

**From:** Ben Farrell <ben@cuee.nz>  
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**To:** RPS  
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**Attachments:** Submission on the Proposed Otago RPS - Trojan Holdings - 3 Sept 2021.pdf

**Follow Up Flag:** Follow up  
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**Categories:** Submission - Sector stakeholder

Hi, please find attached a copy of a submission by Trojan Holdings on the pRPS.

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## Written Submission on Proposed Otago Regional Policy Statement 2021

To: Otago Regional Council ([rps@orc.govt.nz](mailto:rps@orc.govt.nz))

1. This is a submission by **Trojan Holdings Limited (Trojan)** on the Proposed Otago Regional Policy Statement 2021.
2. Trojan:
  - a. Could not gain an advantage in trade competition through this submission.
  - b. Is directly affected by an effect of the subject matter of the submission that adversely affects the environment; and does not relate to trade competition or the effects of trade competition
  - c. Does wish to be heard in support of my submission
  - d. Will consider presenting a joint case with them at a hearing if others make a similar submission

### Submission

3. Trojan seek:
  - a. Amendments to all the provisions of the RPS in accordance with and in no way limited to the changes set out in the Tables below;
  - b. Alternative amendments, including any such combination of provisions as may be appropriate, to address the matters raised in this submission, and to achieve the intent of this submission.
  - c. Any similar, alternative, consequential and/or other relief as necessary to address the issues raised in this submission.

### 4. Submitter Details

- a. Refer overleaf some details about Trojan and some of its subsidiary companies.

Ben Farrell, Owner Cue Environmental Limited

*Submitter contact and address for service*

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C/- Cue Environmental Limited

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## About Trojan and its subsidiaries

1. **Trojan Holdings Limited** is a family-owned business based in Queenstown with substantial investments in the Tourism, Transport and Property sectors across the Southland Island including Otago. Trojan is the parent company of numerous tourism companies including NZSki, Ultimate Hikes, The Hermitage, AJ Hackett Bungy, Coast to Coast, Avis/Budget Queenstown, Intouch; and Transport companies: Northern Southland Transport, Cromwell Transport, Allwaste, Southfuels, Northfuels, Bond Contracts, Allied Queenstown Concrete, and Base Contracting. Together with its subsidiary companies Trojan employs more than 1660 staff.
  - a. **NZSki** owns and operates three of New Zealand's largest commercial ski areas - Coronet Peak and The Remarkables in Queenstown and Mt Hutt in Canterbury. NZSki manages some of New Zealand's best ski areas across Coronet Peak and The Remarkables in Queenstown and Mt Hutt in Canterbury (voted NZ's Best Ski Resort six years running). Across the three mountains ranges a variety of park features and wide-open runs to natural roller-coaster terrain. There are experiences for every level of skier from first timers through to professionals. NZSki employees 60 permanent staff and around 1100 seasonal staff.
  - b. **Ultimate Hikes** operates multi day guided walks on the Routeburn, Milford and Greenstone Tracks, located in the Fiordland and Mt Aspiring National Parks. The walks are inclusive of transport, accommodation and food in our private lodges and the safety and support of professional guides.
  - c. **AJ Hackett Bungy**, the first commercial Bungy operator in the world, has been in the business of fuelling people with courage and adrenaline. AJ Hackett Bungy has six sites in three iconic Kiwi destinations – Queenstown, Auckland and Taupo.
  - d. **Northern Southland Transport** has been providing transport services for over 55 years. Today its services are primarily related to: Servicing rural clients with branches in Te Anau, Mossburn, Lumsden and Invercargill; and Cromwell (Cromwell Transport); providing waste collection services throughout Southland and Central Otago (AllWaste) and offering on site diesel deliveries to commercial and home heat customers in Queenstown.
2. Every one of Trojan businesses have a long-standing reputation of excellence in service delivery, safety, diverse product offering and innovation. The company takes pride in providing their services and in sharing the incredible New Zealand environment with their customers whilst protecting it for future generations. At heart, they are a proudly family-owned business, with strong family values embedded throughout. Further details about Trojan and its subsidiary companies can be found at <https://trojanholdings.co.nz/>.

<b>Provision</b>	<b>Position</b>	<b>Reason(s)</b>	<b>Decision Sought</b>
<b>Entire RPS – new provisions sought</b>	Oppose	The pRPS fails to include recognition of and provision for people and communities' health and wellbeing by not sufficiently recognising or providing for the benefits of transport and tourism activities and development, in particular activities centred on supporting people's wellbeing by transporting people to the natural environment so people can use and appreciate the natural environment. It should go without saying that people (residents and visitors) rely on access to and use of the natural environment to support their health (mental and physical) and cultural, social and economic wellbeing. Similarly, it should go without saying that the health and wellbeing of communities including many local business benefit directly and indirectly from providing services associated with transporting people to the natural environment so people can use and appreciate the natural environment. Trojan owns and operates recreation related activities which support these well-beings. The lack of provision for activities which directly or indirectly support people's ability to access the natural environment, so people can use and appreciate the natural environment undermines the above benefits and is contrary to the concept of sustainable management of Otago's natural and physical resources, because fundamentally these activities generally: (i) are part of Otago's identity which the current generations of the region rely on; (ii) maintain, enhance or do not significantly compromise the health and wellbeing of the region's natural environment; and (iii) do not undermine or threaten the well-being of future generations.	<p>Insert new provisions which explicitly recognise, protect and promote the benefits of and provide for people's well-being, including the use of and access to the natural environment for transport, the visitor industry inclusive of commercial recreation, and ancillary commercial and industry services.</p> <p>This relief should flow through each level or place in the plan architecture, including for example: Description of the Region; Significant Resource Management Issues; Integrated Management; Domains; and Topics, including Transport and Historical and Cultural Values, Natural Features and Landscapes, Urban Form and Development</p>
<b>Entire RPS – new provisions sought</b>	Support	Unless otherwise discussed or affected by the reasons below the pRPS is supported.	Retain all provisions in the pRPS as notified except as discussed or affected by the reasons discussed and relief sought below.
<b>All Explanation, Reasons, and AER sections</b>	Oppose	All Explanation, Reasons, and AER provisions unnecessarily lengthen and potentially confuse (not assist) the provisions they are referring to.	Delete all AER provisions. If the AER provisions are to be retained then it is sought that they be amended (where relevant) to align with the relief sought in this submission.

Provision	Position	Reason(s)	Decision Sought
<b>Entire RPS</b>	Oppose	<p>There are numerous hackneyed vagaries in the pRPS document, for example as listed below:</p> <ul style="list-style-type: none"> <li>• Significant</li> <li>• Sustainable / sustainable development / sustained</li> <li>• Environmental limit</li> <li>• Bottom line</li> <li>• Environments</li> <li>• Statements including or like “important features and values identified by this RPS”</li> </ul> <p>These words lack practical or effective meaning and therefore will create uncertainty when applied in practice. Every word in every objective, policy, method, or AER should be clear and explicit about what it means. In respect of environmental limits (or bottom lines) the RPS is unclear on what environmental limits are actually being referred to – for example do they refer to limits on landscape and amenity values? Limits should only apply to the natural environment (for example relate to biophysical attributes, and possibly Ngai tahu rights and interests).</p>	Replace these words with other words which have a practical or clearer/explicit meaning.
<b>Entire RPS</b>	Oppose	There are numerous references to the term “possible”. However, this term is an extremely stringent and potentially unrealistic test to meet.	Delete term “possible” from the pRPS. Replace with clearer achievable or more practicable direction, or alternatively replace with “practicable”.
<b>Entire RPS</b>	Oppose	There are numerous references to “ <i>outstanding natural features or landscapes</i> ” and “ <i>highly valued natural features or landscapes</i> ”. For clarify, these provisions should be amended to include the word “ <i>natural</i> ” before landscapes, because it is the “outstanding natural” landscapes which are to be protected from inappropriate development (under RMA 6b) and presumably the highly valued “natural” landscapes to be maintained (under RMA 7c and 7f).	Insert “natural” before landscape every time there is reference to “outstanding natural features or landscapes” and “highly valued natural features or landscapes”.

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>Description of the Region</b>	Oppose	Tourism has a significant impact on the economy.	... Tourism <del>has</del> also <del>had</del> a significant impact on the regional economy, contributing about a quarter of the region's total gross domestic product...
<b>Waterbodies</b>	Oppose	The description understates the amount and importance of unmodified natural environment throughout Otago.	Otago's landscapes are diverse. Moving inland from Otago's diverse and varied coastline, the landscapes change dramatically. Rolling plains separated by mountain ranges, steep hillsides of tussock, and deep gorges make up a lot of South and Central Otago. This <i>land</i> is dissected by flowing bodies of water, towering mountainscapes, and fascinating geological formations. Modified landscapes encompassing farmland and remnants of the region's early gold mining activity are ever-present, creating a rich sense of heritage and regional identity. <u>There is a tremendous amount of unmodified land in our National Parks and Conservation Parks.</u>
<b>Urban form</b>	Oppose	Minor point of clarification.	Urbanised areas in Otago occupy only about 1% of total <i>land</i> area, however 87% of people live in urban settlements. Dunedin is Otago's largest urban area, surrounded by hills and harbor, and has a large suburban area and commuter catchment especially to the south, with more recent expansion moving out to connect with an expanding Mosgiel. The Queenstown Lakes District population is approximately 91% urban. Its outstanding landscape has <del>historically determined</del> , and will continue to <u>influence urban growth</u> <del>determine, how urban form develops.</del>
<b>Definitions – minimise</b>	Oppose	The term minimise is used in the pRPS but it is not defined.	Insert definition for " <b>minimise</b> ", as below:  <i>"Reduce to the smallest amount reasonably practicable. Minimised, minimising and minimisation have the corresponding meaning."</i>
<b>Definitions – natural environment</b>	Oppose	The term natural environment is used in the pRPS but it is not defined.	Insert definition of " <b>Natural Environment</b> ", as follows:  <u>Means (a) land, water, air, soil, minerals, energy, and all forms of plants, animals, and other living organisms (whether native to New Zealand or introduced) and their habitats; and (b) ecosystems and their constituent parts.</u>
<b>Definitions – resilient or resilience</b>	Oppose	No need for "quick" recovery	<b>Resilient or resilience</b>  Means the capacity and ability to withstand or recover <del>quickly</del> from adverse conditions.

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>Definitions – rural industry</b>	Oppose	The term rural industry is used in the RPS provisions but is not defined. The term should be defined. The first definition provided is drawn on the definition in the QLDC PDP, while the second definition is from the National Planning Standards.	<p>Insert definition of <b>Rural Industry</b>, like the following:</p> <p><u>Means the use of land and buildings for the purpose of manufacturing, fabricating, processing, packing and/or storage of goods and materials grown or sourced outside the urban environment and the storage of goods, materials and machinery associated with commercial contracting undertaken outside the urban environment.</u></p> <p>OR</p> <p><u>Means an industry or business undertaken in a rural environment that directly supports services, or is dependent on primary production.</u></p>
<b>Definitions – ski area infrastructure</b>	Oppose	Infrastructure associated with accessing and using the Cardrona Alpine Resort, Coronet Peak Ski Area, The Remarkables Ski Area, and the Treble Cone Ski Area are regionally significant and therefore should be specified as such. Means of achieving this is to define “Ski Area Infrastructure” and list Ski Area Infrastructure in the definition of Regionally Significant Infrastructure.	<p><b><u>Ski Area Infrastructure</u></b></p> <p><u>Means infrastructure associated with the construction, operation, maintenance, upgrading, or expansion of the following existing ski field areas:</u></p> <p><u>(a) Cardrona Alpine Resort</u></p> <p><u>(b) Coronet Peak</u></p> <p><u>(c) Remarkables</u></p> <p><u>(d) Treble Cone</u></p>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>Definitions rural area</b>	- Oppose	<p>The definition of Rural area (“means any area of land that is not an urban area”) is not appropriate in the context of environmental or resource management of Otago where a lot of the non-urban environment is natural/unmodified. The term rural has a connotation of primary production activities (as reinforced by the definition of rural industry in the National Planning Standards. However, a lot of the non-urban area in Otago is unmodified natural environment, where primary production has not occurred and is not appropriate (but some activities and development, such as some visitor activities/services and outdoor recreation), are entirely appropriate.</p>	<p>Delete definition of <b>Rural Area</b>. Alternatively amend definition to exclude unmodified natural areas, and include a new definition for <b>Natural Area</b> or similar.</p>



Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>Definitions regionally significant infrastructure</b>	- Oppose	<p>The RSI definition is overly focussed on public infrastructure (although much of it is actually private) and out of date with the vast amount of 'public infrastructure' provided by the private sector.</p> <p>Infrastructure associated with accessing and using the Cardrona Alpine Resort, Coronet Peak Ski field, The Remarkables Ski field, and the Treble Cone Ski field is regionally significant and therefore should be specified as such. means of achieving this is to define "Ski Field Infrastructure" and list Ski Field Infrastructure in the definition of Regionally Significant Infrastructure (RSI). If Ski field infrastructure is not listed as RSI then the ability of these ski fields to operate and grow is unreasonably restricted by the NESFM regulations which do not provide an explicit consenting pathway for activities which may drain or partially drain, or otherwise modify, a natural inland wetland.</p>	<p><b>Regionally significant infrastructure</b> means:</p> <ol style="list-style-type: none"> <li>(1) roads classified as being of regional importance in accordance with the One Network Road Classification,</li> <li>(2) electricity sub-transmission infrastructure,</li> <li>(3) renewable electricity generation facilities that connect with the local distribution network but not including renewable electricity generation facilities designed and operated principally for supplying a single premise or facility,</li> <li>(4) telecommunication and radiocommunication facilities,</li> <li>(5) facilities for public transport, including terminals and stations,</li> <li>(6) the following airports: Dunedin, Queenstown, Wanaka, Alexandra, Balclutha, Cromwell, Oamaru, Taieri.</li> <li>(7) navigation infrastructure associated with airports and commercial ports which are nationally or regionally significant,</li> <li>(8) defence facilities,</li> <li>(9) community drinking water abstraction, supply treatment and distribution infrastructure that provides no fewer than 25 households with drinking water for not less than 90 days each calendar year, and community water supply abstraction, treatment and distribution infrastructure (excluding delivery systems or infrastructure primarily deployed for the delivery of water for irrigation of land or rural agricultural drinking-water supplies)</li> <li>(10) community stormwater infrastructure,</li> <li>(11) wastewater and sewage collection, treatment and disposal infrastructure serving no fewer than 25 households, and</li> <li>(12) Otago Regional Council's hazard mitigation works including flood protection infrastructure and drainage schemes.</li> <li>(13) <a href="#">Ski Area Infrastructure</a>.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>IM-P1</b>	Oppose	The term “environmental constraint” is unclear. It is appropriate for activities to be carried out within limits of attributes of the natural environment.	<p><b>IM-P1 – Integrated approach</b></p> <p>The objectives and policies in this RPS form an integrated package, in which:</p> <ol style="list-style-type: none"> <li>(1) all activities are carried out within <del>limits of natural environmental attributes the environmental constraints of this RPS,</del></li> <li>(2) all provisions relevant to an issue or decision must be considered,</li> <li>(3) if multiple provisions are relevant, they must be considered together and applied according to the terms in which they are expressed, and</li> <li>(4) notwithstanding the above, all provisions must be interpreted and applied to achieve the integrated management objectives IM-O1 to IM-O4.</li> </ol>
<b>IM-P2 Decision priorities</b>	– Oppose	A “long-term” period creates uncertainty (unless it is defined which it is not) and the feasibility of “securing” a long-term objective is questioned.	<p><b>IM-P2 – Decision priorities</b></p> <p>Unless expressly stated otherwise, all decision making under this RPS shall <u>promote</u>:</p> <ol style="list-style-type: none"> <li>(1) firstly, <del>secure the long-term</del> life-supporting capacity and mauri of the natural environment,</li> <li>(2) secondly, promote the health needs of people, and</li> <li>(3) thirdly, safeguard the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>IM-P4 – Setting a strategic approach to ecosystem health</b>	Oppose	Use and development of resources can result in considerable benefits through ecological and conservation enhancement and restoration initiatives. There should be more emphasis and policy direction for supporting activities which will result in healthy ecosystems and ecosystem services are achieved.	<p><b>IM-P4 – Setting a strategic approach to ecosystem health</b></p> <p>Healthy ecosystems and ecosystem services are achieved through a planning framework that:</p> <ol style="list-style-type: none"> <li>(1) protects their <i>intrinsic values</i>,</li> <li>(2) takes a long-term strategic approach that recognises changing <i>environments</i>,</li> <li>(3) recognises and provides for ecosystem complexity and interconnections, and</li> <li><del>(4)</del> <u>anticipates, or responds swiftly to, changes in activities, pressures, and trends.</u></li> <li><del>(4)(5)</del> <u>Promotes use and development of resources which support 1-3 above.</u></li> </ol>
<b>IM-P10 – Climate change adaptation and mitigation</b>	Oppose	<p>The term “minimise” should be defined.</p> <p>Why “prioritise”? Prioritise against what. What does including “prioritise” actually mean?</p> <p>This policy should relate to “significant risk” and should also focus on “new zoned land” and new activities not anticipated in a plan.</p>	<p><b>IM-P10 – <i>Climate change</i> adaptation and mitigation</b></p> <p>Identify and implement <i>climate change</i> adaptation and mitigation methods for Otago that:</p> <ol style="list-style-type: none"> <li>(1) minimise the <i>effects</i> of <i>climate change</i> processes or <i>risks</i> to existing activities,</li> <li>(2) <del>prioritise</del>-avoiding the establishment of new activities in areas subject to <u>significant risk</u> from the <i>effects</i> of <i>climate change</i>, unless those activities reduce, or are resilient to, those <u>significant risks</u>, and</li> <li>(3) provide Otago’s communities, including Kāi Tahu, with the best chance to thrive, even under the most extreme <i>climate change</i> scenarios.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<p><b>IM-P12 – Contravening environmental bottom lines for climate change mitigation</b></p>	<p>Oppose</p>	<p>Acknowledging that Bottom line is referred to in the NPSFM, it could also apply to any other environmental bottom line. Consider changing to another term such as limit, or threshold.</p> <p>Either way, “bottom line” or an alternative term should be defined in the RPS to clarify which provisions (bottom lines) are being referred to.</p> <p>The term “smallest possible” is an extremely onerous and probably cost prohibitive test. Minimise could be more appropriate.</p> <p>Environmental impacts can be positive, and positive impacts should be encouraged not discouraged.</p> <p>Offsets and compensation is not always just about ecological matters.</p> <p>The Otago RPS should not require administrators of the RPS to implement RM documents applying to other regions – that will make application of this provision difficult and probably ultra vires.</p>	<p><b>IM-P12 – Contravening environmental <del>bottom lines</del>limits for climate change mitigation</b></p> <p>Where a proposed activity provides or will provide enduring regionally or nationally significant mitigation of <i>climate change</i> impacts, with commensurate benefits for the well-being of people and communities and the wider <i>environment</i>, decision makers may, at their discretion, allow non- compliance with an environmental <del>limit bottom line</del> set in any policy or method of this RPS only if they are satisfied that:</p> <ol style="list-style-type: none"> <li>(1) the activity is designed and carried out to <del>minimise have the smallest possible</del> <u>adverse</u> environmental impact consistent with its purpose and <i>functional needs</i>,</li> <li>(2) the activity is consistent and coordinated with other regional and national <i>climate change</i> mitigation activities,</li> <li>(3) adverse <i>effects</i> on the <i>environment</i> that cannot be avoided, remedied, or mitigated are offset, or compensated for if an offset is not possible, in accordance with any specific criteria for using offsets or compensation, and ensuring that any offset <u>relating to ecological matters</u> is: <ol style="list-style-type: none"> <li>(a) undertaken where it will result in the best ecological outcome,</li> <li>(b) close to the location of the activity, and</li> <li>(c) within the same ecological district or coastal marine biogeographic region,</li> </ol> </li> <li>(4) the activity will not impede either the achievement of the objectives of this RPS <del>or the objectives of regional policy statements in neighbouring regions</del>, and</li> <li>(5) the activity will not contravene a <del>bottom line</del> <u>natural environmental limit</u> set in a national policy statement or national environmental standard.</li> </ol>

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<b>IM-P13</b> – <b>Managing cumulative effects</b>	Oppose	<p>The environment captures both natural and physical resources, but “resources” does not capture all of the “environment”. It makes sense to manage cumulative effects on the environment.</p> <p>The term accounting has a financial connotation. It would be better to refer to “addressing”.</p>	<p><b>IM-P13 – Managing cumulative effects</b></p> <p>Otago’s environmental integrity, form, function, and <i>resilience</i>, and opportunities for future generations, are protected by recognising and specifically managing the cumulative <i>effects</i> of activities on <u>the environment</u> <del>natural and physical resources</del> in plans and explicitly <del>accounting for</del><u>addressing</u> these <i>effects</i> in other resource management decisions.</p>
<b>IM-P14</b> – <b>Human impact</b>	Oppose	<p>Opportunities for future generations will be preserved by operating within the limits of the natural environment, not other environmental limits as these are human centric significantly influenced by cultural conditions and individual/social perceptions, and readily change over time</p>	<p><b>IM-P14 – Human impact</b></p> <p>Preserve opportunities for future generations by:</p> <p>(1) identifying limits to both growth and adverse <i>effects</i> of human activities beyond which the <u>natural environment</u> will be degraded,</p>
<b>IM-P15</b> – <b>Precautionary approach</b>	Oppose	<p>A precautionary approach should be taken when an activity operates (or is proposed to operate) in a degraded environment</p> <p>A degraded environment is where the application site or receiving environment is known to have an environmental value or condition below a desired threshold/limit/bottom line.</p>	<p><b>IM-P15 – Precautionary approach</b></p> <p>Adopt a precautionary approach towards proposed activities whose <i>effects</i> are uncertain, unknown or little understood, but could be significantly adverse, particularly where the areas and values within Otago <u>are in a degraded state or</u> have not been identified in plans as required by this RPS.</p>

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<b>IM-M1 – Regional and district plans</b>	Oppose	<p>This method is unclear. What precisely is it requiring to be undertaken by 2030? Which climate change responses in this RPS are being referred to?</p> <p>The criteria in clause 4 will create an unreasonable cost and administrative burden on RM processes. Moreover, the criteria does not provide clear guidance that will actually deal with cumulative adverse effects, particularly where the existing environment is already degraded or where key values that should be protected (to manage cumulative effects) have not been identified.</p> <p>The environment(s) are integrated so there should be no direction to “treat” them as such. The policy should reinforce this understanding, as a matter of fact.</p>	<p><b>IM-M1 – Regional and district plans</b></p> <p><i>Local authorities</i> must prepare or amend and maintain their <i>regional</i> and <i>district plans</i> to:</p> <p>(1) ...</p> <p>(2) ...</p> <p>(3) ...</p> <p>(4) ensure cumulative <i>effects</i> of activities on <u>the environment</u> <del><i>natural and physical resources</i></del> are <del>accounted</del> <u>addressed</u> for in resource management decisions by recognising and managing such <i>effects</i>, including:</p> <p><del>(5) the same effect occurring multiple times,</del></p> <p><del>(6) different effects occurring at the same time,</del></p> <p><del>(7) different effects occurring multiple times,</del></p> <p><del>(8) one effect leading to different effects occurring over time,</del></p> <p><del>(9) different effects occurring sequentially over time,</del></p> <p><del>(10) effects occurring in the same place,</del></p> <p><del>(11) effects occurring in different places,</del></p> <p><del>(12) effects that are spatially or temporally distant from their cause or causes, and,</del></p> <p><del>(13)</del> <u>(5)</u> more than minor cumulative <i>effects</i> resulting from minor or transitory <i>effects</i>,</p> <p><del>(14)</del> <u>(6)</u> adopt a ki uta ki tai approach to resource management by establishing policy and implementation frameworks that <del>treat</del> <u>reinforce</u> Otago’s <i>environments</i> as an integrated system, including collaboration between local authorities to achieve consistent management of resources or <i>effects</i> that cross jurisdictional boundaries, and</p>

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<b>IM-M2 – Relationships</b>	Oppose	The term environmental has a broad meaning and captures social, cultural, and economic well beings, so it is better to use “ecological” or “natural environment” rather than environmental.	<p><b>IM-M2 – Relationships</b></p> <p>Starting immediately, <i>local authorities</i> must:</p> <ol style="list-style-type: none"> <li>(1) partner with Kāi Tahu to ensure <i>mana whenua</i> involvement in resource management,</li> <li>(2) work together and with other agencies to ensure consistent implementation of the objectives, policies and methods of this RPS, and</li> <li>(3) consult with Otago’s communities to ensure policy frameworks adequately respond to the diverse facets of <b>environmental/ecological</b>, social, cultural, and economic well-being.</li> </ol>
<b>IM-M3 – Identification of climate change impacts and community guidance</b>	Oppose	It is not appropriate for the RPS to avoid significant natural hazard risk without understanding the tolerability of affected stakeholders. At a community scale, this requires input through meaningful engagement from the affected community.	<p><b>IM-M3 – Identification of <i>climate change</i> impacts and community guidance</b></p> <p>By December 2025, Otago Regional Council must:</p> <ol style="list-style-type: none"> <li>(1) identify the specific types and locations of <i>climate change</i> impacts in Otago by undertaking a <i>climate change risk</i> assessment, including an assessment <b>based on meaningful engagement with affected communities and</b> that incorporates a Kāi Tahu approach to <i>climate change risk</i> identification and evaluation, and</li> <li>(2) develop <b>with meaningful engagement from affected communities</b> guidance to support <b>those</b> communities to be prepared and <i>resilient</i>.</li> </ol>
<b>IM-M5 – Other methods</b>	Oppose	The term “possible” is an extremely stringent and probably unrealistic test.	<p><b>IM-M5 – Other methods</b></p> <p><i>Local authorities</i> should:</p> <ol style="list-style-type: none"> <li>(1) at their next plan review or by December 2030, whichever is sooner, align (to the extent <b>possible/practicable</b>) all strategies and management plans prepared under other legislation to contribute to the attainment of the long-term vision for Otago, and</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>LF-WAI-01 – Te Mana o te Wai</b>	Oppose	The term “maintained” would accord with policy LF-FW-P7.	<p><b>LF-WAI-01 – <i>Te Mana o te Wai</i></b></p> <p>The mauri of Otago’s <i>water bodies</i> and their health and well-being is <del>protected</del><u>maintained</u>, and restored where it is <i>degraded</i>, and the management of <i>land</i> and <i>water</i> recognises and reflects that...</p>
<b>All FMU vision statements, in particular LF-VM-02 – Clutha Mata-au FMU vision</b>	Oppose	A new clause should be inserted into the vision seeking direction to provide for human wellbeing through thriving outdoor recreation opportunities, including access to waterbodies and use of water for outdoor recreation activities.	<p><b>LF-VM-02 – Clutha Mata-au <i>FMU</i> vision</b></p> <p>In the Clutha Mata-au <i>FMU</i>:</p> <p>(1) <u><i>water bodies support human wellbeing through thriving outdoor recreation opportunities, including access to waterbodies and use of water for outdoor recreation activities</i></u></p>
<b>LF-FW-08 – Fresh water</b>	Oppose	Clause 5 should be amended to clarify that the significant and outstanding values of Otago’s outstanding water bodies are identified and protected From inappropriate subdivision, use and development. it is not appropriate to have blanket unqualified protection.	<p><b>LF-FW-08 – <i>Fresh water</i></b></p> <p>In Otago’s <i>water bodies</i> and their catchments:</p> <p>(1) the health of the wai supports the health of the people and thriving mahika kai,</p> <p>(2) <i>water</i> flow is continuous throughout the whole system,</p> <p>(3) the interconnection of <i>fresh water</i> (including <i>groundwater</i>) and <i>coastal waters</i> is recognised,</p> <p>(4) native fish can migrate easily and as naturally as possible and taoka species and their habitats are protected, and</p> <p>(5) the significant and outstanding values of Otago’s <i>outstanding water bodies</i> are identified and protected <u>from inappropriate subdivision, use and development</u>.</p>



Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>LF-FW-09 – Natural wetlands</b>	Oppose	<p>Some (small) reduction in ecosystem health and amenity values could be appropriate, for example as provided for in the NESFM.</p> <p>Wetlands do not need to be protected for their amenity values as this gives rise to too much uncertainty about what is to be protected, especially if utility / recreation structures are proposed.</p>	<p><b>LF-FW-09 – <i>Natural wetlands</i></b></p> <p>Otago's <i>natural wetlands</i> are protected or restored so that:</p> <ol style="list-style-type: none"> <li>(1) mahika kai and other <i>mana whenua</i> values are sustained and enhanced now and for future generations,</li> <li>(2) there is no decrease in the range and diversity of indigenous ecosystem types and habitats in <i>natural wetlands</i>,</li> <li>(3) there is no <del>discernible</del> reduction in their ecosystem health, hydrological functioning, <del>amenity values</del>, extent or <i>water</i> quality, and if degraded they are improved, and</li> <li>(4) their flood attenuation capacity is maintained.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>LF-FW-P9</b> – <b>Protecting natural wetlands</b>	Oppose	<p>The construction of specified infrastructure or other infrastructure should be provided for, not just maintenance.</p> <p>The matters of assessment should be “tightened” to restrict the matters of assessment to the natural values of the wetland, not any possible adverse effects associated with the proposal.</p>	<p><b>LF-FW-P9 – Protecting natural wetlands</b></p> <p>Protect <i>natural wetlands</i> by:</p> <p>(1) avoiding a reduction in their values or extent unless:</p> <p>(a) the <i>loss of values</i> or extent arises from:</p> <p>(i) the customary harvest of food or resources undertaken in accordance with tikaka Māori,</p> <p>(ii) restoration activities,</p> <p>(iii) scientific research,</p> <p>(iv) the sustainable harvest of sphagnum moss,</p> <p>(v) the construction or maintenance of <i>wetland utility structures</i>,</p> <p>(vi) the <u>construction, maintenance or operation of <i>specified infrastructure</i>, or <i>other infrastructure</i></u>,</p> <p>(vii) <i>natural hazard works</i>, or</p> <p>(b) the Regional Council is satisfied that:</p> <p>(i) the activity is necessary for the construction or upgrade of <i>specified infrastructure</i>,</p> <p>(ii) the <i>specified infrastructure</i> will provide significant national or regional benefits,</p> <p>(iii) there is a <i>functional need</i> for the <i>specified infrastructure</i> in that location,</p> <p>(iv) the <i>effects</i> of the activity on indigenous <i>biodiversity</i> are managed by applying either ECO-P3 or ECO-P6 (whichever is applicable), and</p> <p>(v) <del>the other effects</del> of the activity <u>on the loss of values or extent of the natural wetland</u> (excluding those managed under (1)(b)(iv)) are managed by applying the <i>effects management hierarchy</i>, and</p> <p>(2) not granting resource consents for activities under (1)(b) unless the Regional Council is satisfied that:</p> <p>(a) the application demonstrates how each step of the <i>effects management hierarchies</i> in (1)(b)(iv) and (1)(b)(v) will be applied to the <i>loss of values</i> or extent of the <i>natural wetland</i>, and</p> <p>(b) any consent is granted subject to conditions that apply the <i>effects management hierarchies</i> in (1)(b)(iv) and (1)(b)(v) <u>in respect of any loss of values or extent of the natural wetland</u>.</p>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>New Policy</b>	Oppose	Suggest new policy to get some policy support for activities which result in these benefits – as currently is there isn't any really.	<p><b><u>LF-FW-NEW POLICY – Promoting awareness of and access to <i>natural wetlands</i></u></b></p> <p><u>Support activities which result in either of 1-4 of LF-FW-P10 above, or improve people's awareness of, and access to, natural wetlands for customary, or scientific, or education, or recreational uses.</u></p>
<b>LF-FW-P12 – Protecting outstanding water bodies</b>	Oppose	The NPSFM directs that the significant values of OWB be protected. The policy as notified in the RPS goes much further (is more stringent) than the requirements of the NPSFM.	<p><b>LF-FW-P12 – Protecting <i>outstanding water bodies</i></b></p> <p>The significant and outstanding values of <i>outstanding water bodies</i> are:</p> <ol style="list-style-type: none"> <li>(1) identified in the relevant <i>regional</i> and <i>district plans</i>, and</li> <li>(2) protected by <u>managing activities to avoid, remedy or mitigate</u> adverse <i>effects</i> on those values.</li> </ol>

<p><b>LF-FW-P13 – Preserving natural character</b></p>	<p>Oppose</p>	<p>Clause 1(b) does not really make sense and should be reworded. Also, in respect of 1(b)(ii), the management hierarchy is not designed to apply to lakes. It is not appropriate to apply the hierarchy in respect of all effects, for example general landscape character and amenity values.</p> <p>It is possible that some modification of braided river character could be appropriate, particularly if that modification is associated with activities which avoid or mitigate risk to peoples health and safety, or is associated with significant infrastructure.</p>	<p><b>LF-FW-P13 – Preserving natural character</b></p> <p>Preserve the natural character of <i>lakes</i> and <i>rivers</i> and their <i>beds</i> and margins by:</p> <ol style="list-style-type: none"> <li>(1) avoiding the <i>loss of values</i> or extent of a <i>river</i>, unless: <ol style="list-style-type: none"> <li>(a) there is a <i>functional need</i> for the activity in that location, and</li> <li>(b) the <i>effects</i> of the activity are managed by applying: <ol style="list-style-type: none"> <li>(i) for <i>effects</i> on indigenous <i>biodiversity</i>, either ECO-P3 or ECO-P6 (whichever is applicable), and</li> <li>(ii) for other <i>effects on the natural character of rivers</i>, the <i>effects management hierarchy</i>,</li> </ol> </li> </ol> </li> <li>(2) not granting resource consent for activities in (1) unless Otago Regional Council is satisfied that: <ol style="list-style-type: none"> <li>(a) the application demonstrates how each step of the <i>effects management hierarchies</i> in (1)(b) will be applied to the <i>loss of values</i> or extent of the <i>river</i>, and</li> <li>(b) any consent is granted subject to conditions that apply the <i>effects management hierarchies</i> in (1)(b) <u>where relevant</u>,</li> </ol> </li> <li>(3) establishing environmental flow and level regimes and <i>water</i> quality standards that support the health and well-being of the <i>water body</i>, <u><i>acknowledging that environmental flow and level regimes may change over time due to climate change</i></u></li> <li>(4) wherever possible, sustaining the form and function of a <i>water body</i> that reflects its natural behaviours,</li> <li>(5) recognising and implementing the restrictions in Water Conservation Orders,</li> <li>(6) preventing the impounding or control of the level of Lake Wanaka,</li> <li>(7) preventing modification that would <u>permanently</u> reduce the <u>active</u> braided character of a <i>river</i>; <u>unless the modification is necessary to avoid or mitigate risk</u></li> </ol>
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Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
			<p><u>to people's health and safety</u>, and</p> <p>(8) controlling the use of <i>water</i> and <i>land</i> that would adversely affect the natural character of the <i>waterbody</i>.</p>
<b>LF-FW-P14 – Restoring natural character</b>	Oppose	There needs to be a qualifier like 'where practical' because it is not always practical to "improve" margins, for example in built up areas that are subject to flooding (for example in central QTN and Taieri River).	<p><b>LF-FW-P14 – Restoring natural character</b></p> <p>Where the natural character of <i>lakes</i> and <i>rivers</i> and their margins has been reduced or lost, promote actions that:</p> <ol style="list-style-type: none"> <li>(1) restore a form and function that reflect the natural behaviours of the <i>water body</i>,</li> <li>(2) improve <i>water</i> quality or quantity where it is <i>degraded</i>,</li> <li>(3) increase the presence, <i>resilience</i> and abundance of indigenous flora and fauna, including by providing for fish passage within <i>river</i> systems,</li> <li>(4) improve <i>water body</i> margins by naturalising bank contours <u>where practicable</u> and establishing indigenous vegetation and habitat, and</li> <li>(5) restore <i>water</i> pathways and natural connectivity between <i>water</i> systems.</li> </ol>
<b>LF-FW-P15 – Stormwater and wastewater discharges</b>	Oppose	It is not always desirable for sewage, industrial or trade waste to be discharged to a reticulated system, especially if alternative regimes have better environmental (ecological, social, cultural and economic) outcomes.	<p><b>LF-FW-P15 – Stormwater and wastewater discharges</b></p> <p>Minimise the adverse <i>effects</i> of direct and indirect <i>discharges</i> of <i>stormwater</i> and <i>wastewater</i> to <i>freshwater</i> by:</p> <ol style="list-style-type: none"> <li>(1) except as required by LF-VM-O2 and LF-VM-O4, preferring <i>discharges</i> of <i>wastewater</i> to <i>land</i> over <i>discharges</i> to <i>water</i>, unless adverse <i>effects</i> associated with a <i>discharge</i> to <i>land</i> are greater than a <i>discharge</i> to <i>water</i>, and</li> <li>(2) requiring: <ol style="list-style-type: none"> <li>(a) all sewage, industrial or trade waste to be <i>discharged</i> into a reticulated <i>wastewater</i> system, where one is available, <u>unless alternative treatment and disposal methods will result in improved environmental outcomes</u>.</li> </ol> </li> <li>(3) ...</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>LF-FW-M5 – Outstanding water bodies</b>	Oppose	It is not appropriate, practical or reasonable to include provisions in regional plans which avoid the adverse effects of activities on significant and outstanding values of outstanding water bodies, especially as these values are yet to be identified. The focus could be on managing activities to protect the significant and outstanding values.	<p><b>LF-FW-M5 – Outstanding water bodies</b></p> <p>No later than 31 December 2023, Otago Regional Council must:</p> <p>....</p> <p>(5) include provisions in <i>regional plans</i> to <del>manage avoid the adverse effects of activities to protect on</del> the significant and outstanding values of <i>outstanding water bodies</i>.</p>
<b>LF-FW-M6 – Regional plans</b>	Oppose	Environmental flow and level regimes for water bodies should include provision for human wellbeing through protecting and enhancing people’s ability to access waterbodies and use water to support outdoor recreation activities.	<p><b>LF-FW-M6 – Regional plans</b></p> <p>Otago Regional Council must publicly notify a Land and Water <i>Regional Plan</i> no later than 31 December 2023 and, after it is made operative, maintain that <i>regional plan</i> to:</p> <p>(1) include environmental flow and level regimes for <i>water bodies</i> (including <i>groundwater</i>) that give effect to <i>Te Mana o te Wai</i> and provide for:</p> <p>(a) _____</p> <p><del>(a)</del> (b) <u>human wellbeing through protecting and enhancing people’s ability to access waterbodies and use water to support outdoor recreation activities.</u></p>
<b>LF-FW-M7 – District plans</b>	Oppose	<p>It is not appropriate, practical or reasonable to avoid adverse effects of activities on the significant and outstanding values of outstanding water bodies.</p> <p>It is not appropriate or necessary to adopt water sensitive urban design techniques to all land development outside the urban environment.</p>	<p><b>LF-FW-M7 – District plans</b></p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> no later than 31 December 2026 to:</p> <p>(1) map <i>outstanding water bodies</i> and identify their outstanding and significant values using the information gathered by Otago Regional Council in LF-FW-M5, and</p> <p>(2) include provisions to avoid <u>remedy or mitigate</u> the adverse <i>effects</i> of activities on the significant and outstanding values of <i>outstanding water bodies</i>,</p> <p>(3) require, wherever practicable, the adoption of water sensitive urban design techniques when managing the <i>subdivision</i>, use or development of <u>urban land</u>, and</p>

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<b>LF-LS-P19 – Highly productive land</b>	Oppose	<p>The reference to including rural lifestyle and rural residential areas is not necessary, and adds confusion (not clarity) to the policy.</p> <p>Clause (3) could be deleted altogether because it is redundant (it is not necessary to cross reference to implementation of other policies in the RPS) i.e. policies UFD 4,7,8 will be implemented irrespective of this policy.</p> <p>The reference to including rural lifestyle and rural residential areas is not necessary, and adds confusion (not clarity) to the policy. Clause (3) could be deleted altogether because it is redundant (it is not necessary to cross reference to implementation of other policies in the RPS) i.e. policies UFD 4,7,8 will be implemented irrespective of this policy.</p>	<p><b>LF-LS-P19 – Highly productive <i>land</i></b></p> <p>Maintain the availability and productive capacity of highly productive <i>land</i> by:</p> <ol style="list-style-type: none"> <li>(1) identifying <del>and mapping</del> highly productive <i>land</i> based on the following criteria:             <ol style="list-style-type: none"> <li>(a) the capability and versatility of the <i>land</i> to support primary production based on the LandUse Capability classification system,</li> <li>(b) the suitability of the climate for primary production, particularly crop production, and</li> <li>(c) the size and cohesiveness of the area of <i>land</i> for use for primary production, and</li> </ol> </li> <li>(2) prioritising the use of highly productive <i>land</i> for primary production ahead of other <i>land</i> uses, and</li> <li>(3) managing urban development in rural areas, <del>including rural lifestyle and rural residential areas,</del> in accordance with UFD-P4, UFD-P7 and UFD-P8.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>LF-LS-P22 – Public access</b>	Oppose	It can be appropriate to restrict public access to areas where plantings (e.g. restoration projects or riparian areas) to avoid or minimise damage to young / establishing vegetation.	<p><b>LF-LS-P22 – Public access</b></p> <p>Provide for public access to and along <i>lakes</i> and <i>rivers</i> by:</p> <ol style="list-style-type: none"> <li>(1) maintaining existing public access,</li> <li>(2) seeking opportunities to enhance public access, including by <i>mana whenua</i> in their role as kaitiaki and for gathering of mahika kai, and</li> <li>(3) encouraging landowners to only restrict access where it is necessary to protect:               <ol style="list-style-type: none"> <li>(a) public health and safety,</li> <li>(b) <i>significant natural areas</i>,</li> <li>(c) areas of outstanding natural character,</li> <li>(d) outstanding natural features and landscapes,</li> <li>(e) places or areas with special or outstanding <i>historic heritage</i> values, or</li> <li>(f) places or areas of significance to <i>takata whenua</i>, including wāhi tapu and wāhi tūpuna.</li> </ol> </li> </ol> <p><del>(f)(g)</del> <u>Areas of establishing vegetation / restoration projects</u></p>



Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>LF-LS-M12 – District plans</b>	Oppose	It is generally appropriate to promote improved public access to and along the margins of waterbodies, and to use any means legally or practically available to do this.	<p><b>LF-LS-M12 – District plans</b></p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> no later than 31 December 2026 to:</p> <ol style="list-style-type: none"> <li>(1) manage <i>land</i> use change by:             <ol style="list-style-type: none"> <li>(a) controlling the establishment of new or any spatial extension of existing <i>plantation forestry activities</i> where necessary to give effect to an objective developed under the NPSFM, and</li> <li>(b) minimising the removal of tall tussock grasslands, and</li> </ol> </li> <li>(2) provide for and encourage the creation and enhancement of vegetated riparian margins and constructed <i>wetlands</i>, and maintain these where they already exist, and</li> <li>(3) facilitate public access to, <u>and along the margin of, lakes and rivers</u> by:             <ol style="list-style-type: none"> <li>(a) requiring the establishment of <i>esplanade reserves</i> and <i>esplanade strips</i>, and</li> <li>(b) promoting the use of legal <i>roads</i>, including paper <i>roads</i>, <u>and any other means of public access rights, to that</u> connect with <i>esplanade reserves</i> and <i>esplanade strips</i>.</li> </ol> </li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>ECO-P3 – Protecting significant natural areas and taoka</b>	Oppose	This policy effectively says that no vegetation within an SNA can be removed. This does not accord with the concept of sustainable management, as some removal of vegetation within an identified SNA can have indiscernible or an appropriate extent of adverse effects, or can be offset or compensated.	<p><b>ECO-P3 – Protecting <i>significant natural areas</i> and taoka</b></p> <p>Except as provided for by ECO-P4 and ECO-P5, protect <i>significant natural areas</i> and indigenous species and ecosystems that are taoka by:</p> <ol style="list-style-type: none"> <li>(1) avoiding adverse <i>effects</i> that result in: <ol style="list-style-type: none"> <li>(a) any <u>discernible</u> reduction of the area or values (even if those values are not themselves significant) identified under ECO-P2(1), or</li> <li>(b) any loss of Kāi Tahu values, and</li> </ol> </li> <li>(2) after (1), applying the <i>biodiversity effects management hierarchy</i> in ECO-P6, and</li> <li>(3) prior to <i>significant natural areas</i> and indigenous species and ecosystems that are taoka being identified in accordance with ECO-P2, adopt a precautionary approach towards activities in accordance with IM-P15.</li> </ol>
<b>ECO-P5 – Existing activities in significant natural areas</b>	Oppose	Some new land use can be appropriate in some significant natural areas.	<p><b>ECO-P5 – Existing activities in <i>significant natural areas</i></b></p> <p>Except as provided for by ECO-P4, provide for existing activities <u>and land uses</u> within <i>significant natural areas</i> and that <u>may</u> adversely affect indigenous species and ecosystems that are taoka, if:</p> <ol style="list-style-type: none"> <li>(1) the continuation <u>or expansion</u> of an existing <u>or anticipated</u> activity/<u>land use</u> will not lead to the loss (including through cumulative loss) of extent or <i>degradation</i> of the ecological integrity of any <i>significant natural area</i> or indigenous species or ecosystems that are taoka, and</li> <li>(2) the adverse <i>effects</i> of an existing activity/<u>land use</u> are no greater in character, <u>overall</u> spatial extent, intensity or scale than they were before this RPS became operative.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>ECO-P8 Enhancement</b> –	Oppose	It is appropriate to promote subdivision, use and development which will support the achievement of the matters in clause 1-3.	<p><b>ECO-P8 – Enhancement</b></p> <p>The extent, occupancy and condition of Otago’s indigenous <i>biodiversity</i> is increased by:</p> <ol style="list-style-type: none"> <li>(1) restoring and enhancing habitat for indigenous species, including taoka and mahika kai species,</li> <li>(2) improving the health and <i>resilience</i> of indigenous <i>biodiversity</i>, including ecosystems, species, important ecosystem function, and <i>intrinsic values</i>, <del>and</del></li> <li>(3) buffering or linking ecosystems, habitats and ecological corridors;</li> <li><del>(3)</del>(4) <u>promoting subdivision, use and development of resources which support 1-3 above.</u></li> </ol>
<b>ECO-M5 District plans</b> –	Oppose	District plans should provide for activities which promote as well as undertake the restoration or enhancement of habitats of indigenous flora and fauna	<p><b>ECO-M5 – District plans</b></p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> to:</p> <ol style="list-style-type: none"> <li>(a) ...</li> <li>(2) provide for activities <u>which promote or</u> undertaken <del>for the purpose of</del> restoring or enhancing the habitats of indigenous <u>flora and</u> fauna, and</li> </ol>
<b>EIT-EN-02 Renewable electricity generation</b> –	Oppose	It is not appropriate, nor achievable, to “maximise” the generation capacity of renewable electricity generation activities in Otago.	<p><b>EIT-EN-02 – Renewable electricity generation</b></p> <p>The generation capacity of <i>renewable electricity generation activities</i> in Otago:</p> <ol style="list-style-type: none"> <li>(1) is maintained and, if practicable <del>maximised</del><u>increased</u>, within environmental limits, and</li> <li>(2) contributes to meeting New Zealand’s national target for <i>renewable electricity generation</i>.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>EIT-EN-P5 – Non-renewable energy generation</b>	Oppose	<p>In certain situations it is not always practical to avoid the development of non-renewable energy sourced activities. For example activities in remote locations with low sunlight and water supply and that rely on a constant secure electricity supply (these require generators or backup generators).</p> <p>In respect of clause (3) it is appropriate that adverse effects of REG beyond those on waterbodies should be managed.</p>	<p><b>EIT-EN-P5 – Non-renewable energy generation</b></p> <p><u>Where use of renewable energy is a practical alternative to the use of non-renewable energy, a</u>Avoid the development of non-renewable energy generation activities in Otago and facilitate the replacement of non-renewable energy sources, including the use of fossil fuels, in energy generation.</p> <ol style="list-style-type: none"> <li>(1) provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for <i>renewable electricity generation</i>,</li> <li>(2) require the prioritisation of sites for new <i>renewable electricity generation activities</i> where adverse <i>effects</i> on highly valued <i>natural and physical resources</i> and <i>mana whenua</i> values can be avoided or, at the very least, minimised,</li> <li>(3) manage the adverse <i>effects</i> of developing or upgrading <i>renewable electricity generation activities</i>, <del>that:</del> <ol style="list-style-type: none"> <li><del>(a) — are within the beds of lakes and rivers and the coastal marine area, or</del></li> <li><del>(b)(a) involve the taking, use, damming or diversion of water and discharge of water or contaminants,</del></li> </ol> </li> <li>(4) provide for the operation and maintenance of existing <i>renewable electricity generation activities</i>, including their <i>natural and physical resource</i> requirements, within the environmental limits, and</li> <li>(5) restrict the establishment of activities that may adversely affect the efficient functioning of <i>renewable electricity generation infrastructure</i> (including impacts on generation capacity).</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>EIT-INF-P13 – Locating and managing effects of infrastructure</b>	Oppose	It is not always possible or practical to avoid all adverse effects from infrastructure, and all forms of infrastructure could potentially be appropriate if effects are minimised depending on the circumstances of each particular case.	<p><b>EIT-INF-P13 – Locating and managing <i>effects of infrastructure</i></b></p> <p>When providing for new <i>infrastructure</i> outside the coastal environment:</p> <p>(1) avoid, as the first priority, locating <i>infrastructure</i> in all of the following:</p> <ul style="list-style-type: none"> <li>(a) <i>significant natural areas</i>,</li> <li>(b) outstanding natural features and landscapes,</li> <li>(c) <i>natural wetlands</i>,</li> <li>(d) <i>outstanding water bodies</i>,</li> <li>(e) areas of high or outstanding natural character,</li> <li>(f) areas or places of significant or outstanding <i>historic heritage</i>,</li> <li>(g) wāhi tapu, wāhi taoka, and areas with protected customary rights, and</li> <li>(h) areas of high recreational and high amenity value, and</li> </ul> <p>(2) if it is not possible to avoid locating in the areas listed in (1) above because of the <i>functional or operational needs</i> of the <i>infrastructure</i> manage adverse <i>effects</i> as follows:</p> <p><del>(a) — for nationally or regionally significant infrastructure:</del></p> <p><del>(b)(a)</del> in <i>significant natural areas</i>, in accordance with ECO-P4,</p> <p><del>(c)(b)</del> in <i>natural wetlands</i>, in accordance with the relevant provisions in the NESF,</p> <p><del>(d)(c)</del> in <i>outstanding water bodies</i>, in accordance with LF-P12,</p> <p><del>(e) — in other areas listed in EIT-INF-P13 (1) above, minimise the adverse effects of the infrastructure on the values that contribute to the area's importance, and</del></p> <p><del>(f) — for all infrastructure that is not nationally or regionally significant, avoid adverse effects on the values that contribute to the area's outstanding nature or significance.</del></p>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>EIT-INF-M4 – Regional plans</b>	Oppose	Clause 2 is ambiguous and unnecessarily onerous. How will a regional plan prioritise sites, sites from what types of activities?	<p><b>EIT-INF-M4 – Regional plans</b></p> <p>Otago Regional Council must prepare or amend and maintain its <i>regional plans</i> to:</p> <ol style="list-style-type: none"> <li>(1) manage the adverse <i>effects</i> of <i>infrastructure</i> activities that: <ol style="list-style-type: none"> <li>(a) are in the <i>beds</i> of <i>lakes</i> and <i>rivers</i>, or</li> <li>(b) are in the <i>coastal marine area</i>, or</li> <li>(c) involve the taking, use, damming or diversion of <i>water</i> or,</li> <li>(d) involve the <i>discharge</i> of <i>water</i> or <i>contaminants</i>, and</li> </ol> </li> <li>(2) <del>require the prioritisation of sites for infrastructure where adverse effects on highly valued natural and physical resources and mana whenua values can be avoided or, at the very least, minimised.</del></li> </ol>
<b>EIT-INF-M5 – District plans</b>	Oppose	<p>Clause 6 should be deleted or amended to allow non-urban activities to proceed or non-urban areas to be developed without being serviced by infrastructure.</p> <p>Clause 7 is ambiguous and unnecessarily onerous. How will a district plan prioritise sites, sites from what types of activities?</p>	<p><b>EIT-INF-M5 – District plans</b></p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> to...</p> <ol style="list-style-type: none"> <li>(6) ensure that <u>new urban</u> development is avoided where: <ol style="list-style-type: none"> <li>(a) it cannot be adequately served with <i>infrastructure</i>,</li> <li>(b) it utilises <i>infrastructure</i> capacity for other planned development, or</li> <li>(c) the required upgrading of <i>infrastructure</i> is not funded, and</li> </ol> </li> <li>(7) <del>require the prioritisation of sites where adverse effects on highly valued natural and physical resources and mana whenua values can be avoided or, at the very least, minimised.</del></li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>EIT-TRAN-P19 – Transport system design</b>	Oppose	Consideration of transport options to key visitor destinations should be a strategic priority. Key visitor destinations should be identified by ORC or relevant TA, and included in transport strategies.	<p><b>EIT-TRAN-P19 – Transport system design</b></p> <p><i>Resilience</i> and adaptability of the transport system supports efficient networks for the transport of people and goods that are sustained and improved by:</p> <ol style="list-style-type: none"> <li>(1) promoting a consolidated urban form that integrates <i>land</i> use activities with the transport system,</li> <li>(2) placing a high priority on <i>active transport</i> and <i>public transport</i> and their integration into the design of development and transport networks, and</li> <li>(3) encouraging improved access to public spaces, including the <i>coastal marine area, lakes and rivers</i>, <u>and key visitor destinations</u>.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>EIT-TRAN-M8 - District plans</b>	Oppose	<p>It is not practical for some activities outside urban locations to be integrated with public transport services. An effective transport system in Otago (and Southland) relies on integration with private transport services – the system is more than just about public transport.</p>	<p><b>EIT-TRAN-M8 – <i>District plans</i></b></p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> to:</p> <ol style="list-style-type: none"> <li>(1) require a strategic approach to the integration of the transport system with <i>land</i> uses and between modes,</li> <li>(2) <u>define require</u> high trip generating activities <u>and, require high trip generating activities in urban areas</u> to be integrated with public transport services (<u>where sufficient public transport services exist or are planned</u>) and provide for safe pedestrian and cycling access,</li> <li>(3) include <i>subdivision</i> and <i>infrastructure</i> design standards to <u>encourage the minimisation of</u> private vehicle use, enable public transport networks to operate and recognise the accessibility needs of the community, including the mobility impaired, the elderly and children,</li> <li>(4) restrict or prevent the establishment or expansion of activities adjacent to transport <i>infrastructure</i> that may compromise the operation or safety of the transport system,</li> <li>(5) provide for the establishment of transport <i>infrastructure</i> that supports modes of transport that are not reliant on fossil fuels, and</li> <li>(6) include policies and methods that provide for <i>commercial port activities</i> associated with the operations at Otago Harbour and the ports at Port Chalmers and Dunedin.</li> </ol>



Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>HAZ-NH-P2 – Risk assessments</b>	Oppose	Refer comments on APP6 below.	<p><b>HAZ-NH-P2 – Risk assessments</b></p> <p>Assess the level of <i>natural hazard risk</i> by determining a range of <i>natural hazard</i> event scenarios and their potential consequences in accordance with:</p> <p><u>(1) A risk table at a district or community scale undertaken in a consultation process with communities, stakeholders and partners regarding risk levels thresholds; or if this process has not been undertaken</u></p> <p><del>(1)</del>(2) _____ the criteria set out within APP6.</p>
<b>HAZ-NH-P3 – New activities</b>	Oppose	All of region is subject to earthquake risk (AF8). This risk cannot be avoided.	<p><b>HAZ-NH-P3 – New activities</b></p> <p>Once the level of <i>natural hazard risk</i> associated with an activity has been determined in accordance with HAZ-NH-P2(1), manage new activities to achieve the following outcomes:</p> <ol style="list-style-type: none"> <li>(1) when the <i>natural hazard risk of new activities</i> is significant, the activity is avoided,</li> <li>(2) when the <i>natural hazard risk</i> is tolerable, manage the level of <i>risk</i> so that it does not become significant, and</li> <li>(3) when the <i>natural hazard risk</i> is acceptable, maintain the level of <i>risk</i>.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>HAZ-NH-P4 – Existing activities</b>	Oppose	It is not necessary or appropriate to restrict existing activities which will not have or result in a significant natural hazard risk	<p><b>HAZ-NH-P4 – Existing activities</b></p> <p>Reduce existing <i>natural hazard risk</i> by:</p> <ol style="list-style-type: none"> <li>(1) encouraging activities that reduce <i>risk</i>, or reduce community vulnerability,</li> <li>(2) restricting activities that increase <i>risk to a significant risk</i>, or increase community vulnerability <u>to a significant risk</u>,</li> <li>(3) managing existing <i>land</i> uses within areas of significant <i>risk</i> to people and communities,</li> <li>(4) encouraging design that facilitates: <ol style="list-style-type: none"> <li>(a) recovery from <i>natural hazard</i> events, or</li> <li>(b) relocation to areas of acceptable <i>risk</i>, or</li> <li>(c) reduction of <i>risk</i>,</li> </ol> </li> <li>(5) relocating <i>lifeline utilities</i>, and facilities for essential and emergency services, away from areas of significant <i>risk</i>, where appropriate and practicable, and</li> <li>(6) enabling development, upgrade, maintenance and operation of <i>lifeline utilities</i> and facilities foessential and emergency services.</li> </ol>
<b>HAZ-NH-M2 – Local authorities</b>	Oppose	The method can simply refer back to the policy, which clarifies how the policy is to be implemented.	<p><b>HAZ-NH-M2 – Local authorities</b></p> <p><i>Local authorities</i> must:</p> <ol style="list-style-type: none"> <li>(1) assess the level of <i>natural hazard risk</i> in their region or district in accordance with HAZ-NH-P2, <del>and APP6, including by:</del></li> <li><del>(2) consulting with communities, stakeholders and partners regarding risk levels thresholds, and</del></li> <li><del>(3) (2) developing a Risk Table in accordance with Step 3 of APP6 at a district or community scale</del></li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>HAZ-NH-M3 – Regional plans</b>	Oppose	Clause 2 could have significant and adverse implications which have not been justified. It is not appropriate to restrict existing land use until after the community has been involved in decision making processes about the real-life consequences of the policy direction suggesting removal of existing use rights	<p><b>HAZ-NH-M3 – Regional plans</b></p> <p>Otago Regional Council must prepare or amend and maintain its <i>regional plans</i> to:</p> <ol style="list-style-type: none"> <li>(1) manage activities in the <i>coastal marine area, beds of lakes and rivers, and wetlands</i> to achieve policies HAZ-NH-P2 to HAZ-NH-P6 <del>and APP6,</del></li> <li>(2) include <i>natural hazard</i> reduction measures, <del>such as removing or restricting existing land uses, where there is significant risk to people or property,</del></li> </ol>
<b>HAZ-NH-M4 – District plans</b>	Oppose	All land and all activities in Otago <i>maybe</i> subject to natural hazard risk. There should be no direction to require TAs to amend their district plans unless activities <i>are</i> subject to tolerable or significant natural hazard risk (i.e there should be no need to amend plans if risks are identified as “insignificant”).	<p><b>HAZ-NH-M4 – District plans</b></p> <p><i>Territorial authorities</i> must prepare or amend and maintain their <i>district plans</i> to:</p> <ol style="list-style-type: none"> <li>(1) achieve policies HAZ-NH-P2 to HAZ-NH-P6 and APP6 on <i>land</i> outside the <i>coastal marine area, beds of lakes and rivers, and wetlands</i> by managing the location, scale and density of activities that <del>are may be</del> subject to <u>tolerable or significant</u> <i>natural hazard risk,</i></li> </ol>
<b>HCV-HH-P4 – Identifying historic heritage</b>	Oppose	This policy and APP8 do not match up (work effectively) because there is no distinction between what is “special” versus what is “outstanding”.	<p><b>HCV-HH-P4 – Identifying historic heritage</b></p> <p>Identify the places and areas of <i>historic heritage</i> in Otago in accordance with APP8 <del>and</del> <u>categorise them as:</u></p> <p><del>places and areas with special or outstanding historic heritage values or qualities, or</del>  <del>places and areas with historic heritage values or qualities.</del></p>
<b>HCV-HH-P5 – Managing historic heritage</b>	Oppose	It is not appropriate to set a policy directive of “avoid” when the community is not aware of the activities which could potentially be restricted (or prevented) from occurring	<p><b>HCV-HH-P5 – Managing historic heritage</b></p> <p>Protect <i>historic heritage</i> by:</p> <ol style="list-style-type: none"> <li>(1) requiring the use of accidental discovery protocols,</li> <li>(2) <del>avoiding adverse effects on areas or places with special or outstanding historic heritage values or qualities,</del></li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>NFL-O1 – Outstanding and highly valued natural features and landscapes</b>	Oppose	There is no justification for removing this qualifier which is explicit in Part 2 of the RMA	<p><b>NFL-O1 – Outstanding and <i>highly valued natural features and landscapes</i></b></p> <p>The areas and values of Otago’s outstanding and <i>highly valued natural features and landscapes</i> are identified, and the use and development of Otago’s <i>natural and physical resources</i> results in:</p> <ol style="list-style-type: none"> <li>(1) the protection of outstanding natural features and <u>outstanding natural</u> landscapes <u>from inappropriate subdivision, use and development</u>, and</li> <li>(2) the maintenance or enhancement of <i>highly valued natural features and landscapes</i>.</li> </ol>
<b>NFL-P1 – Identification</b>	Oppose	Identification of ONFLs and HVNLS include subjective attributes which should be informed by input from Ngai tahu, communities and stakeholders (not just council appointed staff and experts).	<p><i>NFL-P1 – Identification</i></p> <p>In order to manage outstanding and <i>highly valued natural features and landscapes</i>, identify:</p> <ol style="list-style-type: none"> <li>(1) the areas and values of outstanding and <i>highly valued natural features and <u>natural</u> landscapes</i> in accordance with APP9, and</li> <li>(2) <u>in consultation with Kai Tahu, communities, and stakeholders including affected landowners,</u> the capacity of those natural features and landscapes to accommodate use or development while protecting the values that contribute to the natural feature and <u>natural</u> landscape being considered outstanding or highly valued.</li> </ol>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>NFL-P2 – Protection of outstanding natural features and landscapes</b>	Oppose	<p>There should be no direction to protect ONFLs beyond the requirement of s6(2), which is to protect these locations (or values) from inappropriate subdivision, use and development.</p> <p>There should be no requirement to avoid effects on landscape values which do not contribute to the ONFL being outstanding.</p> <p>The reference to “other effects” should clarify the assessment of “other effects” is limited to the ONFL value/attribute.</p>	<p><i>NFL-P2 – Protection of outstanding natural features and landscapes</i></p> <p>Protect outstanding natural features and landscapes <u>from inappropriate subdivision, use and development</u> by:</p> <ol style="list-style-type: none"> <li>(1) avoiding <u>significant</u> adverse <i>effects</i> on the values that contribute to the natural feature or <u>natural</u> landscape being considered outstanding, <del>even if those values are not themselves outstanding</del>, and</li> <li>(2) avoiding, remedying or mitigating other adverse <i>effects</i> <u>that contribute to the natural feature or natural landscape being considered outstanding</u>.</li> </ol>
<b>NFL-P3 – Maintenance of highly valued natural features and landscapes</b>	Oppose	<p>The reference to “other effects” should clarify the assessment of “other effects” is limited to the HVNFL value/attribute.</p>	<p><b>NFL-P3 – Maintenance of <i>highly valued natural features and landscapes</i></b></p> <p>Maintain or enhance <i>highly valued natural features and landscapes</i> by:</p> <ol style="list-style-type: none"> <li>(1) avoiding significant adverse <i>effects</i> on the values of the natural feature or <u>natural</u> landscape, and</li> <li>(2) avoiding, remedying or mitigating other adverse <i>effects</i> <u>on the values of the natural feature or landscape</u>.</li> </ol>
<b>NFL-P4 – Restoration</b>	Oppose	<p>The policy directive should clarify that it is the restoration of “natural” values that is being referred to, not restoration of any landscape or other value.</p>	<p><i>NFL-P4 – Restoration</i></p> <p>Promote restoration of the areas and values of outstanding and <i>highly valued natural features and</i> <u>natural</u> landscapes where those areas or <u>natural</u> values have been reduced or lost.</p>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>Territorial</b>	Oppose	<p>The identification criteria fails to require a comparison test and include input from the local community. These matters should be included in the identification of an ONL or a HVNL and the respective outstanding and highly valued attributes.</p> <p>The Appendix fails to take into account the recreation and amenity focus of section 7(c) values.</p>	<p><b>NFL-M1 – Identification</b></p> <p><i>Territorial authorities</i> must:</p> <ol style="list-style-type: none"> <li>(1) include in their <i>district plans</i> a map or maps and a statement of the values of the areas of outstanding and <i>highly valued natural features and <u>natural landscapes</u></i>, <u>prepared</u> -in accordance with NFL-P1,</li> <li>(2) include in their <i>district plans</i> a statement of the capacity of outstanding and <i>highly valued natural features and <u>natural landscapes</u></i> to accommodate change in use and development without their values being materially compromised or lost, <u>prepared</u> in accordance with NFL-P1,</li> </ol>
<b>UFD-O1 – Form and function of urban areas</b>	Oppose	<p>It is unclear what “significant values and features identified in this RPS” is referring to. This objective is vague and uncertain.</p>	<p><b>UFD-O1 – Form and function of <i>urban areas</i></b></p> <p>The form and functioning of Otago’s <i>urban areas</i>:</p> <ol style="list-style-type: none"> <li>(1) ...</li> <li>(2) <del>maintains or enhances the significant values and features identified in this RPS, and the character and resources of each <i>urban area</i>.</del></li> </ol>

<p><b>UFD-04</b> – <b>Development</b> <b>in rural areas</b></p>	<p>Oppose</p>	<p>There are at least two issues with clause 1. First, “avoiding impact” is an extremely low threshold that effectively could prevent any development from occurring. Second, the significant values and features identified in this RPS are not actually identified, therefore it is difficult to comprehend the actual reach of this policy and its costs and benefits.</p> <p>These provisions should be limited to urban development, given the section is about urban form and development – not use of rural resources.</p> <p>Rural lifestyle and rural residential development is not defined in this RPS. Therefore, the policy could be interpreted as saying any scale of rural lifestyle or residential development (e.g. 1 house) requires “strategic planning” or “zoning”, which is too onerous and not necessary or appropriate in respect of implementing the objective, any other objective of the RPS, or the purpose of the Act.</p> <p>The term “rural” has a connotation which includes modified landscapes. It is appropriate to acknowledge that non-urban areas are characterised by more than just “rural character”, for example natural (unmodified) character. Non-rural and non-urban</p>	<p><b>UFD-04 – <u>Urban Development in existing non-urban rural areas</u></b></p> <p><u>Urban development</u> in Otago’s <u>non-urban rural areas</u> occurs in a way that:</p> <ol style="list-style-type: none"> <li>(1) <del>avoids impacts on significant values and features identified in this RPS,</del></li> <li>(2) avoids as the first priority, land and soils identified as highly productive by LF-LS-P19 unless there is an <i>operational need</i> for the development to be located in <i>rural areas</i>,</li> <li>(3) only provides for urban expansion, <del>rural lifestyle and rural residential development</del> and the establishment of <i>sensitive activities</i>, in locations identified through strategic planning or zoned within <i>district plans</i> as suitable for such development; and</li> <li>(4) outside of areas identified in (3), maintains and enhances the <i>natural and physical resources</i> that support the productive capacity, <del>rural-non-urban</del> character, and long-term viability of the <u>non-urban rural</u> sector and <u>non-urban rural</u> communities.</li> </ol>
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Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
		areas have tangible uses (e.g. tourism) and stakeholders.	
<b>UFD-P1 Strategic planning</b>	- Oppose	The term "maximise" is not achievable (either practically or in an aspirational sense) and should not be used in any RM planning instrument.	<p><b>UFD-P1 – Strategic planning</b></p> <p>Strategic planning processes, undertaken at an appropriate scale and detail, precede urban growth and <u>urban</u> development and ...</p> <p>(3) <del>maximise-increase</del> current and future opportunities for increasing resilience, and facilitating adaptation to changing demand, needs, preferences and <i>climate change</i>,</p>
<b>UFD-P5 Commercial activities</b>	- Oppose	Commercial recreation activities should be provided for in urban areas.	<p><b>UFD-P5 – Commercial activities</b></p> <p>Provide for <i>commercial activities</i> in urban areas by:</p> <p>(1) enabling a wide variety and scale of <i>commercial activities</i>, social activities, <u>commercial recreational activities</u>, and cultural activities in central business districts, town centres and commercial areas, especially if they are highly accessible by <i>public transport</i> and <i>active transport</i>,</p> <p>(2) enabling smaller local and neighbourhood centres and rural settlements to accommodate a variety of <i>commercial activities</i>, social activities, <u>commercial recreational activities</u>, and cultural activities of a scale appropriate to service local community needs,</p> <p>(3) providing for the expansion of existing areas or establishment of new areas identified in (1) and (2) by first applying UFD-P1 and UFD-P2, and</p> <p>(4) outside the areas described in (1) and (2), allow for small scale retail and service activities, <u>commercial recreation</u>, home occupations and <i>community services</i> to establish within or close to the communities they serve.</p>



Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<p><b>UFD-P7 – Rural Areas</b></p>		<p>The term important features and values identified by this RPS has no practical meaning – what are these? Also, this language is different to that used in other provisions (e.g. “outstanding”, “special”, “highly valued”).</p> <p>There is no need to maintain the amenity and character of rural areas, because if they are special (or important, or highly valued, or outstanding), then they will be managed in accordance with other provisions in the RPS. Clause P7(1) should be deleted or the specific “important features values” being referred to should be listed/articulated.</p> <p>Referent to the term “amenity” is problematic because ultimately “amenity values” are subjective and sit in the eye of the beholder.</p> <p>If amenity is to be used it should be “amenity values” in accordance with 7c of the RMA, and direction should be provided how to identify or articulate the values that contribute to the amenity of that place/area (or non-urban environment).</p>	<p><b>UFD-P7 – <del>Non-Urban Rural Areas</del></b></p> <p>The management of <del>rural-non-urban areas</del>.</p> <p>(1) <del>provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS,</del></p> <p>(2) outside areas identified in (1), maintains the productive capacity, <del>amenity and character of rural areas,</del></p> <p>(3) enables <i>primary production</i> particularly on land or soils identified as highly productive in accordance with LF-LS-P19,</p> <p>(4) facilitates <i>rural industry</i> and supporting activities,</p> <p>(5) <del>identifies directs rural residential and rural lifestyle development to</del> areas <u>to be zoned for rural residential and rural lifestyle that</u> purposes in accordance with UFD-P8,</p> <p>(6) restricts the establishment of <u>urban activity and urban development</u> <del>residential activities, sensitive activities, and non-rural businesses</del> which could adversely affect, including by way of reverse sensitivity, the productive capacity of highly productive <i>land, primary production</i> and <i>rural industry</i> activities, <del>and</del></p> <p><u>(7) enables outdoor recreation (including commercial recreation)</u></p> <p><del>(7)(8)</del> <u>facilitates growth or expansion of existing visitor destination places and activities</u> otherwise limits the establishment of <u>urban development and urban residential activities</u> <del>and, sensitive activities, and non-rural businesses</del> to those that can demonstrate an <i>operational need</i> to be located in <u>non-urban-rural areas</u>.</p>

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>UFD-M1 Strategic planning</b>	- Oppose	Spatial Plans should identify key visitor destinations located outside the urban environment, these include highly popular locations which attract and service many people. For example in the Queenstown Lakes District places like entrances to Mt Aspiring National Park, Skyline, and the ski areas.	<p><b>UFD-M1 – Strategic planning</b></p> <p>Amend clause 6 to require spatial plans to identify key visitor destinations outside the urban environment, for example:</p> <p>Otago Regional Council and <i>territorial authorities</i>.</p> <p>(6) must individually or jointly develop further regulatory or non-regulatory methods and actions to implement strategic and spatial plans, including to guide the detail of how, when and where <i>development</i> occurs, including matters of urban design, requirements around the timing, provision, and responsibilities for open space, connections and infrastructure, including by third parties, and the ongoing management of effects of urban development on matters of local importance, and <u>any spatial plan shall identify key visitor destinations outside the urban environment, and</u></p>
<b>UFD-M2 District plans</b>	- Oppose	<p>Clause 3(d) includes the term “water sensitive design”, however this does not have a practical or clear meaning. Clause 7 should be amended to clarify that development outside urban areas should be managed in accordance with UFD-P7, not just rural areas. Note also this is a potential consequence of deleting the definition of “rural area”.</p> <p>It is not necessary to include “rural areas” in clause (8), as rural residential and rural lifestyle activities cannot occur in urban locations.</p>	<p>Clarify or define what is meant by “water sensitive design” in clause 3(d).</p> <p>Amend clauses 7 and 8 as follows:</p> <p><i>Territorial authorities</i> must prepare or amend their <i>district plans</i> as soon as practicable, and maintain thereafter, to:</p> <p>(7) manage development in <del>rural</del> <u>non-urban</u> areas in accordance with UFD-P7,</p> <p>(8) manage rural residential and rural lifestyle activities in <del>rural</del> <u>areas</u> in accordance with UFD-P8,</p>

	<p>Step 2 should be amended to clarify that community input is required to determine risk level thresholds at a district or community wide scale. In the absence of this being undertaken, for individual sites, the consequence criteria in Table 7, in respect of buildings, should be clarified to stipulate that any activity which is anticipated by a district plan will have no worse than moderate effects on buildings unless those buildings are lifeline or critical buildings and structures.</p> <p>The Criteria Step 2 should also be amended to include numerous other matters that is relevant to tolerability, for example, the matters resolved in the QLDC PDP Natural Hazards chapter, including:</p> <ul style="list-style-type: none"> <li>• the nature and scale of the activity, and activities in the area, including any existing lawfully established land use or zoning;</li> <li>• the actual and potential adverse effects of the natural hazard on people and communities;</li> <li>• the consequence of and response to past natural events;</li> <li>• the effectiveness and implementation of responses, adaptations or mitigation</li> </ul>	<p><b>APP6 – Methodology for <i>natural hazard risk</i> assessment</b></p> <p><del>Undertake the following four step process to determine the <i>natural hazard risk</i>.</del></p> <p><b>Step 2 – <i>Natural hazard</i> consequence</b></p> <p><del>HAZ–NH–M2 requires local authorities to undertake a consultation process with communities, stakeholders and partners regarding risk levels thresholds and develop a risk table at a district or community scale. Tables 7A and 7B provide a region-wide baseline to be applied in the absence of the district or community scale risk table being completed.</del></p> <p>Using <del>Table 7 and</del> the matters listed in (1) to (150) below, <del>and Tables 7A and 7B as a guideline,</del> assess the consequence (catastrophic, major, moderate, minor, or insignificant) of the <i>natural hazard</i> scenarios identified in step 1 considering:</p> <p><del>(1) the nature and scale of the activity, and activities in the area, including any existing lawfully established land use or zoning;</del></p> <p><del>(2) the actual and potential adverse effects of the natural hazard on people and communities;</del></p> <p><del>(3) the consequence of and response to past natural events;</del></p> <p><del>(4)(4) the effectiveness and implementation of responses, adaptations or mitigation measures</del></p> <p><del>(2)(5) individual and community vulnerability and resilience,</del></p> <p><del>(3)(6) impacts on individual and community health and safety,</del></p> <p><del>(4)(7) impacts on social, cultural and economic well-being,</del></p> <p><del>(5)(8) impacts on <i>infrastructure</i> and property, including access and services,</del></p> <p><del>(6)(9) available and viable <i>risk</i> reduction and hazard mitigation measures,</del></p> <p><del>(7)(10) <i>lifeline utilities</i>, essential and emergency services, and their co-dependence,</del></p> <p><del>(8)(11) implications for civil defence agencies and emergency services,</del></p> <p><del>(9)(12) the changing <i>natural hazard</i> environment,</del></p>
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- measures
- individual and community vulnerability and resilience

will not have a significant natural hazard risk unless certain criteria are met. Accordingly, different.

These factors are in the operative QLDC district plan for determining risk tolerability (chapter 28). The operative QLDC District Plan was prepared in accordance with the pRPS 2015.

Step 4(1) should be amended because it doesn't make sense to have "natural hazard risk" as a criteria for identifying natural hazard risk

Quantification of natural hazard risk can be expensive, full of uncertainty (as its only models) is [at this stage] scientific jargon, and prevents affected stakeholders tolerability being applied and tested on a case-by-case basis.

Quantitative assessments are appropriate for risk assessment where those assessments are undertaken by Councils or applicants for plan changes and resource consent applications for activities which are not existing or are not anticipated by a district plan.

~~(10)~~(13) cumulative effects including multiple and cascading hazards, where present, and

~~(11)~~(14) factors that may exacerbate a natural hazard event including the effects of climate change.

**Amend Table 7 as follows:**

- Rename as: *Table 7A: Consequence table – to be used in plan changes & activities not anticipated by a zone in a district plan*
- Amend headings by inserting (if applicable) after the terms "Buildings", "Critical Buildings", and "Lifelines"
- Insert new Table as below  
*Table 7B: Consequence table – to be used for individual sites or individual activities anticipated under a district plan*

Severity of Impact	Buildings (not critical or lifeline)	Critical or lifeline buildings/structures	Health & Safety
<b>Catastrophic</b>  (V)	=	Out of service for > 1 month (affecting ≥20% of the town/city population) OR suburbs out of service for > 6 months (affecting < 20% of the town/city population)	> 101 dead and/or > 1001 injured
<b>Major</b>  (IV)	=	Out of service for 1 week – 1 month (affecting ≥20% of the town/city population) OR suburbs out of service for 6 weeks to 6 months (affecting < 20% of the town/city population)	11 – 100 dead and/or 101 – 1000 injured
<b>Moderate</b>  (III)	=	Out of service for 1 day to 1 week (affecting ≥20% of the town/city population) OR suburbs out of service for 1 week to 6 weeks	2 – 20 dead and/or 11 – 100 injured

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought												
			<table border="1"> <tr> <td></td> <td></td> <td>(affecting &lt; 20% of the town/city population)</td> <td></td> </tr> <tr> <td><b>Minor</b></td> <td>A proposed building on the site is functionally compromised</td> <td>Out of service for 2 hours to 1 day (affecting ≥20% of the town/city population) OR suburbs out of service for 1 day to 1 week (affecting &lt; 20% of the town/city population)</td> <td>1 dead and/or 1 – 10 injured</td> </tr> <tr> <td><b>Insignificant</b></td> <td>No proposed building is functionally compromised</td> <td>Out of service for up to 2 hours (affecting ≥20% of the town/city population) OR suburbs out of service for up to 1 day (affecting &lt;20% of the town/city population)</td> <td>No dead No injured</td> </tr> </table> <p>When assessing consequences within this matrix, the final level of impact is assessed on the 'first past the post' principle, in that the consequence with the highest severity of impact applies.</p> <p>When this assessment is being undertaken in accordance with HAZ-NH-M3(7)(a) or HAZ-NH-M4(7)(a) the text within Step 2 shall guide the assessment of <i>natural hazard</i> consequence.</p> <p><b>Amend Step 3(1) (Assessing activities for <i>natural hazard risk</i>) as follows:</b></p> <p>Using the information within steps 1 and 2 above, and Table 8, assess whether the <i>natural hazard</i> scenarios will have an acceptable, tolerable, or significant <i>risk</i> to people, property and communities, by considering:</p> <p>(1) <del>the <i>natural hazard risk</i> identified, including residual risk</del> peoples and communities awareness and experiences of the risk, including any investigations, initiatives or <i>natural hazard risk engagement</i> that have been undertaken,</p> <p><b>Delete Step 4 or clarify that it need only be used by xx</b></p>			(affecting < 20% of the town/city population)		<b>Minor</b>	A proposed building on the site is functionally compromised	Out of service for 2 hours to 1 day (affecting ≥20% of the town/city population) OR suburbs out of service for 1 day to 1 week (affecting < 20% of the town/city population)	1 dead and/or 1 – 10 injured	<b>Insignificant</b>	No proposed building is functionally compromised	Out of service for up to 2 hours (affecting ≥20% of the town/city population) OR suburbs out of service for up to 1 day (affecting <20% of the town/city population)	No dead No injured
		(affecting < 20% of the town/city population)													
<b>Minor</b>	A proposed building on the site is functionally compromised	Out of service for 2 hours to 1 day (affecting ≥20% of the town/city population) OR suburbs out of service for 1 day to 1 week (affecting < 20% of the town/city population)	1 dead and/or 1 – 10 injured												
<b>Insignificant</b>	No proposed building is functionally compromised	Out of service for up to 2 hours (affecting ≥20% of the town/city population) OR suburbs out of service for up to 1 day (affecting <20% of the town/city population)	No dead No injured												

Provision	Position	Specific Reason(s) if any	Decision or Amendment Sought
<b>APP9</b>	Oppose	The identification criteria fails to require a comparison test and include input from the local community. These matters should be included in the identification of an ONL or a HVNL and the respective outstanding and highly valued attributes.	<p><b>APP9 – Identification criteria for outstanding and <i>highly valued natural features, landscapes and seascapes</i></b></p> <p>The areas and the values of outstanding and <i>highly valued natural features, <u>natural landscapes</u></i> and seascapes are identified using the following attributes, <u>compared with other natural features, natural landscapes and seascapes in the applicable District, and undertaken in consultation with the community:</u></p>

Provision	Position	Specific Reasons (if any)	Decision or Amendment sought
<b>SRMR – entire section</b>	Oppose	The SRMR section fails to identify or discuss, in a positive frame, the benefits to people and the environment from subdivision, use and development of natural and physical resources. Trojan is particularly concerned that the SRMR section does not discuss the wellbeing benefits (and need) of ensuring people can access and use the rural and natural environment.	Insert new section to identify and discuss, in a positive frame, the benefits to people and the environment from subdivision, use and development of natural and physical resources.  This section should also identify and discuss the wellbeing benefits (and need) of ensuring people can access and use the rural and natural environment.
<b>SRMR – entire section</b>	Oppose	The SRMR section is written too negatively, with limited reference to any positive or beneficial resource management issues. If the focus is to remain on adverse effects (or negative significant resource management issues then the headings of each "Impact Snapshot" section should be amended to say "Adverse Impact Snapshot".	Amend each "Impact Snapshot" to say "Adverse Impact Snapshot".
<b>SRMR-11 Context</b> –	Oppose	Natural hazard events occur all the time without any discernible impact.	The Otago region is exposed to a wide variety of <i>natural hazards</i> that impact on people, property, <i>infrastructure</i> , historic heritage and the wider <i>environment</i> . When a <u>major natural hazard</u> event occurs, it is usually difficult and costly for a community to recover.  ..
<b>Entire RPS</b>	Oppose	The term natural capital is used in the RPS but is not defined. Trojan supports the use of the term natural capital, provided it is defined in the RPS.	Define Natural Capital.

Provision	Position	Specific Reasons (if any)	Decision or Amendment sought
<b>SRMR-12</b> <b>Climate change is likely to impact our economy and environment – Economy</b>	- Oppose	<p>The statement as written is misleading as it suggests “snow days” are the same as “skiing day<sup>s</sup>”. Moreover, the MfE reference which does not link the reduced snowfall to skiing. The MfE website says:</p> <p><i>Snowfall</i></p> <p><i>The Otago region is likely to experience significant decreases in seasonal snow. By the end of the century, the number of snow days experienced annually could decrease by as much as 30-40 days in some parts of the region. The duration of snow cover is also likely to decrease, particularly at lower elevations.</i></p> <p><i>Less winter snowfall and an earlier spring melt may cause marked changes in the annual cycle of river flow in the region. Places that currently receive snow are likely to see increasing rainfall as snowlines rise to higher elevations due to rising temperatures. So for rivers where the winter precipitation currently falls mainly as snow and is stored until the snowmelt season, there is the possibility for larger winter floods.</i></p>	<p><del>For Some</del> <u>tourism activities may be affected. For example, the amount of natural snowfall is expected to reduce meaning ski fields will be more reliant on snowmaking.</u> <del>there will be negative impacts on skiing where the number of snow days experienced annually could decrease by as much as 30-40 days in some parts of the region. The duration of snow cover is also likely to decrease, particularly at lower elevations. This will also lead to reduced summer waterflows</del></p>



Provision	Position	Specific Reasons (if any)	Decision or Amendment sought
<b>SRMR 15 Impact Snapshot Economic</b>	Oppose	Minor edit/point of clarification	<i>Freshwater</i> in the Otago region is a factor of production that directly contributes to human needs (urban <i>water</i> supply), agriculture (including irrigation), hydro-electric power supply, <u>tourism (for example water supply for visitor destinations and snowmaking)</u> , and mineral extraction. <i>Freshwater</i> also indirectly contributes to the tourism industry through maintenance of <i>freshwater</i> assets for aesthetic and commercial recreational purposes. Lack of <i>freshwater</i> can negatively impact economic output of those industries that rely on <i>water</i> in the production process. To varying degrees these impacts can be mitigated through <i>water</i> efficiency measures and innovation. At the same time other industries, such as tourism <u>activities</u> that rely on the aesthetic characteristic of <i>rivers</i> and <i>lakes</i> , do not have such opportunities available to them and instead rely on management regimes that sustain flows and <i>water</i> levels suitable for their activities.
<b>SRMR 15 Impact Snapshot Social</b>	Oppose	Minor edit/point of clarification in support of recognising and providing for people's well-being	Ensuring appropriate <i>freshwater</i> supply for human <i>use</i> is available <u>is essential, including</u> as part of planned urban growth <u>is essential</u> . It is possible this may require consideration of additional <i>freshwater</i> storage in the future. The region's <i>freshwater</i> assets also support a range of recreation uses, for example camping, fishing, <i>water</i> sports, and swimming. These values are strongly linked to environmental values and as such, reduced environmental flows have a corresponding negative impact on social and cultural values <u>(including people's wellbeing)</u> .
<b>SRMR 16 heading</b>	Oppose	Minor edit/point of clarification	<b>Declining <i>water</i> quality has adverse effects on the <u>natural environment</u>, our communities, and the economy</b>
<b>SRMR 16 statement</b>	Oppose	Minor edit/point of clarification	While the pristine areas of Otago generally maintain <u>very</u> good <i>water</i> quality, some areas of Otago demonstrate poorer quality and declining trends in <i>water</i> quality which can be attributed to <i>discharges</i> from <i>land use</i> intensification (both rural and urban) and <i>land</i> management practices. Erosion, run-off and soil loss can lead to sediment and nutrients being deposited into <i>freshwater</i> bodies resulting in declining <i>water</i> quality.
<b>SRMR 17</b>	Oppose	It is relevant to expand the discussion about restoring and enhancing biodiversity, not just protecting what is left.	Insert statement/discussion in this section about the need to enhance and restore biodiversity, not just maintain or protect what's left.

Provision	Position	Specific Reasons (if any)	Decision or Amendment sought
SRMR-19 SNAPSHOT environmental	- Oppose	What evidence is this statement based on? What type of tourism demand, as opposed to urban growth, results in degradation of water quality?	<p>...However, <i>water</i> quality is being adversely impacted by increased population <u>and</u>, urban development <del>and tourism demand</del> which is straining existing waste management infrastructure. In addition, localised degradation of some areas is occurring due to overuse and unregulated use (e.g. freedom camping). The amenity of these areas is being compromised in some places by over-crowding.</p> <p>Recreation <i>use</i> impacts on the <i>environment</i> can be a <i>risk</i>, for example the distribution of pest species can be accelerated as has occurred for lake snow and <i>Lagarosiphon</i> weeds being spread by recreation boating movements. Natural features and landscape values <u>can are</u> also <u>be</u> adversely impacted by tourism <u>development, and</u> urban growth, and energy production.</p>
SRMR-19 SNAPSHOT economic	- Oppose	<p>These statements are unfounded. Firstly, there is no evidence that international visitors think there is an overcrowding issue in the district (or NZ). Secondly, there is no evidence to suggest tourism income will be adversely affected by NZs reputation. Thirdly, the tourism industry does not have a social license to operate (or at least there is no evidence to say this and there is no such thing in RMA language).</p> <p>How has or can tourism negatively impact agriculture? In fact it is the opposite, e.g. some (probably many) farming activities rely on tourism as an additional source of income.</p>	<p>The economic benefits of urban development, tourism, agriculture, energy production and <i>water</i> supply can be positive for the Otago-Lakes' communities and visitors. It also impacts on the region's natural assets with a growing cost to the region that puts at <i>risk</i> the <i>environment</i> highly prized by residents and visitors. There are also impacts between industry sectors.</p> <p>For example, the clean green image of New Zealand, of which the Otago Lakes area is symbolic, is at <i>risk</i> of being compromised <del>because of over-crowding if the quality of lakes becomes degraded or visitor numbers exceed the servicing capacity of the district# peak tourism seasons. This has the potential to adversely affect the existing regional economy and future economic development, and the tourism industry's social licence to operate. At the same time tourism can negatively impact on how agriculture can operate, potentially limiting its contribution to the regional economy.</del></p> <p>Urban development brings economic development and improved opportunities and standards of living to the Otago lakes area but can adversely impact on both the <i>environment</i> and how agriculture can operate.</p>
SRMR-19 SNAPSHOT social	- Oppose	Point of clarification to better recognise implications on outdoor recreation.	<p><u>Poorly managed activities and</u> <del>Over-crowding</del> impacts <u>can</u> adversely affect recreation experiences of both tourists and residents, <u>particularly outdoor recreation, such as fishing and water sports, and urban amenity.</u> <del>Infrastructure</del> capacity limits can, for example, result in an increased number of wastewater overflows <u>into</u> the environment when demand on the network exceeds capacity. These can have significant adverse impacts on human health <u>including recreation opportunities</u> as well as recreational amenity.</p>

Provision	Position	Specific Reasons (if any)	Decision or Amendment sought
<b>SRMR-10 CONTEXT</b>	- Oppose	Minor edit/point of clarification	... However, economic activity needs to more effectively account for and manage its impacts on the region's natural resources. <sup>44</sup> Where business and social activity does not account for its impacts on natural resources in the long term, <del>not only is</del> the sustainability of the region's natural resources <del>threatened, but equally the associated long term and</del> economic, social and cultural values are <del>also</del> threatened.
<b>SRMR-10 SNAPSHOT environmental</b>	- Oppose	Minor edit/point of clarification	Economic activities can lead to, for example, biodiversity loss, poor <i>water</i> quality, coastal and marinedegradation, and loss of natural features and <u>natural</u> landscapes. These and other matters are considered in further detail elsewhere in this chapter.  Negative impacts on the <u>natural environment</u> can also compromise the ecosystems and the services economic activities depend on (ecosystem services), for example loss of <i>wetlands</i> which provide flood attenuation services, loss of biodiversity which provide pest control and pollination services, and lossof soil biodiversity. Economic activity also has the potential to compromise or destroy natural featuresand <u>natural</u> landscapes. Such impacts are both immediate and cumulative. Cumulative impacts that are not addressed have the potential to lead to tipping points beyond which systems can no longer properly function.
<b>SRMR-10 SNAPSHOT social</b>	- Oppose	Under social heading: Use of the term "social license" is not a good fit in the context of an RMA policy document. What does it mean? On what basis is it justified?	Damage to or loss of natural features and <u>natural</u> landscapes <u>can</u> compromises amenity values. Failure of business to <del>sustainably</del> manage <u>their impact on</u> natural resources <u>can</u> compromises the social licence of a business sector to operate. This <u>can</u> adversely impacts social capital (trust) and can create community division. In extreme cases it can lead to calls for reduced access to resources.
<b>SRMR-11 HEADING</b>	- Oppose	Minor edit/point of clarification	<b>SRMR-11 – Cumulative impacts and <i>resilience</i> – the <u>natural</u> environmental costs of our activities in Otago are adding up with tipping points potentially being reached</b>

Provision	Position	Specific Reasons (if any)	Decision or Amendment sought
<b>SRMR-11</b> <b>CONTEXT</b>	- Oppose	Minor edit/point of clarification	The long term environmental, economic, and social well-being of the Otago region requires anticipating and minimising cumulative environmental impacts before they reach a tipping point, beyond which systems can no longer properly function. This requires <i>resilient</i> frameworks that take account of the dynamic relationship between the <u>natural environment</u> , economy and people while acknowledging that the future is always uncertain, and knowledge is imperfect. Should a tipping point be reached a <i>resilient</i> Otago society will have the ability to absorb, respond to, adapt to, and recover from disruptive events.
<b>SRMR-11</b> <b>SNAPSHOT</b> <b>environmental</b>	- Oppose	Minor edit/point of clarification	While many ecosystems have a degree of <i>resilience</i> , increasing pressures on the <u>natural environment</u> , typically as a result of human activities (for example economic development), can have an adverse cumulative <i>effect</i> . ...  <del>The first and best response is to ensure sustainable management of our natural resources and avoiding immediate and long-term cumulative effects that degrade the of environmental values which are already degraded is required to achieve sustainable management of our natural resources.</del> At the same time a <i>resilience</i> approach is needed that identifies thresholds and sets limits on the use of natural resources to avoid permanent and potentially catastrophic changes occurring, as would occur if a tipping point is reached.
<b>SRMR-11</b> <b>SNAPSHOT</b> <b>social and</b> <b>economic</b>	- Oppose	Minor edit/point of clarification	The well-being of Otago's people and communities in the long term will be <u>sustained protected</u> by the enduring ecological health and <i>resilience</i> of the <u>natural environment</u> and by human activity providing for the <u>natural environment</u> in equal or greater measure than is taken from it (in other words, net impact determines net well-being). It will also be <u>sustained-protected</u> through community <i>resilience</i> so that it can adapt and nimbly respond to future challenges.