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By Email

23 July 2015

Ref: 3025

Otago Regional Council
Private Bag 1954
DUNEDIN

Attention: Planning Department
rps@orc.govt.nz

Dear Sir / Madam

**RE: PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO – SUBMISSION
BY HW RICHARDSON GROUP LIMITED**

Please find attached a submission on the Proposed Regional Policy Statement for Otago on behalf of HW Richardson Group Limited.

Yours sincerely,
MITCHELL PARTNERSHIPS LIMITED

MEGAN JUSTICE

Email: megan.justice@mitchellpartnerships.co.nz

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FORM 5

**SUBMISSION ON THE PUBLICALLY NOTIFIED PROPOSAL FOR A POLICY
STATEMENT FOR OTAGO PURSUANT TO CLAUSE SIX OF THE FIRST
SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991**

To: Otago Regional Council
Private Bag 1954
DUNEDIN 9054

Attention: Planning Department

Name: H W Richardson Group (HWRG)

Address: C/- Mitchell Partnerships
P O Box 489
DUNEDIN 9054

1. **This is a submission on the following proposed policy statement:**
Proposed Regional Policy Statement for Otago dated 23rd May 2015.
2. **HWRG could not gain an advantage in trade competition through this submission.**
3. **The specific provisions of the Proposed Regional Policy Statement that HWRG's submission relates to are the provisions in the following Chapters:**

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| Chapter 1 | Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed |
| Chapter 2 | Otago has high quality natural resources and ecosystems |
| Chapter 3 | Communities in Otago are resilient, safe and healthy |
| Chapter 4 | People are able to use and enjoy Otago's natural and built environment |

More specifically, those provisions listed in **Annexure A**.

4. **HWRGs submission is:**
HWRG's interest in the Proposed Regional Policy Statement for Otago:
The interests that have determined the approach of HWRG in preparing submissions on the Proposed Regional Policy Statement for Otago ("**the Proposed RPS**") are as follows:

- a) HWRG is owned and operated by the Richardson family. The Group's head office is located in Invercargill. Its business is undertaken in accordance with current environmental best management practices and procedures.
- b) The business is founded on transport. The company has now extended its interests to include ready mix concrete, fuel and lubricant distribution, aggregates, contracting, property and other investments in Otago and Southland. HWRG's business has the following main divisions:
 - Transport;
 - Concrete;
 - Petroleum;
 - Contracting; and
 - Quarrying.

Transport Division

- c) Today, HWRG operates approximately 740 heavy trucks throughout New Zealand. HWRG covers all facets of transport including: stock, phosphate, freight, containers, bulk and specialised transport, tip trucks, waste management and handling, and logistic services.
- d) HWRG's Rural Transport sector includes Andrews Transport Ltd, Heenans Transport Ltd, Herberts Transport Ltd, Hokonui Rural Transport Ltd, Kapuka Transport Ltd, Ryal Bush Transport Ashburton Ltd, Ryal Bush Transport Ltd and Transport Services Southland Ltd. These businesses provide a wide range of rural transport services as well as digger and loader hire.
- e) HWRG's Bulk Transport sector includes Southern Transport Company Ltd, Bulk Distribution Ltd, and Cromwell Bulk Distribution Ltd, providing for a wide range of bulk cartage requirements.
- f) HWRG's Specialised Transport sector includes Enviro South Ltd, ATL Limited, Freight Haulage Ltd, Heavy Haulage Ltd, Purdue Bros Ltd and Southern Transport – Logging. Specialised Transport covers a range of environmental needs from emptying septic tanks, dairy effluent ponds and waste oil reservoirs, to taking care of dust suppression and delivering fresh water.

Concrete Division

- g) Allied Concrete is the concrete division of HWRG, operating over 45 plants throughout the country, as well as having eight mobile batching plants to service large projects in remote locations. Allied Concrete has developed strong relationships with suppliers such as Holcim New Zealand, Golden Bay Cement, Sika New Zealand, Peter Fell and Fulton Hogan who have national and international statuses. HWRG also

provides products and materials via Allied Concrete Products in Dunedin, Mosgiel, Balclutha, Wanaka, Cromwell, Alexandra and Queenstown, which supplies various products to trade customers and the public including aggregates, coal, dry firewood and landscaping supplies.

Petroleum Division

- h) The Petroleum division of HWRG includes Allied Petroleum and Allied Lubricants. Allied Petroleum delivers a wide range of fuels and Mobil branded lubricants throughout New Zealand, specialising in bulk delivery to rural and commercial businesses. Allied Petroleum delivers to over 90 service stations, marine stops and fuel stops throughout the country. Allied Lubricants is a subsidiary of Allied Petroleum and an authorised distributor of Mobil oils and greases, specialising in excellent technical service in the industrial, commercial and passenger vehicle markets.

Contracting Division

- i) HWRG became involved in the contracting industry with the purchase of SouthRoads Ltd from the Southland District Council in 1996. The Contracting sector now includes Bond Contracts Ltd, Linton Contracting and SouthDrill Ltd, in addition to South Roads Ltd. It covers a range of operations including: road construction and maintenance, bridge building and site development works, bulk earthmoving and construction, water bore construction drilling and piling, environmental waste management, drainage system maintenance and construction. Clients include the New Zealand Transport Authority, local government authorities, the forestry sector, private and commercial developers.

Quarrying Division

- j) The Quarrying division of HWRG includes Fernhill Limeworks Ltd, Southern Aggregates Ltd and Rangitikei Aggregates Ltd. These companies have operations in Southland, Otago and Rangitikei, as well as mobile plants available for operation throughout New Zealand. The Fernhill Limeworks based in rural Southland produces organically certified lime.
- k) This submission has been prepared on behalf of HWRG and primarily seeks to protect the interests of HWRG's lawfully established business by submitting on the formation of policy that may impact on its well established operations. HWRG seeks to ensure that the Regional Policy Statement for Otago is formulated in a way that enables optimal outcomes, including a thriving, but environmentally sustainable, community.

HWRG has reviewed the provisions within the Proposed RPS that are applicable to its activities.

HWRG's specific submission points and the reasons for these submissions is set out in **Table 1** which is attached as **Annexure A** to this submission and forms part of this submission.

In summary HWRG:

- a) Opposes, opposes in part, supports and supports in part the Proposed RPS as set out the specific relief sought in **Table 1** (refer **Annexure A**).
- b) The reasons for HWRG's opposition, opposition in part and support in part are that the Proposed RPS, as notified and in the absence of amendments (or similar amendments) in accordance with this submission:
 - (i) Will not promote the sustainable management of natural and physical resources, will not achieve the purpose of the RMA, and is otherwise contrary to Part 2 and other relevant provisions of the Act, particularly when having regard to the efficiency and effectiveness of the provisions relative to other means;
 - (ii) Will not promote the efficient use and development of natural and physical resources; and
 - (iii) Does not represent sound resource management practice particularly with respect to infrastructure planning and surrounding land use management.

5. HWRG seeks the following decision from the Otago Regional Council:

- a) The amendments set out in **Table 1** attached to this submission as **Annexure A** (or those with similar or like effect) be accepted; and
- b) Such further or other relief as is appropriate or desirable in order to take account of the concerns expressed in this submission; and
- c) Any consequential amendments to the Proposed RPS necessary to give effect to a) and b) above, including amendments to the Methods contained in the Proposed RPS; and
- d) That, in the event that the amendments set out above are not implemented, the Proposed RPS be withdrawn.

6. HWRG does wish to be heard in support of its submission.

7. If others make a similar submission, HWRG would be prepared to consider presenting a joint case with them at any hearing.



Signature:

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Megan Justice

Date:

23rd day of July 2015

Address for service:

C/- Mitchell Partnerships Limited
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Dunedin

Attn: Megan Justice

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ANNEXURE A

Submission Table

Table 1

| Provision | Submission Position | Reason for submission | HWRG Requests the Following Relief from the Council (or similar wording to achieve desired relief) |
|---|-----------------------|--|---|
| <p>Chapter 1 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed</p> | | | |
| <p>Policy 1.1.2 Taking the principles of Te Tiriti o Waitangi into account Ensure that local authorities exercise their functions and powers, to:</p> <p>a) Accord Kāi Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and,</p> <p>b) Involve Kāi Tahu in resource management decision-making processes and implementation; and</p> <p>c) Take into account Kāi Tahu views in resource management decision-making processes and implementation, particularly regarding the relationship of their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka ; and</p> <p>d) Ensure Kāi Tahu have the prerogative to:</p> <p>i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; and</p> <p>ii. Determine how best to express that relationship; and</p> <p>e) Ensure Kāi Tahu are able to exercise kaitiakitaka; and</p> <p>f) Ensure that district and regional plans:</p> <p>i. Give effect to the Ngāi Tahu Claims Settlement Act 1998; and</p> <p>ii. Recognise and provide for statutory acknowledgement areas, as detailed in Schedule 2; and</p> <p>iii. Provide for other areas in Otago that are recognised as significant to Kāi Tahu in a manner similar to that prescribed for statutory acknowledgement areas</p> | <p>Oppose in part</p> | <p>While it is recognised that it is important to maintain good working relationships with Kai Tahu when dealing with resource management issues within the Otago Region, it is submitted that this is already a requirement inherent within the RMA by:</p> <ul style="list-style-type: none"> Recognising and providing for the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu, and other taonga (section 6(e) of the RMA); Having particular regard to kaitiakitanga (section 7(a) of the RMA); Taking into account the principles of the Treaty of Waitangi (section 8 of the RMA). <p>Clause (a) of this policy does not appear to have an identified resource management purpose and should be deleted. Clause (a) is also inconsistent with the notification determination which focuses on the extent of effects, not the status of a party.</p> <p>Clauses (d) and (e) require further amendment to better align with sections 6 and 7 of the RMA.</p> | <p>Amend this policy as follows:</p> <p>Policy 1.1.2 Taking the principles of Te Tiriti o Waitangi into account Ensure that local authorities exercise their functions and powers, to:</p> <p>a) Accord Kāi Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and,</p> <p>b) Involve Kāi Tahu in resource management decision-making processes and implementation; and</p> <p>c) Take into account Kāi Tahu views in resource management decision-making processes and implementation, particularly regarding the relationship of their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka ; and</p> <p>d) Ensure Kāi Tahu have the prerogative to: <u>Recognise and provide for Kāi Tahu to identify their relationship with their ancestral lands, water, sites, wahi tapu and other taoka by:</u></p> <p>i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; and</p> <p>ii. Determine how best to express that relationship; and</p> <p>e) Ensure Kāi Tahu are able to <u>Have regard to the exercise of</u> kaitiakitaka; and</p> <p>f) Ensure that district and regional plans:</p> <p>i. Give effect to the Ngāi Tahu Claims Settlement Act 1998; and</p> <p>ii. Recognise and provide for statutory acknowledgement areas, as detailed in Schedule 2; and</p> <p>iii. Provide for other areas in Otago that are recognised as significant to Kāi Tahu in a manner similar to that prescribed for statutory acknowledgement areas</p> |

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| <p>Objective 1.2 Kāi Tahu values, rights and interests and customary resources are sustained</p> | <p>Oppose in part</p> | <p>HWRG consider that a requirement to 'recognise and provide for' Kai Tahu values should be implemented which will provide a broader framework for the management of these values. HWRG also submits that reference to "rights" should be deleted as the subsequent policies do not provide any further context around what specific "rights" are being referred to.</p> | <p>Amend the objective as follows: Kāi Tahu values, rights and interests and customary resources are sustained <u>recognised and provided for.</u></p> |
| <p>Chapter 2 Otago has high quality natural resources and ecosystems</p> | | | |
| <p>Objective 2.1 The values of Otago's natural and physical resources are recognised, maintained and enhanced</p> | <p>Support in part</p> | <p>HWRG is concerned about how this objective will be applied in practice. It is noted that the objective refers to both natural and physical resources however the corresponding policies only relate to the values attaching to natural resources (i.e. water, soil, air etc). For this objective to be useful it needs to be supported by additional policies that recognise, maintain and enhance physical resources.</p> | <p>Maintain the objective as notified and include additional policies that recognise, maintain and enhance physical resources.</p> |
| <p>Policy 2.1.5 Managing for soil values Recognise soil values, and manage soils, to: a) Maintain their life supporting capacity; and b) Maintain soil biodiversity; and c) Maintain biological activity in soils; and d) Maintain soil's function in the storage and cycling of water, nutrients, and other elements through the biosphere; and e) Maintain soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and f) Retain soil resources for primary production; and g) Protect Kāi Tahu values; and h) Provide for other cultural values; and i) Maintain the soil mantle where it acts as a repository of heritage objects; and j) Maintain highly valued soil resources; and k) Avoid contamination of soil; and l) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.</p> | <p>Oppose in part</p> | <p>HWRG is concerned that this policy does not suitably recognise that the use of soil resources can also be essential to the economic and social wellbeing of the region.</p> | <p>Amend the policy as follows: Recognise soil values, and manage soils, to: a) Maintain their life supporting capacity; and b) Maintain soil biodiversity; and c) Maintain biological activity in soils; and d) Maintain soil's function in the storage and cycling of water, nutrients, and other elements through the biosphere; and e) Maintain soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and f) Retain soil resources for primary production; and g) Provide for Kāi Tahu values; and h) Provide for other cultural values; and i) Maintain the soil mantle where it acts as a repository of heritage objects; and j) Maintain highly valued soil resources; and k) Avoid contamination of soil; and l) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread. m) <u>Maintain the ability to use soils for infrastructure and by those providing for the economic, health and safety and social wellbeing of the community.</u></p> |

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| <p>Policy 2.1.6 Managing for ecosystem and indigenous biodiversity values</p> <p>Recognise the values of ecosystems and indigenous biodiversity, and manage ecosystems and indigenous biodiversity, to:</p> <p>a) Maintain or enhance ecosystem health and indigenous biodiversity; and</p> <p>b) Maintain or enhance areas of predominantly indigenous vegetation; and</p> <p>c) Buffer or link existing ecosystems; and</p> <p>d) Protect important hydrological services, including the services provided by tussock grassland; and</p> <p>e) Protect natural resources and processes that support indigenous biodiversity; and</p> <p>f) Maintain habitats of indigenous species that are important for recreational, commercial, cultural or customary purposes; and</p> <p>g) Protect biodiversity significant to Kāi Tahu; and</p> <p>h) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.</p> | <p>Oppose in part</p> | <p>HWRG is concerned that this policy applies to all ecosystems, indigenous and otherwise and has no regard for the significance of these systems.</p> <p>HWRG submits that this policy should seek to identify those indigenous ecosystems which have significance and seek to manage the effects of land use, subdivision and development on these significant ecosystems.</p> <p>HWRG is also of the view that this policy is not required given that policies which follow seek to identify and provide for areas of significant indigenous biodiversity.</p> | <p>Delete this policy.</p> |
| <p>Objective 2.2</p> <p>Otago's significant and highly-valued natural resources are identified, and protected or enhanced</p> | <p>Oppose</p> | <p>HWRG is concerned that this objective is too restrictive and generic in that it seeks to "protect" all of Otago's significant and highly valued natural resources. Given this HWRG consider that the focus of the objective should be to identify such resources and to protect them from inappropriate use and development.</p> | <p>Amend the objective to better achieve part 2 of the Act:</p> <p>Objective 2.2</p> <p>Otago's significant and highly-valued natural resources are identified, and protected or enhanced from inappropriate use or development.</p> |
| <p>Policy 2.2.1</p> <p>Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna</p> <p>Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna, using the attributes detailed in Schedule 5.</p> | <p>Support in part.</p> | <p>HWRG consider it appropriate that those areas within the region that are significant are identified at the regional level. The policy requires a minor amendment to make this clear.</p> | <p>Amend the policy to be clear that the identification of significant indigenous vegetation and significant habitat of indigenous fauna is to occur at a regional level:</p> <p>Policy 2.2.1</p> <p>Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna <u>at a regional level.</u></p> |
| <p>Policy 2.2.2</p> <p>Managing significant indigenous vegetation and significant habitats of indigenous fauna</p> <p>Protect and enhance the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by:</p> <p>a) Avoiding adverse effects on those values which contribute to the area or habitat being significant; and</p> <p>b) Avoiding significant adverse effects on other values of the area or habitat; and</p> | <p>Support in part</p> | <p>HWRG consider it to be appropriate that this policy acknowledges that the "protection" of significant indigenous vegetation and habitats of significant fauna can also be achieved via appropriate mitigation and/or offset strategies. HWRG suggests some amendments to the structure and wording of this policy to provide better certainty as to how this policy is to be applied.</p> | <p>Amend the policy as follows:</p> <p>Protect and <u>where appropriate</u> enhance the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by:</p> <p>a) Avoiding <u>where practicable</u> adverse effects on those values which contribute to the area or habitat being significant; and</p> <p>b) Avoiding significant adverse effects on other values of the area or habitat; and</p> |

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| <p>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>d) Mitigating where adverse effects cannot be avoided or remediated; and</p> <p>e) Encouraging enhancement of those areas and values.</p> | | | <p>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>d) <u>Remedying or mitigating</u> where adverse effects cannot be avoided or remediated; and</p> <p>e) Encouraging enhancement of those areas and values.</p> |
| <p>Policy 2.2.3 Identifying outstanding natural features, landscapes and seascapes Identify areas and values of outstanding natural features, landscapes and seascapes, using the attributes as detailed in Schedule 4.</p> | <p>Support in part</p> | <p>While HWRG generally supports the criteria identified in this policy and Schedule 4 in that it is consistent with case law and the National Coastal Policy Statement (NZCPS), HWRG considers that better guidance is needed from the regional authority to ensure local authorities apply the criteria consistently. Within the Otago context, landscape values differ remarkably, for example Queenstown Lakes has a number of outstanding and remarkable landscapes, whereas the city of Dunedin has comparatively less and a landscape which has deemed to be of outstanding value in the Dunedin City context might not be awarded such a status elsewhere in Otago e.g. Queenstown Lakes.</p> <p>HWRG is of the view that District Council's should be guided by an assessment identifying outstanding landscapes and features at the regional level.</p> <p>HWRG also notes that the wording of this policy refers to identifying "outstanding natural features", "landscapes" and "seascapes". For the latter two components it is not clear if this policy will only apply to "outstanding natural landscapes" and "outstanding natural seascapes" and this needs to be clarified. The wording of the policy needs to be clear.</p> <p>HWRG submits that this policy reads essentially as a repeat of the earlier policy 2.1.7. One or either of these policies can be removed.</p> | <p>Undertake a regional assessment in order to identify outstanding natural features, and outstanding natural landscapes within the terrestrial and coastal environments.</p> <p>Amend the policy:</p> <p>Policy 2.2.3 Identifying outstanding natural features, landscapes and seascapes <u>at the regional level.</u></p> |

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| <p>Policy 2.2.4 Managing outstanding natural features, landscapes, and seascapes</p> <p>Protect, enhance and restore the values of outstanding natural features, landscapes and seascapes, by:</p> <ul style="list-style-type: none"> a) Avoiding adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and b) Avoiding, remedying or mitigating other adverse effects on other values; and c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and d) Recognising and providing for positive contributions of existing introduced species to those values; and e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those areas and values. | <p>Oppose in part</p> | <p>HWRG is concerned that this policy seeks to combine a number of different resource management issues (section 6(a), 6(b) RMA, and policies 13 and 15 of the NZCPS) and directives into one, and the result is somewhat confused.</p> <p>Clause a) is particularly problematic and goes further than part 2 of the Act. A blanket requirement to "avoid" adverse effects leaves no room to provide for important physical resources such as infrastructure or other activities common in areas of outstanding value.</p> | <p>Delete this policy or amend clause a) to read:</p> <ul style="list-style-type: none"> g) Avoiding <u>significant</u> adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and |
| <p>Policy 2.2.5 Identifying special amenity landscapes and highly valued natural features</p> <p>Identify areas and values of special amenity landscape or natural features which are highly valued for their contribution to the amenity or quality of the environment, but which are not outstanding, using the attributes detailed in Schedule 4.</p> | <p>Support in part</p> | <p>HWRG consider it appropriate to identify landscapes that have hold high amenity values. HWRG is of the view that it is appropriate that following a regional wide landscape study local authorities are responsible for identifying such areas within their respective Districts.</p> | <p>Amend this policy:</p> <p>Policy 2.2.5 Identifying special amenity landscapes and highly valued natural features <u>at a regional level</u></p> |
| <p>Policy 2.2.6 Managing special amenity landscapes and highly valued natural features</p> <p>Protect or enhance the values of special amenity landscapes and highly valued natural features, by:</p> <ul style="list-style-type: none"> a) Avoiding significant adverse effects on those values which contribute to the special amenity of the landscape or high value of the natural feature; and b) Avoiding, remedying or mitigating other adverse effects on other values; and c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and d) Recognising and providing for positive contributions of existing introduced species to those values; and e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those values. | <p>Oppose</p> | <p>This policy is opposed by HWRG as it seeks to protect landscapes and features that are not deemed to be "outstanding" in accordance with section 6(b) of the RMA. While HWRG accepts that it is appropriate to manage the adverse effects on amenity values, it does not agree that the focus of this policy should be to "protect" such landscapes. HWRG is also concerned that the policy seeks to avoid significant adverse effects which establishes a very high threshold test which is not considered to be appropriate.</p> | <p>Delete this policy or rewrite to focus of the maintenance of amenity landscapes.</p> |

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| <p>Policy 2.2.14 Identifying highly valued soil resources Identify areas and values of highly valued soil resources, using the following criteria:</p> <ul style="list-style-type: none"> a) Degree of versatility for primary production; b) Significance for providing pollutant buffering or filtering services; c) Significance for providing water storage or flow retention services; d) Degree of rarity. | Oppose | It is considered appropriate to identify areas of high valued soil resource, however it is noted that this policy appears to be a repetition of the matters contained within Policy 2.1.5. It is not considered that this duplication is necessary. | Delete this policy. |
| <p>Policy 2.2.15 Managing highly valued soil resources Protect the values of areas of highly valued soil resources, by:</p> <ul style="list-style-type: none"> a) Avoiding significant adverse effects on those values which contribute to the soil being highly valued; and b) Avoiding, remedying or mitigating other adverse effects on values of those soils; and c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and d) Recognising that urban expansion may be appropriate due to location and proximity to existing urban development and infrastructure. | Oppose | <p>The RMA seeks that the life supporting capacity of the soil resource is sustained, this is not the same as requiring its protection and the avoidance of adverse effects. HWRG does not consider it appropriate to apply the same management regime that has been established via the NZCPS with respect to outstanding natural character and outstanding natural landscapes within the coastal environment to all resource aspects throughout the Region.</p> <p>In addition, this policy appears to essentially be a repetition of Policy 2.1.5 above, which is better worded in that it refers to the maintenance of the values of soils, and is not necessary.</p> | Delete this policy. |
| <p>Objective 2.3 Natural resource systems and their interdependencies are recognised</p> | Oppose | It is noted that the policies which follow relate to achieving integrated management. In achieving integrated management the human use and economic benefits arising from the development of natural and physical resources also needs to be taken into account. This is not achieved via the current drafting of this objective which only refers to natural resource systems. | Delete this objective and rework it so that it seeks to achieve the integrated management of the natural and physical resources of the region. In achieving integrated management human use and economic benefits also need to be considered. |
| <p>Policy 2.3.2 Applying an integrated management approach within a resource Apply an integrated management approach within a natural and physical resource, to achieve sustainable management, by:</p> <ul style="list-style-type: none"> a) Ensuring that resource objectives are complementary across administrative boundaries; and b) Ensuring that effects of activities on the whole of a resource are considered when that resource is managed by sub-units. | Oppose | It is not clear what the intended purpose or outcome will be from this policy. It is inappropriate to try to manage resources in an integrated manner when only focusing on one resource. Given the more specific policies that follow relating to the direction of integrated management on certain resource values HWRG submits that this policy should be deleted. | Delete this policy. |

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| <p>Policy 2.3.3 Applying an integrated management approach for freshwater catchments</p> <p>Apply an integrated management approach to activities in freshwater catchments, by:</p> <ul style="list-style-type: none"> a) Using consistent freshwater objectives for interconnected water bodies; and b) Recognising the importance of river morphology, catchment hydrology, natural processes and land cover in supporting catchment values; and c) Coordinating the management of land use and freshwater, to: <ul style="list-style-type: none"> i. Maintain or enhance freshwater values; and ii. Maintain or enhance the wetland values; and iii. Maintain or enhance the values of beds of rivers and lakes, wetlands, and their margins; and iv. Reduce the potential for health and nuisance effects. | <p>Oppose in part</p> | <p>This policy refers to freshwater objectives. It is noted that this directive is probably derived from the NPS for Freshwater, however there is no further guidance provided in the Proposed RPS as to how these freshwater objectives are to developed, what matters should be considered and how they should be applied at the regional level. More detailed and transparent guidance is required in regard to these freshwater objectives to ensure the obligations inherent within the NPS for Freshwater will be achieved.</p> <p>HWRG is of the view that when providing for the integrated management of natural and physical resources, the human use (ie economic and community) values of resources should also be clearly recognised and provided for.</p> | <p>Amend the policy so that it is recognised that in achieving integrated management the human use and economic values of the resource are also taken into account.</p> |
| <p>Policy 2.3.4 Applying an integrated management approach for the coastal environment</p> <p>Apply an integrated management approach to activities in the coastal environment, by:</p> <ul style="list-style-type: none"> a) Recognising the importance of coastal morphology, coastal processes and land cover in supporting coastal environment values; and b) Coordinating the management of land use, freshwater, and coastal water, to: <ul style="list-style-type: none"> i. Maintain or enhance coastal values; and ii. Reduce the potential for health and nuisance effects. | <p>Oppose in part</p> | <p>HWRG is of the view that when providing for the integrated management of natural and physical resources, the human use (ie economic and community) values of resources should also be clearly recognised and provided for.</p> | <p>Amend the policy so that it is recognised that in achieving integrated management the human use and economic values of the resource are also taken into account.</p> |
| <p>Policy 2.3.5 Applying an integrated management approach for airsheds</p> <p>Apply an integrated management approach to activities that affect air quality, by:</p> <ul style="list-style-type: none"> a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and b) Co-ordinating the management of land use and air quality, to: <ul style="list-style-type: none"> i. Maintain or enhance air quality values; and ii. Reduce the potential for adverse health and nuisance effects. | <p>Oppose in part</p> | <p>HWRG is of the view that when providing for the integrated management of natural and physical resources, the human use (ie economic and community) values of resources should also be clearly recognised and provided for.</p> | <p>Amend the policy so that it is recognised that in achieving integrated management the human use and economic values of the resource are also taken into account.</p> |

| Chapter 3 Communities in Otago are resilient, safe and healthy | | | |
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| <p>Objective 3.1 Protection, use and development of natural and physical resources recognises environmental constraints</p> | Support in part | HWRG is concerned that this objective is too vague to be effective and meaningful in its implementation. In particular it is not clear what is meant by reference to an "environmental constraint". It appears from the introductory text attaching to this chapter that it might refer to natural hazard type effects, but this is not clear. | Amend objective to make clearer or delete this objective. |
| <p>Policy 3.1.1 Recognising natural and physical environmental constraints</p> <p>Recognise the natural and physical environmental constraints of an area, the effects of those constraints on activities, and the effects of those activities on those constraints, including:</p> <p>a) The availability of natural resources necessary to sustain the activity; and</p> <p>b) The ecosystem services the activity is dependent on; and</p> <p>c) The sensitivity of the natural and physical resources to adverse effects from the proposed activity/land use; and</p> <p>d) Exposure of the activity to natural and technological hazard risks; and</p> <p>e) The functional necessity for the activity to be located where there are significant constraints.</p> | Oppose | Reference to "environmental constraint" is ambiguous and should be removed from the RPS. It is not at all clear how this policy will be implemented in practice and what this would mean for developments and activities throughout the region. HWRG considers that the weighing of individual policies that provide for development and those that seek protection will ensure that environmental constraints are considered | Delete this policy. |
| <p>Objective 3.2 Risk that natural hazards pose to Otago's communities are minimised</p> | Support | It is appropriate to seek to minimise the risk from natural hazards to communities. | Retain the objective as notified (or similar wording to achieve relief). |
| <p>Policy 3.2.1 Identifying natural hazards</p> <p>Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence.</p> | Support | It is appropriate to identify natural hazards present within the Otago region. | Retain policy as notified (or similar wording to achieve desired relief). |

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| <p>Policy 3.2.2 Assessing natural hazard likelihood</p> <p>Assess the likelihood of natural hazard events occurring, having regard to a timeframe of no less than 100 years, including by considering:</p> <ul style="list-style-type: none"> a) Hazard type and characteristics; b) Multiple and cascading hazards; c) Cumulative effects, including from multiple hazards with different risks; d) Effects of climate change; e) Using the best available information for calculating likelihood; f) Exacerbating factors. | Support | It is considered appropriate to assess the likelihood of natural hazard events occurring, and it is clear from the method that the onus is on the ORC and territorial authorities to undertake this work via their regional and district plans. It would be inappropriate for every resource user to have to complete an individual natural hazard assessment, as this is something that should be undertaken at a higher more strategic level by the regional council. | Retain policy as notified (or similar wording to achieve desired relief). |
| <p>Policy 3.2.3 Assessing natural hazard consequence</p> <p>Assess the consequences of natural hazard events, including by considering:</p> <ul style="list-style-type: none"> a) The nature of activities in the area; b) Individual and community vulnerability; c) Impact on individual and community health and safety; d) Impact on social, cultural and economic wellbeing; e) Impact on infrastructure and property, including access and services; f) Risk reduction and hazard mitigation measures; g) Lifeline utilities, essential and emergency services, and their co-dependence; h) Implications for civil defence agencies and emergency services; i) Cumulative effects; j) Factors that may exacerbate a hazard event. | Support in part | HWRG submits that this assessment should be undertaken as part of the higher level strategic assessment undertaken by the regional council. | Amend this policy to make it clear that this natural hazard assessment will be undertaken at a higher strategic level. |
| <p>Objective 3.4 Good quality infrastructure and services meet community needs</p> | Support in part | This is supported, however it is necessary to recognise specifically within this objective that certain infrastructure might be required in order to support the wider needs of New Zealand, rather than the needs of Otago as a region or local area only. | Amend the objective as follows: Good quality infrastructure and services meets community needs on a local, regional and national scale. |
| <p>Policy 3.4.2 Managing infrastructure activities</p> <p>Manage infrastructure activities, to:</p> <ul style="list-style-type: none"> a) Maintain or enhance the health and safety of the community; and b) Reduce adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and c) Support economic, social and community activities; and | Oppose in part | The policy seeks to "manage infrastructure activities". This is not appropriate as the management of infrastructure activities is ultimately driven by commercial, economic, and other imperatives that are not relevant to the consideration of activities in context of the RMA. Given this HWRG submits that this policy should be amended to refer to the "management of effects arising from the development and use of infrastructure activities". Furthermore HWRG is of the view that as drafted this policy provides little guidance in terms of how projects relating to infrastructure will be assessed and considered under the RPS. | The policy should be amended to seek to provide for the development of infrastructure where it appropriately manages adverse effects on the environment, and where the development will give rise to benefits on a local, regional or national basis. |

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| <p>d) Improve efficiency of use of natural resources; and</p> <p>e) Protect infrastructure corridors for infrastructure needs, now and for the future; and</p> <p>f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and</p> <p>g) Protect the functioning of lifeline utilities and essential or emergency services.</p> | | <p>Given this HWRG submits that this policy should seek to enable the development of infrastructure which seeks to appropriately manage adverse effects on the environment, and where the development will give rise to benefits on a local, regional or national basis.</p> | |
| <p>Objective 3.5 Infrastructure of national and regional significance is managed in a sustainable way</p> | <p>Support in part</p> | <p>This objective is generally supported, however HWRG notes that it seeks that infrastructure is "managed in a sustainable way". As set out above, HWRG does not consider it appropriate for the RPS to determine how infrastructure is to be managed as there are commercial, economic and other imperatives that drive the management of such facilities. It is appropriate however for the RPS to enable the development, use, operation and maintenance of infrastructure of national or regional significance.</p> | <p>Amend the objective as follows:</p> <p><u>The development, use, operation and maintenance of infrastructure of national and regional significance is recognised and provided for.</u></p> |
| <p>Policy 3.5.1 Recognising national and regional significance of infrastructure</p> <p>Recognise the national and regional significance of the following infrastructure:</p> <p>a) Renewable electricity generation facilities, where they supply the national electricity grid and local distribution network; and</p> <p>b) Electricity transmission infrastructure; and</p> <p>c) Telecommunication and radio communication facilities; and</p> <p>d) Roads classified as being of national or regional importance; and</p> <p>e) Ports and airports; and</p> <p>f) Structures for transport by rail.</p> | <p>Support</p> | <p>HWRG considers it appropriate that regionally significant infrastructure including renewable energy generation facilities are identified as of national and regional significance.</p> | <p>Retain policy as notified (or similar wording to achieve desired relief).</p> |
| <p>Policy 3.5.2 Managing adverse effects of infrastructure that has national or regional significance</p> <p>Minimise adverse effects from infrastructure that has national or regional significance, by:</p> <p>a) Giving preference to avoiding their location in:</p> <ol style="list-style-type: none"> i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and ii. Outstanding natural features, landscapes and seascapes; and iii. Areas of outstanding natural character; and iv. Outstanding water bodies or wetlands; and | <p>Oppose in part</p> | <p>Given the strategic importance of national and regional infrastructure assets HWRG does not consider that the proposed management regime for dealing with adverse effects is necessary or appropriate. The proposed management regime does not recognise that there is often locational, technical and/or functional constraints associated with ensuring infrastructure is strategically located, and operates effectively and efficiently. HWRG submits that this policy should require that if an infrastructure development is proposed within any of the identified areas, an assessment of the significance of adverse effects on those values should be undertaken as set out in d) taking into account the measures to avoid, remedy or mitigate those effects, as well as the overall benefits arising from the development.</p> | <p>Amend the policy as follows:</p> <p>Minimise <u>manage</u> adverse effects from infrastructure that has national or regional significance <u>that is located in</u>:</p> <ol style="list-style-type: none"> i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and ii. Outstanding natural features, landscapes and seascapes; and iii. Areas of outstanding natural character; and iv. Outstanding water bodies or wetlands; and <p><u>By</u></p> |

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| <p>b) Where it is not possible to avoid locating in the areas listed in a) above, avoiding significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; and</p> <p>c) Avoiding, remedying or mitigating other adverse effects on values; and</p> <p>d) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>e) Considering the use of offsetting, or other compensatory measures, for residual adverse effects on indigenous biodiversity.</p> | | | <p>b) Assessing the significance of adverse effects on those values, as detailed in Schedule 3, <u>taking into account the measures to avoid, remedy or mitigate adverse effects</u>; and</p> <p>Considering <u>where appropriate</u> the use of offsetting, or other compensatory measures, for residual adverse effects <u>that are significant and cannot be otherwise avoided, remedied or mitigated</u>.</p> |
| <p>Policy 3.5.3 Protecting infrastructure of national or regional significance Protect infrastructure of national or regional significance, by:</p> <p>a) Restricting the establishment of activities that may result in reverse sensitivity effects; and</p> <p>b) Avoiding significant adverse effects on the functional needs of such infrastructure; and</p> <p>c) Avoiding, remedying or mitigating other adverse effects on the functional needs of such infrastructure; and</p> <p>d) Assessing the significance of adverse effects on those needs, as detailed in Schedule 3; and</p> <p>e) Protecting infrastructure corridors for infrastructure needs, now and for the future.</p> | Support | HWRG supports the policy in so far as it seeks to "protect infrastructure". | Retain policy as notified (or similar wording to achieve desired relief). |
| <p>Objective 3.8 Urban growth is well designed and integrates effectively with adjoining urban and rural environments</p> | Support | It is considered appropriate to seek that urban development takes place in a manner which takes into account the existing environment and minimises potential conflicts between incompatible activities. | Retain the objective as notified (or similar wording to achieve desired relief). |
| <p>Policy 3.9.1 Integrating management of hazardous substances and waste Promote an integrated approach to the management of hazardous substances and waste in Otago.</p> | Support | It is appropriate to recognise that because hazardous substances are managed by a number of different agencies an integrated approach will need to be adopted, taking into consideration the various roles and responsibilities at a national, regional and local level when dealing with hazardous substances in particular. | Retain policy as notified (or similar wording to achieve desired relief). |
| <p>Policy 3.9.5 Avoiding the creation of new contaminated land Avoid the creation of new contaminated land.</p> | Oppose | It is not clear what implications this policy might have on development throughout the region. For example, airports, ports, other infrastructure and several industrial activities are all listed on the Ministry for the Environment's HAIL list. This policy could be interpreted that because such facilities use hazardous substances they will become sites of contaminated land and therefore should be avoided. This is not considered appropriate. | Delete the policy. |

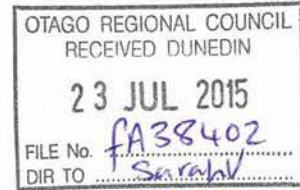
| Chapter 4 People are able to use and enjoy Otago's natural and built environment | | | |
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| <p>Objective 4.3 Sufficient land is managed and protected for economic production</p> | Oppose in part | It is not clear what is intended to be achieved by this objective. The ensuing policies appear to enable the development of rural, commercial and industrial activities, however this is not clear from the drafting of this objective that this is what will be achieved. | Amend this objective as follows: <u>Ensure that appropriate rural, commercial and industrial development is enabled to provide for the social, economic and cultural wellbeing of the community.</u> |
| <p>Policy 4.3.5 Managing for industrial land uses Manage the finite nature of land suitable and available for industrial activities, by:</p> <ul style="list-style-type: none"> a) Providing specific areas to accommodate the effects of industrial activities; and b) Providing a range of land suitable for different industrial activities, including land-extensive activities; and c) Restricting the establishment of activities in industrial areas that may result in: <ul style="list-style-type: none"> i. Reverse sensitivity effects; or ii. Inefficient use of industrial land or infrastructure. | Support | HWRG considers it appropriate to recognise and provide for the development and ongoing use of industrial activities that are essential to the economic and social wellbeing of the Region. | Retain policy as notified (or similar wording to achieve desired relief). |
| <p>Objective 4.5 Adverse effects of using and enjoying Otago's natural and built environment are minimised</p> | Oppose in part | This objective should relate to the development and use of Otago's natural and physical resources, rather than the enjoyment, which is vague and subjective. It should also seek to avoid, remedy or mitigate adverse effects on such resources. | Amend the objective as follows: <u>Adverse effects arising from the development use of Otago's natural and physical resources are avoided, remedied or mitigated.</u> |
| <p>Policy 4.5.2 Applying an adaptive management approach Apply an adaptive management approach, to address adverse effects that might arise and that can be remedied before they become irreversible, by:</p> <ul style="list-style-type: none"> a) Setting appropriate indicators for effective monitoring of those adverse effects; and b) Setting thresholds to trigger remedial action before the effects result in irreversible damage. | Support | It is appropriate to recognise and enable the use of adaptive management regimes in dealing with adverse effects from activities. | Retain policy as notified (or similar wording to achieve desired relief). |
| <p>Policy 4.5.9 Offsetting for air quality Provide for offsetting of adverse effects of discharges to air on ambient air quality, only when:</p> <ul style="list-style-type: none"> a) The ambient air quality of the relevant airshed breaches air quality standards for human health; and b) Offsetting will reduce the cumulative effect of discharges to air in the relevant airshed by the same, or greater amount, than the proposed discharge; and c) Offsetting improves access to reliable and affordable domestic heating in the relevant airshed. | Support in part | HWRG seeks to broaden the opportunities to consider off setting. | Amend this policy: Policy 4.5.9 Offsetting for air quality Provide for offsetting of adverse effects of discharges to air on ambient air quality, <u>only including</u> when: |

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| <p>Methods</p> | <p>Oppose in part</p> | <p>HWRG considers it important that the region's:</p> <ul style="list-style-type: none"> - outstanding natural landscapes and features, - areas of outstanding natural character (including in the coastal environment) and - significant indigenous vegetation and habitats of significant indigenous fauna <p>are identified at a regional level. Accordingly, additional methods are necessary to ensure this occurs.</p> | <p>Add methods to require that:</p> <ul style="list-style-type: none"> - a region wide landscape/features and natural character assessment to determine areas of outstanding natural character, and outstanding landscape areas and features is carried out; and - a region wide assessment of significant indigenous vegetation and habitats of significant indigenous fauna is carried out. <p>These assessments could be carried out by the Regional Council, or as a collaborative effort between territorial authorities and the regional Council.</p> |
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62

Sarah Valk

From: Lev Lafayette <lev@levlafayette.com>
Sent: Tuesday, 16 June 2015 10:13 p.m.
To: RPS ORC
Subject: Regional Policy Statement



Dear Otago Regional Council,

I am a property owner in Dunedin.

Tangentially to the proposed policy statement, I would like to suggest that the council investigate the effects of switch from a net value rating system (capital improved plus site value) to one which is based on site value alone.

It is my considered opinion on the matter that such a change will lead to greater growth in employment, a smaller environmental footprint, and an improvement in the quality and quantity of housing and improved property.

I am available for further correspondence on this issue if required.

Yours sincerely,

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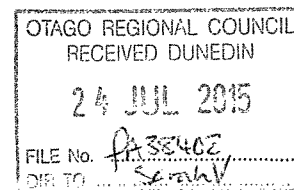
Lev Lafayette, BA (Hons), GradCertTerAdEd (Murdoch), GradCertPM, MBA (Tech Mngmnt) (Chifley)
mobile: 0432 255 208
RFC 1855 Netiquette Guidelines
<http://www.ietf.org/rfc/rfc1855.txt>

Submission Date 2015-07-23 02:56:41

Name of submitter: Eric Shelton

Organisation (if applicable): Yellow-eyed Penguin Trust

Postal Address: Street: PO Box 5409
City: Dunedin
Postal Code: 9058



Phone Number: 03 479 0011

E-mail: sue@yeptrust.org.nz

I wish / do not wish to be heard in support of my submission: I wish

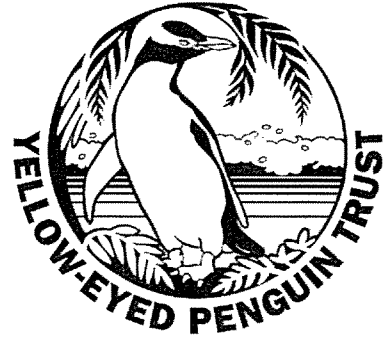
If others make a similar submission, I will / will not consider presenting jointly with them at the hearing: I will consider presenting jointly

1. State what your submission relates to and if you support, oppose or want it amended: See attached

2. State what decision you want the Otago Regional Council to make: See attached

3. Give reasons for the decision you want made: See attached

Attach a document (if applicable): [YEPT submission on ORC Proposed Regional Policy Statement.docx](#)



Yellow-eyed Penguin Trust
PO Box 5409
Dunedin 9058
Ph: 03 479 0011
Email: sue@yeptrust.org.nz

24 July 2015

Otago Regional Council
Email rps@orc.govt.nz

Submission on ORC Proposed Regional Policy Statement for Otago

1. The Yellow-eyed Penguin Trust (hereafter referred to as the “Trust”) was established in 1987 and was the first single species charitable trust in New Zealand. The Trust Deed in its Objects & Purposes expressed its role as “The Preservation Protection Conservation and Fostering of Flora and Fauna especially *Megadyptes antipodes* (yellow-eyed penguin) and other rare, regionally threatened and endangered marine and coastal species, their biological communities and ecosystems”.
2. The submission will focus on aspects of biodiversity and conservation.
3. Yellow-eyed Penguin Trust **wishes to be heard**.

Chairman’s Foreword

4. Stephen Woodhead’s comment “and be proud to pass on to those who came after us” nicely encapsulates both the current challenge in Otago resource management and the need to hand on to future Otago communities healthy and functioning ecosystems that are the foundations of a prosperous Otago.

Part A Overview (p.3)

5. The Trust strongly endorses the statement that: “A thriving and healthy natural environment is vital to sustaining our wellbeing”, however this is a significant challenge for the council and requires a sea change in many of our currently accepted attitudes and practices.

Part A Overview (p.11)

6. "Otago has high quality natural resources and ecosystems". We support the assertion that "Society relies heavily on the systems and services of the natural environment" and ask that "resilience" is added to recognise that we should be seeking to strengthen the natural environment to withstand shocks of various kinds such as climate change.
7. "People are able to use and enjoy our natural and built environment". The explanation states that this is "while ensuring that resources are sustained", and the Trust supports this approach.

Part B Chapter 1 (p.15)

8. "Traditional and customary practices are gifted by tupuna, adapted over time, and maintained today. The ongoing ability to keep these practices alive depends on access to healthy functioning environments". While the Trust supports the intent of this comment we have real issues with the reality of "healthy functioning environments" in the 21st century. The Otago coast has experienced a massive loss of biodiversity since 1300 and 1840. Much has been lost to extinction while significant remnants persist. The aspirations of both Kai Tahu and the desires of the wider community for conservation and enhancement of Otago's coastal biodiversity however can be met.

The Trust recommends to ORC that they engage with Kai Tahu to enhance resources both for cultural wellbeing and economic benefit.

Part B Chapter 1 (p.16)

9. Objective 1.2 "Kai Tahu values, rights and customary resources are sustained". While the Trust supports this objective we are concerned with the comment: "In managing our natural resources, local authorities need to recognise Kai Tahu values and plans and enable the exercise of customary rights". It is the view of the Trust that without extensive investment by the ORC, territorial authorities, Kai Tahu and community conservation groups in particular in enhancing coastal biodiversity, there will not be any or sufficient natural resources that customary rights can be exercised over.

Part B Chapter 2 (p.23)

10. While identifying the importance of Otago's natural resources for driving two of the region's most important economic sectors - primary production and tourism - and the critical importance of managing the resources accordingly, the council does not identify the tools or strategies to achieve this.

Part B Chapter 2 (p.24-25)

11. Objective 2.1 nicely summarises the problem of the degradation of natural values, however the need expressed to know more about the values and their characteristics misses the point. Where are the tools, mechanisms, and policies that can reverse this degradation?
12. Objective 2.2 accurately describes the possible economic effects of resource degradation. The Trust is well aware of the consequences for Dunedin's wildlife-based tourism if yellow-

eyed penguins disappear from Otago Peninsula. Australian economist Professor Clem Tisdell (University of Queensland) demonstrated the value of nature-based tourism and other wildlife at the 2007 Yellow-eyed Penguin Trust 20th Anniversary Conference, where he calculated that nature-based tourism relying primarily on the yellow-eyed penguin on the Otago Peninsula returned \$100 million annually to the Dunedin economy.

Part B Chapter 2 Policy 2.1.1 Managing for freshwater values (p.27)

13. The Trust supports the objective to “Support healthy ecosystems” but believes that this must be defined clearly and also supports the maintenance or enhancement of good water quality in the coastal marine area. We appreciate the recognition by the ORC of their responsibilities in the coastal marine area.

Part B Chapter 2 Policy 2.1.3 Managing for coastal water values (p.28)

14. The policies described, especially the emphasis on supporting healthy coastal ecosystems are admirable and fit very comfortably with the Trust Deed. (quote relevant section of deed here) It is particularly encouraging to see that coastal values are not just to be maintained but also enhanced. However, we are concerned that all values a) to i) appear to have equal ranking under this policy, when healthy habitats and ecosystems should have priority as the basis on which all of the other values depend.

Part B Chapter 2 Policy 2.1.6 Managing for ecosystem and indigenous biodiversity values (p.30)

15. This is an important and valuable section that the Trust strongly supports, with policies such as “buffer or link existing ecosystems” meeting ecological best practice. While in agreement with “(b) Maintain or enhance areas of predominantly indigenous vegetation”; it is important that this not be seen as exclusive, as the reality is that many indigenous species and ecosystems are now dependant on some exotic species.

We would particularly seek the policy to specifically support enhancement through re-establishment of seabird colonies on the Otago coast. The Trust is keen to develop areas which support a range and diversity of seabird species (not just yellow-eyed penguins), and we know that other NGOs and Kai Tahu also have an interest in this.

Part B Chapter 2 Policy 2.1.8 Recognising the values of natural character in the coastal environment (p.31)

16. The Trust supports this policy; we have long recognised the value of wild and scenic coastlines for both wildlife and the visitor experience, and our conservation work at sites such as Okia Reserve (Otago Peninsula) have assisted in restoring natural character.

Part B Chapter 2 Policy 2.2.2 Managing significant indigenous vegetation and significant habitats of indigenous fauna.

17. This policy only addresses impacts on significant habitats and vegetation, with no direct recognition of significant species. As an example, yellow-eyed penguins range across large parts of the coast, and it is unlikely that most or all of their range will be classified as significant habitat. However, they are susceptible to a multitude of impacts across their

range. An equivalent policy is required which directly recognises and protects rare and threatened indigenous species.

Part B Chapter 2 Objective 2.3 Natural resource systems and their interdependencies are recognised.

18. This is a good discussion of the difficulties of managing interconnected natural resource systems, with the example of the coastal environment being particularly apt. The Trust supports the value of and need for the integrated management of natural resources.

Part B Chapter 3 Communities in Otago are resilient, safe and healthy. Objective 3.3 (p.44)

19. The issue of climate change is well stated, but under "Need" it needs to be amended to read: "We need to have consistent guidance on sea level rise, *and other effects of climate change*, and managing for adverse effects that will occur beyond the life of this RPS.

Part B Chapter 3 Policy 3.2.8 Applying a precautionary approach.

20. The use of the phrase "precautionary approach" is very useful in this context of natural hazard management but could also be used in other sections of this Regional Policy Statement. For example applying a precautionary or conservative approach to the management of ecosystem and indigenous biodiversity values (Policy 2.1.6)

Part B Chapter 4 People are able to use and enjoy Otago's natural and built environment (p.75)

21. Again the application of the precautionary approach would sit well in this section: "However due to the dynamic and highly interconnected nature of the environment the sustainable management of our resources requires consideration of the adverse effects of resource use on the environment..."

Part B Chapter 4 (p.78)

22. The Trust supports the statement that enhancing access to the natural environment brings recreational, cultural, spiritual and economic wellbeing. Based on the Trust experience of trips with visitors to our reserves, the simple experience of viewing penguins on their nesting grounds is both uplifting and rejuvenating.

Part B. Policy 4.5.5 Controlling the introduction and spread of pest plants and animals

23. This is an important policy especially with regard to the persistence of vulnerable coastal species, such as the yellow-eyed penguin. Additional and possibly unsustainable pressures may be placed on these species with the spread of pest plants and animals.

However, it is unfortunate that the Regional Plan:Water is in conflict with this Policy - Rule 12.B.1.2 excludes the use of pesticides in Regionally Significant Wetlands where the pesticide could cause "damage to fauna", which, obviously, is what the pesticide is needed to do. Given the importance of pest control in order to retain values which make a wetland regionally significant, we would hope that the proposed RPS Policy will lead to a change in this regard.

Part C Implementation

24. Method 6.1.2 Regional, city and district councils to identify significant indigenous vegetation and significant habitat of indigenous fauna.

The Trust supports the identification of both indigenous vegetation and habitat as in many cases they are not the same, with for example yellow-eyed penguins nesting on occasion in exotic gorse. It should also be noted that for penguins areas of significant foraging habitat at sea must be identified.

25. 6.3 State of Environment reporting (p.101)

This is an important means of feedback as it will supply crucial information on the effectiveness or otherwise of many of the policies discussed in this submission. The Trust submits that the time intervals with which it is carried out must be specified. We would support every five years for all levels of local government.

26. 7.4 Pest management strategy (p.102)

Pest management is usually a significant part of any indigenous vegetation restoration or species recovery strategy, especially at mainland sites. The Trust supports the emphasis put on having regard to indigenous biodiversity values when preparing a plan as well as both prioritisation and taking into account any local biodiversity strategies. Conservation NGOs are increasingly shouldering more of the conservation load and recognising and supporting their biodiversity work is appreciated.

27. 11.2 Facilitation (p.105)

Facilitation, especially those sections dealing with achieving key biodiversity objectives, is admirable but requires more clarification around what is meant by facilitation. For example does this mean monetary support, support in kind, assistance with consenting, or something else? Unless this is further defined or explained then it is unlikely to be successful.

Eric Shelton
Board Chair, Yellow-eyed Penguin Trust

Submission Date 2015-07-23 04:59:37

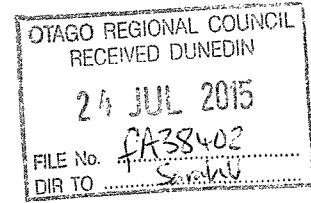
Name of submitter: Elizabeth Norton

Organisation (if applicable): Hampden Community Energy Inc

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City: Otago
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Phone Number: 034394887

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I wish / do not wish to be heard in support of my submission: I wish

If others make a similar submission, I will / will not consider presenting jointly with them at the hearing: I will consider presenting jointly

1. State what your submission relates to and if you support, oppose or want it amended:

1 We consider that there will be a growing need for viable rural communities as resource limits impinge and the need for local food and fibre production grows again. We therefore feel more support is needed for sustaining, building and diversifying economic activity in rural communities throughout Otago. We support strong unequivocal policy in the plan that will achieve this outcome.

2 We are aware that staying below 2 degrees C above pre-industrial levels is already doubtful and that this will mean we may have dangerous climate change as soon as 2035. We also understand that the conditions for this may be locked in and irreversible within the next decade due to positive feedback effects. This means urgent corrective action is required and effective change will only be achieved if each one of us participates in reducing our carbon footprint. Businesses too need to do the same. We support strong unequivocal policy in the plan that will achieve this outcome.

3 We consider that one of the ways we can reduce our carbon footprint is to use transport alternatives to the petrol private vehicle. We also consider that we need a backup to the private vehicle that means the community can continue to function should fuel access become difficult for whatever reason - war, financial crash, geopolitics or whatever. We support strong unequivocal policy in the plan that will achieve this outcome

2. State what decision you want the Otago Regional Council to make:

1 Please can Council ensure there is strong policy which will again make Otago's communities more secure, self-reliant, vibrant and better prepared to manage the effects of climate change and the decline in fossil fuel availability and meet the essential needs of those who follow us in time.

2 Please can Council ensure there is strong policy which achieves radical reductions in carbon emissions, diversifies energy use in the economy and which re-captures carbon already in the atmosphere, such as by re-vegetation and building soils.

3 Please can Council ensure there is strong policy to make non-carbon based transport and public transport more attractive and practical alternatives in towns and across the district, including the reinstatement of bus shelters at strategic rural locations. Incentives to encourage the required changes in behaviour should be introduced asap.

3. Give reasons for the decision you want made:

Hampden Community Energy Inc was formed by concerned members of the Hampden-Moeraki community in response to the pending decline in the availability of cheap fuel which will initially mainly affect mobility and the cost of producing food.

The Society's objectives, therefore, are to promote greater self-reliance within the Hampden/Moeraki area. Fundamental to achieving this is reducing oil/energy dependence and carbon emissions generally, reviving the local economy and strengthening the local skills base. But we also recognise we are part of a network of rural communities and that network needs to be strengthened to meet the needs of an uncertain future.

We could not gain trade advantage through this submission.

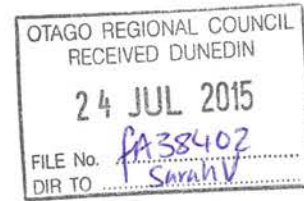
Submission Date 2015-07-23 06:41:05

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I wish / do not wish to be heard in support of my submission: I do not wish

1. State what your submission relates to and if you support, oppose or want it amended:

My submission relates to Section 3.3 Part B Chapter 3 Communities in Otago are resilient, safe and healthy Objective 3.3 Otago's communities are prepared for and able to adapt to the effects of climate change.

I am pleased to see the ORC recognises the importance of climate change and the severity of the effects. I also support taking a precautionary approach. I note that adaptation and mitigation are presented as alternatives and while adaptation is considered in detail mitigation is not dealt with in any detail. Mitigation relates to adopting actions and behaviours which will decrease the likelihood of climate change happening or at least making the effects less severe. The ORC has accepted that the effects of climate change if not mitigated will have social economic and environmental costs, I submit there will be few benefits. I consider then that the ORC ought to be doing all it can to prevent climate change happening or reduce the severity of its effects. This means the ORC must consider its own carbon footprint and reduce its emissions and assist communities to reduce their carbon emissions. Good public transport is one way communities can reduce carbon emissions through reducing car use. The use of fossil fuels must be phased out and I would like to see the ORC using its influence to discourage exploration for fossil fuels. I would like to see the ORC working to prevent the burning of coal, both by households and by large organisations in the city, this would reduce particulate emissions as well as reducing carbon dioxide emissions. I would like to see the ORC making submission to central government urging them to take a much stronger stance on mitigating climate change with respect to the effects, social, environmental and economic, on the Otago region and its population.

2. State what decision you want the Otago Regional Council to make:

The provision should treat mitigation and adaptation quite separately. Adaptation assumes that climate change is inevitable(which it probably is based on earlier carbon emissions) but mitigation requires quite different actions some of which involve education of the public and lobbying of central government.

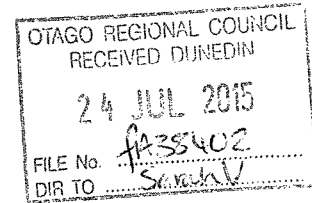
3. Give reasons for the decision you want made:

If mitigation and adaptation are seen as alternatives we condemn ourselves to much more severe effects of climate change which will make adaptation more costly and protection more difficult. Mitigation starts from a precautionary approach, reducing the risk, and making communities safer and more resilient.

Submission Date 2015-07-23 16:00:22

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I wish / do not wish to be heard in support of my submission: I wish

1. State what your submission relates to and if you support, oppose or want it amended: Policy 4.3.2
Do not support. Needs to be amended.

2. State what decision you want the Otago Regional Council to make: To be:
Policy 4.3.2
Managing land use change in dry catchments
Manage land use change in dry catchments, to minimise any significant reduction in water yield, by

3. Give reasons for the decision you want made: '(a) Support and encourage pest control for pest species which may adversely affect water yield.'