

Interim review of the Southland Regional Policy Statement

Part B: Supporting Analysis

Prepared for Environment Southland

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December 2019



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Appendix A: Desktop analysis (full)

1. Legislative changes

1.1. Resource Legislation Amendment Act 2017 (RLAA 2019)

1.1.1. Overview

The RLAA introduced changes to the RMA as well as a number of other statutes. The changes to the RMA were wide-ranging, including:

- new options for national direction;
- revised functions for RMA decision makers;
- changes to Māori participation in the RMA;
- changes to the standard planning track;
- a new optional streamlined planning process;
- a new optional collaborative planning process;
- changes to heritage protection under the RMA;
- new consent exemption and fast-track processes;
- changes to resource consent notification;
- new matters to consider for resource consents and designations;
- publishing fixed fees;
- aligning the Conservation Act and Reserves Act processes with the RMA;
- changes to public notices, electronic servicing and submission strike out;
- changes to objections and Environment Court processes; and
- changes to the board of inquiry processes.

Most of these changes are not directly relevant to the RPS as they are focused on amending procedures. The most significant changes for the RPS arise from the changes in the functions of RMA decision makers which are summarised below.

1.1.2. Implications

Managing significant risks from natural hazards

The RLAA amended section 6 to add ‘the management of significant risks from natural hazards’ to the list of matters of national importance. This was to provide an explicit mandate for management and to support the functions of councils under sections 30 and 31. Chapter 8 (Natural Hazards) of the RPS was drafted prior to this amendment so it is not clear whether the national importance of this matter has been appropriately reflected in those provisions. This will be considered as part of the effectiveness and efficiency review of that chapter.

Sufficient development capacity for housing and business

Sections 30 and 31 set out the functions of regional and district councils (respectively). The RLAA introduced a function into both sections for all councils to establish, implement and review objectives, policies and methods to ensure there is sufficient housing and business development capacity to meet

expected short, medium and long-term demand. The new functions are supported by the National Policy Statement for Urban Development Capacity 2016 which is discussed further later in this report.

Control of hazardous substances

Prior to the RLAA, sections 30 and 31 contained an explicit function to control the adverse effects of the storage, use, disposal or transportation of hazardous substances. Those functions were removed by the RLAA. Since that function was introduced into the RMA, the Hazardous Substances and New Organisms Act 1996 and the Health and Safety at Work Act 2015 have been passed, which also manage hazardous substances. The intent of the change was to remove the perception that it was mandatory to include such controls, instead suggesting that these controls are only necessary to control effects that are not managed under other legislation. This is likely to have implications for the appropriateness of the provisions in Chapter 12 (Hazardous Substances) of the RPS.

Plans and policy statements to address matters only relevant to the RMA

The RLAA introduced changes to require decision makers to take all practicable steps to ensure that policy statements and plans only include provisions to achieve the purpose of the RMA and that in developing policy statements and plans, decision makers should consider what controls already exist in other legislation. Additional controls would need to be justified in terms of their RMA purpose and considered through an assessment under section 32. This is a fairly broad requirement but will need to be taken into consideration when reviewing the provisions of the RPS.

Plans and policy statements to use clear and concise wording

The RLAA introduced a requirement for decision makers to take all practicable steps to ensure their plans and policy statements are worded in a way that is clear and concise. The intent of the change was to encourage plan drafters to ensure that plans and policy statements are user-friendly and easily navigated and interpreted by users. As with the previous change discussed, this is a broad requirement that will need to be considered for all of the provisions of the RPS.

1.2. Resource Management Amendment Act 2013 (RMAA 2013)

1.2.1. Overview

The RMAA 2013 introduced a series of changes to the RMA that were intended to deliver communities' planning needs, enable growth and provide strong environmental outcomes in a timely and cost-effective way. The main changes were:

- improvements to resource consent processes;
- a streamlined process for Auckland's first unitary plan;
- a six month time limit for processing consents for medium-sized projects;
- easier direct referral to the Environment Court for major regional project; and
- stronger requirements for councils to base their planning decisions on robust and thorough cost-benefit analysis.

1.2.2. Implications

The only changes potentially of relevance to the RPS are to the cost-benefit analysis requirements in section 32. Because the RPS was notified before these amendments, a further evaluation under section 32AA of the changes recommended in response to submissions was not required. It is not possible to know whether such an evaluation would have changed the recommendations made.

1.3. Climate Change Response (Zero Carbon) Amendment Bill 2019

1.3.1. Overview

The Zero Carbon Bill provides a framework by which New Zealand can develop and implement climate change policies that contribute to the global effort under the Paris Agreement to limit the global average temperature increase to 1.5 degrees Celsius above pre-industrial levels. This Bill:

- sets a new greenhouse gas emissions reduction target to:
 - reduce all greenhouse gases (except biogenic methane) to net zero by 2050; and
 - reduce emissions of biogenic methane within the range of 24-47% below 2017 levels by 2050 including to 10% below 2017 levels by 2030;
- sets a series of emissions budgets to act as stepping stones towards the long-term target;
- requires the Government to develop and implement policies for climate change adaptation and mitigation; and
- establishes a new Climate Change Commission to provide expert advice and monitoring to help keep successive governments on track to meeting long-term goals.

Submissions closed in July 2019 and the Environment Select Committee is currently considering the Bill.

1.3.2. Implications

The specific implications of the Bill will depend on the policies put in place to achieve the targets. The Cabinet paper supporting the Bill noted that economic modelling had indicated:¹

- slightly lower annual average GDP growth (2.06% down to 1.94%);
- slightly lower growth in household incomes (87% down to 84%);
- more sheep and beef land converted to forestry (1 million hectares up from 0.8 million);
- the average dairy farm could face a cost of approximately 0.3% of current gross revenue per year (\$2500); and
- potential increase in petrol prices of 2 cents per litre.

Some of these changes are likely to drive changes in land uses, particularly rural land uses. That may change Southland's priorities from a resource management perspective, which would affect the direction and content of the RPS.

¹ Cabinet paper, retrieved from <https://www.mfe.govt.nz/sites/default/files/media/Climate%20Change/Proposed%20Climate%20Change%20Bill%20Cabinet%20Paper.pdf>

2. Current national direction – focused assessment

2.1. New Zealand Coastal Policy Statement 2010 (NZCS)

The New Zealand Coastal Policy Statement took effect on 3 December 2010. Its purpose is to state policies in order to achieve the purpose of the RMA in relation to the coastal environment of New Zealand.

Provisions	Assessment
<p>Objective 1</p> <p>To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:</p> <ul style="list-style-type: none"> • maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature; • protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand’s indigenous coastal flora and fauna; and • maintaining coastal water quality and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity. 	<p>Objective COAST.1 requires that the RPS provide clear direction on appropriate and inappropriate subdivision, use and development activities, the cumulative effect of an activity, and precedent effects of a decision, within the region’s coastal environment. Objective BIO.2 requires that indigenous biodiversity in Southland is maintained and areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected for present and future generations. Objective COAST.3 requires that coastal water quality and ecosystems are maintained or enhanced. These provisions broadly give effect to Objective 1.</p>
<p>Objective 2</p> <p>To preserve the natural character of the coastal environment and protect natural features and landscape values through:</p> <ul style="list-style-type: none"> • recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution; • identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and • encouraging restoration of the coastal environment. 	<p>Objective COAST.4 requires that the natural character of the coastal environment is restored, rehabilitated or preserved. However, it does not explicitly require that the characteristics and qualities of natural character areas are recognised, nor does it require the identification and protection of areas where various activities are inappropriate. It does however, include direction on restoration and rehabilitation. Additionally, Objective LNF.1 requires that Southland’s outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development. These provisions broadly give effect to Objective 2 of the NZCPS.</p>

<p>Objective 3</p> <p>To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:</p> <ul style="list-style-type: none"> • recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources; • promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act; • incorporating mātauranga Māori into sustainable management practices; and • recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua. 	<p>Chapter 3: Tangata Whenua also contains a number of objectives, policies and methods setting out Ngāi Tahu’s relationship with the land, air, water and natural resources generally. Objective TW.1 and Policy TW.1 require that the principles of the Treaty of Waitangi/Te Tiriti o Waitangi are taken into account.</p> <p>It is considered that the provisions within Chapter 3 of the RPS give effect to Objective 3 of the NZCPS. However, there could be greater explanations within the plan showing connections between the Tangata Whenua chapter and the Coastal chapter.</p>
<p>Objective 4</p> <p>To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:</p> <ul style="list-style-type: none"> • recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy; • maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and • recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland. 	<p>There are no objectives within the RPS that relate directly to maintaining and enhancing the public open space.</p>
<p>Objective 5</p> <p>To ensure that coastal hazard risks taking account of climate change, are managed by:</p> <ul style="list-style-type: none"> • locating new development away from areas prone to such risks; • considering responses, including managed retreat, for existing development in this situation; and 	<p>Chapter 8 of the RPS relates to Natural Hazards. Objective NH.1 requires that the risks to people, communities, their businesses, property and infrastructure from the effects of natural hazards are understood and avoided, remedied or mitigated, resulting in communities becoming more resilient.</p>

<ul style="list-style-type: none"> protecting or restoring natural defences to coastal hazards 	<p>Policy NH.2 requires that district plans identify, where practicable, areas subject to known natural hazard risk, and actively engage with individuals and the community in managing those and other natural hazard risk areas, using the most up to date information available. Policy NH.8 requires that natural features and landforms that provide protection from natural hazards shall be protected, recreated or enhanced.</p> <p>It is considered that the provisions within Chapter 8 (Natural Hazards) of the RPS give effect to Objective 5 of the NZCPS.</p>
<p>Objective 6</p> <p>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</p> <ul style="list-style-type: none"> the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits; some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities; functionally some uses and developments can only be located on the coast or in the coastal marine area; the coastal environment contains renewable energy resources of significant value; the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities; the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land; the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and 	<p>Objective COAST.1 and Policy COAST.1 require the RPS, regional and district plans to identify where activities are appropriate and inappropriate and Objective COAST.2 lists specific activities to be provided for, and Objective COAST.5 specifically relates to aquaculture. Additionally, Objective HH.1 requires that historic heritage values are identified and protected from inappropriate subdivision, use and development.</p> <p>It is considered that the suite of provisions within the RPS broadly give effect to Objective 6 of the NZCPS.</p>

<ul style="list-style-type: none"> • historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development. 	
<p>Objective 7</p> <p>To ensure that management of the coastal environment recognises and provides for New Zealand’s international obligations regarding the coastal environment, including the coastal marine area.</p>	<p>There are no provisions within the RPS that specifically recognise and provide for New Zealand’s international obligations. However, it is expected that if the RPS gives effect to the NZCPS, then the provisions of the RPS should broadly provide for New Zealand’s international obligation in the coastal environment.</p>
<p>Policy 1</p> <p>Extent and characteristics of the coastal environment</p> <p>(1) Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.</p> <p>(2) Recognise that the coastal environment includes:</p> <ul style="list-style-type: none"> (a) the coastal marine area; (b) islands within the coastal marine area; (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these; (d) areas at risk from coastal hazards; (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds; (f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values; (g) items of cultural and historic heritage in the coastal marine area or on the coast; (h) inter-related coastal marine and terrestrial systems, including the intertidal zone; and (i) physical resources and built facilities, including infrastructure, that have modified the coastal environment. 	<p>Policy COAST.1, Method COAST.1(b) and Method COAST.4 address these requirements at a high level by outlining matters to be taken into account in regional and district plans.</p> <p>The policies of the RPS do not require that the extent and characteristics of the coastal environment is recognised using the attributes listed in the NZCPS, nor is there a reference to the attributes listed in Policy 1 of the NZCPS. It is suggested that the attributes of the Coastal Environment listed in Policy 1 of the NZCPS should be referred to explicitly or included as an appendix.</p>

Policy 2

In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:

- (a) recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;
- (b) involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;
- (c) with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori² in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;
- (d) provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga³, may have knowledge not otherwise available;
- (e) take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and
 - (i) where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and

Policy COAST.2 and Methods COAST.3, COAST.4 and COAST.9 address matters relevant to tangata whenua such as protection methods, protocols and accords, district plan provisions, and collaboration with other parties.

The objectives, policies and methods in Chapter 3 (Tangata Whenua) set out Ngāi Tahu's relationship with the land, air, water and natural resources generally. These are considered to largely give effect to Policy 2 of the NZCPS.

² Māori customary knowledge, traditional knowledge or intergenerational knowledge.

³ A person skilled or versed in the customary and traditional knowledge, tikanga, arts, histories and genealogies of a particular iwi or hapū.

<ul style="list-style-type: none"> (ii) consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans; (f) provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as: <ul style="list-style-type: none"> (i) bringing cultural understanding to monitoring of natural resources; (ii) providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua; (iii) having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaītai or other non commercial Māori customary fishing; and (g) in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value: <ul style="list-style-type: none"> (i) recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and (ii) provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages. 	
<p>Policy 3</p> <ul style="list-style-type: none"> (1) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown, or little understood, but potentially significantly adverse. (2) In particular, adopt a precautionary approach to use and management of coastal resources potentially vulnerable to effects from climate change, so that: <ul style="list-style-type: none"> (a) avoidable social and economic loss and harm to communities does not occur; 	<p>Policy NH.3 requires a precautionary approach is taken when managing the effects of climate change and sea level rise, and any associated changes in the scale and frequency of natural hazards, to ensure potential adverse effects are avoided or mitigated.</p> <p>There is no specific direction within Chapter 7 (Coast) that identifies activities which may have effects on the coastal environment that are</p>

<ul style="list-style-type: none"> (b) natural adjustments for coastal processes, natural defences, ecosystems, habitat and species are allowed to occur; and (c) the natural character, public access, amenity and other values of the coastal environment meet the needs of future generations. 	<p>uncertain, unknown, or little understood, but are potentially significantly adverse.</p>
<p>Policy 4</p> <p>Provide for the integrated management of natural and physical resources in the coastal environment, and activities that affect the coastal environment. This requires:</p> <ul style="list-style-type: none"> (a) co-ordinated management or control of activities within the coastal environment, and which could cross administrative boundaries, particularly: <ul style="list-style-type: none"> (i) the local authority boundary between the coastal marine area and land; (ii) local authority boundaries within the coastal environment, both within the coastal marine area and on land; and (iii) where hapū or iwi boundaries or rohe cross local authority boundaries; (b) working collaboratively with other bodies and agencies with responsibilities and functions relevant to resource management, such as where land or waters are held or managed for conservation purposes; and (c) particular consideration of situations where: <ul style="list-style-type: none"> (i) subdivision, use, or development and its effects above or below the line of mean high water springs will require, or is likely to result in, associated use or development that crosses the line of mean high water springs; or (ii) public use and enjoyment of public space in the coastal environment is affected, or is likely to be affected; or (iii) development or land management practices may be affected by physical changes to the coastal environment or potential inundation from coastal hazards, including as a result of climate change; or (iv) land use activities affect, or are likely to affect, water quality in the coastal environment and marine ecosystems through increasing sedimentation; or 	<p>Chapter 2 of the RPS sets out the processes for resolving cross-boundary issues and inter-agency coordination of process. This includes promoting the consistent and integrated management of natural resources, including, integrating the management of coastal and fresh water.</p> <p>There are no specific objectives, policies or methods in Chapter 7 (Coast) that direct the integrated management of the coastal environment.</p>

<p>(v) significant adverse cumulative effects are occurring, or can be anticipated.</p>	
<p>Policy 5</p> <p>(1) Consider effects on land or waters in the coastal environment held or managed under:</p> <p>(a) the Conservation Act 1987 and any Act listed in the 1st Schedule to that Act; or</p> <p>(b) other Acts for conservation or protection purposes; and, having regard to the purposes for which the land or waters are held or managed:</p> <p>(c) avoid adverse effects of activities that are significant in relation to those purposes; and</p> <p>(d) otherwise avoid, remedy or mitigate adverse effects of activities in relation to those purposes.</p> <p>(2) Have regard to publicly notified proposals for statutory protection of land or waters in the coastal environment and the adverse effects of activities on the purposes of that proposed statutory protection.</p>	<p>Within the Southland coastal context there are a number of areas which are managed under other statutes, i.e.:</p> <ul style="list-style-type: none"> • Fiordland (Te Moana o Atawhenua) Marine Management Act 2005 • Marine Mammals Protection Act 1978 (Te Waewae Bay, Southland) • National Parks Act 1980 (Fiordland and Rakiura National Parks) <p>The NZCPS guidance document⁴ states that three elements need to be addressed when implementing this policy.</p> <ul style="list-style-type: none"> • Identifying the relevant legislation, land and waters. • Identifying the values or management purposes of the land and waters that are relevant to the coastal environment and the regional coastal planning work. • Determining how the regional policy statement and regional plans, including the regional coastal plans or regional coastal environment or combined plans, will address those values. <p>There is no particular reference in the RPS to areas of the coastal environment held or managed under other statutes.</p>
<p>Policy 6</p> <p>(1) In relation to the coastal environment:</p> <p>(a) recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals</p>	<p>In relation to part 1(b) and 1(f) Policy COAST.1 requires that regional and district plans identify locations within the coastal environment where particular activities are appropriate, inappropriate, may be inappropriate without a resource consent process.</p> <p>In relation to part 1(a), 1(e) and 1(g), Policy COAST.4 requires that provision shall be made for nationally significant, regionally</p>

⁴ <https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/guidance/policy-5.pdf>

<p>are activities important to the social, economic and cultural well-being of people and communities;</p> <ul style="list-style-type: none"> (b) consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment; (c) encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth; (d) recognise tangata whenua needs for papakāinga⁵, marae and associated developments and make appropriate provision for them; (e) consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area; (f) consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable; (g) take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations; (h) consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects; (i) set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and 	<p>significant or critical infrastructure that has a functional, operational or technical need to be located within the coastal environment, and appropriate port, aquaculture, mineral extraction activities and energy projects that must be located within the coastal environment. Also, Policy COAST.3(c) requires that activities protect and provide for nationally significant, regionally significant, and critical infrastructure, including ports and energy projects for the region.</p> <p>In relation to part 1(d), Objective TW.5 seeks that Māori are able to develop and use their land and resources and provide for their social, economic and cultural wellbeing, in a manner that is sustainable.</p> <p>In relation to part 1(h), 1(i) and 1(j) Policy COAST.2 ensures that adequate measures or methods are utilised within the coastal environment to achieve a range of outcomes.</p> <p>In relation to subclause 2, Policy COAST.7 requires that within the coastal marine area, a framework is provided to avoid or mitigate adverse effects on the coastal environment for specific activities. In addition, Policy COAST.2 ensures that public access is maintained or enhanced.</p> <p>In general, the RPS has given effect to Policy 6. However, there could be more direction provided with the RPS to encourage the consolidation of existing coastal settlements and urban areas in accordance with part 1(c), and also more encouragement of development that maintains the character of the existing built environment in accordance with part 1(f). This could be possible with greater direction within Policy COAST.1.</p>
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⁵ Development of a communal nature on ancestral land owned by Māori.

<p>(j) where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.</p> <p>(2) Additionally, in relation to the coastal marine area:</p> <p>(a) recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations:</p> <p>(b) recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;</p> <p>(c) recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;</p> <p>(d) recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and</p> <p>(e) promote the efficient use of occupied space, including by:</p> <p>(i) requiring that structures be made available for public or multiple use wherever reasonable and practicable;</p> <p>(ii) requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and</p> <p>(iii) considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.</p>	
<p>Policy 7</p> <p>(1) In preparing regional policy statements, and plans:</p> <p>(a) consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level, and:</p>	<p>Policy COAST.1 requires that regional and district plans identify where particular activities are appropriate or inappropriate. This gives effect to Policy 7 in a very broad way. However, it does not expand on how Policy 7 shall be given effect to in the Southland context. It does not identify areas of the coastal environment where particular activities and forms of subdivision, use and development are inappropriate,</p>

<p>(b) identify areas of the coastal environment where particular activities and forms of subdivision, use and development:</p> <ul style="list-style-type: none"> (i) are inappropriate; and (ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules. <p>(2) Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.</p>	<p>may be inappropriate, or are under threat or at significant risk. The drafting of the RPS delegates that task to the Regional Coastal Plan.</p> <p>Given Policy 7 provides explicit direction that this direction should be included within regional policy statements, it is considered more work could be done to give effect to Policy 7.</p>
<p>Policy 8</p> <p>Recognise the significant existing and potential contribution of aquaculture to the social, economic and cultural well-being of people and communities by:</p> <ul style="list-style-type: none"> (a) including in regional policy statements and regional coastal plans provision for aquaculture activities in appropriate places in the coastal environment, recognising that relevant considerations may include: <ul style="list-style-type: none"> (i) the need for high water quality for aquaculture activities; and (ii) the need for land-based facilities associated with marine farming; (b) taking account of the social and economic benefits of aquaculture, including any available assessments of national and regional economic benefits; and (c) ensuring that development in the coastal environment does not make water quality unfit for aquaculture activities in areas approved for that purpose. 	<p>Objective COAST.2 and Policy COAST.4 requires that aquaculture is provided for and able to expand, where appropriate, while managing the adverse effects of those activities. Objective COAST.5 requires that contribution of aquaculture to the well-being of people and communities is recognised by making provision for aquaculture in appropriate locations. Additionally, Method COAST.1 requires that the Regional Coastal Plan provides clear direction as to the areas within the coastal marine area that are appropriate for use and development of aquaculture.</p> <p>It is considered that RPS gives effect to Policy 8.</p>
<p>Policy 9</p>	<p>Objective COAST.2 and Policy COAST.4 requires that ports are provided for and able to expand, where appropriate, while managing the adverse effects of those activities. Method COAST.1 requires that the Regional Coastal Plan provides clear direction as to the areas</p>

<p>Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by:</p> <ul style="list-style-type: none"> (a) ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes; and (b) considering where, how and when to provide in regional policy statements and in plans for the efficient and safe operation of these ports, the development of their capacity for shipping, and their connections with other transport modes. 	<p>within the coastal marine area that are appropriate for use and development of port facilities. It is considered that RPS gives effect to Policy 8.</p>
<p>Policy 10</p> <ul style="list-style-type: none"> (1) Avoid reclamation of land in the coastal marine area, unless: <ul style="list-style-type: none"> (a) land outside the coastal marine area is not available for the proposed activity; (b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area; (c) there are no practicable alternative methods of providing the activity; and (d) the reclamation will provide significant regional or national benefit. (2) Where a reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design have particular regard to: <ul style="list-style-type: none"> (a) the potential effects on the site of climate change, including sea level rise, over no less than 100 years; (b) the shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast; (c) the use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area; 	<p>Policy COAST.1 requires that regional and district plans identify where particular activities are appropriate or inappropriate. The explanation notes that reclamations are only appropriate if they provide significant regional or national benefit, with particular regard given if the intended purpose would provide for the efficient operation of infrastructure (including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals) and of marinas and electricity generation. Method COAST.1 requires that the Regional Coastal Plan provides clear direction as to the areas within the coastal marine area that are appropriate or inappropriate for use and development.</p> <p>In general, it is considered that the RPS gives effect to Policy 10 of the NZCPS, with the specific provisions managing reclamation within the Regional Coastal Plan.</p>

<ul style="list-style-type: none"> (d) providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in policy 19; (e) the ability to remedy or mitigate adverse effects on the coastal environment; (f) whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and (g) the ability to avoid consequential erosion and accretion, and other natural hazards. <p>(3) In considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation.</p> <p>(4) De-reclamation of redundant reclaimed land is encouraged where it would:</p> <ul style="list-style-type: none"> (a) restore the natural character and resources of the coastal marine area; and (b) provide for more public open space. 	
<p>Policy 11</p> <p>To protect indigenous biological diversity in the coastal environment:</p> <ul style="list-style-type: none"> (a) avoid adverse effects of activities on: <ul style="list-style-type: none"> (i) indigenous taxa⁶ that are listed as threatened⁷ or at risk in the New Zealand Threat Classification System lists; (ii) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened; (iii) indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare⁸; 	<p>Policy COAST.2 requires that adequate measures or methods are utilised within the coastal environment when making provision for subdivision, use and development to protect indigenous biodiversity and maintain or enhance ecological values. Additionally, Policy BIO.3 requires that indigenous biodiversity is protected from adverse effects in the coastal environment as set out in Policy 11 of the New Zealand Coastal Policy Statement 2010.</p> <p>Method BIO.1 requires that the Schedule of Threatened, At Risk and Rare Habitat Types to be updated through plan reviews and that</p>

⁶ Named biological classification units assigned to individuals or sets of species (eg species, subspecies, genus, order, variety).

⁷ Examples of taxa listed as threatened are – Māui dolphin, Hector’s dolphin, New Zealand fairy tern, Southern New Zealand dotterel.

⁸ Originally rare: Rare before the arrival of humans in New Zealand.

<p>(iv) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</p> <p>(v) areas containing nationally significant examples of indigenous community types; and</p> <p>(vi) areas set aside for full or partial protection of indigenous biological diversity under other legislation; and</p> <p>(b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:</p> <p>(i) areas of predominantly indigenous vegetation in the coastal environment;</p> <p>(ii) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</p> <p>(iii) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</p> <p>(iv) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;</p> <p>(v) habitats, including areas and routes, important to migratory species; and</p> <p>(vi) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.</p>	<p>marine habitat types will be addressed in conjunction with the next Regional Coastal Plan review.</p> <p>Policy BIO.3 gives effect to Policy 11 in a very broad sense as it requires that indigenous biodiversity is protected from adverse effects in the coastal environment as set out in Policy 11. However, it does not expand on how Policy 11 shall be given effect to in the Southland context. It does not identify the areas of the coastal environment where particular activities and forms of subdivision, use and development are inappropriate, may be inappropriate, or are under threat or at significant risk.</p> <p>The NZCPS guidance document states that giving effect to Policy 11 will involve the following processes.</p> <ul style="list-style-type: none"> • Listing indigenous species and habitats • Listing/mapping areas • Listing/mapping existing protected areas • Specifying the adverse effects of activities that are to be avoided in relation to matters listed in Policy 11(a) and the significant adverse effects that are to be avoided in relation to Policy 11(b) • Specifying in policies the criteria that will be used to assess the significance of ecological area <p>It is considered more work could be done to give effect to Policy 11. However, this work may be undertaken within the Regional Coastal plan and the District Plans of the region.</p>
<p>Policy 12</p> <p>(1) Provide in regional policy statements and in plans, as far as practicable, for the control of activities in or near the coastal marine area that could have adverse effects on the coastal</p>	<p>Policy BIO.7 promotes an active and integrated management approach to maintaining and restoring or enhancing indigenous biodiversity through methods including the Regional Pest Management Plan for Southland, and advice and information on pest management, fencing and planting. Additionally, the introduction to</p>

<p>environment by causing harmful aquatic organisms⁹ to be released or otherwise spread, and include conditions in resource consents, where relevant, to assist with managing the risk of such effects occurring.</p> <p>(2) Recognise that activities relevant to (1) include:</p> <ul style="list-style-type: none"> (a) the introduction of structures likely to be contaminated with harmful aquatic organisms; (b) the discharge or disposal of organic material from dredging, or from vessels and structures, whether during maintenance, cleaning or otherwise; and whether in the coastal marine area or on land; (c) the provision and ongoing maintenance of moorings, marina berths, jetties and wharves; and (d) the establishment and relocation of equipment and stock required for or associated with aquaculture. 	<p>Chapter 7 (Coast) outlines the particular challenges of managing harmful aquatic organisms including the agencies involved.</p> <p>There are no provisions within Chapter 7 (Coast) that provide specific direction on the management of harmful aquatic organisms. More work could be done to give effect to Policy 12. However, this work may be undertaken within the Regional Coastal plan.</p>
<p>Policy 13</p> <p>(1) To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:</p> <ul style="list-style-type: none"> (a) avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and (b) avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; <p>including by:</p> <ul style="list-style-type: none"> (c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and (d) ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions. <p>(2) Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:</p>	<p>Policy COAST.3 aims to ensure that subdivision, use and development activities manage activities on particular values in specific ways. Additionally, Policy COAST.6 requires that regional and district plans assess natural character, identify areas needing provisions to manage, restore or rehabilitate natural character. Methods COAST.1(a)(iv) requires the Regional Coastal Plan to provide direction on areas of outstanding and high natural character requiring preservation through plan provisions. Method COAST.4(f) requires district plans to preserve areas of outstanding and high natural character through provisions.</p> <p>It is considered that Policy COAST.3 gives effect to Policy 13(1) of the NZCPS and Methods COAST.1(a)(iv) and COAST.4(f) provides direction that the Regional Coastal Plan and district plans include objectives, policies and rules to give effect to this direction.</p> <p>In relation to Policy 13(2), NZCPS it is considered that Policy COAST.6(a) gives effect to Policy 13(2), however it does not provide</p>

⁹ Aquatic organisms which, if introduced into coastal water, may adversely affect the environment or biological diversity, pose a threat to human health, or interfere with legitimate use or protection of natural and physical resources in the coastal environment.

<ul style="list-style-type: none"> i. natural elements, processes and patterns; ii. biophysical, ecological, geological and geomorphological aspects; iii. natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks; iv. the natural movement of water and sediment; v. the natural darkness of the night sky; vi. places or areas that are wild or scenic; vii. a range of natural character from pristine to modified; and experiential attributes, including the sounds and smell of the sea; and their context or setting. 	<p>clear direction within the methods as to how this will be achieved within regional and district plans.</p>
<p>Policy 14</p> <p>Promote restoration or rehabilitation of the natural character of the coastal environment, including by:</p> <ul style="list-style-type: none"> (a) identifying areas and opportunities for restoration or rehabilitation; (b) providing policies, rules and other methods directed at restoration or rehabilitation in regional policy statements, and plans; (c) where practicable, imposing or reviewing restoration or rehabilitation conditions on resource consents and designations, including for the continuation of activities; and recognising that where degraded areas of the coastal environment require restoration or rehabilitation, possible approaches include: <ul style="list-style-type: none"> (i) restoring indigenous habitats and ecosystems, using local genetic stock where practicable; or (ii) encouraging natural regeneration of indigenous species, recognising the need for effective weed and animal pest management; or (iii) creating or enhancing habitat for indigenous species; or (iv) rehabilitating dunes and other natural coastal features or processes, including saline wetlands and intertidal saltmarsh; or (v) restoring and protecting riparian and intertidal margins; or 	<p>Policy COAST.6 requires that regional and district plans identify areas for restoration and rehabilitation of natural character and provide provisions to support that. Method COAST.1(a)(v) requires that the Regional Coastal Plan provides clear direction as to the areas and opportunities for restoration and rehabilitation of natural character in the coastal environment and the ways to provide for them. Similarly, Method COAST.4(g) requires district plans to identify areas and opportunities and provide policies, rules and other methods for restoration and rehabilitation of natural character of the coastal environment.</p> <p>In general, it is considered that the RPS gives effect to Policy 14 of the NZCPS. However, it is noted that the provisions within the RPS simply re-state the NZCPS, they do not expand on the NZCPS direction within the Southland context by identifying areas and opportunities for restoration or rehabilitation. The RPS delegates this to be included within the Regional Coastal Plan and the District Plans.</p>

<ul style="list-style-type: none"> (vi) reducing or eliminating discharges of contaminants; or (vii) removing redundant structures and materials that have been assessed to have minimal heritage or amenity values and when the removal is authorised by required permits, including an archaeological authority under the Historic Places Act 1993; or (viii) restoring cultural landscape features; or (ix) redesign of structures that interfere with ecosystem processes; or decommissioning or restoring historic landfill and other contaminated sites which are, or have the potential to, leach material into the coastal marine area 	
<p>Policy 15</p> <p>To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:</p> <ul style="list-style-type: none"> (a) avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and (b) avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; <p>including by:</p> <ul style="list-style-type: none"> (c) identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to: <ul style="list-style-type: none"> (i) natural science factors, including geological, topographical, ecological and dynamic components; (ii) the presence of water including in seas, lakes, rivers and streams; (iii) legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes; (iv) aesthetic values including memorability and naturalness; (v) vegetation (native and exotic) 	<p>Policy COAST.3 ensures that subdivision, use and development activities avoid, remedy or mitigate adverse effects on outstanding natural features and landscapes and natural character. Policy COAST.2(a) requires that adequate measures or methods are utilised within the coastal environment when making provision for subdivision, use and development to protect natural character, and natural features and landscape values. Chapter 10 also contains relevant provisions for identifying, assessing and protecting outstanding natural features and landscapes as well as locally valued and distinctive natural features and landscapes.</p> <p>Policies COAST.2 and COAST.3 broadly give effect to Policy 15(a) and (b) of the NZCPS. The matters listed in Policy LNF.1 are consistent with the matters listed within Policy 15(c) of the NZCPS. It is considered that Policy LNF.1 gives effect to Policy 15(d) of the NZCPS but that there could be better links within the RPS between Chapter 7 (Coast) and Chapter 10 (Natural Features and Landscapes).</p>

<ul style="list-style-type: none"> (vi) transient values, including presence of wildlife or other values at certain times of the day or year; (vii) whether the values are shared and recognised; (viii) cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features; (ix) historical and heritage associations; and (x) wild or scenic values; <p>(d) ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and including the objectives, policies and rules required by (d) in plans</p>	
<p>Policy 16</p> <p>Protect the surf breaks⁸¹⁰ of national significance for surfing listed in Schedule 1, by:</p> <ul style="list-style-type: none"> (a) ensuring that activities in the coastal environment do not adversely affect the surf breaks; and (b) avoiding adverse effects of other activities on access to, and use and enjoyment of the surf breaks. 	<p>Southland does not contain any surf breaks of national significance listed within Schedule 1 of the NZCPS.</p>
<p>Policy 17</p>	<p>Policy COAST.2(a) requiring using adequate measures or methods when making provision for subdivision, use and development to protect historic heritage, natural character.</p>

¹⁰ A natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a “surfable wave”. A surf break includes the “swell corridor” through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable.

“Swell corridor” means the region offshore of a surf break where ocean swell travels and transforms to a “surfable wave”.

“Surfable wave” means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.

<p>Protect historic heritage¹¹ in the coastal environment from inappropriate subdivision, use, and development by:</p> <ul style="list-style-type: none"> (a) identification, assessment and recording of historic heritage, including archaeological sites; (b) providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki; (c) initiating assessment and management of historic heritage in the context of historic landscapes; (d) recognising that heritage to be protected may need conservation; (e) facilitating and integrating management of historic heritage that spans the line of mean high water springs; (f) including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans; (g) imposing or reviewing conditions on resource consents and designations, including for the continuation of activities; (h) requiring, where practicable, conservation conditions; and (i) considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief. 	<p>Chapter 14 (Historic Heritage) of the RPS is also relevant. Objective HH.1 requires that historic heritage values are identified and protected from inappropriate subdivision, use and development and Objective HH.3 requires that historic heritage values are appropriately managed to avoid or mitigate the potential adverse effects of natural processes and climate change.</p> <p>Policy HH.2 requires that the adverse effects on historic heritage values from inappropriate subdivision, use and development are avoided, mitigated and, where appropriate, remedied. It also states that on a case-by-case basis factors such as the significance of heritage values, financial cost and technical feasibility should be taken into account when making decisions relating to the protection of historic heritage.</p> <p>Policy HH.5 requires that Southland's historic heritage resources are to be managed in a regionally consistent, collaborative and integrated manner. Method HH.1 requires district and regional plans to establish and maintain provisions to identify, provide and protect historic heritage. Additionally, Method HH.3 encourages councils to investigate the provision of incentives for private owners of historic heritage to encourage and support heritage protection and adaptive reuse.</p> <p>These provisions are considered to give effect to Policy 17 of the NZCPS.</p>
<p>Policy 18</p>	

¹¹ Refer to the definition of historic heritage in section 2 of the Resource Management Act 1991.

Recognise the need for public open space within and adjacent to the coastal marine area, for public use and appreciation including active and passive recreation, and provide for such public open space, including by:

- (a) ensuring that the location and treatment of public open space is compatible with the natural character, natural features and landscapes, and amenity values of the coastal environment;
- (b) taking account of future need for public open space within and adjacent to the coastal marine area, including in and close to cities, towns and other settlements;
- (c) maintaining and enhancing walking access linkages between public open space areas in the coastal environment;
- (d) considering the likely impact of coastal processes and climate change so as not to compromise the ability of future generations to have access to public open space; and
- (e) recognising the important role that esplanade reserves and strips can have in contributing to meeting public open space needs.

Policy 19

- (1) Recognise the public expectation of and need for walking access to and along the coast that is practical, free of charge and safe for pedestrian use.
- (2) Maintain and enhance public walking access to, along and adjacent to the coastal marine area, including by:
 - (a) identifying how information on where the public have walking access will be made publicly available;
 - (b) avoiding, remedying or mitigating any loss of public walking access resulting from subdivision, use, or development; and
 - (c) identifying opportunities to enhance or restore public walking access, for example where:
 - (i) connections between existing public areas can be provided; or
 - (ii) improving access would promote outdoor recreation; or
 - (iii) physical access for people with disabilities is desirable; or

Policy COAST.1 requires regional and district plans to identify locations within the coastal environment where particular activities are appropriate, inappropriate, may be inappropriate without a resource consent process. Policy COAST.2(c) requires adequate measures or methods to be utilised within the coastal environment when making provision for subdivision, use and development to maintain or enhance public access.

Method COAST.5 ensures that existing public access corridors to the coastal marine area are maintained when assessing proposals for subdivision, use and development within the coastal environment.

Overall, the RPS provides limited guidance on managing, maintaining and enhancing public access to and along the coastal environment. Policies 18 and 19 of the NZCPS contain a range of specific direction public assess and this level of detail is not reflected within the RPS nor is there reference within the RPS to the detailed guidance of the NZCPS.

<p>(iv) the long-term availability of public access is threatened by erosion or sea level rise; or</p> <p>(v) access to areas or sites of historic or cultural significance is important; or</p> <p>(vi) subdivision, use, or development of land adjacent to the coastal marine area has reduced public access, or has the potential to do so.</p> <p>(3) Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:</p> <p>(a) to protect threatened indigenous species; or</p> <p>(b) to protect dunes, estuaries and other sensitive natural areas or habitats; or</p> <p>(c) to protect sites and activities of cultural value to Māori; or</p> <p>(d) to protect historic heritage; or</p> <p>(e) to protect public health or safety; or</p> <p>(f) to avoid or reduce conflict between public uses of the coastal marine area and its margins; or</p> <p>(g) for temporary activities or special events; or</p> <p>(h) for defence purposes in accordance with the Defence Act 1990; or</p> <p>(i) to ensure a level of security consistent with the purpose of a resource consent;</p> <p>or</p> <p>(j) in other exceptional circumstances sufficient to justify the restriction.</p> <p>(4) Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.</p>	
<p>Policy 20</p> <p>(1) Control use of vehicles, apart from emergency vehicles, on beaches, foreshore, seabed and adjacent public land where:</p> <p>(a) damage to dune or other geological systems and processes; or</p>	<p>The RPS does not contain any provisions on the management of vehicles within the coastal environment. Policy 20 of the NZCPS contains specific direction vehicle assess in the coastal environment and this level of detail is not reflected within the RPS nor is there reference within the RPS to the detailed guidance of the NZCPS.</p>

<ul style="list-style-type: none"> (b) harm to ecological systems or to indigenous flora and fauna, for example marine mammal and bird habitats or breeding areas and shellfish beds; or (c) danger to other beach users; or (d) disturbance of the peaceful enjoyment of the beach environment; or (e) damage to historic heritage; or (f) damage to the habitats of fisheries resources of significance to customary, commercial or recreational users; or (g) damage to sites of significance to tangata whenua; <p>might result.</p> <p>(2) Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of existing commercial activities, and make appropriate provision for such access.</p> <p>(3) Identify any areas where and times when recreational vehicular use on beaches, foreshore and seabed may be permitted, with or without restriction as to type of vehicle, without a likelihood of any of (1)(a) to (g) occurring.</p>	<p>However, in a very general sense Policy COAST.1 requires that regional and district plans identify locations within the coastal environment where particular activities are appropriate, inappropriate, may be inappropriate without a resource consent process.</p>
<p>Policy 21</p> <p>Where the quality of water in the coastal environment has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities, give priority to improving that quality by:</p> <ul style="list-style-type: none"> (a) identifying such areas of coastal water and water bodies and including them in plans; (b) including provisions in plans to address improving water quality in the areas identified above; (c) where practicable, restoring water quality to at least a state that can support such activities and ecosystems and natural habitats; 	<p>Chapter 4 (Water) states that Chapter 4 of the RPS is concerned with fresh water, and the management of water in the coastal marine area is addressed in Chapter 7 (Coast).</p> <p>Policy COAST.1 requires that regional and district plans identify locations within the coastal environment where particular activities are appropriate, inappropriate, may be inappropriate without a resource consent process. Additionally, Policy COAST.5 requires that the adverse effects of land-based and marine activities on coastal water quality and its ecosystems are avoided, remedied or mitigated.</p> <p>Method COAST.1(b)(ii)(iii) states that the Regional Coastal Plan will identify:</p>

<p>(d) requiring that stock are excluded from the coastal marine area, adjoining intertidal areas and other water bodies and riparian margins in the coastal environment, within a prescribed time frame; and</p> <p>(e) engaging with tangata whenua to identify areas of coastal waters where they have particular interest, for example in cultural sites, wāhi tapu, other taonga, and values such as mauri, and remedying, or, where remediation is not practicable, mitigating adverse effects on these areas and values.</p>	<p>(ii) the areas where water quality has deteriorated from its natural state with significant adverse effects on ecosystems and habitats, recreational use or existing uses;</p> <p>(iii) the values of the coastal environment for which coastal water quality is to be managed.</p> <p>Method COAST.1(c) and (d) states that the Regional Coastal Plan will:</p> <p>(c) set water quality standards appropriate to the values identified in Method COAST.1(b)(ii).</p> <p>(d) manage land use activities and discharges of contaminants to meet water quality standards set by Method COAST.1(c).</p> <p>Policy TW.4 states that when making resource management decisions, local authority functions and powers must be exercised in a manner that recognises and provides for places, sites and areas with significant spiritual or cultural historic heritage value to tangata whenua.</p> <p>It is considered the RPS largely gives effect to Policy 21 of the NZCPS. However, it is noted that the RPS does not include specific direction on stock access to the CMA as required by part (d) of Policy 21.</p>
<p>Policy 22</p> <p>(1) Assess and monitor sedimentation levels and impacts on the coastal environment.</p> <p>(2) Require that subdivision, use, or development will not result in a significant increase in sedimentation in the coastal marine area, or other coastal water.</p> <p>(3) Control the impacts of vegetation removal on sedimentation including the impacts of harvesting plantation forestry.</p> <p>(4) Reduce sediment loadings in runoff and in stormwater systems through controls on land use activities.</p>	<p>In Chapter 5 (Rural Land/Soils), Objective RURAL.2 requires that the life-supporting capacity, mauri and health of soils in rural areas is safeguarded, and soil erosion and sedimentation from land use soil disturbance is prevented or minimised. Additionally, Policy RURAL.3 states that land development activities on steep, mid-altitude and high-altitude land shall be managed to prevent or minimise the effects of erosion and sedimentation and minimise changes in catchment water yield.</p>

	<p>In Chapter 7 (Coast), Policy COAST.5 requires that the adverse effects of land-based and marine activities on coastal water quality and its ecosystems are avoided, remedied or mitigated.</p> <p>These provisions broadly give effect to Policy 22 of the NZCPS.</p>
<p>Policy 23</p> <p>(1) In managing discharges to water in the coastal environment, have particular regard to:</p> <ul style="list-style-type: none"> (a) the sensitivity of the receiving environment; (b) the nature of the contaminants to be discharged, the particular concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded; and (c) the capacity of the receiving environment to assimilate the contaminants; and (d) avoid significant adverse effects on ecosystems and habitats after reasonable mixing; (e) use the smallest mixing zone necessary to achieve the required water quality in the receiving environment; and (f) minimise adverse effects on the life-supporting capacity of water within a mixing zone. <p>(2) In managing discharge of human sewage, do not allow:</p> <ul style="list-style-type: none"> (a) discharge of human sewage directly to water in the coastal environment without treatment; and (b) the discharge of treated human sewage to water in the coastal environment, unless: <ul style="list-style-type: none"> (i) there has been adequate consideration of alternative methods, sites and routes for undertaking the discharge; and (ii) informed by an understanding of tangata whenua values and the effects on them. <p>(3) Objectives, policies and rules in plans which provide for the discharge of treated human sewage into waters of the coastal environment must have been subject to early and meaningful consultation with tangata whenua.</p> <p>(4) In managing discharges of stormwater take steps to avoid adverse effects of stormwater discharge to water in the coastal environment, on a catchment by catchment basis, by:</p>	<p>Coastal water quality is managed primarily through Chapter 7 (Coast). Objective COAST.3 requires coastal water quality and ecosystems to be maintained or enhanced and Policy COAST.5 requires the adverse effects of land-based and marine activities on coastal water quality and its ecosystems to be avoided, remedied or mitigated.</p> <p>Method COAST.1(b)(ii) requires the Regional Coastal Plan to identify the areas where water quality has deteriorated from its natural state with significant adverse effects on ecosystems and habitats, recreational use or existing uses, and Method COAST.1(b)(iii) also requires the Plan to identify the values of the coastal environment for which coastal water quality is to be managed. Method COAST.1(c) and (d) require the Regional Coastal Plan to set water quality standards and manage land use activities and discharges of contaminants to meet those standards.</p> <p>The RPS broadly manages discharges to water in the coastal environment in accordance with Policy 23. However, it does not contain specific direction on the management of discharges – this is delegated to the Regional Coastal Plan.</p>

<ul style="list-style-type: none"> (a) avoiding where practicable and otherwise remedying cross contamination of sewage and stormwater systems; (b) reducing contaminant and sediment loadings in stormwater at source, through contaminant treatment and by controls on land use activities; (c) promoting integrated management of catchments and stormwater networks; and (d) promoting design options that reduce flows to stormwater reticulation systems at source. <p>(5) In managing discharges from ports and other marine facilities:</p> <ul style="list-style-type: none"> (a) require operators of ports and other marine facilities to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor; (b) require that the disturbance or relocation of contaminated seabed material, other than by the movement of vessels, and the dumping or storage of dredged (6) material does not result in significant adverse effects on water quality or the seabed, substrate, ecosystems or habitats; (c) require operators of ports, marinas and other relevant marine facilities to provide for the collection of sewage and waste from vessels, and for residues from vessel maintenance to be safely contained and disposed of; and (d) consider the need for facilities for the collection of sewage and other wastes for recreational and commercial boating. 	
<p>Policy 24</p> <p>(1) Identify areas in the coastal environment that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected. Hazard risks, over at least 100 years, are to be assessed having regard to:</p> <ul style="list-style-type: none"> (a) physical drivers and processes that cause coastal change including sea level rise; (b) short-term and long-term natural dynamic fluctuations of erosion and accretion; (c) geomorphological character; 	<p>Chapter 8 of the RPS relates to Natural Hazards. Objective NH.1 requires that the risks to people, communities, their businesses, property and infrastructure from the effects of natural hazards are understood and avoided, remedied or mitigated, resulting in communities becoming more resilient.</p> <p>Method NH.2 requires the Council to identify, investigate and/or monitor land that is subject to actual or potential natural hazards and Method NH.3 requires the Council to maintain and provide</p>

<ul style="list-style-type: none"> (d) the potential for inundation of the coastal environment, taking into account potential sources, inundation pathways and overland extent; (e) cumulative effects of sea level rise, storm surge and wave height under storm conditions; (f) influences that humans have had or are having on the coast; (g) the extent and permanence of built development; and (h) the effects of climate change on: <ul style="list-style-type: none"> (i) matters (a) to (g) above; (ii) storm frequency, intensity and surges; and (iii) coastal sediment dynamics; <p>taking into account national guidance and the best available information on the likely effects of climate change on the region or district.</p>	<p>information held on historic and projected natural hazard risk and the impact of predicted climate change on that risk, and provide technical assistance and information to land owners, territorial authorities, and the community. Method NH.4(b) requires the Council to investigate and monitor coastal hazards.</p> <p>Broadly, Policy NH.2 requires that areas subject to known natural hazard risk are identified as required by Policy 24 of the NZCPS. However, Policy NH.2 and Method NH.2 do not include specific details as to how the coastal environments that could potentially be affected by coastal hazards are to be identified. There is also a discrepancy within the RPS as to who is responsible for identifying areas at risk to hazards. Policy NH.2 requires areas subject to natural hazard risk to be identified in district plans. However, Method NH.2 states that the Regional Council will identify, investigate and/or monitor land that is subject to natural hazard risk.</p> <p>It is considered that more work could be done to give effect to Policy 24 of the NZCPS.</p>
<p>Policy 25</p> <p>In areas potentially affected by coastal hazards over at least the next 100 years:</p> <ul style="list-style-type: none"> (a) avoid increasing the risk¹² of social, environmental and economic harm from coastal hazards; (b) avoid redevelopment, or change in land use, that would increase the risk of adverse effects from coastal hazards; 	<p>Chapter 8 of the RPS relates to Natural Hazards. Objective NH.1 requires that the risks to people, communities, their businesses, property and infrastructure from the effects of natural hazards are understood and avoided, remedied or mitigated, resulting in communities becoming more resilient.</p> <p>Policy NH.4 sets out implementation priorities for managing natural hazards and Policy NH.5 states that new subdivision, development and placement of critical infrastructure in areas at significant risk¹³</p>

¹² Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence (AS/NZS ISO 31000:2009 Risk management – Principles and guidelines, November 2009).

¹³ In relation to coastal hazards, the explanation to Policy NH.5 states that:

<p>(c) encourage redevelopment, or change in land use, where that would reduce the risk of adverse effects from coastal hazards, including managed retreat by relocation or removal of existing structures or their abandonment in extreme circumstances, and designing for relocatability or recoverability from hazard events;</p> <p>(d) encourage the location of infrastructure away from areas of hazard risk where practicable;</p> <p>(e) discourage hard protection structures and promote the use of alternatives to them, including natural defences; and</p> <p>(f) consider the potential effects of tsunami and how to avoid or mitigate them.</p>	<p>from natural hazards shall be avoided, unless specific circumstances are met for exemption. Policy NH.6 states that the adverse effects of natural hazards on new subdivision and development in other areas will be mitigated.</p> <p>Given that the RPS explanation associated with Policy NH.5 states areas at significant risk includes areas in close proximity to the coastline that, on the basis of past trends and/or the erosive effect of projected sea level rise, could erode in the next 100 years, it is considered that Policy NH.5 gives effect to the protection required by subsections (a) and (b) of Policy 25.</p>
<p>Policy 26</p> <p>(1) Provide where appropriate for the protection, restoration or enhancement of natural defences that protect coastal land uses, or sites of significant biodiversity, cultural or historic heritage or geological value, from coastal hazards.</p> <p>(2) Recognise that such natural defences include beaches, estuaries, wetlands, intertidal areas, coastal vegetation, dunes and barrier islands.</p>	<p>Policy NH.8 states that natural features and landforms that provide protection from natural hazards shall be protected, recreated or enhanced. This is considered to broadly give effect to Policy 26 of the NZCPS.</p>

Areas potentially at significant risk include but are not limited to:

- areas that have flooded to a depth of more than 100 millimetres previously (marine and riverine inundation but excluding urban stormwater inundation in reticulated areas) and for which the likelihood of inundation has not been reduced by flood alleviation works designed to protect the area from floods with a 2% or less annual exceedance probability (AEP);
- spillways, secondary flowpaths and ponding areas;
- unprotected areas less than 800 mm higher than land that has been previously been inundated by the sea;
- areas in close proximity to the coastline that, on the basis of past trends and/or the erosive effect of projected sea level rise, could erode in the next 100 years;
- areas prone to slipping, slumping, landslides, landslide runout, avalanche or rockfalls;
- areas subject to multiple hazards, none of which in themselves would constitute a significant risk;

In areas where the risk from natural hazards is less than significant, Policy NH.6 below applies and techniques such as minimum floor levels or hazard separation distances may be used.

Policy 27

- (1) In areas of significant existing development likely to be affected by coastal hazards, the range of options for reducing coastal hazard risk that should be assessed includes:
 - (a) promoting and identifying long-term sustainable risk reduction approaches including the relocation or removal of existing development or structures at risk;
 - (b) identifying the consequences of potential strategic options relative to the option of 'do-nothing';
 - (c) recognising that hard protection structures may be the only practical means to protect existing infrastructure of national or regional importance, to sustain the potential of built physical resources to meet the reasonably foreseeable needs of future generations;
 - (d) recognising and considering the environmental and social costs of permitting hard protection structures to protect private property; and
 - (e) identifying and planning for transition mechanisms and timeframes for moving to more sustainable approaches.
- (2) In evaluating options under (1):
 - (a) focus on approaches to risk management that reduce the need for hard protection structures and similar engineering interventions;
 - (b) take into account the nature of the coastal hazard risk and how it might change over at least a 100-year timeframe, including the expected effects of climate change; and
 - (c) evaluate the likely costs and benefits of any proposed coastal hazard risk reduction options.
- (3) Where hard protection structures are considered to be necessary, ensure that the form and location of any structures are designed to minimise adverse effects on the coastal environment.

Chapter 8 of the RPS relates to Natural Hazards. Objective NH.1 requires that the risks to people, communities, their businesses, property and infrastructure from the effects of natural hazards are understood and avoided, remedied or mitigated, resulting in communities becoming more resilient.

Policy NH.2 states that district plans shall, where practical, identify areas subject to known natural hazard risk, and actively engage with individuals and the community in managing those and other natural hazard risk areas, using the most up to date information available. Policy NH.4 sets out implementation priorities for managing natural hazards

Policy 27(1) of the NZCPS relates only to those areas that are likely to be affected and already have significant existing development (in contrast with Policies 24 and 25, which relate to all potentially affected areas). The NZPS does not include a definition of significant existing development. However, the Policy 27 guidance document notes that:

'Areas of significant existing development may include areas of residential development, coastal resort development, tourism infrastructure, commercial and industrial development, marinas and small ports, council services and utilities, and infrastructure such as energy transmission, road, rail and airports. Large, commercial ports will tend to self-manage coastal hazard threats and there is policy regarding the need for an efficient national network of safe ports in Policy 9 of the NZCPS 2010.'

As such, there are a number of areas within the Southland coastal environment that will be considered 'significant existing development' that is likely to be affected by coastal hazards. It is noted that there is not policy direction within the RPS that explicitly

<p>(4) Hard protection structures, where considered necessary to protect private assets, should not be located on public land if there is no significant public or environmental benefit in doing so.</p>	<p>refers to managing areas of 'significant existing development'. However, Policy NH.4 broadly gives effect to the direction set out in Policy 27.</p>
<p>Policy 28</p> <p>(1) To monitor and review the effectiveness of the NZCPS in achieving the purpose of the Act, the Minister of Conservation should:</p> <p>(a) in collaboration with local authorities collect data for, and, as far as practicable, incorporate district and regional monitoring information into a nationally consistent monitoring and reporting programme;</p> <p>(b) undertake other information gathering or monitoring that assists in providing a national perspective on coastal resource management trends, emerging issues and outcomes;</p> <p>(c) within six years of its gazettal, assess the effect of the NZCPS on regional policy statements, plans, and resource consents, and other decision making; and</p> <p>(d) publish a report and conclusions on matters (a) to (c) above.</p>	<p>Not relevant to the RPS.</p>
<p>Policy 29</p> <p>(1) The Minister of Conservation does not require any activity to be specified as a restricted coastal activity in a regional coastal plan.</p> <p>(2) Local authorities are directed under sections 55 and 57 of the Act to amend documents as necessary to give effect to this policy as soon as practicable, without using the process in Schedule 1 of the Act, with the effect that:</p> <p>(a) any activity specified as a discretionary activity and a restricted coastal activity becomes a discretionary activity only;</p> <p>(b) any activity specified as a non-complying activity and a restricted coastal activity becomes a non-complying activity only.</p> <p>(3) Any application for a coastal permit for an activity specified as a restricted coastal activity that has been publicly notified before the date the amendments in clause (2) are made shall</p>	

<p>continue to be treated as an application for a restricted coastal activity for the purposes of section 117 of the Act.</p> <p>Any other application for an activity specified as a restricted coastal activity made before the date of the amendments in clause (2), shall be considered as a discretionary or non-complying activity in accordance with the regional coastal plan or proposed regional coastal plan’s classification and section 117 does not apply.</p>	
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2.2. National Policy Statement for Urban Development Capacity 2016 (NPS-UDC)

2.2.1. Overview

The NPS-UDC was introduced to recognise the national significance of urban environments and the need to enable those environments to develop and change, and of providing sufficient development capacity to meet the needs of people and communities and future generations in urban environments. Broadly, it requires local authorities to provide sufficient development capacity in their resource management plans, supported by infrastructure, to meet demand for housing and business space. “Development capacity” refers to the amount of development allowed by zoning and regulations in plans that is supported by infrastructure, including both ‘greenfield’ and ‘brownfield’ development.

The objectives and some of the policies in the NPS-UDC apply to all councils, however some other policies only apply to councils experiencing high or medium growth in their urban areas. Southland is not in either of those categories so only the objectives and policies PA1 to PA4 apply.

2.2.2. Assessment

Provisions	Assessment
<p>Objective OA1 Effective and efficient urban environments that enable people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing.</p> <p>Objective OA2</p>	<p>Objective URB.1 seeks to ensure urban development occurs in an integrated, sustainable and well-planned manner which provides for positive environmental, social, economic and cultural outcomes, consistent with the direction in Objective OA1. The RPS provisions do</p>

Urban environments that have sufficient opportunities for the development of housing and business and to meet demand, and which provide choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses.

Objective OA3

Urban environments that, over time, develop and change in response to the changing needs of people and communities and future generations.

Policy PA1

Local authorities shall ensure that at any one time there is sufficient housing and business land development capacity according to the below:

Short term

Development capacity must be feasible, zoned and serviced with development infrastructure.

Medium term

Development capacity must be feasible, zoned and either:

- Serviced with development infrastructure, or
- The funding for the development infrastructure required to service that development capacity must be identified in a Long Term Plan required under the Local Government Act 2002.

Policy PA2

Local authorities shall satisfy themselves that other infrastructure required to support urban development are likely to be available.

Policy PA3

PA3: When making planning decisions that affect the way and the rate at which development capacity is provided, decision makers shall provide for the social, economic, cultural and environmental wellbeing of people and communities and future generations, whilst having particular regard to:

not explicitly consider future generations or environments, or the need to be responsive to change over time.

Policies URB.2 and URB.3 set out the direction for urban development and intensification, which collectively seek development that is effective and efficient. The overall direction of these provisions is to prefer brownfield development over greenfield development, concentrating development in existing urban areas where there is existing infrastructure. Policy URB.6 is to provide for housing choice (both type and lot sizes) in urban areas. In the context of Policy URB.2, the intent is to provide for choice within existing urban areas which does not necessarily reflect the “locations” component of Objective OA2.

The language in these policies is not especially directive, focusing more on promoting and encouraging rather than strong direction. This may not achieve the outcomes sought by the NPS-UDC.

Method URB.2(b) sets out the requirements for provisions in district plans. Again these are primarily focused on encouragement rather than direct action but do generally address the matters in Objectives OA1 to OA3.

The RPS does not refer to or provide specifically for development capacity as defined in the NPS-UDC. The matters in Policies PA1 and PA2 are not especially applicable to the RPS as it does not contain zones and the regional council only has limited involvement in infrastructure provision. The policies in the RPS address the matters in sub-clauses (a) and (b) of Policy PA3 but do not address (c). The provisions of the RPS do not specifically require the type of consideration outlined in Policy PA4.

<p>a) Providing for choices that will meet the needs of people and communities and future generations for a range of dwelling types and locations, working environments and places to locate businesses;</p> <p>b) Promoting the efficient use of urban land and development infrastructure and other infrastructure; and</p> <p>c) Limiting as much as possible adverse impacts on the competitive operation of land and development markets.</p> <p>Policy PA4</p> <p>When considering the effects of urban development, decision makers shall take into account:</p> <p>a) The benefits that urban development will provide with respect to the ability for people and communities and future generations to provide for their social, economic, cultural and environmental wellbeing; and</p> <p>b) The benefits and costs of urban development at a national, inter-regional, regional and district scale, as well as the local effects.</p>	
<p>Objective OB1</p> <p>A robustly developed, comprehensive and frequently updated evidence base to inform planning decisions in urban environments.</p>	<p>There are no provisions in the RPS which require this.</p>
<p>Objective OC1</p> <p>Planning decisions, practices and methods that enable urban development which provides for the social, economic, cultural and environmental wellbeing of people and communities and future generations in the short, medium and long-term.</p> <p>Objective OC2</p> <p>Local authorities adapt and respond to evidence about urban development, market activity and the social, economic, cultural and environmental wellbeing of people and communities and future generations, in a timely way.</p>	<p>Objective URB.1 requires urban development that provides for positive environmental, social, economic and cultural outcomes. The remainder of the policies and methods set out the avenues for achieving that.</p> <p>These objectives relate to the practice of planning rather than the content of the planning documents themselves, therefore there are no provisions in the RPS which give effect to these matters.</p>
<p>Objective OD1</p>	<p>Objective URB.1 requires integrated urban development. Policy URB.2 focuses mostly on consolidating urban development within</p>

<p>Urban environments where land use, development, development infrastructure and other infrastructure are integrated with each other.</p> <p>Objective OD2</p> <p>Coordinated and aligned planning decisions within and across local authority boundaries.</p>	<p>existing urban areas, but does not specifically reference integration. Method URB.2(b)(iii) requires provisions in district plans to encourage the integration of land use and infrastructure. Overall there isn't strong direction in the RPS to achieve Objective OD1.</p> <p>The RPS plays an important role in coordinating and aligning planning decisions. As most of the provisions are to encourage or promote particular actions, there is not a particularly strong requirement for decisions to be coordinated or aligned as required by Objective OD2.</p>
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2.3. National Policy Statement for Freshwater Management 2014 (NPS-FM)

2.3.1. Overview

The NPS-FM was originally introduced to recognise the national importance of the management of New Zealand's freshwater resources. It was amended in 2014 to introduce the National Objectives Framework to assist regional councils and communities to more consistently and transparently plan for freshwater objectives. It was amended again in 2017, primarily to recognise the national importance of managing freshwater through a framework that considers and recognises Te Mana o Te Wai as an integral part of freshwater management. Broadly, the NPS-FM directs regional councils, in consultation with their communities, to set objectives for the state of fresh water bodies in their regions and to set limits on resource use to meet these objectives.

2.3.2. Assessment

Provisions	Assessment
<p>Objective AA1</p> <p>To consider and recognise Te Mana o te Wai in the management of fresh water.</p> <p>Policy AA1</p>	<p>Objective AA1 and Policy AA1 were introduced to the NPS-FM shortly before the RPS was made operative. The RPS provisions do not explicitly consider Te Mana o Te Wai and it does not appear that the management framework for freshwater management in the RPS has been designed around the principles of Te Mana o Te Wai.</p>

<p>By every regional council making or changing regional policy statements and plans to consider and recognise Te Mana o te Wai, noting that:</p> <ul style="list-style-type: none"> a) te Mana o te Wai recognises the connection between water and the broader environment – Te Hauora o te Taiao (the health of the environment), Te Hauora o te Wai (the health of the waterbody) and Te Hauora o te Tangata (the health of the people); and b) values identified through engagement and discussion with the community, including tangata whenua, must inform the setting of freshwater objectives and limits. 	
<p>Objective A1 To safeguard:</p> <ul style="list-style-type: none"> a) the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water; and b) the health of people and communities, as affected by contact with fresh water; in sustainably managing the use and development of land, and of discharges of contaminants. <p>Objective A2 The overall quality of fresh water within a freshwater management unit is maintained or improved while:</p> <ul style="list-style-type: none"> a) protecting the significant values of outstanding freshwater bodies; b) protecting the significant values of wetlands; and c) improving the quality of fresh water in water bodies that have been degraded by human activities to the point of being over-allocated. <p>Objective A3</p>	<p>The provisions in Chapter 4A (Water Quality) have been designed to give effect to these objectives and policies in the NPS-FM. Objective WQUAL.1 requires safeguarding the matters in Objective A1 and Policies WQUAL.1 and WQUAL.3 relate to the overall management of water quality and identification and protection of significant values of water bodies. Policy WQUAL.5 sets out how improvements in water quality will be achieved, in alignment with the direction in Objective A3. Objective WQUAL.1 and Policy WQUAL.7 address economic wellbeing, in accordance with Objective A4 and Policy A7.</p> <p>Methods WQUAL.1 and WQUAL.6 set out the procedure for establishing freshwater objectives, limits or targets in accordance with Policies A1 and A2, including considering the effects of land use on water quality.</p> <p>The RPS does not explicitly address the swimming targets outlined in Policies A5 and A6 as those provisions were introduced in the 2017 NPS-FM amendments, shortly before the RPS became operative.</p>

The quality of fresh water within a freshwater management unit is improved so it is suitable for primary contact more often, unless:

- a) regional targets established under Policy A6(b) have been achieved; or
- b) naturally occurring processes mean further improvement is not possible.

Objective A4

To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits.

Policy A1

By every regional council making or changing regional plans to the extent needed to ensure the plans:

- a) establish freshwater objectives in accordance with Policies CA1-CA4 and set freshwater quality limits for all freshwater management units in their regions to give effect to the objectives in this national policy statement, having regard to at least the following:
 - i. the reasonably foreseeable impacts of climate change;
 - ii. the connection between water bodies; and
 - iii. the connections between freshwater bodies and coastal water; and
- b) establish methods (including rules) to avoid over-allocation.

Policy A2

Where freshwater management units do not meet the freshwater objectives made pursuant to Policy A1, every regional council is to specify targets and implement methods (either or both regulatory and non-regulatory), in a way that considers the sources of relevant contaminants

recorded under Policy CC1, to assist the improvement of water quality in the freshwater management units, to meet those targets, and within a defined timeframe.

Policy A3

By regional councils:

- a) imposing conditions on discharge permits to ensure the limits and targets specified pursuant to Policy A1 and Policy A2 can be met; and
- b) where permissible, making rules requiring the adoption of the best practicable option to prevent or minimise any actual or likely adverse effect on the environment of any discharge of a contaminant into fresh water, or onto or into land in circumstances that may result in that contaminant (or, as a result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.

Policy A5

By every regional council making or changing regional plans to the extent needed to ensure the plans:

- a) identify specified rivers and lakes, and primary contact sites; and
- b) state what improvements will be made, and over what timeframes, to specified rivers and lakes, and primary contact sites, so they are suitable for primary contact more often; or
- c) state how specified rivers and lakes, and primary contact sites, will be maintained if regional targets established under Policy A6(b) have been achieved. Improvements to specified rivers and lakes in (b) must make a contribution to achieving regional targets established under Policy A6(b).

Policy A6

By every regional council developing regional targets to improve the quality of fresh water in specified rivers and lakes and contribute to achieving the national target in Appendix 6, and

<p>ensuring: a) draft regional targets are available to the public by 31 March 2018; and b) final regional targets are available to the public by 31 December 2018.</p> <p>Policy A7</p> <p>By every regional council considering, when giving effect to this national policy statement, how to enable communities to provide for their economic well-being, including productive economic opportunities, while managing within limits.</p>	
<p>Objective B1</p> <p>To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the taking, using, damming, or diverting of fresh water.</p> <p>Objective B2</p> <p>To avoid any further over-allocation of fresh water and phase out existing over-allocation.</p> <p>Objective B3</p> <p>To improve and maximise the efficient allocation and efficient use of water.</p> <p>Objective B4</p> <p>To protect significant values of wetlands and of outstanding freshwater bodies.</p> <p>Objective B5</p> <p>To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing fresh water quantity, within limits.</p> <p>Policy B1</p> <p>By every regional council making or changing regional plans to the extent needed to ensure the plans establish freshwater objectives in accordance with Policies CA1-CA4 and set environmental flows and/or levels for all freshwater management units in its region (except ponds and naturally</p>	<p>The provisions of Chapter 4B (Water Quantity) give effect to these provisions in the NPS-FM. Objective WQUAN.1 addresses the safeguarding requirements of Objective B1 as well as economic wellbeing under Objective B5. Objective WQUAN.2 requires efficient allocation and use of Southland’s water resources, including recognising and making provision for the Monowai and Manapōuri Power Schemes, giving effect to the requirement in Objective B4. The direction in Objective B2 regarding over-allocation is translated in the RPS through Policy WQUAN.2 (Over-allocation) and Method WQUAN.1(j) which aim to prevent over-allocation.</p> <p>Policy WQUAN.6 is to ensure that any water taken from surface water or groundwater is used efficiently and that where freshwater bodies are approaching full allocation, the Council will consider establishing management provisions to maximise the efficiency of using any available water. The first part of this policy meets the requirements of Objective B3 but the direction to only consider maximising efficiency may not fully encapsulate the obligation in Objective B3.</p> <p>Policy WQUAL.3 is to identify and protect the significant values of wetlands and outstanding freshwater bodies, in accordance with Objective B4. Additionally, Policy WQUAN.1 is to maintain instream values although this is not specifically linked to the values of wetlands or outstanding freshwater bodies.</p>

ephemeral water bodies) to give effect to the objectives in this national policy statement, having regard to at least the following:

- a) the reasonably foreseeable impacts of climate change;
- b) the connection between water bodies; and
- c) the connections between freshwater bodies and coastal water.

Policy B2

By every regional council making or changing regional plans to the extent needed to provide for the efficient allocation of fresh water to activities, within the limits set to give effect to Policy B1.

Policy B3

By every regional council making or changing regional plans to the extent needed to ensure the plans state criteria by which applications for approval of transfers of water take permits are to be decided, including to improve and maximise the efficient allocation of water.

Policy B4

By every regional council identifying methods in regional plans to encourage the efficient use of water.

Policy B5

By every regional council ensuring that no decision will likely result in future over-allocation – including managing fresh water so that the aggregate of all amounts of fresh water in a freshwater management unit that are authorised to be taken, used, dammed or diverted does not over-allocate the water in the freshwater management unit.

Policy B6

By every regional council setting a defined timeframe and methods in regional plans by which over-allocation must be phased out, including by reviewing water permits and consents to help

Policies B1, B2, B3, B4 and B6 apply specifically to regional plans so are not relevant for the RPS, although many of the matters addressed in these policies are provided for through Policy WQUAN.3 and Methods WQUAN.1, WQUAN.2, WQUAN.5 and WQUAN.7.

Policy B5 is given effect through Method WQUAN.1(i) which is to prohibit in regional plans over-allocation of surface water and groundwater.

Policy B8 is given effect through Objective WQUAN.1(c) and through Policy WQUAN.3(c) which seek to set flow, level and allocation regimes that provide for the reasonably foreseeable social, economic and cultural needs of future generations.

<p>ensure the total amount of water allocated in the freshwater management unit is reduced to the level set to give effect to Policy B1.</p> <p>Policy B8</p> <p>By every regional council considering, when giving effect to this national policy statement, how to enable communities to provide for their economic well-being, including productive economic opportunities, while managing within limits.</p>	
<p>Objective C1</p> <p>To improve integrated management of fresh water and the use and development of land in whole catchments, including the interactions between fresh water, land, associated ecosystems and the coastal environment.</p> <p>Policy C1</p> <p>By every regional council:</p> <ul style="list-style-type: none"> a) recognising the interactions, ki uta ki tai (from the mountains to the sea) between fresh water, land, associated ecosystems and the coastal environment; and b) managing fresh water and land use and development in catchments in an integrated and sustainable way to avoid, remedy or mitigate adverse effects, including cumulative effects. <p>Policy C2</p> <p>By every regional council making or changing regional policy statements to the extent needed to provide for the integrated management of the effects of the use and development of:</p> <ul style="list-style-type: none"> a) land on fresh water, including encouraging the co-ordination and sequencing of regional and/or urban growth, land use and development and the provision of infrastructure; and b) land and fresh water on coastal water. 	<p>Integrated management is woven through the provisions of the RPS, particularly in Policy WQUAL.12 (Integrated management) and Method WQUAL.12 (Integrated management).</p>

Objective CA1

To provide an approach to establish freshwater objectives for national values, and any other values, that:

- a) is nationally consistent; and
- b) recognises regional and local circumstances.

Policy CA1

By every regional council identifying freshwater management units that include all freshwater bodies within its region.

Policy CA2

By every regional council, through discussion with communities, including tangata whenua, applying the following processes in developing freshwater objectives for all freshwater management units:

- a) considering all national values and how they apply to local and regional circumstances;
- b) identifying the values for each freshwater management unit, which
 - i. must include the compulsory values; and
 - ii. may include any other national values or other values that the regional council considers appropriate (in either case having regard to local and regional circumstances); and
- c) identifying:
 - i. for the compulsory values or any other national value for which relevant attributes are provided in Appendix 2:

Policy WQUAN.3 (Regional plans), Method WQUAN.1 (Regional plans) and Method WQUAL.1 (Regional plans) collectively set out the Council’s approach to establishing freshwater objectives, limits and targets which is in accordance with the NPS-FM. These provisions were prepared under the 2014 version of the NPS-FM and tested through the hearings and appeals processes. The 2014 version of the NPS-FM did not include subclause CA2(e)(iia). This direction has not been explicitly recognised in the RPS but it is a matter more appropriately dealt with through regional plans rather than the RPS.

<ul style="list-style-type: none"> A. the attributes listed in Appendix 2 that are applicable to each value identified under Policy CA2(b) for the freshwater body type; and B. any other attributes that the regional council considers appropriate for each value identified under Policy CA2(b) for the freshwater body type; and <p>iii. for any national value for which relevant attributes are not provided in Appendix 2 or any other value, the attributes that the regional council considers appropriate for each value identified under Policy CA2(b) for the freshwater body type;</p> <p>d) for those attributes specified in Appendix 2, assigning an attribute state at or above the minimum acceptable state for that attribute;</p> <p>e) formulating freshwater objectives:</p> <ul style="list-style-type: none"> i. in those cases where an applicable numeric attribute state is specified in Appendix 2, in numeric terms by reference to that specified numeric attribute state; or ii. in those cases where the attribute is not listed in Appendix 2, in numeric terms where practicable, otherwise in narrative terms; <p>ii.a. in those cases where a freshwater objective seeks to maintain overall water quality in accordance with Objective A2, by every regional council ensuring:</p> <ul style="list-style-type: none"> A. where an attribute is listed in Appendix 2, that freshwater objectives are set at least within the same attribute state as existing freshwater quality; and B. where an attribute is not listed in Appendix 2, that freshwater objectives are set so that values identified under Policy CA2(b) will not be worse off when compared to existing freshwater quality; and 	
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<ul style="list-style-type: none"> iii. on the basis that, where an attribute applies to more than one value, the most stringent freshwater objective for that attribute is adopted; and f) considering the following matters at all relevant points in the process described in Policy CA2(a)-(e): <ul style="list-style-type: none"> iaa. how to improve the quality of fresh water so it is suitable for primary contact more often, unless regional targets established under Policy A6(b) have been achieved or naturally occurring processes mean further improvement is not possible; iab. how to enable communities to provide for their economic well-being, including productive economic opportunities, while managing within limits; i. the current state of the freshwater management unit, and its anticipated future state on the basis of past and current resource use, including community understandings of the health and well-being of the freshwater management unit; ii. the spatial scale at which freshwater management units are defined; iii. the limits that would be required to achieve the freshwater objectives; iv. any choices between the values that the formulation of freshwater objectives and associated limits would require; v. any implications for resource users, people and communities arising from the freshwater objectives and associated limits including implications for actions, investments, ongoing management changes and any social, cultural or economic implications; vi. the timeframes required for achieving the freshwater objectives, including the ability of regional councils to set long timeframes for achieving targets; and 	
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<p>vii. such other matters relevant and reasonably necessary to give effect to the objectives and policies in this national policy statement, in particular Objective AA1 and Objective A2.</p> <p>Policy CA3</p> <p>By every regional council ensuring that freshwater objectives for the compulsory values are set at or above the national bottom lines for all freshwater management units, unless the existing freshwater quality of the freshwater management unit is already below the national bottom line for an attribute or attributes and the regional council considers it appropriate to set the freshwater objective below the national bottom line for an attribute or attributes because:</p> <p>a) the existing freshwater quality is caused by naturally occurring processes; or</p> <p>b) any of the existing significant infrastructure (that was operational on 1 August 2014) listed in Appendix 3 contributes to the existing freshwater quality; and</p> <p>i) it is necessary to realise the benefits provided by the listed infrastructure; and</p> <p>ii) it applies only to the waterbody, water bodies or any part of a waterbody, where the listed infrastructure contributes to the existing water quality</p> <p>Policy CA4</p> <p>A regional council may set a freshwater objective below a national bottom line on a transitional basis for the freshwater management units and for the periods of time specified in Appendix 4.</p>	
<p>Objective CC1</p> <p>To improve information on freshwater takes and sources of freshwater contaminants, in order to:</p> <p>a) ensure the necessary information is available for freshwater objective and limit setting and freshwater management under this national policy statement; and</p>	<p>Objective CC1 and Policies CC1 and CC2 in relation to water quantity are translated in the RPS through Policy WQUAN.9 (Information Gathering) and Methods WQUAN.3 (Monitoring), WQUAN.4 (Research and Investigation) and WQUAN.6 (Information Gathering) which seek to gather information and monitor the environment to understand water quantity and the effects of abstraction.</p>

<p>b) ensure information on resource availability is available for current and potential resource users.</p> <p>Policy CC1</p> <p>By every regional council:</p> <p>a) establishing and operating a freshwater quality accounting system and a freshwater quantity accounting system for those freshwater management units where they are setting or reviewing freshwater objectives and limits in accordance with Policy A1, Policy B1, and Policies CA1-CA4; and</p> <p>b) maintaining a freshwater quality accounting system and a freshwater quantity accounting system at levels of detail that are commensurate with the significance of the freshwater quality and freshwater quantity issues, respectively, in each freshwater management unit.</p> <p>Policy CC2</p> <p>By every regional council taking reasonable steps to ensure that information gathered in accordance with Policy CC1 is available to the public, regularly and in a suitable form, for the freshwater management units where they are setting or reviewing, and where they have set or reviewed, freshwater objectives and limits in accordance with Policy A1, Policy B1, and Policies CA1-CA4.</p>	<p>In relation to water quality, Objective CC1 and Policies CC1 and CC2 are given effect to in the RPS by Policy WQUAL.13, Methods WQUAL.2 (Research and Investigation), WQUAL.3 (Monitoring), WQUAL.5 (Information and Advice). This policy and these methods seek to improve knowledge and understanding of water resources and the relationship of land use activities with water quality, undertake research and monitoring and provide information.</p>
<p>Objective D1</p> <p>To provide for the involvement of iwi and hapū, and to ensure that tangata whenua values and interests are identified and reflected in the management of fresh water including associated ecosystems, and decision-making regarding freshwater planning, including on how all other objectives of this national policy statement are given effect to.</p>	<p>Objective D1 and Policy D1 are given effect to throughout the RPS. Chapter 3 sets out who the relevant iwi organisations are, the resource management issues of significance to Ngāi Tahu and objectives, policies and methods to resolve those issues. RPS provisions that specifically provide for iwi involvement and seek to reflect tangata whenua values in decisions regarding fresh water</p>

<p>Policy D1</p> <p>Local authorities shall take reasonable steps to:</p> <ul style="list-style-type: none"> a) involve iwi and hapū in the management of fresh water and freshwater ecosystems in the region; b) work with iwi and hapū to identify tangata whenua values and interests in fresh water and freshwater ecosystems in the region; and c) reflect tangata whenua values and interests in the management of, and decision-making regarding, fresh water and freshwater ecosystems in the region. 	<p>include Objective TW.1, Policies TW.1, TW.2, TW.4, WQUAN.7, and Methods TW.1, TW.2, TW.4, TW.5, TW.6, TW.7, TW.9, TW.10, WQUAL.10, WQUAN.9, WQUAN.14.</p>
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2.4. National Environmental Standards for Air Quality 2004 (NES-AQ)

2.4.1. Overview

The NES-AQ are regulations which aim to set a guaranteed minimum level of health protection for all New Zealanders. They were originally introduced in 2004 and amended in 2011 and contain 14 separate but related standards comprising:

- seven standards banning activities that discharge significant quantities of dioxins and other toxins into the air;
- five standards for ambient (outdoor) air quality;
- a design standard for new wood burners installed in urban areas; and
- a requirement for landfills over one million tonnes of refuse to collect greenhouse gas emissions.

Importantly for Southland, the NES-AQ contains restrictions on the number of times an airshed can exceed the PM₁₀ standard per year. Southland's gazetted airsheds must experience no more than one exceedance of the PM₁₀ standard per year by 1 September 2020. Between 2014 and 2018, the Invercargill Airshed has recorded between 11 and 14 exceedances per year and the Gore Airshed between one and five exceedances. As at 20 August 2019, the Invercargill Airshed has recorded four exceedances and the Gore Airshed one exceedance.

2.4.2. Assessment

Chapter 9 (Air Quality) of the RPS contains two objectives, five policies and eleven methods for managing Southland's air quality. Objective AQ.1 is to enable discharges while managing the adverse effects on human health and wellbeing and the environment. This is not particularly directive. However, Policy AQ.3 is to improve areas with poor air quality, focusing in particular on reducing the adverse effects of activities that discharge particulate matter. Subclauses (b) and (d) of Method AQ.1 (Regional plans) require the Council to establish and maintain provisions in regional plans to reduce PM₁₀ emissions from domestic solid fuel heating as consistent with any national environmental standards that apply and achieve compliance with the relevant national standards.

Stage 1 of the review of the Regional Air Plan reviewed the provisions of the Plan that related to discharges from domestic home heating, outdoor burning, application of agrichemicals and fertilisers and fire training, and was made operative in 2016. Despite the direction in the RPS, the provisions in the Plan have not proved to be effective and it is highly unlikely the Council will meet the required number of exceedances in the Invercargill Airshed by 1 September 2020. Although the Regional Air Plan is the document through which the standards will need to be met within the specified timeframes, the RPS plays a role in establishing how those standards are intended to be met in Southland.

2.5. National Environmental Standards for Sources of Drinking Water 2007 (NES-HDW)

2.5.1. Overview

The NES-HDW came into effect on 20 June 2008 and sets requirements for protecting sources of human drinking water from becoming contaminated. The NES-HDW requires regional councils to ensure that effects of activities on drinking water sources are considered in decisions on resource consents and regional plans. Specifically, regional councils are required to:

- decline discharge or water permits that are likely to result in community drinking water becoming unsafe for human consumption following existing treatment;
- be satisfied that permitted activities in regional plans will not result in community drinking water supplies being unsafe for human consumption following existing treatment; and
- place conditions on relevant resource consents that require notification of drinking water suppliers if significant unintended events occur (e.g. spills) that may adversely affect sources of human drinking water.

The NES-HDW and the drinking water regulatory framework under Section 2A of the Health Act are currently under review as part of the Government response to the findings of the Havelock North Inquiry. An Inquiry occurred following a widespread outbreak of gastroenteritis in Havelock North in August 2016 as a result of *E.Coli* contaminating the water supply. The first stage of the Inquiry identified the likely cause of the contamination and found that the Regional Council failed to meet its responsibilities under the Resource Management Act 1991 to protect the water source (aquifer) from contamination and the District Council did not implement the high standard of care required of a public drinking water supplier.

The second stage of the Inquiry has found widespread systematic failure of drinking water suppliers to meet the high standards necessary and that the enforcement of regulatory obligations on suppliers is not as effective as it should be. The conclusion from the Inquiry is that the current system of regulation does not ensure water suppliers comply with the current law and recommended significant reform. Recommendations from the Inquiry include a review of the NES-HDW. Amendments to the RMA are also recommended to recognise drinking water as a matter of national importance and include the protection and management of drinking water sources as a specific regional council function.

2.5.2. Assessment

The RPS sets out Objectives, Policies and Methods in Chapter 4A to improve or maintain water quality to safeguard the health of people and communities and provide for a number of uses including drinking water. Policy WQUAL.11 specifically seeks to avoid, remedy or mitigate the risks that the effects of land use activities and discharges have on community water supplies. A new NES-SDW is likely to be developed and will require stronger recognition of the importance of drinking water supplies and therefore the RPS may need to be amended to reflect the new version.

2.6. National Environmental Standards for Plantation Forestry 2017 (NES-PF)

2.6.1. Overview

The NES-PF came into effect on 1 May 2018, the objectives of the NES-PF are to:

- maintain or improve environmental outcomes associated with plantation forestry activities nationally; and
- increase certainty and efficiency in the management of plantation forestry activities.

The regulations apply to any forest larger than one hectare that has been planted specifically for harvesting. Eight core plantation forestry activities are covered by the standards, these include; afforestation; pruning and thinning to waste; earthworks; river crossings; forestry quarrying; harvesting mechanical land preparation and replanting.

The regulations generally prevail over regional and district plans that apply to plantation forestry. Regional plan rules cannot be more lenient than the regulations and can only be more stringent.

2.6.2. Assessment

Under the RMA the RPS is not required to be prepared in accordance with an NES as NES are specific regulations that prescribe technical standards, methods or requirements. Their specific nature means that the provisions are typically much more detailed than the content in the higher order RPS. For this reasons, the RPS does not directly recognise forestry activities and provide for them in a manner that gives effect to the NES-PF. However, the RPS does provide direction at a higher level for managing activities such as forestry. In particular, Chapter 5 Rural Issues recognises the importance of primary sector activities to the future economic wellbeing of the Southland Region. Direction for the management of potential risks associated with forestry land use is provided in Policies RURAL.3, RURAL.5 and Methods RURAL.1, RURAL.2, RURAL.3 and RURAL.6. While the NES-PF was released following the preparation of the RPS, there are likely to be very limited implications.

3. Current national direction – basic assessment

3.1. National Policy Statement for Renewable Electricity Generation 2011 (NPS-REG)

The NPS-REG recognises the national importance of renewable energy and supports the achievement of the Government’s target of 90% of electricity from renewable sources by 2025. It promotes a more consistent approach to balancing the competing values associated with the development of renewable energy resources when councils make decisions on resource consent applications, and covers the construction, operation and maintenance of structures associated with renewable electricity generation.

The NPS-REG is particularly important in Southland given the nationally significant Manapōuri Power Scheme in Fiordland. The RPS contains provisions in Chapters 4B (Water Quantity), 15 (Infrastructure/Transport) and 16 (Energy) which address the matters in the NPS-REG. These provisions were tested through the submission, hearing and appeals process, particularly by Meridian

Energy Ltd who operate the Manapōuri and Monowai power schemes, and are considered to give effect to the NPS-REG. The NPS-REG has not been amended since the RPS was notified so it is considered that the provisions continue to give effect to the NPS-REG.

3.2. National Policy Statement on Electricity Transmission 2008 (NPS-ET)

The NPS-ET recognises the national significance of the national grid in planning documents and local decision-making. The national grid is the high voltage transmission network that carries electricity around the country. It is made up of over 12,000 kilometres of high-voltage transmission lines and more than 165 substations, connecting power stations to substations that feed local electricity distribution networks. The NPS-ET aims to ensure that there is balanced consideration of the national benefits and the local effects of electricity transmission.

The RPS contains provisions in Chapters 7 (Coast) and 15 (Infrastructure/Transport) which address electricity transmission. These provisions were tested through the submission, hearing and appeals process, particularly by Transpower Ltd who manage the national grid, and considered to give effect to the NPS-ET. The NPS-ET has not been amended since the RPS was notified so it is considered that the provisions continue to give effect to the NPS-ET.

3.3. National Environmental Standards for Telecommunication Facilities 2016 (NES-TF)

The NES-TF came into force on 1 January 2017 and provides rules in relation to telecommunications infrastructure. The NES-TF provides regulated activities and standards in relation to cabinets, antennas, small cell units, telecommunication lines, earthworks and radio frequency fields.

While other NESs provide a standalone set of rules that prevail over those in a district plan (meaning those matters do not need to be addressed within a plan), where the permitted standards (except in relation to radiofrequency fields) in the NES-TF are not met, the rules within a district plan must be considered in order to determine the relevant activity status. Where the activity is not covered by rules in a district plan, the activity status defaults under the NES-TF to discretionary.

This NES is primarily focused on district plans so has limited applicability to the RPS. The RPS provisions address regionally significant, nationally significant and critical infrastructure which can include telecommunications. As the RPS provisions apply at a higher level, the implications of NES-TF are likely to be minimal.

3.4. National Environmental Standards for Assessing and Managing Contaminants in Soil to Protect Human Health 2011 (NES-CS)

The NES-CS came into effect on 1 January 2012. The NES-CS seeks to ensure land affected by contaminants in soil is appropriately identified and assessed when soil disturbance and/or land development activities take place and, if necessary, remediation of the contaminants contained to make the land safe for human use. The NES-CS sets regulations for five specified land disturbance activities where contaminants in soil may be mobilised and cause effects to human health. These include; removing or replacing all, or part of, a fuel storage system; sampling or disturbing the soil; subdividing land or changing the use of land.

Chapter 11 of the RPS sets out the resource management issues associated with contaminated land and the responses to manage those issues. The NES-CS has not been amended since it came into effect in 2012 which was prior to the notification of the RPS. It is therefore assumed that the current provisions of the RPS give effect to the NES-CS.

4. Proposed national direction

4.1. National Policy Statement for Highly Productive Land (NPS-HPL)

The proposed NPS-HPL would require councils to consider the availability of highly productive land within their region or district now and in the future, including by maintaining its availability for primary production and protecting it from inappropriate subdivision, use and development. This NPS has been proposed largely in response to issues with urban expansion occurring on highly productive land. Southland has large amounts of highly productive land, some of which is located on the fringes of urban areas where some urban expansion may have been anticipated. This NPS is likely to have some effect on the wording of provisions in the RPS. In particular, this NPS will place restrictions on the land available for urban expansion which may require revision of district plans in Southland and reconsideration of the objectives for urban environments in the RPS.

4.2. National Policy Statement on Urban Development (NPS-UD)

The proposed NPS-UD aims to provide clear direction to councils on how to enable opportunities for development in New Zealand's urban areas in a way that delivers quality urban environments for people now and in the future. Urban growth is not a significant issue for Southland. This NPS is likely to have some effect on the wording of provisions in the RPS but is unlikely to require significant revision to the overall policy approach.

4.3. National Policy Statement for Freshwater Management (NPS-FM)

The proposed NPS-FM sets out objectives and policies for freshwater management and specifies what councils must do to achieve those objectives and policies in terms of their governance and management roles. This rewrite of the existing NPS-FM is a significant shift from the existing policy approach, refocusing freshwater management on prioritising firstly the health and wellbeing of waterbodies and freshwater ecosystems, secondly the essential health needs of people and thirdly the ability of people and communities to provide for their social, economic and cultural wellbeing. Implementing this NPS would require significant revision of the provisions in the RPS, particularly to reflect this prioritisation, as well as to give effect to the 13 policies. There are specific requirements for RPSs including the articulation of a long-term vision for freshwater in the region and to improve integrated management of land and freshwater resources.

4.4. National Environmental Standard for Freshwater (NES-FW)

The proposed NES-FW contains rules for vegetation destruction, earth disturbance, water takes, river bed infilling, fish passage and farming activities. Many of the rules in the NES-FW require resource consent for particular activities. Decisions made on those consent applications would be made under the existing objectives and policies of regional plans, and RPSs where regional plans are considered to be deficient. While the implications of this NES will fall largely on regional plans, there is a role for RPSs to provide policy support through their direction on managing resources in an integrated

manner. The NES-FW is unlikely to have a direct impact on the RPS but its content would likely inform any amendments made to give effect to the revised NPS-FM.

5. Regional documents

5.1. Southland Regional Development Strategy 2015 and Action Plan 2015-25

The Southland Regional Development Strategy sets out to increase the population in Southland by more than 10,000 by 2025. The Action Plan sets out a number of actions and projects to address three challenges for the Southland Region; growing the population, diversifying the regional economy and strengthening local business. Environment Southland and the district councils are identified as some of the key agencies tasked with delivering a large component of the identified actions.

Urban growth is a considerable focus of the Strategy but the RPS provisions regarding urban development were not drafted with the goal of increasing Southland's population. The direction in the RPS could be stronger to support achievement of this goal. Some of the proposals for diversifying the regional economy involve use of resources, in particular expanding aquaculture, promoting oil and gas exploration and promoting precision agriculture. The RPS addresses these topics generally but does not include specific direction which could support the type of resource use envisaged by the Strategy as these were not identified as priorities when the RPS was drafted.

5.2. Environment Southland's People, Water and Land Programme

The People, Water and Land Programme is Environment Southland's integrated approach to freshwater management in Southland designed to improve land and water and implement the requirements of the NPS-FM to set freshwater objectives and limits. The programme is a partnership with Ngāi Tahu ki Murihiku and has three workstreams: Action on the Ground, Values and Objectives and a Regional Forum who provide advice on how to achieve the community objectives for freshwater.

Implications are that the People, Water and Land Programme is not entirely consistent with the approach to setting freshwater objectives and limits set out in the RPS, although it does ultimately achieve the same outcome (freshwater objectives and limits formulated in accordance with the NPS-FM). The RPS could contain stronger direction to support the Action on the Ground workstream which focuses on improving land management practices.

5.3. Invercargill City District Plan

The Invercargill City District Plan 2019 replaces the Invercargill City District Plan 2005. It was notified in 2013 and decisions were released in October 2016. Sixteen appeals were lodged to the Environment Court and all have now been resolved. The new District Plan provides a comprehensive summary of the significant resource management issues for Invercargill City and objectives, policies and rules to address those issues across 20 different zones.

As the Invercargill City District Plan decisions were released in 2016 following the decisions on the RPS, the Plan is considered to give effect to the RPS to the extent possible. The Plan will need to be amended to implement the National Planning Standards.

5.4. Southland District Plan

The Southland District Plan was made operative on 22 January 2018 following the resolution of appeals in 2017. The Plan was first notified in 2012 with decisions released in 2014. The Southland District Plan also covers a range of resource management topics relating to natural and physical resources and includes provisions relating to six different zones.

As the Southland District Plan has been prepared and decided on a similar timeline to the RPS, with the final appeals resolved after the RPS was made operative, it is considered the Plan gives effect to the RPS provisions. Amendments will be necessary to the Southland District Plan to implement the National Planning Standards.

5.5. Gore District Plan

The Gore District Plan is currently operative and sets the framework for managing land use and development in the Gore District. The Council is planning a review of the District Plan with the intended draft plan to be completed by March 2021.

The existing Gore District Plan does not give effect to the RPS as it is was prepared prior to the 2017 RPS. The District Plan Review will need to give effect to the RPS and implement the National Planning Standards.

5.6. Region-wide study: Climate change

Environment Southland, in collaboration with Invercargill City Council, Southland District Council and Gore District Council, commissioned NIWA to produce a regional assessment of the impacts of climate change for Southland. The report states that the global climate system is changing, affecting New Zealand's climate and environment. These changes will have implications for New Zealand's climate and weather systems and also for freshwater availability for downstream users and for hazard exposure (inland and coastal). The potential effects are summarised here.

- Future annual average temperature increases for Southland span a wide range: 0.5-1°C by 2040, and 0.7-3°C by 2090, largely dependent on emissions scenario.
- The average number of hot days is expected to increase from 0-10 days by 2040 to 5-55 days by 2090. Consequently, the number of heatwave days is projected to increase, and the number of frost days is expected to decrease.
- By mid-century, the number of wet days is expected to decrease by up to 10 days across most of the region.
- By mid-century the number of dry days is expected to increase by up to 10 more days for much of the region except the central part of the region and northern and western Fiordland, for which up to 10 fewer dry days are expected.
- Changes in sea level-rise are expected to be between 0.2-0.3 m by 2040 and increasing to 0.4-0.9 m by 2090. Putting aside storm events, those changes will result in an increasing percentage of normal high tides exceeding given present-day design for coastal infrastructure.

- Low flow changes are expected to be variable across the Southland region. Low flows in Fiordland and the headwaters of the Waiau catchment are expected to increase with time and emission scenario. Low flows for the remainder of the region are expected to decrease, except for the coastal areas of the Ōreti and Matāura catchments.
- Floods are expected to become larger everywhere, with increases of up to 100% in some locations by the end of the century.

This report does not have direct implications for the RPS review. However, Section 7(i) of the RMA requires that the RPS shall have particular regard to the effects of climate change. In addition, there are a number of objectives, policies, and methods within the RPS that require that effects of climate change are better understood and taken into account as part of future planning. This report fulfils the requirement to better understand the effects of climate change in the Southland Region and could be used to underpin more targeted, integrated provisions to support a region-wide approach to managing the effects of climate change.

5.7. Region-wide study: Biodiversity

Wildland Consultants Ltd has prepared a report for Environment Southland on potential natural ecosystems and significant natural areas for indigenous biodiversity in Southland. This report provides a biodiversity assessment to identify where indigenous vegetation is within the region and to identify significant natural areas and their attributes. The report's findings are listed below.

- 65 potential ecosystem types consistent with a national classification of New Zealand's indigenous vegetation were mapped across terrestrial Southland. This ecosystem mapping was based on existing spatial layers of soil and vegetation cover and incorporated new mapping of ecosystem types that were not captured by existing polygons.
- Wetland classification of an existing wetland layer was undertaken on a desktop basis, but some 73 wetlands could not be classified. Eight potential ecosystems that are present or possibly present within Southland were not mapped, and further work could be undertaken to confirm the Southland distribution of these ecosystems. A framework has been provided for ground-truthing of potentially significant sites not captured by the desktop process.
- In relation to the identification of significant marine habitats, the report suggests that the development of a specific marine significance criteria set is important, and that significant sites captured by a marine criteria set would better protect marine ecosystems and ecological processes. However, using the existing significance criteria within the RPS, and slight adaptations of these criteria for the marine environment, 28 representative significant marine areas were identified.

Section 6 of the RMA requires that decision makers recognise and provide for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna. Sections 30 and 31 of the RMA also require regional councils and territorial authorities to maintain indigenous biological diversity. Objective BIO.1 of the RPS seeks to understand the extent of loss of indigenous ecosystems and habitats across the Southland Region and identify those at risk to further loss and degradation. Policies BIO.1 and BIO.6 require the identification of significant areas and the gathering, monitoring, recording and reporting information. The report identified gaps for marine habitats which is acknowledged in Appendix 2 of the RPS. This report improves the evidence base underpinning the RPS

provisions and some revision of those provisions would be preferable but not necessarily required to reflect updated knowledge.

5.8. Region-wide study: Landscape Study

Boffa Miskell Ltd has prepared *The Southland Regional Landscape Study (2018)* for Environment Southland which has identified and mapped the Outstanding Natural Features (ONFs) and Landscapes (ONLs), and Visual Amenity Landscapes (VALs) within the region. This was a collaborative project undertaken alongside the three district councils. The preparation of the Landscape Study was in response to the councils' obligations under the RMA and the RPS. Section 6(b) of the RMA requires the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development. Natural features and landscapes that do not meet the criteria for being ranked as 'outstanding' can nonetheless qualify for protection under section 7(c) or section 7(f) of the RMA which requires the maintenance and enhancement of "amenity values" and "quality of the environment".

This report has identified nine ONLs.

1. Coastal Fiordland/Te Atawhenua ki Tai
2. Inland Fiordland/Te Atawhenua ki Uta
3. Livingstone-Eyre Mountains/Mata-puke-koikoi
4. Umbrella-Garvie Mountains/Mata-puke-taratara
5. Takitimu Mountains/Te Mauka Takitimu
6. Longwood Range/Ōhekeia
7. Awarua-Waituna Wetland Complex/Awarua ki Waipārera
8. Inland Catlins/Waikawa-Tautuku
9. Coastal Catlins/Te Ākau Tai Toka

This report has also identified ten ONFs.

1. Waterfall Range/Hokonui
2. Slopedown/Mokoreta – Pukemimihau
3. Waiau River Mouth/Matatarawae
4. Pahia Hill/Ōmāwhero
5. Ōraka-Kawakaputa Bay/Ōraka ki Kawhakaputaputa
6. Riverton Hill/Te Haki ki Taramea
7. Oreti Beach-Sandy Point/Mateawaewae – Oreti ki Waimatuku
8. Bluff Hill – Omaui/Motupōhue ki Ōmāui
9. Toetoes Harbour/Toetoe
10. Outer Islands/Ngā Motu o Te Ara-a-Kiwa

Finally, the report identified eleven VALs.

1. Te Anau Downs/Te Wai-o-Turi
2. Upper Mararoa-Oreti/Maraeroa-Oreti ki uta
3. Upper Mataura/Mataura ki uta
4. Mid Dome/Tara-mahitihiti
5. Hokonui Hills/Ōtaupiri – Hokonui – Ōroko
6. Te Waewae Bay/Te Ahi Rahuru ki Waikōau

7. Cosy Nook-Wakaputa Point/Ōmāwhero ki Kahutai
8. Jacobs River Estuary/Aparima
9. New River Estuary/Waihōpai
10. Toetoes Bay/Toetoe
11. Waikawa/Tuma Toka

The purpose of the Southland landscape study was to identify the significant sites in the region and begin to understand their values, so that the councils can determine appropriate management of these sites. The objectives and policies for managing these sites are still considered to be appropriate in light of this new information but there will be considerable work needed to undertake further assessments (particularly of values) and to amend regional and district plans to fully implement the direction in the RMA and RPS.

5.9. Region-wide study: Coastal Study

In addition to the identification of Southland's landscapes, Boffa Miskell was also engaged to define and map the terrestrial and marine component of Southland's Regional Coastal Environment, in response to the requirements under the NZCPS. *The Southland Regional Coastal Environment Study* identifies the extent of the coastal environment utilising the elements described within Policy 1 of the NZCPS. The NZCPS also requires local authorities under Policy 13 to map or otherwise identify (at a minimum) the areas of high natural character within the coastal environment. Policy 13 also refers to areas of outstanding natural character, necessitating additional evaluation. Policy 15 of the NZCPS refers to landscapes and the requirement to protect natural features and natural landscapes of the coastal environment. Finally, Section 6(a) of the RMA requires the preservation of the natural character of the coastal environment, and the protection of them from inappropriate subdivision, use, and development. This Coastal Environment Study therefore encompasses both natural character and landscape considerations, as they relate to Policies 1, 13 and 15 of the NZCPS.

When assessing the inland extent of the coastal environment, the report notes that as a general rule of thumb the coastal environment extends to the first significant ridgeline inland of the coast, although for flat areas, such as around the wetlands, lagoons and plains around Invercargill, the boundaries are determined more by landscape character and where coastal elements, patterns and processes are still sufficiently significant to be dominant. The seaward extent of the coastal environment extends 12 nautical miles from mean high water springs (MHWS).

In accordance with the requirement outlined within Policy 13 of the NZCPS, mapping and identification of at least areas of high natural character has been undertaken. When assessing the natural character of the coastal environment, several key attributes need to be considered. The list of attributes that natural character may include (NZCPS Policy 13 (2)) have been grouped broadly into the categories of biotic (living: ecology), abiotic (non-living: geology, climate) and experiential (human based perceptions) attributes to provide a systematic way to consider the different aspects of the natural patterns, processes and elements of the coastal environment and the degree of modification present.

Policy 13 (1)(a) requires avoidance of adverse effects of activities on natural character in the coastal environment with outstanding natural character. The assessment of whether an area qualifies as having outstanding natural character combines both terrestrial and marine components. This means that where sequences of ecological naturalness are considered important these are clearly captured

(such as from the top of a ridge on the land to the bottom of the sea adjacent). Outstanding natural character, by its very term, determines the highest rated areas and should include systems that interconnect with each other and therefore should not be considered in isolation.

The Southland Regional Policy Statement (RPS) contains objectives and policies that outline how the coastal environment and natural character within the coastal environment shall be recognised and provided for. Method COAST.1(a)(iv) states that the Regional Coastal Plan shall provide clear direction as to the areas of outstanding and high natural character in the coastal environment that require preservation through objectives, policies and rules. Method COAST.4(d) stated that District Plans shall define the coastal environment in terms of its natural character and landscape definition, and (f) states that District Plans shall preserve areas of outstanding and high natural character through objectives, policies and rules. The Southland Regional Coastal Study gives effect to these methods.

6. National Planning Standards

6.1. Overview

Under section 61(1)(da) of the RMA, a regional policy statement must be prepared or changed in accordance with a national planning standard. National planning standards have been introduced to improve the consistency of council plans and policy statements.

The Minister for the Environment and the Minister of Conservation released the first set of national planning standards on 05 April 2019. The first set of national planning standards aim to provide national consistency for the structure, form, definitions and electronic accessibility of RMA plans and policy statements to make them more efficient and easier to prepare and use.

Regional councils have three years to adopt the standards for their regional policy statements and ten years for their regional plans.

6.2. Relevant standards

The national planning standards were gazetted in April 2019, therefore the RPS has not been prepared in accordance with their requirements. Table 1 of the national planning standards states the standards that apply to RPSs.

2. Regional policy statement structure
6. Introduction and general provisions
10. Format
11. Regional spatial layers
13. Mapping
14. Definitions
16. Electronic accessibility and functionality
17. Implementation

The Southland RPS does not contain spatial layers or maps so standards 11 and 13 are not relevant. The broad structure of the RPS is not dissimilar to the structure required under standard 2 however there will be work needed to comply fully. Standards 6 and 10 focus on format rather than content

but will require amendments to the RPS for it to be compliant. Standard 14 is likely to have more considerable impacts on the content of the RPS due to the overlaps in some of the terms and definitions. Standard 16 will need to be implemented across all of the Council's planning documents and will significantly change the way all planning documents are written and accessed.

Appendix B: Issues and Objectives

Evaluation questions

Issues

- Are the issues still significant resource management issues for the region?
- Are there any new issues that have arisen?
- Were there any gaps in the issues identified?
- Are some issues more important than others?

Objectives

- Is the objective still appropriate?
- Are the objectives measurable?
- Do they provide direction?
- Are the objectives achievable? Do they need to be?
- Do we need additional objectives due to new issues?

Scoring

	Provision remains relevant and appropriate
	Provision is mostly relevant and appropriate, with some minor issues
	Provision unlikely to be relevant and appropriate
	Provision is not relevant or appropriate

Chapter 3 – Tangata Whenua

Provision	Evaluation	Score
Issue TW.1	This issue highlights the lack of understanding of cultural values by decision makers and the lack of resourcing tangata whenua have to engage in resource management processes. This issue and Issue TW.2 are related and could be combined to reflect the ability for tangata whenua to exercise kaitiakitanga and the consideration of cultural values in decision making processes. The Charter of Understanding has assisted with making progress on this issue however it remains an ongoing issue for Ngāi Tahu ki Murihiku.	
Issue TW.2	This issue identifies the lack of recognition of iwi management plans in resource management processes and decisions. This issue is quite specific compared to the other issues in this Chapter and could be combined with Issue TW.1 to reflect the general issue of tangata whenua exercising their kaitiakitanga.	
Issue TW.3	This issue focuses on damage and degradation of wāhi tapu, wāhi taonga and other sites of significance to tangata whenua. The Southland Coastal Heritage Inventory Project which investigated the location and condition of heritage sites along Southland’s coastline found that only 23% of sites were in good condition. Many heritage sites in the coastal environment are significant to tangata whenua. ¹⁴ This issue remains relevant and appropriate.	
Issue TW.4	This issue highlights the degradation of the mauri and wairua of natural resources used for cultural purposes and loss of mahinga kai resources. Evidence prepared by Te Rūnanga o Ngāi Tahu for the hearing of appeals on the proposed Southland Water and Land Plan confirms that this remains a significant issue for Ngāi Tahu. ¹⁵	
Issue TW.5	This issue identifies the difficulties of developing and using Māori land and resources. This issue is unhelpfully drafted as it does not provide further explanation of what the resource management issue is, no detail as to what the difficulties are and if they are related to a resource management function. Development of Māori land can be complex, with restrictions coming not solely from the resource management framework. To be helpful for subsequent provisions, this issue could be more specific about the resource management-specific issue(s) with developing Māori land.	

¹⁴ Egerton, R. & Jacomb, C. (2009). Southland Coastal Heritage Inventory Project. *Archaeology in New Zealand*, 52(4): 250-258.

¹⁵ Statement of evidence of Michael Richard Skerrett on behalf of Te Rūnanga o Ngai Tahu (15 February 2019)

Objective TW.1	This objective seeks to ensure the principles of the Treaty of Waitangi are taken into account through effective partnerships between local authorities and tangata whenua which provide capacity for tangata whenua to be fully involved in council decision making. The expression of the principles of the Treaty are an ongoing matter for local authorities to manage so this objective remains relevant and appropriate.	
Objective TW.2	This objective requires iwi management plans to be considered in all resource management processes and decisions. The RMA requires iwi management plans to be taken into account when preparing or changing a regional plan and it is standard practice to consider iwi management plans in the resource consent process. This objective is generally appropriate but does not provide any direction beyond what is already required by the RMA.	
Objective TW.3	This objective seeks mauri and wairua are sustained or improved where degraded and mahinga kai are healthy, abundant and accessible to tangata whenua. The wording of this objective is not entirely clear – on a plain reading, it could be read as requiring sustaining mauri and wairua where they are degraded. This would not be consistent with the issues of significant to tangata whenua nor fulfil the Council’s general obligations under the RMA, particularly section 6(e). Otherwise, the objective has a link to Issue TW.4 and outlines a clear goal.	
Objective TW.4	This objective seeks that wāhi tapu, wāhi taonga and other sites of significance to tangata whenua are appropriately managed and protected. The topic of this objective is appropriate but the drafting could provide greater direction to clarify what appropriately managed and protected means.	
Objective TW.5	This objective seeks that tangata whenua are able to develop and use their land and resources in a sustainable manner to provide for social, economic and cultural wellbeing. This objective remains relevant and appropriate.	

Chapter 4A – Water Quality

Provision	Evaluation	Score
Issue WQUAL.1	This issue provides a high level picture of water quality issues in Southland and remains generally relevant. Since the RPS was notified, there has been considerable additional scientific work undertaken on water quality in Southland (notably <i>Water quality in Southland:</i>	

	<p><i>current states and trends</i> (2017), the <i>Physiographics of Southland</i> (2016) and the evidence prepared by Council scientists for the Environment Court hearing on appeals to the Proposed Southland Water and Land Plan in 2019). This work would enable a more specific identification of the issues with water quality in Southland than the broad description in Issue WQUAL.1.</p> <p>The issues in the RPS are generally written as one short sentence, however this issue comprises a paragraph and a number of bullet points. The issue addresses the importance of water quality, current challenges, as well as the effects of various activities. Covering a number of large topics in one issue can make it difficult for subsequent objectives, policies and methods to coherently address the entirety of the issue.</p>	
Issue WQUAL.2	<p>This issue focuses on the complexities in managing the effects of non-point source discharges on water quality. While these matters are complex to manage, this issue does not relate particularly clearly to the environmental issue associated with non-point source discharges. In this regard, the issue is not well-targeted and does not address the key issue with non-point source discharges.</p>	
Issue WQUAL.3	<p>This issues states that more information about water resources and land use effects and development is needed for informed decision-making. As discussed above, there has been considerable additional scientific work undertaken since the RPS was notified which has clarified the state of water bodies in the region as well as the effects of land use practices on water quality. Much of this work has recently been tested in the Environment Court through the hearing of appeals on the Proposed Southland Water and Land Plan. Given the body of scientific work currently available, this issue is not likely to be as relevant now.</p>	
Objective WQUAL.1	<p>This objective is intended to set out the overall framework for the management of water quality in Southland. It is broadly consistent with Objectives A1, A2 and A4 of the NPS-FM but does not consider or recognise Te Mana o Te Wai as required by Objective AA1 and Policy AA1. This is likely to be because Objective AA1 and Policy AA1 were introduced very shortly before the RPS became operative. The Government is proposing further amendments to the NPS-FM and has signalled that strengthening the importance of Te Mana o Te Wai will be a core component of these amendments. Given the identified gap with regard to Te Mana o Te Wai in the RPS, it is likely that any further amendments to the NPS-FM will widen this gap.</p>	
Objective WQUAL.2	<p>This objective seeks to halt the decline and improve water quality in lowland and coastal waterbodies. Evidence prepared by the Council</p>	

	for the Environment Court hearing on appeals to the Proposed Southland Water and Land Plan in 2018 identified that three estuaries in Southland are receiving sediment and nutrient inputs beyond their assimilative capacity, two are in moderate to good health but are at risk of deteriorating conditions if nutrient inputs increase, and one is in near pristine condition. ¹⁶ This confirms that Objective WQUAL.2's goal to halt the decline and improve water quality in lowland water bodies is still of considerable importance for the region. The avenue for achieving this is through freshwater objectives formulated in accordance with the NPS-FM which has not yet occurred. The explanation to this objective notes that a whole of catchment approach will be needed to manage water quality in lowland water bodies, however this is not reflected in the wording of the objective itself.	
Objective WQUAL.3	This objective seeks to maintain the quality of water where it is in its natural state. Over half (53 per cent) of Southland is part of the conservation estate. Within these areas are water bodies with very high quality water with low levels of nutrients that are generally unaffected by point source or non-point source discharges. Maintaining these water bodies in their natural state is an important part of giving effect to the direction in Objective A2(a) of the NPS-FM to maintain or improve the overall quality of fresh water in a freshwater management unit while protecting the significant values of outstanding freshwater bodies. This objective remains relevant and appropriate.	

Chapter 4B – Water Quantity

Provision	Evaluation	Score
Issue WQUAN.1	This issue highlights the potential effects of the taking, use, damming and diversion of water and remains relevant. This issue and the other two issues in this Chapter do not clearly recognise aquifers. In Southland, aquifers are largely unconfined so there is considerable hydrological connection between surface and ground water.	
Issue WQUAN.2	This issue identifies the demand for Southland's water resources and the conflicts and effects from allocation that can arise. This issue remains relevant but the wording could be refined to more helpfully	

¹⁶ Statement of evidence of Nicholas Ward on behalf of the Southland Regional Council (14 December 2018)

	describe the issue, which can be distilled to the conflict between in-stream and out-of-stream values of water.	
Issue WQUAN.3	Issue WQUAN.3 identifies that further information on water resources is required for informed decision making. While some work has been completed during the preparation of the proposed Southland Water and Land Plan, ongoing investigations and monitoring is required to ensure water management regimes are effective. This issue remains relevant and appropriate. It is not clear whether this is a significant resource management issue for Southland, given the amount of information currently available and the Council's ongoing monitoring obligations under the RMA.	
Objective WQUAN.1	This objective sets out the requirements for developing a water management framework to address water quantity, including the development of surface water and groundwater allocation regimes in accordance with the NPS-FM. The objective does not consider Te Mana o Te Wai due to the timing of the RPS preparation. The objective does refer to the social, economic and cultural needs of future generations but could provide greater direction on the importance of provision of community drinking water given the Government's proposals for strengthened national direction and management of drinking water following the issues in Havelock North. The objective generally remains relevant but may require some amendments to reflect changes in national direction.	
Objective WQUAN.2	This objective seeks to ensure the allocation and use of water is efficient and provides for the Monowai and Manapōuri hydro electric schemes. On-going water use efficiency and highlighting the importance of the hydro-electric generation schemes remains a relevant issue, and recognises the national importance of renewable electricity generation.	

Chapter 4C – Beds of Lakes and Rivers

Provision	Evaluation	Score
Issue BRL.1	This issue recognises that inappropriate activities and structures in the beds of lakes and river can adversely affect their significant values. The general nature of the wording of this issue makes it difficult to know what particular activities are structures are causing issues and what significant values are being affected. It is not clear whether this is a significant issue for Southland – further research would need to be undertaken to assess the scale of this issue to determine whether it is still appropriate.	

Issue BRL.2	This issue identifies the lack of or fragmented access to some lakes and rivers. Based on the supporting objective and policy, it is assumed the issue is referring to public access but this is not specified in the issue. It is not clear whether this is a significant issue for Southland. Given the role of territorial authorities in establishing esplanade reserves and similar, there may be a limited role for the regional council in addressing this issue, particularly through the RPS.	
Objective BRL.1	This objective seeks to ensure all significant values of lakes and rivers are maintained and enhanced. It is unclear whether the use and development of river and lake beds would be enabled by this objective. The ongoing use of existing structures and new structures and activities in river and lake beds can be significant for the health of people and communities and it is therefore important to recognise those uses. It is unclear how significant values are to be maintained <u>and</u> enhanced, and to what extent, as well as what is meant by “significant”.	
Objective BRL.2	Objective BRL.2 seeks the maintenance and enhancement where necessary of public access to and along rivers and lakes which is appropriate to the values of the area. Whether this objective remains appropriate is linked to the scale of the problem as identified in Issue BRL.2. If this is a significant issue for Southland, this objective may still be appropriate however it is worded in a fairly general way. It is not clear what circumstances would be considered “necessary” or what might be appropriate in relation to the values of the area.	

Chapter 5 – Rural Land/Soils

Provision	Evaluation	Score
Issue RURAL.1	This issue highlights the need to maintain the productive capacity of rural land to sustain the activities dependant on it for the economic wellbeing of the Southland region. This issue remains relevant and appropriate, particularly in light of the proposed National Policy Statement for Highly Productive Land.	
Issue RURAL.2	Issue RURAL.2 identifies the potential effects that can arise from the subdivision, land use change and development of rural areas. The frequency and intensity of these effects in Southland is unclear, which makes it difficult to determine whether this is a significant issue for Southland.	
Issue RURAL.3	This issue is focused on the impacts land uses can have on soil including soil loss from erosion and the potential for sedimentation of	

	waterways and coastal water to result. This issue remains relevant and appropriate – sediment has been identified as a particular issue for water quality in Southland as result of some land use practices such as cultivation and winter grazing.	
Issue RURAL.4	Issue RURAL.3 highlights the importance of mineral extraction activities in Southland and their environmental risks. This issue is very specific and the matters it relates to are already largely addressed by Issues RURAL.1 and RURAL.2 – it is not clear that this issue is significant enough to warrant a standalone issue.	
Issue RURAL.5	This issue relates specifically to the use of onsite wastewater systems and the potential effects on water, soil, amenity and public health where these systems are poorly designed, not adequately maintained or fail. Onsite wastewater systems are common place in rural environments to discharge domestic or commercial wastewater and can have localised and wider environmental effects. As with Issue RURAL.4, this issue is a very specific matter which could be considered under Issues RURAL.1 and RURAL.2. There is no corresponding issue identified in Chapter 4 (Water) despite the effects on water quality.	
Objective RURAL.1	This objective seeks the achievement of sustainable use of Southland’s rural land resource in respect of a number of activities. The objective is unclear with regards to what sustainable use means and could be improved to provide greater clarity and provide the outcome sought to address the issues identified.	
Objective RURAL.2	Objective RURAL.2 seeks to safeguard the life-supporting capacity, mauri and health of soils and prevent or minimise soil erosion and sedimentation from land disturbance. This objective remains relevant and appropriate, particularly due to its link with the provisions in Chapter 4 (Water).	

Chapter 6 – Biodiversity

Provision	Evaluation	Score
Issue BIO.1	This issue highlights that the full extent of indigenous biodiversity, its significance and loss in Southland has not been adequately identified or determined. A 2019 report by Wildlands has scoped the extent of indigenous biodiversity in Southland and identified a number of information gaps that are likely to make implementation of some of the policies and methods in the RPS difficult. ¹⁷ Issue BIO.1 therefore remains relevant – having sufficient evidence is a necessary precursor to establishing management frameworks so a lack of information may be a significant obstacle.	
Issue BIO.2	This issue recognises that Southland’s indigenous biodiversity has been and continues to be reduced in diversity, condition and extent as a result of loss and degradation of ecosystems and habitats. Although there is no information available on total biodiversity in Southland, a recent report on wetlands identified that 7,395 hectares (or 23%) of wetlands lost between 1990 and 2018. ¹⁸ This issue remains relevant and appropriate, and clearly identifies the particular issues occurring in Southland.	
Objective BIO.1	This objective requires understanding the extent of loss of indigenous ecosystems and habitats in Southland and identifying those at risk of further loss and degradation. This is clearly linked to Issue BIO.1 and is necessary for devising a management framework to respond to Issue BIO.2. While some progress has been made through the recent Wildlands report, there are a number of information gaps that will need to be filled before this objective can be met. As such, it remains relevant and appropriate.	
Objective BIO.2	This objective requires maintaining indigenous biodiversity and protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna for present and future generations. This restates the requirements set out in section 30(1)(ga) and section 6(c) without providing any additional guidance, which is unhelpful for users and subsequent provisions. This objective would be more useful	

¹⁷ Wildland Consultants. (2019). *Assessment of indigenous biodiversity in Southland Region*. Dunedin, New Zealand.

¹⁸ Robertson, H. A., Ausseil, A., Rance, B., Betts, H. & Pomeroy, E. (2019). Loss of wetlands since 1990 in Southland New Zealand. *New Zealand Journal of Ecology*, 43(1).

	if it translated the RMA requirements into the Southland context or set out how those obligations were to be met.	
Objective BIO.3	This objective requires enhancing the range, extent and condition of indigenous biodiversity in Southland, particularly in those areas most at risk of further loss or degradation. This responds to Issue BIO.2 and is reliant on the identification in Objective BIO.1 being carried out. This objective is relevant and appropriate.	

Chapter 7 – Coast

Provision	Evaluation	Score
Issue COAST.1	This issue highlights the lack of clear identification of locations that are appropriate or inappropriate for subdivision, use and development. It also notes that this is related to a lack of understanding of coastal processes, resources and values. This is consistent with the direction in Policy 7 of the NZCPS and highlights the challenges in giving effect to that policy. The effectiveness and efficiency review of the RCP ¹⁹ found that while there is clear direction on appropriate locations for some activities (for example, marine farming) there is a lack of clarity for other activities (for example, moorings). This suggests that Issue COAST.1 continues to be relevant, particularly for the development of the new Coastal Plan.	
Issue COAST.2	This issue highlights the inadequate protection of the coastal environment that results from cumulative and precedent effects not being considered. Feedback received on the draft <i>Strategic direction</i> for the RCP review indicated that there are activities occurring in the coastal environment that are resulting in cumulative effects that are not being appropriately considered, particularly commercial surface water activities in busier parts of Fiordland. The effectiveness and efficiency review of the RCP also found that cumulative effects on natural character values were not being well managed by the Plan. This issue is therefore considered to be appropriate and relevant	
Issue COAST.3	This issue highlights the lack of, or fragmented, public access to and along the coast. Feedback from the territorial authorities on a draft discussion paper on public access as part of the RCP review questioned the evidence base underpinning this issue. It is not clear from the section 32 report for the RPS what the foundation was for	

¹⁹ Incite. (2019). *An assessment of the effectiveness and efficiency of the Regional Coastal Plan for Southland*. Christchurch, New Zealand. Prepared for Environment Southland.

	<p>this issue, which was not altered from the notified version through the hearing process. Given the lack of information, this issue may need further investigation to determine whether it remains relevant.</p>	
Issue COAST.4	<p>This issue highlights that while infrastructure, ports and energy projects can require a coastal location they can also have adverse effects. While accurate at a high level, this is a fairly broad issue which does not include much specificity about the particular activities or effects which are of concern. This is unlikely to provide much helpful guidance to subsequent provisions.</p>	
Issue COAST.5	<p>This issue notes the degradation of coastal water and ecosystems due to discharges and land-based activities. While coastal water quality is generally considered to be good, evidence presented by the Council as part of the hearing of appeals on the pSWLP highlighted that some of Southland’s estuaries are in poor condition.²⁰ The conditions of these estuaries is considered to be a result of land uses higher in the catchment as well as discharges. This issue remains relevant and appropriate, although could be more specific with regard to the contaminants and activities of concern.</p>	
Objective COAST.1	<p>Objective COAST.1 is to provide clear direction on appropriate and inappropriate subdivision, use and development activities, cumulative effects and precedent effects of decisions. This is largely a rewording of Issues COAST.1 and COAST.2 with little additional direction. It is also not clear how the clear direction sought is to be provided – whether through the RPS or some other method. Although the topics of this objective remain relevant, the wording of this objective is fairly unhelpful and is unlikely to provide sufficient guidance to the policies and methods for addressing the issue(s).</p>	
Objective COAST.2	<p>Objective COAST.2 requires that infrastructure, ports, energy projects, aquaculture, mineral extraction activities, subdivision, use and development are provided for and able to expand where appropriate while managing adverse effects. This is a very broad objective covering nearly all activities likely to arise in the coastal environment. It is not clear what is meant by “provided for” or what level of management of effects is considered appropriate. While clearly linked to Issue COAST.4, that issue was also broad and lacking in specificity which is likely to have contributed to the drafting of Objective COAST.2. The objective provides little guidance to the policies and methods.</p>	

²⁰ Statement of evidence of Nicholas Ward on behalf of the Southland Regional Council (14 December 2018)

Objective COAST.3	Objective COAST.3 requires that coastal water quality and ecosystems are maintained or enhanced. Generally this is an appropriate outcome to seek and clearly responds to Issue COAST.5, however it leaves many more specific details to the lower order provisions such as the circumstances when water quality and ecosystems should be maintained as opposed to enhanced. This broadly captures the intent of Policy 21 of the NZCPS although detailed policies and methods will be required to fully give effect to Policy 21.	
Objective COAST.4	Objective COAST.4 requires that the natural character of the coastal environment is restored, rehabilitated or preserved. This is likely intended to capture the requirements of Policies 13 and 14 of the NZCPS at a high level. As with Objective COAST.3, Policies 13 and 14 contain detailed requirements which are not fully implemented through Objective COAST.3, leaving that implementation to subsequent policies and methods – in particular, the circumstances when natural character should be restored, rehabilitated or preserved.	
Objective COAST.5	Objective COAST.5 is to recognise the contribution of aquaculture to the well-being of people and communities by making provision for aquaculture in appropriate locations while protecting indigenous biodiversity, outstanding natural features, landscapes and natural character, and avoiding, remedying or mitigating other adverse effects. The explanation expands on the types of considerations to be made under this objective, but does not provide any additional guidance on what might be considered “appropriate”. As with Objectives COAST.3 and COAST.4, those detailed decisions are left to lower order provisions.	

Chapter 8 – Natural Hazards

Provision	Evaluation	Score
Issue NH.1	This issue identifies the potential impacts of climate change on natural hazard events, specifically identifying the types of hard events likely to arise from particular climate change impacts. These are consistent with the findings of the <i>Southland climate change impact assessment</i> (2018). The effects of climate change and particularly the flow-on impacts on natural hazard events is a relevant issue for Southland and will only become more significant in the future.	
Issue NH.2	This issue notes that there is a lack of public awareness of and contingency planning for natural hazards. While this is likely to be relevant, and potentially significant in Southland, it is not clear	

	whether this is a resource management issue best addressed through the RPS. Public awareness and education, and contingency planning, are generally matters for Civil Defence Emergency Management groups and the plans they prepare under the Civil Defence Emergency Management Act 2002.	
Issue NH.3	This issue identifies that the effects of natural hazards on people, communities and infrastructure are ongoing. The wording of this issue is very general and it is not clear whether it is the effects or the ongoing nature of the effects that is considered significant. A clearer articulation of this issue would assist the rest of the provisions in this chapter.	
Issue NH.4	This issue identifies that there is development pressure in areas prone to natural hazards. As most of Southland's urban settlements are located in low-lying and/or coastal areas, this remains a relevant and appropriate issue. This issue is linked to Issue NH.1 and the significance of this issue will likely increase in the future as the effects of climate change have greater impact.	
Objective NH.1	This objective is to understand and avoid, remedy or mitigate the risks from natural hazards, resulting in communities becoming more resilient. The concept of resilience is critical to responding to natural hazards and is an appropriate goal for Southland. The particular actions outlined (avoiding, remedying or mitigating) are broad and do not provide much guidance to subsequent provisions. The wording of this objective would be improved if it focused on the outcome sought (i.e. resilient communities) and left the actions to be articulated through the policies.	

Chapter 9 – Air Quality

Provision	Evaluation	Score
Issue AQ.1	Issue AQ.1 states that discharges to air can have adverse effects. This issue is very broadly worded and not specific to the particular issues faced in Southland. Both the contaminants and the effects referenced are broad which does not provide much policy guidance for the subsequent objectives, policies and methods.	
Issue AQ.2	This issue identifies that discharges from burning for home heating can result in elevated levels of particulate matter and poor winter air quality. Domestic home heating continues to be the main contributor to air quality issues in Southland that have adverse effects on human	

	health and the environment. ²¹ This is the key issue for Southland in order to comply with the NES-AQ so this issue remains relevant and appropriate. In terms of its wording, the issue identifies the problem and its source which provides clear direction for subsequent provisions.	
Objective AQ.1	This objective is to enable discharges while managing adverse effects on human health and wellbeing and the environment. Given the air quality issues in some parts of Southland (particularly the gazetted Invercargill and Gore airsheds), it may not be appropriate to “enable” discharges while only “managing” the adverse effects in all cases, especially in light of the NES-AQ requirement to achieve only one exceedance of the PM ₁₀ standard each year and the region’s non-compliance with this requirement. Issue AQ.1 highlights the key contributor to air quality problems which is not reflected in this objective. The wording of this objective is, like Issue AQ.1, broad and does not give particularly strong direction to subsequent policies and methods.	
Objective AQ.2	This objective requires that new activities do not hinder the region’s ability to comply with national environmental standards and guidelines for ambient air quality. While it is important that new activities do not hinder the ability to comply with the NES, it is existing activities that are the main contributor to the region’s ability to comply with the NES. Although generally relevant, this objective does not address the key issue for air quality in Southland and is poorly targeted to achieve the requirements of the NES-AQ. The term “do[es] not hinder” is not particularly directive as it leaves room for interpretation over the degree to which an activity may or may not “hinder” the region’s ability to comply with the NES. It is also not clear which guidelines for ambient air quality are being referred to.	

Chapter 10 – Natural Features and Landscapes

Provision	Evaluation	Score
Issue LNF.1	This issue states that Southland has a number of outstanding natural features and landscapes which can be adversely affected by inappropriate subdivision, use and development. This is largely a rewording of the obligation set out in section 6(b) of the RMA and does not provide any insight into the particular issues faced in Southland.	

²¹ LAWA. (2019). *Southland region: air quality*. Retrieved from <https://www.lawa.org.nz/explore-data/southland-region/air-quality/>

	Neither the particular features or the activities which adversely affect them are identified, providing little guidance to subsequent provisions.	
Issue LNF.2	This issue mirrors Issue LNF.2 except it refers to locally distinctive and valued natural features and landscapes rather than outstanding natural features and landscapes. The same comments made in relation to Issue LNF.1 therefore apply.	
Objective LNF.1	This objective requires identifying and protecting outstanding natural features and landscapes from inappropriate subdivision, use and development. This is largely a rewording of Issue LNF.1, with the addition of the requirement to identify and protect. This topic, and its foundations in section 6(b), remain relevant for Southland but the wording of this objective provides little direction on how the Council intends to fulfil its obligation to protect these landscapes and features.	
Objective LNF.2	This objective requires identifying and managing Southland’s locally distinctive and valued natural features and landscapes so that subdivision, use and development is consistent with their values. The direction to “manage” in a way that is “consistent with ... values” is fairly general – it is difficult to understand the outcome expected from this objective.	

Chapter 11 – Contaminated Land

Provision	Evaluation	Score
Issue CONTAM.1	This issue identifies that contaminated land that is not adequately identified or appropriately managed poses risk to the environment and human health. While potentially appropriate, it is not clear whether this is a significant resource management issue for Southland.	
Objective CONTAM.1	This objective seeks that contaminated land is identified, investigated and managed. This objective is not particularly useful in clarifying what is meant by managed. There is uncertainty about what the land should be managed for and how it should be managed.	
Objective CONTAM.2	This objective seeks that adverse effects from contaminated land are avoided, remedied or mitigated. Section 17 of the RMA imposes a duty to avoid, remedy or mitigate adverse effects so this objective provides little additional guidance or direction to users.	

Chapter 12 – Hazardous Substances

Provision	Evaluation	Score
Issue HAZ.1	The matters addressed by these provisions were removed from the functions of regional councils through the Resource Legislation Amendment Act 2017.	
Objective HAZ.1		

Chapter 13 – Solid Waste

Provision	Evaluation	Score
Issue WASTE.1	This issue identifies the generation, transport, storage, processing and handling of solid waste can result in adverse effects. The particular adverse effects which are a problem are not identified, which provides little direction for the subsequent provisions.	
Issue WASTE.2	Issue WASTE.2 highlights a lack of information on the types and quantities of waste being deposited in Southland and that there is limited knowledge of the adverse effects arising from different forms of waste disposal. This issue is linked to Issue WASTE.1 and could be combined with that provision. It is not clear whether this is a significant issue for Southland.	
Objective WASTE.1	This objective seeks to reduce the generation of solid waste in Southland. While generally appropriate, this objective does not link clearly to either issue – neither issue identifies the amount of waste as a particular problem for Southland.	
Objective WASTE.2	Objective WASTE.2 seeks to avoid, mitigate or remedy effects of the storage, disposal, processing, handling and transportation of solid waste. Given section 17 of the RMA already requires avoiding, remedying or mitigating adverse effects, this objective does not provide any additional guidance or direction to users.	

Chapter 14 – Historic Heritage

Provision	Evaluation	Score
Issue HH.1	This issue recognises that inappropriate management (including neglect) can lead to degradation or deterioration of resources, resulting in loss of tangible connections to the past. This is a relevant and appropriate issue.	
Issue HH.2	This issue states that natural processes and climate change can have adverse effects on historic heritage values. While relevant, this issue could benefit from greater specificity within the Southland context,	

	including the particular processes and impacts of climate change and the types of adverse effects.	
Objective HH.1	This objective seeks that historic heritage values are identified and protected from inappropriate subdivision, use and development. This is fairly general, however until values are identified it is unlikely to be possible to be more specific about the protection mechanisms or activities that are inappropriate. There is a clear link to Issue HH.1.	
Objective HH.2	This objective seeks that Southland’s built heritage is appropriately recognised and, where possible, utilised in a sustainable manner. The wording of this objective is vague – it is not clear what would be considered appropriate, the degree of recognition required, or what is considered to be a sustainable manner.	
Objective HH.3	This objective requires appropriate management of historic heritage values to avoid or mitigate potential adverse effects of natural processes and climate change. This is mostly a rewording of Issue HH.2 and does not provide much guidance to users or subsequent provisions.	

Chapter 15A – Infrastructure

Provision	Evaluation	Score
Issue INF.1	This issue states that some land use and development is not integrated with infrastructure which can affect wellbeing and health and safety. While generally relevant, this issue does not clearly outline the specific problems in Southland which would provide better guidance for subsequent provisions.	
Issue INF.2	This issue identifies that the impacts of climate change and natural hazards are a risk to critical infrastructure. It is not clear why these are only relevant to critical infrastructure (elsewhere provisions also refer to nationally and regionally significant infrastructure), however this is a relevant and appropriate issue for Southland given the information available about the impacts of climate change in the future. A 2018 report on the impacts of climate change in Southland specifically identified the potential risks to roading, water supply, stormwater and wastewater and waste infrastructure as a result of climate change. ²²	
Issue INF.3	This issue recognises that the provision of infrastructure is important for enabling wellbeing but can result in significant adverse effects.	

²² NIWA. (2018). *Southland climate change impact assessment*. Christchurch, New Zealand, p. 110.

	Again this issue is generally relevant but provides little specificity about the particular issues for Southland which would be useful for subsequent provisions.	
Issue INF.4	This issue identifies that subdivision, use and development can result in adverse effects on existing or planned infrastructure. Again this is generally relevant but greater specificity would make the provision more useful.	
Objective INF.1	Objective INF.1 seeks that Southland's nationally and regionally significant and critical infrastructure is secure, operates efficiently and is appropriately integrated with land uses and the environment. This is a relevant and appropriate objective which addresses the identified issues.	

Chapter 15B – Transport

Provision	Evaluation	Score
Issue TRAN.1	This issue highlights the adverse effects ineffective integration of land use and transport networks can have on the safety, efficiency, effectiveness and accessibility of transport infrastructure. This issue is appropriate, although it is not clear whether this is a significant issue for Southland. This would seem to be an issue common to most types of infrastructure.	
Issue TRAN.2	Issue TRAN.2 identifies that transport corridors and related transport movements can cause adverse effects. While true, it would be more helpful if this issue identified the particular corridors and movements that are a problem in Southland and the specific adverse effects that arise. As worded, it is not clear whether this is a significant issue for Southland.	
Issue TRAN.3	This issue recognises a range of pressures on Southland's transport infrastructure, but does not specify which of these are the most pressing or significant for Southland. This detail would assist with providing direction for subsequent provisions.	
Issue TRAN.4	Issue TRAN.4 states that there are limited options available to address changes in technology and demographics in Southland. As currently drafted, it is unclear what this issue means and how it has been responded to in the objective and policies.	
Objective TRAN.1	This objective seeks the development of infrastructure and land uses in an integrated and planned manner which achieves a number of specific outcomes. This objective covers a range of different topics	

	but generally at a high level. There is some overlap with Objective URB.1 which could have been resolved in drafting.	
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Chapter 16 – Energy

Provision	Evaluation	Score
Issue ENG.1	This issue states that the inefficient use of energy can cause pressure on existing infrastructure and create demand for new energy infrastructure. This issue remains relevant and appropriate, although it is not clear whether this is a significant issue for Southland. A minor amendment to improve the clarity of the issue would be to delete reference to adverse environmental effects as Issue ENG.2 addresses the adverse environmental effects associated with the development and use of energy resources.	
Issue ENG.2	Issue ENG.2 identifies the importance of the development and use of Southland’s energy resources regionally and nationally but that adverse effects may arise. This issue is relevant and appropriate, but would benefit from specifying the adverse effects which are of significance in the Southland context. This would provide greater direction to subsequent provisions.	
Issue ENG.3	This issue recognises there are energy resources that are under-utilised in Southland and the ability to be used is subject to logistical, technical and locational constraints. This is not a significant resource management issue on its own and could be combined with Issue ENG.2 regarding the future potential of energy resources.	
Issue ENG.4	Issue ENG.4 highlights the need to reduce the risk of energy supply disruptions and energy shortage. This topic is important but the provision is not currently worded as an issue and could be more descriptive in identifying the actual problem. The scale of the problem is also unclear.	
Objective ENG.1	This objective seeks the efficient use of energy resources, which is relevant and appropriate and responds to Issue ENG.1.	
Objective ENG.2	Objective ENG.2 seeks that the adverse effects from the use, development, transmission and distribution of energy resources are avoided, remedied or mitigated and provides for the use of offsetting and compensation. The first part of this objective does not provide any additional guidance to the general duty in section 17 to avoid, remedy or mitigate adverse effects and is therefore not particularly helpful for users. It is not clear why offsetting and compensation are relevant to energy resources but not others.	

Objective ENG.3	This objective seeks to increase the generation and use of renewable energy resources. This objective is relevant but could be combined with Objective ENG.4 which also addresses renewable energy resources.	
Objective ENG.4	Objective ENG.4 seeks to recognise and make provision for the national significance of renewable electricity generation activities. This objective is generally appropriate but could be combined with Objective ENG.3 to address renewable energy resources in one provision.	

Chapter 17 – Urban

Provision	Evaluation	Score
Issue URB.1	This issue highlights that use of development of urban areas is critical to Southland’s social, economic and cultural wellbeing but uncoordinated growth can have adverse effects and poor outcomes. This issue remains relevant and appropriate, and is consistent with the general direction on the NPS-UDC.	
Issue URB.2	Issue URB.2 identifies that population change and patterns of urban development have caused urban decline in some areas resulting in a decline in amenity values and high costs to maintain infrastructure. This issue remains relevant and appropriate.	
Issue URB.3	This issue highlights that urban areas in Southland that develop and do not recognise the principles of high quality urban design are less cohesive and can result in reduced amenity and cultural values. Urban development that is not in accordance with urban design principles is unlikely to be a significant resource management issue on its own. This issue appears to be a subset of Issue URB.1.	
Objective URB.1	<p>This objective seeks that urban development occurs in an integrated, sustainable and well planned manner which provides for positive outcomes. This objective overlaps with Objective TRAN.1 and may be more useful if combined. The explanation for this objective also provides more helpful context for the outcomes sought and therefore these details could also be included in the objective. The objective also does not clearly address Issue URB.2.</p> <p>The RPS was not prepared in accordance with the NPS-UDC. A focus of the NPS-UDC objectives is the understanding of and responding to market conditions in the local context to make informed planning decisions. Additionally, there is a focus on urban environments</p>	

	providing for the wellbeing of people and communities in the short, medium and long term. These matters are not addressed in the RPS.	
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Appendix C: Policies

Evaluation questions

- Is the policy clear?
- Is the policy useful?
- Does it serve a purpose that needs to be served?
- Does the policy fit with the other policies in the RPS?
- Is it still the best way to achieve, or work towards, the objectives?
- Are any additional policies required to achieve the objectives?
- Are any policies unnecessary?
- Are there priorities that should or could be better expressed in the policies?

Key for scoring

	Provision is or is likely to be effective
	Provision is mostly or likely to be mostly effective, with some minor issues
	Provision is unlikely to be effective
	Provision is not effective

Chapter 3 – Tangata Whenua

Provision	Evaluation	Score
Policy TW.1	This policy implements Objective TW.1. It requires consultation with tangata whenua and enhancing their involvement in resource management decision making processes. This policy remains appropriate given the requirements in section 8 of the RMA and the Council’s commitments to Ngāi Tahu ki Murihiku through the Charter of Understanding which outlines how tangata whenua are to be consulted and involved in decision-making. This is likely to be effective in achieving Objective TW.1.	
Policy TW.2	This policy implements Objective TW.1. Policy TW.2 requires actively fostering partnerships and relationship agreements between local authorities and tangata whenua which implements Objective TW.1. As for Policy TW.2, this remains appropriate given the requirements in section 8 and the Charter of Understanding and is likely to be effective in achieving Objective TW.1.	
Policy TW.3	This policy implements Objective TW.2 and requires that iwi management plans are taken into account in resource management decision making. This is largely repeats Issue TW.2 and Objective TW.2. Iwi management plans are required to be taken into account for the preparation of regional plans under section 66(2A)(a) and it is standard practice to consider them in the resource consent process. This policy therefore does not add value.	
Policy TW.4	This policy implements Objectives TW.1 and TW.3. Policy TW.4 provides detailed guidance for decision makers on cultural values that need to be considered through the decision-making process. This policy remains appropriate and will assist in achieving the objectives by providing specific guidance to decision makers.	
Policy TW.5	This policy implements Objective TW.5. Policy TW.5 requires assisting and enabling the use and development of Māori land and resources to achieve Objective TW.5. It is not clear from the policy what assistance is intended to be provided, direction is also not evident in the explanation. Enabling such use and development is likely sufficient to achieve Objective TW.5 although implementation may be difficult to determine.	

Chapter 4A – Water Quality

Provision	Evaluation	Score
Policy WQUAL.1	<p>This policy implements Objectives WQUAL.1 and WQUAL.2. Broadly, Policy WQUAL.1 requires identifying values for water bodies formulating freshwater objectives in accordance with the NPS-FM and managing discharges and land use activities to maintain or improve water quality to meet freshwater objectives. This is generally consistent with the direction in the NPS-FM, particularly Part CA. This policy implements the specific direction in Objective WQUAL.1(c) to maintain or improve water quality in accordance with freshwater objectives formulated under the NPS-FM and sets out in more detail how this objective will be met. As the method for halting the decline and improving water quality in lowland water bodies in Objective WQUAL.2 is through freshwater objectives, this policy will also be effective at achieving Objective WQUAL.2. As Policy WQUAL.1 generally restates the requirements of the NPS-FM, which remain current obligations on the Council, this policy is considered to be effective in achieving the objectives.</p>	
Policy WQUAL.2	<p>This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.2 is to maintain or improve water quality having particular regard to nitrogen, phosphorous, sediment and microbiological contaminants. The requirement to maintain or improve water quality in this policy overlaps with the requirement to maintain or improve water quality in Objective WQUAL.1(c) and Policy WQUAL.1(b). Directing a focus on particular contaminants can be a helpful way to achieve objectives, however this policy is not clear about how those contaminants are intended to be managed, just that they are to be given “particular regard”. The explanation to the policy clarifies that the intent is to manage activities that give rise to the contaminants listed and notes that “[w]ithout this management it will not be possible to maintain water quality throughout the region.” If this is the case, then stronger policy direction regarding the management of these contaminants is likely required. As it is currently worded, this policy is unlikely to be particularly effective in achieving the objectives.</p>	
Policy WQUAL.3	<p>This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.3 is to identify and protect the significant values of wetlands and outstanding freshwater bodies. Implementing this policy will be partially effective in contributing to the achievement of Objective WQUAL.1(a) to safeguard the life-supporting capacity of water and related ecosystems, Objective WQUAL.2 to halt the decline and improve water quality in lowland water bodies, and Objective</p>	

	<p>WQUAL.3 to maintain the quality of natural state water. There is little guidance in either the objectives or Policy WQUAL.3 about what constitutes “significant values” in relation to these water bodies. The explanation notes that outstanding freshwater bodies are specified in the NPS-FM as those identified in an RPS or regional plan as having outstanding values, including ecological, landscape, recreational and spiritual values. There is no guidance provided on how to assess the significance of values associated with wetlands. This RPS does not identify outstanding freshwater bodies and it is not clear that the Regional Water Plan or pSWLP identify them either. There is a lack of direct connection between this policy and the objectives, so although the content of the policy is consistent with the NPS-FM it has not been well-integrated or interpreted for the Southland context through the RPS.</p>	
Policy WQUAL.4	<p>This policy implements Objectives WQUAL.1 and WQUAL.2. Broadly, Policy WQUAL.4 requires enhancing water quality at Awarua Wetland by managing discharges and land use activities. If implemented, this policy should be effective at contributing to achieving the overall water quality goals outlined in Objective WQUAL.1 as well as the more specific goal for lowland water bodies (which includes Awarua Wetland) in Objective WQUAL.2. The explanation to the policy clarifies that it is intended to be implemented through freshwater objectives formulated under the NPS-FM, which is not clear from the policy itself. In terms of its drafting, determining whether the cumulative effects of discharges and land use activities have no more than minor adverse effects is likely to be challenging. If the policy is not able to be applied as intended through the methods, this will affect its effectiveness in achieving the objectives.</p>	
Policy WQUAL.5	<p>This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.5 is to improve water quality by identifying water bodies not meeting freshwater objectives (including priority FMUs), specifying targets and implementing management frameworks to meet the targets. This is consistent with the Council’s original Progressive Implementation Programme (PIP) which sought to progress plan changes for each FMU on a staggered basis. That approach has been superseded by the Council’s latest PIP which now seeks to progress one region-wide plan change. The concept of priority FMUs is therefore irrelevant. The remainder of the policy largely repeats the requirements of the NPS-FM which does not provide much guidance for users.</p>	
Policy WQUAL.6	<p>This policy implements Objectives WQUAL.1, WQUAL.2 and WQUAL.3. Policy WQUAL.6 is to manage discharges and land use activities to</p>	

	maintain water quality and associated values for water bodies in their natural state. The explanation clarifies that this policy is to be implemented through the framework of Policy WQUAL.1. The reference to discharges and land uses provides some clarification about how Objective WQUAL.3 is to be achieved, but mostly this policy repeats the requirements of that objective.	
Policy WQUAL.7	This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.7 requires recognising the benefits that may be derived from the use, development or protection of water resources. This policy would better implement the objectives if it stated the benefits to be recognised. It is not clear how the benefits in this policy relate to the needs referenced in Objective WQUAL.1.	
Policy WQUAL.8	This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.8 requires preferring discharges of contaminants to land rather than water where this is practicable and the adverse effects are less. This is a clear management approach which implements the direction in the objectives.	
Policy WQUAL.9	This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.9 is to avoid direct discharge of untreated sewage, wastewater, industrial and trade waste and agricultural effluent to water. This is a clear management approach which implements the direction in the objectives.	
Policy WQUAL.10	This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.10 is to manage the siting and operation of activities with point source discharges to land so ensure adverse effects are avoided, remedied or mitigated. While this provides some direction on how to achieve the objectives, the wording of this policy is generally unhelpful – it is not clear what type of management is envisaged, and the requirement to avoid, remedy or mitigate simply repeats the general duty in section 17 to undertake those actions.	
Policy WQUAL.11	This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.11 is to avoid (as far as practicable), remedy or mitigate the risks of land uses and discharges on community water supplies. The inclusion of an effects management hierarchy is helpful guidance for users, however this hierarchy may not be stringent enough given the Government inquiry into the Havelock North outbreak and the further national direction proposed by the Government for drinking water.	
Policy WQUAL.12	This policy implements Objectives WQUAL.1 and WQUAL.2. Policy WQUAL.12 requires integrated management of resources and the use, development and protection of resources wherever possible to achieve freshwater objectives. The NPS-FM already requires	

	integrated management and this policy does not add much additional guidance for users on how the objectives will be achieved.	
Policy WQUAL.13	This policy implements Objectives WQUAL.1. Policy WQUAL.13 requires continual improvement in knowledge and understanding of water resources and their links to land uses. This will be necessary to ensure continued achievement of the objectives over time.	

Chapter 4B – Water Quantity

Provision	Evaluation	Score
Policy WQUAN.1	This policy implements Objective WQUAN.1. It requires the maintenance of instream values of surface water which remains appropriate and relevant given the direction in the NPS-FM. The policy identifies the Waiau catchment and the special circumstances arising from the Manapōuri Power Station. The policy wording could be more useful in clarifying how instream values are to be maintained and what is meant by “maintain”.	
Policy WQUAN.2	This policy implements Objective WQUAN.2. Policy WQUAN.2 requires the avoidance of over-allocation and the resolution of historic over-allocation, again recognising the special circumstances of the Waiau catchment. Some water bodies in the region are considered to be fully allocated therefore this policy remains appropriate. The policy could be more useful if further details were provided on how over-allocation should be resolved. As currently worded, the policy simply restates the requirements of the NPS-FM without providing any additional guidance or direction.	
Policy WQUAN.3	This policy implements Objectives WQUAN.1 and WQUAN.2 by requiring management regimes in regional plans in accordance with the NPS-FM. The policy requires recognition of a number of values associated with the use of water, seeks to manage effects and provide direction on setting allocation limits. This policy mostly restates the requirements of the NPS-FM which does not provide much guidance to users.	
Policy WQUAN.4	This policy implements Objective WQUAN.2. It provides direction on managing the demand for water by listing a number of methods, including to allocate water to particular uses. It is not clear what uses were envisaged by this policy, however Policy 25 of the pSWLP lists priority takes in relation to water quantity which assists with achieving Objective WQUAN.2.	
Policy WQUAN.5	This policy implements Objective WQUAN.1 and requires the management of cumulative effects where there is pressure on the	

	resource from particular circumstances. It is likely that demand for water in particular surface water catchments or groundwater allocation zones will remain high and therefore this policy is appropriate and relevant. It is not clear what the 'management' would entail or how this would implement the objectives.	
Policy WQUAN.6	This policy implements Objective WQUAN.2. Policy WQUAN.6 requires water to be used efficiently and where there is pressure on a water resource which is approaching full allocation, to consider establishing management provisions to maximum water use efficiency. This policy largely repeats the objective and does not provide users a definitive direction by only requiring considering management provisions. It is unclear what the management provisions may be and if this would be different to the requirement in Objective WQUAN.2 to ensure water is used efficiently.	
Policy WQUAN.7	This policy implements Objectives WQUAN.1 and WQUAN.2. Policy WQUAN.7 requires the recognition of social, economic and cultural benefits that may be derived from the use, development or protection of water resources. This remains a relevant matter but may duplicate the requirement to provide for the social, economic and cultural wellbeing of people and communities in Policy WQUAN.3 as it is not clear what other means will recognise these benefits.	
Policy WQUAN.8	This policy implements Objective WQUAN.1 and requires the integrated management of land use, water quality and quantity and the use and development of resources. This is largely repeating Policy WQUAL.12 but does not recognise the coast or the achievement of the freshwater objectives which are relevant to water quantity also. It would be unlikely for a regional plan to seek to manage resources in a non-integrated way so this policy may not be especially relevant or effective at achieving the objective.	
Policy WQUAN.9	This policy implements Objective WQUAN.1 and requires gathering information on water resources to assist with the ongoing development and implementation of water management regimes. Again, this is similar to Policy WQUAL.13 which requires information to be gathered in relation to water quality. This remains relevant and will assist in achieving the objective.	

Chapter 4C – Beds of Lakes and Rivers

Provision	Evaluation	Score
Policy BRL.1	This policy implements Objective BRL.1. Policy BRL.1 provides direction for regional plans to manage activities in the beds of lakes and rivers to implement Objective BRL.1. Overall the policy is relevant but is confusing – there are elements of an effects management hierarchy however this is not explicitly stated and it is unclear how (a) and (c) are intended to relate. Refining the wording could provide improved direction and better achieve Objective BRL.1.	
Policy BRL.2	This policy implements Objective BRL.1 and recognises lawfully established structures and activities and providing for their use, maintenance and upgrading where adverse effects will be no more than minor. As above, the policy is relevant but the wording could be refined to provide improved clarity. The use of an effects management hierarchy provides guidance to decision-makers on implementing Objective BRL.1.	
Policy BRL.3	This policy implements Objective BRL.1. Policy BRL.3 seeks to ensure fluvial gravel resources are managed to manage adverse effects of gravel removal, avoid or remedy adverse effects of rivers on adjacent land and provide for social, economic and cultural wellbeing. It is not clear how this policy is intended to implement Objective BRL.1 which seeks to maintain and enhance all significant values of rivers and lakes. Simply ‘managing’ adverse effects may be inadequate to enhance significant values.	
Policy BRL.4	This policy implements Objective BRL.2 and provides direction on maintaining enhancing public access to rivers and lakes. Sub-clause (b) of this policy requires <i>providing direction about where and when additional access should be established</i> . It is not clear if this direction should be provided in the regional and district plans, in which case this could be combined with sub-clause (a), or by other means, in which case further clarity is required to be effective at achieving the objective.	
Policy BRL.5	This policy implements Objective BRL.1. Policy BRL.5 requires the recognition of the social, economic and cultural benefits derived from the use, development or protection of river and lake beds. This policy remains relevant and appropriate but does not have a clear link back to Objective BRL.1 which is concerned only with significant values.	

Chapter 5 – Rural Land/Soils

Provision	Evaluation	Score
Policy RURAL.1	This policy implements Objectives RURAL.1 and RURAL.2 and recognises the social, economic and cultural benefits of the use and development of the rural land resource. This policy remains relevant and appropriate generally, but provides little guidance to decision-makers about how recognition should occur which affects its ability to achieve the objectives.	
Policy RURAL.2	This policy implements Objective RURAL.1. Policy RURAL.2 requires the management of land use change, subdivision and land development activities in a way that maintains or enhances rural amenity values and character. This policy remains appropriate but may benefit from including reference to managing reverse sensitivity also as this is identified in Issue RURAL.2.	
Policy RURAL.3	This policy implements Objectives RURAL.1 and RURAL.2. Policy RURAL.3 requires the management of land development activities on steep, mid altitude and high-altitude land to prevent or minimise the effects of erosion and sedimentation and minimise changes in catchment water yield. This policy remains relevant but does not recognise land use activities. Land uses in addition to land development can be adversely impact soils and Policy RURAL.3 should recognise this. Changes in catchment yield are also an important concern but directing the minimisation of changes in water yield does not give effect to the current objectives or issues as they are currently worded. There could be a clearer link between this provision and provisions relating to sediment in Chapter 4 (Water).	
Policy RURAL.4	This policy implements Objective RURAL.2 by seeking to avoid the irreversible loss of high value soils from productive use through inappropriate subdivision, use and development. This policy remains relevant and appropriate, particularly in light of the Government’s proposed NPS-HPL. The explanation to this policy clarifies what is considered ‘appropriate’ in terms of management under this policy. Some of this direction would be more useful in the policy itself to make it more effective at achieving the objective.	
Policy RURAL.5	This policy implements Objective RURAL.2. Policy RURAL.5 requires the sustainable management of rural land development and encouragement of land management practices that minimise a number of potential effects and safeguard soils. To achieve the outcomes listed in the policy as well as the objective, it will likely be necessary to do more than just encourage land management practices.	

Policy RURAL.6	This policy implements Objective RURAL.1. Policy RURAL.6 seeks to provide for the use of on-site wastewater systems in rural areas provided new systems are not located within a culturally sensitive site and adverse effects are avoided or mitigated. This policy remains relevant but does not clearly direct actions for managing existing wastewater systems which are a considerably larger problem in Southland than new systems due to the historic use of on-site wastewater systems.	
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Chapter 6 – Biodiversity

Provision	Evaluation	Score
Policy BIO.1	This policy implements Objective BIO.1. Policy BIO.1 sets out the process for identifying areas of significant indigenous biodiversity and significant habitats of indigenous fauna. The relationship between subclauses (b) and (c) is not clear – they both require assessments against the significance criteria in Appendix 3 but (b) requires this through ecological assessments by suitably qualified ecologists whereas (c) doesn't specify. The explanation states that this information will be supported by a GIS layer which has not yet been developed. Generally, this policy should be effective at implementing Objective BIO.1 but could benefit from some clarification.	
Policy BIO.2	This policy implements Objective BIO.2. Policy BIO.2 requires protecting and (where appropriate) enhancing areas of significant indigenous vegetation and significant habitats of indigenous fauna. This mostly restates the requirements of Objective BIO.2 without adding any additional guidance. The policy includes a list of adverse effects to have regard to, however it is not clear how this relates to the policy as the policy does not address adverse effects.	
Policy BIO.3	This policy implements Objective BIO.2. Policy BIO.3 is to protect indigenous biodiversity from adverse effects in the coastal environment as required by the NZCPS. This policy simply refers to the higher order document and does not provide any additional direction to users or for subsequent provisions. The links and overlaps with Chapter 7 (Coast) are unclear – that chapter also includes reference to indigenous biodiversity.	
Policy BIO.4	This policy implements Objective BIO.2. Policy BIO.4 is to manage a full range of indigenous habitats and ecosystems to achieve a healthy functioning state and to ensure viable and diverse populations of native species are maintained, while making appropriate provisions for lawful maintenance and operation of existing activities. This policy includes the same list of adverse effects as Policy BIO.2 with the same	

	lack of clarity about the reason for their inclusion. The wording of this policy is more like an objective than a policy and it is not entirely clear how the goals articulated are intended to be achieved.	
Policy BIO.5	This policy implements Objective BIO.2. Policy BIO.5 is to encourage, promote and support initiatives to retain, maintain and restore or enhance coastal, aquatic and terrestrial ecosystems and habitats. This is a very general policy and there is little explanation of what the terms used are intended to mean in a practical sense. Community initiatives are an important part of managing biodiversity, so a policy supporting this type of activity is appropriate but would be more helpful if the language was more specific.	
Policy BIO.6	This policy implements Objective BIO.1. Policy BIO.6 is to gather, monitor, record and report information on Southland's indigenous biodiversity, including the effects of activities, pests and climate change. The policy outlines three focus areas for implementing this policy: state, trends and threats. This implements the direction in Objective BIO.1 which underpins the other provisions in this chapter and remains appropriate.	
Policy BIO.7	This policy implements Objectives BIO.2 and BIO.3. Policy BIO.7 is to promote an active and integrated management approach to maintaining and restoring or enhancing indigenous biodiversity through methods including the Regional Pest Management Plan and advice and information on pest management, fencing and planting. It is not clear what is envisaged by an active and integrated management approach. The reference to particular methods is probably more appropriate at the method level than in a policy, although it is helpful to identify the link to the Regional Pest Management Plan and the Council's biosecurity functions. The explanation to this policy is very long which may increase the risk that it contains additional information to that provided in the policy itself. This can be difficult to manage through implementation as explanations have no legal effect.	
Policy BIO.8	This policy implements Objectives BIO.2 and BIO.3. Policy BIO.8 is to recognise the role of tangata whenua as kaitiaki by providing for particular outcomes. This policy is appropriate and links to the provisions in Chapter 3 (Tangata Whenua), although there may be some overlap between the general provisions in Chapter 3 and the specific requirements of Policy BIO.8. The policy does not clearly link to Objectives BIO.2 or BIO.3.	
Policy BIO.9	This policy implements Objective BIO.2. Policy BIO.9 is to consider the use of offsets and/or environmental compensation measures offered by an applicant to address significant residual adverse effects. This is a fairly clear management approach to achieving Objective BIO.2. This	

	policy is supported by the definition of “biodiversity offset” in the Glossary. This definition includes the principles to be addressed when offsetting which is a matter of policy rather than definition.	
Policy BIO.10	This policy implements Objectives BIO.2 and BIO.3. Policy BIO.10 is to recognise the critical role of landowners in maintaining or enhancing and actively managing remaining indigenous biodiversity on private land. While relevant to managing indigenous biodiversity, this policy is reasonably unclear about the expected level of involvement of private landowners and the degree to which their role must be recognised. This topic may be more appropriately provided for through methods which set out the role of landowners.	

Chapter 7 – Coast

Provision	Evaluation	Score
Policy COAST.1	This policy implements Objectives COAST.1, COAST.2, COAST.4 and COAST.5. Policy COAST.1 requires regional and district plans to identify locations where particular activities and forms of subdivision, use and development are appropriate or inappropriate. This largely repeats the content of Issue COAST.1 and Objective COAST.1 without adding any additional guidance. The explanation to this policy is very long (over a page) and includes considerable detail about matters to consider when determining whether a location for an activity is appropriate or not. This type of direction would be more useful in the policy itself rather than in the explanation, although most of the wording is generally not directive – it suggests matters councils may consider rather than setting out specific criteria. The overall effect of this policy is to continue the approach in Issue COAST.1 and Objective COAST.1 to delegate decision-making on what is appropriate (or not) to lower order provisions. These provisions collectively repeat the requirements of Policy 7(b) of the NZCPS without interpreting them for the Southland context, meaning they add little value to the planning framework and particularly to the RCP.	
Policy COAST.2	This policy implements Objectives COAST.1, COAST.2, COAST.4 and COAST.5. Policy COAST.2 requires ensuring adequate measures or methods are used when making provisions for subdivision, use and development to protect or maintain a number of specified values, maintain or enhance public access, and avoid or mitigate natural hazard impacts. This policy is very broad and applies to many different types of values. Some of the content repeats Objectives COAST.4 without adding any additional direction. It is not clear what types of measures or methods would be considered adequate, although the	

	<p>explanation includes an example (buffer zones). The broad nature of this policy and the lack of specificity about the particular course(s) of action required means it is unlikely to be effective at achieving the objectives.</p>	
Policy COAST.3	<p>This policy implements Objectives COAST.1, COAST.2, COAST.4 and COAST.5. Policy COAST.3 again provides direction on providing for subdivision, use and development activities and the ways to manage effects on outstanding natural features, landscapes and natural character, and nationally and regionally significant and critical infrastructure, including specific recognition of the National Grid. There is considerable cross-over with the content of Policies COAST.1 and COAST.2 which also relate (either indirectly under Policy COAST.1 or directly under Policy COAST.2) to managing effects on natural features, landscapes and natural character. This policy contains a greater degree of specificity about the management approach required, including an effects management hierarchy. While (a) and (b) of this policy relate to natural features and landscapes and natural character, (c) focuses on infrastructure. It is not clear why the policy has focused on these two different topics. When read together with Policies COAST.1 and COAST.2, there is a lack of clarity in the policy framework. It would be more helpful for users and subsequent provisions if each policy clearly related to a specific matter, rather than having the extent of overlaps present in these provisions. This approach is likely to make it difficult for the objectives to be achieved.</p>	
Policy COAST.4	<p>This policy implements Objectives COAST.2, COAST.4 and COAST.5. Policy COAST.4 requires recognising and making provision for infrastructure that has a functional, operational or technical need for a coastal location as well as appropriate port, aquaculture, mineral extraction and energy project activities that must be located in the coastal environment. It is not clear what the difference is between a functional, operational or technical need and “must be located”. The explanation provides additional detail, including suggested conditions on structures, occupation and discharges. This policy is closely linked to Objective COAST.2 but does not expand on the high level direction in that objective in a helpful way. For example, Objective COAST.2 requires allowing these activities to expand where their effects can be managed. Policy COAST.4 does not contain any further direction on expansion or on how effects should be managed. This policy is unlikely to be effective at achieving the objective.</p>	
Policy COAST.5	<p>This policy implements Objective COAST.3 and requires avoiding, remedying or mitigating adverse effects of land-based and marine activities on coastal water quality. It is not clear how this is intended to</p>	

	maintain or enhance water quality as required by Objective COAST.3. This policy repeats the general duty in section 17 of the RMA to avoid, remedy or mitigate adverse effects without providing any additional guidance. It is unlikely this policy will be effective in achieving the objective as there is a lack of clarity on what maintaining and enhancing means and when each outcome is to be achieved.	
Policy COAST.6	This policy implements Objectives COAST.1 and COAST.2. Policy COAST.6 requires regional and district plans to assess natural character and identify areas of high and outstanding natural character in accordance with Policy 13(2) of the NZCPS, include provisions to preserve natural character, identify areas and opportunities as well as provisions for restoration and rehabilitation of natural character. This policy overlaps with the content of Policies COAST.2 and COAST.3 which also relate to natural character. Policy COAST.6 largely repeats the direction in Policies 13 and 14 of the NZCPS without interpreting those requirements for the Southland context. The policy does outline the approach required to be taken in the lower order documents, providing some useful assistance to councils. Policy COAST.6 may be somewhat effective at achieving the outcome sought by Objectives COAST.1 and COAST.2 regarding management of activities.	
Policy COAST.7	This policy implements Objectives COAST.1, COAST.2 and COAST.5. Policy COAST.7 requires the provision of a framework for avoiding or mitigating adverse effects for a list of specific activities. It is not clear what type of framework is envisaged by this policy and there is little additional guidance provided in the explanation to the policy. A framework may be an effective method for achieving the objectives but more direction is required to clarify where and how it should be developed and the underpinning principles.	

Chapter 8 – Natural Hazards

Provision	Evaluation	Score
Policy NH.1	This policy implements Objective NH.1. Policy NH.1 is to raise public awareness and promote understanding of the risks of natural hazards and encourage people, businesses and communities to reduce their long term risk. These actions are likely to support achievement of Objective NH.1 but it is not clear how they are intended to be implemented. The methods focused on promotion are optional for councils so there is a risk this policy would not be implemented.	
Policy NH.2	This policy implements Objective NH.1. Policy NH.2 requires identifying areas subject to natural hazard risk in district plans (where practicable) and actively engaging with individuals in managing those. This policy	

	works with NH.4 to outline the response to managing natural hazard risk. Identification of areas in district plans is an appropriate action.	
Policy NH.3	This policy implements Objective NH.1. Policy NH.3 is to adopt a precautionary approach in managing the effects of climate change and sea level rise and any associated changes to natural hazard risk to ensure potential adverse effects are avoided or mitigated. This is an appropriate management response given the uncertainties around the future impacts of climate change.	
Policy NH.4	This policy implements Objective NH.1. Policy NH.4 sets out management priorities, including avoiding exposure to areas at significant risk by adopting a precautionary approach, mitigating effects by managing land uses in susceptible areas, and undertaking physical works. This clarifies the fairly broad direction set out in Objective NH.1 and provides clear guidance for regional and district plans, as well as users of the RPS. It is not clear whether there is a hierarchy between the management priorities or whether there is discretion to apply the approaches in the most applicable order.	
Policy NH.5	This policy implements Objective NH.1. Policy NH.5 is to avoid new subdivision, development and critical infrastructure in areas at significant risk from natural hazards unless exceptions apply, such as there being no reasonable alternative, avoidance is impossible and effects are mitigated to an acceptable level or the subdivision is solely a boundary adjustment. It is not clear how this policy is intended to interact with Policy NH.4 which also outlines management approaches. The explanation sets out in more detail area likely to be at significant risk, which is useful guidance for the policy. The explanation also clarifies that Policy NH.6 applies when the risk is less than significant. The content of this policy is appropriate and is likely to be effective at achieving Objective NH.1.	
Policy NH.6	This policy implements Objective NH.1. Policy NH.6 is to mitigate the adverse effects of natural hazards on new subdivision and development in areas other than those at significant risk. The explanation states that avoidance should always be the first option, but this isn't required by the policy and Policies NH.4 and NH.5 only require avoidance where there is a significant risk of natural hazards. There is some confusion in the logic behind these policies which would benefit from a collective re-examination and redrafting to improve clarity.	
Policy NH.7	This policy implements Objective NH.1. Policy NH.7 requires avoiding (where practical) or mitigating the potential for activities to have adverse off-site natural hazard effects on other land. The explanation sets out more clearly the intent of this policy. While the content of this	

	policy remains appropriate, it would benefit from clearer drafting to more accurately capture the intent.	
Policy NH.8	This policy implements Objective NH.1. Policy NH.8 is to protect, recreate or enhance natural features and landforms that provide protection from natural hazards. This is an appropriate management response and is likely to be effective at achieving Objective NH.1.	

Chapter 9 – Air Quality

Provision	Evaluation	Score
Policy AQ.1	This policy implements Objectives AQ.1 and AQ.2. Policy AQ.1 clarifies that the direction in Objective AQ.1 to “manage adverse effects” is to be interpreted as avoiding, remedying or mitigating adverse effects. It is not clear how the ‘enabling’ component of Objective AQ.1 is achieved through Policy AQ.1, and the direction provided on adverse effects is at a broad, high level. Although the policy is clear, it is not particularly helpful to users of the RPS due to its lack of specific or directive guidance. Given the general duty in section 17 to avoid, remedy or mitigate adverse effects, Policy AQ.1 does not serve a particularly useful purpose.	
Policy AQ.2	This policy implements Objective AQ.2. Policy AQ.2 requires avoiding the establishment of new activities that are potentially incompatible with existing activities lawfully discharging to air, which supports the requirement in Objective AQ.2 to ensure new activities don’t hinder the region’s ability to comply with the NES-AQ. Although related, these provisions focus on slightly different topics: Policy AQ.2 relates more directly to reverse sensitivity issues, whereas Objective AQ.2 is focused on whether new activities prevent the region from complying with the NES-AQ. The direction in the policy is clear and strong, however the term “potentially incompatible” is open to interpretation.	
Policy AQ.3	This policy implements Objectives AQ.1 and AQ.2. Policy AQ.3 requires improving areas with poor air quality with a particular focus on activities that discharge particulate matter. This, in part, implements the direction in Objective AQ.1 to manage the adverse effects of contaminants on human health and wellbeing, and the environment by setting out where improvements will be targeted and how those improvements will be made – although in fairly general terms. This policy also implements Objective AQ.2 by providing more detail on where the establishment of new activities may be afforded more scrutiny. Policy AQ.3 has a clear link to Issue AQ.2. The explanation to the policy states that it is “appropriate to focus remedial action on the airsheds, and to seek an improvement in the quality of discharges to	

	air from domestic heating.” This is more specific than the policy itself, which may cause readers confusion. In terms of meeting the requirements of the NES-AQ, this policy is relevant and appropriate although could benefit from some refinement and specification.	
Policy AQ.4	This policy implements Objectives AQ.1 and AQ.2. Policy AQ.4 requires maintaining or enhancing air quality where compliance with NESs or guidelines has been achieved or surpassed. This is consistent with the direction in Objective AQ.1 to manage the adverse effects of contaminants on human health and the environment, although the link is fairly general as the objective does not reference particular standards or airsheds. It is not entirely clear from the wording of the policy in which situations air quality is to be maintained or enhanced. The intent of this policy remains relevant and appropriate as it outlines the management approaches to be taken in different environments, but the link to the objectives is not as clear as it could be and the wording of the policy could be improved so that it is clear which approach applies in which situation.	
Policy AQ.5	This policy implements Objectives AQ.1 and AQ.2. Policy AQ.5 is to promote and facilitate the adoption of the best practicable option to improve air quality. This is an aspect of managing adverse effects in accordance with Objective AQ.1 and could also be relevant for Objective AQ.2 where new activities are looking to establish in areas with air quality issues. “Best practicable option” is defined in section 2 of the RMA as, in relation to a discharge of a contaminant, the best method for preventing or minimising the adverse effects on the environment having regard to (a) the nature of the discharge and the sensitivity of the receiving environment, (b) financial implications and the effects of the environment when compared to other options and (c) the current state of technical knowledge and the likelihood that the option can be successfully applied. Adopting the best practicable option is generally considered appropriate for managing point-source discharges and, particularly for discharges to air, can be a useful method for remedying or mitigating adverse effects at the source. Like Policy AQ.4, there could be a clearer link between this policy and the direction in the objectives but overall this policy is considered relevant and appropriate.	

Chapter 10 – Natural Features and Landscapes

Provision	Evaluation	Score
Policy LNF.1	<p>This policy implements Objective LNF.1. Policy LNF.1 is to identify and assess outstanding natural features and landscapes using a suggested list of ten criteria. The first seven of these are generally known as the Amended Pigeon Bay Criteria which were established in the Environment Court in a 1999 case.²³ A landscape study of Stewart Island prepared for the Council in 2019 includes commentary on these criteria and notes that a recent review of the criteria by the New Zealand Institute of Landscape Architects reordered the criteria into three broad categories to reduce the risk of emphasising some criteria at the cost of others.²⁴ The recent interim decision on Plan Change 13 in the Mackenzie Basin²⁵ discussed naturalness in relation to landscapes, which provides additional clarity on this particular factor. This policy generally remains relevant however it could benefit from a closer review to determine whether the criteria listed still reflect current best practice. The general intent to set out criteria for identification and assessment is an effective way to achieve Objective LNF.1.</p>	
Policy LNF.2	<p>This policy implements Objective LNF.2. Policy LNF.2 is to identify and assess locally distinctive and valued natural features and landscapes and manage adverse effects (particularly significant adverse effects) from subdivision, use and development in a manner consistent with the values identified. There is no further detail provided on how to identify or assess these features and landscapes. The explanation focuses on managing effects and includes a list of suggested criteria for considering adverse effects. It is generally unhelpful to have criteria contained in an explanation rather than a policy. This policy provides little direction to regional and district plans about how to identify and assess these features and landscapes. This may make it difficult to achieve Objective LNF.2.</p>	
Policy LNF.3	<p>This policy implements Objectives LNF.1 and LNF.2. Policy LNF.3 is to identify, assess and manage natural features and landscapes of cultural significance to tangata whenua, either as outstanding or as locally distinctive and valued. This policy clarifies how cultural values are intended to be considered in the management of natural features and</p>	

²³ Pigeon Bay Aquaculture Ltd v Canterbury Regional Council [1999] NZRMA 209

²⁴ Boffa Miskell Limited. (2019). *Stewart Island/Rakiura: Landscape and coastal natural character study*. Report prepared by Boffa Miskell Limited for Environment Southland, p. 7.

²⁵ The Wolds Station Limited v Mackenzie District Council [2019] NZEnvC 208

	landscapes. It is not clear that this warrants being a policy in its own right – it may be an option to include information like this in an explanation to either Policy LNF.1 or LNF.2 or both. However, the content is appropriate and likely to assist in achieving Objectives LNF.1 and LNF.2.	
Policy LNF.4	This policy implements Objective LNF.1. Policy INF.4 provides direction on how council are to protect outstanding natural features and landscapes from inappropriate subdivision, use and development by reference to a list of matters to have regard to. The direction to “have regard to” is fairly weak. Councils may choose not to have regard to any of the factors listed which would make it difficult for the policy to be effective in achieving Objective LNF.1.	

Chapter 11 – Contaminated Land

Provision	Evaluation	Score
Policy CONTAM.1	This policy implements Objective CONTAM.1 and requires the identification of and prioritisation for action of land that is or potentially is contaminated. This policy could be improved to provide greater certainty of the actions that are to be undertaken. As currently worded, the policy does not provide much guidance to users.	
Policy CONTAM.2	This policy implements Objectives CONTAM.1 and CONTAM.2. Policy CONTAM.2 requires the protection of human health when undertaking activities on contaminated land and the management of contaminated land to avoid, remedy or mitigate adverse effects on the environment. This policy could also be improved to clarify what management, or the extent of management, is considered necessary.	
Policy CONTAM.3	This policy implements Objectives CONTAM.1 and CONTAM.2 and promotes public awareness and an integrated approach to the management of contaminated land between a number of parties. This remains relevant and appropriate.	

Chapter 12 – Hazardous Substances

Provision	Evaluation	Score
Policy HAZ.1	The matters addressed by these policies were removed from the functions of regional councils through the Resource Legislation Amendment Act 2017.	
Policy HAZ.2		
Policy HAZ.3		
Policy HAZ.4		

Policy HAZ.5		Red
Policy HAZ.6		
Policy HAZ.7	This policy implements Objective HAZ.1 which is on longer relevant or appropriate given the amendments to the RMA in 2017. Policy HAZ.7 seeks to avoid, to the extent practicable, the creation of new contaminated land in Southland. The explanation to this policy links it back to the storage, use, transportation and disposal of hazardous substances so this policy is arguably not relevant or appropriate anymore in light of the RMA amendments.	Yellow

Chapter 13 – Solid Waste

Provision	Evaluation	Score
Policy WASTE.1	This policy implements Objectives WASTE.1 and WASTE.2. Policy WASTE.1 requires rules and methods in regional/district plans to avoid, mitigate and where appropriate remedy effects of solid waste storage, disposal, processing, handling and transportation. This is largely a repetition of Objective WASTE.2 but does specify that the actions outlined are to occur through plan provisions.	Yellow
Policy WASTE.2	This policy implements Objectives WASTE.1 and WASTE.2. Policy WASTE.2 specifically relates to cleanfills and requires provisions in regional and district plans that provide for appropriately located cleanfill sites. This is a relevant concern but would be more useful if extended to provide direction regarding the operation of cleanfill sites to manage potential effects such as risks to water quality, traffic and noise. It would also assist if the policy provided guidance on what is considered “appropriately located”.	Yellow
Policy WASTE.3	This policy implements Objective WASTE.1. Policy WASTE.3 requires the promotion of the development and use of collaborative approaches to solid waste management in Southland. It is not clear what outcome this policy is seeking to achieve or how it will contribute to achieving Objective WASTE.1	Orange
Policy WASTE.4	This policy implements Objective WASTE.1 and WASTE.2. Policy WASTE.4 requires solid waste to be managed in accordance with the waste hierarchy and remains relevant and appropriate.	Green
Policy WASTE.5	This policy implements Objectives WASTE.1 and WASTE.2. Policy WASTE.5 provides direction to improve knowledge of waste generation and disposal trends and environmental effects of waste disposal. This does not provide much guidance for users and may be more appropriate as a method.	Orange

Policy WASTE.6	This policy implements Objective WASTE.1 and requires raising awareness of different forms of waste disposal and opportunities to prevent, reduce, reuse, recycle, recover or appropriately dispose of waste. This policy remains appropriate as a way of reducing waste volumes.	
Policy WASTE.7	This policy implements Objective WASTE.2. Policy WASTE.7 requires minimum standards for landfills and other solid waste facilities to be taken into account to mitigate adverse effects. This remains generally relevant but could be combined with Policy WASTE.1 as the explanation refers to regional and district plans considering these national guidelines.	
Policy WASTE.8	This policy implements Objective WASTE.2 and sets out a preference for managing existing landfills efficiently over establishing new landfills. This policy remains appropriate and relevant and supports the outcome sought in Chapter 11 to avoid the establishment of new contaminated land.	

Chapter 14 – Historic Heritage

Provision	Evaluation	Score
Policy HH.1	This policy implements Objective HH.2. Policy HH.1 is to promote public awareness and appreciation of Southland’s historic heritage. It appears to provide guidance on the requirement in Objective HH.2 to appropriately recognise built heritage, although historic heritage is a broader term than built heritage. This policy is fairly general – it does not outline how this promotion will occur. However, it may still be an effective way to achieve the goal of recognition.	
Policy HH.2	This policy implements Objective HH.1. Policy HH.2 seeks to avoid, mitigate and, where appropriate, remedy adverse effects on historic heritage values from inappropriate subdivision, use and development. The policy goes on to require taking into account, on a case-by-case basis, factors such as significance, financial cost and technical feasibility when making decisions about protecting historic heritage. Policy HH.2 introduces an effects management hierarchy as an expansion of the requirement to ‘protect’ in Objective HH.1 but it is not clear how the identification of values is intended to occur. The addition of the case-by-case factors is not particularly helpful to decision-makers as there is little direction on how or when they should be used.	
Policy HH.3	This policy implements Objective HH.2. Policy HH.3 is to encourage the integration of historic heritage with new subdivision, use and	

	development in rural and urban areas. The objective being implemented relates only to built heritage so there is some confusion about the link between these provisions. The explanation to the policy provides some detail on how integration should occur which may be more helpful in the policy wording itself.	
Policy HH.4	This policy implements Objectives HH.3. Policy HH.4 is to encourage and make provisions for the use of appropriate techniques to manage historic heritage at risk of adverse effects from natural processes and climate change. Both Objective HH.3 and Policy H.4 use the term “appropriate” but neither expands on what this is intended to mean. It would be more helpful if this policy identified appropriate techniques rather than just referencing them.	
Policy HH.5	This policy implements Objectives HH.1, HH.2 and HH.3. Policy HH.5 is to provide for Southland’s historic heritage resources to be managed in a regionally consistent, collaborative and integrated manner. The explanation lists the agencies involved in heritage management and their roles, fleshing out the requirements in the policy. It may be more helpful if this information was included in the policy or if there was more specificity about what a consistent, collaborative and integrated manner means.	
Policy HH.6	This policy implements Objective HH.2. Policy HH.6 is to encourage the adaptive reuse and maintenance of built historic heritage. Adaptive reuse and maintenance could be an effective way to achieve the objective, however this policy is only to encourage those actions, not to require them.	

Chapter 15A – Infrastructure

Provision	Evaluation	Score
Policy INF.1	This policy implements Objective INF.1. Policy INF.2 is to recognise the benefits of and make provision for the development, maintenance, upgrade and ongoing operation of infrastructure. The policy clearly sets out what is to be recognised and the matters to be provided for. This is likely to assist with achieving Objective INF.1.	
Policy INF.2	This policy implements Objective INF.1. Policy INF.2 requires avoiding, remedying or mitigating adverse effects of infrastructure where practicable, and sets out a list of matters to be taken into account when determining practicability. This provides clear direction to users about how effects should be managed and the particular matters for consideration, and is likely to assist with achieving Objective INF.1.	

Policy INF.3	This policy implements Objective INF.1. Policy INF.2 requires protecting infrastructure, particularly from new incompatible land uses and activities nearby. The explanation contains additional matters the Council must take into account and undertaken. Including these matters in an explanation is unhelpful as explanations do not have legal effect. It is not clear how the policy intends for infrastructure to be protected or the degree of protection to be afforded.	
Policy INF.4	This policy implements Objective INF.1. Policy INF.4 requires avoiding, remedying or mitigating the risks to infrastructure from natural hazards and the effects of climate change including through design and construction. Although it includes two examples, the policy wording is general and provides little guidance to users. Natural hazards and climate change are important considerations when managing infrastructure but the general nature of this policy means it is unlikely to be effective at achieving Objective INF.1.	
Policy INF.5	This policy implements Objective INF.1. Policy INF.5 sets out specific requirements for management of development, subdivision and land uses which provides clear direction for users on how to manage these activities and the outcomes to be achieved. This is likely to be effective in assisting to achieve Objective INF.1.	
Policy INF.6	This policy implements Objective INF.1. Policy INF.6 is to provide for integrated management by recognising interconnectedness and promoting a collaborative and consistent approach to managing infrastructure. These matters are likely to be beneficial but the wording of the policy is not directive so it is questionable to what degree they would be implemented. Whether this policy will be effective in assisting to achieve Objective INF.1 will depend on the degree of recognition or promotion the Council chooses to adopt.	

Chapter 15B – Transport

Provision	Evaluation	Score
Policy TRAN.1	These policies implement Objective TRAN.1. They collectively direct the requirement for collaborative decision making and strategic planning for the transportation network to make provide for future transportation requirements. The provisions are focused on the need to plan for the network and do not provide guidance on any substantive methods to achieve the objective. The link with land transport management processes under the Land Transport Management Act 2003 is also unclear.	
Policy TRAN.2		
Policy TRAN.3		

Policy TRAN.4	This policy implements Objective TRAN.1. Policy TRAN.4 directs the management of transport activities to avoid, remedy or mitigate adverse effects on public health and environmental values. This policy remains relevant and appropriate, however its wording is very general which is unlikely to provide much guidance to users.	
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Chapter 16 – Energy

Provision	Evaluation	Score
Policy ENG.1	This policy implements Objective ENG.1 and requires the promotion of energy efficiency and conservation. This is a broad requirement lacking in specificity, so will be difficult for users to implement.	
Policy ENG.2	This policy implements Objective ENG.3 and ENG.4. Policy ENG.2 requires the recognition and provision for the development of renewable energy activities and their benefits, while appropriately addressing adverse effects. This is similar to Policy ENG.3 and could be combined to address renewable electricity generation in one provision. This policy also lists a number of benefits of renewable electricity generation. These benefits provide some context but offer no direction on achieving the outcomes. These could be removed from the policy or included in the explanation.	
Policy ENG.3	This policy implements Objective ENG.1. Policy ENG.3 requires the encouragement and provision for the development, operation, maintenance and upgrading of small and community scale distributed renewable electricity generation. As above, Policy ENG.2 also addresses renewable electricity and could be combined into one provision.	
Policy ENG.4	This policy implements Objectives ENG.3 and ENG.4. Policy ENG.4 directs the provision for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators. This policy remains relevant and appropriate.	
Policy ENG.5	This policy implements Objective ENG.2 and directs the provision for the development of mineral and non-renewable energy resources where the adverse effects can be avoided, remedied or mitigated. The reference to avoiding, remediating and mitigating adverse effects is broad and does not provide much guidance to users about how to provide for these activities.	
Policy ENG.6	This policy implements Objective ENG.2. Policy ENG.6 directs that when considering residual environmental effects arising from the use and development of new energy resources that cannot be avoided,	

	remedied or mitigated, decision makers shall have regard to offsetting measures or environmental compensation where such measures are volunteered by the resource user. This policy remains relevant and appropriate, although it is not clear why these measures are considered appropriate for energy generation and not other activities.	
Policy ENG.7	This policy implements Objective ENG.2. Policy ENG.7 requires any potential adverse effects on local communities of the ongoing operation and subsequent closure of energy facilities are appropriately addressed as part of associated resource consent processes and avoided, remedied, mitigated or where appropriate, offset or compensated for. This policy almost replicates Policy ENG.6 with regards to providing for the offsetting or compensation of adverse effects and simply directs the appropriate consenting of these activities. This does not provide any useful direction for developing plans or processing resource consents. This policy is not required in light of the other policies in this chapter.	

Chapter 17 – Urban

Provision	Evaluation	Score
Policy URB.1	This policy implements Objective URB.1 and directs that the adverse effects of urban development are avoided, remedied or mitigated. This provision is not particularly useful in providing guidance on addressing the adverse effects of urban development is also not particularly enabling.	
Policy URB.2	This policy implements Objective URB.1. Policy URB.2 provides direction on the management of urban growth and development. The policy sets out a number of matters for consideration and may need to be revised in light of the NPS-UDC and the proposed NPS-UD.	
Policy URB.3	These policies implement Objective URB.1. They provide additional guidance to Policy URB.2 on the form of urban development, encouraging urban intensification, high quality urban design, providing for a mix of land use activities and housing choice. Some of these matters are already addressed in Policy URB.2 and are therefore duplicated. Policy URB.2 could be extended to address all of these methods. None of these policies specifically provide direction on addressing urban decline or encouraging urban growth which is the goal of the Southland Regional Development Strategy. Further guidance for achieving the development goal may be required in the RPS.	
Policy URB.4		
Policy URB.5		
Policy URB.6		

	<p>The policies of the RPS also have not been prepared in accordance with the NPS-UDC. The NPS-UDC includes requirements for any urban environment expected to experience growth. The RPS does not require the identification of growth areas although does note the Riverton/Aparima and Te Anau are experiencing growth pressures. In growth areas, there is a requirement for local authorities to ensure there is sufficient housing and business land capacity.</p> <p>The policies of the RPS do provide some direction consistent with the NPS-UDC in terms of the provision of infrastructure, housing choice and efficient use of land but the guidance in the RPS is not as strongly worded as the NPS-UDC therefore this may need to be strengthened. The RPS also does not provide direction to recognise the benefits of urban development both within the local, regional and national context.</p>	
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Appendix D: Methods

Key for scoring

	Method has been or is being implemented
	Method is being mostly implemented
	Method is being implemented in a minor way
	Method is not being implemented

Chapter 3 – Tangata Whenua

Provision	Evaluation	Score
Mandatory		
Method TW.1	<p>This method requires provisions in regional plans to safeguard identified environmental and cultural values and resources of tangata whenua from inappropriate use or development. Southland’s operative regional plans have implemented this method to some extent in the form of objectives, policies, rules and planning maps, which identify and require cultural values and resources to be considered when making resource management decisions. The concept of Te Mana o te Wai, introduced within the NPS-FM and incorporated within the framework of the proposed Southland Water and Land Plan (pSWLP), further implements this method. Method TW.1 as it is currently worded provides achievable guidance for the Council to implement the policies in Chapter 3. However, there is insufficient guidance within the policies as to what constitutes “inappropriate use or development”. Therefore, further refinement of the RPS is likely to be required to ensure there is sufficient context around these terms.</p>	
Method TW.2	<p>This method requires the Council to consult with tangata whenua and take into account relevant iwi planning documents for guidance in plan development. Method TW.2 gives effect to several policies within the RPS including Policies TW.1, TW.3 and TW.4 relating to Treaty commitments, iwi management plans and decision-making processes. The Council is a signatory to the Charter of Understanding which outlines the commitments made to consulting tangata whenua and involving them in decision-making processes. Under s66(2A)(a) of the RMA, regional councils must take into account any relevant planning document recognised by an iwi authority during plan development so this method repeats a statutory obligation.</p>	
Method TW.3	<p>This method requires tangata whenua to be actively encouraged and supported in developing and implementing registered iwi management plans by the Council providing technical advice, information or administrative support. Method TW.3 gives effect to Policies TW.1, TW.2 and TW.3. The wording of the method is ambiguous in that it does not specify the extent of support to be provided, however the Council partially funds the Kai Tohutohu Policy Advisor role based at Te Ao Marama Inc which implements this method.</p>	
Method TW.4	<p>This method requires the Council to provide for tangata whenua involvement in resource management, decisions and monitoring</p>	

	through the use of working parties or advisory groups alongside other stakeholders, and where appropriate, joint management agreements, and full or partial transfer of the council's functions, duties or powers. The Council is a signatory to the Charter of Understanding and mana whenua positions have been created on the Strategy and Policy Committee and Regional Services Committee which implement this method. No transfer of functions has occurred.	
Method TW.5	This method directs TAs to establish and maintain provisions in district plans that safeguard identified tangata whenua environmental and cultural values and resources from inappropriate subdivision, use or development. The Council regularly makes submissions on district plans and plan changes within Southland and may address these matters in its submissions.	
Optional		
Method TW.6	The optional methods in Chapter 3 encourage local authorities to seek cultural impact assessments for proposals, involve iwi in statutory processes, review and update the Charter of Understanding, undertake consultation and collaborate with stakeholders to investigate additional methods to implement the RPS. Most of the actions listed within these methods are implemented by the Council (as required under the RMA and/or as standard practice for Council). It is also noted that many of the optional provisions simply restate the mandatory methods.	
Method TW.7		
Method TW.8		
Method TW.9		
Method TW.10		

Chapter 4A – Water Quality

Provision	Evaluation	Score
Mandatory		
Method WQUAL.1	This method requires the Council to establish and maintain provisions in regional plans in accordance with the NPS-FM. To implement this, Method WQUAL.1 states that the Council must work with a range of stakeholders. The implementation of this method is currently underway with the development of the pSWLP and the People Water and Land Programme (PWL). Method WQUAL.1 largely restates the requirements of the NPS-FM. This method is highly prescriptive and is therefore vulnerable to becoming out of date should there be changes in the NPS-FM, or changes to the Council's priorities or programmes of work. While methods should contain sufficient detail to be useful, the level of prescription (particularly where it mostly repeats the higher order documents) may not be appropriate in the long term.	

Method WQUAL.2	This method requires research and investigations to be undertaken to maintain an up to date understanding of the values that surface and groundwater in the region can support and to record the effects of land use on water quality and the effectiveness, efficiency and costs of different mitigation options. Values have been identified in the Regional Water Plan for Southland (RWP) and pSWLP, and a value identification process is currently underway through PWL to support the limit-setting process. The Southland Science Programme and Southland Economic Project researched the effects of land use on water quality and the effectiveness, efficiency and costs of different mitigation options. On this basis, Method WQUAL.2 is being implemented by the Council.	
Method WQUAL.3	This method requires surface and groundwater quality and ecosystem health to be monitored by the Council to assess whether water quality is being maintained and/or improved. This provision remains relevant and appropriate as the NPS-FM requires the establishment of methods for monitoring progress towards the achievement of freshwater outcomes (Policy CB1). Method WQUAL.3 is currently implemented through the State of the Environment (SOE) monitoring and reporting programme. During the hearings on appeals to the pSWLP, there was some debate about what “maintain” and “improve” mean in an environmental sense. This issue has yet to be resolved and may affect the implementation of this method.	
Method WQUAL.4	This method requires the use of consent conditions on discharge permits to manage the contaminants that can be discharged. Imposing consent conditions on discharge permits under section 108 of the RMA is standard practice for the Council and other councils. Given it is self-explanatory, Method WQUAL.4 does not add value.	
Method WQUAL.5	This method requires provision of information and advice to stakeholders on good management practices to reduce the effects of land use on water quality. The Council implements this method through their Land Sustainability team who provide on farm advice and education to land owners and the community on land management issues and good environmental practices, including developing Focus Activity Farm Plans that provide farm-specific good management practice advice and recommendations for farms.	
Method WQUAL.6	This method requires the Council to analyse the region-wide evaluation of the state, trends and pressures on water quality, prepare a timetable for setting freshwater objectives and water quality limits for all FMUs (including the identification of priority units) and establish a regional policy framework to avoid or manage over-allocation. The method also includes a set of actions for developing a policy	

	<p>framework for priority FMUs and directs the Council to work with stakeholders. The state, trends and pressures on water quality are analysed through SOE monitoring in the region. The Council’s updated Progressive Implementation Programme (PIP) proposes one future plan change to the pSWLP to set freshwater objectives, limits and targets for all FMUs, rather than multiple plan changes on a catchment-by-catchment basis as envisaged by the RPS so the reference to “priority FMUs” is no longer relevant.</p>	
Method WQUAL.7	<p>This method requires the Council to use the region-wide evaluation prepared under Method WQUAL.6 to identify activities that require a review of the existing policy framework to address their effects on water quality. The development of the pSWLP and PWL are currently implementing this method. Method WQUAL.7 also directs the Council to initiate a series of plan changes as required to the RWP to address the identified activities including reductions in contaminants. This process is underway and the pSWLP will supersede the RWP once it becomes operative. This method could be combined with Method WQUAL.6.</p>	
Method WQUAL.8	<p>Method WQUAL.8 directs the Council to consider whether discharges of contaminants to land are practicable as opposed to discharges to water when preparing regional plans and in considering resource consent applications. This method has been implemented through Policy 14 of the pSWLP which states a preference for discharges of contaminants to land over discharges to water.</p>	
Method WQUAL.9	<p>This method requires the Council to consider the use of regional rules to manage land uses where the cumulative effects of non-point source discharges are a significant contributor to decreases in water quality. Method WQUAL.9 is implemented through the pSWLP through its controls on various land uses (particularly relating to farming activities) and will be considered further through PWL.</p>	
Method WQUAL.10	<p>Method WQUAL.10 requires the Council to work collaboratively with stakeholders to ensure discharges are appropriately sited and managed. Collaboration between the Council and stakeholders on these matters is evident through advice provided by the Council Consents Officers and Land Sustainability Advisors. As currently worded, the method is clear and gives effect to the relevant policies within the Chapter 4A, particularly Policy WQUAL.10.</p>	
Method WQUAL.11	<p>This method requires the Council to consider interrelationships between water quality, water quantity and land use activities, and wherever possible, develop integrated planning frameworks when preparing plans and processing consent applications. This is currently being implemented through the development of the pSWLP. Evidence</p>	

	by some parties at the hearing on appeals to the pSWLP, particularly Nga Rūnanga o Ngāi Tahu, suggests that these interrelationships have not been considered fully. One example frequently raised is the poor condition of some estuaries in Southland. It would be unlikely that when preparing plans or considering consent applications, the Council would not consider interrelationships between resources meaning this method may be unnecessary.	
Method WQUAL.12	This method directs the Council to provide information and advice to the community on land management practices that will assist to maintain or improve water quality and align this advice with industry resources and programmes. The provision of information and advice to communities occurs through the Land Sustainability team. There is also a large selection of resources available on the Council website providing information on good management practices including, but not limited to, effluent, nutrient and riparian management. It is likely this information would continue to be provided regardless of whether this method existed so it is likely this method is unnecessary.	
Method WQUAL.13	This method directs TAs to establish and maintain provisions in district plans to manage the effects of subdivision, use and development on water quality. the Council regularly makes submissions on district plans and plan changes and may address any key matters in its submissions.	
Optional		
Method WQUAL.14	This method encourages the Council to work in partnership with landowners and other organisations to promote good management practices that maintain or improve water quality. The Council implements this method through PWL and advice provided by the Land Sustainability team. Similar to Method WQUAL.12, it is likely that this work would continue whether this method existed or not so it is likely that this method is unnecessary.	
Method WQUAL.15	Method WQUAL.15 encourages the Council to collaborate with local authorities on matters related to water quality. Method WQUAL.16 encourages collaboration between the Council and stakeholders to investigate additional methods to implement the policies within this chapter of the RPS. These methods reflect standard practice for the Council and do not add any particular value.	
Method WQUAL.16		

Chapter 4B – Water Quantity

Provision	Evaluation	Score
Mandatory		
Method WQUAN.1	This method requires provisions in regional plans in accordance with the NPS-FM to achieve a number of listed outcomes related to water quantity including the setting of environmental flows and allocation limits. The limit setting process is currently being implemented through PWL. This method is highly prescriptive and is therefore vulnerable to becoming out of date should there be changes in the NPS-FM, or changes to the Council's priorities or programmes of work. While methods should contain sufficient detail to be useful, the level of prescription (particularly where it mostly repeats the higher order documents) may not be appropriate in the long term.	
Method WQUAN.2	This method requires a timetable for establishing allocation limits for surface water and groundwater in each FMU. In accordance with this timetable, the Council must gather information, including through review of resource consents and water permits, and establish allocation limits for the FMUs through consultation and plan changes. This process is currently occurring via PWL. Method WQUAN.2 not provide much additional direction to that contained in the NPS-FM so may not be necessary.	
Method WQUAN.3	Method WQUAN.3 requires the Council to monitor surface and groundwater flows and levels, and ecosystem health in order to assess whether freshwater objectives are being maintained, and to inform future resource management strategies and decisions. This method is unable to be implemented yet as it requires freshwater objectives to be set which are being developed through PWL. Further guidance could be provided within the method to provide direction on the monitoring to be undertaken. In particular, it is not clear which indicators would be used to determine ecosystem health. This is also a requirement of the NPS-FM so it is not clear that including this method adds much value for users.	
Method WQUAN.4	This method directs the Council to undertake research and investigations to maintain an up to date understanding of the values that surface and groundwater in the region can support and to gain a better understanding of the hydrogeology of the region through integrating the fluxes and flows of surface and groundwater. Values have been identified in the RWP and pSWLP. Further collation of values is occurring through PWL. Research into the hydrogeology of the region is currently being undertaken as part of the Southland Science Programme.	
Method WQUAN.5	This method requires the use of consent conditions on water permits to assist with achieving environmental flows (including minimum flows), levels	

	and lake level regimes developed through regional plans. the Council already imposes consent conditions on water permits in accordance with s108 of the RMA to implement allocation regimes established in the RWP and pSWLP. This is standard practice in consenting and would continue to occur without this method, so this method is unnecessary.	
Method WQUAN.6	Method WQUAN.6 directs the Council to gather information to establish the cumulative effects of permitted, s14(3)(b) and consented water takes in catchments and/or aquifers that are likely to be susceptible to adverse effects. Particular water bodies which are approaching or fully allocated are monitored more regularly by the Council's scientists. This method is broadly worded and could capture a much wider work programme than is currently occurring.	
Method WQUAN.7	This method states that when preparing regional plans and in considering resource consent applications, the Council must take into account the interrelationships between water quality, water quantity (and associated ecosystems) and land use activities, and wherever possible develop integrated planning frameworks. Method WQUAN.7 is currently being implemented through the pSWLP and standard consenting and decision-making practice. As for Method WQUAL.11, evidence by some parties at the hearing on appeals to the pSWLP, particularly Nga Rūnanga o Ngāi Tahu, suggests that these interrelationships have not been considered fully. One example frequently raised is the poor condition of some estuaries in Southland. It would be unlikely that when preparing plans or considering consent applications, the Council would not consider interrelationships between resources meaning this method may be unnecessary.	
Method WQUAN.8	This method requires TAs to establish and maintain provisions in district plans to manage the effects of subdivision, land use and development on flows and levels of water in surface water and groundwater. The Council regularly makes submissions on district plans and plan changes and may address any key matters in its submissions.	
Optional		
Method WQUAN.9	This method encourages the Council to consult with stakeholders when developing plans that may affect water quantity and support applicants for resource consents to undertake consultation. Method WQUAN.9 reflects standard practice for the Council during plan development and the processing of resource consent applications. Although it is being implemented, this method is not particularly useful and is largely driven through RMA requirements.	
Method WQUAN.10	This method encourages the Council to investigate alternative water allocation regimes to the first in first served allocation regime where water availability is limited. This has not occurred.	

Method WQUAN.11	This method encourages the Council to establish and maintain provisions to promote measures to improve the efficiency of water use, including rainwater collection and use, and water conservation, reuse and recycling measures. The pSWLP does not contain provisions to do this outside general efficiency requirements in the objectives.	
Method WQUAN.12	These methods encourage the Council to work with other local authorities to promote the efficient use of water and collaborate to manage the effects of land use on flows and levels of water in waterbodies (including through the use of complementary planning provisions). They also encourage collaboration with stakeholders to investigate additional methods that may be used to implement the policies in Chapter 4B. These methods represent standard practice for the Council. TAs must also ensure that district plans are not inconsistent with regional plans in accordance with s75(4)(b) of the RMA. Therefore, these methods are likely to be unnecessary.	
Method WQUAN.13		
Method WQUAN.14		

Chapter 4C – Beds of Lakes and Rivers

Provision	Evaluation	Score
Mandatory		
Method BRL.1	This method requires provisions in regional plans to avoid as far as practicable, remedy or mitigate adverse effects of activities in the beds of lakes and rivers on instream values and physical processes. These provisions have been implemented through the RWP and pSWLP.	
Method BRL.2	This method sets out the functions of regional rules relating to activities in the beds of lakes and rivers. These include providing for lawfully existing structures in some circumstances, managing the effects of gravel extraction and structures, and maintaining fish passage and public access. The Council has given effect to this method through rules in the RWP and pSWLP.	
Method BRL.3	This method requires the Council to collaborate with territorial authorities and other stakeholders to identify areas of flooding and erosion risk, and methods to address these risks. The Council regularly provides natural hazard advice to applicants and TAs on district consent applications for land uses. The Council is also a member of the Southland Civil Defence and Emergency Management Group (CDEM) which is represented by the four councils within the region. As such, Method BRL.3 has been implemented by the Council. There could be a greater link to the provisions in Chapter 8 (Natural Hazards) which also require similar actions.	
Method BRL.4	This method requires local authorities to establish planning provisions, in consultation with landowners, to identify locations in the region that	

	are a priority for providing public access through the subdivision and land development process. None of the regional plans identify priority locations for public access and, due to the functions of regional councils, the Council is generally not involved in subdivision or land development processes. This method will therefore be challenging to implement.	
Optional		
Method BRL.5	These methods encourage local authorities to gather information on instream values and physical process to inform plan development and consent applications, provide information and technical support to stakeholders and develop a strategy to guide decisions on enhancing public access. They also encourage collaboration with stakeholders in relation to resource management decisions and investigations into additional methods that may be used to implement the policies in this chapter of the RPS. Methods BRL.5, BRL.6, BRL.8 and BRL.9 are implemented by the Council through its State of the Environment monitoring and PWL programmes.	
Method BRL.6		
Method BRL.7		
Method BRL.8		
Method BRL.9		

Chapter 5 – Rural Land/Soils

Provision	Evaluation	Score
Mandatory		
Method RURAL.1	This method directs provisions in regional plans that manage the effects of rural land development, mineral extraction activities, and wastewater discharges on vegetation, soils, water quality and quantity, and other natural resources. Currently, the Council's land use controls are focused primarily on those associated with water quality issues (i.e. the RWP and pSWLP). It is not clear what the vehicle would be for several matters covered within Method RURAL.1 including managing the effects of rural land development on indigenous vegetation. It is also noted that consistency with the proposed NPS-HPL would have to be ensured in the wording of the method. This method is fairly vague and may not be implementable.	
Method RURAL.2	This method requires the Council to collaborate with TAs, industry and landowners to identify different soil categories. The Council's GIS contains public layers containing data on soil types and characteristics throughout the region. There is also zone-specific information and factsheets for each physiographic zone in Southland on the website.	
Method RURAL.3	This method requires the Council to provide information and technical support to land users, industry, TAs and the community increase awareness around good management practices for soil sustainability.	

	The provision of information and advice to these parties occurs in part through the Council Land Sustainability team who also assist with preparing Focus Activity Farm Plans. Additionally, there are a large selection of resources available on the Council website with information on GMPs for soil management.	
Method RURAL.4	This method requires the Council to make submissions on district plans and resource consent applications in relation to rural land management to encourage a consistent and integrated region-wide approach to rural land management. It is standard practice for the Council to make submissions on district plans and plan changes. However, the Council generally does not make submissions on district consent applications.	
Method RURAL.5	Method RURAL.5 directs the Council to consider financial assistance to land owners, landcare groups or community-based organisations to support erosion control, soil conservation, research and education programmes and other initiatives that avoid, remedy or mitigate the adverse effects of activities on rural land and soil resources. the Council has several funding and support schemes but none of these directly target initiatives supporting erosion control and soil resources. Rather, funding has largely been provided for the protection of ecologically significant sites, wetland creation, pest control and water quality projects. It is noted that projects such as wetland creation, fencing and pest control on farms would benefit soil resources and erosion prevention in many cases. However, no strong evidence exists to suggest that this method has been fully implemented by the Council. The Long Term Plan does not indicate an intent to begin funding these types of activities.	
Method RURAL.6	This method requires TAs to establish and maintain provisions in district plans that manage the effects of land use activities, control urban expansion and enable activities that sustainably use and develop the rural land resource. the Council regularly makes submissions on district plans and plan changes and may address any key matters in its submissions.	
Optional		
Method RURAL.7	This method encourages the Council to monitor general soil health and waterway sedimentation levels. Monitoring occurs through the SOE programme which includes a network of sites that measure rainfall, soil moisture and soil temperature. This data is used to inform land management decisions and the scheduling of irrigation. Sediment and phosphorus monitoring are also carried out within select waterbodies in the region.	

Method RURAL.8	These methods encourage the Council to develop good practice guidelines for rural activities to inform earthworks and land development practices and develop growth management strategies to guide development in the region and implement sustainable land management. The Council provides guidance on land development practices but not specifically on earthworks. There have not been any growth management strategies developed.	
Method RURAL.9		
Method RURAL.10	This method encourages the Council to collaborate with local authorities to identify and map soils, important land and water resources and areas of valued rural character and amenity. The Council already identifies soil types and important land and water resources in planning provisions and their GIS. District plans in the region also contain zones and provisions to protect areas of valued rural character and amenity.	
Method RURAL.11	These methods encourage the Council to collaborate with stakeholders and tangata whenua during resource management decisions on rural land uses and in implementing the RPS. They also support collaboration to develop good practice approaches to soil management and land use activities, encourage decision makers to consider reverse sensitivity for mining activities. This method is implemented through the Council's approaches to consenting and providing advice on land management practices.	
Method RURAL.12		
Method RURAL.13		
Method RURAL.14		
Method RURAL.15		

Chapter 6 – Biodiversity

Provision	Evaluation	Score
Mandatory		
Method BIO.1	This method states that the Schedule of Threatened, At Risk and Rare Habitat Types shall be updated through the Schedule 1 RMA process, or regional plan reviews. In particular, Method BIO.1 states that marine habitats are to be addressed in conjunction with the next RCP review. This process is to be supported by the Council's GIS to provide a visual representation of the habitat types across the region. The first part of this method does not require any action. Marine habitats are being investigated through the RCP review but no GIS layer of habitat types has been prepared yet.	
Method BIO.2	This method directs the Council to develop a regional biodiversity strategy in collaboration with key stakeholders. The multi-agency	

	group Biodiversity Southland is currently developing a Biodiversity Strategy to implement this method.	
Method BIO.3	This method requires the Council to work with TAs to develop provisions to manage Southland’s biodiversity and define the spatial extent of wetlands and riparian margins. It also requires collaboration between the Council and key stakeholder groups to address biodiversity issues as well as community groups, tangata whenua and land owners (among other groups and agencies) to implement protection and enhancement measures, planting of indigenous species and pest management. The Council has not necessarily collaborated with district councils to develop biodiversity provisions. Rather, ICC and SDC have made district plans operative that give effect to the RPS. However, collaboration between the Council and key stakeholder groups is underway with the development of the Biodiversity Strategy. Method BIO.3(b) has been partially implemented through the identification and mapping of regionally significant wetlands within the Council GIS database but likely not to the desired extent. Direct consultation with land owners whose properties contain threatened, at risk or rare habitat types is undertaken by the Council Land Sustainability officers.	
Method BIO.4	Method BIO.4 requires the Council to implement regional pest management programmes and plans to maintain, enhance or restore indigenous ecosystems and habitats to a healthy functioning state and assist individuals and groups with pest plant and pest animal management. The Council’s Biosecurity team implement this method through the Southland Regional Pest Management Plan and the Fiordland Marine Regional Pathway Management Plan and through their advice to landowners and provision of various traps. Implementing pest management plans is a requirement under the Biosecurity Act 1993 so it is not clear that this part of the method adds much value.	
Method BIO.5	This method states that the Council will support, at its discretion, the introduction of marine protected areas that represent the region’s marine biodiversity. The Council has supported the introduction of some marine protected areas through its submission to the South-East Marine Protection Forum.	
Method BIO.6	This method requires provisions in regional and district plans to protect significant indigenous vegetation and significant habitats of indigenous fauna. The pSWLP maps and controls activities within Regionally Significant Wetlands, however other significant areas (including in the coastal environment) have not yet been identified in regional plans. The Invercargill City and Gore District Plans map significant areas and	

	include provisions for protecting them. The Southland District Plan does not include maps but does have provisions for protecting significant areas.	
Method BIO.7	This method requires maintaining indigenous biodiversity through regional and district plan provisions along with other appropriate regulatory and non-regulatory means. This is a very general method which provides little direction to users. It is not clear what would be considered “appropriate” means.	
Method BIO.8	This method requires regional and district plans to make provisions for vegetation clearance for lawful maintenance and operation of existing activities, including plantation forestry, agricultural, pastoral and horticultural activities, gardens, and infrastructure. The method specifies that the requirement for protection in Method BIO.6 overrules this method, but it is not clear how Method BIO.8 is intended to interact with the requirement to maintain indigenous biodiversity in Method BIO.7. This type of tension between management approaches would be better resolved through clear policy direction, rather than through methods.	
Method BIO.9	This method requires ecological assessments with consent applications for activities that may affect areas of indigenous vegetation and habitats of indigenous fauna. The assessments are intended to determine significance using the criteria in Appendix 3. Requiring these types of assessments will be at the discretion of the Consent Officer in each case. Assessing significant areas in a case-by-case manner is an ad hoc approach to identifying significance and may never identify all areas.	
Optional		
Method BIO.10	These methods promote the use of various non-regulatory means to manage biodiversity, including through consultation, investigations and research, education and financial assistance. Generally, these optional methods are advanced by councils through existing work programmes. There is no monitoring of the uptake of these methods, however some are currently being implemented by the Council (for example, the High Value Areas programme and establishment of awards for good practice) while others do not appear to be (for example, rates relief and State of the Environment reporting on biodiversity).	
Method BIO.11		
Method BIO.12		
Method BIO.13		
Method BIO.14		
Method BIO.15		

Chapter 7 – Coast

Provision	Evaluation	Score
Mandatory		
Method COAST.1	This method requires the Council to implement plan reviews or changes to enable the inclusion of provisions in the RCP to provide clear direction on a number of matters, identify processes and values, set water quality standards and manage land use activities and discharges of contaminants to achieve these standards. Some of the matters within this method are relatively vague, including (a)(i)-(iii). As such, it could be argued that even loose provisions within the RCP would be compliant. Method COAST.1(a)(iv)-(v) are already identified and managed within the RCP. Matters (b), (c) and (d) are new requirements from the NZCPS 2010 (and partly the NPS-FM). The RCP does not deal with these matters specifically.	
Method COAST.2	This method requires marine effects assessments and natural hazard assessments to be included as part of resource consent applications for activities that may significantly affect the coastal marine area or would potentially be affected by coastal hazards, sea level rise and climate change. These assessments are not specifically required by the RCP and would be at the discretion of the consents officer. As such, Method COAST.2 has not been implemented in a formal sense.	
Method COAST.3	This method states that protocols and accords shall be formulated with resource users such as TAs, tangata whenua, industry and landcare groups to address effects of land use on water quality and ecosystem health in the CMA. Method COAST.3 also requires protocols and accords to be developed with resource users to avoid or mitigate adverse effects associated with the use of coastal space, the use and development of natural and physical resources of the CMA, the emission of noise and commercial activities. Written agreements are in place with South Port and NZAS (Tiwai) to manage some discharges in the Bluff Port Zone (i.e. Rule 7.3.2.10 in the RCP). The Deed of Agreement between the New Zealand Cruise Ship Industry and the Council also deals with some of these matters. These are discrete agreements that deal with specific activities and are not of the broad nature envisaged by this method. There does not appear to be any plan to initiate these types of protocols or accords.	
Method COAST.4	This method directs TAs to establish and maintain provisions in district plans to safeguard values from inappropriate subdivision, use or development in the coastal environment. It is standard practice for the Council to make submissions on district plans and plan changes.	

Method COAST.5	This method requires TAs to ensure that existing public access corridors to the CMA are maintained when assessing proposals for subdivision, use and development within the coastal environment. It is standard consenting practice for the Council to assess the effects of public access for activities within the CMA. Consultation is also required where cross-boundary issues arise between activities in the CMA and adjoining land managed by TAs (Policy 4.9.1 of the RCP).	
Optional		
Method COAST.6	These methods encourage the Council to educate and work with stakeholders to raise awareness of the coastal environment and determine measures to address issues as well as develop any additional methods to implement the RPS. They also support the requirement for coastal hazard assessments relevant to the scale and significance of the risk to be included in consent applications, which is standard consenting practice and is determined by the Consents Officer. It is likely some of these methods are implemented as required through existing work programmes.	
Method COAST.7		
Method COAST.8		
Method COAST.9		

Chapter 8 – Natural Hazards

Provision	Evaluation	Score
Mandatory		
Method NH.1	This method requires provisions in regional plans and bylaws that address and manage the effects of natural hazards and infrastructure. This method does not give effect to the amendments to section 6 of the RMA regarding natural hazards. No bylaws have been passed on this topic and the changes to regional plans have not sought to address these matters specifically.	
Method NH.2	Method NH.2 requires the Council to identify, investigate and/or monitor land that is subject to actual or potential inundation, erosion and accretion, active fault lines, liquefaction and tsunami, and land instability. The Council's Catchment team manages the flood protection and drainage network owned by the Council. Natural hazards data has also been compiled within the Council GIS database providing information on tsunami evacuation zones, floodplains, active faults, liquefaction risk and shaking amplification. This method will be implemented further once LiDAR mapping has been completed.	
Method NH.3	This method sets out requirements for the Council to maintain and provide information held on historic and projected natural hazard risk and to provide technical assistance and information to land owners, TAs and the community in order to increase awareness, encourage	

	appropriate land uses, assist in mapping land subject to natural hazard risks, provide guidance on mitigation measures and prepare response plans. The Council holds historic information about flood levels which is regularly provided to the district councils and resource consent applicants when requested. Funding has also been granted for LiDAR mapping which will assist in the identification and mapping of land subject to natural hazard risks.	
Method NH.4	This method requires the Council to maintain a flood monitoring and warning system and to investigate and monitor coastal hazards. The first part of the method is implemented and run by the Council Science team and Emergency Management Southland. Coastal hazards investigations and monitoring is undertaken by the harbourmaster and compliance as required. There is no specific monitoring of coastal hazards as part of the Council's science programme.	
Method NH.5	This method requires TAs to establish and maintain provisions in district plans that identify and manage the potential effects of natural hazards. It is standard practice for the Council to lodge submissions on district plans and plan changes.	
Method NH.6	This method requires the provision of information through LIMs, including information in district plans and on council websites, and to provide information on earthquake-prone building policies. Most of this is not relevant for regional councils, however the Council does provide some hazards information on its website.	
Optional		
Method NH.7	These methods generally require the collection and provision of information and collaboration with stakeholders through various means. It is likely some of these methods are being implemented in an informal way but there is no overarching strategy regarding natural hazard management so it is difficult to say with certainty.	
Method NH.8		
Method NH.9		
Method NH.10		
Method NH.11		
Method NH.12		
Method NH.13		
Method NH.14		
Method NH.15		
Method NH.16		

Chapter 9 – Air Quality

Provision	Evaluation	Score
Mandatory		
Method AQ.1	This method requires provisions in regional plans to control the discharge of contaminants to air, reduce PM ₁₀ emissions from domestic solid fuel heating, encourage new discharge activities in existing airsheds to adopt the best practicable option, and achieve compliance with relevant national standards. This method is currently being implemented through Stage 1 of the Regional Air Plan review. The effectiveness of the provisions is questionable given the number of exceedances that have been observed. Compliance with the relevant national standards has not yet been achieved. Stage 2 of the Regional Air Plan review has been delayed a number of times and has not yet commenced.	
Method AQ.2	This method requires the Council to research, monitor and report on air quality indicators to identify changes to air quality, achieve compliance with national air quality standards, establish and monitor new airsheds as necessary, ensure consented discharge activities comply with consent conditions, and maintain effective conditions or review as necessary to improve ambient air quality. Monitoring and reporting on air quality is undertaken as part of the State of the Environment monitoring programme required under section 35, although only in three airsheds (two gazetted). Consent conditions are monitored by the Compliance team.	
Method AQ.3	This method requires the Council to provide advice and information on low or no-emission domestic heating alternatives to the community to promote and improve awareness of air quality issues from domestic solid fuel heating and to encourage the adoption of domestic heating that is compliant with national standards. The Breathe Easy Southland website is dedicated to air quality advice within the region with a number of resources available. The Council funds the Clean Air Loan Scheme for residents living in the Invercargill or Gore airsheds. Council staff also respond to public queries related to air quality.	
Optional		
Method AQ.4	This method requires TAs to establish and maintain provisions in district plans to encourage the appropriate location of new land use activities that discharge contaminants to air, and to control the location of sensitive activities that are potentially incompatible with existing activities that lawfully discharge contaminants to air. It is	

	standard practice for the Council to lodge submissions on district plans and plan changes.	
Method AQ.5	This method encourages the Council to consider providing support and financial incentives in airsheds to improve domestic home heating efficiency and adopt forms of domestic heating compliant with national standards. This method is already implemented by the Council through the Breathe Easy website and the Clean Air Loan Scheme.	
Method AQ.6	These methods encourage local authorities to develop industry guidelines, establish strategies and bylaws and consult with stakeholders to manage adverse effects on air quality. No strategies and bylaws related to air quality have been established by the Council. As these matters are covered under the Regional Air Plan, it is unclear whether or not any such documents will be prepared in future. Consultation with stakeholders to achieve environmental outcomes is standard practice for the Council.	
Method AQ.7		
Method AQ.8		
Method AQ.9		
Method AQ.10		
Method AQ.11		

Chapter 10 – Natural Features and Landscapes

Provision	Evaluation	Score
Mandatory		
Method LNF.1	This method requires provisions in regional plans to protect outstanding natural features and landscapes from inappropriate land use and development and manage effects identified as locally distinctive and valued. The RCP achieves this to some extent, although the terminology “locally distinctive and valued” is not used within the plan. It is unclear what regional plan/s these types of provisions would be included in for activities outside of the CMA.	
Method LNF.2	This method requires the Council to develop and disseminate a regional landscape character description that describes and categorises the region’s landscapes to assist with identifying outstanding natural features and landscapes, or natural features and landscapes identified as locally distinctive and valued. The Council has commissioned Coastal Natural Character ²⁶ and Stewart Island ²⁷ studies but not a regional landscape character description which is necessary to implement the provisions of this chapter.	

²⁶ Boffa Miskell Ltd. (2019). *Southland/Murihiku Regional coastal environment study: coastal natural character assessment*. Prepared for Environment Southland, Invercargill City Council, Southland District Council and Te Ao Marama Inc.

²⁷ Boffa Miskell Ltd. (2019). *Stewart Island/Rakiura: landscape and coastal natural character study*. Prepared for Environment Southland.

Method LNF.3	This method requires the Council to submit on, or seek changes to, district plans as necessary to ensure provisions are in place to protect outstanding natural features and landscapes, and manage adverse effects on locally distinctive and valued natural features and landscapes. It is standard practice for the Council to lodge submission on district plans and plan changes, although it is not clear how often this particular topic is raised in those submissions. Method LNF.3 relies on Method LNF.2 being implemented.	
Method LNF.4	Method LNF.4 directs the Council to consider submitting on resource consent applications received by TAs for land use or subdivision activities where there is potential for significant adverse effects on outstanding natural features and landscapes. The Council does not currently make submissions of this nature.	
Method LNF.5	This method requires the Council to work in collaboration with TAs, tangata whenua and the community to assess outstanding natural features and landscape values and share this information in addition to subdivision, use and development which may adversely affect these features and landscapes. Collaboration with TAs occurred during the development of the Natural Character and Stewart Island studies. To date there has not been collaboration with tangata whenua or the community, though this may occur later if a regional landscape character description is prepared.	
Method LNF.6	This method requires TAs to identify outstanding natural features and landscapes and establish and maintain provisions in district plans. The Invercargill City, Southland and Gore District Plans all identify outstanding natural features and landscapes and include provisions to manage them.	
Method LNF.7	This method requires the Council to engage with stakeholders in identifying and protecting outstanding natural features and landscapes. This is occurring through the RCP review but does not appear to be occurring outside the coastal marine area.	
Optional		
Method LNF.8	These methods encourage the Council to collaborate with stakeholders to develop methods for assessing and identifying outstanding natural features and landscapes. As discussed in Method LNF.5, collaboration with TAs occurred during the development of the Coastal Natural Character and Stewart Island studies. The degree of collaboration for future work will be at the discretion of the Council.	
Method LNF.9		
Method LNF.10		
Method LNF.11		

Chapter 11 – Contaminated Land (general assessment)

Provision	Evaluation	Score
Mandatory		
Method CONTAM.1	This method requires provisions in regional plans to avoid, remedy or mitigate adverse effects of discharges from contaminated land and recognise and support the implementation of relevant national guidelines, codes of practice, and environmental accords, where these help achieve Objective CONTAM.1 and Objective CONTAM.2. This method is implemented through provisions within the RCP, RWP and pSWLP.	
Method CONTAM.2	This method states that the Council must work with TAs, industry, landowners and the community to identify, investigate and manage contaminated land and prioritise sites for management or remediation. Method CONTAM.2 was previously managed under a non-regulatory method in the RWP. However, that method was not brought into the pSWLP. Information on the management of contaminated land can be accessed on the Council's website. The Council maintains the Selected Land Use Register (SLUR) of contaminated sites which is used to provide the public with information on contaminated sites.	
Method CONTAM.3	This method requires the Council to provide technical information, expertise and/or resources to TAs, industry, landowners and the community to help identify contaminated sites and assess contamination against national guidelines or standards, identify the adverse effects of subdividing, using or developing contaminated land, and assist landowners of contaminated land. As per Method CONTAM.2, the implementation of this method was previously managed under a non-regulatory method in the RWP but was not brought into the pSWLP. Information on the management of contaminated land can be accessed on the Council website. The Council maintains the SLUR which is used to provide the public with information on contaminated sites and funds a Pollution Prevention Officer who provides advice.	
Method CONTAM.4	This method requires TAs to establish and maintain provisions in district plans to give effect to the NES-CS and support the implementation of national guidelines. The Invercargill City and Southland District plans contain these types of provisions but the Gore District Plan does not.	
Optional		
Method CONTAM.5	These matters encourage the Council to collaborate with stakeholders and establish strategies and agreements for the management of	

Method CONTAM.6	contaminated land. Consultation is also supported between local authorities and tangata whenua when making resource management decisions regarding the subdivision, use or development of contaminated land. The SLUR has already achieved many of the outcomes intended by these methods and consultation occurs on an 'as needed' basis.	
Method CONTAM.7		
Method CONTAM.8		

Chapter 12 – Hazardous Substances

Provision	Evaluation	Score
Mandatory		
Method HAZ.1	This method states that the Council must establish and maintain provisions in regional plans to avoid or mitigate adverse effects from the actual or potential discharge of hazardous substances to land, water and air and control the storage, use, transportation or disposal of hazardous substances in the CMA, and the beds of rivers, lakes and other waterbodies. Given the functions for regional councils to prevent or mitigate any adverse effects of the storage, use, disposal or transportation of hazardous substances were revoked through the Resource Legislation Amendment Act 2017, this method is no longer relevant.	
Optional		
Method HAZ.2	Given the provisions above these methods are no longer necessary, these methods are also no longer relevant.	
Method HAZ.3		
Method HAZ.4		
Method HAZ.5		
Method HAZ.6		
Method HAZ.7		
Method HAZ.8		
Method HAZ.9		
Method HAZ.10		
Method HAZ.11		
Method HAZ.12		
Method HAZ.13		

Chapter 13 – Solid Waste

Provision	Evaluation	Score
Mandatory		
Method WASTE.1	This method requires provisions in regional plans that adopt good practice waste minimisation principles to avoid, remedy or mitigate the environmental effects of solid waste management and disposal. This matter was previously managed under the Regional Solid Waste Management Plan which is now inoperative. There are rules for landfills and offal pits in the pSWLP but no provisions related to waste minimisation and remediation, or good practice. The RCP contains provisions such as Policy 5.3.3 and Rule 10.2.1 which seek to avoid the deposition of solid waste in the CMA.	
Method WASTE.2	This method requires monitoring and annual reporting to be undertaken on the environmental effects of solid waste disposal at transfer and landfill facilities on air, land and water quality, including the CMA where applicable. Monitoring occurs for consented landfill sites and ongoing discussions are held with other unconsented landfill sites in Southland. It does not appear that any public reporting occurs.	
Method WASTE.3	This method involves the promotion of waste minimisation principles to TAs, the community, industry and manufacturers to raise awareness of the effects of residual waste disposal and the environmental benefits of minimising solid waste through alternatives to landfill. The Council website contains information on pollution and waste for farms, industry and residents and funds a Pollution Prevention Officer who provides similar advice.	
Method WASTE.4	This method requires TAs to establish and maintain provisions in district plans to control the location of solid waste management and disposal activities and minimise adverse environmental effects on people from these activities. The Invercargill City District Plan has specific provisions for landfills, while the Southland and Gore District Plans refer to the regional plan rules but do manage earthworks generally.	
Optional		
Method WASTE.5	These methods set out a large number of optional actions for the Council to take, including advocacy, agreements, collaboration, economic instruments, monitoring, education and development of a regional waste strategy. Undertaking these actions is at the discretion of the Council and it is not clear which methods have been	
Method WASTE.6		
Method WASTE.7		

Method WASTE.8	implemented. It is unlikely that all of them have been implemented to date.	
Method WASTE.9		
Method WASTE.10		
Method WASTE.11		
Method WASTE.12		
Method WASTE.13		
Method WASTE.14		
Method WASTE.15		

Chapter 14 – Historic Heritage

Provision	Evaluation	Score
Mandatory		
Method HH.1	This method requires provisions in regional and district plans that provide for the use of appropriate techniques to protect historic heritage from the potential adverse effects associated with natural processes and climate change. Method HH.1 also requires authorities to identify and provide for the protection of historic heritage from inappropriate subdivision, use and development through the use of several potential mechanisms. The RCP, pSWLP and all of the district plans contain provisions for managing historic heritage. The Southland Coastal Heritage Inventory Project deals with the identification component of the method.	
Optional		
Method HH.2	These methods encourage the Council to collaborate with stakeholders to identify, evaluate and prioritise known historic sites that require protection and develop and assess options for a regional framework for the management of historic heritage. They also encourage the Council to consult, educate and advocate on heritage matters and collaborate with stakeholders to investigate additional methods to implement the policies in Chapter 14 of the RPS. The Southland Coastal	
Method HH.3		
Method HH.4		

	Heritage Inventory Project has assisted with the implemented of these methods.	
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Chapter 15A – Infrastructure

Provision	Evaluation	Score
Mandatory		
Method INF.1	This method requires provisions in regional plans to enable the development, use, maintenance and upgrading of infrastructure, whilst ensuring the management of any associated adverse effects. The RWP and pSWLP provide for infrastructure as they relate to water whilst the RCP manages infrastructure within the CMA.	
Method INF.2	This method requires TAs to include objectives, policies and methods in district plans to enable the same outcomes listed in Method INF.1. All of the district plans contain provisions which enable the development, use, maintenance and upgrading of infrastructure.	
Optional		
Method INF.3	These methods encourage the Council to apply a regionally consistent and coordinated approach to infrastructure and to monitor and report the environmental effects of infrastructure. They also support the use of consultation with stakeholders when making resource management decisions. It does not appear there is a regionally coordinated approach to infrastructure or that monitoring and reporting occurs outside the Council's standard consent monitoring processes. Consultation is likely to occur on an 'as needed' basis.	
Method INF.4		
Method INF.5		
Method INF.6		

Chapter 15B – Transport

Provision	Evaluation	Score
Mandatory		
Method TRAN.1	This method requires the Council to, in having regard to the Strategic Transportation Network Plan or other appropriate strategic transport planning tool, include provisions in regional plans which protect national and regional transportation infrastructure from inappropriate development and activities. There are provisions in the RWP and RCP which address these matters. Additionally, the Otago Southland Regional Land Transport Plan implements this method.	
Method TRAN.2	This method directs the Council to develop and maintain a strategic transportation network plan, in conjunction with TAs, to identify the existing strategic land transport network and transport facilities, future	

	upgrade and development needs and opportunities for integrated land use and transport planning. The Otago Southland Regional Land Transport Plan implements this method.	
Method TRAN.3	This method requires provisions in district plans which identify and manage strategic transport infrastructure. All of the district plans contain these types of provisions.	
Optional		
Method TRAN.4	These methods encourage the Council to identify the strategic land transport network in the Southland Regional Land Transport Strategy. They also encourage collaboration with stakeholders during transport decision making processes and monitoring and reporting of the environmental effects of infrastructure. Development of the strategy and associated consultation occurs as part of the council's standard practice for land transport planning.	
Method TRAN.5		
Method TRAN.6		
Method TRAN.7		
Method TRAN.8		

Chapter 16 – Energy

Provision	Evaluation	Score
Mandatory		
Method ENG.1	This method requires provisions in regional plans to encourage energy efficiency and conservation and renewable energy resources. Policy 26 of the pSWLP recognises and provides for the national and regional significant of renewable electricity generation activities. This is implemented in part through Rule 52A which manages water take and use for the Manapouri Power Station. The RCP similarly contains Policy 7.3.2.11 recognising the Manapouri Power Station. This method is therefore implemented in a very limited way through the regional plans currently.	
Optional		
Method ENG.2	Most of these methods relate to the provision of information and advice on energy efficiency and conservation, and consultation and collaboration with stakeholders. The lack of information on these topics on the Council's websites suggests these methods have largely not been implemented.	
Method ENG.3		
Method ENG.4		
Method ENG.5		
Method ENG.6		

Method ENG.7		
Method ENG.8		
Method ENG.9		
Method ENG.10		
Method ENG.11		

Chapter 17 – Urban

Provision	Evaluation	Score
Mandatory		
Method URB.1	This method requires provisions in regional plans to recognise urban growth while managing the natural and physical environment and protecting significant infrastructure and a range of specific values. The matters within the method are quite broad, so arguably the Council’s regional plans already address these to some extent. Tangata whenua matters are addressed informally through district consent application referrals and collaboration with TAMI.	
Method URB.2	This method requires provisions in district plans to manage urban growth while managing the natural and physical environment and protecting a range of values and features. All of the district plans have provisions meeting the requirements set out in Method URB.2 to varying degrees. In terms of the protection of high value soils, councils will be required to ensure that provisions are consistent with the proposed NPS-HPL once it comes into effect.	
Method URB.3	This method directs TAs to develop and maintain a strategic transportation network plan or other appropriate strategic transport planning tool. This method duplicates the requirements of Method TRAN.3.	
Optional		
Method URB.4	These methods encourage the Council to undertake urban development planning, collaborate and advocate. It does not appear any particular urban development planning has been undertaken outside the relevant district plans. Collaboration and advocacy is likely to have occurred on an ad hoc basis as needed.	
Method URB.5		
Method URB.6		
Method URB.7		

Appendix E: Standard 2 (Regional policy statement structure – assessment)

Assessment

Key

	No change required
	Minor change required
	Medium change required
	Significant change required
<i>Italic text</i>	Not mandatory
Plain text	Mandatory

Table

Standard	RPS	Evaluation	Score
Part 1: Introduction and general provisions			
Introduction			
<i>Foreword / mihi</i>	Foreword (p.5)	Rename. Retain existing content but move to implement required structure.	
<i>Contents</i>	Table of Contents (p.1)	Rename. Revise content to incorporate changes to structure, move to implement required structure.	
<i>Purpose</i>	1.1 Introduction (p.6)	Rename. Retain existing content but move to implement required structure.	
<i>Description of the region</i>	1.2 The Southland Region and its resources (p.6)	Rename. Move to implement required structure.	
How the Policy Statement works			
<i>Statutory approach</i>	1.3 Legislative context (p.12)	Rename. Retain existing content.	
<i>General approach</i>	2.2 Implementation of the Southland Regional Policy Statement by local authorities through plans	Direction 5 of Standard 2 requires councils to add sections and subsections within chapters where appropriate to organise related provisions. Direction 6(g) of Standard 6 clarifies that “any other matter that assists with the use of the policy statement” is to be included in the <i>General approach</i> chapter.	

Cross boundary matters	2.1 Processes for resolving cross-boundary issues and interagency coordination of processes (p.14)	Rename. Retain existing content.	
Interpretation			
Definitions	Glossary and Definitions (p.213)	Rename. Move to implement required structure. Content assessed under Standard 14 – Definitions.	
Abbreviations	List of Abbreviations (p.4)	Rename and add two additional abbreviations. Move to implement required structure.	
<i>Glossary</i>	Glossary of Māori words – Papakupu	Rename. Move to implement required structure.	
National direction instruments			
National policy statements and NZCPS	No comparative section	Mandatory content for these sections is specified in Standard 6 and can be included without Schedule 1 process.	
<i>National environmental standards</i>			
Regulations			
<i>Water conservation orders</i>			
Tangata whenua / Mana whenua			
Tangata whenua / mana whenua	Chapter 3: Tangata Whenua (p.17)	This section can only include context and process-related provisions. Chapter 3 contains the following provisions which must be moved to this section: <ul style="list-style-type: none"> • Issues TW.1 and TW.2 • Objectives TW.1 and TW.2 • Policies TW.1, TW.2 and TW.3 • Method TW.2, TW.3, TW.4, TW.7, TW.8, TW.9 and TW.10 	
Part 2: Resource management overview			
Significant resource	No comparative section	It appears to be implicit from the wording of the Introduction to the RPS	

management issues for the region		that all of the identified issues are considered to be significant resource management issues for the region. There are 54 issues in the RPS which would therefore need to be included in this section as well as in each individual section in Part 3, resulting in considerable duplication.	
Resource management issues of significance to iwi authorities in the region	Issues TW.1 – TW.5 (p.22)	Issues TW.1 to TW.5 are identified in Chapter 3 as being the resource management issues of significance to iwi in accordance with section 62(1)(b) of the RMA. Issues TW.1 and TW.2 also need to be included in the Tangata Whenua section which will result in duplication.	
<i>Integrated management</i>	No comparative section	Not mandatory so no action required.	
Part 3: Domains and topics			
Domains			
<i>Air</i>	Chapter 9: Air Quality (p.116)	Rename. Retain existing content but move to implement required structure.	
<i>Coastal environment</i>	Chapter 7: Coast (p.90)	Rename. Retain existing content but move to implement required structure.	
<i>Geothermal</i>	No comparative section	Not mandatory so no action required.	
<i>Land and freshwater</i>	Chapter 4: Water (p.29) Chapter 5: Rural Land/Soils (p.63) Chapter 13: Solid Waste (p.150)?	Move Chapters 4 and 5 to implement required structure. Standard permits the use of sub-section headings so existing headings could be retained.	
Topics			
<i>Ecosystems and indigenous biodiversity</i>	Chapter 6: Biodiversity (p.75)	Rename. Retain existing content but move to implement required structure.	
<i>Energy, infrastructure and transport</i>	Chapter 16: Energy (p.182) Chapter 15: Infrastructure/Transport (p.168)	Move Chapters 15 and 16 to implement required structure. Standard permits the use of sub-section headings so existing headings could be retained.	

<i>Hazards and risks</i>	Chapter 8: Natural Hazards (p.104) Chapter 11: Contaminated Land (p.134) Chapter 13: Solid Waste (p.150)?	Move Chapters 8, 11 and 13 to implement required structure. Standard permits the use of subsection headings so existing headings could be retained.	
<i>Historical and cultural values</i>	Chapter 3: Tangata Whenua (p.17) Chapter 14: Historic Heritage (p.160)	Some provisions from Chapter 3 will need to be included in the earlier Tangata Whenua and Resource Management Issues of Significance to Iwi sections. This may lead to further duplication if those same provisions are also included in this section.	
<i>Natural character</i>	No comparative section	Not mandatory so no action required.	
<i>Natural features and landscapes</i>	Chapter 10: Natural Features and Landscapes (p.124)	Move. Retain existing content but move to implement required structure.	
<i>Urban form and development</i>	Chapter 17: Urban (p.194)	Rename. Retain existing content but move to implement required structure.	
Part 4: Evaluation and monitoring			
Monitoring the efficiency and effectiveness of the policy statement	2.3 Monitoring Statement (p.16)	Rename. Retain existing content but move to implement required structure.	
Part 5: Appendices and maps			
<i>Appendices</i>	Appendix 1 – Instruments from the Ngāi Tahu Claims Settlement Act 1998 Appendix 2 – Schedule of Threatened, At Risk and Rare Habitat Types Appendix 3 – Significance Assessment Criteria	Retain existing content.	
<i>Maps</i>	No comparative section	The RPS does not contain maps.	

Appendix F: Standard 2 (Regional policy statement structure – comparison)

Current RPS	Standards-compliant RPS
<p>Table of Contents</p> <p>List of Figures</p> <p>List of Tables</p> <p>List of Abbreviations</p> <p>Foreword</p> <p>Chapter 1: Introduction</p> <p>Introduction</p> <p>The Southland region and its resources</p> <p>Legislative context</p> <p>Chapter 2: Resource Management Processes for Local Authorities</p> <p>Processes for resolving cross-boundary issues and inter-agency coordination of processes</p> <p>Implementation of the Southland Regional Policy Statement by local authorities through plans</p> <p>Monitoring statement</p> <p>Chapter 3: Tangata Whenua</p> <p>Chapter 4: Water</p> <p>Part A: Water quality</p> <p>Part B: Water quantity</p> <p>Part c: Beds of lakes and rivers</p> <p>Chapter 5: Rural Land/Soils</p> <p>Chapter 6: Biodiversity</p> <p>Chapter 7: Coast</p> <p>Chapter 8: Natural Hazards</p> <p>Chapter 9: Air Quality</p> <p>Chapter 10: Natural Features and Landscapes</p> <p>Chapter 11: Contaminated Land</p> <p>Chapter 12: Hazardous Substances</p> <p>Chapter 13: Solid Waste</p> <p>Chapter 14: Historic Heritage</p> <p>Chapter 15: Infrastructure/Transport</p> <p>Part A: Infrastructure</p> <p>Part B: Transport</p> <p>Chapter 16: Energy</p> <p>Chapter 17: Urban</p> <p>Glossary and Definitions</p> <p>Glossary of Māori words – Papakupu</p> <p>Appendix 1 – Instruments from the Ngāi Tahu Claims Settlement Act 1998</p> <p>Appendix 2 – Schedule of Threatened, At Risk and Rare Habitat Types</p> <p>Appendix 3 – Significance Assessment Criteria</p>	<p>Part 1: Introduction and general provisions</p> <p>Introduction</p> <p>Foreword / mihi</p> <p>Contents</p> <p>Purpose</p> <p>Description of the region</p> <p>How the Policy Statement works</p> <p>Statutory approach</p> <p>General approach</p> <p>Cross boundary matters</p> <p>Interpretation</p> <p>Definitions</p> <p>Abbreviations</p> <p>National direction instruments</p> <p>National policy statements and New Zealand Coastal Policy Statement</p> <p>National environmental standards</p> <p>Regulations</p> <p>Water conservation orders</p> <p>Tangata whenua / Mana whenua</p> <p>Part 2: Resource management overview</p> <p>Significant resource management issues for the region</p> <p>Resource management issues of significance to iwi authorities in the region</p> <p>Part 3: Domains and topics</p> <p>Domains</p> <p>Air</p> <p>Coastal environment</p> <p>Land and freshwater</p> <p>Topics</p> <p>Ecosystems and indigenous biodiversity</p> <p>Energy, infrastructure and transport</p> <p>Hazards and risks</p> <p>Historical and cultural values</p> <p>Natural features and landscapes</p> <p>Urban form and development</p> <p>Part 4: Evaluation and monitoring</p> <p>Monitoring the efficiency and effectiveness of the policy statement</p> <p>Part 5: Appendices and maps</p> <p>Appendix 1 – Instruments from the Ngāi Tahu Claims Settlement Act 1998</p> <p>Appendix 2 – Schedule of Threatened, At Risk and Rare Habitat Types</p> <p>Appendix 3 – Significance Assessment Criteria</p>

Appendix G: Standard 6 (Introduction and general provisions – assessment)

Key

	No change required
	Minor change required
	Medium change required
	Significant change required
<i>Italic text</i>	Not mandatory
Plain text	Mandatory

Table

Directions		Evaluation	Score
Introduction			
1 – 4		The Introduction and Contents page will need to be renamed and moved.	
How the policy statement or plan works			
5		The Legislative context section will need to be renamed and moved.	
6		Section 2.2 (Implementation) will need to be renamed and moved. A new section on anticipated environmental results would need to be included due to the implementation of Standard 10.	
7		Section 2.1 (Cross-boundary) will need to be renamed and moved.	
8		Not applicable.	
Interpretation			
9 – 11		Definitions list to be reformatted.	
12 – 13		Abbreviations list to be reformatted and additional abbreviations included.	
14 – 15		Glossary of Māori terms to be reformatted.	
National direction instruments			
16 – 17		New table to be included and content selected from direction 17 regarding implementation of NPSs.	
18 – 19		New table to be inserted.	

20 – 21		New table to be inserted.	
22 – 23		New table to be inserted.	
24		Decision needed on whether to include additional content on national direction instruments.	
Tangata whenua / Mana whenua			
25 – 28		Context and process-related provisions from Chapter 3 will need to be moved to this section: Issues TW.1 and TW.2, Objectives TW.1 and TW.2, Policies TW.1 to TW.3 and Methods TW.2 to TW.4 and TW.7 to TW.10.	

Appendix H: Standard 10 (Format – assessment)

Key

	No change required
	Minor change required
	Medium change required
	Significant change required
<i>Italic text</i>	Not mandatory
Plain text	Mandatory

Table

Directions	Evaluation	Score
Order and grouping of provision types		
1 – 2	The RPS has explanations/principal reasons following each provision rather than collectively. These would need to be collated and sub-headings added to show which provisions they related to. The anticipated environmental results in the RPS are collated at the back of the document rather than attached to each chapter. These would need to be split out and the explanation of how they are used included in the introductory part of the RPS instead.	
Matters associated with rules		
3 – 5	Not relevant – no rules.	
Differentiating provisions subject to change, variation or appeal		
6	Not relevant as all provisions are operative.	
Differentiating the status of rules in proposed plans		
7	Not relevant – no rules.	
Differentiating provisions in combined plans		
8 – 9	Not relevant – not a combined plan.	
Changes to policy statement or plan text		
10	Not relevant – not an ePlan.	
Differentiating defined terms		
11 – 13	Minor formatting amendments will be needed throughout the RPS to differentiate defined terms and include hyperlinks.	
Matters associated with schedules		
14 – 15	The RPS does not contain schedules, however the title of Appendix 2 is “Schedule of Threatened, At Risk and Rare Habitat Types.” This appendix is	

	not consistent with the description of a schedule in direction 14 so “Schedule of” should be deleted to avoid any confusion.	
Identification of chapters, sections and sub-sections		
16 – 32	<p>These directions set out the naming conventions for all chapters, sections and sub-sections. Based on the structure requirement of Standard 2 and the naming conventions in Standard 10, the RPS will need to use the following identifiers for its Part 3 chapters:</p> <ul style="list-style-type: none"> • AIR (Air) • CE (Coastal environment) • LF (Land and freshwater) • ECO (Ecosystems and indigenous biodiversity) • EIT (Energy, infrastructure and transport) • HAZ (Hazards and risk) • HCV (Historical and cultural values) • NFL (Natural features and landscapes) • UFD (Urban form and development) 	
Identification of freshwater management units, catchments, areas, precincts and development areas chapters		
22 – 26	Not relevant – the RPS does not contain any of these.	
Identification of requiring authorities and designations		
27 – 30	Not relevant – these are district plan matters.	
Identification of appendices and schedules		
31 – 35	Minor amendments to the titles of the RPS appendices will be required.	
Identification of tables, diagrams or figures		
36	The RPS already uses the required convention except that the colon will need to be replaced with a hyphen between the descriptor and the title.	
Numbering of issues, objectives, policies, rules, methods, principal reasons and anticipated environmental results		
37 – 41	Every provision will need to be amended to incorporate the requiring identification convention specified in these directions.	
Numbering of subset issues, objectives, policies, rules, methods, principal reasons and anticipated environmental results		
42 – 43	Not relevant – the RPS does not contain subsets.	
Numbering of additional issues, objectives, policies, rules, methods, principal reasons and anticipated environmental results		
44	Not relevant – future requirement.	
Numbering when issues, objectives, policies, rules, methods, principal reasons and anticipated environmental results in a policy statement or plan are deleted		
45	Not relevant – future requirement.	

Appendix I: Standard 14 (Definitions – assessment)

National Planning Standards Relevant Mandatory Directions

- Where a term defined in the National Planning Standards *Definitions List* is used in a policy statement, and the term is used in the same context as the definition, local authorities must use the definition as defined in the *Definitions List*.
 - If required, terms that are a subcategory or have narrow application than the defined term may be used where consistent with the higher level definition.
 - Additional terms may be defined where they do not have the same or equivalent meaning as a term defined in the *Definitions List*.
- Where a definition in the *Definitions List* is used, consequential amendments may be required to the policy statement to ensure the application of the definition does not alter the effect or outcome of the statement.
- Where the *Definitions List* incorporates a definition from legislation, the definition applied is the version included in the legislation on the date of gazettal of this standard.
- If a term is used in more than one context, local authorities must, in their *Definitions* chapter, add the context in which the term is defined in brackets after the term name.
- Definitions must be listed numerically and then alphabetically.

Scoring

	Definition is consistent with the National Planning Standards or is not used in the RPS and no changes are necessary
	Definition is mostly consistent but only minor changes to provisions necessary
	Definition is not consistent and moderate changes to provisions are necessary
	Definition is not consistent and it is likely significant changes to provisions are necessary

Table

Term ²⁸	National Planning Standard definition	RPS definition	Analysis	Score
Abrasive blasting	means the cleaning, smoothing, roughening, cutting or removal of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel.	No definition.	Term is not used in the RPS.	
Accessory building	means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site, but does not include any minor residential unit.	No definition.	Term is not used in the RPS	
Allotment	has the same meaning as in section 218 of the RMA (as set out in the box below) <i>means-</i> <i>a. any parcel of land under the Land Transfer Act 1952 that is a continuous area and whose boundaries</i>	No definition.	“allotment” is referred to in the “subdivision of land” definition. As the planning standards definition is the same as the RMA, there should be no implications.	

²⁸ List is based on the planning standards definitions

	<p><i>are shown separately on a survey plan, whether or not-</i></p> <p><i>i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or</i></p> <p><i>ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or</i></p> <p><i>b. any parcel of land or building or part of a building that is shown or identified separately –</i></p> <p><i>i. on a survey plan; or</i></p> <p><i>ii. on a licence within the meaning of Part 7A of the Land Transfer Act 1952; or</i></p> <p><i>c. any unit on a unit plan; or</i></p> <p><i>d. any parcel of land not subject to the Land Transfer Act 1952.</i></p>			
Amenity values	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness,</i></p>	Means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness,	Definition is consistent with planning standards.	

	<i>appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.</i>	aesthetic coherence, and cultural and recreational attributes.		
Ancillary activity	means an activity that supports and is subsidiary to a primary activity.	No definition.	Term is not used in the RPS.	
Aquifer	means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water.	A saturated rock or soil material capable of transmitting and yielding water in sufficient quantities for abstraction.	The definition is inconsistent and advice from Science indicates that the planning standards definition may be more inclusive. "Aquifer" is used 12 times in the RPS and based on those uses the planning standards definition is unlikely to have any negative implications.	
Bed	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>means-</i> <i>a.in relation to any river—</i> <i>i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks:</i> <i>ii. in all other cases, the space of land which the waters of</i>	(a) In relation to any river - (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks: (ii) in all other cases, the space of land which the waters of	Definition is consistent with planning standards.	

	<p><i>the river cover at its fullest flow without overtopping its banks; and</i></p> <p><i>b. in relation to any lake, except a lake controlled by artificial means,— i. for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin:</i></p> <p><i>ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and</i></p> <p><i>c. in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</i></p> <p><i>d. in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</i></p>	<p>the river cover at its fullest flow without overtopping its banks.</p> <p>(b) In relation to any lake, except a lake controlled by artificial means,- (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which waters of the lake cover at its annual highest level without exceeding its margin:</p> <p>(ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin.</p> <p>(c) In relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum</p>		
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		permitted operating level. (d) In relation to the sea, the submarine areas covered by the internal waters and the territorial sea.		
Best Practicable Option	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</i> <i>a. the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and</i> <i>b. the financial implications, and the effects on the environment, of that option when compared with other options; and</i> <i>c. the current state of technical knowledge and the likelihood that</i>	No definition.	Policy AQ.5, Method AQ.1 and Method AQ.11 refers to “best practicable option”. As the planning standard definition is the same as the RMA, there should be no implications.	

	<i>the option can be successfully applied.</i>			
Bore	<p>means any hole drilled or constructed in the ground that is used to—</p> <ul style="list-style-type: none"> i. investigate or monitor conditions below the ground surface; or ii. abstract gaseous or liquid substances from the ground; or iii. discharge gaseous or liquid substances into the ground; <p>but it excludes test pits, trenches, soak holes and soakage pits.</p>	No definition.	<p>“bore” is referred to in section 1.2 The Southland region and its resources. There are no implications of this definition in the context the term is used.</p>	
Boundary adjustment	<p>means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.</p>	No definition.	<p>Policies NH.5, NH.6 refers to “boundary adjustments”. In these contexts the planning standards definition does not alter the meaning of the RPS. Some rewording of sentences may be necessary to improve clarity however.</p>	
Building	<p>means a temporary or permanent movable or immovable physical construction that is:</p> <ul style="list-style-type: none"> a. partially or fully roofed, and b. is fixed or located on or in land, but c. excludes any motorised vehicle or other mode of transport that could 	No definition.	<p>“building” in terms of describing a structure is used 23 times in the RPS. Based on these uses, the planning standards definition should have no implications.</p>	

	be moved under its own power.			
Building coverage	means the percentage of the net site area covered by the building footprint.	No definition.	Term is not used in the RPS.	
Building footprint	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.	No definition.	Term is not used in the RPS.	
Cleanfill area	means an area used exclusively for the disposal of cleanfill material.	Cleanfill site is defined in the RPS: Land used for the permanent disposal of cleanfill and no other type of material but excludes earthworks on the same landholding, earthworks associated with any road, driveway or track, and any area within a road reserve containing a formed road that is used for	“cleanfill site” is referred to 6 times in the RPS. These references will need to be changed to “cleanfill area”. There should be no implications of the planning standards definition. While the RPS definition lists excluded activities, none of these would be included under the planning standards definition.	

		the deposition of roading material.		
Cleanfill material	means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of: a. combustible, putrescible, degradable or leachable components; b. hazardous substances and materials; c. products and materials derived from hazardous waste treatment, stabilisation or disposal practices; d. medical and veterinary wastes, asbestos, and radioactive substances; e. contaminated soil and other contaminated materials; and f. liquid wastes.	No definition.	“cleanfill” in terms of describing the material is used 4 times in the RPS. In these contexts the planning standard definition does not change the meaning of the RPS.	
Coastal water	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>means seawater within the outer limits</i>	Means seawater within the outer limits of the territorial sea and includes— (a) seawater with a	Definition is consistent with planning standards.	

	<p><i>of the territorial sea and includes-</i></p> <p><i>a. seawater with a substantial freshwater component; and</i></p> <p><i>b. seawater in estuaries, fiords, inlets, harbours or embayments.</i></p>	substantial fresh water component; and (b) seawater in estuaries, fiords, inlets, harbours, or embayments.		
Commercial activity	means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices).	No definition.	“commercial” used 28 times. “commercial activity[ies]” is referenced in policies COAST.6, COAST.7, URB.5 and method COAST.3. Does not alter effect.	
Community corrections activity	Means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.	No definition.	Term is not used in the RPS.	
Community facility	means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It	No definition.	“community facilities” referenced in Policy TW.5. Does not alter effect.	

	includes provision for any ancillary activity that assists with the operation of the community facility.			
Contaminant	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy or heat -</i></p> <p><i>a. when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</i></p> <p><i>b. when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged</i></p>	No definition.	“contaminant” used 73 times in RPS. As the planning standards definition is the same as the RMA, there should be no implications.	
Contaminated land	has the same meaning as in section 2 of the	Land that has a hazardous	Definition is consistent with planning standards.	

	<p>RMA (as set out in the box below)</p> <p><i>means land that has a hazardous substance in or on it that –</i></p> <p><i>a. has significant adverse effects on the environment; or</i></p> <p><i>b. is reasonably likely to have significant adverse effects on the environment.</i></p>	<p>substance in or on it that</p> <p>(a) has significant adverse effects on the environment; or</p> <p>(b) is reasonably likely to have significant adverse effects on the environment.</p>		
Cultivation	<p>means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock), for the purpose of sowing, growing or harvesting of pasture or crops.</p>	No definition.	<p>“cultivation” used in section 1.2 and Method RURAL.13. Does not alter effect.</p>	
Discharge	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>includes emit, deposit and allow to escape.</i></p>	No definition.	<p>“discharge” used 166 times in RPS. As the planning standards definition is the same as the RMA, there should be no implications.</p>	
Drain	<p>means any artificial watercourse, designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation,</p>	No definition.	<p>“drain” is used 3 times in the RPS. None of these uses are in the context of identifying waterbodies.</p>	

	or water supply purposes.			
Drinking water	means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene.	No definition.	“drinking water” is used 6 times. None of these uses are impacted by the planning standards definition.	
Dry abrasive blasting	means abrasive blasting using materials to which no water has been added.	No definition.	Term is not used in the RPS.	
Dust	means all non-combusted solid particulate matter that is suspended in the air, or has settled after being airborne. Dust may be derived from materials including rock, sand, cement, fertiliser, coal, soil, paint, animal products and wood.	No definition.	“dust” is referred to 16 times in the RPS. Based on the context of these uses, the planning standards definition will not have any implications.	
Earthworks	means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening,	No definition.	“earthworks” referred to 12 times in RPS. Based on the context of these uses, the planning standards definition should not change the meaning of the RPS.	

	cultivation, and disturbance of land for the installation of fence posts.			
Educational facility	means land or buildings used for teaching or training by child care services, schools, and tertiary education services, including any ancillary activities.	No definition.	The RPS does not refer to education facility. One reference to “educational institutions” but this is describing organisations rather than the physical location. The planning standards definition therefore has no implications for the RPS.	
Effect	has the same meaning as in section 3 of the RMA (as set out in the box below) includes - a. any positive or adverse effect; and b. any temporary or permanent effect; and c. any past, present, or future effect; and d. any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect, and also includes— e. any potential effect of high probability; and f. any potential effect of low probability which has a high potential impact.	No definition.	“effect” used 672 times in the RPS. As the planning standards definition is the same as the RMA, there should be no implications.	

Environment	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>includes—</i></p> <p><i>a. ecosystems and their constituent parts, including people and communities; and</i></p> <p><i>b. all natural and physical resources; and</i></p> <p><i>c. amenity values; and</i></p> <p><i>d. the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.</i></p>	No definition.	“environment” referred to 341 times in the RPS. As the planning standards definition is the same as the RMA, there should be no implications.	
Esplanade reserve	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>means a reserve within the meaning of the Reserves Act 1977—</i></p> <p><i>a. which is either—</i></p> <p><i>i. a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial</i></p>	<p>A reserve within the meaning of the Reserves Act 1977 -</p> <p>(a) which is either -</p> <p>(i) a local purpose reserve within the meaning of Section 23 of that Act, if vested in the territorial authority under</p>	Definition is consistent with planning standards.	

	<p><i>authority under section 239; or</i></p> <p><i>ii. a reserve vested in the Crown or a regional council under section 237D; and</i></p> <p><i>b. which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229</i></p>	<p>Section 239 [of the Act]; or</p> <p>(ii) a reserve vested in the Crown or a regional council under Section 237D [of the Act]; and</p> <p>(b) which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in Section 229 [of the Act].</p>		
Esplanade strip	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.</i></p>	No definition.	“esplanade strip” is referred to in the definition of bed and method BRL.9. The planning standard definition is the same as the RMA therefore there should be no implications.	
Fertiliser	<p>means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth,</p>	No definition.	“fertiliser” referred to in section 1.2, Chapter 11 introduction and the definition of agricultural effluent. Based on the context of use in the RPS, the national planning standards definition has no implications.	

	<p>productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following:</p> <p>a. nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or</p> <p>b. manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or</p> <p>c. fertiliser additives to facilitate the uptake and use of nutrients; or</p> <p>d. non-nutrient attributes of the materials used in fertiliser.</p> <p>It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants.</p>			
Fresh water	has the same meaning as in section 2 of the RMA (as set out in the box below)	No definition.	“fresh water” referred to 10 times in RPS and “freshwater” used 85 times. As the planning standards definition is the same as the	

	<i>means all water except coastal water and geothermal water.</i>		RMA, there should be no implications.	
Functional need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.	No definition.	Policies COAST.4, INF.2 and Methods NH.1, NH.5 refer to “functional, operational and technical need”. Based on the planning standards definition, there is no change to the meaning of these provisions, but it may be necessary to refer to “functional need” to avoid any confusion.	
Green infrastructure	means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to: a. provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and b. provide services to people and communities, such as storm water or flood management or climate change adaptation.	No definition.	Term is not used in the RPS.	
Greywater	means liquid waste from domestic sources including	No definition.	Term is not used in the RPS.	

	sinks, basins, baths, showers and similar fixtures, but does not include sewage, or industrial and trade waste.			
Gross floor area	means the sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, liftwells or stairwells), i. where there are exterior walls, measured from the exterior faces of those exterior walls ii. where there are walls separating two buildings, measured from the centre lines of the walls separating the two buildings iii. where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, measured from the edge of the floor.	No definition.	Term is not used in the RPS.	
Ground level (for the purposes of district plans and the district plan component of combined plans)	means— a. the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the	No definition.	Definition only relates to district plans. No implications.	

	<p>record of title is created)</p> <p>b. if the ground level cannot be identified under paragraph (a), the existing surface level of the ground</p> <p>c. if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary.</p>			
Groundwater	means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground.	Subsurface water that occurs beneath the water table in soils and geologic formations that are fully saturated.	The definition is inconsistent with the RPS. Advice from Science is that the planning standards definition is more inclusive. "Groundwater" is referred to 55 times in the RPS. The more inclusive definition does not cause any significant changes in meaning.	
Habitable room	means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.	No definition.	Term is not used in the RPS.	
Hazardous substance	has the same meaning as in section 2 of the	Includes, but is not limited to, any substance	Definition is consistent with planning standards but requires amendment to	

	<p>RMA (as set out in the box below)</p> <p>includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance—</p> <p>a. with 1 or more of the following intrinsic properties:</p> <p>i. explosiveness:</p> <p>ii. flammability:</p> <p>iii. a capacity to oxidise:</p> <p>iv. corrosiveness:</p> <p>v. toxicity (including chronic toxicity):</p> <p>vi. ecotoxicity, with or without bioaccumulation; or</p> <p>b. which on contact with air or water (other than air or water where the temperature or pressure has been artificially increased</p>	<p>defined in Section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance.</p>	<p>include the definition of the Hazardous Substances and New Organisms Act 1996.</p>	
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	or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).			
Height	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.	No definition.	“height” used 4 times in the RPS. Based on the context of these references, the planning standards definition should have no implications.	
Height in relation to boundary	Means the height of a structure, building or feature, relative to its distance from either the boundary of a: a. site, or b. other specified reference point	No definition.	Term is not used in the RPS.	
Historic heritage	has the same meaning as in section 2 of the RMA (as set out in the box below) a. means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities: i. archaeological: ii. architectural: iii. cultural: iv. historic:	(a) means those natural and physical resources that contribute to an understanding and appreciation of New Zealand’s history and cultures, deriving from any of the following qualities: (i) archaeological; (ii) architectural; (iii) cultural;	Definition is consistent with planning standards.	

	<p>v. scientific;</p> <p>vi. technological; and</p> <p>b. includes—</p> <p>vii. historic sites, structures, places, and areas; and</p> <p>viii. archaeological sites; and</p> <p>ix. sites of significance to Māori, including wāhi tapu; and</p> <p>x. surroundings associated with the natural and physical resources</p>	<p>(iv) historic;</p> <p>(v) scientific;</p> <p>(vi) technological; and</p> <p>(b) includes—</p> <p>(i) historic sites, structures, places, and areas; and</p> <p>(ii) archaeological sites; and</p> <p>(iii) sites of significance to Māori, including wāhi tapu; and</p> <p>(iv) surroundings associated with the natural and physical resources.</p>		
Home business	<p>means a commercial activity that is:</p> <p>a. undertaken or operated by at least one resident of the site; and</p> <p>b. is incidental to the use of the site for a residential activity.</p>	No definition.	Term is not used in the RPS.	
Industrial activity	<p>means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes</p>	No definition.	<p>“industrial” referred to 31 times. This includes “industrial operation”, “industrial sites”. Some amendments may be necessary to replace these terms with “industrial activity”.</p>	

	any ancillary activity to the industrial activity.			
Industrial and trade waste	means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a commercial, industrial or trade process, but excludes sewage and greywater.	No definition.	Policy WQUAL.9 refers to “industrial and trade waste.” The planning standards definition does not change the intent of the policy.	
Intensive indoor primary production	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry	No definition.	Term is not used in the RPS.	
L _{A90}	has the same meaning as the ‘Background sound level’ in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound	No definition.	Term is not used in the RPS.	
L _{Aeq}	has the same meaning as ‘time-average A-weighted sound pressure level’ in New Zealand Standard 6801:2008 Acoustics - Measurement of Environmental Sound.	No definition.	Term is not used in the RPS.	
L _{AF(max)}	has the same meaning as the ‘maximum A-frequency weighted,	No definition.	Term is not used in the RPS.	

	F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement Of Environmental Sound.			
Lake	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>means a body of fresh water which is entirely or nearly surrounded by land.</i></p>	No definition.	“lake” used 204 times in the RPS. As the planning standards definition is the same as the RMA, there should be no implications.	
Land	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p>a. includes land covered by water and the airspace above land; and</p> <p>b. in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and</p> <p>c. in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the</p>	No definition.	“land” used 700 times in the RPS. As the planning standards definition is the same as the RMA, there should be do implications.	

	surface of water in a lake or river.			
Land disturbance	means alteration or disturbance of land, (or any matter constituting the land including, soil, clay, sand and rock), that does not permanently alter the profile, contour or height of the land.	No definition.	“land disturbance” referred to in Policy RURAL.3. In this context there are no implications of this new definition.	
Landfill	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas.	Means a site that is used for the permanent disposal of waste but excludes a cleanfill site, earthworks associated with any road, driveway or track, and any area within a road reserve containing a formed road that is used for the deposition of roading material.	Inconsistent with the planning standards definition. The RPS definition does not explicitly include areas previously used for the disposal of solid waste. “landfill” used 33 times but the new definition is unlikely to alter the application of the provisions.	
L _{dn}	has the same meaning as the ‘Day night level, or day-night average sound level’ in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.	No definition.	Term is not used in the RPS.	
L _{peak}	has the same meaning as ‘Peak sound	No definition.	Term is not used in the RPS.	

	pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.			
Minor residential unit	means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.	No definition.	Term is not used in the RPS.	
Natural and physical resources	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</i>	No definition.	“natural and physical resources” referred to 34 times in the RPS. As the planning standards definition is the same as the RMA, there should be no implications.	
Natural hazard	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, landslip, subsidence,</i>	Means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation,	Definition is consistent with planning standards.	

	<p><i>sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.</i></p>	<p>wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.</p>		
Net floor area	<p>a. means the sum of any gross floor area; and</p> <p>b. includes—</p> <p>i. both freehold and leased areas; and</p> <p>ii. any stock storage or preparation areas; but</p> <p>c. excludes—</p> <p>i. void areas such as liftwells and stair wells, including landing areas;</p> <p>ii. shared corridors and mall common spaces;</p> <p>iii. entrances, lobbies and plant areas within a building;</p> <p>iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces;</p> <p>v. off street loading areas;</p> <p>vi. building service rooms;</p> <p>vii. parking areas and basement areas used</p>	No definition.	Term is not used in the RPS.	

	<p>for parking, manoeuvring and access; and</p> <p>viii. non-habitable floor spaces in rooftop structures.</p>			
Net site area	<p>means the total area of the site, but excludes:</p> <p>a. any part of the site that provides legal access to another site;</p> <p>b. any part of a rear site that provides legal access to that site;</p> <p>c. any part of the site used for access to the site;</p> <p>d. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</p>	No definition.	Term is not used in the RPS.	
Network utility operator	<p>has the same meaning as in s166 of the RMA (as set out in the box below)</p> <p>means a person who—</p> <p>a. undertakes or proposes to undertake the distribution or transmission by pipeline of</p> <p>b. operates or proposes to operate a network for the purpose of—</p>	No definition.	“network utility operator” referred to in definition of “infrastructure”. There are no implications of the national planning standards definition.	

	<p>i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or</p> <p>ii. radio communication as defined in section 2(1) of the Radio Communications Act 1989; or</p> <p>c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or</p> <p>e. undertakes or proposes to undertake a drainage or sewerage system; or</p> <p>f. constructs, operates, or proposes to construct or operate, a road or railway line; or g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or</p>			
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	<p>h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or</p> <p>i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,—</p> <p>and the words network utility operation have a corresponding meaning.</p>			
Noise	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>includes vibration.</i></p>	No definition.	“noise” referred to 5 times in RPS. As the planning standards definition is the same as the RMA, there should be no implications.	
Noise rating level	means a derived noise level used for comparison with a noise limit.	No definition.	Term is not used in the RPS.	
Notional boundary	means a line 20 metres from any side of a residential unit or other building used for a noise sensitive activity, or the legal boundary where this is closer to such a building.	No definition.	Term is not used in the RPS.	
Official sign	means all signs required or provided	No definition.	Term is not used in the RPS.	

	for under any statute or regulation, or are otherwise related to aspects of public safety.			
Operational need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.	No definition.	Policies COAST.4, INF.2 and Methods NH.1, NH.5 refer to “functional, operational and technical need”. Based on the planning standards definition, there is no change to the meaning of these provisions, but it may be necessary to refer to “operational need” to avoid any confusion.	
Outdoor living space	means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.	No definition.	Term is not used in the RPS.	
Peak particle velocity	means, to the extent used for the assessment of the risk of structural damage to a fixed structure, the instantaneous maximum velocity reached by a vibrating surface as it oscillates about its normal position.	No definition.	Term is not used in the RPS.	
Primary production	means: a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and b. includes initial processing, as an ancillary activity, of	No definition.	“primary production” referred to in the introduction to Part B: Water Quantity and Policy RURAL.2. In these contexts, there are no implications of the new definition to the meaning of the RPS.	

	<p>commodities that result from the listed activities in a);</p> <p>c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but</p> <p>d. excludes further processing of those commodities into a different product.</p>			
Quarry	<p>means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities.</p>	No definition.	<p>“quarry” is referred to in Appendix 1. There are no implications of this definition.</p>	
Quarrying activities	<p>means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of</p>	No definition.	<p>“quarrying” referred to in the introduction to Part A: Water quality. There are no implications to the meaning of the RPS.</p>	

	land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.			
Raft	<p>has the same meaning as in section 2 of the RMA (as set out in the box below</p> <p><i>means that any moored flooring platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation; but does not include booms situated on lakes subject to artificial control which have been installed to ensure the safe operation of electricity generating facilities.</i></p>	No definition.	Term is not used in the RPS.	
Reclamation	means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the	No definition.	“reclamation” referred to in Policy COAST.1. The definition does not change the intent of the RPS.	

	<p>coastal marine area, and</p> <p>a. includes the construction of any causeway, but</p> <p>b. excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land.</p>			
Residential activity	means the use of land and building(s) for people's living accommodation.	No definition.	"residential activities" referred to in Method RURAL.6, RURAL.15 and definition of "urban area". There are no changes to the intent of the RPS based on the planning standards definition.	
Residential unit	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.	No definition.	Term is not used in the RPS.	
Retirement village	means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may	No definition.	Term is not used in the RPS.	

	also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.			
River	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).</i></p>	No definition.	“River” used 268 times in RPS. As the definition in the planning standards is the same as the RMA, there should be no implications.	
Road	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roading</i></p>	No definition.	“road” referred to 21 times in the RPS. As the definition is the same as the RMA, there should be no implications.	

	<p><i>Powers Act 1989 Section 315 of the Local Government Act 1974 road definition: road means the whole of any land which is within a district, and which—</i></p> <p><i>a. immediately before the commencement of this Part was a road or street or public highway; or b. immediately before the inclusion of any area in the district was a public highway within that area; or</i></p> <p><i>c. is laid out by the council as a road or street after the commencement of this Part; or</i></p> <p><i>d. is vested in the council for the purpose of a road as shown on a deposited survey plan; or</i></p> <p><i>e. is vested in the council as a road or street pursuant to any other enactment;—</i></p> <p><i>f. and includes—</i></p> <p><i>g. except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or</i></p>			
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	<p><i>constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:</i></p> <p><i>h. every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;— but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roding Powers Act 1989</i></p> <p><i>Section 2(1) of the Government Roding Powers Act 1989 motorway definition motorway—</i></p> <p><i>a. means a motorway declared as such by the Governor-</i></p>			
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	<p><i>General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and</i></p> <p><i>b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but</i></p> <p><i>c. does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level.</i></p>			
Rural industry	means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.	No definition.	“rural industries” referred to in Policy RURAL.2. There are no changes to the meaning of the RPS based on the planning standards definition.	
Sewage	means human excrement and urine.	No definition.	“sewage” referred to 6 times. Based on the planning standards definition of sewage and wastewater, there may be a need to change the wording of some provisions (Policy URB.2, Method URB.2, Policy COAST.5).	
Sign	means any device, character, graphic or electronic display,	No definition.	“sign” referred to in the definition of “rāhui”. There no implications to the	

	<p>whether temporary or permanent; which</p> <p>a. is for the purposes of—</p> <p>i. identification of or provision of information about any activity, property or structure or an aspect of public safety;</p> <p>ii. providing directions; or</p> <p>iii. promoting goods, services or events; and</p> <p>b. is projected onto, or fixed or attached to, any, structure or natural object; and</p> <p>c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice.</p>		<p>meaning of the RPS based on the planning standards definition.</p>	
<p>Site (for district plans and the district plan component of combined plans).</p>	<p>Means:</p> <p>a. an area of land comprised in a single record of title as per Land Transfer Act 2017; or</p> <p>b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or</p>	<p>No definition.</p>	<p>Not relevant as only applies to district plans.</p>	

	<p>c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title as per Land Transfer Act 2017 could be issued without further consent of the Council; or</p> <p>d. except that in relation to each of sub clauses (a) to (c), in the case of land subdivided under the Unit Title Act 1972 or 2010 or a cross lease system, a site is the whole of the land subject to the unit development or cross lease.</p>			
Special audible characteristic	has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.	No definition.	Term is not used in the RPS.	
Stormwater	means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any	No definition.	"stormwater" referred to 17 times in RPS. Based on the context of these uses, the planning standards definition should have no implications.	

	contaminants contained within.			
Structure	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.</i></p>	No definition.	“structure” referred to 19 times in RPS. As the planning standards definition is the same as the RMA, there should be no implications.	
Subdivision	<p>has the same meaning as “subdivision of land” in section 218 of the RMA (as set out in the box below)</p> <p><i>means—</i></p> <p><i>a. the division of an allotment—</i></p> <p><i>i. by an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of the allotment; or</i></p> <p><i>ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</i></p> <p><i>iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or</i></p> <p><i>iv. by the grant of a company lease or</i></p>	<p>RPS defines “subdivision of land”</p> <p>(a) The division of an allotment—</p> <p>(i) by an application to [the Registrar-General of Land] for the issue of a separate certificate of title for any part of the allotment; or</p> <p>(ii) by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</p> <p>(iii) by a lease of part of the allotment which, including renewals, is or</p>	Definition is consistent with planning standards.	

	<p><i>cross lease in respect of any part of the allotment; or</i></p> <p><i>v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or</i></p> <p><i>b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.</i></p>	<p>could be for a term of more than 35 years; or</p> <p>(iv) by the grant of a company lease or cross lease in respect of any part of the allotment; or</p> <p>(v) by [the deposit of a unit plan, or] an application to [the Registrar-General of Land] for the issue of a separate certificate of title for any part of a unit on a unit plan; or</p> <p>(b) An application to [the Registrar-General of Land] for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by Section 226 of the Resource Management Act 1991.</p>		
Sustainable management	has the same meaning as in section 5 of the	No definition.	“sustainable management” referred to 33 times in the RPS. As the planning	

	<p>RMA (as set out in the box below)</p> <p><i>means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while—</i></p> <p><i>a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and</i></p> <p><i>b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and</i></p> <p><i>c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.</i></p>		<p>standards definition is the same as the RMA, there should be no implications.</p>	
<p>Temporary military training activity</p>	<p>Means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any</p>	<p>No definition.</p>	<p>Term is not used in the RPS.</p>	

	<p>defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are:</p> <ul style="list-style-type: none">a. the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act:b. the protection of the interests of New Zealand, whether in New Zealand or elsewhere:c. the contribution of forces under collective security treaties, agreements, or arrangements:d. the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations:e. the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency:f. the provision of any public service.			
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Territorial authority	<p>has the same meaning as in section 5 of the Local Government Act 2002 (as set out in the box below)</p> <p><i>means a city council or a district council named in Part 2 of Schedule 2.</i></p>	Means a city council or a district council named in Part 2 of Schedule 2 of the Local Government Act 2002.	Definition is consistent with planning standards.	
Visitor accommodation	means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.	No definition.	Term is not used in the RPS.	
Wastewater	means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste.	No definition.	“wastewater” referred to 23 times. Some changes may be necessary if there is a need to differentiate between “wastewater” and “on-site wastewater”. Wastewater is currently defined for the purposes of the RPS “on-site wastewater system”.	
Water	<p>has the same meaning as in section 2 of the RMA (as set out in the box below)</p> <p><i>a. means water in all its physical forms whether flowing or not and whether over or under the ground:</i></p> <p><i>b. includes fresh water, coastal water, and geothermal water:</i></p>	No definition.	“water” referred to 693 times in the RPS. As the planning standards definition is the same as the RMA, there should be no implications.	

	<i>c. does not include water in any form while in any pipe, tank, or cistern.</i>			
Waterbody	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>means fresh water or geothermal water in a river, lake, stream, pond, wetland or aquifer, or any part thereof, that is not located within the coastal marine area.</i>	Fresh or geothermal water in a river, lake, stream, pond, wetland or aquifer, or any part thereof, that is not located within the coastal marine area.	Definition is consistent with planning standards.	
Wet abrasive blasting	means abrasive blasting using material to which water has been added.	No definition.	Term is not used in the RPS.	
Wetland	has the same meaning as in section 2 of the RMA (as set out in the box below) <i>includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</i>	Includes permanently or intermittently wet areas, shallow water and land/water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.	Definition is consistent with planning standards.	