

LAND USE CONSENT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Otago Regional Council

Address: 70 Stafford Street, Dunedin

To alter, deposit and disturb the bed of various rivers throughout the Otago Region for the purpose of erosion control, flood management and vegetation control

For a term expiring 26 June 2030

Location of consent activity: Various locations throughout the Otago Region.
See Appendix 2 for a map of authorised catchments.

Legal description of consent location: Crown Land and various land parcels throughout the Otago Region

Map Reference NZTM2000 (approximate midpoint for site): Various locations throughout the Otago Region.
See Appendix 2 for a map of authorised catchments.

Conditions

Specific

1. The activity must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM21.073.
 - (a) Application form, and assessment of environmental effects prepared by Incite Resource & Environmental Management, dated February 2021;
 - (b) Response to Further Information Request dated 25 March 2023;
 - (c) Addendum to the Application from Incite Resource and Environmental Management, dated 22 December 2023;
 - (d) Addendum to the Application from Incite Resource and Environmental Management, dated 20 March 2024; and
 - (e) Draft Environmental Management Plan Version 1.2, dated 13 May 2025.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. Prior to the commencement of any works authorised by this Consent, the Consent Holder must ensure that all personnel working on the site are made aware of, and have access at all times to:
 - (a) The contents of this document; and
 - (b) The Certified Environmental Management Plan.
 Copies of these documents must be present on-site at all time while the work authorised by this consent is being undertaken.
3. This Consent must be exercised in conjunction with Discharge Permit RM21.073.02 and Water Permit RM21.073.03.

Authorised Activities

4. Works authorised by this Consent are limited to those listed and described in the table below.

Authorised works	Description
Remove and maintain watercourse vegetation	The mechanical removal of trees, shrubs, aquatic weeds and storm debris from the <i>bed of a river</i> for the purpose of restoring flood capacity and to avoid hazard risk.
Channel clearance	The mechanical removal of weeds, vegetative material, mud and silt from the <i>bed of a river</i> for the purpose of restoring or improving flood capacity.
Channel reshaping	The mechanical contouring and reshaping of the <i>bed of a river</i> for the purpose of avoiding or minimising bank erosion and/or flooding.
Re-distributing alluvium	The mechanical removal of built-up aggregate from the <i>bed of a river</i> and subsequent deposition of the same aggregate material to another reach of the <i>river</i> for the purpose of avoiding or minimising bank erosion and/or flooding.
Gravel extraction	The mechanical extraction and removal of aggregate from the <i>bed of a river</i> for the purpose of restoring flood capacity and to avoid hazard risk.
Bank reshaping	The mechanical contouring and reshaping of the bank of a <i>river</i> for the purpose of stabilisation and avoiding or minimising bank erosion.
Diversions	The diversion of flows within the <i>bed of a river</i> , and any associated diversion structures, for the

	purpose of undertaking other authorised works outside of flowing water.
Temporary structures	The placement of temporary structures, including sediment traps and coffer dams, for the purpose of undertaking other authorised works and to mitigate any associated affected of those works.

5. Works authorised by this Consent must only occur within *river* catchments identified in **Appendix 2**.
6. This Consent does not authorise any works:
 - (a) within 100 metres of a *Regionally Significant Natural Wetland* or a *Natural Inland Wetland*;
 - (b) within a catchment not identified in **Appendix 2**;
 - (c) within the *Coastal Marine Area*;
 - (d) within 50 m of any lawfully established structure that is not owned by Otago Regional Council, unless permission has been obtained from the structure owner;
 - (e) within 50 m of any known lawful take of water, unless permission has been obtained from the take owner;
 - (f) within 200 m of any public drinking water supply, unless permission has been obtained from the supply owner;
 - (g) within 50 m of any registered historic place as listed in Schedule 1C of the Regional Plan: Water for Otago, or New Zealand Heritage List, unless permission has been obtained from Heritage New Zealand Pouhere Taonga;
 - (h) within 50 m of any Archaeological Site registered with the New Zealand Archaeological Authority Incorporated¹; and
 - (i) within any part of a *river* that is identified as an area with a high degree of naturalness in Schedule 1A of the Regional Plan: Water for Otago.

Frequency and extent of works authorised

7. The frequency that this Consent may be exercised within any District or for any of the authorised activities must not exceed the limits set out in the tables below.

Location of works	Frequency of times this Consent may be exercised within any 12-month period (between 1 July and 30 June)
Queenstown Lakes District – Wakatipu	15
Queenstown Lakes District – Wanaka	10
Central Otago District	25
Clutha District	30
Dunedin City	20
Waitaki District	25

¹ Any site identified in ArchSite: <https://archsite.eaglegis.co.nz/NZAAPublic>

Type of works	Frequency of times this Consent may be exercised within any 12-month period (between 1 July and 30 June)
Remove and maintain watercourse vegetation	25
Channel clearance	15
Channel reshaping	20
Re-distributing alluvium	10
Gravel extraction	15
Bank reshaping	10
Diversions	No limit – subject to other activities.
Temporary Structures	

8. The annual maximum extent of works within the *bed of a river* authorised by this Consent must not exceed the limits set out in the tables below.

	Remove and maintain watercourse vegetation	Channel clearance	Channel reshaping	Re-distributing alluvium	Bank reshaping	Total
Queenstown Lakes District – Wakatipu	4 km	1 km	1 km	1 km	1 km	8km
Queenstown Lakes District – Wanaka	4 km	1 km	1 km	1 km	1 km	8km
Central Otago District	4 km	1 km	1 km	1 km	1 km	8km
Clutha District	11 km	11 km	1 km	1 km	1 km	25km
Dunedin City	20 km	12 km	6 km	4 km	3 km	45km
Waitaki District	4 km	1 km	1 km	1 km	1 km	8km
Total	47 km	29 km	11 km	9 km	11 km	

Type of works	Extent of works per site
Remove and maintain watercourse vegetation	2.5 km where vegetation is <i>sparse</i> 1 km where vegetation is <i>dense</i>
Channel clearance	500 m
Channel reshaping	500 m
Re-distributing alluvium	500 m
Gravel extraction	500 m for rivers < 20 m wide 1 km for rivers > 20 m wide
Bank reshaping	500 m

Diversions	200 m
Temporary Structures	50 m ²

9. A buffer of no less than 200 m of undisturbed *river bed* must be maintained between each site of works undertaken in accordance with Condition 8 of this Consent.
10. Gravel extracted by this Consent must only be from the *rivers* listed in the table below.

Catchment
Pomahaka River
Kauru River
Taieri River
Clutha/Mata-Au River
West Taieri Contour Channel and its tributaries
Kakanui River
Buckler Burn near Glenorchy
Silver Stream

11. The total volume of gravel extracted in accordance with this Consent must not exceed 50,000 cubic metres per year.

Steering Group

12. Within three (3) months of the commencement of this Consent, the Consent Holder must establish a Steering Group with a representative from each of the groups listed below. The purpose of the Steering Group is to consider proposed changes to the EMP, and any matters of relevance to the implementation of this consent and the EMP.

Groups
Aukaha, on behalf of Kai Tahu ki Otago
Te Ao Marama, on behalf of Ngāi Tahu ki Murihiku
Fish and Game (Central South Island and Otago)
Department of Conservation

13. The Consent Holder must facilitate an annual meeting with the Steering Group for the purpose of:
- (a) Discussing works undertaken in the previous year including any unanticipated environmental and cultural effects;
 - (b) Discussing Annual Works Programme;
 - (c) Considering the effectiveness of the Environmental Management Plan;
 - (d) Identifying any opportunities for improvement or amendments required to the Environmental Management Plan; and
 - (e) Consideration of other issues raised relevant to the implementation of this resource consent.

Environmental Management Plan

14. No more than twenty (20) working days after this Consent is issued, the Consent Holder must submit the current version of the Environmental Management Plan (**EMP**) to the Consent Authority for certification. The certification will confirm that the EMP is consistent with the Version 1.2 dated 13 May 2025 and must give effect to the following objective:

To ensure ORC's river management works are carried out in a manner that prioritises first, the health and well-being of river systems and, second, the health needs of people, while balancing the statutory requirement to protect properties and infrastructure from damage caused by floods.

15. All works authorised by this Consent must be undertaken in accordance with the certified EMP.
16.
 - (a) Where a change to the certified EMP is required, the Consent Holder must request an amendment by submitting the proposed amendments in writing to the Consent Authority.
 - (b) Any amendments must be undertaken in consultation with the Steering Group and must only be for the purpose of:
 - (i) Improving the efficacy of the works;
 - (ii) Improving methods to avoid, remedy or mitigate adverse effects;
 - (iii) Updating the identification and management of exclusions and restrictions to ensure the best available information is used; and
 - (iv) Ensuring the EMP aligns with current best practices.
 - (c) Any amendments sought must not:
 - (i) Result in any increase in the frequency of works identified in the EMP when the resource consent was granted;
 - (ii) Result in any reduction in the level of consultation required with partners or stakeholders identified in the EMP when the consent was granted;
 - (iii) Reduce the level of protection afforded by the exclusions and restrictions identified in the EMP when the resource consent was granted;
 - (d) Any amendments sought must not be implemented until the Consent Holder has received written confirmation from the Consent Authority that the amended EMP is certified.

Annual Programme of Works

17. The Consent Holder must prepare an annual programme of works for the following 12-month period beginning on 1 July and ending 30 June in the following year. The Consent Holder must submit a draft annual programme of works to the Consent Authority and *Partners and Key Stakeholders* by 1 August 2025 in the first year, and by 1 July each year thereafter, and a final annual programme of works to the Consent Authority and *Partners and Key Stakeholders* by 30 September each year. The programme of works must detail what works are anticipated and include as a minimum:
 - (a) A schedule of works proposed;
 - (b) Rivers where works are proposed and the anticipated frequency and extent of works;
 - (c) Approximate timing and duration of works;
 - (d) Methodology of how works will be undertaken; and
 - (e) Confirmation that all proposed works are authorised by this Consent.

Pre-works notification

18. For works included in the annual programme of works, the Consent Holder must notify the Consent Authority and the *Partners and Key Stakeholders* no less than ten (10) working days prior to the commencement of any works authorised by this consent.

With the notification, the Consent Holder must include the following information as a minimum:

- (a) Works proposed and its location;
 - (b) Confirmation that all works proposed are authorised by Condition 4 and not located within any of the areas identified in Condition 6 or permissions obtained as applicable;
 - (c) Timing and duration of the works;
 - (d) Mitigation measures that will be put in place in accordance with the certified EMP, including any fish salvage or recovery; and
 - (e) Personnel undertaking works.
19. For works not identified in the annual programme of works, the Consent Holder must notify the Consent Authority and the *Partners and Key Stakeholders* no less than twenty (20) working days prior to the commencement of those works. With the notification, the Consent Holder must include the following information as a minimum:
- (a) Works proposed and its location;
 - (b) Confirmation that all works proposed are authorised by Condition 4 and not located within any of the areas identified in Condition 6 or permissions obtained as applicable;
 - (c) Timing and duration of the works;
 - (d) Mitigation measures that will be put in place in accordance with the certified EMP, including any fish salvage or recovery; and
 - (e) Personnel undertaking works.

Completion Report

20. Within twenty (20) working days of the completion of any works undertaken in accordance with this Consent, the Consent Holder must prepare and provide a Completion Report to the Consent Authority and the *Partners and Key Stakeholders*. The Completion Report must include as a minimum:
- (a) Description of the works undertaken;
 - (b) The extent of the works;
 - (c) The duration of the works;
 - (d) Methodology for works;
 - (e) Confirmation that condition of this Consent was complied with;
 - (f) A summary of any fish salvage and/or recovery undertaken that includes:
 - (i) The methodology undertaken;
 - (ii) The individual(s) that undertook the fish salvage or recovery;
 - (iii) The location where fish were captured;
 - (iv) The species and number of fish captured; and
 - (v) The location where fish were relocated.
 - (g) Before and after colour photos of the site, taken on site for in-channel works, or aerial photographs for large scale maintenance work (such as willow control exceeding 100 m in any reach).

Annual Report

21. The Consent Holder must prepare an Annual Report for the period beginning 1 July and ending 30 June in the following year and submit the Annual Report to the Consent Authority and the *Partners and Key Stakeholders* by 30 September each year. The Annual Report must detail all works undertaken in accordance with this Consent and

assess compliance with the conditions of consent. The Annual Report must include as a minimum:

- (a) A summary of the works undertaken at each site, including:
 - (i) A description of each activity undertaken and confirmation that those activities are authorised by Condition 4;
 - (ii) Details of each of the sites and confirmation that sites were not located over any area identified in Condition 6, or permissions obtained as applicable;
 - (iii) The frequency of works undertaken and an assessment against the limits set out in Condition 7;
 - (iv) The extent of works undertaken in any one catchment and an assessment against the limits set out in Condition 8;
 - (v) The location and volume of gravel extracted with reference to the limits set out in Conditions 10 and 11;
 - (vi) A summary of any fish survey and salvage undertaken that includes:
 - 1. The location where fish were captured;
 - 2. The species and number of fish captured; and
 - 3. The location where fish were relocated;
- (b) Details of any non-compliance with consent conditions, including:
 - (i) Reasons for the non-compliance; and
 - (ii) Remedial actions taken;
- (c) Details of any Steering Group meeting that has been undertaken and a copy of any minutes recorded; and
- (d) Any complaints received.

General

- 22.
 - (a) All fish, kakahi and koura dug out of the stream during the operation must be returned immediately back into the water upstream of the targeted reach. A visual inspection of the debris must be undertaken immediately as it is removed from the watercourse to ensure no fish is trapped, followed by a secondary inspection before 10 am the following day.
 - (b) The fish recovery protocol must be undertaken in accordance with the procedures outlined in Section 3.11 of the Draft Environmental Management Plan Version 1.2, dated 13 May 2025, or any subsequent certified EMP.
- 23. Any gravel extracted must not be used for commercial gain and must as far as practicable be reused for flood protection within the same river catchment it is extracted from.
- 24. The works authorised under this consent must be managed such that they do not result in the discharge of a contaminant to any river in which the contaminant, after *reasonable mixing*, may cause one or more of the following effects:
 - (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - (b) an emission of objectionable odour; or
 - (c) the contamination of freshwater to the extent that it is not suitable for farm animals to drink.

25. All reasonable steps shall be undertaken to ensure that the works authorised under this consent do not result in the discharge of a contaminant to any river in which the contaminant, after *reasonable mixing*, may cause a *conspicuous change in colour or visual clarity*.
26. Where works will or are likely to exceed a total of ten (10) hours duration at a single site, the Consent Holder must erect informative signage detailing the proposed works, its duration, and any areas where public access is restricted due to health and safety.
27. The Consent Holder must ensure that the works authorised by this Consent do not cause any flooding, erosion, scouring, land instability or property damage. In the event that works cause flooding, erosion, scouring, land instability or property damage, the Consent Holder must, if so required by the Consent Authority and at the Consent Holder's sole cost, take all actions required by the Consent Authority to remedy the effects and any associated damage.
28. When undertaking works within the *bed of a river*, the Consent Holder must take all practicable steps to minimise disturbance, including:
 - (a) As far as practicable operating machinery from the dry bed or banks of the river;
 - (b) Avoiding tracking machinery over the river bed;
 - (c) Utilising existing access points to the *bed of a river*.
29. All machinery, temporary structures, signs, chemicals, rubbish and debris must be removed from the *bed of the river* within twenty four (24) hours of the completion of works at any site.
30. The works authorised under this Consent must be managed such that:
 - (a) There is no storage of machinery, equipment, or chemicals within the *bed of a river* or on the banks of a *river*;
 - (b) Fuel storage tanks and machinery stored in the construction area are maintained at all times to prevent leakage of oil and other contaminants into the river;
 - (c) No refuelling of machinery must occur within the *bed of a river*; and
 - (d) In the event of a spill of fuel or any other hazardous substance, the Consent Holder must:
 - (i) Clean up the spill as soon as practicable, and any contaminated soils shall be removed, and measures shall be taken to prevent a recurrence; and
 - (ii) In the event of a large spill of greater than 10 litres occurring onto land, the Consent Authority must be informed within 24 hours and the following information provided:
 1. The date, time, location and estimated volume of the spill;
 2. The cause of the spill;
 3. The type of hazardous substance(s) spilled;
 4. Clean up procedures undertaken;
 5. Details of the steps taken to control and remediate the effects of the spill on the receiving environment;
 6. An assessment of any potential effects of the spill; and
 7. Measures to be undertaken to prevent a recurrence.
31. The Consent Holder must take all reasonable precautions to minimise the spread of pest plants and aquatic weeds. In particular, the Consent Holder must:

- (a) Clean all machinery to remove any visible dirt and/or vegetation prior to being brought on-site to reduce the potential for pest species being introduced to the bed of the watercourse. Machinery and equipment that has worked in watercourses must, prior to entering the site, also be cleaned with suitable chemicals or agents to kill didymo;
 - (b) To avoid the spread of the *Didymosphenia geminata*, *Lagarosiphon major* or any other pest plant, not use machinery in the berm or bed of the river that has been used in any area where the pest plant(s) are known to be present in the previous twenty (20) working days, unless the machinery has been thoroughly cleansed with a decontamination solution (for information on decontamination contact the Consent Authority's Biosecurity Team);
 - (c) Remove any vegetation caught on the machinery at the completion of works;
 - (d) Prior to leaving the site, clean all machinery following the completion of works to reduce the potential for pest species being spread from the bed of the watercourse.
32. In the event that an unidentified archaeological site is located during works, the following will apply;
- (a) Work must cease immediately at that place and within twenty (20) metres around the site.
 - (b) All machinery must be shut down, the area must be secured, and the Heritage New Zealand Pouhere Taonga Regional Archaeologist and the Consent Authority must be notified.
 - (c) If the site is of Maori origin, the Consent Holder must also notify the appropriate iwi groups or kaitiaki representatives of Aukaha, Te Ao Marama and Te Runanga o Ngai Tahu of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken, as long as all statutory requirements under legislation are met (Heritage New Zealand Pouhere Taonga Act 2014, Protected Objects Act 1975).
 - (d) If human remains (koiwi tangata) are uncovered the Consent Holder must advise the Heritage New Zealand Pouhere Taonga Regional Archaeologist, NZ Police, the Consent Authority and the appropriate iwi groups or kaitiaki representative and the above process under (c) will apply. Remains are not to be disturbed or moved until such time as iwi and Heritage New Zealand Pouhere Taonga have responded.
 - (e) Works affecting the archaeological site and any human remains (koiwi tangata) must not resume until Heritage New Zealand Pouhere Taonga gives written approval for work to continue. Further assessment by an archaeologist may be required.
 - (f) Where iwi so request, any information recorded as the result of the find such as a description of location and content, must be provided for their records

Review

33. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three (3) months either side of the date of granting of this consent each year, or within two (2) months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:

- (a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
- (b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
- (c) Reviewing the frequency of monitoring or reporting required under this consent; and
- (d) Reviewing the frequency, extent and buffer limits set out in Conditions 7, 8, 9, 10 and 11 of this Consent.

Notes to Consent Holder

1. *Under the Heritage New Zealand Pouhere Taonga Act 2014 an archaeological site is defined as any place in New Zealand that was associated with human activity that occurred before 1900 and provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand (see Section 6). For pre-contact Maori sites this evidence may be in the form of Taonga (artefacts) such as toki (adzes) or flake tools as well as bones, shells, charcoal, stones etc. In later sites of European/Chinese origin, artefacts such as bottle glass, crockery etc. may be found, or evidence of old foundations, wells, drains or similar structures. Pre-1900 buildings are also considered archaeological sites. Burials/ kōiwi tangata may be found from any historic period. Archaeological sites are legally protected under Sections 42(1) & (2) of the Heritage New Zealand Pouhere Taonga Act 2014. It is an offence under Section 87 of the Heritage New Zealand Pouhere Taonga Act 2014 to modify or destroy an archaeological site without an Authority from Heritage New Zealand Pouhere Taonga irrespective of whether the works are permitted, or a consent has been issued under the Resource Management Act 1993 or Building Act 1991.*
2. *The Consent Holder is responsible for obtaining all other necessary consents, permits, and licences, including those under the Building Act 2004, the Biosecurity Act 1993, the Conservation Act 1987, the Crown Mineral Act 1991 and the Heritage New Zealand Pouhere Taonga Act 2014. This consent does not remove the need to comply with all other applicable Acts (including the Property Law Act 2007 and the Health and Safety at Work Act 2015), regulations, relevant Bylaws, and rules of law. This consent does not constitute building consent approval. Please check whether a building consent is required under the Building Act 2004.*
3. *This Consent does not authorise access to the land over which works will occur. Access to the land must be arranged with the landowner/s by the Consent Holder.*
4. *The Consent Holder must comply with the Biosecurity Act 1993 and the rules of the Regional Pest Management Plan 2019 in relation to avoiding the spread of pest organisms. The Consent Holder must also comply with all notices and guidelines issued by Biosecurity New Zealand, in relation to avoiding spreading the pest organism *Didymosphenia geminata* known as “Didymo” (refer to www.biosecurity.govt.nz/didymo).*
5. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least six (6) months prior to the expiry date of this consent. Applying at least six (6) months before the expiry date may enable you to continue to*

exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).

6. *Refer to **Appendix 1** for a glossary of terms that are used in this Consent and their meaning.*
7. *For the purposes of Condition 23, where the use of commercial operators and/or contractors are engaged to remove and relocate the gravel, the consent holder will not receive payment for this gravel. However, the commercial value of the gravel may be offset with the costs of removal of the gravel including any royalties that apply. For the purpose of this condition, such transactions will not be considered to be a “commercial gain”.*
8. *The restrictions and requirements set out in Conditions 6, 7, 8 and 9 are also detailed in the Environmental Management Plan as required by Condition 14.*
9. *For the purposes of implementing the requirements of Condition 2 of this consent, the Consent Holder must provide training to all staff and contractors carrying out works under this consent, so that they are aware of the operational requirements of the EMP.*
10. *For the purposes of Conditions 18 and 19, the pre-start notification requirements do not apply to emergency works carried out under section 330 of the Resource Management Act 1991. Due to the unpredictable nature of such works, they cannot reasonably be anticipated or included in the Annual Programme of Works required by Condition 17. For the avoidance of doubt, the reporting obligations under Conditions 20 and 21 continue to apply to any emergency works.*

Issued at Dunedin this 26th day of June 2025



Allan Cubitt
Independent Decision Maker for Otago Regional Council

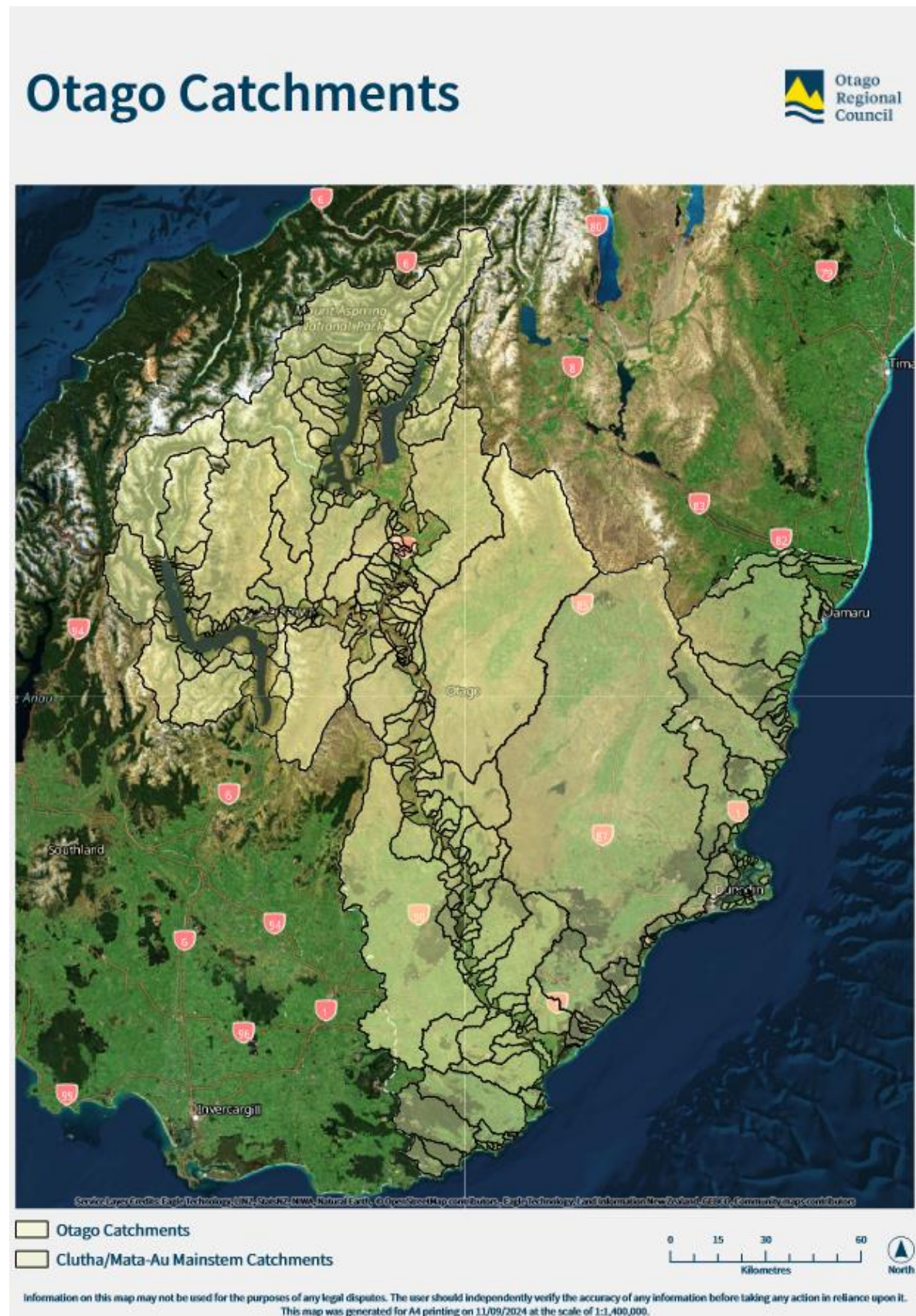
Appendix 1: Glossary of Terms

Term	Definition
Bed of a river / river bed	Has the same meaning as “bed” in Section 2 of the Resource Management Act 1991: means,— (a) in relation to any river— (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks: (ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and (b) in relation to any lake, except a lake controlled by artificial means,— (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin: (ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and (c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and (d) in relation to the sea, the submarine areas covered by the internal waters and the territorial sea
Coastal Marine Area	Has the same meaning as in Section 2 of the Resource Management Act 1991: The foreshore, seabed and coastal water, and the air space above the water; (a) Of which the seaward boundary is the outer limits of the territorial sea: (b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of – (i) One 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

Partners and Key Stakeholders	Te Rūnanga o Ngāi Tahu Aukaha on behalf of Kāi Tahu ki Otago Te Ao Marama on behalf of Ngāi Tahu ki Murihiku Central South Island Fish and Game Otago Fish and Game Department of Conservation Heritage New Zealand Pouhere Taonga Waka Kotahi New Zealand Transport Agency Toitū Te Whenua Land Information New Zealand Otago Regional Harbour Master South Island Eel Industry Association Clutha District Council Central Otago District Council Queenstown Lakes District Council Dunedin City Council Waitaki District Council
River	Has the same meaning as in Section 2 of the Resource Management Act 1991: means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)
Reasonable mixing	Means the least of: (a) the distance that equals seven times the width of the river when the flow is at half the median flow; or (b) 200 metres from the point of discharge; or (c) the point at which mixing of the particular contaminant concerned has occurred across the full width of the body of water in the river.
Regionally Significant Wetland	Any wetland identified in Schedule 9 of the Regional Plan: Water for Otago
Natural Inland Wetland	Has the same meaning as in the National Policy Statement for Freshwater 2020.

Sparse	Is an area of vegetation where the density of trees and shrubs does not exceed 10 plants per square metre. The measure of plants per square metre does not include grasses or weeds.
Dense	Is an area of vegetation where the density of trees and shrubs exceeds 10 plants per square metre. The measure of plants per square metre does not include grasses or weeds.

Appendix 2: River catchments where works are authorised



DISCHARGE PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Otago Regional Council

Address: 70 Stafford Street, Dunedin

To discharge contaminants, namely sediment, vegetative debris and cleanfill material, to various rivers throughout the Otago Region for the purpose of flood management and vegetation control

For a term expiring 26 June 2030

Location of consent activity: Various locations throughout the Otago Region.
See Appendix 2 of Land Use Consent RM21.073.01 for a map of authorised locations.

Legal description of consent location: Crown Land and various land parcels throughout the Otago Region

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3. This Consent must be exercised in conjunction with Land Use Consent RM21.073.01 and Water Permit RM21.073.03.
4. (a) This Consent only authorises the discharge of contaminants associated with:
 - (i) vegetation removal outside the *bed of a river*, or
 - (ii) any sediment or *cleanfill material* that has been sourced off site and deposited on the *bed of a river*,
where it is for the purpose of undertaking works authorised by Land Use Consent RM21.073.01.(b) This Consent does not authorise any discharge to the *coastal marine area* or a *natural inland wetland*.

General

5. The works authorised under this consent must be managed such that they do not result in the discharge of a contaminant to any river in which the contaminant, after *reasonable mixing*, may cause one or more of the following effects:
 - (a) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials; or
 - (b) an emission of objectionable odour; or
 - (c) the contamination of freshwater to the extent that it is not suitable for farm animals to drink.
6. All reasonable steps shall be undertaken to ensure that the works authorised under this consent do not result in the discharge of a contaminant to any river in which the contaminant, after *reasonable mixing*, may cause a *conspicuous change in colour or visual clarity*.
7. The Consent Holder must notify, as soon as is reasonably practicable, the owner of any community supply take and the Consent Authority, if an event occurs due to the exercise of this consent that may have a significant adverse effect on the quality of the water in a nearby Community Drinking Water Supply take.

Review

8. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three (3) months either side of the date of granting of this consent each year, or within two (2) months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:

- (a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;
- (b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
- (c) Reviewing the frequency of monitoring or reporting required under this consent.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least six (6) months prior to the expiry date of this consent. Applying at least six (6) months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*
2. *Refer to **Appendix 1** for a glossary of terms that are used in this Consent and their meaning.*

Issued at Dunedin this 26th day of June 2025



Allan Cubitt
Independent Decision Maker for Otago Regional Council

Appendix 1: Glossary of Terms

Term	Definition
Bed of a river / river bed	Has the same meaning as “bed” in Section 2 of the Resource Management Act 1991: means,— (a) in relation to any river— (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks; (ii) in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and (b) in relation to any lake, except a lake controlled by artificial means,— (i) for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin; (ii) in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and (c) in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and (d) in relation to the sea, the submarine areas covered by the internal waters and the territorial sea
Cleanfill material	Has the same meaning as in the National Planning Standards: means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of: (a) combustible, putrescible, degradable or leachable components; (b) hazardous substances and materials; (c) products and materials derived from hazardous waste treatment, stabilisation or disposal practices; (d) medical and veterinary wastes, asbestos, and radioactive substances; (e) contaminated soil and other contaminated materials; and

	(f) liquid wastes.
Coastal Marine Area	Has the same meaning as in Section 2 of the Resource Management Act 1991: The foreshore, seabed and coastal water, and the air space above the water; (a) Of which the seaward boundary is the outer limits of the territorial sea: (b) Of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of – (i) One 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
River	Has the same meaning as in Section 2 of the Resource Management Act 1991: means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal)
Natural Inland Wetland	Has the same meaning as in the National Policy Statement for Freshwater 2020.
Reasonable mixing	Means the least of: (a) the distance that equals seven times the width of the river when the flow is at half the median flow; or (b) 200 metres from the point of discharge; or (c) the point at which mixing of the particular contaminant concerned has occurred across the full width of the body of water in the river.
Conspicuous change in colour or visual clarity	Has the same meaning as in the Regional Plan: Water for Otago: A visual change in water clarity of more than 40%.

WATER PERMIT

Pursuant to Section 104B of the Resource Management Act 1991, the Otago Regional Council grants consent to:

Name: Otago Regional Council

Address: 70 Stafford Street, Dunedin

To temporarily divert flows in various rivers throughout the Otago Region for the purpose of flood management and vegetation control

For a term expiring 26 June 2030

Location of consent activity: Various locations throughout the Otago Region.
See Appendix 2 of Land Use Consent RM21.073.01
for a map of authorised locations.

Legal description of consent location: Crown Land and various land parcels throughout
the Otago Region

Map Reference NZTM2000 (approximate midpoint for site): Various locations throughout the Otago Region.
See Appendix 2 of Land Use Consent RM21.073.01
for a map of authorised locations.

Conditions

Specific

1. The activity must be carried out in accordance with the plans and all information submitted with the application, detailed below, and all referenced by the Consent Authority as consent number RM21.073.
 - (a) Application form, and assessment of environmental effects prepared by Incite Resource & Environmental Management, dated February 2021;
 - (b) Response to Further Information Request dated 25 March 2023;
 - (c) Addendum to the Application from Incite Resource and Environmental Management, dated 22 December 2023;
 - (d) Addendum to the Application from Incite Resource and Environmental Management, dated 20 March 2024; and
 - (e) Draft Environmental Management Plan Version 1.2, dated 13 May 2025.

If there are any inconsistencies between the above information and the conditions of this consent, the conditions of this consent will prevail.

2. Prior to the commencement of any works authorised by this Consent, the Consent Holder must ensure that all personnel working on the site are made aware of, and have access at all times to the contents of this document. Copies of this document must be present on-site at all times while the work authorised by this consent is being undertaken.
3. This Consent must be exercised in conjunction with Land Use Consent RM21.073.01 and Discharge Permit RM21.073.02.
4. This Consent only authorises the temporary diversion of water associated with works authorised by Land Use Consent RM21.073.01.
5. Any diversion authorised by this Consent must not exceed 200 metres in length and must only occur for the period of time works are being undertaken in accordance with Land Use Consent RM21.073.01.
6. No diversion of water may occur within:
 - (a) Any part of Welcome Creek; and
 - (b) Any other river where a Water Conservation Order has taken effect in accordance with Part 9 of the Resource Management Act 1991 and that order restricts the diversion of water.

General

7. Any diversion undertaken in accordance with this Consent must:
 - (a) Not reduce the flow capacity of the river,
 - (b) Not cause any flooding, erosion, scouring, land instability or damage to any structure or any other person's property. In the event that a diversion causes flooding, erosion, scouring, land instability or property damage, the Consent Holder must, if so required by the Consent Authority and at the Consent Holder's sole cost, take all actions required by the Consent Authority to remedy the effects and any associated damage.
8. The Consent Holder must take all steps to avoid or minimise impacts to fish passage by:
 - (a) Maintaining fish passage, where it exists when undertaking temporary diversions; and
 - (b) The fish recovery protocol must be undertaken in accordance with the procedures outlined in Section 3.11 of the Draft Environmental Management Plan Version 1.2, dated 13 May 2025, or any subsequent certified EMP.

Review

9. The Consent Authority may, in accordance with Sections 128 and 129 of the Resource Management Act 1991, serve notice on the Consent Holder of its intention to review the conditions of this consent during the period of three (3) months either side of the date of granting of this consent each year, or within two (2) months of any enforcement action taken by the Consent Authority in relation to the exercise of this consent, for the purpose of:
 - (a) Determining whether the conditions of this consent are adequate to deal with any adverse effect on the environment which may arise from the exercise of the consent and which it is appropriate to deal with at a later stage, or which becomes evident after the date of commencement of the consent;

- (b) Ensuring the conditions of this consent are consistent with any National Environmental Standards, relevant regional plans, and/or the Otago Regional Policy Statement;
- (c) Reviewing the frequency of monitoring or reporting required under this consent.

Notes to Consent Holder

1. *If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least six (6) months prior to the expiry date of this consent. Applying at least six (6) months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application (and any appeals are determined).*

Issued at Dunedin this 26th day of June 2025



Allan Cubitt

Independent Decision Maker for Otago Regional Council