

BEFORE THE HEARINGS PANEL

IN THE MATTER

of the Resource Management
Act 1991

AND

IN THE MATTER

of Proposed Regional Policy
Statement for Otago 2021

**SUPPLEMENTARY EVIDENCE OF ANITA COLLIE ON BEHALF OF
MATAKANUI GOLD LIMITED**

26 April 2023

1. INTRODUCTION

- 1.1 My full name is Anita Clare Collie. My qualifications and experience are set out in my statement of evidence dated 23 November 2022.
- 1.2 I confirm that I have read the Code of Conduct for Expert Witnesses contained in the Environment Court Practice Note 2014 and I agree to comply with it. I confirm that I have considered all the material facts that I am aware of that might alter or detract from the opinions that I express, and that this evidence is within my area of expertise, except where I state that I am relying on the evidence of another person.
- 1.3 The key documents I have used, or referred to, in forming my view while preparing this supplementary statement of evidence are:
- (a) The version of Chapter 15 (UFD) of the proposed Regional Policy Statement for Otago 2021 (**pRPS**) dated 30 March 2023;
 - (b) The third brief of supplementary evidence of Elizabeth Jane White dated 24 February 2023; and
 - (c) The second brief of supplementary evidence of Felicity Ann Boyd dated 24 February 2023.

2. SCOPE OF EVIDENCE

- 2.1 Matakanui Gold lodged a submission and provided evidence on several provisions in Chapter 15. This supplementary statement of evidence provides a response to the redraft of that chapter in accordance with Minute 7 issued by the Hearing Panel. The specific provisions addressed by this evidence are:
- (a) Objective UFD-O4
 - (b) Policy UFD-P7(4)

3. OBJECTIVE UFD-O4

3.1 Objective UFD-O4 has been substantially redrafted to:

UFD-O4 – Development in rural areas

UFD-O4 – Development in rural areas Development in Otago’s rural areas occurs in a way that:

(4) provides for the ongoing use of rural areas for primary production, supported by rural industry in appropriate locations, and

(4A) does not compromise the productive capacity, and long-term viability of the rural sector and rural communities.

3.2 I generally support the proposed redrafting, which increases the clarity of the objective. Noting that the term “primary production” includes mining (as defined in the National Planning Standards), the redrafting contributes to the relief sought by the submitter to provide appropriate recognition for mining in the pRPS.

3.3 The term “rural sector” used in subclause (4A) is not a defined term, however, may be interpreted to include rural industry and other activities that are located in rural areas. As drafted, the objective provides a high level of protection for the “rural sector” by ensuring that development does not compromise its productive capacity by protecting its long-term viability. “Primary production” is a more appropriate term to use, as it is directly relevant to the productive capacity of the rural area and would provide for consistent terminology use in the objective. The redrafted UFD-O4(4A) would read:

(4A) does not compromise the productive capacity, and long-term viability of ~~the rural sector~~ primary production and rural communities.

4. POLICY UFD-P7(4)

4.1 UFD-P7(4) has been redrafted as follows:

UFD-P7 – Rural areas

The management of development in rural areas:

...

(4) provides for primary production, rural industry and supporting activities and recognises:

(a) the importance of mineral and aggregate resources for the provision of infrastructure and the social and economic well-being of Otago's communities, and

(b) that mining and aggregate extraction activities can only be located where those resources are present, and

...

4.2 I generally agree with the intent of the amendments made in the redrafted version of the policy and acknowledge that the redrafting incorporates changes into UFD-P7(4)(b) that were proposed in my first statement of evidence dated 23 November 2022¹.

4.3 However, I consider that there is an aspect where the policy could be amended to provide greater clarity. In UFD-P7(4)(a), the use of “and” between “infrastructure” and “*social and economic well-being*” could be read that both are necessary to enable recognition of the importance of the mineral or aggregate extraction activity. Although some mineral extraction activities provide benefits in terms of both matters, others such as gold mining, provide social and economic benefits without directly involving the provision of ‘infrastructure’.

4.4 I suggest UFD-P7(4) is amended as set out below. I consider the below revision provides greater clarity, while achieving a similar outcome.

(4) provides for primary production, rural industry and supporting activities, and recognises:

(a) the importance of mineral and aggregate resources for the ~~provision of infrastructure and~~ social and economic well-being of Otago's communities, including the provision of infrastructure, and

¹ Refer paragraph 5.9

(b) that mining and aggregate extraction activities can only be located where those resources are present, and

...

- 4.5 Reconfiguration of UFD-P7(X)(a) clarifies that mineral and aggregate resources would not necessarily be important for both the provision of infrastructure and social and economic well-being of Otago's communities. Infrastructure can contribute to social and economic wellbeing and is appropriately reflected in the re-worded policy as a subset of those values.
- 4.6 Lastly, I remain of the view that it would assist interpretation to add a definition of 'mining' to the pRPS and suggest that the definition contained within the Crown Minerals Act is appropriate.²

Anita Clare Collie

26 April 2023

² Refer paragraphs 5.17-5.19 of my first statement of evidence dated 23 November 2022.