

FORM 5

**SUBMISSION ON NOTIFIED PROPOSAL FOR
POLICY STATEMENT OR PLAN, CHANGE OR VARIATION**

Clause 6 of Schedule 1, Resource Management Act 1991

To Otago Regional Council

Name Sanford Limited

1. **This is a submission on the Proposed Otago Regional Policy Statement June 2021 ("PORPS").**
2. **Sanford Limited ("Sanford") could not gain an advantage in trade competition through this submission.**

3. **The specific provisions of the proposal that this submission relates to are:**

Sanford's overall submission is summarised in paragraph 4 below. Its' submissions on various provisions of the PORPS, and the specific relief sought, is then set out in the table at **Appendix A**.

4. **Background and issues that inform Sanford's position on the PORPS**

Sanford Limited and its Interests in the Lower South Island and Otago

Sanford is a long-standing participant in the New Zealand seafood industry and is New Zealand's only publicly listed seafood company. Its operations include catching / farming marine species, contracting, farm services (e.g. float making), processing, packaging and exporting seafood products. Sanford has well-established markets domestically and internationally, and strives to develop and promote New Zealand seafood products at every opportunity.

Sanford has substantial interest in marine farming in New Zealand with its:

- Greenshell™ mussel hatchery in Nelson, mussel farms in Tasman Bay, Golden Bay, Marlborough Sounds, Canterbury, Rakiura / Stewart Island, Waikato, and Auckland, and mussel processing plants in Blenheim, Havelock and Tauranga.
- Salmon hatcheries in Kaitangata, Waitaki and North Canterbury, salmon farms in Big Glory Bay (Rakiura / Stewart Island), and a salmon processing plant in Buff.

Sanford has been in the salmon farming and processing business since 1993, and this part of the business currently employs 107 Full Time Equivalent (FTE) people in the lower South Island. Since mid-2019, the Bluff processing plant exclusively processes the King salmon harvest from Sanford's existing farms in Big Glory Bay. Pre-Covid approximately 85% of the salmon produced in Bluff is sold on the domestic market, and the remaining 15% is exported. The plant currently processes approximately 4,000 fish per day on average, and sends out up to 20 tonnes of fresh product per day, although this would increase by approximately 40% due to the expansion of activities in Big Glory Bay that is currently underway.

Sanford strives to be a good neighbor within the communities that it operates and is recognised for its pro-active engagement around community wellbeing and sustainability. Sanford is an active participant in all Marine Farmers' Associations in areas where it operates, the New Zealand Salmon Farmers' Association and Aquaculture New Zealand.

New King Salmon Development

Sanford's primary interests in the Otago Region relate to its salmon farming operations.

The New Zealand Aquaculture Strategy (**NZ Aquaculture Strategy**) identifies that New Zealand's aquaculture industry is well placed to help meet growing international and domestic demand for sustainable and ethically produced seafood.

The NZ Aquaculture Strategy identifies the potential for aquaculture to move from a \$600 million, to a \$3 billion industry in New Zealand by 2035, and be a more significant part of a lower emissions economy. It notes there are three key drivers that make this goal achievable:

- Maximising the value of existing farms through innovation;
- Extending into high value land-based aquaculture; and
- Extending aquaculture into the open ocean.

New Offshore Salmon Farms

Sanford is proactively working in all three of the above fields, and central to its work on the third one are its two proposed offshore salmon farms:

- Project East, which would involve offshore farming of up to 24,000 green weight tonnes (GWT) of King salmon per year using two discrete farming areas, in one integrated operation, in the open ocean, north east of Otago Harbour (see Figure 1 below); and

- Project South, which is a similar activity situated offshore at the south eastern end of Foveaux Strait.

Sanford lodged resource consent applications for each of the developments in 2020. Project East was lodged with the Otago Regional Council.

Meeting the ever-expanding demand here and overseas for its premium King salmon product by developing an offshore farm in Otago waters, is a logical choice for Sanford, given it has more than 25 years' experience in operating salmon farms in the lower South Island. An offshore farm in this area would complement Sanford's existing Big Glory Bay and Bluff operations. Project East would enable Sanford to make efficient use of, and grow, its already significant infrastructure in the lower South Island, including its fleet of support vessels, hatcheries and processing plant, and its existing local skill base.

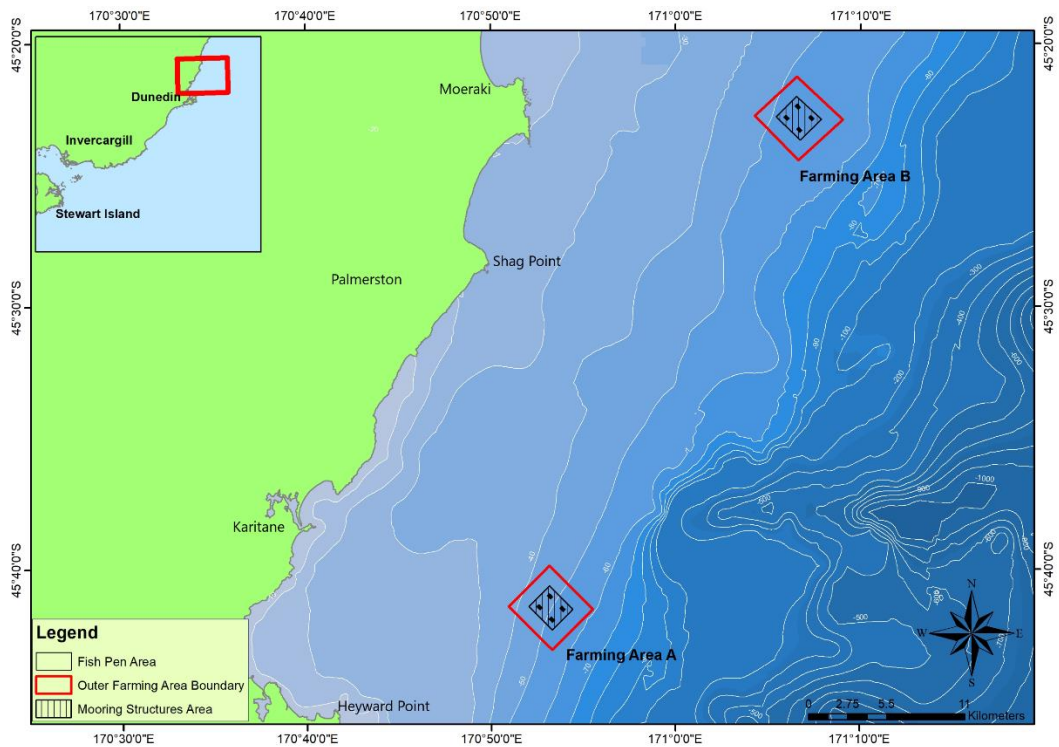


Figure 1: Project East and the location of its Two Farming Areas.

The location of the Two Farming Areas, shown as A and B in Figure 1, was chosen through a site selection exercise which considered the operational requirements of an offshore farming activity (suitable water depth, water quality, and coastal conditions, etc.), environmental imperatives (e.g. avoiding significant landscapes, natural character areas, significant ecological areas, etc.), and to provide a large buffer from land.

Sanford has been working with leading global aquaculture technology and service partner, AKVA Group, to determine an appropriate pen technology for its proposed open ocean farms. The result is each of the Two Farming Areas would contain a series of up to 24 individual floating pens. The individual pens would:

- Be circular structures.
- Be inter-connected by a grid of subsurface lines and moored to the ocean floor using conventional mooring lines and screw anchors.
- Be serviced by a centralised barge, with feed being delivered to each pen via hoses/ pipes.
- Have no walkways connecting the pens.
- Incorporate a flotation system which can be flooded or inflated to raise and lower the pen structures, as required. This would allow the pens to be submerged below the surface during storm events.

A range of measures are proposed to manage and monitor the effects of Project East on the environment. They have been informed by appropriate expert assessment, and an appreciation of the outcomes sought by the planning framework which applies in this area.

A precautionary approach is proposed that incorporates staged development and various adaptive management practices. It would see the Farming Areas developed incrementally, with a broad range of monitoring undertaken to confirm that environmental effects are as predicted.

Onshore Hatchery and Processing Facilities

Sanford has significant existing and ongoing investment in the Otago / Southland region. It has its main hatchery in Kaitangata, south of Dunedin, supporting hatcheries in North Canterbury and North Otago. Sanford will need to expand its hatchery and processing facilities in the lower South Island to support both its existing Stewart Island farm and its two new offshore marine farms in the area.

Interest in the PORPS 2021

Against this background, Sanford has significant interest in any provisions that might influence or affect its ability to operate its existing hatchery facility in Kaitangata, and to implement its significant development plans related to offshore King salmon activities in Otago.

Sanford generally supports the approach that has been adopted by the Otago Regional Council in the RPS with respect to aquaculture activities. In particular, Sanford supports the RPS including provisions for the coastal environment which accurately reflect those contained in New Zealand Coastal Policy Statement 2010. Sanford submits that the Coastal Environment Chapter of the PORPS does this in a comprehensive manner and there is very limited need to defer to other sections of the PORPS to fetter this direction by including additional provisions which apply to the coastal environment. Sanford is seeking various changes to the provisions to clarify this is the intent of the RPS. Sanford also seeks various other amendments to the provisions which are set out in **Appendix A**, which form part of Sanford's submission on the PORPS.

5. Sanford does wish to be heard in support of its submission. If others make a similar submission, Sanford will consider presenting a joint case with them at any hearing.

Signature:



Alison Undorf-Lay, Industry Liaison Manager, Sanford Limited.

Address for Service: Sanford Limited

PO Box 443

Shortland Street

Auckland 1140

Contact person: Alison Undorf-Lay

Telephone: 027 293 7795

Email: AUndorf-Lay@sanford.co.nz

Note to person making submission

If you are making a submission to the Environmental Protection Authority, you should use form 16B. 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.

APPENDIX A

SPECIFIC SUBMISSION POINTS BY SANFORD LIMITED – OTAGO PROPOSED RPS 2021

PROVISION	POSITION	REASONS	RELIEF SOUGHT (or other such similar outcome that has the same effect as the relief sought)
PART 1 INTRODUCTION AND GENERAL PROVISIONS			
Definitions			
Significant natural area		Sanford supports the inclusion of the definition of Significant Natural Areas insofar as it explicitly excludes areas located within the Coastal Environment.	Retain this definition.
Primary production	Support	Sanford supports the inclusion of aquaculture within the definition of primary production. This is consistent with the National Planning Standards 2019.	Retain this definition.
PART 2 RESOURCE MANAGEMENT OVERVIEW			
SRMR-I8 – Otago’s coast is a rich natural, cultural and economic resource that is under threat from a range of terrestrial and marine activities	Support in part	<p>For the reasons set out in Sanford’s submission new offshore salmon farming technology means there is significant potential for new sustainable aquaculture related activities in Otago.</p> <p>Sanford supports the following parts of the provision which recognise the potential for further economic use for aquaculture as a key issue facing Otago’s coast [emphasis added]:</p> <p>Statement <i>Otago’s coast provides habitat for rare species (including toroa and hoiho), comprises some of the region’s outstanding landscapes, is a rich food source, provides many recreation opportunities, is the location for some industries, and has potential for further economic use (aquaculture). Threats to it are not always well understood and not always well managed. From the sedimentation effects of inland development to waste disposal, human activity puts stress on the marine and coastal environment. Some of those activities, like port activities and tourism, are also vital to the region’s economic well-being.</i></p> <p>Context <i>Otago’s coastal environment is generally considered to extend from the land that forms the first significant ridgeline out to the twelve nautical mile seaward limit. The coastal environment is a finite resource which is sensitive to change. Recent rapid expansion of some types of coastal development is a significant issue for the sustainable management of the coastal environment of Otago.</i></p> <p>Activities occurring within or affecting the coastal environment include urban development, recreational activities, transport infrastructure, energy generation and transmission, land and marine based (e.g. aquaculture) food production industries and other rural industry activities, plantation 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.</p> <p><i>Dunedin is a major coastal city with increasing urban development. It also hosts infrastructure of</i></p>	Retain SRMR-I8

		<p><i>national significance such as Port Otago and associated road transport networks servicing the Otago region and beyond which contribute to and facilitate regional economic and social development.</i></p> <p><i>The community values the coast for its landscapes, natural character, recreational uses and associated habitat for biodiversity. Recreational activities such as boating, fishing, swimming and general beach access are interconnected with coastal values. Conserving coastal biodiversity and marine reserves are associated with coastal values. A key challenge is the protection of the coast's natural and cultural assets while enabling economic and social development opportunities to be realised.</i></p>	
IM INTEGRATED MANAGEMENT			
<p>IM-P2- Decision Priorities <i>Unless expressly stated otherwise, all decision making under this RPS shall:</i></p> <ol style="list-style-type: none"> 1. Firstly, secure the long term life support capacity and mauri of the natural environment, 2. Secondly, promote the health and safety needs of people, and 3. Thirdly, safeguard the ability of people and communities to provide for their social, economic and cultural well being now and in the future. 	Oppose	<p>This policy takes the overarching management hierarchy contained in the National Policy Statement for Freshwater Management 2020 and applies it to all environments. Including the coastal environment.</p> <p>This is a potentially significant change in the management approach for natural and physical resources. However, it is not supported by any detailed s32 analysis of the costs and benefits that would arise from making this change, and the s32 analysis which is included is very high level and provides no comfort that the ramifications of including this policy have been fully considered, assessed and justified.</p> <p>This is particularly so in the coastal environment where the NZCPS already provides a comprehensive management framework.</p>	Delete the provision.
<p>IM-P14- Human Impact <i>Preserve opportunities for future generations by:</i></p> <ol style="list-style-type: none"> 1. Identifying limits to both growth and adverse effects of human activities beyond which the environment will be degraded, 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 3. regularly assessing and adjusting limits and thresholds for activities over time in light of the actual and potential environmental impacts. 	Oppose	<p>Sanford opposes the uncertainty contained in the drafting of this policy.</p> <p>There is no direction on what is meant by the term "limits" and no guidance on how these are to be developed or implemented. For example are these "limits" intended to be used as consenting triggers, or are they intended to act as "environmental limits" or bottom lines?</p> <p>This contrasts with the use of the term in the National Policy Statement for Freshwater which provides clear direction on what is intended by the term and how they are to be derived and implemented.</p>	Delete the provision.
COASTAL ENVIRONMENT			
Objectives	Oppose in part	<p>For the reasons set out below Sanford generally supports the objectives which are included in Chapter CE. However, there is no objective which explicitly recognises the very important role sustainable resource use and development in Otago's coastal environment plays, and will continue to play, in enabling people and communities to provide for their economic, social and cultural wellbeing.</p>	<p>Insert a new objective into Chapter CE along the lines of Objective 6 in the NZCPS which states:</p> <p><i>Objective 6</i></p>

		<p>This is an essential part of the RPS giving effect to the New Zealand Coastal Policy Statement 2010 (“NZCPS”)and Sanford submits that a new objective should be included which does this.</p>	<p><i>To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:</i></p> <ul style="list-style-type: none"> - <i>the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;</i> - <i>some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;</i> - <i>functionally some uses and developments can only be located on the coast or in the coastal marine area;</i> - <i>the coastal environment contains renewable energy resources of significant value;</i> - <i>the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;</i> - <i>the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;</i> - <i>the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and</i> - <i>historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.</i>
<p>CE- O1 Safeguarding the coastal environment The integrity, form, functioning and resilience of Otago's coastal environment is safeguarded so that:</p> <ol style="list-style-type: none"> 1. the mauri of coastal water is protected, and restored where it has degraded, 2. coastal water quality supports healthy ecosystems, natural habitats, water-based recreational activities, existing activities, and customary uses, including practices associated with mahika kai and kaimoana, 3. the dynamic and interdependent natural biological and physical processes in the 	<p>Support</p>	<p>Sanford supports this objective as it aligns with and gives effect to the NZCPS.</p>	<p>Retain this objective.</p>

<p>coastal environment are maintained or enhanced,</p> <p>4. representative or significant areas of biodiversity are protected, and</p> <p>5. surf breaks of national significance are protected.</p>			
<p>CE- O2 Maintaining or enhancing highly valued areas of the coastal environment Public access, recreation opportunities, and highly valued natural features and landscapes in the coastal environment are maintained or enhanced.</p>	Support	Sanford supports this objective as it aligns with and gives effect to the NZCPS.	Retain this objective.
<p>CE – O3 – Natural Character, features and landscapes Areas of natural character, natural features, landscapes and seascapes within the coastal environment are protected from inappropriate activities, and restoration is encouraged where the values of these areas have been compromised.</p>	Support	Sanford supports this objective as it aligns with and gives effect to the NZCPS.	Retain this objective.
<p>CE–O4 – Kāi Tahu associations with Otago’s coastal environment The enduring cultural association of Kāi Tahu with Otago’s coastal environment is recognised and provided for, and mana whenua are able to exercise their kaitiaki role within the coastal environment.</p>	Support	Sanford supports this objective. It is important to recognise and provide for Kāi Tahu cultural association with the coastal environment and that mana whenua exercise their kaitiaki role.	Retain this objective.
<p>CE–O5 – Activities in the coastal environment Activities in the coastal environment:</p> <ol style="list-style-type: none"> 1. make efficient use of space occupied in the coastal marine area, 2. are of a scale, density and design compatible with their location, 3. are only provided for within appropriate locations and limits, and 4. maintain or enhance public access to and along the coastal marine area, including for customary uses. 	Support in part	Sanford supports this objective as it aligns with and gives effect to the NZCPS.	Retain this objective.
<p>CE–P1 – Links with other chapters Recognise that:</p> <ol style="list-style-type: none"> 1. coastal hazards must be identified in accordance with CE-P2(4) and managed in accordance with the HAZ–NH – Natural hazards section of this RPS; 2. port activities must be managed in accordance with the TRAN – Transport section of this RPS; and 	Support in part	<p>Sanford supports the intent of this policy but seeks that this policy be broadened to clarify that provisions in the other TOPIC chapters in the RPS do not apply to activities in the coastal environment.</p> <p>This is particularly important in respect of Chapter ECO – Ecosystems and Biodiversity which contains provisions that conflict with those in this chapter and in the NZCPS.</p>	Amend this policy or include a statement earlier in this chapter making it clear that activities in the coastal marine area and wider coastal environment are not subject to <u>any other provisions</u> of the Topic based sections RPS.

<p>3. historic heritage must be managed in accordance with the HCV – Historical and cultural values section of this RPS.</p>			
<p>CE – P2 – Identification Identify the following in the coastal environment:</p> <ol style="list-style-type: none"> 1. the landward extent of the coastal environment, recognising that the coastal environment includes: <ul style="list-style-type: none"> a. islands within the coastal marine area; b. areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these, areas at risk from coastal hazards as identified in CE-P2(4), c. coastal vegetation and the habitat of indigenous coastal species including migratory birds, d. elements and features that contribute to the natural character, landscape, visual qualities or amenity values, e. items of cultural and historic heritage in the coastal marine area or on the coast, f. inter-related coastal marine and terrestrial systems, including the intertidal zone, and g. physical resources and built facilities, including infrastructure, that have modified the coastal environment, 2. areas of water quality in the coastal marine area that are considered to have deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water-based recreational activities, or is restricting existing uses, such as aquaculture, shellfish gathering, and cultural activities such as mahika kai and harvesting of kaimoana, 3. areas of coastal water where takata whenua have a particular interest 4. areas that are potentially affected by coastal hazards (including tsunami), giving priority to the identification of areas at high risk of being affected, and 	<p>Support</p>	<p>Sanford supports this policy, particularly (2) as this recognises that aquaculture activities need access to good water quality.</p>	<p>Retain this policy.</p>

<p>5. the nationally significant surf breaks at Karitane, Papatowai, The Spit, and Whareakeake and any regionally significant surf breaks.</p>			
<p>CE- P3 Coastal Water Quality Coastal water quality is improved where it is considered to have deteriorated to the extent described within <u>CE-P1(2)</u>, and otherwise managed, so that:</p> <ol style="list-style-type: none"> 1. healthy coastal ecosystems, indigenous habitats provided by the coastal environment, and the migratory patterns of indigenous coastal water species are maintained or enhanced, 2. Kāi Tahu relationships with and customary uses of coastal water are sustained, 3. recreation opportunities and existing uses of coastal water are maintained or enhanced, and 4. within identified areas where takata whenua have a particular interest, adverse effects on these areas and values are remedied or where remediation is not practicable, are mitigated. 	<p>Support</p>	<p>Sanford supports this policy. Aquaculture activities need access to good water quality and it is appropriate to seek to improve water quality where it is degraded currently and to otherwise manage water quality in accordance with the matters listed within this policy. Sanford notes however that the reference to CE – P1(2) appears to be incorrect and this should be CE – P2(2).</p>	<p>Amend the policy as follows:</p> <p><i>Coastal water quality is improved where it is considered to have deteriorated to the extent described within <u>CE-P2(2)</u>, and otherwise managed, so that:</i></p> <p>...</p>
<p>CE – P4 Natural Character 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, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks, d. the natural movement of water and sediment, e. the natural darkness of the night sky, f. places or areas that are wild or scenic, g. a range of natural character from pristine to modified, h. experiential attributes, including the sounds and smell of the sea, and their context or setting, 	<p>Support in part</p>	<p>Sanford generally supports this policy on the basis that it is generally consistent with and gives effect to the NZCPS. However, this policy does not require any areas of outstanding or high natural character to be clearly mapped or scheduled in any lower order plans, instead it simply requires these features to be identified. This approach lacks necessary precision. As a result, every resource consent process within or near the coastal environment will need to include such an assessment. This seems inefficient and is inconsistent with the intent of the corresponding methods which clearly direct for this mapping to be undertaken by local and regional authorities, rather than individual applicants.</p>	<p>Amend clause (1) as follows:</p> <p>1. <i>identifying and mapping areas and values of high and outstanding natural character, in doing so considering which may include matters such as:</i></p>

<ul style="list-style-type: none"> 2. avoiding adverse effects on natural character in areas identified as having outstanding natural character, 3. avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on natural character outside the areas in (2) above, 3. encouraging de-reclamation of redundant reclaimed land where it would restore the natural character and resources of the coastal marine area and provide for more public open space, and 4. promoting activities and restoration projects that will restore natural character in the coastal environment where it has been reduced or lost. 			
<p>CE – P5 – Coastal Indigenous Biodiversity Protect indigenous biodiversity in the coastal environment by:</p> <ul style="list-style-type: none"> 1. identifying and avoiding adverse effects on the following ecosystems, vegetation types and areas: <ul style="list-style-type: none"> a. indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists, b. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened, c. indigenous ecosystems and vegetation types in the coastal environment that are threatened or are naturally rare, d. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare, e. areas containing nationally significant examples of indigenous community types, and f. areas set aside for full or partial protection of indigenous biodiversity under other legislation, and 2. identifying and avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on the following ecosystems, vegetation types and areas: <ul style="list-style-type: none"> a. areas of predominantly indigenous vegetation in the coastal environment, 	Support in part	Sanford supports this policy on the basis that it is generally consistent with and gives effect to the NZCPS.	Retain this policy.

<ul style="list-style-type: none"> b. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species, c. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable, d. 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 species, and g. ecological corridors, and areas important for linking or maintaining biological values identified under this policy. 			
<p>CE- P6 – Natural Features, landscapes and seascapes Protect natural features, landscapes and seascapes in the coastal environment by:</p> <ol style="list-style-type: none"> 1. identifying their areas and values in accordance with APP9, 2. avoiding adverse effects of activities on outstanding natural features, landscapes or seascapes, 3. avoiding significant adverse effects and avoiding, remedying, or mitigating other adverse effects of activities on other natural features and natural landscapes or seascapes, and 4. promoting restoration or enhancement of natural features, landscapes and seascapes where they have been reduced or lost. 	Support in part	Sanford supports this policy on the basis that it is consistent with and gives effect to the NZCPS. However, this policy does not require areas to be clearly mapped or scheduled in any lower order plans, instead it requires natural features, landscapes and seascapes to be identified in accordance with the criteria set out in APP9. This approach lacks necessary precision. As a result, every resource consent process within or near the coastal environment may need to assess the project against the APP9 criteria. This seems inefficient and is inconsistent with the intent of the corresponding methods which clearly direct for this mapping to be undertaken by local and regional authorities, rather than individual applicants.	Amend this policy as follows: <i>Protect natural features, landscapes and seascapes in the coastal environment by:</i> <ol style="list-style-type: none"> 1. <i>identifying and mapping at an appropriate scale their areas and values in accordance with APP9.</i> 2. <i>avoiding adverse effects of activities on outstanding natural features, landscapes or seascapes,</i> 3. <i>avoiding significant adverse effects and avoiding, remedying, or mitigating other adverse effects of activities on other natural features and natural landscapes or seascapes, and</i> 4. <i>promoting restoration or enhancement of natural features, landscapes and seascapes where they have been reduced or lost.</i>
<p>CE- P8 Public Access Maintain or enhance public access to and along the coastal marine area, unless restricting public access is necessary:</p> <ol style="list-style-type: none"> 1. to protect public health and safety, 	Support	Sanford supports this policy on the basis that it is consistent with and gives effect to the NZCPS.	Retain this policy.

<ol style="list-style-type: none"> 2. to protect areas of significant indigenous vegetation and significant habitats of indigenous fauna, 3. to protect dunes, estuaries and other sensitive natural areas or habitats, 4. to protect places or areas containing historic heritage of regional or national significance, 5. to protect places or areas of significance to takata whenua, including wāhi tapu and wāhi tūpuna, 6. for defence purposes in accordance with the Defence Act 1990, 7. for temporary activities or special events, or 8. to ensure a level of security consistent with the operational requirements of a lawfully established activity. 			
<p>CE- P9 – Activities on land within the coastal environment</p> <p>The strategic and co-ordinated use of land within the coastal environment is achieved by:</p> <ol style="list-style-type: none"> 1. avoiding sprawling or sporadic patterns of subdivision, use and development, 2. considering the rate at which built development should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the values of the coastal environment, 3. recognising the importance of the provision of infrastructure to the social, economic and cultural well-being of people and communities, 4. maintaining or enhancing public access to the coastal environment, and 5. considering where activities that maintain the character of the existing built environment should be encouraged, and where activities resulting in a change in character would be acceptable. 	Support in part	Sanford supports this policy but considers it important that it recognises there are some activities which have a functional need to locate in the coastal environment.	<p>Amend the policy as follows:</p> <p><i>The strategic and co-ordinated use of land within the coastal environment is achieved by:</i></p> <ol style="list-style-type: none"> 1. <i>avoiding sprawling or sporadic patterns of subdivision, use and development,</i> 2. <i><u>recognising that there are activities that have a functional or operational need to be located in the coastal environment;</u></i> 3. <i>considering the rate at which built development should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the values of the coastal environment</i> 4. <i>recognising the importance of the provision of infrastructure to the social, economic and cultural well-being of people and communities,</i> 5. <i>maintaining or enhancing public access to the coastal environment, and</i> 6. <i>considering where activities that maintain the character of the existing built environment should be encouraged, and where activities resulting in a change in character would be acceptable.</i>
<p>CE – P10 – Activities within the coastal marine area</p> <p>Use and development in the coastal marine area must:</p> <ol style="list-style-type: none"> 1. enable multiple uses of the coastal marine area wherever reasonable and practicable, 	Support	Sanford supports this policy on the basis that it is consistent with and gives effect to the NZCPS.	Retain this policy.

<ol style="list-style-type: none"> 2. maintain or improve the integrity, form, function and resilience of the coastal marine area, and 3. have a functional or operational need to be located in the coastal marine area, or 4. have a public benefit or opportunity for public recreation that cannot practicably be located outside the coastal marine area. 			
<p>CE- P11 – Aquaculture</p> <p>Provide for the development and operation of aquaculture activities within appropriate locations and limits, taking into account:</p> <ol style="list-style-type: none"> 1. the need for high quality water required for an aquaculture activity, 2. the need for land-based facilities and infrastructure required to support the operation of aquaculture activities, and 3. the potential social, economic and cultural benefits associated with the operation and development of aquaculture activities. 	Support	<p>Sanford supports this policy as it is appropriate to recognize the importance of the aquaculture industry in Otago, and this is consistent with giving effect to Policy 8 of the NZCPS. Aquaculture activities make a significant contribution to the social and economic wellbeing of the region by providing a sustainable food resource, export revenue and the employment and wages it provides directly to the local and regional economy.</p>	Retain this policy.
<p>CE – P13 – Kaitiakitaka</p> <p>Recognise and provide for the role of Kāi Tahu as kaitiaki of the coastal environment by:</p> <ol style="list-style-type: none"> 1. involving mana whenua in decision making and management processes in respect of the coast, 2. identifying, protecting, and improving where degraded, sites, areas and values of importance to Kāi Tahu within the coastal environment, and managing these in accordance with tikaka, 3. providing for customary uses, including mahika kai and the harvesting of kaimoana, 4. incorporating the impact of activities on customary fisheries in decision making, and 5. incorporating mātauraka Maōri in the management and monitoring of activities in the coastal environment, 	Support	<p>Sanford supports this policy. It is important to recognise and provide for the role of Kāi Tahu as kaitiaki of the coastal environment.</p>	Retain this policy.
<p>ECO- Ecosystems and Indigenous Biodiversity</p>			
<p>ECO Chapter Generally</p>	Oppose in part	<p>The NZCPS contains a comprehensive planning framework for protecting indigenous biodiversity in the coastal environment. This planning framework is accurately given effect to within the provisions in RPS Chapter CE – Coastal Environment.</p>	<p>Include an explicit statement be included in the Chapter CE – Coastal Environment or Chapter ECO – Ecosystems and indigenous biodiversity which makes it clear the provisions in Chapter ECO do not apply to the coastal environment.</p>

		<p>Sanford is concerned that the provisions in Chapter ECO could apply an additional and prohibitive suite of policy to activities in the coastal environment which could result in the use and development of the coastal environment being much more tightly constrained than required by the NZCPS. This could have significant social, economic and cultural impacts which have not been quantified in the s32 assessment.</p> <p>Sanford's primary submission on Chapter ECO is that its provisions do not apply to the coastal environment. This seems to be the intent of the provisions based on the direction in Policy CE-P1, the fact that the definition of Significant Natural Areas excludes areas in the coastal environment, Policy ECO-P6 and Policy ECO-P7. However, the direction is not absolutely clear.</p> <p>Sanford seeks an explicit statement be included in the RPS which makes it clear the provisions in Chapter ECO do not apply to the coastal environment.</p>	
<p>ECO-P2- Identifying significant natural areas and taoka Identify:</p> <p>(1) the areas and values of significant natural areas in accordance with APP2, and</p> <p>(2) indigenous species and ecosystems that are taoka in accordance with ECO-M3.</p>	Oppose in part	<p>Sanford understands the intent of the proposed policy framework for SNAs and supports (and undertakes) actions to support thriving biodiversity.</p> <p>However, it is concerned that the broad scope of proposed RPS Appendix 2 (Significance criteria for indigenous biodiversity) ("APP2") in combination with policies ECO-P2 and ECO-P3 will produce inadvertent and irrational planning outcomes .</p> <p>If the broad framing of ecological significance criteria in APP2 are applied in accordance with ECO-P2(1), Sanford has received preliminary advice that much of Otago may be subject to SNA classification.</p> <p>Furthermore, ECO-P2 is non-specific about the manner in which SNAs are to be identified.</p>	<p>Delete ECO-P2 or, amend the policy to ensure that:</p> <ol style="list-style-type: none"> 1. Areas identified in accordance with Appendix 2 are appropriate for management as a Significant Natural Area; and, 2. The identification of Significant Natural Areas is implemented through detailed mapping included in district and regional plans.
<p>ECO-P3 – Protecting significant natural areas and taoka Except as provided for by ECO-P4 and ECO-P5, protect significant natural areas and indigenous species and ecosystems that are taoka by:</p> <p>(1) avoiding adverse effects that result in:</p> <p>(a) any reduction of the area or values (even if those values are not themselves significant) identified under ECO-P2(1), or</p> <p>(b) any loss of Kāi Tahu values, and</p> <p>(2) after (1), applying the biodiversity effects management hierarchy in ECO-P6, and</p> <p>(3) 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.</p>	Oppose in part	<p>The formulation of ECO-P3(1)(a) to require the avoidance of "...any reduction of the area or values (even if those values are not themselves significant)" will likely prevent many opportunities for the use and (re)development of areas within in an SNA regardless of the context such as:</p> <ul style="list-style-type: none"> • Whether the area or value (e.g., structure) in question is in a highly modified environment; • Whether the value which is affected is significant; and • Whether positive environmental effects could be realised by modifying the area or values. 	Delete ECO- P3
<p>ECO-P6 – Maintaining indigenous biodiversity Maintain Otago's indigenous biodiversity (excluding the coastal environment and areas managed under ECO-P3) by applying the following biodiversity</p>	Support in part	<p>Sanford acknowledges that this policy seeks to exclude the coastal environment. This is appropriate and supported. However, Sanford is concerned that similar policies being that of ECO-P2 and ECO-P3 do not include the same exclusion and it is not clear how these provisions would work in context of the coastal marine and/or coastal environment as noted above.</p>	Retain the exclusion in ECO-P6 that it does not apply to the coastal environment.

<p>effects management hierarchy in decision making on applications for resource consents and notices of requirement:</p> <ol style="list-style-type: none"> (1) Avoid adverse effects as the first priority, (2) Where adverse effects demonstrably cannot be avoided, they are remedied, (3) Where adverse effects demonstrably cannot be completely avoided or remedied, they are mitigated, (4) Where there are residual adverse effects after avoidance, remediation and mitigation, then the residual adverse effects are offset in accordance with APP3, and (5) if biodiversity offsetting of residual adverse effects is not possible, then: <ol style="list-style-type: none"> (a) the residual adverse effects are compensated for in accordance with APP4, and (b) if the residual effects cannot be compensated for in accordance with APP4, the activity is avoided. 			
<p>ECO- P7 – Coastal Indigenous Biodiversity Coastal indigenous biodiversity is managed by CE – P5, and implementation of CE – P5 also contributes to achieving ECO-O1.</p>	Support	Sanford considers it appropriate that the coastal indigenous biodiversity is managed by the provisions in the Coastal Environment chapter.	Retain this policy.
HAZ-NH – Natural Hazards			
<p>HAZ-NH-O1 – Natural Hazards Levels of risk to people, communities, and property from natural hazards within Otago do not exceed a tolerable level.</p>	Support	Sanford agrees that it is appropriate to manage natural hazards in the region to ensure they do not exceed tolerable or acceptable risks.	Retain this objective.
<p>HAZ-NH-P2 – Risk assessments Assess the level of natural hazard risk by determining a range of natural hazard event scenarios and their potential consequences in accordance with the criteria set out within APP6.</p> <p>HAZ-NH-P3 – New Activities Once the level of natural hazard risk associated with an activity has been determined in accordance with HAZ-NH-P2, manage new activities to achieve the following outcomes:</p> <ol style="list-style-type: none"> (1) When the natural hazard risk is significant, the activity is avoided, (2) When the natural hazard risk is tolerable, manage the level of risk so that it does not become significant, and 	Oppose in part	<p>Sanford is concerned that this provisions policies do not adequately recognise that natural hazard risks at a property can be appropriately managed by the landowner adopting conservative hazard risk assumptions in the design of individual developments.</p> <p>Sanford seeks the provisions do not direct individual developments be avoided where natural hazard risk can be suitably mitigated at that site for a particular development.</p> <p>This is of particular relevance to Sanford as its Kaitangata hatchery is located on land which is subject to some level of flood hazard risk and Sanford is concerned that this policy does not, without reason, prevent both continued and future development of that site.</p>	Amend Policy HAS NH P2, HAZ NH P3 and HAZ NH P4, Method HAZ-NH-M3 – Regional plans, Method HAZ-NH-M4 – District plans, and APP6 - Methodology for natural hazard risk assessment, to the extent required so that they does not direct individual developments be avoided where significant natural hazard risk can be suitably mitigated at that site for a particular development

<p>(3) When the natural hazard risk is acceptable, maintain the level of risk.</p> <p>HAZ–NH–P4 – Existing activities Reduce existing natural hazard risk by:</p> <ul style="list-style-type: none"> (1) encouraging activities that reduce risk, or reduce community vulnerability, (2) restricting activities that increase risk, or increase community vulnerability, (3) managing existing land uses within areas of significant risk to people and communities, (4) encouraging design that facilitates: <ul style="list-style-type: none"> (a) recovery from natural hazard events, or (b) relocation to areas of acceptable risk, or (c) reduction of risk, (5) relocating lifeline utilities, and facilities for essential and emergency services, away from areas of significant risk, where appropriate and practicable, and (6) enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services. <p>HAZ–NH–M3 – Regional plans Otago Regional Council must prepare or amend and maintain its regional plans to</p> <p>...</p> <ul style="list-style-type: none"> (7) require a natural hazard risk assessment 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 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: <ul style="list-style-type: none"> (a) an assessment of the level of natural hazard risk associated with the proposal in accordance with APP6, and (b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ–NH–P3 and HAZ–NH–P4. <p>HAZ–NH–M4 – District plans</p>			
--	--	--	--

<p>Territorial authorities must prepare or amend and maintain their district plans to:</p> <p>...</p> <p>(7) require a natural hazard risk assessment be undertaken where an activity requires a plan change or 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 application is lodged prior to the natural hazard risk assessment required by HAZ-NH-M2(1) being completed, the natural hazard risk assessment must include:</p> <p>(a) an assessment of the level of natural hazard risk associated with the proposal in accordance with APP6, and</p> <p>(b) an assessment demonstrating how the proposal will achieve the outcomes set out in Policies HAZ-NH-P3 and HAZ-NH-P4.</p> <p>APP6 – Methodology for natural hazard risk assessment</p> <p>Undertake the following four step process to determine the natural hazard risk...</p>			
UFD – URBAN FORM AND DEVELOPMENT			
<p>UFD-P7- Rural Areas</p> <p><i>The management of rural areas:</i></p> <p>(1) provides for the maintenance and, wherever possible, enhancement of important features and values identified by this RPS,</p> <p>(2) outside areas identified in (1), maintains the productive capacity, amenity and character of rural areas,</p> <p>(3) enables primary production particularly on land or soils identified as highly productive in accordance with LF-LS-P19,</p> <p>(4) facilitates rural industry and supporting activities,</p> <p>(5) directs rural residential and rural lifestyle development to areas zoned for that purpose in accordance with UFD-P8,</p> <p>(6) restricts the establishment of residential activities, sensitive activities, and non-rural businesses which could adversely affect, including by way of reverse sensitivity, the</p>	Support	Sanford's hatchery facilities are 'primary production' as per the definition of that term and they require a rural location. It is important that they are enabled in these areas.	Retain the provision.

<p>productive capacity of highly productive land, primary production and rural industry activities, and</p> <p>(7) otherwise limits the establishment of residential activities, sensitive activities, and non-rural businesses to those that can demonstrate an operational need to be located in rural areas.</p>			
APPENDICES			
<p>APP2 – Significance Criteria</p> <p>An area is considered to be a significant natural area if it meets any one or more of the criteria below:</p> <ol style="list-style-type: none"> 1. An area that is an example of an indigenous vegetation type or habitat that is typical or characteristic of the original natural diversity of the relevant ecological district or coastal marine biogeographic region. This may include degraded examples of their type or represent all that remains of indigenous vegetation and habitats of indigenous fauna in some areas. 2. An indigenous marine ecosystem (including both intertidal and sub-tidal habitats, and including both faunal and floral assemblages) that makes up part of at least 10% of the natural extent of each of Otago’s original marine ecosystem types and reflecting the environmental gradients of the region. 3. An indigenous marine ecosystem, or habitat of indigenous marine fauna (including both intertidal and sub-tidal habitats, and including both faunal and floral components), that is characteristic or typical of the natural marine ecosystem diversity of Otago. <ol style="list-style-type: none"> a. An area that supports: <ol style="list-style-type: none"> i. An indigenous species that is threatened, at risk, or uncommon, nationally or within an ecological district or coastal marine biogeographic region, or ii. Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent nationally, regionally or within a relevant land environment, ecological district, coastal marine biogeographic 	<p>Oppose in part</p>	<p>As noted in submission points above on policies ECO-P3 and ECO-P4, Sanford has received preliminary advice that the broad framing of the significance criteria for indigenous biodiversity in Appendix 2 (“APP2”) will likely require large areas of Otago to be classified as Significant Natural Areas - potentially including highly modified areas that cannot sensibly be so classified.</p> <p>APP2 clauses (d) (Rarity); (f) (Distinctiveness) and (g)(iii) (Ecological context), for example, require the following to be classified as SNAs:</p> <ul style="list-style-type: none"> • Any indigenous marine ecosystem that is characteristic or typical of the natural marine ecosystem diversity of Otago. • Any areas that “support” indigenous flora/fauna. • Any area that “provides habitat for” indigenous flora/fauna. • Any areas that are “...important for indigenous fauna during some part of their life cycle, either regularly or on an irregular basis, e.g., for feeding, resting, nesting, breeding, spawning or refuges from predation” <p>The terms “support”, “habitat”, “important for” are open to interpretation as they are not defined in the proposed RPS.</p> <p>The inclusion of these uncertain terms in, plus the broad framing (APP2(g)(iii) is a particular example) of, APP2 may require urban areas, areas of weed infestation, and buildings to be classified as SNAs under ECO-P2 if these areas were found to provide temporary support, resting or hiding places for an indigenous species meeting the criteria of (using the “Rarity” criterion for example) being “...threatened, at risk, or uncommon, nationally or within an ecological district or coastal marine biogeographic region”.</p> <p>This scenario is illustrated by mobile indigenous species like birds, bats, insects and marine mammals who may have large migration pathways.</p> <p>The proposed RPS provisions do not recognise the difference between unmodified and highly modified environments.</p> <p>The provisions are focused on the presence of indigenous species regardless of the character/extent of modification present in the environment the species is occupying.</p> <p>This issue is compounded by the obligation to include areas only occupied temporarily / on an ad hoc basis (these might include the temporary use of artificial structures for resting or roosting for example).</p>	<p>Amend Appendix 2 – Significance criteria for indigenous biodiversity to ensure the significance criteria for indigenous biodiversity are specific and targeted to avoid the inclusion of inappropriate areas within SNAs.</p>

<ul style="list-style-type: none"> region or freshwater environment including wetlands, or iii. Indigenous vegetation and habitats within originally rare ecosystems, or iv. The site contains indigenous vegetation or an indigenous species that is endemic to Otago or that are at distributional limits within Otago. b. An area that supports a high diversity of indigenous ecosystem types, indigenous taxa or has changes in species composition reflecting the existence of diverse natural features or gradients. c. An area that supports or provides habitat for: <ul style="list-style-type: none"> i. Indigenous species at their distributional limit within Otago or nationally, or ii. Indigenous species that are endemic to the Otago region, or d. Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, or has developed as a result of an unusual environmental factor or combinations of factors. e. The relationship of the area with its surroundings (both within Otago and between Otago and the adjoining regions), including: <ul style="list-style-type: none"> i. An area that has important connectivity value allowing dispersal of indigenous flora and fauna between different areas, or ii. An area that has an important buffering function that helps to protect the values of an adjacent area or feature, or iii. An area that is important for indigenous fauna during some part of their life cycle, either regularly or on an irregular basis, e.g. for feeding, resting, nesting, breeding, spawning or refuges from predation, or iv. A wetland which plays an important hydrological, biological or ecological 		<p>Given the foregoing, Sanford seeks amendment of the APP2 significance criteria to minimise the risk of inadvertent outcomes from arising through SNA identification processes and management regimes.</p>	
--	--	--	--

role in the natural functioning of a river or coastal ecosystem.			
--	--	--	--