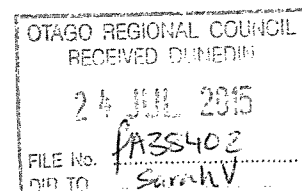


24 July 2015

The Chief Executive  
Otago Regional Council  
Private Bag 1954  
Dunedin 9054



Dear Sir/Madam

**SUBMISSION OF HERITAGE NEW ZEALAND POUHERE TAONGA ON PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO**

1. This is a submission on the Proposed Regional Policy Statement for Otago (PRPS).
2. Heritage New Zealand could not gain an advantage in trade competition through this submission.
3. The specific provisions of the PRPS that Heritage New Zealand's submission relates to are the historic heritage-related aspects of the PRPS.
4. Otago's history is unique, complex and fascinating. It contains structures, objects and sites that reflect some of the most formative episodes in the history of New Zealand. The management of these finite resources is especially important for enabling existing and future generations' full understanding and appreciation of the region. Such considered management can also render these resources a drawcard for potential visitors to the region, with all of the attendant economic benefits that tourism can offer.
5. Heritage New Zealand generally supports the PRPS as it concerns historic heritage, but does seek amendments and additions to certain provisions. Heritage New Zealand's submission points are outlined in Appendix A to this submission. The suggested amendments are intended to improve, clarify, qualify and strengthen the provisions as they relate to the management and protection of historic heritage.
6. Overall Heritage New Zealand supports the Council's intention to update the heritage provisions of the RPS to better reflect amendments to the Resource Management Act (RMA) that have occurred since the operative RPS was adopted. This includes the elevation of the protection of historic heritage from inappropriate subdivision, use and development (section 6(f) RMA); and the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, wahi tapu and other Taonga (section 6(e) RMA), to matters of national importance.
7. Heritage New Zealand appreciates the opportunities it has had to provide input into the PRPS, and looks forward to working further with the ORC towards a robust and effective RPS that protects the historic heritage of Otago for future generations.
8. Heritage New Zealand wishes to be heard in support of this submission.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rob Hall'.

Rob Hall  
General Manager – Southern Region

Address for service: Heritage New Zealand, c/- Jane O’Dea, Heritage Advisor – Planning,  
[jodea@heritage.org.nz](mailto:jodea@heritage.org.nz), PO Box 5467, Dunedin 9058

Attachments:

Appendix A: Submission of Heritage New Zealand Pouhere Taonga

## Appendix A

### Submission of Heritage New Zealand Pouhere Taonga

Key:

Strike eg. ~~abc~~ = delete text

Underline eg. abc = additional text

Provision ref.	Support or oppose	Reasons for submission	Relief sought
Part B: Chapter 1 - Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed			
Objective 1.2 Policies 1.2.2 & 1.2.3, Methods 1.2.1-1.2.4	Support	Heritage New Zealand supports the emphasis in this section on more effective recognition of Kāi Tahu values in resource management. Heritage values are considered to be an intrinsic aspect of Kāi Tahu cultural values. It can be difficult for decision makers to take cultural values into consideration in decision making where these values are not properly understood and/or identified in resource management documents. The PRPS, at Schedule 1, goes some way to identifying values of importance to Kāi Tahu, however there is a need for the regional council and territorial authorities to go further in identifying and recognising important values so that these can be appropriately managed and provided for in resource management processes. This need is provided for in Methods 1.1.1-1.2.4 where regional, city and district councils are required to collaborate with Kāi Tahu to identify and protect places, areas and landscapes of significance to Kāi Tahu.	Adopt Objective 1.2, Policies 1.2.2 & 1.2.3 and Methods 1.2.1-1.2.4.
Part B: Chapter 2 – Otago has high quality natural resources and eco-systems			
Policy 2.1.2	Partially support – amendment requested	River, lake and wetland margins can hold historic heritage material, often associated with Kāi Tahu occupation, such as mahika kai sites; and historic mining activity.  Sometimes such values are suspected but their extent may be unknown, or they can be previously unknown and only discovered during works within a waterway margin.	Add additional clause to Policy 2.1.2:  <u>m) ensure that historic heritage values are appropriately protected.</u>

		It is important to ensure that such values are managed appropriately.	
Policy 2.1.5(i)	Support	The policy appropriately recognises the potential for the presence of subsurface archaeological and cultural material, and acknowledges that soils need to be carefully managed to protect these values. The policy therefore provides for sections 6(e) & 6(f) of the RMA.	Adopt Policy 2.2.5(i)
Policy 2.1.7(c)(ii) & (iii)	Support	<p>The policy outlines landscape attributes which are established through case law and widely accepted as being appropriate.</p> <p>The list of attributes includes (ii) 'cultural and spiritual values for Kāi Tahu' and (iii) 'historic heritage associations.'</p> <p>Heritage New Zealand considers that landscape can be expressed through both natural and cultural elements. Historic heritage features can have a formative and legible influence on natural landscape, particularly in terms of the interaction of natural resources and layers of human activity. Cultural values attached to the physical landscape may seem less tangible, but are intrinsic to Kāi Tahu identity and are also widely accepted.</p>	Adopt Policies 2.1.7(c)(ii) & (iii)
Policy 2.2.3, Policy 2.2.4	Support	Identification of outstanding natural features, landscapes and seascapes will enable these to be specifically provided for in planning documents and resource management processes. This will provide clarity for all parties with a relationship with these places and enable more effective management to occur.	Adopt Policies 2.2.3 & 2.2.4
<b>Part B: Chapter 3 – Communities in Otago are resilient, safe and healthy</b>			
Policy 3.5.2	Partially support – amendment requested	Construction of new infrastructure has the potential to adversely affect heritage values, particularly archaeological and cultural heritage values. Given that the protection of historic heritage from inappropriate subdivision, use and development is a matter of national importance pursuant to section 6(f) of the RMA, it would be appropriate for the risk to these resources from infrastructure development to be acknowledged in this policy.	<p>Add clause:</p> <p>Policy 3.5.2 a)</p> <p>v. <u>Where there are significant historic heritage values</u></p>

Objective 3.7 & 3.8 & Policies 3.7.1(e) & 3.8.1 & Schedule 6	Support	There are strong links between these objectives and policies and Heritage New Zealand supports the general direction they set out. The role of heritage as a cornerstone aspect of successful urban development is acknowledged, and provision is made for heritage and cultural values to be integrated into urban subdivision and development. On the other hand it is acknowledged that urban growth does have the potential to adversely affect important heritage values and settings where these are not identified and integrated into design. Heritage New Zealand considers such integration to be an important means of protecting heritage values for future generations consistent with section 6(f) of the RMA.	Adopt Objectives 3.7 & 3.8 & Policies 3.7.1 e) & 3.8.1 c) iii
<b>Part 6: Chapter 4 – People are able to use and enjoy Otago’s natural and built environment</b>			
Objective 4.1 & Policy 4.1.1	Support	Heritage New Zealand supports public access to heritage places and sites where appropriate. The ability to interact with and appreciate our significant heritage sites and places assists in ensuring the active management and protection of these resources. It also provides social and cultural benefits to the community. The policy recognises that it may not always be culturally appropriate to provide public access to certain places, and that in some cases, access can create risks to significant values. In such cases it may be necessary to restrict access.	Adopt Objective 4.1 & Policy 4.1.1 as they relate to public access to areas of cultural and heritage significance.
Objective 4.2	Partially support – amendment requested	<p>In achieving the purpose of the RMA, provision must be made for section 6(f), the “protection of historic heritage from inappropriate subdivision, use, and development,” as a matter of national importance. Under section 61 of the RMA, a regional council, in preparing its regional policy statement, must do this in accordance with the provisions of Part 2 (which includes section 6(f)).</p> <p>Heritage New Zealand supports Objective 4.2 which expresses an expectation that historic heritage (encompassing the broad range of values identified in the RMA definition) will be recognised and will contribute to the region’s character and sense of identity. Objective 4.2 is supported by Policies 4.2.1-4.2.3, as well as the provisions of Chapter 1 where these relate to the protection of sites of cultural heritage significance to Kāi Tahu.</p>	<p>Amend Objective 4.2 as follows:</p> <p>Historic heritage resources are recognised and <u>protected in order to</u> contribute to the region’s character and sense of identity.</p>

		<p>Notwithstanding this general support, the wording of the objective should refer to the 'protection' of historic heritage. 'Recognition' is not sufficient to achieve the purpose of section 6(f) which requires regional, city and district councils to achieve 'protection' of historic heritage. Nor can heritage resources contribute to the region's character and sense of identity merely through being 'recognised,' they must also be protected. In essence Heritage New Zealand considers that the recognition of heritage resources is a pre-requisite to the ultimate goal of protection and the objective should be more explicit about this.</p> <p>With the amendment suggested, this objective will better align with the purpose of the Act, in requiring the protection of historic heritage; and is supported by the policies and methods which provide direction on how this should be achieved.</p>	
Policy 4.2.1	Support	<p>Although guided by the over-arching legislation of the RMA, Heritage New Zealand considers it important to recognise the more specific context with regards to heritage resources in the Otago region. Otago's history is unique and complex. The policy does a good job of summarising the range of heritage resources that exist in the region, providing scope for the identification, evaluation and recognition and protection of these various different types of heritage resources.</p> <p>By acknowledging the range of heritage values present in the Otago context, the policy provides a basis for the identification, evaluation and protection of these resources and is therefore consistent with section 6(f) of the RMA.</p>	Adopt Policy 4.2.1
Policy 4.2.2 and Schedule 7	Support	<p>Heritage New Zealand (and other groups) have an important role in identifying and assessing heritage, and can actively assist with this process. However as with other types of resources, regional and territorial authorities should also take an active role in the identification of historic heritage. This is particularly the case in relation to heritage resources that are of local rather than national significance.</p> <p>Planning for, developing and utilising heritage resources must be done with full understanding of their value. Policy 4.2.2 includes the characteristics for identifying significant historic heritage as recommended in Heritage New Zealand's best</p>	Adopt Policy 4.2.2

		<p>practice guidance. The criteria provide the basis for describing and evaluating historic heritage, including the physical, historic, social and other values that people attach to historic heritage. Heritage New Zealand considers that this will help achieve a consistent approach for heritage identification and evaluation within the region and may create cost savings and efficiencies for councils and groups undertaking this work.</p>	
Policy 4.2.3	Partially support – amendments requested	<p>Overall, Heritage New Zealand supports the intent of this policy which is focused on protecting historic heritage values.</p> <p>Under section 61 of the RMA, a regional council in preparing its regional policy statement must do this in accordance with the provisions of Part 2 (which includes section 6(f)). Heritage New Zealand supports the objective to protect historic heritage as this is in accordance with the section 6(f) of the RMA, being a matter of national importance. Notwithstanding this support, some amendments to the policy wording are requested.</p> <p>The policy is entitled ‘Managing historic heritage values’ and it is subsequently clarified that the policy aims to ‘protect and enhance’ heritage.</p> <p>Whilst Heritage New Zealand does not consider that the RPS should necessarily re-state the provisions of the RMA, it is noted that pursuant to section 6(f), historic heritage is to be ‘protected’ from inappropriate subdivision, use and development.</p> <p>The terms ‘manage’ and ‘protect’ are considered to have quite different meanings. Given that the stated intention of the policy is to ‘protect’ historic heritage, and that this accords with section 6(f) of the RMA, Heritage New Zealand considers that it would be more appropriate for the policy to be entitled ‘Protecting historic heritage values.’</p> <p>Clauses a) &amp; b) are supported as they recognise that the nature of heritage resources is such that the presence, extent and significance of heritage values are not always known until they are discovered during land use and coastal activities. The proposed policy recognises this uncertainty and provides for appropriate management where</p>	<p>Amend Policy 4.2.3 as follows:</p> <p><u>Managing</u> <u>Protecting</u> historic heritage values</p> <p>Protect and enhance the values of places and areas of historic heritage, by:</p> <p>a) Recognising that some places or areas are known or strongly suspected of containing archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value; and</p> <p>b) Applying these provisions immediately upon discovery of such hitherto unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; and</p> <p>c) Avoiding adverse effects on those values which contribute to the area or place being of regional or national significance; and</p> <p>d) Avoiding significant adverse effects on other values of areas and places of historic heritage; and</p> <p>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p>

		<p>heritage values are suspected or discovered.</p> <p>Clauses c) &amp; d) introduce a hierarchy wherein adverse effects on regionally and nationally significant places should be 'avoided,' whilst avoiding 'significant adverse effects' on other places (presumably where the significance is local rather than regional or national), and providing for effects on these places to be remediated or mitigated where avoidance is not possible. Heritage New Zealand supports these clauses which recognise that it is appropriate to provide different levels of heritage protection depending on the significance of the resource.</p> <p>Heritage New Zealand questions the use of the term 'remediate' in clause f). In relation to resources, remediation is considered to refer to the reinstatement of a resource to its original state or condition. The nature of heritage values is such that once damaged or destroyed, remediation is often not possible. It may however be possible to repair or replicate heritage features. It is considered that the policy might be clarified by extending it to provide for repair as well as remediation.</p> <p>It is important for ensuring the ongoing use and maintenance of heritage places and buildings that care is taken to integrate them into new development rather than causing them to be marginalised as this can lead to neglect, and the gradual erosion of heritage values. Likewise heritage building re-use must occur for buildings to be maintained into the future. Integration into new development and re-use are therefore important means of protecting heritage values. The proposed policies provide robust direction in this regard. Heritage New Zealand therefore supports Clauses h) and i).</p>	<p>f) Remediating <u>or</u> repairing, when adverse effects on other values cannot be avoided; and</p> <p>g) Mitigating when adverse effects on other values cannot be avoided or remediated; and</p> <p>h) Encouraging the integration of historic heritage values into new activities; and</p> <p>i) Enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.</p>
Policy 4.3.4	Support	Heritage New Zealand supports adaptive re-use of buildings to enable the ongoing use of older buildings which brings with it benefits in terms of maintenance. Heritage building re-use is therefore seen as an important means through which heritage buildings can be protected for future generations.	Adopt Policy 4.3.4 b)
Policy 4.3.6 & Policy 4.5.6	Partially support – amendments	Mineral and gas extraction has the potential to adversely affect heritage values, particularly archaeological and cultural heritage values. Given that the protection of historic heritage from inappropriate subdivision, use and development is a matter of	Add clause as follows: Policy 4.3.6 a)



	sought	national importance pursuant to section 6(f) of the RMA, it would be appropriate for the risk to these resources from mineral and gas extraction to be acknowledged in these policies, as well as the need for appropriate management.	<p><u>vi. Places or areas where there are significant historic heritage values</u></p> <p>Add clause as follows:</p> <p>Policy 4.5.6 a)</p> <p><u>vi. Places or areas where there are significant historic heritage values</u></p>
<b>Part C: Implementation - Methods</b>			
1.2	Support	As discussed earlier in this submission, it can be difficult for decision makers to take cultural values into consideration in decision making where these values are not properly understood and/or identified in resource management documents. The PRPS, at Schedule 1 goes some way to identifying values of importance to Kāi Tahu. However there is a need for both regional and territorial authorities to go further in identifying and recognising important values, in collaboration with Kāi Tahu, so that these can be appropriately managed and provided for in resource management processes.	Adopt Method 1.2.1-1.2.3
3.1.4(f)	Support	The proposed method provides for the enactment of Policy 4.2.3 and is consistent with section 6(f) of the RMA.	Adopt Method 3.1.4 f)
4.1.9	Partially support - additional method requested	<p>This method lacks clarity however it is presumed that this policy refers to Policy 4.2.3 (rather than 4.3.2), and that clause a) is intended to be divided into two separate ideas, those being: 1.) the inclusion of accidental discovery protocols; and 2.) providing for historic heritage retention.</p> <p>The above matters are both supported, and considered to be appropriate in terms of giving effect to Policy 4.2.3.</p>	<p>Add the following wording to Method 4.1.9 a)</p> <p><u>Identifying and protecting significant historic heritage resources located within the authority's jurisdictional boundary.</u></p>

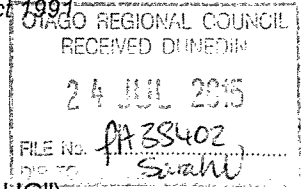
		<p>In particular, accidental discovery protocols are an essential means of providing integrated management of heritage resources under the RMA and the Heritage New Zealand Pouhere Taonga Act 2014 (HNZPTA) which is the primary legislation for the management of archaeological sites.</p> <p>Notwithstanding the above, Heritage New Zealand considers that the method also needs to direct that city or district plans will identify and protect significant historic heritage values, similarly as regional plans are expected to under Method 3.1.4(f). The Method will then provide proper and thorough direction on how Policy 4.2.3 should be given effect to through city and district plans.</p>	
New method		<p>Risk to heritage values, particularly archaeological values, can arise where there is a lack of awareness about their presence amongst the general public and/or Council staff assessing development applications. In some cases where archaeological sites are present, development activity will trigger a legal process under the HNZPTA. In Heritage New Zealand’s experience owners/developers are often unaware of this requirement and accidental damage or loss of heritage values can occur.</p> <p>Heritage New Zealand has been working with some local authorities to develop heritage alert layers which can take the form of a District Plan overlay showing areas where there is a high probability of archaeological material being present, for example coastal areas or parts of town where intensive early occupation took place. Heritage alert layers should be supported by information about the process to be followed under the HNZPTA. The benefits that Heritage New Zealand sees this providing are that it provides a higher level of integration between local and regional authority planning documents and the HNZPTA. Furthermore, awareness of heritage values can be incorporated into development proposals, providing the potential for site avoidance and other positive heritage outcomes.</p> <p>Heritage New Zealand would like to see the PRPS formally put forward this approach in Part C as a means of protecting archaeological values and avoiding accidental archaeological site damage as sought in Policy 4.2.3.</p>	<p>Add the following to Method 4:</p> <p><u>City or District Plans may implement policy 4.2.3 by including heritage alert layers to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values.</u></p>

		It is noted that Method 3.1.1 discusses alert layers for culturally sensitive areas and there could be an opportunity to combine this method with the new method proposed opposite.	
New method		<p>The PRPS recognises the risk of earthquakes on property and that recovery from a natural disaster can be difficult and costly (Objectives 3.2 &amp; 3.7). Seismic strengthening of older buildings is seen by Heritage New Zealand as an important means of building resilience, and the PRPS anticipates the upgrading seismic strengthening of heritage buildings to meet modern standards (see AER 4.2).</p> <p>Investment in heritage buildings has positive effects in terms of the value that people gain from working, living and visiting in and around historic buildings. Heritage building re-use has the potential to contribute to revitalisation, with them providing a point of difference that is attractive to visitors. There is therefore a benefit to the community arising from the repair, maintenance and strengthening of older buildings. However, private owners of heritage buildings are generally ineligible for financial assistance from organisations such as the Lottery Grants Board.</p> <p>There are a range of heritage incentives that can be employed to provide some recognition of the wider community benefits gained from heritage building strengthening and re-use, and can help to make such projects more economically viable for building owners. Examples include grant funding for individual or joint projects; and district plan mechanisms such as relaxation of standards where a project involves seismic strengthening of a heritage building.</p> <p>Heritage New Zealand advocates that regional, city and district councils should prepare and implement a range of regulatory and non-regulatory incentives to assist private owners of heritage buildings.</p>	<p><u>Add new method to Part C:</u></p> <p><u>Local authorities shall prepare and implement regulatory and non-regulatory incentives to facilitate the preservation of cultural and historic heritage places.</u></p>
<b>Anticipated Environmental Results</b>			
AER 4.2	Partially	The indicators set out in AER 4.2 are not considered to relate well to the objectives	Additional indicators:

	<p>support - additional indicators sought</p>	<p>and policies concerning heritage matters. The proposed indicators are suitable in terms of quantifying progress towards the integration of heritage into current and future uses. However the other aspects of AER 4.2, ie. 'identification' and 'protection' of heritage, do not appear to have been considered.</p> <p>Heritage New Zealand believes that the AER 4.2 needs to be expanded in order to ensure that progress towards the objectives and policies can be accurately measured. Heritage New Zealand therefore suggests additional indicators be included as outlined opposite.</p>	<ul style="list-style-type: none"> <li>◦ <u>There is a comprehensive inventory of Otago's historic heritage resources.</u></li> </ul> <p><u>Regular reporting by regional, city and district councils on heritage inventory methodologies and progress.</u></p> <ul style="list-style-type: none"> <li>◦ <u>There is no loss of significant historic heritage values associated with places, sites and areas identified in a district or regional plan.</u></li> </ul> <p><u>Number of resource consents issued where there would be partial or total loss of heritage values.</u></p>
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**SUBMISSION FORM**  
**Proposed Regional Policy Statement for Otago**  
May 2015

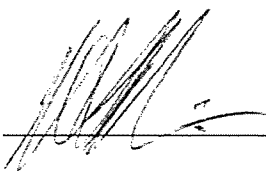
Form 5, Clause 6 of the First Schedule, Resource Management Act 1991



To: Otago Regional Council  
Full name of submitter: Otago Water Resource Users Group ("OWRUG")  
Postal Address: c/o Checketts McKay Law Limited  
PO Box 41  
Alexandra  
9340  
Contact person: John Williamson  
Telephone: 03 448 9670  
Fax: 03 448 8960  
Email: john@cmlaw.co.nz

We wish / ~~do not wish~~ to be heard in support of our submission (*delete the one that does not apply*).

If others make a similar submission, I will consider presenting a joint case with them at a hearing.  
(Delete if you would not consider presenting a joint case).

Signature: 

Date: 24 July 2015

**Note that all submissions are made available for public inspection.**  
**Submissions must be received by 5pm, Friday, 24 July 2015.**

The parts of the proposed Regional Policy Statement that our submission relates to, our comments and decision sought from the Otago Regional Council are:

## Chapter 1 - Kai Tahu values, rights and interests are recognised and kiaitakitaka is expressed

### 1. Chapter overview - Objective 1.2 – Need –

- (a) We oppose the statement that "... local authorities need to recognise Kai Tahu values and plans **more effectively** ...".
- (b) This is a criticism that local authorities have not been sufficiently effective in recognising these values and plans. For example, this implies that the Otago Regional Council has not adequately recognised Kai Tahu values and plans in the Regional Plan: Water (incorporating the recent plan changes). However the Regional Plan: Water appropriately recognises Kai Tahu values.
- (c) We oppose the statement that "... Local authorities need to **recognise** Kai Tahu ... plans ...".
  - (i) To recognise Kai Tahu plans is too absolute. This suggests the Kai Tahu plans are binding on local authority plans.
  - (ii) There is no statutory authority under the Resource Management Act 1991 ("RMA") for the statement.
  - (iii) Method 1.1.2 of the Proposed Regional Policy Statement ("Proposed RPS") uses the more appropriate phrase "*Have regard to Iwi Management Plans*".
- (d) We oppose the statement that "... local authorities need to ... **enable** the exercise of customary rights".
  - (i) To enable the exercise of customary rights is too absolute.
  - (ii) There is no statutory authority under the RMA for this.
  - (iii) Section 6 of the RMA refers to recognising and providing for the protection of "**protected** customary rights" not "customary rights".
- (e) We request that the Need be rewritten as follows:
- (f) "*In managing our natural resources, local authorities need to recognise Kai Tahu values and have regard to Kai Tahu plans more-effectively, and enable the exercise of customary rights.*"

### 2. Objective 1.1 – Narrative –

- (a) We oppose the statement in the third last paragraph of the narrative providing for a "**partnership approach**, which involves Kai Tahu and **elevates** their values, rights and interests in decision-making processes ...".
- (b) There is no statutory authority for a partnership between local authorities and Kai Tahu in decision-making processes.
- (c) The treaty partnership between the Crown and Maori does not extend to a partnership between local authority and Maori in decision-making processes.

There is a statutory authority for a local authority to transfer its functions, powers or duties to an iwi authority, but this is not a partnership. This decision is discretionary, needs to be made by a local authority in regard to the particular circumstances and should not be a Regional Policy Statement direction.

- (d) There is no statutory authority for Kai Tahu's values, rights and interests to be **elevated** above other users' rights and interests. At the end of the day, the deciding authority will typically weigh relevant Maori considerations against relevant socio-economic considerations and then determine where the balance lies.
- (e) We request that the paragraph be deleted.

3. **Policy 1.1.2 e) –**

- (a) We oppose the policy to "**Ensure Kai Tahu are able to exercise kaitiakitaka**".
- (b) There is no statutory authority for ensuring this protection.
- (c) Local authorities cannot and should not ensure this as there will often need to be a consideration of competing interests and this consideration of competing interests is required by Part 2 of the RMA.
- (d) We request that the policy be rewritten as follows:
- (e) "**Ensure Recognise Kai Tahu's are able to exercise of kaitiakitaka;**"

4. **Policy 1.1.2 f) iii –**

- (a) We oppose the policy to "**Provide for other areas in Otago that are recognised as significant to Kai Tahu "in a manner similar to that prescribed for statutory acknowledgement areas"**.
- (b) There is no legal authority to provide for other areas that are significant to Kai Tahu in a similar manner to statutory acknowledgement areas.
- (c) We request that the words "**in a manner similar to that prescribed for statutory acknowledgement areas**" be deleted.

5. **Objective 1.2 - Narrative –**

- (a) The opening part of the second paragraph reading "**In addition to the ability to participate in decision-making and implementation ...**" is driven by the narrative in Objective 1.1. In section 2 of this submission we opposed that narrative in Objective 1.1.
- (b) We request that those words be deleted for the reasons detailed in section 2 (a) – (c) of this submission.

6. **Policy 1.2.1 a) –**

- (a) We oppose the policy "**Ensuring resources support their customary uses and cultural values ...**".
- (b) There is no statutory authority for ensuring this protection.

- (c) Local authorities cannot and should not ensure this as there will often need to be a consideration of competing interests and this consideration of competing interests is required by Part 2 of the RMA.
- (d) We request that the policy be reworded to read:  
*"Ensuring Recognising the resources that support their customary uses and cultural values ..."*.

**7. Policy 1.2.3 a) –**

- (a) We oppose the policy "**Avoiding** significant adverse effects on those values and sites ...".
- (b) This is too absolute. There is no statutory authority for this.
- (c) We request that policy a) be deleted and policy b) should be amended so that it reads:  
*"Avoiding remedying or mitigating other adverse effects on those values and sites;*
- (d) Policies b) and c) when read together are sufficient.

## **Chapter 2 - Otago has high-quality natural resources and ecosystems**

**8. Narrative to Chapter 2 Outcome –**

We support the narrative.

**9. Policy 2.1.1 a) –**

- (a) We oppose the policy "*Support healthy ecosystems in **all** Otago aquifers, and rivers, lakes, wetlands, and their margins*".
- (b) There may be some rivers in dry areas where it is appropriate to compromise ecosystem values in exchange for the benefits achieved by abstracting water. This needs to be considered on its merits and not pre-empted by policy 2.1.1 a).
- (c) Section 5 of the RMA is not worded in a way that requires healthy ecosystems in **all** water bodies.
- (d) We request that the policy be worded as follows:  
*"Support healthy ecosystems in ~~all~~ Otago aquifers, and rivers, lakes, wetlands, and their margins*".

**10. Policy 2.1.1 b) –**

- (a) We oppose the policy "*Retain the range and extent of habitats provided by freshwater*".
- (b) This requires the retention of existing water in freshwater bodies and prevents any further allocation of water for abstraction or damming and storage. There is no statutory authority for this.
- (c) We request that the policy be deleted. The matter is adequately covered by policy 2.1.1 a).



11. Policy 2.1.1 h) –

- (a) We oppose the policy "*maintain or enhance the natural functioning of rivers ... and aquifers*".
- (b) The natural functioning includes natural water flow. This policy requires the retention of existing water flow and prevents any further allocation of water for abstraction or damming and storage. There is no statutory authority for this.
- (c) We request that the policy be deleted. The matter is adequately covered by policy 2.1.1 a).

12. Policy 2.1.1 j) –

- (a) We oppose the policy "**Protect Kai Tahu values**".
- (b) This is too absolute and elevates Kai Tahu values above the economic interests of using water.
- (c) We request that the policy be reworded as follows:  
"Protect Provide for Kai Tahu values".

13. Policy 2.1.1 m) –

- (a) We oppose the policy "*Maintain the aesthetic and landscape values of rivers, lakes and wetlands*".
- (b) This policy would prevent the allocation of water for abstraction or storage if this was detrimental to the aesthetic and landscape values.
- (c) Maintaining the landscape values of rivers would prevent damming those rivers.
- (d) We request that the policy be reworded as follows:  
"~~Maintain~~Provide for the aesthetic and landscape values ...".

14. Policy 2.1.2 a) –

- (a) We oppose the policy to "*Protect or restore their natural functioning*".
- (b) This is too absolute.
- (c) Water abstraction and storage interferes with the natural functioning of the beds of rivers.
- (d) Structures for water abstraction and storage can also interfere with the natural functioning.
- (e) This policy would be a significant barrier to obtaining consent for abstraction and storage, including when a consent needs to be renewed.
- (f) Compare the Proposed RPS wording to the Regional Plan: Water which refers to:
  - (i) "*to have regard to any adverse effect...*" [policy 8.6.1]; and
  - (ii) "*To promote best management practices ... in order to avoid, remedy or mitigate any adverse effect*" [policy 8.6.2].
- (g) It is not appropriate to require the **protection or restoration** of riparian vegetation. This is too absolute.

- (h) Compare the Proposed RPS wording to the Regional Plan: Water which refers to “*promote the creation, retention and enhancement of appropriate riparian vegetation ...*” [policy 8.7.1].
- (i) We request that this policy be deleted. The matter is adequately covered by policy 2.1.2 d).

**15. Policy 2.1.2 e) –**

- (a) We oppose the policy “*Retain the range and extent of habitats supported*”.
- (b) This prevents any modification that would reduce the range and extent of habitats supported. This is too absolute. There is no statutory authority for this.
- (c) We request that the policy be deleted. The matter is adequately covered by policy 2.1.2 d).

**16. Policy 2.1.2 g) –**

- (a) We oppose the policy to “***Protect Kai Tahu values***”.
- (b) This is too absolute and elevates Kai Tahu values above activities that impact on the value sought to be protected.
- (c) We request that the policy be reworded as follows:  
“*Protect Provide for Kai Tahu values*”.

### **Chapter 3 - communities in Otago are resilient, safe and healthy**

**17. Policy 3.1.1 a) –**

We support this policy.

**18. Objective 3.4 and associated narrative –**

We support this Objective and associated narrative

**19. Policy 3.4.2 c) and d) –**

- (a) We support the policy of managing infrastructure activities, to:
  - (i) “*Support economic, social and community activities*”; and
  - (ii) “*Improve efficiency of use of natural resources*”
- (b) This policy 3.4.2 is cross referenced to Method 3 (Regional Plans) but we cannot find any reference in Method 3 to policy 3.4.2. This should be addressed.

**20. Policy 3.5.1 –**

- (a) This policy recognises infrastructure of national or regional significance. Then policies 3.5.2 and 3.5.3 apply to this infrastructure of national or regional significance.
- (b) Central Otago irrigation schemes own infrastructure which have regional significance. Policy 3.5.3 should apply to this infrastructure.

- (c) Under section 30 of the RMA the Regional Council has the function, when giving effect to Part 2 of the Act, of the strategic integration of infrastructure with land use. "Infrastructure" includes systems for irrigation. It is therefore appropriate that policies 3.5.2 and 3.5.3 should apply to Central Otago irrigation scheme infrastructure.
- (d) We request that policy 3.5.1 includes "*Central Otago irrigation schemes*" in the list of infrastructure having national or regional significance.
- (e) We request that the opening paragraph of policy 3.5.1 should read "*Recognise the national and or regional significance of the following infrastructure:*" for it to make sense and to be consistent with policies 3.5.2 and 3.5.3.

**21. Policy 3.5.3 –**

We support this policy, subject to our submission under section 20 being adopted.

**22. Policy 3.6.3 c) –**

- (a) We oppose the policy to protect the generation capacity of nationally or regionally significant renewable electricity generation activities by "*Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of their infrastructure*".
- (b) This elevates water use by a nationally or regionally significant renewable electricity generation activity (existing or prospective) above other water users. There is no statutory authority for this.
- (c) For example:
  - (i) This could prevent a new resource consent to take water from Lake Dunstan or the Clutha River, upstream of the Clyde Dam; and
  - (ii) This could prevent existing water permit holders and irrigation schemes (such as Pisa, Ripponvale, and Earnsclough) obtaining a replacement water permit from Lake Dunstan, on expiry of their existing water permits.
- (d) The matter and section 7 (j) of the RMA is adequately addressed by policy 3.6.3 a).
- (e) We request that the policy be deleted.

**Chapter 4 - People are able to use and enjoy Otago's natural and built environment**

**23. Chapter 4 Outcome and narrative –**

We support the Outcome and narrative.

**24. Objective 4.4 and narrative –**

We support the Objective and narrative.

**25. Section 4.4 –**

- (a) The Overview of Otago's resources recognises the importance of agriculture to Otago's economic development

- (b) A number of the narratives in the Proposed RPS refer to the reliance on the natural resources for the economic well-being of Otago's people and the narrative to Objective 3.1 gives the example of sufficient water supply needing to be available for a proposed activity.
- (c) The narratives are intended to be the explanations for the policies and the principal reasons for adopting the objectives, policies and methods [page 12 of the Proposed RPS].
- (d) There are policies in the Proposed RPS on:
  - (i) managing infrastructure to support the economic, social and community activities;
  - (ii) protecting renewable electricity generation facilities; and
  - (iii) enabling farming and other rural activities.
- (e) However there is no direct policy recognising the value of water for the agricultural industry.
- (f) The 1998 Regional Policy Statement for Otago appropriately recognises the importance of water to Otago's agriculture, particularly in the drier areas of Otago [e.g. Issues 6.3.1 & 6.3.2; Objectives 6.4.1 & 6.4.2 and Policy 6.5.2 (b)].
- (g) We accept that the Regional Plan: Water was notified after the 1998 RPS and has had a series of variations to keep it current. The management detail is therefore contained in the Regional Plan: Water and should not be replicated in the Proposed RPS. Notwithstanding this, we consider that the Proposed RPS needs to contain an actual policy, method and anticipated environmental result, recognising the importance of water for agriculture, for the following reasons:
  - (i) Water availability for agriculture is one of the major resource management issues of the region and water allocation (including via storage) for irrigation is a major issue of integrated management of the water resource. We therefore consider that section 59 of the RMA requires the Proposed RPS to recognise the value of water for the agricultural industry.
  - (ii) The 1998 RPS balances the competing interests in water by listing them all in policy 6.5.2. Whereas the Proposed RPS separates out the competing interests in different chapters. The Proposed RPS recognises Kai Tahu values [chapter 1], freshwater values and the values of beds of rivers, lakes and wetlands [chapter 2] and the value of renewable electricity generation facilities [chapter 3]. But the Proposed RPS does not provide for the importance of water for agriculture. This results in an imbalance in the policies dealing with potentially competing interests, favouring those matters identified by the policies compared to the use of water for agriculture.
- (h) We request that section 4.4 shall include the following policy ahead of the existing policy 4.4.1:
 

***"4.4.1A Managing water for consumptive use***

*When managing water:*

  - a) *Recognise that the consumptive uses of Otago's water require sufficient quantities of quality water; and*

- b) *Recognise that significant historic investment reliant on water availability require sufficient quantities of quality water*”.
- (i) We request that the Proposed RPS includes a method under Method 3 and Anticipated Environmental Result corresponding with the requested new policy 4.4.1A.

**26. Policy 4.4.1 b) –**

- (a) We object to this policy **“Requiring the development or upgrade of infrastructure that increases use efficiency.”**
- (b) “Requiring” development or upgrade is too absolute and is too prescriptive for a regional policy statement.
- (c) Infrastructure efficiency was dealt with by the Regional Plan: Water, Plan Change 1C after the lengthy process of submissions and post-decision negotiations. It is not appropriate to re-litigate this matter again under a regional policy statement (which is a more general policy document).
- (d) We request that the policy be reworded as follows:  
*“Requiring Encourage the development or upgrade of infrastructure that increases use efficiency”*.

**27. Policy 4.4.1 d) –**

We support this policy.

**28. Policy 4.5.1 –**

- (a) The issue of objectionable discharges was recently addressed by the Regional Plan: Water, Plan Change 6A through the extensive submission and post-decision mediation process. It is not appropriate to now rewrite this policy through the Proposed RPS.
- (b) It is not appropriate that takata whenua or the wider community can determine that a discharge is objectionable or offensive and thus require it to be avoided.
- (c) Certain discharges to land are contemplated by the Regional Plan: Water but would need to be avoided under the Proposed RPS Policy 4.5.1.
- (d) We request that the policy be reworded as follows:  
*“~~Avoid discharges that are objectionable or offensive to takata whenua and the wider community, including:~~*
  - a) *Discharges of human or animal waste:*
    - i *Directly to water; or*
    - ii *...*
  - b) *Discharges of hazardous or noxious substances close to sensitive activities, including:*
    - i *Residential activity;*
    - ii *...*
  - c) *~~Odorous or conspicuous discharges.~~”*

**29. Method 1.4.1 –**

- (a) The delegation of plan administration functions should not just be when “efficient and effective”, but also needs to be when ‘appropriate’.
- (b) We request that the method be reworded as follows:  
*“Delegate and transfer RMA plan administration functions to an iwi authority, where this is appropriate and provides an efficient and effective service”.*

**30. Method 2.2.3 –**

- (a) The delegation of RMA functions should not just be when “efficient and effective”, but also needs to be when ‘appropriate’.
- (b) We request that the method be reworded as follows:  
*“Delegate or transfer RMA functions, where this is appropriate and provides an efficient and effective service, from ...”.*

## **Glossary**

The Proposed RPS extensively refers to the protection of wetlands. We request that the Glossary includes the following statement:

*“Wetland excludes any wetland constructed for the purpose of water quality management”.*

This is consistent with the outcome of the Regional Plan: Water, Plan Change 6A.

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**Environmental Consultants**  
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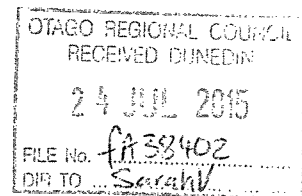
**By Email**

24 July 2015

Ref: 9008

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 THE QUEENSTOWN AIRPORT CORPORATION**

Please find attached a submission on the Proposed Regional Policy Statement for Otago on behalf of the Queenstown Airport Corporation.

Yours sincerely,  
**MITCHELL PARTNERSHIPS LIMITED**

**KIRSTY O'SULLIVAN**

Email: [kirsty.osullivan@mitchellpartnerships.co.nz](mailto:kirsty.osullivan@mitchellpartnerships.co.nz)

Enc

**SUBMISSION ON THE PUBLICLY NOTIFIED PROPOSED REGIONAL POLICY  
STATEMENT FOR OTAGO UNDER CLAUSE 6 OF THE FIRST SCHEDULE OF THE  
RESOURCE MANAGEMENT ACT 1991**

**To:** Otago Regional Council  
Private Bag 1954  
**DUNEDIN 9054**

**Name:** Queenstown Airport Corporation ('QAC')

**Address:** PO Box 2641  
Queenstown  
(Note different address for service)

1. **This is a submission on behalf of the QAC with respect to Proposed Regional Policy Statement for Otago.**
2. **QAC could not gain an advantage in trade competition through this submission.**
3. **Overall issues that have determined the approach of QAC in preparing submissions on Proposed Regional Policy Statement for Otago as follows:**
  - 3.1 QAC operates the regionally significant Queenstown and Wanaka Airports.
  - 3.2 Queenstown Airport is the main Airport in the Queenstown Lakes District and is the primary take-off and landing point for much of the aircraft activity in the District. The Airport accommodates aircraft movements associated with scheduled, general aviation and helicopter operations, and is one of the busiest airports in the country. The Airport acts as an essential gateway to the Queenstown Lakes District and facilitates access and economic activity in the local and broader regional economies. It is also a provider of emergency services and is a lifeline utility under the Civil Defence Emergency Management Act 2002.
  - 3.3 Queenstown Airport is one of the busiest airports in the country, accommodating in excess of 1.4 million passengers for the year ending June 2015. This represented a 12% increase in passengers from the previous year. Queenstown Airport has experienced a sustained period of growth, with passenger numbers expected to increase over the coming years as the district receives an increasing number of domestic and international visitors.
  - 3.4 Queenstown Airport is managed by QAC. QAC is a requiring authority in terms of the Resource Management Act 1991 (the RMA) and the Airport site is designated for



“Aerodrome Purposes” (Designation 2) and for “Approach and Land Use Control” (Designation 4) in the Queenstown Lakes District Plan.

- 3.5 Wanaka Airport accommodates aircraft movements associated with scheduled, general aviation and helicopter operations and is a major provider of commercial helicopter operations within the District.
- 3.6 The Queenstown Lakes District Council are the requiring authority for Wanaka Airport, with QAC managing the operations of this airport on the requiring authorities’ behalf. Wanaka Airport is designated for “Aerodrome Purposes” (Designation 64) and for “Approach and Land Use Control” (Designation 65) purposes in the Queenstown Lakes District Plan.
- 3.7 QAC therefore has a significant interest in planning documents such as the proposed RPS that might influence or affect its ability to operate in an efficient and effective manner.

**4. QAC’s Specific Submissions:**

QAC has made specific submissions on various objectives, policies and methods that are contained within the Proposed Regional Policy Statement for Otago. These are set out in **Annexure One** attached. In summary, QAC’s submission seeks to:

- a) Ensure that the Proposed Regional Policy Statement for Otago is consistent with promoting the sustainable management purpose of the Resource Management Act 1991 (RMA);
- b) Ensure consistency with Part 2 and other relevant provisions of the RMA;
- c) Enable people and communities to provide for their social, economic and cultural wellbeing and for their health and safety;
- d) Promote the efficient use and development of natural and physical resources; and
- e) Promote sound resource management practice.

**5. QAC seeks the following decision from the Queenstown Lakes District Council:**

- a) That the relief sought and/or amendments (or those with similar or like effect) outlined in **Table 1** be accepted;
- b) Such further or other relief as is appropriate or desirable in order to take account of the matters expressed in this submission.
- c) That, in the event that the amendments set out above are not implemented, the Proposed Policy Statement be withdrawn.

**6. QAC wishes to be heard in support of their submission.**

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

**Signature:**



By its authorised agent Kirsty O'Sullivan, on behalf of the Queenstown Airport Corporation

**Date:**

24<sup>th</sup> July 2105

**Address for service:**

Queenstown Airport Corporation  
C/- Mitchell Partnerships  
PO Box 489  
**DUNEDIN**

Attn: Kirsty O'Sullivan

**Telephone:**

(03) 477 7884

**Email:**

[kirsty.osullivan@mitchellpartnerships.co.nz](mailto:kirsty.osullivan@mitchellpartnerships.co.nz)

# **ATTACHMENT 1**

Table 1 - QAC's Specific Submissions on the Proposed Regional  
Policy Statement for Otago

Provision	Submission Position	Reason for submission	QAC Requests the Following Relief from the Council (or similar wording to achieve desired relief)
<b>Chapter 1 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed</b>			
<p><b>Policy 1.1.2</b></p> <p><b>Taking the principles of Te Tiriti o Waitangi into account</b></p> <p>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"> <li>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);</li> <li>Having particular regard to kaitiakitanga (section 7(a) of the RMA);</li> <li>Taking into account the principles of the Treaty of Waitangi (section 8 of the RMA)</li> </ul> <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><b>Policy 1.1.2</b></p> <p><b>Taking the principles of Te Tiriti o Waitangi into account</b></p> <p>Ensure that local authorities exercise their functions and powers, to:</p> <p>a) <del>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,</del></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) <del>Ensure Kāi Tahu have the prerogative to:</del> <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. <del>Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; and</del></p> <p>ii. <del>Determine how best to express that relationship; and</del></p> <p>e) <del>Ensure Kāi Tahu are able to</del> <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>

<p><b>Objective 1.2</b> Kāi Tahu values, rights and interests and customary resources are sustained</p>	<p>Oppose in part</p>	<p>QAC 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.</p> <p>QAC 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:</p> <p><b>Kāi Tahu values, <del>rights</del> and interests and customary resources are sustained recognised and provided for.</b></p>
<p><b>Chapter 2 Otago has high quality natural resources and ecosystems</b></p>			
<p><b>Objective 2.1</b> The values of Otago's natural and physical resources are recognised, maintained and enhanced</p>	<p>Support in part</p>	<p>QAC 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><b>Policy 2.1.1</b> <b>Managing for freshwater values</b> Recognise freshwater values, and manage freshwater, to:</p> <ul style="list-style-type: none"> <li>a) Support healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and</li> <li>b) Retain the range and extent of habitats provided by freshwater; and</li> <li>c) Protect outstanding water bodies and wetlands; and</li> <li>d) Protect migratory patterns of freshwater species, unless detrimental to indigenous biodiversity; and</li> <li>e) Avoid aquifer compaction, and seawater intrusion in aquifers; and</li> <li>f) Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded; and</li> <li>g) Maintain or enhance coastal values supported by freshwater values; and</li> <li>h) Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and</li> <li>i) Retain the quality and reliability of existing drinking water supplies; and</li> <li>j) Protect Kāi Tahu values; and</li> <li>k) Provide for other cultural values; and</li> <li>l) Protect important recreation values; and</li> <li>m) Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and</li> <li>n) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and</li> <li>o) Mitigate the adverse effects of natural hazards, including flooding and erosion; and</li> </ul>	<p>Oppose in part</p>	<p>QAC is also concerned that this policy does not suitably recognise that the use of the region's fresh water resources is essential for the social and economic wellbeing of the region. Enabling infrastructure that relies on fresh water resources to only operate within the bounds of its existing parameters discourages any growth and this is opposed by QAC.</p> <p>QAC is of the view that better guidance is required throughout the RPS as to how these policies are to be implemented and what outcome is intended to be achieved by both regulatory authorities and resource users.</p> <p>It is also not clear what is intended by protecting Kāi Tahu values and providing for other cultural values. The intent of this clause can be better achieved by providing for Kāi Tahu values more generally.</p>	<p>Amend this policy so that it suitably recognises and provides for the development and growth of infrastructure that relies on fresh water resources. The policy also needs to recognise the use of freshwater in providing for the social and economic wellbeing of the community.</p> <p>The policy should also seek to "provide for" Kāi Tahu values (clause j) and remove reference to "other cultural values".</p> <p><b>Policy 2.1.1</b> <b>Managing for freshwater values</b> Recognise freshwater values, and manage freshwater, to:</p> <ul style="list-style-type: none"> <li>a) Support healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and</li> <li>b) Retain the range and extent of habitats provided by freshwater; and</li> <li>c) Protect <u>the values of</u> outstanding water bodies and wetlands; and</li> <li>d) Protect migratory patterns of freshwater species, unless detrimental to indigenous biodiversity; and</li> <li>e) Avoid aquifer compaction, and seawater intrusion in aquifers; and</li> <li>f) Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded; and</li> <li>g) Maintain or enhance coastal values supported by freshwater values; and</li> <li>h) Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and</li> </ul>

<p>p) Maintain the ability of existing infrastructure to operate within their design parameters.</p>			<p>i) Retain the quality and reliability of existing drinking water supplies; and  j) <u>Protect provide for</u> Kāi Tahu values; and  k) Provide for other cultural values; and  l) Protect important recreation values; and  m) Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and  n) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and  o) Mitigate the adverse effects of natural hazards, including flooding and erosion; and  p) Maintain the ability of existing infrastructure to operate within their design parameters <u>and provide for appropriate upgrade and expansion of infrastructure.</u>  q) <u>Maintain the ability of water users to provide for the economic, health and safety and social wellbeing of the community.</u></p>
<p><b>Policy 2.1.4 Managing for air quality values</b>  Recognise air quality values, and manage air quality, to:</p> <p>a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded; and  b) Protect Kāi Tahu values; and  c) Maintain other cultural, aesthetic and amenity values.</p>	<p>Oppose in part</p>	<p>It is not clear why Kāi Tahu values are to be elevated above all other resource management issues relating to the management of air quality in the region, in that they are required to be protected.</p> <p>QAC is also concerned that this policy does not recognise that visibility is an issue with respect to operations in and around an airport and that air discharges should be considered/restricted in light of this.</p>	<p>Amend the policy as follows:</p> <p>Recognise air quality values, and manage air quality, to:</p> <p>a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded; and  <del>b) Provide for</del> <del>Protect</del> Kāi Tahu values; and  c) <del>Maintain other cultural,</del> aesthetic and amenity values.  d) <del>Protect visibility in and around the region's airports and flight paths.</del></p>
<p><b>Policy 2.1.6 Managing for ecosystem and indigenous biodiversity values</b>  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  b) Maintain or enhance areas of predominantly indigenous vegetation; and  c) Buffer or link existing ecosystems; and  d) Protect important hydrological services, including the services provided by tussock grassland; and  e) Protect natural resources and processes that support indigenous biodiversity; and  f) Maintain habitats of indigenous species that are important for recreational, commercial, cultural or customary purposes; and</p>	<p>Oppose</p>	<p>QAC is concerned that this policy applies to all ecosystems, indigenous and otherwise and has no regard for the significance of these systems.</p> <p>QAC 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>QAC 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><b>Delete this policy.</b></p>

<p>g) Protect biodiversity significant to Kāi Tahu; and avoid the adverse effects of pest species, prevent their introduction and reduce their spread.</p>			
<p><b>Objective 2.2</b> <b>Otago's significant and highly-valued natural resources are identified, and protected or enhanced</b></p>	<p>Oppose</p>	<p>QAC 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 QAC 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: <b>Objective 2.2</b> <b>Otago's significant and highly-valued natural resources are identified, and protected <del>or enhanced</del> from inappropriate use or development.</b></p>
<p><b>Policy 2.2.2</b> <b>Managing significant indigenous vegetation and significant habitats of indigenous fauna</b> Protect and enhance the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by:</p> <ul style="list-style-type: none"> <li>a) Avoiding adverse effects on those values which contribute to the area or habitat being significant; and</li> <li>b) Avoiding significant adverse effects on other values of the area or habitat; and</li> <li>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</li> <li>d) Mitigating where adverse effects cannot be avoided or remediated; and</li> <li>e) Encouraging enhancement of those areas and values.</li> </ul>	<p>Support in part</p>	<p>QAC 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.</p> <p>QAC also submits that there may be circumstances where enhancing significant habitats of indigenous fauna (specifically birdlife) may adversely impact on the safety of aircraft and passengers. It is therefore considered necessary to recognise and provide for such circumstances.</p> <p>Some minor amendments to the structure and wording of this policy are also proposed 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> <ul style="list-style-type: none"> <li>a) Avoiding <u>where practicable</u> adverse effects on those values which contribute to the area or habitat being significant; and</li> <li>b) Avoiding <u>where practicable</u> significant adverse effects on other values of the area or habitat; and</li> <li>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</li> <li>d) <u>Remedying or mitigating</u> where adverse effects cannot be avoided <del>or remediated</del>; and</li> </ul> <p>Encouraging enhancement of those areas and values.</p>
<p><b>Policy 2.2.4</b> <b>Managing outstanding natural features, landscapes, and seascapes</b> Protect, enhance and restore the values of outstanding natural features, landscapes and seascapes, by:</p> <ul style="list-style-type: none"> <li>a) Avoiding adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and</li> <li>b) Avoiding, remedying or mitigating other adverse effects on other values; and</li> <li>c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and</li> <li>d) Recognising and providing for positive contributions of existing introduced species to those values; and</li> <li>e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and</li> <li>f) Encouraging enhancement of those areas and values.</li> </ul>	<p>Oppose in part</p>	<p>QAC 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. For example, the installation of obstacle lighting may be required in areas of outstanding natural landscapes or features in response to changes in Civil Aviation regulations and/or changes to flight paths and hours of operation. Recent case law around the use of the term 'avoid', would potentially prohibit such activities occurring.</p>	<p>Delete this policy or amend clause a) to read:</p> <ul style="list-style-type: none"> <li>a) Avoiding <u>significant</u> adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and</li> </ul>

<p><b>Policy 2.3.5</b>  <b>Applying an integrated management approach for airsheds</b>  Apply an integrated management approach to activities that affect air quality, by:</p> <ul style="list-style-type: none"> <li>a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and</li> <li>b) Co-ordinating the management of land use and air quality, to: <ul style="list-style-type: none"> <li>i. Maintain or enhance air quality values; and</li> <li>ii. Reduce the potential for adverse health and nuisance effects.</li> </ul> </li> </ul>	Oppose in part	QAC is of the view that when providing for the integrated management of natural and physical resources, consideration also needs to be given to the potential for poor visual quality which can adversely impact on the safety of aircraft and passengers.	Amend the policy so that it recognises that poor air quality can result in adverse safety effects for aircraft and passengers.
<b>Chapter 3 Communities in Otago are resilient, safe and healthy</b>			
<p><b>Objective 3.1</b>  <b>Protection, use and development of natural and physical resources recognises environmental constraints</b></p>	Support in part	QAC 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.	Revise to make objective clearer or delete this objective.
<p><b>Policy 3.1.1</b>  <b>Recognising natural and physical environmental constraints</b>  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> <ul style="list-style-type: none"> <li>a) The availability of natural resources necessary to sustain the activity; and</li> <li>b) The ecosystem services the activity is dependent on; and</li> <li>c) The sensitivity of the natural and physical resources to adverse effects from the proposed activity/land use; and</li> <li>d) Exposure of the activity to natural and technological hazard risks; and</li> <li>e) The functional necessity for the activity to be located where there are significant constraints.</li> </ul>	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. QAC 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><b>Objective 3.2</b>  <b>Risk that natural hazards pose to Otago's communities are minimised</b></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><b>Policy 3.2.1</b>  <b>Identifying natural hazards</b>  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).



<p><b>Policy 3.2.2</b>  <b>Assessing natural hazard likelihood</b>  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"> <li>a) Hazard type and characteristics;</li> <li>b) Multiple and cascading hazards;</li> <li>c) Cumulative effects, including from multiple hazards with different risks;</li> <li>d) Effects of climate change;</li> <li>e) Using the best available information for calculating likelihood;</li> <li>f) Exacerbating factors.</li> </ul>	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><b>Policy 3.2.3</b>  <b>Assessing natural hazard consequence</b>  Assess the consequences of natural hazard events, including by considering:</p> <ul style="list-style-type: none"> <li>a) The nature of activities in the area;</li> <li>b) Individual and community vulnerability;</li> <li>c) Impact on individual and community health and safety;</li> <li>d) Impact on social, cultural and economic wellbeing;</li> <li>e) Impact on infrastructure and property, including access and services;</li> <li>f) Risk reduction and hazard mitigation measures;</li> <li>g) Lifeline utilities, essential and emergency services, and their co-dependence;</li> <li>h) Implications for civil defence agencies and emergency services;</li> <li>i) Cumulative effects;</li> <li>j) Factors that may exacerbate a hazard event.</li> </ul>	Support in part	QAC 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><b>Objective 3.4</b>  <b>Good quality infrastructure and services meet community needs</b></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: <b>Good quality infrastructure and services meets community needs <u>on a local, regional and national scale.</u></b>

<p><b>Policy 3.4.1</b></p> <p><b>Integrating infrastructure with land use</b></p> <p>Achieve the strategic integration of infrastructure with land use, by:</p> <p>a) Recognising functional needs of infrastructure of regional or national importance; and</p> <p>b) Designing infrastructure to take into account:</p> <ol style="list-style-type: none"> <li>i. Actual and reasonably foreseeable land use change; and</li> <li>ii. The current population and projected demographic changes; and</li> <li>iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services; and</li> <li>iv. Natural and physical resource constraints; and</li> <li>v. Effects on the values of natural and physical resources; and</li> <li>vi. Co-dependence with other infrastructural services; and</li> <li>vii. The effects of climate change on the long term viability of that infrastructure; and</li> </ol> <p>c) Managing urban growth:</p> <ol style="list-style-type: none"> <li>i. Within areas that have sufficient infrastructure capacity; or</li> <li>ii. Where infrastructure services can be upgraded or extended efficiently and effectively; and</li> </ol> <p>d) Co-ordinating the design and development of infrastructure with the staging of land use change, including with:</p> <ol style="list-style-type: none"> <li>i. Structural design and release of land for new urban development; or</li> <li>ii. Structural redesign and redevelopment within existing urban areas.</li> </ol>	<p>Support in part</p>	<p>It is accepted that for certain infrastructure (i.e. local roads) integration with land use patterns and development is essential, however QAC submits that for regionally or nationally significant infrastructure these activities can be quite distinct to land use. Certain infrastructure does not require it to be so closely integrated with urban areas and development, and in some cases the nature of the infrastructure influences the quality and use of the environment surrounding it. Therefore it is submitted that this policy should also seek to ensure that land use development does not result in adverse effects (i.e. reverse sensitivity effects) on certain infrastructure assets within the region.</p>	<p>Amend the policy as follows:</p> <p>Achieve the strategic integration of infrastructure with land use, by:</p> <p>a) Recognising functional needs of infrastructure of regional or national importance; and</p> <p>b) Designing infrastructure to take into account:</p> <ol style="list-style-type: none"> <li>i. Actual and reasonably foreseeable land use change; and</li> <li>ii. The current population and projected demographic changes; and</li> <li>iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services; and</li> <li>iv. Natural and physical resource constraints; and</li> <li>v. Effects on the values of natural and physical resources; and</li> <li>vi. Co-dependence with other infrastructural services; and</li> <li>vii. The effects of climate change on the long term viability of that infrastructure; and</li> </ol> <p>c) Managing urban growth:</p> <ol style="list-style-type: none"> <li>i. Within areas that have sufficient infrastructure capacity; or</li> <li>ii. Where infrastructure services can be upgraded or extended efficiently and effectively; and</li> </ol> <p>d) Co-ordinating the design and development of infrastructure with the staging of land use change, including with:</p> <ol style="list-style-type: none"> <li>i. Structural design and release of land for new urban development; or</li> <li>ii. Structural redesign and redevelopment within existing urban areas; <u>and</u></li> </ol> <p>e) <u>Ensuring that land use and development does not result in adverse effects on the operation, use and development of infrastructure.</u></p>
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<p><b>Policy 3.4.2</b>  <b>Managing infrastructure activities</b>  Manage infrastructure activities, to:</p> <ul style="list-style-type: none"> <li>a) Maintain or enhance the health and safety of the community, and</li> <li>b) Reduce adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and</li> <li>c) Support economic, social and community activities; and</li> <li>d) Improve efficiency of use of natural resources; and</li> <li>e) Protect infrastructure corridors for infrastructure needs, now and for the future; and</li> <li>f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and</li> <li>g) Protect the functioning of lifeline utilities and essential or emergency services.</li> </ul>	<p>Oppose in part</p>	<p>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 QAC submits that this policy should be amended to refer to the "management of effects arising from the development and use of infrastructure activities". Furthermore QAC 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.</p> <p>Given this QAC 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>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.</p>
<p><b>Policy 3.4.3</b>  <b>Designing lifeline utilities and facilities for essential or emergency services</b>  Design lifeline utilities, and facilities for essential or emergency services, to:</p> <ul style="list-style-type: none"> <li>a) Maintain their ability to function to the fullest extent possible, during and after natural hazard events; and</li> <li>b) Take into account their operational co-dependence with other lifeline utilities and essential services to ensure their effective operation.</li> </ul>	<p>Oppose in part</p>	<p>QAC is supportive of the inclusion of "lifeline utilities" as part of the RPS. It is noted however that the definition of lifeline utilities in the RPS refers to the definition contained within the Civil Defence Emergency Management Act. While this is generally appropriate, it is noted that this definition refers to "entities" rather than facilities. Given this QAC is of the view that the definition needs to be amended so that it is appropriate for its inclusion in the RPS. The definition should refer to the infrastructure, buildings, and other ancillary equipment and activities undertaken by the entities referred to in the Civil Defence Emergency Management Act.</p> <p>Given the status of such facilities as lifeline utilities and the standards required under other legislation (i.e. the Building Act) when designed and constructing such facilities, QAC is of the view that this policy does not need to ensure they will be developed to withstand natural hazard events. Instead this policy should seek to recognise the essential nature and benefits that are to be derived from the development and ongoing protection of such "lifeline utilities" within the region.</p>	<p>Amend this policy to seek to provide for the development and ongoing use and maintenance of lifeline utilities within the region.</p> <p>Amend the definition of "lifeline utilities" to specifically refer to the infrastructure, buildings, ancillary equipment and activities that are undertaken by the entities referred to in the Civil Defence Emergency Act.</p>

<p><b>Policy 3.4.4</b>  <b>Managing hazard mitigation measures, lifeline utilities, and essential and emergency services</b>  Protect the functioning of hazard mitigation measures, lifeline utilities, and essential or emergency services, including by:</p> <ul style="list-style-type: none"> <li>a) Restricting the establishment of those activities that may result in reverse sensitivity effects; and</li> <li>b) Avoiding significant adverse effects on those measures, utilities or services; and</li> <li>c) Avoiding, remedying or mitigating other adverse effects on those measures, utilities or services; and</li> <li>d) Assessing the significance of adverse effects on those measures, utilities or services, as detailed in Schedule 3; and</li> <li>e) Maintaining access to those measures, utilities or services for maintenance and operational purposes; and</li> <li>f) Managing other activities in a way that does not foreclose the ability of those mitigation measures, utilities or services to continue functioning.</li> </ul>	<p>Support</p>	<p>This policy is considered appropriate, subject to the amendments to the definition of lifeline utility as noted above.</p>	<p>Retain policy as notified (or similar wording to achieve desired relief).</p>
<p><b>Objective 3.5</b>  <b>Infrastructure of national and regional significance is managed in a sustainable way</b></p>	<p>Support in part</p>	<p>This objective is generally supported, however QAC notes that it seeks that infrastructure is "managed in a sustainable way". As set out above, QAC 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:  <u><b>The development, use, operation and maintenance of infrastructure of national and regional significance is recognised and provided for.</b></u></p>
<p><b>Policy 3.5.1</b>  <b>Recognising national and regional significance of infrastructure</b>  Recognise the national and regional significance of the following infrastructure:</p> <ul style="list-style-type: none"> <li>a) Renewable electricity generation facilities, where they supply the national electricity grid and local distribution network; and</li> <li>b) Electricity transmission infrastructure; and</li> <li>c) Telecommunication and radio communication facilities; and</li> <li>d) Roads classified as being of national or regional importance; and</li> <li>e) Ports and airports; and</li> <li>f) Structures for transport by rail.</li> </ul>	<p>Support</p>	<p>QAC considers it appropriate that regionally significant infrastructure is identified as being of national and regional significance.</p>	<p>Retain policy as notified (or similar wording to achieve desired relief).</p>

<p><b>Policy 3.5.2</b>  <b>Managing adverse effects of infrastructure that has national or regional significance</b>  Minimise adverse effects from infrastructure that has national or regional significance, by:</p> <p>a) Giving preference to avoiding their location in:</p> <ul style="list-style-type: none"> <li>i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</li> <li>ii. Outstanding natural features, landscapes and seascapes; and</li> <li>iii. Areas of outstanding natural character; and</li> <li>iv. Outstanding water bodies or wetlands; and</li> </ul> <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>Oppose in part</p>	<p>Given the strategic importance of national and regional infrastructure assets QAC 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. For example, obstacle lighting and/or vehicle access routes may be required in the interests of aircraft safety.</p> <p>QAC 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><del>Minimise</del> <del>manage</del> adverse effects from infrastructure that has national or regional significance <u>that is located in:</u></p> <ul style="list-style-type: none"> <li>i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</li> <li>ii. Outstanding natural features, landscapes and seascapes; and</li> <li>iii. Areas of outstanding natural character; and</li> <li>iv. Outstanding water bodies or wetlands; and</li> </ul> <p><u>By</u></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>c) 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><b>Policy 3.5.3</b>  <b>Protecting infrastructure of national or regional significance</b>  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>	<p>Support</p>	<p>QAC supports the policy in so far as it seeks to "protect infrastructure".</p>	<p>Retain policy as notified (or similar wording to achieve desired relief).</p>
<p><b>New Objective and Policy</b></p>		<p>QAC submits that a new objective and associated policy is required that recognises the significant benefits and functions airports provides to the economic, social and cultural wellbeing of the region.</p>	<p>Insert new objectives and/or policies that recognise specifically the benefits associated with the development and ongoing use of airports within the region.</p>

<p><b>Objective 3.8</b>  <b>Urban growth is well designed and integrates effectively with adjoining urban and rural environments</b></p>	<p>Support</p>	<p>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.</p>	<p>Retain the objective as notified (or similar wording to achieve desired relief).</p>
<p><b>Policy 3.8.1</b>  <b>Managing for urban growth</b>  Manage urban growth and creation of new urban land in a strategic and co-ordinated way, by:</p> <ul style="list-style-type: none"> <li>a) Ensuring there is sufficient residential, commercial and industrial land capacity, to cater for demand for such land, projected over at least the next 10 years; and</li> <li>b) Co-ordinating urban growth and extension of urban areas with relevant infrastructure development programmes, to: <ul style="list-style-type: none"> <li>i. Provide infrastructure in an efficient and effective way; and</li> <li>ii. Avoid additional costs that arise from unplanned infrastructure expansion; and</li> </ul> </li> <li>c) Identifying future growth areas that: <ul style="list-style-type: none"> <li>i. Minimise adverse effects on rural productivity, including loss of highly valued soils or creating competing urban demand for water and other resources; and</li> <li>ii. Maintain or enhance significant biodiversity, landscape or natural character values; and</li> <li>iii. Maintain important cultural or heritage values; and</li> <li>iv. Avoid land with significant risk from natural hazards; and</li> </ul> </li> <li>d) Considering the need for urban growth boundaries to control urban expansion; and</li> <li>e) Ensuring efficient use of land; and</li> <li>f) Requiring the use of low or no-emission heating systems in buildings, when ambient air quality in or near the growth area is: <ul style="list-style-type: none"> <li>i. Below standards for human health; or</li> <li>ii. Vulnerable to degradation given the local climatic and geographical context; and</li> </ul> </li> <li>g) Giving effect to the principles of good urban design, as detailed in Schedule 6; and</li> <li>h) Giving effect to the principles of crime prevention through environmental design.</li> </ul>	<p>Support in part</p>	<p>QAC consider that in effectively managing urban growth consideration of conflicts and reverse sensitivity effects should be had particularly with respect to the encroachment of incompatible activities around key infrastructure assets.</p>	<p>Amend the policy as follows:  Manage urban growth and creation of new urban land in a strategic and co-ordinated way, by:</p> <ul style="list-style-type: none"> <li>a) Ensuring there is sufficient residential, commercial and industrial land capacity, to cater for demand for such land, projected over at least the next 10 years; and</li> <li>b) Co-ordinating urban growth and extension of urban areas with relevant infrastructure development programmes, to: <ul style="list-style-type: none"> <li>i. Provide infrastructure in an efficient and effective way; and</li> <li>ii. Avoid additional costs that arise from unplanned infrastructure expansion; and</li> </ul> </li> <li>x. <u>Avoiding urban development which constrains the ability of regionally significant infrastructure to be developed and used without undue constraint that may arise from adverse effects relating to reverse sensitivity or safety; and</u></li> <li>c) Identifying future growth areas that: <ul style="list-style-type: none"> <li>i. Minimise adverse effects on rural productivity, including loss of highly valued soils or creating competing urban demand for water and other resources; and</li> <li>ii. Maintain or enhance significant biodiversity, landscape or natural character values; and</li> <li>iii. Maintain important cultural or heritage values; and</li> <li>iv. Avoid land with significant risk from natural hazards; and</li> </ul> </li> <li>d) Considering the need for urban growth boundaries to control urban expansion; and</li> <li>e) Ensuring efficient use of land; and</li> <li>f) Requiring the use of low or no-emission heating systems in buildings, when ambient air quality in or near the growth area is: <ul style="list-style-type: none"> <li>i. Below standards for human health; or</li> <li>ii. Vulnerable to degradation given the local climatic and geographical context; and</li> </ul> </li> <li>g) Giving effect to the principles of good urban design, as detailed in Schedule 6; and</li> <li>h) Giving effect to the principles of crime prevention through environmental design.</li> </ul>

<p><b>Policy 3.9.1</b>  <b>Integrating management of hazardous substances and waste</b>  Promote an integrated approach to the management of hazardous substances and waste in Otago.</p>	<p>Support</p>	<p>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.</p>	<p>Retain policy as notified (or similar wording to achieve desired relief).</p>
<p><b>Policy 3.9.5</b>  <b>Avoiding the creation of new contaminated land</b>  Avoid the creation of new contaminated land.</p>	<p>Oppose</p>	<p>It is not clear what implications this policy might have on development throughout the region. For example, airports, ports, and other infrastructure 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.</p>	<p>Delete the policy.</p>
<p><b>Chapter 4 People are able to use and enjoy Otago's natural and built environment</b></p>			
<p><b>Policy 4.2.3</b>  <b>Managing historic heritage values</b>  Protect and enhance the values of places and areas of historic heritage, by:</p> <ul style="list-style-type: none"> <li>a) Recognising that some places or areas are known or strongly suspected of containing archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value; and</li> <li>b) Applying these provisions immediately upon discovery of such hitherto unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; and</li> <li>c) Avoiding adverse effects on those values which contribute to the area or place being of regional or national significance; and</li> <li>d) Avoiding significant adverse effects on other values of areas and places of historic heritage; and</li> <li>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</li> <li>f) Remediating, when adverse effects on other values cannot be avoided; and</li> <li>g) Mitigating when adverse effects on other values cannot be avoided or remediated; and</li> <li>h) Encouraging the integration of historic heritage values into new activities; and</li> <li>i) Enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.</li> </ul>	<p>Oppose in part</p>	<p>QAC opposes this policy, while it is appropriate to protect historic heritage from inappropriate subdivision, use and development in accordance with section 6(f) of the RMA, QAC is concerned that this policy goes further than this. It is noted that there is an entire chapter of the Proposed RPS specifically providing for values associated with iwi and Kai Tahu values including the protection of wahi tapu and wahi taoka and other sites that might be of cultural value. Therefore this does not need to be repeated here.</p> <p>In addition, it is noted that this policy seeks to avoid adverse effects on areas which might only have "suspected" heritage or cultural values. This is a very strong policy position and is not considered an appropriate response.</p>	<p>Amend the policy as follows:</p> <p><u>To recognise and provide for the protection of historic heritage resource of the region from inappropriate subdivision, use and development by:</u></p> <ul style="list-style-type: none"> <li>a) <u>Identifying and assessing the significance of the historic heritage resources within the region;</u></li> <li>b) <u>Having regard to any relevant entry in the Historic Places register in the process of identifying and assessing the historic heritage resource;</u></li> <li>c) <u>Considering historic heritage items, places, or areas of significance or importance to communities in the process of identifying and assessing the historic heritage resource;</u></li> <li>d) <u>Recognising that knowledge about some historic heritage may be culturally sensitive and support protection of those areas through the maintenance of silent files held by local authorities;</u></li> <li>e) <u>Recognise that there may be sites of historic heritage which are unknown and having appropriate accidental discovery protocols in place to manage the discovery of such features.</u></li> </ul>

<p><b>Policy 4.3.3</b>  <b>Recognising the values of Otago's central business districts</b>  Recognise the values of Otago's central business districts, including as the primary focal point for social, cultural and economic activities within a community.</p>	<p>Oppose in part</p>	<p>It is not considered appropriate to only recognise the values of Otago's central business districts in providing for the social, cultural and economic wellbeing of the community. Other centres and activities also provide for the economic wellbeing of the community, for example airports. Queenstown Airport in particular contributes to the national and regional economy. It does so by playing a key role in the tourism industry, as well as providing direct benefits to the local community through employment opportunities in aviation related roles, as well as through retail and other commerce related activities that are also undertaken at the Airport.</p>	<p>Amend the policy as follows:  <b>Recognising the values of Otago's central business districts and other economic centres</b>  Recognise the values of Otago's central business districts <u>and other economic centres</u>, including <del>as the primary focal point for</del> <u>as providing for</u> the social, cultural and economic activities within a community.</p>
<p><b>Policy 4.3.4</b>  <b>Managing the distribution of commercial activities in larger urban areas</b>  Manage the distribution of commercial activities in larger urban areas, to maintain the vibrancy of the central business district and support local commercial needs, by:</p> <ul style="list-style-type: none"> <li>a) Enabling a wide variety of commercial, social and cultural activities in the central business district; and</li> <li>b) Encouraging the adaptive re-use of existing buildings in ways that complement commercial functions; and</li> <li>c) Avoiding unplanned extension of commercial activities that has significant adverse effects on the central business district, including on the efficient use of infrastructure, employment and services; and</li> <li>d) Enabling smaller centres to service local community needs.</li> </ul>	<p>Oppose in part</p>	<p>QAC does not consider it appropriate to only encourage growth and development of commercial activities within the central business district. Commercial and retail activities undertaken at the Airport are essential to ensuring that the Airport is efficient and effective in its operation and provides for the needs of travellers, visitors and staff. It is essential to recognise that Airport's in themselves are and can become key economic centres for a district.</p>	<p>Amend the policy as follows:  Manage the distribution of commercial activities in larger urban areas, <del>to maintain the vibrancy of the central business district and support local commercial needs,</del> by:</p> <ul style="list-style-type: none"> <li>a) Enabling a wide variety of commercial, social and cultural activities in <u>appropriate locations</u> <del>the central business district;</del> and</li> <li>b) Encouraging the adaptive re-use of existing buildings in ways that complement commercial functions; and</li> <li>c) <del>Avoiding unplanned extension of commercial activities that has significant adverse effects on the central business district, including on the efficient use of</del> infrastructure, employment and services; and</li> <li>d) Enabling smaller centres to service local community needs.</li> </ul>
<p><b>Policy 4.3.5</b>  <b>Managing for industrial land uses</b>  Manage the finite nature of land suitable and available for industrial activities, by:</p> <ul style="list-style-type: none"> <li>a) Providing specific areas to accommodate the effects of industrial activities; and</li> <li>b) Providing a range of land suitable for different industrial activities, including land-extensive activities; and</li> <li>c) Restricting the establishment of activities in industrial areas that may result in: <ul style="list-style-type: none"> <li>i. Reverse sensitivity effects; or</li> <li>ii. Inefficient use of industrial land or infrastructure.</li> </ul> </li> </ul>	<p>Support</p>	<p>QAC 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, particularly where those activities support the safe and efficient functioning of Queenstown and Wanaka Airports.</p>	<p>Retain policy as notified (or similar wording to achieve desired relief).</p>
<p><b>Objective 4.5</b>  <b>Adverse effects of using and enjoying Otago's natural and built environment are minimised</b></p>	<p>Oppose in part</p>	<p>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.</p>	<p>Amend the objective as follows:  <u>Adverse effects arising from the development and use of Otago's natural and physical resources are avoided, remedied or mitigated.</u></p>



<p><b>Policy 4.5.7</b>  <b>Enabling offsetting of indigenous biodiversity</b>  Enable offsetting of adverse effects on indigenous biodiversity values, only when:</p> <ul style="list-style-type: none"> <li>a) The activities causing those effects have a functional necessity to locate in significant or outstanding areas; and</li> <li>b) Those effects cannot be avoided, remedied or mitigated; and</li> <li>c) <i>Those effects do not result in the loss of irreplaceable or vulnerable biodiversity.</i></li> </ul>	<p>Support in part</p>	<p>It is considered useful to include a policy enabling offsetting in certain situations. It is not clear why the ability to offset adverse effects on indigenous biodiversity has been limited to only being an acceptable response when those activities causing the effects have a functional necessity to locate in areas of significant biodiversity.</p> <p>QAC seeks to broaden the opportunities to consider off setting.</p>	<p>Amend this policy:</p> <p><b>Policy 4.5.7</b>  <b>Enabling offsetting of indigenous biodiversity</b>  Enable offsetting of adverse effects on indigenous biodiversity values, <del>only</del> <u>including</u> when:</p>
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## Landscape Connections Trust submission on the Proposed Regional Policy Statement for Otago

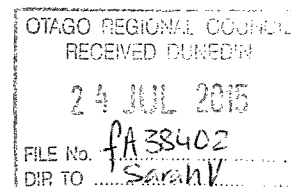
Organisation: Landscape Connections Trust

Primary contact: Jinty MacTavish / Chair

Address for service: PO Box 1320, Dunedin.

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Email: [landscapeconnectionstrust@gmail.com](mailto:landscapeconnectionstrust@gmail.com)



Dear Sir/Madam,

Thankyou for the opportunity to submit on the Proposed Regional Policy Statement for Otago ('the proposed RPS').

The Landscape Connections Trust ('the Trust') is involved in sustainable resource management here in Otago. Over the past year we have coordinated the development of a community-led vision and management strategy for the restoration and enhancement of Dunedin's North Coast landscape, stretching from North Dunedin to Waikouaiti. The goals of the management strategy (called 'Beyond Orokonui') are four-fold – to sustain livelihoods, connect people to the natural environment, enhance ecosystem health, and protect native plants and animals. Over the coming years, we will be working with community partners on a range of projects, to deliver these outcomes for the area. You can read more about the work we are doing over at [www.beyondorokonui.org.nz](http://www.beyondorokonui.org.nz).

As well as the specific high level submission points outlined in the table below, the Trust would like to endorse the Forest and Bird submission in relation its detailed submission points focused on management and protection of indigenous biodiversity, coast, water, and land. The general intent of these detailed submission points is to enhance protection of indigenous biodiversity, the health of ecosystems and habitats, and the life-supporting capacity of air, water, soil and land. The Trust believes these things should be the primary focus of the Regional Policy Statement, to ensure Otago's environment is managed sustainably.

The Trust wishes to be heard in support of its submission. If others make a similar submission, the Trust is more than happy to consider presenting jointly at a hearing.

Thankyou for your consideration of our submission.

Issue	
1	<p><b>Relates to:</b> Proposed RPS structure (whole document)</p> <p><b>Support/oppose/amendment:</b> Amendment</p> <p><b>Decision sought:</b> Amendment of the four-pillar structure of the proposed RPS, to reflect traditional theme areas (e.g. water, land, coast)</p> <p><b>Reasons:</b> The current four-pillar structure makes it difficult to identify all policies relevant to any given issue, and to address any duplication or conflict. A re-write of the document is requested, with relevant objectives and policies grouped under traditional theme areas, as it would provide significantly improved clarity for users.</p>

2	<p><b>Relates to:</b> Regionally significant resource management issues (whole document)</p> <p><b>Support/oppose/amendment:</b> Amendment</p> <p><b>Decision sought:</b> Amendment of the proposed RPS to clearly identify regionally significant resource management issues, including but not limited to:</p> <ul style="list-style-type: none"> <li>- water overallocation and degradation</li> <li>- indigenous biodiversity loss and habitat degradation</li> <li>- coastal ecosystem health</li> <li>- health of estuaries and wetlands</li> </ul> <p><b>Reasons:</b> Section 62 (1) (a) of the Resource Management Act requires that a regional policy statement identify significant resource management issues for the region. These are not clearly identified in the proposed RPS, and as such, there is lack of clarity about how they are being addressed by the objectives and policies in the document. The Trust believes there are a number of regionally significant resource management issues that need to be explicitly identified and addressed through the objectives and policies, linked with anticipated environmental results in indicate an expected reversal in the current trends of degradation we are seeing in our region. We are particularly worried about trends in water quality and allocation issues, loss of indigenous biodiversity and degradation of indigenous habitats, and health of our coastal ecosystems, particularly estuaries and wetlands.</p>
3	<p><b>Relates to:</b> Part B - Chapter 2 (outcome explanation), and Objective 2.1 (explanatory text), and related policies</p> <p><b>Support/oppose/amendment:</b> Amendment</p> <p><b>Decision sought:</b> If the current structure is to be retained, that these sections of text need to be reworded to focus on the intrinsic and natural values of the environment, and their protection, not on the use of the environment. A review of related policies is also sought to ensure this is consistent throughout the Chapter.</p> <p><b>Reasons:</b> It is essential that this pillar is focused on the intrinsic values of the environment, and their protection, as the use of the environment is considered under Part B – Chapter 4. These two blocks of explanatory text in particular currently conflate use of the natural environment into sections that should be focused on explaining intrinsic value and protection of the environment (ecosystems, habitats, species and natural and physical resources). Consequential amendments may also need to be made to related policies to reflect this.</p>
4	<p><b>Relates to:</b> Part B – Chapter 2 Objectives</p> <p><b>Support/oppose/amendment:</b> Amendment</p> <p><b>Decision sought:</b> By referring only to ‘natural and physical resources’ and ‘natural systems’, Objectives 2.1, 2.2 and 2.3 as they are currently worded do not adequately address maintenance and enhancement of landscape values, healthy ecosystems, habitats, and of the life-supporting capacity of air, water, soil and land. A review of related policies is also sought to ensure this is consistent throughout the Chapter. This may involve adding new policies.</p> <p><b>Reasons:</b> Ecosystems are greater than the sum of the ‘natural and physical resources’ and ‘natural systems’ that make them up. The health of these ecosystems need to be recognised, maintained and protected as a whole. So too does the life-supporting capacity of habitats – air, land, water and soil. ‘Natural and physical resources’ also struggles to encompass all-important landscape values, which also need to be considered. By referring only to ‘natural and physical resources’ and ‘natural systems’, the wording of these three Objectives is insufficient, and amendment is sought to address this. Consequential amendments may also need to be made to related policies, or there may need to be addition of new policies., to reflect this.</p>
5	<p><b>Relates to:</b> Objective 2.2 (explanatory text) and related policies</p> <p><b>Support/oppose/amendment:</b> Amendment</p> <p><b>Decision sought:</b> Amendment of the text to acknowledge that sustainable management of</p>

natural and physical resources is essential across Otago. A review of related policies is also sought to ensure this message is consistent throughout the related policies. This may involve adding new policies.

**Reasons:** Whilst a higher level of protection is supported for areas of significant and highly valued landscapes, ecosystems, habitats and natural and physical resources, it is essential that sustainable management of the environment is practised across Otago. The current wording of this section, with its focus on consumptive use of resources, gives cause for concern, and an amendment is sought to address this. Consequential amendments may also need to be made to related policies, or there may need to be addition of new policies, to reflect this.

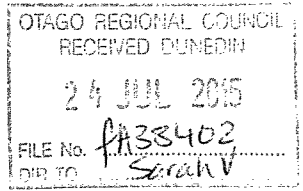
**SUBMISSION ON PROPOSED REGIONAL POLICY STATEMENT for Otago**

**TO:** Otago Regional Council

**SUBMISSION ON:** Proposed Regional Policy Statement for Otago

**NAME:** Horticulture New Zealand

**ADDRESS:** PO Box 10 232  
WELLINGTON



**1. Horticulture New Zealand’s submission, and the decisions sought, are detailed in the attached schedules:**

- Schedule 1 Part A Introduction and Overall comments
- Schedule 2: Part B Chapter 2
- Schedule 3: Part B Chapter 3
- Schedule 4: Part B Chapter 4
- Schedule 5: Part C Implementation
- Schedule 6: Part D Schedules and appendices

**2. Horticulture New Zealand wishes to be heard in support of this submission.**

**3. Background to Horticulture New Zealand and its RMA involvement:**

3.1 Horticulture New Zealand was established on 1 December 2005, combining the New Zealand Vegetable and Potato Growers’, New Zealand Fruitgrowers’ and New Zealand Berryfruit Growers Federations.

3.3 On behalf of its 5,500 active grower members Horticulture New Zealand takes a detailed involvement in resource management planning processes as part of its National Environmental Policies. Horticulture New Zealand works to raise growers’ awareness of the RMA to ensure effective grower involvement under the Act, whether in the planning process or through resource consent applications. The principles that Horticulture New Zealand considers in assessing the implementation of the Resource Management Act 1991 (RMA) include:

- The effects based purpose of the Resource Management Act,
- Non-regulatory methods should be employed by councils;
- Regulation should impact fairly on the whole community, make sense in practice, and be developed in full consultation with those affected by it;
- Early consultation of land users in plan preparation;
- Ensuring that RMA plans work in the growers interests both in an environmental and “right to farm” sense.

Thank you for the opportunity to comment on the Proposed Regional Policy Statement for Otago.



Chris Keenan  
**Manager, Natural Resources and Environment**

Date: 24 July 2015

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## SCHEDULE ONE: Part A Introduction and Overall approach

- 1.1 The Proposed RPS is centred on four inter-related outcomes:
- Kai Tahu values, rights and interests are recognised and kaitiakitaka is expressed
  - Otago has high quality resources and ecosystems
  - Communities in Otago are resilient, safe and healthy
  - People are able to use and enjoy Otago's natural and built environment

As such the document is a high level strategy and this is supported.

- 1.2 Horticulture NZ is particularly supportive of the recognition of controlling the adverse effects of pest species, preventing their introduction and reducing their spread in a number of policies in the RPS.

Biosecurity and prevention of introduction of unwanted organisms that are a threat to horticultural crops is a key issue for growers. While the RPS seeks to prevent the introduction of unwanted pests the policies and methods of implementation do not clearly address how an incursion may be managed.

In the event of a biosecurity incursion there is the need to be able to respond rapidly to manage spread and management may require the support of both regional and district plans. These organisms cannot be included in a Regional Pest Management Strategy as they are not currently in NZ.

Horticulture NZ seeks that provisions are included in the RPS that provide overall direction in managing such incursions of unwanted organisms. Such management may involve removal and disposal of material by burning or burying or application of agrichemicals, including in riparian areas.

The recent PSA incursion in kiwifruit has identified a number of issues in terms of responses to incursions. There are a range of threshold levels for biosecurity incursions and it is only when a biosecurity emergency is declared by the Minister that the emergency provisions in the Biosecurity Act override the RMA provisions. Such an emergency was not declared in the PSA incursion so the regional and district plan rules needed to be met in terms of disposal of infected material. In such a situation it is not practical to have to obtain resource consent. Therefore provisions are sought in the Proposed RPS to provide direction to both regional and district plans to enable activities to be undertaken in response to a biosecurity incursion.

### **Decision sought:**

Where policies seek to control the adverse effects of pest species, prevent their introduction and reduce their spread add the following:

- and enable the removal and destruction of diseased material for biosecurity purposes.

These policies include: Policy 2.1.1, 2.1.2, 2.1.3, 2.1.5, 2.2.4, 2.2.6, 2.2.9, 2.2.13.

- 1.3 Any consequential amendments are sought as required to give effect to decisions sought in this submission.

## **SCHEDULE 2: Part B Chapter 2 – Otago has high quality natural resources and ecosystems**

### 2.1 Part B Chapter 2 Introduction

Horticulture NZ supports the recognition of primary production as an important sector for the social and economic wellbeing of the community and the reliance on the quantity and quality of natural resources.

However greater recognition is sought for primary production, and in particular food production, in the RPS.

#### **Decision sought:**

Make amendments as sought in this submission to better recognise the importance of food production in the Otago region.

### 2.2 Objective 2.1 The values of Otago's natural and physical resources are recognised, maintained and enhanced

The objective seeks to recognise, maintain and enhance values of natural and physical resources but does not provide for the identification of such values. It is not clear what the Council intends are the 'values' or how they will be identified. While Objective 2.2 and related policies include identification of significant and highly values natural resources it does not include all natural resources included under Objective 2.1.

#### **Decision sought:**

Amend Objective 2.1 The values of Otago's natural and physical resources are identified, recognised, maintained and enhanced.

Include methods for identification of values.

#### 2.2.1 Policy 2.1.1 Managing for freshwater values

As stated in respect of Objective 2.1 it is not clear where or how freshwater values will be identified. For values to be recognised and managed, they need to first be identified.

Food production should be recognised as part of managing freshwater.

#### **Decision sought:**

Amend Policy 2.1.1 as follows: Identify and recognise freshwater values and manage to:

Add additional point: Provide for food production values.

Include methods for identification of values

#### 2.2.2 Policy 2.1.2 Managing for the values of beds or rivers and lakes, wetlands and their margins

As stated in respect of Objective 2.1 it is not clear where or how values will be identified. For values to be recognised and managed, they need to first be identified.

#### **Decision sought:**



Amend Policy 2.1.2 as follows: Identify and recognise the values of beds or rivers and lakes, wetlands and their margins and manage them to:  
Include methods for identification of values

- 2.2.3 Policy 2.1.3 Managing for coastal water values  
As stated in respect of Objective 2.1 it is not clear where or how values will be identified. For values to be recognised and managed, they need to first be identified.

**Decision sought:**

Amend Policy 2.1.3 as follows: Identify and recognise the values of coastal water and manage coastal water to:

Include methods for identification of values.

- 2.2.4 Policy 2.1.4 Managing for air quality values  
As stated in respect of Objective 2.1 it is not clear where or how values will be identified. For values to be recognised and managed, they need to first be identified.

**Decision sought:**

Amend Policy 2.1.4 as follows: Identify and recognise air quality values and manage air quality to:

Include an additional point: Provide for food production values

Include methods for identification of values.

- 2.2.5 Policy 2.1.5 Managing for soil values  
As stated in respect of Objective 2.1 it is not clear where or how values will be identified. For values to be recognised and managed, they need to first be identified.

Horticulture NZ supports the recognition of the soil resource for primary production and highly valued soil resources. It should be clear that soil is valued for a range of purposes and should not necessarily be limited to versatility classes. The process of identification of soil values will assist in defining 'highly valued soil resources'.

**Decision sought:**

Amend Policy 2.1.5 as follows: Identify and recognise soil values and manage land to:

Include an additional point: Provide for food production values

Retain: Maintain highly values soil resources

- 2.3 Objective 2.2 Otago's significant and highly values natural resources are identified, and protected or enhanced.

Horticulture NZ supports the identification of significant and highly values natural resources but there may be a range of policy responses as a consequence of identification. The wording of the objective only provides for 'protect or enhance'.

**Decision sought:**

Amend Objective 2.2 Otago's significant and highly values natural resources are identified, and managed to maintain or enhance the resource ~~protected or enhanced~~

### 2.3.1 Policy 2.2.14 Identifying highly valued soil resources

As stated in respect of Policy 2.1.5 Horticulture NZ supports the recognition of the soil resource for primary production and highly valued soil resources. It should be clear that soil is valued for a range of purposes and should not necessarily be limited to versatility classes. There are a range of attributes that are required for soil to be able to be used for food production and only identifying and relying on soil classification does not present the full picture about the potential and value of the soil resource. For instance availability of water is an important attribute as to the extent to which the soil is able to be utilised for primary production.

The process of identification of soil values will assist in defining 'highly valued soil resources'. The importance of the soil for food production should be listed as a criteria for identification of highly valued soil resources.

**Decision sought:**

Amend Policy 2.2.14 by adding: e) Importance for food production

Amend Policy 2.2.14 a): Existence of necessary attributes for high value primary production.

### 2.3.2 Policy 2.2.15 Managing highly valued soil resources

The highly valued soil resources could be managed in a range of ways. A single policy to 'protect' may not adequately provide for the management of the soil resources. In addition there should be recognition of the importance of managing pest species and the need for provision of other attributes to enable the soil resource to be able to be used. The focus should be on the 'land' as opposed to just the soil.

**Decision sought:**

Amend Policy 2.2.15: Provide for ~~protect~~ the values of area of highly valued land resources by:

Add to Policy 2.2.15:

e) Controlling the adverse effects of pest species, prevent their introduction and reduce their spread and enable the removal and destruction of diseased material for biosecurity purposes.

f) Enable the use of highly valued land resources through ensuring that attributes necessary for use of the resource are provided for.

### 2.4 Objective 2.3 Natural resource systems and their interdependencies are recognised.

The recognition of the interdependencies of natural resources is supported. As stated above in respect of the highly valued soil resources they do not exist in isolation from the range of other attributes that are essential for the soil resource to be able to be used to its potential.

**Decision sought:**

Retain Objective 2.3 and include provisions to recognise the interdependency of the soil resource with other attributes such as water availability.

2.4.1 Policy 2.3.1 Applying an integrated management approach among resources

Horticulture NZ supports Policy 2.3.1 which applies an integrated management approach among resources. In particular highly valued soil resources they do not exist in isolation from the range of other attributes that are essential for the soil resource to be able to be used to its potential.

**Decision sought:**  
Retain Policy 2.3.1

2.4.2 Policy 2.3.3 Applying an integrated management approach for freshwater catchments

An integrated management approach for freshwater catchments is supported. However it is unclear why nuisance effects are included in c) iv). The focus should be on adverse effects as nuisance effects are not defined in the RMA.

**Decision sought:**  
Amend Policy 2.3.3 c) iv) by deleting 'and nuisance'  
Add a new matter d) Provide for food production.

2.4.3 Policy 2.3.4 Applying an integrated management approach for the coastal environment

An integrated management approach for the coastal environment. is supported. However it is unclear why nuisance effects are included in b) ii). The focus should be on adverse effects as nuisance effects are not defined in the RMA.

**Decision sought:**  
Amend Policy 2.3.14 b) ii) by deleting 'and nuisance'

2.4.4 Policy 2.3.5 Applying an integrated management approach for airsheds

An integrated management approach for airsheds is supported. However it is unclear why nuisance effects are included in b) ii). The focus should be on adverse effects as nuisance effects are not defined in the RMA.

**Decision sought:**  
Amend Policy 2.3.5 b) ii) by deleting 'and nuisance'

### **SCHEDULE 3: Part B Chapter 3 – Communities in Otago are resilient, safe and healthy**

- 3.1 Objective 3.1 Protection, use and development of natural and physical resources recognises environmental constraints

Recognition of environmental constraints, such as sufficient water supply, is supported. For instance development of new urban areas should not compromise existing water takes.

**Decision sought:**

Retain Objective 3.1

- 3.1.1 Policy 3.1.1 Recognising natural and physical environmental constraints

One of the constraints listed is the functional necessity for the activity to be located where there are significant constraints. While the concept is supported there needs to be guidance as to what determines 'significance.' One such constraint is impact on existing activities.

**Decision sought:**

Amend Policy 3.1.1 e) by adding 'such as adverse effects on existing activities'.

- 3.2 Objective 3.4 Good quality infrastructure and services meets community needs

The importance of infrastructure is recognised but sometimes the location and operation needs to be balanced with other activities in the area. The RPS needs to ensure that the competing interests can be adequately managed without creating an absolute priority for infrastructural requirements.

**Decision sought:**

Amend Objective 3.4 by adding to the explanation: 'It is also recognised that there needs to be consideration of existing uses and ensure that competing interests are adequately managed.'

- 3.2.1 Policy 3.4.1 Integrating infrastructure with land use

The policy also needs to recognise the existence of other land uses.

**Decision sought:**

Amend Policy 3.4.1 by adding an additional point b) viii: Effects existing uses.

- 3.2.2 Policy 3.4.2 Managing infrastructure activities

The policy seeks to 'protect infrastructure corridors for infrastructure needs, now and for the future.' Such an approach is of concern to existing land owners who have infrastructure corridors on their properties. There is no differentiation between nationally important or regionally important infrastructure and other infrastructure. A more appropriate approach is to 'manage the infrastructure corridors, which may include protection for nationally significant infrastructure.

**Decision sought:**

Amend Policy 3.4.2 e) Managing infrastructure corridors for nationally important infrastructure needs, recognising the existing land uses through which they pass.

- 3.3 Objective 3.5 Infrastructure of national and regional infrastructure is managed in a sustainable way.

Recognition of both the benefits and potential adverse effects of infrastructure is supported. It provides a balance that is missing in Objective 3.4.

**Decision sought:**

Retain Objective 3.5 and ensure that the balance is reflected in Objective 3.4.

- 3.3.1 Policy 3.5.1 Recognising national and regional significance of infrastructure

The importance of infrastructure is recognised but Policy 3.5.1 b) needs to ensure that the focus is on national and regional significance, not local distribution. It is unclear how national and regional significance will be determined.

**Decision sought:**

Amend Policy 3.5.1 b) by replacing with: the National Grid.

add an additional point: irrigation infrastructure where it is regionally significant.

Include a new policy with criteria to assist with how national and regional significance will be determined.

- 3.3.2 Policy 3.5.3 Protecting infrastructure of national or regional significance

The policy seeks to 'protect infrastructure corridors for infrastructure needs, now and for the future.' Such an approach is of concern to existing land owners who have infrastructure corridors on their properties. A more appropriate approach is to 'manage the infrastructure corridors, which may include protection for nationally significant infrastructure.

**Decision sought:**

Amend Policy 3.5.3 e) Managing infrastructure corridors for nationally important infrastructure needs, recognising the existing land uses through which they pass.

- 3.4 Objective 3.6 Energy supplies to Otago's communities are secure and sustainable

**Decision sought:**

Retain Objective 3.6

- 3.4.1 Policy 3.6.5 Protecting electricity distribution infrastructure

Policy 3.6.5 appears to apply to all electricity distribution infrastructure, whether nationally significant or not. It is not appropriate to apply the same level of 'protection' to all infrastructure. Such an approach places a priority over existing land uses which can be adversely affected by the location of electricity distribution infrastructure.

**Decision sought:**

Amend Policy 3.6.5 as follows: Managing electricity distribution infrastructure by:

a) Recognising the functional needs of electricity distribution activities

- b) as notified
- c) Ensuring existing land uses are not penalised by location of electricity distribution infrastructure
- e) Protect infrastructure corridors for nationally important infrastructure needs, recognising the existing land uses through which they pass.

3.5 Objective 3.8 Urban growth is well designed and integrates effectively with adjoining urban and rural environments

Recognition and management of the rural/ urban interface is supported, particularly where there is high value land resources.

**Decision sought:**

Retain Objective 3.8

3.5.1 Policy 3.8.1 Managing for urban growth

Consideration of effects on rural production Policy 3.8.1 c) i) is supported, including for highly valued land. The focus should be on the 'land' not just the soil resource as there are other attributes which also need to be recognised. However the policy only seeks that adverse effects are minimised. It is considered that there should be a policy to 'avoid where possible'

**Decision sought:**

Amend Policy 3.8.1 c): Avoid, where possible, adverse effects on rural productivity, including loss of highly valued land or creating competing urban demand for water and other resources.

Retain Policy 3.8.1 e) Ensuring efficient use of land

3.5.2 Policy 3.8.3 Managing fragmentation of rural land

The approach in Policy 3.8.3 is supported however it refers to 'highly versatile soil' where as previous policies refer to 'highly valued soils' which are to be identified. Recognition of reverse sensitivity effects on rural production is supported.

**Decision sought:**

Retain Policy 3.8.3 a)

Amend Policy 3.8.3 b) by replacing 'highly versatile soil' with 'highly valued land'

Retain Policy 3.8.3 b) iii)

Retain Policy 3.8.3 c) and d)

3.6 Objective 3.9 Hazardous substances and waste material do not harm human health or the quality of the environment in Otago

The Explanation to the Objective states that 'hazardous substances are dangerous'. It is more accurate to state 'hazardous substances can present risks when not managed appropriately. The approach of HSNO is to reduce the risk of hazardous substances. If a substance is inherently dangerous then appropriate controls are placed on its management. The RPS should reflect the approach of HSNO. In particular rural production activities use hazardous substances and need to be provided for.

**Decision sought:**

Amend the Explanation to Objective 3.9 by replacing 'hazardous substances are dangerous' with 'hazardous substances can present risks when not managed appropriately.

- 3.6.1 Policy 3.9.2 Managing the use, storage and disposal of hazardous substances and storage and disposal of waste materials

Policy 3.9.2 b) seeks to avoid adverse effects on health and safety and 'other values'. The policy should be clearer as to what 'other values' are relevant.

There needs to be provisions for disposal of agrichemicals and fertilisers on farm through using best practice. Policy 3.9.2 e) only refers to 'authorised facilities.

**Decision sought:**

Add a new clause g) Provide for the use and disposal of agrichemicals and fertilisers as part of primary production activities through using best practice.

Amend Clause e) by adding, except for agrichemicals and fertilisers as part of primary production activities.

Clarify what 'other values' will be considered under Policy 3.9.2 c)

Add a new clause: Recognise the positive effects that can be derived from use of hazardous substances

- 3.6.2 Policy 3.9.3 Identifying contaminated land

Identification of contaminated land is supported however determining 'potentially contaminated land' is a different. There needs to be clear direction as to how 'potentially contaminated land' may be identified and what is done with any information. For instance the whole of the rural area in Otago could be identified as 'potentially contaminated land' if some criteria are applied. Policy 3.9.4 which implements Policy 3.9.3 only refers to contaminated land – that is known contaminated land.

**Decision sought:**

Delete 'potentially contaminated land' from Policy 3.9.3

- 3.6.3 Policy 3.9.6 Encouraging use of best management practices for hazardous substance use.

Policy 3.9.6 is supported.

**Decision sought:**

Retain Policy 3.9.6

## **SCHEDULE 4: Part B Chapter 4 – People are able to use and enjoy Otago’s natural and built environment**

- 4.1 Objective 4.3 Sufficient land is managed and protected for economic production.

Recognition of the importance of land for primary production is supported.

**Decision sought:**

Retain Objective 4.3

- 4.1.1 Policy 4.3.1 Managing for rural activities

Recognition of the importance of land for primary production is supported. However there should be specific inclusion of ‘food production’.

Clause b) refer soil highly values for their versatility. Other policies seek the identification of highly valued soil and Policy 4.3.1 should not preclude that process.

There should also be inclusion of managing pests and biosecurity risks and incursions.

**Decision sought:**

Retain Policy 4.3.1 but amend:

Add a new point: provides for food production.

Amend b) by deleting ‘for their versatility’

Retain Policy 4.3.1 c)

Add a new point: Controlling the adverse effects of pest species, prevent their introduction and reduce their spread and enable the removal and destruction of diseased material for biosecurity purposes.

- 4.2 Objective 4.4 Otago’s communities can make the most of the natural and built resources available for use

Efficient use of resources is supported.

**Decision sought:**

Retain Objective 4.4.

- 4.2.1 Policy 4.4.1 Ensuring efficient water allocation and use

Efficient allocation and use of water is essential. The policy approaches are generally supported. However it needs to be clear in what circumstances an upgrade of infrastructure would be ‘required’.

**Decision sought:**

Retain Policy 4.4.1 but clarify in what circumstances an upgrade of infrastructure would be ‘required’ under Policy 4.4.1 b).

- 4.3 Objective 4.5 Adverse effects of using and enjoying Otago’s natural and built environment are minimised.

The objective should be consistent with the RMA and seek that adverse effects are



avoided remedied or mitigated.

**Decision sought:**

Amend Objective 4.5 Adverse effects of using and enjoying Otago's natural and built environment are avoided remedied or mitigated.

4.3.1 Policy 4.5.1 Avoiding objectionable discharges

The policy should be consistent with the RMA and seek that adverse effects are avoided remedied or mitigated. A policy of avoid is to absolute given there is no direction on what may be regarded as 'objectionable'.

**Decision sought:**

Amend Policy 4.5.1 Objectionable adverse effects from discharges are avoided remedied or mitigated.

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

The important of biosecurity management for primary production is addressed earlier in this submission. Policy 4.5.5 is supported but specific reference to unwanted organisms and primary production are sought.

**Decision sought:**

Amend Policy 4.5.5

Control the adverse effects of pest species, prevent their introduction and reduce their spread and enable the removal and destruction of diseased material for biosecurity purposes to safeguard:

h) primary production activities

## **SCHEDULE 5: Part C Implementation**

### 5.1 Roles and Responsibilities

It is recognised that the functions for managing hazardous substances is split between district and regional council. The Regional Council will manage discharges to land or air and district councils the use of hazardous substances. There needs to be clarity that application of agrichemicals are managed as a discharge to air and not as a use under district councils. It is Horticulture NZ's preference that all aspects of agrichemical management are included as a regional council function, including storage and disposal

There should also be provision for Regional Council will manage discharges of hazardous substances to water as this is necessary for aquatic weed control in some situations.

#### **Decision sought:**

Amend Roles and responsibilities by:

Adding to Regional Council roles b) i) or water

b) iii) all aspects of agrichemical management including storage and disposal.

### 5.2 Methods

#### 5.2.1 Method 3 Regional Plans

Include an additional point about management of unwanted organisms for biosecurity purposes.

#### **Decision sought:**

Add new 3.1.6: Regional Plan will set objectives, policies and methods to implement provisions for management of pest species and in particular removal and disposal of unwanted organisms for biosecurity purposes.

#### 5.2.2 Method 4 City and District Plans

Include an additional point about management of unwanted organisms for biosecurity purposes.

#### **Decision sought:**

Add new 4.1.13 City or District Plans will set objectives, policies and methods to implement provisions for management of pest species and in particular removal and disposal of unwanted organisms for biosecurity purposes.

#### 5.2.3 Method 4.1.7 Hazardous substances

There needs to be recognition that use of hazardous substances can also have positive effects, not just adverse effects.

#### **Decision sought:**

Amend Method 4.1.7

City or district plans will implement Policy 3.9.2 including by managing effects of the

use or storage of hazardous substances including on:

5.3 Method 6. Research Monitoring and Reporting

Method 6.1.3 provides for the identification of important resources, including highly valued soil resources. Consistent with other changes sought in this submission it is sought that the focus be on highly valued land resources.

**Decision sought:**

Amend Method 6.1.3 c) to highly valued land resources.

5.4 Method 6.2 Research

The identification of catchment values is supported and should specifically refer to freshwater values as required by the NPSFM.

Method 6.2.1 d) should be about the location and extent of highly valued land resources, which may include versatile soils.

Method 6.2.1 e) should be amended to delete 'or potentially contaminated land'. It is inappropriate that land that is unconfirmed as being contaminated is identified in a register of sites. Where land is confirmed as being contaminated identification on a register is appropriate.

**Decision sought:**

Amend Method 6.2.1 a) by adding freshwater values after catchment values.

Amend Method 6.2.1 d) to The location and extent of highly valued land resources.

Amend Method 6.2.1 e) by deleting 'or potentially'.

5.5 Method 7 Strategies and Plans (non-RMA)

Method 7.4 provides for pest management strategies to be developed. However it is important to recognise that pest management strategies are for known species that currently exist. Provisions are sought in RMA Plans to provide for management unwanted organisms that may enter Otago to ensure that biosecurity risks are adequately managed.

**Decision sought:**

Amend Method 7.4 to add a note that Provisions will be included in RMA Plans to provide for management unwanted organisms that may enter Otago to ensure that biosecurity risks are managed.

5.6 Anticipated Environmental Results

AER 2.2 provides for Otago's water bodies support healthy ecosystems, are safe for swimming and maintain their natural form and character.

The NPSFM does not require that all water bodies are at a swimming contact recreation standard. The Regional Plan should identify those areas where a higher standard for swimming is sought and not apply generically across the whole region.

**Decision sought:**

Amend AER 2.2 Otago's water bodies support healthy ecosystems, maintain their natural form and character and where identified in regional plans are safe for swimming.

## **SCHEDULE 6: Part D Schedules and appendices**

### 6.1 Glossary

#### 6.1.1 Highly valued soils and highly versatile soils

The definition of highly values soils list a number of matters that may be included. Criteria are included in Policy 2.2.14 so the definition duplicates the policy.

Horticulture NZ has sought changes to the criteria in Policy 2.2.14 so seeks that additional matters are included in the glossary.

The RPS should rely on highly valued soils so a definition of highly versatile soils is not required. The identification of highly values resources may include versatile soils, but not necessarily limited to such soils.

**Decision sought:**

Amend glossary definition for highly values soils as follows:

a) Existence of necessary attributes for high value primary production

Adding: e) Importance for food production.

Delete definition of highly versatile soils

#### 6.1.2 Reverse sensitivity

Inclusion of a definition of reverse sensitivity is supported.

**Decision sought:**

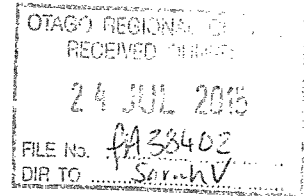
Retain definition of reverse sensitivity

# SUBMISSION TO THE PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO

**SUBMITTER:** Tautuku Block X Section 3C Trust

**CONTACT PERSON:** Mr E J Palmer

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## SUBMISSION.

### Introduction

We are a Maori Land Trust situated on the South Otago coast. The Trustees are appointed by the Maori Land Court in terms of the Te Ture Whenua Maori Act 1993 and are the beneficial owners' legal representatives. The collective ownership have takata whenua status and a recognised Treaty of Waitangi relationship with the Crown.

### Issues

The Otago Regional Council consulted the Otago Maori landowners/trustees on 11 December 2014 with a Policy Statement document titled "Review Draft 26 November 2014" which contained virtually no Kai Tahu or takata whenua issues therefore the participants were unable to engage in any meaningful dialogue. The process failed to meet the minimum requirements as set-out in the Court of Appeal decision *Wellington International Airport Ltd v Air New Zealand 1993* and I would suggest was little better than a charade.

The Council has failed to fulfil the requirements of sections 6(e), 7(a) and 8 of the Resource Management Act 1991 and clause 4 and Parts 2 and 5 of the Local Government Act 2002

### Concerns

The Council signed a Memorandum of Understanding and Protocol with Te Runanga o Ngai Tahu and Kai Tahu ki Otago dated 22 January 2003 and updated on 12 January 2010 which recognises the Te Runanga o Ngai Tahu Act 1996 clause 15(1) stating *Te Runanga o Ngai Tahu shall be recognised for all purposes as the representative of Ngai Tahu Whanui*. Question, if we are Ngai Tahu Whanui why does the Council keep sending its annual rate

demands to our Trust??? Unfortunately the Oxford dictionary does not have two interpretations of the English language.

Rather interestingly I hold correspondence from Te Runanga o Ngai Tahu (TRONT) which states:

*It is not an obligation of TRONT or the Papatipu Runanga to ensure compliance with mandatory statutory process requested by both the Resource Management Act 1991 and the Local Government Act 2002. The obligation under both these pieces of legislation to comply with the mandatory processes which include all takata whenua lies with local authorities.*

On RPS page 8 it states;

*The iwi consultancy services, Kai Tahu ki Otago Ltd and Te Ao Marama Inc., provide a first point of contact, and facilitate Kai Tahu engagement in resource management processes.*

So why has this statement been included in the RPS when TRONT and Papatipu Runanga have clearly stated that the obligation to undertake mandatory processes with other affected parties such as takata whenua is yours. But as they claim to represent all Ngai Tahu Whanui such as us anyway TRONT and Papatipu Runanga are trying to confuse the process.

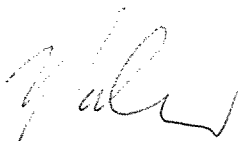
In the Glossary of Te Reo Terms on pages 152-154 a new definition “rakatirataka” has been introduced which is not included in the Resource Management Act 1991. We would suggest that the term should be removed because it only introduces an additional level of complication to the process.

### **Decision**

As we now believe significant rewording of the Kai Tahu and takata whenua sections will be required to recognise our participation in the RPS process. The failure to undertake meaningful consultation during the drafting process may require re-notification of the document..

**We wish to be heard.**

Dated at Dunedin this the 24<sup>th</sup> day of July 2015.



**E J PALMER**  
**TRUST CHAIRPERSON**