

**Submission on Otago Regional Council's  
Proposed Regional Policy Statement 2021**

**Date:** 3 September 2021

**Name and position:** Dr Trudi Webster, Science Advisor

**Organisation:** Yellow-eyed Penguin Trust

Provide feedback by 3pm on 3 September 2021 to [RPS@orc.govt.nz](mailto:RPS@orc.govt.nz)

Thank you for the opportunity to engage and provide feedback and input initially through the Regional Policy Statement (RPS) reference group for the coastal environment, and now as part of the public submission process.

I appreciate that ensuring that the Regional Policy Statement gives effect to the New Zealand Coastal Policy Statement, National Environmental Standards (NES) and National Policy Statements (NPS), whilst considering regional differences and intricacies is a large and complex task. At 32,000km<sup>2</sup> the Otago region covers a vast land area as well as a huge marine area out to 12 nautical miles, and covers a diverse range of habitats.

I have some feedback that I wanted to make sure were captured as part of this process.

**The overall priorities of the RPS should be to:**

- Ensure that convincing support is provided for the mandatory national policy statements and standards that guide the RPS document. This should include strong outcome statements within the appropriate policies to ensure adequate protection of the natural environment, indigenous species and their habitats.
- Provide consistency and clarity by mapping the extent of the coastal environment including the landward extent as part of the RPS (rather than leaving this to district plans).
- Ensure that the significance criteria for indigenous biodiversity are designed to be effective and suitable for use across the terrestrial, freshwater and coastal environments, and that these criteria are consistent as possible with criteria used nationally and regionally.
- Map and effectively protect areas of significant indigenous biodiversity in the terrestrial, freshwater and marine environments (flora, fauna and ecosystems) to maintain health and resilience, and ensure that there is no worsening of the threat classification of indigenous species.
- Ensure that the waters of Otago are safe to drink, swim in and provide for mahinga kai.
- Ensure that the different sections of the RPS are consistent, well integrated and effectively linked, in particular the sections on ecosystems and indigenous biodiversity, freshwater, coastal and terrestrial environments.

**Specific comments on the RPS:**

<b>RPS page number</b>	<b>RPS provision reference</b>	<b>Issue: explanation or reasons</b>	<b>Proposal</b>
throughout		Incorrect spelling: Otago Harbor.	Correct to Otago Harbour throughout the document.

throughout		Incorrect spelling: Maori	Correct to Māori throughout the document.
25		No definition of indigenous species.	Add definition.
32		No definition of rakatirataka	Add definition.
36		The definition of significant natural area is incorrect. SNAs do not exclude the coastal environment.	Remove “that are located outside the coastal environment” from this definition.
64	Part 2 SRMR	Include health benefits (as well as enabling social, economic and cultural well-being)	Add “health” benefits
64	SRMR	No background information is provided about biodiversity values and biodiversity services that ecosystems provide (only from a resource perspective for humans). This should be included, as per the policy IM-P2 which values the long-term life-supporting capacity and mauri of the natural environment in the first instance.	Add background information on biodiversity values and services.
	SRMR-I1 to SRMR-I11	Generally these impacts appear to be somewhat muddled and are not well defined and described. For example there is significant overlap between many of the impacts and it is not always clear what the distinction and differences between them are.	Ensure that the context and definitions of the impacts are clear, well defined and effectively cover all of the potential issues.
67 and 70	SRMR-I2 and SRMR-I3	Climate change also means increased storm events and temperatures on land which increase the prevalence of diseases. For example an increase in the number of mosquitoes has led to yellow-eyed penguin deaths in recent years from avian malaria (30 hoiho died in 2017/18 and 20 in 2018/19).	Ensure that the gravity of climate impacts and increased pests and diseases are understood (particularly for already declining endemic species).
75	SMR-I6	There is no consideration of the concept of <i>ki uta ki tai</i> in the statement or context for this significant resource management issue. Declining water quality has wider impacts on the coastal and marine environment too, not just freshwater.	Add wider effects on the coastal and marine environment
78	SMR-I7	Agree that the extent of impacts on marine species and environments is not well understood, but our understanding is better than the explanation given.	Use MFEs Our Marine Environment Report 2019 as a reference.

78	SMR-I7	SRMR-13 already covers the specific risks from pest species and so there is significant overlap.	Suggestion that SMR-17 focuses on the many other human activities affecting the environment (excluding pests).
78	SMR-I7	Hoiho (yellow-eyed penguins) are not only found on the Otago Peninsula, but also in the Catlins and North Otago	Amend to include other areas.
79	SMR-I7	Explain which six ecosystems have less than 10 hectares remaining.	Provide further explanation.
81	SMR-I8	Beach erosion does not only occur at St. Clair in Dunedin.	Suggest this is re-worded as an example (e.g. St Clair)
96	IM-O1	The long-term vision is not a complete and correct sentence.	Split and re-word to ensure that this sentence makes sense.
97	IM-P6	I agree that the best information available at the time should be used and delays avoided; but I would like to an addition to this policy to include the use of good well-grounded data and information in the first instance to guide decisions.	Add an initial statement to this policy that scientific information should be used to guide the decision making processes.
98	IM-P9	Community response to climate change should not be a policy, it is instead an objective.	Remove this policy, or re-write as a policy / combine with one of the other climate change policies.
99	IM-P15	I agree that the precautionary principle should be always be used, particularly for situations where potential impacts are unknown / unquantifiable. Definitions of the precautionary approach vary somewhat and should be specified here (e.g. NZCPS 2010 Guidance note Policy 3: Precautionary approach from DOC).	Include definition of the precautionary approach.
108	CE	There were two important policies in the previous draft of the RPS (coastal environment section) which have now been removed: i) Identifying significant ecological areas in the coastal marine area, ii) Protect significant ecological areas. This diminishes the importance of biodiversity and important habitats and species in Otago's coastal environment. Also see additional comments below that relate to this.	Ensure that the content of these critical policies are still included in the RPS.
108	CE-O1	It should be made clear that areas of biodiversity need to be identified and protected or enhance include habitats and indigenous species.	Add: (4) representative or significant areas of biodiversity are <u>identified and protected or enhanced (including indigenous habitats and species)</u> .

108	CE-O1 & CE-O2	There is significant overlap between these two objectives, and it is not clear how they differ.	Make the distinction between the two objectives clear.
108	CE-O3	What is considered to be an inappropriate activity?	Define more clearly
108	CE-O5	Given that the primary goal under Policy IM-P3 is to secure the natural environment (before the needs of people) objective CE-O5 should include some mention of this.	Include an additional point that activities in the coastal environment: do not negatively impact on indigenous species and ecosystems.
109	CE-P1	There is no recognition of the links between this chapter and ECO – Ecosystems and indigenous biodiversity, or Appendix 2 – significance criteria.	Add a link to the ECO chapter. Add a link to APP2.
109	CE-P2	This policy does not include a specific point to identify significant natural areas in the coastal marine area. This needs to be included so that there is provision to identify and protect significant natural areas which are important ecologically for indigenous threatened species (e.g. foraging habitat for hoiho).	Add a point to identify the following in the coastal environment: (6) significant natural areas as determined by the criteria in APP2.
109	CE-P2	There are numerous coastal hazards which have not been identified; only one is currently included (tsunami)	(4) Include other coastal hazards (e.g. sea level rise, coastal erosion, storm surges, flooding)
110	CE-P3	There is no mention of the range and extent of indigenous species (only their migratory patterns). This should be included to account for non-migratory species.	Add to 1) [...] and the range, extent and migratory patterns of indigenous coastal water species are maintained or enhanced.
110	CE-P3	In particular water quality should be of a standard that allows for mahinga kai and gathering of kai moana.	Add to 2) Kāi Tahu relationships with and customary uses of <i>coastal water</i> are sustained (including mahinga kai)
110	CE-P3	The coastal water quality in Otago should be improved to a point that we are able to swim in in safely.	Add an additional point 5) waters are safe to swim in
110	CE-P3	There is no mention of ensuring particular standards of water quality, for example assessment and monitoring of water quality, nutrient levels, sedimentation and pollutants.	Add another point to address this.
110	CE-P4	Natural landforms which are under the sea should also be included (e.g. canyon systems, bryozoan thickets)	Add underwater landforms to (c).
110	CE-P5	This policy is not currently aspirational enough in terms of our indigenous biodiversity.	Add <u>protect and enhance</u> indigenous biodiversity in the coastal environment.

110	CE-P5	There is no mention or links to the criteria for assessing significance (e.g. APP2). Ensure consistency between different sections of the RPS.	Add a link to APP2 (criteria for assessing significant natural areas)
110	CE-P5	Indigenous species are currently excluded from (1).	Add to 1) identifying and avoiding adverse effects on the following ecosystems, vegetation types <u>and species</u>
111	CE-P5	(2)(d) should also include areas on the seafloor that are highly sensitive to modification (e.g. horse mussel beds, bryozoan thickets, sponges)	Add seafloor habitats including: horse mussel beds, bryozoan thickets, sponges
	CE-P8	Include reference to the protection of the functioning of ecosystems and biodiversity.	Add to protect the functioning of ecosystems and biodiversity.
112	CE-P10	No mention of the protection of indigenous biodiversity when considering use and development of coastal activities.	Add to 2) maintain or improve the integrity, form, function and resilience of the coastal marine area <u>and its indigenous threatened species and habitats</u> .
113	CE-P11	Also need to take into account that indigenous ecosystems should be protected and not negatively impacted by aquaculture.	Add an additional point: 4) the need to avoid potential adverse effects on indigenous biodiversity and natural coastal processes.
113	CE-P11	Need to make some provision for monitoring of negative impacts.	Add an additional point: 5) the need to undertake monitoring for toxins, increased nutrients and changes to the habitat and ecosystem
113	Add CE-P14	Sedimentation is a major issue on the Otago coast and negatively impacts on our native ecosystems (e.g. kelp beds) and indigenous endangered fauna (e.g. hoiho). Sedimentation during flood events is a particular issue.	Add a policy that specifically deals with sedimentation in the coastal environment (e.g. addressing activities that increase sediment, and increasing activities to mitigate sedimentation).
114	CE-M2	There are several areas which contain significant indigenous biodiversity values that have not been included here. For example, Bobby's Head (Tavora), Papanui Beach and Long Point	Include Bobby's Head (Tavora), Papanui Beach, Long Point as significant areas.
130	LF-FW-P9	It is somewhat contradictory that protection of natural wetlands can occur by allowing the loss of values or extent from the "sustainable" harvest of sphagnum moss. This suggests that the harvest of sphagnum moss cannot be sustainable.	Remove iv) the sustainable harvest of sphagnum moss

182	NFL-P1	Include mapping of the areas and features.	Reword the policy slightly: In order to manage outstanding and highly valued natural features and landscapes, identify <u>and map</u> :
	APP2	It is important to ensure that criteria are appropriate and suitable for assessing the ecological significance of areas across land, freshwater and coastal environments. Criteria have already been developed and reviewed by others (e.g. DOC guidelines for assessing significant ecological values, NIWA guidelines and those already developed by regional councils). Ideally the guidelines used should be consistent between regions.	Review the criteria for assessing the ecological importance of areas.

## RPS

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**From:** Trudi Webster <science-advisor@yeptrust.org.nz>  
**Sent:** Friday, 3 September 2021 12:12 p.m.  
**To:** RPS  
**Subject:** Submission from YEPT on ORC proposed RPS  
**Attachments:** YEPT submission on ORCs proposed RPS Sept 2021.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Submission - Sector stakeholder

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I have a few comments that I wanted to make sure were captured as part of this process on behalf of the Yellow-eyed Penguin Trust (see attached).

Ngā mihi

Trudi

### Trudi Webster (PhD)

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