

**From:** [Craig Barr](#)  
**To:** [RPS](#)  
**Cc:** [Anita Collie](#)  
**Subject:** Submission on RPS 2021: Matakanui Gold Limited  
**Date:** Friday, 3 September 2021 2:28:34 p.m.  
**Attachments:** [image001.png](#)  
[Submission to ORC Matakanui Gold Limited PRPS FINAL 2417-20.pdf](#)  
[Submission to ORC Matakanui Gold Limited PRPS FINAL 2417-20.docx](#)

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Please find attached a submission from Matakanui Gold Limited. In pdf and word copy format.

Can you please confirm receipt.

Regards  
Craig



**Craig Barr – Principal Planner**

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Town Planning Group | [www.townplanning.co.nz](http://www.townplanning.co.nz)  
Offices in Queenstown, Wānaka, Christchurch & Auckland

## Proposed Otago Regional Policy Statement 2021

### Information for Submitters

Submissions must be in the prescribed form (Form 5) specified by the Resource Management Act and must be received by Otago Regional Council  
**by 3 pm Friday 3 September 2021**

**Privacy:** Be aware that **all submissions are considered public**, including your name and address which will be uploaded to ORC website as part of this process. The Council and further submitters will use your name and contact details for correspondence in relation to the making of the Regional Policy Statement.

#### **LODGE A SUBMISSION MANUALLY** (*USING FORM BELOW*)

A template complying with the requirements of Form 5 is provided below. Once completed, please forward to ORC by one of the following:

**Email:** [rps@orc.govt.nz](mailto:rps@orc.govt.nz) Submissions in MS Word or other editable format are preferred, if possible

**Post:** Otago Regional Council, Private Bag 1954, Dunedin 9054. Att: ORC Policy Team

**Hand Delivery at**

Dunedin: Otago Regional Council Office, 70 Stafford St, Dunedin, Att: ORC Policy Team

Queenstown: Terrace Junction, 1092 Frankton Road, Queenstown, Att: ORC Policy Team

Alexandra: William Fraser Building, Dunorling Street, Alexandra. Att: ORC Policy Team

#### **INQUIRIES**

Email: [rps@orc.govt.nz](mailto:rps@orc.govt.nz)

Phone: ORC Call Centre: 0800 474 082, Monday - Friday, 8am-5pm

## NOTES TO PERSON MAKING A SUBMISSION

If you are a person who could gain an advantage in **trade competition** through the submission, your right to make a submission may be limited by [clause 6\(4\)](#) of Part 1 of Schedule 1 of the Resource Management Act 1991.

Please note that your submission (or part of your submission) may be **struck out** if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Go to Written Submission Form on next page

# 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)*

Matakanui Gold Limited

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

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

Name **Craig Barr**

Position **Principal Planner**

Organisation **Town Planning Group**

- c. **Date**

3 September 2021

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

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

Craig Barr

**e. Email:**

craig@townplanning.co.nz

**f. Telephone:**

0274065593

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

Via email.

**8. My submission is:**

<i>The <b>specific provisions</b> of the proposal that my submission relates to are:</i>	<i>I <b>support</b> or <b>oppose</b> the specific provisions or wish to have them <b>amended</b>.</i>	<i>The <b>reasons</b> for my views are:</i>	<i>I seek the following <b>decision</b> from the local authority:</i>
<p>Background and overview of Matakanui Gold's (<b>MGL</b>) interest in the Proposed Regional Policy Statement for Otago 2021 (<b>pRPS21</b>)</p> <p>MGL holds minerals exploration permit 60311 which applies to land generally located between Bendigo and Ophir, spanning the Dunstan Ranges, in the Central Otago District. MGL is in the process of developing a more detailed understanding of a zone with potentially very high minerals values, building on systematic modern exploration and academic studies over a period of more than 30 years since 1986. Should the area be deemed viable for mining, the economic benefits to Central Otago and New Zealand would be substantial. MGL has a particular interest in the pRPS21 as it relates to the effects and benefits of mining, and recognition that mining must locate where the resource exists.</p>			

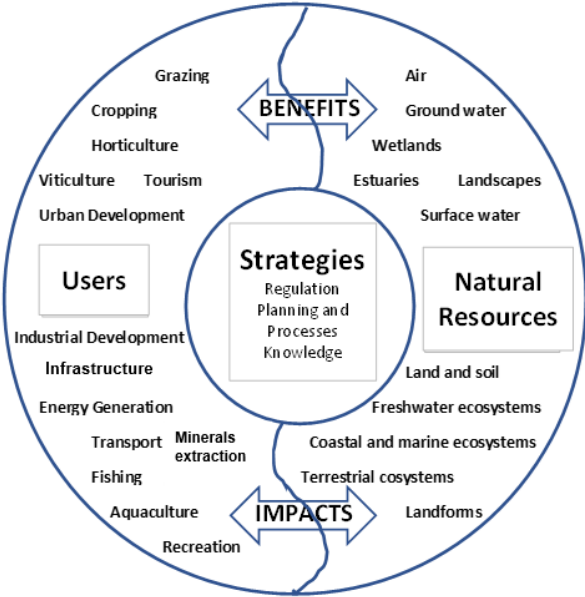
<p>Entire pRPS21 as it relates to:</p> <p>Acknowledging the functional need for mining.</p> <p>Acknowledging the socioeconomic benefits to the Otago region from mining.</p>	<p>Oppose</p>	<p><b>General Comment/Overview</b></p> <p><b>PORPS</b></p> <p>The partially Operative Regional Policy Statement 2019 (<b>PORPS</b>) provides a relatively clear direction as it relates to mineral exploration and mineral extraction (mining).</p> <p>The PORPS framework consists of 4 key parts:</p> <p>Part A: Introduction  Part B: Objectives and Policies  Part C Implementation  Part d: Schedules and Appendices</p> <p>Part A Introduction refers to mining for gold as a major source of revenue: <i>'Agriculture is the basis of Otago's economic development and continues to be a major source of revenue, as does mining for gold and other minerals and education'</i></p> <p>The introductory text to Part B Chapter 3 makes two references to mining (bold emphasis):</p> <p><i>People and communities need to sustainably manage the environment. Safeguarding the life-supporting capacity of natural resources and recognising the intrinsic values of ecosystems are essential to provide for the current and future wellbeing of people and communities.</i></p> <p><i>The economy, particularly primary production, tourism, and <b>mineral and petroleum exploration and extraction</b>, strongly relies on the quantity and quality of natural resources and the ecosystem services they provide.</i></p> <p><i>This chapter begins with the recognition and maintenance of all natural resources. The second part focuses on the identification, protection, and enhancement of natural resources that are nationally or regionally important. <b>This chapter is not concerned with sustaining mineral resources for future generations.</b></i></p>	<p>Amend the pRPS21 to better recognise the functional needs of mining, in particular that mining needs to occur where the resource exists.</p> <p>Amend the pRPS21 to better acknowledge the socioeconomic benefits of mining to Otago's economy and the wellbeing of people in Otago.</p> <p>Amend the pRPS21 to manage the effects of mining in a way that acknowledges the functional needs and operational needs of mining.</p>
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		<p>In the PORPS, Part A identifies that all objectives and policies are to be read together and no fixed hierarchy exists.</p> <p>However despite this statement, several activities with recognised ‘functional constraints’ are provided for by way of a dedicated policy framework, including where specific policies prevail over the more generic policies, particularly the policies that relate to managing the effects of certain activities on landscapes. These activities are the National Grid, Regionally Significant Infrastructure and mining.</p> <p>For mining, the relevant key policy is Policy 5.4.8, which by acknowledging the economic importance of mining to the Otago region, and the functional needs of mining, provides an alternative policy framework for managing the adverse effects of mining, in particular within sensitive environments.</p> <p><b>pRPS21</b></p> <p>In the pRPS21, the prevailing policies that are provided in the PORPS do not exist for mineral extraction (nor the National Grid or regionally significant infrastructure).</p> <p>There is policy recognition for the <i>functional needs</i> for some activities but not for mining. For instance, Policies ECO-P4 (1)– Provision for new activities - specifies regionally significant infrastructure, Policy LF-PW-P9 – infrastructure within wetlands, Policy EIT-EN-P6 renewable energy, and Policy HAZ-NH-P9, hazard mitigation by the Regional Council.</p> <p>However, there is no reference for mineral extraction and the functional needs of mining to locate where the resource exists.</p> <p>In addition, mining is included in the definition of primary production (in accordance with Standard 14 of the National Planning Standards). However, as drafted into the policies of the pRPS21 this is problematic because all references to primary production in the pRPS21 objective or policy framework refer to:</p> <ul style="list-style-type: none"><li>• The life supporting capacity of the soil resource is safeguarded and the availability and productive capacity of highly productive land for primary production is maintained now and for future generations (Objective LF-LS-011 – Land and Soil).</li></ul>	
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		<ul style="list-style-type: none"><li>• Highly productive land is identified based on the land use capability rating system and climate to support primary production and that the use of highly productive land is prioritised for primary production ahead of other land uses (Objective LF-LS-O11 and Policy LF-LS-P19 – Highly Productive Land).</li><li>• The explanation and reasons make no reference or correlation to the fact that mining, being part of the definition of primary production, is encouraged to locate on highly productive land. The explanation in relation to the soil and primary production policy framework states: <i>Highly productive land is land used for primary production that provides economic and employment benefits. Providing for and managing such land types is essential to ensure its sustainability. The policies seek to identify and prioritise land used for productive purposes managing urban encroachment into rural environments where appropriate</i> (LF-LS-E4 – Explanation).</li></ul> <p>These policies effectively encourage and prioritise mining over other activities to locate within highly productive land.</p> <p><b>Summary</b></p> <p>There is a significant policy gap for the recognition of and provision for mining while managing its adverse effects on the environment.</p> <p>The lack of reference in the pRPS21 to mining is in stark contrast, by comparison, to the retention of parts of the PORPS dedicated policy framework for regionally significant infrastructure. pRPS21 section INF-Infrastructure, includes three objectives and at least seven dedicated policies. In particular, pRPS21 Policy EIT-INF-P13 resembles the cascading policy 4.3.4 of the PORPS. It is submitted that mining is equally deserved of a dedicated policy framework as is the case for infrastructure.</p> <p>The lack of a dedicated policy framework for mining, and the inclusion of mineral extraction in the definition of primary production means that mining will be treated the same as farming activities, and will be afforded priority to locate on highly productive land. Mining is a rural activity but is not an activity that relies on highly productive land as described in Policy LF-LS-P19.</p>	
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<p>Interpretation</p> <p>Primary Production</p>	<p>Oppose</p>	<p>Primary Production is defined as:</p> <p><i>has the same meaning as in Standard 14 of the National Planning Standards 2019 (as set out in the box below)</i></p> <p><i>means:</i></p> <p><i>(a) an aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and</i></p> <p><i>(b) includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a);</i></p> <p><i>(c) includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but</i></p> <p><i>(d) excludes further processing of those commodities into a different product</i></p>	<p>Amend the pRPS21 to recognise that mineral extraction is not a suitable component of primary production as it relates to Policy LF-LS-P19 High Productive Land, nor Policy UFD-P7 – Rural Area which seeks to enable primary production (including mining) on land or soils identified as highly productive.</p> <p>Amend the pRPS21 to provide dedicated policies for mining because the extractive nature of mining is different to other primary production activities.</p>
<p>Interpretation</p>	<p>Oppose</p>	<p>The pRPS would benefit from a definition of mining to assist interpretation and understanding.</p> <p><u>Mining</u></p> <p><u>Has the same meaning as the Crown Minerals Act as set out in the box below:</u></p> <p><u>(a) means to take, win, or extract, by whatever means,—</u></p> <p><u>(i) a mineral existing in its natural state in land; or</u></p> <p><u>(ii) a chemical substance from a mineral existing in its natural state in land;</u></p> <p><u>and</u></p> <p><u>(b) includes—</u></p> <p><u>(i) the injection of petroleum into an underground gas storage facility; and</u></p> <p><u>(ii) the extraction of petroleum from an underground gas storage facility;</u></p> <p><u>but</u></p> <p><u>(c) does not include prospecting or exploration for a mineral or chemical substance referred to in paragraph (a)</u></p>	<p>Add a definition of mining as identified in the adjoining column (underlined text).</p>

<p>Part 2 – resource management overview</p> <p>Introduction (second paragraph) and Figure 2.</p>	<p>Oppose</p>	<p>It is unclear whether mineral extraction is regarded as an activity that natural resource support. The diagram in Figure 2 (pasted below) is unclear as to the relationship of Mineral Extraction and whether it is a benefit or an impact, or both.</p> <p><i>Figure 2 - Relationships between natural resources, resource use and strategies</i></p>  <p>The relevant text is:  <i>From an economic perspective natural resources support, and are impacted by, agricultural industries (e.g. grazing, cropping, horticulture, viticulture), urban development, industrial development, infrastructure, energy generation, transport, marine industries (fishing and aquaculture), tourism and mineral extraction. From a social and cultural perspective natural resources support and are impacted by recreation, housing, and cultural activities (Refer Figure 2).</i></p>	<p>Amend Figure 2 to clarify the relationship between ‘benefits’ and ‘impacts’ with regard to mining.</p> <p>This may require the removal of the ‘benefits’ or ‘impacts’ arrows and the addition of a reference to mineral resources added to the ‘Natural Resources’ side of the figure.</p>

		The text does not suggest any prejudice to other resource use activities, however the location of the 'benefits' and 'impacts' arrows appear to distort the message in the text.	
Policy LF-LS-P19 Highly Productive Land	Oppose	<p>Mining is defined in the pRPS 21 as a primary production activity. Primary production is referred to in Policy LF-LS-P19, in particular Limb (2) seeks that the availability and productive capacity of highly productive land be maintained by Prioritising the use of highly productive land for primary production ahead of other uses.</p> <p>Highly productive land is not defined in the pRPS21, but Limb (1) of Policy LF-LS-P19 requires highly productive land to be identified based on specified criteria. Limbs (1)(a) and (b) relate to the land use capability classification system and the suitability of the climate for primary production, particularly crop production.</p> <p>Mining is not reliant on the land use capability rating system nor climate, but rather mining is reliant on mineral deposits that are located in most instances beneath the soil, which other primary production activities rely upon. For context, Objective LF-LS-O11 and Policy LF-LS-P19 are:</p> <p><i>LF-LS-O11 – Land and soil</i></p> <p><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></p> <p><i>LF-LS-P19 – Highly productive land</i></p> <p><i>Maintain the availability and productive capacity of highly productive land by:</i></p> <p>(1) <i>identifying highly productive land based on the following criteria:</i></p> <p>(a) <i>the capability and versatility of the land to support primary production based on the Land Use Capability classification system,</i></p> <p>(b) <i>the suitability of the climate for primary production, particularly crop production, and</i></p>	Delete or amend Policy LF-LS-P19 to provide for mining, to recognise its functional and operational needs and clarify the relationship between mining and the use of Highly Productive Land.

		<p>(c) <i>the size and cohesiveness of the area of land for use for primary production, and</i></p> <p>(2) <i>prioritising the use of highly productive land for primary production ahead of other land uses.</i></p> <p>(3) <i>managing urban development in rural areas, including rural lifestyle and rural residential areas, in accordance with UFD–P4, UFD–P7 and UFD–P8.</i></p> <p>It is not likely that mining, by virtue of its operational needs should be prioritised to locate on highly productive land. The extractive nature of mining would mean that mining would be unlikely to implement the policy. The inclusion of mining as primary production and relationship with Policy LF-LS-011 to maintain highly productive land now and for future generations is contrary to the PORPS where that document states: <i>'This chapter is not concerned with sustaining mineral resources for future generations'</i>.</p>	
Policy ECO-P3	Oppose	<p>Policy ECO-P3 refers to protecting significant natural areas and taoka by (1(a)) <i>avoiding any reduction of the area or values (even if the values themselves are not significant)</i>.</p> <p>Limb 1(b) is to avoid any adverse effects that result in any loss of kai tahu values.</p> <p>Collectively, both limbs are inconsistent with section 6c of the RMA which is to protect significant natural areas. At a RPS level, the extent of any area identified as significant is unknown and beyond the direct control of the Regional Council because SNAs are identified in district plans and in many instances are already mapped. The existing extent of mapping of SNAs is not likely to be as absolute as implied by policy ECO-P3.</p> <p>Significant natural areas identified in district plans are likely to include buffer areas and/or are mapped at a coarse scale. Policy limb (1) effectively prevents the ability for the effects of clearance within an SNA to be tested by way of resource consent applications because it directs that all applications would be declined if an identified SNA area was reduced.</p>	Amend Policy ECO-P3 to better achieve section 6c of the RMA, so that there is a clearer consenting pathway and direction for proposals to locate within identified SNAs, including as set out as follows in the adjoining column ( <u>underline and strikethrough text</u> ).

		<p>The mapping of SNAs are an important method of part of the management and protection of SNA's, but the area identified in a district plan may not necessarily correlate to the values of that SNA.</p> <p>In addition, Policy 1(a) is internally contradictory and could be drafted to be clearer, while limb (b) is too subjective. Kai tahu values are inherent in the intrinsic values of the resource and any loss effectively places Kai Tahu values over those of the values other expert opinions that may be relevant (ie ecological opinions).</p> <p>Collectively, the policy predetermines that any proposal for clearance within an SNA would not protect the values of the SNA and there is no consent pathway available.</p> <p>For these reasons, the cross reference in the policy should not be identifying SNAs, but the evaluation criteria in Appendix 2 of the pRPS21.</p> <p>Amend the policy as follows:</p> <p><b>ECO-P3 – Protecting significant natural areas and taoka</b></p> <p>Except as provided for by ECO-P4 and ECO-P5, protect significant natural areas and indigenous species and ecosystems that are taoka by <u>ensuring</u>:</p> <ol style="list-style-type: none"><li>(1) <u>indigenous biodiversity values that contribute to its significance as identified in APP2 are not reduced and significant adverse effects on other values of the area or habitat are avoided.</u> <del>avoiding adverse effects that result in:</del><ol style="list-style-type: none"><li><del>(a) any reduction of the area or values (even if those values are not themselves significant) identified under ECO-P2(1), or</del></li><li><del>(b) any loss of Kāi Tahu values, and</del></li></ol></li><li>(2) <u>Allow the clearance of indigenous vegetation within Significant Natural Areas only where clearance is undertaken in a manner that retains the indigenous biodiversity values that contribute to the significance of the Significant Natural Area.</u></li><li>(3) after (1) and (2), applying the biodiversity effects management hierarchy in ECO-P6, and</li><li>(4) prior to significant natural areas and indigenous species and ecosystems that are taoka being identified in accordance with ECO-P2, adopt a precautionary approach towards activities in accordance with IM-P15.</li></ol>	
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Policy ECO-P4	Oppose	<p>Policy ECO-P4 provides recognition for activities that have functional and/or operational needs, including for any requiring authority. Mining is a suitable candidate because it must locate where the resource exists.</p> <p>Amend the policy as follows:</p> <p><i>ECO-P4 – Provision for new activities</i></p> <p>Maintain Otago’s indigenous <i>biodiversity</i> by following the sequential steps in the effects management hierarchy set out in ECO-P6 when making decisions on plans, applications for resource consent or notices of requirement for the following activities in <i>significant natural areas</i>, or where they may adversely affect indigenous species and ecosystems that are taoka:</p> <ol style="list-style-type: none"> <li>(1) the development or upgrade of <i>nationally and regionally significant infrastructure, and mining</i> that has a <i>functional or operational need</i> to locate within the relevant <i>significant natural area(s)</i> or where they may adversely affect indigenous species or ecosystems that are taoka,</li> <li>(2) the development of <i>papakāika</i>, marae and ancillary facilities associated with customary activities on Māori land,</li> <li>(3) the use of Māori land in a way that will make a significant contribution to enhancing the social, cultural or economic well-being of <i>takata whenua</i>,</li> <li>(4) activities that are for the purpose of protecting, restoring or enhancing a <i>significant natural area</i> or indigenous species or ecosystems that are taoka, or</li> <li>(5) activities that are for the purpose of addressing a severe and immediate <i>risk</i> to public health or safety.</li> </ol>	Amend Policy ECO-P4 as set out in the adjoining column (underlined text).
Section EIT-Energy, Infrastructure and transport	Oppose	<p>Mining is an important component of Otago’s social and economic wellbeing and should be recognised as an important activity to the region which like, energy, infrastructure and transport can have functional needs and operational constraints.</p>	Amend Section EIT-Energy, infrastructure and Transport to provide a dedicated policy framework for mining, including,

<p>(entire section)</p>	<p>The following amendments be made to address the significant policy gap in the notified pRPS21:</p> <p>Relabel section title:</p> <p><b><u>EIT – Energy, infrastructure, <del>and</del> transport, and mining</u></b></p> <p>...</p> <p>Add the following:</p> <p><b><u>Objectives</u></b></p> <p><b><u>EITM–MIN–O1 Provision of mining</u></b>  <u>Mining is provided for to enable 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 within environmental limits.</u></p> <p><b><u>Policies</u></b></p> <p><b><u>EITM–MIN–P1 Mineral resources in Otago</u></b></p> <p><u>Have regard to the importance and economic value of high-quality gold, gravel, rock and other minerals.</u></p> <p><b><u>EITM–MIN–P2 Managing mining</u></b></p> <p><u>Manage mining to support the region’s economy and communities, by:</u></p> <ul style="list-style-type: none"> <li><u>(1) Providing for mineral exploration, extraction and processing; and</u></li> <li><u>(2) Recognising the functional needs and operational needs of these activities;</u></li> <li><u>(2) Minimising the loss of significant soils;</u></li> <li><u>(3) Restricting the establishment of incompatible activities in proximity to mining activities that are likely to lead to reverse sensitivity effects;</u></li> </ul> <p><b><u>EITM–MIN–P3 Locating and Managing effects of mining</u></b></p> <p><u>Manage adverse effects from mining outside the coastal environment by:</u></p>	<p>but not limited to the additional provisions as set out in the adjoining column (underline text).</p>
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		<p><u>(1) Giving preference to avoiding their location in all of the following:</u></p> <ul style="list-style-type: none"><li><u>(a) significant natural areas,</u></li><li><u>(b) outstanding natural features and landscapes,</u></li><li><u>(c) natural wetlands,</u></li><li><u>(d) outstanding water bodies,</u></li><li><u>(e) areas of high or outstanding natural character,</u></li><li><u>(f) areas or places of significant or outstanding historic heritage,</u></li><li><u>(g) wāhi tapu, wāhi taoka, and areas with protected customary rights,</u></li><li><u>(h) areas of high recreational and high amenity value,</u></li><li><u>(i) Areas subject to significant natural hazard risk.</u></li></ul> <p><u>(2) Where it is not practicable to avoid locating in the areas listed in (1) above because of the functional needs or operational needs of that activity manage adverse effects as follows:</u></p> <ul style="list-style-type: none"><li><u>(a) Seeking to avoid adverse effects on the values that contribute to the significant or outstanding nature of (1) (a)-(c);</u></li><li><u>(b) Avoid, remedy or mitigate, as necessary, adverse effects on values in order to maintain the outstanding or significant nature of (1)(d)-(i);</u></li><li><u>(c) Minimise any increase in natural hazard risk through mitigation measures;</u></li><li><u>(d) If adverse effects on indigenous biological diversity cannot be practicably remedied or mitigated, consider first biological diversity offsetting, and then biological diversity compensation; and</u></li><li><u>(e) Consider environmental compensation if adverse effects, other than on indigenous biological diversity, cannot practically be avoided, remedied or mitigated;</u></li></ul> <p><u>(3) Avoiding adverse effects on the health and safety of the community;</u></p> <p><u>(4) Avoiding, remedying, or mitigating adverse effects on other values including areas of high or outstanding natural character in order to maintain their values;</u></p> <p><u>(5) Considering biological diversity offsetting or compensating for residual adverse effects on other values;</u></p>	
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- (6) Reducing unavoidable adverse effects by:
- i. Staging development for longer term activities; and
  - ii. Progressively rehabilitating the site, where possible;

Where there is a conflict with any other policy in this regional policy statement, this policy prevails.

**Methods**

**EITM-MIN –M1 – Regional plans**

Otago Regional Council must prepare or amend and maintain its regional plans to:

- (1) manage the adverse effects of mining activities that:
  - (a) are in the beds of lakes and rivers, or
  - (b) are in the coastal marine area, or
  - (c) involve the taking, use, damming or diversion of water or, and
  - (d) involve the discharge of water or contaminants.

**EITM-MIN –M2 – District plans**

Territorial authorities must prepare or amend and maintain their district plans to:

- (1) require a strategic approach to the provision of mining,
- (2) manage the subdivision, use and development of land to ensure mining can develop to meet increased demand, and
- (3) manage the adverse effects of mining.

**Explanation**

**EITM-MIN –E2 – Explanation**

Gold was historically significant to New Zealand , and especially to Otago, after the arrival of Europeans. Gold mining still contributes to the economy.

The policies in this section recognise the importance of *mining* to communities and provide for the continued operation of existing *mining* and the development of new *mining* where adverse *effects* are managed.

Mining relies on particular resource requirements or specific locations, and decisions on allocating *natural and physical resources* shall make provision for the *functional or operational needs of mining*.

To ensure *mining* is able to be planned for, and used effectively and efficiently, the objectives and policies require that the benefits of mining are recognised, and the potential adverse *effects* of incompatible activities on *mining* are restricted.

**EITM-MIN –PR2 – Principal reasons**

Mining in Otago is fundamental to the health and safety of communities, and their social and economic well-being and functioning. The nature of mining, particularly gold deposits means there are often both operational and functional constraints which dictate where mining can occur.

The scale and type of activities involved in mining are such that adverse effects on the environment are likely and, at times, significant. Efforts are required to reduce effects, including rehabilitation, careful operation management during the life of the mine.

There are instances however, when residual effects cannot be avoided, in which case effects should be remedied or mitigated and offsetting or compensation may be necessary if it meets any criteria set. Given the potential for adverse effects, it is important that local authorities monitor and enforce the standards set in plans and on resource consents and designations.

The policies in this chapter give effect to the NPSFM and recognise mining has benefits for the wider Otago region and nationally. Implementation of the provisions will occur through the regional and district plan provisions.

		<p><b><u>Anticipated environmental results</u></b></p> <p><b><u>EITM-MIN –AER1</u></b> <i>Mining</i> is provided for while sustainably managing natural and physical resources.</p> <p><b><u>EITM-MIN –AER2</u></b> <i>Mining</i> is protected from reverse sensitivity effects caused by incompatible activities.</p> <p><b><u>EITM-MIN –AER3</u></b> The adverse <i>effects</i> associated with <i>mining</i> are minimised.</p>	
NFL-P2	Oppose	<p>The policy does not meet the statutory requirement in Section 6(b) of the RMA to protect landscapes from inappropriate development, and is internally contradictory.</p> <p><i>NFL-P2 – Protection of outstanding natural features and landscapes</i></p> <p>Protect <u>the landscape values of outstanding natural features and outstanding natural landscapes from inappropriate subdivision, use and development</u> by:</p> <p>(1) <u>avoiding adverse effects on the identified values of the outstanding natural feature or landscape where there is no capacity to absorb change that contribute to the natural feature or landscape being considered outstanding, even if those values are not themselves outstanding, and</u></p> <p>(2) <del>avoiding, remedying or mitigating</del> <u>minimising other adverse effects.</u></p>	Amend Policy NFL-P2 as identified in the adjoining column (underlined and strikethrough text).