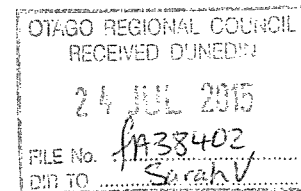


Submission on the Proposed Otago Regional Policy Statement

Sent via email to: Otago Regional Council: rps@orc.govt.nz



Submitter: Water Tight Investments Ltd

Submission: This submission contains two appendices. Appendix 2, which is provided in a table format, lists the decisions requested in this submission. Appendix 1 provides a summary of reasons for amending the Proposed Regional Policy Statement (PRPS). In summary, it is requested that each provision in the PRPS be retained as notified except for the amendments shown in Appendix 2.

Hearings & Meetings: Water Tight Investments Ltd is willing to participate in pre-hearing meetings (if held) and speak at any relevant hearing.

Address for service: John Edmonds + Associates Ltd

Email: reception@jea.co.nz

Phone: 03 450 0009

Date: 24 July 2015

Appendix 1 – Reasons for amendments to the PRPS

Numerous amendments to the PRPS are being requested, as listed in Appendix 2. The following provides a summary of the reasons for these requested amendments:

General

1. The PRPS contains unnecessary or ambiguous text which should be deleted. To provide clearer direction and strengthen the applicability of the PRPS, various provisions are sought to be deleted because they are not necessary, including all “need” statements provided in each chapter overview, Method 7, any text that begins with “Including”, and all “may methods”. There would be significant efficiency gains in removing unnecessary provisions and producing a more succinct document.
2. The PRPS should be focused on resource management issues of regional significance. Accordingly, numerous amendments have been sought to ensure the provisions in the PRPS are targeted at this regional overarching level without interfering with local resource management issues that are not of regional significance. It is submitted that regional issues include natural resource management issues and those land use issues that traverse territorial boundaries and would therefore benefit from a regionally integrated approach. Where the RPS delves into local matters there is the risk of efficiencies arising from added assessment requirements, inconsistent policies for resource consents and requirements to amend District Plans to achieve consistency.
3. Various amendments are requested to ensure the PRPS reflects the direction provided in Part 2 of the RMA, particularly in terms of protecting matters of national importance from inappropriate subdivision, use and development. Currently, the PRPS fails to correctly provide for subdivision, use and development that may be appropriate even when matters of national importance are adversely affected. It is submitted that for the RPS to phrase resource management issues, objectives, policies and methods differently from Part 2 of the RMA, the Section 32 analysis needs to set out how and why Otago is regionally distinctive in a manner which would justify a different test being applied.

Schedule 3 – Significance Threshold Criteria

4. The practicality of applying Schedule 3 efficiently is very questionable. It is not clear from the Section 32 evaluation where this criteria originated, and the efficiency and effectiveness of the Schedule was not evaluated as part of the section 32 evaluation. We are concerned the criteria provided is insufficient to capture the variable environmental conditions required to be taken into account when determining if an adverse effect is significant. The criteria are set out in broad general terms that are therefore unhelpful, and that are inconsistent with case law. We have requested this schedule be deleted. If the Schedule is not deleted we have requested additional criteria be included to ensure other relevant factors will be taken into account when determining if an adverse effect is significant.

Cross boundary issues

5. A number of amendments are sought to improve the way resources are managed complementary across administrative boundaries and environmental effects of activities on the whole of a resource are considered.

Significant Infrastructure

6. Significant infrastructure should be specifically defined, recognised and provided for in the PRPS.

Significant Economic Industry Activities

7. Significant Industry Activities in Otago (tourism and primary production) should be defined, recognised and provided for. The rural provisions in the PRPS are too focused on recognising and providing for the primary production sector, with not enough recognition of and provision for the tourism sector.
8. Issue 4.3 (and related objectives policies) should be rephrased to avoid implying that existing activities should always be prioritised. For example, when an area is rezoned, it is appropriate to find that existing uses are no longer optimal for a site.

Urban Growth

9. The section 32 analysis supporting the case for urban growth boundaries is weak and fails to appropriately evaluate whether the objectives are appropriate to give effect to the purpose of the Act, particularly in the context of the shortage of land supply addressed below, and the implications of this for enabling people and communities to provide for the well-being, health and safety. The section 32 analysis also fails to comprehensively assess the benefits and costs of the policies, nor properly identify reasonably practicable alternatives.
10. Otago lacks complex cross boundary issues between territorial authorities with respect to urban areas, which have helped justify growth boundaries in RPSs in the past in larger metropolitan areas. It is therefore questioned whether urban growth is a regional issue and therefore the extent to which the RPS should provide policy direction on this matter.
11. Currently, the PRPS does not adequately address the issue of the shortage of zoned land supply. We seek amendments to recognise the issue of the shortage of land supply required for urban growth and housing in some places in the region, particularly Queenstown.
12. The rationale for “10 years” of supply for urban growth is unclear. Planning only for 10 years of supply is inconsistent with case law. It is not clear how it should be measured or whether 10 years’ of capacity would be sufficient. Sufficient land to cater for growth is extremely important to the economic and social wellbeing of communities. It would be more useful to compel territorial authorities in high growth areas to undertake studies of demand for land across various sectors and of the amount of zoning necessary to service that demand in a manner which prevents significant supply shortages.

13. The PRPS favours the protection of highly valued soils over urban growth and development. This is not appropriate for all rural parts of the region.
14. "Avoiding" additional costs of infrastructure provision is far too high a requirement. Higher infrastructure costs may well be appropriate when there is a net benefit to the community in rezoning an area (for example where zoned land supply is increased to meet demand). Territorial authorities, who are well attuned to the costs of infrastructure provision, should be well placed to make such assessments without direction from an RPS. It would be useful also to clarify that relevant costs are those borne by the community.
15. "Considering the need for urban growth boundaries" (in policy 3.8.1) would be best dropped to a method, if retained at all. Territorial authorities can use a variety of methods to manage growth whether they are through setting out spatially defined growth boundaries, establishing objective and policy frameworks for assessing proposed urban extensions, providing zoning or using rates and contributions as incentives. It is not appropriate that the RPS specify a method in this manner.
16. Referencing to staging and limiting the release of land in policy 3.8.2 do not reflect the realities of urban development and does not represent an efficient use of resource, nor an effective means of controlling effects. Whether and how growth occurs cannot be entirely predicted and attempts to highly regulate the release of urban land for urban development are most likely to result in greater community costs than benefits in high growth areas. Such approaches may result in insufficient supply of land for urban growth which can result in significant adverse economic and social effects. If policy 3.8.2 is to be retained, it needs modifying. The words "as detailed in Schedule 8" should be deleted for several reasons. It is inconsistent with the glossary which states that urban growth areas are as defined in a District Plan (which is a more appropriate method). There would be significant inefficiencies in detailing growth boundaries in an RPS, including that a private plan change cannot apply to change an RPS. It is not appropriate for the regional council to become embroiled in urban growth management at a local level in Otago, and there are risks that the RPS will not be able to adapt quick enough to accommodate growth which achieves the purpose of the Act.

Schedule 6

17. Schedule 6 is unlikely to serve a useful purpose and the efficiency and effectiveness, costs and benefits of it and the detailed urban design principles it set outs, were not assessed at all in the section 32 evaluation. While it may have some use if this became for Otago an agreed exhaustive list of urban design matters, in reality there are likely to continue to be other references to principles of urban design such as the urban design protocol and those matters set out in District Plans. The effect of having Schedule 6 is therefore likely to be adding substantially to the assessment requirements of plan changes and resource consents, often in duplication of other similar assessments for little added benefit, and possibly to the detriment of good urban design for specific sites. Schedule 6 is best deleted.

Natural Hazards

18. “Avoidance” of natural hazards needs to be widened to “avoid, remedy or mitigate”. It is consistent with case law and the RMA for a residual level of risk to be acceptable, particularly in hazard prone areas such as the Queenstown Lakes District. For example, designing to a 100 year level flood may be appropriate, but it would often not be reasonable to design to a 1000 year event or greater (which “avoidance” may imply).

Contaminated Land

19. Avoiding the creation of new contaminated land may not always be appropriate or practical. The emphasis should be on avoiding risks to human health or the environment. To provide an example, in remediating contaminated land it may be appropriate to move soil to another location. That location may receive a level of contamination, but this may be appropriate given where it is situated and how that land is to be used.

Offsetting effects on indigenous biodiversity

20. The appropriateness of policy 4.5.7 – is questioned. The fact that policy 4.5.8 requires no net loss of biodiversity should provide sufficient protection. It is further noted that offsetting is considered when effects cannot be avoided remedied or mitigated – offsetting has been used as a form of mitigation and sometimes compensation where mitigation is not possible. If the policy is retained, this should be clarified and the policy corrected.

Outstanding Natural Landscapes and Features

21. The importance of managing development and subdivision in outstanding natural landscapes and features is not disputed. However it is submitted that the balance of these values with other important values as set out in the RMA could be disrupted if amendments to proposed RPS provisions, including policies 2.2.3 and 2.2.4 are not made. For example, it has been accepted for good reason that ski fields are appropriate to locate in alpine environments that may otherwise be considered outstanding natural landscapes. Ensuring that such businesses can continue to operate and provide an important recreational and economic resource to Otago’s communities should be borne in mind in formulating RPS policy. Amendments are requested in Appendix 2.
22. With respect to Policy 2.2.3 and Schedule 4, these matters are now well set out by case law and District Plans. Introducing Schedule 4 risks inefficiencies, particularly if any part is inconsistent with how such assessments are normally carried out. If they are consistent, the RPS would seem to be adding little in this respect. Schedule 4 is best deleted.

Special amenity landscapes

23. The PRPS affords special amenity landscapes a level of status and protection that is not consistent with sustainable management. Sustainable management will not be achieved by seeking to protect these areas from development or avoiding adverse effects from development in these areas. Doing so will frustrate efficient use and development of resources and worst case could prevent it. Rather, sustainable management will be

achieved by ensuring these regionally significant, but not outstanding, landscape values are identified and managed to maintain and enhance amenity values and the quality of the local environment.

24. We are concerned about the introduction of the term Special Amenity Landscapes. While it is acknowledged that it is desirable to align District Plan policy frameworks where landscapes traverse territorial authority boundaries, there is a considerable risk of different criteria being applied to those contained within settled or proposed District Plans. This risks giving rise to significant inefficiencies including slowing the consideration of forthcoming District Plan reviews until the RPS has been settled and complexities in resource consent assessments. This concern also applies to Schedule 4, which proposes criteria which would apply to all landscape assessments.
25. Wording is recommended in Appendix 2 for how these landscape policies could be reworded. This includes a policy on the need to consider cross boundary issues for landscape matters. It is submitted that this can be an equally effective and significantly more efficient way in which to manage the occasional proposals that give rise to such matters.
26. The implications of policies such as Policy 2.2.4 need to be carefully considered. It is important to recognise that, arguably, most of those parts of the Queenstown Lakes District that are not Outstanding Natural Landscapes could fall within this category. Amendments are requested in Appendix 2 to make it clear that such environments are living environments where day to day activities need to be carried out. By way of example, it is noted that the current Queenstown Lakes District Plan which has a strong landscape management focus allows for appropriately managed and located urban growth and resort style developments in those areas classified as “visual amenity landscapes”. The economic and social wellbeing of communities could be adversely affected by the RPS indicating that such activities may no longer be appropriate.

Glossary

27. To reduce ambiguity and enable more efficient implementation of the PRPS, we have requested the inclusion of the following new definitions: Define Significant infrastructure; Significant Community Facility; Urban; Regionally Significant Soil Resources; Regionally Significant Industry Activity; Hard mitigation measures. We have also sought clarification about the difference between “kai tahu” and “Ngai Tahu”.
28. A single Glossary containing both English and Te Reo terms is requested, not two separated sections which is unnecessary.

Appendix 2 – Table of requested amendments

No	Requested Amendment	
	Whole Document	
1	-	Retention of all provisions in the PRPS, as notified, except as requested in this table to be deleted or amended.
2	-	Any consequential or other amendment required to give effect, or like effect, to any matter raised in this submission.
3	-	<p>Deletion of or amendments to any text in the PRPS that:</p> <ul style="list-style-type: none"> • Is duplicated within document; • Is vague or ambiguous; • Duplicates the RMA or other statutory documents, including any provision stated in the RMA (provisions should be referenced but not quoted), and any definition already defined in the RMA or other legislation; and • Is not required by section 62 of the RMA or is not an active directive (for example the “need” statements provided in each chapter overview, Method 7, any text that begins with “Including”, and all “may methods”).
4	Objective 1.1: The principles of Te Tiriti o Waitangi are identified and taken into account in resource management decisions	
5	<i>Issue</i>	The principles of Te Tiriti o Waitangi are not formally codified and in many cases refer to broad concepts that need further exploration when applied to specific circumstances. This can make it challenging to effectively incorporate the principles of the Treaty into planning documents, as these principles are not formally codified in any way
6	<i>Need</i>	Te Tiriti o Waitangi creates a special relationship between takata whenua and the Crown. The RMA requires local authorities to take the principles of Te Tiriti o Waitangi into account, and have particular regard to kaitiakitaka. Local authorities need to find a way to give effect to these principles that ensures they are properly applied, and that accounts for the effects of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans
7	Policy 1.1.1	<p><u>Promoting awareness of treaty obligations</u> Promote awareness and understanding of local authorities’ obligations regarding the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori</p>
8	Policy 1.1.2	<p><u>Identifying and taking the principles of Te Tiriti o Waitangi into account</u> Ensure that local authorities exercise their functions and powers, <u>to take into account the principles of Te Tiriti o Waitangi identified in Appendix 1A by:</u></p> <ol style="list-style-type: none"> a) <u>Providing</u> Access Kāi Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and b) <u>Involving</u> Kāi Tahu in resource management decision-making processes and implementation; and c) <u>Taking</u> into account Kāi Tahu views in resource management decision-making processes and implementation, particularly regarding the relationship of their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka; and d) <u>Ensuring</u> Kāi Tahu have the prerogative to: <ol style="list-style-type: none"> i. <u>Identifying</u> their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; and ii. <u>Determining</u> how best to express that relationship; and e) <u>Ensuring</u> Kāi Tahu are able to exercise kaitiakitaka; and f) <u>Ensuring</u> that district and regional plans: <ol style="list-style-type: none"> i. <u>Giving</u> effect to the Ngāi Tahu Claims Settlement Act 1998; and ii. <u>Recognising</u> and <u>providing</u> for statutory acknowledgement areas, as detailed in Schedule 2; and iii. <u>Providing</u> for other areas in Otago that are recognised as significant to Kāi Tahu in a manner similar to that prescribed for statutory acknowledgement areas.
9	Objective 1.2: Kāi Tahu values, rights and customary resources are identified and sustained	
10	<i>Issue</i>	Historically, decision makers have had difficulty understanding the takata whenua point of view. Some places, sites and values of cultural, spiritual or historic significance to takata whenua have been destroyed or degraded. Sometimes, no access is available to important sites. Sometimes, it has been difficult to use Māori land for the purposes for which it was originally granted.
11	<i>Need</i>	The RMA requires local authorities to recognise and provide for the relationship of Māori and their

No	Requested Amendment	
		culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka. In managing our natural resources, local authorities need to recognise Kāi Tahu values and plans more effectively, and enable the exercise of customary rights
12	Policy 1.2.1	<u>Managing the natural environment to support Kāi Tahu wellbeing</u> Manage the natural environment to support Kāi Tahu wellbeing by: a) Ensuring <u>sustainable management of resources supports their</u> customary uses and cultural values (as detailed in Schedules 1A and B); and b) <u>Safe-guarding the life-supporting capacity of natural resources.</u>
13	Policy 1.2.2	<u>Recognising important sites of cultural significance to Kāi Tahu</u> Recognise wāhi tūpuna, including sites and landscapes of cultural significance to Kāi Tahu such as wāhi tapu and other elements, as detailed in Schedule 1C.
14	Policy 1.2.3	<u>Protecting important sites and values of cultural significance to Kāi Tahu</u> Protect important values, as detailed in schedules 1A and B, and sites of cultural significance to Kāi Tahu as detailed in Schedule 1C by: a) <u>Avoiding significant adverse effects from inappropriate subdivision, uses and development on those values and sites, as detailed in Schedule 3; and</u> b) <u>Avoiding remedying or mitigating other adverse effects on those values and sites; and</u> c) <u>Managing those values and sites in a culturally appropriate manner.</u>
15	Policy 1.2.4	<u>Enabling Kāi Tahu relationships with wāhi tupuna and associated sites</u> Enable Kāi Tahu relationships with wāhi tupuna and associated sites by: a) <u>Facilitating Kāi Tahu access to sites of cultural significance; and</u> b) <u>Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna; and</u> c) <u>Recognising traditional place names.</u>
16	Policy 1.2.5	<u>Enabling sustainable use of Māori land</u> Enable Kāi Tahu to protect, develop and use land within native reserves in a way consistent with their culture and traditions, and economic, cultural and social aspirations, including for papakāika, marae and marae related activities, while: a) <u>Avoiding adverse effects on the health and safety of people; and</u> b) <u>Avoiding significant adverse effects from inappropriate development on matters of national importance; and</u> c) <u>Assessing the significance of adverse effects on these matters and values, as detailed in Schedule 3; and,</u> d) <u>Remedying or mitigating other adverse effects on other values.</u>
17	Objective 2.1: The regionally significant values of Otago's natural and physical resources are recognised and protected from inappropriate subdivision, use and development, maintained and enhanced	
18	<i>Issue</i>	Degradation of <u>natural</u> values and natural systems risks loss of complexity, which in turn jeopardises the life sustaining capacity of the environment, and the ecosystem services provided to the community. Knowledge of these systems and their interdependencies is often imperfect. Cumulative effects of human activities on the <u>natural</u> environment may be difficult to pinpoint initially, but over time will <u>can</u> cause serious damage.
19	<i>Need</i>	We need to know enough about the many values and characteristics of Otago's natural and physical resources, and the ecosystem services they provide for us, to be able to manage the effects of human activities on the environment's life supporting capacity adequately.
20	Policy 2.1.1	<u>Managing for freshwater values</u> Recognise <u>regionally significant</u> freshwater values, and manage freshwater, to: a) Support healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and b) Retain the range and extent of habitats provided by freshwater; and c) Protect outstanding water bodies and wetlands <u>from inappropriate subdivision, use and development</u> ; and d) Protect migratory patterns of freshwater species <u>from inappropriate subdivision, use and development</u> , unless detrimental to indigenous biodiversity; and e) Avoid aquifer compaction, and seawater intrusion in aquifers; and f) Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded; and g) Maintain or enhance coastal values supported by freshwater values; and h) Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and i) Retain the quality and reliability of existing drinking water supplies; and j) Protect Kāi Tahu values <u>from inappropriate subdivision, use and development</u> ; and

No	Requested Amendment	
		k) Provide for other cultural values, <u>as identified in Schedule 1A</u> ; and l) Protect important recreation values <u>from inappropriate subdivision, use and development</u> ; and m) Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and n) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and o) Mitigate the adverse effects of natural hazards, including flooding and erosion; and p) Maintain the ability of existing infrastructure to operate within their design parameters.
21	Policy 2.1.2	<u>Managing for the values of beds of rivers and lakes, wetlands, and their margins</u> Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to: a) Protect or restore their natural functioning; and b) Protect outstanding water bodies and wetlands <u>from inappropriate subdivision, use and development</u> ; and c) Maintain good water quality, or enhance it where it has been degraded; and d) Maintain ecosystem health and indigenous biodiversity; and e) Retain the range and extent of habitats supported; and f) Maintain or enhance natural character; and g) Protect Kāi Tahu values <u>from inappropriate subdivision, use and development</u> ; and h) Provide for other cultural values, <u>as identified in Schedule 1A</u> ; and i) Maintain their aesthetic and amenity values; and j) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and k) Mitigate the adverse effects of natural hazards, including flooding and erosion; and l) Maintain bank stability.
22	Policy 2.1.3	<u>Managing for coastal water values</u> Recognise coastal water values, and manage coastal water, to: a) Support healthy coastal ecosystems; and b) Retain the range of habitats provided by the coastal marine area; and c) Protect migratory patterns of coastal water species <u>from inappropriate subdivision, use and development</u> , unless detrimental to indigenous biodiversity; and d) Maintain coastal water quality, or enhance it where it has been degraded; and e) Maintain or enhance coastal values; and f) Protect Kāi Tahu values; and g) Provide for other cultural values, <u>as identified in Schedule 1A</u> ; and h) Protect important recreation values <u>from inappropriate subdivision, use and development</u> ; and i) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.
23	Policy 2.1.4	<u>Managing for air quality values</u> Recognise air quality values, and manage air quality, to: a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded; and b) Protect Kāi Tahu values <u>from inappropriate subdivision, use and development</u> ; and c) Maintain other cultural, aesthetic and amenity values.
24	Policy 2.1.5	<u>Managing for soil values</u> Recognise soil values <u>that are of a regional significance</u> , and manage <u>those soils</u> , to: a) Maintain their life supporting capacity; and b) Maintain soil biodiversity; and c) Maintain biological activity in soils; and d) Maintain soil's function in the storage and cycling of water, nutrients, and other elements through the biosphere; and e) Maintain soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and f) Retain <u>Ensure the primary use of regionally significant soil resources is for primary production purposes</u> ; and g) Protect Kāi Tahu values <u>from inappropriate subdivision, use and development</u> ; and h) Provide for other cultural values, <u>as identified in Schedule 1A</u> ; and i) Maintain the soil mantle where it acts as a repository of heritage objects; and j) Maintain highly valued soil resources; and k) Avoid contamination of soil <u>from inappropriate subdivision, use and development</u> ; and l) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.
25	Policy 2.1.6	<u>Managing for ecosystem and indigenous biodiversity values</u> Recognise the values of ecosystems and indigenous biodiversity, and manage ecosystems and indigenous biodiversity, to: a) Maintain or enhance ecosystem health and indigenous biodiversity; and

No	Requested Amendment	
		b) Maintain or enhance areas of predominantly indigenous vegetation; and c) Buffer or link existing ecosystems; and d) Protect important hydrological services, including the services provided by tussock grassland; and e) Protect natural resources and processes that support indigenous biodiversity from inappropriate subdivision, use and development ; and f) Maintain habitats of indigenous species that are important for recreational, commercial, cultural or customary purposes; and g) Protect biodiversity significant to Kāi Tahu from inappropriate subdivision, use and development ; and h) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.
26	Policy 2.1.7	<u>Recognising the values of natural features, landscapes, and seascapes</u> Recognise the values of natural features, landscapes, seascapes and the coastal environment are derived from the following attributes, as detailed in Schedule 4: a) Biophysical attributes, including: i. Natural science factors; ii. The presence of water; iii. Vegetation (indigenous and introduced); iv. The natural darkness of the night sky; b) Sensory attributes, including: i. Legibility or expressiveness; ii. Aesthetic values; iii. Transient values, including nature's sounds; iv. Wild or scenic values; c) Associative attributes, including: i. Whether the values are shared and recognised; ii. Cultural and spiritual values for Kāi Tahu; iii. Historical and heritage associations.
27	Policy 2.1.8	<u>Recognising the values of natural character in the coastal environment</u> Recognise the values of natural character in the coastal environment are derived from the following attributes: a) Natural elements, processes and patterns; b) Biophysical, ecological, geological and geomorphological aspects; c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks; d) The natural movement of water and sediment; e) The natural darkness of the night sky; f) Places or areas that are wild or scenic; g) A range of natural character from pristine to modified; h) Experiential attributes, including the sounds and smell of the sea; and their context or setting.
28	Objective 2.2 Otago's significant and highly valued natural resources are identified, and protected or enhanced to maintain their distinctiveness	
29	<i>Issue</i>	Otago has a distinct range of outstanding natural features, landscapes, seascapes, indigenous biodiversity, water bodies and soil which have intrinsic value and help to create the region's identity and support the region's wellbeing. These highly valued resources risk becoming degraded if they are not adequately protected from inappropriate subdivision, use and development . In turn, resource degradation reduces the attractions Otago can offer to tourists, residents and businesses, and could lead to wider adverse economic impacts
30	<i>Need</i>	It is a matter of national importance to recognise and provide for natural resources systems and processes. We need to recognise the importance of these matters in sustaining Otago's economic advantage and quality of life.
31	Policy 2.2.1	<u>Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna</u> Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna, using the attributes detailed in Schedule 5.
32	Policy 2.2.2	<u>Managing significant indigenous vegetation and significant habitats of indigenous fauna</u> Protect and enhance Manage subdivision, use and development that affects the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by: a) Avoiding adverse effects on those values which contribute to which will result in the area or habitat losing its being significant status ; and b) Avoiding significant adverse effects from in appropriate subdivision, use and development on other values of the area or habitat; and

No	Requested Amendment	
		<p>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and d) Remediating, when adverse effects cannot be avoided; and e) Mitigating where adverse effects cannot be avoided or remediated; and f) Encouraging enhancement of those areas and values.</p>
33	Policy 2.2.3	<p><u>Identifying outstanding natural features, landscapes and seascapes</u> Identify areas and values of outstanding natural features, landscapes and seascapes, using the attributes as detailed in Schedule 4.</p>
34	Policy 2.2.4	<p><u>Managing outstanding natural features, landscapes, and seascapes</u> Protect, enhance and restore. Manage subdivision, use and development that affects the values of outstanding natural features, landscapes and seascapes, by: a) Avoiding adverse effects on those values which contribute to which will result in the loss of the significance of the natural feature, landscape or seascape; and b) Avoiding, remedying or mitigating other adverse effects on other values; and c) Assessing the significance of adverse effects from inappropriate use and development on values, as detailed in Schedule 3; and d) Recognising and providing for positive contributions of existing introduced species to those values; and e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those areas and values. g) <u>Recognising that appropriately designed and managed recreational activities in such locations can be appropriate, and can entail community benefits such as the enjoyment of landscape values</u> h) <u>Recognising that when activities have a functional need to locate within such places and emphasis on mitigating or remedying adverse effects rather than avoiding them may be appropriate.</u></p>
35	Policy 2.2.5	<p><u>Identifying special amenity landscapes and highly valued natural features</u> Identify areas and values of special amenity landscape or natural features which are highly valued for their contribution to the amenity or quality of the environment, but which are not outstanding, using the attributes detailed in Schedule 4.</p>
xx	<u>New policy</u>	<p><u>Managing cross boundary landscape effects</u> Promote alignment of District Plans and integrated assessments of environmental effects when assessing landscape values and effects in landscapes which traverse territorial authority boundaries.</p>
36	Policy 2.2.6	<p><u>Managing special amenity landscapes and highly valued natural features</u> Protect or enhance the values of. Manage special amenity landscapes and highly valued natural features, by: a) Avoiding, remedying or mitigating significant adverse effects on those values which contribute to the special amenity of the landscape or high value of the natural feature; and b) Avoiding, remedying or mitigating other adverse effects on other values; and c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and d) Recognising and providing for positive contributions of existing introduced species to those values; and e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those values. g) <u>Recognising and providing for the use of such resources including as places where productive activities, tourism, recreation, infrastructure, homes and work places are located.</u> h) <u>allowing values to adapt over time as communities and economies change</u></p>
37	Policy 2.2.7	<p><u>Identifying the landward extent of the coastal environment</u> Identify the landward extent of the coastal environment, using the following criteria: a) Area or landform dominated by coastal vegetation or habitat of indigenous coastal species; and b) Landforms and the margins of landforms where active coastal processes, influences or qualities are significant; and c) Any landscapes or features, including coastal escarpments, which contribute to the natural character, visual quality or amenity values of the coast; and 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 e) The relationship of takata whenua with the coastal environment.</p>

No	Requested Amendment	
38	Policy 2.2.8	<p><u>Identifying areas of high and outstanding natural character in the coastal environment</u> Identify areas and values of high and outstanding natural character in the coastal environment, using the attributes detailed in Policy 2.1.8.</p>
39	Policy 2.2.9	<p><u>Managing the natural character of the coastal environment</u> Preserve or enhance the natural character values of the coastal environment, by: a) Avoiding adverse effects of activities on natural character in areas of the coastal environment with on those values which contribute to the outstanding natural character of an area; and b) Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural character in all other areas of the coastal environment on these values which contribute to the high natural character values of an area; and c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and d) Avoiding, remedying or mitigating other adverse effects on other values; and e) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment; and f) Encouraging enhancement of those values; and g) Controlling the adverse effects of pest species, prevent their introduction and reduce their spread.</p>
40	Policy 2.2.10	<p><u>Identifying surf breaks of national importance</u> Recognise the surf breaks of national importance at: a) Karitane; b) Papatowai; c) The Spit; d) Whareakeake.</p>
41	Policy 2.2.11	<p><u>Managing surf breaks of national importance</u> Protect surf breaks of national importance, by: a) Avoiding adverse effects on the natural and physical processes contributing to their existence; and b) Avoiding adverse effects of other activities on access to, and use and enjoyment of, those surf breaks.</p>
42	Policy 2.2.12	<p><u>Identifying outstanding water bodies and wetlands</u> Identify outstanding water bodies and wetlands and their values, using the following criteria: a) A high degree of naturalness; b) Outstanding aesthetic or landscape values; c) Significant takata whenua cultural values; d) Significant recreational values; e) Significant ecological values; f) Significant hydrological values.</p>
43	Policy 2.2.13	<p><u>Managing outstanding water bodies and wetlands</u> Protect Manage subdivision, use and development that affects the values of outstanding water bodies and wetlands by: a) Avoiding significant adverse effects from inappropriate subdivision, use and development, including cumulative effects, on those values which contribute to the water body or wetland being outstanding; and b) Avoiding, remedying or mitigating other adverse effects on the water body or wetland's values; and c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and e) Encouraging enhancement of outstanding water bodies and wetlands.</p>
44	Policy 2.2.14	<p><u>Identifying highly regionally significant valued soil resources</u> Identify areas and values of highly valued regionally significant soil resources, using the following criteria: a) Degree of versatility for primary production; b) Significance for providing pollutant buffering or filtering services; c) Significance for providing water storage or flow retention services; d) Degree of rarity.</p>
45	Policy 2.2.15	<p><u>Managing highly valued regionally significant soil resources</u> Protect the values of areas of highly valued regionally significant soil resources, by: a) Avoiding significant adverse effects from inappropriate subdivision, use and development on those values which contribute to the soil being highly valued regionally significant; and b) Avoiding, remedying or mitigating other adverse effects on values of those soils; and</p>

No	Requested Amendment	
		<p>e) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and</p> <p>d) Recognising that loss of regionally significant soils to urban expansion development may be appropriate near due to location and proximity to existing urban development, and infrastructure particularly when there is a lack of supply of land available for urban development.</p>
46	Objective 2.3: Natural	Systems and interdependencies are recognised and sustained
47	<i>Issue</i>	<p>Natural-Environmental systems and resources are interconnected, complex and difficult to manage in a consistent and effective way. Sometimes, the use of one resource adversely affects the environmental value of another. Sometimes, other relevant legislation results in conflicting management directives. Sometimes, activities affecting a resource are managed by different authorities</p>
48	<i>Need</i>	<p>The RMA requires that resources are managed in an integrated way. Integration among interdependent resources, within resources that span management and administrative unit boundaries, and among different decision-makers will reduce the risk of adverse and unintended consequences arising from a proposal.</p>
49	Policy 2.3.1	<p><u>Applying an integrated management approach among resources</u> Apply an integrated approach to the management of Otago's natural and physical resources, to achieve sustainable management, by:</p> <p>a) Taking into account the impacts of management of one resource on the environmental values of another, or on the environment in general; and</p> <p>b) Recognising that the form and function of a resource may extend beyond the immediate, or directly adjacent, area of interest.</p> <p>c) Ensuring that resource objectives are complementary across administrative boundaries; and</p> <p>d) Ensuring that environmental effects of activities on the whole of a resource are considered when that resource is managed by sub-units.</p>
50	Policy 2.3.2	<p><u>Applying an integrated management approach within a resource</u> Apply an integrated management approach within a natural and physical resource, to achieve sustainable management, by:</p> <p>a) Ensuring that resource objectives are complementary across administrative boundaries; and</p> <p>b) Ensuring that effects of activities on the whole of a resource are considered when that resource is managed by sub-units.</p>
51	Policy 2.3.3	<p><u>Applying an integrated management approach for freshwater catchments</u> Apply an integrated management approach to activities in freshwater catchments, by:</p> <p>a) Using consistent freshwater objectives for interconnected water bodies; and</p> <p>b) Recognising the importance of river morphology, catchment hydrology, natural processes and land cover in supporting catchment values; and</p> <p>c) Coordinating the management of land use and freshwater, to:</p> <p>i. Maintain or enhance freshwater values; and</p> <p>ii. Maintain or enhance the wetland values; and</p> <p>iii. Maintain or enhance the values of beds of rivers and lakes, wetlands, and their margins; and</p> <p>iv. Reduce the potential for health and nuisance effects.</p>
52	Policy 2.3.4	<p><u>Applying an integrated management approach for the coastal environment</u> Apply an integrated management approach to activities in the coastal environment, by:</p> <p>a) Recognising the importance of coastal morphology, coastal processes and land cover in supporting coastal environment values; and</p> <p>b) Coordinating the management of land use, freshwater, and coastal water, to:</p> <p>i. Maintain or enhance coastal values; and</p> <p>ii. Reduce the potential for health and nuisance effects.</p>
53	Policy 2.3.5	<p><u>Applying an integrated management approach for airsheds</u> Apply an integrated management approach to activities that affect air quality, by:</p> <p>a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and</p> <p>b) Co-ordinating the management of land use and air quality, to:</p> <p>i. Maintain or enhance air quality values; and</p> <p>ii. Reduce the potential for adverse health and nuisance effects.</p>
54	<u>New Policy</u>	<p><u>Applying an integrated management approach for significant infrastructure and activities that affect significant infrastructure</u> Apply an integrated management approach to the management of significant infrastructure and activities that affect significant infrastructure, by:</p> <p>a) Promoting consistent corridor management methods throughout the region.</p>
55	Objective 3.1 Protection, subdivision, use and development of natural and physical resources recognises environmental constraints	

No	Requested Amendment	
56	<i>Issue</i>	Activities that utilise resources are undertaken without regard to their local environmental values are at greater risk inappropriately compromising or overreaching the at environment's ability to sustain the activity.
57	<i>Need</i>	We need to manage our activities with regard to constraints to improve our resilience.
58	Policy 3.1.1	<p>Recognising natural and physical environmental constraints Recognise the natural and physical environmental constraints of a resources area, the environmental effects of those constraints on activities utilising those resources, and the environmental effects of those activities on those constraints, including with particular recognition of:</p> <ul style="list-style-type: none"> a) The availability of natural resources necessary to sustain the activity; and b) The ecosystem services the activity is dependent on; and c) The sensitivity of the natural and physical resources to adverse effects from the proposed activity/land use; and d) Exposure of the activity to natural and technological hazard risks; and e) The functional necessity for the activity to be located where there are significant constraints.
59	Objective 3.2 Inappropriate Risk that natural hazards pose to Otago's communities are minimised	
60	<i>Issue</i>	Natural hazard events, such as flooding and earthquakes, have the potential to injure people and damage property. Sometimes, it is difficult and costly for a community to recover from a hazard event.
61	<i>Need</i>	While many of these events are beyond our control, we need to reduce their potential impacts on people's safety, health and wellbeing.
62	Policy 3.2.1	<p>Identifying natural hazards Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence.</p>
63	Policy 3.2.2	<p>Assessing natural hazard likelihood Assess the likelihood of natural hazard events occurring, having regard to a timeframe of no less than 100 years, including by considering:</p> <ul style="list-style-type: none"> a) Hazard type and characteristics; b) Multiple and cascading hazards; c) Cumulative effects, including from multiple hazards with different risks; d) Effects of climate change; e) Using the best available information for calculating likelihood; f) Exacerbating factors.
64	Policy 3.2.3	<p>Assessing natural hazard consequence Assess the consequences of natural hazard events, including by considering:</p> <ul style="list-style-type: none"> a) The nature of activities in the area; b) Individual and community vulnerability; c) Impact on individual and community health and safety; d) Impact on social, cultural and economic wellbeing; e) Impact on infrastructure and property, including access and services; f) Risk reduction and hazard mitigation measures; g) Lifeline utilities, essential and emergency services, and their co-dependence; h) Implications for civil defence agencies and emergency services; i) Cumulative effects; j) Factors that may exacerbate a hazard event.
65	Policy 3.2.4	<p>Managing natural hazard risk Manage natural hazard risk, including with particular regard to:</p> <ul style="list-style-type: none"> a) The risk they posed, considering the likelihood and consequences of natural hazard events; and b) The implications of residual risk, including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures; and c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event; and d) The changing nature of tolerability and risk; and e) Sensitivity of activities to risk.
66	Policy 3.2.5	<p>Assessing activities for natural hazard risk Assess activities in areas known to be subject to an identified natural hazard risk, by considering:</p> <ul style="list-style-type: none"> a) The natural hazard risk identified, including residual risk; and b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods; and c) The long term viability and affordability of those measures; and

No	Requested Amendment	
		<p>d) Flow-on effects of the risk to other activities, individuals and communities; and</p> <p>e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.</p>
67	Policy 3.2.6	<p><u>Avoiding increased natural hazard risk from inappropriate subdivision, use and development</u> Avoid, remedy or mitigate increasing-increased natural hazard risk from inappropriate subdivision, use and development, including by:</p> <p>a) Avoiding activities that significantly increase risk, including displacement of risk off-site; and</p> <p>b) Encouraging design that facilitates:</p> <p>i. Recovery from natural hazard events; or</p> <p>ii. Relocation to areas of lower risk.</p>
68	Policy 3.2.7	<p><u>Reducing existing natural hazard risk</u> Reduce existing natural hazard risk, including particularly by:</p> <p>a) Encouraging activities that:</p> <p>i. Reduce risk; or</p> <p>ii. Reduce community vulnerability; and</p> <p>b) Discouraging activities that:</p> <p>i. Increase risk; or</p> <p>ii. Increase community vulnerability; and</p> <p>c) Considering the use of exit strategies for areas of significant risk; and</p> <p>d) Encouraging design that facilitates:</p> <p>i. Recovery from natural hazard events or</p> <p>ii. Relocation to areas of lower risk; and</p> <p>e) Relocating lifeline utilities, and facilities for essential and emergency service, to areas of reduced risk, where appropriate and practicable; and</p> <p>f) Enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services; and</p> <p>g) Re-assessing natural hazard risk, and community tolerance of that risk, following significant natural hazard events.</p>
69	Policy 3.2.8	<p><u>Applying a precautionary approach</u> Where natural hazard risk is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk.</p>
70	Policy 3.2.9	<p><u>Protecting features and systems that provide hazard mitigation</u> Protect, restore, enhance and promote the use of natural or modified features and systems, which contribute to mitigating the effects of both natural hazards and climate change.</p>
71	Policy 3.2.10	<p><u>Mitigating natural hazards</u> Give preference to risk management approaches that reduce the need for hard mitigation measures or similar engineering interventions, and provide for hard mitigation measures only when:</p> <p>a) Those measures are essential to reduce risk to a level the community is able to tolerate; and</p> <p>b) There are no reasonable alternatives; and</p> <p>c) It would not result in an increase in risk, including displacement of risk off-site; and</p> <p>d) The adverse effects can be adequately managed; and</p> <p>e) The mitigation is viable in the reasonably foreseeable long term.</p>
72	Policy 3.2.11	<p><u>Locating hard mitigation measures</u> Enable the location of hard mitigation measures or similar engineering interventions on public land only when:</p> <p>a) There is significant public or environmental benefit in doing so; or</p> <p>b) The work relates to the functioning ability of significant infrastructure a lifeline utility, or a facility used for essential or emergency services, or a significant community facility.</p>
73	Objective 3.3: Otago's communities are prepared for and able to adapt to the effects of climate change	
74	<i>Issue</i>	Climate change is expected to bring higher sea levels and an increased frequency of climate-related natural hazard events, which will increase the risk that Otago's communities face.
75	<i>Need</i>	We need to have consistent guidance on sea level rise, and managing for adverse effects that will occur beyond the life of this RPS.
76	Policy 3.3.1	<p><u>Adapting to, or mitigating the effects of, sea level rise</u> Ensure Otago's people and communities are able to adapt to, or mitigate the effects of sea level rise, over no less than 100 years, by using:</p> <p>a) A sea level rise of at least 1 metre by 2115, relative to 1990 mean sea level (Otago Metric Datum); and</p> <p>b) Adding an additional 10mm per year beyond 2115.</p>
77	Policy 3.3.2	<u>Adapting to, or mitigating the effects of, climate change</u>

No	Requested Amendment	
		<p>Ensure Otago's people and communities are able to adapt to, or mitigate the effects of climate change, over no less than 100 years, by:</p> <p>a) Taking into account the effects of climate change, including by using the best relevant climate change data; and</p> <p>b) Applying a precautionary approach to assessing the effects of climate change, where there is scientific uncertainty and potentially significant or irreversible effects; and</p> <p>c) Encouraging activities that assist to reduce or mitigate the effects of climate change.</p>
78	Objective 3.4 Good quality infrastructure and services meet community needs	
79	<i>Issue</i>	Aging and sub-standard infrastructure risks creating safety, health and access problems, and as a consequence, threatens community resilience
80	<i>Need</i>	Infrastructure needs to meet community, business, and environmental needs. We need lifeline utilities and essential and emergency services that are able to operate through disruptive events.
81	Policy 3.4.1	<p><u>Integrating infrastructure with land use</u></p> <p>Achieve the strategic integration of infrastructure with land use, by:</p> <p>a) Recognising functional needs of infrastructure of regional or national importance; and</p> <p>b) Designing infrastructure to take into account:</p> <p>i. Actual and reasonably foreseeable land use change; and</p> <p>ii. The current population and projected demographic changes; and</p> <p>iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services; and</p> <p>iv. Natural and physical resource constraints; and</p> <p>v. Effects on the values of natural and physical resources; and</p> <p>vi. Co-dependence with other infrastructural services; and</p> <p>vii. The effects of climate change on the long term viability of that infrastructure; and</p> <p>c) <u>Managing urban growth in a coordinated manner to ensure:</u></p> <p>i. Within areas that have sufficient infrastructure services capacity are provided; or</p> <p>ii. Where infrastructure services can be upgraded or extended efficiently and effectively; and</p> <p>d) <u>Co-ordinating the design and development of infrastructure with the staging of land use change, including with:</u></p> <p>i. Structural design and release of land for new urban development; or</p> <p>ii. Structural redesign and redevelopment within existing urban areas.</p>
82	Policy 3.4.2	<p><u>Managing infrastructure activities</u></p> <p>Manage infrastructure activities, to:</p> <p>a) Maintain or enhance the health and safety of the community; and</p> <p>b) Reduce <u>Avoid, remedy or mitigate</u> adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and</p> <p>c) Support economic, social and community needs activities; and</p> <p>d) Improve efficiency of use of natural resources; and</p> <p>e) Protect infrastructure corridors for infrastructure needs from inappropriate subdivision, use and development, now and for the future; and</p> <p>f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and</p> <p>g) Protect the functioning of <u>significant infrastructure lifeline utilities</u> and essential or emergency services.</p>
83	Policy 3.4.3	<p><u>Designing lifeline utilities significant infrastructure and facilities for essential or emergency services</u></p> <p>Design lifeline utilities <u>significant infrastructure, and facilities for essential or emergency services,</u> to:</p> <p>a) Maintain their ability to function to the fullest extent possible, during and after natural hazard events; and</p> <p>b) Take into account their operational co-dependence with other lifeline utilities and essential services to ensure their effective operation.</p>
84	Policy 3.4.4	<p><u>Managing hazard mitigation measures, lifeline utilities significant infrastructure, and essential and emergency services</u></p> <p>Protect the functioning of hazard mitigation measures, lifeline utilities, and essential or emergency services, including by:</p> <p>a) Restricting the establishment of those activities that may result in reverse sensitivity effects; and</p> <p>b) Avoiding significant adverse effects on those measures, utilities or services; and</p> <p>c) Avoiding, remedying or mitigating other adverse effects on those measures, utilities or services; and</p> <p>d) Assessing the significance of adverse effects on those measures, utilities or services, as detailed in Schedule 2; and</p>

No	Requested Amendment	
		<p>e) Maintaining access to those measures, utilities or services for maintenance and operational purposes; and</p> <p>f) Managing other activities in a way that does not foreclose the ability of those mitigation measures, utilities or services to continue functioning.</p>
85		<p>Objective 3.5: Significant Infrastructure of regional and national significance is recognised and provided for managed in a sustainable way</p>
86	<i>Issue</i>	<p>It is important to recognise and provide for Significant Infrastructure, of regional and national significance even though it may result in local adverse environmental effects/impacts, or adversely affect other nationally important values. Some infrastructure can only be located in particular areas, and it may not always be possible to avoid significant adverse effects.</p>
87	<i>Need</i>	<p>We need infrastructure of regional and national significance that operates efficiently and effectively, and recognises other values, including local impacts.</p>
88	Policy 3.5.1	<p>Recognising national and regional and providing for significance of infrastructure Recognise and provide for the national and regional significance of the following infrastructure:</p> <ul style="list-style-type: none"> a) Renewable electricity generation facilities, where they supply the national electricity grid and local distribution network; and b) Electricity transmission infrastructure; and c) Telecommunication and radio communication facilities; and d) Roads classified as being of national or regional importance; and e) Ports and airports; and f) Structures for transport by rail and tourism activities.
89	Policy 3.5.2	<p>Managing adverse effects of significant infrastructure that has national or regional significance Minimise-Avoid, remedy or mitigate adverse effects from significant infrastructure that has national or regional significance, by:</p> <ul style="list-style-type: none"> a) Giving Requiring comprehensive alternative site assessments to be provided if a new development is proposed that will result in significant adverse effect on preference to avoiding their location in: <ul style="list-style-type: none"> i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and ii. Outstanding natural features, landscapes and seascapes; and iii. Areas of outstanding natural character; and iv. Outstanding water bodies or wetlands; and b) Where it is not possible to avoid locating in the areas listed in a) above, avoiding minimising significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; and c) Avoiding, remedying or mitigating other adverse effects on values; and d) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and e) Considering Enabling infrastructure providers to employ the use of offsetting, or other compensatory measures to address, for residual adverse effects on the environment/indigenous biodiversity.
90	Policy 3.5.3	<p>Protecting significant infrastructure of national or regional significance Protect infrastructure of national or regional significance, by:</p> <ul style="list-style-type: none"> a) Restricting the establishment of activities that may result in reverse sensitivity effects; and b) Avoiding significant adverse effects on the functional needs of such infrastructure; and c) Avoiding, remedying or mitigating other adverse effects on the functional needs of such infrastructure; and d) Assessing the significance of adverse effects on those needs, as detailed in Schedule 3; and e) Protecting infrastructure corridors for infrastructure needs, now and for the future.
91		<p>Objective 3.6: Energy supplies to Otago's communities are secure and sustainable</p>
92	<i>Issue</i>	<p>Although Otago is rich in renewable energy sources, it is also an importer of fossil fuels. Any constraints on energy and fuel supply could affect the way we live and are able to respond to disruptive events.</p>
93	<i>Need</i>	<p>We need to reduce our dependency on fossil fuels and improve our energy resilience.</p>
94	Policy 3.6.1	<p>Using existing renewable electricity generation structures and facilities Give preference to the use of existing structures or facilities to increase the region's renewable electricity generation capacity over developing new structures in new locations.</p>
95	Policy 3.6.2	<p>Promoting small and community-scale renewable electricity generation Promote small and community-scale renewable electricity generation activities, that:</p> <ul style="list-style-type: none"> a) Increase the local community's resilience and security of energy supply; and b) Avoid, remedy or mitigate adverse effects from that activity.
96	Policy 3.6.3	<p>Protecting the generation capacity of renewable electricity generation activities</p>

No	Requested Amendment	
		Protect the generation capacity of nationally or regionally significant renewable electricity generation activities, by: a) Recognising the functional needs of renewable electricity generation activities, including physical resource supply needs; and b) Restricting the establishment of those activities that may result in reverse sensitivity effects; and c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure; and d) Assessing the significance of adverse effects on those needs, as detailed in Schedule 3.
97	Policy 3.6.4	<u>Enabling more efficient transport of electricity</u> Enable electricity transmission and distribution infrastructure activities that: a) Maintain or improve the security of supply of electricity; or b) Enhance the efficiency of transporting electricity; and c) Avoid, remedy or mitigate adverse effects from that activity.
98	Policy 3.6.5	<u>Protecting electricity distribution infrastructure</u> Protect electricity distribution infrastructure, by: a) Recognising the functional needs of electricity distribution activities; and b) Restricting the establishment of those activities that may result in reverse sensitivity effects; and c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure; and d) Assessing the significance of adverse effects on those needs, as detailed in Schedule 3; and e) Protecting existing distribution corridors for infrastructure needs, now and for the future.
99	Policy 3.6.6	<u>Reducing long term demand for fossil fuels</u> Reduce the long term demand for fossil fuels from Otago's communities, by: a) Encouraging the development of compact and well integrated urban areas, to reduce travel needs within those areas; and b) Ensuring that transport infrastructure in urban areas has good connectivity, both within new urban areas and between new and existing urban areas, by: i. Placing a high priority on walking, cycling, and public transport, where appropriate; and ii. Maximising pedestrian and cycling networks connectivity, and integration with public transport; and iii. Having high design standards for pedestrian and cyclist safety and amenity; and c) Enabling the development or upgrade of transport infrastructure and associated facilities that: i. Increase freight efficiency; or ii. Foster the uptake of new technologies for more efficient energy uses, or renewable or lower emission transport fuels.
100	Objective 3.7: Urban areas are well designed, sustainable and reflect local character	
101	<i>Issue</i>	In the past, urban development has not always had regard to the local environment, or considered the mobility needs for different people. There are high costs to improve buildings and infrastructure to meet modern standards.
102	<i>Need</i>	We need communities that are designed to improve our quality of life and resilience and create more attractive opportunities for business investment. We need infrastructure that meets modern standards, is future proofed, and is affordable.
103	Policy 3.7.1	<u>Using the principles of good urban design</u> Encourage the use of good urban design principles in subdivision and development in urban areas, as detailed in Schedule 6, to: a) Provide a resilient, safe and healthy community, including through use of crime prevention through environmental design principles; and b) Ensure that the built form relates well to its <u>surrounding natural environment</u> , including by: i. Reflecting natural features such as rivers, lakes, wetlands and topography; and ii. Providing for ecological corridors in urban areas; and iii. Protecting 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 c) Reduce risk from natural hazards, including by avoiding areas of significant risk; and d) Ensure good access and connectivity within and between communities; and e) Create a sense of identity, including by recognising features of heritage and cultural importance; and f) Create areas where people can live, work and play, including by: i. Enabling a diverse range of housing, commercial, industrial and service activities; and ii. Enabling a diverse range of social and cultural opportunities.
104	Policy 3.7.2	<u>Encouraging use of low impact design techniques</u>

No	Requested Amendment	
		Encourage the use of low impact design techniques in subdivision and development, to: a) Reduce potential adverse environmental effects, including on water and air quality; or b) Mitigate the effects of natural hazards and climate change; or c) Enhance amenity; or d) Enhance habitat for indigenous species and biodiversity values.
105	Policy 3.7.3	Designing for warmer buildings Encourage the design of subdivision and development to reduce the adverse effects of Otago's colder climate, and higher demand and costs for energy, including by: a) Maximising optimising passive solar gain; and b) Insulating to warmer standards than those set under building legislation.
106	Policy 3.7.4	Designing for good access in public spaces Design and maintain public spaces, including streets and open spaces, to provide for a range of uses and meeting the reasonable access and mobility needs of all sectors within the community, including the young and those with mobility impairments.
107	Objective 3.8: Urban growth is well designed and integrates effectively with adjoining urban and rural environments	
108	<i>Issue</i>	Unplanned urban growth risks exceeding the carrying capacity of existing infrastructure and services, adversely affecting community resilience. Sometimes, unplanned growth places pressure on adjoining productive land, and risks losing connectivity with adjoining urban areas.
109	<i>Need</i>	We need well designed and integrated urban growth, to achieve effective and affordable infrastructure, and improve resilience. We need to make the best use of our natural and physical resources and reduce the effects of unplanned growth.
110	Policy 3.8.1	Managing Providing for urban growth Manage Provide for urban growth and creation of new urban land in a strategic and co-ordinated way, by: a) Understanding demand and supply of Managing land use to e Ensuring there is sufficient residential, commercial and industrial zoned land capacity, to- and catering for that demand for such land, projected over at least the next 10 years; and b) Co-ordinating urban growth and extension of urban areas with relevant infrastructure development programmes, to: i. Provide infrastructure in an efficient and effective way; and ii. Avoid- Discouraging additional costs on the public that arise from unplanned infrastructure expansion; and c) Identifying future growth areas that: i. Minimise significant adverse effects on rural- the productivity of the rural and tourism sectors- including loss of highly valued soils or creating competing urban demand for water and other resources; and ii. Can be developed without resulting in significant adverse effects on Maintain or enhance any matter of national importance or national significance significant biodiversity, landscape or natural character values; and iii. Maintain important cultural or heritage values; and iiii. Avoids land with significant risk from natural hazards which cannot be remedied or mitigated; and d) Considering the need for urban growth boundaries to control potentially inappropriate urban expansion; and e) Ensuring efficient use of land; and f) Requiring the use of low or no-emission heating systems in buildings, when- where ambient air quality in or near the growth area is: i. Below standards for human health; or ii. Vulnerable to degradation given the local climatic and geographical context; and g) Giving effect to the principles of good urban design, as detailed in Schedule 6; and h) Giving effect to the principles of crime prevention through environmental design.
110	Policy 3.8.2	Controlling urban growth where there are identified urban growth boundaries or future urban development areas 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: a) Staging development, using identified triggers to release new stages for development; or b) Releasing land in a way that ensures a logical spatial development, and efficient use of existing land and infrastructure before new land is released; and c) Avoiding urban development beyond the urban growth boundary or future urban development area, unless there is a shortage of land available for urban development.

No	Requested Amendment	
		<p><i>Method 2: Regional, City and District Council Relationships</i> <i>Method 4: City and District Plans</i> <i>Method 5: Regional Policy Statement</i> <i>Method 7: Strategies and Plans (non-RMA)</i></p>
111	Policy 3.8.3	<p><u>Managing fragmentation of rural land</u> Manage subdivision, use and development of rural land, to: a) Avoid <u>inappropriate</u> development or fragmentation of land, <u>particularly</u> which undermines or forecloses the potential of rural land: i. For primary production <u>or</u> tourism; or ii. In areas identified for future urban uses; or iii. In areas having the potential for future comprehensive residential development; and b) Have particular regard to whether the proposal will result in a loss of the productive potential of <u>regionally significant, highly-versatile soils</u>, unless: i. The land adjoins an existing urban area and there is no other land suitable for urban expansion, <u>or there is a shortage of land available for urban development</u>; and ii. There <u>highly-versatile soils are needed for urban expansion</u>, any change of land use from rural activities achieves an appropriate and highly efficient form of urban development; and iii. reverse sensitivity effects on rural productive activities can be <u>satisfactorily avoided</u>; and c) Avoid unplanned demand for provision of <u>public infrastructure investment</u>, including domestic water supply and waste disposal; and d) Avoid creating <u>significant</u> competing demand for water <u>or other</u> resources.</p>
112	<p>Objective 3.9: Hazardous substances and waste materials do not pose a significant risk to human human health or the quality of the environment in Otago</p>	
113	<i>Issue</i>	<p>Waste materials risk creating adverse effects on the environment. Hazardous substances have adverse effects on community health and safety</p>
114	<i>Need</i>	<p>We need to make the best use of our resources and minimise the materials disposed of as waste. We need to carefully manage waste materials and hazardous substances to avoid creating environmental problems or adversely affecting human health.</p>
115	Policy 3.9.1	<p><u>Integrating management of hazardous substances and waste</u> Promote an integrated approach to the management of hazardous substances and waste in Otago.</p>
116	Policy 3.9.2	<p><u>Managing the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials</u> Manage the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials, to avoid accidental spillage or release of those substances and materials, by: a) Providing secure containment of those substances in case of accidental spillage; and b) Minimising risk associated with natural hazard events; and c) Avoiding <u>significant</u> adverse effects of those substances and materials on the health and safety of people, and on other values; and d) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous waste and waste materials; and e) Ensuring hazardous substances are treated or disposed at authorised facilities, in accordance with the relevant disposal instructions; and f) Restricting the location of activities that may result in reverse sensitivity effects near: i. Authorised facilities for hazardous substance treatment or disposal; or ii. Waste transfer or disposal facilities.</p>
117	Policy 3.9.3	<p><u>Identifying contaminated land</u> Identify sites of known or potentially contaminated land in Otago.</p>
118	Policy 3.9.4	<p><u>Managing the use of contaminated land</u> Manage the use of contaminated land, to protect people and the environment from adverse effects, by: a) Prior to subdivision or development of potentially contaminated land, <u>requiring ensure</u> a site investigation is undertaken to determine the nature or extent of any contamination; and b) Where there is contamination: i. Requiring an assessment of associated environmental risks; and ii. Remediating land; and c) Considering the need for <u>ongoing monitoring</u> of contaminant levels and associated risks.</p>
119	Policy 3.9.5	<p><u>Avoiding the creation of new contaminated land</u> Avoid the creation of new contaminated land <u>which would give rise to risks to human health or would measurably degrade natural values</u>.</p>
120	Policy 3.9.6	<p><u>Encouraging use of best management practices for hazardous substance use</u></p>

No	Requested Amendment	
		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.
121	Policy 3.9.7	Encouraging services for hazardous substance collection, recycling and disposal Encourage the establishment of hazardous substance collection, disposal and recycling services across the region.
122	Objective 4.1: Public access to areas of value to the community is maintained or enhanced	
123	<i>Issue</i>	Sometimes, public access to areas of value to the community is limited or inappropriate
124	<i>Need</i>	Access to the natural environment and areas of cultural and historic significance is highly valued by residents and visitors. We need to use the opportunities subdivision and development create, to improve access to Otago's natural environment, or to limit access to more sensitive places.
125	Policy 4.1.1	<u>Maintaining and enhancing public access</u> Maintain and, where possible, enhance public access to the natural environment, including to the coast, lakes, rivers and their margins, and areas of cultural or historic significance, unless restricting access is necessary to: a) Protect public health and safety; or b) Protect the natural heritage and ecosystem values of sensitive natural areas or habitats; or c) Protect identified sites and values associated with historic heritage or cultural significance to takata whenua.
126	Objective 4.2: Significant hHistoric heritage resources are recognised and contribute to the region's character and sense of identity	
127	<i>Issue</i>	Sometimes, subdivision, use, and development risk damage to Otago's rich historic heritage
128	<i>Need</i>	Protection of historic heritage from inappropriate activities is required under the RMA as a matter of national importance.
129	Policy 4.2.1	<u>Recognising heritage themes</u> Recognise the following elements as characteristic or important to Otago's historic heritage: a) Residential and commercial buildings; b) Māori cultural and heritage values; c) 19th and early 20th century pastoral sites; d) Early surveying, communications and transport, including roads, bridges and routes; e) Early industrial heritage, including mills and brickworks; f) Gold mining systems and settlements; g) Dredge and ship wrecks; h) Coastal heritage, particularly takata whenua occupation sites and those associated with early European activity such as whaling; i) Memorials.
130	Policy 4.2.2	<u>Identifying historic heritage</u> Identify historic heritage places and areas of regional or national significance and their values, using the following attributes, detailed in Schedule 7: a) Physical values, including: i. Archaeological information; ii. Architecture; iii. Technology; iv. Scientific; v. Rarity; vi. Representativeness; vii. Integrity; viii. Vulnerability; ix. Context or group; b) Historic values, including: i. People; ii. Events; iii. Patterns; c) Cultural values, including: i. Identity; ii. Public esteem; iii. Commemorative; iv. Education; v. Takata whenua; vi. Statutory recognition.
131	Policy 4.2.3	<u>Managing historic heritage values</u> Manage historic heritage values to Protect and enhance the values of places and areas of historic

No	Requested Amendment	
		<p>heritage from inappropriate development, by:</p> <p>a) Recognising that some places or areas are known or strongly suspected of containing archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value; and</p> <p>b) Applying these provisions immediately upon discovery of such hitherto unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; and</p> <p>c) Avoiding, remedying or mitigating adverse effects on those values which contribute to the area or place being of regional or national significance; and</p> <p>d) Avoiding significant adverse effects on other values of areas and places of historic heritage; and</p> <p>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>f) Remediating, when adverse effects on other values cannot be avoided; and</p> <p>g) Mitigating when adverse effects on other values cannot be avoided or remediated; and</p> <p>h) Encouraging the integration of historic heritage values into new activities; and</p> <p>i) Enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.</p>
132	Objective 4.3: Sufficient land is managed and protected for economic production	
133	<i>Issue</i>	<p>Sometimes, existing businesses activities are susceptible to may be placed at reverse sensitivity effects, risk by pressure to change particularly when land use changes to activities that may compete or conflict, creating reverse sensitivities.</p>
134	<i>Need</i>	<p>We need some degree of spatial separation of incompatible activities and control over land use change to ensure efficient use of land and continuing economic vitality.</p>
135	Policy 4.3.1	<p>Managing Protecting for rural regionally significant industry activities from inappropriate subdivision, use and development</p> <p>Manage activities in rural areas, to support the region's economy and communities, by:</p> <p>a) Enabling regionally significant industry activities, farming and other rural activities that support the rural economy; and</p> <p>b) Minimising the loss of regionally significant soils highly valued for their versatility for primary production; and</p> <p>c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects on regionally significant industry activities; and</p> <p>d) Minimising Restricting the subdivision of productive rural land into smaller lots that may result in inappropriate rural residential activities; and</p> <p>e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.</p>
136	Policy 4.3.2	<p>Managing land use change in dry catchments</p> <p>Manage land use change in dry catchments, to avoid any significant reduction in water yield, by:</p> <p>a) Restricting any extension of forestry activities within those catchments that would result in a significant reduction in water yield, including cumulative reductions; and</p> <p>b) Minimising the conversion of tussock grasslands to species which are less able to capture and hold precipitation.</p>
137	Policy 4.3.3	<p>Recognising and providing for the values of Otago's central business districts</p> <p>Recognise and provide for the values of Otago's central business districts, including as the primary focal point for social, cultural and economic activities within a community.</p>
138	Policy 4.3.4	<p>Managing the distribution of commercial activities in larger urban areas</p> <p>Manage the distribution of commercial activities in larger urban areas, to maintain the vibrancy of the Otago's central business districts and support local commercial needs, by:</p> <p>a) Enabling a wide variety of commercial, social and cultural activities in the central business districts; and</p> <p>b) Encouraging the adaptive re-use of existing buildings in ways that complement commercial functions; and</p> <p>c) Avoiding unplanned extension of commercial activities that has significant adverse effects on the a central business district, including on the efficient use of infrastructure, employment and services; and</p> <p>d) Enabling smaller centres to service local community needs.</p>
139	Policy 4.3.5	<p>Managing for industrial land uses</p> <p>Manage the finite nature of land suitable and available for industrial activities, by:</p> <p>a) Providing specific areas to accommodate the effects of industrial activities; and</p> <p>b) Providing a range of land suitable for different industrial activities, including land extensive activities; and</p> <p>c) Restricting the establishment of activities in industrial areas that may result in:</p> <p>i. Reverse sensitivity effects on industrial activities; or</p>

No	Requested Amendment	
		ii. Inefficient use of industrial land or infrastructure.
140	Policy 4.3.6	<p><u>Managing locational needs for mineral and gas exploration, extraction and processing</u> Recognise the needs of mineral exploration, extraction and processing activities to locate where the resource exists, and manage them by:</p> <p>a) Giving <u>Requiring comprehensive alternative site assessments to be provided if a new development is proposed that will result in significant adverse effect on preference to avoiding their location in:</u></p> <p>i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; or ii. Outstanding natural features, landscapes and seascapes; or iii. Areas of outstanding natural character; or iv. Outstanding water bodies; or v. Areas subject to significant natural hazard risk; and</p> <p>b) Restricting the establishment of these activities in areas used for mineral and gas exploration, extraction and processing that may result in reverse sensitivity effects <u>on mineral and gas exploration and extraction activities.</u></p>
141	Objective 4.4: Otago's communities can make the most of the natural and built resources available for use	
142	<i>Issue</i>	Many natural and physical resources we rely on for economic activity and wellbeing are finite and under pressure from different uses and users.
143	<i>Need</i>	We need efficient allocation and use of these resources to maximise socio-economic and cultural benefits, as well as sustain environmental wellbeing.
144	Policy 4.4.1	<p><u>Ensuring efficient water allocation and use</u> Ensure an efficient allocation and use of water by:</p> <p>a) Requiring that the volume of water allocated does not exceed what is necessary for the purpose of use; and b) Requiring the development or upgrade of infrastructure that increases use efficiency; and c) Encouraging collective coordination and rationing of take and use of water when river flows or aquifer levels are lowering, to avoid breaching any minimum flow or aquifer level restriction; and d) Enabling water harvesting and storage, to reduce pressure on water bodies during periods of low flows.</p>
145	Policy 4.4.2	<p><u>Encouraging waste minimisation</u> Encourage activities to give effect to the waste minimisation hierarchy of responses, by:</p> <p>a) Giving preference to reducing waste generated; then b) Reusing waste; then c) Recycling waste; then d) Recovering resources from waste; then e) Disposing residual waste to authorised landfill.</p>
146	Policy 4.4.3	<p><u>Encouraging environmental enhancement</u> Encourage activities which contribute to enhancing the natural environment, including to:</p> <p>a) Improve water quality; or b) Protect or restore habitat for indigenous species; or c) Regenerate indigenous species; or d) Mitigate natural hazards; or e) Restore the natural character of wetlands; or f) Improve the health and resilience of: i. Ecosystems supporting indigenous biodiversity; or ii. Important ecosystem services, including pollination; or g) Improve access to rivers, lakes, wetlands and their margins; or h) Buffer or link ecosystems, habitats and areas of significance that contribute to ecological corridors; or i) Control pest species.</p>
147	Objective 4.5: Adverse effects of using and enjoying Otago's natural and built environment are minimised	
148	<i>Issue</i>	Resource use can create adverse effects on other resources, their values and for other resource users and the wider community. Otago's significant areas of biodiversity and outstanding landscapes, for example, are under pressure from the direct effects of human activities, as well as indirect effects, including the spread of multiple pest species.
149	<i>Need</i>	It is important to avoid effects that, individually or cumulatively, degrade Otago's natural and built environment, where possible.
150	Policy 4.5.1	<p><u>Avoiding objectionable discharges</u> Avoid discharges that are objectionable or offensive to takata whenua and the wider community, including:</p> <p>a) Discharges of human or animal waste:</p>

No	Requested Amendment	
		i. Directly to water; or ii. In close proximity to water; or iii. In close proximity to mahika kai sites; or b) Discharges of hazardous or noxious substances close to sensitive activities, including: i. Residential activities; or ii. Schools and other educational activities; or iii. Places of public access to the natural environment; or iv. In close proximity to mahika kai sites; or c) Odorous or conspicuous discharges.
151	Policy 4.5.2	<u>Applying an adaptive management approach</u> Apply an adaptive management approach, to address adverse effects that might arise and that can be remedied before they become irreversible, by: a) Setting appropriate indicators for effective monitoring of those adverse effects; and b) Setting thresholds to trigger remedial action before the effects result in irreversible damage.
152	Policy 4.5.3	<u>Applying emission standards on domestic fuel burners</u> Apply emission standards to domestic heating appliances, to achieve ambient air quality that supports good human health while ensuring homes in Otago have adequate heating.
153	Policy 4.5.4	<u>Minimising soil erosion</u> Minimise soil erosion resulting from activities, by: a) Using appropriate erosion controls; and b) Maintaining vegetative cover on erosion prone land; and c) Remediating land where significant soil erosion has occurred; and d) Encouraging activities that enhance soil retention.
154	Policy 4.5.5	<u>Controlling the introduction and spread of pest plants and animals</u> Control the adverse effects of pest species, prevent their introduction and reduce their spread, to safeguard: a) The viability of indigenous species and habitats for indigenous species; or b) Ecosystem services that support economic activities; or c) Water quality; or d) Soil quality; or e) Human and animal health; or f) Recreation values; or g) Takata whenua values.
155	Policy 4.5.6	<u>Managing adverse effects from mineral and gas exploration, extraction and processing</u> Minimise adverse effects from the exploration, extraction and processing of minerals, by: a) Requiring comprehensive alternative site assessments to be provided if a new development is proposed that will result in significant adverse effect on Giving preference to avoiding their location is: i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and ii. Outstanding natural features, landscapes and seascapes; and iii. Areas of outstanding natural character; and iv. Outstanding water bodies; and v. Areas subject to significant natural hazard risk; 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 c) Avoiding adverse effects on the health and safety of the community; and d) Remedying or mitigating adverse effects on other values; and e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and f) Reducing unavoidable adverse effects by i. Staging development for longer term activities; and ii. Progressively rehabilitating the site, where possible. g) Considering the use of offsetting, or compensatory measures, to address residual adverse effects on the environment ; and h) Applying a precautionary approach to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects.
156	Policy 4.5.7	<u>Enabling offsetting of indigenous biodiversity</u> Enable offsetting of adverse effects on indigenous biodiversity values, only when: a) The activities causing those <u>adverse</u> effects have a functional necessity to locate in significant or outstanding areas; and b) Those <u>adverse</u> effects cannot be avoided, remedied or mitigated; and

No	Requested Amendment	
157	Policy 4.5.8	<p>c) Those adverse effects do not result in the loss of irreplaceable or vulnerable biodiversity.</p> <p>Providing for Offsetting for from adverse effects on indigenous biodiversity Provide for offsetting for from adverse effects on indigenous biodiversity, when it is enabled, by ensuring that:</p> <p>a) The offset achieves no net loss and preferably a net gain in indigenous biodiversity values; and</p> <p>b) The offset is undertaken close to the location of development, where this will result in the best ecological outcome; and</p> <p>c) The ecological values being achieved are the same or similar to those being lost; and</p> <p>d) The positive ecological outcomes of the offset last at least as long as the impact of the activity, if practicable.</p>
158	Policy 4.5.9	<p>Offsetting for air quality Provide for offsetting of adverse effects of discharges to air on ambient air quality, only when:</p> <p>a) The ambient air quality of the relevant airshed breaches air quality standards for human health; and</p> <p>b) Offsetting will reduce the cumulative effect of discharges to air in the relevant airshed by the same, or greater amount, than the proposed discharge; and</p> <p>c) Offsetting improves access to reliable and affordable domestic heating in the relevant airshed.</p>
159	<u>New Objective</u>	<u>Significant industry activities and physical resources are provided for</u>
160	<u>New Policy</u>	<p>Recognising and providing for significant industry activities and physical resources Recognising and providing for significant industry activities and physical resources, by:</p> <p>a) Recognising that the use, development and protection of physical resources enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety;</p> <p>b) Protecting significant industry activities from inappropriate subdivision, use, and development;</p> <p>c) Enabling significant industry activities and development that does not have a significant adverse effect on the environment; and providing for all other significant industry activities and development if adverse effects on the environment are avoided, remedied, or mitigated.</p>
162	<u>New Method</u>	<p>Regional, city and district councils will ensure Regional and District Plans set objectives, policies and methods to:</p> <p>a) Recognise that development, use, and protection of physical resources and the urban environment enables people and communities to provide for their social, economic, and cultural well-being;</p> <p>b) Protect significant industry activities from inappropriate subdivision, use, and development;</p> <p>c) Enable significant industry activities and development that does not have a significant adverse effect on the environment;</p> <p>d) Provide for urban development and all other significant industry activities and development that does not have a significant adverse effect on any matter of national importance or national significance.</p>
Method 1: Kāi Tahu Relationships		
163	1.1	Regional, city and district councils will develop processes to:
164	1.1.1	Establish and maintain effective resource management relationships with Kāi Tahu;
165	1.1.2	Have regard to Iwi Management Plans;
166	1.1.3	Consult Kāi Tahu in resource management decision-making and implementation.
167	<u>1.1.4 (New method)</u>	Facilitate efficient and effective processes for applicants to consult Kāi Tahu on resource consent applications and private plan change requests
168	1.2	Regional, city and district councils will collaborate with Kāi Tahu to:
169	1.2.1	Identify, and protect from inappropriate subdivision, use and development , places, areas or landscapes of cultural, spiritual or traditional significance to them;
170	1.2.2	Identify, and protect from inappropriate subdivision, use and development , the values that contribute to their significance;
171	1.2.3	Identify areas or values that may contribute to the importance of outstanding; natural features and landscapes, and special amenity landscapes to Kāi Tahu;
172	1.2.4	Determine appropriate naming for places of significance in Otago.
173	<u>1.2.5 (New method)</u>	Facilitate efficient and effective processes for applicants to consult Kāi Tahu on resource consent applications and private plan change requests
174	1.3	<u>1.3 Regional, city and district councils will:</u>
175	1.3.1	Seek opportunities to assess and improve knowledge of tikaka and the principles of Te Tiriti o

No	Requested Amendment	
		Waitangi among staff and stakeholders.
176	1.4	Regional, city and district councils may;
178	1.4.1	Delegate and transfer RMA plan administration functions to an iwi authority, where this provides an efficient and effective service.
179	Method 2: Regional, City and District Council Relationships	
180	2.1	Regional, city and district councils together will;
181	2.1.1	Share information on matters of common interest;
182	2.1.2	Work together to ensure RMA plan provisions are complementary for overlapping or abutting responsibilities.
183	2.2	Regional, city and district councils may;
184	2.2.1	Establish joint processes for working together on common resource management matters or cross boundary issues, such as: a) Joint committees; b) Joint working groups; c) Joint project management; d) Joint or combined hearings;
185	2.2.2	Prepare combined regional and district documents;
186	2.2.3	Delegate or transfer RMA functions, where this provides an efficient and effective service, from: a) One local authority to another; b) A local authority to an iwi authority;
187	2.2.4	Establish joint management agreements with another statutory body (such as Te Rūnanga o Ngāi Tahu or the Crown);
188	2.2.5	Establish protocols and processes for resolving cross boundary issues through the triennial agreement under the Local Government Act 2002.
189	2.3	Regional council may, at the request of city or district councils;
190	2.3.1	Make a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address specific natural hazard risk;
191	2.3.2	Delegate the administration of that regional rule to the city or district council.
192	Method 3: Regional Plans	
193	3.1	Regional Plans will set objectives, policies and methods to implement policies in the RPS as they relate to Regional Council areas of responsibility. More specific direction is provided in the following areas:
194	3.1.1	Regional Plans will set objectives, policies and methods to implement Policy 1.2.3 by providing for the management of culturally sensitive information and the protection of culturally sensitive areas through the use of silent files and heritage alert layers by local authorities;
195	3.1.2	Regional Plans will set objectives, policies and methods to implement Policy 1.2.5 by promoting or restricting access to historic heritage places or areas to ensure the values Kāi Tahu associate with these places may be upheld in accordance with tikaka Māori;
196	3.1.3	Regional Plans will set objectives, policies and methods to implement Policy 1.1.2 by having regard to the Te Rūnanga 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;
197	3.1.4	Regional Plans will set objectives, policies and methods to implement policies 2.1.1 – 6, 2.2.4, 3.9.4, 4.2.3, and 4.5.1, by including provisions to: a) Manage land uses and vegetation removal within the beds of lakes and rivers and the coastal environment; b) Manage change in river morphology; c) Encourage restoration of water margins; d) Apply emission standards to domestic fuel burners, that support good human health while ensuring homes in Otago have adequate heating; e) Managing noise in the coastal marine area; f) Identifying, and protecting <u>from inappropriate subdivision, use and development, historic</u>

No	Requested Amendment	
		<p>heritage places or areas or landscapes located in the beds of rivers, lakes and wetlands or the coastal marine area;</p> <p>g) Manage the effects of the use of contaminated land on:</p> <p>i) The quality of air, water or land;</p> <p>ii) In the coastal marine area, and the beds of rivers, lakes and other waterbodies;</p> <p>h) Require solid waste facilities to monitor, record and report on the type and amount of material entering the waste stream and solid waste deposited to landfill;</p> <p>i) Implement policy 3.2.2 and 3.2.3 by using the criteria when undertaking natural hazard assessments;</p>
198	3.1.5	<p>Regional Plan will set objectives, policies and methods to implement policy 2.1.2 and 2.3.3 by developing river management strategies, including recommendations on:</p> <p>a) The management of riparian margins along rivers and lakes;</p> <p>b) The management of bed alterations.</p>
199	3.2	<u>Implementing Regional Plans:</u>
200	3.2.1	Regional council will implement Policies 3.2.2 and 3.2.3 when undertaking natural hazard assessments;
201	3.2.2	Regional council will implement Policy 3.9.3 by investigating land for the purpose of identifying contaminated or potentially contaminated sites.
202	3.3	<u>Monitoring and reviewing Regional Plans:</u>
203	3.3.1	Regional Council will monitor and review regional plans to give effect to its responsibilities under the RMA.
204	Method 4: City and District Plans	
205	4.1	<p><u>City and district plans will set objectives, policies and methods to implement policies in the RPS as they relate to the City or District Council areas of responsibility.</u></p> <p>More specific direction is provided in the following areas:</p>
206	4.1.1	<p>City or district plans will implement Policies 3.2.1 to 3.2.11 by determining the appropriate level of regulatory response to natural hazard risk by:</p> <p>a) Identifying areas subject to natural hazards in plans and/or natural hazard registers and databases;</p> <p>b) Applying the plan principles to the management of recently identified natural hazards;</p> <p>c) Considering the use of adaptive management techniques;</p>
207	4.1.2	City or district plans will implement Policy 3.8.1 by putting conditions on development and subdivisions consents, and in district plans, on the type of heating systems allowed, consistent with ORC's discharge rules;
208	4.1.3	City or district plans will implement Policy 4.5.1 by including provisions to manage the discharge of dust associated with earthworks and land use
209	4.1.4	City or district plans will implement Policy 4.3.2 by including provisions managing land use in dry catchments where this will impact on water yield;
210	4.1.5	Include subdivision and infrastructure design standards to recognise the access needs of different sections of the community, including the mobility impaired, the elderly and children;
211	4.1.6	City or district plans will implement Policy 2.2.11 by maintaining and where possible enhance access to surf breaks of national importance;
212	4.1.7	<p>City or district plans will implement Policy 3.9.2 including by managing the actual or potential adverse effects of the use or storage of hazardous substances, including on:</p> <p>a) Other land use activities;</p> <p>b) The health and safety of the community;</p> <p>c) Groundwater protection, or community water supplies;</p> <p>d) Amenity values, and community and takata whenua resources, cultural and spiritual values;</p> <p>e) Other activities or environmental values as a result of location in hazard prone areas;</p>
213	4.1.8	City or district plans will implement Policy 3.5.2 by providing for and managing the land use effects associated with the establishment of waste management activities and facilities;

No	Requested Amendment	
214	4.1.9	City or district plans will implement Policy 4.3.2 by: a) Including accidental discovery protocols as conditions on consent for earthworks or other activities that may unearth archaeological features providing for activities which contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening; b) Providing for the recording of culturally sensitive information and the protection of culturally sensitive areas through the use of silent files, heritage alert layers or other methods satisfactory to Kāi Tahu
215	4.1.10	City or district plans will implement Policy 1.2.5 by making allowance for native reserves to be used in the manner intended by the Crown at the time of their establishment, including Papakāika and marae related activities;
216	4.1.11	City or district plans will implement Policy 1.2.3 and 1.2.4 by promoting or restricting access, as required by circumstances, to historic heritage places and areas and identified sites in accordance with tikaka Māori
217	4.1.12	City or district plans may implement Policy 3.8.2 by: a) Establishing urban growth boundaries where required to manage pressure for urban development; b) Ensuring urban growth boundaries contain sufficient capacity, when measured district wide, to accommodate 10 years urban growth based on demographic growth projections; c) Requesting the ORC to include urban growth boundaries in the RPS
218	4.2	Implementing District Plans
219	4.2.1	City or district councils will implement Policies 3.2.2 and 3.2.3, to the extent applicable, when undertaking natural hazard assessments;
220	4.2.2	City or district councils will implement Policies 2.2.1, 2.2.3, 2.2.5 and 2.2.8 to assess the values of places of potential significance to inform the decision making process;
221	4.2.3	City or district councils will implement Policy 4.2.3 by including accidental discovery protocols as conditions on consent for earthworks or other activities that may unearth archaeological features;
222	4.2.4	City or district councils will implement Policies 4.3.1, 4.3.2, 3.8.1 and 3.8.2 by preparing structure plans for large scale land use changes;
223	4.2.5	City or district councils will implement Policy 4.2.3 by ensuring methods for protecting culturally important sites are culturally appropriate;
224	4.2.6	City or district councils may implement Policies 3.2.2 and 3.2.3 by: a) Requiring site specific investigation where there is limited information available on natural hazard or climate change risk or effects; b) Requesting the regional council develop a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address specific natural hazard risk;
225	4.2.7	City or district councils may implement Policy 1.2.4 and 4.1.1 by including conditions to maintain or enhance access to the natural environment or sites of cultural significance.
226	4.3	Monitoring and reviewing city and district plans:
227	4.3.1	City and district councils will monitor and review regional plans to give effect to its responsibilities under the RMA.
228	Method 5: Regional Policy Statement	
229	5.1	Regional Policy Statement
230	5.1.1	City or district councils may: a) Implement Policy 3.8.2 by requesting the regional council include urban growth boundaries in the Regional Policy Statement;
231	5.1.2	The regional council may: a) At the request of city or district councils, include urban growth boundaries, future urban development areas or their equivalent in the RPS, where: i) Those urban growth boundaries are necessary to sustainably manage urban growth within the district; ii) The boundaries are robust in terms of providing sufficient capacity for 10 years urban growth; iii) Those urban growth boundaries are consistent with the policy direction of the RPS in terms of

No	Requested Amendment	
		<p>priorities for the management of environment and natural hazards;</p> <p>b) Administer a change to the RPS where the relevant city or district council identifies a need to modify existing urban growth boundaries to maintain a minimum of 10 years capacity for urban growth.</p>
232	Method 6: Research, Monitoring and Reporting	
233	6.1	<u>Identification of important resources</u>
234	6.1.1	<p>Regional, city and district councils will:</p> <p>a) Work collaboratively to identify the landward extent of the coastal environment;</p>
235	6.1.2	<p>Regional, city and district councils, in their areas of responsibility, will identify:</p> <p>a) Significant indigenous vegetation and significant habitat of indigenous fauna;</p> <p>b) Areas of outstanding natural character in the coastal environment;</p> <p>c) Outstanding natural features, and outstanding natural landscapes and seascapes;</p> <p>d) Special amenity landscapes;</p> <p>e) Outstanding water bodies;</p> <p>f) The values of water margins critical to threatened or rare indigenous flora and fauna;</p> <p>g) <u>Regionally significant soil resources;</u></p> <p>h) <u>Significant infrastructure;</u></p>
236	6.1.3	<p>Regional council will:</p> <p>a) Identify airsheds based on geographical and physical boundaries, for the management of air quality;</p> <p>b) Identify dry catchments and areas of tussock grasslands where rules are required by TAs to manage water quantity;</p> <p>c) Identify highly valued soil resources;</p>
237	6.1.4	<p>Regional council will engage with Kāi Tahu to:</p> <p>a) Identify the cultural values of resources and requirements for customary uses;</p> <p>b) Identify wāhi tupuna and the values that contribute to their significance, including sites and landscapes of cultural significance to Kāi Tahu such as wāhi tapu and other elements identified in schedule 1C.</p>
238	6.2	<u>Research</u>
239	6.2.1	<p>The regional council will:</p> <p>a) Undertake investigation for the identification of catchment values, and the resources and processes those values depend on, with a particular focus on:</p> <ul style="list-style-type: none"> i) The interconnections between water bodies, including coastal water; ii) The role of river and catchment morphology and natural functioning in supporting those values; iii) The maintenance and enhancement of indigenous biodiversity and ecosystem health; iv) Erosion risk mitigation; v) Providing for the natural functioning of rivers and lakes; <p>b) Identify the values of Otago's coast, and the processes and resources those values are dependent on;</p> <p>c) Identify airsheds based on geographical and physical boundaries, for the management of air quality;</p> <p>d) Investigate and provide guidance on:</p> <ul style="list-style-type: none"> i. The inventory and mapping of Otago's soil resources; ii. The location and extent of high class and versatile soil in Otago; iii. Identification of threats to the life-supporting capacity of Otago's soil resources; iv. <p>e) Develop and maintain a register of sites of known or potentially contaminated land in Otago. Share information regarding Otago's soil resources and contaminated land with city and district councils;</p> <p>f) Provide city and district councils with regional data on the quantity and composition of waste entering the waste stream and being disposed for strategic forecasting and planning;</p> <p>g) Undertake research, in collaboration with local authorities and other stakeholders as</p>

No	Requested Amendment	
		appropriate, into natural hazards and climate change in Otago; h) Support city and district councils with information on natural hazards for: i) The preparation of district plan reviews or changes; ii) Inclusion in Land and Project Information Memoranda; i) Collect, centralise and share information on erosion-prone land in Otago; j) Collect, centralise, and make available any information on the expected effects of climate change in Otago.
240	6.2.2	Regional, city and district councils will: a) Research and share information relevant to the effects of land use on water, including: i) The values supported by the catchment; ii) Riparian vegetation cover or any land cover which contributes to supporting freshwater values, such as tussock grasslands; iii) Land use changes which might have significant effects on freshwater values; iv) Areas particularly sensitive to land use changes, such as sensitive aquifers and water-short catchments; v) The effects of land use on erosion; b) Research and share information relevant to the effects of land use on coastal values and coastal network infrastructure with city and district councils, including: i) Coastal values; ii) Coastal hazards; iii) Riparian vegetation cover or any land cover which contributes to supporting coastal values, or mitigating coastal hazards; iv) Land use changes which might have significant effects on coastal values or the consequences of coastal hazards; v) Areas particularly sensitive to land use changes.
241	6.2.3	City and district councils will: a) Research demographic changes within the district, including the relationship between housing demand and population growth, and residential capacity within existing urban areas. b) Share information with other local authorities on relevant regional rules, when approving a land use, development or subdivision by consent, including: i) Rules on discharges to water, or to land in circumstances which may result in contaminant entering water; ii) Rules on discharges to air; iii) Rules on discharges to land; iv) Provide information to the regional council, on any land use, development or subdivision approved by consent, which have the potential to adversely affect air quality and breach regional rules
242	6.3	<u>State of Environment reporting</u>
243	6.3.1	Regional, city and district councils will: a) Carry out state of the environment reporting
244	6.4	<u>RMA plan effectiveness reporting</u>
245	6.4.1	Regional, city and district councils will: a) Include indicators for determining plan effectiveness in all plans developed under the RMA, including the RPS; b) Report on the efficiency and effectiveness of plans based on those indicators.
246	6.5	<u>Plan implementation reporting</u>
247	6.5.1	Regional council will: a) Monitor and report publicly on the achievement of regional and district plan objectives, policies and methods
248	6.5.2	City and district councils will: a) Monitor and report publicly on the achievement of regional and district plan objectives, policies and methods.
249	Method 7: Strategies and Plans (non-RMA)	

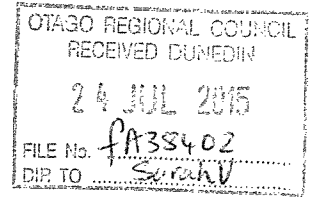
No	Requested Amendment	
250	7.1	<u>Natural hazard strategies</u>
251	7.1.1	Regional, city and district councils may: a) Prepare strategies or other similar documents to assist in the: i) Management and reduction of natural hazard risk; ii) Adaptation to, and mitigation of, climate change; b) Develop community relevant responses to the impacts of natural hazards and climate change in Otago, in collaboration with the relevant local authority, key stakeholders and affected community.
252	7.2	<u>Air Strategy</u>
253	7.2.1	Regional, city and district councils may: a) Jointly develop and implement, in collaboration with other key stakeholders, a strategy for: i) The upgrading of housing stock and their thermal envelopment; ii) The reduction of domestic emissions to air.
254	7.3	<u>Regional Plan Land Transport will set objectives, policies and methods to implement policy 2.4.1, 2, 2.5.1, 2.7.1 and 2.7.4 with a particular focus on:</u>
255	7.3.1	<u>Enhancing road safety;</u>
256	7.3.2	<u>Ensuring travel needs in Otago are met;</u>
257	7.3.3	<u>Enabling increased freight efficiency;</u>
258	7.3.4	<u>Managing Otago's public transport services.</u>
259	7.4	<u>Pest management strategy</u>
260	7.4.1	The regional council will: a) Develop and implement a pest management strategy, for the control of pest species, including those which: i) Have adverse effects on the natural character of the coastal environment; ii) Have adverse effects on significant indigenous biodiversity; iii) Have significant adverse effects on indigenous biodiversity; b) Have regard to indigenous biodiversity values when preparing any Regional Pest Management Strategy and prioritising pest management activities, including: i) Any areas of significant indigenous vegetation and significant habitats of indigenous fauna; ii) Any local indigenous biodiversity strategies
261	7.5	<u>Pen regional pest management strategy</u>
262	7.5.1	The regional council may: a) Develop a joint pest management strategy with neighbouring regions.
263	7.6	<u>Urban stream plans</u>
264	7.6.1	District and city councils may: a) Develop and implement urban stream restoration plans, for the restoration of the natural character and natural functioning of urban streams.
265	Method 8: Education and Information	
266	8.1	<u>Providing public information</u>
267	8.1.1	Regional, district and city councils may: a) Provide information and education about the maintenance, restoration and enhancement of indigenous ecosystems and habitats; b) Provide guidance on: i) Natural hazard risk responses; ii) Ways to adapt to, and mitigate the effects of, climate change; iii) The benefits of natural features and systems in mitigating natural hazards.
268	8.1.2	Regional council will: a) Educate and provide available information on: i) Natural hazards; ii) Rainfall and river flow; iii) Climate change. b) Provide guidance on:

No	Requested Amendment	
		i) Measures to mitigate erosion risks resulting from land uses; ii) Riparian margin management, especially on flooding and erosion risks; iii) Measures to maintain or enhance soil quality; iv) Discharge management, including on reducing domestic discharges to air; v) The management of diffuse discharges to water; vi) Waste management. c) Provide information material on: i) The ecosystem services derived from indigenous biodiversity; ii) On the benefits of riparian margin management, especially on flooding and erosion risks
269	8.1.3	City and district councils will: a) Collate and make available any information on the projected demographic changes to local communities; b) Provide available natural hazard information through the Land (LIM) and Project Information Memorandum (PIM) process; c) Provide available information on known or potentially contaminated sites through the Land (LIM) and Project Information Memorandum (PIM) process;
270	8.1.4	City and district councils may: a) Provide information and guidance on crime prevention through environmental design and urban design principles to inform local development proposals; b) Provide information and guidance on urban design techniques to respond to the different access requirements or needs of the community; c) Provide information and guidance on design techniques to enable adaptive reuse of buildings; d) Provide guidance material for water conservation and the efficient domestic use of water; e) Provide guidance on measures for increased energy efficiency and energy conservation; f) Provide guidance on opportunities for the development of small scale renewable electricity generation.
271	Method 9: Funding	
272	9.1	Providing financial support
273	9.1.1	Regional, city and district councils may: a) Establish and administer funds to provide public access or services to sites of significance on privately owned land; b) Fund community groups and projects with aims that complement RPS objectives and policies.
274	Method 10: Service Provision	
275	10.1	<u>Public Services</u>
276	10.1.1	Regional, city and district councils will provide public services according to their functions, roles and responsibilities
277	Method 11: Advocacy and Facilitation	
278	11.1	<u>Promotion</u>
279	11.1.1	Regional, city and district councils will work with stakeholders, including central government agencies and other interested parties, on resource management matters;
280	11.1.2	Regional, city and district councils may: a) Advocate for: i) Initiatives and proposals which support or complement the goals of the RMA, RPS and supporting documents; ii) Subdivision and building design that increases passive solar gain and uses higher levels of insulation in buildings to improve energy efficiency; iii) The implementation of the waste hierarchy throughout the region; iv) National guidance on managing natural hazards, and mitigating and adapting to climate change; v) Legislative change to improve resilience and reduce the risk

No	Requested Amendment	
		<p>of natural hazards and climate change to individuals and communities;</p> <p>b) Enhance individual and community resilience by encouraging activities and actions that:</p> <p>i) Promote interactions and partnerships within and between communities, businesses and organisations;</p> <p>ii) Support self-sufficiency;</p> <p>iii) Improve disaster readiness, response and recovery;</p> <p>iv) Enable opportunities for improvements to be made following a disaster event;</p> <p>v) Contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening;</p> <p>e) Encourage an approach to resource management that assists in reducing individual and community natural hazard risk and in reducing the effects of climate change.</p>
281	11.1.5	<p>Regional, city and district councils may:</p> <p>a) Advocate for the development, upgrade or maintenance of infrastructure, when it will enhance Otago's communities' wellbeing or health and safety;</p> <p>b) Promote subdivision and urban development that responds to and anticipates the changing demographic needs of the local community;</p> <p>c) Advocate for the development of infrastructure and services to provide for hazardous substance collection, disposal and recycling services across the region;</p> <p>d) Promote the development and adoption of best practice guidelines for the use and management of hazardous substances, and a reduction in hazardous substance use.</p>
282	11.1.4	<p>City and district councils will:</p> <p>a) Promote the integration of new development with existing areas through the use of elements that reflect local character;</p> <p>b) Encourage building design in commercial areas to be designed to facilitate adaptive reuse over time;</p> <p>c) Ensure consideration of orientation and design for solar gain in subdivision and building design;</p> <p>d) Advocate for the establishment of solid waste management and disposal facilities</p>
283	11.2	<p><u>Facilitation</u></p>
284	11.2.1	<p>Regional, city and district councils will:</p> <p>a) Facilitate the restoration of natural wetlands or construction of artificial wetlands, particularly when it contributes to the:</p> <p>i) Management of diffuse discharges to water;</p> <p>ii) Protection or restoration of indigenous species;</p> <p>iii) Mitigation of natural hazards;</p> <p>iv) Restoration of the natural character of wetlands;</p> <p>b) Facilitate the restoration or enhancement of riparian margins, particularly when they:</p> <p>i) Improve the health and resilience of ecosystems supporting indigenous biodiversity;</p> <p>ii) Restore or rehabilitate indigenous biodiversity and natural character;</p> <p>iii) Contribute to a safe network of active transport infrastructure;</p> <p>iv) Improve access to rivers, lakes, wetlands and their margins;</p> <p>v) Mitigate risks of erosion;</p> <p>c) Facilitate initiatives that support:</p> <p>i) The conservation of indigenous vegetation;</p> <p>ii) Conservation of biodiversity values;</p> <p>iii) Maintenance or enhancement of coastal values, including restoration or rehabilitation of the</p>

No	Requested Amendment	
		natural character; iv) The protection or restoration of the significant values of wetlands; v) Co-ordination of the services provided by operators of lifeline utilities, essential and emergency services across and beyond Otago; vi) Energy conservation and efficiency, at a community or individual scale; vii) Small scale renewable electricity generation; d) Facilitate coordination between <u>significant infrastructure, lifeline utilities and significant community facilities used</u> for emergency management, including by: i) Recognising the interconnections between <u>significant infrastructure, lifeline utilities</u> ; ii) Encouraging any development or upgrade of infrastructure which would resolve potential weaknesses in emergency management.
285	11.2.2	Regional council will: a) Facilitate the restoration, rehabilitation or creation of freshwater and coastal habitats, particularly when it: i) Encourages the natural regeneration of indigenous species; ii) Buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors; iii) Maintains or enhances the provision of indigenous ecosystem services; b) Facilitate the control of pest species, including wilding pines, particularly when it contributes to the protection or restoration of : i) Outstanding or amenity landscapes; ii) Indigenous species; c) Facilitate the establishment of: i) Water management groups that co-ordinate the exercise of water-related consents; ii) Water allocation committees for the management of water allocation in case of drought.
286	11.2.3	Regional, city and district councils may: a) Facilitate the planning for community infrastructure, when it would increase the efficiency of water use; b) Facilitate negotiations with landowners for public or Kāi Tahu access to sites of significance that do not have suitable access.
287	Schedule 1 Takata whenua values and interests	-
288	Schedule 2 Statutory acknowledgement areas	-
289	Schedule 1A	Specify or identify "other cultural values" referred to in other parts of the RPS
290	Schedule 3 Significance threshold	Delete. OR if retained; amend provisions so consistent with case law and insert new criteria to reflect the <u>need to consider the ability for the effect to be offset or compensated and to reflect environmental/planning context on a case-by-case basis. For example:</u> <u>11. Ability for offsetting or compensation</u> <u>The extent to which the adverse effect can be directly offset or otherwise compensated, and consequently reducing the significance of the effect.</u> <u>12. Environmental Context</u> <u>The degree of change in social, economic, cultural, or ecological conditions, and the extent to which these conditions can absorb that change.</u> <u>13. Matters of national importance and national significance.</u> <u>The extent to which the adverse effect changes a value recognised as a matter of a national importance under section 6 of the RMA.</u> <u>The extent to which the adverse effect is provided for, or is contrary to, any matter of national significance specified in a NPS or the NZCPS.</u>

No	Requested Amendment	
291	Schedule 4 Criteria for the identification of natural features and landscapes	<u>Delete Schedule 4</u>
292	Schedule 5 Criteria for the assessment of the significance of indigenous vegetation and habitat of indigenous fauna	
293	Schedule 6 Urban form and design	<u>Delete Schedule 6</u>
294	Schedule 7 Matters for the identification of historic heritage values	
295	Schedule 8 Urban growth boundaries	<u>Delete Schedule 8-</u>
296	Appendix 1 Statutory Framework	<u>Delete Appendix 1</u>
297	Appendix 2 Te Tiriti o Waitangi	<u>Delete Appendix 2 or Amend Appendix 2 to identify the principles of the Treaty of Waitangi that are to be applied when giving effect to the Otago RPS</u>
298	Glossary	<u>Define Significant infrastructure – include lifeline utilities and any infrastructure considered to be of regional or national significance</u>
299	Glossary	<u>Define Significant Community Facility – include facilities that provide essential community services</u>
300	Glossary	<u>Define Urban</u>
301	Glossary	<u>Define or identify Regionally Significant Soil Resource – include all soil resources intended to be managed by the PRPS</u>
302	Glossary	<u>Define Regionally Significant Industry Activity – include any activity associated with tourism or primary production</u>
303	Glossary	<u>Define Hard mitigation measures</u>
304	Glossary	<u>Amend definition of “kai tahu” to clarify if has the same or different meaning as “Ngai Tahu”, having particular regard to the Ngāi Tahu Claims Settlement Act 1998 and other planning documents outside the Otago Region (for example the Canterbury and Southland Regional Policy Statements).</u>
305	Glossary	<u>Introduce all terms listed in the Te Reo Glossary (so that there is a single Glossary)</u>
306	Glossary of Te Reo Terms	<u>Delete – include these terms in the Glossary</u>



SUBMISSION TO OTAGO REGIONAL COUNCIL
ON
THE PROPOSED OTAGO REGIONAL POLICY STATEMENT
BY
THE FERTILISER ASSOCIATION OF NEW ZEALAND
24 JULY 2015

ADDRESS FOR SERVICE

The Fertiliser Association of New Zealand Inc.
C/- Boffa Miskell Limited
Ground Floor, 4 Hazeldean Road
PO Box 110
Christchurch 8140
Attn: Claire Kelly

Email: claire.kelly@boffamiskell.co.nz

Ph: 03 353 7651

Mobile: 027 809 8386

APPROVED FOR RELEASE



Greg Sneath – Executive Manager
The Fertiliser Association of New Zealand Inc

FORM 5
SUBMISSION BY THE FERTILISER ASSOCIATION OF NEW ZEALAND
ON PROPOSED OTAGO REGIONAL POLICY STATEMENT UNDER CLAUSE 6 OF THE FIRST
SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: Otago Regional Council
70 Stafford Street
Private Bag 1954
Dunedin 9054

Overview

This submission provides specific comments from The Fertiliser Association of New Zealand ('FANZ') on the Proposed Otago Regional Policy Statement ('Proposed RPS'). The comments have been prepared to assist the Council in its further development of the Proposed RPS and to ensure that the planning framework contemplates and provides for agricultural activities, particularly the use of fertilisers. Notwithstanding comments made on specific relief sought, FANZ generally supports the approach by Otago Regional Council to provide for primary production in the Proposed RPS.

Introduction

FANZ is a trade association representing the New Zealand manufacturers of superphosphate and nitrogen fertilisers. FANZ member companies are Ballance Agri-Nutrients Ltd and Ravensdown Fertiliser Co-operative Ltd.

To promote good management practices, FANZ develops training programmes, codes of practice and industry information fact sheets. FANZ also funds research, partners with government on research and development projects and works closely with other organisations in the agricultural sector on industry-good issues. This includes funding for OVERSEER® as a one third owner, along with AgResearch and Ministry for Primary Industries.

FANZ supports and encourages an environmentally responsible science-based approach to nutrient management and its regulation. FANZ member companies provide product that is critical to New Zealand farming systems along with research that supports both environmentally sustainable farming practices and government's export growth agenda.

FANZ supports responsible nutrient management with interests and responsibility across all agricultural sectors, including dairy, sheep, beef, arable and horticulture.

The following table provides an overview of the submission points within this submission and corresponding proposed plan provision. Full reference should be made to the specific submission point.

Submission Number	Plan Provision
Part B Chapter 2 Otago has high quality natural resources and ecosystems	
1	Objective 2.1
2	Policy 2.1.1
3	Policy 2.1.2
4	Policy 2.1.5
5	Policy 2.2.12
6	Policy 2.2.13
7	Policy 2.2.14
8	Policy 2.2.15
9	Objective 2.3
10	Policy 2.3.1, and 2.3.2
11	Policies 2.3.3, 2.3.4 and 2.3.5
Part B Chapter 3 Communities in Otago are resilient, safe and healthy	
12	Objective 3.1 and Policy 3.1.1
13	Policy 3.8.3
14	Objective 3.9
15	Policy 3.9.2
16	Policy 3.9.4
17	Policy 3.9.5
18	Policy 3.9.6
19	Policy 3.9.7
Part B Chapter 4 People are able to use and enjoy Otago's natural and built environment	
20	Objective 4.3
21	Policy 4.3.1
22	Policy 4.3.5
23	Policy 4.4.3
24	Policy 4.5.1
25	Policy 4.5.2
Part C Implementation	
26	Roles and Responsibilities
27	Anticipated Environmental Results and Monitoring Programme: AER 1.2
28	AER 2.2 and AER 2.4

Part B Chapter 2 Otago has high quality natural resources and ecosystems

Submission Point 1

Provision: Objective 2.1

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

The provision is **SUPPORTED IN PART**.

Reasons:

The broad nature of the objective is supported but FANZ considers that it should be reworded to refer to 'or enhanced' as values cannot be maintained and enhanced; it is generally a case of either maintain or enhance, which in relation to freshwater resources is consistent with Objective A2 of the National Policy Statement for Freshwater Management (NPS-FM) which used the terms maintain or improve.

Relief Sought:

(i) Amend Objective 2.1 as follows:

The values of Otago's natural and physical resources are recognised, maintained ~~and~~ or enhanced.

(ii) And any consequential amendments.

Submission Point 2

Provision: Policy 2.1.1

Recognise freshwater values, and manage freshwater, to:

- a) Support healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and*
- b) Retain the range and extent of habitats provided by freshwater; and*
- c) Protect outstanding water bodies and wetlands; and*
- d) Protect migratory patterns of freshwater species, unless detrimental to indigenous biodiversity; and*
- e) Avoid aquifer compaction, and seawater intrusion in aquifers; and*
- f) Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded; and*

- g) *Maintain or enhance coastal values supported by freshwater values; and*
- h) *Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and*
- i) *Retain the quality and reliability of existing drinking water supplies; and*
- j) *Protect Kāi Tahu values; and*
- k) *Provide for other cultural values; and*
- l) *Protect important recreation values; and*
- m) *Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and*
- n) *Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and*
- o) *Mitigate the adverse effects of natural hazards, including flooding and erosion; and*
- p) *Maintain the ability of existing infrastructure to operate within their design parameters.*

The provision is **SUPPORTED IN PART**.

Reasons:

The general intent of the policy is supported but FANZ considers that some amendments are necessary.

FANZ considers that the policy is unclear as to how freshwater will be managed and that it would be more accurate to refer to the management of the effects of activities that could have an impact on freshwater quality and quantity. Consequently, FANZ seeks to amend the Policy as follows:

Recognise freshwater values, and manage the effects of activities which impact on freshwater, to:

Clause (c) requires the protection of outstanding water bodies and wetlands in terms of freshwater values, which FANZ assumes will include, amongst other matters, water quality. However, Objective A2 of the National Policy Statement for Freshwater Management (NPS) requires that '*the overall quality of fresh water within a region is maintained or improved while.. protecting the significant values of outstanding freshwater bodies and protecting the significant values of wetlands*'. Objective B4 of the NPS states '*To protect significant values of wetlands and of outstanding freshwater bodies*'. FANZ notes that the both objectives require the protection of '*significant values*' and therefore seek that clause c) be amended accordingly to reflect this higher-order document.

Clause (f) appears to be the principle policy on water quality. However FANZ is concerned that whilst it may appear relatively clear, this will depend on what is meant by the terms 'good' and 'degraded'. For example, does 'good' mean it meets the NZ Drinking Water Standard or some other measure and 'degraded' that it does not meet a standard? Or will 'good' and 'degraded' be decided using an arbitrary process. FANZ seeks clarification on the intended triggers and outcome of clause f) or that guidance be taken from the NPS for Freshwater Management Objective A2 that water quality is improved in water bodies that have been degraded by human activities.

FANZ supports clause (i)

Clause (j) requires the protection of Kai Tahu values, and clause (l) requires the protection of important recreational values, which would require avoidance of any effects on these values. This is onerous and not in accordance with the RMA, which requires the protection of protected customary rights under Section 6 and to have particular regard to kaitiakitanga under Section 7 whilst taking into account the principles of the Treaty of Waitangi. Likewise the protection of important recreation values is a stringent requirement that is not required by the RMA. FANZ therefore seek that Clauses j) and k) are amended as below.

Relief Sought:

(i) Amend Policy 2.1.1 as follows:

Recognise freshwater values, and manage the effects of activities which impact on freshwater, to:

a) Support healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and

b) Retain the range and extent of habitats provided by freshwater; and

c) Protect the significant values of outstanding water bodies and wetlands; and

.....

f) Maintain good water quality, including in the coastal marine area, ~~or enhance~~ improve it where it has been degraded by human activities; and

.....

j) Protect protected customary rights and ~~a~~Avoid, remedy or mitigate adverse effects on Kāi Tahu values; and

k)

l) ~~Protect~~ Avoid, remedy or mitigate adverse effects on important recreation values and

.....

- (ii) Clarification on the intended triggers and outcome of clause f)
- (iii) And any consequential amendments.

Submission Point 3

Provision: Policy 2.1.2

Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to:

- a) Protect or restore their natural functioning; and*
- b) Protect outstanding water bodies and wetlands; and*
- c) Maintain good water quality, or enhance it where it has been degraded; and*
- d) Maintain ecosystem health and indigenous biodiversity; and*
- e) Retain the range and extent of habitats supported; and*
- f) Maintain or enhance natural character; and*
- g) Protect Kāi Tahu values; and*
- h) Provide for other cultural values; and*
- i) Maintain their aesthetic and amenity values; and*
- j) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and*
- k) Mitigate the adverse effects of natural hazards, including flooding and erosion; and*
- l) Maintain bank stability.*

The provision is **OPPOSED IN PART**

Reasons:

FANZ opposes clauses b), c) and g) for the reasons discussed above and seeks similar relief.

Relief Sought:

- (i) Clarification on the intended triggers and outcome of clause c)
- (ii) Amend Policy 2.1.2 as follows:

Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to:

- b) Protect the significant values of outstanding water bodies and wetlands; and*
- c) Maintain good water quality, or ~~enhance~~ improve it where it has been degraded by human activities; and*

....

- g) Protect protected customary rights and ~~a~~Avoid, remedy or mitigate significant adverse effects on Kāi Tahu values; and*

.....

(iii) And any consequential amendments

Submission Point 4

Provision: Policy 2.1.5

Recognise soil values, and manage soils, to:

- a) Maintain their life supporting capacity; and*
- b) Maintain soil biodiversity; and*
- c) Maintain biological activity in soils; and*
- d) Maintain soil's function in the storage and cycling of water, nutrients, and other elements through the biosphere; and*
- e) Maintain soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and*
- f) Retain soil resources for primary production; and*
- g) Protect Kāi Tahu values; and*
- h) Provide for other cultural values; and*
- i) Maintain the soil mantle where it acts as a repository of heritage objects; and*
- j) Maintain highly valued soil resources; and*
- k) Avoid contamination of soil; and*
- l) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.*

The provision is **SUPPORTED IN PART**

Reasons:

The policy seeks to recognise soil values and manage soils. FANZ supports this approach and the use of best management practices. As an organisation, it consistently tries to encourage its members to manage outputs or losses from farming systems.

However the Policy as notified, provides no direction on how soils will be managed. FANZ considers that this is likely to be achieved through the management of the potential effects of activities rather than management of the soil itself, and therefore seeks to amend the Policy as follows:

Recognise soil values, and manage the effects of activities which impact on soils, to:

FANZ support clauses a) to d) as important matters.

FANZ oppose clause e) because 'pollutants' are not defined. Given the use of the term 'contaminant' in other policies in the proposed RPS and that the term is defined under the RMA, FANZ seeks that the Policy is amended to refer to 'contaminant' and the RMA definition of 'contaminant' is included in the Glossary.

The clause also considers pollutants from human activities but not those deriving from natural events such as flooding. Furthermore, whilst it could be assumed that the reference to aquifers is pertaining to the fact that soil can filter contaminants and protect groundwater, the wording of the clause is unclear. FANZ seeks a minor amendment to clarify the intent of the clause.

Clause g) requires the protection of Kai Tahu values, which would require avoidance of any effects on these values. This is onerous especially as it is unclear what is meant by 'Kai Tahu values'. Furthermore the requirement under the RMA is to protect protected customary rights under Section 6 and have particular regard to kaitiakitanga under Section 7 whilst taking into account the principles of the Treaty of Waitangi. FANZ therefore seek that Clause g) is amended accordingly.

FANZ oppose clause k) as it is not possible to avoid contamination of soil. FANZ acknowledges that fertilisers are recognised as a contaminant under the RMA definition of the term. Consequently, this policy contradicts other policies in the Proposed RPS that provide for farming activities. As such, FANZ seeks that clause k) be amended.

Relief Sought:

(i) Amend Policy 2.1.5 as follows:

Recognise soil values, and manage the effects of activities which impact on soils, to:

a) Maintain their life supporting capacity; and

- b) *Maintain soil biodiversity; and*
- c) *Maintain biological activity in soils; and*
- d) *Maintain soil's function in the storage and cycling of water, nutrients, and other elements through the biosphere; and*
- e) *Maintain soil's function as a buffer or filter for ~~pollutants~~ contaminants resulting from human activities and natural events, including for the protection of aquifers at risk: aquifers at risk of leachate contamination; and*
- f) *Retain soil resources for primary production; and*
- g) *Protect protected customary rights and a Avoid, remedy or mitigate adverse effects on Kāi Tahu values; and*
-
- k) *Avoid Ensure that the accumulation of ~~contamination~~ contaminants of in soils is managed and does not cause a reduction in the range of existing and foreseeable uses of the soil resource; and*
- l) *Avoid the adverse effects of pest species, prevent their introduction and reduce their spread*

(ii) Include the RMA definition of 'contaminant' in the Proposed RPS:

Contaminant includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—

(a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or

(b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged.

(iii) And any consequential amendments

Submission Point 5

Provision: Policy 2.2.12

Identify outstanding water bodies and wetlands and their values, using the following criteria:

- a) *A high degree of naturalness;*

- b) *Outstanding aesthetic or landscape values;*
- c) *Significant takata whenua cultural values;*
- d) *Significant recreational values;*
- e) *Significant ecological values;*
- f) *Significant hydrological values.*

The provision is **OPPOSED**.

Reasons:

The NPS for Freshwater Management requires the protection and therefore identification, of the significant values of outstanding freshwater bodies i.e. lakes, rivers, streams and wetlands. As such, FANZ seeks that the Policy is amended accordingly.

Furthermore, the criteria should be amended to remove any determination of scale (i.e. 'a high degree') as the Policy is sought to be amended to refer to 'significant values' only. FANZ considers that any analysis of waterbodies will be undertaken as part of a region or district wide assessment or for a consent application using the identified criteria to ensure a consistent approach. FANZ has assumed that any identification will be undertaken by a suitably qualified and experienced person(s) to ensure a stringent methodology is followed.

Relief Sought:

- (i) Amend Policy 2.2.12 as follows:

Identify outstanding water bodies and wetlands and their significant values, using the following criteria:

- a) ~~A high degree of n~~Naturalness;*
- b) ~~Outstanding a~~Aesthetic or landscape values;*
- c) Landscape values;*
- d) ~~Significant t~~Takata whenua cultural values;*
- e) ~~Significant r~~Recreational values;*
- f) ~~Significant e~~Ecological values;*
- g) ~~Significant h~~Hydrological values.*

- (ii) And any consequential amendments.

Submission Point 6

Provision: Policy 2.2.13

Protect the values of outstanding water bodies and wetlands by:

- a) Avoiding significant adverse effects, including cumulative effects, on those values which contribute to the water body or wetland being outstanding; and*
- b) Avoiding, remedying or mitigating other adverse effects on the water body or wetland's values; and*
- c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and*
- d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and*
- e) Encouraging enhancement of outstanding water bodies and wetlands.*

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ supports the intent of the Policy: that significant adverse effects on the significant values of an 'outstanding water body' are to be avoided whilst all other effects are to be avoided, remedied or mitigated. As notified, the assessment of the significance of effects is set out under clause c) below the clause that seeks to avoid significant adverse effects. As such, it is considered that these clauses should be re-arranged to provide for the assessment and then avoidance of significant adverse effects.

Relief Sought:

- (i) Amend Policy 2.2.13 as follows:

Protect the significant values of outstanding water bodies and wetlands by:

a) Assessing the significance of adverse effects on significant values, as detailed in Schedule 3; and

~~a)b)~~ Avoiding significant adverse effects, including cumulative effects, on those significant values which contribute to the water body or wetland being outstanding; and

~~b)c)~~ Avoiding, remedying or mitigating other adverse effects on the water body or wetland's values; and

~~c) Assessing the significance of adverse effects on values, as detailed in Schedule 3;~~

d)...

- (ii) And any consequential amendments

Submission Point 7

Provision: Policy 2.2.14

Identify areas and values of highly valued soil resources, using the following criteria:

- a) Degree of versatility for primary production;*
- b) Significance for providing pollutant buffering or filtering services;*
- c) Significance for providing water storage or flow retention services;*
- d) Degree of rarity*

The provisions are **OPPOSED**.

Reasons:

FANZ considers that the policy as worded is confusing. The values have already been attributed to the soil resource, being the criteria listed i.e. versatility and do not need to be identified.

As for Policy 2.2.12, the policy does not provide any means of assessing whether there is a high degree of versatility, for example are soils to be ranked using a quantitative or qualitative analysis. FANZ considers any analysis of soils will be undertaken as part of a region or district wide assessment or for a consent application using the identified criteria to ensure a consistent approach. FANZ has assumed that any identification will be undertaken by a suitably qualified and experienced person(s) to ensure a stringent methodology is followed.

FANZ also considers that, as discussed above, the term 'pollutant' should be replaced with 'contaminant' in clause b).

Relief Sought:

- (i) Suggest rewording the Policy as follows:

Identify areas ~~and values~~ of highly valued soil resources, using the following criteria:

- ~~i) Degree of v~~ Versatility for primary production;*
- ~~ii) Significance for providing pollutant~~ Contaminant buffering or filtering services;*
- ~~iii) Significance for providing w~~ Water storage or flow retention services;*
- ~~vi) Degree of r~~ Rarity.*

- (ii) Provide quantitative or qualitative criteria to enable consistent region wide identification of highly valued soils.
- (iii) And any consequential amendments.

Submission Point 8

Provision: Policy 2.2.15

Protect the values of areas of highly valued soil resources, by:

- a) Avoiding significant adverse effects on those values which contribute to the soil being highly valued; and*
- b) Avoiding, remedying or mitigating other adverse effects on values of those soils; and*
- c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and*
- d) Recognising that urban expansion may be appropriate due to location and proximity to existing urban development and infrastructure.*

The provisions are **SUPPORTED IN PART**.

Reasons:

FANZ supports the intent of the Policy: that significant adverse effects on the values of soils which are highly valued soil resources are to be avoided whilst all other effects are to be avoided, remedied or mitigated. As notified, the assessment of the significance of effects is set out under clause c) below the clause that seeks to avoid significant adverse effects. As such, it is considered that these clauses should be re-arranged to provide for the assessment and then avoidance of significant adverse effects.

FANZ seeks the deletion of clause d) as it is not about protecting areas of highly valued soil resources. Urban expansion should be considered in accordance with Schedule 3 and on a case by case basis rather than being provided for through the policy framework. The Policy is not directive, for example what matters will be considered in determining when urban expansion is more appropriate than protecting highly valued soils.

Relief Sought:

- (i) Amend Policy 2.2.15 as follows:

Protect the values ~~of areas~~ of highly valued soil resources, by:

- a) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and*

~~a) b) Avoiding significant adverse effects on those values which contribute to the soil being highly valued; and~~

~~b) c) Avoiding, remedying or mitigating other adverse effects on values of those soils; and~~

~~c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and~~

~~d) Recognising that urban expansion may be appropriate due to location and proximity to existing urban development and infrastructure.~~

(ii) And any consequential amendments

Submission Point 9

Provision: Objective 2.3

Natural systems and their interdependencies are recognised and sustained.

The provisions are **SUPPORTED**.

Reasons:

FANZ recognises the importance of maintaining the interdependencies of natural systems as primary production also relies, to a certain extent, on this.

Relief Sought:

(i) Retain Objective 2.3 as notified.

Submission Point 10

Provision: Policy 2.3.1

Applying an integrated management approach among resources

Apply an integrated approach to the management of Otago's natural and physical resources, to achieve sustainable management, by:

a) *Taking into account the impacts of management of one resource on the values of another, or on the environment in general; and*

b) *Recognising that the form and function of a resource may extend beyond the immediate, or directly adjacent, area of interest.*

Provision: Policy 2.3.2

Applying an integrated management approach within a resource

Apply an integrated management approach within a natural and physical resource, to achieve sustainable management, by:

- a) Ensuring that resource objectives are complementary across administrative boundaries; and*
- b) Ensuring that effects of activities on the whole of a resource are considered when that resource is managed by sub-units.*

The provisions are **SUPPORTED IN PART**.

Reasons:

FANZ recognises the importance of applying an integrated management approach to and within Otago's natural and physical resources but is concerned how part b) of Policy 2.3.1 will be implemented.

Relief Sought:

- (i) Retain Policies 2.3.1 and 2.3.2 as notified.
- (ii) Seek clarification of how Policy 2.3.1 b) will be implemented in practice.
- (iii) Any consequential amendments.

Submission Point 11

Provision: Policy 2.3.3

Apply an integrated management approach to activities in freshwater catchments, by:

- a) Using consistent freshwater objectives for interconnected water bodies; and*
- b) Recognising the importance of river morphology, catchment hydrology, natural processes and land cover in supporting catchment values; and*
- c) Coordinating the management of land use and freshwater, to:
 - i. Maintain or enhance freshwater values; and*
 - ii. Maintain or enhance the wetland values; and*
 - iii. Maintain or enhance the values of beds of rivers and lakes, wetlands, and their margins; and*
 - iv. Reduce the potential for health and nuisance effects**

Provision: Policy 2.3.4

Applying an integrated management approach for the coastal environment

Apply an integrated management approach to activities in the coastal environment, by:

- a) Recognising the importance of coastal morphology, coastal processes and land cover in supporting coastal environment values; and*
- b) Coordinating the management of land use, freshwater, and coastal water, to:
 - i. Maintain or enhance coastal values; and*
 - ii. Reduce the potential for health and nuisance effects.**

Provision: Policy 2.3.5

Apply an integrated management approach to activities that affect air quality, by:

- a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and*
- b) Co-ordinating the management of land use and air quality, to:
 - i. Maintain or enhance air quality values; and*
 - ii. Reduce the potential for adverse health and nuisance effects.**

These provisions are **OPPOSED IN PART**.

Reasons:

FANZ opposes clause c) of Policy 2.3.3 because there is no guidance on when 'maintain' will be preferred over 'enhancement'. It is assumed it will depend on the existing state of the freshwater but guidance could be taken from the NPS for Freshwater Management Objective A2 that water quality is improved in water bodies that have been degraded by human activities to the point of being over-allocated.

Furthermore, FANZ considers that if Policy 2.3.3 is referring to integrated catchment management that clause c) should also include a direction to maintain or enhance soils. A freshwater management catchment is more than just the management of water and should include consideration of the adjoining land. FANZ seeks an amendment to the policy to reflect this.

FANZ notes that Policies 2.3.3, 2.3.4 and 2.3.5 refer to 'reducing' the potential for health and nuisance effects. This is not always feasible or necessary to 'reduce' and the wording of the policies should be amended to reflect a more realistic approach of 'managing' the potential for effects.

Relief Sought:

- (i) Amend Policy 2.3.3 as follows:

Apply an integrated management approach to activities in freshwater catchments, by:

- a) Using consistent freshwater objectives for interconnected water bodies; and*
- b) Recognising the importance of river morphology, catchment hydrology, natural processes and land cover in supporting catchment values; and*
- c) Coordinating the management of land use and freshwater, to:*
 - i. ~~Maintain or enhance~~ improve, where degraded by human activities to the point of being over-allocated. freshwater values; and*
 - ii. ~~Maintain or enhance~~ improve, where degraded by human activities to the point of being over-allocated, ~~the~~ wetland values; and*
 - iii. Maintain or enhance, where degraded, the soil resource values; and*
 - iii ~~iv.~~ Maintain or enhance the values of beds of rivers and lakes, wetlands, and their margins; and*
 - iv ~~v.~~ Reduce Manage the potential for health and nuisance effects.*

- (ii) Amend Policy 2.3.4 as follows:

Applying an integrated management approach for the coastal environment

Apply an integrated management approach to activities in the coastal environment, by:

- a) Recognising the importance of coastal morphology, coastal processes and land cover in supporting coastal environment values; and*
- b) Coordinating the management of land use, freshwater, and coastal water, to:*
 - i. Maintain or enhance coastal values; and*
 - ii. ~~Reduce~~ Manage the potential for health and nuisance effects.*

- (iii) Amend Policy 2.3.5 as follows:

Apply an integrated management approach to activities that affect air quality, by:

- a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and*
- b) Co-ordinating the management of land use and air quality, to:*
 - i. Maintain or enhance air quality values; and*

- ii. ~~Reduce~~ Manage the potential for adverse health and nuisance effects.
- (iv) And any consequential amendments

Part B Chapter 3 Communities in Otago are resilient, safe and healthy

Submission Point 12

Provision: Objective 3.1

Protection, use and development of natural and physical resources recognises environmental constraints.

Provision: Policy 3.1.1

Recognise the natural and physical environmental constraints of an area, the effects of those constraints on activities, and the effects of those activities on those constraints, including:

- a) The availability of natural resources necessary to sustain the activity; and*
- b) The ecosystem services the activity is dependent on; and*
- c) The sensitivity of the natural and physical resources to adverse effects from the proposed activity/land use; and*
- d) Exposure of the activity to natural and technological hazard risks; and*
- e) The functional necessity for the activity to be located where there are significant constraints*

The provision is **OPPOSED**.

Reasons:

FANZ opposes proposed Objective 3.1 and Policy 3.1.1 on the basis that this objective and policy are considered in tandem with those providing for agricultural production and its benefits. Acceptable use and development of natural and physical resources within environmental limits is provided for by other Objectives, and Policies within the Proposed RPS. Furthermore that the objective and policy are not used to prevent development and/or activities because of 'perceived' constraints. FANZ considers that some constraints can be managed through the use of innovation, flexibility and technology. The example given in the Policy that there should be sufficient water supply available for a proposed activity, could in past times prevent irrigated land use development as a matter of policy, whereas, new, more efficient systems using

precision agriculture technologies could provide for viable agricultural production within environmental limits.

Relief Sought:

- (i) Delete Policy 3.1.1 or alternatively:
- (ii) Amend Policy 3.1.1 as follows:

Recognise the natural and physical environmental constraints of an area, the effects of those constraints on activities, and the effects of ~~these~~ activities on those constraints, including:

- a) The availability of natural resources necessary to sustain the activity; and*
- b) The ecosystem services the activity is dependent on; and*
- c) The sensitivity of the natural and physical resources to adverse effects from the proposed activity/land use; and*
- d) Exposure of the activity to natural and technological hazard risks; and*
- e) The functional necessity for the activity to be located where there are significant constraints.*

Whilst taking into consideration opportunities for innovative and technological solutions to constraints.

- (iii) And any consequential amendments.

Submission Point 13

Provision: Policy 3.8.3

Managing fragmentation of rural land

Manage subdivision, use and development of rural land, to:

- a) Avoid development or fragmentation of land which undermines or forecloses the potential of rural land:
 - i. For primary production; or*
 - ii. In areas identified for future urban uses; or*
 - iii. In areas having the potential for future comprehensive residential development; and**
- b) Have particular regard to whether the proposal will result in a loss of the productive potential of highly versatile soil, unless:*

- i. The land adjoins an existing urban area and there is no other land suitable for urban expansion; and*
 - ii. There highly versatile soils are needed for urban expansion, any change of land use from rural activities achieves an appropriate and highly efficient form of urban development; and*
 - iii. reverse sensitivity effects on rural productive activities can be avoided; and*
- c) Avoid unplanned demand for provision of infrastructure, including domestic water supply and waste disposal; and*
- d) Avoid creating competing demand for water or other resources.*

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ supports the intent of the Policy that seeks to manage the fragmentation of rural land to ensure land is available for primary production. However, the submitter notes that the whilst particular regard has to be had to the loss of highly versatile soils, this does not apply if the land adjoins an existing urban area, the soils are needed for urban expansion and reverse sensitivity effects can be avoided. In accordance with the submitter's relief sought for Policy 2.2.15, there should not be a policy presumption in favour of urban expansion over the protection of versatile soils. Any consideration should be undertaken on a case by case basis recognising the importance and value of versatile soils versus the need for urban expansion. The submitter therefore seeks an amendment to the Policy.

Relief Sought:

- (i) Amend Policy 3.8.3 as follows:

Manage subdivision, use and development of rural land, to:

a) Avoid development or fragmentation of land which undermines or forecloses the potential of rural land:

i. For primary production; or

ii. In areas identified for future urban uses; or

iii. In areas having the potential for future comprehensive residential development; and

b) Have particular regard to whether the proposal will result in a loss of the productive potential of highly versatile soil, ~~unless~~ taking into consideration whether:

i. The land adjoins an existing urban area and there is no other land suitable for urban expansion; and

- ii. *There highly versatile soils are needed for urban expansion, any change of land use from rural activities achieves an appropriate and highly efficient form of urban development; and*
- iii. *reverse sensitivity effects on rural productive activities can be avoided; and*

....

(ii) Any consequential amendments.

Submission Point 14

Provision: Objective 3.9

Hazardous substances and waste materials do not harm human health or the quality of the environment in Otago

The provision is **OPPOSED IN PART**.

Reasons:

FANZ is concerned by the use of the terms 'harm' and 'quality of the environment', as these are fairly vague terms that can be interpreted in a number of ways. FANZ seeks to amend the objective to clarify its intent.

In the introductory paragraph for Objective 3.9, it states that "*Hazardous Substances are dangerous.*" when in fact not all substances with a Hazardous substances classification would normally be considered dangerous. For example, common table salt, which has Hazardous substances classifications of 6.1E (Oral), acutely toxic and 6.4, irritating to the eye.

Relief Sought:

- i) Amend Objective 3.9 as follows:

Hazardous substances and waste materials do not ~~harm human health or the quality of the environment in Otago~~ result in significant adverse effects on the health and safety of people or the environment.

- ii) Amend the second sentence of the introductory paragraph to Objective 3.9 as follows:

Hazardous substances ~~are dangerous~~ can present a range of hazards from very mild (such as mild skin irritants) to significant (such as explosive or highly toxic substances), but hazardous substances are essential components of some activities.

- (iii) Any consequential amendments.

Submission Point 15

Provision: Policy 3.9.2

Manage the use, storage and disposal of waste materials, to avoid accidental spillage or release of those substances and materials, by:

- a) Providing secure containment of those substances in case of accidental spillage; and*
- b) Minimising risk associated with natural hazard events; and*
- c) Avoiding adverse effects of those substances and materials on the health and safety of people, and on other values; and*
- d) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous waste and waste materials; and*
- e) Ensuring hazardous substances are treated or disposed at authorised facilities, in accordance with the relevant disposal instructions; and*
- f) Restricting the location of activities that may result in reverse sensitivity effects near:
 - i. Authorised facilities for hazardous substance treatment or disposal; or*
 - ii. Waste transfer or disposal facilities.**

The provision is **OPPOSED IN PART**.

Reasons:

FANZ generally supports the intent of the Policy but considers that the reference to 'other values' introduces uncertainty as to what is being referred to. The policy needs to be more specific.

The name of the Policy is not reflected in the wording of the Policy and clause c) seems to be directed at why spillage and release of substances should be avoided rather than how, as per the other clauses. This matter is more appropriately provided for in a new policy that reflects the overarching objective.

Furthermore, FANZ seeks that the Policy is amended to delete the reference to 'in case of accidental spillage' in Clause a) as this is effectively a repeat of the overarching purpose of the Policy.

Relief Sought:

- (i) Amend Policy 3.9.2 as follows:

Manage the use, storage and disposal of hazardous substances and the storage and disposal of waste materials, to avoid accidental spillage or release of those substances and materials, by:

- a) Providing secure containment of those substances ~~in case of accidental spillage~~; and*
- b) Minimising risk associated with natural hazard events; and*
- ~~e) Avoiding adverse effects of those substances and materials on the health and safety of people, and on other values; and~~*
- d) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous waste and waste materials; and*
- e) Ensuring hazardous substances are treated or disposed at authorised facilities, in accordance with the relevant disposal instructions; and*
- f) Restricting the location of activities that may result in reverse sensitivity effects near:
 - i. Authorised facilities for hazardous substance treatment or disposal; or*
 - ii. Waste transfer or disposal facilities.**

.....

- (ii) Include a new policy as follows:

Manage the use, storage and disposal of hazardous substances and the storage and disposal of waste materials to avoid significant adverse effects on the health and safety of people.

- (iii) And any consequential amendments.

Submission Point 16

Provision: Policy 3.9.4

Managing the use of contaminated land

Manage the use of contaminated land, to protect people and the environment from adverse effects, by:

- a) Prior to subdivision or development of potentially contaminated land, requiring a site investigation is undertaken to determine the nature or extent of any contamination; and*

b) *Where there is contamination:*

i. *Requiring an assessment of associated environmental risks; and*

ii. *Remediating land; and*

c) *Considering the need for ongoing monitoring of contaminant levels and associated risks.*

The provision is **OPPOSED IN PART**.

Reasons:

FANZ opposes clause b). The submitter considers that 'contamination' is poorly defined whereas 'contaminated land' is defined under the RMA. Contamination does not always have the same meaning as 'contaminated land' and does not always require an assessment of risk or remediation. As such, FANZ seeks that clause b) is amended to refer to contaminated land rather than contamination to reflect the intent of the Policy.

FANZ also seeks to include the RMA definition of 'contaminated land' in the Glossary.

Relief Sought:

(i) Amend Policy 3.9.4 as follows:

Manage the use of contaminated land, to protect people and the environment from adverse effects, by:

a) *Prior to subdivision or development of potentially contaminated land, requiring a site investigation is undertaken to determine the nature or extent of any contamination; and*

b) *Where there is ~~contamination~~ contaminated land:*

i. *Requiring an assessment of associated environmental risks; and*

ii. *Remediating land; and*

c) *Considering the need for ongoing monitoring of contaminant levels and associated risks.*

(ii) Include a definition of 'Contaminated Land' in the Glossary as follows:

Contaminated Land means 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.

(ii) And any consequential amendments.

Submission Point 17

Provision: Policy 3.9.5

Avoid the creation of new contaminated land

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ support for the Policy is predicated on the view that applying contaminants to the land (such as fertiliser) or operating a potentially hazardous facility does not necessarily mean the land is contaminated. For example, contamination is determined by the level of contaminant(s) above background levels. So whilst it is not always feasible to avoid applying contaminants to land, this will not always result in contaminated land as defined in the RMA.

Furthermore as written this is not a policy, it is a statement more like an objective and gives no indication of how it will be achieved. FANZ seeks an amendment to clarify the intent of the Policy.

Relief Sought:

- (i) Amend Policy 3.9.5 as follows:

Manage activities that involve the use, manufacture, storage and disposal of hazardous substances to avoid the creation of new contaminated land.

- (ii) Include a definition of 'Contaminated Land' in the Glossary as follows:

Contaminated Land means 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.

- (iii) And any consequential amendments.

Submission Point 18

Provision: Policy 3.9.6

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.

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ generally support the Policy but seek to delete 'reducing their use' and rely on best practice instead. If best practice is being followed the use of the products should not be excessive. The submitter also suggests an amendment to refer to effects on the health and safety of people.

Relief Sought:

(i) Amend Policy 3.9.6 as follows:

Encourage the use of best management practices to ~~prevent~~ avoid, remedy or mitigate adverse effects of the use of hazardous substances on the environment, including ~~reducing their use.~~ and on the health and safety of people.

(ii) And any consequential amendments.

Submission Point 19

Provision: Policy 3.9.7:

Encourage the establishment of hazardous substance collection, disposal and recycling services across the region.

The provision is **SUPPORTED**.

Reasons:

FANZ supports the establishment of services that will assist farmers to dispose of their hazardous substances responsibly thus reducing the risk of adverse effects on people and the environment.

Relief Sought:

(i) Retain Policy 3.9.7 as notified.

(ii) And any consequential amendments.

Submission Point 20

Provision: Objective 4.3

Sufficient land is managed and protected for economic production

The provision is **SUPPORTED IN PART**.

Reasons:

The intent of the Objective is supported however, FANZ consider that the Objective as notified is incomplete as it unclear what level of economic production is sought to be managed and protected. For example, there is a significant difference between providing for economic production for a market garden than a dairy farm or for the economic production on one farm or for a region. As such, FANZ seek that the Objective is amended.

Relief Sought:

- (i) Amend Objective 4.3 as follows:

Sufficient land is managed and protected for economic production to ensure the social and economic wellbeing of the region.

- (ii) And any consequential amendments.

Submission Point 21

Provision: Policy 4.3.1

Manage activities in rural areas, to support the region's economy and communities, by:

- a) Enabling farming and other rural activities that support the rural economy; and*
- b) Minimising the loss of soils highly valued for their versatility for primary production; and*
- c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects; and*
- d) Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities; and*
- e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.*

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ considers that the Policy should reflect the fact that farming and other rural activities support more than the rural economy, they support the local, regional, if not the national economy. FANZ seeks that the Policy is amended accordingly.

Relief Sought:

(i) Amend Policy 4.3.1 as follows:

Manage activities in rural areas, to support the region's economy and communities, by:

a) *Enabling farming and other rural activities that support the rural local, regional and national economy; and*

.....

(ii) And any consequential amendments.

Submission Point 22

Provision: Policy 4.3.5

Manage the finite nature of land suitable and available for industrial activities, by:

a) *Providing specific areas to accommodate the effects of industrial activities; and*

b) *Providing a range of land suitable for different industrial activities, including land extensive activities; and*

c) *Restricting the establishment of activities in industrial areas that may result in:*

i. Reverse sensitivity effects; or

ii. Inefficient use of industrial land or infrastructure.

The provision is **SUPPORTED**.

Reasons:

FANZ support the Policy as notified as it seeks to protect land for industrial development and enable it to be used without restriction from reverse sensitivity.

Relief Sought:

(i) Retain Policy 4.3.5 as notified.

(ii) And any consequential amendments.

Submission Point 23

Provision: Policy 4.4.3

Encourage activities which contribute to enhancing the natural environment, including to:

- a) *Improve water quality; or*
- b) *Protect or restore habitat for indigenous species; or*
- c) *Regenerate indigenous species; or*
- d) *Mitigate natural hazards; or*
- e) *Restore the natural character of wetlands; or*
- f) *Improve the health and resilience of:*
 - i. *Ecosystems supporting indigenous biodiversity; or*
 - ii. *Important ecosystem services, including pollination; or*
- g) *Improve access to rivers, lakes, wetlands and their margins; or*
- h) *Buffer or link ecosystems, habitats and areas of significance that contribute to ecological corridors; or*
- i) *Control pest species.*

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ support the Policy in general but seek assurance that it will be considered in conjunction with other policies in the Proposed RPS that provide for farming and other activities. The submitter seeks additional wording to ensure that the social and economic wellbeing of the community is considered when encouraging enhancement of the natural environment.

Relief Sought:

- (i) Amend Policy 4.4.3 as follows:

Encourage activities which contribute to enhancing the natural environment, including to:

....

whilst providing for the social and economic wellbeing of the community.

- (ii) And any consequential amendments.

Submission Point 24

Provision: Policy 4.5.1

Avoid discharges that are objectionable or offensive to takata whenua and the wider community, including:

- a) *Discharges of human or animal waste:*
 - i. *Directly to water; or*
 - ii. *In close proximity to water; or*
 - iii. *In close proximity to mahika kai sites; or*
- b) *Discharges of hazardous or noxious substances close to sensitive activities, including:*
 - i. *Residential activities; or*
 - ii. *Schools and other educational activities; or*
 - iii. *Places of public access to the natural environment; or*
 - iv. *In close proximity to mahika kai sites; or*
- c) *Odorous or conspicuous discharges.*

The provision is **SUPPORTED IN PART**.

Reasons:

FANZ support the intent of the Policy but are concerned that some of the terms used are ambiguous and could be interpreted in a number of ways. Who will and how will the terms 'objectionable' and 'offensive' be determined. Furthermore, whilst it is recognised that rules in the Regional Plan will manage discharges within defined distances of a water body, the submitter is concerned that 'close proximity' is a vague term. The submitter also considers that the Policy should refer to 'waterbodies' rather than generically refer to 'water'. Given this uncertainty the submitter seeks that the Policy should be amended to provide for the avoidance, remediation and mitigation of effects.

In addition, FANZ seeks that clause b) iii) refer to publicly accessibly places or other similar wording as it is unclear what is meant by 'places of public access'.

Relief Sought:

- (i) Amend Policy 4.5.1 as follows:

Avoid, remedy or mitigate discharges that are objectionable or offensive to takata whenua and the wider community, including:

Discharges of human or animal waste:

- i. *Directly to waterbodies; or*
- ii. *In close proximity to waterbodies; or*
- iii. *In close proximity to mahika kai sites; or*

b) Discharges of hazardous or noxious substances close to sensitive activities, including:

i. Residential activities; or

ii. Schools and other educational activities; or

iii. ~~Places of public access to the natural environment,~~ publicly accessible areas in the natural environment; or

(ii) And any consequential amendments.

Submission Point 25

Provision: Policy 4.5.2

Apply an adaptive management approach, to address adverse effects that might arise and that can be remedied before they become irreversible, by:

a) Setting appropriate indicators for effective monitoring of those adverse effects; and

b) Setting thresholds to trigger remedial action before the effects result in irreversible damage.

The provision is **SUPPORTED**.

Reasons:

FANZ supports the adaptive management approach provided for in this Policy.

Relief Sought:

(i) Retain Policy 4.5.1 as notified.

(ii) And any consequential amendments.

Part C Implementation

Submission Point 26

Provision: Roles and Responsibilities

Regional council will:

Specify objectives, policies and methods for the control of the use of land for:

*a) The management of natural hazards in the beds of rivers, lakes and wetlands,
or the coastal marine area;*

b) The management of hazardous substances to:

- i. prevent or mitigate the actual or potential adverse effects of discharges of hazardous substances to land or air;*
- ii. control the use, storage, disposal or transportation of hazardous substances in the beds of rivers, lakes and wetlands or the coastal marine area;*
- c) The maintenance of indigenous biological diversity in the coastal marine area, in beds of rivers and lakes, and wetlands.*

City and district councils will:

Specify objectives, policies and methods for the control of the use of land for:

- a) The management of natural hazards outside of the beds of rivers, lakes and wetlands or the coastal marine area;*
- 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;*
- c) The maintenance of indigenous biological diversity on all land outside of the coastal marine area and the beds of rivers and lakes.*

The provisions are **OPPOSED IN PART**.

Reasons:

FANZ seek to amend b)i) to more closely align with the intent of the RMA.

Relief Sought:

- (i) Amend Roles and Responsibilities as follows:

Regional council will:

Specify objectives, policies and methods for the control of the use of land for:

a) ...

b) The management of hazardous substances to:

- i. ~~prevent or~~ avoid, remedy or mitigate the actual or potential adverse effects of discharges of hazardous substances to land or air;*

City and district councils will:

Specify objectives, policies and methods for the control of the use of land for:

a)..

b) The ~~prevention or~~ avoidance, remediation 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

(ii) And any consequential amendments.

Anticipated Environmental Results and Monitoring Programme

Submission Point 27

Provision: AER 1.2

The quality of natural resources and resource systems meet cultural health indicator targets

The provision is **neither supported nor opposed**.

Reasons:

FANZ considers that it is difficult to determine whether to oppose or support this when the cultural health indicator targets are not identified in the Proposed RPS.

Relief Sought:

(i) Provide the cultural health indicator targets to submitters to enable them to make an informed decision.

(ii) And any consequential amendments.

Submission Point 28

Provision: AER 2.2 and AER 2.4

Water quality in lakes, rivers, and groundwater supports healthy ecosystems.

The health and quantity of Otago's highly valued soils are maintained or enhanced.

The provision is **supported in part**.

Reasons:


FANZ support the proposed AER 2.2 and AER 2.4

Relief Sought:

(i) Retain AER 2.2 and AER 2.4 as notified.

(ii) And any consequential amendments.

The Fertiliser Association of New Zealand wishes to be heard in support of its submissions and if others make a similar submission FANZ would be prepared to consider presenting a joint case with them at any hearing.



Signature	Claire Kelly, for and on behalf of The Fertiliser Association of New Zealand
Date	24 th July 2015
Address for Service	The Fertiliser Association of New Zealand C/- Boffa Miskell Limited PO Box 110 Christchurch 8150 <u>Attention:</u> C Kelly
Email	Claire.Kelly@boffamiskell.co.nz
Telephone	(03) 366 8891 (03) 353 7651 DDI



SUBMISSION FORM (Print clearly on both sides)
Proposed Regional Policy Statement for Otago

OTAGO REGIONAL COUNCIL
 RECEIVED DUNEDIN
 24 JUL 2015
 FILE No. PA38402
 DIR TO Sarah W

|||

Name of submitter:

W. G. Nagle

Organisation (if applicable):

Postal address:

PO BOX 15
Clyde
9341

Postcodes:

Telephone:

(03) 4826-2275

Email:

tree stone - far@yahoo.com

I wish / do not wish (circle preferred) to be heard in support of my submission

If you do make a submission I will not consider presenting jointly with them at a hearing (circle preferred)

Signature: W. G. Nagle Date: 24/07/15
 for submitter, or person authorised to sign on their behalf

True completed declaration of contributor

I confirm the use of my membership from a submission, but my submission is limited to addressing environmental effects directly resulting from projects

Signature:

Note that all submissions are made available for public inspection

**SUBMISSIONS MUST BE RECEIVED BY 5:00 PM,
 FRIDAY 24 JULY 2015**



Send to:
 FreePost CRG 497
 Otago Regional Council
 Private Bag 1994
 Dunedin 9054

OTAGO REGIONAL COUNCIL

General: this RPS is a wonderful improvement on the previous one. Congratulations! There is however, an opportunity to make it serve the present and future inhabitants of Otago and the ecosystems that support them in a more positive manner by some simple additions and alterations.

1. State what your submission relates to and if you support, oppose or want it amended	2. State what decision you want the Otago Regional Council to make	3. Give reasons for the decision you want made
Part A	Amend	Include an explanation of where the RPS sits in the decision-making process. What is its authority and who has responsibility? At present it reads like bureaucracy for the sake of it. A flow diagram to show how the AER (p108) relate to the various policies would remove guesswork and be very, very helpful.
Part B, p15 Proverb	Amend to reflect reality	The dams on the Mata-au, and other waterways, have destroyed the connections from source to mouth and affected ikawai and tuna. The loss of sandbanks and gravel bars has affected nesting sites for endangered birds.
Part B, p19, Objective 1.2	Amend “a healthy, functioning natural environment”	There is no definition of what this is which leaves it open to argument.
Part B, p23 (and throughout the RPS)	Amend “economy” to “sustainable wellbeing”	Where in the Local Government Act does it give councils a mandate to consider “economy”? The LGA talks about “Sustainable regional well-being”.
Policy 2.1.2, p28	Amend	Explain what is meant by “good” water quality and ecosystem “health”.
Policy 2.1.5, a-k, p29	Amend	No recognition is given to the destruction of soils from burning-off and from unsuitable use of light, and very old, inland soils.
Policy 2.1.5, l, p29	Amend	Use of the term “pest” has strict and inadequate connotations. Very few harmful introduced species have a “pest” designation. Pest indicates an economic value can be assigned, but harm caused to native species by invasive species is usually difficult to value so is often not valued at all.
Policy 2.1.6, p30	Amend to include “add to”	It is not enough to “Maintain or enhance ecosystem health and indigenous biodiversity”! Otago has lost so much biodiversity that parts of it lead the country in terms of loss – a damning indictment on the lack of action by territorial authorities. We continue to lose our birthright. Every summer the skies of inland Otago are

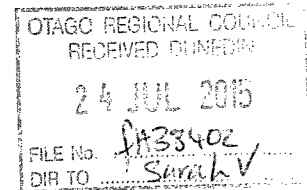
1. State what your submission relates to and if you support, oppose or want it amended	2. State what decision you want the Otago Regional Council to make	3. Give reasons for the decision you want made
		filled with smoke as our biodiversity burns, landowners continue to clear “scrub” with impunity and unsuitable soils are used for intensive pastoralism. More land must be restored to native species to provide resilient ecosystems as a buffer against a changing climate. We know what to do and how to do it. Let’s get on with it!
Policy 2.1.6, p30	Amend to include “woody vegetation”	Tussocks are not the only plant providing “hydrological services”. Woody vegetation has a critical role in harvesting, water, reducing run-off and protecting against erosion. The indiscriminate removal of “grey scrub” has serious consequences.
Policy 2.2.2, p34	Amend	“Protect and enhance the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna” is not enough. Restoration of degraded land must be part of the solution.
Objective 2.3, p39	Support with qualifications	A great concept if we have the information to be able to do it. Do we? Or is just meaningless burble? Why is the terrestrial environment not included?
Policy 3.2.8, p52	Amend	The “precautionary approach” is not described anywhere. NZ is a Party to the Convention on Biological Diversity which describes it as - "The precautionary principle states that where there is a threat of significant reduction or loss of biological diversity, lack of full scientific certainty should not be used as a reason for postponing measures to avoid or minimize such a threat." and "One concrete implication of irreversibility is the need to incorporate a precautionary principle into policy decision paths that might result in irreversible changes to ecosystems. While it is impossible to know for sure whether people in the future might need to undo some steps taken in the present, an analyst should gather evidence on the possible forgone opportunities of irreversible changes and remind the decision maker of the need to use the precautionary principle in these cases."
Objective 3.3, p54	Amend	There is no recognition of the likely biological consequences of climate change. It

1. State what your submission relates to and if you support, oppose or want it amended	2. State what decision you want the Otago Regional Council to make	3. Give reasons for the decision you want made
		<p>is likely that invasive species that are currently ‘sleeping’ may wake up with a warmer and wetter climate on which to thrive. Others may disperse from one ecotome to another.</p> <p>Communities will need resilient ecosystems to support them and the components of those ecosystems that have evolved here should have a better chance of surviving a changing climate.</p>
Objective 3.6, p61	Amend	Add solar energy as a specific policy to take advantage of our latitude.
Policy 3.7.1, p65	Amend	Specify that, to be successful, ecological corridors must have locally-sourced plants, not out-of-area imports.
Objective 4.3, p82	Amend	Land should be managed protected for its own sake. Not just for “economic production”. That is far too broad a description. We cannot make more land.
Objective 4.4, p85	Amend	There needs to be recognition of the sensible use of water on light soils.
Policy 4.5.5, p89	Amend	Use of the term “pest” has strict and inadequate connotations. Very few harmful introduced species have a “pest” designation. Pest indicates an economic value can be assigned, but harm caused to native species by invasive species is usually difficult to value so is often not valued at all.
AER 2.1, p109	Amend	Add an indicator showing the land area of restored native ecosystems.
AER 2.2, p109	Amend	Add ‘biological, chemical and physical’ to “Regular monitoring of water quality indicator values”.
AER 2.5, p111	Amend	Use of the term “pest” has strict and inadequate connotations. Very few harmful introduced species have a “pest” designation. Pest indicates an economic value can be assigned, but harm caused to native species by invasive species is usually difficult to value so is often not valued at all.
AER 3.4, p114	Amend	Add “area of restored or repaired native ecosystems is increased”.

Submission on the Proposed Otago Regional Policy Statement

To: Otago Regional Council

Name of submitter: Graymont (NZ) Limited



Introduction:

1. This is a submission on the Proposed Otago Regional Policy Statement ("RPS").
2. The submitter could not gain an advantage in trade competition through this submission.
3. Graymont (NZ) Limited is a wholly owned subsidiary of Graymont Ltd, one of the major lime producers in North America.
4. Graymont (NZ) Ltd operates a limestone quarry and lime plant in Makareao area of Otago (the "Makareao Plant"). Limestone is extracted and turned into quicklime (calcium oxide), hydrated lime (calcium hydroxide) and agricultural lime products (ground limestone). Graymont (NZ) Limited also owns McDonald's Lime Ltd, which operates lime plants in the Waikato Region.
5. The minerals are fixed in location. Other limestone resources exist in the region which are not currently being extracted. Graymont is primarily concerned to ensure that the possible future extraction of limestone and coal are not compromised by activities established near to those resources which are not fixed in location, and which do not rely on access to those mineral resources.

General Submission

6. The RPS does not currently contain appropriate or sufficient provisions that promote the responsible use of minerals, recognising that they are fixed in location, and need to remain available for future generations. The RPS should therefore

recognise the need to protect mineral resources from encroachment by incompatible land uses that could reasonably be located elsewhere.

7. The RPS should recognise that mineral processing activities do, or could, occur in rural areas and must locate there because of the presence of the mineral resource. The effects of mineral processing activities (primarily air and water discharges) must be properly managed in the rural environment, but the RPS should recognise that rural areas do, and could in the future, also include appropriate industrial activities which should not be compromised by other activities (especially residential and rural residential activities).
8. Graymont seeks that these matters be provided for in objectives and policies in the RPS. This will enable them to be reflected in subordinate regional and district plans and for local authorities to find policy support in the RPS for addressing potential 'reverse sensitivity' issues related to the mineral extraction industry.

Specific Submission

9. Graymont seeks:
 - i. Policy 2.1.4 be retained as notified;
 - ii. Objective 4.3 be retained as notified;
 - iii. The issue associated with Objective 4.3 is retained as notified;
 - iv. The 'need' statement associated with objective 4.3 is retained as notified;
 - v. The explanation statement beneath Objective 4.3 on page 82 of the RPS be retained as notified;
 - vi. Policy 4.3.6 be retained in part and otherwise amended as follows:

Policy 4.3.6

Managing locational needs for mineral and gas exploration, extraction and processing

Recognise the needs of mineral exploration, extraction and processing activities to locate where the resource exists, and manage them by:

- a) Giving preference, where possible, to avoiding their location in:
 - i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; or
 - ii. Outstanding natural features, landscapes and seascapes; or
 - iii. Areas of outstanding natural character; or
 - iv. Outstanding water bodies; or
 - v. Areas subject to significant natural hazard risk; and

b) ~~Restricting~~ Avoiding the establishment of those activities in or adjacent to areas used for mineral and gas exploration, extraction and processing or in areas containing or adjacent to regionally significant mineral resources that may result in reverse sensitivity effects or compromise future mineral extraction and processing activities.

c) Identify mineral deposits for future use and safeguard the regionally significant ones from inappropriate land use, subdivision and development.

d) Enable industries that principally use the products of mineral extraction activities to co-locate in, or adjoining, land containing mineral extraction activities or mineral resources.

vii. Policy 4.5.6 be retained in part and otherwise amended as follows:

Policy 4.5.6

Managing adverse effects from mineral and gas exploration, extraction and processing

Minimise significant adverse effects from the exploration, extraction and processing of minerals, by:

a) Giving preference to avoiding their location in:

i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and

ii. Outstanding natural features, landscapes and seascapes; and

iii. Areas of outstanding natural character; and

iv. Outstanding water bodies; and

~~v. Areas subject to significant natural hazard risk;~~

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

c) Avoiding adverse effects on the health and safety of the community; and

d) Remedying or mitigating adverse effects on other values; and

e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and,

f) Reducing unavoidable adverse effects where practical by

i. Staging development for longer term activities; ~~and~~ or

ii. Progressively rehabilitating the site, where possible; or

iii. Preparing management and mitigation plans

g) Considering the use of offsetting, or compensatory measures, for

residual adverse effects; and

~~h) Applying a precautionary approach to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects.~~

viii. Insert a new policy X as follows:

x. Recognise the benefits derived from mineral prospecting, exploration, extraction and processing, particularly their contribution towards social, cultural and economic wellbeing.

ix. Policy 4.5.7 be retained in part and otherwise amended as follows:

Policy 4.5.7

Enabling offsetting of indigenous biodiversity

Enable offsetting of adverse effects on indigenous biodiversity values, ~~only~~ when:

a) The activities causing those effects have a functional necessity to locate in significant or outstanding areas; and/o

aa) The activities causing those effects are regionally or nationally significant; and

b) Those effects cannot be avoided, remedied or mitigated; and

c) Those effects do not result in the loss of irreplaceable or vulnerable biodiversity.

x. Policy 4.5.8 be retained in part and otherwise amended as follows:

Policy 4.5.8

Offsetting for indigenous biodiversity

Provide for offsetting for indigenous biodiversity, when it is enabled, by ensuring that:

a) The offset achieves no net loss and where possible preferably a net gain in indigenous biodiversity values; and

b) The offset is undertaken close to the location of development, where this will result in the best ecological outcome; and

c) The ecological values being achieved are the same or similar to those being lost; and

d) The positive ecological outcomes of the offset last at least as long as the impact of the activity, if practicable.

- xi. Amend Method 4: City and District Plans to require Council's to:
- Identify regionally significant mineral resources and mineral extraction activities to be protected from reverse sensitivity effects; and
 - Apply buffers and setbacks to regionally significant mineral resources and mineral extraction activities to avoid reverse sensitivity effects.

General Reasons for Submission

10. At a general level, for the provisions of the RPS that the submitter supports, those provisions:
- (a) will promote sustainable management of resources, achieve the purpose of the RMA and are not contrary to Part 2 and other provisions of the RMA;
 - (b) will enable the social, economic and cultural well-being of the community in the region;
 - (c) will meet the reasonably foreseeable needs of future generations; and
 - (d) represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.
11. For those provisions of the RPS that the submitter opposes, those provisions require amendment, as sought. This is because, without the amendments proposed by the submitter, the provisions:
- (a) will not promote sustainable management of resources, will not achieve the purpose of the RMA and are contrary to Part 2 and other provisions of the RMA;
 - (b) will not enable the social and economic wellbeing of the community in the region;
 - (c) will not sustain the potential of the physical resource represented by the submitters' assets in the region for the future;
 - (d) are not adequate to protect and enable the submitters' operations in the region generally;
 - (e) do not have sufficient regard to the efficient use and development of the submitters' assets and of those resources which are dependent on, or benefit from, the submitters' assets and operations; and

- (f) do not represent the most appropriate means of exercising the Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means, and do not discharge the Council's duty under section 32 of the RMA.

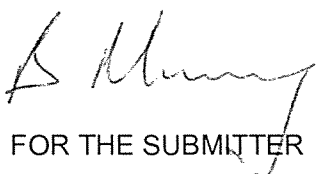
Specific Reasons for Submission

12. A sustained supply of minerals and aggregate is essential for the continued development of the region and wider New Zealand. Mineral and aggregate demand is essentially driven by population growth. As the population grows, a sustained supply of minerals and aggregate will not only be required to provide for building, construction and roading projects associated with this growth, but it will also be needed to maintain and redevelop existing infrastructure which is key to unlocking regional economic potential. Lime and limestone products are already used for road construction, drinking water treatment, efficient agricultural production as well as manufacturing including steel making, pulp and paper making and environmental protection for metals extraction.
13. Although minerals and aggregate are a commodity upon which everyone depends, the importance of aggregate resources to regional economies is not always fully appreciated. New Zealand's annual aggregate production since 1993 amounts to nearly 500 million tonnes of quarried rock, sand and gravel. Estimates for the annual per capita consumption of aggregate range between 7.5 tonnes per person to 11 tonnes per person. Between 1991 and 2007, the use of aggregate in New Zealand for roading and building increased at an average annual rate of 5% per annum.
14. Economic wellbeing considerations are intertwined with the concept of the sustainable management of natural and physical resources, as embodied in the RMA. In particular, section 5(2) refers to enabling "*people and communities to provide for their ... economic ... well being*" as part of the meaning of "*sustainable management*". Section 7(b) of the RMA directs that, in achieving the purpose of the RMA, all persons "*shall have particular regard to ... the efficient use and development of natural and physical resources*". Because of the significance of minerals and aggregate in building and infrastructure, enabling the extraction of locally sourced low cost minerals and aggregate is important to economic wellbeing and the efficient use and development of resources.
15. Lower prices in turn reduce the cost for infrastructure and construction projects. This directly enables "*people and communities to provide for their economic wellbeing*", resulting in positive effects. To achieve this, there is not only a need to expand existing quarrying activities, there is also a need to find new sources of minerals and aggregate, to meet demand well into the future. This is consistent with the requirement on Council to have particular regard to the "*efficient use and development of physical and natural resources*", along with their sustainable management.

Relief sought

16. The submitter seeks the following decision from the Council:
 - (a) that the proposed provisions be amended to address the concerns set out in this submission so as to provide for the sustainable management of the region's natural and physical resources and thereby achieve the purpose of the RMA.
 - (b) any other additional or consequential relief to the RPS, including but not limited to, the maps, issues, objectives, policies and explanations that will fully give effect to the matters raised in this submission.
17. There may be other methods or relief that are able to address the submitter's concerns, and the suggested revisions do not limit the generality of the reasons for this submission.
18. The submitter requests that the Council undertake alternative dispute resolution procedures prior to the hearings, so that the issues underpinning this submission can be better resolved without the need to rely on substantial participation in the formal hearing process.
19. The submitter wishes to be heard in support of its submission.
20. If others make a similar submission, the submitter will consider presenting a joint case with them at any hearing.

Signature:



FOR THE SUBMITTER

Benjamin Murray
Operations Technical Manager
Graymont (NZ) Ltd

Date: 24 July 2015

Address for Service:
498 Old Te Kuiti Rd
RD6
Otorohanga
Phone (09) 222 4323
e-mail bmurray@graymont.com

OTAGO REGIONAL COUNCIL
RECEIVED DUNEDIN
24 JUL 2015
FILE NO. PA33402
DIR TO Sarah V




Waitaki Irrigators Collective Limited

Submission to the
Otago Regional Council

Proposed Regional Policy
Statement for Otago

Representative:	Elizabeth Soal, Policy Manager
Organisation Name:	Waitaki Irrigators Collective Limited
Address:	PO Box 159, Oamaru, 9444
Telephone:	021 454 615
Email:	elizabeth@waitakiirrigators.co.nz

Signature: 

Date: 24 July 2015

About the Waitaki Irrigators Collective

The Waitaki Irrigators Collective Limited (WIC) is a company whose shareholders are the five irrigation schemes and a society of individual irrigators. Shareholders take water from Lake Waitaki, the Waitaki River, its tributaries, or connected groundwater and use that water to irrigate land downstream of the Waitaki Dam.

WIC was formed in 2010 by the major irrigation schemes in the lower Waitaki River catchment in response to a number of common issues which the schemes were facing at the time. In mid-2011, WIC expanded to include the incorporated society of individual irrigators.

WIC represents over 580 irrigators, with an irrigated area of approximately 80,000 hectares across North Otago and South Canterbury, which is approximately 12 per cent of irrigated land in New Zealand. The irrigators within the Collective contribute approximately \$550 million per annum in gross income to the local and national economies, and represent a capital value of land (with infrastructure) in excess of \$2.5 billion.

The overarching goal of WIC is to ensure the ongoing surety of water for its members. There are various dimensions to water surety, including surety of supply, reliability of supply, resource consent conditions relating to water take and usage, and community support for irrigation. WIC seeks to gain surety of supply within an approach which recognises the need for continuous improvement and environmental protection.

The shareholders of WIC are:

- the Kurow-Duntroon Irrigation Company Limited;
- the North Otago Irrigation Company Limited;
- the Morven, Glenavy, Ikawai Irrigation Company Limited;
- the Maerewhenua District Water Resource Company Limited;
- the Lower Waitaki Irrigation Company Limited;
- the Waitaki Independent Irrigators Incorporated (including the Haka Valley Irrigation Company Limited).

These schemes and individuals use irrigation water for production across the primary sector, including the agriculture, horticulture, dairying and viticulture industries. Some of the schemes also provide water to other industries, town supplies and sports clubs. WIC represents a large number of farmers, farming companies and irrigators who create significant wealth for their communities, well beyond the farm gate.

The irrigators within the Collective have water abstraction permits within Environment Canterbury (ECan) territory, although the North Otago Irrigation Company and the Lower Waitaki Irrigation Company use that water within Otago Regional Council territory.

WIC provided comment to the Council on the Proposed Regional Policy Statement (PRPS) consultation draft which was released last year.

Narrative submission

The introduction to the PRPS correctly recognises how important the region's physical and natural resources are to the community's ongoing social, economic, cultural, and environmental wellbeing. In order for this to continue, the PRPS must provide an appropriate balance between enabling and restrictive provisions. In its current form, many of the policies may be more restrictive than was (perhaps) intended.

The Council will be aware of the importance of the recent decision of the Supreme Court in *Environmental Defence Society Incorporated v The New Zealand King Salmon Company Limited* [2014] NZSC 38. In that case, the Court (inter alia) considered issues which are important in the PRPS context.

The Court spent some time discussing the meaning of the word "avoid" which occurs frequently within the objectives and policies of the PRPS. It found that "avoid" has its ordinary meaning of "not allow" or "prevent the occurrence of," and that (in the context of that case) this has much greater force than simply "one of a number of factors" to be taken into account by a decision-maker.

It also considered how planning instruments are to give effect to higher order planning documents. In the context of an RPS, which lower order planning instruments must give effect to (or, as stated by the Supreme Court in the King Salmon case, must simply "implement"), a prescriptive term such as "avoid", if included in an RPS, *must* be given effect to.

It is therefore highly likely that lower order planning documents and decisions will be required to prohibit certain activities - in all cases - in order to "avoid" the effects, regardless of the benefits of a particular activity or proposal. WIC considers that this is too restrictive, and submits that the Council should reconsider the use of the word "avoid" throughout the PRPS in order to allow decision-makers some discretion to consider the merits and effects of particular activities and proposals on a case-by-case basis.

Appearance before the Council

WIC wishes to be heard in support of its submission.

Submission as to specific provisions

Policy Statement Part and Chapter	Specific provision	Relief sought	Explanation/reasoning
Part B Chapter 1	Policy 1.2.1	Oppose in part	<p>These policies seek to respectively "ensure resources support their customary uses and cultural values" and "protect important values". Although the intent of these policies is supported in a general sense, there may be instances where it is not possible or practicable for a resource in a particular site to support a customary use or values associated with it.</p> <p>There is little guidance within the PRPS as to how conflicting uses and values in such instances are to be resolved.</p>
	Policy 1.2.3	Amend policies to include wording such as " where appropriate and practicable ".	
Part B, Chapter 2	Objective 2.1	Support in part and oppose in part	<p>Some waterbodies have already been significantly modified, and returning them to their natural state may come at significant cost to the community, and may be undesirable.</p> <p>Primary production values should be specifically included within this Policy. The use of freshwater for primary production contributes significantly to the social and economic wellbeing of Otago and New Zealand. It is noted that primary production is recognised as a value in relation to soils, and the same should apply to freshwater.</p>
	Policy 2.1.1	<p>Addition of the following words:</p> <p>h) where appropriate maintain or enhance the natural functioning...</p> <p>Addition of the following words:</p> <p>q) support and provide for primary production values.</p>	

Policy Statement Part and Chapter	Specific provision	Relief sought	Explanation/reasoning
			WIC supports Clause (p) which seeks to maintain the ability of existing infrastructure to operate within design parameters.
	Objective 2.1	Support in part	
	Policy 2.1.2	Addition of the following words: f) where appropriate maintain or enhance the natural character...	Some waterbodies have already been significantly modified, and returning them to their natural state may come at significant cost to the community, and be undesirable.
	Objective 2.1	Support	WIC supports the inclusion of primary production values in relation to soils.
	Policy 2.1.5		
	Objective 3.1	Oppose in part	This policy wording is very difficult to understand as currently written. It should be amended to aid understanding.
	Policy 3.1.1	Amend the wording "recognise the natural and physical environmental constraints of an area, the effects of those constraints on activities, and the effects of those activities on those constraints..."	
Part B, Chapter 3	Objective 3.4	Support in part	WIC supports the recognition of the functional needs of infrastructure of regional or national importance, provided that irrigation infrastructure is included in this category (see below).
	Policy 3.4.1		
	Objective 3.5	Oppose in part	Irrigation contributes significantly to the economic and social wellbeing of Otago and New Zealand.
	Policy 3.5.1	Addition of the following words: Recognising national and regional significance of infrastructure.... f) structures for transport by rail; and g) irrigation water infrastructure.	By region, Otago has the second-highest number of irrigated hectares in New Zealand, and therefore it is as important to recognise and provide for the benefits of irrigation infrastructure. It is noted that the definition of infrastructure in the glossary of the PRPS includes irrigation infrastructure

Policy Statement Part and Chapter	Specific provision	Relief sought	Explanation/reasoning
			(as per the RMA definition). The national significance of irrigation infrastructure has also been recognised by central government, through the inclusion of "productive water" infrastructure in the National Infrastructure Unit's 2015 planning processes. ¹
	Objective 3.6 Policy 3.6.3	Oppose in part Further wording be inserted into Policy 3.6.3 such as: d) ...Schedule 3; provided that e) any adverse effects on other industries are avoided, or where this is not practicable, remedied or mitigated.	Therefore irrigation infrastructure is of national and regional importance, and this should be recognised within this suite of policies. WIC recognises the importance of renewable electricity generation. However, this policy seeks to "protect the generation capacity of...significant renewable electricity generation activities" which could have significant impacts on other resource users. As hydro-generation necessitates the use of freshwater, it is inappropriate for the PRPS to, in essence, elevate the status of hydro-electricity generation over other uses of freshwater. ² For example, the operation of hydro-generation facilities will necessarily impact those industries that operate downstream of the generation infrastructure.
Part B, Chapter 4	Objective 4.4 Policy 4.4.1	Oppose in part Further wording be inserted into the policy such as: b) where appropriate, give preference to the development or upgrade of infrastructure...	The current policy wording does not recognise the following matters: - some water distribution and use infrastructure is already highly efficient, and requiring the upgrade of it

¹ See, for example, <http://www.infrastructure.govt.nz/plan/evidencebase/2015-nip-evidence-productivewater.pdf>

² Similarly, the National Policy Statement for Renewable Electricity Generation 2011 recognises that the promotion of renewable energy generation will have implications in relation to freshwater management and allocation, when it states in the Preamble that the Statement "does not apply to the allocation and prioritisation of freshwater".

Policy Statement Part and Chapter	Specific provision	Relief sought	Explanation/reasoning
		<p>Amend Clause (c) as follows:</p> <p>c) Encouraging collective coordination and collaborative catchment management processes rationing of take and use of water when river flows or aquifer levels are lowering, to avoid breaching minimum flow or aquifer level restriction; and ...</p>	<p>to increase efficiency would have significant economic and practical consequences;</p> <ul style="list-style-type: none"> - the replacement of some energy-passive infrastructure with that which is more energy-intensive (yet efficient in terms of water use) would reduce energy efficiency, which is contrary to Objective 3.6; - increasing the efficiency of some water distribution infrastructure can have unintended consequences in relation to catchment-scale efficiency. For instance, increase conveyance efficiency can reduce groundwater recharge, which can improve groundwater quality and connected surface water flows. - there is a potential conflict with Policy 2.1.1(p) which seeks to maintain the ability of existing infrastructure to operate within design parameters. <p>The wording of Clause (c) of this Policy is highly specific, and does not allow for consideration of collaborative methods for managing water beyond 'rationing', and it only applies to times when river or aquifer levels are 'lowering'.</p>
<p>Part C: Implementation Methods</p>	<p>Method 8.1.2</p>	<p>Support in part</p> <p>Include a method that the Council will provide guidance on measures to maintain or enhance water quality, especially in relation to meeting limits.</p>	<p>The Council should play a proactive role in supporting land users to meet water quality limits, in order to maintain and enhance the quality of the region's freshwater, whilst enabling the community to provide</p>

Policy Statement Part and Chapter	Specific provision	Relief sought	Explanation/reasoning
			for its social and economic wellbeing.
	Method 11.2.2(c)	<p>Support in part</p> <p>Include a method that promotes the facilitation of collaborative, community-led processes for the integrated management of land and water resources at the catchment scale. Currently, methods (i) and (ii) only apply to water management groups that co-ordinate the exercise of water-related consents, and water allocation committees for the management of water allocation in times of drought.</p>	<p>Although the two kinds of groups set out in these methods are worthwhile, it can also be desirable for there to be processes to include a wider range of stakeholders in water and land management processes at the catchment-scale at other times and in other circumstances.</p>
	Method 11.2.3	<p>Support in part</p> <p>Amend the wording of the Method as follows: a) facilitate the planning of community infrastructure, when it would increase the efficiency of water use; ...</p>	<p>The method as currently drafted is too narrow. The councils should (where appropriate) facilitate the planning of community infrastructure without it necessarily being linked to increased water use efficiency for the reasons set out in relation to Policy 4.4.1 (above).</p>
<p>Part C: Implementation Anticipated Environmental Results and Monitoring Programme</p>	AER 2.2	<p>Support in part</p> <p>Amend the indicator in relation to wetlands to include a significance threshold.</p>	<p>It is likely that the development and inventory of all of Otago's wetlands (regardless of how small the wetland) would be extremely time-consuming and expensive. This would also apply to wetlands which have been constructed on privately owned land. Wetlands for inclusion on the inventory should be required to meet a significance threshold, to be consistent with the Council's Water Plan for Otago.</p>



SUBMISSION FORM (Print clearly on both sides)

Proposed Regional Policy Statement for Otago

Office use only

Name of submitter:

Elizabeth Soal

Organisation (if applicable):

Waitaki Irrigators Collective Limited

Postal address:

PO Box 159

Oamaru

Postcode: 9444

Telephone: 03 434 6721

Email: elizabeth@waitakiirrigators.co.nz

I wish / ~~do not wish~~ (circle preference) to be heard in support of my submission

If others make a similar submission, I will / will not consider presenting jointly with them at a hearing (circle preference)

Signature:

Date: 24 July 2015

(of submitter, or person authorised to sign on their behalf)

Trade competitors declaration (if applicable)

I could gain through trade competition from a submission, but my submission is limited to addressing environmental effects directly impacting my business

Signature:

Note that all submissions are made available for public inspection

**SUBMISSIONS MUST BE RECEIVED BY 5.00 PM,
FRIDAY 24 JULY 2015**



Send to:
Freepost ORC 497
Otago Regional Council
Private Bag 1954
Dunedin 9054

Please turn over

<p>1 State what your submission relates to and if you support, oppose or want it amended</p>	<p>2 State what decision you want the Otago Regional Council to make</p>	<p>3 Give reasons for the decision you want made</p>
<p>e.g. amend provision 'y'</p> <p>As per separate written submission</p>	<p>e.g. provision 'y' should say...</p>	<p>e.g. I want provision 'y' changed because...</p>