

From: foothillsmining@gmail.com
To: [RPS](#)
Subject: RPS Submission
Date: Friday, 3 September 2021 7:31:29 a.m.
Attachments: [RPS Submission.pdf](#)

Hi,

Pleased see attached our RPS Submission.

Kind Regards
Kelvin Dolton

Written Submission on Proposed Otago Regional Policy Statement 2021

(Submissions must be received by Otago Regional Council by 3 pm Friday 3 September 2021)

To: Otago Regional Council

1. **Name of submitter** *(full name of person/persons or organisation making the submission. Note: The submissions will be referred to by the name of the submitter)*

Foothills Mining Ltd

2. This is a submission on the **Proposed Otago Regional Policy Statement 2021**.
3. I **could not** gain an advantage in trade competition through this submission. *(See notes to person making submission)*
4. I **am** directly affected by an effect of the subject matter of the submission that
- a. adversely affects the environment; and
 - b. does not relate to trade competition or the effects of trade competition *(See notes to person making submission)*
5. I **wish** to be heard in support of my submission
6. If others make a similar submission, I **will** consider presenting a joint case with them at a hearing

7. Submitter Details

- a. **Signature of submitter** *(or person authorised to sign on behalf of submitter)*

Kelvin Dolton 

- b. **Signatory name, position, and organisation** *(if signatory is acting on behalf of a submitter organisation or group referred to at Point 1 above)*

Kelvin Dolton
Director
Foothills Mining Ltd

- c. **Date**

2 September 2021

Address for service of submitter (*This is where all correspondence will be directed*)

d. Contact person (*name and designation, if applicable*)

Kelvin Dolton

e. Email:

foothillsmining@gmail.com

f. Telephone:

0273684177

g. Postal address (*or alternative method of service under [section 352](#) of the Act*):

8. My submission is:

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>The specific provisions of the proposal that my submission relates to are:</i>	<i>I support, oppose or seek an aendment</i>	<i>The reasons for my views are:</i>	<i>I seek the following decision from the local authority:</i>
See relief below	Amend and incorporate proposed relief below	Refer below.	That the following relief giving recognition of the value of the mining industry to the Otago Region is incorporated into the RPS.

The Resource Management Act 1991 is a key statute for the minerals sector, with consent applications considered in the context of regional and district plans, and policy statements. Decisions on applications can be influenced by the policy direction taken in the RPS which the regional and district plans must give effect to.

The RPS needs to recognise and provide for all of Otago's industries including mining and the proposed RPS fails to do this.

The review of the Otago RPS is an important opportunity to provide direction to councils when reviewing plans. The RPS should require these plans to take into account the nature of minerals exploration and mining and provide a framework that ensures proposals can be assessed on their merits, influenced by the location of the proposed activity, the scale and nature of the mining activity and its actual and potential environmental effects. The positive effects of mining should be considered along with actual and potential adverse environmental effects.

There is a broad range of mining activity in the Otago region and there needs to be recognition and a policy framework that recognises different types and scales of mining. For example, gold mining should not be lumped in with coal mining as these activities and related effects are often quite different.

The RPS should establish an overarching policy framework that provides for decision making that seeks an appropriate balance between economic, social, cultural and environmental outcomes.

There will be sensitive sites in the region where mining is not likely to be appropriate. Equally there will be many sites where mining can be undertaken in a manner that enables social and economic benefits whilst providing for actual and potential adverse effects to be avoided or mitigated. Regional and district plans need a policy framework that identifies sensitive sites that are not suitable whilst enabling consent applications for development proposals to work through a consenting process elsewhere.

This approach will allow for mining activity to be undertaken on a case by case basis where applicants can demonstrate that the proposed activity is appropriate and can be undertaken in a manner that avoids, remedies or mitigates actual and potential adverse environmental effects.

The proposed RPS fails to recognise and provide for the gold mining industry in the Otago region. It is not clear why such an important industry has been ignored and is not recognised in the document. The previous version of the RPS recognised and provided for the extractive industry in Otago and provided a more balanced policy framework. In failing to identify and include provisions for the mining industry the proposed RPS fails to recognise that the modern world relies on the mining. Mineral products are essential components for the green transition, cell phones, cars, energy towers, solar panels, wind turbines, fertilizers, machinery and construction.

Relevant considerations concerning the minerals sector that should be factored into the RPS document include:

1. Mining can only be done where there are minerals. These are concentrated in economic ore deposits at very few places, and over small areas and they are generally hard to find. For these reasons, exploration is the lifeblood of mining and the RPS and thereby district and regional plans should provide for exploration activity which often has limited environmental effects. Where mineral concentrations are not sufficient to make mining economic development proposals are unlikely. Where exploration has positive outcomes the RPS should provide a framework for regional and district plans that provides a resource consent process that applicants can work through.

2. Mining operations generally have a small footprint. No other land-use earns as much per hectare as mining – there is a high opportunity cost to a failure to recognize and provide for mining activity within the Otago Region in the RPS. The industry is too important to be simply ignored in the RPS document.
3. It can take several years from prospecting and exploration, to developing a mine. Each step of the way entails increasing amounts of investment, with income earned either by raising capital, the sale of part (joint venture) or all of the asset, or, once mining begins. Positive social and economic effects of mining activity are relevant considerations under the Act and should be recognised in the RPS.
4. After mining, the land used may be returned to a previous use – production, conservation – or converted into a new use e.g., the establishment of a pond or wetland, roading, residential. Rehabilitation of sites occurs during mining, and after mining and environmental management of the effects of exploration and mining is core business. Mining activity can be undertaken in an environmentally appropriate manner and the RPS should recognise this and allow for consenting pathways in district and regional plans whereby miners can progress development proposals where they can demonstrate they can address actual and potential adverse effects of those proposals.

Thank you for the opportunity to make a submission on the proposed RPS.

Proposed Relief

That the following objectives and policies are incorporated into the RPS.

Objective X.X

Sufficient land is managed and protected for economic production

Policy X.X.1

Manage activities in rural areas and support the region's economy and communities, by:

- a) Enabling primary production and other rural activities that support that production;
- b) Providing for mineral exploration, extraction and processing;

Policy X.X.2

To recognise the functional needs of mineral exploration, extraction and processing activities to locate where the resource exists.

Policy X.X.3

Manage adverse effects from the exploration, extraction and processing of minerals, by:

a) Giving preference to avoiding their location in the following:

- i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the coastal environment;
- ii. Outstanding natural character in the coastal environment;
- iii. Outstanding natural features and natural landscapes, including seascapes, in the coastal environment;
- iv. Areas of significant indigenous vegetation and significant habitats of indigenous fauna beyond the coastal environment;
- v. Outstanding natural character in areas beyond the coastal environment;
- vi. Outstanding natural features and landscapes beyond the coastal environment;
- vii. Outstanding water bodies or wetlands;
- viii. Places or areas containing historic heritage of regional or national significance where the effects on that historic heritage cannot be avoided;

b) Where it is not practicable to avoid locating in the areas listed in a) above due to the functional needs of that activity, the activity shall:

- i. Avoid, remedy or mitigate, as necessary, adverse effects on values in order to maintain the outstanding or significant nature,
- ii. Consider first biological diversity offsetting, and then biological diversity compensation for residual adverse effects,
- iii. Consider environmental compensation if adverse effects on indigenous biological diversity, cannot practically be avoided, remedied or mitigated;
- iv. Avoiding, remedying, or mitigating adverse effects on other values including highly valued natural features, landscapes and seascapes in order to maintain their high values;
- v. Reducing unavoidable adverse effects by staging development for longer term activities and progressively rehabilitating the site, where possible.