

SOUTHLAND REGION AGREEMENT FOR THE POSITION OF RIVER MOUTHS

AND THE SUBSEQUENT DEFINITION OF THE LANDWARD BOUNDARY OF THE COASTAL MARINE AREA, 2020

This agreement is made the 3rd day of December 2020 pursuant to Section 2 of the Resource Management Act 1991 (the Act)

between Kiritapu Lyndsay Allan, Minister of Conservation (the Minister) of the first part,

and Southland Regional Council (Council) of the second part,

and Invercargill City Council and Southland District Council (Territorial Authorities) of the third part.

Whereas

A Section 2 of the Act provides that the 'mouth' of a river, for the purpose of defining the landward boundary of the coastal marine area (CMA), means the mouth of the river either

- (i) as agreed and set between the Minister, the Council, and the appropriate territorial authorities in the period between consultation on, and notification of, a proposed regional coastal plan (the Plan); or
- (ii) as declared by the Environment Court (under RMA section 310) upon application made by the Minister, the Council, or the appropriate territorial authorities prior to the Plan becoming operative,

and once so agreed and set or declared, shall not be changed or otherwise varied, altered, questioned, or reviewed in any way until the next review of the regional coastal plan, unless the Minister, the Council, and the appropriate territorial authorities agree.

B The landward boundary of the CMA where the mean high water springs line crosses any river shall be the lesser of

- (i) 1 kilometre upstream from the mouth of the river; or
- (ii) the point upstream that is calculated by multiplying the width of the river mouth by 5.

C The Regional Coastal Plan (RCP) for Southland became fully operative on 16 March 2013. The original 'Southland Region Agreement for Position of River Mouths and Subsequent Definition of the Landward Boundary of Coastal Marine Area' (the Original Agreement) was dated 5 November 1996 and signed by the parties to this agreement; schedule 1 shows the river mouth boundaries as originally defined. The Original Agreement is recorded in Appendix 2 of the RCP. The Council intends to notify an update to the RCP (Proposed Plan) which will include the new river mouth boundaries agreed and set pursuant to this agreement.

D This agreement replaces the Original Agreement and amends the specified river mouths and the landward boundary of the coastal marine area accordingly as set out in the attached schedules of this agreement. This agreement will have immediate effect upon being signed by all parties, notwithstanding that the Proposed Plan may not have been notified or made operative.

E The Original Agreement will cease to have effect from the time this agreement is signed by all parties.

Pursuant to Section 2 of the Act the Minister, the Council, and both of the Territorial Authorities (in relation only to their respective territorial boundaries in so far as such boundaries are contained within the regional boundaries of the Council) **agree and set** the mouth of each river within the Council boundaries as follows.

- F For each river identified in Schedule 1, the mouth shall be a straight line drawn from bank to bank through the grid reference relating to that river at right angles to the river flow at the grid reference. The grid reference for each river is the point taken in the middle of the main river channel.
- G For rivers not identified in Schedule 1, the mouth shall be a straight line representing a continuation of the mean high water springs on each side of the river in accordance with the diagram in Schedule 2.

Signed by the DIRECTOR - PLANNING, PERMISSIONS, AND LAND (Department of Conservation) acting for and on behalf of the MINISTER OF CONSERVATION pursuant to the Resource Management Act 1991 and dated

23rd day of December 2020

SIGNATURE
Natasha Hayward
NAME
Natasha Hayward.

The Common Seal of the SOUTHLAND REGIONAL COUNCIL was affixed in the presence of

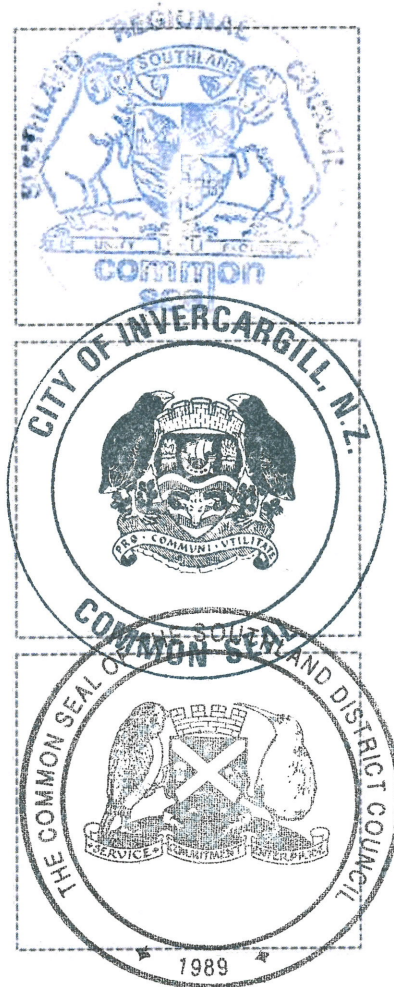
NAME	SIGNATURE
<u>N. G. HORRELL</u>	<u>[Signature]</u>
<u>R. A. PHILLIPS</u>	<u>[Signature]</u>

The Common Seal of the INVERCARGILL CITY COUNCIL was affixed in the presence of

NAME	SIGNATURE
Timothy Richard Shadbolt Justice of the Peace and Mayor Invercargill	<u>[Signature]</u>

The Common Seal of the SOUTHLAND DISTRICT COUNCIL was affixed in the presence of

NAME	SIGNATURE
G.I. Tong, JP Mayor Southland District Council Justice of the Peace for New Zealand	<u>[Signature]</u>



Schedule 1

River Name	Territorial Authority	River Mouth		CMA		CMA Location Notes
		Easting NZTM2000	Northing NZTM2000	Easting NZTM2000	Northing NZTM2000	
Aparima River	Southland District Council	1216028.19	4858999.44	1216223.76	4859142.97	Downstream side of Riverton Otautau Road bridge
Arthur River	Southland District Council	1196258.48	5039758.54	1195937.43	5039374.47	Beside shelter
Awarua River	Southland District Council	1210675.13	5083063.27	1210656.28	5082938.58	Downstream side of footbridge
Big River	Southland District Council	1131697.57	4863942.79	1131866.76	4864660.41	Seaward side of historic land slump
Camelot River	Southland District Council	1145647.54	4966405.37	1145839.81	4966493.88	
Cleddau River	Southland District Council	1197617.83	5040263.63	1197686.75	5040330.78	
Clifton Channel	Invercargill City Council	1243052.74	4845516.03	1243102.89	4845512.49	Downstream side of tidegates
Coal River	Southland District Council	1109995.90	4942042.95	1110199.84	4942062.56	
Doughboy Creek, Stewart Island	Southland District Council	1199305.34	4775960.33	1199409.24	4776021.97	
Freshwater River, Stewart Island	Southland District Council	1212849.03	4796854.41	1212837.60	4796934.45	Downstream side of footbridge
Harrison River	Southland District Council	1196008.85	5045938.45	1195967.35	5046116.13	
Heron River, Stewart Island	Southland District Council	1232642.99	4778469.04	1232539.52	4778580.23	
Hollyford River	Southland District Council	1202854.11	5073924.74	1203304.41	5073125.74	
Irene River	Southland District Council	1146696.14	4988475.84	1146944.21	4988500.86	
Kaipō River	Southland District Council	1195555.89	5070474.75	1195876.96	5070616.40	
Kingswell Creek	Invercargill City Council	1243096.62	4846216.48	1243131.40	4846239.87	Downstream side of railway bridge
Lords River, Stewart Island	Southland District Council	1226084.46	4772884.92	1226090.08	4773036.62	
Mataura River	Southland District Council	1273057.94	4840181.85	1272989.44	4840421.22	Downstream side of Tokanui Gorge Road Highway bridge
Mill Creek, Stewart Island	Southland District Council	1228540.45	4795133.81	1228537.11	4795141.17	
Mokotua Stream	Invercargill City Council	1246181.63	4841878.81	1246248.87	4841847.41	Downstream side of Bluff Highway bridge
Muddy Creek	Invercargill City Council	1255483.59	4832356.50	1255434.61	4832358.33	Downstream side of Awarua Bay Road bridge
Murray River, Stewart Island	Southland District Council	1218130.89	4806913.61	1218071.82	4806909.82	Downstream side of footbridge
Oreti River	Invercargill City Council	1236557.58	4846104.60	1236816.03	4847081.47	Downstream side of Dunns Road bridge
Otepunī Creek	Invercargill City Council	1241827.96	4849413.91	1241883.38	4849417.76	Downstream side of Bond Street bridge
Pourakino River	Southland District Council	1211148.82	4859173.63	1211133.84	4859327.73	Downstream side of Centre Road bridge
Rakeahua River, Stewart Island	Southland District Council	1211158.03	4784030.22	1211199.86	4783946.56	Boat landing
Rowallan Burn	Southland District Council	1176750.46	4873880.72	1176733.00	4873984.84	Downstream side of Papatotara Coast Road bridge
Seaforth River (Supper Cove)	Southland District Council	1130076.80	4921886.45	1130484.43	4921871.47	
Smoky River, Stewart Island	Southland District Council	1204862.05	4814638.68	1204944.55	4814570.67	Downstream side of footbridge
Stillwater Creek	Southland District Council	1152153.37	4995708.36	1152228.60	4995563.27	
Titiroa River	Southland District Council	1276645.68	4836846.20	1276640.27	4836899.45	Upper side of tidegate pipes
Toitōi River, Stewart Island	Southland District Council	1220206.20	4769882.39	1220165.46	4770178.38	
Tokanui River	Southland District Council	1280970.82	4829570.06	1280970.72	4829623.89	
Unnamed River at Maori Beach, Stewart Island	Southland District Council	1224682.00	4799245.82	1224658.29	4799235.98	
Waiau River	Southland District Council	1184662.26	4869989.59	1184801.63	4870272.99	Extrapolation westwards of the centreline of Fishing Camp Road
Waihopai River	Invercargill City Council	1242220.85	4851997.12	1242275.78	4852083.75	Downstream side of North Road bridge
Waikawa River	Southland District Council	1303838.23	4832548.61	1303928.27	4832603.33	Base of Niagara Falls
Waikoau River	Southland District Council	1171085.07	4874318.85	1171071.90	4874368.22	Downstream side of footbridge
Waimatua (Duck) Creek	Invercargill City Council	1245048.49	4843689.45	1245144.02	4843662.66	Downstream side of railway bridge
Waimatuku Stream	Southland District Council	1226879.65	4854977.42	1226964.35	4855073.69	
Waipapa Stream	Southland District Council	1289750.27	4824891.75	1289750.27	4824891.75	
Wairaurahiri River	Southland District Council	1154260.37	4860531.64	1154269.85	4860845.64	
Waitutu River	Southland District Council	1142665.12	4861996.32	1142574.05	4862308.21	
Yankee River, Stewart Island	Southland District Council	1209251.38	4816171.42	1209177.00	4816076.00	Beside hut

N.B. NZTM2000 uses a Transverse Mercator projection and is based on the NZGD2000 datum using the GRS80 reference ellipsoid

Schedule 2

The following diagram illustrates the position of a river mouth for rivers not outlined in Schedule 1.

