Court File Reference: ENV-2018-CHC-38

BEFORE THE ENVIRONMENT COURT

I MUA I TE KOOTI TAIAO O AOTEAROA

UNDER	The Resource Management Act 1991 (RMA)
IN THE MATTER	Appeals under clause 14(1) of the First Schedule of the Act in relation to the Proposed Southland Water and Land Plan
BETWEEN	**MERIDIAN ENERGY LIMITED** **Appellants**
AND	**SOUTHLAND REGIONAL COUNCIL** **Respondent**

STATEMENT OF EVIDENCE OF MARGARET JANE WHYTE

FOR

MERIDIAN ENERGY LIMITED

15 February 2019

Judicial Officers: Judge Borthwick and Judge Hassan

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(ENV-2018-CHC-34 AND 35)

DIRECTOR-GENERAL OF CONSERVATION
(ENV-2018-CHC-36)

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SOUTHWOOD EXPORT LTD, SOUTHLAND PLANTATION FOREST COMPANY OF NZ
(ENV-2018-CHC-46)

TE RUNANGA O NGAI TAHU, HOKONUI RUNAKA, WAIHOPAI RUNAKA, TE RUNANGA O AWARUA AND TE RUNANGA O ORAKA APARIMA
(ENV-2018-CHC-47)

PETER CHARTRES
(ENV-2018-CHC-48)

RAYONIER NEW ZEALAND LTD
(ENV-2018-CHC-49)

ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NZ INC
(ENV-2018-CHC-50)

Appellants

AND **SOUTHLAND REGIONAL COUNCIL**

Respondent

INTRODUCTION

Qualifications and Experience

1 My name is Margaret Jane Whyte. I hold the degrees of Bachelor of Arts and Master of Regional and Resource Planning from Otago University. I am a full member of the New Zealand Planning Institute. I am a Director of ResponsePlanning Consultants Limited. I have over twenty-six years planning and resource management experience.

2 I have undertaken planning work on behalf of Meridian Energy Limited (Meridian Energy) within the Southland Region. I have regularly visited Southland and am familiar with the Region.

3 I was involved in preparing the original submissions and further submissions on the Proposed Southland Water and Land Plan (PSWLP). I presented evidence at the Southland Regional Council hearing on the Proposed Southland Water and Land Plan.

4 I have read the Initial Planning Statement prepared by the Southland Regional Council (Council) and the evidence of the Council that is relevant to my evaluation.

Code of Conduct

5 I confirm that I have read the code of conduct for expert witnesses as contained in the Environment Court's Practice Note 2014. I have complied with the practice note when preparing my written statement of evidence and will do so when I give oral evidence before the Environment Court.

6 The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the opinions expressed are also set out in the evidence to follow.

7 Unless I state otherwise, this evidence is within my knowledge and sphere of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

8 I provide the following declaration of conflict of interest. My husband is an employee of Meridian Energy. This relationship has not had any influence on my evidence and my opinion as an independent expert.

SCOPE OF EVIDENCE

9 The matters addressed in my evidence are:

(a) The specific wording of Objective 10 which recognises the existing Manapouri Power Scheme (MPS) in particular:

- recognition of the national significance of the MPS
- recognition of opportunities for enhancement of the MPS.
- recognition of the MPS as part of the existing environment and

(b) The recognition of the national significance of renewable electricity generation (other than the MPS) in Objective 2 or Objective 9A.

10 The main body of my evidence contains my overall evaluation and conclusions. I have four Appendices which contain the detailed evaluations I have undertaken with respect to the relevant statutory documents. These detailed evaluations inform and support the evaluation outlined in the main body of my evidence.

11 Having considered the above matters in my evidence, my key conclusions are:

(a) The MPS is a nationally significant renewable electricity generation scheme.

(b) It is appropriate to provide for the MPS in Objective 10 of the Proposed Southland Water and Land Plan

(c) Objective 10 should be amended to enable appropriate enhancement opportunities associated with the MPS.

(d) Objective 9B addressing infrastructure should be retained in the Proposed Southland Water and Land Plan, and provided this is done a new objective directed to renewable energy (i.e. Meridian Energy's Objective X) need not be included.

12 In Appendix 1 I detail the specific changes to the provisions I have identified in my evidence. In Appendix 2 I have undertaken an evaluation with respect to Section 32 of the Resource Management Act in relation to the changes to Objectives 10. Appendix 3 identifies the key provisions from the SRPS relevant to my evidence. In Appendix 4 I have addressed the higher order documents being the NPSFM 2017 and the NPSREG.

13 In preparing my evidence I have considered the following documents:

(a) The notified Proposed Southland Water and Land Plan (PSWLP)

(b) The Proposed Southland Water and Land Plan as changed by decisions of Commissioners (PSWLP Decision Version) and the Commissioners' report and recommendation that accompanied the Decision Version

(c) The evidence of Mr McCallum-Clark for the Council

(d) The evidence of Meridian Energy's witnesses – Mr Waipara, Dr Purdie and Mr Feierabend

(e) The National Policy Statement for Renewable Electricity Generation (NPSREG)

(f) The National Policy Statement for Freshwater Management 2014, incorporating the changes made in 2017 (NPSFM 2014 and NPSFM 2017)

(g) Southland Regional Policy Statement (SRPS).

CONSIDERATION OF HIGHER ORDER DOCUMENTS

14 When considering the Objectives of the PSWLP addressed in my evidence I have considered the relevant provisions within the SRPS, particularly those relating to energy, water and infrastructure.

15 At the time the SRPS provisions became operative the decision makers considered that the provisions of the SRPS did give effect to both the NPSREG and the NPSFM 2014 (as this was the operative NPSFM document at the time the SRPS became operative). Given the hierarchy of statutory documents I understand that the starting assumption is that if the provisions of the PSWLP give effect to the SRPS they can be considered to also give effect to the NPSREG and NPSFM (2014), meaning undertaking an evaluation directly against these documents may be unnecessary. However, out of an abundance of caution and to satisfy myself that this starting assumption is correct I have undertaken an evaluation of the Regional Policy Statement as it relates to the NPSFM 2017 and the NPSREG. This evaluation is set out in Appendix 4 of my evidence.

16 I have considered whether any changed provisions of the NPSFM between the 2014 and 2017 documents would result in the relevant provisions of the SRPS I have addressed in my evidence being considered inappropriate or not giving effect to the NPSFM 2017 or the NPSREG. I have not identified any provisions in the NPSFM 2017 that are not given effect to by the existing provisions of the SRPS.

17 With respect to the provisions of the PSWLP I have addressed in this evidence I consider the provisions I am supporting do give effect to the Regional Policy Statement, the NPSFM and the NPSREG.

OBJECTIVE 10

18 Objective 10 is the key objective addressing the significant hydroelectricity generation activities associated with the MPS. As notified in the PSWLP Objective 10 read:

> *The national importance of the existing Manapōuri Power Scheme in the Waiau catchment is provided for, and recognised in any resulting flow and level regime.*

19 Meridian Energy's written submission on the PSWLP supported Objective 10's recognition and provision for the existing MPS. The submission on Objective 10 sought further changes addressing two additional matters. The first was that enhancement opportunities be recognised where the effects can be appropriately managed. The second was seeking recognition that the existing MPS, including its associated activities such as water takes, use, damming, diverting and discharges were considered part of the existing environment. The submission included the wording amendments being sought by Meridian Energy. At the Environment Southland hearing a further refinement of the wording changes sought to Objective 10 was provided within my evidence.

20 The recommendation of the Commissioners was to amend Objective 10 to partly address the submission of Meridian Energy, and the Council adopted this recommendation in its decision. Objective 10 in the PSWLP decision version is:

> *Objective 10*
>
> *The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme*

in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, and their structures are considered as part of the existing environment.

21 The PSWLP decision version Objective 10 recognises that the structures associated with the MPS are considered as part of the existing environment. The decision did not recognise or provide for enhancement opportunities. The reasons given by the Commissioners were:

(a) In relation to enhancement the recommendations and reasons set out in the section 42A Reports were adopted (submission 562.1 page 35 Report and Recommendations of the Panel – Appendix A (Decisions on Submissions)). The recommendation and reasons in the Section 42A report for a new clause for enhancement is "It is my view that Objective 10 sufficiently provides for the power scheme such that the requirements under the NPSREG have been met. I do not consider that the amendment sought by Meridian Energy to introduce a new clause (3) is necessary". (Paragraph 5.127, Page 104 Section 42A Report[1])

(b) In relation to the existing environment "We agree that the MPS structures form part of the existing environment and we recommend an amendment to Objective 10 to recognise that fact. We consider that gives better effect to the NPSREG and the Southland RPS. In making that recommendation we record that we do not find it appropriate to refer to the MPS takes and discharges in Objective 10 as forming a part of the existing environment, noting that those activities will be revisited when replacement consents for the MPS are determined in 2031". (Paragraph 143 of Report and Recommendations of the Panel).

22 The appeal of Meridian Energy to Objective 10 of the PSWLP decision version seeks the objective is reworded to:

Objective 10

The national importance of the existing ~~hydro-electric generation schemes, including the~~ Manapōuri hydro-electric generation scheme in the Waiau catchment~~,~~ is provided for, ~~recognised in any resulting~~

[1] Hearing Report: Proposed Southland Water and Land Plan Prepared under Section 42A of the Resource Management Act 1991 – April 2017)

~~*flow and level regime, and their structures are considered as part of the existing environment*~~ *and*.

1. is recognised in any resulting flow and level regime, and

2. the Scheme and its components and activities is considered as part of the existing environment, including that water takes, use, diversions and discharges are an integral part of the scheme; and

3. allows for enhancement of the scheme where the effects of these can be appropriately managed.

23 Mr Waipara[2] has addressed the importance of the MPS in meeting the electricity needs of Southland and how it is a large and critical component of the New Zealand electricity system and national transmission network. Mr Feierabend[3] has described that the MPS is the largest single hydro generation facility with an annual mean contribution of approximately 11% of the total electricity output in New Zealand.

24 Mr Feierabend has described how the MPS has a significant influence within the Waiau Catchment. He has identified that the MPS takes and diverts water from the Waiau Catchment and discharges this through the power station at West Arm into Deep Cove in Doubtful Sound. Mr Feierabend in his evidence has described the elements of the scheme. I have summarised these as being:

(a) Physical elements[4] including the power station itself, the tail race discharge tunnels, a lake control structure at the outlet from Lake Te Anau and a control structure at the downstream end of the Waiau Arm of Lake Manapouri.

(b) The authorisations for and regulatory requirements of the scheme[5] including the Manapouri and Te Anau Development Act 1963 (MTADA) and the Lake Operating Guidelines for levels of Lakes Manapouri and Te Anau (Guidelines);

[2] Evidence of Mr Waipara Paragraphs 41 and 46
[3] Evidence of Mr Feierabend Paragraph 13
[4] Evidence of Mr Feierabend Paragraph 23
[5] Evidence of Mr Feierabend Paragraphs 29–43

(c) The takes, diversion, discharge and use of water[6] that allow the MPS to operate for its intended purpose;

(d) the management of effects through a combination of conditions of consent and mitigation responses[7].

25 The evidence of Mr Waipara has described that the retention of the solid hydroelectricity baseload and flexibility in the operation of NZ's major existing hydro catchments, including the MPS, is an essential part of the stability of the New Zealand electricity system in the future[8]. He has described how the MPS is a large and critical component of the New Zealand electricity system and national transmission network. He has also described the important functions the MPS fulfils in providing integrity and redundancy within the current electricity system[9].

26 Given this context and the express recognition of the MPS in the SRPS I consider it is important to have a specific objective within the PSWLP addressing the MPS. The MPS's significance to NZ and importance to Southland in combination with its influence on the catchment makes it unique within Southland and appropriate to address through specific provisions in the PSWLP.

27 The two specific wording matters I address relating to Objective 10 are:

(a) Whether and how the opportunity for enhancement is recognised within the objective and

(b) the type and extent of recognition of the MPS in relation to the existing environment.

28 The evidence of Mr McCullum-Clark[10] for the Southland Regional Council does not support further changes to Objective 10 from that recommended by the Commissioners and decided by the Council.

[6] Evidence of Mr Feierabend Paragraphs 44–51
[7] Evidence of Mr Feierabend Paragraphs 49 and 50
[8] Evidence of Mr Waipara Paragraph 60
[9] Evidence of Mr Waipara Paragraph 46
[10] Evidence of Matthew McCullum-Clark Paragraphs 117–131

Enhancement

29 The first matter I address relative to Objective 10 is enhancement. Within the Waiau Catchment available surface water is identified as being fully allocated[11].

30 If any enhancement project requires a resource consent for any take, damming, diversion or use of additional water from the Waiau Catchment under Rule 52(b)[12] this would be assessed as a non-complying activity. I consider that given the PSWLP provisions any consent were it to involve taking additional water would be challenging to achieve, due to the activity status of non-complying considered in combination with the objectives and policies addressing overallocation of water. This does limit the type of scheme enhancement that could occur, however, it does not preclude enhancement occurring.

31 Mr Feierabend has described Meridian's approach in reviewing its operating consents and/or conditions to ensure they provide the best outcome in terms of generation taking into account environmental effects. He has also identified the need for Meridian to be able to respond to changes in circumstances, such as changing hydrological conditions, in the future[13].

32 Given this enhancement of the MPS may involve the opportunity to make better or more efficient use of the water currently available to Meridian Energy under its resource consents for generation purposes. Such enhancement may necessitate new resource consents, or could potentially be addressed through a change or cancellation to one or more conditions of its existing resource consents under Section 127 of the Resource Management Act.

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[11] PSWLP Decision Version (Page 16 Paragraph two) states: "*The Waiau catchment is fully allocated as a result of the Manapōuri hydro-electric generation scheme, which uses water in the Fiordland and Waiau catchments for the generation of renewable energy. The resulting flow regime is highly modified, particularly below the Manapōuri Lake Control Structure (Mararoa weir), whilst supporting a range of biological, recreational, landscape, amenity and other community values*"

[12] There are appeals on Rules 52 and 52A relating to the specified activity status for activities within these rules, which will be addressed at a future hearing

[13] Evidence of Mr Feierabend Paragraphs 67 and 68 and evidence of Dr Purdie Paragraphs 27 to 29

33 The relevant objective and policy framework in the PWLRP will be an important consideration to any new resource consent application or a Section 127 application.

34 I consider that recognising enhancement opportunities is supported within the provisions of the SRPS. Recognising enhancement potential within Objective 10 does give effect to Objective ENG.3, ENG.4 and Policy ENG.2 of the SRPS which are:

> ***Objective ENG.3 – Generation and use of renewable energy***
> *Generation and use of renewable energy resources is increased.*
>
> ***Objective ENG.4 – National significance***
> *Recognise and make provision for the national significance of renewable electricity generation activities.*
>
> ***Policy ENG.2 – Benefits of renewable energy***
> *Recognise and make provision for the development of renewable energy activities, and their benefits, which include:*
>
> - *maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;*
> - *maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;*
> - *using renewable natural resources rather than finite resources;*
> - *the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;*
> - *avoiding reliance on imported fuels for the purposes of generating electricity;*
>
> *while appropriately addressing adverse effects.*

35 In addition to the above Objectives, Policy WQUAN.3 – Regional Plans within the SRPS, specifically addresses enhancement relating to the MPS in clause (h). This policy is:

> *Recognise the finite nature of water resources and catchments and identify management regimes in accordance with the National Policy Statement for Freshwater Management 2014 that:*
>
> *(a) provide for the freshwater objectives for surface water and groundwater that derive from flows and levels of water;*

(b) in managing the effects of activities on flows and levels of water in surface and groundwater:

(i) avoid, as far as practicable, significant adverse effects (including cumulative effects);

(ii) remedy or mitigate significant adverse effects only where avoidance is not practicable;

(iii) avoid, remedy or mitigate other adverse effects;

(c) within allocation limits, provide for the current and reasonably foreseeable future needs, and the social, economic and cultural wellbeing, of people and communities;

(d) recognise the potential effects of climate change on flows and levels of water and on water availability;

(e) consider the effects of new uses of water on established activities;

(f) are capable of adapting to manage the effects of changing demand on flows and levels of surface water and groundwater;

(g) recognise the outstanding characteristics identified in water conservation orders applying to rivers within the region;

(h) recognise the need for availability of water to enable the Monowai and nationally significant Manapōuri hydro-electricity power generation activities in the Waiau catchment to continue, and be enhanced where over-allocation will not occur;

(i) recognise the inter-related nature of all water bodies in a catchment and the need to maintain flows to sensitive habitats within the catchment.

36 Clause (h) of this policy explicitly requires that the opportunity for the enhancement of the MPS generation activities on the basis that over-allocation not occur be recognised.

37 Given the direction in Policy WQUAN.3 and the consistency with the objectives and policies of the SRPS identified above I consider it is appropriate to provide for enhancement opportunities within the provisions of the PSWLP. Objective 10 is the provision where enhancement related

to the MPS should be recognised. Objective 10 as worded in the PSWLP decision version does not address enhancement, and by not doing so does not fully give effect to the provisions of the SRPS.

38 Inserting new wording addressing enhancement in the objective will provide a direct and clear link between Objective 10 and Policy 26[14] which is to recognise and provide for the national and regional significance of renewable generation. It is recognised that the wording of Policy 26 in the PSWLP decision version is not limited to only recognising existing activities associated with the MPS. Providing for enhancement within Objective 10 removes any ambiguity in the linkages between Objective 10 and Policy 26.

39 Objective 10 should in my opinion be amended by inserting new wording into the objective addressing enhancement. My preferred wording would be:

> *and allows for enhancement of the scheme where the effects can be appropriately managed.*

40 I do not consider it necessary to explicitly address over-allocation within Objective 10. This is because over-allocation is addressed in Objective 7 within the PSWLP decision version. While the specific wording of Objective 7 is under appeal in my opinion the direction given in the NPSFM, (particularly Objective B2, Policy B5 and B6) and in Policy WQUAN.2 of the SRPS means it is unlikely that there will not be an explicit objective within the PSWLP addressing over-allocation.

41 Both Objective 10 and Objective 7 and the subsequent policies and rules that implement these objectives will provide opportunities for enhancement of the MPS where over-allocation does not result. I consider these provisions are sufficient to address overallocation. However, if considered necessary, wording could be added to Objective 10 to make it clear that overallocation should not result from any enhancement. Wording to achieve this is:

> *and allows for enhancement of the scheme where the effects can be appropriately managed and overallocation does not result.*

[14] It is recognised that Policy 26 of the PSWLP decision version is under appeal and will be addressed in a future hearing

Existing Environment

42 As described in paragraph 19 above, the original submission lodged on the PSWLP and the appeal of Meridian Energy against the PSWLP decision version sought recognition that the MPS, including its associated activities such as water takes, use damming, diverting and discharges, be considered part of the existing environment.

43 As described by Mr Feierabend the MPS relies on water being diverted from the Waiau Catchment[15].This means that for the scheme to exist and operate as a generation scheme it involves the take, use, damming, diverting and discharge of water.

44 Objective 10 in the notified version of the PSWLP did acknowledge the national importance of the existing hydroelectric generation schemes, including the MPS in the Waiau Catchment. It also identified that the national importance of existing schemes is provided for and recognised in any resulting flow and level regime. In the decision version a new clause was added stating that the structures are to be considered as part of the existing environment.

45 The intent of the submission of Meridian Energy to the PSWLP seeking recognition of the existing environment was to establish that the starting point for any evaluation of the scheme and its effects (including for the purpose of reconsenting the scheme on expiry of the existing consents in 2031) was not against a pre-scheme environment.

46 The circumstances of the MPS mean that any evaluation of the environment without the MPS is not a realistic or appropriate evaluation point within the PSWLP. The reasons for this are set out in paragraphs 47 to 53 below.

47 The MPS is of national significance. Mr Feierabend has identified that it is the largest single hydro generation facility in the country[16]. Furthermore as described by Mr Waipara the MPS is important from the perspective of providing essential ancillary services to maintaining the current electricity system[17].

48 The physical scale of works associated with the MPS and the length of time they have existed mean they are unlikely to be removed. As described

[15] Evidence Mr Feierabend Paragraphs 21 and 22
[16] Evidence Mr Feierabend Paragraph 13
[17] Evidence of Mr Waipara Paragraph 46

by Mr Feierabend work began on the construction of the MPS in 1963[18] and electricity has been generated from 1969.

49 As described by Mr Feierabend[19] the MPS was constructed and still in part operates under separate legislation being MTADA. Mr Feierabend has described the authority provided to Meridian Energy, as the operator of the MPS, under Section 4 of MTADA. This includes the ability to operate the MPS in accordance with the operating guidelines for the levels of Lakes Manapouri and Te Anau. The Guidelines set the operating ranges (high, main and low) for the lakes for the dual purposes of protecting the vulnerable shorelines and optimising generation output from the MPS. Further he has described that MTADA provides that all of the MPS structures in river and lake beds are regulated under that Act and are not managed under the Resource Management Act[20].

50 My understanding is that even if there were no resource consents for the MPS the existing structures, including control gates which hydrologically alter flows, would still exist and have effects within the environment, albeit they could not be operated without the appropriate take, discharge and divert permissions.

51 The MPS has a significant influence on the natural and physical resource management outcomes in the Waiau Catchment. Given MTADA and the importance and scale of the scheme in the context of Southland Region and wider national electricity network it is my opinion an environment without the scheme is not realistic.

52 Further the SRPS provides for renewable electricity generation activities, including recognising the MPS through a number of provisions. The provisions set out below are clear that the intent is for the MPS to continue to exist and operate. This is particularly evident in the provisions addressing water allocation. The key provisions are:

(a) SRPS Objective ENG.4 – National significance:

Recognise and make provision for the national significance of renewable electricity generation activities.

(b) SRPS Policy ENG.2 – Benefits of renewable energy which is:

[18] Evidence of Mr Feierabend Paragraph 15
[19] Evidence of Mr Feierabend Paragraphs 29–43 and 52–55
[20] Evidence Mr Feierabend Paragraph 42

Policy ENG.2 – Benefits of renewable energy
Recognise and make provision for the development of renewable energy activities, and their benefits, which include:

- *maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;*
- *maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;*
- *using renewable natural resources rather than finite resources;*
- *the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;*
- *avoiding reliance on imported fuels for the purposes of generating electricity;*

while appropriately addressing adverse effects.

(c) SRPS Method 16.4(b) which is: ENG.2 – Benefits of renewable energy:

16.4 METHODS
The Southland Regional Council will:

Method ENG.1 – Regional plans

(a) Establish and maintain provisions in regional plans to encourage:

(i) energy efficiency and conservation;

(ii) the identification, investigation, assessment and development of renewable energy resources, including those within the coastal marine area;

(iii) the use of small and community-scale distributed renewable electricity generation for residential, commercial, industrial and agricultural purposes.

(b) Establish and maintain provisions in regional plans that recognise and provide for the local, regional and national benefits of a secure supply of electricity and electricity generated from renewable energy resources, including Monowai and the nationally significant Manapōuri hydroelectric generation scheme activities.

(d) SRPS Objective WQUAN.2:

Objective WQUAN.2 – The efficient allocation and use of water
The allocation and use of Southland's water resources:

(a) is efficient;

(b) recognises and makes provision for the Monowai and nationally significant Manapōuri hydroelectric generation schemes in the Waiau catchment and the resultant modified flows and levels.

(e) SRPS Policy WQUAN.3:

Policy WQUAN.3 – Regional plans
Recognise the finite nature of water resources and catchments and identify management regimes in accordance with the National Policy Statement for Freshwater Management 2014 that:

(a) provide for the freshwater objectives for surface water and groundwater that derive from flows and levels of water;

(b) in managing the effects of activities on flows and levels of water in surface and groundwater:

(i) avoid, as far as practicable, significant adverse effects (including cumulative effects);

(ii) remedy or mitigate significant adverse effects only where avoidance is not practicable;

(iii) avoid, remedy or mitigate other adverse effects;

(c) within allocation limits, provide for the current and reasonably foreseeable future needs, and the social, economic and cultural wellbeing, of people and communities;

(d) recognise the potential effects of climate change on flows and levels of water and on water availability;

(e) consider the effects of new uses of water on established activities;

(f) are capable of adapting to manage the effects of changing demand on flows and levels of surface water and groundwater;

(g) recognise the outstanding characteristics identified in water conservation orders applying to rivers within the region;

(h) recognise the need for availability of water to enable the Monowai and nationally significant Manapōuri hydro-electricity power generation activities in the Waiau catchment to continue, and be enhanced where over-allocation will not occur;

(i) recognise the inter-related nature of all water bodies in a catchment and the need to maintain flows to sensitive habitats within the catchment.

53 Given the above it would be unrealistic in my opinion to assess the environment as though the structures and activities authorised by MTADA, the activities authorised by consents[21], and the scheme and its component parts did not exist. The submission and appeal of Meridian Energy sought that this be recognised within the specific provisions of the PSWLP.

54 I understand a key concern from reading the relevant appeals and the evidence of Mr McCallum-Clark is whether referencing the existing environment effectively "locks in" the current allocation regime relating to the Waiau Catchment prior to any future Freshwater Management Unit (FMU) process occurring and means that there is no opportunity to determine a different allocation regime. Further it appears there may be some concern that recognising the scheme as part of the existing environment means that adverse effects do not need to be considered or mitigated.

55 My reading of the Meridian Energy submission and appeal is that "locking in" the current regime prior to any future FMU process is neither the intent, nor the outcome sought. Nor is it intended that all of the existing effects of the scheme be accepted as part of the existing environment and considered to be acceptable and not subject to further consideration or mitigation as appropriate.

56 Having considered the relevant matters I am of the view that the use of the term "existing environment" in the context of Objective 10 (including recognition of the existing structures being part of the existing

[21] The principal resource consents relating to the operation of the MPS do not expire until 2031

environment[22]) is not necessary to the consideration of the MPS in the context of the Waiau Catchment at this time.

57 In my view the key matter relative to Objective 10 is the acknowledgement that the existing scheme is to be provided for. This provides clarity that the anticipated environment of the Waiau Catchment is one where the MPS exists. I consider it is more important to have a clear understanding of what makes up the existing Manapōuri hydroelectric generation scheme that is to be provided for, rather than what wording around what forms part of the existing environment.

58 The existing scheme is the combination of the elements described in paragraph 24 of my evidence being:

(a) Physical elements including the power station itself, the tail race discharge tunnels, a lake control structure at the outlet from Lake Te Anau and a control structure at the downstream end of the Waiau Arm of Lake Manapouri.

(b) The authorisations for and regulatory requirements of the scheme including MTADA and the Guidelines;

(c) the takes, diversion, discharge and use of water that allow the MPS to operate for its intended purpose;

(d) the management of effects through a combination of mitigation and compensation.

59 Each of these elements is an integral aspect of the Scheme, and in my opinion it is unhelpful, and indeed is potentially confusing to 'single out' just one element as comprising part of the 'existing environment'. I consider it is most appropriate to simply refer in Objective 10 to the existing MPS without elaborating on that further. Alternatively, it would be possible to go on to describe what the existing scheme comprises, but that description would need to cover all the elements of the Scheme as set out at paragraph 58 above.

60 On the basis of my evaluation it is my opinion that the most appropriate provision to be included within the PSWLP (with the addition of enhancement addressed in paragraph 39) is:

[22] Decision Version of Objective 10

Objective 10

The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, ~~and their structures are considered as part of the existing environment.~~ and opportunities for enhancement of the Manapouri Power Scheme is provided for where the effects can be appropriately managed.

61 I have considered the proposed rewording of objective 10 relative to the matters in Section 32(1) which is to examine the extent to which the objectives of the proposal being evaluated are the most appropriate way to achieve the purpose of the Act. My evaluation of this is included in Appendix 2.

62 If there is any confusion in understanding what the MPS is this could be clarified as follows:

Objective 10

The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, ~~and their structures are considered as part of the existing environment.~~ and opportunities for enhancement of the Manapouri Power Scheme is provided for where the effects can be appropriately managed. The existing scheme is a combination of:

(a) the physical elements of the scheme

(b) The authorisations for and regulatory requirements of the scheme including the Manapouri and Te Anau Development Act 1963 and the Lake Operating Guidelines for levels of Lakes Manapouri and Te Anau

(c) the generation of electricity occurring through a combination of takes, use, damming and diversion of water

(d) the management of effects.

OBJECTIVE ADDRESSING RENEWABLE ELECTRICITY GENERATION ACTIVITIES OTHER THAN THE MPS

63 Meridian Energy in its submission sought that appropriate recognition be provided to renewable electricity generation activities, other than the MPS, in the Objectives of the PSWLP.

64 The submission sought that the objectives contain recognition that there are existing renewable electricity generation activities of national significance in the Southland Region in addition to the MPS. An example of this is the White Hill Wind Farm identified by Mr Waipara[23]. The recognition was sought to also recognise that there may be opportunities for additional renewable electricity generation activities to be established within the Southland Region.

65 In its submission Meridian Energy identified two alternatives to achieve the recognition sought.

66 The first was to insert a new objective specifically addressing the national significance of renewable electricity generation activities. The second alternative was to amend notified Objective 2 so that it was not limiting in its consideration to water and land as an enabler to the "region", but also could recognise wider values, including the national significance of renewable electricity generation.

67 The provisions sought in the submission were:

> **Insert** a New Objective to read:
>
> *Recognise and make provision for the national significance of renewable electricity generation activities.*
>
> OR
>
> **Amend** Objective 2 to read:
>
> *Water and land is recognised as an enabler of the economic, social and cultural wellbeing ~~of the region.~~*

68 This wider recognition of renewable electricity generation in the objectives would also provide a direct link to Policy 26 which addresses renewable electricity generation generally, not just Monowai and the MPS. Without

[23] Evidence of Mr Waipara Paragraphs 12 and 13

recognition of activities other than the MPS there was no specific recognition of renewable electricity generation within the Objectives.

69 In the PSWLP decision version a new objective specifically addressing renewable electricity generation was not inserted. Nor was the focus of Objective 2 changed to include wider than economic, social and cultural wellbeing of the region. Objective 2 was changed, to specifically recognise primary production, but not to provide the relief sought by Meridian Energy. Objective 2 in the PSWLP decision version reads:

> *Water and land is recognised as an enabler of primary production and the economic, social and cultural wellbeing of the region.*

70 The matter addressed by Meridian Energy is important as the PSWLP does have implications for renewable electricity generation activities beyond the MPS. The impact of the PSWLP on other renewable generation activities would be likely focussed on earthworks, discharges and water takes associated with the maintenance and development of any renewable generation activity. While these are important activities and are crucial components of nationally significant renewable electricity generation activities the Plan implications for these are likely to be of less significance than for the MPS.

71 Providing recognition for renewable electricity generation activities, other than the MPS, in the objectives would give effect to the SRPS Objective ENG.3, Objective ENG.4, and Policy ENG.2. It is also consistent with wider infrastructure matters including Objective INF.1 and Policy INF.1 which recognises Southland's regionally significant, nationally significant and critical infrastructure.

72 Policy 26 in both the notified and decision version of the PSWLP addresses renewable electricity generation activities generally, and not just the MPS. From a planning perspective I consider it desirable to ensure that there are clear links evident between objectives, policies and other provisions. Addressing wider renewable electricity generation activities in an Objective would enhance the links between the objectives, policies and other provisions in the Plan.

73 While not introducing a new Objective relating to renewable electricity generation or making the changes to Objective 2 sought by Meridian Energy – the decision makers on the PSWLP decision version did, in

response to other submissions, add a new objective (Objective 9B) addressing regionally significant, nationally significant and critical infrastructure. Objective 9B is subject to appeal. This objective is:

Objective 9B

Southland's regionally significant, nationally significant and critical infrastructure is enabled.

74 The definition of infrastructure within the Resource Management Act is as follows:

***infrastructure** means—*

(a) pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy:

(b) a network for the purpose of telecommunication as defined in Section 5 of the Telecommunications Act 2001.

(c) a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989:

(d) facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—

(i) uses them in connection with the generation of electricity for the person's use; and

(ii) does not use them to generate any electricity for supply to any other person:

(e) a water supply distribution system, including a system for irrigation:

(f) a drainage or sewerage system:

(g) structures for transport on land by cycleways, rail, roads, walkways, or any other means:

(h) facilities for the loading or unloading of cargo or passengers transported on land by any means:

(i) an airport as defined in Section 2 of the Airport Authorities Act 1966:

(j) a navigation installation as defined in section 2 of the Civil Aviation Act 1990:

(k) facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988:

(l) anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.

75 Consistent with Clause (d) renewable electricity generation activities are considered as infrastructure.

76 While the introduction of Objective 9B was not attributed to the submission of Meridian Energy I consider it is an alternative way of achieving the relief that Meridian Energy was seeking in its submission. Meridian Energy's submission included a submission point that stated "Meridian has identified specific changes set out in the points below. However, it is recognised that alternative ways of providing the same or similar relief may also be appropriate."

77 The inclusion of Objective 9B does provide an alternative means of addressing the matters raised in Meridian Energy's submission.

78 Objective 9B should be retained as it:

(a) Provides a clear link between the objectives and policies providing for nationally significant infrastructure (other than the MPS),

(b) Gives effect to the SRPS in particular:

- Objective INF.1
- Policy INF.1
- Policy INF.2, and
- Policy INF.6.

79 Providing Objective 9B is retained I do not consider it necessary to make the changes sought to Objective 2, nor introduce a new objective specifically addressing renewable electricity generation.

80 I note this Mr McCallum-Clark in paragraph 138 of his evidence has identified that consideration should be given to whether Objective 9B and related policies adequately address this issue. I consider that they do.

Margaret Jane Whyte

Director, ResponsePlanning Consultants Limited

15 February 2019

Appendix 1 – Changes to Provisions Proposed in Evidence

Amend Objective 10 to read:

Objective 10

> *The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, ~~and their structures are considered as part of the existing environment.~~ and opportunities for enhancement of the Manapouri Power Scheme is provided for where the effects can be appropriately managed.*

Or as an alternative:

Objective 10

> *The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, ~~and their structures are considered as part of the existing environment.~~ and opportunities for enhancement of the Manapouri Power Scheme is provided for where the effects can be appropriately managed. The existing scheme is a combination of:*
>
> *(a) the physical elements of the scheme*
>
> *(b) The authorisations for and regulatory requirements of the scheme including the Manapouri and Te Anau Development Act 1963 and the Lake Operating guidelines for levels of Lakes Manapouri and Te Anau.*
>
> *(c) the generation of electricity occurring through a combination of takes, use, damming and diversion of water*
>
> *(d) the management of effects.*

Retain Objective 9B to read:

> *Southland's regionally significant, nationally significant and critical infrastructure is enabled.*

Appendix 2 – Section 32 Evaluation of the Appropriateness of Objectives to Achieve the Purpose of the Act

The provisions evaluated in this appendix are:

1. Objective 10

(a) wording proposed in evidence of Meridian Energy

(b) wording in decision version of the Proposed Plan

For Objective 10 the evaluation examines the extent to which the objectives being evaluated are the most appropriate way to achieve the purpose of the Resource Management Act. I have addressed objective 10 using the same considerations and format in the Section 32 Reports prepared by Southland Regional Council to support the Proposed Water and Land Regional Plan. This uses the categories of relevance, feasibility, acceptability and Overall Appropriateness.

The evaluation of Objective 10 as notified is based on the evaluation completed for the notified version, of which I have read and generally agree with. I have made some changes to reflect my independent evaluation.

The level of detail of this evaluation corresponds to the scale and significance of the changes.

Objective 10 Evaluation

Item	Objective 10 Decision Version	Objective 10 – Meridian Energy Evidence
Objective Wording	The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, and their structures are considered as part of the existing environment.	The national importance of existing hydro-electric generation schemes, including the Manapōuri hydro-electric generation scheme in the Waiau catchment, is provided for, recognised in any resulting flow and level regime, and allows for enhancement of the scheme(s) where the effects can be appropriately managed.
Relevance	This objective recognises the importance of the existing Manapouri Power Scheme (MPS) to the economic, cultural and social wellbeing of the people and communities of Southland as well as the national benefits.	This objective recognises the importance of the existing Manapouri Power Scheme (MPS) to the economic, cultural and social wellbeing of the people and communities of Southland as well as the national benefits.

Item	Objective 10 Decision Version	Objective 10 – Meridian Energy Evidence
	This objective relates to and responds to sections 7(b), 7(ba), 7(f) and 7(j) of the RMA. The objective does not disenable or conflict with other matters identified in Part 2 of the RMA. This objective also achieves the direction set out in Objective WQUAN.2 of the RPS, which requires that the allocation and use of Southland's water resources recognise and makes provision for the existing hydroelectric generation schemes in the Waiau catchment. It also gives effect to the direction in Objective ENG.3, ENG.4 and Policy ENG.2 of the RPS. Although through only recognising the existing scheme it does not directly address enhancement opportunities which is identified in Objective ENG.2 and PolicyENG.3 The objective achieves the direction set out in the NPSFM, as hydroelectric power generation is listed as an additional national value. Furthermore, the objective achieves the direction set out in the NPSREG.	This objective relates to and responds to sections 7(b), 7(ba), 7(f) and 7(j) of the RMA. The objective does not disenable or conflict with other matters identified in Part 2 of the RMA. This objective achieves the direction set out in Objective WQUAN.2 of the RPS, which requires that the allocation and use of Southland's water resources recognise and makes provision for the existing hydroelectric generation schemes in the Waiau catchment. The specific recognition provided to the enhancement gives effect to Objective ENG.3 of the RPS which is that the generation and use of renewable energy resources is increased and Policy ENG.2 which addresses maintaining or increasing electricity generation capacity. The objective achieves the direction set out in the NPSFM, as hydroelectric power generation is listed as an additional national value. Furthermore, the objective achieves the direction set out in the NPSREG. The specific reference to enhancement creates a strong link to the NPSREG Objective which also provides to upgrading of existing electricity generation activities and Policy E2 which contains recognition of upgrading of new and existing hydroelectricity generation activities to the extent applicable to the region.
Feasibility	The outcomes sought in this Objective are within the functions of the Council, as detailed in section 30 of the RMA. This objective will guide decision making. Also it provides some certainty to applicants and other decision	The outcomes sought in this Objective are within the functions of the Council, as detailed in section 30 of the RMA. This objective will guide decision making. Also it provides some certainty to applicants and other decision makers, as to the value of

Item	Objective 10 Decision Version	Objective 10 – Meridian Energy Evidence
	makers, as to the value of this infrastructure to the community and nationally. The SRPS requires that provisions to recognise and provide for the MPS be included within Regional Plans. Regional Plans must give effect to a Regional Policy Statement. The objective is generally consistent with the SRPS provisions.	this infrastructure to the community and nationally. The SRPS requires that provisions to recognise and provide for the MPS be included within Regional Plans. Regional Plans must give effect to a Regional Policy Statement. The objective is consistent with the SRPS provisions. This objective through not focussing solely on the existing scheme does give effect to those RPS provisions that recognise the benefits of enhancing renewable electricity generation opportunities.
Acceptability	The MPS has long been recognised in the community as having national significance. It is therefore considered that the Objective will align with the outcomes sought by the community. The objective recognises the implications of the scheme on the flow and level regime in the Waiau.	The MPS has long been recognised in the community as having national significance. It is therefore considered that the Objective will align with the outcomes sought by the community. The objective recognises the implications of the scheme on the flow and level regime in the Waiau.
Overall Appropriateness	Objective 10 is considered appropriate to achieve the purpose of the RMA.	Objective 10 is considered appropriate to achieve the purpose of the RMA. This objective is considered to be the most appropriate way to achieve the purpose of the Act. It provides more direct recognition of the relationship of the scheme as a physical resource within the Southland Region. In addition, though not limiting consideration of the objective to the existing scheme it better allows the benefits to be derived forms the use and development of renewable energy than the alternative objective.
Conclusion		The objective sought by Meridian Energy is the most appropriate way to achieve the purpose of the Act due to the direct recognition of enhancement.

Appendix 3 – Southland Regional Policy Statement

This appendix contains the relevant provisions of the Regional Policy Statement I have addressed in my evidence.

Chapter 4 Water

Part A. Water Quality

Objective WQUAL.1 – Water quality goals

Water quality in the region:

(a) safeguards the life-supporting capacity of water and related ecosystems;

(b) safeguards the health of people and communities;

(c) is maintained, or improved in accordance with freshwater objectives formulated under the National Policy Statement for Freshwater Management 2014;

(d) is managed to meet the reasonably foreseeable social, economic and cultural needs of future generations.

Explanation/Principal Reasons

Objective WQUAL.1 sets out the overall framework for the management of water quality in Southland. It recognises that water quality has a significant effect on the life-supporting capacity of water and related ecosystems, and that safeguarding life-supporting capacity is required by the Act. It also requires that the health of people and communities is safeguarded in accordance with the NPS-FM.

In some areas in Southland, water quality is degraded. The situation has worsened with respect to some contaminants in some waterways and has improved for other contaminants since the last RPS became operative. Objective WQUAL.1 therefore sets an ambitious goal to maintain water quality, or improve it in accordance with freshwater objectives formulated in accordance with the NPS-FM. This recognises that freshwater objectives may vary across the region. Objective WQUAL.1 recognises that water quality affects how people use water and recognises the importance of safeguarding, maintaining and improving water quality to provide for the needs of future generations. The objective also recognises that people make use of water to provide for their social, economic and cultural wellbeing, and that this should be recognised in its management. Water quality and water quantity are closely linked.

Objective WQUAN.1 therefore includes reference to maintaining flows and levels for water quality purposes in order to provide a link to Objective WQUAL.1.

Objective WQUAL.2 – Lowland water bodies

Halt the decline, and improve water quality in lowland water bodies and coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands in accordance with freshwater objectives formulated in accordance with the National Policy Statement for Freshwater Management 2014.

Explanation/Principal Reasons

Surface water bodies throughout Southland have been classified by Southland Regional Council based on the River Environment Classification system developed by NIWA, adapted for specific Southland circumstances. Lowland water bodies are generally those found on the central plains and coastal areas, where the source rises at low elevations (below 400 metres above sea level). Lowland water bodies and coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands typically have lower water quality because land uses within their catchments tend to be more intensive and the lower elevation of the source means that all parts of the catchment are affected.

While point source discharges to land and water are or have been managed through resource consent conditions and a series of plan changes to the Regional Water Plan for Southland (Water Plan), the cumulative effects of land use can cause water quality issues in lowland water bodies and coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands. Objective WQUAL.2 aims to address Issue WQUAL.1 and avoid continued decline in the water quality of lowland water bodies and coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands. A whole of catchment approach will need to be taken to management of water quality in lowland water bodies, to recognise the effects of activities throughout the catchment on water quality. Depending on the water quality issue and its causes in any given catchment, improvements in water quality may take some time to be realised.

Objective WQUAL.3 – Water in natural state

Maintain the quality of water where it is in its natural state.

Explanation/Principal Reasons

The objective provides specific recognition of those areas where water quality is in its natural state. Within these areas the overall water quality is of a high standard and is generally low in nutrients, as it is largely unmodified or unaffected by point and non-point discharges.

4.3 Policies

Policy WQUAL.1 – Overall management of water quality

(a) Identify values of surface water, groundwater, and water in coastal lakes, lagoons, tidal estuaries, salt marshes and coastal wetlands, and formulate freshwater objectives in accordance with the National Policy Statement for Freshwater Management 2014; and

(b) Manage discharges and land use activities to maintain or improve water quality to ensure freshwater objectives in freshwater management units are met.

Explanation/Principal Reasons

Policy WQUAL.1 outlines the overall framework for managing water quality within Southland. The policy recognises that waterbodies in the region each have specific values (including cultural values, particularly tangata whenua cultural values), which vary depending on factors such as waterbody type (for example, lowland soft bedded streams versus rocky mountain streams), location (for example, headwaters or lower catchment areas), existing ecosystems and human uses. It is necessary to identify those values to set the basis on which water quality can be managed. Statutory Acknowledgements will also be relevant considerations. The aim for water quality should be to formulate freshwater objectives that recognise agreed community values associated with a particular water body, including the instream values most likely to be present in that water body.

Policy WQUAL.1 also sets out that the approach to water quality in the region will be to manage discharges and land use activities to maintain water quality or improve it so that freshwater objectives are met.

Policy WQUAL.2 – All waterbodies

Maintain or improve water quality, having particular regard to the following contaminants:

(a) nitrogen;

(b) phosphorus;

(c) sediment;

(d) microbiological contaminants.

Explanation/Principal Reasons

The major contaminants of concern in relation to water quality in Southland are those listed in Policy WQUAL.2, which arise from both point-source and non-point source discharges. Point-source discharges of contaminants, such as those from wastewater treatment plants, industrial sites and production land contribute to levels of nitrogen, phosphorus, sediment and microorganisms in surface water and groundwater. Non-point source discharges from land

use activities contribute contaminants to groundwater, and contaminated groundwater can then affect surface water quality. Method WQUAL.1 provides for timeframes for improvements to meet freshwater objectives.

Managing activities that give rise to these contaminants will assist the Southland Regional Council to meet Objectives WQUAL.1 and WQUAL.2. Without this management it will not be possible to maintain water quality throughout the region. Depending on the water quality issue and its causes in any given catchment, improvements in water quality may take some time to be realised.

Policy WQUAL.2 lists the priority contaminants that need to be addressed. Additional contaminants may also need to be focused on in some areas.

Policy WQUAL.3 – Wetlands and outstanding freshwater bodies

Identify and protect the significant values of wetlands and outstanding freshwater bodies.

Explanation/Principal Reasons

Policy WQUAL.1 sets out the approach to managing water quality in the region through the formulation of freshwater objectives in accordance with the NPS-FM. Policy WQUAL.3 highlights that as part of this process, the significant values of wetlands and outstanding freshwater bodies will need to be identified and protected.

Wetlands form a significant part of the ecological character of Southland, and have an important role in maintaining water quality. Several of Southland's wetlands are of international or national significance, for example, the Waituna wetlands and the Te Anau string bogs.

The NPS-FM specifies that outstanding freshwater bodies are those water bodies identified in a regional policy statement or regional plan as having outstanding values, including ecological, landscape, recreational and spiritual values.

Policy WQUAL.4 – Awarua Wetland

Enhance the water quality of the Awarua Wetland by ensuring that discharges of contaminants and land use activities both individually and on a cumulative basis have no more than minor adverse effects on the significant characteristics and water quality of the Awarua Wetland.

Explanation/Principal Reasons

This policy sets the overall threshold for managing activities within the Awarua Wetland. Awarua Wetland is recognised for its international significance under the Convention on Wetlands of International Importance (also known as the Ramsar Convention) and is currently degraded as a result of deteriorating water quality. In order to protect the values of this wetland water quality should be enhanced. This will occur through the FMU process under the NPS-

FM. The Ramsar Convention designation includes a map and geographic coordinates specifying the boundary of the Awarua Wetland.

Policy WQUAL.5 – Improve catchment water quality

Improve water quality by:

(a) identifying water bodies that are not meeting freshwater objectives, including identifying priority freshwater management units;

(b) specifying targets to improve water quality within those water bodies within defined timeframes;

(c) implementing management frameworks to meet the targets taking into account;

  (i) the values supported by the water body/ies;

  (ii) national or legislative standards and requirements;

  (iii) the benefits and costs associated with achieving improvement in water quality.

Explanation/Principal Reasons

Policy WQUAL.1 directs that discharges and land use activities are to be managed to ensure freshwater objectives are met. In order to achieve improvements in water quality to a point where freshwater objectives can be met it may, however, be necessary to undertake more specific management of activities in some catchments. More specific management actions will generally be necessary where water quality is significantly degraded and there is a more urgent need to improve it. For these catchments or waterbodies a timeframe should also be set by which measureable improvements in water quality will be achieved. Timeframes are necessary in order to provide certainty that degraded water quality will be addressed. Improvements in water quality may take some time to be realised depending on the water quality issue and its causes in any given catchment.

Policy WQUAL.6 – Water in natural state

To manage discharges and land use activities to maintain the quality of water and the associated values where it is in its natural state.

Explanation/Principal Reasons

This policy works within the overall framework of Policy WQUAL.1 and explicitly recognises the existing values associated with areas where the water quality is in its natural state. The policy recognises that this existing high water quality is to be maintained.

Policy WQUAL.7 – Social, economic and cultural benefits

Recognise the social, economic and cultural benefits that may be derived from the use, development or protection of water resources.

Explanation/Principal Reasons

The use, development or protection of water resources can result in social, economic and cultural benefits at local, regional and national levels. It is important to recognise these potential benefits when managing water.

Policy WQUAL.8 – Preference for discharge to land

Prefer discharges of contaminants to land over discharges of contaminants to water, where:

(a) a discharge to land is practicable;

(b) the adverse effects associated with a discharge to land are less than a discharge to water.

Explanation/Principal Reasons

There are benefits from discharging contaminants to land rather than water. It avoids direct discharge of contaminants to surface water bodies, and enables natural processes (such as filtration, absorption and plant uptake) to reduce overall contaminant loads. Policy WQUAL.8 is a further development of policies contained within the previous RPS, with a definite preference now expressed for discharges to land. The policy recognises that a discharge to land may not always be practicable and that there are some situations where a discharge to water may be a more suitable option.

Policy WQUAL.12 – Integrated management

Integrate the management of land use, water quality, water quantity, coast and air, and the use, development and protection of resources wherever possible to achieve the freshwater objectives formulated in accordance with Policy WQUAL.1.

Explanation/Principal Reasons

Integrated management offers an opportunity to address in a more co-ordinated way the various activities occurring within surface water or groundwater catchment areas on land, water, coast and air and their effects on water quality. The policy has been adopted to give effect to Objective WQUAL.1.

Policy WQUAL.13 – Information gathering

Continue to improve knowledge and understanding of water resources, and the relationship of land use activities with water quality values in water bodies, in Southland to promote the sustainable management of water.

Explanation/Principal Reasons

The Southland Regional Council has been monitoring water quality in the region for a number of years, but changing resource use and the emergence of new water quality issues mean there is always a need to improve the information available to decision makers, resource users and the community.

4.4 Methods

The Southland Regional Council will:

Method WQUAL.1 – Regional plans

Establish and maintain provisions in regional plans in accordance with the National Policy Statement for Freshwater Management 2014 that:

(a) identify freshwater management units;

(b) identify compulsory, national and regional values for each unit for which water quality is to be managed;

(c) establish freshwater objectives, based on the identified values;

(d) set limits or targets to allow the freshwater objectives to be met;

(e) manage land use activities and discharges of contaminants to stay within limits and meet targets;

(f) determine timeframes and appropriate methods for the improvement of degraded freshwater management units;

(g) in implementing the matters outlined in (a) to (f) above, the Southland Regional Council will work with tangata whenua, the community, territorial authorities, industry, stakeholders and the agricultural sector.

Method WQUAL.3 – Monitoring

Monitor surface and groundwater quality and ecosystem health in order to assess whether water quality is being maintained and/or improved.

Method WQUAL.4 – Consents

Use consent conditions on discharge permits to manage the contaminants that can be discharged.

Method WQUAL.6 – Land use effects on water quality

(a) (i) Analyse the region-wide evaluation of the state, trends and pressures on water quality;

(ii) Prepare a timetable for setting freshwater objectives and water quality limits (or water quality targets where water quality limits are not met) for all freshwater management units in the region, including the identification of priority units that require specific or immediate management through a regional plan process;

(iii) Establish a regional policy framework to avoid over-allocation, or where over-allocation has occurred to specify targets and methods to meet these targets within defined timeframes. The framework shall address the priority freshwater management units in the first instance and all others according to the timetable identified in (a)(ii) above;

(b) For priority freshwater management units, according to the timetable defined above, develop a policy framework that includes:

(i) setting fresh water quality limits (or water quality targets where water quality limits are not being met);

(ii) determining the best approach to avoiding over-allocation;

(iii) where over-allocation has occurred and water quality targets are set, providing timeframes by which those targets are to be met;

(iv) regular reporting on changes in water quality over the life of the Regional Policy Statement;

(c) In implementing the matters outlined in (a) and (b) above, the Southland Regional Council will work with tangata whenua, the community, territorial authorities, industry, stakeholders and the agricultural sector.

Method WQUAL.7 – Management of activities that affect water quality

(a) Using the region-wide evaluation prepared under Method 6(a)(i) above, identify activities that require a review of the existing policy framework to address their effects on water quality.

(b) Initiate a series of plan changes as required to the Regional Water Plan for Southland to address activities identified in (a), including by reducing losses to water of nitrogen, phosphorus, sediment and microbiological contaminants.

Method WQUAL.11 – Integrated management

When preparing regional plans and in considering resource consent applications, consider the interrelationships between water quality, water quantity and land use activities, and wherever possible, develop integrated planning frameworks.

Part B: Water Quantity

Objective WQUAN.1 – Sustainably managing the region's water resources

Flows, levels and allocation regimes of surface water and groundwater in the region are developed in accordance with the National Policy for Freshwater Management 2014 to:

(a) safeguard the life-supporting capacity of water, catchments and related ecosystems;

(b) support the maintenance or improvement of water quality in accordance with Policy WQUAL.1;

(c) meet the needs of a range of uses, including the reasonably foreseeable social, economic and cultural needs of future generations;

(d) comply with limits or targets set to achieve freshwater objectives.

Explanation/Principal Reasons

Sustainably managing the region's water resources is important in order to enable the community to provide for its social, economic and cultural wellbeing. The challenge is to provide for current needs in such a way that future needs are not compromised, and so that environmental needs are provided for. The objective has been adopted to give effect to Section 5 of the Act.

Objective WQUAN.2 – The efficient allocation and use of water

The allocation and use of Southland's water resources:

(a) is efficient;

(b) recognises and makes provision for the Monowai and nationally significant Manapōuri hydro-electric generation schemes in the Waiau catchment and the resultant modified flows and levels.

Explanation/Principal Reasons

Objective WQUAN.2 guides the use of the region's water resources. Using any available water efficiently (i.e. not wastefully) will enable as wide a section of the regional community as possible to use water. Efficiency can include considerations of technical, dynamic (adjusting the use of water over time), allocative and economic efficiency. In the Waiau catchment allocation is dominated by the use of water for hydro-electric generation and the effects of this

on the ability of other water users to access water needs to be recognised. The objective has been adopted to address Issue WQUAN.2.

Policy WQUAN.1 – Instream values

Maintain instream values of surface water that derive from flows and levels of water, while recognising the special circumstances of the Waiau catchment.

Explanation/Principal Reasons

Instream values, such as aquatic habitat, and natural character are derived in part from the amount of water flowing in a river or stream, or the level of a lake or wetland. Managing water resources so that these values are maintained is consistent with Sections 6 and 7 of the Act. Policy WQUAN.1 recognises the effects that the significant diversion of water from the Waiau catchment for hydro-electricity generation will have had, and will continue to have, on the instream values of the river.

Policy WQUAN.2 – Overallocation

Avoid over-allocation of surface water and groundwater, and resolve any historical instances of over-allocation, while recognising the special provisions made for the Waiau catchment.

Explanation/Principal Reasons

Overallocation of water has been recognised as a significant issue through the NPS-FM. Southland's rivers, streams and aquifers are generally not overallocated and it is important that policy guidance is included to require this situation to be maintained. In the uncommon instances where overallocation has occurred, in order to be consistent with the requirements of both Part 2 of the Act and the NPS-FM, it will be necessary to resolve overallocation. This will be done through policies, rules and resource consents issued under the Water Plan, and in consultation with affected water users. Mechanisms for addressing the potential adverse effects resulting from overallocation can include water storage, water sharing arrangements and rostering. Within the Water Plan, specific provisions have been made for the Waiau catchment, in recognition of the nationally significant hydro-electricity generation activities in this catchment.

Policy WQUAN.3 – Regional plans

Recognise the finite nature of water resources and catchments and identify management regimes in accordance with the National Policy Statement for Freshwater Management 2014 that:

(a) provide for the freshwater objectives for surface water and groundwater that derive from flows and levels of water;

(b) in managing the effects of activities on flows and levels of water in surface water and groundwater

  (i) avoid, as far as practicable, significant adverse effects (including cumulative effects),

  (ii) remedy or mitigate significant adverse effects only where avoidance is not practicable;

  (iii) avoid remedy or mitigate other adverse effects;

(c) within allocation limits provide for the current and reasonably foreseeable future needs, and the social, economic and cultural wellbeing, of people and communities;

(d) recognise the potential effects of climate change on flows and levels of water and on water availability;

(e) consider the effects of new uses of water on established activities;

(f) are capable of adapting to manage the effects of changing demand on flows and levels of surface water and groundwater;

(g) recognise the outstanding characteristics identified in water conservation orders applying to rivers within the region;

(h) recognise the need for continued availability of water to enable the Monowai and nationally significant Manapōuri hydro-electricity power generation activities in the Waiau catchment to continue, and be enhanced where over-allocation will not occur;

(i) recognise the inter-related nature of all water bodies in a catchment and the need to maintain flows to sensitive habitats within the catchment.

Explanation/Principal Reasons

Policy WQUAN.3 provides an outline of the requirements for management of water quantity in the region in order to ensure that it is consistent with Objectives WQUAN.1 and WQUAN.2.

The Water Plan sets out the detailed framework for the sustainable management of Southland's water resources. The Water Plan aims to promote the sustainable management of rivers, lakes and water resources while also enabling the use and development of water where it can be undertaken sustainably. The Water Plan will therefore be the primary document that gives effect to Policy WQUAN.3.

The Southland Regional Council has developed a 'living document' approach to the Water Plan, adapting the plan to changing circumstances through plan changes.

The policy has been adopted to give effect to Objectives WQUAN.1 and WQUAN.2.

Policy WQUAN.4 – Demand management

Manage demand for water in order to protect instream values of surface water, and ensure freshwater objectives are met, including by:

(a) establishing specific allocation limits;

(b) allocating water to particular uses;

(c) determining the security of supply that should be afforded to water users;

(d) providing for the transfer or exchange of water between users;

(e) encouraging the development of water storage.

Explanation/Principal Reasons

Section 30(fa) of the Act provides, if appropriate, for the Southland Regional Council to establish rules in a regional plan to allocate the taking and use of water. This power acts as an alternative to the traditional 'first in first served' approach to allocating resources under the Act. Where there is competition for the use of water, alternative allocation regimes can better provide for sustainable management of the resource.

Water is currently allocated on the basis of 100% security of supply (i.e. the volume of water on any consent is the maximum needed and assessment of total allocation within a catchment is based on these maximum volumes). At certain times full use of allocated water does not occur. Where there is competition for water, the Southland Regional Council could reconsider the security of supply offered, in order to maximise the efficient use of the water.

The policy has been adopted to provide the ability for the Southland Regional Council to introduce new measures to ensure freshwater objectives are met, consistent with Objective WQUAN.2.

Policy WQUAN.5 – Abstraction management

In catchments and/or aquifers where:

(a) there is a high potential for increased use or demand for water;

(b) current allocation is approaching limits set in regional plans;

(c) adverse effects of taking, use, damming or diversion are likely due to the nature or size of the catchment or aquifer;

the Southland Regional Council will manage the cumulative effects of permitted, Section 14(3)(b) of the Resource Management Act 1991 and consented taking, use, damming or diversion of water, while recognising the specific circumstances of the Waiau catchment resulting from hydro-electric generation.

Explanation/ Principal Reasons

As demand for water increases in the region, the potential for adverse effects from the cumulative total of all taking, use, damming and diversion of water in a catchment or aquifer increases. In some circumstances, it may be necessary for the Southland Regional Council to consider not only the adverse effects of activities with resource consent, but also those that are permitted, in order to ensure that the water resource is sustainably managed. The significant diversion of water from the Waiau catchment for hydro-electricity generation will require specific recognition in this process.

Policy WQUAN.6 – Efficient use of water

(a) Ensure that any water taken from surface water or groundwater is used efficiently.

(b) Where fresh water bodies are approaching full allocation, consider establishing management provisions to maximise the benefits efficiency of using any available water.

Explanation/Principal Reasons

Efficient use of water means understanding the amount of water available, ensuring that only the water needed for a particular use is allocated to it, and then using it in such a way that as little is wasted as possible. Efficiency can include considerations of technical, dynamic (adjusting the use of water over time), allocative and economic efficiency. Where available water for new users in a catchment is becoming limited, decisions about water management should take into consideration ways to maximise the benefits that can be obtained from efficient use of water.

Policy WQUAN.7 – Social, economic and cultural benefits

Recognise the social, economic and cultural benefits that may be derived from the use, development or protection of water resources.

Explanation/Principal Reasons

The use, development or protection of water resources can result in social, economic and cultural benefits at local, regional and national levels. It is important to recognise these potential benefits when managing water.

Policy WQUAN.8 – Integrated management

Integrate the management of land use, water quality, water quantity and use and development of resources wherever possible.

Explanation/Principal Reasons

Integrated management offers an opportunity to address in a more co-ordinated way the various activities occurring on both land and water and their effects on water quality. The policy has been adopted to give effect to Objective WQUAN.1.

Policy WQUAN.9 – Information gathering

Continue to gather information on Southland's water resources (including definition of catchment areas) and effects of land use change on flows and levels of surface water and groundwater, to assist with the sustainable management of water and the ongoing development and implementation of water management regimes.

Explanation/Principal Reasons

Through the Southland Regional Council's state of the environment monitoring programme, information on Southland's water resources has improved significantly. Continuing to gather information will assist the Southland Regional Council to sustainably manage the region's water resources. The effects of land use change on flows and levels of water in waterbodies are not currently well known in Southland. Investigation into these effects will allow the Southland Regional Council to make decisions about how activities that affect flows and water levels should be managed.

4.8 Methods

The Southland Regional Council will:

Method WQUAN.1 – Regional plans

Establish and maintain provisions in regional plans in accordance with the National Policy Statement for Freshwater Management 2014 that:

(a) identify freshwater management units and

(b) identify compulsory, national and regional values for each unit for which water quantity is to be managed;

(c) establish freshwater objectives, based on the identified values;

(d) recognise waters in natural state and the outstanding characteristics identified in water conservation orders applying to rivers within the region;

(e) set environmental flows, including minimum flows or levels of surface water and levels for groundwater throughout the region appropriate to allow the freshwater objectives to be met;

(f) set allocation limits for each freshwater management unit;

(g) set lake level regimes, including maximum levels for lakes, in order to manage effects on adjacent land and wetlands, and to manage land use activities that may be affected by high lake levels;

(h) manage the effects of activities on the quantity of water in surface waterbodies and groundwater;

(i) provide for efficient allocation and efficient use of water;

(j) prohibit over-allocation of surface water or groundwater;

(k) identify and implement methodologies to resolve historical over-allocation issues;

(l) are subject to review and updating to manage the effects of changing demand on the maintenance of identified values;

(m) recognise and make provision for the use of the Manapōuri and Monowai hydro-electric generation schemes in the Waiau catchment;

(n) provide for adaptive management to recognise new information and changing circumstances.

Method WQUAN.3 – Monitoring

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.

Method WQUAN.7 – Integrated management

When preparing regional plans and in considering resource consent applications, take into account the interrelationships between water quality, water quantity (and associated ecosystems) and land use activities, and wherever possible develop integrated planning frameworks.

Local authorities will be encouraged to:

Method WQUAN.12 – Information, education and public awareness

Work together to promote efficient use of water, and demand management principles, to the community, industry and the agricultural sector.

Part C: Beds of Lakes and Rivers

Objective BRL.1 – Lake and river bed values

All significant values of lakes and rivers are maintained and enhanced.

Explanation/Principal Reasons

Objective BRL.1 recognise the values of the region's lakes and rivers. The objective has been adopted to address Issue BRL.1.

Policy BRL.2 – Existing uses of lake and river beds

Lawfully established structures and activities in the beds of lakes and rivers will be recognised, including the need for maintenance, enhancement and upgrading, while avoiding wherever practicable, mitigating or remedying, any adverse effects. Where the use, maintenance, enhancement and upgrading of such structures will have no more than minor adverse effects on the environment, these activities will be specifically provided for.

Explanation/Principal Reasons

Existing structures and activities in the beds of lakes and rivers are of benefit to the regional community. It is in the wider public interest to recognise existing structures and activities (and their maintenance) and it is therefore appropriate to include policy to that effect. It is also appropriate to provide for their use, maintenance, enhancement and upgrading where these activities will have no more than minor adverse effects on the environment.

Policy BRL.5 – Social, economic and cultural benefits

Recognise the social, economic and cultural benefits that may be derived from the use, development or protection of river and lake beds.

Explanation/Principal Reasons

The use, development or protection of river and lake beds can result in social, economic and cultural benefits at local, regional and national levels. It is important to recognise these potential benefits when managing the beds of rivers and lakes.

Chapter 15 Infrastructure

Objective INF.1 – Southland's infrastructure

Southland's regionally significant, nationally significant and critical infrastructure is secure, operates efficiently, and is appropriately integrated with land use activities and the environment.

Explanation/Principal Reasons

Southland's regional, national and critical infrastructure is essential to enable the wellbeing, health and safety of people and communities. Infrastructure in the wider region has the following characteristics:

1. it significantly contributes to the social, economic and cultural wellbeing of people and communities;
2. it is the subject of considerable financial investment;
3. it is unlikely to be readily replaced or duplicated;
4. it requires integrated management with other natural and physical resources.

Recognition of the importance of significant infrastructure will lead to greater weight being given to its requirements. As a consequence, it is desirable to manage the location and form of the surrounding development to reduce incompatibility and conflicts. It is also desirable to control any effects infrastructure may have on the environment.

The term 'appropriately' is used in this objective to recognise that the extent to which adverse effects may be avoided, remedied, mitigated, or where appropriate, and such measures are volunteered by the resource user, offset or compensated for, may vary depending on the particular circumstances of each particular case.

Policy INF.1 – Regional, national and critical infrastructure

Recognise the benefits to be derived from, and make provision for, the development, maintenance, upgrade and ongoing operation of regionally significant, nationally significant and critical infrastructure and associated activities.

Explanation/Principal Reasons

It is essential that provision be made for continued operation, maintenance and upgrades of new and existing critical infrastructure services, including the region's lifeline infrastructure. This should include targeted planning for future needs because robust infrastructure underpins the social, economic, cultural and environmental wellbeing of our region.

Policy INF.2 – Infrastructure and the environment

Where practicable, avoid, remedy or mitigate the adverse effects of infrastructure on the environment. In determining the practicability of avoiding, remedying, or mitigating adverse effects on the environment, the following matters should be taken into account:

(a) any functional, operational or technical constraints that require the physical infrastructure of regional or national significance to be located or designed in the manner proposed;

(b) whether there are any reasonably practical alternative designs or locations;

(c) whether good practice approaches in design and construction are being adopted;

(d) where appropriate, and such measures are volunteered by a resource user, whether any significant residual adverse effects can be offset or compensated for; and

(e) the need to give effect to the NPSET (2008) including that planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

Explanation/Principal Reasons

While public infrastructure provides communities with essential services, this infrastructure should not unnecessarily detract from the environment in which it is placed. For example, the construction or maintenance of a road should not cause adverse effects on people's health from dust or on water quality from dust suppressants. This is especially important when looking to install new infrastructure. Careful consideration of all infrastructure types and possible locations should be completed to determine which option will have the least impact to the environment, and ensure that infrastructure is integrated with surrounding land use and maintained to avoid, remedy, mitigate, or where appropriate, and such measures are volunteered by the resource user, offset or compensated for adverse effects. Assessments of environmental effects should have regard to all matters of national significance, including the significance of the infrastructure activity itself.

Policy INF.3 – Infrastructure protection

Protect regionally significant, nationally significant and critical infrastructure, particularly from new incompatible land uses and activities under, over or adjacent to the infrastructure.

Explanation/Principal Reasons

Southland's significant infrastructure requires protection from land use and development changes that may result in damage to existing or planned infrastructure or reverse sensitivity issues. Existing infrastructure may also be located in coastal or sensitive environments and should be protected to allow for its maintenance and retention.

When managing new incompatible land uses and activities under, over, or adjacent to the infrastructure, local authorities shall take into account the benefits of the existing infrastructure and the constraints imposed by the technical and operational requirements of infrastructure. Local authorities shall also apply a consistent and coordinated approach to providing for the operation, maintenance and upgrade of regionally significant infrastructure and nationally significant infrastructure.

Policy INF.5 – Development, subdivision and land use

Management of development, subdivision and landuse shall ensure:

(a) development does not result in adverse effects on the efficient operation, use, maintenance and development of infrastructure;

(b) the nature, timing and sequencing of new development is coordinated with the development, funding, implementation and operation of infrastructure, as appropriate for the type of development being undertaken;

(c) the efficient and effective functioning of infrastructure, including the ability to develop, maintain, remove, decommission and upgrade infrastructure, is retained;

(d) a coordinated and integrated approach across regional and district boundaries, and between agencies.

Explanation/Principal Reasons

Subdivision, use and development activities can lead to a range of undesirable and unsustainable effects on the functioning of infrastructure. The policy seeks a coordinated and managed approach between development activities and infrastructure planning so that land use change does not result in unplanned effects on the functioning of infrastructure.

Policy INF.6 – Promoting consistent and integrated management of infrastructure across the region

Provide for the integrated management of the region's infrastructure by:

(a) recognising the interconnected nature of natural and physical resources; and

(b) promoting a collaborative and consistent approach to managing infrastructure, particularly infrastructure networks that crosses zone and/or territorial boundaries.

Explanation/Principal Reasons

The physical nature of infrastructure, particularly lineal infrastructure, is often relatively constant but there can be varying and inconsistent planning methods where infrastructure crosses different receiving environments, planning zones and/or jurisdictional boundaries. Agencies and organisations with resource management responsibilities should therefore adopt a collaborative approach to promote the efficient and integrated management of infrastructure and receiving environment.

15.4 METHODS

The Southland Regional Council will:

Method INF.1 – Regional plans

Include objectives, policies and methods in regional plans that will:

(a) enable the development, use, maintenance and upgrading of infrastructure, whilst ensuring the management of any associated adverse effects;

(b) help ensure that the nature, timing and sequencing of new development is coordinated with the development, funding, implementation and operation of infrastructure, as appropriate for the type of development being undertaken;

(c) ensure that adverse effects, including reverse sensitivity effects, of development and land use on existing and/or planned regionally and nationally significant infrastructure are avoided, remedied or mitigated by identifying:

  (i) what activities and development may be incompatible with this infrastructure; and

  (ii) how this infrastructure should be protected from such activities;

(d) promote the efficient and effective use of infrastructure;

(e) take into account the potential adverse effects of natural hazards and climate change on infrastructure;

(f) facilitate long-term planning for investment in infrastructure and its integration with land uses.

Chapter 16 Energy

Objective ENG.2 – Use and development of energy resources

Use, development, transmission and distribution of local and regional energy resources is undertaken where the adverse effects on the environment (including communities) are avoided, remedied, mitigated, or where appropriate, and such measures are volunteered by the resource user, offset or compensated for.

Explanation/Principal Reasons

Energy use and development has measurable adverse effects on the environment and on communities. These effects include, but are not limited to, discharges, indigenous biodiversity, and landscape impacts. On the other hand, a secure supply of energy is required to provide for social, economic and cultural wellbeing and the health and safety of the people of Southland. Therefore, where the adverse effects of the use and development of local and regional energy resources can be avoided, remedied, mitigated or, where appropriate, and such measures are volunteered by a resource user, offset or compensated for, these activities should be seen as a positive for our communities.

The extent to which adverse effects may be avoided, remedied, mitigated, offset or compensated for, may vary depending on the particular circumstances of each particular case. The potential locations of these activities are limited by the location of the natural resource the activities are reliant on, and in some cases, practical constraints can limit the ability to avoid, remedy or mitigate all adverse effects. When this is the case for activities that have benefits of a national scale, the adverse effects should be carefully managed to ensure they are

avoided, remedied, mitigated or, where appropriate, and such measures are volunteered by a resource user, offset or compensated for.

Objective ENG.3 – Generation and use of renewable energy

Generation and use of renewable energy resources is increased.

Explanation/Principal Reasons

Maximising the ability to appropriately harness the region's renewable resources to provide energy for Southland communities will ensure there is a suitable supply of energy into the future and will not reduce future generations' ability to provide for their energy needs. Renewable energy resources such as wind, water, solar, biomass, tidal, wave and ocean current can be used to generate electricity. Other renewable energy resources, for example biofuel and wood, can be used as fuel for transport and sources of heat for manufacturing and processing. Meeting or exceeding the New Zealand Government's national target for the generation of electricity from renewable resources will require the significant development of renewable electricity generation activities.

Objective ENG.4 – National significance

Recognise and make provision for the national significance of renewable electricity generation activities.

Explanation/Principal Reasons

The contribution of renewable electricity generation, regardless of scale, towards addressing the effects of climate change, plays a vital role in the wellbeing of New Zealand's people and environment.

The National Policy Statement for Renewable Electricity Generation 2011 (NPSREG) requires local authorities to recognise the national significance of renewable electricity generation activities to ensure increased national consistency in addressing the competing values associated with the development of New Zealand's renewable energy resources, providing greater certainty to decision makers, applicants, and the wider community.

This objective recognises the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation

Policy ENG.2 – Benefits of renewable energy

Recognise and make provision for the development of renewable energy activities, and their benefits, which include:

- maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions;
- maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation;
- using renewable natural resources rather than finite resources;
- the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;
- avoiding reliance on imported fuels for the purposes of generating electricity;

while appropriately addressing adverse effects.

Explanation/Principal Reasons

Preferring the development and use of renewable energy resources over non-renewable energy resources when forming policy and making decisions on resource consents will provide for future generations by maintaining the resource and help reduce the risks associated with climate change. Decision-making should recognise the national significance of renewable electricity generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities.

In recognising and providing for these benefits:

- consented and existing renewable electricity generation activities should, to a reasonably practicable extent, be protected against future reverse sensitivity issues by managing the effects of development and land use to avoid such issues;
- renewable energy sources that are only located at a particular site may require protection for the purpose of generating electricity by appropriately managing the adverse effects of development and land use to avoid activities that would not allow that resource to be used;
- the assets, operational capacity and continued availability of the renewable energy resource may require protection for the purpose of maintaining the generation output of existing renewable electricity generation activities; and
- decision-makers should have regard to the fact that even minor reductions in the generation output of existing renewable electricity generation activities can cumulatively have significant adverse effects on national, regional and local renewable electricity generation output.

Policy ENG.4 – Potential sites and sources for renewable electricity generation

Make 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.

Explanation/Principal Reasons

The NPSREG seeks to recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities so that the proportion of New Zealand's electricity generated from renewable sources increases. One way to increase that proportion, and provide for the development of renewable electricity generation, is to allow for energy prospectors to investigate, identify and assess potential sites and energy sources, for renewable electricity generation. The NPSREG requires regional policy statements, and regional and district plans to make provision for these activities. This will also help achieve Objective ENG.3 because if more suitable sites are found and assessed then this may lead to increased generation and use of renewable energy sources.

Policy ENG.6 – Offsetting and/or environmental compensation

When considering any residual environmental effects (including social 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 appropriate, and such measures are volunteered by the resource user, including measures or compensation which benefit the local environment and community affected, including tangata whenua.

Explanation/Principal Reasons

Energy (both renewable and non-renewable) use and development has measurable adverse effects on the environment and communities where energy projects occur. These adverse effects include, but are not limited to, discharges, water and mineral depletion and landscape impacts. The adverse effects from the use and development of the energy resources should first be avoided, remedied or mitigated. However, if there are residual adverse effects after these steps have been taken then decisions on consent applications shall have regard to offsetting measures or compensation which benefits the local environment and community affected. This is required by the NPSREG for renewable electricity generation projects. This policy applies to any new use or development of energy resources, and any increase in capacity of electricity generation.

Policy ENG.7 – Effects on local communities

Ensure any potential adverse effects on local communities from the ongoing operation and subsequent closure of energy facilities are:

(a) appropriately addressed as part of associated resource consent processes; and

(b) avoided, remedied, mitigated, or where appropriate, and such measures are volunteered by the resource user, offset or compensated for.

Explanation/Principal Reasons

Electricity generation can have effects that span local, regional and national scales, often with adverse effects manifesting locally and positive effects manifesting nationally. Decision makers need to deal with any local effects on the community during the lifetime of those energy facilities as well as following the closure of those energy facilities.

16.4 Methods

The Southland Regional Council will:

Method ENG.1 – Regional plans

(a) Establish and maintain provisions in regional plans to encourage:

  (i) energy efficiency and conservation;

  (ii) the identification, investigation, assessment and development of renewable energy resources, including those within the coastal marine area;

  (iii) the use of small and community-scale distributed renewable electricity generation for residential, commercial, industrial and agricultural purposes.

(b) Establish and maintain provisions in regional plans that recognise and provide for the local, regional and national benefits of a secure supply of electricity and electricity generated from renewable energy resources, including Monowai and the nationally significant Manapōuri hydro-electric generation scheme activities.

Local authorities will be encouraged to:

Method ENG.4 – Resource consents

Include provisions in regional and district plans to ensure decision-makers, when making a decision on an activity to use or develop an energy resource, can have regard to environmental compensation measures or offsets where appropriate, and such measures are volunteered by the resource user, that benefit the environment (including the community).

Method ENG.10 – Consultation

Consult with stakeholders, the community and tangata whenua, and take into account Te Tangi a Tauira and other relevant tangata whenua planning documents when making resource management decisions regarding the use or development of land for energy resources which may adversely affect the life supporting capacity of air, land or water, or tangata whenua cultural or spiritual values.

Appendix 4 – Southland Regional Policy Statement Relationship with Higher Order Documents

Introduction

1. This evaluation considers the extent to which the Southland Regional Policy Statement (SRPS) gives effect to the higher order planning documents (NPSFM and NPSREG) in relation to the matters of relevance to my evidence. The key chapters of the SRPS focused on in this evaluation are Chapter 4 – Water, Chapter 15 – Infrastructure and Chapter 16 Energy.

2. The NPSREG and the NPSFM 2014 were both considered in the development and determination of the SRPS. The new provisions of the NPSFM 2017 were not subject to specific consideration through the SRPS process.

3. This evaluation considers the provisions of both the NPSREG and the NPSFM 2017. Table 1 addresses the NPSREG and Table 2 the NPSFM. Both tables identify the relevant provision in the National Policy Statements, identify the relevant related provisions in the SRPS and then address the evaluation considerations.

4. I acknowledge that it cannot be determined whether any provisions of the SRPS would be different, and if so in what way, if they were drafted subsequent to the NPSFM 2017 being made operative. However, in the evaluation completed I have not identified areas where the provisions of the SRPS do not give effect to the direction given in the higher order documents. I have therefore concluded that the existing provisions of the SRPS that I have examined can be relied upon as giving effect to the higher order planning documents.

Table 1 – National Policy Statement for Renewable Electricity Generation

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
Objective To recognise the national significance of renewable electricity generation activities by providing for the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities, such that the proportion of New Zealand's electricity generated from renewable energy sources increases to a level that meets or exceeds the New Zealand Government's national target for renewable electricity generation.	**Objectives** • ENG.2 – Use and development of energy resources • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • WQUAN.1 – Sustainably managing the regions water resources • WQUAN.2 – The efficient allocation and use of water • INF.1 Southlands Infrastructure **Policies** • ENG.2 – Benefits of renewable energy • ENG.6 – Offsetting and/or environmental compensation • ENG.7 – Effects on local communities • WQUAN.1 – Instream values • WQUAN.2 – Overallocation • WQUAN.3 – Regional Plans • WQUAN.4 – Demand Management	The provisions of the NPSREG have not changed since the SRPS was made operative. The key provisions of relevance are those in the Water, Infrastructure and Energy Chapters. The SRPS provisions recognise general matters of relevance to renewable electricity generation including maintaining and enhancing renewable electricity generation and significant infrastructure. In addition a number of the provisions specifically recognise the MPS within the Waiau Catchment. There is a clear link between the NPSREG objective and the identified provisions in the SRPS. The provisions of the SRPS are considered to give effect to the objective of the NPSREG.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• WQUAN.5 – Abstraction Management • WQUAN.7 – Social, economic and cultural benefits • WQUAN.8 – Integrated Management • INF.1 – Regional, national and critical infrastructure • INF.2 – Infrastructure and the environment • INF.3 – Infrastructure protection • INF.5 – Development, subdivision and land use • INF.6 – Promoting consistent and integrated management of infrastructure across the region **Methods** • INF.1 – Regional plans • ENG.1 – Regional plans • ENG.4 – Resource Consents • ENG.10 – Consultation	
A. Recognising the benefits of renewable electricity generation activities POLICY A Decision-makers shall recognise and provide for the national significance of renewable electricity	**Objectives** • ENG.2 – Use and development of energy resources • ENG.3 – Generation and use of renewable energy	The benefits of renewable electricity generation activities and the MPS are recognised in the SRPS. There is a clear link between the NPSREG policy and the identified provisions in the SRPS.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
generation activities, including the national, regional and local benefits relevant to renewable electricity generation activities. These benefits include, but are not limited to: (a) maintaining or increasing electricity generation capacity while avoiding, reducing or displacing greenhouse gas emissions; (b) maintaining or increasing security of electricity supply at local, regional and national levels by diversifying the type and/or location of electricity generation; (c) using renewable natural resources rather than finite resources; (d) the reversibility of the adverse effects on the environment of some renewable electricity generation technologies; (e) avoiding reliance on imported fuels for the purposes of generating electricity.	• ENG.4 – National significance • WQUAN.1 – Sustainably managing the regions water resources • WQUAN.2 – The efficient allocation and use of water • INF.1 Southlands Infrastructure **Policies** • ENG.2 – Benefits of renewable energy • ENG.6 – Offsetting and/or environmental compensation • ENG.7 – Effects on local communities • WQUAN.1 – Instream values • WQUAN.2 – Overallocation • WQUAN.3 – Regional Plans • WQUAN.4 – Demand Management • WQUAN.5 – Abstraction Management • WQUAN.7 – Social, economic and cultural benefits • WQUAN.8 – Integrated Management	The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• INF.1 – Regional, national and critical infrastructure • INF.2 – Infrastructure and the environment • INF.3 – Infrastructure protection • INF.5 – Development, subdivision and land use • INF.6 – Promoting consistent and integrated management of infrastructure across the region **Methods** • INF.1 – Regional plans • ENG.1 – Regional plans • ENG.4 – Resource Consents • ENG.10 – Consultation	
B. Acknowledging the practical implications of achieving New Zealand's target for electricity generation from renewable resources POLICY B Decision-makers shall have particular regard to the following matters: (a) maintenance of the generation output of existing renewable electricity generation activities can require protection of the assets, operational capacity and continued	**Objectives** • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • WQUAN.1 – Sustainably managing the regions water resources • WQUAN.2 – The efficient allocation and use of water • Objective INF.1 Southlands Infrastructure	It is evident within the SRPS through the specific recognition provided to the MPS that regard has been had to the maintenance of the generation output. There is a clear link between the NPSREG policy and the identified provisions in the SRPS. The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
availability of the renewable energy resource; and (b) even minor reductions in the generation output of existing renewable electricity generation activities can cumulatively have significant adverse effects on national, regional and local renewable electricity generation output; and (c) meeting or exceeding the New Zealand Government's national target for the generation of electricity from renewable resources will require the significant development of renewable electricity generation activities.	**Policies** • ENG.2 – Benefits of renewable energy • ENG.4 – Potential sites and sources for renewable electricity generation • WQUAL.7 – Social, economic and cultural benefits • WQUAN.1 – Instream values • WQUAN.2 – Overallocation • WQUAN.3 – Regional Plans • WQUAN.4 – Demand Management • WQUAN.5 – Abstraction Management • WQUAN.7 – Social, economic and cultural benefits • WQUAN.8 – Integrated Management • Policy INF.1 – Regional, national and critical infrastructure • Policy INF.2 – Infrastructure and the environment • Policy INF.3 – Infrastructure protection	

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• Policy INF.5 – Development, subdivision and land use **Methods** • INF.1 – Regional plans • ENG.1 – Regional plans	
C. Acknowledging the practical constraints associated with the development, operation, maintenance and upgrading of new and existing renewable electricity generation activities POLICY C1 Decision-makers shall have particular regard to the following matters: (a) the need to locate the renewable electricity generation activity where the renewable energy resource is available; (b) logistical or technical practicalities associated with developing, upgrading, operating or maintaining the renewable electricity generation activity; (c) the location of existing structures and infrastructure including, but not limited to, roads, navigation and telecommunication structures and facilities, the distribution network and the national grid in relation to the renewable electricity generation activity, and the need to connect renewable	**Objectives** • ENG.2 – Use and development of energy resources • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • WQUAN.1 – Sustainably managing the regions water resources • WQUAN.2 – The efficient allocation and use of water • INF.1 Southlands Infrastructure **Policies** • ENG.2 – Benefits of renewable energy • ENG.6 – Offsetting and/or environmental compensation • ENG.7 – Effects on local communities • WQUAN.1 – Instream values	The practical constraints associated with renewable electricity generation activities are recognised in the SRPS. In particular there is specific recognition of the MPS. There is a clear link between the NPSREG policy and the identified provisions in the SRPS. The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
electricity generation activity to the national grid; (d) designing measures which allow operational requirements to complement and provide for mitigation opportunities; and (e) adaptive management measures.	• WQUAN.2 – Overallocation • WQUAN.3 – Regional Plans • WQUAN.4 – Demand Management • WQUAN.5 – Abstraction Management • WQUAN.7 – Social, economic and cultural benefits • WQUAN.8 – Integrated Management • INF.1 – Regional, national and critical infrastructure • INF.2 – Infrastructure and the environment • INF.3 – Infrastructure protection • INF.5 – Development, subdivision and land use • INF.6 – Promoting consistent and integrated management of infrastructure across the region **Methods** • INF.1 – Regional plans • ENG.1 – Regional plans • ENG.4 – Resource Consents	

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
POLICY C2 When considering any residual environmental effects of renewable electricity generation activities that cannot be avoided, remedied or mitigated, decision-makers shall have regard to offsetting measures or environmental compensation including measures or compensation which benefit the local environment and community affected.	**Objectives** • ENG.2 – Use and development of energy resources **Policies** • ENG.6 – Offsetting and/or environmental compensation • ENG.7 – Effects on local communities	Residual adverse effects are considered in the SRPS. This is evident in Policy ENG.6 addressing offsetting and or environmental compensation. There is a clear link between the NPSREG policy and the identified provisions in the SRPS. The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.
D. Managing reverse sensitivity effects on renewable electricity generation activities POLICY Decision-makers shall, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities.	**Objectives** • WQUAN.2 – The efficient allocation and use of water • INF.1 Southlands Infrastructure **Policies** • WQUAN.3 – Regional Plans • INF.1 – Regional, national and critical infrastructure • INF.3 – Infrastructure protection **Methods** • INF.1 – Regional plans	Reverse sensitivity is addressed in the SRPS in particular in Policy INF.3. There is a clear link between the NPSREG policy and the identified provisions in the SRPS. The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.
E. Incorporating provisions for renewable electricity generation activities into regional policy statements and regional and district plans E2 Hydro-electricity resources POLICY E2	**Objectives** • ENG.2 – Use and development of energy resources • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance	The MPS and the relationship of the scheme to the Waiau Catchment are specifically recognised within the SRPS. There is a clear link between the NPSREG policy and the identified provisions in the SRPS.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for the development, operation, maintenance, and upgrading of new and existing hydro-electricity generation activities to the extent applicable to the region or district.	• WQUAN.1 – Sustainably managing the regions water resources • WQUAN.2 – The efficient allocation and use of water • INF.1 Southlands Infrastructure **Policies** • ENG.2 – Benefits of renewable energy • ENG.6 – Offsetting and/or environmental compensation • ENG.7 – Effects on local communities • WQUAN.1 – Instream values • WQUAN.2 – Overallocation • WQUAN.3 – Regional Plans • WQUAN.5 – Abstraction Management • WQUAN.7 – Social, economic and cultural benefits • WQUAN.8 – Integrated Management • INF.1 – Regional, national and critical infrastructure • INF.2 – Infrastructure and the environment	The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.

National Policy Statement for Renewable Electricity Generation	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• INF.3 – Infrastructure protection • INF.5 – Development, subdivision and land use • INF.6 – Promoting consistent and integrated management of infrastructure across the region **Methods** • INF.1 – Regional plans • ENG.1 – Regional plans • ENG.4 – Resource Consents • ENG.10 – Consultation	
G. Enabling identification of renewable electricity generation possibilities POLICY G Regional policy statements and regional and district plans shall include objectives, policies, and methods (including rules within plans) to provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators.	**Objectives** • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • INF.1 Southlands Infrastructure **Policies** • ENG.4 – Potential sites and sources for renewable electricity generation.	Policy ENG.4 addresses the identification of renewable electricity generation possibilities. There is a clear link between the NPSREG policy and the identified provisions in the SRPS. The provisions of the SRPS are considered to give effect to the relevant policy of the NPSREG.

Table 2 – National Policy Statement for Freshwater Management

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
AA. Te Mana o te Wai		
Objective AA1 To consider and recognise Te Mana o te Wai in the management of fresh water.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality • WQUAL.7 – Social, economic and cultural benefits • WQUAL.12 – Integrated Management **Methods** • WQUAL.1 – Regional plans	This provision was inserted as a result of the 2017 amendments to the NPSFM. The objective is to consider and recognise Te Mana o te Wai in the management of fresh water. Te Mana o te Wai is described in the NPSFM as "the integrated and holistic well-being of a freshwater body". Te Mana o te Wai was a matter included within the NPSFM 2014 so it is not a new concept introduced only in the NPSFM 2017. Rather the difference is that in the NPSFM 2017 there is now a specific objective and policy recognising it. The SRPS provisions recognise the connection between water and the broader environment including the health of the environment, the health of the waterbody and the health of the people. These matters are recognised within Objective WQUAL.1 – Water quality goals. The SRPS provisions do cover matters addressed by Te Mana o te Wai, however, it is recognised that the expression of the matters considered do not specifically include the term Te Mana o te Wai.
Policy AA1 By every regional council making or changing regional policy statements and plans to consider and recognise Te Mana o te Wai, noting that:	**Objectives** • WQUAL.1 – Water quality goals	This provision was inserted as a result of the 2017 amendments to the NPSFM. The policy is to consider and recognise Te Mana o te Wai in the management of fresh water.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
(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.	• WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality • WQUAL.7 – Social, economic and cultural benefits • WQUAL.12 – Integrated Management **Methods** • WQUAL.1 – Regional plans	Te Mana o te Wai is described in the NPSFM as "the integrated and holistic well-being of a freshwater body". Te Mana o te Wai was a matter included within the NPSFM 2014 so it is not a new concept introduced only in the NPSFM 2017. Rather the difference is that in the NPSFM 2017 there is now a specific objective and policy recognising it. The provisions do recognise the connection between water and the broader environment including the health of the environment, the health of the waterbody and the health of the people. These matters are all recognised within Objective WQUAL.1 – Water quality goals. The SRPS provisions do cover matters addressed by Te Mana o te Wai, however, it is recognised that the expression of the matters considered do not specifically include the term Te Mana o te Wai. Clause b) of the NPSFM Policy AA1recognises that values identified through engagement and discussion with the community must inform the setting of freshwater objectives and limits. This is consistent with the approach expressed in the SRPS. In particular Method WQUAL.1 – Regional Plans identifies that in implementing the matters set out in the method (which include establishing freshwater objectives, setting targets or limits) the Southland Regional Council will work with tangata

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
		whenua, the community, territorial authorities, industry, stakeholders and the agricultural sector.
A. Water quality		
Objective A1 To safeguard: (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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Methods** • WQUAL.3 – Monitoring • WQUAN.3 – Monitoring • WQUAN.7 – Integrated management	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Matters such as life-supporting capacity of water and related ecosystems are addressed in provisions including Objective WQUAL.1. The health of people and communities, as affected by contact with freshwater are also considered within the objectives identified.
Objective A2 The overall quality of fresh water within a freshwater management unit is maintained or improved while: (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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAL.2 – Lowland water bodies • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.2 – All waterbodies • WQUAL.3 – Wetlands	This objective was modified as a result of the 2017 amendments to the NPSFM. The change was to refer to freshwater within a "freshwater management unit" being maintained or improved rather than with the "region" which was the term used prior to the amendment. The SRPS already referred to Freshwater Management Units and sought that water be managed on that basis, examples of this are Policy WQUAL.1 and Policy WQUAL.5. The provisions of the SRPS are considered consistent with this objective.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• WQUAL.4 – Awarua Wetland • WQUAL.5 – Improve catchment water quality • WQUAL.6 – Water in natural state • WQUAL.12 – Integrated Management **Methods** • WQUAL.1 – Regional Plans • WQUAN.3 – Monitoring • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.7 – Integrated management	
Objective A3 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.	**Objectives** • WQUAL.1 – Water quality goals **Policies** • WQUAL.1 – Overall management of water quality	This provision was inserted as a result of the 2017 amendments to the NPSFM. This matter is not explicitly recognised in the SRPS provisions. However provisions relevant to Objective A3 have been included directly in the Water Quality Chapter of the PWLRP (Policy A4 of the National Policy Statement for Freshwater Management 2014 (as amended in 2017). The SRPS provisions do address water quality and Objective WQUAL.1 – Water quality goals identifies that water quality in the region is to be maintained or

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
		improved in accordance with freshwater objectives formulated. While not specifically addressing primary contact matters contained in Objective WQUAL.1 and Policy WQUAL.2 are relevant and show that the water quality outcomes in the SRPS are working in a direction consistent with the NPSFM Objective meaning it is being given effect to.
Objective A4 To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing freshwater quality, within limits.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources • BLR.1 – Lake and river bed values • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • INF.1 – Southlands Infrastructure **Policies** • WQUAL.7 – Social, economic and cultural benefits • WQUAN.3 – Regional plans • WQUAN.7 – Social, economic and cultural benefits	This provision was inserted as a result of the 2017 amendments to the NPSFM. The SRPS provisions identified address the matters specified in Objective A4. In particular Objective WQUAN.1 and Objective WQUAL.1.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• BLR.5 – Social, economic and cultural benefits • ENG.2 – Benefits of renewable energy • INF.1 – Regional, national and critical infrastructure **Methods** • WQUAL.1 – Regional Plans • WQUAN.3 – Monitoring • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.7 – Integrated management • INF.1 – Regional plans • ENG.1 – Regional plans	
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	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.1 – Overall management of water quality	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Matters relevant to establishing freshwater objectives and freshwater quality limits are addressed in the SRPS provisions. The SRPS provisions are based on freshwater management units. A number of provisions in the SRPS address

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
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.	• WQUAL.5 – Improve catchment water quality • WQUAL.6 – Water in natural state • WQUAL.12 – Integrated Management • WQUAN.2 – Overallocation • WQUAN.3 – Regional plans • WQUAN.4 – Demand management **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.1 – Regional Plans	specifying targets and limits to improve water quality, including Policy WQUAL.5 and Objective WQUAN.1.
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	**Objectives** • WQUAL.1 – Water quality goals **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Policy WQUAL.5 in particular addresses these matters.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
management units, to meet those targets, and within a defined timeframe.	• WQUAL.6 – Water in natural state • WQUAL.12 – Integrated Management • WQUAN.3 – Regional plans • WQUAN.4 – Demand management **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.1 – Regional Plans	
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	**Policies** • WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality **Methods** • WQUAL.1 – Regional plans • WQUAL.4 – Consents	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Policy WQUAL.5 and Objective WQUAN.1 address these matters.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
result of any natural process from the discharge of that contaminant, any other contaminant) entering fresh water.		
Policy A4 and direction (under section 55) to regional councils By every regional council amending regional plans (without using the process in Schedule 1) to the extent needed to ensure the plans include the following policy to apply until any changes under Schedule 1 to give effect to Policy A1 and Policy A2 (freshwater quality limits and targets) have become operative: 1. "When considering any application for a discharge the consent authority must have regard to the following matters: a. the extent to which the discharge would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh water including on any ecosystem associated with fresh water and b. the extent to which it is feasible and dependable that any more than minor adverse effect on fresh water, and on any ecosystem associated with fresh water, resulting from the discharge would be avoided.		This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. It is recognised that this Policy and direction is related to regional plan amendments not Regional Policy Statements. It is recognised that there are numerous provisions in the SRPS that address discharges and the management of effects of discharges.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
2. When considering any application for a discharge the consent authority must have regard to the following matters: a. the extent to which the discharge would avoid contamination that will have an adverse effect on the health of people and communities as affected by their contact with fresh water; and b. the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their contact with fresh water resulting from the discharge would be avoided. 3. This policy applies to the following discharges (including a diffuse discharge by any person or animal): a. a new discharge or b. a change or increase in any discharge – of any 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. 4. Paragraph 1 of this policy does not apply to any application for consent first lodged		

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011. 5. Paragraph 2 of this policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 takes effect."		
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).		This provision was inserted as a result of the 2017 amendments to the NPSFM. This policy relates to matters to be considered in relation to regional plans rather than regional policy statements. Not having a specific provision in a regional policy statement is not considered to be a gap or inconsistency with this policy. ES has identified[24] in relation to implementing this policy that "the first step for Southland will be to implement the proposed Southland Water and Land Plan from 4 April 2018. This will improve land and water management in the region and contribute to 'holding the line' on water quality. The next steps will come through Council's People, Water and Land programme. This programme will take a people-focused approach to integrating action on the ground with regulation (such as limit-setting). Council intends to work in partnership to support an

[24] Draft regional targets for swimmable lakes and rivers in Southland (pdf document factsheet)

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
		implementation first approach to support a thriving Southland."
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 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.		This provision was inserted as a result of the 2017 amendments to the NPSFM. Appendix 6 is the National target for water quality improvement. The target is to increase the proportions of specified rivers and lakes that are suitable for primary contact to at least 80% by 2030, and 90% no later than 2040 but also to improve water quality across all categories. This policy relates to setting regional targets. The policy does not specify that these targets must be achieved through a regional plan or regional policy statement. ES has identified[25] in relation to implementing this policy that "the first step for Southland will be to implement the proposed Southland Water and Land Plan from 4 April 2018. This will improve land and water management in the region and contribute to 'holding the line' on water quality. The next steps will come through Council's People, Water and Land programme. This programme will take a people-focused approach to integrating action on the ground with regulation (such as limit-setting). Council intends to work in partnership to support an implementation first approach to support a thriving Southland."

[25] Draft regional targets for swimmable lakes and rivers in Southland (pdf document factsheet)

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
Policy A7 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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources • BLR.1 – Lake and river bed values • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • INF.1 Southlands Infrastructure **Policies** • WQUAL.7 – Social, economic and cultural benefits • WQUAN.3 – Regional plans • WQUAN.7 – Social, economic and cultural benefits • BLR.5 – Social, economic and cultural benefits • ENG.2 – Benefits of renewable energy • INF.1 – Regional, national and critical infrastructure **Methods** • WQUAL.1 – Regional Plans	This provision was inserted as a result of the 2017 amendments to the NPSFM. The SRPS provisions identified address the matters specified in Objective A4. In particular Objective WQUAN.1 and Objective WQUAL.1.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• WQUAN.3 – Monitoring • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.7 – Integrated management • INF.1 – Regional plans • ENG.1 – Regional plans	
B. Water quantity		
Objective B1 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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Methods** • WQUAL.3 – Monitoring • WQUAN.3 – Monitoring • WQUAN.7 – Integrated management	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Matters such as life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems, of fresh water are included within the current SRPS provisions. The health of people and communities, as affected by contact with freshwater are also considered.
Objective B2 To avoid any further over-allocation of fresh water and phase out existing over-allocation.	**Objective** • WQUAN.1 – Sustainably managing the region's water resources **Policy**	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• WQUAN.2 – Overallocation	Matters relating to allocation and overallocation are specifically addressed in the SRPS in Policy WQUAN.2.
Objective B3 To improve and maximise the efficient allocation and efficient use of water.	**Objective** • WQUAN.2 – The efficient allocation and use of water **Policy** • WQUAN.6 – Efficient use of water **Methods** • WQUAN.1 – Regional Plans • WQUAN.12 – Information, education and public awareness	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Matters relating to efficient allocation and use are specifically addressed in the SRPS in particular Objective WQUAN.2 and Policy WQUAN.6
Objective B4 To protect significant values of wetlands and of outstanding freshwater bodies.	**Objectives** • WQUAL.1 – Water quality goals • WQUAL.2 – Lowland water bodies • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.3 – Wetlands • WQUAL.4 – Awarua Wetland	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Matters relating to wetlands and outstanding freshwater bodies are specifically addressed in the SRPS in particular Policy WQUAL.3.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	Methods • WQUAL.1 – Regional Plans • WQUAN.1 – Regional Plans	
Objective B5 To enable communities to provide for their economic well-being, including productive economic opportunities, in sustainably managing fresh water quantity, within limits.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources • BLR.1 – Lake and river bed values • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • INF.1 Southlands Infrastructure **Policies** • WQUAL.7 – Social, economic and cultural benefits • WQUAN.3 – Regional plans • WQUAN.7 – Social, economic and cultural benefits • BLR.5 – Social, economic and cultural benefits • ENG.2 – Benefits of renewable energy	This provision was inserted as a result of the 2017 amendments to the NPSFM. The SRPS provisions identified addresses the matters specified in Objective A4. In particular Objective WQUAN.1 and Objective WQUAL.1.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
	• INF.1 – Regional, national and critical infrastructure **Methods** • WQUAL.1 – Regional Plans • WQUAN.3 – Monitoring • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.7 – Integrated management • INF.1 – Regional plans • ENG.1 – Regional plans	
Policy B1 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 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	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality • WQUAL.6 – Water in natural state	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS does specify that water quality will be maintained as a bottom line and it then puts in place a process for setting freshwater objectives. This is the focus of a number of the objectives and policies in the Water Chapter including Policy WQUAL.1 and Policy WQUAL.5.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
(c) the connections between freshwater bodies and coastal water.	• WQUAL.12 – Integrated Management • WQUAN.2 – Overallocation • WQUAN.3 – Regional plans • WQUAN.4 – Demand management **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.1 – Regional Plans	
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.	**Objective** • WQUAN.2 – The efficient allocation and use of water **Policy** • WQUAN.6 – Efficient use of water **Method** • WQUAN.1 – Regional Plans	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. It is recognised that this provision is related to regional plans as such it is not directly linked to regional policy statements. However, the SRPS does address both allocation and limits. The relationship between these is the focus of Method WQAN.1 Regional Plans.
Policy B3 By every regional council making or changing regional plans to the extent needed to ensure	**Policy** • Policy WQUAN.4 – Demand Management	This provision is unchanged from the NPSFM 2014.

National Policy Statement for Freshwater Management	Relevant Southland Regional Policy Statement Provisions	Evaluation Considerations
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.		At the time the SRPS was made operative its provisions were considered to give effect to this provision. The NPSFM policy relates to a regional council making or changing plans. This means that there is not a necessity for a direct relationship to the SRPS, however Policy WQUAN.4 – Demand management does address the transfer or exchange of water between users.
Policy B4 By every regional council identifying methods in regional plans to encourage the efficient use of water.	**Objective** • WQUAN.2 – The efficient allocation and use of water **Policy** • WQUAN.6 – Efficient use of water **Methods** • WQUAN.1 – Regional Plans • WQUAN.12 – Information, education and public awareness	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. It is noted that this provision relates directly to regional plans rather than regional policy statements. However, Policy WQUAN.6 specifically addresses 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	**Objective** • WQUAN.1 – Sustainably managing the region's water resources **Policy** • WQUAN.2 – Overallocation	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. Policy WQUAN.2 addresses overallocation.

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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 ensure the total amount of water allocated in the freshwater management unit is reduced to the level set to give effect to Policy B1.	**Objective** • WQUAN.1 – Sustainably managing the region's water resources **Policy** • WQUAN.2 – Overallocation	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. This provision relates directly to regional plans. However it is recognised that Policy WQUAN.2 of the SRPS addresses overallocation, including resolving any historical instances of over-allocation.
Policy B7 and direction (under section 55) to regional councils By every regional council amending regional plans (without using the process in Schedule 1) to the extent needed to ensure the plans include the following policy to apply until any changes under Schedule 1 to give effect to Policy B1 (allocation limits), Policy B2 (allocation), and Policy B6 (overallocation) have become operative: 1. When considering any application the consent authority must have regard to the following matters: a. the extent to which the change would adversely affect safeguarding the life-supporting capacity of fresh water and of any associated ecosystem and	**Objective** • WQUAN.1 – Sustainably managing the region's water resources **Policy** • WQUAN.2 – Overallocation	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. it is recognised that this policy and direction relates to amending regional plans rather than Regional Policy Statements. The SRPS does address allocation limits, allocation and overallocation in its provisions.

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b. the extent to which it is feasible and dependable that any adverse effect on the life supporting capacity of fresh water and of any associated ecosystem resulting from the change would be avoided. 2. This policy applies to: a. any new activity and b. change in the character, intensity or scale of any established activity – that involves any taking, using, damming or diverting of fresh water or draining of any wetland which is likely to result in any more than minor adverse change in the natural variability of flows or level of any fresh water, compared to that which immediately preceded the commencement of the new activity or the change in the established activity (or in the case of a change in an intermittent or seasonal activity, compared to that on the last occasion on which the activity was carried out). 3. This policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011."		
Policy B8 By every regional council considering, when giving effect to this national policy statement,	**Objectives** • WQUAL.1 – Water quality goals	This provision was inserted as a result of the 2017 amendments to the NPSFM.

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how to enable communities to provide for their economic well-being, including productive economic opportunities, while managing within limits.	• WQUAN.1 – Sustainably managing the region's water resources • BLR.1 – Lake and river bed values • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • INF.1 Southlands Infrastructure **Policies** • WQUAL.7 – Social, economic and cultural benefits • WQUAN.3 – Regional plans • WQUAN.7 – Social, economic and cultural benefits • BLR.5 – Social, economic and cultural benefits • ENG.2 – Benefits of renewable energy • INF.1 – Regional, national and critical infrastructure **Methods** • WQUAL.1 – Regional Plans • WQUAN.3 – Monitoring • WQUAL.6 – Land use effects on water quality	The SRPS provisions identified address the matters specified in Objective A4. In particular Objective WQUAN.1 and Objective WQUAL.1.

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	• WQUAL.11 – Integrated management • WQUAN.7 – Integrated management • INF.1 – Regional plans • ENG.1 – Regional plans	
C. Integrated management		
Objective C1 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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.12 – Integrated management • WQUAN.8 – Integrated management **Method** • WQUAL.11 – Integrated management • WQUAN.7 – Integrated management	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS does address integrated management in particular in Policy WQUAL.12 and Method WQUAL.11.
Policy C1 By every regional council:	Chapter 2 Chapter 3 Chapter 5	This policy was modified in the 2017 amendments. These amendments inserted clause a) and modified clause b) to fit into a two clause policy.

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(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. (Provision modified in 2017 amendments to insert clause a) and modify clause b) to accommodate a two part clause in the Policy.)		The SRPS has recognised and encompassed the philosophy of Ki uta ki tai – from the mountains to the sea within the SRPS. This is recognised in the forward to the SRPS, within Chapter 2 – Resource Management Processes for local authorities, Chapter 3 – Tangata Whenua, and Within Chapter 5 Coast. The integrated and related nature of freshwater is a key foundation within the Water Chapter of the SRPS.
Policy C2 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: (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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Policies** • WQUAL.12 – Integrated management • WQUAN.8 – Integrated management **Method** • WQUAL.11 – Integrated management	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS introduction recognises that the issues, objectives, policies and methods contained within the RPS provide direction for both regional and district planning documents to achieve the integrated management of Southland's natural and physical resources. Integrated management is a key foundation for the preparation of the provisions in the SRPS.

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	• WQUAN.7 – Integrated management	
CA. National Objectives Framework		
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.	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources • ENG.3 – Generation and use of renewable energy • ENG.4 – National significance • INF.1 Southlands Infrastructure **Policies** • WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality • WQUAL.6 – Water in natural state • WQUAL.12 – Integrated Management • WQUAN.2 – Overallocation • WQUAN.3 – Regional plans • WQUAN.4 – Demand management	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS identifies the approach to setting freshwater objectives. It also recognises regional and local circumstances for some waterways including the Waiau Catchment.

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	• ENG.2 – Benefits of renewable energy • INF.1 – Regional, national and critical infrastructure **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.1 – Regional Plans • INF.1 – Regional plans • ENG.1 – Regional plans	
Policy CA1 By every regional council identifying freshwater management units that include all freshwater bodies within its region.	**Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAN.1 – Regional Plans • WQUAN.2 – Allocation limits	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS has a number of provisions that address identifying Freshwater Management Units.
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:	**Objectives** • WQUAL.1 – Water quality goals • WQUAN.1 – Sustainably managing the region's water resources **Policies**	This policy was modified in 2017. Amendments included inserting the words "through discussion with communities, including tangata whenua into the Policy. Clauses e)iia, f)iaa and f)iab; and modify clause f)i.) The SRPS had already identified in Method WQUAL.1 – Regional Plans that the establishment

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(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: 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 iii. for any national value for which relevant attributes are not provided in Appendix 2 or any other value, the	• WQUAL.1 – Overall management of water quality • WQUAL.5 – Improve catchment water quality • WQUAL.6 – Water in natural state • WQUAL.12 – Integrated Management • WQUAN.2 – Overallocation • WQUAN.3 – Regional plans • WQUAN.4 – Demand management **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.11 – Integrated management • WQUAN.1 – Regional Plans	of freshwater objectives for freshwater management units would occur while working with tangata whenua, the community, territorial authorities, industry, stakeholders and the agricultural sector. The Freshwater Management Unit (FMU) and objective setting processes are yet to occur. The SRPS makes it clear that these processes are to occur in accordance with the requirements of the National Policy Statement. The SRPS identifies that the approach taken by the RPS is to specify that water quality will be maintained as a bottom line and then put in place a process for setting freshwater objectives in accordance with the NPS-FM. This is considered consistent with the intent of new clause e)iia. As the FMU freshwater objectives are still to be set the matters in f)iaa and f)iab will be able to be considered as part of that process. The modification of clause fi) is not considered to materially alter the consideration of any SRPS provision, as the FMU process and setting of objectives required by Method WQUAL.1 – Regional Plans shows that tangata whenua, the community, territorial authorities, industry, stakeholders and the agricultural sector were always to be part of the process. There is not considered to be anything within this Policy that is not given effect to the SRPS provisions I have addressed in my evidence.

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attributes that the regional council considers appropriate for each value identified under Policy CA2(b) for the freshwater body type; (d) for those attributes specified in Appendix 2, assigning an attribute state at or above the minimum acceptable state for that attribute; (e) formulating freshwater objectives: 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; iia. in those cases where a freshwater objective seeks to maintain overall water quality in accordance with Objective A2, by every regional council ensuring: 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		

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that values identified under Policy CA2(b) will not be worse off when compared to existing freshwater quality; and 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): 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		

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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 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.		

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Policy CA3 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: (a) the existing freshwater quality is caused by naturally occurring processes; or (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 i. it is necessary to realise the benefits provided by the listed infrastructure; and 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.		This provision was modified in the 2017 amendments. The changes included introducing references to attributes; and inserting greater specificity into clause b) relating to significant infrastructure listed in Appendix 3. It is recognised that at this stage Appendix 3 has not been populated and as such the changes to Policy CA3 do not impact the consideration of the SRPS at this time. With respect to the setting of freshwater objectives (of which the attributes are a part) this has yet to occur. The SRPS sets out the process for developing these. These provisions have been identified in relation to those NPSFM provisions addressing freshwater management units and setting freshwater objectives.
Policy CA4		This provision is unchanged from the NPSFM 2014.

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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.		At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS does not identify any particular waterbody where a freshwater objective is set below a national bottom line for any specified time. The freshwater objectives are to be set through a future regional plan process. This provision does not undermine the consideration of the provisions of the SRPS.
CB. Monitoring plans		
Objective CB1 To provide for an approach to the monitoring of progress towards, and the achievement of, freshwater objectives and the values identified under Policy CA2(b).	**Methods** • WQUAL.3 – Monitoring • WQUAN.3 – Monitoring Section 2.3 Monitoring Statement	These provisions were modified in 2017 to: • Objective CB1 – include a specific reference to the values identified under Policy CA2(b)). These are the values for each freshwater management unit. • Policy CB1 – introduces a need to establish methods for monitoring related to the values identified under Policy CA2(b) • Policy CB2 – is new and is to establish methods for responding to monitoring that indicates freshwater objectives will not be met and/or values will not be provided for. • Policy CB3 is new and relates to the use of the Macroinvertebrate Community Index and
Policy CB1 By every regional council developing a monitoring plan that: (a) establishes methods for monitoring progress towards, and the achievement of, freshwater objectives established under Policies CA1–CA4; (aa) establishes methods for monitoring the extent to which the values identified under Policy CA2 are being provided for in a freshwater management unit. These methods must at least include:		

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i. surveillance monitoring of microbial health risks to people at primary contact sites in accordance with Appendix 5; ii. the monitoring of macroinvertebrate communities; iii. measures of the health of indigenous flora and fauna; iv. information obtained under Policy CB1(a) and Policy CC1; and v. Mātauranga Māori. (b) identifies a site or sites at which monitoring will be undertaken that are representative for each freshwater management unit; and (c) recognises the importance of long-term trends in monitoring results and the relationship between results and the overall state of fresh water in a freshwater management unit.		• Policy CB4 which relates to making information gathered in accordance with policy CB1 available to the public. The provisions relating to monitoring plans are not considered to be of particular relevance to the SRPS consideration at this time. The development of monitoring plans and the implementation of the provisions within this monitoring section of the NPSFM does not specify action that needs to occur in a regional policy statement. The SRPS does include a number of provisions that address monitoring of the SRPS, including a monitoring statement which identifies that the Southland Regional Council will monitor and review the provisions of the Regional Policy Statement to check their efficiency and effectiveness throughout the SRPS's life and publish the results. The provisions relating to monitoring in the NPSFM will be of greater relevance once the FMU and freshwater objective process has been completed and is being implemented. There is not considered to be anything within the changes introduced in 2017 that undermine the provisions of the SRPS I have addressed in my evidence.
Policy CB2 By every regional council establishing methods, for example, action plans, for responding to monitoring that indicates freshwater objectives will not be met and/or values will not be provided for in a freshwater management unit.		
Policy CB3 By every regional council:		

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(a) using the Macroinvertebrate Community Index; (b) establishing methods under Policy CB2 to respond to a Macroinvertebrate Community Index score below 80, or a declining trend; and (c) ensuring that methods: i. investigate the causes of declining trends or the Macroinvertebrate Community Index score below 80; ii. seek to halt declining trends; and iii. seek to improve on a Macroinvertebrate Community Index score if it is below 80, unless this is caused by naturally occurring processes, pest or unwanted organism, or by infrastructure listed in Appendix 3.		
Policy CB4 By every regional council taking reasonable steps to ensure that information gathered in accordance with Policy CB1 is available to the public regularly and in a suitable form.		
CC. Accounting for freshwater takes and contaminants		
Objective CC1	**Policies**	This provision is unchanged from the NPSFM 2014.

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To improve information on freshwater takes and sources of freshwater contaminants, in order to: (a) ensure the necessary information is available for freshwater objective and limit setting and freshwater management under this national policy statement; and (b) ensure information on resource availability is available for current and potential resource users.	• WQUAL.13 – Information gathering • WQUAN.9 – Information gathering **Methods** • WQUAL.15 – Collaboration • WQUAN.6 – Information gathering	At the time the SRPS was made operative its provisions were considered to give effect to this provision. This provision is related to the freshwater objective and limit setting process which will be subject to regional plan changes.
Policy CC1 By every regional council: (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 (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.		This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. This provision is related to the freshwater objective and limit setting processes which will be subject to regional plan changes.
Policy CC2	**Methods**	This provision is unchanged from the NPSFM 2014.

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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.	• WQUAL.5 – Information and advice • WQUAN.12 – Information, education and public awareness	At the time the SRPS was made operative its provisions were considered to give effect to this provision. This provision is related to the freshwater objective and limit setting process which will be subject to regional plan changes.
D. Tangata whenua roles and interests		
Objective D1 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.	Chapter 3: Tangata Whenua, which sets out the resource management provisions to resolve the resource management issues of significance to Ngai Tahu as tangata whenua of the Southland Region. **Policy** • BRL.1 – Managing effects on values and physical processes **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.10 – Collaboration • WQUAL.16 – Other methods • WQUAN.9 – Consultation	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS contains numerous provisions that address these matters.

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	• WQUAN.14 – Other methods • BRL.8 – Consultation • BRL.9 – Other methods	
Policy D1 Local authorities shall take reasonable steps to: (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.	Chapter 3: Tangata Whenua, which sets out the resource management provisions to resolve the resource management issues of significance to Ngai Tahu as tangata whenua of the Southland Region. **Policy** • BRL.1 – Managing effects on values and physical processes **Methods** • WQUAL.1 – Regional Plans • WQUAL.6 – Land use effects on water quality • WQUAL.10 – Collaboration • WQUAL.16 – Other methods • WQUAN.9 – Consultation • WQUAN.14 – Other methods • BRL.8 – Consultation • BRL.9 – Other methods	This provision is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The SRPS contains numerous provisions that address these matters.
E. Progressive implementation programme		
Policy E1	Chapter 4 Water	This provision was modified in 2017 with amendments to clause f) by extending the timelines

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(a) This policy applies to the implementation by a regional council of a policy of this national policy statement. (b) Every regional council is to implement the policy as promptly as is reasonable in the circumstances, and so it is fully completed by no later than 31 December 2025. (ba) A regional council may extend the date in Policy E1(b) to 31 December 2030 if it considers that: i. meeting that date would result in lower quality planning; or ii. it would be impracticable for it to complete implementation of a policy by that date. (c) Where a regional council is satisfied that it is impracticable for it to complete implementation of a policy fully by 31 December 2015, the council may implement it by a programme of defined time-limited stages by which it is to be fully implemented by 31 December 2025 or 31 December 2030 if Policy E1(ba) applies. (d) Any programme of time-limited stages is to be formally adopted by the council by 31 December 2015 and publicly notified. (e) Where a regional council has adopted a programme of staged implementation, it is		and the introduction of clause g). The changes relating to clause f) were to be completed by 31 December 2018 and were addressed outside of a Regional Policy Statement or Regional Plan process. New clause g) relates to reporting of primary contact sites. There is no requirement for this reporting to be addressed through a Regional Policy Statement Process. Further, the first reporting cycle that is required under clause g) has not yet passed. The remainder of the policy is unchanged from the NPSFM 2014. At the time the SRPS was made operative its provisions were considered to give effect to this provision. The focus within Chapter 4 water is related to giving effect to the NPSFM and how this will be implemented.

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to publicly report, in every year, on the extent to which the programme has been implemented. (f) Any programme adopted under Policy E1 (c) of the National Policy Statement for Freshwater Management 2011 or under E1(c) of the National Policy Statement for Freshwater Management 2014 by a regional council is to be reviewed, revised if necessary, and formally adopted by the regional council by 31 December 2018, and publicly notified. (g) Every regional council must, at intervals of not more than five years, compile and make available to the public a review of the improvements to specified rivers and lakes, and primary contact sites, made in giving effect to Policy A5. (Provision modified in 2017 amendments to modify clause f) and introduce clause g).)		