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Cc: Eleanor Linscott
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Please find attached Federated Farmers' submission on the above.

Can you please confirm receipt.

Kind Regards
Kim

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**Federated Farmers of New Zealand
Submission to Otago Regional Council
on the
Proposed Regional Policy Statement**



SUBMISSION ON THE OTAGO REGIONAL COUNCIL PROPOSED REGIONAL POLICY STATEMENT

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This is a submission on the Otago Regional Council Proposed Regional Policy Statement.

I could not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that my submission relates to and the decisions we seek from Council are as detailed on the following pages.

We wish to be heard in support of our submission.

Section 1: General Submissions

1.1 Introduction

- 1.2 Federated Farmers welcomes the opportunity to submit on the Otago Regional Council's Proposed Regional Policy Statement ('RPS').
- 1.3 Federated Farmers of New Zealand is a primary sector organisation that represents farmers, farming, rural businesses, and rural communities. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand farmers.
- 1.4 The Federation aims to add value to its members' farming business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
 - Our members may operate their business in a fair and flexible commercial environment;
 - Our members' families and their staff have access to services essential to the needs of the rural community; and
 - Our members adopt responsible management and environmental practices
- 1.5 The RPS is a crucial document that impacts all Otago farmers and growers, resource users, and rural communities. It is important that the final RPS provide a clear framework and guidelines that appropriately recognise the range of sectors, industries and businesses that keep our region's communities and economy vibrant and sustainable.
- 1.6 The primary sector is of significant importance to the Otago region, and its economy, employment, and overall wellbeing. Rural communities are at the heart of Otago; they are a strong representation of who we, as Otago residents, are. In our view, the importance of the primary industry has been significantly, and worryingly, downplayed or disregarded across the RPS, and this is a fundamental failing in the RPS. It is a step backwards from the approach taken within the partially operative Otago RPS, where greater recognition to the value of our sector was provided.
- 1.7 Throughout the 2020 COVID-19 pandemic response, the primary sector's contribution to the region, and wider New Zealand, remained steady, reliable, and important. Through the RPS, Council should encourage and enable that contribution, particularly given the fragility of Otago's other regional sectors that are more dependent on overseas visitors, for example, tourism.
- 1.8 As Federated Farmers has consistently raised with the Otago Regional Council (ORC) over the past year, we are very concerned with the haste in which the RPS review has been undertaken. This is particularly so given Council committed to the Government to undertake this review alongside concurrent, significant planning changes (including proposed Plan Change 7 (PC7), Plan Change 8 (PC8), Plan Change 1 (PC1) and the full accelerated review of its Land and Water Plan and implementation of the National Policy Statement for Freshwater Management 2020 (NPS-FM). All of these planning processes require careful thought, consultation, and consideration, and in our view, these concurrent consultations have significantly impacted the number of submissions and the quality of input that has resulted.

- 1.9 These stressors on submitters have been highlighted and exacerbated by Council's outright refusal to extend the RPS submission deadline in light of the COVID-19 lockdown. We consider this lack of any regard for submitters and their wellbeing (across all sectors and stakeholder voices) was at best, unempathetic. Given the sudden nature of the lockdown, those working on submissions were subsequently hindered by lack of typical IT equipment, printouts or office needs; people have been impacted by lack of suitably fast internet connectivity and have had to respond to a range of family commitments, with both home-schooling and childcare needing to come first. Given many submitters had already missed weeks of the submission period due to court commitments on ORC PC7 and PC8, we consider ORC's response both disappointing and astonishing. This refusal to extend the deadline will inevitably have impacted on the number and quality of submissions ultimately lodged.
- 1.10 We also raise concerns with the RPS in its entirety progressing through the Freshwater Planning process (FPP). While there are aspects of integration of resource management matters across an RPS, in our view, there needs to be careful consideration as to how RPSs are approached for future hearing processes – and whether in fact, a standard Schedule 1 process is more fitting. We highlight that applying the FPP to an RPS raises a level of uncertainty, and risks impacting the robustness, resilience, and credibility of the final RPS document.
- 1.11 There are also natural justice issues with a fast track process. Essentially, much hinges on the Commissioners and Council understanding the depth, gravity, and nuance in the arguments put forward by a myriad of submitters over a truncated hearing process. Traditionally, planning practice has found that many of these issues benefit from detailed discussion and consideration by stakeholders and practitioners in Environment Court mediation. Under the freshwater planning process, if the Commission and Council agree, there are no rights of appeal (except on points of law), and this means that mistakes may not be able to be rectified, or conflicted issues satisfactorily resolved.
- 1.12 Prior fast track processes across New Zealand have resulted in errors or omissions in final planning documents, impacting implementation and adding further cost and uncertainty for decisions in the future. We urge the Panel to fully consider the shortcomings in the process, if full consideration isn't given to concerns raised.

2.1 General comments on the draft policy statement

- 2.2 An overly restrictive and prohibitive approach – Federated Farmers' fundamental concern with the RPS is that it has taken an overly restrictive and prohibitive approach, which will have significant impacts on the industries and communities within the region. There has not been appropriate account for the four wellbeings provided for under the Resource Management Act (RMA), rather, an almost singularly environmental and cultural focus has been taken, with social and economic impacts and issues largely disregarded.
- 2.3 Throughout the RPS an approach of complete avoidance is proposed. This will have stark and perverse consequences for the region and disregards the need to take an integrated and balanced approach to sustainable resource management. A 'no effects' approach has been taken in many places, and rather than assessing what effects may be acceptable or tolerable, and what degree of management may appropriately respond to those likely effects, a prohibition has effectively been proposed.
- 2.4 The implications of the overly restrictive approach taken to the RPS will be felt across the region, impacting the primary sector and other industries, rural communities and the ongoing ability for landowners to respond to their own environmental and on-farm commitments, desires and responsibilities around improving land management practices and their environmental footprint.

- 2.5 Recognising and providing for economic productivity – The primary purpose of the RPS is to promote the sustainable management of Otago’s natural and physical resources, by providing an overview of the resource management issues facing the region and setting policies and methods to manage its natural and physical resources.
- 2.6 In delivering on this overall purpose the RPS must seek to deliver on all of the four wellbeings in a sustainable manner, including economic and social wellbeings. Currently the economic benefits derived from natural resource use within the RPS has not been given appropriate recognition. Integrated management needs to not only consider the integration of natural resource concerns, but also should address the balance needed between wellbeings. Currently, there is misalignment, with economic and social wellbeing largely disregarded. That is not consistent with Part 2, and section 5 of the RMA.
- 2.7 ‘Sustainable management’ is broader than that which Council has indicated. The RPS should provide for natural and physical resource use as a means to achieve economic and social wellbeing, provided that these resources are used in a way that ensures the potential of these resources are sustained for future generations, and the life-supporting capacity of ecological systems is retained or restored.
- 2.8 Federated Farmers’ view is that a region rich in economic, social, and cultural values is more able to deliver good environmental outcomes. From a farming perspective, economically viable farmers are best placed to afford mitigation, offsetting, or investment in environmental ‘least-cost’ options.
- 2.9 In other regions (for example, Wellington) there are regional development strategies and initiatives to sit alongside the regional RPS and the necessary resource use framework to provide for this balanced discussion. However, Otago lacks the additional and complementary economic development strategy to inform this broader discussion, and it therefore falls to the RPS to deliver this.
- 2.10 Importance of the primary sector to the region: While we address concerns relating to particular provisions within the RPS in detail further in this submission, our general comment across the draft RPS is that there is an abject failure to appropriately provide for, and recognise the importance of, the primary sector, and in particular ‘food production’ to the region.
- 2.11 The concern as to the lack of regard to primary production in general, and food production in particular applies across the content and structure of the draft RPS. For example, within *Part 1, Description of the Region* there is no recognition to the benefits derived from agriculture, nor even a base acknowledgement of the importance of the primary sector to the Otago region.
- 2.12 The failure to recognise the importance of food production in particular is a significant omission. As a result, the RPS fails to provide a sufficiently balanced context to the regulatory response that follows. At an individual level, it downplays the role and commitment of farmers to achieving good outcomes across all four well-beings and diminishes the potential for a mutually beneficial relationship between ORC as the regulator and farmers as key on-farm resource managers.
- 2.13 Addressing these concerns – To address these concerns, we strongly seek that the RPS recognise and provides for good economic and social outcomes by:
- i. avoiding the imposition of unnecessary restraints on primary production;
 - ii. specifically provide for the positive aspects of primary production where appropriate;

- iii. explicitly stating the importance of the primary sector to achieving the desired outcomes.
- 2.14 Structure of the RPS – From the outset, aspects of the RPS simply ‘get it wrong’. The purpose is overly narrow and confined, and it fails to recognise the range of matters within the vision, or brief, as to what the RPS intends to deliver.
- 2.15 There is also a significant reweighting of the entire document to enhance and extend the approach to Te Mana o te Wai that underpins the National Policy Statement for Freshwater Management 2020 (NPSFM 2020). While we acknowledge the need for the RPS to give effect to the NPSFM 2020, in our view, the approach taken to Te Mana o te Wai goes beyond that appropriate for matters relating to water and its integration, and in fact, introduces issues not intended to be addressed in an RPS, even with a clear integrated management approach in mind.
- 2.16 The RPS as drafted, creates risks around interpretation, workability, and implementation, and in our view could lead to significant perverse outcomes for industries within the region. These matters will be highlighted throughout the following sections of our submission.
- 2.17 We are also particularly concerned with the implications for Otago’s Territorial Local Authorities (TLAs), who are required to ‘give effect to’ the RPS, particularly given both Queenstown Lakes District and Dunedin City Council have only just finished updating their District Plans in response to the partially operative RPS. TLAs are also expected to deliver on broader economic development outcomes as well as deliver the outcomes sought through the RPS. A more flexible RPS framework allows for these balanced discussions to occur at the local level, within the local context, than what the RPS now allows for. The RPS may also override aspects of the triennial agreements with the Districts.
- 2.18 Need for transitioning and consideration of perverse outcomes - Such is the nature of change signalled in this RPS for rural communities, sectors, and businesses, in giving effect to the fundamental concept of Te Mana o te Wai and the consequent hierarchy of obligations, that it is disappointing to see the lack of Otago Regional Council recognition to the risks of unintended consequences and the need for appropriate transitioning. Appropriate regard needs to be had to the likely considerable impacts on the social, economic and cultural wellbeing of the community, and the responding transitioning required to achieve the environmental outcomes sought.
- 2.19 The most likely unintended consequence of the policy direction set out in this RPS is that as farms become less economic and viable due to proposed restrictions based on landscape, access to water, or indigenous biodiversity, landowners are going to feel considerable pressure to consider alternative land uses, and currently carbon forestry provides the most financially viable alternative, and this risks substantial conversions of properties from pastoral farming to carbon forestry unless this is acknowledged at a high level within the RPS.
- 2.20 If decision-makers wish to see the natural character of Otago’s landscape maintained, and the vibrancy of our rural communities retained, every objective and policy needs to be scrutinised as to its effect on the viability of existing farm systems. It is only through maintaining the viability of existing pastoral systems that the landscape and natural character that we currently value will be maintained. The future risks of impacts on water quantity and of a landscape of whole-farm carbon forestry needs to be considered now, and planning for this outcome addressed.
- 2.21 Similarly, given the extent to changes to the region that would result from an RPS as narrow or constrained as proposed here, there is a significant and urgent need to provide for sufficient transitioning for resource users. The objectives and policies within this RPS

represent a major change for Otago, but yet the RPS does not appropriately acknowledge the need to support communities with transitional arrangements. Federated Farmers considers a new chapter on transitional matters is critical, particularly given the likely significance of change to resource user expected over the coming decades.

2.22 Given the undue constraints around submission timeframes, a framework for transitioning is a matter we consider to be an urgent need, and a current 'gap' in the RPS, but is not a matter we have had sufficient time to put our minds to detailed relief on. We consider this is a matter of urgency for the Panel to address.

2.23 Specific submission points on individual provisions are covered in the following sections of this submission. However, a summary of high level general decisions sought is as below:

General decisions sought:

- **That the overly restrictive and prohibitive approach taken within the RPS is significantly reviewed and amended.**
- **That there be significantly greater recognition of the importance of the primary sector in general, and food production in particular throughout the RPS from the introduction across remaining provisions.**
- **That the RPS ideally include a broader acknowledgement towards (and recognition of) the roles resource users fulfil in meeting the positive outcomes sought under the RPS.**
- **That the risks to the hearing process, in particular as to non-water matters with the RPS proceeding through the freshwater planning process, are given due consideration and addressed within Panel recommendations.**
- **That the application of the Te Mana o Te Wai hierarchical approach across all chapters of the RPS is noted as going beyond the intent of the NPSFM 2020.**
- **That there be recognition that there are deep inconsistencies between the natural character, outstanding natural landscape, and outstanding water body provisions. Left unresolved, these will add uncertainty, delay, complexity, and affect the quality of regional and district plans.**
- **That provisions that relate to critical flow-setting, and which set the scene for the new regional land and water regional plan, have been inappropriately placed in the natural character provisions, when they need a section of their own. This diminishes both the integrated thinking required when flow-setting, as well as appropriately linking them to Te Mana o Te Wai and the process for setting values in Appendix 1 of the National Policy Statement on Freshwater Management 2020.**
- **That a new transitioning chapter is needed, given the objectives and policies within this RPS represent a major change for Otago.**
- **That our relief sought for specific provisions as included within the following sections of this submission are noted and adopted.**

Page	Specific provision	Submission	Reasoning	Relief Sought
Part 1 – Introduction and General Provisions				
5	Purpose	Oppose in part	<p>The purpose statement is unnecessarily negatively framed and moves away from the aspirational nature of the partially operative RPS 2019, which gave greater acknowledgement of the importance of the primary sector.</p> <p>The proposed RPS 2021 is stated as responding to “<i>identified significant regional values and resource management issues relating to Otago’s environment, historic heritage, economy, recreational opportunities and communities</i>”</p> <p>This is an overly narrow and short-sighted list and lacks vision for the wider Otago. It is a disjointed list of matters of interest that fails to recognise the importance of food production and the wider primary sector.</p> <p>The partially operative RPS 2019 better addresses the priorities of an RPS, with a better vision and overview for the Otago region.</p>	<p>Delete the following two sentences:</p> <p><i>As a community, we in Otago are moving into an age that requires solutions to both entrenched legacy issues and significant emerging issues in order to promote positive sustainable change while also enabling the Otago community to flourish, and to enjoy all that the region has to offer.</i></p> <p><i>The ORPS responds to identified significant regional values and resource management issues relating to Otago’s environment, historic heritage, economy, recreational opportunities and communities</i></p> <p>Reinstate the following two paragraphs from the Overview section of the partially operative RPS 2019:</p> <p><u><i>Continued prosperity and wellbeing is essential to ensuring the community is equipped to face the environmental, economic, cultural and social changes of the 21st century, and to provide opportunities for all people to realise their aspirations.</i></u></p> <p><u><i>A thriving and healthy natural environment is vital to sustaining our wellbeing. The RPS is a high level policy framework for the sustainable integrated management of resources, identifying regionally significant issues, the objectives and policies that direct how natural and physical resources are to be managed and setting out how this will be implemented by the region’s local authorities.</i></u></p>

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6	Description of the region	Oppose in part	<p>The paragraph describing the Otago economy starts with “Otago’s economy centres around agriculture, tourism, mineral mining, and education”. However, the rest of the paragraph almost bizarrely goes into detailed (over) expansion on tourism and education sectors, while being completely silent on agriculture, the wider primary production sector, and mining, despite COVID-19 clearly showing the volatility of the tourism sector and impacts to our international student sectors.</p> <p>There needs to be more information on the importance of agriculture and its value to the region in line with that in the partially operative RPS 2019, and in fairness should also similarly acknowledge the mining and aggregate industries.</p>	<p>Amend as follows (or similar): <i>“Otago’s economy centres around agriculture, tourism, mineral mining, and education. <u>Agriculture is the basis of Otago’s economy, and the primary production sector continues to be a major source of revenue, employment and vibrancy for the districts and wider region. Otago’s 3300 farms are a key contributor towards Otago’s GDP.</u> The University of Otago enrolls approximately 20,000 students each year from around New Zealand and internationally, contributing to annual population spikes in Dunedin and significantly boosting the local economy. Tourism has also had a significant impact on the regional economy, contributing about a quarter of the region’s total gross domestic product. This is the highest of any region in New Zealand, and primarily concentrated in the Queenstown Lakes District.</i>”</p>
7	Coast	Oppose in part	<p>The description of the region “Coast” excludes any reference to farm land. The proposed coast description includes reference to Port Otago (ORC owned) and commercial activities like fishing, and includes terms like “rolling downlands” but completely excludes farms or any acknowledgement that the coastal areas comprise large numbers of working productive farms.</p>	<p>Amend as follows or similar: <i>The Otago coastline stretches for 480 km and is extremely diverse, encompassing pebble and sandy beaches, basalt formations, dune systems, eelgrass and saltmarshes, estuaries, rolling downlands and striking cliff heads, <u>alongside working farms.</u></i>”</p>
9	How the Policy Statement works	Oppose in part	<p>The RPS notes that: <i>“The regional policy statement must give effect to higher order national direction instruments, including National Environmental Standards (NES), National Policy Statements (NPS), the New Zealand Coastal Policy Statement (NZCPS) and be written to comply with the National Planning Standards.”</i></p>	<p>Amend as follows or similar: <i>“The regional policy statement must give effect to higher order national direction instruments, including National Environmental Standards (NES), National Policy Statements (NPS), <u>and the New Zealand Coastal Policy Statement (NZCPS)</u>, and should be written to comply with the National Planning Standards <u>and to not</u></i>”</p>

Page	Specific provision	Submission	Reasoning	Relief Sought
			<p>This is technically inaccurate. Section 62(3) of the RMA says that “A regional policy statement must not be inconsistent with any water conservation order and must give effect to a national policy statement, a New Zealand coastal policy statement, or a national planning standard.”</p> <p>Section 44A provides that local authority plans must not duplicate or conflict with a national environmental standard. The requirement is not to ‘give effect to’ NESs.</p>	<p><u>duplicate or conflict with National Environmental Standards (NES).</u>”</p>
11	Cooperation and partnerships with stakeholders	Support in part	<p>We strongly support the reference to the importance of cooperation and partnerships. However, in our view, throughout the RPS there is a noticeable lack of acknowledgement, or appropriate recognition of, the important role that landowners and catchment groups will have on overall outcomes and objectives.</p> <p>We consider the real gains to the outcomes sought for Otago will come through catchment groups and the individual farmers and growers who form part of these groups, and reference to these should be included.</p> <p>We support the acknowledgement of the importance of engagement and collaboration with stakeholders. However, this has long been a failing for ORC. We support the intent of Council to “seek to establish and build upon working relationships with other resource management stakeholders” however, we consider this needs formal recognition within the RPS itself.</p> <p>We support the acknowledgement of the importance of collaboration and partnerships to getting gains in the area of significant natural areas but consider as proposed, the wording is an anomaly, and the connection between Significant Natural Areas and regionally significant infrastructure makes no sense as currently drafted.</p>	<p>Amend the introductory sentence as follows:</p> <p><i>Stakeholders, from industry representatives to <u>landowners, catchment groups and community-based volunteer groups</u>, provide valuable strategic input to planning and decision-making. Inter-agency groups, such as Te Roopu Taiao, can assist with managing cross-boundary issues and issues affecting people across Otago strategically and collaboratively.</i></p> <p><i>ORC will seek to establish and build upon working relationships with other resource management stakeholders. This will help ensure that the processes it undertakes are efficient and, wherever possible, reduce duplication of effort. As new issues emerge in the region and work on existing issues continues, they are best managed through collaboration, which will improve effectiveness and deliver better outcomes. This is particularly important for <u>enhancing and managing processes that relate to important region-wide matters such as regionally significant infrastructure and significant natural areas.</u></i></p>

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				Insert a new non-regulatory methods committing to the establishment of a Stakeholder Advisory Group (or similar)
INTERPRETATION SECTION				
14	1990 means sea level (Otago Metric Datum)	Support in part	It is unclear whether current usage should be the Otago Metric Datum – the Dunedin Vertical Datum (DVD 1958) plus 100m or instead reference to the new NZ Vertical Datum 2016 now utilised by some councils. This should be investigated.	Consider whether the NZ Vertical Datum 2016 should instead be used, as this is the official vertical datum for New Zealand
14	Afforestation	Support in part	Afforestation is noted to be as defined in the NES-PF. There is some confusion from this terminology given it relates solely to plantation forestry, whereas carbon forestry is an increasing activity across New Zealand.	Amend definition term to: <i><u>“Afforestation for plantation forestry”</u></i>
33	Regionally significant infrastructure	Oppose in part	<p>There is an anomaly within the proposed RPS 2021 whereby there is no provision for established community-scale irrigation and stockwater infrastructure. This is provided within other regional policy statements, including Canterbury’s RPS, risking confusion or absurdity in that some North Otago irrigation schemes will be considered RSI within the Canterbury context, but fall outside RSI provisions once cross the border into Otago.</p> <p>We consider there needs to be provision for important community scale land drainage infrastructure, potable water system and community-scale irrigation and stockwater infrastructure.</p> <p>There should not be inclusion of all facilities for transport hubs (which could include a streetside bus shelter) as these will not all be regionally significant. These should be limited to key transport hubs.</p>	<p>Amend as follows or similar: <i>Regionally Significant infrastructure means:</i></p> <ol style="list-style-type: none"> (1) roads classified as being of regional importance in accordance with the One Network Road Classification,⁷ (2) electricity sub-transmission infrastructure, (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, (4) telecommunication and radiocommunication facilities, (5) facilities for public transport hubs, including terminals and stations, (6) the following airports: Dunedin, Queenstown, Wanaka, Alexandra, Balclutha, Cromwell, Oamaru, Taieri. (7) navigation infrastructure associated with

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				<p>airports and commercial ports which are nationally or regionally significant,</p> <p>(8) defence facilities,</p> <p>(9) community potable water systems 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)</p> <p>(10) community stormwater <u>and land drainage</u> infrastructure,</p> <p>(11) wastewater and sewage collection, treatment and disposal <u>infrastructure</u> serving no fewer than 25 households, and</p> <p>(12) Otago Regional Council's hazard mitigation works including flood protection infrastructure and drainage schemes <u>and</u></p> <p>(13) <u>Established community-scale irrigation and stockwater infrastructure.</u></p>
MW- Manawhenua				
47	Recognition of hapū and iwi	Support in part	We are concerned to note the inclusion of external webpages within the RPS and consider this opens up potential for needing to update or amend as any external site may change. We consider the links to the following external websites should be deleted given the breadth of information already included with the RPS itself:	<p>Delete reference to external webpages from the RPS as follows:</p> <ul style="list-style-type: none"> • https://www.terunangaomoeraki.org/ • http://www.pukoteraki.nz/ • http://www.otakourunaka.co.nz/ • https://www.hokonuirunanga.org.nz/

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			<ul style="list-style-type: none"> • https://www.terunangaomoeraki.org/ • http://www.puketeraki.nz/ • http://www.otakourunaka.co.nz/ • https://www.hokonuirunanga.org.nz/ 	
56	Customary fisheries	Support in part	<p>We are concerned to note the inclusion of external webpages within the RPS and consider this opens up potential for needing to update or amend as any external site may change. We consider the links to external websites should be deleted given the breadth of information already included with the RPS itself.</p>	<p>Delete reference to external webpages from the RPS as follows:</p> <ul style="list-style-type: none"> • https://www.mpi.govt.nz/dmsdocument/15220-Moeraki-North-Otago-Mataitai-Reserve • https://www.mpi.govt.nz/dmsdocument/12954-Waikouaiti-South-Canterbury-Mataitai-Reserve • https://www.mpi.govt.nz/dmsdocument/14077-Otakou-mataitai-reserve • https://www.mpi.govt.nz/dmsdocument/15223-Puna-wai-Toriki-Hays-Gap-South-Otago-Mataitai-Reserve
60	MW-O1-Principles of Te Tiriti o Waitangi	Oppose in part	<p>While the National Built Environment Bill may be contemplating a change in terminology and direction, currently the legislation in force is the RMA. Section 8 of the RMA requires that the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are 'taken into account'. As proposed, the RPS goes beyond the RMA by elevating that requirement to 'give effect to'.</p> <p>In the absence of clear higher order direction to the contrary there is a need for the RPS to remain consistent with the RMA. To give effect to is a strong direction, and the Treaty principles are subject to interpretation. Requiring decision makers to give effect to the principles in the way proposed risks creating uncertainty, delays and/or and increased costs.</p> <p>There also needs to be more clarity around what values, interests and resources are to be recognised and provided for. As currently proposed, the 'active</p>	<p>Amend as follows:</p> <p><i>"The principles of Te Tiriti o Waitangi are given effect taken into account in resource management processes and decisions, utilising a partnership approach between councils and Papatipu Rūnaka to ensure that what is valued by mana whenua is actively protected in the region <u>Kāi Tahu values, interests and customary resources are recognised and provided for</u>"</i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
			protection' of 'what is valued by mana whenua' is too vague and uncertain to be easily implemented.	
60	MW-P2-Treaty Principles	Oppose in part	<p>We are concerned that proposed MW-P2 goes beyond what is appropriate within an RPS, risking an inappropriate delegation of matters that should be the responsibility of the Crown (as Treaty partner), down to local authorities and resource users.</p> <p>We note the change in language and approach within MW-P2 is a step change from that within the partially operative Otago RPS 2019 which referenced 'take into account'</p> <p>Noting that the partially operative RPS went through a significant and robust process, through Environment Court and beyond, and no issues that we are aware of have been identified with these provisions, we consider they should be reinstated.</p> <p>We seek that Council consider clarity and consistency with higher order documents.</p> <p>For example, the inclusion of Kāi Tahu's involvement to the "extent desired by Kāi Tahu" is both uncertain and unclear.</p> <p>We ask that Council consider existing contents of Policy 2.1.2 (Treaty Principles) of the partially operative Otago RPS, as well as considering requirements in the NPS-FM 2020 (3.4) to involve tangata whenua in freshwater management.</p>	<p>Delete MW-P2 as proposed</p> <p>Replace it with Policy 2.1.2 (Treaty principles) of the partially operative Otago RPS (and a new 'j') as follows:</p> <p><i>Ensure that local authorities exercise their functions and powers, by:</i></p> <ol style="list-style-type: none"> a) <i>Recognising Kāi Tahu's status as a Treaty partner; and</i> b) <i>Involving Kāi Tahu in resource management processes implementation;</i> c) <i>Taking into account Kāi Tahu values in resource management decision-making processes and implementation;</i> d) <i>Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;</i> e) <i>Ensuring Kāi Tahu have the ability to:</i> <ol style="list-style-type: none"> i. <i>Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka;</i> ii. <i>Determine how best to express that relationship;</i> f) <i>Having particular regard to the exercise of Kāitiakitaka;</i> g) <i>Ensuring that district and regional plans:</i> <ol style="list-style-type: none"> i. <i>Give effect to the Ngāi Tahu Claims Settlement Act 1998;</i> ii. <i>Recognise and provide for statutory acknowledgement areas in Schedule 2;</i> iii. <i>Provide for other areas in Otago that are recognised as significant to Kāi Tahu;</i>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p>h) <u>Taking into account iwi management plans; and</u></p> <p>i) <u>Involve Kāi Tahu in freshwater management in line with requirements in the National Policy Statement for Freshwater Management 2020, section 3.4.</u></p>
61	MW-P3-Supporting Kāi Tahu well-being	Oppose in part/support in part	<p>We support MW-P3 (2) and (3)</p> <p>We oppose MW-P3(1) as proposed. We consider it goes well beyond Policy 2.2.1 of the partially operative Otago RPS. We oppose the significant change in language, tone, and direction and do not consider the impacts of this change has been appropriately considered or assessed.</p>	<p>Adopt MW-P3(2) and (3).</p> <p>Amend MW-P3(1) to align with Policy 2.2.1 of the partially operative Otago RPS as follows: (1) <u>Recognise and provide for Kāi Tahu's customary uses and cultural values</u></p>
61	MW -M1 Collaboration with Kāi Tahu	Support in part	<p>The RPS requires that local authorities must identify and map places and areas. Previous versions were only to identify, leaving uncertainty for landowners as to what is contained.</p> <p>Mapping is a useful tool for clarity for landowner engagement. However, we have concerns that matters within ECO-M3 will go beyond those appropriate for significant natural areas and adds an additional, unnecessary burden on private landowners and assessors, going beyond sections 6 and 7 of the RMA.</p> <p>We consider MW-M1(3) should refer to SNA assessments only (ECO-M2) as we are seeking the removal of ECO-M3.</p>	<p>Amend as below:</p> <p><i>Local authorities must collaborate with Kāi Tahu to:</i></p> <ol style="list-style-type: none"> 1. <i>identify and map places, areas or landscapes of cultural, spiritual or traditional significance to them,</i> 2. <i>protect such places, areas, or landscapes, and the values that contribute to their significance,</i> 3. <i>identify indigenous species and ecosystems that are taoka in accordance with ECO-M23, and</i> 4. <i>identify and map outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes and record their values.</i> <p>As submitted under ECO-M3, we seek its deletion.</p>

Page	Specific provision	Submission	Reasoning	Relief Sought
61	MW-M3- Kāi Tahu relationships	Support in part	<p>We support MW-M3(1).</p> <p>However, we have issues with MW-M3(2) in that we do not consider it appropriate or necessary (or even possible given Kāi Tahu existing capability resourcing) to involve Kāi Tahu in all consenting processes. To ensure consistency with the NPS-FM 3.4, we consider it may better to amend reference to 'freshwater management'.</p> <p>We are also concerned in regard to MW-M3(3) with the extent required for consent applicants to consult with Kāi Tahu on "resource consent application, private plan change requests, notices of requirement, notices of requirement for heritage orders". The extent of involvement required is placing an onerous level of capability requirement on Kāi Tahu and another layer of uncertainty for applicants. Will there be associated clear processes for applicants to understand what is required for each step? It is not enough for clarity of understanding (for an applicant) that consultation is required.</p>	<p>Amend MW-M2 (2) as follows:</p> <p><i>Involve Kāi Tahu at an early stage and throughout of freshwater resource management processes and implementation</i></p>
62	MW-M7 Advocacy and facilitation	Oppose	<p>Landowner permission and consent for any access onto private property is critical to ensure health and safety, privacy and biosecurity matters can be provided for and appropriately responded to.</p> <p>We question whether Council is an appropriate facilitator in this regard. Access should be sought and approved between Kāi Tahu and landowners, to ensure ongoing engagement and relationship-management.</p>	<p>Delete MW-M7</p> <p>A workstream should be set up between primary sector representatives and Kāi Tahu to develop understandings and practical ways to improve and ensure appropriate access.</p>
62	MW – E1 - Explanation	Oppose in part	<p>As noted above in regard to our submission on MW-O1, we oppose the terminology change to require the principles to be 'given effect to'.</p>	<p>Amend to:</p> <p><i>The policies in this section are designed to achieve MW-O1 by setting out the actions that must be undertaken by local authorities to ensure the principles of Te Tiriti o Waitangi are</i></p>

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			The existing legal requirement in the RMA is that the Principles of the Treaty must be “taken into account” not “given effect” in resource management processes and decisions.	<i>taken into account given effect in resource management processes and decisions.</i>
63	MW-PR1 – Principal reasons	Support in part	<p>Council is requiring local authorities to incorporate “deliberate measures” to “ensure the principles are well understood”. It is noted that the principles are broadly expressed, but it also needs noting that they are not locked in a moment of time and are not easily or readily understood.</p> <p>A lot of the requirements are in the form of consultation – further clarity is required from Council and Kāi Tahu to help all parties involved.</p>	<p>Amend as follows:</p> <p><i>Local authorities need to incorporate Treaty principles into their decision making and ensure they are properly applied, to account for the effects of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans. Deliberate measures need to be taken to ensure the principles are well clearly articulated and readily understood. The principles are broadly expressed, so a measure of flexibility is needed in applying them.</i></p>
63	MW-AER1	Oppose in part	This statement is not an anticipated environmental result. For consistency and clarity, the RPS should use the wording from the RMA in this regard.	<p>Amend as follows:</p> <p>Resource management processes and decisions reflect the principles of Te Tiriti o Waitangi.</p> <p><i>In relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi)</i></p>
PART 2 – RESOURCE MANAGEMENT OVERVIEW				
SRMR- Significant Resource Management Issues for the Region				
64	SRMR – Significant resource management issues for the region	Oppose in part	We note that the Introductory comment in regard to the importance of Otago’s people and communities is not backed up within the remainder of the RPS, where very little acknowledgement is given to the reciprocal relationship between the environment and people and	<p>Make the following amendments:</p> <p>1. Amend the RPS provisions to acknowledge and reflect the fact Otago’s natural resource assets enable the people and communities within Otago to</p>

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	Introduction		<p>communities ability to provide for their social, economic and cultural wellbeings.</p> <p>The Local Government Act 3(d) requires local authorities “to play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, taking a sustainable development approach”</p> <p>However, it is understood from the Local Government Act that the “well-beings” are not siloed and are meant to be interpreted as integrated things.</p> <p>We also have concerns with the negative connection of agriculture and the use of the term “impact” <i>“From an economic perspective natural resources support, and are impacted by, agricultural industries...”</i>.</p> <p>Modern farming practices and especially in Otago with its strong focus on catchment groups (over 1/3 of Otago farmers are involved in catchment communities) the result is agriculture is not always considered to be an impact but a symbiotic process.</p> <p>We also note that the statement “Natural resources include freshwater (i.e., surface and groundwater, wetlands, estuaries), land, terrestrial and freshwater ecosystems, coastal and marine ecosystems, and air, landscapes, vegetation and natural landforms” is incomplete. Where do biological things fit in here? For example, pollinators? Fungi? All things that provide part of the web of ecosystem services.</p> <p>We have concerns in regard to how the issues were identified and prioritised. We also have concerns in regard to potential issues that are missing. For</p>	<p>provide for their social, economic, and cultural wellbeing.</p> <p>2. Amend sentence two of the first paragraph as follows: <i>“Natural resources include freshwater (i.e., surface and groundwater, wetlands, estuaries), land, terrestrial, <u>soil</u> and freshwater ecosystems, coastal and marine ecosystems, and air, landscapes, vegetation and natural landforms”</i></p>

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			example, air quality, soils, urban spread. How do these issues relate to the identified 'well-beings'?	
65	SRMR -I1 – Natural hazards pose a risk to many Otago communities Statement	Oppose in part	<p>The statement includes earthquakes and flooding. A more generalised statement would be more appropriate at this level. Also, the statement refers to the hazard isolating all or parts of Otago.</p> <p>Note that the list of natural hazards does not include wildfires or storm surges. Wildfires are an increasing risk so should be included in the natural hazards list.</p>	<p>Amend the statement as follows (or similar): <u>Otago is prone to a range of natural hazards that pose a risk to Otago communities, property, infrastructure, and the wider environment. A major event could cause significant damage and may isolate Otago communities for an extended time. For example, particular areas of Otago are prone to flooding (e.g: South Otago and the Taieri Plains). Also, an earthquake on the Alpine fault could potentially cause catastrophic impacts on the entire region. Other natural hazard risks include; tsunami, sea level rise, coastal erosion, wild fires, and extreme weather events such as hail storms.</u></p>
65	SRMR-I1 – Natural hazards pose a risk for many Otago communities Context	Support in part	<p>ECan's definition of natural hazard from their RPS is related to people, i.e., "Natural hazards are the effects of natural occurrences on the environment and, in particular, on the human occupation of an area. This can be described as: Assets + natural occurrences = natural hazards"</p> <p>In this context, assets include people, property, infrastructure and other aspects of the environment".</p> <p>The impact of a natural hazard goes beyond agriculture being 'disrupted'. Flooding results in economic and personal impacts on rural communities. Note also that it is not just the Clutha and Taieri floodplains that are susceptible. Councils Otago Hazard's Portal identifies wider areas.</p>	<p>Amend as follows: <u>"Frequent heavy rainstorms, the steep gradients of many river catchments and human occupation of floodplains combine to make flooding the most frequently occurring natural hazard event in the Otago region. For example, flooding can affect Otago's main urban centres causing damage to housing and business disruption and can significantly impact agricultural and other food production businesses and housing agriculture can be disrupted in Otago's floodplains (including lower Clutha and Taieri)."</u></p>
66	SRMR-I1 Impact Snapshot –	Support in part	We support the inclusion and consideration of the impact of natural hazards on Otago's primary industries	<p>Amend as follows: <u>Otago's primary industries, infrastructure, energy and transport systems, and urban</u></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
	Economic		<p>– including production, transport, etc. The other impact associated with this is animal welfare.</p> <p>There is a need to address an inclusion of access to transport supplies (goods and services network) – especially for rural communities. Also access to health care via rural roading networks (e.g Wanaka closest hospital for after-hours care is Dunstan or Queenstown).</p> <p>Hazards also introduce risks around limited access to an available skilled workforce to make repairs to damage infrastructure/buildings, fences etc. We agree with the comment that it will be businesses that have the ability to withstand that sort of economic pressure (time delays, delays with insurance etc) that will survive.</p>	<p><i>areas are exposed to the full range of hazards noted above, with potential for major-to-catastrophic economic consequences, including damage to production, infrastructure such as transport routes (highways, bridges), the built environment and communications, and often resulting in supply chain disruptions. Natural hazards could also impact on renewable electricity generation in the region with subsequent impact on electricity generation capacity.</i></p> <p><i>For individuals and households this can result in changes to employment, income, assets and consumption patterns, disruption to social protection, services, social safety net mechanisms and institutions, <u>including access to health care via rural roading networks.</u></i></p> <p><i>For industry, hazards can damage production assets and infrastructure with associated costs, disrupt service delivery and limit availability and access to goods and services, and cause decline in sales and increased costs. Loss or changes in production flows can be either temporary or permanent depending on financial resilience of businesses and their ability to <u>access a skilled workforce, which is a function of their existing loan commitments, credit worthiness and insurance cover.</u> Food security can also be affected.</i></p> <p><i><u>Whilst the primary industry has substantial resilience to severe weather events and supply chain disruptions, the cumulative</u></i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<i><u>impact of repeated events must be acknowledged.</u></i>
66	SRMR-11 Impact Snapshot – Social	Support in part	<p>The social impact snapshot also needs to recognise that Otago has a lot of small rural communities that are dependent on transportation and access to services for all their well-beings.</p> <p>All the issues associated with urban centres are amplified through the access issues of rural communities. The social impact should include impacts on physical and mental health wellbeing, and the long term cumulative impacts.</p>	<p>Amend as follows:</p> <p><i>Social impacts can be direct (e.g., physical destruction of housing or transport route, human physical harm) but equally important are indirect and secondary impacts of disasters, including the destruction of communities and the negative impacts on people. Physical impacts and community dislocation can also cause long term psychological stresses affecting people's coping mechanisms, recovery sources and capacity which can test the resilience of a community.</i></p> <p><i><u>The cumulative impact of events on physical and mental health must be acknowledged and planned for, along with the potential for there to be a rural and urban disparity in the severity of physical and mental health challenges.</u></i></p> <p><i>Social impacts of events can result in immediate impacts on livelihoods for individuals and families, particularly for lower socio-economic groups and on small rural communities. Health services disruptions can occur, including access to and changes in demand for services. Similarly, there can be disruptions to education service delivery. Housing impacts may require urgent provision for basic human needs including replacement shelter and housing, and food and water immediately following an event.</i></p>

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67	SRMR – 12 – Climate change is likely to impact our economy and environment Statement	Support in part	<p>Central Otago is noted to “likely” see more varied precipitation. This information is based on the report “Otago Climate Change Risk Assessment 2021”, which uses that terminology. The RPS should consider similar terminology to help with clarity and as an example, the increased fire risk with forestry is covered in the report but not covered in the RPS.</p> <p>Other risks for primary industries are increased risks of pests and diseases associated with changing climate – e.g warmer climate introduces diseases like facial eczema to the region.</p> <p>Many of New Zealand’s indigenous ecosystems and taoka species are already under pressure from exotic species such as plants, vertebrates, invertebrates and pathogens. Climate change will exacerbate these pressures by aiding the range expansion of existing invasive species (Ministry for the Environment, 2019)</p>	<p>Add an additional sentence as follows (or similar): <u>“Climate change brings an increased risk of wildfire. With changing landscape use (increased forestry and afforestation) the risk of fire is increased. Another potential impact comes from increased pests and diseases associated with changing or warming climates, risking the health of livestock, vegetation and biodiversity”.</u></p>
67	SRMR – 12 – Climate change is likely to impact our economy and environment Context	Support in part	<p>Rainfall and temperature change may result in drier soils and changes to river flow (low flow and floods), as well as increased occurrence of slips/landslides.</p> <p>Sea level rise will have impacts on coastal communities, infrastructure, and habitats</p> <p>Change in air quality is not mentioned. Change in air quality in response to climate change will impact health of people across Otago, particularly in areas already impacted by air quality. Especially some rural communities.</p> <p>There are also biosecurity issues (plant, fungal and animal pests) as well as disease vectors (e.g mosquitos).</p>	<p>Amend to include the following (or similar): <u>Rainfall and temperature change may result in drier soils and changes to river flow (low flow and floods), as well as increased occurrence of slips/landslides.</u></p> <p><u>Sea level rise will have impacts on coastal communities, infrastructure and habitats, while the risk of wildfire will also increase</u></p> <p><u>Changing climate also risks increased biosecurity issues of increased plant, fungal and animal pests and diseases (e.g facial eczema), as well as disease vectors (e.g Mosquitos).</u></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
68	SRMR – 12 – Impact Snapshot Economy Regional Industry	Oppose in part	Some of the responses to climate change, such as poorly designed afforestation, lead to other risks, such as further drying out of catchments, increased risks of wildfire, fragmentation of pastoral systems, increased pests, and resultant decline in rural communities.	Add the following (or similar): <u>Some of the responses to mitigate climate change such as increased afforestation for carbon offsetting, lead to other risks, such as further drying out of catchments, increased risk of wildfire, fragmentation of pastoral systems, increased pest numbers, and a resultant decline in rural communities.</u>
69	SRMR – 12 Climate change Impact Snapshot Social	Oppose in part	There is also the potential for inequality between rural and urban dwellers, as responses to climate change may focus on the areas with greatest population density, and other responses such as increased afforestation to mitigate climate change are likely to directly adversely impact rural communities.	Add the following (or similar): <u>There is also the potential for inequality between rural and urban dwellers, as responses to climate change may focus on the areas with greatest population density, and climate change mitigation strategies such as increased afforestation for carbon offsetting may directly impact rural communities.</u>
69	SRMR-13 – Pest Species Statement	Support in part	High country also includes many thousands of hectares of land that is used for primary production. Pine trees can have an impact on the soil acidity – affecting the ability of other species to grow in the close vicinity. Also, for clarity note that “weed” is not same as “pest”. Pest has a very specific term – whereas “weed” can just mean the wrong plant in the wrong place.	Amend as follows (or similar): <u>“Pest species can be found throughout Otago, from alpine to marine environments. In Otago, pest species include organisms from terrestrial species, diseases, to freshwater and marine aquatic pest species. For example, Rabbits are changing Central Otago’s landscape, eroding soils and affecting agriculture.</u> <u>Wilding conifers threaten high country and tussock grassland, changing the landscape and impacting on primary production, soil quality, recreational values, hydrological and conservation values.</u>

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				Include the definition of “Pest” from the Biosecurity Act
70	SRMR-I3 – Pest Species Context	Support in part	<p>Using the word “invertebrate” as a catch all term for diseases like foot and mouth, and pine needle disease does not work. Invertebrates by definition is any animal that lacks a vertebral column. Whereas the diseases like foot and mouth is a virus. Clarity in terminology would help here.</p> <p>Also need to acknowledge the impact on rural communities and economies.</p>	<p>Amend as follows (or similar): <i>Otago’s landscape, <u>water</u>, and climate support many <u>organisms</u> plants and animals considered to be pests.</i></p> <p><i>This includes weeds, vertebrate pests (e.g. rabbits), invertebrate pests, <u>and diseases</u> (e.g. pathogenic pest diseases (e.g. foot and mouth disease, pine needle diseases)), and freshwater and marine pests which are all biosecurity threats in the Otago region</i></p> <p>And: <i>Strategy priorities provide for protection of indigenous biodiversity, protection of landscape, recreation, cultural and amenity values and minimising the impact on agricultural production <u>and rural communities and economies.</u></i></p>
70	SRMR-I3 – Pest Species Impact Snapshot Environmental	Support in part	<p>Diseases can be bacterial (e.g tuberculosis) and viral (e.g wobbly possum). Possums are carriers of bovine TB and can spread the disease to other mammals.</p> <p>For clarity note that the term “weed” is not the same as “pest”. Pest has a very specific term – whereas “weed” can just mean the wrong plant in the wrong place.</p> <p>The Royal Society report quoted on the costs of pests on the NZ economy also said that “weeds are conservatively estimated to cost the economy \$1.2 billion per annum in lost animal production and control costs” – i.e., not just impacting on the conservation estate. The report quoted below uses the figure of</p>	<p>Amend as follows (or similar): <i>Otago is one of the most biodiverse regions in New Zealand, with high levels of endemism. It is also one of the most modified regions in New Zealand. Both plant and animal species pests have significant impacts on biodiversity. Pests can also adversely impact natural features, <u>waterways</u>, and landscapes.</i></p> <p><i>Vertebrate browsing pests such as rabbits and wallabies cause erosion and damage to land in both introduced pastures and native tussock communities. <u>As a result</u>, severe</i></p>

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			<p>\$1.6b for the cost of weeds to NZ's pastoral, arable and forestry sectors¹</p> <p>It should be noted that the wilding pines grow quickly, and also produce quantities of seeds – also an issue of co-invader (possum, fungi). The nutrient cycling of soil is impacted by wilding pines, and may take some time after their removal to return to the 'pre' wilding pine state.</p>	<p><i>erosion can have adverse effects on water quality.</i></p> <p><i>Possums <u>can spread disease (viral and bacterial), such as bovine tuberculosis, which can have severe impacts on stock welfare and production.</u></i></p> <p><i><u>Nationally, weeds are conservatively estimated to cost New Zealand's pastoral, arable and forestry sectors over \$1.6b. Also, weeds will were estimated to potentially affect 7% of the conservation estate within a decade, corresponding to a loss of native biodiversity equivalent to \$1.3 billion.</u></i></p> <p><i>For example, wilding pines are a significant issue for the Otago region as well as nationally, where they threaten high country and tussock grassland, increase fire risk, and reduce water yield in water short catchments, <u>impact soil nutrient cycling</u>, change the landscape and negatively impact recreational, hydrological and conservation values.</i></p> <p><i>Pest species destabilise aquatic habitats and negatively modify water flow with consequences for drainage, irrigation, power generation and recreational activities. The introduction of the freshwater diatom didymo (<i>Didymosphenia geminata</i>) in South Island streams is an example.</i></p>
71	SRMR – I3 Pest Species	Support in part	As mentioned above, the Royal society report (2014) quoted the national cost of 'weeds' was \$1.2billion in lost animal production and control costs. Biosecurity	<p>Amend as follows:</p> <p><i>Pests can cause economic losses because of reduction in production, quality, efficiency</i></p>

¹ <https://www.tandfonline.com/doi/abs/10.1080/14735903.2017.1334179?journalCode=tags20>

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	<p>Impact Snapshot</p> <p>Economic</p>		<p>failure can also impact our primary sector export markets.</p> <p>The report from Saunders, JT (The Economic costs of weeds on productive land in NZ) also values the cost for the pastoral, arable and forestry sectors of NZ at \$1.6b.</p> <p>The proposed RPS quotes it as being \$1.6b for the NZ economy. The report is just measuring the primary sector costs – not the whole of NZ. Given that the conservation estate costs were estimated at \$1.3b in 2014 (Royal Society report) – the actual true cost of pest plant species is underestimated.</p>	<p><i>and or functionality. This can include lost crop <u>or animal</u> production, higher water requirements and reductions in animal health. Weeds can affect wool quality, <u>impact the quality of leather</u>, taint meat and milk, damage the feet of stock and, in some instances, be toxic.</i></p> <p><i>Costs to agriculture, business and government to control pests and mitigate impacts are considerable, as are biosecurity costs to prevent pest incursion which are reflected in biosecurity fees and taxes.</i></p> <p><i>Biosecurity failure can have serious economic impacts on existing industries, (e.g. through the importation of fruit infected with fruitfly in a traveller's bag), and to our <u>primary sector export markets</u>. Pests also adversely affect tourism through loss of landscape values (e.g. wilding pines) and amenity values (e.g. didymo compromising fishing) which lead to reduced visitor experiences.</i></p> <p><i>Weeds, for example, are conservatively estimated to cost the New Zealand primary <u>(pastoral, arable, and forestry)</u> sector economy \$1.6 billion per annum in terms of loss of economic production, management and control costs. They also affect landscape amenity value and tourism experiences relied upon by the tourism sector. Weeds can also adversely impact infrastructure, for example, water systems including irrigation, dams, and levies; power systems (e.g. generation penstock, gates, valves, surge tanks, transmission lines); and</i></p>

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				<i>transportation systems (e.g. road beds, lake and river transportation, airstrips)</i>
71	SRMR – 13 Pest Species Impact Snapshot Social	Support in part	<p>Health issues from pest species have a related cost for the NZ economy</p> <p>The cost of Leptospirosis in NZ has been estimated as approximately \$5.96M (NZD) per year based on absence from work and disease treatment. This is also primarily people in at risk occupations (abattoir workers, farmers and vets). The total annual cost of leptospirosis plus vaccination was \$26M. This is a huge cost for the primary sector.²</p>	<p>Amend as follows (or similar):</p> <p><i>Recreation values can be impacted through loss of amenity, access or landscape values. Pests can also cause human health problems and have a related economic cost. For example, some weed pollens can induce asthma and cause allergies (e.g. hay fever). 20 Zoonoses (bacterium, viruses, parasites, prions) can result in diseases being transferred from animals to humans and include, for example, leptospirosis and campylobacter. <u>These diseases also have costs in terms of employee absence from work and necessary disease treatment.</u></i></p>
71	SRMR – 14 Poorly managed urban and residential growth affects productive land, treasured natural assets, infrastructure and community wellbeing.	Support in part	<p>One method to prevent poorly managed growth that affects productive land, treasured natural assets, infrastructure and community wellbeing is to regenerate existing poorly designed and built urban areas.</p> <p>However, while this issue statement focuses on poorly managed urban and residential growth, it does not mention the aged housing stock that exist in Otago and the opportunity that exists to replace it. Existing urban areas can be poorly designed for modern life and housing is unlikely to meet today's standards. The proposed RPS should encourage regeneration of existing poorly designed urban areas as well as managing poorly designed greenfield urban growth.</p>	<p>Include an additional sentence as follows or similar:</p> <p><i><u>It is better to regenerate existing urban areas than it is to unnecessarily expand into rural areas</u></i></p>
72	SRMR – 14	Support	Federated Farmers strongly supports the recognition that “Urban development can also lead to reverse-sensitivity effects whereby traditional methods of pest	Adopt as proposed and ensure reverse sensitivity issues are adequately reflected throughout relevant RPS provisions.

² <https://pubmed.ncbi.nlm.nih.gov/31799801/>

Page	Specific provision	Submission	Reasoning	Relief Sought
	Impact Snapshot: Environmental		management, or the undertaking of rural production activities cannot be deployed due the proximity of urban populations and the potential for adverse impacts on those populations”	
74	SRMR -15 – Freshwater demand exceeds capacity in some places Context	Oppose in part	<p>Freshwater is technically a renewable resource. It is when the use of freshwater exceeds the ability of natural processes to replenish that is the issue. The term ‘finite’ adds little.</p> <p>The term “permissive” is unhelpful in the context of a water resource management regime. Most of Otago’s catchments have evolved in their resource management practice, on a voluntary basis.</p> <p>The uses of freshwater include social, economic, and cultural aspects.</p> <p>When referring to the hierarchy of obligations in Te Mana o te Wai priorities, use exactly the same wording.</p>	<p>Amend as follows (or similar): <i>Freshwater, including rivers and streams, lakes, groundwater systems, and wetlands, is a finite resource critical to the <u>region’s</u> environment, society, and the economy.</i></p> <p><i>In Otago, access to, allocation, and use of freshwater reflects current demands and historical development <u>and associated demands “deemed permits” (water permits under the RMA 1991) and a permissive water resource management regime. The deemed permits originated from mining licences issued under historic mining legislation and which enable water to continue to be used for a range of uses until October 2021.</u></i></p> <p><i>Population growth and land-use intensification in urban and rural environments can create increased demand for freshwater for human consumption, <u>recreation, other social and cultural uses, irrigation and other economic uses.</u> Freshwater resources in some places are reaching, or are beyond, their sustainable <u>abstraction replenishment</u> limits. However, there continues to be debate in the community about how historical freshwater allocations can be adjusted to achieve a balance of economic, environmental, social and cultural needs, and critical to that is the</i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>need to provide for sufficient transitioning for any required change in resource use.</i></p> <p><i>On 3 September 2020, new National Environmental Standards for Freshwater (NESF) and a new National Policy Statement for Freshwater Management (NPSFM) came into force. They have a goal of improving freshwater quality within five years, reversing past damage-degradation and bringing New Zealand's freshwater resources, waterways and ecosystems to a healthy state within a generation. The NPS-FM also clarified the need to provide first for the health and well-being of water bodies and freshwater ecosystems; then health and needs of people (such as drinking water); and finally then, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i></p>
75	SRMR -15 – Impact Snapshot Environmental	Oppose in part	We consider that the level of detail provided is unnecessary and can be adequately addressed by more succinct terminology. The exhaustive list has potential to create problems if it is not complete.	<p>Amend the following sentences as follows (or similar):</p> <p><i>Freshwater abstraction can reduce water level or flow and connections between different water bodies. This can negatively impact <u>freshwater</u> ecosystems by affecting freshwater habitat, water quality, water quantity, and ecological processes. size and the shape and condition of the water body, including bed, banks, margin, riparian vegetation, connections to groundwater, water chemistry (for example by increasing concentrations of pollutants), and interaction between species and their habitat.</i></p>

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75	SRMR -I5 – Impact Snapshot Social	Support in part	The focus is on urban growth. A large proportion of Otago’s population do not live in urban centres – and is not associated with urban growth. Rural communities and rural households also require “appropriate freshwater supply”	Amend the following sentence as follows (or similar): <i>Ensuring appropriate freshwater supply for human use is available as part of planned urban growth <u>and to support rural communities and households</u> is essential</i>
75	SRMR–I6 – Declining water quality has adverse effects on the environment, our communities, and the economy Statement	Support in part	There substantial efforts going on in the rural communities to improve water quality in the rural areas as evidenced by the over 26 active catchment groups in Otago. Greater acknowledgement needs to be given to the myriad land use activities that have led to such effects.	Amend as follows (or similar) <i>While the pristine areas of Otago generally maintain good water quality, some areas of Otago demonstrate poorer quality and declining trends in water quality which can <u>often</u> be attributed to discharges from land use intensification (both rural and urban) and land management practices.</i> <i><u>Some areas are seeing the beginnings of a turnaround with some improving trends, but there is still much work to be done.</u></i>
76	SRMR–I6 – Context	Oppose in part	It is unclear where the particular point in time where “reverse past damage” is taken from. The NPS FW has a requirement for all Councils to reverse the degradation “if a regional council detects that an FMU or part of an FMU is degraded or degrading, it must as soon as practicable, take action to halt or reverse the degradation” In the NPS FW the term ‘degraded’ is defined – and is specific to something that is other than a naturally occurring process, however, the use of the word “damage” is not used in the NPS or defined. The term degraded also makes reference to time periods. For clarity, use the terminology used in the NPS FW.	Amend the following sentence as follows: <i>On 3 September 2020, new National Environmental Standards (NESF) and a new National Policy Statement (NPSFM) came into force to improve water quality within five years; and reverse past <u>damage degradation as soon as practicable</u>, and bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation.</i>
76	SRMR–I6 –	Oppose in part	The report that is referenced in this section, <i>State of the Environment – Surface Water Quality in Otago</i> says that “Overall, water quality across Otago is variable,	Amend the following sentences as below (or similar):

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	Impact Snapshot Environmental		<p>with some areas such as the Upper Clutha and the Taieri having excellent water quality, with other areas, such as urban streams in the Dunedin locale, intensified catchments in North Otago and some tributaries of the Pomahaka having poor water quality". However, the wording in the PRPS has a different perspective. We would prefer that the wording of the report aligned more accurately with the report as written.</p> <p>We oppose the ordering of paragraphs – it is ideological rather than fact-based.</p> <p>Stock access (and excrement) into waterways is dramatically reducing across the country, and Otago has yet to undertake the work necessary to determine the state of its freshwater resource and contaminant sources. Placing livestock at the top of the list of matters included suggests a bias without foundation.</p> <p>The paragraph starting with “stock entering water bodies...” – the footnote says is from “a science staff survey in 2020”. There is no other supporting information. It is not appropriate to use a vague reference as a fact based statement with no access to follow up material or information.</p> <p>It is entirely inaccurate to say that wintering cattle in Otago is a growing practice. Wintering has always occurred, and practices in this area are improving.</p>	<p><i>Despite the region's lakes and rivers being highly valued by Otago communities, reports indicate there are reasons for concern in <u>specific areas about water quality and its trends with consequent potential impact on ecosystems and people. Water quality across Otago is variable with some areas such as the Upper Clutha and the Taieri having excellent water quality, with other areas, such as urban streams in the Dunedin locale, intensified catchments in North Otago and some tributaries of the Pomahaka having poorer water quality. River water quality is best at river and stream reaches located at high or mountainous elevations under predominantly native vegetation cover, and mostly good in the upper areas of large river catchment and outlets from large lakes. These sites tend to be associated with the upper catchments of larger rivers (e.g. Clutha River/Matau-Au, Taieri River and Lindis River) and the outlets from large lakes (e.g. Hawea, Wakatipu and Wanaka).</u></i></p> <p><i>Water quality is generally poorer in smaller low-elevation streams and coastal shallow lakes where they receive water from upstream pastoral areas or urban catchments. For example, catchments such as the Waiareka Creek (North Otago), Kāikorai Stream (Dunedin), and <u>sub-catchments within the lower Clutha catchment, have some of the worst poorest water quality in the region. The Waikouaiti River has the best water quality of the lowland sites.</u></i></p>

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				<i>Stock entering water bodies can lead to pugging and destruction of riparian compaction of soils and beds that play an important role in filtering contaminants, as well as excreting directly in waterways. The growing practice of wintering cattle in Otago can exacerbate leaching effects, which may not connect to surface water until spring, creating spikes in nutrient loads.</i>
77	SRMR-16 – Impact Snapshot Economic	Oppose in part	The reference used here for this first statement on water pollution is from the United States Environmental Protection Authority. It would be more appropriate to use NZ based facts. The USA EPA website is also only referring to pollution from nutrients (in particular Phosphorus and Nitrogen) and does not mention the other factors listed here.	Amend as follows or similar: <i>Water pollution (from <u>contaminants</u>, nutrients, chemicals, pathogens and sediment) can have far-reaching effects potentially impacting the <u>primary sector</u>, tourism, property values, commercial fishing, recreational businesses, and many other sectors that depend on clean water.</i>
78	SRMR-16 – Impact Statement Social	Support in part	Data from Land, Air, Water Aotearoa (LAWA) - River Quality indicates that water quality in Otago lakes and rivers is far better than other regions. The results also show that urban rivers are by far the worst in terms of water quality.	Amend as follows or similar: <i>For the wider community, water is a source of kai and of recreation, including swimming, fishing and water sports. Otago's rivers, lakes, estuaries and bays are important destinations for recreational use including swimming, fishing and water sports. Eighty-two per cent of Otago's rivers and lakes are swimmable, <u>which is very high on a nationwide comparison</u>. However, where water quality cannot support these activities, the lifestyle of those living in Otago is impacted.</i>
78	SRMR-17 – Rich and varied biodiversity has been lost	Support in part	The biodiversity mapping reports referred to are unavailable to the public – so as at time of submission it is very difficult to comment on the statement.	Amend as follows or similar: <i>Fragmentation, loss and isolation of populations and communities of indigenous species has been ongoing across New Zealand, and Otago is no exception.</i>

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	<p>or degraded due to human activities and the presence of pests and predators</p> <p>Statement</p>		<p>Incentives and practical systems to help landowners to protect and/or restore biodiversity are needed to help achieve the biodiversity outcomes sought.</p>	<p><i>Biodiversity mapping indicates Otago is one of the most modified regions in New Zealand. This can be attributed to habitat loss, land use changes, vegetation clearance and the presence of pests and predators. Further, many of these effects are a result of the cumulative changes of past and current development. These cumulative effects have often not been identified, managed or measured. Leadership and coordination of the various initiatives to address biodiversity loss has also been lacking, along with incentives, support and advice to assist landowners to protect and/or restore biodiversity where it remains or where it has been lost.</i></p>
78	<p>SRMR-17 – Rich and varied biodiversity has been lost or degraded due to human activities and the presence of pests and predators</p> <p>Context</p>	<p>Oppose in part</p>	<p>The list of threats to biodiversity is incomplete and should be amended as proposed within our relief sought. We are unclear about what ‘wild species’ and feel this terminology is unclear.</p> <p>Council is at risk of perpetuating the fallacy that almost 4,000 species are at risk of extinction. There are NOT 4000 native species within this threatened group. Currently using Government’s own data (see links below) 3,009 species are simply naturally uncommon, and on that basis are at risk of becoming threatened if their situation remains changed. That is not to say that they are currently threatened with or at risk of extinction.</p> <p>The latest data can be found both on MfE’s site, or on Stats NZ site which breaks it down to indigenous, marine and freshwater species as of April 2020: https://environment.govt.nz/assets/Publications/Files/environment-aotearoa-2019.pdf</p>	<p>Amend as follows:</p> <p><i>The health of New Zealand’s biodiversity has declined significantly since the arrival of humans. Environment Aotearoa 2019 found that our indigenous biodiversity is under significant pressure from introduced species and diseases, urban growth, human activities, pollution, physical changes to habitat from climate, landscape changes, environment and harvesting of wild species.</i></p> <p><i>Almost 4,000 native species are currently threatened with, or at risk of, extinction. Around 1,065 native species across New Zealand are currently threatened with extinction. A further 3,589 are in a second tier of risk, with 3,009 considered ‘naturally uncommon’. The information available indicates Otago’s biodiversity faces the same challenges.</i></p>

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			<p>Conservation status of indigenous freshwater species – published April 2020 Stats NZ</p> <p>Conservation status of indigenous marine species Stats NZ</p> <p>Conservation status of indigenous freshwater species – published April 2020 Stats NZ</p>	
79	SRMR-17 Economic	Support in part	<p>The primary sector is a broader term than ‘agriculture’</p> <p>A lot of our primary sector exports are based on global consumer perception of our environment.</p> <p>NZ Treasury define the term “Natural Capital” as “<i>Natural capital refers to all aspects of the natural environment. It includes individual assets such as minerals, energy resources, land, soil, water, trees, plants and wildlife and, also includes broader ecosystems and their services – i.e., the joint functioning of, or interactions among, different environmental assets, as seen in forests, soil, aquatic environments and the atmosphere.</i>”</p> <p>For clarity it would be useful to include a definition of natural capital.</p>	<p>Amend the following sentence as follows: <i>Biodiversity and ecosystem services underpin agriculture the <u>primary sector</u> (ecosystem services such as water, soil biodiversity, pest protection, pollination) and tourism (the “clean green” image of “pure New Zealand” is related to a public/<u>consumer</u> perception of Otago’s healthy environment and biodiversity).</i></p> <p>Adopt the following definition of ‘Natural Capital’ for clarity: <i>“Natural capital refers to all aspects of the <u>natural environment. It includes individual assets such as minerals, energy resources, land, soil, water, trees, plants and wildlife, and also includes broader ecosystems and their services – i.e., the joint functioning of, or interactions among, different environmental assets, as seen in forests, soil, aquatic environments and the atmosphere.</u>”</i></p>
80	SRMR-18 – Context	Support in part	<p>There is a need to recognise that both plantation and carbon forestry are activities that can affect the coastal environment, not just plantation forestry</p>	<p>Amend the following sentence as follows: <i>Activities occurring within or affecting the coastal environment include urban development, recreational activities, transport infrastructure, energy generation</i></p>

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				<i>and transmission, land and marine based (e.g. aquaculture) food production industries and other rural industry activities, plantation and carbon forestry, fishing, tourism, and mineral extraction. Such activities can be important contributors to the existing and future health and well-being of communities, when they are located and managed appropriately. A number of these activities provide a significant contribution to the regional economy.</i>
84	SRMR-I11 – Cumulative impacts—and resilience – the environmental costs of our activities in Otago are adding up with tipping points potentially being reached Statement	Oppose in part	Effects is the RMA terminology, not impact We question whether the ‘tipping points’ referred to in the heading are regional in scale – and what is the data or metrics used to define those points? Due to uncertainty, we prefer the terminology ‘thresholds’ for consistency with Integrated Management policies. The statement is overly ideological, and it is not going to be necessary to consider where we live for many Otago residents.	Amend the statement as follows: <ul style="list-style-type: none"> SRMR-I11 – Cumulative impacts <u>effects</u> and resilience – the environmental costs of our activities in Otago are adding up with tipping points <u>thresholds</u> potentially being reached How and/or where we currently live is likely to change <u>significantly</u> in coming years. To respond to all the issues identified in this RPS, it is essential to <u>we may need to consider changes to</u> how we travel, the industries our economy relies on, the use we currently make of the natural and physical resources of the region, and how we provide for personal and community well-being, all while protecting our natural environment.
84	SRMR-I11 – Context	Oppose in part	Effects is the RMA terminology, not impact. We question whether the ‘tipping points’ referred to in the heading are regional in scale – and what is the data or metrics used to define those points? Due to uncertainty, we prefer the terminology ‘thresholds’ for consistency with Integrated Management policies.	Amend the statement as follows: <i>The long term environmental, economic, and social well-being of the Otago region requires anticipating and minimising cumulative environmental impacts <u>effects</u> before they reach <u>thresholds</u> a tipping point, beyond which systems can no longer properly function.</i>

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85	SRMR-I11 Impact Snapshot Environmental	Oppose in part	There is still much that remains unknown about the functioning of the Otago environment at a holistic and integrated level.	Amend to add the following sentence: <i><u>There is much that remains unknown about the functioning of the Otago environment at a holistic and integrated level.</u></i>
86	RMIA-WAI-I1 – The loss and degradation of water resources through drainage, abstraction, pollution, and damming has resulted in material and cultural deprivation for Kāi Tahu ki Otago	Oppose	It is unclear what material and cultural deprivation has occurred and how this hasn't been addressed through other RPS provisions.	Delete RMIA-WAI-I1 as this is addressed in other provisions
87	RMIA-WAI-I5 – Poor integration of water management, across agencies and across a catchment, hinders effective and holistic freshwater management	Support in part	<p>We agree with Kāi Tahu concerns in regard to afforestation but suggest a modification to indicate that poor afforestation is the 'wrong tree in the wrong place for the wrong reason'. Landholders are generally the best people to know which areas of their properties are suitable for different types of forestry, and which areas aren't.</p> <p>We also note the concerns of Ngai Tahu around the lack of water harvesting and note that this RPS does not enable water harvesting to occur, and thus, other objectives and policies may be deficient with respect to this. Federated Farmers has concerns with the focus and insistent that inefficient irrigation practice causes environmental concerns. There is more nuance in irrigation practice than this, and it simply</p>	<p>Amend to include the following:</p> <ul style="list-style-type: none"> • <i>Water allocation concerns:</i> • <i>Abstractions of greater volumes of water than are required, lack of water harvesting and continuation of inefficient <u>poor</u> methods of water use.</i> • <i>Concerns about channel modification and river works:</i> • <i>The effects of changes in vegetation cover, including clearance of indigenous vegetation and <u>planting of exotic afforestation (the wrong tree in the wrong place for the wrong reason)</u>, on the water retention capacity of land and</i>

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			should state 'poor' irrigation practice – as in, irrigation practice that isn't suited to the locality or farming system in question.	<i>consequent flow patterns, which can negatively affect mahika kai and taoka species through a reduction in their habitat.</i>
90	RMIA–MKB–14 – Shortage of protected and secure areas for biodiversity	Oppose	This is addressed through the Biodiversity topics and provisions and is unnecessary and confusing duplication.	Delete RMIA-MKB-14
90	RMIA–WTU–I1 – The values of wāhi tūpuna are poorly recognised in resource management in Otago	Oppose	This is addressed through other topics and is unnecessary and confusing duplication.	Delete RMIA-WTU-I1
92	RMIA–AA–I1 – The cultural impacts of discharges to air are poorly recognised in resource management	Oppose in part	<p>While we understand the concerns raised, it will be important for council to consider when it comes to the rules that are put in place that the specific areas of concern are clear to landowners – i.e., that the mapping layers that indicate areas of concern are clearly defined in terms of impact on air quality.</p> <p>Reverse sensitivity to vegetation burning and agrichemicals has negative effects on the viability of farmers and growers, and whilst wāhi tapu is acknowledged, achieving better protection is a careful conversation when viability of farms may be affected, or perceived to be affected.</p>	<p>Amend the sentence below as follows: <i>The cultural impacts of air pollution and discharges to air are poorly understood and seldom recognised. <u>Achieving these outcomes requires careful collaboration with surrounding landowners.</u></i></p>
Integrated Management				
96	IM – Integrated Management Objectives	Support in part	We consider the long term vision to be fundamentally important to the RPS, given that almost all other provisions flow from it.	<p>Amend as follows: <i>The management of natural and physical resources in Otago, by and for the people of Otago, including Kāi Tahu, and as expressed in all resource management</i></p>

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	IM-O1 – Long term vision		<p>We are concerned that the importance of the community's social and economic wellbeing is not currently reflected in the vision statement.</p> <p>We consider the vision ought to be amended to provide for social and economic wellbeing (which ought to be a focus, not only upon achievement of the vision, but also along the way to achieving it). This appropriately reflects Part 2 (section 5) of the RMA.</p> <p>For clarity, it would help if the te reo terms were in brackets to signify its connection to the phrase 'present and future generations' – so it doesn't need translation.</p>	<p><i>plans and decision making, achieves healthy, resilient, and safeguarded natural systems, and the ecosystem services they offer—provide, and supports the social, cultural and economic well-being of present and future generations, (mō tātou, ā, mō kā uri ā muri ake nei).</i></p>
96	IM-O3 – Environmentally sustainable impact	Oppose in part	<p>As with IM-O1, we are concerned that the economic and social wellbeing of the community (present and future generations) is not appropriately provided for and ought to be reflected in this objective.</p> <p>We consider this to be a fundamental pillar of sustainable management and Part 2 of the RMA.</p>	<p>Amend as follows:</p> <p><i>Otago's communities carry out their activities, and their social, cultural and economic wellbeing is provided for, in a way that preserves environmental integrity, form, function, and resilience, so that the life-supporting capacities of air, water, soil, ecosystems, and indigenous biodiversity endure for future generations.</i></p>
97	IM-P2- Decision Priorities	Oppose in part	<p>We question the appropriateness of extending the National Policy Statement for Freshwater Management 2020 Te Mana o te Wai framework beyond freshwater and across the entire environment.</p> <p>The first points(1) mirror the purpose statement from the RMA, in particular 5(2)(b) – so why not use the same wording for clarity?</p> <p>We question whether the hierarchy in the NPSFM 2020 'Te Mana o te Wai' was intended to be extended across the entire environment in the way proposed under the RPS.</p>	<p>Amend as follows (or similar):</p> <p><i>Unless expressly stated otherwise, all decision making under this RPS shall secure <u>safeguard</u> the long-term life-supporting capacity (and mauri), of air, water, soil, and ecosystems the natural environment, <u>while enabling</u></i></p> <p>(1) secondly, promote the health needs of people, and</p> <p>(2) thirdly, safeguard the ability of people and communities to provide for their social, economic, and</p>

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			The RPS needs to reflect the hierarchy in Part 2 of the Act, and not Te Mana O Te Wai, which is a concept from the NPS-FM intended for freshwater management.	<i>cultural well-being, now and in the future.</i>
97	IM-P4 - setting a strategic approach to ecosystem health	Oppose in part	<p>An important aspect of the NPSFM 2020 is the focus on “best information,” data gathering and monitoring and scientifically robust data.</p> <p>We consider that ensuring that robust data is obtained (and continually updated) is an important part of the planning framework and ought to be reflected in IM-P4.</p>	<p>Amend as follows (or similar): <i>Healthy ecosystems and ecosystem services are achieved through a planning framework that:</i></p> <ol style="list-style-type: none"> (1) <i>protects their intrinsic values,</i> (2) <i>takes a long-term strategic approach that recognises changing environments,</i> (3) <i>recognises and provides for ecosystem complexity and interconnections, and</i> (4) <i>anticipates, or responds swiftly to, changes in activities, pressures, and trends, and</i> (5) <i><u>Relies on scientifically robust data, or where data is incomplete, utilises appropriate and robust modelling that is updated with or replaced by robust data or science as it becomes available.</u></i>
97	IM-P6- Acting on best available information	Oppose in part	<p>Decisions ought to be made in the context of robust scientific data, particularly given Council’s prior propensity for rushed or incomplete planning determinations based on inadequate science.</p> <p>While there is a balance between quality of data and avoiding unnecessary delays, we are concerned that</p>	<p>Amend as follows (or similar): Avoid unreasonable delays in decision-making processes <i>Decision making is informed by complete and scientifically robust data or, where obtaining such data is not practicable, by consideration of best available information including modelling, by using the best</i></p>

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			the current wording of IM-P6 places too much emphasis on speedy decision making and not enough emphasis on reliable data. This would also be consistent with NPSFM clause 1.6.	information available at the time, including but not limited to mātauraka Māori, local knowledge, and reliable partial data.
98	IM-P8- Climate change management	Oppose in part	<p>We have some concerns about how those making decisions in the region will be required to “anticipate” climate change impacts in “resource management processes and decisions.” Such a response should not be to require reductions in emissions (as there is no power for Council to do so at this time under the RMA).</p> <p>We consider that the words “appropriately managing” those anticipated changes would be more consistent with reflecting the statutory limitations of Council’s powers in this regard at the time of the relevant decision.</p>	<p>Amend as follows (or similar): <i>Recognise and provide for climate change processes and risks by identifying climate change impacts in Otago, including impacts from a te ao Māori perspective, assessing how the impacts are likely to change over time <u>and appropriately managing those impacts</u> and anticipating those changes in resource management processes and decisions.</i></p>
98	IM-P9 Community response to climate change impacts	Oppose	The rural sector is actively doing this now. However, we question whether this policy is in line with the requirements of the RMA, or whether it goes beyond current regional council functions under the RMA. This is a matter for climate change legislation or regulations, and it is not for the Council to dictate lifestyle changes.	Delete the policy
98	IM-P10 Climate change adaption and mitigation	Oppose in part	Ensure that use of terminology like ‘mitigation’ is in the line with other government documents – to avoid confusion and/or uncertainty	Delete the term ‘mitigation’ from both the policy’s title and contents.
98	IM-P12 contravening environmental bottom lines for climate change mitigation	Oppose in part	<p>In principle, we support a policy that provides for activities that would otherwise contravene an environmental bottom line where climate change impacts are mitigated.</p> <p>However, we have concerns about the Council’s ability to provide for such activities under current legislation.</p>	Amend IM-P12 to provide a reasonable pathway that does not involve a requirement to offset or compensate <u>all</u> residual adverse effects.

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			<p>If Council were to provide for such activities, the effect of the wording of IM-P12 is that the bar would be set so high that it is unlikely any activities would meet the criteria.</p> <p>If the policy is to be retained, we consider that a reasonable pathway ought to be provided for, so as to incentivise climate change mitigation activities.</p> <p>We are also concerned that paragraph (3) does not recognise that there will be some residual environmental effects (that is why environmental bottom lines are not met), and that it is not appropriate (or reasonable) to always need to offset or compensate <u>all</u> residual effects.</p> <p>The RPS focus is on land use controls (i.e., controlling diffuse discharges), but in reality, to improve or maintain water quality, and to achieve environmental outcomes, there will need to be a combination of all actions – regulatory and non-regulatory, urban, and rural discharges etc.</p>	
99	IM-P13- Managing cumulative effects	Oppose in part	<p>While we recognise the need to consider cumulative effects, we are concerned that it is unlikely to be practicable (or possible) to “account” for all cumulative effects in all resource management decisions.</p> <p>The use of the word “account” suggests that these effects are quantifiable (where that is typically very difficult to do).</p>	<p>Amend as follows (or similar):</p> <p><i>Otago’s environmental integrity, form, function, and resilience, and opportunities for future generations, are protected by recognising and specifically managing taking into account the cumulative effects of activities on natural and physical resources in plans and explicitly accounting for these effects in other resource management decisions.</i></p>
99	IM-P14 - Human impact	Oppose	The intention of IM-P14 is not clear. The focus is supposedly on preserving opportunities for future generations. It is not clear what those opportunities are	Delete IM-P14

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			<p>or why future opportunities are to be prioritised over current activities (i.e., possible activities that may or may not happen in the future are provided for over actual investments in current activities, which may ultimately be of great benefit to future generations).</p> <p>Our concern is that this policy will create significant uncertainty and insecurity for existing land uses and investments (particularly if it leads to short consent terms or frequent reviews of consent conditions).</p> <p>We are also concerned that paragraphs (1) and (2) effectively set bold intentions for significant land use change (and social and economic disruption) in the absence of processes to set values, attribute states and limits; or the ability to assess “natural capability and capacity” (we are very concerned that such policies have typically led to a reliance on LUC which is not an appropriate proxy).</p> <p>In our view, IM-P14 does not add anything to the framework in the RPS or higher order documents (e.g., NPSFM) and would create significant uncertainty and disagreement as to interpretation and application.</p>	<p>Preserve opportunities for future generations by:</p> <p>(1) identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded,</p> <p>(2) requiring that activities are established in places, and carried out in ways, that are within those limits and are compatible with the natural capabilities and capacities of the resources they rely on, and</p> <p>(3) regularly assessing and adjusting limits and thresholds for activities over time in light of the actual and potential environmental impacts.</p>
99	IM-P15 – Precautionary approach	Oppose	<p>In our view, this policy is not needed because the RPS is already highly precautionary. It is also inconsistent with the requirement to rely on the best available information.</p> <p>The Parliamentary Commissioner for the Environment (PCE) also has expressed doubts as to the utility of the precautionary principle e.g. ‘Such appeals [to the precautionary principle] can close down discussions. This is because the principle is sometimes viewed as</p>	Delete the policy IM-P15

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			<p><i>inviolable, despite there being no consensus on its meaning³</i></p> <p>The PCE went on to point out the difficulties of employing the precautionary principle when working with stakeholders from different backgrounds: <i>'Over recent years, the private sector has become increasingly involved in conservation in New Zealand. During this investigation, it has become clear that there are tensions between private and public sector players. It is likely that one source of this tension is different attitudes to risk – different degrees of loss aversion. Those who work in the public sector are generally averse to taking risks – taking an action that has a bad outcome and ends up on the front page of the newspaper is to be avoided. In contrast, private sector players'</i></p>	
99	IM-M1-regional and district plans	Oppose in part	<p>We have concerns around the use of the year 2030, which does not take into account time for plan changes to make changes, particularly in terms of the time frame for the RPS to become operative (and consequently, time for local authorities to prepare or amend their plans).</p> <p>This is particularly so given both DCC and QLDC are still in the process of current full plan reviews (and consequent appeals). Requiring a further plan review, with tight timeframes on progress, puts a huge burden on councils, staff, and ratepayers. Integrated management is already a key plank of TLA functions under the Act, therefore this level of urgency is not justified for those Councils who have very recently carried out reviews</p>	<p>Amend as follows (or similar):</p> <p><i>Local authorities must prepare or amend and maintain their regional and district plans to:</i></p> <ol style="list-style-type: none"> (1) <i>establish, by December 2030, policy frameworks designed to achieve the objectives for Otago set out in IM-O1 to IM-O4,</i> (2) <i>give effect to any response to climate change developed under this RPS, if applicable,</i> (3) <i>provide for activities that seek to mitigate or adapt to the effects of climate change or reduce greenhouse gas emissions,</i> (4) <i>where practicable, take the ensure</i>

³ Taonga of an island nation: Saving New Zealand's birds (2017), p.96.

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			<p>It needs to be kept in mind that Otago's TLAs have been working towards internal funding and timing for plan reviews and changes, including giving effect to the recently settled Otago RPS. The fact ORC is now redoing its RPS within a year of having its previous one finalised, is due to ORC's issues and plan quality. Yet the corresponding burden largely falls on Otago TLAs, who now need to redo their plans. We do not consider the timeframes for achievement are reasonable on that basis.</p> <p>While we recognise the need to consider cumulative effects, we are concerned that it is unlikely to be practicable (or possible) to "account" for all cumulative effects. The use of the word "account" suggests that these effects are quantifiable (where that is typically very difficult to do).</p> <p>We are concerned about the use of the term "disrupt" in paragraph (6) and what it might mean (particularly the "potential" to disrupt – does that mean any adverse effects on ecosystems? Is "ecosystem services" broader than just the ecosystem?).</p> <p>We consider that clarification and refinement of this wording will reduce uncertainty and disagreement on its meaning and application.</p>	<p><i>cumulative effects of activities on natural and physical resources are accounted for into account in resource management decisions by recognising and managing such effects, including:</i></p> <ul style="list-style-type: none"> <i>(a) the same effect occurring multiple times,</i> <i>(b) different effects occurring at the same time,</i> <i>(c) different effects occurring multiple times,</i> <i>(d) one effect leading to different effects occurring over time,</i> <i>(e) different effects occurring sequentially over time,</i> <i>(f) effects occurring in the same place,</i> <i>(g) effects occurring in different places,</i> <i>(h) effects that are spatially or temporally distant from their cause or causes, and,</i> <i>(i) more than minor cumulative effects resulting from minor or transitory effects,</i> <p><i>(5) adopt a ki uta ki tai approach to resource management by establishing policy and implementation frameworks that treat</i></p>

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				<p><i>Otago's environments as an integrated system, including collaboration between local authorities to achieve consistent management of resources or effects that cross jurisdictional boundaries, and</i></p> <p>(6) <i>establish clear thresholds for, and limits on, activities that have the potential to degrade adversely affect healthy ecosystem services and intrinsic values.</i></p>
100	IM-M2-relationships	Oppose in part	We are concerned that ORC is requiring 'immediate' responses from TLAs, and that there will be considerable resource issues for all involved to be able to fulfill actions in the proposed RPS.	Ensure TLAs are comfortable with timeframes set for actions required by them. This requires adhering to any concerns raised by the TLAs in their submissions.
100	IM-M4 – climate change response	Oppose in part	<p>Urban centres and rural communities across the region are key to achieving climate change measures. Community consultation and agreed measures that work for communities will go a long way towards achieving adaption</p> <p>Community resilience and wellbeing should include social, economic and cultural wellbeing, so it is clear that wellbeing covers and includes all those aspects.</p>	<p>Amend as follows (or similar):</p> <p><i>By January 2027, local authorities (led by Otago Regional Council) must together, in partnership with Kāi Tahu and in consultation with Otago's communities, develop <u>agreed</u> climate change responses for the region that <u>will go towards achieving</u> achieve climate change adaptation and mitigation, and that include:</i></p> <p>(1) <i>identifying natural and built resources vital to environmental and community resilience and <u>social, economic, and cultural wellbeing</u></i></p> <p>(2) <i>identifying vulnerable resources and communities and developing</i></p>

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				<p><i>adaptation pathways for them where possible, and</i></p> <p>(3) <i>developing plans and agreements for implementation.</i></p>
101	IM-M5 – Other methods	Support in part	<p>Farming businesses have been amongst the first to grapple with both the effects of climate change, such as flooding and drought, as well as the requirements of New Zealand’s national and international climate commitments.</p> <p>Farming takes its climate obligations and the nuances of its climate response seriously. This method should reflect that there is a difference between short term climate gases such as methane, primarily produced by agriculture, and long-term climate gases such as carbon dioxide, and nitrous oxide.</p> <p>Agriculture is currently on a pathway to be warming neutral, which is possible with the short term cycle of methane. Warming neutral is not the same thing as zero. However, as carbon dioxide persists in the atmosphere for thousands of years, it requires different treatment – hence net zero.</p> <p>Federated Farmers also requests acknowledgment of the most appropriate and practical solution to climate change in Otago – appropriate water storage.</p>	<p>Amend as follows (or similar):</p> <p><i>Local authorities should:</i></p> <p>(1) <i>at their next plan review or by December 2030, whichever is sooner, align (to the extent possible) all strategies and management plans prepared under other legislation to contribute to the attainment of the long-term vision for Otago, and</i></p> <p>(2) <i>facilitate community involvement in realising the long-term vision for Otago stated in IM–O1 through non-regulatory means,</i></p> <p>(3) <i>encourage changes to business practice that will enable businesses to function in a net-zero <u>warming</u> carbon economy, and</i></p> <p>(4) <i>advocate for and incentivise activities that reduce, mitigate, or eliminate risk of environmental degradation.</i></p> <p>(5) <i><u>Enable appropriate water storage solutions to mitigate the effects of climate change</u></i></p>
102	Anticipated environmental results	Oppose	This AER fails to make practical sense over and above the other limits and thresholds that have been set.	<p>Delete IM-AER1</p> <p><i>Monitoring shows the limits and thresholds set for human activities are adhered to and</i></p>

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	IM-AER1			are resulting in environmental well-being and resilience.
102	Anticipated environmental results IM-AER2	Oppose in part	The draft NPS Indigenous Biodiversity 2019 includes a definition for resilience in relation to ecosystems. We would suggest including that definition to aid clarity and reduce uncertainty as to the intent of this provision.	Add the following definition of resilience from the draft National Policy Statement for Indigenous Biodiversity 2019: <u>Resilience, in relation to an ecosystem, means the ability of the ecosystem to recover from and absorb disturbances, and its capacity to reorganise into similar ecosystems</u>
102	Anticipated environmental results IM-AER3	Oppose	This AER is not clear, specific, or measurable. We oppose Council requiring 'observable changes in community behaviour towards more sustainable lifestyles'. We consider this provision <i>ultra vires</i> and inappropriate. 'More sustainable lifestyles' is highly subjective and inappropriate and not a determination for Council staff. Furthermore, regulation that allows a carte blanche for subjective, arbitrary, value judgements on lifestyle is outside a regional council's jurisdiction and is not provided for by the RMA 1991	Delete IM-AER3 Communities are aware of the potential impacts of climate change and there are observable changes in community behaviour towards more sustainable lifestyles.
PART 3 – DOMAINS AND TOPICS				
AIR - Air				
104	AIR-P3 – Providing for discharges to air	Oppose in part	Adverse effects on mana whenua values are included as a specific provision in AIR-P6 and should not be duplicated here. Nor is it appropriate to provide for 'amenity' in this way given the subjective nature of this term.	Amend AIR-P3 as follows: <i>Allow discharges to air provided they do not adversely affect human health, amenity and mana whenua values and the life supporting capacity of ecosystems.</i>

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104	AIR-P4 – Avoiding certain discharges	Oppose in part	Avoid is an effective prohibition and should not be connected to a subjective term such as ‘objectionable’. The other matters within AIR-p4 adequately address concerns.	Amend AIR-P4 as follows: <i>Avoid discharges to air that cause offensive, objectionable, noxious or dangerous effects.</i>
104	AIR-P6 – Impacts on mana whenua values	Oppose in part	An avoid test introduces too much uncertainty for landowners given the broad scope of manawhenua values and areas. Also, this is not the air plan, and the air plan will need to handle the issue with the right degree of nuance. The appropriate term should be to ‘manage’ these effects.	Amend AIR-P6 as follows: <i>Avoid <u>Manage</u> discharges to air that adversely affect mana whenua values by having particular regard to values and areas of significance to mana whenua.</i>
105	AIR-M3 – Territorial authorities	Oppose in part	It is not for Councils to dictate via a District Plan as to residents’ reliance on private motor vehicles. However, the plan could enable, encourage or facilitate public infrastructure that greater provided for intended outcomes.	Amend AIR-M3 as follows: <i>No later than 31 December 2029, territorial authorities must prepare or amend and maintain their district plans to include provisions that direct provide for an urban form that assists in achieving good air quality by:</i> <ol style="list-style-type: none"> 1. reducing <i>encouraging or facilitating the reduced reliance on private motor vehicles and enabling the adoption of active transport, shared transport and public transport options to assist in achieving good air quality, and</i> 2. <i>managing the spatial distribution of activities.</i>
CE – Coastal Environment				
108	CE-02- Maintaining or enhancing highly valued areas of the coastal environment	Oppose in part	Enhancing public access to areas of coastal land impact landowners. Public access across private property is not a right, but a privilege that requires landowner consent. There are safety risks (for example during the roar), and impacts on key farming activities (such as lambing or fawning) if the general public feel entitled to wander across farmland without first seeking permission	Amend AIR-M3 as follows: <i>Public a Access to public areas, recreation opportunities, and highly valued outstanding natural features and landscapes in the coastal environment are maintained or enhanced</i>

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			<p>We also have concerns that the definition “maintain or enhancing highly valued areas of the coastal environment” does not fit with the associated description.</p> <p>Federated Farmers has opposed the use of the term ‘highly valued areas’, as this is not defined anywhere else in the RPS. It appears to be synonymous with outstanding landscapes but is also used differently.</p>	
108	CE–O5 – Activities in the coastal environment	Support in part	<p>Clarity is required in terms of what is meant by activities in the coastal environment under (3) only being provided for within appropriate locations and limits – in terms of primary sector activities (e.g pastoral farming) that takes place in the coastal environment area.</p> <p>As proposed it could be taken to mean that regional and district plans will need to identify limits for pastoral farming in the CE, when as an existing activity farming is appropriate. We consider it is better to focus the objective on ‘new’ activities.</p>	<p>Amend as follows (or similar)</p> <p><i>New a</i> <i>Activities in the coastal environment:</i></p> <ol style="list-style-type: none"> (1) <i>make efficient use of space occupied in the coastal marine area,</i> (2) <i>are of a scale, density and design compatible with their location,</i> (3) <i>are only provided for within appropriate locations and limits, and</i> (4) <i>maintain or enhance public access to and along the coastal marine area, including for customary uses.</i>
110	CE-P4-Natural Character	Oppose in part	<p>We note that anything involving restoration or preservation may require a sea level assessment, it may be pointless to attempt to ‘restore’ something if it is going to be under sea level.</p> <p>It is also unclear how all adverse effects are to be avoided. As written, this goes further than the NZCPS. The NZCPS (Policy 13) only requires the following: <i>avoid adverse effects of activities on natural character in areas of the coastal environment with outstanding natural character; and avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.</i></p>	<p>Identify, preserve and restore the natural character of the coastal environment by:</p> <ol style="list-style-type: none"> (1) identifying areas and values of high and outstanding natural character which may include matters such as: <ol style="list-style-type: none"> (a) natural elements, processes and patterns, (b) biophysical, ecological, geological and geomorphological aspects, (c) natural landforms such as headlands,

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			<p>Clarity would be helpful in understanding how (5) fits with CE-P3 (above), in the requirement of restoration with landscape and natural character</p> <p>The operative RPS has a sea level rise measure, whereas this one does not. Federated Farmers does not wish to see restoration or preservation resources put into areas around the coast that will be inundated. Mitigation and preparation may be necessary here, but restoration is not likely.</p> <p>Clause 4 makes limited sense and should be removed in its entirety unless it is reworded to be clear as to what it means. The terms 'redundant', and 'de-reclamation' require substantial definition in order for this clause to be operable, and in the absence of these definitions, it seems best to remove it.</p>	<p>peninsulas, cliffs, dunes, <i>wetlands</i>, estuaries, reefs, <i>freshwater</i> springs and <i>surf breaks</i>,</p> <p>(d) the natural movement of <i>water</i> and sediment,</p> <p>(e) the natural darkness of the night sky,</p> <p>(f) places or areas that are wild or scenic,</p> <p>(g) a range of natural character from pristine to modified,</p> <p>(h) experiential attributes, including the sounds and smell of the sea, and their context or setting,</p> <p>(2) avoiding adverse effects on natural character in areas identified as having outstanding natural character,</p> <p>(3) avoiding significant adverse <i>effects</i> and avoiding, remedying or mitigating other adverse <i>effects</i> on natural character outside the areas in (2) above,</p> <p>(4) encouraging de-reclamation of redundant reclaimed <i>land</i> where it would restore the natural character and resources of the <i>coastal marine area</i> and provide for more public open space, and</p> <p>(5) promoting <i>activities</i> and restoration projects that will restore natural character in the coastal environment where it has been reduced or lost.</p>

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110	CE-P5-Coastal Indigenous Biodiversity	Oppose in part	<p>This provision goes well beyond both the draft National Policy Statement for Indigenous Biodiversity 2019 and the NZ Coastal Policy Statement and risks significant confusion and lack of implementation.</p> <p>The policy doesn't make sense – why do such adverse effects need identified in (1) and (2)? The policy is about avoiding specified adverse effects and the term 'identifying' is used out of context and is not possible to implement or enforce.</p> <p>Re (1)(a) – there is also no higher order document that requires an avoiding policy for 'at risk' taxa under the NZTCS. The vast majority of at risk taxa are simply naturally uncommon and would not meet the criteria for being an SNA and therefore should not require avoidance of all adverse effects.</p> <p>Re (1)(b) – this is not a well-known taxa list in a planning context and is unnecessary duplication and risks contradiction or inconsistency with the NZTCS.</p> <p>Re (1)(c) – these matters should be captured via (1)(a).</p> <p>Re (1)(d) – again, these will be captured by SNA identification.</p> <p>RE (1)(e) – these will be captured by (1)(a)</p> <p>We are concerned whether the test used of "identifying and avoiding adverse effects" in (1) and "identifying and avoiding significant adverse effects" in (2) are around the wrong way, i.e., that avoiding significant adverse effects should be with the list in (1) and avoid adverse effects should be with (2). (2) appears to be a more stringent test.</p>	<p>Amend as follows or similar:</p> <p><i>Protect indigenous biodiversity in the coastal environment by:</i></p> <p><i>(1) identifying and <u>avoiding, remedying or mitigating</u> adverse effects on the following ecosystems, vegetation types and areas:</i></p> <p><i>(a) indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists, <u>and</u></i></p> <p><i>(b) taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened,</i></p> <p><i>(c) indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare,</i></p> <p><i>(d) habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare,</i></p> <p><i>(e) areas containing nationally significant examples of indigenous community types, and</i></p> <p><i>(f) <u>(b)</u> areas set aside for full or partial protection of indigenous biodiversity under other legislation, and</i></p> <p><i>(2) identifying and avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on the following ecosystems, vegetation types and areas:</i></p> <p><i>(a) areas of predominantly indigenous vegetation in the coastal environment,</i></p> <p><i>(b)(a) habitats in the coastal environment that are important during the vulnerable life stages of indigenous species,</i></p> <p><i>(e)(b) indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable,</i></p>

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			<p>Both (2)(a) and (2)(e) are unnecessary and captured within different provisions under (2)</p> <p>With (2)(g) it is unclear what is meant by the 'biological values' identified in the 'policy'. Are the values the items listed (1) and (2)?</p> <p>The ecological corridors referred to in (2)(g) can also include introduced or non-indigenous vegetation so require clarity</p> <p>Provide for this policy to be amended when the National Policy Statement for Indigenous Biodiversity is adopted.</p>	<p>(c) areas sensitive to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh, (e) habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes, (f) habitats, including areas and routes, important to migratory <u>indigenous</u> species, and (g) ecological corridors, and areas important for linking or maintaining biological values identified under this policy.</p> <p>Provide for this policy to be amended when the National Policy Statement for Indigenous Biodiversity is adopted.</p>
112	CE-P8- Public Access	Oppose in part	There cannot be provision 'to' the coastal marine area across private land without landowner permission. The importance of landowner permission for health and safety, biosecurity and seasonal farming activities (such as lambing) needs sufficient acknowledgement.	<p>Amend to include a new (9) as below or similar:</p> <p><u>(9) to acknowledge a lack of granted consent to allow public access across private land.</u></p>
112	CE-P9- Activities on land within the coastal environment	Oppose in part	<p>There is no appropriate acknowledgement that existing activities such as pastoral farming are appropriate within the coastal environment.</p> <p>There is also no appropriate acknowledgement of the need to get permission before crossing privately owned land in the coastal environment.</p>	<p>Amend the following provisions with CE-P9:</p> <p>(3) <u>maintaining or where possible enhancing public access to the coastal environment; and</u></p> <p>.....</p> <p>(5) <u>enabling existing activities, such as pastoral farming, which have formed part of the natural character of the coastal environment.</u></p>
116	CE-M4-District Plan	Oppose in part to (2) and (3).	There are some matters in which there should be management, rather than 'control' of matters within the coastal environment (outside the CMA).	<p>Amend the method as follows:</p> <p>(2) control <u>manage</u> the location, density and form of subdivision in the coastal environment (outside the</p>

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			We seek changes to language in (2) and (3) as many of these matters relate to non-habitable farm buildings, or exotic vegetation or indigenous vegetation with no applicable significance.	(3) control <i>manage</i> the location, scale and form of buildings and structures in the coastal environment (outside the coastal marine area)
117	CE-M5- Other incentives and mechanisms	Support in part	Federated Farmers supports the use of 'other incentives and mechanisms' as proposed, however we consider the lead-in sentence is weak and needs amendment. Local authorities should be encouraged to use the range of specified mechanisms or incentives – rather than simply encourages to consider using them.	Amend as follows: CE-M5 – Other incentives and mechanisms <i>Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies CEP2 to CE-P12, including:.....</i>
119	CE-AER1	Support	Federated Farmers supports the focus on 'inappropriate' uses of the resources within the coastal environment.	Adopt as proposed
120	CE-AER4	Support in part	As discussed elsewhere in this submission, the term 'degraded' should be used for consistency, as it is clear as to what is intended through this term.	Amend as follows: CE-AER4 <i>There is an improvement in the quality of water in areas identified as having deteriorated <u>degraded</u> water quality</i>
120	CE-AER6	Oppose in part	Avoidance or minimisation of risks should be appropriately focussed at where there is significant risks from natural hazards to people and communities. This is more consistent with the RMA requirements.	Amend as follows: CE-AER6 <i>New building and development in the coastal environment is consistent with the character of the area and avoids or minimises <u>significant</u> risks from natural hazards to people and communities.</i>
120	CE-AER7	Oppose in part	There is no requirement or need to provide public access across or along private property to get to the coastal marine area. Access should within the CMA and when private land involved, 'to' the CMA with landowner permissions – for health and safety,	Amend as follows: CE-AR7 <i>The public have improved access along and adjacent to the coastal marine area.</i>

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			biosecurity and specific farm activity needs (such as lambing and fawning).	
Land and Freshwater				
121	LF-WAI-O1 – Te Mana o te Wai	Oppose in part	<p>Federated Farmers supports an objective that sets out to achieve the fundamental concept of Te Mana o te Wai as set out in the NPSFM 2020. However, we have significant concerns that an objective seeking the mauri of waterbodies be protected and restored is an incorrect focus..</p> <p>There are dangers when a higher order document is supposedly given effect to, but the wording is changed sufficiently to significantly alter the context.</p> <p>Within the NPSFM there is a fundamental principle that recognises that protecting the health of freshwater protects the health and wellbeing of the wider environment. This is a matter at the heart of the Te Mana o te Wai concept and talks the protection of the mauri of the wai.</p> <p>In the NPSFM the term ‘restore’ is used in the context of achieving <i>balance</i> between the water, the wider environment, and the community. This is different from ‘restoring the health of the water’ as set out in the RPS objective. In our view, the move away from the terminology ‘restore the balance’ shows an incorrect adaptation of the concept.</p> <p>Misusing the NPSFM 2020 Te Mana o te Wai concept of ‘restore’ as has been done the RPS creates uncertainty as to what point in time a waterway that is degraded must be restored to. It moves away from the balanced approach within the NPSFM 2020.</p> <p>We seek consistency with the NPSFM 2020 approach.</p>	<p>Amend objective LF-WAI-O1 as follows: The mauri of Otago’s significant and highly-valued natural resources are identified and protected, or enhanced where water bodies and their health and well-being is protected, and restored where it is degraded, and the management of land and water recognises and reflects that restores the balance between water, the wider environment, and the community. by recognising that:</p> <p>(1) water is the foundation and source of all life – na te wai ko te hauora o ngā mea katoa,</p> <p>(2) there is an integral kinship relationship between water and Kāi Tahu whānui, and this relationship endures through time, connecting past, present and future,</p> <p>(3) each water body has a unique whakapapa and characteristics,</p> <p>(4) water and land have a connectedness that supports and perpetuates life, and</p> <p>(5) Kāi Tahu exercise rakatirataka, manaakitaka and their kāitiakitaka duty of care and attention over wai and all the life it supports</p>

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121	LF – Land and Freshwater LF-WAI-P1	Oppose	<p>We oppose Council taking the NPSFM 2020 hierarchy and then significantly altering enough words to fundamentally change the outcome.</p> <p>We oppose any Te Mana o te Wai hierarchy being utilised that strays from that provided within 1.3 of the NPSFM 2020.</p> <p>By keeping the matters at that high level consistent, Federated Farmers considers appropriate prioritisation beyond this occurring in a catchment context, such as in determining the allocation when undertaking flow-setting, and in implementing flow regimes, providing for a relevant system of rationing, all at a catchment scale where the concept of Te Mana o Te Wai can make more practical sense.</p> <p>We seek the deletion of any matters that extend beyond the NPSFM 2020 hierarchy, given the perverse and unintended consequences of Council creating its own special framework in the way proposed.</p>	<p>Amend LF-WAI-P1 as follows: <i>In all management of fresh water in Otago, prioritise:</i></p> <p>(1) <i>first, the health and well-being of water bodies and freshwater ecosystems, to hauora o te wai and to hauora o te taiao, and the exercise of mana whenua to uphold these,⁴⁷</i></p> <p>(2) <i>second, the health and well-being needs of people and essential needs of animals, to hauora o te tangata; interacting with water through ingestion (such as drinking water and consuming harvested resources) and immersive activities (such as harvesting resources and bathing); and</i></p> <p>(3) <i>third, the ability of people and communities to provide for their social, economic, and cultural well-being, now and in the future.</i></p>
121	LF-WAI-P2	Oppose in part	<p>We have concerns with (2) which seeks to sustain the listed relationships of Kāi Tahu with water bodies and these are said to include 'economic' relationships. We consider it more appropriate to leave the matter at 'relationships' and have this determined at catchment level</p>	<p>Amend LF-WAI-P2 as follows: (2) <i>sustaining the environmental, social, cultural and economic relationships of Kāi Tahu with water bodies...</i></p>
122	LF-WAI-P3	Oppose in part	<p>As written, this policy does not give effect to the objective and policy P1 as written and most certainly does not give effect to priority 3 of Te Mana o Te Wai – the ability for communities to provide for their social and</p>	<p>Amend to include a new subsection:</p>

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			<p>economic wellbeing – it simply gives effect to priority 1 values, with a small recognition for priority 2, and an odd consideration of urban growth.</p> <p>There is a need to provide a new subsection around primary production.</p> <p>As stated similarly, given the precautionary nature of the RPS, we oppose direction inclusion of the precautionary approach – our preference is for the right information to be obtained prior to plans released.</p>	<p><i>(4A) Sustains primary production, to provide for the social and economic well-being of communities.</i></p> <p>Amend LF-WAI-P3(7) as follows:</p> <p><i>“Has regard to cumulate effects. And the need to apply a precautionary approach where there is limited available information or uncertainty about potential adverse effects.”</i></p>
122	LF-WAI-P4	Oppose	<p>The RPS is required to give effect to the NPSFM 2020 and the concept of Te Mana o te Wai – however, in the way the policy is structured this moves away from an approach of integrated management and appears to override the existing statutory tests.</p> <p>Section 104 of the RMA does not require all persons exercising functions and powers to give effect to Te Mana o te Wai as proposed. The test instead is to ‘have regard to’.</p> <p>The policy adds nothing, as other provisions within the RPS adequately address this matter; however, as proposed it adds uncertainty and legal question.</p>	Delete policy LF-WAI-P4
122	LF-WAI-M1	Oppose in part	<p>This method applies to the manawhenua component of implementing Te Mana o Te Wai, but not to all the other aspects of Te Mana o Te Wai, including the practical aspects of implementing it.</p> <p>In fact, method M1 may even go beyond the Te Mana o Te Wai partnership into more general aspects of the Treaty partnership. There is a need to have a method to implement the balancing component of Te Mana o</p>	<p>Revise M1 to ensure consistency with the scope of Te Mana o Te Wai, and other matters to go into a general partnership method.</p> <p>Introduce a new method M2 to give effect to the other components of Te Mana o Te Wai, to give practical effect to the matters in P1 as proposed below.</p>

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			Te Wai, and the desire (as indicated in the wording of P2) to practically implement Te Mana o Te Wai.	
122	NEW LF-WAI-M2 (pushing existing LF-WAI-M2 to be renumbered as LF-WAI-M3)	New method proposed.	Insert new method as discussed above under LF-WAI-M1.	<p>Adopt a new method as above and move existing LF-WAI-M2 to become LF-WAI-M3.</p> <p><u>LF-WAI-M2 Practical implementation of Te Mana o Te Wai</u></p> <p>(1) <u>The Otago Regional Council will give practical effect to LF-WAI-P2 by: Facilitating the practical use of matauraka Maori, such as through cultural flow preference studies, and other methods</u></p> <p>(2) <u>Undertaking and supporting detailed hydrological, ecological, habitat, and soil studies to support integrated management of water</u></p> <p>(3) <u>Undertaking and supporting social and economic studies to maintain or enhance social and economic wellbeing where transitions are required.</u></p>
124	NEW: LF-WAI-AER3	New AER proposed.	There are no anticipated environmental results that reflect the balancing requirement of Te Mana o Te Wai, just the protection requirement.	<p>Insert new AER as follows:</p> <p><u>LF-WAI-AER3</u> <u>The management of land and water restores the balance between water, the wider environment, and the community</u></p>

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124	Freshwater visions LF-VM-O2	Oppose in part	<p>Federated Farmers supports the visions, with some changes as follows:</p> <p>There is a greater need to provide for food production and primary production as an important sector for the FMU. This reflects the feedback provided to Council through earlier community workshops.</p> <p>Change 7(b)(ii) to primary production, as 'food production' does not fully encapsulate the range of economic activities that take place in rural environments, for instance, it omits fibre products (wool), forestry, and other products that don't naturally fall into the definition of food production. Primary production also has better common understanding.</p> <p>The RPS does not define 'sustainable abstraction' and does not indicate how this will be defined. The best approach for this is to link it to the NOF limit setting process which the ORC must undertake when writing its new regional land and water plan.</p> <p>Finally, in 8(b) it does not make sense to have a more stringent timeframe for the Lower Clutha than the Manuherekia rohe that drains into it. A timeframe of 2050 is suggested for both to be consistent upstream and downstream.</p>	<p>Amend LF-VM-02 as follows (or similar)</p> <p><i>In the Clutha Mata-au FMU:</i></p> <p>(1) <i>management of the FMU recognises that:</i></p> <p>(a) <i>the Clutha Mata-au is a single connected system ki uta ki tai, and</i></p> <p>(b) <i>the source of the wai is pure, coming directly from Tawhirimatea to the top of the mauka and into the awa,</i></p> <p>(2) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(3) <i>the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</i></p> <p>(4) <i>water bodies support thriving mahika kāi and Kāi Tahu whānui have access to mahika kāi,</i></p> <p>(5) <i>indigenous species migrate easily and as naturally as possible along and within the river system,</i></p> <p>(6) <i>the national significance of the Clutha hydro-electricity generation scheme is recognised,</i></p> <p>(7) <u><i>food production and activities associated with the primary sector are recognised as having an important role in the FMU,</i></u></p> <p>(8) <i>in addition to (1) to (6) above:</i></p> <p>(a) <i>in the Upper Lakes rohe, the high quality waters of the lakes and their</i></p>

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				<p><i>tributaries are protected, recognising the significance of the purity of these waters to Kāi Tahu and to the wider community,</i></p> <p><i>(b) in the Dunstan, Manuherekia and Roxburgh rohe:</i></p> <p><i>(i) flows in water bodies sustain and, wherever possible, restore the natural form and function of main stems and tributaries to support Kāi Tahu values and practices, and</i></p> <p><i>(ii) innovative and sustainable land and water management practices support food <u>primary production</u> in the area and reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</i></p> <p><i>(iii) sustainable abstraction <u>consistent with NOF values</u> occurs from main stems or groundwater in preference to tributaries,</i></p> <p><i>(c) in the Lower Clutha rohe:</i></p> <p><i>(i) there is no further modification of the shape and behaviour of the water bodies and opportunities to restore the natural form and</i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>function of water bodies are promoted wherever possible,</i></p> <p>(ii) <i>the ecosystem connections between freshwater, wetlands and the coastal environment are <u>protected</u> preserved and, wherever possible, restored,</i></p> <p>(iii) <i>land management practices reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</i></p> <p>(iv) <i>there are no direct discharges of wastewater to water bodies, and</i></p> <p>(9) <i>the outcomes sought in (78) are to be achieved within the following timeframes:</i></p> <p>(a) <i>by 2030 in the Upper Lakes rohe,</i></p> <p>(b) <i>by <u>2050</u> in the Dunstan, Roxburgh and Lower Clutha rohe, and</i></p> <p>(c) <i>by 2050 in the Manuherekia rohe.</i></p>
125	LF-VM-O3	Oppose in part	We seek an amendment to (6) changing the term to primary production, as 'food production' does not fully encapsulate the range of economic activities that take place in rural environments, for instance, it omits fibre products (wool), forestry, and other products that don't naturally fall into the definition of food production. Primary production also has better common	<p>Amend LF-VM-03 as follows (or similar)</p> <p><i>By 2050 in the North Otago FMU:</i></p> <p><i>fresh water is managed in accordance with the LF-WAI objectives and policies, while recognising that the Waitaki River is influenced in part by catchment areas within the Canterbury region,</i></p> <p>(2) <i>the ongoing relationship of Kāi Tahu with</i></p>

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			understanding.	<p><i>wāhi tūpuna is sustained and Kāi Tahu maintain their connection with and use of the water bodies,</i></p> <p>(3) <i>healthy riparian margins, wetlands, estuaries and lagoons support thriving mahika kāi, indigenous habitats and downstream coastal ecosystems,</i></p> <p>(4) <i>indigenous species can migrate easily and as naturally as possible to and from the coastal environment,</i></p> <p>(5) <i>land management practices reduce discharges of nutrients and other contaminants to water bodies so that they are safe for human contact, and</i></p> <p>(6) <i>innovative and sustainable land and water management practices support food production <u>primary production</u> in the area and improve resilience to the effects of climate change.</i></p>
125	LF-VM-O4	Oppose in part	We seek an amendment to (8) changing the term to primary production, as ‘food production’ does not fully encapsulate the range of economic activities that take place in rural environments, for instance, it omits fibre products (wool), forestry, and other products that don’t naturally fall into the definition of food production. Primary production also has better common understanding.	<p>Amend LF-VM-04 as follows (or similar)</p> <p><i>By 2050 in the Taieri FMU:</i></p> <p>(1) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(2) <i>the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</i></p> <p>(3) <i>healthy wetlands are restored in the upper and lower catchment wetland complexes, including the Waipori/Waiholā Wetlands,</i></p>

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				<p><i>Tunaheketaka/Lake Taieri, scroll plain, and tussock areas,</i></p> <p>(4) <i>the gravel bed of the lower Taieri is restored and sedimentation of the Waipori/Waihola complex is reduced</i></p> <p>(5) <i>creative ecological approaches contribute to reduced occurrence of didymo,</i></p> <p>(6) <i>water bodies support healthy populations of galaxiid species,</i></p> <p>(7) <i>there are no direct discharges of wastewater to water bodies, and</i></p> <p>(8) <i>innovative and sustainable land and water management practices support food production primary production in the area and improve resilience to the effects of climate change.</i></p>
126	LF-VM-O5	Oppose in part	Federated Farmers notes that the Dunedin and Coast FMU vision lacks any mention of primary production in the area, unlike for the previous FMUs. An additional provision has been sought.	<p>Amend LF-VM-05 as follows (or similar)</p> <p><i>By 2040 in the Dunedin & Coast FMU:</i></p> <p>(1) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(2) <i>the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</i></p> <p>(3) <i>healthy estuaries, lagoons and coastal waters support thriving mahika kāi and downstream coastal ecosystems, and indigenous species can migrate easily and as naturally as possible to and from these areas,</i></p> <p>(4) <i>there is no further modification of the shape and behaviour of the water bodies and opportunities to restore the natural</i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>form and function of water bodies are promoted wherever possible, and</i></p> <p>(5) <i>discharges of contaminants from urban environments are reduced so that water bodies are safe for human contact.</i></p> <p>(6) <u><i>innovative and sustainable land and water management practices support primary production in the area and improve resilience to the effects of climate change.</i></u></p>
126	LF-VM-O6	Oppose in part	<p>Federated Farmers notes that the Catlins FMU vision lacks any mention of primary production in the area, unlike for the previous FMUs. A definition has been requested.</p> <p>Food production has been replaced with primary production.</p>	<p>Amend LF-VM-06 as follows (or similar) <i>By 2030 in the Catlins FMU:</i></p> <p>(1) <i>fresh water is managed in accordance with the LF-WAI objectives and policies,</i></p> <p>(2) <i>the ongoing relationship of Kāi Tahu with wāhi tūpuna is sustained,</i></p> <p>(3) <i>water bodies support thriving mahika kāi and access of Kāi Tahu whānui to mahika kāi,</i></p> <p>(4) <i>the high degree of naturalness and ecosystem connections between the forests, freshwater and coastal environment are preserved,</i></p> <p>(5) <i>water bodies and their catchment areas support the health and well-being of coastal water, ecosystems and indigenous species, including downstream kāimoana, and</i></p> <p>(6) <i>healthy, clear and clean water supports opportunities for recreation and sustainable food <u>production primary</u></i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>production for future generations.</i></p> <p>(7) <u><i>innovative and sustainable land and water management practices support primary production in the area and improve resilience to the effects of climate change.</i></u></p>
127	LF-VM-M3	Support in part	<p>Federated Farmers supports Council's commitment to community involvement – including through the engagement, encouragement and support measures identified.</p> <p>We seek that water storage be added to (3) in order to suggest a practical and non-abstract community initiative that could greatly assist in resolving future water allocation issues.</p>	<p>Amend LF-VM-M3 as follows:</p> <p><i>Otago Regional Council must work with communities to achieve the objectives and policies in this chapter, including by:</i></p> <ol style="list-style-type: none"> (1) <i>engaging with communities to identify environmental outcomes for Otago's FMUs and rohe and the methods to achieve those outcomes,</i> (2) <i>encouraging community stewardship of water resources and programmes to address freshwater issues at a local catchment level,</i> (3) <i>supporting community initiatives, <u>including water storage</u>, that contribute to maintaining or improving the health and well-being of water bodies, and</i> (4) <i>supporting industry-led guidelines, codes of practice and environmental accords where these would contribute to achieving the objectives of this RPS</i>
129	LF-FW-O8	Oppose in part	<p>We consider there is a need to reference the need for people and communities to provide for their social, economic, and cultural wellbeing in LF-FW-08(1), which in addition to better reflecting the purpose of the RMA, aligns more accurately with the NPSFM.</p>	<p>Amend LF-FW-O8 as follows:</p> <p><i>In Otago's water bodies and their catchments:</i></p> <ol style="list-style-type: none"> (1) <i>the health of the wai supports the health of the people, and thriving mahika kāi, <u>and the ability of people and communities to provide for their social, economic and cultural wellbeing, now and in the future,</u></i>

Page	Specific provision	Submission	Reasoning	Relief Sought
			<p>There is a need to amend (2) to reflect that in some places surface water flow naturally disconnects and that it is not always hydrologically possible or representative of the range of waterbodies within a system, particularly where that includes ephemeral and intermittent waterways. The sentiment is adequately captured in (3) in any event.</p> <p>Clause (5) conflicts with the current requirement in LW-FW-P11(3) to protect all waterbodies and their values within outstanding natural landscapes.</p> <p>Our submission has requested the deletion of this provision, but it is noted here to show one of the numerous inconsistencies between the landscape, natural character, and freshwater sections. On its own, the wording in clause (5) is appropriate, but if so, this needs to be reflected elsewhere.</p> <p>We have sought a new (6) to align more closely with the NPSFM visions and obligations. This also better aligns with the feedback and tone of consultation outcomes received by ORC in the lead-up to the RPS.</p>	<p>(2) water flow is continuous throughout the whole system</p> <p>(3) the interconnection of fresh water (including groundwater) and coastal waters 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 outstanding water bodies are identified and protected.</p> <p>(6) <u>sustainable and integrated water allocation and abstraction supports primary production.</u></p>
129	LF-FW-09 – Natural wetlands	Oppose	<p>LF-OW-09 introduces a framework for management of wetlands in the Otago region that is different from that contained in the National Policy Statement for Freshwater Management 2020 and National Environmental Standard for Freshwater 2020.</p> <p>The RPS already addresses wetlands via Biodiversity/Ecosystem provisions. LF-FW-09 duplicates and/or contradicts these provisions and is not necessary.</p>	<p>Delete policy LF-FW-09</p> <p>Otago's natural wetlands are protected or restored so that:</p> <p>(1) mahika kāi and other mana whenua values are sustained and enhanced now and for future generations,</p> <p>(2) there is no decrease in the range and diversity of indigenous ecosystem types and habitats in natural wetlands,</p> <p>(3) there is no reduction in their ecosystem health, hydrological functioning, amenity values, extent or water quality, and if degraded they are improved, and</p>

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				(4) their flood attenuation capacity is maintained.
129	LF-FW-P7	Oppose in part	<p>The nationwide target is to achieve, by 2030, the target for 80% of specified rivers and lakes, and to achieve 95% by 2040. Otago is generally already better than many of these targets and we support a commitment to improving further from where we are currently at, improving further, and not going backwards.</p> <p>However, we question whether the dates and targets within (3) are scientifically robust and backed up by evidence and s32 analysis.</p>	Reconsider the appropriateness of the time frames and targets in (3) in line with evidence and s32 analysis.
131	LF-FW-P10	Oppose in part	<p>The policy could read that all stock are required to be removed from wetlands, when there is more nuance than this in the Stock Exclusion Regulations.</p> <p>Section 2 of these regulations state that: <i>stock means beef cattle, dairy cattle, dairy support cattle, deer, or pigs;</i></p> <p>Sheep are not listed, and as such, are permitted within wetlands.</p> <p>The stock exclusion regulations also introduce some nuance around where exclusion is and isn't required, such as in farm plans, and introduces transitioning time frames that have not been reflected in LF-FW-P10.</p>	<p>Amend clause (4) as follows (or similar):</p> <p>(4) <u>the exclusion of stock as per the Resource Management (Stock Exclusion) Regulations 2020.</u></p>
131	LF-FW-P11	Oppose in part	<p>The policy as written automatically overrides the criteria in APP1 when a waterbody falls into all or part of an outstanding natural feature or landscape.</p> <p>This is on top of the inconsistencies in APP1 and APP9 that are explained further on in this submission.</p>	<p>Amend LF-FW-P11 as follows:</p> <p>Otago's <i>outstanding water bodies</i> are:</p> <ol style="list-style-type: none"> (1) the Kawarau River and tributaries <u>as</u> described in the Water Conservation (Kawarau) Order 1997, (2) Lake Wanaka and the outflow and

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			<p>The RPS cannot use an outstanding natural landscape process to override an outstanding water body process. Therefore, Federated Farmers requests the removal of clause 3, and seeks amendments to clause 4 to make grammatical sense.</p> <p>It also suggests changes to clause 1 and 2 to make it clear that the WCOs and Lake Wanaka Preservation Act contain specific values for specific areas, and that the matter is more complex than simply declaring those areas as 'outstanding'.</p> <p>There is also a problem with conflation between the spatial extent of an outstanding area and the outstanding values contained within. The higher importance is on the values, as it is these that activities will be tested against. But these have to be clearly listed and defined in regional and district plans, because the risk is that a catchment will just be defined as outstanding, without any granular look at the specific values and their extents.</p> <p>For instance, the Kawarau WCO defines some values as outstanding and manages them, but not others, so that nuance is already present within law in this area. Amendments have been requested to P12 to make it clear that regional and district plans need to identify both the spatial extent of an outstanding water body and what the outstanding values are.</p>	<p>tributaries <u>as</u> described in the Lake Wanaka Preservation Act 1973, (3) any water bodies identified as being wholly or partly within an outstanding natural feature or landscape in accordance with NFL P1, and (4) any other Water bodies identified in accordance with APP1.</p>
131	LF-FW-P12	Support in part	<p>As stated above, this policy clarifies how to list the outstanding values in regional and district plans.</p> <p>Policy 9 of the NPS-FM requires that the significant values of outstanding water bodies are protected. This is substantially different to the wording in P12, which</p>	<p>Amend LF-FW-P12 as follows: <i>The significant and outstanding values of outstanding water bodies are:</i> (1) <i>identified in the relevant regional and district plans, and</i> (2) <i>protected by avoiding adverse effects on those values.</i></p>

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			introduces the concept of outstanding values. The policy should be amended to reflect the NPS-FM.	
131	LF-FW-P13	Oppose in part	<p>The RPS conflates the setting of environmental flow with natural character.</p> <p>Flow within rivers is the master variable for most other processes that occur within a river, and as such, environmental flow setting deserves objectives and policies of its own, separate from natural character, although natural character is a consideration when undertaking flow setting.</p> <p>These flow setting policies are also inconsistent with the approach required in Appendix 1 of the NPS-FM.</p>	<p>Delete LF-FW-P13(3) and address those concerns via an additional flow setting policy as below:</p> <p><u>NEW: Policy LF-FW-FS1</u> <i>“Set environmental flow regimes within Otago lakes and rivers in accordance with the FMU objectives and the NOF limit setting process in Appendix 1 of the National Policy Statement for Freshwater Management 2020”</i></p>
133	LW-FW-M5	Oppose in part	The outstanding water body identification method applies the wrong tests from the NPS-FM. This has been amended within relief sought.	<p>Amend LF–FW–M5 as follows: <i>No later than 31 December 2023, Otago Regional Council must:</i></p> <ol style="list-style-type: none"> <i>(1) in partnership with Kāi Tahu, undertake a review based on existing information and develop a list of <u>outstanding</u> water bodies that contain <u>significant</u> values, including those water bodies listed in LF-VM- P6,</i> <i>(2) identify the <u>significant</u> values and <u>their extent</u> of those outstanding values of these water bodies (if any) in accordance with APP1,</i> <i>(3) consult with the public during the identification process,</i> <i>(4) map outstanding water bodies and identify their outstanding and significant values in the relevant regional plan(s), and</i> <i>(5) include provisions in regional plans to avoid the adverse effects of activities on the significant and outstanding values of</i>

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				<i>outstanding water bodies.</i>
134	LW-FW-M7	Support in part	Amend (6) to acknowledge that there should be appropriate provision for off-stream and in-stream water storage where (a) to (c) can be met.	Amend LF-FW-M7 as follows: <i>(6) provide for the off-stream <u>and in-stream</u> storage of surface water where storage will.....</i>
136	LF-FW-AER7	Oppose	It will not always be appropriate or cost-feasible for all water in Otago's aquifers to be suitable for human consumption, and the exclusion for 'where water is naturally unsuitable for consumption brings in uncertainty and a risk of litigation.	Delete LF-FW-AER7
LF-LS – Land and Soil				
137	LF-LS-O11	Oppose in part	The objective reads as if it applies to highly productive land only, and not all productive land. It is also inconsistent with the objective O12 below that applies to all land below. We also note the use of the term primary production here, which is appropriate.	Amend LF-LS-O11 as follows: <i>The life-supporting capacity of Otago's soil resources is safeguarded and the availability and productive capacity of highly productive land for primary production is maintained now and for future generations.</i>
138	LF-LS-P22	Oppose in part	We support the acknowledgement that landowner permission is necessary to provide for access but consider the list of reasons is anomalous and disregards the fact that many restrictions on access are due to critical farm needs – such as ensuring no intrusion in areas used for lambing or fawning, or through activities such as mustering or stock movements, or to prevent biosecurity incursions etc.	Amend LF-LS-P22 as follows: <i>(3) encouraging landowners to only restrict access where it is necessary to protect: (a) public health and safety, (b) <u>biosecurity</u> (c) <u>critical farming activities including lambing, fawning, mustering and the movement of stock.</u> (bd) significant natural areas, (ee) areas of outstanding natural character, (ef) outstanding natural features and landscapes, (eg) places or areas with special or outstanding historic heritage values, or</i>

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				<i>(#) places or areas of significance to takata whenua, including wāhi tapu and wāhi tūpuna.</i>
139	LF-LS-M12	Support in part	The specific reference to the control of establishment of plantation forestry should also be extended to carbon forestry given similar impacts on land exist, despite no intention to harvest.	Amend LF-LS-M12 as follows: <i>LF-LS-M12 – District plans Territorial authorities must prepare or amend and maintain their district plans no later than 31 December 2026 to: (1) manage land use change by: (a) controlling the establishment of new or any spatial extension of existing plantation or carbon forestry activities where necessary to give effect to an objective developed under the NPSFM, and...</i>
ECO-ECOSYSTEMS AND INDIGENOUS BIODIVERSITY				
142	ECO-O1	Support in part	We support the need to maintain Otago’s indigenous biodiversity and to ensure it is healthy and thriving. However, it is not realistic and nor is it consistent with the higher order guidance in the draft National Policy Statement for Indigenous Biodiversity 2019 (draft NPSIB 2019) to ‘halt any decline in <i>quality, quantity and diversity</i> of indigenous biodiversity’. Factoring in climate change, pests and weeds and other factors, halting any decline in all of these is simply not achievable in all cases. It is more appropriate to focus at a higher level on halting the decline in indigenous biodiversity, with District plans focussing on details below that.	Amend ECO-O1 as follows: <i>Otago’s indigenous biodiversity is healthy and thriving and any decline in quality, quantity and diversity is halted.</i>
142	ECO-O2	Support	We support the provision for restoration and enhancement as this will ensure we can achieve ‘gains’ for biodiversity. However, this must be achieved through non-regulatory means - advice, support, incentives and partnerships.	Adopt as proposed but note that this is to be achieved through non-regulatory means.

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142	ECO-O3	Oppose	<p>The draft NPSIB 2019 recognises we all have a role as stewards or kaitiaki of indigenous biodiversity.</p> <p>The draft NPSIB 2019 also noted that there are intrinsically linked responsibilities to provide for te hauora o te tangata (the health of the people) alongside te hauora o te koiora (the health of indigenous biodiversity), and te hauora o te taonga (the health of species and ecosystems that are taonga), and te hauora o te taiao (the health of the wider environment).</p> <p>A critical component of the draft NPSIB 2019 that was key in getting broad support was the inclusion of a national objective (Objective 6) that recognised the role of landowners, communities and tangata whenua as stewards and kaitiaki of indigenous biodiversity. This is a more appropriate and inclusive description than the RPS provides.</p>	<p>Amend ECO-O3 as follows (or similar): Mana whenua are recognised as kaitiaki of Otago's indigenous biodiversity, and Otago's communities are recognised as stewards, who are responsible for: (1) te hauora o te koiora (the health of indigenous biodiversity), te hauora o te taoka (the health of species and ecosystems that are taoka), and te hauora o te taiao (the health of the wider environment), while (2) providing for te hauora o te takata (the health of the people)</p> <p><u>To recognise the role of landowners, communities and mana whenua as stewards and kaitiaki of indigenous biodiversity, in contributing towards:</u> <u>(1) te hauora o te koiora (the health of indigenous biodiversity), te hauora o te taoka (the health of species and ecosystems that are taoka), and te hauora o te taiao (the health of the wider environment), alongside</u> <u>(2) provision for te hauora o te takata (the health of the people)</u></p>
142	ECO-P1	Oppose in part	<p>Access to Kāi Tahu for mahika kai and other cultural practices is provided throughout the RPS. We do not consider it is appropriate for the Council to 'provide for access' on top of those matters within ECO-P1. As explained elsewhere in this provision, access across private land is not a right, and must be accompanied by landowner permission to ensure health and safety, biosecurity, key farming activities such as lambing, fawning and mustering/stock crossings aren't put at</p>	<p>Delete ECO-P1(3) as this is provided for elsewhere within the RPS</p>

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			risk. In seeking permission, relationships between mana whenua and landowners is facilitated and developed.	
142	ECO-P2	Oppose in part	<p>We oppose the approach in which two different biodiversity assessment regimes are proposed. This is inconsistent with higher order documents and in particular that within the draft NPSIB 2019.</p> <p>There is already significant uncertainty and concerns around biodiversity (SNA) assessments and Council's proposal to seek another additional biodiversity assessment regime is opposed.</p> <p>It is more appropriate for taoka indigenous species and ecosystems to be identified as part of the SNA framework.</p>	<p>Adopt ECO-P2(1)</p> <p>Delete ECO-P2(2).</p>
143	ECO-P3	Oppose in part	<p>ECO-P3 is at odds with the provision for activities within SNAs as per the draft NPSIB 2019.</p> <p>As proposed, the Ecosystems framework within the RPS would effectively shut down the primary sector and many other activities such as mining.</p> <p>The NPSIB does not dictate that all adverse effects on areas or values need to be avoided. Within the draft NPSIB section 3.9 species which effects must be avoided, and which effects can be managed under the effects management hierarchy. Under the NPSIB, effects that are to be avoided are those that result in a loss of ecosystem representation and extent; or disruption to sequences, mosaics or ecosystem function; or fragmentation or loss of buffering or connectivity within the SNA and between other indigenous habitats and ecosystems; or a reduction in population size or occupancy of threatened species using the SNA</p>	<p>Delete ECO-P3 and align with the draft NPSIB as finalised late 2021 or early 2022.</p> <p>Delete any attempt to set out an entirely different regime for biodiversity as proposed within the ECO-M3 framework.</p> <p>Delete any reference to adoption of the precautionary approach.</p>

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			<p>for any part of their life cycle;</p> <p>There is also a range of existing uses provided for within the NPSIB, in line with both s10 and s20 of the Act.</p> <p>With an updated draft of the NPSIB due out over the next few months, we seek alignment with that regime rather than the RPS do something quite different, and as proposed very detrimental to resource users within Otago.</p> <p>As set out above, we oppose any attempt to set out an entirely different (additional) regime for indigenous biodiversity as proposed within ECO-M3</p> <p>We also oppose any attempt to adopt a precautionary approach in this area, in particular, because the RPS is already highly precautionary.</p> <p>As expanded on above, the Parliamentary Commissioner for the Environment (PCE) has also expressed doubts as to the utility of the precautionary principle e.g. 'Such appeals [to the precautionary principle] can close down discussions. This is because the principle is sometimes viewed as inviolable, despite there being no consensus on its meaning.</p> <p>The PCE went on to point out the difficulties of employing the precautionary principle when working with stakeholders from different backgrounds: 'Over recent years, the private sector has become increasingly involved in conservation in New Zealand. During this investigation, it has become clear that there are tensions between private and public sector players. It is likely that one source of this tension is different attitudes to risk – different degrees of loss aversion. Those who work in the public sector are generally</p>	

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			averse to taking risks – taking an action that has a bad outcome and ends up on the front page of the newspaper is to be avoided. In contrast, private sector players'	
143	ECO-P4	Oppose in part	<p>The list provided within ECO-P4 does not align with that in the draft NPSIB or other second generation plans under the RMA. In particular, it is inappropriate to extend the same restrictions to additional land not meeting SNA criteria, but which meets proposed ECO-M3 – we oppose that entire proposal.</p> <p>There is also no provision for mining or aggregate extraction which is an usual anomaly with the remainder of the items provided for.</p> <p>There is also an anomaly in that no other new activities are provided for as drafted, when in fact, they may be able to be shown to be appropriate and without any detrimental effect. It needs to be kept in mind that in line with the Wildlands reports around the country, over half (and up to 90%) of most districts assessed to date are likely to be classified as SNAs under the NPSIB criteria, effectively shutting down significant proportions of the region.</p>	<p>Amend the heading to make it clear the policy only applies to new activities within significant natural areas.</p> <p>Delete the contents of ECO-P4 and align with the draft NPSIB as finalised late 2021 or early 2022.</p> <p>Delete any attempt to set out an entirely different regime for biodiversity as proposed within the ECO-M3 framework.</p> <p>Address the anomaly whereby aggregate extraction and mining is not provided for.</p> <p>Provide a route for other new activities within SNAs where they are consistent with retaining the ecological integrity of the SNA.</p>
143	ECO-P5	Oppose in part	<p>Policy 10 of the draft NPSIB provides for existing activities that have already modified indigenous vegetation and habitats of indigenous fauna', recognising the economic, social and cultural importance of existing activities. This has not been similarly provided for within the RPS.</p> <p>There is a need to delete any attempt to set out an entirely different regime for biodiversity as proposed within the ECO-M3 framework.</p>	<p>Amend ECO-P5 as follows:</p> <p><i>Except as provided for by ECO-P4, provide for existing activities within significant natural areas and that may adversely affect indigenous species and ecosystems that are taaka, if:</i></p> <p><i>(1) the continuation of an existing activity will not lead to the loss (including through cumulative loss) of extent or degradation</i></p>

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				<p><i>of the ecological integrity of any significant natural area or indigenous species or ecosystems that are taoka, and</i></p> <p><i>(2) the adverse effects of an existing activity are no greater in character, spatial extent, intensity or scale than they were before <u>the applicable plan rule became this RPS became operative.</u></i></p>
144	ECO-P6	Oppose	<p>This policy as written conflicts with the effects management hierarchy within the NPS-FM and may also conflict with any similar measures in the draft NPSIB.</p> <p>Federated Farmers requests the removal of the policy until clarity between the existing effects management hierarchy in the NPS-FM (which applies to natural wetlands), and the proposed new policy statement are clear.</p> <p>This policy has a direct impact on consents, especially significant consents, right now, and would inadvertently put significant industry at risk of uncertainty until the nationwide framework for handling these matters is known.</p>	Delete ECO P6 in its entirety.
145	ECO-M2	Oppose	<p>We support the prioritisation of areas as set out under ECO-M2(5).</p> <p>However, we oppose the requirement for all landowners to need to provide an ecological assessment to indicate whether their property is an SNA. This matter should be already on Council's files following appropriate assessments. This is not a cost that should fall upon private landowners.</p>	Delete ECO-M2(4)
146	ECO-M3	Oppose	We oppose the approach within ECO-M3 requiring an entirely different and anomalous approach to significant	Delete ECO-M3

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			<p>biodiversity. This is inconsistent with higher order documents and in particular that within the draft NPSIB 2019.</p> <p>There is already significant uncertainty and concerns around biodiversity (SNA) assessments and Council's proposal to seek another additional biodiversity assessment regime is opposed.</p> <p>It is more appropriate for taoka indigenous species and ecosystems to be identified as part of the SNA framework.</p>	
147	ECO-M4 and ECO-M5	Oppose in part	<p>These matters must be aligned in any final decision with the NPSIB to be released later in 2021 and finalised in 2022. The risk of having a different regime is that Council will need to (yet again) amend its RPS to give effect to this higher order document.</p>	Ensure consistency with final NPSIB as to District and Regional Plan requirements in ECO-M4 and ECO-M5
147	ECO-M6	Support	<p>Federated Farmers strongly supports ECO-M6 Engagement and considers this will be a critical factor of success for the region's biodiversity maintenance, restoration and enhancement.</p> <p>Partnerships with landowners and relevant support entities will be crucial into the future. We strongly encourage Council to recognise the importance of empowering landscape-scale biodiversity outcomes through a true partnership approach.</p>	Adopt as proposed
148	ECO-M8	Support in part	<p>Federated Farmers supports the use of 'other incentives and mechanisms' as proposed, however we consider the lead-in sentence is weak and needs amendment. Local authorities should be encouraged to use the range of specified mechanisms or incentives – rather than simply encourages to consider using them.</p>	<p>Amend as follows: ECO-M8 – Other incentives and mechanisms Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving Policies ECO-P1 to ECO-P10, including:.....</p>

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			<p>Any regulation should be shaped to sustainably manage and protect significant biodiversity values, while these critical non-regulatory methods (ECO-M8 and ECO-M6) will be from where biodiversity success stems.</p> <p>It is critical to both retain and bring landowners on board and Council can assist with this by providing mechanisms to incentivise, support and encourage the on-the-ground gains for biodiversity.</p>	
148	ECO-E1-Explanation	Oppose in part	As explained elsewhere in this submission we oppose the proposal to have a separate biodiversity regime, over and above SNAs, in which 'indigenous species and ecosystems that are taoka' have different, contradictory or duplicated obligations.	<p>Amend ECO-E1 as follows or similar: CO-E1 – Explanation <i>The first policy in this chapter outlines how the kaitiaki and stewardship role of Kāi Tahu, landowners and communities will be recognised in Otago. The policies which follow then set out a management regime for identifying significant natural areas and indigenous species and ecosystems that are taoka and protecting them by avoiding particular adverse effects on them.</i></p> <p><i>The policies recognise that these restrictions may be unduly restrictive for some activities within significant natural areas, including existing activities already established <u>where the ecological integrity of the significant natural area is at risk</u>. To maintain ecosystems and indigenous biodiversity, the policies set out mandatory and sequential steps in an effects management hierarchy to be implemented through decision making, including providing for <u>voluntary</u> biodiversity offsetting and compensation if certain criteria are met.</i></p>

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				<p><i>Although the objectives of this chapter apply within the coastal environment, the specific management approach for biodiversity is contained in the CE – Coastal environment chapter.</i></p> <p><i>Given the biodiversity loss that has occurred in Otago historically, restoration or enhancement will play a part in achieving the objectives of this chapter and these activities are promoted.</i></p> <p><i><u>In addition to the threats from pests and weeds, wilding conifers are a particular issue for biodiversity in Otago. Although plantation forestry is managed under the NESPF a gap remains around carbon forestry, and the NESPF allows plan rules to be more stringent if they recognise and provide for the protection of significant natural areas. The policies adopt this direction by requiring district and regional plans to prevent inappropriate plantation or carbon afforestation within significant natural areas and establish buffer zones where they are necessary to protect significant natural areas.</u></i></p> <p><i>The policies recognise that managing ecosystems and indigenous biodiversity requires <u>active management by landowners, and co-ordination across different areas and types of resources, as well as across organisations, communities and individual landowners. This articulates the stewardship role of all people and communities in Otago in respect of indigenous biodiversity.</u></i></p>

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149	ECO-PR1	Oppose in part	Delete reference to 'indigenous species and ecosystems that are taoka' from the second bullet-point for reasons expanded upon elsewhere in this submission.	Amend as follows: <i>The provisions in this chapter assist in maintaining, protecting and restoring indigenous biodiversity by:</i> <ul style="list-style-type: none"> • <i>stating the outcomes sought for ecosystems and indigenous biodiversity in Otago,</i> • <i>requiring identification and protection of significant natural areas and indigenous species and ecosystems that are taoka,</i> <i>and</i> • <i>directing how indigenous biodiversity is to be maintained.</i>
149	ECO-AER1	Oppose in part	We support the need to maintain Otago's indigenous biodiversity and to ensure it is healthy and thriving. However, it is not realistic and nor is it consistent with the higher order guidance in the draft National Policy Statement for Indigenous Biodiversity 2019 (draft NPSIB 2019) to 'halt any decline in <i>quality, quantity and diversity</i> of indigenous biodiversity'. Factoring in climate change, pests and weeds and other factors, halting any decline in all of these is simply not achievable in all cases. It is more appropriate to focus at a higher level on halting the decline in indigenous biodiversity, with District plans focussing on details below that.	Amend as follows: <i>ECO-AER1 There is no further decline in the quality, quantity or diversity of Otago's indigenous biodiversity.</i>
EIT – Energy, Infrastructure and Transport				
EIT-EN - Energy				
151	EIT-EN-O1 – Energy and social and	Support	Federated Farmers supports EIT-EN-O1 acknowledgement that Otago's communities and	Adopt as proposed

Page	Specific provision	Submission	Reasoning	Relief Sought
	economic well-being		economy is supported by renewable energy generation that is safe, secure and resilient.	
151	EIT-EN-O2	Support in part	While we support the need to maintain generation capacity, we are concerned that an objective is to maximise this generation, given the implications on other resource users.	Amend as follows (or similar): <i>The generation capacity of renewable electricity generation activities in Otago: (1) is maintained and, if practicable where appropriate maximised, within environmental limits, and (2) contributes to meeting New Zealand's national target for renewable electricity generation.</i>
151	EIT-EN-P2 – Recognising renewable electricity generation activities in decision making	Oppose	Federated Farmers oppose the policy specifying that decisions on the allocation and use of natural and physical resources, including the use of freshwater and the development of land should be required to take into account the need to maintain or increase the renewable electricity generation and to recognise renewable electricity generation in this way. It is stacking resource use towards one user.	Delete EIT-EN-P2
151	EIT-EN-P4 – Identifying new sites or resources	Support in part	New sites should take into consideration the need to avoid the use of highly productive land given the implications on food production of doing so.	Amend as follows: <i>Provide for activities associated with the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation and, when selecting a site for new renewable electricity generation, prioritise those where adverse effects on highly valued natural and physical resources (including highly productive land) and mana whenua values can be avoided or, at the very least, minimised.</i>
152	EIT-EN-P5	Oppose in part	We oppose the prohibited approach to any new non-renewable energy generation activities in Otago. While the bar can be high, the possibility of seeking consent should be provided for.	Amend as follows: <i>Avoid Discourage the development of non-renewable energy generation activities in Otago and facilitate the replacement of non-</i>

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			<p>Many high country or remote farms rely on their own power generation – so need to have the use of non-renewable generators as required.</p> <p>As presently worded, this would prevent the use of portable and temporary generators, including those used by lines companies in rural areas to maintain supply and/or voltage support.</p>	<p><i>renewable energy sources, including the use of fossil fuels, in energy generation. <u>This does not include the use of portable and temporary generators considered under EIT-EN-P8</u></i></p>
152	EIT-EN-P7 – Reverse sensitivity	Support in part	<p>Ensure EIT-EN-P7 is aligned with Policy D of the NPS renewable electricity generation: “Decision-makers shall, to the extent reasonably possible, manage activities to avoid reverse sensitivity effects on consented and on existing renewable electricity generation activities”</p>	<p>Amend as follows: <i>Activities that may result in reverse sensitivity effects or compromise the operation or maintenance of <u>consenting and on existing renewable electricity generation activities</u> are, as the first priority, prevented from establishing and only if that is not reasonably practicable, managed so that reverse sensitivity effects are minimised.</i></p>
	EIT-EN-P8- Small and community scale distributed electricity generation	Support in part	<p>Isolated communities and farms rely on small scale distributed electricity generation, and we support the provision for this activity.</p> <p>However, in Federated Farmers view, EIT-EN-P8 risks being inconsistent with EIT-EN-P5 unless this is renewable electricity, and this may also be inconsistent with all the natural character matters which make hydro and wind challenging. As written it could apply to domestic or small scale solar only.</p> <p>This shows how the RPS fails to integrate energy, particularly renewable energy, against the highly restrictive natural character, landscape and water provisions.</p>	<p>Adopt as proposed</p> <p>Ensure consistency with other provisions in the RPS such that the policy is not unduly restricted in practice</p>

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	EIT-EN-P9- – Energy conservation and efficiency	Support in part	<p>We oppose the position that development must be designed to maximise solar gain. This will neither be appropriate, possible, or desirable in many places within Otago.</p> <p>For example, in Central Otago experiences more extreme temperatures than coastal areas of Otago. The winter hoar frost in Central Otago can mean that some areas have minimal sunlight for weeks at a time.</p> <p>Designing for passive solar gain may mean too much sunlight in summer, requiring greater internal cooling using air conditioning. And in winter this would result in greater levels of heating being required due to large windows exposing the home to cold outside temperatures. Thereby, the intended passive solar gain resulting in wasting energy when the aim is to save energy. Development should be appropriately designed for the environment in which it sits.</p>	<p>Amend as follows:</p> <p><i>Development is designed, including through roading, lot size, dimensions, layout, and orientation so that energy use is efficient, energy waste is minimised, and solar gain is optimised encouraged where there are <u>demonstrated energy savings</u>.</i></p>
153	EIT-EN-M2-District plans	Oppose in part	<p>This method is supported by Federated Farmers, but we note that this directly conflicts with all the other avoid tests on natural character, water bodies, and landscapes, by allowing for effects to be minimised. Minimised is not an option elsewhere, even for existing activities, extensions of existing activities, or new infrastructure (including electricity generation). This again shows the unresolved conflict at the heart of the RPS.</p> <p>We note that EIT-EN-M2(4) provides for the continued operation and maintenance of renewable electricity generation activities – however, isolated farming families and rural communities that rely of small hydro schemes for their sole supply of electricity need the ability to upgrade – some of the schemes could be quite</p>	<p>Amend as follows:</p> <p>(6) require the design of subdivision development to optimise solar gain, including through roading, lot size, dimensions, layout and orientation, and</p>

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			As for EIT-EN-P9 we disagree with the RPS requiring the design of development to maximise passive solar gain.	
154	EIT-EN-E1 – Explanation	Oppose in part	The wording in EIT-EN-P7 does not use the term “avoid” – so the phrasing in the Explanation should be adjusted to reflect that.	<p>Amend as follows:</p> <p><i>To ensure the on-going functionality of assets and to maximise their benefits, reverse sensitivity effects or activities that may compromise the operation or maintenance of renewable electricity generation activities are to be avoided <u>prevented from establishing and only if that is not practicable, managed so that their reverse sensitivity effects are or their impacts</u> minimised.</i></p>
EIT-INF – Infrastructure				
156	EIT-INF-04	Support with change	Include commas to help readability and clarity of the objective.	<p>Amend as follows:</p> <p><i>Effective, efficient, <u>and</u> resilient infrastructure enables the people and communities of Otago to provide for their social and cultural well-being, their health and safety, and supports sustainable economic development and growth within the region, <u>within</u> environmental limits.</i></p>
156	EIT-INF-O5 Integration	Oppose in part	The integration of the development of Nationally and Regionally significant infrastructure is supported. However, by the use of an exclusive list in this way, there is a lack of regard that other infrastructure also requires integrated development. For ease of plan use, the term “integrated” should be included in the Objective statement.	<p>Amend as follows:</p> <p><i>Development of nationally and regionally significant infrastructure, as well as land use change, occurs in a co-ordinated <u>and integrated</u> manner to minimise adverse effects on the environment and increase efficiency in the delivery, operation and use of the infrastructure.</i></p>

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156	EIT-INF-O6 Long term planning for electricity transmission infrastructure	Oppose in part	<p>It is unclear what is intended through this objective. Electricity transmission is not defined in the RPS, and it appears the objective is about the sustaining of long term investment and planning, but wording is uncertain.</p> <p>However, the nature of all infrastructure is such that it requires long-term planning. Infrastructure is generally very costly and is intended to have an extended life. It would therefore be appropriate for this provision to apply to infrastructure generally.</p>	<p>Amend as follows: <i>Long-term investment in, and planning for, electricity transmission infrastructure, and its integration with land use, is sustained.</i></p>
156	EIT-INF-P12 Upgrades and Development Amend	Oppose in part	<p>Landowners across New Zealand have had issues with the upgrade and development of infrastructure impacting on their legitimate land use (that preceded the placement of the infrastructure and generally provides no compensation for that imposition) An additional sub-policy is needed to reflect the need to avoid impacts on existing legitimate land uses.</p>	<p>Amend as follows (or similar): <i>Provide for upgrades to, and development of, nationally or regionally significant infrastructure while ensuring that:</i></p> <p><i>(1) infrastructure is designed and located, as far as practicable, to maintain functionality during and after natural hazard events,</i></p> <p><i>(2) it is, as far as practicable, co-ordinated with long-term land use planning, and</i></p> <p><i>(3) as far as practicable, <u>legitimate existing land uses are not adversely impacted; and</u></i></p> <p><i>(4) increases efficiency in the delivery, operation or use of the infrastructure</i></p>
156	EIT-INF-P13 – Locating and managing effects of infrastructure	Support in part	<p>The policy states that when providing for new infrastructure outside the coastal environment, there is a need to avoid as the first priority, locating infrastructure in specified areas. Given the challenges associated with reduction of highly productive soils and the consequent impacts on food production, we</p>	<p>Amend by adding a new ‘i’ to the list in EIT-INF-P13(1): <i>(i) <u>areas of highly productive soils</u></i></p>

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			consider there is a need to provide a new sub-provision recognising this.	
157	EIT-INF-P15 Protecting nationally or regionally significant infrastructure	Oppose in part	<p>The policy inappropriately seeks to 'protect' nationally or regionally significant infrastructure from other activities, and in Federated Farmers' view provides a greater level of protection than anticipated in higher order national documents such as the National Policy Statement for Electricity Transmission (NPSET).</p> <p>The NPS-ET seeks to recognise and provide for the National Grid particularly via policies 10 and 11, but it does not seek to protect it. It also seeks to avoid reverse sensitivity, to the extent reasonably possible, so it is not an absolute requirement in the way proposed by Council.</p>	<p>Amend EIT-INF-P15 as follows (or similar): <i>Protecting Recognising and providing for nationally or regionally significant infrastructure</i></p> <p><i>To the extent reasonably practicable, seek to avoid the establishment of sensitive activities that result in reverse sensitivity effects on nationally or regionally significant infrastructure and/ or compromise the functional or operational needs of nationally or regionally significant infrastructure</i></p>
157	EIT-INF-P16	Oppose in part	<p>It is unclear what EIT-INF-P16 is intended to provide for given the National Grid is addressed as nationally or regionally significant infrastructure withing EIT-INF-P15.</p> <p>The policy provides considerations for urban amenity, town centres and recreational values but completely fails to consider and address the effects that can be experienced in rural locations, especially on existing land uses and on highly productive land.</p>	<p>Define or clarify the term 'electricity transmission infrastructure'</p> <p>Amend EIT-INF-P16 (5) as follows (or similar): <i>5 minimising the adverse effects of the electricity transmission network on <u>existing land uses and urban amenity</u>, and avoiding adverse effects on town centres, areas of high amenity or recreational value, highly productive soils, and existing sensitive activities.</i></p>
160	EIT-INF-AER7	Oppose in part	Federated Farmers had sought changes to EIT-INF-P15 and these need to be reflected in EIT-INF-AER.	<p>Delete EIT-INF-AER7 and replace it as follows (or similar): <i><u>Reverse sensitivity effects caused by sensitive activities on nationally and regionally significant infrastructure will be avoided to the extent reasonably possible.</u></i></p>

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TRAN -TRANSPORT				
161	EIT- TRAN-O8 Transport system	Support	The primary sector and rural communities are reliant on a reliable transport system for their social wellbeing and also to get product to markets and ports.	Adopt as proposed
161	EIT-TRAN-09 – Effects of the transport system	Support in part	A reduction on the reliance of fossil fuels is a long-term goal for New Zealand and is odd in the context of an RPS. As worded, the objective puts an undue pressure on rural communities and the primary sector who are generally more isolated and reliant on fossil fuels and have less options when it comes to alternative options given particular heavy use vehicles used.	Amend as follows: <i>A long-term goal for the Otago region is that the contribution of transport to Otago's greenhouse gas emissions is reduced and communities are less reliant on fossil fuels for transportation.</i>
161	EIT-TRAN-P18 Integration of the transport system	Support in part	The primary sector and rural communities are reliant on a reliable and integrated transport system to allow them to get primary products to customers, markets and ports and to enable the movement of people and employees/contractors. This needs to be reflected within the policy.	Amend as follows: <i>The transport system contributes to the social, cultural and economic well-being of the people and <u>communities</u> of Otago through:</i> <i>(1) integration with land use activities and across transport modes, and</i> <i>(2) provision of transport infrastructure that enables <u>efficient</u> service delivery as demand requires.</i>
HAZ-Hazards and risks				
165	HAZ-NH-O1	Support in part	It is not entirely clear what is meant by a “tolerable level”. We note that from www.civildefence.govt.nz that to assist with risk management, levels of risk can be categorised as acceptable, tolerable, and intolerable. These categories are defined by Standards New Zealand (2004) as:	Clarify what ‘tolerable’ risk means for the Otago region.

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			<p>1. Acceptable risks, where positive or negative risks are negligible, or so minimal that no mitigation measures are required;</p> <p>2. Tolerable risks, where opportunities (benefits) are balanced against potential adverse consequences (costs). Tolerable risk is a willingness by society (although perhaps not by specific individuals) to live with risk in order to gain certain benefits, and requires the risk to be managed in some way (Health & Safety Executive, 2001); and</p> <p>3. Intolerable risks, where the risks are intolerable regardless of the benefits the activity may bring, and risk reduction measures are essential no matter the cost.</p> <p>We suggest that some clarification may be needed as to what is 'tolerable' in the RPS context.</p>	
166	HAZ-NH-P5 – Precautionary approach to natural hazard risk	Oppose	Given the restrictive nature of policies and provisions within this chapter of the RPS, it is unlikely that a natural hazard risk would be uncertain or unknown yet potentially significant, and if after applying the remainder of the Natural Hazard provisions it remains uncertain and unknown, it should not be subject to a precautionary approach, given the implications on residents and resource users.	Delete HAZ-NH-P5
167	HAZ-NH-P10	Oppose in part	In addition to the above policies, HAZ-NH-P10 requires additional 'avoidance' where any land is potentially affected by coastal hazards over 'at least' the next 100 years. This is a significant imposition on land use involving significant 'guesswork' and uncertainty. It cannot be predicted what the next 100 years will hold insofar as natural hazards over and above those referenced in other policies.	<p>Amend as follows:</p> <p><i>In addition to HAZ-NH-P1 to HAZ-NH-P9 above, on any land that is <u>otherwise potentially affected by coastal hazards</u> over at least the next 100 years:</i></p> <p><i>(1) avoid increasing the risk of social, environmental and economic harm from coastal hazards,</i></p>

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				<p>(2) ensure no land use change or redevelopment occurs that would increase the risk to people and communities from that coastal hazard,</p> <p>(3) encourage land use change or redevelopment that reduces the risk from that coastal hazard, and</p> <p>(4) ensure decision making about the nature, scale and location of activities considers the ability of Otago's people and communities to adapt to, or mitigate the effects of, sea level rise and climate change</p>
167	HAZ-NH-P11 Kaitiaki decision making	Oppose in part	<p>Given many areas of wāhi tūpuna and freehold land involves privately owned land, it is appropriate to also specify the need for landowner involvement in any decision-making or management processes for that privately owned land.</p>	<p>Amend HAZ-NH-P11 as follows or similar:</p> <p><i>Recognise and provide for the role of Kāi Tahu as kaitiaki over wāhi tūpuna, Maori reserves and freehold land <u>and for landowners over private property where land is susceptible to natural hazards, by involving mana whenua and landowners in decision making and management processes applicable to their interests</u></i></p>
168	HAZ-NH-M3 Regional plans	Oppose in part	<p>Similar to reasons set out above for HAZ-NH-P5 we oppose the use of the precautionary principle in the way proposed here.</p> <p>In addition, HAZ-NH-M3 sets out requirements for resource consents or plan changes where hazard identification by council has not been completed. Any risk assessment needs to be commensurate with the level of risk from the proposed activity otherwise unacceptable costs and delays could result.</p>	<p>Amend HAZ-NH-M3 as follows:</p> <p>6 — Include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P5 when considering applications for resource consent for activities that will change the use of land and thereby increase the risk from natural hazards within areas subject to natural hazard risk that is uncertain or unknown, but potentially significant or irreversible, and</p> <p>7 <u>Require a natural hazard risk assessment commensurate with the level of risk to be</u></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>undertaken where an activity requires a resource consent to change the use of land which will increase the risk from natural hazards within areas subject to natural hazards, and where the resource consent is lodged prior to the natural hazard risk assessment required by HAZ-NH-M2(1) being completed, the natural hazard risk assessment must include:</i></p> <p><i>(a) an assessment of the level of natural hazard risk associated with the proposal in accordance with APP6, and</i></p> <p><i>(b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4.</i></p>
169	HAZ-NH- M4 District plans	Oppose in part	<p>Similar to reasons set out above for HAZ-NH-P5 we oppose the use of the precautionary principle in the way proposed here.</p> <p>In addition, HAZ-NH-M4 sets out requirements for resource consents or plan changes where hazard identification by council has not been completed. Any risk assessment needs to be commensurate with the level of risk from the proposed activity otherwise unacceptable costs and delays could result.</p>	<p>Amend HAZ-NH-M4 as follows:</p> <p>6 Include provisions that require decision makers to apply the precautionary approach set out in HAZ-NH-P5 when considering applications for resource consent for activities that will change the use of land and thereby increase the risk from natural hazards within areas subject to natural hazard risk that is uncertain or unknown, but potentially significant or irreversible, and</p> <p>7 <u>Require a natural hazard risk assessment commensurate with the level of risk to be undertaken where an activity requires a resource consent to change the use of land which will increase the risk from natural hazards within areas subject to natural hazards, and where</u></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>the resource consent is lodged prior to the natural hazard risk assessment required by HAZ-NH-M2(1) being completed, the natural hazard risk assessment must include:</i></p> <p><i>(a) an assessment of the level of natural hazard risk associated with the proposal in accordance with APP6, and</i></p> <p><i>(b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4.</i></p>
170	HAZ-NH-M5	Support	Federated Farmers supports the range of incentives and mechanisms provided for in this area.	Adopt as proposed
171	HAZ-NH-AER2	Oppose in part	There may be a need for some developments or activities where there is a significant level of risk, if the benefits are considered to significantly outweigh those risks. There should be an opportunity to apply for consent, albeit to a high activity status.	Amend HAZ-NH-AER2 as follows or similar: <i>No Discourage new developments proceed that have a significant level of risk.</i>
171	HAZ-NH-AER4	Oppose in part	<p>The requirement to reduce the risk from existing development to a tolerable risk sets a very high bar that may not be achievable or realistic. We have seen this with earthquake prone buildings, where exemptions have subsequently been provided for non-habitable farm buildings.</p> <p>Given the focus is on existing development, an amended approach is needed.</p>	Amend HAZ-NH-AER4 as follows or similar: <i>Where existing development is subject to <u>significant</u> risks from natural hazards, the level of risk is reduced <u>as practicable</u>, to a tolerable level.</i>
171	HAZ-NH-AER5	Support in part	Consistency of terminology needs to be used in the chapter. "People and communities" are used throughout the chapter and yet this has now been replaced by 'life' which could extend to myriad things and living organisms.	Amend HAZ-NH-AER5 as follows: <i>The impact on life, people, communities, property, lifeline utilities, and essential services from natural hazards and climate change is managed</i>

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Contaminated Land				
172	HAZ-CL-O3 Contaminated land	Oppose in part	HAZ-CL-O3 seeks to 'protect' human health, mana whenua values and the environment in Otago. This is in contrast to the approach in the Otago RPS 2019, which instead focussed on ensuring that contaminated land did not cause harm to human health or pose an unacceptable risk. Such an approach more clearly focuses on the response to contaminated land and the outcome that is sought.	Amend HAZ-CL-O3 Contaminated land as follows: <i>Contaminated land and waste material are managed to protect do not harm human health, mana whenua values and the environment in Otago.</i>
172	HAZ-CL-P14 Managing contaminated land	Oppose in part	<p>The fact that hazardous substances have been or are being used on land should not mean that the land is thereby automatically classed as being contaminated land.</p> <p>The definition of contaminated land is that the hazardous substance in or on the land has a <i>significant</i> adverse effect on the environment or is reasonably likely to have significant adverse effect on the environment.</p> <p>Therefore, it is appropriate that the policy approach should be to focus on determining whether significant adverse effects are likely or not</p>	Amend HAZ-CL-P14 as adding a new sub-policy after (2) as follows: <i>(new 2) <u>determining whether significant adverse effects to people or on the environment will result from the hazardous substances in or on the land.</u></i>
173	HAZ-CL-M6 Regional plans	Oppose in part	It should be clear that any land identified as 'contaminated land' is reasonably likely to have a significant adverse effect on the environment, not just that hazardous substances have or are being used on the site.	Amend HAZ-CL-M6 (1) as follows or similar: <i>(1) <u>maintain a register or database of sites where hazardous activities and industries are or have been used in Otago and where there are potentially significant adverse effects on people or on the environment.</u></i>
HCV - Historical and Cultural Values				

Page	Specific provision	Submission	Reasoning	Relief Sought
175-178	CHAPTER WIDE HCV COMMENT	Oppose in part	The HCV-WT-E1 notes that the focus of this chapter is on protecting wāhi tūpuna from inappropriate subdivision, use and development, yet this has not been reflected within the chapter. Instead, a very strict avoidance and protection regime has been proposed, at odds with the explanation and principal reasons.	Amend as proposed below, throughout the chapter, the focus to be on protection from inappropriate subdivision, use and development as per HCV-WT-E1 as this has not been reflected in the chapter provisions.
175	HCV-WT-O1 – Kāi Tahu cultural landscapes	Oppose in part	<p>We seek alignment and consistency with HCV-WT-PR1 and HCV-WT-AER2, which we support.</p> <p>Wāhi tūpuna sites are very broad and to date, have included vast tracts of privately owned land. It is more appropriate for values to be provided for and maintained (as per HCV-WT-AER2), and sites to be protected from inappropriate subdivision, use and development as per HCV-WT-PR1.</p>	<p>Amend HCV-WT-O1 – as follows:</p> <p><i>Wāhi tūpuna <u>sites are protected from inappropriate subdivision, use and development</u> and their associated cultural values are identified and <u>provided for and maintained</u> protected.</i></p>
175	HCV-WT-P2 – Management of wāhi tūpuna	Oppose in part	<p>Wāhi tūpuna sites are very broad and to date, have included vast tracts of privately owned land. The policy heading relates to ‘management’, yet the policy contents is heavily focussed on protection and avoidance.</p> <p>We seek a change of terminology to reflect the appropriate adoption of ‘management’. We oppose any intent to need to ‘avoid any activities that may be inappropriate given it is unclear what this may involve, and activities may thereby be curtailed or prevented from continuation – which is at odds with existing use rights provided for under s10 and s20 of the RMA.</p> <p>We seek alignment and consistency with HCV-WT-PR1 and HCV-WT-AER2, which we support.</p>	<p>Amend HCV-WT-P2 – Management of wāhi tūpuna as follows:</p> <p><i>Wāhi tūpuna are protected <u>managed</u> by:</i></p> <p><i>(1) avoiding significant adverse effects <u>of inappropriate subdivision, use and development</u> on the cultural values associated with identified wāhi tūpuna,</i></p> <p><i>(2) where adverse effects demonstrably cannot be completely avoided, remedying or mitigating adverse effects in a manner that maintains the values of the wāhi tūpuna,</i></p> <p><i>(3) managing identified wāhi tūpuna in accordance with tikaka Māori,</i></p> <p><i>(4) avoiding <u>managing</u> any activities that may be considered inappropriate in wāhi tūpuna as identified by Kāi Tahu, and</i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>(5) encouraging the enhancement of access to wāhi tūpuna to the extent compatible with the</i></p> <p><i>particular wāhi tūpuna <u>and with landowner consent</u></i></p>
175	HCV-WT-M1 - Identification	Oppose in part	<p>Under HCV-MT-M1, local authorities must enable Kai Tahu to identify wāhi tupuna sites, areas and values. To ensure best values to those sites and values it is imperative that as much information as possible, acknowledging cultural sensitivity restraints, are provided to those landowners impacted, to ensure full advice, information, understanding and clarity is provided.</p> <p>M1(2) states that local authorities must identify wāhi tupuna using the guide set out in APP7. These sites are quite specific and would only be able to be identified by mana whenua with detailed local knowledge – so it is unclear how the local authority with identify them? Again, the relationship with the landowners would help here. Note that E1 below says that only Kai Tahu can identify wāhi tupuna – so this will need to be clarified.</p> <p>We seek alignment and consistency with HCV-WT-PR1 and HCV-WT-AER2, which we support.</p>	<p>M1(2) and (4) should provide mechanisms to help with impacted landowners’ understanding and engagement.</p> <p>Amend HCV-WT-M1(4) by replacing the word ‘protect’ with ‘<u>maintained</u>’</p> <p>Amend HCV-WT-M1 by adding a new (5) as follows:</p> <p><i><u>(5) Once values are identified as much information as possible, acknowledging cultural sensitivities, is made available to affected landowners upon request</u></i></p>
176	HCV-WT-M2 - Regional and district plans	Oppose in part	<p>‘tikaka’ and other te reo terms within the RPS need a definition to ensure ease of plan use and greater understanding of key terms.</p> <p>We are concerned that given the wide ranging nature of wāhi tupuna sites to date, that ‘control’ is too restrictive. We consider it is more appropriate to ‘manage’ related activities.</p>	<p>That the RPS provides a definition of ‘tikaka’ and other key, undefined te reo terms.</p> <p>Under M2(1) amend as follows:</p> <p><i>“manage control activities in, or adjacent to, wāhi tūpuna sites and areas,</i></p> <p>Under M2(2) ensure a ‘cultural impact assessment’ is provided by council – not something an individual landowner is left to determine.</p>

Page	Specific provision	Submission	Reasoning	Relief Sought
			<p>Under M2(2) Will a 'cultural impact assessment' be provided to landowners by the local authority?</p> <p>M2(3) requires local authorities to amend regional and district plans to include methods to include in resource consents "designations to provide buffering or setbacks between wāhi tūpuna and incompatible activities". Again, as above, clarity for landowners would provide greater understanding of what is required. Is there is a hierarchy of wāhi tūpuna sites – i.e., the most sensitive having the requirement for buffering or setbacks, or is it all wāhi tūpuna sites?</p>	<p>Amend M2(3) as follows: <i>Require including conditions on resource consents or designations where necessary to provide buffers or setbacks between protect wāhi tūpuna and from inappropriate subdivision, use and development incompatible activities,</i></p> <p>Under M2(3) Provide more clarity for landowners so they can engage and appropriately manage areas.</p>
176	HCV-WT-M3-Collaboration with Kai Tahu	Oppose in part	HCV-WT-M3(2) As above, once values are identified for an area, having meaningful engagement with the landowners will help ensure appropriate management and protection of these sites and values.	HCV-WT-M3(2) once the values have been identified, make them available to landowners – to help clarify what is required in terms of 'protection'.
176	HCV-WT-E1	Support	<p>We support the focus within the explanation that "the policies in this chapter are designed to achieve protection of wāhi tūpuna from inappropriate subdivision, use and development."</p> <p>As noted above, this has not been followed through within provisions and we are seeking amendment to ensure it does.</p>	<p>Adopt as proposed</p> <p>Amend provisions within the chapter to ensure consistency with this explanation.</p>
177	HCV-WT-AER1	Support in part	The phrasing used to describe wāhi tūpuna in this chapter has been 'site' or 'area'. Keep the terminology the same for consistency	<p>Amend as follows: <i>HCV-WT-AER1 The areas and places sites of wāhi tūpuna are identified in the relevant regional and district plans.</i></p>
177	HCV-WT-AER2	Support	The AER2 notes that 'wāhi tūpuna and their values are to be maintained'. Again, this is at odds with the more strict and restrictive provisions that require avoidance and protection. We seek the chapter to be amended to reflect a focus on management and maintenance versus avoidance and protection.	<p>Adopt as proposed</p> <p>Amend provisions within the chapter to ensure a focus on maintenance rather than avoidance and protection.</p>

Page	Specific provision	Submission	Reasoning	Relief Sought
HCV-Historic Heritage				
178	HCV-HH-P3(1)	Support in part	HCV-HH-P3(1) Is this Māori cultural and historic heritage or Kāi Tahu? There needs to be consistency in language.	Amend HCV-HH-P3(1) as follows: 1) Māori Kāi Tahu cultural and historic heritage values,
178	HCV-HH-P3(4)-Recognising historic heritage	Oppose in part	<p>HCV-HH-P3(4) refers to pastoral sites as having historic heritage. Clarity is required here as to what this means in terms of historic heritage.</p> <p>HCV-HH-P3(10) refers to “Kāi Tahu occupation sites”. Clarify the difference between the sites/areas identified under HCV-WT above, and Kai Tahu sites identified under HCV-HH?</p> <p>We are confused by the inclusion of the term ‘vegetation’. We can understand the inclusion of trees – but vegetation by its very nature can have a shorter life span. Or is it that an HH area is covered by a particular vegetation – and that is the historic heritage and is an aesthetic value? Due to the uncertainty this should be deleted.</p>	<p>Clarify what ‘pastoral sites’ are to historic heritage.</p> <p>Clarify the difference between the sites/areas identified under HCV-WT above, and Kāi Tahu sites identified under HCV-HH</p> <p>Delete reference to ‘vegetation’ within HCV-HH-P3(12) as follows: (12) trees and vegetation.</p>
178	HCV-HH-P5 – Managing historic heritage	Oppose in part	<p>There is a need to include “accidental discovery protocols’ in the APPs so it is clear and prescribed what is required. Similarly, there is a need to be clear as to who is managing this (i.e., is this local authorities)?</p> <p>There needs to be clarity on what exactly makes an area or a place (or a site) special or outstanding historic heritage values or qualities – as opposed to a site that just has HH values.</p> <p>We oppose the use of an effects management hierarchy in the way proposed.</p>	<p>Amend as follows (or similar) <i>Protect historic heritage by:</i> (1) <i>requiring the use of accidental discovery protocols,</i> (2) <i>avoiding, <u>remedying or mitigating</u> adverse effects on areas or places with special or outstanding historic heritage values or qualities,</i> (3) <i>avoiding, <u>remedying or mitigating</u> significant adverse effects on areas or places with historic heritage values or qualities,</i></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				(4) avoiding, as the first priority, other adverse effects on areas or places with historic heritage values or qualities, (5) where adverse effects demonstrably cannot be completely avoided, remedying or mitigating them, and (6(4) recognising that for infrastructure, EIT-INF-P13 applies instead of HCV-HH-P5(1) to (53).
179	HCV-HH-P7-Integration of Historic Heritage	Support in part	Clarify what is meant by 'adaptive reuse or upgrade'. If this is specifically for 'built' areas then make that clear.	Amend as follows: <i>Maintain historic heritage values through the integration of historic heritage values into new activities and the adaptive reuse or upgrade of <u>built</u> historic heritage places and areas</i>
180	HCV-HH-M6-Incentives and education	Support	We support initiatives to encourage education and understanding. We would like to see a similar method for HCV-WT to help promote understanding and engagement with landowners	Adopt as proposed. We also seek a similar method for HCV-WT to help promote understanding and engagement with landowners
NFL – Natural features and landscapes				
182	NFL-O1	Oppose in part	<p>A landscape is more than just a physical tract of land, and it is not a vista 'locked in time'. It is more a reflection of the relationship between people and place and is ever evolving.</p> <p>Council's approach to use and development requiring protection neglects to acknowledge the dynamic nature of landscapes, which are ever changing due to both natural and human-induced processes. Some changes are slow and cumulative, others are sudden such as those following an earthquake, wildfire, or flood.</p>	Amend as follows: <i>NFL-01-Outstanding and highly valued natural features and landscapes</i> <i>The areas and values of Otago's outstanding and highly valued natural features and landscapes are identified, and: the use and development of Otago's natural and physical resources results in:</i> <i>(1) the protection of outstanding natural features and landscapes, <u>are protected from inappropriate subdivision, use and development,</u> and</i>

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			<p>The objective should be focussed on the identification and protection of outstanding and the maintenance of highly valued natural features and landscapes. However, as written, the focus is on the use and development of resources being required to result in protection, maintenance, or enhancement. This is at odds with sections 6 and 7 of the RMA.</p> <p>Section 6(b) of the RMA requires the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development - not the protection from all use and development. This must be reflected in the objective.</p> <p>Similarly, it is not easy to 'enhance' a landscape, without significant cost or resourcing - and in many cases it will not be possible at all (for instance, Saddle Hill near Dunedin which over a period of decades has been largely decimated and cannot ever be restored)</p>	<p>(2) the maintenance or enhancement of highly valued natural features and landscapes are maintained or enhanced where practicable.</p>
182	NFL-P1 – Identification	Oppose in part	<p>A focus should be on determining what activities are inappropriate in regard to the protection of outstanding natural features and landscapes; or for the maintenance and enhancement of highly valued natural features and landscapes.</p> <p>A number of these landscapes will be on private property. A clear process for landowner engagement and consultation is crucial. When an area of privately owned land is identified as being outstanding or highly valued there are impacts and costs that fall on landowners (both social and economic). These costs range from direct costs to investor uncertainty and lost opportunities for landowners, to reduced output and employment opportunities across the wider region.</p> <p>We note that NFL-M1 requires identification to include statements around the capacity of these landscapes to</p>	<p>Amend NFL-P1 as follows or similar: <i>FL-P1 – Identification</i> <i>In order to manage outstanding and highly valued natural features and landscapes, identify:</i> (1) <i>the areas and values of outstanding and highly valued natural features and landscapes in accordance with APP9, and</i> (2) <i>the capacity of those natural features and landscapes to accommodate <u>change in use or development while protecting the values that contribute to the natural feature and landscape being considered outstanding or maintaining the values that contribute to the natural feature and landscape being highly valued.</u></i></p>

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			accommodate change in use and development without values being materially compromised or lost. This is not appropriately reflected in NFL-P1.	
182	NFL-P2- Protection of outstanding natural features and landscapes	Oppose	<p>Within NFL-P2 a significant departure is proposed from that within the partially operative RPS, which followed the NZCPS requirement for avoiding adverse effects on the values that contribute to the feature, landscape or seascape being outstanding in the coastal environment, and extending that now to all areas. There is no higher order basis for this.</p> <p>Outside the coastal environment, the partially operative RPS provided for maintaining the values that contribute to the natural feature or landscape being outstanding, and avoiding, remedying or mitigating other adverse effects. We support that approach.</p> <p>As currently worded, the policy seeks to avoid adverse effects on values; this is not an easy to translate or implement policy – and s6 is not a ‘no effects’ policy. The policy disregards that many effects may be temporary, minor or tolerable.</p>	<p>Delete NFL-P2 as follows: <i>Protect outstanding natural features and landscapes by:</i> <i>(1) avoiding adverse effects on the values that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding, and</i> <i>(2) avoiding, remedying or mitigating other adverse effects</i></p> <p>Replace NFL-P2 with an approach consistent with Policy 3.2.4 of the partially operative RPS as follows:</p> <p><u><i>Protect, maintain or enhance outstanding natural features, landscapes and seascapes, by all of the following:</i></u></p> <p><u><i>a) In the coastal environment, avoiding adverse effects on the values (even if those values are</i></u> <u><i>not themselves outstanding) that contribute to the natural feature, landscape or seascape</i></u> <u><i>being outstanding;</i></u></p> <p><u><i>b) Beyond the coastal environment, maintaining the values (even if those values are not</i></u> <u><i>themselves outstanding) that contribute to the natural feature, landscape or seascape</i></u> <u><i>being</i></u> <u><i>outstanding;</i></u></p>

Page	Specific provision	Submission	Reasoning	Relief Sought
				<p><i>c) <u>Avoiding, remedying or mitigating other adverse effects;</u></i></p> <p><i>d) <u>Encouraging enhancement of those areas and values that contribute to the significance of the</u></i></p> <p><i><u>natural feature, landscape or seascape.</u></i></p>
182	NFL-P3 – Maintenance of highly valued natural features and landscapes	Oppose in part	<p>As with NFL-P2, we consider the policy goes well beyond that provided for under higher order legislation and perversely provides more protection than that provided for outstanding natural features and landscapes under NFL-P2, which is flawed and inappropriate.</p> <p>We consider the partially operative RPS provided a better approach in this regard and seek a reinstatement of that approach.</p>	<p>Amend as follows:</p> <p><i>Maintain or enhance highly valued natural features and landscapes by:</i></p> <p><i>(1) <u>avoiding significant adverse effects on the those values that contribute to the high value of the natural feature or landscape, and</u></i></p> <p><i>(2) <u>avoiding, remedying or mitigating other adverse effects.</u></i></p>
182	NFL-P4- Restoration	Support in part	<p>Restoration of areas comes at a significant cost and is not always achievable. However, we support this encouragement through non-regulatory means. Such restoration will be easier for landowners to achieve where there are mechanisms to help like those described in NFL-M4. Therefore, we would encourage the establishment of an alternative funding mechanism that is solely for the purpose of supporting landowners achieve such restoration or enhancement. Funding would be specific for these landscape features</p>	<p>Adopt a funding mechanism similar to that provided for in NFL-M4 but specifically for landscape restoration or enhancement.</p>
182	NFL-P5-wilding conifers	Oppose in part	<p>We support endeavours to reduce the impact of wilding conifers. However, we are concerned as to how such avoidance will be approached within 'buffer zones' given it is uncertain how large these areas may be and given they will not themselves be an area of outstanding natural feature or landscape. An amendment is needed accordingly.</p>	<p>Amend as follows:</p> <p><i>Reduce the impact of wilding conifers on outstanding and highly valued natural features and landscapes by:</i></p> <p><i>(4) <u>avoiding afforestation and replanting of plantation forests with wilding conifer species listed in APP5 within:-(a) areas</u></i></p>

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				<p><i>identified as outstanding natural features or landscapes, and <u>immediately</u> (b) buffer zones adjacent to outstanding natural features and landscapes where it is necessary to protect the outstanding natural feature or landscape, and</i></p> <p><i>(2) supporting initiatives to control existing wilding conifers and limit their further spread.</i></p>
183	NFL-M2 – Regional plans	Support in part	<p>We support the non-regulatory focus of NFL-M2(2) – we encourage any support and mechanisms that would help landowners given the cost to landowners is significant (both social and economic) when an area of privately owned land is designated or asserted to be highly valued. These costs can be considerable and range from investor uncertainty and lost opportunities for landowners, to reduced output and employment opportunities across the wider region</p>	<p>Ensure sufficient non-regulatory support in line with NFL-M4 but specifically for landscape restoration or enhancement.</p>
183	NFL-M3 – District plans	Support in part	<p>There is some confusion between Regional and District council functions within NFL-M2 and NFL-M3 particularly in regard to the use of surface water bodies. Given Regional Council roles under NFL-M2(1) we seek deletion of surface water body use from NFL-M3(1) given this landscape focus.</p> <p>We support NFL-M3(2) and would encourage any support and mechanisms that would help landowners. The cost to landowners is significant (both social and economic) when an area of privately owned land is designated or asserted to be highly valued. These costs can be considerable and range from investor uncertainty and lost opportunities for landowners, to reduced output and employment opportunities across the wider region</p>	<p>Amend NFL-M3(1) as follows:</p> <p><i>Territorial authorities must prepare or amend and maintain their district plans to:</i></p> <p><i>(1) control the subdivision, use and development of land and the use of the surface of water bodies in order to protect outstanding natural features or landscapes in accordance with NFL-P2, and maintain and enhance highly valued natural features or landscapes in accordance with NFL-P3,</i></p> <p>Ensure sufficient non-regulatory support in line with NFL-M4 but specifically for landscape restoration or enhancement.</p>

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184	NFL-M4 – Other incentives and mechanisms	Support in part	<p>The lead-in to this provision is weak. It simply encourages local authorities to consider the use of these mechanisms. It should be simply encouraged to use them.</p> <p>We support and encourage mechanisms for supporting landowners who have these landscape features through means such as rates relief, funding assistance, waiving of fees, or land purchase. This process can be confusing and complex for landowners so clear education and advice is paramount.</p> <p>We would suggest an alternative funding mechanism is established (independent of the Ecofund) that is solely for the purpose of supporting landowners achieve these outcomes. Funding would be specific for these landscape features. A separate fund will relieve pressure on the Eco fund – unless more funding will be included in the Ecofund for the purpose of NFL-M4.</p>	<p>Amend as follows: NFL-M4 – Other incentives and mechanisms <i>Local authorities are encouraged to consider the use of other mechanisms or incentives to assist in achieving the outcomes sought by the policies in this chapter, including:</i></p>
184	NFL-E1	Support in part	We consider the Explanation appropriately addresses the relevant matters within the chapter but are concerned that the provisions elsewhere in the chapter are not consistent with these explanations and need amended accordingly.	Amend provisions within the chapter to be consistent with this Explanation – as per relief sought in our submission or similar
UFD-Urban form and development				
186	UFD – Urban form and development	Oppose in part	We note that the urban form and development chapter also includes provisions that relate to the rural area. We consider that the rural area should be treated as distinct from the urban area and should be provided as a standalone chapter.	Review the appropriateness of combining rural matters with a chapter specifically about urban form and development
186	UFD-O2 Development urban areas	Oppose in part	There needs to be greater recognition of the significance of reverse sensitivity issues.	<p>Amend UFD-02(6) as follows or similar: <i>6 minimises conflict between incompatible activities and avoids reverse sensitivity issues with existing rural activities.</i></p>

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			UFD-O2(6) seeks to minimise conflict with incompatible activities, which remains a critical issue when urban or developed areas are within proximity to existing rural activities. It should be clear that such conflict is both within the urban area and in the urban-rural interface.	
186	UFD-O3	Support in part	<p>UFD-O3 sets out considerations for strategic planning for development of urban areas including regionally significant features and values identified by the RPS.</p> <p>Highly productive land has been identified in the RPS as a significant resource and should be recognised in UFD-O3's strategic planning. This will ensure Council meets its future obligations once the National Policy Statement for Highly Productive Land is in force.</p>	<p>Amend UFD-O3 as follows:</p> <p><i>(2) development is located, designed and delivered in a way and at a rate that recognises and provides for locationally relevant regionally significant features and values identified by this RPS, <u>including highly productive land.</u></i></p>
187	UFD-O4	Oppose	<p>We consider the Objective as written is both in the wrong place and conflates a number of issues. While we support the priority accorded to highly productive land, the avoidance framework across the objective is at odds with the remainder of the RPS, where these matters are already addressed.</p> <p>The identification of areas for urban development should only be located where there is no risks if reverse sensitivity effects which would compromise rural production activities.</p>	Delete UFD-O4
187	UFD-P1-Strategic Planning	Support in part	<p>UFD-P1(5) is incorrectly focussed only on connectivity and how it will be improved in urban centres. The chapter jumps around between addressing urban matters and in some places, rural matters. If anywhere, matters of connectivity is the place where rural issues should be addressed within the topic. Rural centres and communities also need to be the focus of connectivity improvement – this has been well illustrated during the frustrating period in which rural submitters have tried to</p>	<p>Amend UFD-P1(5) and (8) as follows:</p> <p><i>5. Indicate how connectivity will be improved and connections will be provided within <u>both</u> urban <u>and rural</u> areas.</i></p> <p><i>8. Identify, maintain and where possible, enhance important features and values</i></p>

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			<p>have sufficient connectivity to complete submissions on this process (given COVID19 lockdown and Council's refusal to extend submission deadlines).</p> <p>UFD-P1 in general sets out matters to be considered at the strategic planning level for urban development. As sought in respect to UFD-O3 there should be provision to address risks to highly productive land from development.</p>	<i>identified by this RPS, including necessary protection of highly productive land.</i>
190	UFD-P7	Oppose	The 'management of rural areas' is addressed throughout the RPS and another extensive regime under the URBAN FORM AND DEVELOPMENT chapter is completely unnecessary, contradictory and confusing.	Delete UFD-P7
193	UFD-E1	Oppose in part	Paragraph 2 of the Explanation relates to rural areas, which is already addressed elsewhere within the RPS. This adds unnecessary layers of duplication, confusion and is at odds with the chapter title and purpose.	Delete paragraph 2 of UFD-E1
195	UFD-PR1	Oppose in part	As stated elsewhere within the submission, reference to rural areas, which is already addressed elsewhere within the RPS simply adds unnecessary layers of duplication, confusion and is at odds with the chapter title and purpose.	Delete reference to use and development within rural areas throughout UFD-PR1.
197	NEW UFD AER12	New AERs sought	<p>There is a need to insert a new AER12 to cover the effects of urban development on highly productive soils, given this is recognised as an objective and policy within the RPS but omitted from existing AERs.</p> <p>Similarly, there is a need to insert a new AER13 to protect rural activities being impacted by inappropriate urban expansion and through reverse sensitivity issues.</p>	<p>New AER12 and AER13 sought:</p> <p><u>UFD-AER12</u> <i>Highly productive soils are protected from inappropriate development</i></p> <p><u>UFD AER13</u> <i>The productive capacity, amenity and character of the rural environment and rural</i></p>

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				<u>activities are not adversely impacted by inappropriate urban expansion and urban activities and reverse sensitivity issues.</u>
PART 4 – EVALUATION AND MONITORING				
198	Monitoring the efficiency and effectiveness of the policy statement	Oppose in part	The RPS should use the wording from s35 of the RMA (Duty to gather information, monitor, and keep records)	Amend as follows: <i>ORC must monitor the efficiency and effectiveness of its RPS provisions and publish <u>a review of the results of its monitoring every five years (minimum).</u> The RPS needs to include the procedures for monitoring <u>the efficiency and effectiveness of its methods and policies.</u></i>
198	Existing monitoring procedure	Oppose in part	The RPS should use the phrasing from the RMA in terms of what is required to be monitored and reported on.	Amend as follows: <i>ORC has policies and procedures in place to gather information, and to monitor and report on how well Otago's natural and physical resources are managed to carry out <u>effectively its function under the Act.</u> These include:</i> <ol style="list-style-type: none"> a) <i>State of the Environment reporting,</i> b) <i><u>the efficiency and effectiveness of policies or other methods in the policy statement.</u></i> c) <i><u>the exercise of any functions, powers or duties delegated or transferred</u></i> d) <i><u>resource consents that have effect in the region monitoring,</u></i> e) <i><u>the efficiency and effectiveness of the processes used in exercising its powers or performing its functions or duties (including those delegated or transferred by it), including matters</u></i>

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				<p><i>such as timeliness, cost, and the overall satisfaction of those persons or bodies in respect of whom the powers, functions, or duties are exercised or performed, and annual reporting against objectives in the Council's Long-Term Plan.</i></p> <p><i>These policies and procedures will be reviewed and updated to reflect ORPS environmental goals (objectives) and ensure the right information is being gathered to monitor the environmental results anticipated.</i></p> <p><i>The RMA 1991 ORPS is relevant to all decision making in the ORPS, under the RMA 1994 and must be given effect through regional and district plans. As the ORPS is given effect through regional and district plans, much of the data needed for monitoring will be gathered for the purpose of, or will be relevant to, the monitoring of regional and district plans. <u>Information kept or maintained will not be used except for the purpose of the Act.</u> ORC will undertake a work programme to identify data the territorial authorities collect in the course of their normal monitoring regimes and make arrangements for collection and sharing of data, including information that the regional council collects that may be of benefit to territorial authorities.</i></p> <p><i>Specific environmental indicators will be developed to monitor the impact that ORPS policies and methods are having on Otago's social, economic, cultural and environmental well-being, and whether they remain the most</i></p>

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				<p>appropriate for achieving the RMA 1991's purpose. These environmental indicators will be developed outside of the ORPS. This approach enables the frequency or type of indicators to be amended, in order to respond to emerging issues, improved technology and best practice, changes in the local environment, or societal expectations. It forms part of a continuous review and reporting cycle, resulting in policy changes and adjustments as necessary.</p> <p>The ORPS needs to reflect the <u>resource management issues of significance to iwi authorities in the region</u> needs and aspirations of tangata whenua and the wider community, so tangata whenua and stakeholders will be encouraged to be involved with monitoring the provisions of the ORPS.</p>
198	Regional Monitoring Strategy	Support in part	<p>If the RMS sits alongside the RPS as a non-statutory document – how will it function at a practical level for end users? Will it mean 2 documents to interpret?</p> <p>The paragraph should use the term 'environmental' as it is consistent with wording used to describe the well-beings</p>	<p>Amend para 2 of this section as follows:</p> <p><i>The RMS will assist ORC with expanding its monitoring activities to respond to ORPS provisions and ensure the things measured accurately reflect policy success, including <u>environmental</u> natural, social, economic, cultural and historic heritage values. It will increase transparency by stating what is monitored and why.</i></p> <p><i>This goes hand in hand with increasing the ORC's leadership and facilitation role in several areas, including climate change.</i></p>
Part 5 – APPENDICES AND MAPS				
202	APP1 – Criteria for identifying	Support in part	<p>It is not entirely clear where Table 4 has come from – and given only one of the criteria in APP1 needs to be met in order for a water body to be determined as</p>	<p>As a preference: delete the current table and align with the NPS FM 2020.</p>

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	outstanding water bodies		<p>outstanding, in our view, almost all water bodies in Otago would meet the outstanding test.</p> <p>Furthermore, salmonid fish are not native and should not be included as a descriptor for outstanding value.</p> <p>There is also uncertainty and confusion between the following two appendices as currently drafted: APP1 – Criteria for outstanding water bodies.; and APP9 – Criteria for outstanding, highly valued features, landscapes, seascapes.</p> <p>There are a range of external consistency issues, both within the tables themselves, their relationship to each other, and also their relationship to the policies that enact them.</p> <p>A non-exhaustive list of these issues is as follows:</p> <ul style="list-style-type: none"> • Are outstanding and highly valued natural landscapes the same, as APP9 implies? Applying NFL-O1 and NFL-P1 seems to indicate that the values of both outstanding and highly valued natural landscapes are the same, but that they receive differing levels of protection depending on what category they fall into - whether outstanding or just highly valued. However, APP9 offers nothing to distinguish this. How will regional and district plans determine this distinction? • The only difference between the two types of landscape classification appears to be the requirement to avoid adverse effects on features within the outstanding landscape (including those features which aren't outstanding, but which contribute to), whereas 	<p>Alternatively:</p> <ul style="list-style-type: none"> • Clarify and substantiate the basis for the contents of APP1 – amend to ensure more than one criterion needs to be met. • Resolve the uncertainty and confusion between APP1 and APP9 • For Ecology: Remove reference to “Salmonid fish”

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			<p>this test does not apply to the highly valued landscapes.</p> <ul style="list-style-type: none"> APP1 provides the criteria for outstanding water bodies stating: <p>“A water body which forms a key component of a landscape that is “conspicuous, eminent, remarkable or iconic” within the region, or is critical to an outstanding natural feature.”</p> <p>However, LF-FW-P11 (3) classifies all water bodies that sit partially or fully within areas of outstanding natural landscape or feature as outstanding water bodies, before applying the test in APP1 (which is clause 4). This almost completely negates the value of APP1</p> <p>The policy workflow should be this:</p> <p>1) Is the outstanding water body already recognised in policy or law (WCOs, or Lake Wanaka Preservation Act 1973), in which case list the outstanding values of those waterways from the list of values in the Act or WCO)</p> <p>2) Apply the tests in APP1 to determine any other outstanding water bodies.</p> <p>.</p> 	
203	APP2 – Significance criteria for indigenous biodiversity	Oppose	<p>There are significant anomalies as to where Council has sourced the SNA criteria from. It neither aligns with those in the draft NPS Indigenous Biodiversity 2019, or those within the partially operative RPS. This will simply mean and local authority which proceeds with assessing SNAs in their local area using these criteria, will have to redo them pending finalisation of the NPSIB. This is a waste of time, resources and Council funds and will significantly damage landowner relationships with councils.</p>	Delete APP2 and ensure alignment with criteria within the draft NPSIB as updated late 2021.

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			<p>There is also a significant anomaly whereby the definition of significant natural area is noted as “means areas of significant indigenous vegetation and significant habitats of indigenous fauna that are located outside the coastal environment”, yet the criteria then reference the marine indigenous fauna and vegetation.</p> <p>There are further issues in regard to specific criteria. Under the NZ Threat Classification System, for a species to be “at risk” in NZ, that term by definition, includes the sub list of terms “declining, recovering, relict, naturally uncommon”. So, the APP2 criteria don’t make logical sense by separately including ‘uncommon’.</p>	
205	APP3- Criteria for biodiversity offsetting	Oppose in part	It is unclear where APP3 is sourced and if it aligns with latest biodiversity offsetting principles in NZ.	Ensure alignment with the most recently resolved offsetting principles
206	APP4 – Criteria for biodiversity compensation	Oppose in part	It is unclear where APP4 is sourced and if it aligns with latest biodiversity compensation principles in NZ.	Ensure alignment with the most recently resolved compensation principles
207	APP5- – Species prone to wilding conifer spread	Oppose in part	<p>Despite the s32 Report for Appendices including a list of where these species have been sourced from, the list still contains different varieties than those specified in recently resolved local authority plans in Otago – for instance in Queenstown Lakes District, the recently settled list in Rule 34.4.2, which landowners have been relying upon, and in Dunedin City Council’s Second Generation Plan, the wilding species within 10.3.4. The list provided here is also different to lists on other government websites.</p> <p>This inconsistency is unhelpful, confusing and misleading for landowners who may have relied upon earlier lists and again, it will require local authorities to amend plans, for no logical reason.</p>	Delete APP5 and instead provide for local authority plans to specify a list of wilding species prone to spread in their District, without the RPS attempting to create a list that may fast become out of date OR provide for this list within the Regional Pest Management Plan, so that it will be easier to modify if changes in practice or understanding are found.

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			<p>Wilding pines are a serious problem for the region. MPI has a project in Otago that will see \$1.04 million for work throughout Alexandra, Dunstan, Lammermoor, Northern Eyre, Rough Ridge, and the Ida and Saint Mary's ranges, in 2020-2021.</p> <p>Federated Farmers concern is that by Council providing a fixed list at RPS level, it will ultimately lead to the list becoming out of date, and helpful for local authorities, who may want to address issues locally as known wilding species/cultivars change.</p> <p>We would like to see education material and support for landowners. Also providing information on what is suitable to plant</p>	
208	APP6 - – Methodology for natural hazard risk assessment	Oppose unless changes are made	<p>The RMA requires that the management of significant risks from natural hazards shall be recognised and provided for, but APP9 appears to require that all risks, regardless of significance, are managed.</p> <p>In our view, the precautionary approach is not needed because the RPS is already highly precautionary.</p> <p>The Parliamentary Commissioner for the Environment (PCE) also has expressed doubts as to the utility of the precautionary principle e.g. <i>'Such appeals [to the precautionary principle] can close down discussions. This is because the principle is sometimes viewed as inviolable, despite there being no consensus on its meaning⁴</i></p> <p>The PCE went on to point out the difficulties of employing the precautionary principle when working</p>	Federated Farmers has suggested amendments to make APP6 consistent with section 6(h) RMA, which focuses on significant risks.

⁴ Taonga of an island nation: Saving New Zealand's birds (2017), p.96.

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			with stakeholders from different backgrounds: <i>‘Over recent years, the private sector has become increasingly involved in conservation in New Zealand. During this investigation, it has become clear that there are tensions between private and public sector players. It is likely that one source of this tension is different attitudes to risk – different degrees of loss aversion. Those who work in the public sector are generally averse to taking risks – taking an action that has a bad outcome and ends up on the front page of the newspaper is to be avoided. In contrast, private sector players’</i>	
214	APP8 – Identification criteria for places and areas of historic heritage	Oppose in part	This criteria list has changed from the list included in the recently resolved partially operative RPS. There needs to be clarification as to why the list needed to be changed.	Clarify the basis for why the identification criteria has changed from the recently resolved partially operative RPS.
216	APP9 – Identification criteria for outstanding and highly valued natural features, landscapes and seascapes	Oppose in part	<p>APP9 offers no clarity on what combination of the tests is required in order for a landscape to be classed as outstanding, or highly valued.</p> <p>There is also uncertainty and confusion between the following two appendices as currently drafted: APP1 – Criteria for outstanding water bodies.; and APP9 – Criteria for outstanding, highly valued features, landscapes, seascapes.</p> <p>There are a range of external consistency issues, both within the tables themselves, their relationship to each other, and also their relationship to the policies that enact them.</p> <p>A non-exhaustive list of these issues is as follows:</p>	<p>For APP9, determine which set of the listed requirements is needed to determine if a landscape or highly valued natural feature is outstanding, or delete APP9.</p> <p>Determine how APP9 will produce separate lists of outstanding landscapes and/or highly valued natural features, or, if not, how will these separate lists be populated, and by whom. It is particularly relevant at the district council level.</p>

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			<p>Are outstanding and highly valued natural landscapes the same, as APP9 implies? Applying NFL-O1 and NFL-P1 seems to indicate that the values of both outstanding and highly valued natural landscapes are the same, but that they receive differing levels of protection depending on what category they fall into - whether outstanding or just highly valued. However, APP9 offers nothing to distinguish this. How will regional and district plans determine this distinction?</p> <ul style="list-style-type: none"> The only difference between the two types of landscape classification appears to be the requirement to avoid adverse effects on features within the outstanding landscape (including those features which aren't outstanding, but which contribute to), whereas this test does not apply to the highly valued landscapes. APP1 provides the criteria for outstanding water bodies stating: "A water body which forms a key component of a landscape that is "conspicuous, eminent, remarkable or iconic" within the region, or is critical to an outstanding natural feature." <p>However, LF-FW-P11 (3) classifies all water bodies that sit partially or fully within areas of outstanding natural landscape or feature as outstanding water bodies, before applying the test in APP1 (which is clause 4).</p> <p>This almost completely negates the value of APP9.</p>	
General Submission:	applies across the RPS		Federated Farmers supports the inclusion of te reo terms within the RPS. However, there are a large number of terms and phrases included within the proposed RPS that are not commonly understood or that reflect the local dialect of Kāi Tahu.	Adopt a comprehensive glossary of all te reo terms utilised in the RPS.

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			<p>To ensure clear usability of the RPS and to ensure appropriate education and support of plan users understanding, we seek the inclusion of a te reo glossary. The RPS would benefit of a comprehensive glossary of all te reo terms and phrases.</p> <p>Without the inclusion of such a glossary, there is a risk there are risks of confusion and uncertainty, or with matters addressed through litigation.</p>	