

**In the Environment Court of New Zealand**

**Christchurch Registry**

**ENV-2018-CHC-000050**

**Under**

the Resource Management Act 1991

**In the matter of**

on an appeal under clause 14 of  
Schedule 1 of the Act in relation to  
Decisions on the Proposed Southland  
Water and Land Plan

**Between**

**Director-General of Conservation**

Appellant

**And**

**Royal Forest and Bird Protection  
Society of New Zealand Inc**

Respondent

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**Notice of Southland Fish and Game Council's wish to be party to proceedings  
pursuant to section 274 of the Resource Management Act 1991**

**Dated this 22nd day of June 2018**

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**To:** The Registrar  
Environment Court  
Level 1, District Court Building  
282 Durham Street  
Christchurch 8013

Postal address: PO Box 2069  
Christchurch 8013

1. Southland Fish and Game Council (**Fish and Game**) wish to be a party pursuant to section 274 of the Resource Management Act 1991 (**the RMA**) to the following proceedings:
  - a. the appeal against part of the decision of the Southland Regional Council (**the Council**) on the Proposed Southland Water and Land Plan (**the Proposed Plan**) by Royal Forest and Bird Protection Society of New Zealand Inc (**the Appellant**), ENV-2018-CHC-00050.
  
2. Fish and Game made a submission and further submission on the Proposed Southland Water and Land Plan.<sup>1</sup>
  
3. Fish and Game also has an interest in these proceedings greater than the general public in that:
  - a. It is the statutory manager of sports fish and game birds within the Southland Fish and Game region under Parts 5A and 5B of the Conservation Act 1987 and Part II of the Wildlife Act 1953 and their associated regulations and notices; and
  - b. Fish and Game Councils are statutory bodies with functions under s 26Q of the Conservation Act 1987 to manage, maintain, and enhance the sports fish and game resource in the recreational interests of anglers and hunters,<sup>2</sup> including in particular:
    - i. Assessing and monitoring sports fish and game populations;<sup>3</sup>
    - ii. Assessing and monitoring condition and trend of ecosystems as habitats for sports fish and game;<sup>4</sup>
    - iii. To maintain and improve the sports fish and game resource,<sup>5</sup> including by:
      - Maintaining and improving access;<sup>6</sup> and

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<sup>1</sup> Submitter number 752.

<sup>2</sup> Section 26Q(1) of the Conservation Act 1987.

<sup>3</sup> Section 26Q(1)(a)(i) of the Conservation Act 1987.

<sup>4</sup> Section 26Q(1)(a)(iii) of the Conservation Act 1987.

<sup>5</sup> Section 26Q(1)(b) of the Conservation Act 1987.

<sup>6</sup> Section 26Q(1)(b)(i) of the Conservation Act 1987.

- Undertaking works to maintain and enhance the habitat of sports fish and game;<sup>7</sup>
  - iv. Promoting recreation based on sports fish and game;<sup>8</sup> and
  - v. In relation to planning to:
    - To represent the interests and aspirations of anglers and hunters in the statutory planning process;<sup>9</sup> and
    - To advocate the interests of the Fish and Game Council, including its interests in habitats.<sup>10</sup>
- 4. Fish and Game is not a trade competitor for the purposes of section 308C or 308CA of the Resource Management Act 1991.
- 5. Fish and Game is directly affected by an effect of the subject of the that appeal that:
  - a. Adversely affects the environment; and
  - b. Does not relate to trade competition or the effects of trade competition.
- 6. Fish and Game is interested in all the proceedings.
- 7. Without limiting the above, Fish and Game is interested in the following particular issues:
  - a. Objective 6;
  - b. Objectives 9, 9A and 9B;
  - c. Objectives 13, 13A and 13B;
  - d. Objective 17;
  - e. Policy 13 . Management of land use activities and discharges;
  - f. Policy 15A . Maintain water quality where standards met;
  - g. Policy 15B . Improve water quality where standards are not met;
  - h. Policy 15C . Maintaining and improving water quality after FMU processes;
  - i. Policy 16 . Farming activities that affect water quality;

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<sup>7</sup> Section 26Q(1)(b)(v) of the Conservation Act 1987.

<sup>8</sup> Section 26Q(1)(c)(ii) of the Conservation Act 1987.

<sup>9</sup> Section 26Q(1)(e)(i) of the Conservation Act 1987.

<sup>10</sup> Section 26Q(1)(e)(vii) of the Conservation Act 1987.

- j. Policy 16A . Industrial and trade processes that may affect water quality;
  - k. Policy 17 . Agricultural effluent management;
  - l. Policy 17A . Community sewerage schemes and on-site wastewater systems;
  - m. Policy 18 . Stock exclusion from waterbodies;
  - n. Policy 20 . Management of water resources;
  - o. Policy 26A - Infrastructure;
  - p. Policy 28 . Structure sand bed disturbance activities of rivers (including modified watercourses) and lakes;
  - q. Policy 29 . Provide for extraction of gravel;
  - r. Policy 39 . Application of the permitted baseline;
  - s. Policy 39A . Integrated management;
  - t. Policy 46 . Identified FMUs;
  - u. Rule 13 . Discharge from sub-surface drainage systems;
  - v. Rule 15 . Discharge of storm water;
  - w. Rule 20 - Farming;
  - x. Rule 24 . Incidental discharges from farming;
  - y. Rule 25 . Cultivation on sloping ground;
  - z. Rule 51 . Minor diversions of water;
  - aa. Rule 52 . Water abstraction, damming, diversion and use from the Waiau catchment;
  - bb. Rule 52A . Manapouri hydro-electric generation scheme;
  - cc. Rule 70 . Stock exclusion from waterbodies; and
  - dd. Rule 78 . Weed and sediment removal for drainage management.
8. The particular issues and whether Fish and Game supports, opposes or conditionally opposes the relief sought are set out in the attached table . Attachment 1.
9. Fish and Game agree to participate in mediation or other alternative dispute resolution of the proceedings.

Dated this 22nd day of June 2018



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Signed: Zane Moss - Manager  
Southland Fish and Game Council

**Address for service for Southland Fish and Game Council:**

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## Attachment 1

Provision of Proposed Southland Water and Land Plan appealed by Royal Forest and Bird Protection Society of New Zealand Inc	Relief sought by Royal Forest and Bird Protection Society of New Zealand Inc	Scope for s 274 – Southland Fish and Game Council submission point reference	Support / oppose	Reasons
Objective 6	Remove reference to “ <del>overall</del> ”	752.22 + further submissions on 17.3, 48.5, 265.19, 288.15, 330.1 and 661.6	Support	Overall as used in objective 6 provides no certainty that the proposed plan will maintain or improve water quality. The addition of <del>overall</del> removes the certainty that the intent of the proposed plan is that the quality of all freshwater and water in estuaries and coastal lagoons in Southland are to be maintained or improved.
Objectives 9, 9A and 9B	<p>Reinstate reference to recreational values and waterbody margins in Objective 9.</p> <p>Recast Objectives 9, 9A and 9B to ensure that environmental bottom lines in 9 are achieved before the use of land and water contemplated in 9A and 9B are provided for.</p> <p>Amend Objective 9A to:</p> <p><u>“Provided objective 9 is achieved, water is available to support the reasonable needs of people and communities to provide for their, social, economic and cultural wellbeing”</u></p> <p>Amend Objective 9B to:</p>	752.53 + further submissions on 48.8, 265.22, 279.9, 390.3 and 414.1	Support	<p>Splitting Objective 9 into three Objectives (Objectives 9, 9A and 9B) has diminished the intent and clarity of the Objective, including the primacy given to safeguarding the quantity of water so that aquatic ecosystem health, life-supporting capacity, outstanding natural features and landscapes, recreational values, and natural character are first met.</p> <p>Deletion of reference to recreational values from Objective 9 is inconsistent with providing for people’s wellbeing and NPS-FWM objectives for swimmable rivers.</p> <p>Deletion of reference to waterbody margins will not safeguard life supporting capacity of ecosystems.</p> <p>The NPSFM prioritises safeguarding environmental values and people and communities’ health. Objectives 9A and 9B have the potential to conflict with the achievement of freshwater objectives. The objective should be to sustainably manage these activities within environmental limits.</p>

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	<i>The effective development, operation, maintenance and upgrading of Southland's regionally significant, nationally significant and critical infrastructure is <del>enabled</del> sustainably managed.</i>			
Objectives 13, 13A and 13B	Reject changes that create three separate Objectives (Objectives 13, 13A and 13B)	752.29 + further submissions on 210.34, 277.14, 279.12 and 803.11	Support	<p>Notified Objective 13 has been reframed into Objectives 13, 13A and 13B. Objective 13(c) relating to ecosystems, amenity values, cultural values and historic heritage values has been deleted on the basis it is addressed elsewhere but Objective 14 is restricted to ecosystem types and habitats, and to rivers estuaries wetlands and lakes.</p> <p>The relationship between Objectives 13, 13A, 13B and 13C does not ensure that sustainable management and freshwater objectives are achieved.</p>
Objective 17	Amend to:  <i>“... natural habitats, are <u>preserved</u>, and protected from inappropriate use and development.”</i>	752.33 + further submissions (210.38, 265.29, 279.15 and 288.7)	Support	Gives effect to s6(a) of the RMA.

Provision of Proposed Southland Water and Land Plan appealed by Royal Forest and Bird Protection Society of New Zealand Inc	Relief sought by Royal Forest and Bird Protection Society of New Zealand Inc	Scope for s 274 – Southland Fish and Game Council submission point reference	Support / oppose	Reasons
Policy 13	<p>Amend:</p> <p><i>“1. Recognise that the <u>sustainable use and development of Southland’s land and water resources, including for primary production, enables people and communities to provide for their social, economic and cultural wellbeing.</u>”</i></p> <p>Amend cross-references in 13(2) to align with the changes sought below.</p>	752.57 + further submissions on 17.17, 265.44, 749.45 and 895.25)	Support	Policy 13 has been redrafted to be development focused, where the original policy as notified focused on protection. The activities of primary production are captured by the references to economic, social and cultural wellbeing. Specific mention of primary production is not necessary.
Policy 15 (deleted)	<p>Reinstate Policy 15 as notified with the amendments below:</p> <p>Amend 15(2):</p> <p><i>2. avoiding point source and non-point source discharges to land that will reduce surface or groundwater quality, <del>unless the adverse effects of the discharge can be avoided, remedied or mitigated;</del></i></p> <p>Amend 15(3) to:</p> <p><i>“avoiding land use activities that will reduce surface or groundwater quality, <del>unless the adverse effects can be avoided, remedied or</del></i></p>	752.59 + further submission on 17.19	Support	Policy 15 used to provide a policy of avoiding new discharges to surface waterbodies that would reduce water quality beyond the zone of reasonable mixing. That policy is appropriate to implement the NSP-FWM.



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	<i>mitigated; and</i>			
Policy 15A	Amend Policy 15A to ensure that it is consistent with maintenance of water quality.  Delete references to <i>remedy or mitigate.</i>	752.59 + further submission on 17.19	Support	Policies 15A and 15B do not provide for maintaining or improving water quality as it diminishes the overall intent of by introducing the terms <i>where practicable</i> and <i>mitigating</i> into the policies.
Policy 15B	Amend Policy 15B(1) to require new discharges to contribute to an enhancement of water quality.  Amend Policy 15B(2) to provide guidance to consent authorities to distinguish between minor and major improvements and timeframes.  Delete references to <i>remedy or mitigate.</i>	752.59 + further submission on 17.19	Support	Policies 15A and 15B do not provide for maintaining or improving water quality as it diminishes the overall intent of by introducing the terms <i>where practicable</i> and <i>mitigating</i> into the policies.
Policy 15C	Amend:  <i>“Following the establishment of freshwater objectives and limits</i>	752.59 + further submission on 17.19	Support	The intent or purpose of policy 15C is uncertain, as following the establishment of FMU freshwater objectives, this will provide direction on how specific water bodies are maintained or improved.

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	<i>under Freshwater Management Unit processes, and including through implementation of non-regulatory methods, improve water quality where it is degraded to the point where it has been allocated beyond a limit or freshwater objectives are not being met and otherwise maintain or improve water quality where freshwater objectives are being met.”</i>			<p>Reference to non-regulatory methods is unnecessary as both regulatory and non-regulatory methods are possible.</p> <p>Policy 15C refers only to improving water quality where a freshwater objective is not met, but <del>over-allocation</del> includes the situation where water has been allocated beyond a limit.</p> <p>Improvement may be an appropriate response even for water quality that is not degraded, and the policy should provide for that.</p>
Policy 16	<p>Amend Policy 16 so that adverse effects on water quality are avoided and other adverse environmental effects are avoided, remedied or mitigated.</p> <p>Amend <del>discouraging</del> to <del>avoiding</del> in 16(1)(a).</p> <p>Amend by deleting <del>generally</del> and <del>or mitigated</del> in 16(1)(b) and 16(1)(c).</p>	752.60 + further submissions on 210.55, 265.47 and 279.24	Support	<p><del>Minimising adverse effects</del> does not provide clear direction on which effects must be avoided, remedied or mitigated and may be inconsistent with maintaining or improving water quality.</p> <p>In 16(1)(a), <del>discouraging</del> an activity provides uncertain policy direction.</p> <p>In 16(1)(b), reference to <del>generally</del> not granting consent is uncertain and inadequate policy direction. <del>Mitigating</del> effects is unlikely to achieve adequate freshwater outcomes.</p>
Policy 16A	Amend to require avoidance of adverse effects on water quality	752.60 + further submissions on 277.40	Support	<p><del>Minimising adverse effects</del> does not provide clear direction on which effects must be avoided, remedied or mitigated and may be inconsistent with maintaining or improving water quality.</p> <p>Adopting the best practicable option may be insufficient to meet environmental bottom lines.</p>

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Policy 17	Amend by deleting %significant+	752.61 + further submissions on 17.20, 210.56, 583.16 and 759.5	Support	Avoiding only %significant effects+on water quality is inconsistent with s 30 of the RMA and the NPS-FWM.
Policy 17A	Amend to require that adverse effects on water quality are avoided	752.61 + further submissions on 17.20, 210.56, 583.16 and 759.5	Support	Minimising adverse effects will not meet a bottom line of maintaining water quality and improving it where degraded. This still provides for potentially significant adverse effects.
Policy 18	Delete exclusion for ephemeral rivers.  Delete %significant+in relation to adverse effects of stock access.	752.62 + further submissions on 11.2, 62.4, 210.57, 265.49, 279.26 and 622.11	Support in part	Exclusion of ephemeral rivers is not consistent with the NPS-FWM and ss6 and 30 of the RMA.  Stock access should not adversely affect water quality, bed and bank integrity and stability, mahinga kai, and river and riparian ecosystems and habitats.
Policy 20	Delete the text %including for primary production+in Policy 20(1A)  Amend 20(1) by deleting %remedy or mitigate+in relation to items (a), (b), (c), (d), (e), (f), (h) and (j).  Amend 20(2) by deleting %remedy or mitigate significant+in relation to effects on aquifer storage volumes; surface water flows and levels; and water quality.	752.63 + further submissions on 172.9, 210.58 and 277.27	Support	The activities of primary production are captured by the reference to economic, social and cultural wellbeing. Specific mention is not necessary.  An %avoid, remedy or mitigate+approach to effects on aquatic habitat, life supporting capacity, ecosystem processes and the other values in 20(1) will not safeguard these values and is inconsistent with the NPS-FWM.  An %avoid, remedy or mitigate significant adverse effects+approach to aquifer storage volumes; surface water flows and levels; and water quality is inconsistent with the NPSFM and ss 6 and 30 of the RMA.
Policy 26A	Delete Policy 26A in its entirety	Further	Support	The objective and definitions provide insufficient clarity as to what

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		submissions on 24.45, 330.10 and 437.14		constitutes effective development, operation, maintenance and upgrading of regionally significant infrastructure, and what is not already covered by the definition of critical+infrastructure or captured by Objective 10.
Policy 28	Delete remedy or mitigate+	72792.92.69 + further submissions on 210.61, 562.7 and	Support	Policy 28 provides for remedying or mitigating adverse effects, which will not safeguard life supporting capacity.
Policy 29	Amend Policy 29 to include requirement to avoid adverse effects on significant indigenous vegetation and significant habitat of indigenous fauna	752.70 + further submissions on 81.16, 145.2, 207.2, 210.62, 279.35, 288.22, 342.5, 749.56 and 792.10	Support	Policy 29 does not protect significant indigenous vegetation and significant habitat of indigenous fauna from adverse effects.
Policy 39	Amend Policy 39 to provide:  <i>“... Southland Regional Council <del>should</del> shall consider all adverse effects of the proposed activity on water quality and quantity, whether or not this Plan permits an activity with that effect.”</i>	752.78 + further submissions on 279.44 and 265.58	Support	When considering applications for resource consent the Council should consider all effects on water quantity as well as water quality to give effect to Part B of the NPS-FWM.
Policy 46	Include Waituna as an FMU and amend map series 7 accordingly	+ further submissions on 279.52, 562.9, 661.31 and	Support	Waituna has special values and is already over allocated with respect to water quality, and so needs to be carefully managed as a FMU rather than as part of a larger FMU.

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		803.31		
Rule 13	Amend Rule 13 to insert the following sub-paragraph:  <u><i>“(vii) The discharge does not reduce the water quality standard below any standards set for the relevant waterbody in Appendix E “Water Quality Standards” at the downstream edge of the reasonable mixing zone.”</i></u>	752.105 + further submissions on 133.2, 224.3, 247.8, 249.20, 265.79 279.63, 390.27, 622.18, 750.12 and 779.2	Support	Any permitted activity rule in relation to discharges from tile / subsurface drains must include standards that comprehensively control the actual and potential adverse effects of on water that could arise from the activity to ensure the discharge is not contrary to s 107(1)(e) . (g) of the RMA. No numeric standards are proposed by Council to give effect to s 107(1)(e) . (g). The proposed amendment makes Rule 13 certain and enforceable. In addition, the link to water quality standards set out in Appendix E of the Proposed Plan ensures integrated management between land and water and is consistent with Councils function under s 30(1)(e) to manage the effect of land use on water quality and in relation to water quality under s 69 of the RMA.
Rule 15	Amend 15(a) and 15(ab) to include:  <u><i>“(vii) The discharge does not reduce the water quality standard below any standards set for the relevant waterbody in Appendix E “Water Quality Standards” at the downstream edge of the reasonable mixing zone.”</i></u>	752.107 + further submissions on 265.81, 279.65, 330.13, 411.28, 411.29, 661.36, 797.36 and 830.37	Support	Any permitted activity rule in relation to discharge of storm water must include standards that comprehensively control the actual and potential adverse effects of on water that could arise from the activity to ensure the discharge is not contrary to s 107(1)(e) . (g) of the RMA. No numeric standards are proposed by Council to give effect to s 107(1)(e) . (g). The proposed amendment makes Rule 15 certain and enforceable. In addition, the link to water quality standards set out in Appendix E of the Proposed Plan ensures integrated management between land and water.
Rule 20(aa)	Delete Rule 20(aa) in its entirety.  Add intensive horticulture to Rule 20(a).  Amend to include ephemeral streams and provide for increased setbacks.	Rule 20 - 752.112, Rule 21 - 752.113, Rule 22 - 752.115 and Rule 23 - 752.116 + further submissions on	Support	The definition of <del>an</del> ephemeral waterbody+is not sufficiently clear to ensure that contaminants from farming activities will not impact on water quality.  Farming activities in ephemeral rivers are permitted. This is inappropriate due to the high environmental values of ephemeral rivers and their potential to be critical source areas.

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	Amend (d) to provide that farming that does not meet these standards is a non-complying activity.	Rule 20 (62.8, 210.82, 247.9, 265.83 and 279.67), Rule 21 (265.84 and 803.39), Rule 22 (62.9, 210.84, 265.85, 279.68 and 622.23) and Rule 23 (62.10, 190.13, 247.10, 249.25, 265.86, 279.69, 622.24, 797.40 and 803.41).		<p>Horticulture on small lots can also contribute nutrients to water bodies and should also be managed.</p> <p>Setback distances are inadequate.</p> <p>Farming that does not meet a standard should be a non-complying activity.</p>
Rule 24	<p>Amend Rule 24 to add the following standards into 24(a)(ii)(4):</p> <p><i><u>“(iii) any discharge of a contaminant resulting from any activity permitted by Rules 20, 25 or 70 is managed to ensure that after reasonable mixing it does not give rise to any of the following effects on receiving waters: (1) where the water quality upstream of the discharge meets the standards set for the relevant waterbody in Appendix E “Water Quality Standards”, the discharge does not reduce the water quality below those standards at the downstream edge of</u></i></p>	752.117 + further submissions on 265.87 and 279.70	Support	Any permitted activity rule in relation to discharges from farming must include standards that comprehensively control the actual and potential adverse effects of on water that could arise from the activity to ensure the discharge is not contrary to s 107(1)(e) . (g) of the RMA. No numeric standards are proposed by Council to give effect to s 107(1)(e) . (g). The proposed amendment makes Rule 13 certain and enforceable. In addition, the link to water quality standards set out in Appendix E of the Proposed Plan ensures integrated management between land and water and is consistent with Councils function under s 30(1)(e) to manage the effect of land use on water quality and in relation to water quality under s 69 of the RMA.

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	<p><i>the reasonable mixing zone; or (2) where the water quality downstream of the discharge does not meet the standards set for the relevant water body in Appendix E “Water Quality Standards”, the discharge must not further reduce the water quality below those standards at the downstream edge of the reasonable mixing zone.”</i></p>			
Rule 25	<p>Include ephemeral rivers.</p> <p>Increase setback to:</p> <ul style="list-style-type: none"> <li>• 20m for slopes at 16 degrees or more;</li> <li>• 10m for slopes 4-16 degrees; and</li> <li>• 5m for slopes of less than 4 degrees</li> </ul> <p>Amend to specify that cultivation in the Alpine Zone is prohibited.</p> <p>Amend matters of discretion to include:</p> <p><u>3. Risks to areas of significant indigenous vegetation and habitats and measures to avoid those risks; and</u></p>	752.118 + further submissions on 62.11, 190.14, 210.86, 265.88 and 279.21	Support	<p>A 5 m setback is inadequate to protect ecosystems and maintain water quality. Research suggest that riparian buffers should be increase in size proportional to slope to mitigate the effects of sediment loss from overland flow.</p> <p>The exclusion of ephemeral rivers is not justified.</p> <p>Matters of discretion to not enable all relevant effects to be considered.</p>

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	<i>4. Risks to the preservation of the natural character of wetlands, lakes, rivers and their margins.</i>			
Rule 51	Amend Rule 51 to ensure that minor diversions of water from all wetlands including listed Regionally Significant Wetlands are a non-complying activity.	752.144 + further submissions on 108.86, 247.15, 279.97, 288.34, 523.8 and 753.7	Support	Diversions adversely affect wetlands, and diversions from Regionally Significant Wetlands should only occur in exceptional circumstances. Discretionary activity status is inappropriate.
Rule 52 / 52A	<p>Ensure all abstraction, damming, diversion and use of water from the Waiau catchment is non-complying, except as provided in Rules 49, 50 or 51 and the takes authorised by Section 14(3) of the RMA.</p> <p>Delete Rule 52A.</p>	<p>Submission on Rule 52 (752.145) + further submissions on Rule 52 (246.5, 279.98 and 562.14)</p> <p>Further submission on Rule 52A (562.15)</p>	Support	<p>Controlled activity status in Rule 52A for activities associated with the MPS is inappropriate for the following reasons:</p> <ol style="list-style-type: none"> <li>1. As a consequence of the operation of the MPS the Waiau catchment is over allocated;</li> <li>2. As a controlled activity, Council must grant consent for resource consent applications associated with the MPS under Rule 52A(a). As a controlled activity: <ol style="list-style-type: none"> <li>a. The Proposed Plan will be unable to give effect to the NPS-FWM, including Objectives A1- A4, Policies A1 . A3, A5 and A7, Objectives B1 . B5, Policies B1, B2 and B4 . B7, Objective C1 and Policy C1. The Proposed Plan will only give effect to the NPS-FWM if the renewal of water takes and use consents relating to the MPS requires assessment as a discretionary activity (if the proposal complies with all relevant standards) or a non-complying activity (if the proposal does not comply with all relevant standards); and</li> </ol> </li> </ol>



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				<p>b. Council will be significantly hindered in its ability to reduce the volume of take in future renewal consents irrespective of limit setting or allocations findings, including any finding that the Waiau catchment is over allocated with respect to water quantity and / or quality. As such, the existing highly modified flow regime in the Lower Waiau River as a result of the MPS may become entrenched, irrespective of its significant adverse effects; and</p> <p>3. The Council did not give sufficient weight to its own evidence and recommendations on this matter.</p>
Rule 70	<p>Amend 70(c) and (e) to include ephemeral rivers and wetlands.</p> <p>Amend 70 (e) to make noncomplying after the dates set out in table 1.</p> <p>Add the following performance standards for permitted activity status:</p> <p><i>“there is no discharge that gives rise to any conspicuous change in the colour or visual clarity of the receiving water;</i></p> <p><i>there is no significant de-vegetation of the bed and banks, pugging or alteration to the profile of the bed and banks, other than at fords or stock crossings;</i></p>	752.163 + further submissions on 62.13, 210.91, 247.21, 249.30, 265.102, 277.55, 279.102, 609.6 and 797.50	Support in part	<p>The adverse effects of stock access on aquatic habitat and water quality are well recognised in resource management and in scientific literature. Similarly, the benefits of stock exclusion from aquatic habitat and its margins are well recognised in resource management and in scientific literature.</p> <p>Ephemeral rivers should not be excluded from stock exclusion requirements.</p> <p>Dairy support, beef, cattle and deer should be excluded from waterbodies by dates specified in Table 1. After that date, stock access should be a non-complying activity to indicate that stock access to water bodies is no longer acceptable.</p>

Provision of Proposed Southland Water and Land Plan appealed by Royal Forest and Bird Protection Society of New Zealand Inc	Relief sought by Royal Forest and Bird Protection Society of New Zealand Inc	Scope for s 274 – Southland Fish and Game Council submission point reference	Support / oppose	Reasons
	<p><i>there is no access by stock to the area of tidally influenced river and adjacent riparian habitat; and there is no feeding out or supplementary feeding of stock in, over or on the bed of a lake, river, (including ephemeral rivers and streams, natural wetland, or artificial water course or modified water course and their margins.”</i></p> <p>Amend Table 1 to include all natural wetlands and water bodies and artificial drains.</p> <p>Amend Table 1 to require all dairy support not on third party land to exclude stock from all natural wetlands and water bodies including artificial drains and those where break feeding or supplementary feeding occurs by 1 July 2020.</p> <p>Amend Table 1 by adding exclusion of supplementary feeding of dairy support on third party land and beef cattle and deer.</p>			
Rule 78	<p>Amend Rule 78 to include the following sub-paragraphs:</p> <p><i>“(iii) any incidental bed disturbance</i></p>	752.171 + further submissions on 108.107, 210.95, 279.109 and	Support	Rule 78 applies to modified watercourses, but does not recognise or protect sports fish and / indigenous fish or their habitat that may be found or established within the watercourse.

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	<p><i>and removal of gravel shall be only to the extent that it is necessary to undertake the activity and shall be kept to the absolute minimum and the gravel removed shall comprise not more than 5% of the total sediment removed;</i></p> <p><i>(xiv) the modified watercourse is not a habitat of threatened native fish.”</i></p> <p>Add schedule to identify habitats of threatened native fish.</p>	797.52		