <i>Freshwater</i> also indirectly contributes to the tourism industry through maintenance of <i>freshwater</i> assets for aesthetic and commercial recreational purposes. Lack of <i>freshwater</i> can negatively impact economic output of those industries that rely on <i>water</i> in the production process. To varying degrees these impacts can be mitigated through <i>water</i> efficiency measures and innovation. At the same time other industries, such as tourism that rely on the aesthetic characteristic of <i>rivers</i> and <i>lakes</i>, do not have such opportunities available to them and instead rely on management regimes that sustain flows and <i>water</i> levels suitable for their activities.</p>	

S42A report recommendations	Comment
<p>Social</p> <p>Ensuring appropriate <i>freshwater</i> supply for human use is available is essential, including as part of planned urban growth and to support rural communities is essential. It is possible this may require consideration of additional <i>freshwater</i> storage in the future. The region's <i>freshwater</i> assets also support a range of recreation uses, for example camping, fishing, <i>water</i> sports, and swimming. These values are strongly linked to environmental, <u>health, landscape and aesthetic</u> values and as such, reduced environmental flows have a corresponding negative impact on social and cultural values, <u>including people's wellbeing</u>.</p>	
<p>SRMR-16 – Declining <i>water</i> quality has adverse effects on the environment, our communities, and the economy</p> <p>Statement</p> <p>While the pristine areas of Otago generally maintain <u>very</u> good <i>water</i> quality, some areas of Otago demonstrate poorer quality and declining trends in <i>water</i> quality which can <u>often</u> be attributed to <i>discharges</i> from <i>land use</i> intensification (both rural and urban) and <i>land</i> management practices. Erosion, run-off and soil loss can lead to sediment and nutrients being deposited into <i>freshwater</i> bodies resulting in declining <i>water</i> quality.</p> <p>Context</p> <p>The health of <i>water</i> is vital for the health of the <i>environment</i>, people and the economy. It is at the heart of culture and identity. Nationally, and in parts of Otago, <i>freshwater</i> is facing significant pressure. Population growth and land-use intensification in urban and rural <i>environments</i> has impacted the quality of <i>water</i>, increasing contamination from nutrients and sediment.</p> <p><i>Water</i> quality affects a wide range of environmental health factors, human <u>health and</u> survival needs, and cultural, social, recreational, and economic uses. Some of the biggest impacts on <i>water</i> quality in Otago are considered to come from agriculture and urbanisation, through diffuse <i>discharges</i> and point source <i>discharges</i>.</p> <p>On 3 September 2020, new National Environmental Standards (NESF) and a new National Policy Statement (NPSFM) came into force to <u>make immediate improvements to improve</u> <i>water</i> quality within <u>five ten</u> years; and reverse past <u>damage degradation</u> and bring New Zealand's <i>freshwater</i> resources, waterways and ecosystems to a healthy state within a generation.</p>	<p>Similar to above, some minor amendments recommended for clarity plus additions to recognise some of the change that is already happening with the at least 24 catchment groups already established across Otago.</p>

S42A report recommendations	Comment
<p>Impact snapshot</p> <p>Environmental</p> <p>Despite the region's <i>lakes</i> and <i>rivers</i> being highly valued by Otago communities, reports indicate that in many some areas there are reasons for concern about <i>water</i> quality and its trends with consequent potential impact on ecosystems and people.</p> <p><i>Water</i> quality across Otago is variable. <i>River water</i> quality is best at <i>river</i> and stream reaches located at high or mountainous elevations under predominantly native vegetation cover, and mostly good in the upper areas of large <i>river</i> catchment and outlets from large <i>lakes</i>. <i>Water</i> quality is generally poorer in smaller low-elevation streams and coastal shallow lakes where they receive <i>water</i> from upstream pastoral areas or urban catchments. For example, catchments such as the Waiareka Creek, Kaikorai Stream, and sub-catchments within the lower Clutha catchment rohe, have some of the worst poorest <i>water</i> quality in the region; Otago's central lakes are impacted by increased population, urban development and tourism demand; other areas, such as urban streams in Dunedin, intensified catchments in North Otago and some tributaries, also have poor <i>water</i> quality. Between 2006 and 2017, trends in a number of <i>water</i> quality parameters were worsening.</p> <p>For <i>E. coli</i>, for example, 30% of sites had a probable or significant worsening trend compared to 7% of sites that had either stable or improving trends. In urban streams in Dunedin, intensified catchments in North Otago and some tributaries of the Pomahaka <u>Poumāhaka</u>, <i>E. coli</i> was the worst performing variable. In many cases, the specific source of contamination is unknown.</p> <p>There are many different types and sizes of <i>lakes</i> in Otago. ORC monitors <i>water</i> quality in <i>lakes</i>, of which eight have generally shown good <i>water</i> quality. There have been concerns within the community about the quality of <i>water</i> in Lakes Wānaka, <u>Whakatipu Waimāori/Lake Wakatipu</u> and <u>Lake Hayes</u>.</p> <p><i>Groundwater</i> quality also varies across the region, with some areas having elevated <i>E. coli</i> and nitrate concentrations above the NZ Drinking Water Standards. The main areas with elevated nitrate concentrations are North Otago and the Lower Clutha. Some bores across the region have exceeded the drinking <i>water</i> standards for <i>E. coli</i>; highlighting localized problems, likely due to inadequate bore head security. In addition to human sources of poorer <i>groundwater</i> quality, low <i>groundwater</i> quality from natural or geologic sources may also affect the potability of bore <i>water</i> throughout Otago (e.g. naturally occurring arsenic or boron concentrations found in bores associated with particularly geologies).</p>	

S42A report recommendations	Comment
<p>Stock entering <i>water bodies</i> can lead to pugging and destruction of riparian soils and <i>beds</i> that play an important role in filtering <i>contaminants</i>, as well as excreting directly in waterways. The <i>growing</i> practice of wintering cattle in Otago can exacerbate leaching <i>effects</i>, which may not connect to surface <i>water</i> until spring, creating spikes in nutrient loads.</p> <p>Sediment is a key issue for <i>freshwater</i> quality throughout Otago, including coastal estuaries where it can significantly impact the life supporting capacity of waterways. Urban development is a key generator of sediment input to <i>lakes</i> and <i>rivers</i> in Central Otago, from <i>building</i> platforms and from <i>stormwater</i> contamination. Activities such as agricultural <i>intensification land use</i>, mining, and forestry also contribute.</p> <p>Agricultural <i>intensification land use</i> also contributes to nutrients (nitrogen and phosphorus) leaching into underlying <i>groundwater</i> or running off into surface <i>water bodies</i>, and can also increase the risk of <i>E.coli</i> contamination from animal waste.’ <i>Urban environmental contaminants</i> include hydrocarbons, and metals from <i>roads</i> and <i>structures</i>. They often wash into urban <i>stormwater</i> systems and pass unfiltered into <i>water bodies</i>, or the <i>coastal marine area</i>. <i>Stormwater effects</i>, particularly in <i>urban areas</i>, are poorly understood. <i>Wastewater</i> and <i>stormwater</i> systems may not be adequate in some places due to aging <i>infrastructure</i>, rapid growth pressure, or insufficient investment in replacement or upgrades. Overflows of <i>wastewater</i> (<i>sewage</i> and <i>waste</i> products) create significant <i>risks</i> for <i>water</i> quality. These can enter the <i>environment</i> either directly or through <i>stormwater</i> systems, particularly in flood events.</p> <p><u>Catchment group initiatives in Otago are making positive changes in terms of addressing water quality concerns in local areas.</u></p> <p>Economic</p> <p><i>Water</i> pollution (from nutrients, chemicals, pathogens, and sediment and other contaminants) can have far-reaching effects potentially impacting the primary sector, tourism, property values, commercial fishing, recreational businesses, and many other sectors that depend on clean <i>water</i>.</p> <p>These impacts can be direct (varying the quality of <i>primary production</i> outputs such as fish); increasing costs of production through mitigation or remediation costs (<i>drinking water</i> treatment cost, riparian restoration); loss of enjoyment and benefit from tourism uses, and indirect such as cost to human health and associated medical costs, or reduction in brand value (e.g. Brand New Zealand).</p>	

S42A report recommendations	Comment
<p>Social</p> <p>For the wider community, <i>water</i> is a source of kai and <u>for harvesting and food production</u>. <i>Water</i> is also a source of recreation, including swimming, fishing and <i>water</i> sports. <u>There are multiple dimensions to the way <i>water</i> quality impacts on peoples' interaction with <i>water bodies</i>, including environmental, health, landscape, and aesthetic factors.</u> Otago's <i>rivers, lakes</i>, estuaries and bays are important destinations for recreational <i>use</i> including swimming, fishing and <i>water</i> sports. Eighty-two per cent of Otago's <i>rivers</i> and <i>lakes</i> are swimmable. Where <i>water</i> quality cannot support these activities, the lifestyle of those living in Otago is impacted.</p> <p>Degraded <i>water</i> quality reduces the mauri of the <i>water</i> and the habitats and species it supports, therefore also negatively affecting <i>mahika kai</i> and taoka species and places. This constitutes a loss of Kāi Tahu culture, affecting the intergenerational transfer of knowledge handed down from tūpuna over hundreds of years; and it culminates in a loss of rakatirataka and mana.</p>	
<p>SRMR-19 – Otago lakes are subject to pressures from tourism and population growth</p> <p>Statement</p> <p>The beauty, recreational opportunities and regional climate of Lakes Wanaka <u>Wānaka, Whakatipu Waimāori/Lake Wakatipu, Lake Hāwea and Te Wairere/Lake Dunstan</u> and their environs attract visitors and residents from around the region, the country and the world. This influx <u>supports human health and well-being and brings economic opportunity</u>, but the activities and services created to take advantage of it can degrade the <i>environment</i> and undermine the experience that underpins their attractiveness.</p> <p>Context</p> <p>Healthy <i>lakes</i> are one of Otago's most valued natural resources and for the most part <i>water</i> quality is good. The values assigned to <i>lakes</i> include the natural features and landscapes, the quality and quantity of <i>water</i> accessible to the Otago communities, the accessibility of these resources for recreation, the health of native flora and fauna associated with Otago's <i>rivers</i> and <i>lakes</i>, <u>the use of water resources for primary production</u> and renewable energy production <u>electricity generation</u>.</p> <p>Urban growth is adversely affecting the natural features and landscapes around the lakes. The amount of growth is demonstrated in the Queenstown Lakes District, including Queenstown and Wanaka <u>Wānaka</u>,</p>	<p>Minor change to also add into the list of values of lakes the use of water for primary production.</p>

S42A report recommendations	Comment
<p>where the population tripled in the last 20 years from 16,750 in 1999 to 47,400 in 2020. Continued growth is projected over the 30 years from 2020 to 2050 (by 63%).</p> <p>This desire of New Zealanders and international visitors to enjoy the outstanding natural environments of the Otago <i>lakes</i> has placed significant pressures on the <i>environment</i>, transport, energy and other <i>infrastructure</i>, health services and social structures. At the same time the economy of the Otago lakes area is heavily dependent on tourism. For example in 2020, tourism employment accounted for an estimated 56% (or 17,758) of the jobs in the Queenstown-Lakes district; tourism GDP accounted for 43.7% (or NZ \$1.7 billion) of the district's GDP and international tourism contributed 64% (or NZ \$1.89 billion). The Otago-Lakes area also supplies significant renewable energy <u>electricity</u> for use in Otago and beyond.</p> <p>Impact snapshot</p> <p>Environmental</p> <p>Population pressures arising from urban development, and tourism population pressures are impacting on the <i>environment</i>. Lake Wanaka <u>Wānaka</u>, Lake Hāwea, and <u>Whakatipu Waimāori</u>/Lake Wakatipu, as well as the Kawarau River and upper reaches of the Clutha Mata-au and Taieri <u>Taiari</u> Rivers all have good <i>water</i> quality which equates to the "A" band (being top/best level) for the <i>National Objectives Framework</i>.⁵</p> <p>However, <i>water</i> quality is being adversely impacted by increased population, urban development and tourism demand which is straining existing waste management infrastructure. In addition, localised degradation of some areas is occurring due to overuse and unregulated use (e.g. freedom camping). The amenity of these areas is being compromised in some places by over-crowding.</p> <p>Recreation <i>use</i> impacts on the <i>environment</i> can be a <i>risk</i>, for example the distribution of pest species can be accelerated as has occurred for lake snow and <i>Lagarosiphon</i> weeds being spread by recreation boating movements. Natural features and landscape values are also <u>can be</u> adversely impacted by tourism and urban growth, and energy production <u>electricity generation</u>.</p> <p>Economic</p> <p>The economic benefits of urban development, tourism, agriculture <u>primary production</u>, energy production <u>renewable electricity generation</u> and <i>water</i> supply can be positive for the Otago-Lakes' communities and visitors. It also impacts on the region's natural assets with a growing cost to the region that puts at <i>risk</i> the <i>environment</i> highly prized by residents and visitors. There are also impacts between industry sectors.</p>	

S42A report recommendations	Comment
<p>For example, the clean green image of New Zealand, of which the Otago Lakes area is symbolic, is at <i>risk</i> of being compromised because of over-crowding in peak tourism seasons <u>if the quality of lakes becomes degraded or visitor numbers exceed the servicing capacity of the district</u>. This has the potential to adversely affect the existing regional economy and future economic development; and the tourism industry's social licence to operate. At the same time tourism can negatively impact on how agriculture <u>primary production</u> can operate, potentially limiting its contribution to the regional economy.</p> <p>Urban development brings economic development and improved opportunities and standards of living to the Otago lakes area but can adversely impact on both the <i>environment</i> and how agriculture <u>primary production</u> can operate.</p> <p>Social</p> <p>Over-crowding impacts <u>can</u> adversely affect <u>urban amenity</u> and recreation experiences of both tourists and residents, particularly outdoor recreation such as fishing and water sports, and urban amenity.</p>	
<p>RMIA–WAI–I1 – The loss and degradation of <i>water</i> resources through drainage, abstraction, pollution, and damming has resulted in material and cultural deprivation for Kāi Tahu ki Otago</p> <p>The drainage of <i>wetlands</i>, <i>water</i> abstraction, degraded <i>water</i> quality, barriers to fish passage and changes to flow regimes as a result of damming have had significant negative impacts on Kāi Tahu. These activities degrade the mauri of the <i>water</i> and the habitats and species it supports, therefore also degrading <i>mahika kai</i> and taoka species and places.</p> <p>These changes to the <i>environment</i> have meant that Kāi Tahu have had to adapt and change their <i>use</i> of the <i>environment</i>. As traditional <i>mahika kai</i> places and species have declined, <i>mahika kai</i> must now be carried out in artificial habitats such as reservoirs, and whānau have had to switch to exotic species such as trout and salmon. The mātauraka associated with traditional <i>mahika kai</i> species and places cannot be passed on, and the intergenerational transfer of knowledge that has occurred for over 800 years is broken. Place names that carry tribal history are no longer reflective of their places – for example no one would now claim that the Waiareka is 'sweet <i>water</i>' to drink.</p>	<p>No changes recommended.</p>

S42A report recommendations	Comment
<p>RMIA–WAI–I3 – The <i>effects of land and water use activities on freshwater habitats have resulted in adverse effects on the diversity and abundance of māhika kai māhika kai resources and harvesting activity</i></p> <p>Māhika kai <u>Māhika kai</u> is the gathering of foods and other resources, the places where they are gathered, and the practices used in doing so. Māhika kai <u>Māhika kai</u> is an intrinsic part of Kāi Tahu identity and economic well-being. Kāi Tahu fishing rights were explicitly protected by the Treaty of Waitangi. Not only was the right to engage in māhika kai <u>māhika kai</u> activity confirmed, so too was the expectation that such activity will continue to be successful as measured by reference to past practice. However, as described in evidence provided to the Waitangi Tribunal in the Ngāi Tahu claim, there has been a dramatic loss of māhika kai <u>māhika kai</u> resources and places of procurement since the Treaty was signed. This loss is greater than the loss of kai. It is a loss of Kāi Tahu culture, as it affects the intergenerational transfer of mātauraka handed down from tūpuna over hundreds of years. It represents a <u>significant loss for mana whenua and a diminishing of rakatirataka and of mana.</u> Māhika kai <u>Māhika kai</u> continues to be degraded through the effects of land and water use activities on freshwater habitats. Activities such as the construction of barriers to fish passage, drainage, altered flow regimes, reduced water quality and removal of riparian vegetation all impact on access to and use of resources. <u>Inadequate regulation of commercial fishing of tuna (eels) and inaka (whitebait) has also exacerbated the impacts of degradation and loss of habitat from land and water use activities on remaining populations of these species.</u></p>	<p>No changes recommended.</p>
<p>LF-WAI-O1 – <i>Te Mana o te Wai</i></p> <p>The mauri of Otago’s <i>water bodies</i> and their health and well-being is protected, and restored where it is <i>degraded</i>, and the management of <i>land</i> and <i>water</i> recognises and reflects that:</p> <ol style="list-style-type: none"> (1) <i>water</i> is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa, (2) there is an integral kinship relationship between <i>water</i> and Kāi Tahu whānui, and this relationship endures through time, connecting <u>connects</u> past, present and future, (3) each <i>water body</i> has a unique whakapapa and characteristics, 	<p>I have suggested a change to the start of this objective to reflect that mauri is an outcome similar to the other sub-clauses. I note that mauri is captured in new clause (4A), so it is clearer to keep there.</p>

S42A report recommendations	Comment
<p>(4) <u>fresh water, and land, and coastal water</u> have a connectedness that supports and perpetuates life, and</p> <p>(4A) <u>protecting the health and well-being of water protects the wider environment and the mauri of water,</u></p> <p>(5) Kāi Tahu exercise rakatirataka, manaakitaka and their <i>kaitiakitaka</i> duty of care and attention over wai and all the life it supports, and</p> <p>(6) <u>all people and communities have a responsibility to exercise stewardship, care, and respect in the management of fresh water.</u></p>	
<p>LF-WAI-P1 – Prioritisation</p> <p>In all <u>decision-making affecting management of fresh water</u> in Otago, prioritise:</p> <p>(1) first, the health and well-being of <i>water bodies</i> and <i>freshwater</i> ecosystems, (te hauora o te wai) and <u>the contribution of this to the health and well-being of the environment</u> (te hauora o te taiao), and together with the exercise of <i>mana whenua</i> to uphold these,</p> <p>(2) second, health and well-being needs of people, (te hauora o te tangata); interacting with water through ingestion (such as drinking water and consuming harvested resources harvested from the water body) and immersive activities (such as harvesting resources and bathing primary contact), and</p> <p>(3) third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</p>	<p>I have recommended the deletion of much of the second clause. I have received legal advice that this interpretation is too restrictive and it is better to retain the wording provided by the NPSFM.</p> <p>In my opinion one of the unintended consequences of the proposed s42A drafting with the use of the words “consuming resources harvested from the water body” may in effect give a higher priority to food production that occurs directly from within water (e.g. commercial eel fishing or salmon farming) when compared to land based food production that also equally relies on water for production.</p>

S42A report recommendations	Comment
<p>LF-WAI-PR1 – Principal reasons</p> <p>In accordance with the NPSFM, councils are required to implement a framework for managing <i>freshwater</i> that gives effect to <i>Te Mana o te Wai</i>. This places the mauri (life force) of the water at the forefront of decision-making, recognises that te hauora o te wai (the health of the <i>water</i>) is the first priority, and supports te hauora o te taiao (the health of the environment) and te hauora o te takata (the health of the people). It is only after the health of the <i>water</i> and the health of the <i>people</i> is sustained that <i>water</i> can be used for economic purposes. Giving effect to <i>Te Mana o te Wai</i> requires actively involving <i>takata mana whenua</i> in <i>freshwater</i> planning and management.</p>	<p>Amendments proposed similar to above regarding removal of the term mauri from being the main driver to being an outcome of the health of the water and environment. This is recognised appropriately in LF-WAI-AER2 below.</p>
<p>LF-WAI-AER2</p> <p>The mauri of Otago's water bodies and their health and well-being is protected. The health and well-being of <i>water bodies</i> and <i>freshwater</i> ecosystems protects the wider <i>environment</i> and the mauri of <i>water</i>.</p>	<p>No changes recommended.</p>
<p><u>LF-VM – Visions and management</u> LF-FW – Fresh water</p> <p><u>LF-FW-O1A – Region-wide objective for fresh water</u></p> <p>In all FMUs and rohe in Otago and within the timeframes specified in the <i>freshwater</i> visions in <u>LF- VM-O2 to LF-VM-O6:</u></p> <ol style="list-style-type: none"> (1) <u>healthy <i>freshwater</i> ecosystems support healthy populations of indigenous species and <i>mahika kai</i> that are safe for consumption,</u> (2) <u>the interconnection of <i>land</i>, <i>freshwater</i> (including <i>groundwater</i>) and <i>coastal water</i> is recognised,</u> (3) <u>indigenous species migrate easily and as naturally as possible,</u> (4) <u>the natural character, including form and function, of <i>water bodies</i> reflects their natural behaviours to the greatest extent practicable,</u> 	<p>This has been an amalgamation of the previous Visions and Management section with the Freshwater section.</p> <p>The new objective LF-FW-O1A is in response to a number of submissions and has incorporated much of what was in the originally notified LF-FW-O8 (Freshwater) alongside a number of the matters that were included in individual visions, seemingly to avoid repetition.</p> <p>Whether this objective is seeking to act as a region-wide vision is unclear. I do not disagree with the current matters included in this objective being relevant, but as outlined</p>

S42A report recommendations	Comment
<p>(5) <u>the ongoing relationship of Kāi Tahu with <i>wāhi tūpuna</i>, including access to and use of <i>water bodies</i>, is sustained,</u></p> <p>(6) <u>the health of the <i>water</i> supports the health of people and their connections with <i>water bodies</i>,</u></p> <p>(7) <u>innovative and sustainable <i>land</i> and <i>water</i> management practices provide for the health and well-being of <i>water bodies</i> and <i>freshwater</i> ecosystems and improve resilience to the effects of <i>climate change</i>, and</u></p> <p>(8) <u>direct <i>discharges</i> of <i>wastewater</i> to <i>water bodies</i> are phased out to the greatest extent practicable.</u></p>	<p>in my evidence, I recommend some of this specificity of these go back into the individual FMU visions, along with the additional ones I have recommended in my evidence and below.</p> <p>If the separation of the clauses in this objective back to the vision level is not adopted, then I would recommend that those matters are at the very least included within this region-wide objective.</p>
<p>LF-VM-O2 – Clutha Mata-au FMU vision</p> <p>In the Clutha Mata-au FMU:</p> <p>(1) management of the FMU recognises that:</p> <p style="padding-left: 20px;">a. the Clutha Mata-au is a single connected system ki uta ki tai, and</p> <p style="padding-left: 20px;">b. the source of the wai is pure, coming directly from Tāwhirimātea <u>Tāwhirimātea</u> to the top of the mauka and into the awa,</p> <p>(2) — <i>fresh water</i> is managed in accordance with the LF WAI objectives and policies,</p> <p>(3) — the ongoing relationship of Kāi Tahu with <i>wāhi tūpuna</i> is sustained,</p> <p>(4) — <i>water bodies</i> support thriving <i>mahika kai</i> and Kāi Tahu whānui have access to <i>mahika kai</i>,</p> <p>(5) — indigenous species migrate easily and as naturally as possible along and within the <i>river system</i>,</p> <p>(6) — the national significance of the Clutha hydro-electricity generation scheme is recognised,</p> <p><u>(6A) <i>water bodies</i> support a range of outdoor recreation opportunities,</u></p>	<p>The visions as amended in the s42A report do not provide many vision statements identifying the communities long-term wishes for the FMU and rohe and do not appear to capture the feedback summarised in the Consultation Report.</p> <p>As identified in my evidence I recommend the previous vision clauses are brought back to the FMU level, and my additional clauses are included in each.</p> <p>If the recommended new provisions relating to the transition pathway and ability to circle back on the timeframes are not adopted then I recommend a longer timeframe is included in the visions instead. I would recommend a timeframe of 2060 may be more appropriate based on the evidence of Mario Cadena</p>

S42A report recommendations	Comment
<p><u>(6B) innovative and sustainable land and water management practices:</u></p> <ul style="list-style-type: none"> a. <u>support primary production,</u> b. <u>enable continued social, economic and cultural wellbeing of rural communities, and</u> c. <u>improve resilience of primary production to the <i>effects of climate change</i>,</u> <p><u>(6C) within limits, the allocation of fresh water provides for land-based primary production that supports the social, economic, and cultural well-being of communities,</u></p> <p>(7) — in addition to (1) to (6) above:</p> <p>(6) the national significance of the Clutha hydro-electricity generation scheme is recognised,</p> <p><u>(6A) water bodies support a range of outdoor recreation opportunities,</u></p> <p>(7) in the Upper Lakes rohe, the high quality <i>waters</i> of the <i>lakes</i> and their tributaries are protected, <u>and if degraded are improved,</u> recognising the significance of the purity of these <i>waters</i> to Kāi Tahu and to the wider community,</p> <p>(b) in the Dunstan, Manuherekia and Roxburgh rohe</p> <ul style="list-style-type: none"> (i) flows in <i>water bodies</i> sustain and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and (ii) —innovative and sustainable <i>land</i> and <i>water</i> management practices support food production in the area and reduce discharges of nutrients and other <i>contaminants</i> to <i>water bodies</i> so that they are safe for human contact, and (iii) —sustainable abstraction occurs from main stems or <i>groundwater</i> in preference to tributaries, <p>(7A) in the Lower Clutha rohe:</p> <ul style="list-style-type: none"> (i) —there is no further modification of the shape and behaviour of the <i>water bodies</i> and opportunities to restore the natural form and function of <i>water bodies</i> are promoted wherever 	<p>(paragraph 24). He provides an assessment of the economic sustainability of the transition required and 2060 would be more reasonable. Notwithstanding a longer timeframe being included, steps towards achieving this will still be included within the LWP to ensure that the vision is achieved on or before this date.</p>

S42A report recommendations	Comment
<p>possible, and</p> <p>(ii) the ecosystem connections between <i>freshwater, wetlands</i> and the coastal environment are preserved and, wherever possible, restored,</p> <p>(iii) <i>land</i> management practices reduce discharges of nutrients and other <i>contaminants</i> to <i>water bodies</i> so that they are safe for human contact, and</p> <p>(iv) there are no direct <i>discharges</i> of <i>wastewater</i> to <i>water bodies</i>, and</p> <p>(8) the outcomes sought in (7) this vision are to be achieved within the following timeframes, <u>unless amended through the Land and Water Plan in accordance with LF-FW-P7B:</u></p> <p>(a) by 2030 in the Upper Lakes rohe,</p> <p>(b) by 2045 in the Dunstan, Roxburgh and Lower Clutha rohe, and</p> <p>(c) by 2050 in the Manuherekia rohe.</p>	
<p>LF-VM-O3 – North Otago FMU vision</p> <p>(9) By 2050 in the North Otago FMU, <u>unless amended through the Land and Water Plan in accordance with LF-FW-P7B:</u></p> <p>(1) <i>fresh water</i> is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region the Waitaki River is managed holistically, ki uta ki tai, despite its catchments spanning the Canterbury and Otago regions,</p> <p>(1B) the national significance of the Waitaki hydroelectricity generation scheme is recognised,</p> <p><u>(1C) innovative and sustainable land and water management practices:</u></p> <p>a. <u>support primary production,</u></p>	<p>Amended as per Clutha Mata-au vision.</p>

S42A report recommendations	Comment
<p>b. <u>enable continued social, economic and cultural wellbeing of rural communities, and</u></p> <p>c. <u>improve resilience of primary production to the effects of climate change,</u></p> <p><u>(1D) within limits, the allocation of fresh water provides for land-based primary production that supports the social, economic, and cultural well-being of communities,</u></p> <p>(2) — the ongoing relationship of Kāi Tahu with <i>wāhi tūpuna</i> is sustained and Kāi Tahu maintain their connection with and use of the <i>water bodies</i>,</p> <p>(3) healthy riparian margins, <i>wetlands</i>, estuaries and lagoons support thriving <i>mahika kai</i>, indigenous habitats and the health of downstream coastal ecosystems,</p> <p>(4) — indigenous species can migrate easily and as naturally as possible to and from the coastal environment,</p> <p>(5) — <i>land</i> management practices reduce <i>discharges</i> of nutrients and other <i>contaminants</i> to <i>water bodies</i> so that they are safe for human contact, and</p> <p>(6) — innovative and sustainable <i>land</i> and <i>water</i> management practices support food production in the area and improve resilience to the <i>effects of climate change</i>.</p>	
<p>LF-VM-O4 – Taieri Taieri¹⁰⁵¹ FMU vision</p> <p>By 2050 in the Taieri Taieri FMU, <u>unless amended through the Land and Water Plan in accordance with LF-FW-P7B:</u></p> <p>(1) — <i>fresh water</i> is managed in accordance with the LF-WAI objectives and policies,</p> <p>(2) — the ongoing relationship of Kāi Tahu with <i>wāhi tūpuna</i> is sustained,</p> <p>(3) — healthy <i>wetlands</i> are restored in the upper and lower catchment <i>wetland</i> complexes,</p>	<p>Amended as per Clutha Mata-au vision.</p>

S42A report recommendations	Comment
<p>including the Waipori/Waihola Wetlands <u>Waipōuri/Waihola wetland complex</u>, Tunaheketaka/Lake Taiari, scroll plain, <u>Upper Taiari wetland complex</u>, and <u>connected tussock areas</u> are restored or enhanced where they have been degraded or lost,</p> <p>{4} the gravel <i>bed</i> of the lower Taiari <u>Taiari</u> is restored and sedimentation of the Waipori <u>Waipōuri/Waihola wetland</u> complex is reduced,</p> <p>{5} creative ecological approaches contribute to reduced occurrence of didymo, <u>and</u></p> <p>{5A) <u>within limits, the allocation of fresh water provides for land-based primary production that supports the social, economic, and cultural well-being of communities in this FMU.</u></p> <p><u>{5B) innovative and sustainable land and water management practices:</u></p> <p>a. <u>support primary production,</u></p> <p>b. <u>enable continued social, economic and cultural wellbeing of rural communities, and</u></p> <p>c. <u>improve resilience of primary production to the effects of climate change,</u></p> <p>{6) water bodies support healthy populations of galaxiid species,</p> <p>{7) there are no direct discharges of wastewater to water bodies, and</p> <p>{8) innovative and sustainable land and water management practices support food production in the area and improve resilience to the effects of climate change.</p>	
<p>LF-VM-O5 – Dunedin & Coast FMU vision</p> <p>By 2040 in the Dunedin & Coast FMU, <u>unless amended through the Land and Water Plan in accordance with LF-FW-P7B:</u></p> <p>{1) fresh water is managed in accordance with the LF-WAI objectives and policies,</p> <p>{2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</p>	Amended as per Clutha Mata-au vision.

S42A report recommendations	Comment
<p>(3) healthy riparian margins, wetlands, estuaries, and lagoons and coastal waters support the health of thriving mahika kai and downstream coastal ecosystems, and indigenous species can migrate easily and as naturally as possible to and from these areas,</p> <p>(4) there is no further modification of the shape and behaviour of the water bodies and opportunities to restore the natural form and function of water bodies are promoted wherever possible., and</p> <p>(5) discharges of contaminants from urban environments are reduced so that water bodies are safe for human contact.</p> <p>(6A) innovative and sustainable land and water management practices:</p> <ul style="list-style-type: none"> a. support primary production, b. enable continued social, economic and cultural wellbeing of rural communities, and c. improve resilience of primary production to the effects of climate change, <p>(6B) within limits, the allocation of fresh water provides for land-based primary production that supports the social, economic, and cultural well-being of communities,</p>	
<p>LF-VM-O6 – Catlins FMU vision</p> <p>By 2030 in the Catlins FMU, unless amended through the Land and Water Plan in accordance with LF-FW-P7B:</p> <p>(1) fresh water is managed in accordance with the LF-WAI objectives and policies,</p> <p>(2) the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</p> <p>(3) water bodies support thriving mahika kai and access of Kāi Tahu whānui to mahika kai,</p> <p>(4) the high degree of naturalness of the water bodies and ecosystem connections between the forests, freshwater and coastal environment are preserved, and</p>	<p>Amended as per Clutha Mata-au vision, with an additional consequential amendment to ensure there is no repetition.</p>

S42A report recommendations	Comment
<p>(5) water bodies and their catchment areas support the health and well-being of coastal water, ecosystems and indigenous species, including downstream kaimoana, and</p> <p>(6) healthy, clear and clean <i>water</i> supports opportunities for recreation and sustainable food production for future generations.</p> <p>(6A) innovative and sustainable land and water management practices:</p> <ul style="list-style-type: none"> a. <u>support primary production,</u> b. <u>enable continued social, economic and cultural wellbeing of rural communities, and</u> c. <u>improve resilience of primary production to the effects of climate change,</u> <p>(6B) within limits, the allocation of fresh water provides for land-based primary production that supports the social, economic, and cultural well-being of communities,</p>	
<p>LF-FW-09 – Natural wetlands</p> <p>Otago's <i>natural wetlands</i> are protected or restored so that:</p> <ul style="list-style-type: none"> (1) <i>mahika kai</i> and other <i>mana whenua</i> values are sustained and enhanced now and for future generations, (2) there is no <u>net decrease, and preferably an increase,</u> in the <u>range extent</u> and diversity of indigenous ecosystem types and habitats in <i>natural wetlands</i>, (3) there is no reduction <u>and, where degraded, there is an improvement in their wetland</u> ecosystem health, hydrological functioning, <i>amenity values</i>, extent or <i>water quality</i>, and if degraded they are improved, and (4) their flood attenuation <u>and water storage capacity</u> is maintained <u>or improved</u>. 	No changes recommended.

S42A report recommendations	Comment												
<p data-bbox="208 236 936 268">LF-VM-P5 – Freshwater Management Units (FMUs) and rohe</p> <p data-bbox="208 296 1440 363">Otago’s freshwater resources are managed through the following <i>freshwater management units</i> or <i>rohe</i> which are shown on MAP1:</p> <table border="1" data-bbox="338 391 1070 833"> <thead> <tr> <th data-bbox="338 391 741 435">Freshwater Management Unit</th> <th data-bbox="741 391 1070 435">Rohe</th> </tr> </thead> <tbody> <tr> <td data-bbox="338 435 741 624">Clutha Mata-au</td> <td data-bbox="741 435 1070 624">Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha</td> </tr> <tr> <td data-bbox="338 624 741 675">Taieri-Taieri¹⁰⁸⁶</td> <td data-bbox="741 624 1070 675">n/a</td> </tr> <tr> <td data-bbox="338 675 741 726">North Otago</td> <td data-bbox="741 675 1070 726">n/a</td> </tr> <tr> <td data-bbox="338 726 741 777">Dunedin & Coast</td> <td data-bbox="741 726 1070 777">n/a</td> </tr> <tr> <td data-bbox="338 777 741 833">Catlins</td> <td data-bbox="741 777 1070 833">n/a</td> </tr> </tbody> </table>	Freshwater Management Unit	Rohe	Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha	Taieri-Taieri ¹⁰⁸⁶	n/a	North Otago	n/a	Dunedin & Coast	n/a	Catlins	n/a	<p data-bbox="1494 236 1823 268">No changes recommended.</p>
Freshwater Management Unit	Rohe												
Clutha Mata-au	Upper Lakes Dunstan Manuherekia Roxburgh Lower Clutha												
Taieri-Taieri ¹⁰⁸⁶	n/a												
North Otago	n/a												
Dunedin & Coast	n/a												
Catlins	n/a												
<p data-bbox="208 842 806 874">LF-VM-P6 – Relationship between FMUs and rohe</p> <p data-bbox="208 903 741 935">Where rohe have been defined within <i>FMUs</i>:</p> <ol data-bbox="208 963 1440 1385" style="list-style-type: none"> <li data-bbox="208 963 1346 995">(1) <i>environmental outcomes</i> must be developed for the <i>FMU</i> within which the rohe is located, <li data-bbox="208 1024 1440 1343">(2) if <u>any additional rohe-specific environmental outcomes</u> are included for rohe, those <i>environmental outcomes</i>: <ol data-bbox="353 1094 1440 1343" style="list-style-type: none"> <li data-bbox="353 1094 1440 1200">a. <u>must</u> set target <i>attribute</i> states that are no less stringent than the parent <i>FMU</i> <i>environmental outcomes</i> if the same <i>attributes</i> are adopted in both the rohe and the <i>FMU</i>, and <li data-bbox="353 1228 1440 1343">b. may include additional <i>attributes</i> and target <i>attribute</i> states provided that any additional <i>environmental outcomes</i> give effect to the <i>environmental outcomes</i> for the <i>FMU</i>, <li data-bbox="208 1356 1335 1385">(3) <i>limits</i> and action plans to achieve <i>environmental outcomes</i>, <u>including by achieving target</u> 	<p data-bbox="1494 842 1823 874">No changes recommended.</p>												

S42A report recommendations	Comment
<p><u>attribute states</u>, may be developed for the <i>FMU</i> or the rohe or a combination of both,</p> <p>(4) any <i>limit</i> or action plan developed to apply within a rohe:</p> <ul style="list-style-type: none"> a. prevails over any <i>limit</i> or action plan developed for the <i>FMU</i> for the same <i>attribute</i>, unless explicitly stated to the contrary, and b. must be no less stringent than any <i>limit</i> or <u>action plan</u> set for the parent <i>FMU</i> for the same <i>attribute</i>, and c. must not conflict with any <i>limit</i> set or <u>action plan developed</u> for the <u>underlying parent¹FMU</u> for <i>attributes</i> that are not the same, and <p>(5) the term “no less stringent” in this policy applies to <i>attribute states</i> (numeric and narrative) and any other metrics and timeframes (if applicable).</p>	
<p>LF-FW-P7 - Fresh water</p> <p><u>Environmental outcomes, attribute states (including target attribute states), environmental flows and levels</u>, and limits ensure that:</p> <p>(1) the health and well-being of <i>water bodies</i> is maintained or, if <i>degraded</i>, improved,</p> <p>(2) the habitats of indigenous <u>freshwater</u> species associated with water bodies are protected <u>and sustained</u>, including by providing for fish passage,</p> <p><u>(2A) the habitats of trout and salmon are protected insofar as this is consistent with (2).</u></p> <p>(3) <i>specified rivers and lakes</i> are suitable for primary contact within the following timeframes:</p> <ul style="list-style-type: none"> a. by 2030, 90% of rivers and 98% of lakes, and b. by 2040, 95% of rivers and 100% of lakes, and <p>(4) <u>resources harvested from water bodies including mahika kai and drinking water</u> are safe for human consumption,</p> <p>(5) existing <i>over-allocation</i> is phased out and future <i>over-allocation</i> is avoided.,and</p> <p>(6) <u>fresh water</u> is allocated within environmental limits and used efficiently.</p>	<p>In the S42A report (para 1407) this has been pulled out and given its own policy below LF-FW-P7A. However, in my opinion LF-FW-P7 has a slightly different focus around providing direction for more than just environmental limits (also includes environmental outcomes, attribute states and environmental flows and levels) and should be retained in this policy with a minor amendment, as well as retaining the more specific direction being given to the benefits of the allocation of the water resource within limits in the proposed LF-FW-P7A. This policy should be engaged when allocation limits are being set.</p>

S42A report recommendations	Comment
<p><u>LF-FW-P7A – Water allocation and use</u></p> <p><u>Within <i>limits</i> and in accordance with any relevant environmental flows and levels, the benefits of using <i>fresh water</i> are recognised and over-allocation is either phased out or avoided by while:</u></p> <p>(1) <u>allocating <i>fresh water</i> efficiently to support the social, economic, and cultural well-being of people and communities to the extent possible within <i>limits</i></u>, including for:</p> <ul style="list-style-type: none"> a. <u>community drinking water supplies,</u> b. <u>renewable electricity generation, and</u> c. <u>land-based primary production,</u> <p>(2) <u>ensuring that no more <i>fresh water</i> is abstracted than is necessary for its intended use,</u></p> <p>(3) <u>ensuring that the efficiency of <i>freshwater</i> abstraction, storage, and conveyancing <i>infrastructure</i> is improved, including by providing for off-stream storage capacity, and</u></p> <p>(4) <u>providing for spatial and temporal sharing of allocated <i>fresh water</i> between uses and users where feasible.</u></p>	<p>Recommended changes in line with my evidence and other minor changes to remove repetition. Over allocation is addressed more effectively in LF-FW-P7 so does not need to be included here.</p>
<p><u>LF-FW-P7B – Support sustainable transition to achieve Freshwater Visions</u></p> <p><u>Recognise that achieving the freshwater visions is likely to result in significant changes in land use activities and/or infrastructure by:</u></p> <ul style="list-style-type: none"> a. <u>At the time of setting of environmental outcomes, attribute states, environmental flows and levels identify:</u> <ul style="list-style-type: none"> i. <u>Changes required by resource users;</u> ii. <u>How those changes can be implemented;</u> 	<p>New provision as discussed in my evidence.</p>

S42A report recommendations	Comment
<p>iii. <u>Costs of implementing those changes;</u></p> <p>iv. <u>The timeframe required to manage the costs of those changes in a way that can be sustained by the community that is ambitious but reasonable, and whether the dates in the visions need to be extended or brought forward in the Land and Water Plan.</u></p>	
<p><u>LF-FW-P7C Recognise existing regulatory and non-regulatory measures when managing land and freshwater</u></p> <p><u>When determining what methods to use to manage land and freshwater, give preference to the methods requiring the least additional regulatory intervention in the land and water plan, where this will enable progress towards achieving the visions, by:</u></p> <p>a. <u>Staging the implementation of any new regulatory requirements in recognition of the existing costs associated with addressing regulations that are already in force so that the implementation of new regulation can be managed by resource users;</u></p> <p>b. <u>Relying on implementation of Freshwater Farm Plan Regulations;</u></p> <p>c. <u>Avoiding where possible new rules for matters already managed by:</u></p> <p> i. <u>National Environmental Standards; and</u></p> <p> ii. <u>Regulations made under the Resource Management Act</u></p> <p>d. <u>Leveraging existing catchment groups or community collectives;</u></p> <p>e. <u>Not imposing new regulatory requirements where water quality is already at the target attribute state;</u></p> <p>f. <u>Establishing trigger points where additional regulatory intervention is required to prevent degradation</u></p>	<p>New provision as discussed in my evidence.</p>

S42A report recommendations	Comment
<p data-bbox="203 236 730 263"><u>LF-VM-P7C – Local community involvement</u></p> <p data-bbox="203 316 1473 419"><u>When developing and implementing planning instruments to give effect to the objectives and policies in this policy statement through integrated management of land and freshwater, Otago Regional Council must actively engage with local communities, at the rohe and catchment level, to:</u></p> <ul style="list-style-type: none"> <li data-bbox="280 459 1473 523">(1) <u>identify values and environmental outcomes for Otago’s FMUs, rohe and catchments and the methods to achieve those outcomes, including as required by the NOF process; and</u> <li data-bbox="280 563 1473 627">(2) <u>develop and implement action plans that may be adapted over time with trigger points where additional regulatory and/or non-regulatory intervention is required; and</u> <li data-bbox="280 667 1473 730">(3) <u>at a local catchment level, including through catchment groups, encourage community initiatives to maintain or improve the health and well-being of waterbodies.</u> 	<p data-bbox="1496 236 2011 263">New provision as discussed in my evidence.</p>
<p data-bbox="203 783 685 810"><u>LF-FW-P9 – Protecting natural wetlands</u></p> <p data-bbox="203 842 1272 869">Protect <i>natural wetlands</i> by implementing clause 3.22(1) to (3) of the NPSFM, except that:</p> <ul style="list-style-type: none"> <li data-bbox="203 901 1368 965">(i) <u>in the coastal environment, <i>natural wetlands</i> must also be managed in accordance with the NZCPS, and</u> <li data-bbox="203 997 1368 1109">(ii) <u>when managing the adverse <i>effects</i> of an activity on <i>indigenous biodiversity</i>, the <i>effects management hierarchy (in relation to indigenous biodiversity)</i> applies instead of the <i>effects management hierarchy (in relation to natural wetlands and rivers)</i>.</u> <p data-bbox="203 1141 544 1168">Protect <i>natural wetlands</i> by:</p> <ul style="list-style-type: none"> <li data-bbox="248 1193 920 1220">(1) avoiding a reduction in their values or extent unless: <li data-bbox="203 1268 745 1295">(a) the <i>loss of values</i> or extent arises from: <ul style="list-style-type: none"> <li data-bbox="338 1337 1328 1364">i. the customary harvest of food or resources undertaken in accordance with tikaka 	<p data-bbox="1496 783 1821 810">No changes recommended.</p>

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<p>Māori,</p> <ul style="list-style-type: none"> ii. restoration activities, iii. scientific research, iv. the sustainable harvest of sphagnum moss, v. the construction or maintenance of <i>wetland utility structures</i>, vi. the maintenance of operation of <i>specific infrastructure, or other infrastructure</i>, vii. <i>natural hazard works, or</i> <p>(b) — the Regional Council is satisfied that:</p> <ul style="list-style-type: none"> i. the activity is necessary for the construction or upgrade of specified infrastructure, ii. the specified infrastructure will provide significant national or regional benefits, iii. there is a functional need for the specified infrastructure in that location, iv. the effects of the activity on indigenous biodiversity are managed by applying either ECO-P3 or ECO-P6 (whichever is applicable), and v. the other effects of the activity (excluding those managed under (1)(b)(iv)) are managed by applying the effects management hierarchy, and <p>(2) — not granting resource consents for activities under (1)(b) unless the Regional Council is satisfied that:</p> <p>(a) the application demonstrates how each step of the <i>effects management hierarchies</i> in (1)(b)(iv) and (1)(b)(v) will be applied to the <i>loss of values</i> or extent of the <i>natural wetland</i>, and</p> <p>(b) any consent is granted subject to conditions that apply the <i>effects management hierarchies</i> in (1)(b)(iv) and (1)(b)(v).</p>	

S42A report recommendations	Comment
<p>LF-FW-P10 – Restoring <i>natural wetlands</i></p> <p>Improve the ecosystem health, hydrological functioning, water quality and extent of <i>natural wetlands</i> that have been degraded or lost by requiring, where possible <u>to the greatest extent practicable</u>:</p> <ul style="list-style-type: none"> (1) an increase in the extent and quality <u>condition</u> of habitat for indigenous species, (2) the restoration of hydrological processes, (3) control of pest species and vegetation clearance, and (4) the exclusion of stock, <u>except that sheep do not need to be excluded where there will be no enhancement of the matters in clauses (1) to (3).</u> 	<p>These amendments reflect that exclusion over and above that already required by the Resource Management (Stock Exclusion) Regulations is not required as a blanket provision. It is recognised in the s42A report at paragraphs 1484-1487 that there may in fact be some benefits to sheep grazing around wetland areas as a way to manage pest plant species and pasture growth while allowing native plantings to establish.</p>
<p>LF-FW-P15 - Stormwater and wastewater discharges</p> <p>Minimise the adverse <i>effects</i> of direct and indirect discharges of stormwater and wastewater to <i>fresh water</i> by:</p> <ul style="list-style-type: none"> (1) except as required by LF-VM-O2 and LF-VM-O4, preferring discharges of wastewater to land over discharges to water, unless adverse effects associated with a discharge to land are greater than a discharge to water, and (2) requiring: <ul style="list-style-type: none"> a. all sewage, industrial or trade waste to be discharged into a reticulated wastewater system, where one is available, (ab) <u>integrated catchment management plans for management of <i>stormwater</i> in <i>urban areas</i>,</u> <ul style="list-style-type: none"> b. all <i>stormwater</i> to be discharged into a reticulated system, where one is <u>made available by the operator of the reticulated system, unless alternative treatment and disposal methods will result in improved outcomes for <i>fresh water</i>,</u> c. implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring for reticulated stormwater and wastewater systems, 	<p>No changes recommended.</p>

S42A report recommendations	Comment
<p>d. on-site wastewater systems to be designed and operated in accordance with best practice standards,</p> <p>e. that any <i>stormwater</i> and <i>wastewater discharges</i> do not prevent <i>water bodies</i> from meeting any applicable water quality standards set for <i>FMUs</i> and/or <i>rohe</i>, and</p> <p>f. the use of water sensitive urban design techniques to avoid or mitigate the potential adverse effects of contaminants on receiving water bodies from the subdivision, use or development of land, wherever practicable, and</p> <p>(3) promoting to the greatest extent practicable, requiring the reticulation of <i>stormwater</i> and <i>wastewater</i> in <i>urban areas</i>., and</p> <p>(4) promoting source control as a method for reducing <i>contaminants</i> in <i>discharges</i>.</p>	
<p><u>LF-FW-P16 – Discharges containing animal effluent, sewage, and industrial and trade waste</u></p> <p><u>Minimise the adverse effects of direct and indirect discharges containing animal effluent, sewage, and industrial and trade waste to fresh water by:</u></p> <p>(1) <u>phasing out existing discharges containing sewage or industrial and trade waste directly to water to the greatest extent possible,</u></p> <p>(2) <u>requiring:</u></p> <p>a. <u>new discharges containing sewage or industrial and trade waste to be to land, unless adverse effects associated with a discharge to land are demonstrably greater than a discharge to fresh water,</u></p> <p>b. <u>discharges containing animal effluent to be to land,</u></p> <p>c. <u>that all discharges containing sewage or industrial and trade waste are discharged into a reticulated wastewater system, where one is made available by its owner, unless alternative treatment and disposal methods will result in improved outcomes for fresh water,</u></p>	No changes recommended.

S42A report recommendations	Comment
<p>d. <u>implementation of methods to progressively reduce the frequency and volume of wet weather overflows and minimise the likelihood of dry weather overflows occurring into reticulated wastewater systems,</u></p> <p>e. <u>on-site wastewater systems and animal effluent systems to be designed and operated in accordance with best practice standards,</u></p> <p>f. <u>that any discharges do not prevent water bodies from meeting any applicable water quality standards set for FMUs and/or rohe,</u></p> <p>(3) <u>to the greatest extent practicable, requiring the reticulation of wastewater in urban areas, and</u></p> <p>(4) <u>promoting source control as a method for reducing contaminants in discharges.</u></p>	
<p><u>LF-FW-P17- – Regional plan timeframe</u> <u>Otago Regional Council must publicly notify a Land and Water Regional Plan no later than 30 June 2024</u></p>	<p>There may be some benefit to elevate the date by which ORC must notify the LWP into policy to ensure that the Council is strongly held to this date.</p> <p>I have recommended the timeframe component of Method LF-FW-M6 and LF-LS-M11 sit alone as a new policy.</p>
<p><u>LF-FW-M6 – Regional plans</u></p> <p>Otago Regional Council must publicly notify prepare a Land and Water <i>Regional Plan</i> no later than 31 December 2023 <u>30 June 2024</u> and, after it is made operative, maintain that <i>regional plan</i> to:</p> <p>(1A) <u>implement the required steps in the NOF process in accordance with the NPSFM in accordance with LF-FW-P7C,</u></p> <p>(1) identify the compulsory and, if relevant, other values for each Freshwater Management Unit,</p>	<p>I have recommended the timeframe component of this method sit alone as a new policy above.</p> <p>Minor amendments are proposed to link the timeframes back to the proposed provision LF-FW-P7B and LF-FW-P7C and the similar amendments to the visions.</p>

S42A report recommendations	Comment
<p>(2) — state <i>environmental outcomes</i> as objectives in accordance with clause 3.9 of the NPSFM,</p> <p>(3) identify <i>water bodies</i> that are <i>over-allocated</i> in terms of either their <i>water</i> quality or quantity and the methods and timeframes for phasing out that <i>over-allocation</i> (including through environmental flows and levels and <i>limits</i>) within the timeframes (as may be amended in accordance with LF-FW-P7B) required to achieve the relevant <i>freshwater</i> vision</p> <p>(4) — include environmental flow and level regimes for <i>water bodies</i> (including <i>groundwater</i>) that give effect to <i>Te Mana o te Wai</i> and provide for:</p> <ul style="list-style-type: none"> a. the behaviours of the <i>water body</i> including a base flow or level that provides for variability, b. healthy and resilient mahika kai, c. the needs of indigenous fauna, including taoka species, and aquatic species associated with the <i>water body</i>, d. the hydrological connection with other <i>water bodies</i>, estuaries and coastal margins, e. the traditional and contemporary relationship of Kāi Tahu to the <i>water body</i>, and f. community <i>drinking water</i> supplies, and <p>(5A) <u>provide for the allocation and use of <i>fresh water</i> in accordance with LF-FW-P7A,</u></p> <p>(5) — include <i>limits on resource use</i> that:</p> <ul style="list-style-type: none"> g. differentiate between types of uses, including <i>drinking water</i>, and social, cultural and economic uses, in order to provide long term certainty in relation to those uses of available <i>water</i>, h. for <i>water bodies</i> that have been identified as <i>over-allocated</i>, provide methods and timeframes for phasing out that <i>over-allocation</i>, i. — control the <i>effects</i> of existing and potential future development on the ability of the 	

S42A report recommendations	Comment
<p>j. water body to meet, or continue to meet, <i>environmental outcomes</i>,</p> <p>k. —manage the adverse <i>effects on water bodies</i> that can arise from the use and development of <i>land</i>, and</p> <p>(6) —provide for the off-stream storage of surface <i>water</i> where storage will:</p> <p>a. support <i>Te Mana o te Wai</i>,</p> <p>b. give effect to the objectives and policies of the LF chapter of this RPS, and</p> <p>c. not prevent a surface <i>water body</i> from achieving identified <i>environmental outcomes</i> and remaining within any <i>limits on resource use</i>, and</p> <p>(7) identify and manage <i>natural wetlands</i> in accordance with LF-FW-P7, LF-FW-P8 and LF-FW- P9 <u>and LF-FW-P10</u> while recognising that some activities in and around <i>natural wetlands</i> are managed under the NESF and the NESPF, and</p> <p>(8) manage the adverse <i>effects</i> of <i>stormwater</i> and wastewater <u>discharges</u> containing animal <u>effluent</u>, <u>sewage</u>, or <u>industrial and trade waste</u> in accordance with LF-FW-P15 <u>and LF-FW- P15A</u>.</p>	
<p>LF-FW-M7 – District plans</p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> no later than 31 December 2026 to:</p> <p>(1) map <i>outstanding water bodies</i> and identify their outstanding and significant values using the information gathered by Otago Regional Council in LF-FW-M5, and</p> <p>(2) include provisions to avoid the adverse effects of activities on <u>protect</u> the significant and outstanding values of <i>outstanding water bodies</i>,</p> <p><u>(2A) include provisions to preserve the natural character of lakes and rivers and their margins from the adverse effects of land use and development and activities on the surface of water,</u></p> <p>(3) require, wherever practicable, the adoption of water sensitive urban design techniques when managing the <i>subdivision</i>, use or development of <i>land</i>, and</p>	No changes recommended.

S42A report recommendations	Comment
<p>(4) reduce the adverse <i>effects</i> of <i>stormwater discharges</i> by managing the <i>subdivision</i>, use and development of <i>land</i> to:</p> <ul style="list-style-type: none"> a. minimise the peak volume of <i>stormwater</i> needing off-site disposal and the load of b. <i>contaminants</i> carried by it, c. minimise adverse <i>effects</i> on <i>fresh water</i> and <i>coastal water</i> as the ultimate receiving environments, and the capacity of the <i>stormwater</i> network, d. encourage on-site storage of rainfall to detain peak <i>stormwater</i> flows, and e. promote the use of permeable surfaces. 	
<p>LF-FW-M8 – Action plans</p> <p>Otago Regional Council:</p> <ul style="list-style-type: none"> (1) must prepare an action plan for achieving any target <i>attribute</i> states for <i>attributes</i> described in Appendix 2B of the NPSFM, (2) may prepare an action plan for achieving any target <i>attribute</i> states for <i>attributes</i> described in Appendix 2A of the NPSFM, and <u>(2A) may prepare an action plan for any other purpose set out in the NPSFM, and</u> (3) must prepare any action plan in accordance with clause 3.15 of the NPSFM. 	No changes recommended.
<p>LF-VM-E2 – Explanation</p> <p>Implementing the NPSFM requires Council to identify <i>Freshwater Management Units (FMUs)</i> that include all <i>freshwater bodies</i> within the region. Policy LF-VM-P5 identifies Otago’s five <i>FMUs</i>: Clutha Mata-au <i>FMU</i>, Taieri <i>FMU</i>, North Otago <i>FMU</i>, Dunedin & Coast <i>FMU</i> and Catlins <i>FMU</i>. The Clutha Mata-au <i>FMU</i> is divided into five sub-<i>FMUs</i> known as ‘rohe’. Policy LF-VM-P6 sets out the relationship between <i>FMUs</i> and rohe which, broadly, requires rohe provisions to be no less stringent than the parent <i>FMU</i> provisions. This is to avoid any potential for rohe to set lower standards than others which would affect the ability of the <i>FMU</i> to achieve its stated outcomes.</p>	No changes recommended.

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<p>The outcomes sought for <i>natural wetlands</i> are implemented by requiring identification, protection and restoration. The first two policies reflect the requirements of the NPSFM for identification and protection but apply that direction to all <i>natural wetlands</i>, rather than only inland natural wetlands (those outside the <i>coastal marine area</i>) as the NPSFM directs. This reflects the views of takata <i>mana-whenua</i> and the community that <i>fresh</i> and <i>coastal water</i>, including <i>wetlands</i>, should be managed holistically and in a consistent way. While the NPSFM requires promotion of the restoration of natural inland wetlands, the policies in this section take a stronger stance, requiring improvement where <i>natural wetlands</i> have been <i>degraded</i> or lost. This is because of the importance of restoration to Kāi Tahu and in recognition of the historic loss of <i>wetlands</i> in Otago and the indigenous biodiversity and hydrological values of wetland systems. <i>[Note to reader: originally LF-FW-E3 para 2]</i></p> <p>The impact of <i>discharges</i> of <i>stormwater</i> and <i>wastewater</i> on <i>freshwater bodies</i> is a significant issue for <i>mana whenua</i> and has contributed to <i>water</i> quality issues in some <i>water bodies</i>. The policies set out a range of actions to be implemented in order to improve the quality of these <i>discharges</i> and reduce their adverse <i>effects</i> on receiving environments.</p>	
<p>LF-VM-PR2 – Principal reasons</p> <p>Otago's <i>water bodies</i> are significant features of the region and play an important role in Kāi Tahu beliefs and traditions. <u>They support people and communities to provide for their social, economic, and cultural well-being.</u> A growing population combined with increased <i>land</i> use intensification has heightened demand for <i>water</i>, and increasing nutrient and sediment contamination impacts <i>water</i> quality. The legacy of Otago's historical mining privileges, coupled with contemporary <u>urban and rural land</u> uses, contribute to ongoing <i>water</i> quality and quantity issues in some <i>water bodies</i>, with significant cultural effects. <i>[Note to reader: originally LF-FW-PR3 para 1]</i></p> <p>This section of the LF chapter contains more specific direction on managing fresh water to give effect to Te Mana o te Wai and contributes to achieving the long-term freshwater visions for each FMU and rohe. It also reflects key direction in the NPSFM for managing the health and well-being of <i>fresh water</i>, including</p>	No changes recommended.

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<p>wetlands and rivers in particular, and matters of national importance under section 6 of the RMA 1991. The provisions in this section will underpin the development of the Council's <i>regional plans</i> and provide a foundation for implementing the requirements of the NPSFM, including the development of <i>environmental outcomes, attribute states, target attribute states</i> and limits. [Note to reader: originally LF-FW-PR3 para 2]</p>		
LF-FW-AER4	<p><i>Fresh water</i> is allocated within limits that contribute to achieving specified <i>environmental outcomes for water bodies</i> within timeframes set out in <i>regional plans</i> that are no less stringent than the timeframes in the LF-VM section of this chapter.</p>	<p>A new anticipated environmental outcome is recommended that continues the link of resource use supporting local communities.</p>
LF-FW-AER5	<p><i>Specified rivers and lakes</i> are suitable for primary contact within the timeframes set out in LF-FW-P7.</p>	
LF-FW-AER6	<p><i>Degraded water</i> quality is improved so that it meets specified <i>environmental outcomes</i> within timeframes set out in <i>regional plans</i> that are no less stringent than the timeframes in the LF-VM section of this chapter.</p>	
LF-FW-AER7	<p>Water in Otago's aquifers is suitable for human consumption, unless that water is naturally unsuitable for consumption.</p>	
LF-FW-AER8	<p>Where <i>water</i> is not <i>degraded</i>, there is no reduction in <i>water</i> quality.</p>	
LF-FW-AER9	<p><u>Direct discharges of wastewater to water</u> are phased out to the greatest extent practicable and the ¹¹ The frequency of <i>wastewater</i> overflows is reduced.</p>	
LF-FW-AER10	<p>The quality of <i>stormwater discharges</i> from existing <i>urban areas</i> is improved.</p>	
LF-FW-AER11	<p>There is no reduction <u>an improvement</u> in the extent or <u>quality condition</u> of Otago's <i>natural wetlands</i>.</p>	

S42A report recommendations	Comment
<p>LF-FW-AER12 The economic, social and cultural wellbeing of communities is sustained.</p>	
<p>LF-LS-P18 – Soil erosion</p> <p>Minimise soil erosion, and the associated risk of sedimentation in water bodies, resulting from <i>land</i> use activities by:</p> <p>(2) maintaining vegetative cover on erosion-prone <i>land</i>, and</p> <p>(1) <u>where vegetation removal is necessary or there is no vegetative cover</u>, implementing effective management practices to retain topsoil in-situ and minimise the potential for soil to be <i>discharged</i> to <i>water bodies</i>, including by controlling the timing, duration, scale and location of soil exposure, <u>and</u></p> <p>(3) promoting activities that enhance soil retention.</p>	<p>No changes recommended.</p>
<p>LF-LS-P21 – Land use and fresh water</p> <p>Achieve the improvement or maintenance of fresh water quantity, or quality <u>The health and well-being of water bodies is maintained or, if degraded, improved to meet environmental outcomes set for Freshwater Management Units and/or rohe by, in accordance with LF-FW-P7C:</u></p> <p>(1) reducing or otherwise managing the adverse effects of direct and indirect <i>discharges</i> of <i>contaminants</i> to <i>water</i> from the use and development of <i>land</i>, and</p> <p>(2) managing <i>land</i> uses that may have adverse <i>effects</i> on the flow of <i>water</i> in surface <i>water bodies</i> or the recharge of <i>groundwater</i>, <u>and</u></p> <p>(3) <u>maintaining or, where degraded, enhancing the habitat and biodiversity values of riparian margins.</u></p>	<p>Minor amendments to link back to the new provision are proposed which will assist in identifying the appropriate methods to use in managing land uses.</p>
<p>LF-LS-M11 – Regional plans</p> <p>Otago Regional Council must publicly notify <u>prepare</u> a Land and Water <i>Regional Plan</i> no later than 31 December 2023 <u>30 June 2024</u> and then, when it is made operative, maintain that <i>regional plan</i> to, <u>in accordance with LF-FW-P7C:</u></p>	<p>I have recommended the timeframe component of this method sit alone as a new policy above.</p>

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<p>(1) manage <i>land</i> uses that may affect the ability of <i>environmental outcomes</i> for <i>water</i> quality to be achieved by requiring:</p> <ul style="list-style-type: none"> (a) the development and implementation of <i>certified freshwater farm plans</i>, as required by the RMA and any regulations, (b) the adoption of practices that reduce the <i>risk</i> of sediment and nutrient loss to <i>water</i>, including by minimising the area and duration of exposed soil, using buffers, and actively managing critical source areas, (c) effective management of effluent storage and applications systems, and (d) <i>earthworks</i> activities to implement effective sediment and erosion control practices and setbacks from <i>water bodies</i> to reduce the <i>risk</i> of sediment loss to <i>water</i>, and <p>(2) provide for changes in <i>land</i> use that improve the sustainable and efficient allocation and use of <i>fresh water</i>, and</p> <p>(2A) <u>enable the <i>discharge of contaminants to land for pest control</i>, and</u></p> <p>(3) implement policies LF-LS-P16 to LF-LF-P22.</p>	<p>Minor amendments are proposed to link the timeframes back to the proposed provision LF-FW-P7C.</p>
<p>LF-LS-AER14 The use of <i>land</i> supports the achievement of <i>environmental outcomes</i> and objectives in Otago's <i>FMUs</i> and rohe.</p>	<p>No changes recommended.</p>