

Milford Opportunities Project

RMA STATUTORY ASSESSMENT

CONTRACT SSI-O-406 CIC

JUNE 2024

PUBLIC



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WSP

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Milford Opportunities Project

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This report ('Report') has been prepared by WSP exclusively for Milford Opportunities ('Client') in relation to statutory frameworks applying to Milford Opportunities Transport & Infrastructure Engineering Feasibility Assessment ('Purpose') and in accordance with the Contract SSI-O-406 dated October 2023. The findings in this Report are based on and are subject to the assumptions specified in the documents provided]. WSP accepts no liability whatsoever for any reliance on or use of this Report, in whole or in part, for any use or purpose other than the Purpose or any use or reliance on the Report by any third party.

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EXECUTIVE SUMMARY

This supplementary report is a review of statutory planning documents applicable to the Milford Opportunities Master Plan.

This assessment should be read in conjunction with and alongside the following Appendix and linked statutory documents:

- 2024.03.22 Stg 2 Sched.1 - updated Likelihood Matrix.pdf – Refer Appendix A
- Operative Southland District Plan 2018 – Refer Appendix B.

1 PROJECT BACKGROUND

1.1 PURPOSE

This Statutory Planning Assessment purpose is to carry out an assessment of the Milford Opportunities Project (MOP) Stage 2 Master Plan options for hubs, nodes and short stop experience proposals against relevant statutory Resource Management Act 1991 (RMA) framework.

1.1.1 SCOPE

The following is the scope sought:

Carry out an assessment of the Consultant's Recommended Option and Next Best Alternative for each node against existing RMA ~~and conservation~~ planning regimes to identify whether the proposals are feasible from a planning perspective. This means the planning assessment should show whether the proposed activities and development is:

- 1 likely to obtain the necessary resource consents/permits and concessions based on the provisions of the relevant plans. If assessed as being unlikely, then identify key conflicts.
- 2 likely to experience difficulty/challenges in terms of consenting/~~concessioning~~ timeframes, costs and community opposition for the necessary approvals given current planning provisions.

The Matrix in Appendix A provides the assessed feasibility as a cost-time matrix and overall level of input matrix as sought by the first item above – refer Appendix A.

The second item (consent and community challenges) has been added in short form in the same Appendix A as a likelihood matrix. This is also identified in the relevant assessment sections below.

The cost-time and likelihood matrices are outlined in the assessment methodology below.

1.2 MILFORD OPPORTUNITIES MASTERPLAN

The Milford Opportunities Project involves exploring ways to do tourism differently at Piopiotahi and along the Milford Road corridor for the benefit of people and place. It has been through two stages to this point, with the third stage being undertaken, as follows:

- Stage 1: establishing context, vision and objectives (completed in September 2018).
- Stage 2: consultation, engagement and research to develop a Milford Opportunities Masterplan from Stage 1 (Masterplan launched in July 2021).
- Stage 3: Phase 1 (current phase): testing the feasibility of the masterplan's recommendations. (This is further split into two Stages as outlined above in Section 1.)
Phase 2: design, planning and implementation.

The factsheet from Stage 2 MOP Masterplan is included in Appendix 1, setting out the key pillars, core concepts and objectives of MOP.

1.2.1 CURRENT STAGE

Focuses on testing the feasibility of the masterplan's key Master Plan outcomes for hubs, nodes and short stop experiences as identified below.

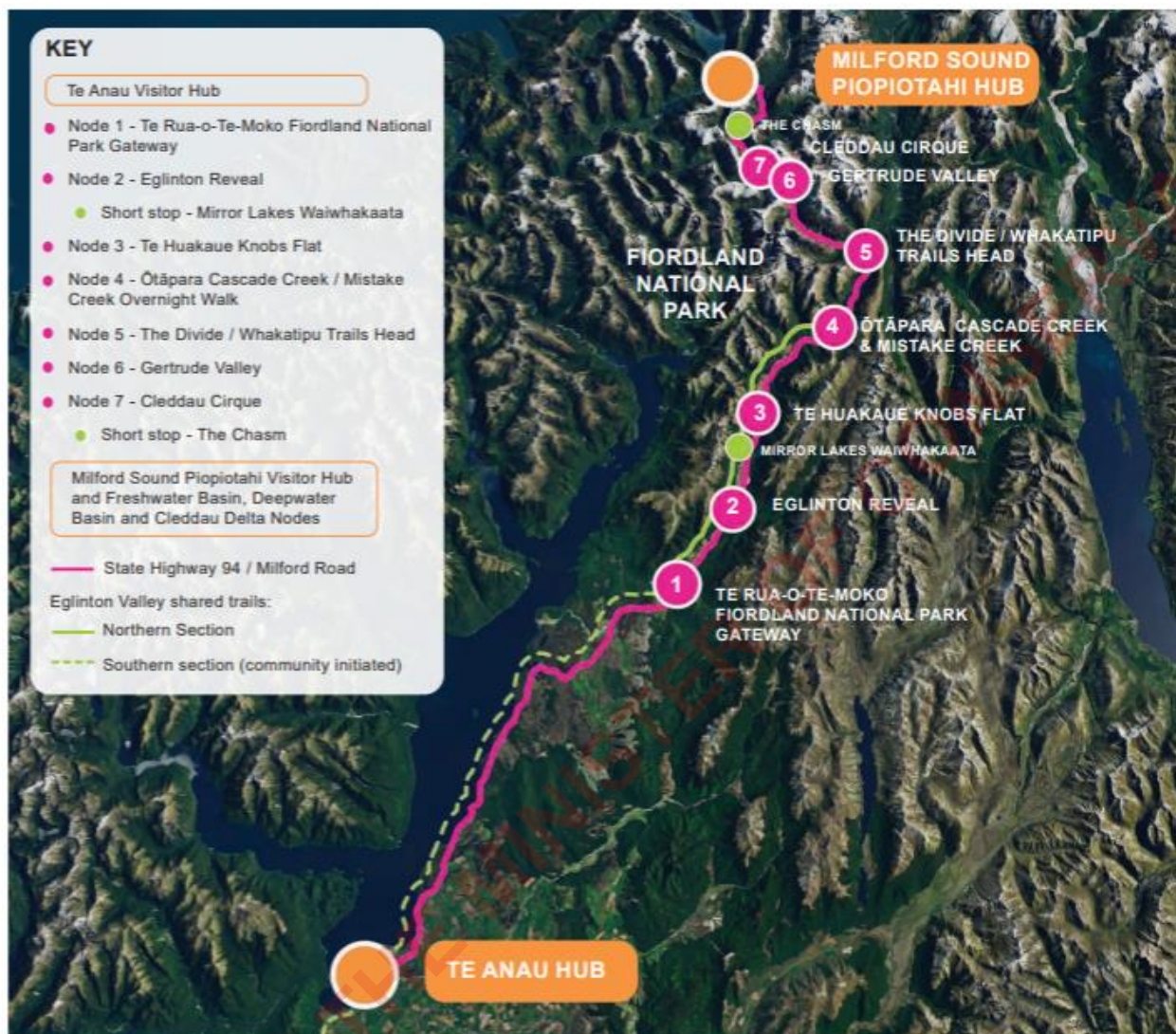


Figure 13: Hubs, Nodes & Short Stop Experiences Plan

Figure 1: Milford Opportunities hubs, nodes and shot stop experience sites.

2 RESOURCE MANAGEMENT ACT 1991

The key clauses of the RMA relevant to the Project are:

- Section 4 - Act to bind the Crown
- Section 9-11 – Territorial Authority administered restrictions
- Sections 13-15 – Regional Authority administered restrictions
- Section 176 - Existing Designations
- Section 181 - Notice of Requirement (for new Designation(s))
- Section 176A - Outline Plan

2.1 SECTION 4 - ACT TO BIND THE CROWN

Crown activities are expressly provided for as exempt under the RMA as follows:

- (1) *Section 9(3) does not apply to any work or activity of the Crown within the boundaries of any area of land held or managed under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act (other than land held for administrative purposes) that*
- (a) *is consistent with a conservation management strategy, conservation management plan, or management plan established under the Conservation Act 1987 or any other Act specified in Schedule 1 of that Act; and*
 - (b) *does not have a significant adverse effect beyond the boundary of the area of land.*

Note: Regional and National Environmental Standards must still be considered.

It should be noted this provision is reiterated in the Operative Southland District Plan 2018 as a rule specifically intended to provide for activities of the Crown (in this case DOC), where consistent with the relevant conservation management documents. DOC manages the National Park and undertakes activities (works) within it that are consistent with the relevant conservation plans and conservation functions. They are the Crown government agency charged with conserving New Zealand's natural and historic heritage.

2.2 DESIGNATIONS

2.2.1 SECTION 176 - EXISTING DESIGNATIONS

SH94 is currently provided for in the Southland District Plan 2018 as Designation D240 – for “state highway purposes”. No conditions apply to this designation.

However, the formed, physical alignment of SH94 does not follow the legal mapped alignment in all areas.

By Southland District Council determination (SDC Manager email 24.01.2019) the SH94 designated area provided for is either the legal alignment (map alignment), or where the physical alignment does not follow the legal alignment SH94 D260 is considered to be “*the physical footprint of the road e.g. top of cut to bottom of retaining structure ... the environment outside that footprint is in a “natural state”.*”

2.2.2 SECTION 181 - NOTICE OF REQUIREMENT (FOR NEW DESIGNATION(S))

As with recent development around the SH94 East Homer alignment, there is provision to amend the designation by way of Notice of Requirement (NOR) for temporary works and/or permanently to cover the physical alignment.

Any NOR to take in the physical alignment may technically be in DOC National Park and require DOC approval in the first instance, and on a permanent occupation basis, a land swap with ministerial approval to amend the NP boundary between it and SH94.

This process, and any subsequent legalisation of the physical alignment will be time consuming (but is possible) and would be advantageous for all parties.

— Outline Plan – Section 176A

Works within the legal and/or the physical SH94 alignment can be undertaken as of right if consistent with the designated purpose, with a process of advice to and comment from Council required under Section 176 of the RMA – via an Outline Plan (OP) or request to waive the OP. This is generally a 20-working day timeframe process without conditions, but recommendations from Council not adopted may be appealed.

2.2.3 DISTRICT PLAN(S)

2.2.3.1 SOUTHLAND DISTRICT PLAN (DISTRICT PLAN)

Made Operative in 2018, the current District Plan has recently been notified in accordance with National Planning Standards which came into effect on 3 May 2019 seeking to standardise the format of District Plans nationwide. No content change occurred with only section titles and rule references updated and made Operative 19 April 2024.

There is opportunity to update designations via a Notice of Requirement (NOR) applications via plan changes (i.e. add/amend plan rules to provide for activities – none of which negates the need for DOC concession in FNP).

— Designation for SH94

Existing Designation D240 in the District Plan provides for “state highway purposes”.

However, the legal (on paper/mapped) alignment does not match all the physical (formed) alignment. See example below at the Homer Tunnel:



Figure 2: Aerial image showing SH94 Legal alignment versus the physical alignment.

Where SH94 is not in legal alignment Council allows for the District Plan designation to cover shoulder to shoulder of the physical alignment which may be less than the “one chain wide” (20.12m wide) gazetted alignment. Where the two match the former (legal alignment and designation) takes precedent.

- FNP is in the former Rakiura Fiordland Zone, which has recently been re-titled the Natural Open Space Zone (NOSZ) in which almost all activities require land use consent to be undertaken where not undertaken by the Crown (in this case DOC), as determined by the following District Plan NOSZ clause:

3. Any activity or work of the Crown within the National Park or Public Conservation Land that is consistent with the relevant Conservation Management Strategy or National Park Management Plan and will not have a significant adverse effect beyond the boundary.

The activities of DOC (as Crown) which meet criteria .3 are generally infrastructure and assets in keeping with the existing level of development or similar in nature to the physical assets managed by DOC i.e. huts, tracks, maintenance work, bridges, structures and operational activities such as gravel extraction etc.

These physical works or activities generally do not require land use consent under the District Plan where they are undertaken by DOC and are consistent with the relevant DOC Plans, noting they must also meet the other performance standards of the District Plan NOSZ i.e. noise, transportation, signs, lighting.

The further NOSZ District Plan clause which specifically applies in FNP is:

4. Any recreational activity that is permitted in the National Park by the relevant Conservation Management Strategy or National Park Management Plan.

Recreation activities are not defined under the RMA, CMA, CMS, FNPMP or other relevant document(s). The dictionary definition of recreational is “relating to or denoting activity done for enjoyment when one is not working”.

Therefore, the latter criteria .4 applies to the end use of the assets in FNP by people for recreation, not physical installation of assets and infrastructure which supports recreation as proposed by way of the Masterplan.

This report assesses the implementation (works and activities) associated with the transport and infrastructure aspects the Masterplan hubs and nodes where undertaken by DOC (as the Crown) or another party.

- Subdivision

Any realignment of the legal road to match the physical alignment will require subdivision by way of a survey office (SO) plan and change in NP boundaries.

2.2.3.2 QUEENSTOWN LAKES DISTRICT PLAN

The Queenstown Lakes District Council Proposed District Plan (PDP) review began in 2015. While this review is ongoing, and until the Proposed Plan is made Operative, the Operative District Plan 2003 remains in effect and applicable. The Masterplan activities to which the QLDC Plans are relevant relate to the Countess Range overnight experience and are considered in the relevant section below.

2.2.4 REGIONAL PLANS

— Regional Water Plan and Proposed Water and Land Plan for Southland

Land use Permit - Works in the bed of any waterway (ephemeral or otherwise), structures, culverts, bridges with support structures, extraction of gravel, any associated bed disturbance and associated sediment release will require land use.

Water Permits – for take (dewatering) and use of water, diversion.

Discharge Permits – discharges to land which may enter water and to water*.

***NOTE:** all waterways in FNP are considered natural state waterways.

— Regional Air Plan 2016

While dated 2016, this is for Stage 1 of the Air Plan only (domestic heating, outdoor burning, agrichemical and fertiliser use and fire training).

The remaining portion of the Air Plan dates back to 1999 and is to be reviewed as Stage 2.

Activities which require Air Permits include discharges of heat, particulates, and contaminants above certain thresholds.

— Regional Coastal Plan 2013

Due for review, the Coastal Plan controls anything which affects seabed and foreshore up to mean high water springs (MHWS) which is considered the Coastal Marine Area (CMA).

2.3 OTHER STATUTORY REQUIREMENTS

The following statutes are also relevant and may have an influence on the processes for approval:

- Ngai Tahu Claims Settlement Act 1998
- Te Manatu Waka - Ministry of Transport:
 - Land - Land Transport Act 1998
 - Air - Civil Aviation Act 1990
 - Sea - Maritime Transport Act 1994
- Heritage New Zealand Pouhere Taonga
- Reserves Act 1977
- Marine and Coastal Area (Takutai Moana) Act 2011

2.3.1 NATIONAL POLICY STATEMENTS UNDER RMA

The following NPS are currently in effect:

- **National Policy Statement on Freshwater Management 2020**
- National Policy Statement on Urban Development 2020
- National Policy Statement on Renewable Electricity Generation 2011
- **New Zealand Coastal Policy Statement 2010**
- National Policy Statement on Electricity Transmission 2008

National Environment Standards (NES) provide the opportunity for central government to promote the adoption of consistent standards at the regional and district levels. The following NES are currently in effect:

- National Environmental Standards for Plantation Forestry 2017
- **National Environmental Standards for Air Quality 2004**
- **National Environmental Standard for Sources of Drinking Water 2007**
- National Environmental Standards for Telecommunications Facilities 2016
- National Environmental Standards for Electricity Transmission Activities 2009
- **National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health 2011**
- **National Environmental Standards for Freshwater 2020**
- National Environmental Standard for Marine Aquaculture 2020
- National Environmental Standard for Storing Tyres Outdoors 2021

Of the above, the regulations in bold are most likely to arise in the statutory requirements for activities in FNP, SH94 and associated areas included in the Master Plan.

2.3.2 *NON-STATUTORY*

- Te Tangi a Tauria - The Cry of the People – Ngāi Tahu ki Murihiku Natural Resource and Environmental Iwi Management Plan 2008
- MOU between Waka Kotahi NZ Transport Agency & Department of Conservation – non-statutory consultation agreement.
- World Heritage Area - Assessment of the MOP implications on the 1972 World Heritage Convention included Te Wāhipounamu – South West New Zealand World Heritage in Stage 3 Phase 1 Stage 2 is to be undertaken by others.

3 ASSESSMENT METHODOLOGY

3.1 STATUTORY APPROVAL REQUIREMENT

This report assesses each node and sub-node/hub proposal identifying potential statutory approvals based on whether existing statutory management documents provide for such activities.

The key to the matrix is as follows:

| KEY | Description |
|-----|--|
| Y | MOU - YES - in Highway &/or MOU applies. DOC – YES - CMS/FNPMP applies. RMA - YES - Designation applies / Outline Plan/ RCA not required. i.e. permitted as of right / provided for under current legislation. |
| N | DOC – NO - Not provided for (as of right) in FNPMP/CMS RMA - NO/NONE/Not Provided for by Plan/Designation/District Plan Rule/RC Required i.e. <u>Not Permitted as of Right</u> (consent/concession/other required) |
| Y/N | TBC if NOR/OP/RCA required depending on location/detail (SH/FNP/Private Land) & party undertaking activities i.e. DOC/MOP entity/other Party |
| U | Unknown/more detail required. (other process i.e. lease/land acquisition/licence to occupy or cannot be quantified) |
| - | Not assessed |
| N/A | Not Applicable (i.e. activity not subject to the document/outside document scope) |

3.2 TIME COST MATRIX

The first likelihood assessment is a matrix provides based on time/cost. The time-cost rating is an assessment of the potential inputs, variables and potential challenges, as risk matrix for those activities in terms of high/medium/low ranges:

| COST TIME RANGE | |
|--|----------|
| <10,000 RMA Non-Notified (20 working days) | Low |
| 11-25,000 Limited Notified (100 Working days) - No/Half-day Hearing | Low-Med |
| 25-50,000 Publicly Notified (100 Working days) - One Day/ Small Hearing | Med |
| 50-100,000 Publicly Notified with Public Interest - Two-three Day Hearing | Med-High |
| 100,000 + Publicly Notified with Significant Public Interest – Multi-day to Week-long Hearing | High |
| 250,000 + Schedule 1 Plan/Management Plan Review – Multiple Notifications and Hearings (2Yrs) | High |

3.3 LIKELIHOOD MATRIX

A further risk matrix was added to the Appendix A, ranking the likelihood of obtaining the requisite statutory approvals, and whether and ranked as follows:

| LIKELIHOOD | |
|------------|---|
| L | LIKELY – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation. i.e. known process with low level of input(s). |
| M | MODERATELY UNLIKELY – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained. |
| H | HIGHLY UNLIKELY – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review. |
| U | UNKNOWN /CANNOT BE DETERMINED – variables in inputs (time/cost) and involvement of other parties affecting determination of likelihood. |
| N/R | NOT REQUIRED (covered by other process i.e. NOR/OP in SH corridor) |

The likelihood of obtaining statutory approvals has multiple suppositions, largely based around the following inputs and processes to any proposal:

- Determination of potential effects of activities.
- Specialist inputs to avoid remedy or mitigate potential effects of activities.
- Affected Parties and/or Submissions from processes (i.e. notification) determining further inputs and/or requirements.

Until the detail of each development is determined and the potential environmental effects determined, the likelihood matrix provides a high-level assessment based on previous activities and consents experienced in the Te Rua-o-Te-Moko Fiordland National Park (FNP) and Southland statutory planning context.

Additionally, the approach taken is solution based, in that assessed documents and report writer's experience indicates very few prohibited activities exist under current provisions and very few activities have been declined permissions – and where declined, are generally based on lack of consultation, information and collaboration in their approach, or an unwillingness of applicants to meet the desired remediation, mitigation or offset measures rather than the activity being of a scale, nature and character that the effects cannot be avoided remedied or mitigated.

Further the party undertaking the activities will have significant bearing on how the activity is assessed under the relevant provisions. DOC manages National Parks and undertakes activities (works) within them that are consistent with the relevant conservation plans for the identified conservation functions. They are the Crown government agency charged with conserving New Zealand's natural and historic heritage.

As outlined in Section 2.2.3.1 above, activities of DOC (as Crown) are generally in keeping with the existing level of development or similar in nature to the physical assets managed by DOC (as the Crown) or when undertaken by the Crown these physical works or activities generally do not require land use consent under the District Plan, provided they are consistent with the relevant DOC Plans.

Where another party not considered to be the Crown for the purposes of Section 4 of the Act and the District Plan NOSZ rules undertakes the activity then those activities are likely to require a statutory process which will entail scrutiny that may not otherwise be applied (at least externally) to an activity of the Crown. Depending on the effects of the activities these statutory processes will likely include time and cost implications from the variable processes that could occur such as potential notification, public submissions, and hearings, extending to environment court procedures.

Other parties that are not the Crown tend to have alternative drivers for proposed works and activities and are not bound by DOC statutory functions. Hence the level of inputs, costs, time, or other unknown quantities rises with the requirement for a statutory process when activities are proposed by a party other than the Crown agency.

For some of the assessed activities and works, the time and risk ratings rise and likelihood of obtaining approval decreases where undertaken by a party other than DOC (as the Crown). Where the time and costs cannot be reasonably qualified or quantified in the assessment, in some cases a rating of UNKNOWN is entered to reflect the significant variables in the relevant statutory processes, particularly when proposed by a party other than the Crown.

4 TE ANAU BASIN & HUB

- **Visitor Centre** – start of the corridor destination to provide visitor awareness of FNP values, narratives, natural hazards and experiences and all-weather alternative experience.
- **Transport Interchange** – town centre fringe or out of town.
- **Town Centre** – support vitality while retaining character, link into the local, regional and national transport and pedestrian networks.



Figure 3: MOP Te Anau HUB & Connections

4.1 APPLICABLE STATUTORY REGIMES

4.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|--------------|--------------------------------------|---|
| Southland District Council (Local) | Operative Southland District Plan 2018 | General Rural Zone | GRUZ-O1, O2 | GRUZ-P1, -P2, -P3, P4, -P8, -P9 | GRUZ-R1(5), (8), (16) GRUZ-R4 – Disc GRUZ-R7 |
| | | General Residential Zone | GRZ-O1, O2 | GRZ-P1, P2, P3, P4, P5, P6, | GRZ-R1(3), (6), GRZ-R3 – Disc GRZ-R5 |
| | | General Industrial Zone | GIZ-O1 | GIZ-P1, P2, P3, | GIZ-R1 – P GIZ-R2 – Disc GIZ-R3 – NCA GIZ-R4 |
| | | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | EM-O1, O2 | EM-P1, P2, P3, P4, P5, P6, P7, P8, | Refer Zones |
| | | | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |

| | | | | | |
|----------------------------------|--|-------------------------------|---------------------------------|--|--|
| | | Natural Environmental Values | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 - NCA |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) - P | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

4.1.2 ASSESSMENT

The only prohibited activities in the GRUZ and GRZ of the District Plan are buildings over 12m in the Lakeside Protection Area, and noise sensitive activities in the Manapouri Airport exclusion zone. Off-site signage is another prohibited activity, where it exceeds 3m² it is prohibited.

There are no prohibited activities in the NOSZ, HH and ECO rules – though subdivision is prohibited under the Subdivision section of the District Plan. Regional Plan rules are unlikely to be breached or require consent provided the works are not in the bed of any waterways and the Hub

activities connect to existing reticulated services. Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Otherwise, all other activities require resource consent and as indicated below, are considered **Moderately Likely** to be obtained with a medium level of time/cost outlined in Appendix A.

4.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent) is rated **Moderately Likely** in Appendix A, in terms of DOC and RMA requirements.

- **MODERATELY LIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process required to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.

What is **Unknown** in the likelihood of the “Other” statutory processes that may sit alongside or feed into the RMA statutory process(es), such as third-party approvals, permissions, or feedback required i.e. Section 95 affected parties, publicly notified submitters, further information peer review requirements or other non/statutory agency feedback.

The “Other” processes are therefore rated accordingly (Unknown) given the location and potential effects of the Hub are not known and therefore cannot be determined on those other processes. This is a key challenge to any consent or concession process as outlined below.

These unknown aspects may require additional time and costs, in terms of collaboration, consultation, and mitigation measures during and through the statutory process.

4.3 CHALLENGES → OPPORTUNITIES

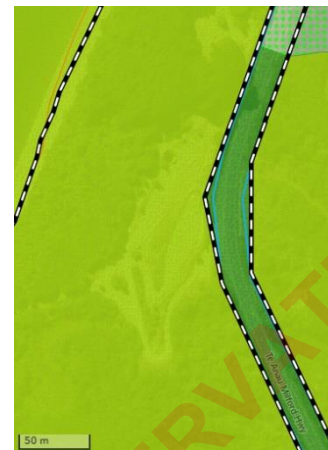
The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. publicly notified submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration key to any process and may avoid further process negotiations and/or hold-ups.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document updates and amendments.

5 HENRY CREEK

- **Bus Shelter** – location to be confirmed at/around site of existing DOC non-powered campsite in FNP and accessed from/adjacent to State Highway 94 (SH94).

Figure 4: SDC [E-Map](#) Henry Creek Campsite



5.1 APPLICABLE STATUTORY REGIMES

5.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | EM-O1, O2 | EM-P1, P2, P3, P4, P5, P6, P7, P8, | Refer Zones |
| | | | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 - NCA |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULES |
|----------------------------------|--|-------------------------------|---------------------------------|-----------------------------------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) - P | |
| | Regional Effluent Land Application Plan | | | N/A | |
| | Regional Coastal Plan | | | N/A | |
| | Regional Air Plan | | | N/A | |

5.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Regional Plan rules are unlikely to be breached or require consent provided the works are not in the bed of any waterways and the activities utilise permitted containment systems. Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Such activities are provided for at the objectives and policies levels, particularly for regionally significant infrastructure.

Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Otherwise, all other activities require resource consent and as indicated below, are considered likely to be obtained with a low level of time/cost (assessed on a standalone basis) as they are generally in accordance with the objectives and policies of the relevant RMA planning documents.

5.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **LIKELY** in Appendix A, in terms of DOC and RMA requirements.

- LIKELY – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation. i.e. known process with low level of input(s).

The RMA approvals processes required for the bus shelter activity are well-established and unlikely to be declined if the activity is not permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by other party.

5.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
 - ➔ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document updates and amendments.

6 TE ANAU DOWNS

- **Bus Shelter** – location to be confirmed at/around site of existing DOC access road, boat ramp and jetty in FNP and accessed from State Highway 94 (SH94).

Te Anau Downs is a natural harbour inlet 30km north of Te Anau. It is the last access to Lake Te Anau from SH94 when heading towards Milford Sound and features public parking, boat ramp and a commercial jetty which serves water taxi operators connecting to the start of the Milford Track Great Walk.

To the south of the harbour is the former Te Anau Downs National Park Lodge accommodation building and area which is in FNP but is leased in private ownership.



Figure 5: Te Anau Downs SDC E-Map excerpt.

6.1 APPLICABLE STATUTORY REGIMES

6.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|--------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | EM-O1, O2 | EM-P1, P2, P3, P4, P5, P6, P7, P8, | Refer Zones |
| | | | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULES |
|--|--|-------------------------------|---------------------------------|--|--|
| Southland District Council (Local) Cont. | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 - NCA |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) - P | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

6.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Regional Plan rules are unlikely to be breached or require consent provided the works are not in the bed of any waterways and the activities utilise permitted containment systems. Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Such activities are provided for at the objectives and policies levels, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a low level of time/cost (with each activity assessed on a standalone basis).

6.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **LIKELY** in Appendix A, in terms of RMA requirements.

- LIKELY – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation i.e. known process with low level of input(s).

The RMA approvals processes required for the activity are established and unlikely to be declined if the activity is not permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by other party.

6.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
 - ➔ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.

7 NODE 1 – FNP ENTRANCE

- **Road Layout** – Detail TBC.
- **Entrance Installation** – Detail TBC: Context appropriate, signage, marker or artwork for recognition of the boundary to Te Rua-o-Te-Moko Fiordland National Park and wider UNESCO Te Wāhipounamu – Aotearoa New Zealand World Heritage Area. Spatially constrained.

SH94 is the only land-based vehicular entry point to FNP and is 40km north of Te Anau. It is characterised by the cessation of open farmland moving into indigenous forest canopy and identified by one existing standard DOC green and yellow signage board (see dot on aerial at right).

Figure 6: FNP southern boundary entrance via SH9 & existing signage location.



7.1 APPLICABLE STATUTORY REGIMES

7.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | General Rural Zone | GRUZ-O1, O2 | GRUZ-P1, -P2, -P3, P4, -P8, -P9 | GRUZ-R1(5), (8), (16) GRUZ-R4 – Disc GRUZ-R7 |
| | | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R4, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED.1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 - NCA |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|-----------|----------|-------------|---------------|---------------------|--|
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designation | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|--|--|-------------------------------------|------------------------------------|--------------------------------------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) - P | |
| | Regional Effluent Land Application Plan | | | N/A | |
| | Regional Coastal Plan | | | N/A | |
| | Regional Air Plan | | | N/A | |

7.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules – though subdivision in FNP is prohibited under the Subdivision section of the District Plan. Off-site signage is also a prohibited activity where it exceeds 3m² and in some cases Council considers artwork or other installations as signage. The activity would need to be within FNP as the site to which it relates to be greater than 3m² in area, or obtain the land it is to be situated in.

Alternatively, where undertaken by the requiring authority in the SH94 designation an installation could form signage / street furniture associated with SH94 that may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Works in the SH94 corridor would be covered by these RMA provisions. Such activities are otherwise provided for at the district objectives and policies levels, particularly for regionally significant infrastructure. Hence the Moderate likelihood rating given in the “Other” assessment as the installation may rely on multiple processes and/or being undertaken by a third party to enable it i.e. NZTA not DOC.

Regional Plan rules are unlikely to be breached or require consent provided the works are not in the bed or banks of any waterways. Where in FNP, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ. Such regionally significant infrastructure activities are generally provided for at the regional objectives and policies levels.

Otherwise, the activities will require resource consent and as indicated below, are considered likely to be obtained with a low-medium level of time/cost.

7.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent) is rated **LIKELY – MODERATELY LIKELY** in Appendix A, with some unknowns as the siting is to be confirmed in terms of RMA requirements.

- **LIKELY** – if in FNP it is likely to be consistent with NPMP/CMS/DP and may not require any consent and permitted authorisation (i.e. CoC) may be applicable i.e. known process with low level of input(s).
- **MODERATELY LIKELY** – if not in FNP but in SH94 or moderately contravenes NPMP/CMS it will involve moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Moderate risk authorisation not obtained.
 - ➔ Where undertaken outside of FNP and reliant on third party to enact approval process (in SH94 corridor).
- **UNKNOWN /CANNOT BE DETERMINED** – variables.
 - ➔ If located outside FNP and not in FNP, may be a prohibited activity.

The RMA authorisation processes required for the activity are established, though any signage activity is not provided for where not on or within the site to which it relates.

Where in FNP, the activity is unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan (i.e. where undertaken by other party) but is as provided for under the relevant documents.

The alternative solution is for the activity to be undertaken within SH94 by the requiring authority.

7.3 CHALLENGES ➔ OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. publicly notified submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration key to any process and may avoid further process negotiations and/or hold-ups.

- 2 District Plan activity status “work of the crown” in FNP still reliant on meeting performance measures of District Plan.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document updates and amendments.

8 NODE 2 - EGLINTON REVEAL

- Road Layout
- Visitor Shelter
- Car Park
- Access restriction point (SH94)

Eglinton Flats is an open riverine plain approximately 7km along SH94 from the FNP southern boundary with existing visitor stopping points in the form of camping areas in FNP and parking bays in SH94 at notable viewpoints.

Figure 7: FNP Eglinton River valley reveal node area.



8.1 APPLICABLE STATUTORY REGIMES

8.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| Authority | DOCUMENTS | PROVISIONS | Objectives / Policies | | RULES |
|----------------------------------|--|-------------------------------|---------------------------------|-----------------------------------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL1, WQUAL3 | WQUAL1, | N/A |
| | | Rural Land/Soils | RURAL1, RURAL.2 | RURAL1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNf.1, LNf.2 | LNf.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) – P /Disc | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

8.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Consent is unlikely to be required under the Regional Plan provided works are not in the bed of any waterways and the activities utilise permitted containment systems for visitor waste facilities.

Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Such activities are provided for at the objectives and policies levels, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by the District Plan Designation and RMA by way of outline plan and notice of requirement processes.

Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a medium level of time/cost (collective activities assessed).

It should be noted any access restriction further along SH94 sits outside of the RMA jurisdiction and is not part of this assessment.

8.1.2.1 OTHER – STATE HIGHWAY

State Highway – while SH94 at this location is approximately 20m wide is generally flat and straight, the physical alignment does not always follow the legal mapped alignment.

Any installations in SH94 existing physical alignment are covered by the existing SH94 designation can provide for works in the corridor via an Outline Plan or waiver by Waka Kotahi NZ Transport Agency “for state highway purposes”.

Realignment of road in SH94 would also be covered by this designation. Outside the legal corridor NOR would have wider implications by moving into FNP boundary.

Figure 8: MOP Eglinton Reveal visitor area concept.



Figure 18: Node 2 - Eglinton reveal conceptual diagram (not to scale)

8.1.2.2 OTHER MATTERS – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. Sites within the Eglinton Reveal area (Deer Flat, McKay Creek campsites) have been identified as having Class 2 hazard risk. Generally semi-frequent flooding, landslide (rockfall, debris flow), flood, and avalanche hazards. Exposure time at these sites varies and an advanced risk analysis may be required for some sites.

8.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **Moderately Likely** with medium levels of input required as outlined in Appendix A, in terms of RMA requirements.

- **MODERATELY LIKELY** – if it moderately contravenes NPMP/CMS will require a moderate RMA process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.

The RMA authorisation(s) processes required for the activities are well-established and consents are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party.

8.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
 - ➔ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.

9 SHORT STOP - MIRROR LAKES

An existing roadside visitor experience approximately 12km along SH94 from the FNP southern boundary with accessible viewing platforms to and over Eglinton River oxbow lakes which reflect the surrounding Earl Mountains.

The following is proposed at this site:

- Bus Shelter & Toilet
- Road Layout

9.1 APPLICABLE STATUTORY REGIMES

9.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULES |
|----------------------------------|--|-------------------------------|---------------------------------|-----------------------------------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) – P /Disc | |
| | Regional Effluent Land Application Plan | | | N/A | |
| | Regional Coastal Plan | | | N/A | |
| | Regional Air Plan | | | N/A | |

9.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules of the District Plan – only subdivision in FNP is prohibited under the Subdivision section of the District Plan.

Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ. Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a **Low** level of time/cost (collective activities assessed).

Works in the SH94 corridor would be provided for under the Designation and RMA by way of outline plan and notice of requirement processes. Consent is unlikely to be required under the Regional Plan provided the works are not in the bed of any waterways and the activities utilise permitted containment systems for visitor facilities. Such activities are provided for at the objectives and policies levels, particularly for regionally significant infrastructure.



Figure 9: SDC E-Map excerpt of FNP Mirro Lakes Short Stop

9.1.2.1 OTHER

State Highway – SH94 at this location is approximately 20m wide with a 200m long parking bay on the left-hand (west) side providing direct access to a concrete footpath to the accessible walkway entrances. The physical alignment does not follow the legal mapped alignment. If the installation is in SH94 existing physical alignment, the existing SH94 designation can provide for in corridor works via an Outline Plan or waiver by Waka Kotahi NZ Transport Agency “for state highway purposes”. Realignment of road in SH94 would also be covered by this designation but outside the legal corridor NOR would have wider implications by moving into FNP boundary.

9.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **LIKELY** in Appendix A, in terms of DOC and RMA requirements.

- LIKELY – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation(s) i.e. known process with low level of input(s).
 - ➔ Where undertaken in FNP by DOC.

The RMA approvals processes required for the activities are well-established and consents/authorisations are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan.

9.3 CHALLENGES ➔ OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
 - ➔ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.

10 NODE 3 - TE HUAKAU KNOBS FLAT & KIOSK CREEK

This is an existing visitor services site in FNP at the site of former Milford Rd works depot and DOC accommodation site known as Knobs Flat. It has bus and vehicle parking at Milford Sound Tourism Ltd toilets. The following is proposed as part of the MasterPlan:

- Potable Water
- Wastewater
- Accommodation at Knobs Flat
- Camping Layout
- Visitor Shelters
- Accommodation at Kiosk Creek
- Short Walks - supporting infrastructure.
- Road Layout



Figure 10: Te Huakaue Knobs Flat Node 3 Area.

10.1 APPLICABLE STATUTORY REGIMES

10.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | | | |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 - NCA |
| | | Earthworks | Refer Zone Rules | | |

| | | | | | | |
|--|--|--------------|------------------|---------------------|--|--|
| | | Light | Refer Zone Rules | | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc | |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes | |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE | |
|--|--|--|-------------------------------------|--------------------------------------|--|-----|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | | N/A |
| | Urban | URB.1 | URB.1, URB.2, URB.5 | | N/A | |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | | |
| | | Ngai Tahu | Pol.2, | | | |
| | | Water Quality | Pol.13, 17A | | | |
| | | Water Quantity | Pol.24 | | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells Rule 57 – Bridges | |
| | Regional Effluent Land Application Plan | | | N/A | | |
| | Regional Coastal Plan | | | N/A | | |
| Regional Air Plan | | | N/A | | | |

10.1.1.1 OTHER – NATIONAL ENVIRONMENTAL STANDARDS

The report 2024.03.22 FINAL DRAFT Stage 3 Phase 1 Stage 2 Statutory Report - MOP Schedule 1 SSI-O-406 CIC assessed the reports that outlined potential levels for contaminated land risk to human health – including sites at Te Huakau Knobs Flat & Kiosk Creek. The NES-CS Regulations apply to land use change, subdivision or soil disturbance above permitted thresholds on those sites where HAIL activities occur or have occurred.

For most sites, the PSI conclude that it is highly unlikely for there to be a risk to human health but should more sensitive land use be proposed there are potential risks associated with soil contaminants. A Detailed Site Investigation (DSI) would be necessary. In the absence of a DSI future land use changes would be a discretionary activity under Regulation 11 of the NES-CS. This approach would align to the policies and objectives of the relevant RMA-based planning regimes.

10.1.1.2 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Te Huakau Knobs Flat & Kiosk Creek has a Class 2 rating, determining it may be subject to generally semi-frequent flooding, landslide (rockfall, debris flow), flood, and/or avalanche hazards. Exposure time at these sites varies and an advanced risk analysis may be required.

10.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Consent is unlikely to be required under the Regional Plan provided the works are not in the bed of any waterways or meet permitted activity parameters and wastewater activities utilise permitted containment systems for new visitor facilities. Changes to existing consents, where required, can be applied for and subject to suitable mitigation are unlikely to be denied. Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Such activities are provided for at the objectives and policies level, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by the RMA provisions and may be provided for under the Designation by way of outline plan and notice of requirement processes.

Otherwise, all other activities undertaken by other parties will likely require resource consent and as indicated below, are considered likely to be obtained with a **Medium** level of time/cost (activities assessed collectively).

10.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **MODERATELY LIKELY** in Appendix A, in terms of RMA requirements.

- MODERATELY LIKELY – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.

The RMA approvals processes required for the activities are well-established and consents are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party.

However, the authorisation-adjacent process(es) may create a risk to the level of process required and to obtaining authorisations – as outlined below.

10.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.

- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document updates and amendments.

11 CYCLE TRAIL – TE ANAU DOWNS TO ŌTĀPARA CASCADE CREEK

— Cycle Trail Construction & Supporting Infrastructure

11.1 APPLICABLE STATUTORY REGIMES

11.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | General Rural Zone | GRUZ-O1, O2 | GRUZ-P1, -P2, -P3, P4, -P8, -P9 | GRUZ-R1(5), (8), (16) GRUZ-R4 – Disc GRUZ-R7 |
| | | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknowl. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 - NCA |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULES |
|--|--|----------------------------------|------------------------------------|--------------------------------------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) – P /Disc | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

11.1.1.1 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Te Huakau Knobs Flat & Kiosk Creek has a Class 3 rating, determining it has higher frequency landslide, flood, and avalanche hazards with larger footprints.

11.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO District Plan rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Consent is more likely to be required under the Regional Plan. Activities should be designed to meet permitted activity thresholds but there is higher risk with multitude of streams, rivers gullies etc. that the infrastructure will need to cross. Activities which utilise permitted wastewater containment systems for visitor facilities are unlikely to require regional consents.

Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ. Such activities are provided for at the District Plan objectives and policies levels, particularly for regionally significant infrastructure.

Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a Medium level of time/cost (collective activities assessed).

However, with the key correlation to provision of activities within FNP aligning to DOC statutory documents, in which mountain biking has a strong expectation of outcome that it should not occur in FNP, for this latter reason, the level of input to obtain approval for a cycle trail in FNP is considered to be **moderately likely to highly unlikely**, unless changes to the provisions occur.

11.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **MODERATELY LIKELY - HIGHLY UNLIKELY** in Appendix A, in terms of DOC and RMA requirements.

- MODERATELY LIKELY – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
- HIGHLY UNLIKELY – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review.

A high-level review of policy and requirements will be required to enable such activities in FNP as there is a high expectation outcome that non-powered vehicles such as mountain bikes and e-bikes “should not” be used in FNP which relates to how the activities are considered within RMA requirements.

11.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Policy direction does not provide for the activity as of right.
 - ➔ significant level of review of DOC Plans and Policies is required to entertain ability to construct trail and enable activity in FNP without significant RMA processes.
- 2 Third party approvals or permissions i.e. interest groups and affected parties.
 - ➔ Early consultation key to any process being undertaken successfully.
- 3 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP to avoid requirement for activities in FNP which are provided for.
- 4 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.

12 NODE 4 - ŌTĀPARA CASCADE CREEK

Ōtāpara Cascade Creek is an existing managed visitor accommodation site with connection to Lake Gunn short walk visitor experience. It is located at the northern end of the Eglinton riverine plain 50km along SH94 from the FNP entrance. The following is proposed at the site:

- Camping Layout
- Flood Protection Infrastructure
- Car park, Bus Shelter & Toilet,
- Potable Water & Wastewater
- Facilities for Kayaking (Lake Gunn)

12.1 APPLICABLE STATUTORY REGIMES

12.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|---------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | Natural Environmental Values | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Activities on Surface of Water | ASW-W-O1, ASW-SW-O1 | ASW-W-P1 ASW-SW-P2 | ASW-SWA-R1- P ASW-SW-R2 -Disc |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|----------------------------------|--|--|----------------------------------|--|------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells Rule 57 – Bridges | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

12.1.1.1 OTHER – NATIONAL ENVIRONMENTAL STANDARDS

The report 2024.03.22 FINAL DRAFT Stage 3 Phase 1 Stage 2 Statutory Report - MOP Schedule 1 SSI-O-406 CIC assessed the reports that outlined potential levels for contaminated land risk to human health – including sites at Ōtāpara. The NES-CS Regulations apply to land use change, subdivision or soil disturbance above permitted thresholds on those sites where HAIL activities occur or have occurred. A possible HAIL site (unverified) was identified in the PSI and it further recommended investigation prior to any proposed land use change or soil disturbance. A Detailed Site Investigation (DSI) would be necessary. In the absence of a DSI future land use changes would be a discretionary activity under Regulation 11 of the NES-CS.

12.1.1.2 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Ōtāpara Cascade Creek has a Class 3 rating, determining it has higher frequency landslide, flood, and avalanche hazards with larger footprints for which an advanced risk analysis may be required.

12.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Consent is unlikely to be required under the Regional Plan provided the works are not in the bed of any waterways or meet permitted activity parameters and wastewater activities utilise permitted containment systems for new visitor facilities. Changes to existing consents, where required, can be applied for and subject to suitable mitigation (treatment and disposal) are unlikely to be denied.

Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Such activities are provided for at the objectives and policies levels, particularly for regionally significant infrastructure.

Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Otherwise, all other activities undertaken by other parties will likely require resource consent and as indicated below, are considered likely to be obtained with a **Low-Medium** level of time/cost (activities assessed collectively) and are **Likely to Moderately Likely** to be obtained.

12.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **LIKELY TO MODERATELY LIKELY** in Appendix A, in terms of DOC and RMA requirements.

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation. i.e. known process with low level of input(s).
- **MODERATELY LIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.

The RMA approvals processes required for the smaller-scale activities (camping, toilets, shelters, car parking) are well-established and are unlikely to be required where undertaken by DOC, or otherwise permitted as work of the Crown under the RMA and/or District Plan. Where undertaken by another party there is some risk the authorisation may require a higher level of inputs or risk being declined.

The larger scale activities such as wastewater or water takes, where new or altered from the existing thresholds, may require higher levels of input to ensure environmental effects are minimised.

12.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.

- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document updates and amendments.

13 OVERNIGHT EXPERIENCE

- Countess Range Track
- Countess Hut
- Supporting Infrastructure

13.1 APPLICABLE STATUTORY REGIMES

13.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | General Rural Zone | GRUZ-O1, O2 | GRUZ-P1, -P2, -P3, P4, -P8, -P9 | GRUZ-R1(5), (8), (16) GRUZ-R4 – Disc GRUZ-R7 |
| | | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknowl. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULES |
|--|--|----------------------------------|---------------------------------|---|------------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 TRAN.1 | INF.1, INF.2, INF.3, INF.4, INF.5 TRAN.3, TRAN.4 | N/A N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities | Pol.26, 26A, 32, 35, 36, 37, 38 | Rule 26 (OnSite WW) – P /Disc | |
| | Regional Effluent Land Application Plan | | | N/A | |
| | Regional Coastal Plan | | | N/A | |
| | Regional Air Plan | | | N/A | |

13.1.1.1 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Countess Range Track has a Class 3 rating, determining it has high frequency landslide /flood, and/or avalanche hazards with larger footprints. Further advanced risk analysis may be required for higher-risk sites.

13.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO District Plan rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Consent is unlikely to be required under the Regional Plan provided the works are not in the bed of any waterways and the activities utilise permitted containment systems for visitor facilities. Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ.

Such activities are provided for at the objectives and policies levels of the RMA plans, particularly for regionally significant infrastructure.

Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a **Medium** level of time/cost (collective activities assessed). Based on hut size and ability to avoid effects, the level of input and likelihood to obtain necessary authorisations is determined to be **MODERATELY LIKELY** to **HIGHLY UNLIKELY**.

13.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent) is rated **MODERATELY LIKELY** to **HIGHLY UNLIKELY** in Appendix A, in terms RMA requirements.

- **MODERATELY LIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
- **HIGHLY UNLIKELY** – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review.

With the District Plan link providing for activities of the Crown that are consistent with relevant DOC provisions, such a larger-scale hut activity in the CMS area, and the level of use will present a level of risk to the RMA process. Council will likely rely on DOC advice to determine the effects on FNP. Tracks, facilities and structures for visitor purposes are generally accepted activities expressly provided for in the CMS and FNPMP.

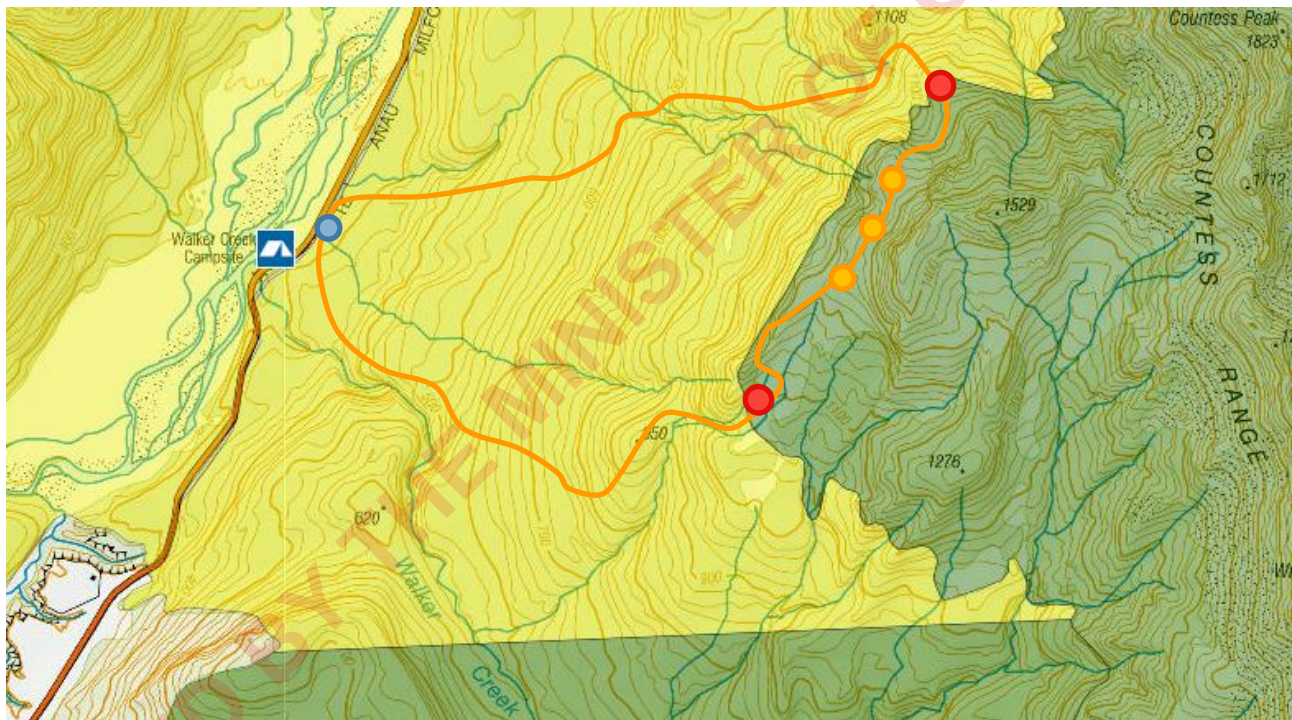


Figure 11: Countess Range overnight experience concept.

13.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Policy direction does not provide for the scale of the activity in order to be as of right under the RMA.
 - ➔ some level of review of Plans and Policies may be required to provide greater certainty for construction and associated activities in FNP and adjacent conservation area.
- 2 Third party approvals or permissions i.e. interest groups and affected parties.
 - ➔ Early consultation key to any process being undertaken successfully.

- 3 District Plan activity status “work of the crown” still reliant on meeting DP performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP and avoid requirement for dual approval system for activities in FNP.
- 4 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.

14 NODE 5 - WHAKATIPU TRAILS HEAD / DIVIDE SHORT STOP –

Including Hinepīwai Lake Marian, Hollyford Valley Whakatipu-ka-tuku Road, the following is proposed in the Masterplan:

- Lake Marian Visitor Car park, Shelter & Toilets, Wananga
- Lake Marian Lower Hollyford Road layout
- Lake Marian Loop - covered walkway
- Lake Marian – walking track connection to the Divide
- Key Summit to Cascade Creek - supporting infrastructure.
- The Divide Car Park
- The Divide Visitor Shelter

This is the meeting point of SH94 with the Hollyford Valley Road which heads northwards in the Whakatipu-ka-tuku Hollyford Valley alongside the River. The intersection is approximately 40km north along the Milford Road corridor and 80km from Te Anau. Characterised by increasing steep sided valleys enclosing SH94 and multiple visitor experience opportunities such as the multi-day Routeburn Track and picturesque Lake Marian walk.

14.1 APPLICABLE STATUTORY REGIMES

14.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | | | |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |

| | | | | | |
|--|--|--------------|---------------|---------------------|---|
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 – PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|--|------------------------------------|---------------------|-----------------------|------------------------|---------------------------------|
| Queenstown Lakes District Council (QLDC) (Local) | QLDC Operative District Plan | ODP 5 Rural Areas | 1, 3 | 1.1, 1.2, 1.4, 3.2 | 5.3.3.1 – P 5.3.3.2(iii) - C |
| | | PDP 13.2 Rural Zone | 21.2.1 | 21.2.1.2.1.10 | 21.4.25 - P |
| | | PDP Earthworks | 25.2.1 | 25.2.1.2.a 25.8.3.4 | 25.4 25.5.2 - RDA |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|--|--|--|-------------------------------------|--|------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells Rule 57 – Bridges | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

14.1.1.1 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Whakatipu Trail heads and Divide Short Stop nodes have a Class 2 rating, determining semi-frequent flooding, or landslide (rockfall, debris flow) /flood, and/or avalanche hazards.

Exposure time at these sites varies, for which further advanced risk analysis may be required for higher-risk sites.

However the Hinepīwai Marian Falls Loop Track has a Class 3 rating, determining it has high frequency landslide /flood, and/or avalanche hazards with larger footprints. Further advanced risk analysis may be required for higher-risk sites.

14.1.2 ASSESSMENT

There are no prohibited activities in the Southland District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan.

Further, the Southland District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ, though it is likely activities such as earthworks will not meet the performance standards and consent will be required.

Earthworks in the Rural Zone with ONL overlay in QLDC will also require land use consents.

Consent is unlikely to be required under the Regional Plan provided the works are not in the bed of any waterways or meet permitted activity parameters and wastewater activities utilise permitted containment systems for new visitor facilities.

Such activities are generally provided for at the regional and district plan objectives and policies levels, particularly for regionally significant infrastructure.

Otherwise, all other activities undertaken by other parties will likely require resource consent and as indicated below, are considered likely to be obtained with a **Low-Medium** level of time/cost (activities assessed collectively) with a **Likely to Moderately Likely** rating of being obtained.

14.2 LIKELIHOOD

The overall likelihood of obtaining authorisations to the activities as a collective (resource consent and/or concession) is rated **LIKELY to MODERATELY LIKELY** in Appendix A, in terms of RMA requirements.

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation. i.e. known process with low level of input(s).
- **MODERATELY LIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.

The RMA approvals processes required for the smaller-scale activities (toilets, shelters, car parking) are well-established and consents may not be required or are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party.

The larger scale activities (wananga, covered walkway) will require higher levels of input to ensure environmental effects are avoided, remedied or mitigated.

14.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. submitters, statutory agencies, or recognised groups, identified affected parties.

- ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.

15 NODE 6 – GERTRUDE VALLEY

An existing popular upper Hollyford Valley Whakatipu-ka-tuku day walk and alpine access area located 50km along the Milford Road corridor and 90km from Te Anau, The advanced Gertrude Saddle walk currently features a carpark and the Aotearoa New Zealand Alpine Club Homer Hut with some flood management history. The Masterplan proposal at this location indicates the following:

- Visitor Shelter
- Road Layout
- Car park
- Flood protection infrastructure.
- Gertrude Valley walk - supporting infrastructure.



Figure 12: Gertrude Valley Node 6 area SDC E-Map excerpt.

15.1 APPLICABLE STATUTORY REGIMES

15.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 – NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 – NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 – Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 – Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 – PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| Authority | DOCUMENTS | PROVISIONS | Objectives / Policies | | RULES |
|----------------------------------|--|--|----------------------------------|--|------------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL1, WQUAL3 | WQUAL1, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Infrastructure Transport | INF.1 TRAN.1 | INF.1, INF.2, INF.3, INF.4, INF.5 TRAN.3, TRAN.4 | N/A N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges, Flood Protection | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 51 – Minor Diversion Rule 52 – Diversion in Waiau Rule 53 – Bores & Wells Rule 57 – Bridges Rule 61 – Erosion Control | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Coastal Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

15.1.1.1 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Gertrude Valley node has a Class 2 rating, determining it generally has semi-frequent flooding, or landslide (rockfall, debris flow) /flood, and/or avalanche hazards. Exposure time at these sites varies, for which further advanced risk analysis may be required for higher-risk sites.

15.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules of the District Plan – only subdivision in FNP is prohibited under the Subdivision section of the District Plan.

Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ. Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a **Low-Medium** level of time/cost (collective activities assessed).

Such activities are provided for at the regional and district plan objectives and policies levels, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Consent is likely to be required under the Regional Plan for works in the bed of waterways for flood (erosion) protection. Provided the visitor facilities activities utilise containment systems for wastewater management, those aspects need no regional consents.

15.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent) is rated **LIKELY to MODERATELY LIKELY** in Appendix A, being categorised as follows:

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation.
i.e. known process with low level of input(s).
➔ Where undertaken by DOC.
- **MODERATELY UNLIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
➔ Where undertaken by a third party.

The RMA approvals processes required for the activities are well-established and understood. The consents/authorisations are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan but may have less likelihood of being obtained where undertaken by another party.

15.3 CHALLENGES ➔ OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
➔ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
➔ Early consultation and collaboration key to any process and may avoid escalations.

16 NODE 7 – CLEDDAU CIRQUE

The first glimpse of the Milford Sound end of SH94 after exiting the Homer Tunnel via a series of descending switchbacks in SH94. Surrounded by a glacial U-shaped valley, there is no existing formal viewpoint, only informal road shoulder widening areas which are used for sightseeing.

- Road Layout
- Car/Bus park
- Observation Structure.

16.1 APPLICABLE STATUTORY REGIMES

16.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | RULES |
|----------------------------------|--|-------------------------------|------------------------------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | N/A |
| | | Water – Quality | WQUAL1, WQUAL3 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | N/A |

| | | | | | |
|--|---|--|----------------------------------|-----------------------------------|-----|
| | | Infrastructure | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | Transport | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | | |
| | | Activities – Energy, Bores, Structures, Discharges, Flood Protection | Pol.26, 26A, 32, 35, 36, 37, 38, | | |
| | | | Rule – 15 (Stormwater) - P | | |
| | | | Rule 26 (OnSite WW) – P /Disc | | |
| | | | Rule 49 – Water Takes | | |
| | | | Rule 51 – Minor Diversion | | |
| | | | Rule 52 – Diversion in Waiau | | |
| | | | Rule 53 – Bores & Wells | | |
| | | | Rule 57 – Bridges | | |
| | | | Rule 61 – Erosion Control | | |
| | Regional Effluent Land Application Plan | | | N/A | |
| | Regional Coastal Plan | | | N/A | |
| | Regional Air Plan | | | N/A | |

16.1.2 ASSESSMENT

There are no prohibited activities in the NOSZ, HH and ECO rules of the District Plan – only subdivision in FNP is prohibited under the Subdivision section of the District Plan.

Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ. Otherwise, all other activities undertaken by other parties require resource consent and as indicated below, are considered likely to be obtained with a **Low-Medium** level of time/cost (collective activities assessed) and **Likely to Moderately Unlikely** rating of being obtained.

Such activities are provided for at the regional and district plan objectives and policies levels, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes, avoiding need for resource consent processes but this relied on the involvement of the SH94 requiring authority.

Consent is likely to be required under the Regional Plan for works in the bed of waterways for flood (erosion) protection, if required.

16.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent) is rated **LIKELY to MODERATELY LIKELY** in Appendix A, being categorised as follows:

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation.
i.e. known process with low level of input(s).
➔ Where undertaken by DOC.
- **MODERATELY UNLIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
➔ Where undertaken by a third party.

The RMA approvals processes required for the activities are well-established and understood. The consents/authorisations are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan but may have less likelihood of being obtained where undertaken by another party.

16.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
→ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
→ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
→ Early consultation and collaboration key to any process and may avoid escalations.



Figure 13: Node 7 Cleddau Cirque SDC E-Map excerpt.

17 CHASM – SHORT STOP

An existing roadside visitor experience with accessible viewing platforms to water-sculpted rock gorges of the Cleddau River significantly affected by 2020 flood event preventing bridge use further along the walk. The following is proposed at this location:

- Road Layout & Car park
- Bus Shelter & toilet

17.1 APPLICABLE STATUTORY REGIMES

17.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|------------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6, |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Earthworks | Refer Zone Rules | | |
| | | Light | Refer Zone Rules | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | | Designations | NZTA-3 (D241) | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULES |
|----------------------------------|--|-------------------------------|------------------------------|-----------|-------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL1, WQUAL3 | WQUAL1, | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |

| | | | | | |
|--|---|---|----------------------------------|-----------------------------------|-------------------------------|
| | | Infrastructure | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | Transport | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | | Rule – 15 (Stormwater) - P |
| | | Activities – Structures, Discharges, Flood Protection | Pol.26, 26A, 32, 35, 36, 37, 38, | | Rule 26 (OnSite WW) – P /Disc |
| | Regional Effluent Land Application Plan | | | N/A | |
| | Regional Coastal Plan | | | N/A | |
| | Regional Air Plan | | | N/A | |

17.1.1.1 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Chasm short stop node has a Class 2 rating, determining it generally has semi-frequent flooding, or landslide (rockfall, debris flow) /flood, and/or avalanche hazards. Exposure time at these sites varies, for which further advanced risk analysis may be required for higher-risk sites.

17.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan. Further, the District Plan aligns with Section 4 of the RMA in terms of permitting work of the Crown in FNP, where it meets the performance standards of the District Plan NOSZ. Otherwise, all other activities undertaken by other parties will require resource consent.

Consent are more likely to be required under the Regional Plans with works around, across and potentially in the bed of any waterways, where they do not meet permitted activity parameters. Wastewater activities that utilise permitted containment systems for new visitor facilities are permitted. Changes to existing consents, where required, can be applied for and subject to suitable mitigation are unlikely to be declined, but may face greater scrutiny than previous iterations.

The activities are collectively assessed to have a **Medium-High** level of time/cost inputs, and Likely to Moderate likelihood in terms of obtaining the necessary RMA authorisations.

17.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated **LIKELY** in terms of risks outlined in Appendix A, in terms of RMA requirements.

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation.
i.e. known process with low level of input(s). *

*Where undertaken by DOC.

The RMA approvals processes required for the activity’s authorisation are well-established and understood. The consents/authorisations are unlikely to be declined if the activity is not otherwise

permitted as work of the Crown under the RMA and/or District Plan or undertaken by another party.

Regional permits are unlikely to be required, but where required, have well-understood processes and are unlikely to be declined.

Third party approvals are an unknown quantity in any authorisation process, particularly for new activities.

17.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. identified affected parties.
 - ➔ Early consultation key to any process and may avoid delays.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document review, amendments and updates may be required.

18 PIOPIOTAHU VISITOR HUB

The Masterplan aims to provide a compelling sense of arrival by replacing the existing Milford Village through consolidation of infrastructure, providing new visitor terminals, visitor centres for land and marine interests, hotel and staff accommodation alongside a range of visitor experiences and foreshore enhancements, as follows:

- Potable Water Assessment
- Wastewater Assessment
- Visitor Accommodation
- Staff Accommodation
- Visitor Hub building
- Road Layout
- Bus Terminal incl, arrival gathering space.
- Structures - covered walkway
- Foreshore enhancements incl. water-based viewing deck.
- Car Park
- Barren Peak Spur - & supporting infrastructure
- Barren Peak Treetop viewing - supporting infrastructure.



Figure 14: Visitor Hub SDC E-Map excerpt.

18.1 APPLICABLE STATUTORY REGIMES

18.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|-------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | HAZS | HAZS-P1, P2, | HAZS-R1 – P HAZS-R2 – P2 HAZS-R3 – Disc |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |

| | | | | | |
|--|------------------------------|------------------|--------------|--|--|
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | Natural Environmental Values | ECO-O1, | NFL-O1, O2 | ECO-P1, P2, P3, P8, P9 NFL-P1, P2, P3P4 | ECO-R1 – P ECO-R3 - Disc Refer Zones |
| | Subdivision | SUB-O1, O2, O3 | | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14, P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 – NCA SUB-R6 - PROHIB |
| | Coastal Environment | CE-O1 | | CE-P1, P2, P3, P4, P5, P6, P7 | Refer Zones |
| | Earthworks | Refer Zone Rules | | | |
| | Light | Refer Zone Rules | | | |
| | Noise | NOISE-O1 | | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | Signs | SIGN-O1 | | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | Designations | NZTA-3 (D241) | | SH94 | State Highway purposes |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|----------------------------------|--|--|----------------------------------|--|------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | N/A |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells Rule 57 – Bridges | |

| | | |
|--|---|-----|
| | Regional Effluent Land Application Plan | N/A |
| | Regional Coastal Plan | N/A |
| | Regional Air Plan | N/A |

18.1.1.1 OTHER – NATIONAL ENVIRONMENTAL STANDARDS

The report 2024.03.22 FINAL DRAFT Stage 3 Phase 1 Stage 2 Statutory Report - MOP Schedule 1 SSI-O-406 CIC assessed the reports that outlined potential levels for contaminated land risk to human health – including sites in the Piopiotahi Visitor Hub.

The NES-CS Regulations apply to land use change, subdivision or soil disturbance above permitted thresholds on those sites where HAIL activities occur or have occurred.

A HAIL site (verified) was identified, and the PSI determined low risk to human health though further recommended investigation prior to any proposed land use change or soil disturbance. A Detailed Site Investigation (DSI) would be necessary. In the absence of a DSI, future land use changes would be a discretionary activity under Regulation 11 of the NES-CS.

18.1.1.2 OTHER – STATE HIGHWAY 94

SH94 ceases at the existing terminal bus parking entrance. The physical alignment generally follows the legal mapped alignment having been subject to NOR and gazette amendments in 2005.

If any realignment layout is in SH94 existing physical alignment, the existing SH94 designation can provide for in corridor works via an Outline Plan or waiver by Waka Kotahi NZ Transport Agency “for state highway purposes”.

Outside the legal corridor NOR would have wider implications by moving into FNP boundary.

18.1.1.3 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Piopiotahi Hub has a Class 3(a) rating, determining the site (credible tsunami hazard impact) requires further Basic Level risk assessment and advanced risk assessment will need to determine mitigation of the hazard through detailed design.

18.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision for private freehold purposes is prohibited in FNP under the Subdivision section of the District Plan.

Further, the District Plan NOSZ rules align with Section 4 of the RMA in terms of permitting work of the Crown in FNP where it is consistent with relevant management documents and meets the performance standards of the District Plan NOSZ.

Structures in CMA will require consents. Stormwater disposal (to land in area of natural state waters and CMA) is a permitted activity subject to discharge quality.

Any wastewater system is likely to require **land use consent** for disposal to land in area of natural state waters and proximity to CMA. Resource consent would be required if the volume of

discharge exceeds the permitted volume under the relevant rule of the pSWLP. Any connection to the existing wastewater system will likely require revision of the existing consent parameters.

Otherwise, all other activities undertaken by other parties will require resource consent and as indicated below, are considered to largely have a **Medium-High** level of time/cost involved and **MODERATELY LIKELY** to **HIGHLY UNLIKELY** likelihood risk that authorisations may or may not be obtained, particularly for those activities not consistent with existing conservation management activities as outlined below.

18.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated as having **MODERATELY UNLIKELY – HIGHLY UNLIKELY** associated risk as shown in Appendix A, in terms RMA requirements.

- **MODERATELY UNLIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
- **HIGHLY UNLIKELY** – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review.

The RMA approvals processes required for the smaller-scale activities (toilets, shelters, car parking) are well-established and authorisations are unlikely to be required or declined if undertaken by DOC and if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party.

The larger scale new activities may require higher levels of input, consultation, expert effects assessments and measures to avoid and mitigate effects or require high-level policy change to enable the activities i.e. District Plan and/or FNPMP review. Alteration of Designation for SH94 can be undertaken by way of NOR by requiring authority.

18.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan and/or FNPMP for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to development in certain locations.
 - ➔ Statutory document review, amendment and update.

19 FRESHWATER BASIN NODE

The end point of SH94 is at the entrance to the visitor terminal bus parking area at Milford Sound/Piopiotahi some 70km from the start of the Milford Road entrance to FNP. The existing boat terminal and jetties are directly accessible to tour bus visitors from that parking and by foot for self-drive visitors from the existing car-parking area on the south side of the basin. The Masterplan outlines the following:

- Cable Car or similar lift
- Bowen Falls/Valley Walks & Infrastructure
- Structures - viewing platform upper falls.
- Structures - floating pontoon, viewing platform lower falls.
- Nature walk loop & supporting infrastructure.
- Boat terminal.
- Refuge.

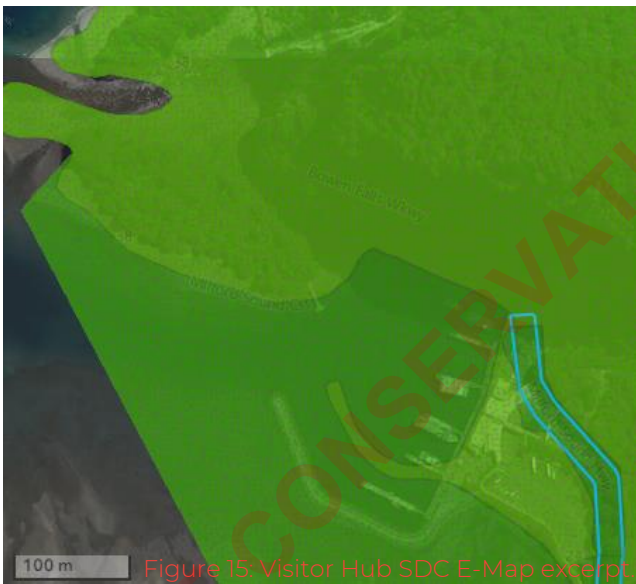


Figure 15: Visitor Hub SDC E-Map excerpt

19.1 APPLICABLE STATUTORY REGIMES

19.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|--------------|--------------------------------------|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Tangata Whenua | TW-O1 | TW-P1 | SCHED.8 |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL SCHED.4 |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | HAZS | HAZS-P1, P2, | HAZS-R1 – P HAZS-R2 – P2 HAZS-R3 – Disc |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |

| | | | | | | |
|--|--|------------------------------|---|--|--|--|
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc | |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones | |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14, P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 – NCA SUB-R6 - PROHIB | |
| | | Coastal Environment | CE-O1 | CE-P1, P2, P3, P4, P5, P6, P7 | Refer Zones | |
| | | Earthworks | Refer Zone Rules | | | |
| | | Light | Refer Zone Rules | | | |
| | | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc | |
| | | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB | |
| | | Designations | NZTA-3 (D241) SH94 – State Hwy Purposes | | | |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|----------------------------------|--|--|----------------------------------|---|------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | N/A |
| | | Coast | COAST.3, 4, | COAST.2, 3, 4, 5, 6, 7, | |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells | |

| | | | | |
|--|-----------------------|----------------------------------|--|---|
| | | | Rule 57 – Bridges | |
| | Regional Coastal Plan | 4 Fundamentals | Obj. 4.1.1, 4.1.2 | 4.1.1, 4.1.2, |
| | | 5.1 Natural Charater | Obj. 5.1.1 | 5.1.1 – NZ Coastal Policy |
| | | 5.2 Features & Lasc | Obj. 5.2.1 | 5.2.1, 5.2.3 |
| | | 5.3 Amenity Values | Obj. 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, 5.3.7 | 5.3.1 – Signs – P 5.3.2 Other – Disc 5.3.4 Noise – P 5.3.5 Other – Disc |
| | | 5.4 Veg & Fauna | Obj. 5.4.1.1, 5.4.2.2 | 5.4.1.1, 5.4.1.2, 5.4.2.4 -P 5.4.2.6 -PROHIB |
| | | 5.5 Public Access | Obj. 5.5.1, 5.5.2, | 5.5.1, 5.5.2, 5.5.3, 5.5.10, |
| | | 5.6 TangataWhenua | Obj. 5.6.1, 5.6.2 | 5.6.1, 5.6.2, 5.6.3, 5.6.4, 5.6.5 |
| | | 5.7 Heritage | Obj. 5.7.1, 5.7.2 | 5.7.1, 5.7.2, 5.7.3, 5.7.2 - Disc 5.7.3 - NCA 5.7.4 - C |
| | | 5.8 Natural & Physical Resources | Obj. 5.8.1 | 5.8.1 |
| | | 5.10 Soc, Econ, Cult | Obj. 5.10.1 | 5.10.1 |
| | | 7.1 Water Quality | Obj. 7.2.2.1, 7.2.2.2 | 7.2.2.1, 7.2.2.2, 7.2.2.4, 7.2.2.1 – RDA 7.2.2.2 – Disc |
| | | 7.3 Discharges | 7.3.2.1 | 7.3.2.1, 7.3.2.2, 7.3.2.3, 7.3.2.1 – Disc 7.3.2.4, 7.3.2.9, 7.3.2.10, 7.3.2.2 – Disc |
| | | - NS Waters | | 7.3.3.1 |
| | | - Stormwater | 7.3.4.1 | 7.3.4.1, 7.3.4.2 7.3.4.1 – P 7.3.4.2 – Disc |
| | | - Haz Subs & Waste | 7.3.5.1 | 7.3.5.1, 7.3.5.2, 7.3.5.3 – Disc |
| | | - Non-Point Discharges | 7.3.9.1 | |
| | | 7.4 Take, Use, Dam, Divert Water | 7.4.1.1 | 7.4.1.1, 7.4.1.2, 7.4.1.1 – Disc 7.4.1.2 – P 7.4.1.4 – Disc |
| | | - Stream/Divert | 7.4.2.1 | 7.4.2.1, 7.4.2.3 7.4.2.4 – P |
| | | 9. Occupation | 9.1.1, 9.1.2, | 9.1.1, 9.1.2, 9.1.3, 9.1.1 – Disc 9.1.4, 9.1.5, 9.1.6, 9.1.2 – Disc 9.1.7, 9.1.5 – P 9.1.6/7 – Disc 9.1.8 – P |
| | | 10. Seabed & Foreshore | 10.1.1, 10.1.2 | 10.1.1 10.1.5 – Disc 10.1.6 – Disc 10.1.7 – P 10.1.10 - Disc |
| | | - Deposition | 10.2.1 | 10.2.1, 10.2.3, 10.2.1 – PROHIB 10.2.4, 10.2.9 10.2.2 – Disc 10.2.6/7 - NCA |
| | | - Reclamation | 10.4.1, 10.4.2, | 10.4.1, 10.4.2, 10.4.1 – Disc 10.4.3, 10.4.5 – NCA |
| | | 11 Structures | 11.2.1, 11.2.2, 11.2.3, 11.2.4 | 11.2.1, 11.2.1, 11.2.3, 11.2.6, 11.2.6 – NCA 11.2.17, 11.2.18, 11.2.19 |
| | | - Existing Structures | 11.3.1 | 11.3.1, 11.3.3 11.3.2 – P 11.3.3 - Disc |

| | | | | |
|---|-------------------------------------|------------------------|---|---|
| | - Upgrade Existing | 11.4.1, 11.4.2 | 11.4.1, 11.4.2, 11.4.3, 11.4.4, | 11.4.1 – P/Disc 11.4.2 – P/Disc 11.4.5 - Disc |
| | - Remove/ Demo | 11.5.1 | 11.5.1 | 11.5.1 – P 11.5.2 – Disc 11.5.3 - Disc |
| | - Change Existing | 11.6.1 | 11.6.1 | |
| | - Wharves | 11.7.3.1 | 11.7.3.1 | 11.7.3.2 – P 11.7.3.4 - Disc |
| | - Boatsheds | | 11.7.4.1 | 11.7.4.2 - Disc |
| | - Launching | 11.7.5.1 | 11.7.5.1, | 11.7.5.1 - Disc |
| | 12. Coastal Protection | 12.1.1, 12.1.2 | 12.1.1, 12.1.2, 12.1.3, 12.1.4, 12.1.5, 12.1.6 | |
| | - Works | 12.2.1 | 12.2.1, 12.2.2, 12.2.3, 12.2.4, 12.2.5, 12.2.6 | 12.2.1 – P 12.2.2 – Disc 12.2.4/5 - PROHIB |
| | 14. Recreation | 14.1.1 | 14.1.1 | 14.1.1 - P |
| | - General | | 14.2.1, 14.2.2 | |
| | 16. Surface Water Activities in FDL | 16.1.1, 16.1.2, 16.1.3 | 16.2.1, 16.2.2, 16.2.4, 16.2.5, 16.2.6, 16.2.7, 16.2.11, 16.2.13, | 16.2.1 – various. |
| | - Noise | | 16.3.1, 16.3.2, 16.3.5 | 16.3.1 – PROHIB |
| | 20. Integrated Mngt | 20.1.1 | 20.1.1, 20.1.2 | |
| Regional Effluent Land Application Plan | | N/A | | |
| Regional Air Plan | | N/A | | |

19.1.1.1 OTHER – NATIONAL ENVIRONMENTAL STANDARDS

The report 2024.03.22 FINAL DRAFT Stage 3 Phase 1 Stage 2 Statutory Report - MOP Schedule 1 SSI-O-406 CIC assessed the reports that outlined potential levels for contaminated land risk to human health – including sites in the Freshwater Basin Node. The NES-CS Regulations apply to land use change, subdivision or soil disturbance above permitted thresholds on those sites where HAIL activities occur or have occurred.

A HAIL site (verified) was identified, and the PSI determined low risk to human health though further recommended investigation prior to any proposed land use change or soil disturbance. In the absence of a DSI, future land use changes would be a discretionary activity under Regulation 11 of the NES-CS.

19.1.1.2 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Freshwater Basin Node and Hine-Te Awa Bowen Falls – Lower Walk pontoon and tracks are identified as Class 3(a) rating, determining the site (credible tsunami hazard impact) requires further Basic Level risk assessment and advanced risk assessment will need to determine mitigation of the hazard through detailed design.

19.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan. Further, the District Plan NOSZ rules align with Section 4 of the RMA in terms of permitting work of the Crown in FNP where it is consistent with relevant management documents and meets the performance

standards of the District Plan NOSZ. Otherwise, all other land-based activities undertaken by other parties will require resource consent. Regional Consents will be required for structures, occupation and activities in CMA. Changes to existing consents, where required, can be applied for and subject to suitable mitigation are unlikely to be declined but may face greater scrutiny than previous iterations.

As indicated below, any authorisations are considered to largely have a **Medium-High** level of time/cost involved and **Moderately Likely – Highly Unlikely** likelihood that authorisations may or may not be obtained, particularly for those activities not consistent with existing conservation management activities as outlined below.

19.2 LIKELIHOOD

The overall likelihood of obtaining approval to the activity (resource consent) is rated as having **MODERATELY UNLIKELY to HIGHLY UNLIKELY** associated risk as shown in Appendix A, in terms of RMA requirements.

- **MODERATELY UNLIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
- **HIGHLY UNLIKELY** – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review.

The RMA approvals processes required for the smaller-scale activities (toilets, shelters, car parking) are well-established and authorisations are unlikely to be required or declined if undertaken by DOC and if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party.

The larger scale activities at Freshwater Basin require a significantly higher level of input, consultation, effects assessments and measures to avoid and mitigate effects and are likely to require high-level policy change to enable the activities i.e. plan reviews.

19.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan and/or FNPMP for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Dated statutory documents opposition to significant development though some such activities have been undertaken by approval processes.
 - ➔ Statutory document review, amendment and update.

20 CLEDDAU DELTA NODE

The operational area of Milford Sound Piopiotahi located between Freshwater and Deepwater Basins which was subject to the early 2000s Cleddau Flood Protection works. The Masterplan outlines the following for this node:

- Aerodrome Removal
- Regenerative Landscape spine
- Cleddau Delta Walks - supporting infrastructure.
- Structures - water-based viewing deck
- Structures - Delta Link Bridge
- Refuges

20.1 APPLICABLE STATUTORY REGIMES

20.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|----------------|--|---|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Tangata Whenua | TW-O1 | TW-P1 | SCHED.8 |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL SCHED..4 |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | HAZS | HAZS-P1, P2, | HAZS-R1 – P HAZS-R2 – P2 HAZS-R3 – Disc |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14, P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 – NCA SUB-R6 - PROHIB |

| | | | | |
|--|---------------------|---|-------------------------------|--|
| | Coastal Environment | CE-01 | CE-P1, P2, P3, P4, P5, P6, P7 | Refer Zones |
| | Earthworks | Refer Zone Rules | | |
| | Light | Refer Zone Rules | | |
| | Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc |
| | Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB |
| | Designations | NZTA-3 (D241) SH94 – State Hwy Purposes | | |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|----------------------------------|--|--|----------------------------------|--|---|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW.3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | N/A |
| | | Coast | COAST.3, 4, | COAST.2, 3, 4, 5, 6, 7, | |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1, RURAL.2, RURAL.4, | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contaminated Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure Transport | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells Rule 57 – Bridges | |
| | Regional Coastal Plan | 4 Fundamentals | Obj. 4.1.1, 4.1.2 | 4.1.1, 4.1.2, | |
| | | 5.1 Natural Character | Obj. 5.1.1 | 5.1.1 – NZ Coastal Policy | |
| | | 5.2 Features & Lasc | Obj. 5.2.1 | 5.2.1, 5.2.3 | |
| | | 5.3 Amenity Values | Obj. 5.3.1, 5.3.2, 5.3.3, 5.3.4, | 5.3.1, 5.3.2, 5.3.3, 5.3.4, | 5.3.1 – Signs – P |
| | | | 5.3.5, 5.3.6, 5.3.7 | 5.3.5, 5.3.6, 5.3.7, 5.3.8, 5.3.12, 5.2.15, 5.3.17, 5.3.18, 5.3.20, | 5.3.2 Other – Disc 5.3.4 Noise – P 5.3.5 Other – Disc |

| | | | | | |
|--|---|-----------------------------------|--|-----------------------------------|--|
| | 5.4 Veg & Fauna | | Obj. 5.4.1.1, 5.4.2.2 | 5.4.1.1, 5.4.1.2, | 5.4.2.4 - P 5.4.2.6 - PROHIB |
| | 5.5 Public Access | | Obj. 5.5.1, 5.5.2, | 5.5.1, 5.5.2, 5.5.3, 5.5.10, | |
| | 5.6 TangataWhenua | | Obj. 5.6.1, 5.6.2 | 5.6.1, 5.6.2, 5.6.3, 5.6.4, 5.6.5 | |
| | 5.7 Heritage | | Obj. 5.7.1, 5.7.2 | 5.7.1, 5.7.2, 5.7.3, | 5.7.2 - Disc 5.7.3 - NCA 5.7.4 - C |
| | 5.8 Natural & Physical Resources | | Obj. 5.8.1 | 5.8.1 | |
| | 5.10 Soc, Econ, Cult | | Obj. 5.10.1 | 5.10.1 | |
| | 7.1 Water Quality | Obj. 7.2.2.1, 7.2.2.2 | 7.2.2.1, 7.2.2.2, 7.2.2.4, | | 7.2.2.1 – RDA 7.2.2.2 – Disc |
| | 7.3 Discharges | 7.3.2.1 | 7.3.2.1, 7.3.2.2, 7.3.2.3, 7.3.2.4, 7.3.2.9, 7.3.2.10, | | 7.3.2.1 – Disc 7.3.2.2 – Disc |
| | - NS Waters | | | 7.3.3.1 | |
| | - Stormwater | | 7.3.4.1 | 7.3.4.1, 7.3.4.2 | 7.3.4.1 - P 7.3.4.2 - Disc |
| | - Non-Point Discharges | | 7.3.9.1 | | |
| | 7.4 Take, Use, Dam, Divert Water | | 7.4.1.1 | 7.4.1.1, 7.4.1.2, | 7.4.1.1 – Disc 7.4.1.2 – P 7.4.1.4 - Disc |
| | - Stream/Divert | | 7.4.2.1 | 7.4.2.1, 7.4.2.3 | 7.4.2.4 - P |
| | 9. Occupation | 9.1.1, 9.1.2, | 9.1.1, 9.1.2, 9.1.3, 9.1.4, 9.1.5, 9.1.6, 9.1.7, | | 9.1.1/2 – Disc 9.1.5 – P 9.1.6/7 – Disc 9.1.8 – P |
| | 10. Seabed & Foreshore | 10.1.1, 10.1.2 | 10.1.1 | | 10.1.5 – Disc 10.1.6 – Disc 10.1.7 – P 10.1.10 - Disc |
| | - Deposition | 10.2.1 | 10.2.1, 10.2.3, 10.2.4, 10.2.9 | | 10.2.1 – PROHIB 10.2.2 – Disc 10.2.6/7 - NCA |
| | - Reclamation | 10.4.1, 10.4.2, | 10.4.1, 10.4.2, 10.4.3, | | 10.4.1 – Disc 10.4.5 – NCA |
| | 11 Structures | 11.2.1, 11.2.2, 11.2.3, 11.2.4 | 11.2.1, 11.2.1, 11.2.3, 11.2.6, 11.2.17, 11.2.18, 11.2.19 | | 11.2.6 – NCA |
| | 12. Coastal Protection | 12.1.1, 12.1.2 | 12.1.1, 12.1.2, 12.1.3, 12.1.4, 12.1.5, 12.1.6 | | |
| | - Works | 12.2.1 | 12.2.1, 12.2.2, 12.2.3, 12.2.4, 12.2.5, 12.2.6 | | 12.2.1 – P 12.2.2 – Disc 12.2.4/5 - PROHIB |
| | 14. Recreation | 14.1.1 | 14.1.1 | | 14.1.1 - P |
| | - General | | 14.2.1, 14.2.2 | | |
| | 16. Surface Water Activities in FDL | 16.1.1, 16.1.2, 16.1.3 | 16.2.1, 16.2.2, 16.2.4, 16.2.5, 16.2.6, 16.2.7, 16.2.11, 16.2.13, | | 16.2.1 – various. |
| | - Noise | | 16.3.1, 16.3.2, 16.3.5 | | 16.3.1 – PROHIB |
| | 20. Integrated Mngt | 20.1.1 | 20.1.1, 20.1.2 | | |
| | Regional Effluent Land Application Plan | | N/A | | |
| | Regional Air Plan | | N/A | | |

20.1.1.1 OTHER – NATIONAL ENVIRONMENTAL STANDARDS

The report 2024.03.22 FINAL DRAFT Stage 3 Phase 1 Stage 2 Statutory Report - MOP Schedule 1 SSI-O-406 CIC assessed the reports that outlined potential levels for contaminated land risk to human health – including sites in the Freshwater Basin Node. The NES-CS Regulations apply to land use change, subdivision or soil disturbance above permitted thresholds on those sites where HAIL activities occur or have occurred. A HAIL site (verified) was identified, and the PSI determined low risk to human health though further recommended investigation prior to any proposed land use change or soil disturbance. In the absence of a DSI, future land use changes would be a discretionary activity under Regulation 11 of the NES-CS.

20.1.1.2 OTHER – STATE HIGHWAY

If any realignment layout is in SH94 existing physical alignment, the existing SH94 designation can provide for in corridor works via an Outline Plan or waiver by Waka Kotahi NZ Transport Agency “for state highway purposes”. Outside the legal corridor NOR would have wider implications by moving into FNP boundary, requiring legal redefinition and further RMA, and other, legalisation processes.

20.1.1.3 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Cleddau Delta Node, including the Delta walks, has a Class 3(a) rating, determining the site (credible tsunami hazard impact) requires further Basic Level risk assessment and advanced risk assessment will need to determine mitigation of the hazard through detailed design.

20.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan. Further, the District Plan NOSZ rules align with Section 4 of the RMA in terms of permitting work of the Crown in FNP where it is consistent with relevant management documents and meets the performance standards of the District Plan NOSZ. Otherwise, all other land-based activities undertaken by other parties will require resource consent.

Such activities are generally provided for at the district and regional policy levels, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

Regional Consents will be required for structures, occupation and activities in CMA – these are generally assessed as having a Low-Medium level of time/cost involved and Low-Medium likelihood risk that authorisations may or may not be obtained. Changes to existing consents, where required, can be applied for and subject to suitable mitigation are unlikely to be declined, but may face greater scrutiny than previous iterations.

As indicated below, any authorisations are considered to largely have a **Medium** level of time/cost involved and **MODERATELY LIKELY to HIGHLY UNLIKELY** likelihood that authorisations may or may not be obtained, particularly for those activities not consistent with existing conservation management activities as outlined below.

20.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated as having a range of risks and likelihood as shown in Appendix A, in terms of DOC and RMA requirements.

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation. i.e. known process with low level of input(s).
- **MODERATELY UNLIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
- **HIGHLY UNLIKELY** – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review.

The RMA approvals processes required for the smaller-scale activities (walking tracks) are well-established activities and authorisations are unlikely to be required if undertaken by DOC or declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party.

The medium scale activities at will require a wider range of input, consultation, effects assessments and measures to avoid and mitigate effects, particularly on the CMA.

The proposed refuge shelter has been considered to have a High Risk of risk to the likelihood to obtaining authorisation as there are more factors than just RMA and DOC authorisation to be considered and may face greater opposition from other parties or facets of approval.

20.3 CHALLENGES → OPPORTUNITIES

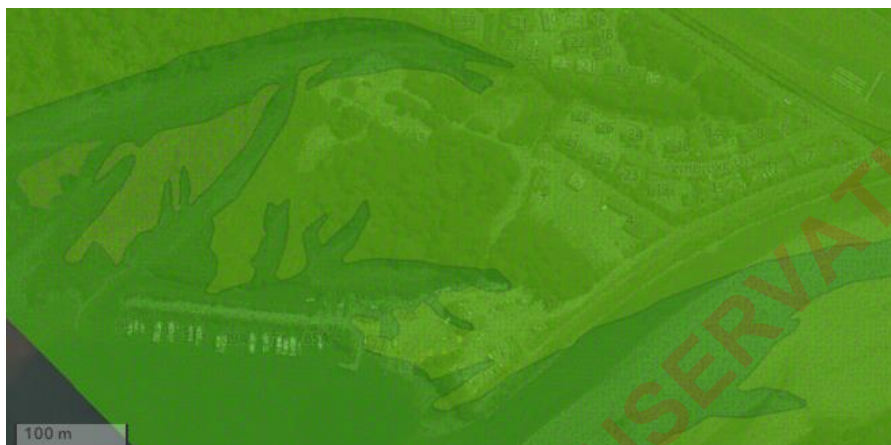
The following are identified as key challenges or opportunities:

- 1 Third party approvals or permissions i.e. submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.
- 2 District Plan activity status “work of the crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan and/or FNPMP for provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Dated statutory documents opposition to significant development though some such activities have been undertaken by approval processes.
 - ➔ Statutory document review, amendment and update.
- 5 Other risk factors outside RMA and DOC authorisations which may be raised in those processes that will need to be shown to be taken into account.
 - ➔ Evidence based strategic solutions and design to ensure factors addressed.

21 DEEPWATER BASIN NODE

- Car park and bus layover
- Boat Ramp
- Facilities for kayaking
- Refuge
- Heliport
- Heliport - Little Tahiti option

Figure 16: Visitor Hub SDC E-Map excerpt.



21.1 APPLICABLE STATUTORY REGIMES

21.1.1 RMA REGIME-BASED PLANNING DOCUMENTS

| AUTHORITY | DOCUMENT | PROVISIONS | OBJECTIVES | POLICIES | RULES |
|------------------------------------|--|--------------------------------------|----------------|--|--|
| Southland District Council (Local) | Operative Southland District Plan 2018 | Open Space (Fiordland) Zone | NOSZ-O1, O2 | NOSZ-P1, P2, P3, P4, P5, P6, P7, P8, | NOSZ-R1 – P NOSZ-R3 – Disc NOSZ-R4 - NCA |
| | | Tangata Whenua | TW-O1 | TW-P1 | SCHED.8 |
| | | Energy, Infrastructure and Transport | INF-O1 | INF-P1, P2, P3, P4, | INF-R1 & R2 – P INF-R6 –R4 Disc |
| | | | TRAN-O1 | TRAN-P1, P2, P3, P4, P5 | Refer Zones |
| | | Hazards and Risks | CL-O1 | CL-P1, P2, P3, | Refer NES-CL SCHED..4 |
| | | | NH-O1 | NH-P1, P2, P3, P4, P5, P6, | Refer Zones |
| | | | WASTE-O1 | WASTE-P1, P2, | Regional Rules |
| | | | HAZS | HAZS-P1, P2, | HAZS-R1 – P HAZS-R2 – P2 HAZS-R3 – Disc |
| | | Historical and Cultural Values | HH-O1 | HH-P1, P2, P3, P4, P5, P6 | HH-R1 – P HH-R2 – Disc HH-R3 - NCA |
| | | | SA-8, SA-10, | SASM-SCHED1 | Refer Stat Acknow. |
| | | Natural Environmental Values | ECO-O1, | ECO-P1, P2, P3, P8, P9 | ECO-R1 – P ECO-R3 - Disc |
| | | | NFL-O1, O2 | NFL-P1, P2, P3P4 | Refer Zones |
| | | Subdivision | SUB-O1, O2, O3 | SUB-P1, P2, P3, P6, P7P8, P9, P10, P11, P12, P13, P14, P16 | SUB-R – P SUB-R2 – C SUB-R4 – Disc SUB-R5 – NCA |

| | | | | |
|---------------------|---|-------------------------------|--|-----------------|
| | | | | SUB-R6 - PROHIB |
| Coastal Environment | CE-01 | CE-P1, P2, P3, P4, P5, P6, P7 | Refer Zones | |
| Earthworks | Refer Zone Rules | | | |
| Light | Refer Zone Rules | | | |
| Noise | NOISE-O1 | NOISE-P1, P2 | NOISE-R1 – P (Zones) NOISE-R6 – Heli NOISE-R7 – Aircraft NOISE-R14 - Disc | |
| Signs | SIGN-O1 | SIGN-P1, P2, P3, P4 | SIGN-R1 – P SIGN-R2 – RDA SIGN-R3 - PROHIB | |
| Designations | NZTA-3 (D241) SH94 – State Hwy Purposes | | | SCHED.5 |

| AUTHORITY | DOCUMENTS | PROVISIONS | OBJECTIVES / POLICIES | | RULE |
|----------------------------------|--|--|--|--|-------------------------------|
| Environment Southland (Regional) | Southland Regional Policy Statement 2017 | Tangata Whenua | TW.1, TW.2, TW.3, TW.4, TW.5 | TW.1, TW3 | N/A |
| | | Water – Quality | WQUAL.1, WQUAL.3 | WQUAL.1, | N/A |
| | | Water - Quantity | WQUAN.1, WQUAN.2 | WQUAN.2 | N/A |
| | | Coast | COAST.3, 4, | COAST.2, 3, 4, 5, 6, 7, | |
| | | Rural Land/Soils | RURAL.1, RURAL.2 | RURAL.1 RURAL.2 RURAL.4 | N/A |
| | | Biodiversity | BIO.2, BIO.3 | BIO.2, BIO.4, BIO.5, BIO.9 | N/A |
| | | Natural Features & Landscapes | LNF.1, LNF.2 | LNF.4 | N/A |
| | | Contam. Land | CONTAM.1 | CONTAM.2 | N/A |
| | | Infrastructure | INF.1 | INF.1, INF.2, INF.3, INF.4, INF.5 | N/A |
| | | Transport | TRAN.1 | TRAN.3, TRAN.4 | N/A |
| | | Energy | ENG.1, ENG.2, ENG.3, ENG.4 | ENG.2, ENG.3, ENG.5, ENG.6, ENG.7 | N/A |
| | | Urban | URB.1 | URB.1, URB.2, URB.5 | N/A |
| | Southland Water Plan (Proposed) | Region Wide | Obj. 1, 3, 4, 9B, 13, 18 | | |
| | | Ngai Tahu | Pol.2, | | |
| | | Water Quality | Pol.13, 17A | | |
| | | Water Quantity | Pol.24 | Rule – 15 (Stormwater) - P | |
| | | Activities – Energy, Bores, Structures, Discharges | Pol.26, 26A, 32, 35, 36, 37, 38, | Rule 26 (OnSite WW) – P /Disc Rule 49 – Water Takes Rule 53 – Bores & Wells Rule 57 – Bridges | |
| | Regional Coastal Plan | 4 Fundamentals | Obj. 4.1.1, 4.1.2 | 4.1.1, 4.1.2, | |
| | | 5.1 Natural Character | Obj. 5.1.1 | 5.1.1 – NZ Coastal Policy | |
| | | 5.2 Features & Lasc | Obj. 5.2.1 | 5.2.1, 5.2.3 | |
| | | 5.3 Amenities Values | Obj. 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6, 5.3.7 | 5.3.1 – Signs – P 5.3.2 Other – Disc 5.3.4 Noise – P 5.3.5 Other – Disc | |
| | | 5.4 Veg & Fauna | Obj. 5.4.1.1, 5.4.2.2 | 5.4.1.1, 5.4.1.2, | 5.4.2.4 -P 5.4.2.6 -PROHIB |
| | | 5.5 Public Access | Obj. 5.5.1, 5.5.2, | 5.5.1, 5.5.2, 5.5.3, 5.5.10, | |
| | | 5.6 TangataWhenua | Obj. 5.6.1, 5.6.2 | 5.6.1, 5.6.2, 5.6.3, 5.6.4, 5.6.5 | |

| | | | | |
|--|---|--------------------------------|---|--|
| | 5.7 Heritage | Obj. 5.7.1, 5.7.2 | 5.7.1, 5.7.2, 5.7.3, | 5.7.2 - Disc 5.7.3 - NCA 5.7.4 - C |
| | 5.8 Natural & Physical Resources | Obj. 5.8.1 | 5.8.1 | |
| | 5.10 Soc, Econ, Cult | Obj. 5.10.1 | 5.10.1 | |
| | 7.1 Water Quality | Obj. 7.2.2.1, 7.2.2.2 | 7.2.2.1, 7.2.2.2, 7.2.2.4, | 7.2.2.1 - RDA 7.2.2.2 - Disc |
| | 7.3 Discharges | 7.3.2.1 | 7.3.2.1, 7.3.2.2, 7.3.2.3, 7.3.2.4, 7.3.2.9, 7.3.2.10, | 7.3.2.1 - Disc 7.3.2.2 - Disc |
| | - NS Waters | | 7.3.3.1 | |
| | - Stormwater | 7.3.4.1 | 7.3.4.1, 7.3.4.2 | 7.3.4.1 - P 7.3.4.2 - Disc |
| | - Non-Point Discharges | 7.3.9.1 | | |
| | 7.4 Take, Use, Dam, Divert Water | 7.4.1.1 | 7.4.1.1, 7.4.1.2, | 7.4.1.1 - Disc 7.4.1.2 - P 7.4.1.4 - Disc |
| | - Stream/Divert | 7.4.2.1 | 7.4.2.1, 7.4.2.3 | 7.4.2.4 - P |
| | 9. Occupation | 9.1.1, 9.1.2, | 9.1.1, 9.1.2, 9.1.3, 9.1.4, 9.1.5, 9.1.6, 9.1.7, | 9.1.1/2 - Disc 9.1.5 - P 9.1.6/7 - Disc 9.1.8 - P |
| | 10. Seabed & Foreshore | 10.1.1, 10.1.2 | 10.1.1 | 10.1.5 - Disc 10.1.6 - Disc 10.1.7 - P 10.1.10 - Disc |
| | - Deposition | 10.2.1 | 10.2.1, 10.2.3, 10.2.4, 10.2.9 | 10.2.1 - PROHIB 10.2.2 - Disc 10.2.6/7 - NCA |
| | - Reclamation | 10.4.1, 10.4.2, | 10.4.1, 10.4.2, 10.4.3, | 10.4.1 - Disc 10.4.5 - NCA |
| | 11 Structures | 11.2.1, 11.2.2, 11.2.3, 11.2.4 | 11.2.1, 11.2.1, 11.2.3, 11.2.6, 11.2.17, 11.2.18, 11.2.19 | 11.2.6 - NCA |
| | 12. Coastal Protection | 12.1.1, 12.1.2 | 12.1.1, 12.1.2, 12.1.3, 12.1.4, 12.1.5, 12.1.6 | |
| | - Works | 12.2.1 | 12.2.1, 12.2.2, 12.2.3, 12.2.4, 12.2.5, 12.2.6 | 12.2.1 - P 12.2.2 - Disc 12.2.4/5 - PROHIB |
| | 14. Recreation | 14.1.1 | 14.1.1 | 14.1.1 - P |
| | - General | | 14.2.1, 14.2.2 | |
| | 16. Surface Water Activities in FDL | 16.1.1, 16.1.2, 16.1.3 | 16.2.1, 16.2.2, 16.2.4, 16.2.5, 16.2.6, 16.2.7, 16.2.11, 16.2.13, | 16.2.1 - various. |
| | - Noise | | 16.3.1, 16.3.2, 16.3.5 | 16.3.1 - PROHIB |
| | 20. Integrated Mngt | 20.1.1 | 20.1.1, 20.1.2 | |
| | Regional Effluent Land Application Plan | | N/A | |
| | Regional Air Plan | | N/A | |

21.1.1.1 OTHER – NATIONAL ENVIRONMENTAL STANDARDS

The report 2024.03.22 FINAL DRAFT Stage 3 Phase 1 Stage 2 Statutory Report - MOP Schedule 1 SSI-O-406 CIC assessed the reports that outlined potential levels for contaminated land risk to human health – including sites in the Deepwater Basin Node.

The NES-CS Regulations apply to land use change, subdivision or soil disturbance above permitted thresholds on those sites where HAIL activities occur or have occurred. A HAIL site (verified) was identified, and the PSI determined low risk to human health though further recommended investigation prior to any proposed land use change or soil disturbance. In the absence of a DSI, future land use changes would be a discretionary activity under Regulation 11 of the NES-CS.

21.1.1.2 OTHER – HAZARD RISK

Preliminary screening analysis of hazards has been undertaken and the “Assessed Site Hazard Class for each Masterplan site determined. The Deepwater Basin has a Class 3(a) rating, determining the site (credible tsunami hazard impact) requires further Basic Level risk assessment and advanced risk assessment will need to determine mitigation of the hazard through detailed design.

21.1.2 ASSESSMENT

There are no prohibited activities in the District Plan NOSZ, HH and ECO rules – though subdivision is prohibited in FNP under the Subdivision section of the District Plan. Further, the District Plan NOSZ rules align with Section 4 of the RMA in terms of permitting work of the Crown in FNP where it is consistent with relevant management documents and meets the performance standards of the District Plan NOSZ.

Otherwise, all other land-based activities undertaken by other parties will require resource consent. Airport activities have non-complying activity status and will have a high level of time-cost to obtain authorisations and potential for high risk to likelihood of obtaining authorisations, based on potential inputs required from third parties.

Regional Consents will be required for structures, occupation and activities in CMA – these are generally assessed as having a Low-Medium level of time/cost involved and Low-Medium likelihood risk that authorisations may or may not be obtained.

Such activities are provided for at the objectives and policies levels, particularly for regionally significant infrastructure. Works in the SH94 corridor would be covered by these provisions and may be provided for under the Designation and RMA by way of outline plan and notice of requirement processes.

As indicated below, authorisations required for the activities encompass the full range from **Low-Medium - High** level of time/cost involved and cover the full range of **Moderately Likely to Highly Unlikely** that authorisations may or may not be obtained, particularly for those activities potentially inconsistent with existing conservation management documents.

21.2 LIKELIHOOD

The overall likelihood of obtaining approvals to the activity (resource consent and/or concession) is rated as having the full range of likelihood associated risk as shown in Appendix A, in terms RMA requirements.

- **LIKELY** – likely to be consistent with NPMP/CMS/DP/RP and obtain authorisation. i.e. known process with low level of input(s).
- **MODERATELY UNLIKELY** – moderately contravenes NPMP/CMS/DP/RP. Moderate process to gain authorisation with mitigation, remediation and /or offset required i.e. Limited/public notification. Moderate risk authorisation not obtained.
- **HIGHLY UNLIKELY** – contravenes NPMP/CMS/DP/RP. High level process and level of mitigation, remediation and /or offset required with risk authorisation NOT obtained i.e. legislative change/plan review.

The RMA approvals processes required for the smaller-scale or existing activity upgrades (i.e. wharf, storage areas, boat launch and kayaking) are well-established activities and authorisations are potentially not required if undertaken by DOC and or are unlikely to be declined if the activity is not otherwise permitted as work of the Crown under the RMA and/or District Plan i.e. undertaken by another party, given their existing service in the area, but may face greater scrutiny than previous proposals. The medium scale activities at will require a wider range of input, consultation, effects assessments and measures to avoid and mitigate effects, particularly on the CMA.

The proposed aircraft space has been considered to have a High Risk to the likelihood to obtaining authorisation as there are more factors than just RMA and DOC authorisation to be considered and may face greater opposition from other parties or more steps to obtaining approval.

21.3 CHALLENGES → OPPORTUNITIES

The following are identified as key challenges or opportunities:

- 1 Third party approvals, permissions & involvement i.e. submitters, statutory agencies, or recognised groups, identified affected parties.
 - ➔ Early consultation and a level of collaboration are key to any process and may avoid further process negotiations and/or hold-ups.
- 2 District Plan activity status “work of the Crown” still reliant on meeting performance measures.
 - ➔ Opportunity to amend District Plan to provide for Crown activities in FNP.
- 3 Time and Cost escalations – refer Appendix 1.
 - ➔ Early consultation and collaboration key to any process and may avoid escalations.
- 4 Statutory documents opposition to significant development though some such activities have been undertaken by approval processes.
 - ➔ Statutory document review, amendment and update.
- 5 Other risk factors outside RMA (& DOC) authorisations which may be raised in those processes that will need to be shown to be taken into account.
 - ➔ Evidence based strategic solutions and design to ensure factors addressed.

22 OVERALL ASSESSMENT

Appendix A lists each hub, node or area identifying whether statutory approvals will likely be required for the recommended options, based on whether existing statutory requirements provide for such activities or not.

This assesses the time cost /risk associated with each aspect under the current legislative framework – with low time/cost and an accompanying likelihood matrix of whether relevant authorisation is more likely to be obtained, and the higher time /cost being less likely or more onerous to obtain i.e. publicly notified with multiple submitters, concerns, time cost and potentially restrictive conditions.

It should be noted that no activities were assessed as prohibited. Noting the above, the status of activities under the conservation documents and which party is undertaking the activity (i.e. the Crown/DOC or other party) will largely dictate whether District Council consents are required.

Regardless of conservation status, regional permits will be required for structures and associated works in waterways and Coastal Marine Area, and for abstractions and discharges where they breach environmental location, quality, or quantity thresholds, or need amendments to existing consents.

22.1 KEY FINDINGS OF ASSESSMENT

The key findings of the assessment against the relevant (and current) conservation and resource management statutory frameworks are:

- A Smaller scale activities proposed by way of MOP Stage 2 Master Plan that are within Te Rua-o-Te-Moko Fiordland National Park management documents and subject to DOC undertaking those works can avoid need for resource consent.
- B There is currently limited (to no) scope within the existing framework for works being undertaken by any entity other than DOC without resource consent being required.
- C The District Plan Natural Open Spaces Zone (Fiordland/Rakiura Zone) has limited permitted activity scope for works being undertaken by any entity other than DOC without the requirement for resource consent. The scope provided for under the District Plan zoning for activities proposed by way of MOP Stage 2 Master Plan is limited without those activities being determined as “consistent with” the Management Plan(s).
- D None of the above negates need to meet Regional Plans in terms of supporting infrastructure in waterways, takes and discharges and infrastructure/works in Coastal Marine Area
- E SH94 Milford Road has fundamental alignment discrepancies which restricts the ability to rely on the existing Designation under District Plan and RMA to avoid need to obtain resource consents. Notice of Requirement (NOR) to alter the SH94 designation (to meet physical alignment) under the RMA has wider implications on National Park boundaries and may require ministerial level input to amend.

22.2 STATUTORY OPTIONS – HIGH TO LOW LEVEL

- 1 **Legislative** i.e.: Separate legislation to provide for the activities through a legislative consultative process and Masterplan. This avenue would either outline precedence or be sufficient as to be recognised as allowing for the work of the crown as provided for under the RMA and negate requirement for (District) resource consents/concessions for the Master Plan activities.
- 2 **Requiring Authority status and Notice of Requirement** to create a MOP Master Plan designation via a Notice of Requirement (as a Requiring Authority) to negate the requirement for consents under Section 9 of the RMA under the District Plan. Enables wider project overview at approval stage and in ongoing management. Provides definitive tenure for the requiring authority, allowing for works on behalf of the RA, and/or associated lease and licensing by the RA outside of the RMA on a case-by-case activity basis.
- 3 **District Plan Change** process to create a MOP Master Plan overlay for the Natural Open Spaces (Fiordland Rakiura) Zone to provide for the activities not currently permitted under the District Plan. Enables for wider project view and management and combined with (2), provides definitive local authority authorisation. Provides for activities regardless of party undertaking them.
- 4 **Combined or individual Resource Consent application(s)** for individual activities on an as-required basis. These applications could be lodged noting the MOP framework as a relevant consideration highlighting the recreational, social, cultural and economic benefits and drivers for the project.

Positive effects of each individual project can be linked to the overarching MOP Masterplan and its potential to deliver significant local, regional and national benefits. Entities processing the applications and decision makers will need to balance the positive effects of each proposal (as an outcome of the MOP) along with any actual and potential adverse environmental effects.

Each individual project can stand on its own merits from a resource consent perspective. This would allow for a staged approach whereby applications for proposals at each node or groups of proposals across multiple nodes could obtain approval over time. This approach would allow a focus on those projects identified as having a high likelihood of approval (the low hanging fruit) initially.

23 LIMITATIONS

In preparing this Report, WSP has relied upon data, surveys, analyses, designs, plans and other information ('Client Data') provided by or on behalf of the Client. Except as otherwise stated in this Report, WSP has not verified the accuracy or completeness of the Client Data. To the extent that the statements, opinions, facts, information, conclusions and/or recommendations in this Report are based in whole or part on the Client Data, those conclusions are contingent upon the accuracy and completeness of the Client Data. WSP accepts no liability whatsoever for any use of this Report, in whole or in part, by any party other than the Client. Unless WSP agrees otherwise in writing, any use or any reliance on this Report by a third party is at its sole risk without recourse to WSP. Third parties must make their own enquiries and obtain independent advice in relation to any matter dealt with or any conclusion expressed in this Report.

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APPENDIX A

CONSOLIDATED LIKELIHOOD MATRIX



2024.06.06 MOP
RMA Stat.Assess Like

APPENDIX B

LIST OF STATUTORY DOCUMENTS ASSESSED



SDC Operative
Southland District P

[District Plan - District Plan \(southlanddc.govt.nz\)](https://southlanddc.govt.nz/DistrictPlan)



ES Southland
Regional Policy Stat

[Southland Regional Policy Statement 2017.pdf \(es.govt.nz\)](https://es.govt.nz/SouthlandRegionalPolicyStatement2017.pdf)



ES pSWLP -
following 9th Interi

[Regional Water Plan - October 2015 spaces removed.pdf](#)



ES Coastal Plan
December 2013.pdf

[pSWLP - Clean version following 9th Interim Decision PDF CURRENT.pdf \(es.govt.nz\)](#)