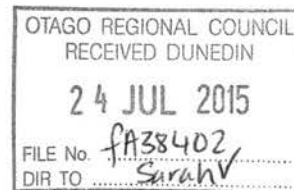


**AGRESEARCH LTD SUBMISSION ON THE
PROPOSED OTAGO REGIONAL POLICY STATEMENT**



To: Otago Regional Council
Private Bag 1954
DUNEDIN 9054

Email: rps@orc.govt.nz

Name of Submitter: AgResearch Ltd ("AgResearch")

Contact Person: Graeme Mathieson

Address for Service: Environmental Management Services Ltd
PO Box 97431
MANUKAU 2241

Telephone: (09) 2555127
Facsimile: (09) 2555129
Email: graeme.mathieson@emslimited.co.nz

AgResearch wishes to be heard in support of this submission.

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

1 INTRODUCTION

- 1.1 AgResearch is New Zealand's largest Crown Research Institute ("CRI") with four Agricultural Research Campuses and 11 Agricultural Research Farms, employing about 750 staff nationwide. Formerly known as the New Zealand Pastoral Agriculture Research Institute Limited, it was created as a CRI in 1992 out of the research arm of the Ministry of Agriculture and Fisheries (MAF) and the agriculture section of the Department of Scientific and Industrial Research (DSIR).
- 1.2 AgResearch's purpose is to enhance the value, productivity and profitability of New Zealand's pastoral, agri-food and agri-technology sector value chains to contribute to economic growth and beneficial environmental and social outcomes for New Zealand. This sector is the backbone of our economy and its continued success is essential to this country's living standards.
- 1.3 The Company works with stakeholders to develop leading-edge scientific solutions for a range of national and international customers, including government agencies, industry bodies and private companies. AgResearch is the lead CRI in the areas of; pasture based animal production systems, new pasture plant varieties, agricultural-derived greenhouse gas mitigation and pastoral climate change adaptation, agri-food and bio-based products and agri-technologies and integrated social and biophysical research to support pastoral sector development.
- 1.4 AgResearch owns and operates the Invermay Agricultural Research Campus and two nearby Research Farms ("Invermay"). Invermay is located on Puddle Alley, Mosgiel and was originally established as a Regional Agricultural Research Station in 1949 by the Fields (Advisory) Division of Department of Agriculture to investigate local farming problems (sheep and dairy). In 1973, deer were introduced to Invermay and a comprehensive research programme was developed run in close cooperation with the deer farming community.
- 1.5 The existing Campus was originally opened in 1986 and covers approximately 23 hectares while the adjacent research farm is approximately 510 hectares, with another smaller 50 hectare research farm further north. While AgResearch owns the Invermay site, other research organisations who are tenants include Primary ITO, Gribbles Veterinary Pathology, Oritain, Asurequality, VetEquine and Deer Industry. In 2008, the Centre for Reproduction and Genomics was established at Invermay in conjunction with the University of Otago. Research at Invermay has an emphasis on animal molecular biology (particularly genomics), deer, sheep, land management, biocontrol and biosecurity.
- 1.6 Sound planning is required to ensure that regionally significant agricultural research facilities such as Invermay are sufficiently recognised, provided for and protected for future generations in terms of key planning documents such as the Otago Regional Policy Statement.

2 GENERAL SUBMISSION

2.1 AgResearch seeks that all the provisions of the Proposed Otago Regional Policy Statement are retained, except to the extent that specific changes are made in accordance with the relief sought by AgResearch in the balance of this submission and any further submission that AgResearch may make at the appropriate time. Where specific relief is provided, AgResearch would accept words to like effect or as otherwise may be required to ensure sustainable management.

3 SPECIFIC SUBMISSIONS

3.1 Specific submission points are addressed in the table below.

Signature:

AGRESEARCH LTD

by its authorised agents Environmental Management Services Ltd

A handwritten signature in black ink, appearing to read 'G.J. Mathieson', written over a horizontal line.

G.J. Mathieson

Date:

24th July 2015

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|-----------------|---|--|
| 1 | 11 | Outcomes | Oppose | The purpose of a Regional Policy Statement is to provide an overview of regionally significant issues and the identification of policies and methods to achieve integrated management of natural and physical resources. The Draft Otago Regional Policy Statement identified “Regionally Significant Issues” however the Proposed Otago Regional Policy Statement has moved away from this approach and instead identified four “inter-related outcomes” as the approach used to provide the policy framework for associated objectives and policies. None of the identified “Outcomes” focus on encouraging future economic growth within the Otago Region. | Identify “regionally significant issues” instead of “outcomes”. Include the following as a “regionally significant issue”: <i>Natural and physical resources need to be effectively and sustainably managed to fully realise the benefits of infrastructure and economic activities for the region’s wellbeing (particularly the region’s economic wellbeing).</i> |
| 2 | 28 | Policy 2.1.2 Managing for the values of beds of rivers and lakes, wetlands and their margins | Oppose | The policy appears to repeat the matters covered under Policy 2.1.1 so is unnecessary. | Delete Policy 2.1.2 |
| 3 | 29 | Policy 2.1.5 Managing for soil values | Support in part | AgResearch supports clauses (f) and (j) on the basis that it is prudent to recognise soil values and manage soils to retain soil resources for primary production and maintain highly valued soil resources in terms of sustaining the significant farming industry in the Otago Region. Clause (g) provides for the protection of “Kai Tahu values”, however clause (h) introduces a requirement to provide for “other cultural values”. It is unclear what “other cultural values” relates to given there is no definition, and as a result the term could be interpreted very broadly. | Retain clauses (f) and (j). Delete clause (h). In terms of clause (k), to enable appropriate and consistent interpretation, the term “contaminated land” should be specifically defined, adopting the same definition as set out in Section 2 of the RMA. Accordingly a definition for “contaminated land” is proposed in that part of this submission relating to the Glossary. |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|-----------------|---|--|
| | | | | Clause k) could be interpreted to require that <u>any</u> contamination of soil is avoided. It is considered that this threshold is too high and could unwittingly capture activities that do not have significant adverse effects on soils. For example the spray irrigation of farm effluent to land has the potential to be beneficial providing that it is managed appropriately. If the clause is to be retained, it requires amendment to refer to a level of contamination that would give rise to significant adverse effects. It is considered that the policy should adopt the definition used in Section 2 of the RMA to ensure that it relates to circumstances that would give rise to significant adverse effects. | |
| 4 | 38 | Policy 2.2.14 Identifying highly valued soil resources | Support | AgResearch supports this policy on the basis that it is prudent to identify areas and values of highly valued soils in terms of sustaining the significant farming industry in the Otago Region. | Retain Policy 2.2.14 |
| 5 | 38 | Policy 2.2.15 Managing highly valued soil resources | Support in part | <p>AgResearch supports this policy on the basis that it is prudent to protect areas of highly valued soils in terms of sustaining the significant farming industry in the Otago Region. However, AgResearch considers that clause d) requires amendment to ensure that highly valued soils are generally only used for urban expansion where there is no other suitable land available adjacent to existing urban areas, and that reverse sensitivity on “rural production activities” should be a key consideration when selecting and defining new areas for urban expansion. A definition for “rural production activities” is proposed in that part of this submission relating to the Glossary.</p> <p>AgResearch also considers that the Policy requires amendment to provide direction that new rural residential areas avoid locating over highly valued soils.</p> | <p>Amend clause (d) to read:</p> <p><i>Protect the values of areas of highly valued soil resources, by:...</i></p> <p><i>(d) Recognising that urban expansion may be appropriate due to location and proximity to existing urban development and infrastructure while <u>avoiding reverse sensitivity effects on rural production activities (unless there is no other suitable land available adjacent to existing urban areas)</u>;</i></p> <p>Add the following new clauses:</p> <p><i>(e) <u>Avoiding the use of highly valued soils for rural residential purposes unless identified as part of a</u></i></p> |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|-----------------|---|---|
| | | | | AgResearch also considers that the Policy requires amendment to better recognise that some important “non-farming” rural activities (e.g. agricultural research facilities, rural industries, rural contractors) may have a functional need to be established in rural areas due to their close association with rural resources and primary production activities. | <u>district growth strategy.</u> <u>(f) Ensuring that land use activities on highly valued soils are consistent with the continued use of such soils in the vicinity for primary production purposes (e.g. there is a functional need for the activity to be established in rural areas).</u> |
| 6 | 40 | Policy 2.3.3 Applying an integrated management approach for freshwater catchments | Support in part | AgResearch considers clause (b) requires amendment to recognise “water use” as an important value that needs to be provided for within freshwater catchments. | Amend clause b) to read: <i>Apply an integrated management approach to activities in freshwater catchments, by:...</i> <i>(b) Recognising the importance of river morphology, catchment hydrology, natural processes, land cover and the use of water in supporting catchment values;</i> |
| 7 | 67 | Objective 3.8 Urban growth is well designed and integrates effectively with adjoining urban and rural environments | Support | AgResearch supports the recognition of the importance of managing the interface between urban and rural areas and the need to reduce pressure on primary production activities. | Retain Objective 3.8 as notified. |
| 8 | 67 | Policy 3.8.1 Managing for urban growth | Support in part | AgResearch supports clause (c)(i) on the basis that it is prudent to protect highly valued soils, water and other resources in terms of sustaining the significant farming industry in the Otago Region, however considers that there should also be reference to avoiding reverse sensitivity effects on “rural production activities”. A definition for “rural production activities” is proposed in that part of this submission relating to the Glossary. | Retain Policy 3.8.1 subject to the following amendments: Amend clause (c)(i) as follows: <i>Manage urban growth and creation of new urban land in a strategic and coordinated way, by:...</i> <i>...(c) Identifying <u>and defining</u> future growth areas that:</i> |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|-----------------|---|---|
| | | | | | <i>(i) Minimise adverse effects on rural productivity production activities, including reverse sensitivity effects, loss of highly valued soils or creating competing urban demand for water and other resources.</i> |
| 9 | 68 | Policy 3.8.2 Controlling growth where there are identified urban growth boundaries or future urban development areas | Support in part | AgResearch supports the intention of controlling growth where there are identified urban growth boundaries or future urban development areas. However there is no definition of “urban” and there is the potential for it to be interpreted in a broad sense. AgResearch also considers that the Policy requires amendment to better recognise that some important “non-farming” rural activities (e.g. agricultural research facilities, rural industries, rural contractors) may have a functional need to be established in rural areas due to their close association with rural resources and primary production activities. | Amend clause c) of Policy 3.8.2 to read: <i>Where urban growth boundaries, as detailed in Schedule 8, or future urban development areas, are needed to control urban expansion, control the release of land within those boundaries or areas, by:...</i> <i>...(c) Avoiding Enabling urban development beyond the urban growth boundary or future urban development area <u>only where there is a functional need for the activity to be established in rural areas.</u></i> |
| 10 | 69 | Policy 3.8.3 Managing fragmentation of rural land | Support in part | AgResearch notes that the title of Policy 3.8.3 is “ <i>managing fragmentation of rural land</i> ”, but the policy is much broader as it covers “ <i>subdivision, use and development of rural land</i> ”. AgResearch generally supports the policy as it will assist with sustaining primary production activities in the Otago Region. In particular AgResearch support clause (b)(iii) requiring the avoidance of reverse sensitivity effects on “rural productive activities” but seeks amendment to refer to “rural production activities” consistent with other changes sought. A definition for “rural production activities” is proposed in that part of this submission relating to the Glossary. AgResearch also considers that the Policy requires amendment to better recognise that some important “non-farming” rural activities (e.g. agricultural research | Amend Policy 3.8.3 as follows: Policy 3.8.3 <u>Managing fragmentation, use and development of rural land</u> <i>Manage subdivision, use and development of rural land to:</i> <i>(a) Avoid development or fragmentation of land which undermines or forecloses potential of rural land:</i> <i>(i) For primary production <u>(unless there is a functional need for the activity to be established in rural areas);</u> or</i> <i>(ii) In areas identified for future urban uses; or</i> <i>(iii) In areas having the potential for future comprehensive residential development; and</i> <i>(b) Have particular regard to whether the proposal</i> |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|-----------------|--|--|
| | | | | <p>facilities, rural industries, rural contractors) may have a functional need to be established in rural areas due to their close association with rural resources and primary production activities.</p> <p>However AgResearch considers that clauses (a)(i) and (b) should recognise that some important “non-farming” rural activities (e.g. agricultural research facilities, rural industries, rural contractors) may have a functional need to be established in rural areas due to their close association with rural resources and primary production activities and therefore may have a functional need to be established on rural land that has potential for primary production or contains highly versatile soil.</p> <p>AgResearch notes clause (a)(iii) protects “areas that have the potential for future comprehensive residential development”. It is considered that this clause should be deleted as it is open to interpretation and is considered to be adequately covered by clause (a)(ii) which protects “areas identified for future urban use”.</p> <p>Clauses b) and b)ii are restricted to “highly versatile soils” rather than “highly valued soils” that are the subject of Policy 2.1.5, so need to be amended accordingly.</p> | <p><i>will result in a loss of the productive potential of highly <u>valued versatile</u> soils, unless:</i></p> <p><i><u>(i) There is a functional need for the activity to be established in a rural area; or</u></i></p> <p><i>(ii)<u>(ii) The land is required for urban expansion and adjoins an existing urban area and there is no other land suitable for urban expansion; and</u></i></p> <p><i>(iii)<u>(iii) These highly <u>valued versatile</u> soils are needed for urban expansion, <u>and</u> any change of land use from rural activities achieves an appropriate and highly efficient form of urban development; and</u></i></p> <p><i>(iv)<u>(iv) Reverse sensitivity effects on rural productive <u>veion</u> activities can be avoided; and</u></i></p> |
| 11 | 71 | Policy 3.9.1 Integrating management of hazardous substances and waste | Support | AgResearch supports Policy 3.9.1 on the basis that an integrated approach will reduce the potential for duplication of regulatory provisions arising between regional and district plans and those set out under HSNO. | Retain Policy 3.9.1 as notified |
| 12 | 71 | Policy 3.9.2 | Support in part | AgResearch supports that clause (f) addresses potential | Amend Clause f) to read: |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOUSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|-----------------|--|---|
| | | Managing the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials | | reverse sensitivity effects but considers that amendment is required to protect those activities that use or store hazardous substances, rather than just those which just treat or dispose of them. | <i>Restricting the location of activities that may result in reverse sensitivity effects near:</i> <i>i Authorised facilities for hazardous substance <u>use</u>, <u>storage</u>, <u>treatment</u> or <u>disposal</u>, or</i> <i>ii Waste transfer or disposal facilities.</i> |
| 13 | 72 | Policy 3.9.5 Avoiding the creation of new contaminated land | Support in part | Policy 3.9.5 requires the avoidance of the creation of new contaminated land. The term “contaminated land” is not defined and as a result the policy could potentially prohibit the release of any type or level of contaminant, regardless of the level of adverse environmental effects. It is considered that the policy should adopt the definition used in Section 2 of the RMA to ensure that it relates to circumstances that would give rise to significant adverse effects. | To enable appropriate and consistent interpretation, the term “contaminated land” should be specifically defined, adopting the same definition as set out in Section 2 of the RMA. Accordingly a definition for “contaminated land” is proposed in that part of this submission relating to the Glossary. |
| 14 | 72 | Policy 3.9.6 Encouraging use of best management practices for hazardous substance use | Support in part | AgResearch does not support the requirement to reduce the use of hazardous substances in Policy 3.9.6. Hazardous substance use is a critical component of AgResearch’s research facilities and any expansion or future development of such facilities could logically require an increase in the use of hazardous substances. This policy could unnecessarily restrict development in the Region. | Amend Policy 3.9.6 as follows: <i>“Encourage the use of best management practices to prevent or mitigate adverse effects of the use of hazardous substances on the environment, including reducing their use.”</i> |
| 15 | 82 | Objective 4.3 Sufficient land is managed and protected for economic production | Support | AgResearch supports the objective of protecting existing businesses from reverse sensitivity effects of arising from the establishment of incompatible activities. | Retain Objective 4.3. |
| 16 | 82 | Policy 4.3.1 Managing for rural activities | Support in part | AgResearch supports this policy on the basis that it is prudent to manage activities in rural areas and protect highly valued soils in terms of sustaining the significant | Amend Policy 4.3.1 as follows: <i>Manage activities in rural areas, to support the</i> |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|---|---------------|--|---|
| | | | | <p>farming industry in the Otago Region. AgResearch also supports clause (c) which aims to restrict those activities that may lead to reverse sensitivity effects, and clause (d) which aims to minimise the subdivision of productive rural land rural residential lots.</p> <p>However AgResearch considers that the policy should recognise that some important “non-farming” rural activities (e.g. agricultural research facilities, rural industries, rural contractors) may have a functional need to be established in rural areas due to their close association with rural resources and primary production activities) may have a functional need to be established on rural land that contains soils highly valued for primary production.</p> | <p><i>region’s economy and communities, by:</i> <i>(a) Enabling farming and other rural activities that support the rural economy and have a functional need to locate in rural areas; and</i> <i>(b) Minimise the loss of soils highly valued for their versatility for primary production unless required for rural activities that have a functional need to locate in rural areas; and</i></p> <p>Retain clauses (c) and (d).</p> |
| 17 | 85 | Policy 4.4.1 Ensuring efficient water allocation and use | Support | AgResearch supports Policy 4.4.1. | Retain Policy 4.4.1 as notified. |
| 18 | 95 | Method 2.3 | Oppose | Method 2.3 refers to the potential for the establishment of a regional rule to extinguish existing use rights, to address specific natural hazard risk. There is no indication elsewhere in the PRPS as to where such an approach might be required or justified. | Delete Method 2.3 |
| 19 | 95 | Method 3.1.3 | Oppose | <p>Method 3.1.3 states:</p> <p><i>Regional Plans will set objectives, policies and methods to implement Policy 1.1.2 by having regard to the Te Rūnunga o Ngāi Tahu Hazardous Substances and New Organisms Policy Statement 2008 when developing objectives, policies and methods for the management of hazardous substances and new organisms;</i></p> <p>The Te Rūnunga o Ngāi Tahu Hazardous Substances and</p> | Delete Method 3.1.3 |

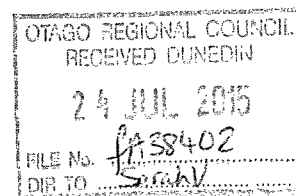
| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|----------------------------------|-----------------|---|--|
| | | | | New Organisms Policy Statement 2008 has been developed as a tool to assist with assessing ERMA applications for hazardous substances and new substances, so does not need to be referenced in the Proposed RPS. | |
| 20 | 97 | Method 4.1.12 | Support in Part | Method 4.1.12 provides guidance for City and District Plans when implementing Policy 3.8.2 in relation to establishing urban growth boundaries. AgResearch considers that the Method should be expanded to also cover Policies 2.2.15, 3.8.1, 3.8.3 which also deal with urban growth and the need to ensure there is consideration of avoiding high value soils and reverse sensitivity. | Amend Method 4.1.12 as follows: <i>City or district plans may implement Policies <u>2.2.15, 3.8.1, 3.8.2 and 3.8.3</u> by:</i> <i>(a) Establishing urban growth boundaries where required to manage pressure for urban development while avoiding high value soils and reverse sensitivity effects on rural production activities (unless there is no other suitable land available adjacent to existing urban areas);</i> |
| 21 | 96-98 | Method 4 City and District Plans | Oppose | Method 4.1.12 deals with urban growth boundaries, however there are no Methods specifically dealing with issues of fragmentation of rural land, reverse sensitivity in rural areas and retention of highly valued soils in the rural areas beyond urban growth areas (as directed under Policies 2.1.5, 2.2.15, 3.8.3 and 4.3.1). | Add the following new Method: <i>City or district plans may implement Policies 2.1.5, 2.2.15, 3.8.3 and 4.3.1 by establishing provisions for rural areas that:</i> <i>(a) restrict subdivision, use and development of highly valued soil resources for future use by rural production activities (unless required for a rural activity that has a functional need to locate in rural areas); and</i> <i>(b) avoid reverse sensitivity effects between incompatible activities.</i> |
| 22 | 99 | Method 6.1.3(c) | Support | AgResearch supports Method 6.1.3(c) on the basis that it is prudent to identify highly valued soils for protection purposes in terms of sustaining the significant farming industry in the Otago Region. | Retain Method 6.1.3(c) |
| 23 | 100 | Method 6.2.1(d)(ii) | Support in part | Method 6.2 deals with "Research". AgResearch supports Method 6.2.1(d) on the basis that it is prudent to research and map Otago's soil resources so they can | Amend Method 6.2.1(d)(ii) as follows: <i>The Regional Council will:</i> |

| EMS REF | PAGE NO. | PROVISION | SUPPORT/OPOSE | COMMENTS | RELIEF SOUGHT |
|---------|----------|-----------|--|--|---|
| | | | | be protected in order to sustain the significant farming industry in the Otago Region. However it is considered that the Method it needs to cover the mapping of both “highly valued soils” and “highly versatile soils” to ensure implementation of Policies. | <i>(d) Investigate and provide guidance on: (ii) The location and extent of <u>highly valued soils and highly class and versatile soils</u> in Otago;</i> |
| 24 | 147-154 | Glossary | New definition for “contaminated land” | The term “contaminated land” is used in various provisions but is currently undefined. To enable appropriate and consistent interpretation, AgResearch considers that the same definition as set out in Section 2 of the RMA should be used. | Include the following definition for “contaminated land”: “Land that has a hazardous substance in or on it that— (a) has significant adverse effects on the environment; or (b) is reasonably likely to have significant adverse effects on the environment.” |
| 25 | 147-154 | Glossary | New definition for “rural production activities” | AgResearch has sought changes to various provisions so that “rural production activities” are recognised, provided for and protected in rural areas, and seeks an appropriate definition. | Include the following definition for “rural production activities”: “Rural land use activities that rely on the productive capacity of land or have a functional need for a rural location such as agriculture, pastoral farming, dairying, poultry farming, pig farming, horticulture, forestry, quarrying and mining. Also included in this definition are processing and research facilities that directly service or support those rural land use activities.” |

117



Department of
Conservation
To Papa Atawhai



DOCDM-2537375

22 July 2015

Otago Regional Council
Private Bag 1954
DUNEDIN 9054

PROPOSED OTAGO REGIONAL POLICY STATEMENT 2015

Please find enclosed the submission by the Director-General of Conservation in respect of the proposed Otago Regional Policy Statement 2015. The submission identifies the matters where the Director-General supports the Councils approach and where there are some concerns.

Please contact Geoff Deavoll in the first instance if you wish to discuss any of the matters raised in this submission (03 371 3712 gdeavoll@doc.govt.nz).

Yours sincerely

Barry Hanson

Director, Conservation Partnerships - South and Eastern South Island
Kaikautu-Kahui Manutataki

RESOURCE MANAGEMENT ACT 1991

SUBMISSION ON WEST COAST REGIONAL POLICY STATEMENT 2015

TO: Otago Regional Council

SUBMISSION ON: Proposed Otago Regional Policy Statement 2015

NAME: Lou Sanson
Director-General of Conservation

ADDRESS: RMA Shared Services
Department of Conservation
Private Bag 4715
Christchurch Mail Centre 8140
Attn: Geoff Deavoll

STATEMENT OF SUBMISSION BY THE DIRECTOR-GENERAL OF THE
DEPARTMENT OF CONSERVATION

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991 (RMA), I, Mike Morrison, Conservation Partnerships Manager Coastal Otago, acting upon delegation from the Director-General of the Department of Conservation, make the following submission in respect of the Proposed Otago Regional Policy Statement to the Otago Regional Council.

1. This is a submission on the Proposed Otago Regional Policy Statement.
2. The specific provisions of the Proposed Plan that my submission relates to are set out in Attachment 1 to this submission. The decisions sought in this submission are required to ensure that the Proposed Otago Regional Policy Statement:
 - a. Gives effect to the New Zealand Coastal Policy Statement 2010 and the National Policy Statement for Freshwater Management 2014.
 - b. Promotes the sustainable management of natural and physical resources in particular the protection of the significant natural resources of the Otago region.
 - c. Recognises and provides for the matters of national importance listed in section 6 of the Act and to have particular regard to the other matters in section 7 of the Act.
 - d. The changes sought are necessary, appropriate and sound resource management practice.
3. I seek the following decision from the Council:
 - 3.1 That the particular provisions of Proposed Otago Regional Policy Statement that I support, as identified in Attachment 1, are retained.
 - 3.2 That the amendments, additions and deletions to Proposed Otago Regional Policy Statement sought in Attachments 1 are made.

3.3 Further, consequential or alternative relief to like effect to that sought in 3.1 – 3.2 above.

4. I wish to be heard in support of my submission and if others make a similar submission, I will consider presenting a joint case with them at the hearing.

Barry Hanson

Director, Conservation Partnerships - South and Eastern South Island
Kaikaiti-Kahui Manutataka

Pursuant to delegated authority from
Lou Sanson
Director-General of Conservation

Date: 22 July 2015

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House, Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

ATTACHMENT 1:

PROPOSED OTAGO REGIONAL POLICY STATEMENT
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION

The specific provisions that my submission relates to are set out in Attachment 1. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed Regional Policy Statement. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from Proposed Regional Policy Statement is shown in *Italics*. The wording of decisions sought shows new text as underlined and original text to be deleted as ~~strikethrough~~.

Unless specified in each submission point my reasons for supporting are that the policies are consistent with the purposes and principles of the Resource Management Act 1991 (RMA).

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---|---|--|---|
| PART B | | | |
| Chapter 2 Otago has high quality natural resources and ecosystems | | | |
| Objective 2.1 (page 26) | The values of Otago's natural and physical resources are recognised, maintained and enhanced | Objective 2.1 is supported in part. The explanation included with Objective 2.1 needs to recognise that biodiversity is under significant pressure of decline as a direct result of continuing land use change and intensification. | Amend Objective 2.1 as follows: <i>The values of Otago's natural and physical resources are recognised, maintained and enhanced.</i> <i>Some of the many values of our natural resources may conflict with each other: for example, we depend on water for food production, yet we want water for healthy rivers. Otago's biodiversity is an example of another resource under pressure, <u>in part as a direct result of land use change and intensification such as development of irrigation, and</u> in part from indirect consequences of land uses, such as the introduction and spread of pest species. A good quality resource management framework addresses all the values attached to our resources, and identifies those which need protection.</i> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|--------------------------------|---|--|
| Policy 2.1.1 | Managing for freshwater values | <p>Policy 2.1.1 a), b), c) and d) are supported. These are consistent with the requirement to safeguard the life-supporting capacity, ecosystem processes and indigenous species associated with fresh water. This gives effect to Objectives A1 and B1 of the NPSFM 2014.</p> <p>Of particular interest to the Department in Otago is the diverse range of rare and threatened non-migratory galaxias fish that inhabit isolated parts of many catchments in the region. These populations are at risk of decline or complete loss as a result of declining water quality or quantity, predation from migratory fish species, and land uses adjacent to waterways. Managing some of these effects through implementing this policy of the proposed RPS is supported.</p> <p>Policy 2.1.1 f) is supported as it is consistent with the requirement to maintain or improve the overall quality of freshwater within the region and gives effect to Objective A2 of the NPSFM 2014. This clause is also consistent with Objective 1 and Policy 21 of NZCPS 2010 in that it proposes to maintain or enhance water quality in the coastal marine area.</p> <p>Policy 2.1.1 g) is supported in part but requires rewording to clarify the intent of giving effect to Policy 4 (c) of the NZCPS 2010.</p> <p>Policy 2.1.1 i) is supported as being consistent with the NES for Sources of Drinking Water and section 14(3)(b) of the RMA which provides for domestic water supplies including those managed by the Department.</p> <p>Policy 2.1.1 n) is supported. The Department is active in control of pest weed species that occur in and around freshwater.</p> | <p><i>Recognise freshwater values, and manage freshwater, to:</i></p> <p><i>a) Support <u>Maintain and enhance healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and</u></i></p> <p><i>b) Retain the range and extent of habitats provided by freshwater; and</i></p> <p><i>c) Protect outstanding water bodies and wetlands; and</i></p> <p><i>d) Protect migratory patterns of freshwater species, unless detrimental to indigenous biodiversity; and</i></p> <p><i>e) Avoid aquifer compaction, and seawater intrusion in aquifers; and</i></p> <p><i>f) Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded; and</i></p> <p><i>g) Maintain or enhance coastal values, where supported <u>by freshwater is associated with those values; and</u></i></p> <p><i>h) Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and</i></p> <p><i>i) Retain the quality and reliability of existing drinking water supplies; and</i></p> <p><i>j) Protect Kāi Tahu values; and</i></p> <p><i>k) Provide for other cultural values; and</i></p> <p><i>l) Protect important recreation values; and</i></p> <p><i>m) Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and</i></p> <p><i>n) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and</i></p> <p><i>o) Mitigate the adverse effects of natural hazards, including flooding and erosion; and</i></p> <p><i>p) Maintain the ability of existing infrastructure to operate within their design parameters.</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|--|---|--|
| Policy 2.1.2 | Managing for the values of beds of rivers and lakes, wetlands, and their margins | Policy 2.1.2 is supported as it is consistent with section 6(a) of the RMA in that it promotes maintaining or enhancing natural character of rivers, lakes, and wetlands including a range of attributes including associated indigenous biodiversity. | Retain Policy 2.1.2 as notified. |
| Policy 2.1.3 | Managing for coastal water values | <p>Policy 2.1.3 is supported in part.</p> <p>Policies 2.1.3 a), b) and c) are supported in part as they give effect to Objective 1 of NZCPS 2010.</p> <p>Policy 2.1.3 d) is supported where as this is consistent with policies 21 to 23 of NZCPS 2010. This policy does seem to be repeating policy 2.1.1 f) which could be separated out.</p> <p>Policy 2.1.3 e) maintain and enhance coastal values is supported in part. Coastal values should be clarified to provide more detail on which coastal values might be relevant if not covered by other clauses of this policy.</p> <p>Policy 2.1.3 i) is supported so far as it gives effect to policy 12 of the NZCPS 2010</p> | <p>Amend Policy 2.1.3 as follows.</p> <p><i>Recognise coastal water values, and manage coastal water, to:</i></p> <p><i>a) Support maintain and enhance healthy coastal ecosystems and habitats; and</i></p> <p><i>b) Retain the range of habitats provided by the coastal marine area; and</i></p> <p><i>c) Protect migratory patterns of coastal water species, unless detrimental to indigenous biodiversity; and</i></p> <p><i>d) Maintain coastal water quality, or enhance it where it has been degraded; and</i></p> <p><i>e) Maintain or enhance coastal values natural character and natural landscapes and features of the coastal environment;</i></p> <p><i>f) Protect Kāi Tahu values; and</i></p> <p><i>g) Provide for other cultural values; and</i></p> <p><i>h) Protect important recreation values; and</i></p> <p><i>i) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.</i></p> |
| Policy 2.1.5 | Managing for soil values | Policy 2.1.5 is supported as this policy provides for the important function of soil in maintaining good water quality. | Retain Policy 2.1.5 as notified. |
| Policy 2.1.6 | Managing for ecosystem and indigenous biodiversity values | It is unclear whether this policy is exclusive to management of ecosystems and indigenous biodiversity in a terrestrial context. Policies 2.1.1, 2.1.2, and 2.1.3 which cover managing for freshwater, bed of rivers lakes and wetlands, and coastal water values. Each of those policies have a purpose of maintaining ecosystem health and indigenous biodiversity. | <p>Amend Policy 2.1.6 as follows:</p> <p><i>Recognise the values of ecosystems and indigenous biodiversity, and manage ecosystems and indigenous biodiversity of the terrestrial, freshwater and marine environments, to:</i></p> <p><i>a) Maintain or enhance ecosystem health and indigenous biodiversity; and</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|----------------------------|---|---|---|
| | | <p>This policy should be amended to clarify that it covers terrestrial, freshwater and marine ecosystems and indigenous biodiversity.</p> | <p><i>b) Maintain or enhance areas of predominantly indigenous vegetation; and</i> <i>c) Buffer or link existing ecosystems; and</i> <i>d) Protect important hydrological services, including the services provided by tussock grassland; and</i> <i>e) Protect natural resources and processes that support indigenous biodiversity; and</i> <i>f) Maintain habitats of indigenous species that are important for recreational, commercial, cultural or customary purposes; and</i> <i>g) Protect biodiversity significant to Kāi Tahu; and</i> <i>h) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.</i></p> |
| Policy 2.1.7 | <p>Recognising the values of natural features, landscapes and seascapes</p> | <p>Policy 2.1.7 is supported.</p> <p>The attributes of natural features and landscapes listed in this policy are consistent with those listed in Policy 15 of the NZCPS 2010. It is recommended that these attributes are taken into account when identifying outstanding and high natural character of the coastal environment as directed by proposed Policy 2.2.3 and proposed Method 6.1.2c).</p> | Retain Policy 2.1.7 as notified. |
| Policy 2.1.8 | <p>Recognising the values of natural character in the coastal environment</p> | <p>Policy 2.1.8 is supported.</p> <p>The attributes of coastal natural character listed in this policy are consistent with those listed in Policy 13 of the NZCPS 2010. It is recommended that these attributes are taken into account when identifying outstanding and high natural character of the coastal environment as directed by proposed Policy 2.2.8 and proposed Method 6.1.2b).</p> | Retain Policy 2.1.8 as notified. |
| Objective 2.2 (Page 32) | <p>Otago's significant and highly-valued natural resources are identified, and protected or enhanced</p> | Objective 2.2 is supported. | Retain Objective 2.2 as notified. |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|--|--|--|
| Policy 2.2.1 | Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna | <p>Policy 2.2.1 is supported in part.</p> <p>Having a clear regional approach to the identification of significant indigenous vegetation and significant habitats for indigenous fauna is fundamental to providing for the protection of these as required in section 6(c) of the RMA. The associated criteria for the identification of significant indigenous biodiversity detailed in Schedule 5 are supported, subject to my submission on it below, as criteria for determining the significance of indigenous biodiversity in terrestrial and freshwater environment. It is not clear though whether these criteria are to be applied to the identification of significant indigenous biodiversity of the coastal marine area in the Regional Coastal Plan. Separate criteria are appropriate as the criteria in Schedule 5 are not applicable to indigenous biodiversity in the coastal marine area. A suggested Schedule 5A for the determination of the significant biodiversity in the marine environment is provided below.</p> | <p>Amend Policy 2.2.1 to provide for a new schedule providing criteria for determining the significance of biodiversity in the marine environment as follows:</p> <p><i>Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna of terrestrial, freshwater, and marine environments, using the attributes detailed in Schedule 5 and Schedule 5A.</i></p> |
| Policy 2.2.2 | Managing significant indigenous vegetation and significant habitats of indigenous fauna | <p>Policy 2.2.2 is supported in part.</p> <p>This policy is consistent with section 6(c) of the RMA. An amendment to the policy is recommended to include biodiversity offsets in the mitigation hierarchy, which will be consistent with similar policies in the pRPS.</p> | <p>Amend Policy 2.2.2 as follows:</p> <p><i>Protect and enhance the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by:</i></p> <ul style="list-style-type: none"> <i>a) Avoiding adverse effects on those values which contribute to the area or habitat being significant; and</i> <i>b) Avoiding significant adverse effects on other values of the area or habitat; and</i> <i>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</i> <i>d) Remediating, when adverse effects on other values cannot be avoided; and</i> <i>e) Mitigating where adverse effects on other values cannot be avoided or remediated;</i> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|--|---|--|
| | | | <p><u>f) Offsetting in accordance with Policy XX [new Policy XX Biodiversity Offsets – as detailed below] where adverse effects cannot be avoided, remedied and mitigated; and</u> f)-g) <i>Encouraging enhancement of those areas and values.</i></p> |
| Policy 2.2.3 | <p>Identifying outstanding natural features, landscapes and seascapes</p> | <p>Policy 2.2.3 is supported in part.</p> <p>This policy defers the identification of outstanding natural features, landscapes, and seascapes of the coastal environment supported by proposed method 6.1.2 c). This is supported as an appropriate response to Policy 15 of the NZCPS 2010.</p> <p>The attributes listed in Schedule 4 are considered to be consistent with those detailed in Policy 15(c) of the NZCPS.</p> | Retain Policy 2.2.3 as notified. |
| Policy 2.2.4 | <p>Managing outstanding natural features, landscapes and seascapes</p> | <p>Policy 2.2.4 is supported in part.</p> <p>Amendments to Policy 2.2.4 are required for consistency with Policy 15(a) and 15(b) of the NZCPS.</p> | <p>Amend Policy 2.2.4 as follows:</p> <p><i>Protect, enhance and restore the values of outstanding natural features, landscapes and seascapes, by:</i></p> <p><i>a) <u>Avoiding adverse effects of subdivision, use and development on the characteristics and qualities</u> of these values which contribute to the significance of the outstanding natural features, landscapes or seascapes;</i> <i>and</i></p> <p><i>b) <u>Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of subdivision, use and development on other values of natural features, landscapes, and seascapes;</u></i> <i>and</i></p> <p><i>c) <u>Assessing the significance of adverse effects on values, as detailed in Schedule 3;</u></i> <i>and</i></p> <p><i>d) <u>Recognising and providing for positive contributions of existing introduced species to those values;</u></i> <i>and</i></p> <p><i>e) <u>Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;</u></i> <i>and</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|---|---|---|
| | | | <i>f) Encouraging enhancement of those areas and values.</i> |
| Policy 2.2.5 | Identifying special amenity landscapes and highly valued natural Features | Policy 2.2.5 is supported. | Retain Policy 2.2.5 as notified. |
| Policy 2.2.6 | Managing special amenity landscapes and highly valued natural Features | Policy 2.2.6 is supported. | Retain Policy 2.2.6 as notified. |
| Policy 2.2.7 | Identifying the landward extent of the coastal environment | <p>Policy 2.2.7 is supported in part as it is consistent with Policy 1 of NZCPS 2010.</p> <p>It is considered appropriate that this policy covers identifying the landward extent as opposed to the extent generally. Method 6.1.1 provides for a collaborative process between councils in identifying the coastal environment which is supported.</p> <p>Areas potentially affected by coastal hazards are an indicator of the extent of the coastal environment.</p> | <p>Amend Policy 2.2.7 as follows:</p> <p><i>Identify the landward extent of the coastal environment, using the following criteria:</i></p> <p><i>a) Area or landform dominated by coastal vegetation or habitat of indigenous coastal species; and</i></p> <p><i>b) Landforms and the margins of landforms where active coastal processes, influences or qualities are significant; and</i></p> <p><i>c) Land areas at risk from coastal hazards; and</i></p> <p><i>e) Any landscapes or features, including coastal escarpments, which contribute to the natural character, visual quality or amenity values of the coast; and</i></p> <p><i>d) Any physical resource or built form, including infrastructure, that has modified the coastal environment and retains a connection to or derives character from connection to the coast; and</i></p> <p><i>e) The relationship of takata whenua with the coastal environment.</i></p> |
| Policy 2.2.8 | Identifying areas of high and outstanding natural character in the coastal environment | <p>Policy 2.2.8 is supported.</p> <p>This policy defers the identification of natural character of the coastal environment supported by proposed method 6.1.2 b). This is supported as an appropriate response to Policy 13 of the NZCPS 2010.</p> | Retain Policy 2.2.8 as notified. |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------------|--|---|---|
| Policy 2.2.9 | Managing the natural character of the coastal environment | <p>Policy 2.2.9 is supported in part.</p> <p>Policy 2.2.9 is generally supported as it is generally consistent with Policy 13 of the NZCPS 2010. Amendments to this policy are recommended to better align with Policy 13 of NZCPS 2010.</p> | <p>Amend Policy 2.2.9 as follows:</p> <p><i>Preserve or enhance the natural character values of the coastal environment, by:</i></p> <ul style="list-style-type: none"> <i>a) Avoiding adverse effects of subdivision use, and development on the characteristics and qualities those values which contribute to the outstanding natural character of an area; and</i> <i>b) Avoiding significant adverse effects of subdivision, use, and development on the characteristics and qualities those values which contribute to the high natural character values of an area; and</i> <i>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</i> <i>d) Avoiding, remedying or mitigating other adverse effects on other values; and</i> <i>e) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment; and</i> <i>f) Encouraging enhancement of those values; and</i> <i>g) Controlling the adverse effects of pest species, prevent their introduction and reduce their spread.</i> |
| Policy 2.2.10 | Identifying surf breaks of national importance | <p>This policy is supported.</p> <p>Policy 2.2.10 is titled Identifying surf breaks of national importance and then goes on to recognise a list four Otago surf breaks that are listed in Schedule 1 of the NZCPS 2010.</p> <p>There is no regional plan method specific to this policy so it is assumed it may be captured by the general method 3.1.</p> <p>It is uncertain whether the intention is to identify further surf breaks of national importance or just to recognise the ones already identified in the NZCPS 2010.</p> | Retain Policy 2.2.10 as notified. |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|----------------------------|--|--|--|
| Policy 2.2.11 | Managing surf breaks of national importance | Policy 2.2.11 is supported. This policy and its associated method 4.1.6 give effect to Policy 16 of the NZCPS 2010. | Retain Policy 2.2.11 as notified. |
| Policy 2.2.12 | Identifying outstanding water bodies and wetlands | Policy 2.2.12 is supported This policy generally reflects the definition of outstanding water bodies in the NPSFM 2014. The process to identify wetlands and outstanding water bodies provided by Method 6.1.2 which achieve consistency with the definition. It is suggested that the policy is amended to clarify that all wetlands should be identified not only those that meet and 'outstanding' threshold. | Amend Policy 2.2.12 as follows: <i>Identifying <u>wetlands and outstanding water bodies and wetlands</u></i> |
| Policy 2.2.13 | Managing outstanding water bodies and wetlands | Policy 2.2.13 is supported in part. By including the clarification provided by the proposed amendment this policy gives effect to Objectives A2(a) and A2(b), and Objective B4 of the NPSFM 2014. | Amend Policy 2.2.13 as follows. <i>Managing <u>wetlands and outstanding water bodies and wetlands</u></i> |
| Objective 2.3 (Page 39) | Natural resource systems and their interdependencies are recognised | Objective 2.3 is supported in part. It is recommended that this objective be amended to include that integrated management of natural resources is provided for as this is the intent of the following policies. | Amend Objective 2.3 as follows: <i>Natural resource systems and their interdependencies are recognised <u>and managed in an integrated manner</u></i> |
| Policy 2.3.1 | Applying an integrated management approach among resources | Policy 2.3.1 is supported. | Retain Policy 2.3.1 as notified. |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---|---|---|--|
| Policy 2.3.2 | Applying an integrated management approach within a resource | Policy 2.3.2 is supported. | Retain Policy 2.3.2 as notified. |
| Policy 2.3.3 | Applying an integrated management approach for freshwater catchments | Policy 2.3.3 is supported as it provides for the coordinated management of freshwater and land use to enable freshwater and water body values to be maintained. | Retain Policy 2.3.3 as notified. |
| Policy 2.3.4 | Applying an integrated management approach for the coastal environment | <p>Policy 2.3.4 is supported in part.</p> <p>The policy provides for the intent of Policy 4 of NZCPS 2010. Including provision for integrated management of land use that may affect public access to the coast or that may increase coastal hazard risk is recommended.</p> | <p>Amend Policy 2.3.4 as follows.</p> <p><i>Apply an integrated management approach to activities in the coastal environment, by:</i></p> <p><i>a) Recognising the importance of coastal morphology, coastal processes and land cover in supporting coastal environment values; and</i></p> <p><i>b) Coordinating the management of land use, freshwater, and coastal water, to:</i></p> <p><i>i. Maintain or enhance coastal values <u>including water quality and marine and coastal ecosystems</u>; and</i></p> <p><i>ii. Reduce the potential for health and nuisance effects; and</i></p> <p><i>iii. <u>provide for access to public open space to and along the coast</u>; and</i></p> <p><i>iv. <u>Avoid increased risk of coastal hazards.</u></i></p> |
| Chapter 3 Communities in Otago are resilient, safe and healthy | | | |
| Objective 3.2 (Page 48) | Risk that natural hazards pose to Otago's communities are minimised | <p>Objective 3.2 is supported in part.</p> <p>The explanation statement following this objective discusses reducing risk that natural hazards pose and not allowing the increase of risk.</p> <p>An amendment is proposed to this objective to align with the explanation and the intent of the objective, which will also provide consistency with Policies 25 and 27 of the NZCPS 2010 with regard to hazards in the coastal environment.</p> | <p>Amend Objective 3.2 as follows:</p> <p><i>Risk that natural hazards pose to Otago's communities are is reduced and <u>not increased</u> minimised</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|---|--|--|
| Policy 3.2.1 | Identifying natural hazards | <p>Policy 3.2.1 is supported in part.</p> <p>It is suggested that this policy should be combined with Policy 3.2.2 as assessing the natural hazard likelihood or risk is part of the process of identifying natural hazards.</p> <p>Considering the effects of sea level rise will provide consistency with Policy 24 of the NZCPS 2010.</p> | <p>Combine with Policy 3.2.2 by amending Policy 3.2.1 as follows:</p> <p><i>Identify natural hazards that may adversely affect Otago’s communities, including hazards of low likelihood and high consequence. Assess the likelihood and risk of natural hazard events occurring, having regard to a timeframe of no less than 100 years, including by considering:</i></p> <p><i>a) Hazard type and characteristics;</i> <i>b) Multiple and cascading hazards;</i> <i>c) Cumulative effects, including from multiple hazards with different risks;</i> <i>d) Effects of climate change including sea level rise and coastal erosion;</i> <i>e) Using the best available information for calculating likelihood;</i> <i>f) Exacerbating factors.</i></p> |
| Policy 3.2.2 | Assessing natural hazard likelihood | <p>Policy 3.2.2 is supported in part.</p> <p>Suggest combining this Policy with Policy 3.2.1 as detailed above.</p> | <p>Delete Policy 3.2.2 and include in Policy 3.2.1 as detailed above.</p> |
| Policy 3.2.6 | Avoiding increased natural hazard risk | <p>Policy 3.2.6 is supported.</p> <p>With the exception of the word “significantly” Policy 3.2.7 is considered to be consistent with Policy 25 and 27 of the NZCPS 2010.</p> | <p>Amend Policy 3.2.6 as follows:</p> <p><i>Avoid increasing natural hazard risk, including by:</i></p> <p><i>a) Avoiding activities that significantly increase risk, including displacement of risk off-site; and</i> <i>b) Encouraging design that facilitates:</i> <i>i. Recovery from natural hazard events; or</i> <i>ii. Relocation to areas of lower risk.</i></p> |
| Policy 3.2.7 | Reducing existing natural hazard risk | <p>Policy 3.2.7 is supported.</p> <p>Policy 3.2.7 is consistent with Policy 25 and 27 of the NZCPS 2010 in providing for a reduction in existing</p> | <p>Retain Policy 3.2.7 as notified.</p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------------|---|---|--|
| | | coastal hazard risk. | |
| Policy 3.2.8 | Applying a precautionary approach | Policy 3.2.8 is supported. Policy 3.2.8 is supported as good resource management practice. | Retain Policy 3.2.8 as notified. |
| Policy 3.2.9 | Protecting features and systems that provide hazard mitigation | Policy 3.2.9 is supported. Protection of natural defences against coastal hazards is very important, as is restoration or enhancement of these features which may also be required to maintain the functioning of these natural systems. Implementing this policy would give effect to Policy 26 of the NZCPS 2010. | Retain Policy 3.2.9 as notified. |
| Policy 3.2.10 | Mitigating natural hazards | Policy 3.2.10 is supported. This policy is considered to be consistent with the intent of policy 25(e) of the NZCPS 2010 which seeks to discourage the use of hard protection structures and promote the use of alternative means of reducing the risk of coastal hazards. | Retain Policy 3.2.10 as notified. |
| Policy 3.2.11 | Locating hard mitigation measures | Policy 3.2.11 is supported in part. Policy 27 of the NZCPS 2010 promotes investigation of strategies for protecting significant existing development from coastal hazard risk. This policy promotes the identification of long term sustainable approaches to reducing the risk of coastal hazards, while recognising in certain situations the placement of hard protection structures are the only practical means of protecting existing essential infrastructure. It is important that in situations where hard coastal structures are necessary that any adverse effects on the coastal environment are minimised. | Amend policy 3.2.11 as follows: <i>Enable the location of hard mitigation measures or similar engineering interventions on public land only when:</i> <i>a) long-term sustainable risk reduction approaches have first been considered; and</i> <i>a)-b) There is significant public or environmental benefit in doing so; or</i> <i>b)-c) The work relates to the functioning ability of an existing lifeline utility, or facility for essential or emergency services; and</i> <i>d) considering the form and location of the interventions the adverse effects on the coastal environment are minimised.</i> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|----------------------------|---|---|---|
| Objective 3.3 (Page 54) | Otago's communities are prepared for and able to adapt to the effects of climate change | Objective 3.3 is supported. | Retain Objective 3.3 as notified |
| Policy 3.3.1 | Adapting to, or mitigating the effects of, sea level rise | Policy 3.3.1 is supported as it is consistent with Policy 24 of the NZCPS 2010. | Retain Policy 3.3.1 as notified |
| Policy 3.3.2 | Adapting to, or mitigating the effects of, climate change | Policy 3.3.2 is supported. Policy 3.3.2b) is consistent with the approach detailed in Policy 3 of the NZCPS 2010. | Retain Policy 3.3.2 as notified. |
| Objective 3.5 (Page 59) | Infrastructure of national and regional significance is managed in a sustainable way | Objective 3.5 is supported so far as it proposes to manage any adverse effect on Otago's natural resources resulting from infrastructure of national or regional importance. | Retain Objective 3.5 as notified. |
| Policy 3.5.2 | Managing adverse effects of infrastructure that has national or regional significance | Policy 3.5.2 is supported in part. Policy 3.5.2 e) weakens the intent of biodiversity offsets by only requiring them to be considered in relation to these important values and areas. Reference to other compensatory methods is too general and will likely result in offsets not been used as they should be. To require biodiversity offset would provide a stronger policy and which provides clear expectations. | Amend Policy 3.5.2 as follows: <i>Minimise adverse effects from infrastructure that has national or regional significance, by:</i> <i>a) Giving preference to avoiding their location in:</i> <i>i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</i> <i>ii. Outstanding natural features, landscapes and seascapes; and</i> <i>iii. Areas of outstanding natural character; and</i> <i>iv. Outstanding water bodies or wetlands; and</i> <i>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</i> <i>c) Avoiding, remedying or mitigating other adverse effects on values; and</i> <i>d) Assessing the significance of adverse effects on those</i> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|----------------------------|---|--|--|
| | | | <i>values, as detailed in Schedule 3; and e) Considering Requiring the use of offsetting, or other compensatory measures, for to manage significant residual adverse effects on indigenous biodiversity.</i> |
| Objective 3.7 (Page 64) | Urban areas are well designed, sustainable and reflect local character | Objective 3.7 is supported. This objective supports biodiversity initiatives and enhancements within urban environments to minimise adverse effects of urban development. | Retain Objective 3.7 as notified. |
| Policy 3.7.1 | Using the principles of good urban design | Policy 3.7.1 is supported in part as it provides for integration and enhancement of the natural environment within urban areas. Some amendments are recommended to Policy 3.7.1b) to better serve biodiversity. | Amend Policy 3.7.1 as follows: <i>b) Ensure that the built form relates well to its natural environment, including by: i. Reflecting <u>Retaining or enhancing</u> natural features such as rivers, lakes, wetlands and topography; and ii. Providing for <u>or enhancing existing</u> ecological corridors in urban areas; and iii. Protecting <u>or enhancing existing</u> areas of indigenous biodiversity and habitat for indigenous fauna; and iv. Encouraging use of low impact design techniques; and v. Encouraging construction of warmer buildings; and</i> |
| Policy 3.7.2 | Encouraging use of low impact design techniques | Policy 3.7.2 is supported as it provides for the enhancement of habitat for indigenous species and other biodiversity values generally. | Retain Policy 3.7.2 as notified. |
| Objective 3.8 (Page 67) | Urban growth is well designed and integrates effectively with adjoining urban and rural environments | Objective 3.8 is supported in part. This objective should also aim to effectively design and integrate urban growth with any adjoining coastal environment. | Amend Objective 3.8 as follows: <i>Urban growth is well designed and integrates effectively with adjoining urban, <u>coastal</u> and rural environments.</i> <i>Well planned urban growth can achieve multiple benefits, including economic, social and environmental benefits. Concentrating activities in urban areas creates economies of scale for the development and</i> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------------------|---|--|---|
| | | | <p><i>maintenance of community infrastructure and supports social infrastructure such as health care and educational facilities. This can also reduce pressure on the surrounding productive and natural environment.</i></p> |
| <p>Policy 3.8.1</p> | <p>Managing for urban growth</p> | <p>Policy 3.8.1 is supported in part.</p> <p>Policy 7 of the NZCPS requires in preparing a regional policy statement or plan requires the identification of areas in the coastal environment where subdivision, use and development are or may be inappropriate and provide protection of these areas through objectives, policies and rules.</p> <p>An amendment is proposed to Policy 3.8.1 is to give effect to Policy 7 of the NZCPS 2010 and to give effect to the recommended change to Objective 3.8 above.</p> | <p>Amend Policy 3.8.1 as follows:</p> <p><i>Manage urban growth and creation of new urban land in a strategic and co-ordinated way, by:</i></p> <p><i>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</i></p> <p><i>b) Co-ordinating urban growth and extension of urban areas with relevant infrastructure development programmes, to:</i></p> <p><i>i. Provide infrastructure in an efficient and effective way; and</i></p> <p><i>ii. Avoid additional costs that arise from unplanned infrastructure expansion; and</i></p> <p><i>c) Identifying future growth areas that:</i></p> <p><i>i. Minimise adverse effects on rural productivity, including loss of highly valued soils or creating competing urban demand for water and other resources; and</i></p> <p><i>ii. Maintain or enhance significant biodiversity, landscape or natural character values; and</i></p> <p><i>iii. Maintain important cultural or heritage values; and</i></p> <p><i>iv. Avoid land with significant risk from natural hazards; and</i></p> <p><i>v. <u>Avoid identified areas of the coastal environment where subdivision, use and development are deemed to be inappropriate.</u></i></p> <p><i>d) Considering the need for urban growth boundaries to control urban expansion; and</i></p> <p><i>e) Ensuring efficient use of land; and</i></p> <p><i>f) Requiring the use of low or no-emission heating systems in buildings, when ambient air quality in or near the growth area is:</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---|--|---|---|
| | | | <p><i>i. Below standards for human health; or</i> <i>ii. Vulnerable to degradation given the local climatic and geographical context; and</i> <i>g) Giving effect to the principles of good urban design, as detailed in Schedule 6; and</i> <i>h) Giving effect to the principles of crime prevention through environmental design.</i></p> |
| Chapter 4 People are able to use and enjoy Otago's natural and built environment | | | |
| Objective 4.1 (Page 78) | Public access to areas of value to the community is maintained or enhanced | Objective 4.1 is supported as it is consistent with Policy 19 of the NZCPS 2010. | Retain Objective 4.1 as notified. |
| Policy 4.1.1 | Maintaining and enhancing public access | <p>Policy 4.1.1 is supported as it is consistent with Policy 19 of the NZCPS 2010 and is consistent with section 6(d) of the RMA.</p> <p>This policy will be given effect to by proposed method 4.2.7 including recommended amendments.</p> | Retain Policy 4.1.1 as notified. |
| Objective 4.2 (Page 79) | Historic heritage resources are recognised and contribute to the region's character and sense of identity | <p>Objective 4.2 is supported in part.</p> <p>An amendment is recommended to clarify that protection of significant historic heritage is intended by the objective. This amendment will ensure that this objective is consistent with Policy 17 of the NZCPS 2010.</p> <p>The Department is a significant contributor to the protection and conservation of historic heritage resources within the Otago region. The use of common criteria for the identification of historic features of national and regional significance is supported.</p> | <p>Amend Objective 4.2 as follows:</p> <p><i>Historic heritage resources are recognised and <u>protected</u>, and continue to contribute to the region's character and sense of identity</i></p> |
| Policy 4.2.2 | Identifying historic heritage | Policy 4.2.2 is supported for the reasons stated under Objective 4.2. The criteria specified in this policy are supported. | Retain Policy 4.2.2 as notified. |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|----------------------------|--|--|---|
| Policy 4.2.3 | Managing historic heritage values | Policy 4.2.3 is supported. | Retain Policy 4.2.2 as notified. |
| Policy 4.3.2 | Managing land use change in dry catchments | <p>Policy 4.3.2 is supported in part.</p> <p>This Policy gives recognition of the ecosystem service of tussock grasslands in maintaining water quantity in certain catchments, and how land use change can negatively impact on this function.</p> <p>This policy requires specific mention of the role wilding conifers spread plays in reducing water yields in dry catchments.</p> <p>The Department is active in the Otago Region in managing the spread of wilding conifers which impacts on the quality and quantity of freshwater resources. It is important that the problem is not exacerbated by inappropriate planting of tree species with wilding potential.</p> <p>The proposed amendment to this policy provides greater recognition of this issue. An amendment is accordingly proposed for associated Method 4.1.4.</p> | <p>Amend Policy 4.3.2 as follows</p> <p><i>Manage land use change in dry catchments, to avoid any significant reduction in water yield, by:</i></p> <p><i>a) Restricting any extension of forestry activities within those catchments that would result in a significant reduction in water yield, including cumulative reductions and managing potential for wilding tree spread; and</i></p> <p><i>b) Minimising the conversion of tussock grasslands to species which are less able to capture and hold precipitation.</i></p> |
| Policy 4.3.6 | Managing locational needs for mineral and gas exploration, extraction and processing | Policy 4.3.6 is supported as it promotes the avoidance of locating these activities in areas of significant indigenous biodiversity and significant habitats of indigenous fauna or areas of outstanding natural character, outstanding landscapes and natural features, and outstanding water bodies. | Retain Policy 4.3.6 as notified. |
| Objective 4.4 (Page 85) | Otago's communities can make the most of the natural and built resources available for use | <p>Objective 4.4 is supported in part.</p> <p>It is recommended that this objective is amended to clarify that resource use needs to be sustainable</p> | <p>Amend Objective 4.4 as follows:</p> <p><i>Otago's communities can benefit make the most of from environmental wellbeing resulting from sustainable use of the natural and built resources. available for use</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------------|---|---|---|
| Policy 4.4.1 | Ensuring efficient water allocation and use | Policy 4.4.1 is supported as an important mechanism for achieving Objectives B2 and B3 of the NPSFM 2014. | Retain Policy 4.4.1 as notified. |
| Policy 4.4.3 | Encouraging environmental enhancement | <p>Policy 4.4.3 is supported in part.</p> <p>An amendment to this policy is recognised to be consistent with Policy 21 of the NZCPS. This policy should encourage the enhancement of water quality of the coastal environment in particular in coastal water bodies where water quality has deteriorated to where it is having an adverse effect on existing uses and natural values.</p> | <p>Amend Policy 4.4.3 as follows:</p> <p><i>Encourage activities which contribute to enhancing the natural environment, including to:</i></p> <p><i>a) Improve water quality <u>where it is in a degraded state</u>; or</i></p> <p><i>b) Protect or restore or regenerate <u>indigenous species and habitat for indigenous species</u>; or</i></p> <p><i>c) Regenerate indigenous species <u>improve the quality of sites of importance for food gathering or harvesting</u>; or</i></p> <p><i>d) Mitigate natural hazards; or</i></p> <p><i>e) Restore the natural character of wetlands; or</i></p> <p><i>f) Improve the health and resilience of:</i></p> <p><i>i. Ecosystems supporting indigenous biodiversity; or</i></p> <p><i>ii. Important ecosystem services, including pollination; or</i></p> <p><i>g) Improve access to rivers, lakes, wetlands and their margins; or</i></p> <p><i>h) Buffer or link ecosystems, habitats and areas of significance that contribute to ecological corridors; or</i></p> <p><i>i) Control pest species.</i></p> |
| Objective 4.5 | Adverse effects of using and enjoying Otago's natural and built environment are minimised | <p>Objective 4.5 and the following explanation is supported in part.</p> <p>To be consistent with the following policies and to give effect to higher level policy documents there needs to be greater emphasis placed on the avoidance of adverse effects in this objective.</p> | <p>Amend Objective 4.5 as follows:</p> <p><i>Adverse effects of using and enjoying Otago's natural and built environment are <u>avoided or</u> minimised</i></p> |
| Policy 4.5.1 | Avoiding objectionable discharges | <p>Policy 4.5.1 is supported.</p> <p>Policy 4.5.1 is consistent with Policy 23(2) of the NZCPS 2010.</p> | Retain Policy 4.5.1 as notified. |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|---|---|--|
| Policy 4.5.5 | Controlling the introduction and spread of pest plants and animals | <p>Policy 4.5.5 is supported in part.</p> <p>It should be recognised in the policy that water quantity as well as water quality can be impacted by the introduction and spread of pest plants. Wilding conifers are a particular example of pest weed species that can impact on water quantity. This is somewhat addressed in Policy 4.3.2 which manages land use change including extension of forestry activities in dry catchments.</p> | <p>Amend Policy 4.5.5 as follows:</p> <p><i>Control the adverse effects of pest species, prevent their introduction and reduce their spread, to safeguard:</i></p> <p><i>a) The viability of indigenous species and habitats for indigenous species; or</i></p> <p><i>b) Ecosystem services that support economic activities; or</i></p> <p><i>c) Water quality <u>and</u> quantity; or</i></p> <p><i>d) Soil quality; or</i></p> <p><i>e) Human and animal health; or</i></p> <p><i>f) Recreation values; or</i></p> <p><i>g) Takata whenua values.</i></p> |
| Policy 4.5.6 | Managing adverse effects from mineral and gas exploration, extraction and processing | <p>Policy 3.5.2 is supported in part.</p> <p>Policy 3.5.2 g) weakens the intent of biodiversity offsets by only requiring them to be considered. Reference to other compensatory methods is too general and will likely result in offsets not been used as they should be. To require biodiversity offset would provide a stronger policy and which provides clear expectations.</p> | <p>Amend Policy 4.5.6 as follows:</p> <p><i>Minimise adverse effects from the exploration, extraction and processing of minerals, by:</i></p> <p><i>a) Giving preference to avoiding their location in:</i></p> <p><i>i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and</i></p> <p><i>ii. Outstanding natural features, landscapes and seascapes; and</i></p> <p><i>iii. Areas of outstanding natural character; and</i></p> <p><i>iv. Outstanding water bodies; and</i></p> <p><i>v. Areas subject to significant natural hazard risk;</i></p> <p><i>b) Where it is not possible to avoid locating in the areas listed in a) above, avoiding significant adverse effects of the activity on those values that contribute to the significant or outstanding nature of those areas; and</i></p> <p><i>c) Avoiding adverse effects on the health and safety of the community; and</i></p> <p><i>d) Remedying or mitigating adverse effects on other values; and</i></p> <p><i>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and,</i></p> <p><i>f) Reducing unavoidable adverse effects by</i></p> <p><i>i. Staging development for longer term activities; and</i></p> <p><i>ii. Progressively rehabilitating the site, where possible.</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|--------------|---|--|--|
| | | | <p>g) Considering <u>Require the use of biodiversity offsetting, or compensatory measures, for significant residual adverse effects; and</u></p> <p>h) <u>Applying a precautionary approach to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects.</u></p> |
| Policy 4.5.7 | Enabling offsetting of indigenous biodiversity | <p>Policy 4.5.7 is supported in part</p> <p>The Department generally supports the inclusion of policies providing for biodiversity offsets in the pRPS.</p> <p>Both policies 4.5.7 and 4.5.8 would better serve biodiversity if they required offsetting rather than just enabling it to occur. This is particularly the case where an activity would adversely affect significant biodiversity. In the case of biodiversity that is not significant then to enable offsetting may be appropriate. This recognises the high investment required for offsetting and that some residual effects may not warrant that investment, although others forms of compensation or management that do not meet the offsetting standard may still be appropriate.</p> | <p>Replace policy 4.5.7 and the following policy 4.5.8 with one new policy 4.5.7 as follows:</p> <p><u>Manage the effects of activities on indigenous biodiversity by:</u></p> <ul style="list-style-type: none"> a) <u>avoiding as far as practicable, and where total avoidance is not practicable, minimising adverse effects on indigenous biodiversity</u> b) <u>requiring remediation where adverse effects cannot be avoided</u> c) <u>requiring mitigation where adverse effects on the areas identified above cannot be avoided or remediated</u> d) <u>requiring any significant residual adverse effects to indigenous biodiversity meeting the significance criteria detailed in Schedule 5 to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to Schedule XX [on biodiversity offsetting] or;</u> e) <u>enabling any significant residual adverse effects to indigenous biodiversity that does not meet the significance criteria detailed in Schedule 5 to be offset through protection, restoration and enhancement actions that achieve no net loss</u> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|----------------------------|--|--|---|
| | | | <p><u>and preferably a net gain in indigenous biodiversity values having particular regard to Schedule XX [on biodiversity offsetting].</u></p> |
| Policy 4.5.8 | <p>Offsetting for indigenous biodiversity</p> | <p>Policy 4.5.7 is supported in part</p> <p>This policy is proposed to be replaced by relief sought in Policy 4.5.7 above.</p> <p>This policy essentially sets out a framework for expectations and principles for biodiversity offsetting, again when it is enabled. I note that the addition of “if practicable” in (d) above weakens the intent of an offset. A central tenet of offsetting is the offset should last at least as long as the impact and preferable in perpetuity.</p> | <p>Replace policy 4.5.8 as detailed above</p> |
| Part C Implementation | | | |
| Roles and Responsibilities | | | |
| (Page 93) | <p>Regional Council will</p> | <p>It is assumed that it is intended for the regional council to specify objectives policies and rules in <u>regional plans</u> to manage land use as covered by this section.</p> <p>It would be more appropriate for these regional council functions to be included under Method 3 as matters that should be addressed in regional plans to give effect to specific policies of the regional policy statement.</p> | <p>Include these regional council functions under Method 3 Regional Plans and amend as follows:</p> <p><i>Specify objectives, policies and methods in regional plans for the control of the use of land for:</i></p> <p><i>a) The management of natural hazards in the beds of rivers, lakes and wetlands, or the coastal marine area;</i></p> <p><i>b) The management of hazardous substances to:</i></p> <p><i>i. prevent or mitigate the actual or potential adverse effects of discharges of hazardous substances to land or air;</i></p> <p><i>ii. control the use, storage, disposal or transportation of hazardous substances in the beds of rivers, lakes and wetlands or the coastal marine area;</i></p> <p><i>c) The maintenance of indigenous biological diversity in the coastal marine area, in beds of rivers and lakes, and wetlands.</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|------------------|---------------------------------|--|---|
| (Page 93) | City and district councils will | <p>It is assumed that it is intended for the regional council to specify objectives policies and rules in district plans to manage the issues covered by this section.</p> <p>A further amendment to point c) is recommended to clarify the intent.</p> <p>It would be more appropriate for these district council functions to be included under Method 4 as matters that should be addressed in city or district plans to give effect to specific policies of the regional policy statement.</p> | <p>Include these city or district council functions under Method 4 City and District Plans and amend as follows:</p> <p><i>Specify objectives, policies and methods in district plans for the control of the use of land for:</i></p> <p><i>a) The management of natural hazards outside of the beds of rivers, lakes and wetlands or the coastal marine area;</i></p> <p><i>b) The prevention or mitigation of the adverse effects of the storage, use, transport or disposal of hazardous substances on the environment outside of the beds of rivers, lakes and wetlands or the coastal marine area;</i></p> <p><i>c) The maintenance of indigenous biological diversity on all land outside of the coastal marine area and outside the beds of rivers and lakes and wetlands.</i></p> |
| Method 3.1.5 | Regional Plans | Method 3.1.5 is supported in part | <p>Amend Method 3.1.5 as follows:</p> <p><i>Regional Plan will set objectives, policies and methods to implement policy 2.1.2 and 2.3.3 including by developing river management strategies which include the following recommendations on:</i></p> <p><i>a) The management of riparian margins along rivers and lakes and wetlands;</i></p> <p><i>b) The management of bed alterations.</i></p> |
| New Method 3.1.6 | Regional Plans | A new method is required to implement proposed Policy 2.2.9 regarding natural character. This new method is required to manage the effects of activities within the coastal marine area on areas of natural high or outstanding natural character in regional plans. This is associated with the identification of areas of high and outstanding natural character as described and provided for in Method 6.1.2b), including suggested amendments to that Method. | <p>Include New Method 3.1.6 as follows:</p> <p><u>Regional Plan will set objectives, policies and methods to implement policy 2.2.9 to manage the effects of activities to be located in the coastal marine area on areas of natural character of the coastal environment identified through the implementation of Policy 2.2.8 and associated Method 6.1.2.</u></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|-------------------|------------------------------------|--|--|
| Method 4.1.4 | District Plans | <p>Method 4.1.4 is supported in part.</p> <p>It is suggested that district plans also need to consider the potential for spread of wilding tree species as a result of land use in dry catchments which can exacerbate impacts on water yields downstream.</p> | <p>Amend Method 4.1.4 as follows:</p> <p><i>City or district plans will implement Policy 4.3.2 by including provisions managing land use in dry catchments and any potential for spread of wilding trees where this will impact on water yield;</i></p> |
| Method 4.2.7 | District Plans | <p>Method 4.2.7 is supported in part.</p> <p>Implementation of this method will give effect to Policy 19 of the NZCPS.</p> <p>This method seems to be incomplete and needs amending to state that conditions may be included in rules in district plans to maintain public access.</p> | <p>Amend Method 4.2.7 as follows:</p> <p><i>City or district councils may implement Policy 1.2.4 and 4.1.1 by including conditions in rules in district plans and/ or in resource consents to maintain or enhance access to the natural environment or sites of cultural significance.</i></p> |
| New Method 4.1.13 | District Plans | <p>A new method is required to give effect to proposed Policy 2.2.9 regarding natural character. This new method is required to require district councils to manage the effects of activities on areas of natural high or outstanding natural character in district plans. This is associated with the identification of areas of high and outstanding natural character as described and provided for in Method 6.1.2b), including suggested amendments to that Method.</p> | <p>Include New Method 4.1.13 as follows:</p> <p><u>Regional Plan will set objectives, policies and methods to implement policy 2.2.9 to manage the effects of activities on areas of natural character of the coastal environment identified through the implementation of Policy 2.2.8 and associated Method 6.1.2.</u></p> |
| Method 6.1.1 | Research, Monitoring and Reporting | <p>Method 6.1.1 is supported as it in association with Policy 2.2.7 gives effect to Policy 1 of the NZCPS 2010.</p> | <p>Retain Method 6.1.1 as notified.</p> |
| Method 6.1.2 | Research, Monitoring and Reporting | <p>Method 6.1.2 is supported in part.</p> <p>It is important to clarify that the identification of Significant indigenous vegetation and significant habitat of indigenous fauna is required for each of the terrestrial, freshwater and marine environments. An amendment to the method is proposed to clarify this.</p> | <p>Amend method 6.1.2 as follows:</p> <p><i>Regional, city and district councils, in their areas of responsibility, will identify:</i></p> <p><i>a) Significant indigenous vegetation and significant habitat of indigenous fauna of the terrestrial, freshwater and marine environment;</i></p> <p><i>b) Areas of outstanding and high natural character in the</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------|---|---|---|
| | | <p>Policy 13 of the NZCPS 2010 requires the preservation of the natural character of the coastal environment including by:</p> <p><i>(c) assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high or natural character; and</i></p> <p>As the method 6.1.2 b) states that regional, city and district councils will identify “areas of outstanding natural character in the coastal environment”. Only focussing on sites of outstanding natural character will not give effect to Policy 13. Requiring the identification of areas of the coastal environment with high natural character will be consistent with the intent shown by proposed Policy 2.2.8.</p> <p>An amendment is recommended to 6.1.2 d) to implement policy 2.2.5 with regard to highly valued natural features.</p> <p>Method 6.1.2 e) should also include the identification of wetlands within the region which is a requirement under the NPSFM 2014, and will provide an important benchmark against which AER 2.2 can be measured.</p> | <p><i>coastal environment;</i></p> <p><i>c) Outstanding natural features, and outstanding natural landscapes and seascapes</i></p> <p><i>d) <u>Special amenity landscapes and highly valued natural features;</u></i></p> <p><i>e) <u>Wetlands</u> and <u>outstanding water bodies;</u></i></p> <p><i>f) The values of water margins critical to threatened or rare indigenous flora and fauna;</i></p> |
| AER 3.4 | <p><i>Adverse effects on Otago’s outstanding and highly-valued natural and physical resource values from nationally and regionally significant infrastructure are avoided or mitigated</i></p> | <p>AER 3.4 is supported in part.</p> <p>This should reflect the full mitigation hierarchy and end with biodiversity offset.</p> | <p>Amend AER 3.4 as follows:</p> <p><i>Adverse effects on Otago’s outstanding and highly-valued natural and physical resource values from nationally and regionally significant infrastructure are avoided, <u>remedied</u>, <u>mitigated</u> or <u>offset</u>.</i></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|-----------------|---|--|--|
| Glossary | New definition – Biodiversity offsetting | A new definition for biodiversity offsetting is required as it is referred to in new Policy 4.5.7. | Include the following definition of 'biodiversity offsetting' as follows: <u>Measurable conservation outcomes resulting from actions designed to compensate for significant residual adverse biodiversity impacts arising from project development after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsetting is to achieve no net loss and preferably a net gain of biodiversity on the ground.</u> |
| Glossary | New definition – no net loss | AER 2.2 refers to the concept of no net loss, a definition of which is required. | Include definition of 'no net loss' as follows: <u>No overall reduction in biodiversity as measured by type, amount and condition.</u> |
| Schedule 3 | | Schedule 3 is supported as a helpful tool for determining the significance of adverse effects. | Retain Schedule 3 as notified. |
| Schedule 5 | | Schedule 5 is supported in part. Under the criteria for representativeness it would also be important to provide for modified examples where these are the best examples of their habitat type. It is noted that most habitats will have some form of disturbance or modification usually resulting from the influence of human activity. | Amend Schedule 5 as follows: <i>Representativeness:</i> <i>An area that is an example of an indigenous vegetation type or habitat that is representative of that which formerly covered the Ecological District. <u>This may include degraded examples of their type or represent all that remains of indigenous biodiversity in some areas.</u></i> |
| New Schedule 5A | New Schedule 5A | A new schedule for the identification of areas of significant indigenous vegetation and the significant habitats of indigenous fauna in the marine environment, as a suggested amendment to policy 2.2.1. This criteria is required to give effect to section 6(c) of the RMA and Policy 11 of the NZCPS 2010. | Include the following new schedule: <u>Criteria for the identification of indigenous vegetation and habitats of indigenous fauna of Otago's coastal marine area</u> <u>Identify areas of significant indigenous vegetation and the significant habitats of indigenous fauna in coastal marine area using one or more of criteria a – f</u> <u>Criteria a – e are to be applied first, with criterion f applied finally to identify gaps in representation across</u> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------|---------------|---------------------|--|
| | | | <p><u>marine habitats and ecosystems, and to identify best examples of each habitat or ecosystem.</u></p> <p>CRITERIA</p> <p>a. RECOGNISED INTERNATIONAL OR NATIONAL SIGNIFICANCE</p> <p><u>i It is an area identified as internationally or nationally significant for either indigenous marine ecosystems or biodiversity, or with reference to the species that utilise these ecosystems</u></p> <p>b. THREAT STATUS AND RARITY:</p> <p>SUB-CRITERIA</p> <p><u>i. It is a habitat that is required to provide for the life cycle of a marine plant or animal that is locally rare and has been assessed under the New Zealand Threat Classification System (NZTCS), and determined to have a national 'At Risk' conservation status of Naturally Uncommon, Relict, Recovering and Declining.</u>OR</p> <p><u>ii. It is a habitat that is required to provide for the life cycle of a plant or animal that occurs naturally in Otago and has been assessed as having a regional threatened conservation status including Regionally Critical, Endangered and Vulnerable and Serious and Gradual Decline</u> OR</p> <p><u>iii It is a habitat that is required to provide for the life cycle of a plant or animal that occurs naturally in Otago and has been assessed by a nationally or internationally recognised assessment process (e.g., NZTCS, IUCN) and determined to have a threatened conservation status including Critical, Endangered, or Vulnerable.</u> OR</p> <p><u>iv. It is a habitat that occurs naturally in Otago and is required to provide for the life cycle of a marine animal that is listed as a Protected Species in Schedule 7A of the Wildlife Act (1953);</u>OR</p> <p><u>v It is an indigenous marine habitat or ecosystem that occurs naturally in Otago and has been assessed by the regional council or other national assessment process to be threatened based on evidence and expert advice.</u> OR</p> <p><u>vi. It is an indigenous vegetation or habitat of indigenous</u></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------|---------------|---------------------|---|
| | | | <p>fauna that occurs within an indigenous coastal ecosystem as identified in NZCPS Policy 11b(iii) as being particularly vulnerable to modification.</p> <p>c.UNIQUENESS OR DISTINCTIVENESS: <u>SUB-CRITERIA</u> i. It is habitat for a marine plant or animal that is endemic or near-endemic to the Otago region OR ii. It is an indigenous ecosystem that is endemic to the Otago region or supports ecological assemblages, structural forms or unusual combinations of species that are endemic to the Otago region. OR iii. It is a habitat that supports occurrences of a plant, animal or fungi that are the largest specimen or largest population of the indigenous species in Otago or New Zealand</p> <p>d.DIVERSITY: <u>SUB-CRITERIA</u> i. It is an intact habitat sequence extending across an environmental gradient, and including both floral and faunal habitat components; OR ii. It includes a large number of intertidal and/or subtidal habitats; OR iii. It is a habitat type that supports a high species richness for its type.</p> <p>e.STEPPING STONES, BUFFERS AND MIGRATION PATHWAYS: <u>SUB-CRITERIA</u> i. It is a site which makes an important contribution to the resilience and ecological integrity of surrounding areas. OR ii. It is part of a network of sites that cumulatively provide important habitat for indigenous fauna or when aggregated make an important contribution to ecological function and integrity; OR iii. It is an example of an indigenous ecosystem, or habitat of indigenous fauna that is used by key species permanently or intermittently for an essential part of their life cycle, including migratory pathways, roosting or feeding areas; OR</p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------|---------------|---------------------|---|
| | | | <p>iv. It is an <u>example of an ecosystem, indigenous vegetation or habitat of indigenous fauna, that is immediately adjacent to, and provides protection for, indigenous biodiversity in an existing protected natural area (established for the purposes of biodiversity protection for either terrestrial or marine protection) or an area identified as significant under the 'threat status and rarity' or 'uniqueness' criteria.</u></p> <p>f. REPRESENTATIVENESS: SUB-CRITERIA</p> <p>i. <u>It is an example of an indigenous marine ecosystem (including both intertidal and subtidal habitats, and including both faunal and floral components) that makes up part of at least 10% of the natural extent of each of Otago's original marine ecosystem types and reflecting the environmental gradients of the region; AND</u></p> <p>ii <u>It is an example of an indigenous marine ecosystem, or habitat of indigenous marine fauna (including both intertidal and subtidal habitats, and including both faunal and floral components), that is characteristic or typical of the natural marine ecosystem diversity of the Otago region; OR</u></p> <p>iii <u>It is a habitat that is important to indigenous species of Otago, either seasonally or permanently, including for migratory species and species at different stages of their life cycle (and including refuges from predation, or key habitat for feeding, breeding, spawning, roosting, resting, or haul out areas for marine mammals); OR</u></p> <p>iv. <u>It is an ecosystem that contains an intact ecological sequence across an environmental gradient (e.g., intact intertidal vegetation sequence including seagrass, saltmarsh, and terrestrial coastal vegetation); OR</u></p> <p>v. <u>It is an ecosystem that contains a large number of marine habitat types, with the full range of habitats represented that is typical for that depth and exposure within the Otago region; OR</u></p> <p>vi. <u>It is a habitat or ecosystem of particular importance for indigenous or migratory species</u></p> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|-----------------|--|--|---|
| New Schedule XX | New Schedule XX Biodiversity offsetting | A new schedule is required to set out a framework and principles for biodiversity offsets as referred to in suggested new policy 4.5.7 which replaces current proposed policies 4.5.7 and 4.5.8. | <p>Include the following new schedule:</p> <p><u>Schedule XX Biodiversity Offsetting</u> <u>The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the NZ government Guidance on Good Practice Biodiversity Offsetting in New Zealand. August 2014 (or any successor document):</u></p> <ol style="list-style-type: none"> <u>1. Restoration, enhancement and protection actions will only be considered a biodiversity offset where they are used to offset the anticipated residual effects of activities after appropriate avoidance, minimisation, remediation and mitigation actions have occurred as per the policies in B4.3.4, i.e. not in situations where they are used to mitigate the adverse effects of activities.</u> <u>2. Restoration, enhancement and protection actions undertaken as a biodiversity offset are demonstrably additional to what otherwise would occur, including that they are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity</u> <u>3. Offset actions should be undertaken close to the location of development, where this will result in the best ecological outcome.</u> <u>4. The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity, so that the overall result is no net loss, and preferably a net gain in ecological values.</u> <u>5. The offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost.</u> <u>6. As far as practicable, the positive ecological outcomes of the offset last at least as long as the impact of the activity, and preferably in perpetuity. Adaptive management responses should be incorporated into the design of the offset, as required to ensure that the positive ecological outcomes are maintained over time.</u> |

| RPS REF | RPS PROVISION | POSITION AND REASON | RELIEF SOUGHT |
|---------|---------------|---------------------|--|
| | | | <p><u>7. The biodiversity offset should be designed and implemented in a landscape context – i.e. with an understanding of both the donor and recipient sites role, or potential role in the ecological context of the area.</u></p> <p><u>8. The consent application identifies the intention to utilise an offset, and includes a biodiversity offset management plan that:</u></p> <ul style="list-style-type: none"> <u>i. sets out baseline information on indigenous biodiversity that is potentially impacted by the proposal at both the donor and recipient sites</u> <u>ii. demonstrates how the requirements set out in this appendix will be addressed,</u> <u>iii. identifies the monitoring approach that will be used to demonstrate how the matters set out in this appendix have been addressed, over an appropriate timeframe.</u> <p><u>(While this appendix sets out a framework for the use of biodiversity offsets in Otago, many of the concepts are also applicable to mitigation actions i.e. where an overall outcome of no net loss (and preferably a net gain) in biodiversity values cannot be ensured but restoration and protection actions will be undertaken.)</u></p> |