

RPS Feedback Form

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Name of submitter: RPL & QPL

Organisation (if applicable): Remarkables Park Limited

Postal Address: Street: PO Box 1075
Suburb: Queenstown
Postal Code: 9348

Phone Number: 03 442 3084

E-mail: j.carter@remarkablespark.com

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

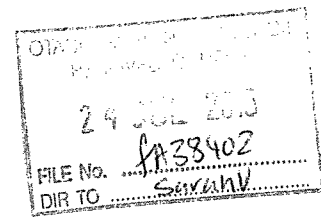
If others make a similar submission, I will / will not consider presenting jointly with them at the hearing: I will consider presenting jointly

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

2. State what decision you want the Otago Regional Council to make: Please see the attached submission

3. Give reasons for the decision you want made: Please see the attached submission

Attach a document (if applicable): RPL Final submission 24.7.2015.docx



**RESOURCE MANAGEMENT ACT 1991
SUBMISSION ON PUBLICLY NOTIFIED OTAGO REGIONAL POLICY STATEMENT**

TO: OTAGO REGIONAL COUNCIL

NAME: REMARKABLES PARK LIMITED AND QUEENSTOWN PARK LIMITED

C/- Jenny Carter
Remarkables Park Limited
PO Box 1075
QUEENSTOWN

REMARKABLES PARK LIMITED (RPL) and QUEENSTOWN PARK LIMITED (QPL) make this submission on the Otago Regional Policy Statement.

- 1. RPL and QPL make this submission on the Regional Policy Statement (RPS) in its entirety.**

Remarkables Park Limited is a development company and owns 150ha of land zoned Remarkables Park Zone (RPZ), which provides for a town centre mixed-use development in Queenstown.

Queenstown Park Limited owns Queenstown Park Station (the Station), a 2000ha site located on the true right bank of the Kawarau River, and extending to an altitude of approximately 1000masl. The Station is zoned Rural General in the operative District Plan. The Station has potential for tourism development, given its proximity to the airport, the Remarkables ski field, its relationship to the Kawarau River and access opportunities. QPL proposes that through the District Plan Review this existing zoning will be amended to enable a diversification of land use to better enable tourism growth and complementary residential development.

RPL and QPL appreciate the opportunity to submit on the proposed Regional Policy Statement. Both companies recognise the importance of this policy document in setting a framework for the integrated management of the natural and physical resources of the Otago Region.

- 2. RPL/QPL submission is that:**

The Regional Policy Statement sets the policy framework for regional plans and district plans. It provides for the integrated management of natural and physical resources. In general, the Regional Policy Statement, as currently proposed:

- (a) Is contrary to Part 2 of the Resource Management Act 1991 (the Act) because:
 - (i) it does not promote sustainable or integrated management;
 - (ii) it does not manage the use, development and protection of natural and physical resources;
 - (iii) it does not avoid, remedy or mitigate adverse effects;

- (iv) it does not accord with, or assist the regional council to carry out its functions to achieve the purpose of the Act;
- (v) it does not meet section 32 of the Act;
- (vii) it does not represent sound resource management practice.

Section 30 of the Resource Management Act lists the functions of Regional Councils as follows:

- (a) *the establishment, implementation, and review of objectives, policies, and methods to achieve integrated management of the natural and physical resources of the region:*
- (b) *the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance:*
- (c) *the control of the use of land for the purpose of—*
 - (i) *soil conservation:*
 - (ii) *the maintenance and enhancement of the quality of water in water bodies and coastal water:*
 - (iii) *the maintenance of the quantity of water in water bodies and coastal water:*
 - (iiia) *the maintenance and enhancement of ecosystems in water bodies and coastal water:*
 - (iv) *the avoidance or mitigation of natural hazards:*
 - (v) *the prevention or mitigation of any adverse effects of the storage, use, disposal, or transportation of hazardous substances:*
- (ca) *the investigation of land for the purposes of identifying and monitoring contaminated land:*
- (e) *the control of the taking, use, damming, and diversion of water, and the control of the quantity, level, and flow of water in any water body, including—*
 - (i) *the setting of any maximum or minimum levels or flows of water:*
 - (ii) *the control of the range, or rate of change, of levels or flows of water:*
 - (iii) *the control of the taking or use of geothermal energy:*
- (f) *the control of discharges of contaminants into or onto land, air, or water and discharges of water into water:*
- (g) *in relation to any bed of a water body, the control of the introduction or planting of any plant in, on, or under that land, for the purpose of—*
 - (i) *soil conservation:*
 - (ii) *the maintenance and enhancement of the quality of water in that water body:*
 - (iii) *the maintenance of the quantity of water in that water body:*
 - (iv) *the avoidance or mitigation of natural hazards:*
- (ga) *the establishment, implementation, and review of objectives, policies, and methods for maintaining indigenous biological diversity:*
- (gb) *the strategic integration of infrastructure with land use through objectives, policies, and methods:*
- (h) *any other functions specified in this Act.*

59 Purpose of regional policy statements

The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.

RPL and QPL request that the RPS is revised so that it better reflects the functions of the Regional Council as identified in Section 30 of the Act, and the purpose of Regional Policy Statements, as identified at Section 59 of the Act.

Without derogating from the generality of the above, RPL and QPL further submit:

General submission points:

Submission 1:

Pages 4, 11 and 23 of the RPS recognise the importance of the tourism industry to the Otago Region, and the importance of 'a great environment' to both tourism and agriculture. However the importance of tourism is not clearly expressed in the objectives and policies, which place greater emphasis on primary production and matters such as pest control. The RPS should provide for the future, and recognise the importance to enable diversification while maintaining the quality of the environment.

Relief sought:

The importance of tourism is addressed at a broad level in the introductory statement, but is not provided for in issues, objectives and policies.

The RPS objectives and policies are amended to give greater recognition of the importance of tourism to the region, both now and into the future.

Submission point 2:

The format of the policy statement creates some difficulty, because the objectives are listed with the issues and needs, and then each objective is repeated with a summary statement of the policy and each policy stated in full. It makes the document cumbersome and it is difficult to understand the linkage between issue, objective, policy and method.

The explanation provided underneath each objective is often poorly reflected in the policy provisions. At times the policy statement differs in intent or strength from the detailed policy provisions. The objectives and policies are written as distinct provisions, with little integration. This is particularly problematic given that the purpose of the RPS, as identified in Section 59 of the Act, is the integrated management of natural and physical resources.

Relief sought

That consideration is given to whether the layout could be improved to reduce repetition, and increase recognition of the integration between the different objectives and policies. Amendment to layout, and the objectives and policies is needed in order to better achieve the purpose of the RPS, as stated in Section 59 of the Act.

Submission point 3

Chapter 1- Kai Tahu values, rights and interests are recognised and katiakitaka is expressed. This includes *Policy 1.2.3 Protecting important sites and values of cultural significance to Kai Tahu.*

Schedule 1C includes a list of sites of significance. AraTawhito refers to ancient trails. Nohoaka are seasonal settlements. Mauka important mountains. It is difficult for landowners to determine which mountains are important, and where AraTawhito and nohoaka are located.

Relief sought

That greater clarification is provided as to the location of sites of cultural significance.

Submission point 4:

Chapter 2- Natural resources and ecosystems includes in the introductory statement that

'Otago's economy is driven by three sectors; primary production, tourism and education. The future of the first two sectors, and with this social and economic wellbeing of Otago's people and communities, strongly relies on the quantity and quality of Otago's natural resources.'

The reference to the importance of tourism is supported, and it is submitted that this should also recognise the importance of diversification and resilience.

The objectives read:

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

Objective 2.2 Otago's significant and highly valued natural resources are identified, and protected or enhanced to maintain their distinctiveness

Objective 2.3 Natural systems and interdependencies are recognised and sustained

Objective 2.2 is supported, but it is questioned as to what are identified as highly valued natural resources, and how these relate to the outstanding natural landscapes and features, and significant indigenous vegetation and habitats, that are listed as matters of national importance within the Act.

The explanation to Objective 2.2 states that it is a matter of national importance to recognise and provide for these matters. However, this is at odds with the Act, which identifies matters of national importance at Section 6, as follows:

(b) the protection of outstanding natural features and landscapes from inappropriate subdivision, use, and development:

(c) the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

Clarification is needed relating to what are Otago's significant and highly valued resources; because the explanation states that it is a matter of national importance to recognise and provide for natural resources and processes.

The objectives could be interpreted to be stronger than Section 6 of the Act, because they propose the protection and enhancement in all cases, and do not identify that the protection should be from inappropriate subdivision, use and development. As drafted, the objectives do not recognise that by default the Act does not require the protection from appropriate subdivision, use and development.

Relief sought:

That the objectives are amended to better reflect the wording of the Act, so that it is clear that it is those landscapes and values that are of national importance that should be protected from inappropriate subdivision, use and development. Allowance needs to be made for subdivision, use and development that is appropriate, and landscapes and natural features do not necessarily need to be protected from such uses.

It is agreed that resource degradation reduces the attractions Otago can offer, but this needs to be balanced with recognition that land use change can, on balance, be positive both environmentally and economically.

Submission point 5:

Policy 2.1.1 Managing for freshwater values

Policy 2.1.1(c) is to recognise freshwater values and manage freshwater to:

- *Protect outstanding water bodies and wetlands.*

This is accepted. However there is no guidance to assist in determining what water bodies are outstanding. The Schedules provide guidance on how to establish whether effects are significant (Schedule 3), provide criteria for identification of natural features and landscapes (Schedule 4) (interestingly, not outstanding), and criteria for the assessment of the significance of indigenous vegetation and habitat of indigenous fauna (Schedule 6) and matters for the identification of historic heritage values (Schedule 7). There should be some guidance on what constitutes outstanding water bodies and wetlands, and how these relate to the matters of National Importance listed in the RMA. In addition, it would be useful to understand how outstanding water bodies relate to water conservation orders.

Relief sought:

That clarification is provided as to what constitutes outstanding water bodies. The provisions could also be improved by providing better integration between the policies for outstanding water bodies, infrastructure and discharges.

Submission point 6:

Policy 2.1.1(j) and policy 2.1.2(g) is to protect kaitahu values. This is difficult if those values aren't known. It also requires the provision for other values, but provides no guidance as to what these are.

Policy 2.1.2(b) is to '*protect outstanding water bodies and wetlands*'. This would be improved by providing clarification as to which water bodies are outstanding.

Policy 2.1.2(d) *maintain ecosystem health and indigenous biodiversity*

2.1.2(i) *is to maintain aesthetic and amenity values, and (f) maintain or enhance natural character*

It is queried why the policies aim for maintenance of ecosystem health, indigenous biodiversity and aesthetic and amenity values, but for natural character it is maintenance and enhancement.

It is queried whether natural character is more important than indigenous biodiversity.

Relief sought

That consideration is given to the wording of policies and whether they can be improved to recognise where possible values should be enhanced.

Submission point 7:

Objective 2.1 and associated policies provide for the values of Otago's natural and physical resources, and that they are recognised, maintained and enhanced.

Objective 2.2 and associated policies provide for Otago's significant and highly valued natural resources, and that they are identified, protected or enhanced.

Section 30 of the Act states that amongst other things a function of the Regional Council is:

- (b) *the preparation of objectives and policies in relation to any actual or potential effects of the use, development, or protection of land which are of regional significance:*

Given this function of the Regional Council, is it correct to maintain and enhance those natural and physical resources that are not significant or highly valued? The policies instead seem to be managing effects on all Otago's natural and physical resources.

It is unclear as to what is meant by 'highly valued' and how this relates to Part 2 matters of national importance under the Act.

Relief sought:

That the format of the policy provisions is reconsidered to remove repetition and confusion as to what value of resources are being addressed.

That the policies to maintain and enhance resources that are not of regional significance are removed, so that the RPS focuses on those resources that are of regional significance.

Submission point 8

Policy 2.1.5 relates to managing soil quality, and states that soils are to be retained for primary production. The question here is why they should be retained for primary production if they are not high quality soils, and may in fact be better utilised for other purposes. Further, the highly valued soils are to be maintained. This is supported; however highly valued soils are defined in the appendices and differ from versatile soils. It is queried why the level of protection for high quality soils is no greater than for all other soils.

The Operative RPS included the following policy:

To promote the retention of the primary productive capacity of Otago's existing high class soils to meet the reasonably foreseeable needs of future generations and the avoidance of uses that have the effect of removing those soils or their life-supporting capacity and to remedy or mitigate the adverse effects on the high class soils resource where avoidance is not practicable.

Therefore the policies have been strengthened in that previously it was only those of high class soils that were to be maintained; now it is all soil resources.

Relief sought:

Amend soil quality policies to recognise that there are soil resources in the region that are not of high value, and these do not need to be retained for primary production. Clarify the difference between high quality soils and highly versatile soils.

Recognise that soils that are not of high quality may be better used for purposes other than primary production, particularly when use for primary production may result in adverse environmental effects that have the potential to reduce quality of the environment for tourism.

Submission point 9:

Policy 2.1.6 *managing for ecosystem and indigenous biodiversity values*. This identifies that the values of ecosystems and biodiversity need to be recognised but makes no differentiation between those of high value and those that have been degraded. It is assumed that this policy relates to all areas that are not significant, and those of significance are dealt with in Objective 2.2 and associated policies. It is submitted that Policy 2.1.6(e) is too strong by requiring the protection of natural resources and processes that support indigenous biodiversity; protection from what, for what purpose, and what value does the indigenous biodiversity have that warrants its protection?

Relief sought:

That the value of including Objective 2.1 and associated policies is reconsidered, given that it appears to apply to all natural and physical resources, rather than those of regional or national significance.

Submission point 10:

Objective 2.2 relates to highly valued natural resources and states '*Otago has many unique landscapes, natural features and areas of indigenous vegetation which are nationally or regionally important. Giving these a higher level of protection ensures they will be retained, while consumptive use of resources will be directed to areas where adverse effects are more acceptable*'.

How does this relate to Objective 2.1 which requires maintenance and in some instances enhancement of 'other' landscapes and resources. Does this set of policies apply to matters of national importance, or is it also protecting regionally significant resources.

Policy 2.2.1 is to *identify areas of significant indigenous vegetation and significant habitats of indigenous fauna*.

Schedule 5 sets out the criteria for assessment of *significant indigenous vegetation and significant habitats of indigenous fauna*.

This process is very different to that identified in Appendix 5 of the QLDC District Plan. Further, it states that areas are considered significant when they meet one or more of the criteria.

Significance in accordance with Schedule 5- does this equate to 6(c) of the Act? (i.e. a matter of national importance, which reads:

the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna:

Relief sought:

Amend objectives and policies to better reflect the provisions of the Act, and to ensure that the RPS focuses on those natural and physical resources that are of regional significance.

Submission point 11

Policy 2.2.4 reads:

Managing outstanding natural features, landscapes, and seascapes

Protect, enhance and restore the values of outstanding natural features, landscapes and seascapes, by:

- a) Avoiding adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and*
- b) Avoiding, remedying or mitigating other adverse effects on other values; and*
- c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and*
- d) Recognising and providing for positive contributions of existing introduced species to those values; and*
- e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and*
- f) Encouraging enhancement of those areas and values.*

The policy is strengthened from what was provided in the Operative RPS, and removes reference to inappropriate subdivision, use and development. 'Protect, enhance and restore' is strong language, and avoidance of adverse effects on the values that contribute to the landscape's significance is strong; it isn't tempered by reference to significance of the adverse effects, or whether the effects are inappropriate.

Reference to significance of effect at Clause (c) of the Policy does not appear relevant, given that the policy does not address significant effects, but instead refers to significant values.

Relief sought:

Amend the policy to better reflect the Act and policy 5.5.6 of the Operative RPS. The policy should be written to recognise that protection is not always necessary, and some adverse effects, even when they impact on the values that contribute to significance, may be remedied or mitigated. If reference to Schedule 3 is included, then the policy should recognise that management of significant effects should be addressed differently to effects that are minor, or that are from an appropriate use or development.

Submission point 12:

Policy 2.2.6 provides for special amenity landscapes and highly valued natural resources, it reads:

Policy 2.2.6**Managing special amenity landscapes and highly valued natural features**

Protect or enhance the values of special amenity landscapes and highly valued natural features, by:

- a) Avoiding significant adverse effects on those values which contribute to the special amenity of the landscape or high value of the natural feature; and*
- b) Avoiding, remedying or mitigating other adverse effects on other values; and*
- c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and*
- d) Recognising and providing for positive contributions of existing introduced species to those values; and*
- e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and*
- f) Encouraging enhancement of those values.*

Special amenity landscapes are defined in the Glossary as follows:

Special amenity landscapes are those landscapes which have natural values that are of significance under Sections 6(a), 6(c), 6(e), 7(c) and 7(f), but do not meet the exceptional quality test to qualify them as 'outstanding natural landscapes' under Section 6(b) of the RMA. Different labels have been applied to these landscapes, such as Visual Amenity Landscapes, Rural Amenity Landscapes, and Significant Amenity Landscapes.

The policy is worded too strongly by stating that it is to 'protect and enhance'. It is unclear as to why reference to pest species is provided, when other effects such as infrastructure and vegetation clearance may be more relevant.

The order of the policy would be better if the reference to Schedule 3, which assists in determining whether an effect is significant, were included before those effects are addressed.

Relief sought:

Delete reference to "protection and enhancement" of special amenity landscapes, recognising that their protection is not a matter of national importance. Recognise that change can occur in these landscapes that may have adverse effects, but that should be considered holistically because on balance they have positive effects.

That the objectives and policies relating to landscapes are amended so that the level of protection is lessened. Reverting to the provisions as drafted in the operative RPS would be preferred.

Submission point 13:

Criteria for identification of natural features and landscapes is provided at Schedule 4.

The criteria are:

The identification of natural features and landscapes will be based on, but not limited to, the following factors:

1. Biophysical attributes

- a) Natural science factors, including geological, topographical, ecological and dynamic components*
- b) The presence of water including in seas, lakes, rivers and streams*
- c) Vegetation (native and exotic)*

2. Sensory attributes

- a) Legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes*
- b) Aesthetic values including memorability and naturalness*

- c) *Transient values including presence of wildlife or other values at certain times of the day or year*
- d) *Wild or scenic values*

3. Associative attributes

- a) *Whether the values are shared and recognised*
- b) *Cultural and spiritual values for takatawhenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features*
- c) *Historical and heritage associations*

It is unclear as to the purpose of these criteria. Is it to identify all natural features and landscapes or to determine their value and whether or not they are outstanding, and therefore resources of regional significance?

Relief sought:

Provide clarification as to the purpose of Schedule 4, and how it will be used.

Submission point 14:

Policies 2.2.12 and 2.2.13 are to identify and manage outstanding water bodies and wetlands. According to the methods, it is within Regional Plans that such water bodies are identified based on the broad values listed in Policy 2.2.12. Avoidance of 'significant adverse effects on those values that contribute to the outstanding values' is positive in that other effects can be avoided, remedied or mitigated. It is not clear what (b) really means; should the order be different so that you assess the significance of the effects first, before you apply either (a) or (b) of the policy. It is not clear as to how this relates to Conservation Orders.

Relief sought:

Amend policies 2.2.12 and 2.2.13 to clarify how water bodies are identified as outstanding, and clarify how this assessment relates to Water Conservation orders.

Submission point 15:

Policies 2.2.14 and 2.2.15 relate to identification and management of highly valued soil resources. Policy 2.1.5 is to manage soil values, and its relationship with the policies for highly valued soils is unclear. For instance, it is unclear as to why soil quality receives the same level of protection as outstanding water bodies? One is a matter of national importance, the other is not. It is submitted that the policies should be encouraging diversification.

Policy 2.1.15(d) is more permissive than 2.1.5 by recognising that urban expansion into high quality soils may be appropriate (when Policy 2.1.5 for all soils is to retain soil for primary production with no recognition of potential for diversification, and that soils that are not of high quality may be better utilised for tourism or rural residential activity).

Relief sought:

Amend policies relating to soil quality in both 2.1 and 2.2 so that they are more consistent and relate better to one another.

Amend policy 2.1.5 to recognise that soil should not necessarily be retained for primary production, and that there is in many cases good reason to enable different uses that on balance better achieve sustainable management.

Submission point 16:

This submission point is in respect to Chapter 3- Communities in Otago are resilient, safe and healthy and addresses concerns with the drafting of the objectives, issues and need statements.

Objective 3.3 is supported. However, in the issue and need statements it appears to be limited to resilience against sea level rise. It should also refer to economic resilience, in terms of both tourism and primary production.

With respect to Objective 3.4 it is suggested that the 'need' statement includes reference to the need for strategic planning and management of infrastructure to meet community, business and environmental needs *now and into the future*. Management of infrastructure needs to take a long term approach and recognise future growth in both residents and tourists.

Recognise that management of infrastructure needs to take a long term view, and recognise future growth in both residents and tourists

Objective 3.5 Infrastructure of regional and national significance. Recognition of the importance of regional and national infrastructure, and that it may result in local adverse effects is supported.

Objective 3.6 *Energy supplies to Otago's communities are secure and sustainable*. The recognition that we need to reduce our dependency on fossil fuels is supported.

Objective 3.7 *Urban growth is well designed and integrates effectively with adjoining urban and rural environments*. This objective is unclear; in the issue statement it refers to mobility needs of people. Is this disabled people or is it referring to the need to provide live-work environments that reduce reliance on private motor vehicles. The objective does not reflect the associated issue and need statement and could be improved to reflect the need to attract business investment and future proofing of infrastructure.

There seems to be little difference between objective 3.7 and 3.8; it seems that both are aiming for urban growth that is effectively and efficiently serviced, in locations that reduce reliance on private motor vehicles.

Relief sought

Amend objectives, issue and need statements to reflect comments provided in submission point 15.

Submission point 17:

Policy 3.1.1. Recognising natural and physical environmental constraints

This is supported, particularly (e), which recognises that there is often a functional necessity for the activity to be located where there are constraints.

Relief sought

Retain recognition that there is often a functional necessity for the location of an activity where there may be constraints.

Submission point 18:

Policy 3.3.2

Adapting to, or mitigating the effects of, climate change

c) Encouraging activities that assist to reduce or mitigate the effects of climate change.

This policy is supported and should be built upon to reflect the importance of creating resilience-both environmental and economic.

Relief sought

Retain the policy 3.3.2(c), and improve its wording to reflect the need for economic and environmental resilience.

Submission point 19:

Policy 3.4.1 relates to *Integrating infrastructure with land use*. This policy is generally supported; it is important to recognise the functional needs of regional infrastructure, and to design infrastructure to take into account future land use change. 3.4.1(a) relates to the functional needs of regional infrastructure. It is unclear as to how this relates to Policy 3.5.3, which is the protection of infrastructure of regional or national significance.

Paragraph (c) recognises the importance of managing urban growth within areas that have sufficient infrastructure. Question whether this could be strengthened – what does this mean for areas where there is no infrastructure- is the urban growth in those areas not managed?

Paragraph (d) refers to structural design and release of land for new urban development, and reads.

d) Co-ordinating the design and development of infrastructure with the staging of land use change, including with:

- i. Structural design and release of land for new urban development; or*
- ii. Structural redesign and redevelopment within existing urban areas.*

It is unclear as to what this means; structural design of new urban development? It is unclear as to what this means from a Regional Council perspective.

Relief sought:

Amend Policy 3.4.1 to better clarify its purpose and relationship to the functions of a Regional Council. Consider the relationship between 3.4.1(a) and objective 3.5 and associated policies.

Submission point 20:**Policy 3.4.2****Managing infrastructure activities**

Manage infrastructure activities, to:

- a) Maintain or enhance the health and safety of the community; and*
- b) Reduce adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and*
- c) Support economic, social and community activities; and*
- d) Improve efficiency of use of natural resources; and*
- e) Protect infrastructure corridors for infrastructure needs, now and for the future; and*
- f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and*
- g) Protect the functioning of lifeline utilities and essential or emergency services.*

This policy is supported in that it recognises the importance of infrastructure activities that support the health and safety of the community, and social and economic activities, and improve efficiency of use of natural resources. The protection of infrastructure corridors for infrastructure needs is supported.

If the function of the Regional Council is to manage regional effects, it is questioned why there is a separate set of objectives and policies for infrastructure, and regional and national infrastructure?

This policy reflects the need to continue to manage infrastructure so that it meets the existing and future needs of the community. Queenstown's infrastructure needs to be managed strategically to ensure that it copes with anticipated tourist and residential growth, and to ensure that lack of

management or provision does not result in a reduction in the quality of life, or have a negative impact on tourism.

Relief sought:

Consideration is given to the relationship between this set of policies and those provided in 3.5. Recognise the importance of managing infrastructure to enable strategic growth and development, and avoid adverse effects on the environment from a lack of future planning and provision of infrastructure.

Submission point 21:

Objective 3.5 and its associated explanation reads:

Infrastructure of national and regional significance is managed in a sustainable way

Infrastructure of national and regional significance, including roads, rail, electricity generation and transmission, and telecommunication, are part of a national network, and contribute to the economic and social wellbeing of the nation.

It is important to recognise the benefits of this infrastructure, such as to the economy and to achieving community resilience, as well as managing any adverse effects on Otago's natural resources.

Policy 3.5.1

Recognising national and regional significance of infrastructure

Recognise the national and regional significance of the following infrastructure:

- 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.*

The definition of infrastructure does not include reference to wharves/jetties for transportation by lake. It includes transportation on land by any means including road, cycleway, walkway, and facilities for loading and unloading passengers from the sea. Neither does it provide for transport by gondola, either as an alternative to use of mountain roads to ski fields or as commuter option. In Queenstown future transport infrastructure will include lake and river transport and is likely to include gondola operations. These should be recognised as they will become regionally significant.

Relief sought:

That Policy 3.5.1 is amended to recognise that tourism infrastructure should be included as regionally significant infrastructure.

Recognise that within Queenstown future infrastructure that is of regional significance may include lake and river transport and transport by gondola and specifically recognise the necessary infrastructure, including jetties and gondola lines.

Submission point 22:

Policy 3.5.3

Protecting infrastructure of national or regional significance

Protect infrastructure of national or regional significance, by:

- 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.*

Regional infrastructure includes all power lines. There needs to be clear direction that all new power lines should be underground. This meets the objective of reducing environmental impact, and also the ability to provide continuous electricity supply.

Does part (b) of policy 3.4.1. relate to all infrastructure? Should nationally and regionally significant infrastructure be recognised or protected, and should it also be designed to take into account those matters listed in 3.4.1(b). The effects of the infrastructure and its design, whether or not of regional significance, should be considered.

Relief sought:

That the importance of regional infrastructure should be balanced with the need to reduce effects of infrastructure provision.

It is not clear how this policy relates to policies to protect outstanding landscapes, which are also to be protected.

Submission point 23:

Objective 3.6 *Energy supplies to Otago's communities are secure and sustainable.*

The policies all encourage the use and protection of renewable energy sources, and the reduction in fossil fuels, which is supported. However, they should also encourage efficient end use of energy to reduce the need for more energy generation. This links to the policies relating to urban growth and infrastructure, and the need to enable and encourage development in locations that can be efficiently serviced, and where energy needs are reduced for transport, heating etc.

While the introductory statement refers to ability to sustain economic growth, and efficient use of energy, this is not reflected in the policies.

Relief sought:

Amend the policies to include encouraging efficient end use of energy to reduce the need for more energy generation

Submission point 24:

Policy 3.6.3 *Enabling more efficient transport of electricity*

This policy focuses on efficient transmission and distribution of electricity. It does include avoid, remedy or mitigate adverse effects from that activity. It could be improved to be more specific, for example, by ensuring that all new subdivision and development provide underground electricity lines to reduce effects on the environment.

Policy 3.6.5 '*protecting electricity distribution infrastructure*' should be more balanced; it focuses solely on protection of infrastructure and should also provide for avoiding, remedying or mitigating the adverse effects on that infrastructure. How does this policy marry up with policies for managing landscape values?

Policy 3.6.6 *Reducing long term demand for fossil fuels* is supported.

Policy 3.6.6

Reducing long term demand for fossil fuels

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.

This policy is supported; it supports the proposed development within RPZ and would support development of infrastructure such as a gondola, which is a means of reducing long term demand for fossil fuels.

Relief sought:

Support secure and sustainable energy supplies, but consider linking to urban growth and infrastructure provisions to better achieve integrated management.

Amend policies to provide linkage between energy supply, efficient use, and urban development.

Submission point 25:

Objective 3.7 *Urban areas are well designed, sustainable and reflect local character.*

The introductory statement is supported in that it identifies that poor quality or badly coordinated development presents risks socially, environmentally and economically. The level of detail in the policy is concerning, and reference to protection of areas of indigenous biodiversity and habitats should be removed.

Relief sought

Provision for a safe, healthy and resilient community is supported, but the level of detail within the Policy should be reconsidered.

Delete 'protection of areas of indigenous biodiversity and habitats of indigenous fauna', or amend to recognise that it is only those areas of significance that should be managed carefully, and a balanced approach should be taken that recognises that in some instances there is greater environmental benefit achieved when such areas are not protected.

Amend objective 3.7 and associated policies to ensure that they are focused on the functions of regional council, and do not impose detailed policy statements that are better managed at the District Council level.

Submission point 26:

Policy 3.8.1 Managing for urban growth.

Policy 3.8.1

Managing for urban growth

Manage urban growth and creation of new urban land in a strategic and co-ordinated way, by:

- a) Ensuring there is sufficient residential, commercial and industrial land capacity, to cater for demand for such land, projected over at least the next 10 years; and
- 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 additional costs that arise from unplanned infrastructure expansion; and
- c) Identifying future growth areas that:

- i. Minimise adverse effects on rural productivity, including loss of highly valued soils or creating competing urban demand for water and other resources; and*
- ii. Maintain or enhance significant biodiversity, landscape or natural character values; and*
- iii. Maintain important cultural or heritage values; and*
- iv. Avoid land with significant risk from natural hazards; and*
- d) Considering the need for urban growth boundaries to control urban expansion; and*
- e) Ensuring efficient use of land; and*
- f) Requiring the use of low or no-emission heating systems in buildings, when ambient air quality in or near the growth area is:*
 - i. 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.*

Support (b) – coordinated and efficient and effective infrastructure is important, and providing sufficient land for future development is supported. The clauses of the policy encouraging efficiency is supported.

Relief sought:

Retain policies that encourage District Councils to plan strategically for growth, and the infrastructure implications for such growth.

Submission point 27:

Method 4.1.2 reads

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;

This method is very directive, it is suggested it should be clarified so that it only relates to Policy 3.8.1(f)

Relief sought:

Amend Method 4.1.2 to better direct District Councils to manage growth strategically, and clarify that it is not only relating to imposing conditions for the purposes of reducing air discharges.

Submission point 28:

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.

This policy is not supported given the importance of tourism to the region. For example, where soil quality is not high, development should not be avoided if it is a more sustainable use of natural and physical resources.

The policy is stronger for all soils (for primary production) than for highly versatile soils, in that (a) is to avoid development, and (b) is to have particular regard to whether the proposal will result in loss productive potential of highly versatile soil.

In relation to Paragraph (c) some unplanned development may be of benefit and should not foreclose opportunities simply because they haven't been included within a long term plan.

Paragraph (d) should be qualified because in some cases competing demand for resources is not problematic; it is when the resources are scarce. In some cases, the new urban development may be a better use of productive land and this needs to be taken into account.

Relief sought:

Remove the use of 'avoid' from Policy 3.8.3 so that it is clear that some development, even if it undermines primary production, has greater environmental and economic benefits to the region than the continued use of rural land for primary production, particularly when such primary production is marginal from both an economic and environmental perspective.

Submission point 29:

Objective 3.9 *Hazardous substances and waste materials do not harm human health or the quality of the environment in Otago.*

Policies 3.9.3 and 3.9.4 are supported.

Policy 3.9.3

Identifying contaminated land

Identify sites of known or potentially contaminated land in Otago.

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.**

How do these policies relate to the NES for contaminated soils? Is 'potentially contaminated' the same as HAIL? Does this mean that we have to consider these policies when we trigger consent under the HAIL?

Relief sought

Provide clarification as to how these provisions relate to the NES for Contaminated Soils to Protect Human Health.

Submission point 30:

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

Objective 4.1 *Public access to areas of value to the community is maintained or enhanced* is supported.

Objective 4.1 and the associated explanation is supported. Likewise, Policy 4.1.1 is supported.

Policy 4.1.1**Maintaining and enhancing public access**

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 takatawhenua.

Policy 4.1.1 is supported; maintenance and enhancement of public access is important.

Method 4.1.5 seems outside the functions of a Regional Council by imposing infrastructure design standards to ensure access for mobility impaired.

Relief sought:

Retain objective and policy that supports provision of public access. This should be extended to provide for its relationship to policies for landscape and natural features. It should be clear that there is a balance between protection of values and benefits of providing public access.

Clarify the purpose of method 4.1.5.

Submission point 31:

The explanation under Objective 4.3 on page 82 reads

The use of land for productive activity underpins the economy of the region.

This statement is at odds with the statement at pages 4, 11 and 23, which recognise the importance of tourism and education to the economy. The statement is not strategic and consideration needs to be given to the future.

Policy 4.3.1**Managing for rural activities**

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.

This policy supports farming activities over and above other uses. It is at odds with the recognition of the importance of tourism, and should be amended to recognise that farming should be enabled in those areas of highly versatile soil, and where adverse effects of primary production can be adequately managed.

Minimising subdivision into rural residential lots is not supported; in many instances subdivision into smaller lots can result in greater benefit both to the environment and economically. This policy therefore needs to be tempered to recognise that primary production is important in some areas, but that this needs to be balanced with the fact that it can result in reduction in environmental quality and in areas where soil quality is low, diversification into other uses may be more beneficial, and may better represent sustainable management.

Paragraph (e) is supported in that it provides for tourism and recreational activities, however, this should support all tourism and recreational activities, not only those that are of a scale that support rural activities.

Relief sought

Amend Policy 4.3.1 to recognise the importance of tourism and recreation activities within the rural area, and that farming activities need to be managed to ensure that the quality of the environment

is maintained. It needs to be recognised that there may be greater benefit from enabling recreation and other uses that support tourism, and have the potential to improve the quality of the environment.

Submission point 32:

Policy 4.3.3

Recognising the values of Otago's central business districts

Recognise the values of Otago's central business districts, including as the primary focal point for social, cultural and economic activities within a community.

This policy is supported. However, it needs to be clarified that within Queenstown there are two central business districts, and Frankton has become a primary focal point for social, cultural and economic activities.

Policy 4.3.4

Managing the distribution of commercial activities in larger urban areas

Manage the distribution of commercial activities in larger urban areas, to maintain the vibrancy of the central business district and support local commercial needs, by:

- a) Enabling a wide variety of commercial, social and cultural activities in the central business district; and*
- b) Encouraging the adaptive re-use of existing buildings in ways that complement commercial functions; and*
- c) Avoiding unplanned extension of commercial activities that has significant adverse effects on the central business district, including on the efficient use of infrastructure, employment and services; and*
- d) Enabling smaller centres to service local community needs.*

Policy 3.4.3 is supported. It is questioned what is meant by 'larger urban areas' and recognition that Remarkables Park is already a large urban area and is zoned to become larger. It is suggested that the policy should refer to 'central business districts' given that there is more than one CBD in Queenstown. It is important to recognise that there is more than one town centre.

Remarkables Park is a central business district, and is an integrated development, and represents efficient use of infrastructure, employment and services. This needs to be recognised and provided for.

Relief sought:

Recognise that within Queenstown there is more than one CBD, and that Remarkables Park is zoned to be become a town centre/Central Business District in its own right.

Submission point 33

Policy 4.3.5

Managing for industrial land uses

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.*

Within Queenstown this policy has been given effect through Plan Change 19, which recognises the importance of managing land to provide suitable land area for industrial activities. Providing Policy 4.3.5 within the Regional Policy Statement is outside the function of the Regional Council; zoning adequate land for industrial uses is a District Council function, and once that land is zoned, it is the role of the District Council to manage land uses.

Relief sought:

Delete Policy 4.3.5.

Submission point 34:**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 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 the establishment of those activities in areas used for mineral and gas exploration, extraction and processing that may result in reverse sensitivity effects.

This policy is supported in that it recognises the importance of locating gravel extraction/mining activities where the required gravels are situated. However, it should be improved to recognise that in many cases preference cannot be given to avoiding outstanding natural landscapes. Indeed most of the gravel extraction in the Queenstown area currently takes place in an Outstanding Natural Landscape (the Shotover River). Reference should be made to the ability to mitigate and remedy adverse effects, and when remediation is possible, preference to avoidance in those locations listed may not be necessary.

This policy appears to be repeated by Policy 4.5.6 which reads:

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

Minimise 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) Remediating 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, 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.

It is not clear as to why these policies are provided separately.

Relief sought

Amend Policy 4.3.6 to recognise the importance of gravel extraction from those locations where good gravels can be sourced. Recognise that effects can be remediated or mitigated, and in these cases preference to avoidance is not necessary. Amend policies 4.3.6 and 4.5.6 to remove repetition and provide clearer direction. Ensure that the amended policy recognises the importance of gravel extraction, and the ability to remedy and mitigate adverse effects.

Submission point 35

Objective 4.4 *Otago's communities can make the most of the natural and built resources available for use.*

The issue does not seem to relate to the objective; the objective is to enable the use of resources while the issue identifies the finite nature of resources. The issue would be better as a positive statement that use of natural and physical resources is important for the wellbeing and prosperity of Otago's communities.

Relief sought:

Amend the objective and its associated issues statements to better relate to one another, and to recognise the importance of maintaining and enhancing the wellbeing and prosperity of Otago's communities.

Submission point 36

Policy 4.4.3

Encouraging environmental enhancement

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.*

This policy is supported. However, it should be linked to other policies such as managing for rural uses; and managing landscape values and features so that off-sets can be recognised and provided for. For instance, if an activity enhances public access and protects and restores habitat, these benefits should be taken into account when determining whether a development proposal that adversely affects landscape values is appropriate.

Relief sought:

Retain this policy, but recognise that it should be integrated with policies for relating to protection of natural and physical resources, so that environmental and economic benefits of a development are considered when determining whether it is appropriate.

Submission point 37:

Objective 4.5

The discussion that follows Objective 4.5 states

For example, Section 2.3 of this document identifies resources which are so significant that adverse effects on their values should be avoided.

However, Section 2.3 provides policies for integrated management. If this is incorrect, and the statement should refer Section 2.2, then it should be corrected to recognise that not all of the resources identified in Section 2.2 are so significant that adverse effects should be avoided. For instance, they refer to special amenity landscapes, which are not valued as highly as outstanding natural landscapes. It should also be recognised that not all effects need to be avoided.

Relief sought

Amend the error, whereby objective 4.5 refers to section 2.3 integrated management. In making this correction, ensure that the amendment recognises that not all of the values identified in Section 2.2 are significant and not all effects should be avoided.

Submission point 38:

The statement provided under Objective 4.5 reads

Some activities, such as mineral extraction or infrastructure development, may have to locate in areas containing significant values. If we are to provide for those activities, it is important to outline how their adverse effects should be managed.

This statement is supported. However, it should not be limited to mineral extraction or infrastructure development, and instead should reflect that a range of activities important to the future resilience and sustainable management of the Otago region may need to locate in areas containing significant values. Effects on these values can be managed, and in some cases there could be greater environmental benefit. The policies need to recognise that this document provides for future management of resources and needs to be broad enough to cater for future activities that should not be restricted because they don't fit with what are deemed to be appropriate for 2015.

The final paragraph under this Objective refers to community values. This could link back to the importance of the environment for both existing and future communities, and also economic resilience and tourism.

Relief sought:

Support the statement under Objective 4.5 that activities such as mineral extraction and infrastructure may have to locate in areas containing significant values. This should be amended to recognise that there are other activities that have to locate in areas containing significant values, and they can be supported where their effects can be managed appropriately.

Submission point 39:**Policy 4.5.1****Avoiding objectionable discharges**

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.

Policy 4.5.1 is supported; it is important that District Councils manage infrastructure to ensure that objectionable odour and discharges are avoided. This links back to policies relating to the importance of maintaining the quality of the environment for tourism growth and development.

Relief sought:

Support policy 4.5.1 and recognise its linkage to provision of infrastructure by District Councils to provide for growth, and avoid adverse effects from objectionable discharges.

Submission point 40:**Policy 4.5.3****Applying emission standards on domestic fuel burners**

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.

This relates to the importance of providing secure energy supply. Maintaining air quality in Queenstown is supported.

Relief sought

That the submission is noted.

Submission point 41:

Policy 4.5.4

Minimising soil erosion

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.*

It is queried whether this relates to earthworks, and whether it should be related to the management of water bodies. It is noted that method 4.1.3 states that District Plans will implement policy 4.5.1 by including provisions to manage discharge of dust. This could be improved by recognising the importance of other forms of discharge resulting from soil erosion.

Relief sought:

Amend policy and associated methods so that they provide for regionally significant matters and provide greater clarity.

Submission point 42:

Policy 4.5.5 introduction and spread of pest plants and animals

The management of pest species is supported. However, the inclusion of reference to district plans as a method is queried; is this a resource management issue? Refers to method 4 City and District Plans, but method 4 does not include any reference to this policy. Is this a matter for regional policy statement or for pest management strategies?

Relief sought

Review provisions for pest management, and ensure that methods relate correctly to policies. Ensure that the provisions are within the functions of Regional Councils for the purposes of the Regional Policy Statement, and that the policies and methods do not impose requirements on District Councils that are outside scope.

Submission point 43:

Policies 4.5.7 and 4.5.8 provide for offsetting for indigenous biodiversity. It is queried why is offsetting only applied to biodiversity and air quality? What about offsetting effects on landscape or heritage values? Instead of separate policies relating to offsets, it would be better to encapsulate this within the policies specific to indigenous vegetation, landscape values and air quality. This would better reflect that some activities may cause adverse effects, but the offset offered could result in a net benefit. This net benefit can make an activity appropriate, even if it has significant effects on one element of national importance. It is important that effects on each value is balanced, and decisions are made on a balanced consideration of all effects and all values.

Relief sought

That the provision for offsets is retained, and expanded to recognise that off sets can be applied to other resources, and assessment of proposals for use and development need to be considered in a balanced way, recognising that some adverse effects can be off- set by positive effects.

Amend the objectives and policies that reference 'protection' and 'avoidance' to recognise the ability to provide positive off sets.

Submission point 44:

Method 4.2.4 states that district councils will implement policies 4.3.1 (managing for rural activities), 4.3.2 (managing land use in dry catchments), 3.8.1 (managing for urban growth) and 3.8.2 (controlling growth where there are identified urban growth boundaries) by preparing structure plans for large scale land use changes. It is unclear as to what is meant by structure plans, and how this is to be achieved.

Method 4.2.7 states that district councils may implement policies 1.2.4 and 4.1.1 by including conditions to maintain and enhance access to the natural environment or sites of cultural significance. Why not through inclusion of policy that recognises the importance of public access, and the ability to provide public access as a benefit to off set what may be adverse effects on other values. For example, inclusion of policies that recognise that development may cause some adverse effects, but that the provision of public access to important recreational resources and or natural features can offset those effects.

Relief Sought:

Address concerns regarding method statements, ensuring that each method relates to the relevant policy, and that each method is workable and is relates to the role and function of the District Council.

RPL and QPL wish to be heard in support of this submission.

Jenny Carter for
REMARKABLES PARK LIMITED and QUEENSTOWN PARK LIMITED

24 July 2015

Address for Service:

C/- Jenny Carter
Remarkables Park Limited
PO Box 1075
QUEENSTOWN
j.carter@remarkablespark.com

Submission Date: 2015-07-23 23:39:11

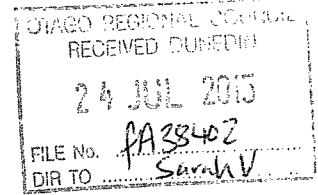
Name of submitter: Lindon & Jennifer Sanders

Organisation (if applicable): Little Valley Station Ltd

Postal Address: Street: 1173 Little Valley Road
Suburb: R D 2
City: Alexandra
Postal Code: 9392

Phone Number: 034486575

E-mail: sanders.lvs@farmside.co.nz



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

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

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

Our submission deals with the following clauses which identify tussock grasslands as important hydrological services and as contributing significantly to water quality.

CLAUSES 2.1.6(d), 4.3.2(b), 6.1.3(b)

We oppose the inclusion of the above clauses in the Regional Policy as current research on tussock grasslands as a water harvesting and water quality tool is contradictory. Current research does not support this theory strongly enough to justify tussock grasslands being included in a regional wide plan in this way.

CLAUSE 6.2.2(a)(ii)

We support Clause 6.2.2 (a) which states that Councils will research and share information relevant to the effects of land use, but ask that in Clause 6.2.2 (a)(ii) the words "such as tussock grasslands" be removed. This Clause refers to researching a wide variety of vegetation and cover, but singles out tussock grassland from all other vegetation and implies that the research on this vegetation is already complete and conclusive.

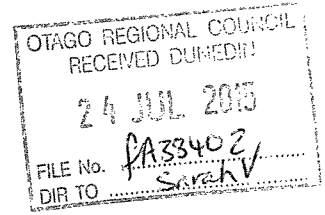
2. State what decision you want the Otago Regional Council to make:

It is our submission that current research into the part tussock grasslands plays in water harvesting and freshwater quality is not conclusive and therefore cannot be supported as a significant factor in our Regional Policy.

3. Give reasons for the decision you want made:

We ask Council to amend Clause 6.2.2(a)(ii) as stated and to remove Clauses 2.1.6(d), 4.3.2(b) and 6.1.3(b) from the Proposed Policy.

Submission Date: 2015-07-24 00:31:46
Name of submitter: Angus Robertson
Postal Address: Street: 55 Grove Street
Suburb: Saint Kilda
City: Dunedin
Postal Code: 9012
Phone Number: 0210411014
E-mail: angusrobertson22@gmail.com



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

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

1. State what your submission relates to and if you support, oppose or want it amended: Amend Objective 2 and related policies to include protection of all surf breaks on the Otago Coastline.

2. State what decision you want the Otago Regional Council to make: Policy 2.2.10 and 2.2.11 should refer to both surf breaks of national significance AND "regional significance". Or blanket protection given to all breaks in Otago.
Outcome 4 should also have a policy included to manage this resource.

3. Give reasons for the decision you want made: I want Objective 2 to be expanded to protect ALL of Otago's surf breaks from inappropriate activities and development - to ensure they are there for our community and future generations.

Attach a document (if applicable): RPS Submission.docx

Otago Regional Council – Regional Policy Statement submission

Dear Sir/Madam:

There has been recognition of Surf Breaks of National Importance under the RPS Outcome #2 – *Otago has high quality natural resources and ecosystems*. There have been two policies included to protect Dunedin’s valuable surf resource:

1. To identify and recognise and these breaks
2. To manage and protect these breaks.

While this is an appropriate step in protecting perhaps our most renowned and enjoyed breaks, there is a lack of protection given in the proposed RPS to the rest of the Otago coastline, which is home to numerous quality surf breaks. These breaks are part of our natural environment and see people from across the city and country enjoying them, as well as travellers from around the world marvelling our unspoilt breaks in outstanding natural landscapes. This not only helps to put the Otago coastline on the map, but brings welcomed injections to our economy and diversity to our community, with travellers often staying for months in Dunedin to enjoy the splendours of our coastline.

Surf breaks are a finite natural resource and a source of recreation for a diverse and increasingly large range of participants. Approximately 7% [310,000] of New Zealanders are estimated to surf on a regular basis (Surfing NZ: www.surfingnz.co.nz). Surfing contributes to the well-being of participants by promoting health and fitness and cross cultural and intergenerational camaraderie. All this is based on a very simple experience - riding a wave, in particular a wave with the right characteristics - a “surf break”.

Surf breaks can only be accessed by users from the land. Therefore, safe and public access to these surf breaks must be maintained. Surf breaks are used by surfers, paddle boarders, body boarders, kite surfers, body surfers and some surf kayaks.

Surfbreaks range from Otago’s northern coastline near Oamaru, down to parts of the Catlins in the south. Frequently used surf breaks around the Dunedin and Otago coastline that should be listed and acknowledged for their regional significance and recreational value in addition to those Surf Breaks of National Importance already recognised include, but are not limited to: Allans beach, Blackhead, Brighton, Boulder Beach, Potato Patch, Goat Island, Kakanui/All Day Bay, Kaka Point, Kuri Bush, Possums Reef, Sandfly Bay, Smails Beach, St Clair, St Kilda, Second Beach, Shag Reef, Quoin Point, Ocean View, Purakaunui Bay, Taieri River Mouth, Tautuku Beach, Tomahawk Beach, Victory Beach, Warrington and Blueskin Bay.

As there are numerous other breaks in this stretch of coast, recognition in general should be given to all surf breaks on Otago’s coastline under Otago Regional Council jurisdiction from Waitaki to Clutha.

Given the above factors, recognition should be afforded to not only the natural beauty and *biodiversity of our coastline, but surf breaks along the coast also which are a natural resource used daily by the local community and world travellers*. This recognition could either be included as part of Outcome #2, and/or included RPS Outcome #4: *People are able to use and enjoy Otago’s natural and built environment*.

Outcome #4 seems to better align with the issue – that people are able to use and enjoy Otago’s natural environment, now and in the future. As stated as the issue for Outcome #4, “*resource use can create adverse effects on other resources, their values and for other resource users and the wider community.*” Otago’s surf breaks can often be put under pressure from the direct effects of human activities, impacting this valued recreation and tourism activity. For example:

- a. Effluent run-off into local tributaries affects the water quality of breaks at river mouths and nearby.
- b. Mining, such as at Blackhead, can significantly affect the exposure of breaks to the wind.
- c. Seabed mining and sand mining can create changes to coastal wave patterns, affecting surfing opportunities.
- d. Wharf or jetty development can impact the function and form of sand banks.
- e. Oil spills and other accidents can make areas unusable to the community

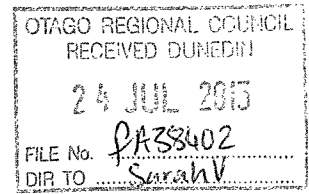
Summary

Given the purpose of the proposed RPS – *to promote the sustainable management of natural and physical resources* – it seems reasonable to include protection for the surf resource valued by so many in our community.

At the very least, in addition to Surfbreaks of National Significance, I would like to see recognition and protection in general of all surfbreaks from Waitaki to Clutha included under policies 2.2.10 and 2.2.11.

A further step in protecting this resource would be to add a policy under Outcome 4 to ensure other resource use, both land and ocean based, does not adversely affect surfbreaks.

Submission Date 2015-07-24 00:34:35
Name of submitter: martell letiuca
Organisation (if applicable): Landpro Limited
Postal Address: Street: PO Box 302
Suburb: Cromwell
Postal Code: 9342
Phone Number: 034459905
E-mail: martell@landpro.co.nz



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

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

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

1. State what your submission relates to and if you support, oppose or want it amended: Please see position statement and submission points as presented in the letter report attached.

2. State what decision you want the Otago Regional Council to make: Please see position statement and submission points as presented in the letter report attached.

3. Give reasons for the decision you want made: Please see position statement and submission points as presented in the letter report attached.

24 July 2015



Otago Regional Council
Private Bag 1954
Dunedin 9054

SUBMISSION ON PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO 2015

General Comments

1. Landpro Limited (Landpro) wishes to make submission on the Proposed Regional Policy Statement for Otago 2015 (PRPS) as outlined below.
2. Landpro supports the initiation of a review of the current Regional Policy Statement (RPS) which became operative on 1 October 1998.
3. Landpro strongly supports the development of district and regional plans which enable the use and development of Otago's natural and built resources in a sustainable manner.
4. Landpro neither supports nor opposes the content of the PRPS but seeks for decision-makers to consider a spectrum of matters outlined below, including amendments to specific provisions. The matters addressed below are raised according to the Chapter sequence of the PRPS, being Chapters 1 to 4. The PRPS Methods integrate between themes of the PRPS, therefore while these have been specifically assessed within each Chapter, we also request that any such assessment be viewed wholly within the scope and nature of this submission. Anticipated Environmental Results of the PRPS relate specifically to Objectives and so are addressed per Chapter.

Submission

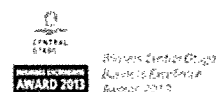
Kai Tahu values, rights and interests

5. Landpro supports objectives, policies and methods which ensure resource management decisions take Kai Tahu values into account whilst providing flexibility on the circumstances within which Kai Tahu will be engaged for more general resource management processes.
6. Landpro supports policies and methods which avoid procedural duplication, delays and increases in costs where resource management decisions are required from a local authority.
7. With respect of the comments made above, Landpro, in particular, requests that decision-makers carefully consider the language and/or inclusion of the following Methods;

📍 **Cromwell**
Unit 7, Cromtrade, 2 McNulty Road
PO Box 302, Cromwell 9942, New Zealand

📍 **Gore**
23 Medway Street
Gore 9710, New Zealand

0800 023 318
info@landpro.co.nz
www.landpro.co.nz



- 1.1.3, 1.4.1, 2.2.4, 3.1.1 and 4.1.9.
8. Landpro seeks that if Methods 1.4.1 and 2.2.3(b) continue as worded, that the terms 'efficient and effective' remain in place or that these Methods contain wording of this nature.
 9. Landpro seeks for amendment to the following paragraphs of AER 1.1 and 1.2

Indicators	Measurement	Amendment sought
<i>Kai Tahu are informed of consent applications</i>	<i>Survey of Kai Tahu satisfaction with consenting process</i>	Both the indicator and measurement are not appropriate parameters.
<i>Kai Tahu place names are used in official documents and correspondence</i>	-	Suggest that a survey of Kai Tahu satisfaction be a measurement.
<i>The quality of natural resources and resource systems meet cultural health indicator targets.</i>	<i>Cultural health indicators for resources of importance to Kai Tahu cultural well-being.</i>	Provide guidance around what a cultural health indicator is prior to using it as a term in PRPS.

10. Landpro also seeks clarification on what the intention is of the indicator and measurement found in AER 1.2 as follows;

Indicator	Measurement
<i>Planning processes permit Kai Tahu to develop their ancestral lands in keeping with their tikaka.</i>	<i>Consenting records and Kai Tahu satisfaction with planning processes.</i>

The indicator seems to suggest that development by Kai Tahu could be more permissive as opposed to development by the general public. Furthermore, Landpro disagrees with a measurement which requires one entity to decide if a statutory process is satisfactory. As such, a neutral submission on these matters is proposed.

High quality natural resources and ecosystems for Otago

11. Landpro supports objectives, policies and methods which identify a commonality when using or classifying those matters as outlined in Sections 6 and 7 of the RMA and that these will be applied consistently throughout the Otago region as this provides certainty to persons seeking to use and develop resources.
12. Landpro supports the identification that indigenous species may have more optimum survival rates under a flow regime which may be detrimental to other fish species that predate on those indigenous species (Policy 2.1.1(d)) as this has been a matter of conflict in the past.
13. Landpro neither supports nor opposes the objectives and policies seeking to establish an integrated management framework between local and territorial authority regulatory jurisdictions. However, Landpro does note that Methods 4.1.2 and 4.1.5 are very prescriptive and will rely on the adoption and implementation by territorial authorities and which will ultimately affect its client base.
14. In our opinion, the regulatory approach suggested by Method 6.1.3(b) seems to conflict with other policies which seek to enable communities to use infrastructure to gain efficiencies.
15. With regard to AER's for this Chapter (2.1-2.7), Landpro suggests that the measurement indicator would not only have to include monitoring, but also reporting, review and audit. Without these in-place, there

is no capability to measure because there is no frame of reference to state whether the measurement has achieved the indicator result.

Resilient communities in Otago

16. Landpro supports objectives, policies and methods which seek to have a positive impact on people's health and safety and social and economic wellbeing.
17. Landpro remains neutral as to whether the proposed objectives, policies and methods surrounding nationally and regionally significant infrastructure and projects is suitable in this particular context/chapter.
18. Landpro opposes a strong regulatory approach to the use of land in order to pre-empt a potential hazard effect.
19. Landpro questions whether Methods 2.3.1 and 4.2.6(b) are legal and submits neutrally on this matter.
20. Landpro believes there is a conflict between the contents of AER 3.1 and AER 3.2. On one hand, a measurement of indicator achievement is that records show no new dwellings were granted in areas of significant natural hazard risk and yet a later measurement suggests evaluation reports show new developments and uses can withstand effects of natural hazards and climate change. We would suggest that resilience includes the capability of human invention to engineer and develop around environmental constraint should not be stifled by the implied measurement and therefore, we submit neutrally on this matter.
21. In our opinion, decreasing the usage of 'gas fires' as a means of achieving AER 3.5 is in direct conflict with air quality aspirations in Chapters 2 and 4 of the PRPS. Furthermore, the AER 3.5 indicator seems to have little to no bearing on the matters as itemised under Policy 3.6.6. Landpro seeks for decision-makers to carefully consider implications of the AER and therefore submits neutrally on this matter.

Use of Otago's natural and built environment

22. Landpro supports objectives, policies and methods which enable the use and development of resources whilst avoiding, remedying or mitigating adverse effects.
23. Landpro questions whether any catchment can be considered to be 'dry' and therefore require the level of regulatory approach adopted through Policy 4.3.2, particularly where there seems to be a disconnect or lack of hierarchy between Policies 4.3.1(a) and 4.4.1(d). However, we do accept that, by comparison, some catchments can be drier (in terms of rainfall) than others but the minimisation strategy proposed is far too specific and does not account for developments which make the most efficient use of the resource available. Landpro therefore submits in opposition to these policies.
24. Landpro supports Policy 4.4.1(c) and (d), however, opposes the stringent language utilised in (a) and (b) of this policy. The Section 32 report openly acknowledges that a strong regulatory presence is intended, however, the costs and benefits analysis table (pg 61) identifies significant barriers to users trying to achieve this regulatory response.
25. Landpro seeks for the following amendments or clarifications to be made to a decision-panel in AER 4.1

Indicators	Measurement	Amendment sought
<i>There are no complaints about lack of access to Otago's coast, lakes and rivers</i>	<i>Guest night records in areas of high value, complaints record.</i>	Remove reference to guest nights considered irrelevant.
<i>The number and extent of esplanades and similar areas providing access to Otago's water bodies and coastal environment is maintained or enhanced.</i>	<i>Remote sensing and in-situ measurements of access strips, esplanades strips and areas in Otago.</i>	Include reference to survey title plans.

Other Amendments Sought

26. In our opinion, Method 6.3.1 should read;

Regional, city and district councils will carry out state of the environment monitoring, reporting, evaluation and analyses.

The Method would be deficient without the parameters suggested. This is also consistent with the language used in the PRPS AER section around state of the environment monitoring.

27. In our opinion Method 6.4 suitably achieves what is necessary to close the loop in plan development and implementation and is consistent with RMA requirements under Sections 32 and 35 of the RMA. We see no need for Method 6.5 to be present nor any basis as to why only achievements would be or ought to be the only criteria to be reported on under such a Method.

Closing

28. Landpro wish to be heard in support of its submission.

DATED at Cromwell this

24th day of July 2015



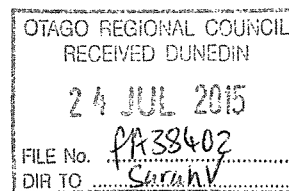
Signature of Submitter:

Address for Service:

Landpro Limited
 PO Box 302
 Cromwell 9342

Attention: Martell Letica
 Phone: 03 445 9905

Submission Date 2015-07-24 00:38:01
Name of submitter: Chris Baker
Organisation (if applicable): Straterra
Postal Address: Street: PO Box 10668
City: Wellington
Postal Code: 6143
Phone Number: 04 974 6871
E-mail: bernie@straterra.co.nz



I wish / do not wish to be heard in support of my submission: I wish
If others make a similar submission, I will / will not consider presenting jointly with them at the hearing: I will consider presenting jointly

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

Attach a document (if applicable): Straterra - Submission on Publicly Notified Proposal for Policy Statement.docx

Submission on publicly notified proposal for policy statement

Clause 6 of Schedule 1, Resource Management Act 1991

TO: Otago Regional Council

NAME OF SUBMITTER: Straterra

- 1 This is a submission on the proposed Otago Regional Policy Statement.
- 2 Straterra could not gain an advantage in trade competition through this submission.
- 3 The specific provisions of the proposal that Straterra's submission relates to (and the relief sought in respect of those provisions) are set out in **Schedule 1** attached. The rationale for those changes is set out below.
- 4 Straterra submits from the point of view that the Resource Management Act 1991 system is aimed at both providing for economic growth, as well as managing for environmental, social and cultural outcomes (section 5 (2)).
 - 4.1 Straterra consulted with Bathurst Resources, Solid Energy NZ, OceanaGold, Golder Associates, among others in the preparation of this submission.

Overview of Straterra's Approach

Supreme Court decision on King Salmon and implications

- 5 In 2011 King Salmon applied for resource consents to develop marine farms in the Marlborough Sounds. The Board of Inquiry's decision was appealed to the High Court, then the Court of Appeal, then the Supreme Court. The SC found that if an RMA plan or policy statement¹ says that effects must be avoided in a particular area, then they must be avoided – there is no room to manoeuvre or negotiate an alternative outcome. While logical in itself, that finding prevents economic development in such cases, and does not allow consideration of the merits of the application².
- 6 The precedent created by the King Salmon decision risks tilting the playing field in RMA policy statements and plans against development³. That was not the intent of the RMA⁴.
- 7 As a consequence: in the preparation of statutory instruments such as regional policy statements, great care must be taken with the use of words or phrases, such as "avoid effects" (without the accompanying considerations of remedying and mitigating), as well as "minimising", and "protection". In the pORPS, these words occur frequently, and when

¹ The relevant statutory instrument is the Coastal Policy Statement 2010, concerning outstanding natural landscapes.

² The decision prevents a plan change to provide for development.

³ An example is the review of the Thames Coromandel District Plan, which in its initial form discriminated arbitrarily against mining.

⁴ The RMA marked a departure from the precursor Town and Country Planning Act 1977 (repealed), to avoid blunt instrument policies such as zoning, and "picking winners". The market should decide, within regulatory limits, e.g., Part II of the RMA.

codified as rules in district and regional plans, would amount to a large number of areas in which development is prohibited or prevented. Such areas would become like national parks.

The way forward

- 8 The intent and spirit of the RMA system is to provide for effects-based, integrated management, i.e., consideration of proposals for use and development in the context of proposals to avoid, remedy and mitigate their effects on the values present in the land. It is possible – after such consideration, following the presentation and testing of evidence - that some activities are deemed by decision-makers to be incompatible with the management of the environmental values at places. In such cases, the appropriate outcome may be protection; alternatively, some activities could go ahead, subject to appropriate conditions, consistent with an overall outcome of protection at a place.
- 9 These approaches are particularly important for minerals and petroleum as these are location-specific resources. Although the pORPS does contain references to this issue, it is not in a way that is integrated effectively into the document as a whole.
- 10 To be clear, it is important to identify places or sites of importance for one value or another, e.g., outstanding wetland or heritage, or significant natural vegetation, for the purposes of sections 6 or 7 of the RMA. But the identification of these places does not mean, *a priori*, that total protection of, or the prevention of development in, such places via a stipulation to avoid all adverse effects, is always the appropriate management outcome.
- 11 For these reasons, we have sought deletion of the word “protect” where it occurs and replaced with “maintain”, and we have sought the addition of remedy or mitigate wherever sole reference is made to avoiding adverse effects.
- 12 In the same vein, the term “minimise” is unhelpful because it is imprecise. Does it mean minimise to zero? Or to some other arbitrary level? On the same rationale as above, it is better to replace this term with “avoid, remedy or mitigate”.

The role of minerals in the Otago economy and society

- 13 Minerals exploration and mining, and the use of mined and quarried minerals, are significant economic activities in the Otago region, are connected to the regional economy more broadly, and deserve specific mention:
 - (a) The Macraes and Fraser gold mines, and associated infrastructure and brownfields gold resource development, and mining, e.g., Coronation;
 - (b) Numerous quarries for aggregates for use in roading, construction, and other civil engineering works and infrastructure, e.g., renewable electricity generation;
 - (c) Lignite resources in Otago and Southland present a range of development opportunities;
 - (d) The use of coal in existing and potential food processing and other industries, and in the heating of large buildings such as the university, hospitals and schools in the region;
 - (e) Minerals development potential in tungsten, coal, and, potentially, other minerals.

General considerations applying to minerals exploration and mining/quarrying

- 14 Mining/quarrying underpins the smart economy⁵, and is essential to sustainability⁶ in New Zealand. It is as important to New Zealand and regions as any other form of primary production, or energy generation.
- 15 Mining/quarrying is a temporary land-use – we borrow the land, mine it, and return it, either to a former use, or a new use or an enhanced use, depending on the conditions imposed when consents were/are granted under the RMA. Environmental management is an integral part of any modern mining venture and society, rightly, demands standard or best-practice⁷ approaches. Without such approaches, mining/quarrying would not get off the ground.
- 16 As stated elsewhere, mining or quarrying can only be done where there are economically-recoverable resources or mineral deposits. These must first be found, subjected to feasibility studies for development and to regulatory approval processes, then development, then the earning of income. To develop a new mine or quarry takes years, and can cost millions of dollars in assessment and obtaining regulatory approvals. In such processes, there is ample opportunity for public participation, as well as engagement with iwi/hapu.
- 17 The above consideration raises the issues of sterilisation of resources, and “reverse sensitivity”. For example, if a new subdivision were sited on top of a potential minerals resource, e.g.; aggregates, those resources may become unavailable for extraction and local use or other economic activity. Equally, a new subdivision placed next to a resource could create reverse sensitivity effects; the consenting of a mine or quarry in such a situation would become more difficult. The pORPS addresses these issues to a degree.
- 18 By their nature, mining and quarrying lead inevitably to the depletion of an economic resource or mineral deposit. It has been argued by some that this is unsustainable. In our view, this is an inappropriate construct, and the RMA in fact reflects that in section 5 (2) (a) “*sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations*” (emphasis added).
- 19 Mining earns high wealth from a small footprint⁸. OceanaGold has calculated that it would take more than 700 years of farming at Macraes to earn the same wealth as expected during the life of the Macraes mine (20-30 years). As mining progresses, the land is rehabilitated and returned into pasture. Typically that “new” pasture will be more productive for farming than it was previously.
- 20 Miners on average earn more than double the national average wage (previous footnotes refer). Mining encapsulates a broad range of careers⁹, many of them highly skilled.

⁵ <http://www.straterra.co.nz/mining4nz/why-mine-in-nz/everyone-uses-minerals/every-green-job-relies-on-mining/>

⁶ <http://www.straterra.co.nz/sustainability/minerals-are-part-of-sustainability/>

⁷ For example

http://www.mineralswestcoast.co.nz/data2/040014030031_guidelines%20for%20mine%20rehabilitation%20in%20westland.pdf

⁸ <http://www.straterra.co.nz/mining4nz/why-mine-in-nz/mining-and-the-nz-economy/>

⁹ <http://www.straterra.co.nz/mining4nz/careers-in-mining/>

General considerations applying to energy

- 21 In addressing energy in the pORPS, the Council looks to have conflated the issues of the global response to climate change with those of energy security and other aspects, e.g., reliability, affordability. The result is objectives and policies that are incomplete or do not make sense.
- 22 Energy sources, whether for electricity or other forms of energy, can be renewable or fossil fuel based. The Macraes gold mine, for example, is a significant consumer of both diesel, and electricity from renewable sources. The diesel is currently imported from outside of Otago, and the electricity is supplied through the national grid.
- 23 If section 7(j) of the RMA concerns “*the benefits to be derived from the use and development of renewable energy*”, section 7(b) speaks to “*the efficient use and development of natural and physical resources*” (which include coal and petroleum). These are simply matters to which decision-makers and others exercising functions and powers under the Act “shall have particular regard”. There is no particular reason under the RMA to arbitrarily favour one type of energy over another.
- 24 Missing from the pORPS is the notion that Otago could be a producer of fossil fuels, and earn wealth from this activity. Depending on the economics, Otago lignite could be converted into diesel or fertiliser, or made into briquettes for home heating or industrial use. This is currently not economic, nor is it likely to be in the short or even the medium term, however, it could be in the longer term, and that possibility should be considered in the pORPS. A similar consideration stands for coal, generally.
- 25 Today there are a range of industries in Otago that use coal as a source of industrial process heat, e.g., the Cadbury factory, and that is also the case for the heating of large buildings, such as the University of Otago, hospitals and schools in the region. They use coal because it is one-third the price of electricity as a source of heat. Biomass is not an option at any scale at present but may be an option, particularly in combination with fossil fuels, in the future. Locally-mined coal could be used locally.
- 26 Aspects to do with greenhouse gas emissions are addressed under the Climate Change Response Act 2002 regime, not the RMA, and, therefore, should not form a concern for the council in its RMA planning.
- 27 To elaborate on the above, the driver for “lower emission transport fuels” is climate change policy, a global issue demanding a global response, not the RMA or its purpose of sustainable management. The creation and dissemination of lower-emission transport fuels, nationwide, will depend, among other factors, on advances in cost-effective technologies, and on New Zealand’s global competitiveness under a new global climate change agreement.

“Picking winners”

- 28 There are situations in which it is appropriate for central or local government to intervene in the market to achieve better outcomes for the economy and society than would otherwise occur. An example would be freshwater, which is often regarded as a commons, when regulation may be appropriate to address or manage water pollution or water scarcity.
- 29 Care is needed in such situations for the Council to avoid “picking winners”, by deciding arbitrarily on what is a better use of resources than another. An example is the policies that arbitrarily favour farmland remaining as farmland. If the Council’s concern is that landscapes

would be affected by farmland being converted into other uses, then the pORPS – or, rather, district plans - would need to address landscape issues directly. Otherwise, the council is basically saying that it likes farming because it likes farming - hardly a robust or objective policy rationale.

- 30 At issue is that the concept of economic efficiency has been ignored. The Council is instead arguing, for example, for the promotion of native tussocklands over productive pasture because it is better at retaining water. That is certainly an argument in favour of choosing one land-use over another. But it is not the only one, and alternatives, if they exist, should be also considered. This policy and others like it are an unwarranted blunt instrument, and go against the spirit and intent of the RMA.

Making “policy on the hoof”

- 31 The material in the pORPS to do with energy, freshwater management, and biodiversity offsets reads like the Council is getting ahead of central government in areas that are properly the concern of central government on behalf of all New Zealanders and regions. The absence of technical expertise on these matters is particularly stark, evidenced by too much detail on some matters, and the omission of others, leading to the appearance of a package of measures, when the likely outcomes are rules in plans that are unworkable and undesirable.
- 32 To a lesser extent, we have found the same tendency in the pORPS in areas such as heritage, and hazardous substances.
- 33 The common theme for all of the above is that these matters are either: regulated under other legislation, or central government policy work is ongoing or incomplete.

Conclusion

- 34 Otago is an outstanding part of New Zealand. The region’s variety is impressive when one considers, as a small sample: Dunedin, Oamaru, the Catlins, Mt Aspiring National Park, Macraes gold mine, Queenstown and Wanaka, the vineyards, the lakes, the Clutha River, Moeraki boulders, Lake Dunstan, the Crown Range, the skifields, Otago rail trail, the high country, cherry and apricot orchards.
- 35 The proposed Otago RPS is an important statutory instrument for setting overall direction for councils in writing and reviewing RMA plans. Its preparation will always present a challenge, and the efforts of Otago Regional Council are greatly appreciated.
- 36 Straterra’s submission presents proposals for making the pORPS a workable and fit-for-purpose document. The overarching theme is one of providing for the appropriate consideration of proposals for economic development, in particular, minerals prospecting, exploration and mining and quarrying, and to avoid unnecessarily stymying economic development, or delivering economically inefficient outcomes for Otago.

Hearing

- 37 Straterra wishes to be heard in support of its submission. If others make a similar submission, Straterra will consider presenting a joint case with them at a hearing.

Bernie Napp on behalf of Chris Baker, CEO, Straterra

Signature of Submitter (*or* authorised to sign on behalf of submitter)

24 July 2015

Date

Address for Service of Submitter:

Straterra Inc.
PO Box 10668
Wellington 6143,

Email: bernie@straterra.co.nz
DDI: 04 974 8671

Schedule 1

Provision	Support/ Oppose	Relief Sought	Reasons
Overview	Support subject to amendments sought	<p>Continued prosperity and wellbeing is essential to ensuring the community is equipped to face the environmental, economic, cultural and social changes of the 21st century, and to provide opportunities for all people to realise their aspirations. A thriving and healthy natural environment is vital to sustaining our wellbeing.</p> <p>The RPS is a high level policy framework for sustainable integrated management of Otago’s resources and identifies the regionally significant issues that are addressed by that framework. It also gives effect to requirements of the Resource Management Act 1991. Appendix 1 outlines the statutory framework.</p> <p>The framework for the RPS has been developed to distil the best of the distinct life-style Otago has to offer: outstanding and wild environments, <u>abundant natural resources</u>, prosperity, abundant recreational opportunities, a sense of rich local history, and community pride. It also seeks to provide for the values held by takata whenua and the priorities expressed by the wider Otago community.</p>	Otago’s environments include natural resources, and warrant specific mention.
The Otago Region	Support subject to amendments sought	<p>Otago is the second largest region in New Zealand, at about 32,000 km² (12% of New Zealand’s land area). It stretches 480km along the South Island’s eastern coast, from the Waitaki River in the north to The Brothers Point in the south. It reaches inland to the alpine lakes Wakatipu, Wanaka and Hawea, encompassing the Clutha Mata-au, and Taieri catchments.</p> <p>Otago covers a vast range of geography and ecosystems: tussock and tor covered block mountains and dry inland basins, glacial lakes and their mountain settings, broad grassy valleys fringed with beech forests extending well into the Southern Alps and dramatic coastlines around the Otago Peninsula and the Catlins. The vegetation is similarly diverse, from</p>	Otago was built on mining. The pORPS should place more emphasis on the recognition of this fact.

		<p>the lowland podocarp forests of the Catlins, through the dryland, grassland ecosystems of Central Otago to the high rainfall beech and alpine areas of Mount Aspiring/Tititea National Park.</p> <p>Human activity has left its mark on the landscape, including Māori archaeological sites, hydro lakes, tailings and bridges from the gold rush era, pastoral landscapes, and historical architecture. Introduced species have become a valued part of the natural environment in some cases, and troublesome pests in others.</p> <p>Agriculture <u>currently forms</u> has formed the basis of Otago's economic development and continues to be a major source of revenue, <u>as does mining for gold and other minerals, including aggregates.</u> However, Tourism now provides more than a quarter of Otago's Gross Domestic Product – the highest rate in New Zealand.</p> <p>At the 2013 census, Otago's regional population of 202,467 was the seventh largest of New Zealand's 16 regions, and about 4.8% of New Zealand's total population. The Queenstown Lakes District was the second fastest growing territorial authority area in New Zealand.</p>	
Otago has high quality natural resources and ecosystems	Support subject to amendments sought	<p>Society relies heavily on the systems and services of the natural environment.</p> <p>This chapter addresses our fundamental reliance on natural resources and ecosystem services to sustain us, our way of life, cultural identity and our economy. Agriculture and tourism, Otago's biggest earners, both rely on having a great environment, <u>while mining earns high wealth from a small footprint.</u> The chapter deals with the resources that are most important to us, and the inherent qualities of the natural environment that give it value beyond human use.</p>	Otago's resources include minerals, and these resources deserve specific mention.
Otago has high quality natural resources and ecosystems	Support subject to amendments sought	Otago's economy is driven by four <u>three</u> sectors: primary production, <u>minerals and petroleum exploration and mining/production, and</u> tourism and education. The future of the first two sectors, and with this the social and economic wellbeing of Otago's people and communities, strongly	The specific mention is made because the general impression reading through the pORPS is that minerals are an afterthought, whereas the sector should

		<p>relies on the quantity and quality of Otago’s natural resources.</p> <p>Beyond that, our natural resources and our environment have intrinsic values that shape our identity, as individuals and as communities. Some of our natural resources are unique, either to New Zealand or to Otago.</p> <p>It is critical to recognise the value we place on Otago’s natural resources and to manage these resources accordingly. This includes identifying resources which we want to preserve for future generations.</p>	<p>be considered on equal footing with any other activity.</p>
<p>Objective 2.1 The values of Otago’s natural and physical resources are recognised, maintained and enhanced</p>	<p>Support subject to amendments sought</p>	<p>Some of the many values of our natural resources may conflict with each other: for example, we depend on water for food production, yet we want water for healthy rivers. Otago’s biodiversity is an example of another resource under pressure, in part from indirect consequences of land use, such as the introduction and spread of pest species. A good quality resource management framework addresses all the values attached to our resources, and identifies those which, <u>at places need merit particular attention when considering use and development and to provide for protection in some circumstances, where appropriate.</u></p>	<p>As discussed in the overview, the intent and spirit of the RMA system is to provide for effects-based or integrated management, i.e., consideration of proposals for use and development in the context of proposals to avoid, remedy or mitigate their effects on the values present in the land. It is possible – after such consideration - that some activities are deemed by decision-makers to be incompatible with the appropriate management of the values at places, and in such cases, the appropriate outcome would be “protection” of these values from inappropriate activities. This approach is particularly important for minerals and petroleum as location-specific resources, and the pORPS contains references to this issue, into which this objective should be fully integrated.</p>
<p>Policy 2.1.1 Managing for freshwater</p>	<p>Support subject to amendments</p>	<p>Recognise freshwater values, and manage freshwater, to:</p> <p>a) Support healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and</p>	<p>It is noted that Policy 2.1.1 (h) would spell the end of any new hydro-electricity development in Otago, as would,</p>

values	sought	<ul style="list-style-type: none"> 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) <u>Provide for the protection, use and development of Kāi Tahu values; and</u> k) Provide for other cultural values; and l) <u>Provide for the protection, use and development of Protect important recreation values; and</u> m) Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and n) <u>Avoid, remedy or mitigate</u> 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 	<p>potentially Policy 2.2.1 (p). Perhaps, Otago plans to meet future energy needs with the discovery and development of coal, lignite and petroleum resources, having a history of turning down windfarm development.</p> <p>As worded, Policy 2.1.1 (l) could have unintended consequences, for example, a call from some trout anglers to have a ban placed on other trout anglers accessing rivers by helicopter, through the planning framework. As stated elsewhere (e.g., under Objective 2.1), protection should be one of a number of possible outcomes of land and water-use decisions. Herein lies a natural tension, between planning for integrated management of resources and other relevant RMA outcomes, and providing for good decisions to be made on specific proposals. Straterra fully supports the identification of outstanding places or significant vegetation etc. Where we advocate caution is where the call for protection is made without any consideration of a proposal, or how its effects may be avoided, remedied or mitigated. It may well be that in a particular place, a particular form of development would be inappropriate. The outcome of a decision-making process would be “protection” in that case. Protection in such cases should be viewed, therefore, as an outcome of the</p>
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		their design parameters.	RMA process, not an a priori decision. As worded, Policy 2.1.1 (n) risks being impossible to implement, with inevitable prosecutions resulting, including of the regional council. In general, the use of the word “avoid”, especially post-King Salmon, is the same as saying “prohibited”.
Policy 2.1.2 Managing for the values of beds of rivers and lakes, wetlands, and their margins	Support subject to amendment sought	Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to: a) Protect <u>Provide for</u> 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) <u>Provide for the use, development and pProtection of Kāi Tahu values; and</u> h) Provide for other cultural values; and i) Maintain their aesthetic and amenity values; and j) <u>Avoid, remedy or mitigate</u> 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	As above (Policy 2.1.1). The deletion of Policy 2.1.2 (e) is proposed to provide for a range of approaches to avoiding, remedying or mitigating the effects of development, to include compensatory and offsetting approaches (noting our views on Policies 4.5.7 and 4.5.8).

<p>Policy 2.1.4 Managing for air quality values</p>	<p>Support subject to amendments sought</p>	<p>Recognise air quality values, and manage air quality, to:</p> <ul style="list-style-type: none"> a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded; and b) <u>Provide for the use, development and pProtection of</u> Kāi Tahu values; and c) Maintain other cultural, aesthetic and amenity values. 	<p>As above (Policy 2.1.1).</p>
<p>Policy 2.1.5 Managing for soil values</p>	<p>Support subject to amendments sought</p>	<p>Recognise soil values, and manage soils, to:</p> <ul style="list-style-type: none"> 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) <u>Provide for the use, development and pProtection of</u> 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) <u>Avoid, remedy or mitigate</u> contamination of soil; and l) <u>Avoid, remedy or mitigate</u> the adverse effects of pest species, prevent their introduction and reduce their spread. 	<p>Issues to do with “protection” (Policy 2.1.5 (g)) and “avoid” (Policy 2.1.5 (k) and (l)) have been addressed elsewhere (Objective 2.1, Policy 2.1.1).</p>

Objective 2.2 Otago's significant and highly-valued natural resources are identified, and protected maintained or enhanced	Support subject to amendments sought	Otago has many unique landscapes, natural features and areas of indigenous biodiversity which are nationally or regionally important. Giving these a higher level of protection ensures they will be retained, while consumptive use of resources (<u>e.g., mining, quarrying and petroleum production</u>) will be directed to areas where adverse effects are more acceptable, if possible. If not, <u>as minerals can only be mined where they exist, they may be recognised as appropriate activities in these areas dependent on the avoidance, remediation or mitigation measures adopted.</u>	As discussed elsewhere (Overview, Objective 2.1).
Policy 2.2.2 Managing significant indigenous vegetation and significant habitats of indigenous fauna	Support subject to amendments sought	Protect <u>Maintain</u> and enhance the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by: a) Avoiding, remedying or mitigating adverse effects on those values which contribute to the area or habitat being significant; and b) Avoiding significant adverse effects on other values of the area or habitat; and c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and d) Remedying, 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.	As discussed elsewhere (Policy 2.1.1). Note also that Policy 2.2.2 (f) falls within compensatory measures that an applicant or developer might propose or undertake as part of managing the effects of their activities, to achieve sustainable management. This falls within the construct of integrated management.
Policy 2.2.4 Managing outstanding natural features, landscapes, and seascapes	Support subject to amendments sought	Protect <u>Maintain</u> , enhance and restore the values of outstanding natural features, landscapes and seascapes, by: a) Avoiding, remedying or mitigating adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and b) Avoiding, remedying or mitigating and other adverse effects on other values; and	As above (Policy 2.2.2), and elsewhere (Objective 2.1).

		<ul style="list-style-type: none"> c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and d) Recognising and providing for positive contributions of existing introduced species to those values; and e) <u>Avoiding, remedying or mitigating</u> Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those areas and values. 	
Policy 2.2.6 Managing special amenity landscapes and highly valued natural features	Support subject to amendments sought	<p><u>Maintain</u> Protect or enhance the values of special amenity landscapes and highly valued natural features, by:</p> <ul style="list-style-type: none"> a) <u>Avoiding, remedying or mitigating</u> significant adverse effects on those values which contribute to the special amenity of the landscape or high value of the natural feature; and b) <u>Avoiding, remedying or mitigating</u> 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) <u>Avoiding, remedying or mitigating</u> Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those values 	As above (Policy 2.2.4).
Policy 2.2.9 Managing the natural character of the coastal environment	Support subject to amendments sought	<p><u>Maintain</u> Preserve or enhance the natural character values of the coastal environment, by:</p> <ul style="list-style-type: none"> a) <u>Avoiding, remedying or mitigating significant</u> adverse effects on those values which contribute to the outstanding natural character 	As above (Policy 2.2.4).

		<p>of an area; and</p> <p>b) <u>Avoiding, remedying or mitigating</u> significant adverse effects on those values which contribute to the high natural character values of an area; and</p> <p>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>d) Avoiding, remedying or mitigating other adverse effects on other values; and</p> <p>e) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment; and</p> <p>f) Encouraging enhancement of those values; and</p> <p>g) <u>Avoiding, remedying and mitigating</u> Controlling the adverse effects of pest species, prevent their introduction and reduce their spread.</p>	
Policy 2.2.13 Managing outstanding water bodies and wetlands	Support subject to amendments sought	<p>Maintain<u>Protect</u> the values of outstanding water bodies and wetlands by:</p> <p>a) <u>Avoiding, remedying or mitigating</u> significant adverse effects, including cumulative effects, on those values which contribute to the water body or wetland being outstanding; and</p> <p>b) Avoiding, remedying or mitigating other adverse effects on the water body or wetland's values; and</p> <p>c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and</p> <p>d) Controlling <u>Avoiding, remedying or mitigating</u> the adverse effects of pest species, preventing their introduction and reducing their spread; and</p> <p>e) Encouraging enhancement of outstanding water bodies and wetlands.</p>	As above (Policy 2.2.4).

<p>Policy 2.2.15 Managing highly valued soil resources</p>	<p>Support subject to amendments sought</p>	<p>Maintain <u>Protect</u> the values of areas of highly valued soil resources, by:</p> <ul style="list-style-type: none"> a) Avoiding, remedying or mitigating 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. 	<p>As above (Policy 2.2.4).</p>
<p>Objective 2.3 Natural resource systems and their interdependencies are recognised</p>	<p>Support subject to amendments sought</p>	<p>Our resources are interconnected, and the use of one can affect the values of another. Those interconnections are complex, and they are not always reflected in the functions of local authorities, or in the regional, district or city boundaries. An example of this issue is Otago’s coastal environment, a highly valued resource at the nexus between land and marine environments that may additionally include freshwater systems. These diverse resources contribute to distinct land- and seascapes and support a corresponding range of ecosystems. For management purposes, the coastal environment is often partitioned into separate management units. Moreover, administration of this complex resource is guided by several statutes that are implemented by multiple authorities. This example illustrates why the management of natural resources needs to be integrated to ensure that resource management decisions are consistent and take account of the linkages between every part of the environment. <u>As a further example of the need for integrated management, mining is a high-value use of land, and is a temporary land-use, entailing the disturbance, and the subsequent rehabilitation or restoration of land when mining is completed, into a former use, an enhanced use or a new use. Once again, several different pieces of legislation will apply.</u></p>	<p>As above (Overview, Objective 2.1).</p>

<p>Policy 2.3.1 Applying an integrated management approach among resources</p>	<p>Support subject to amendments sought</p>	<p>Apply an integrated approach to the management of Otago’s natural and physical resources, to achieve sustainable management, by:</p> <ul style="list-style-type: none"> 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, <u>and</u> c) <u>Recognising that mining and quarrying and petroleum production earn high wealth off a small footprint, and are a temporary use of land, and that sites are rehabilitated to a former use, a new use or an enhanced use.</u> 	<p>Mining and quarrying entails borrowing the land, mining the land, and returning the land – this is a temporary land-use, and should be recognised and provided for in the context of integrated management. Discussed elsewhere (Objective 2.3).</p>
<p>Policy 2.3.5 Applying an integrated management approach for airsheds</p>	<p>Support subject to amendments sought</p>	<p>Apply an integrated management approach to activities that affect air quality, by:</p> <ul style="list-style-type: none"> a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and b) Co-ordinating the management of land use and air quality, to: <ul style="list-style-type: none"> i. Maintain or enhance, <u>where degraded</u>, air quality values; and ii. Reduce the potential for adverse health and nuisance effects; <u>and</u> iii. <u>Where appropriate, provide for sustainable economic growth.</u> 	<p>As written, Policy 2.3.5 would lead to the prevention of all new industry in Otago. There will be areas where a degree of impoverishment of air quality will be admissible, e.g., for industrial discharges to air, while still meeting the requirements of the National Environmental Standards on Air Quality. Refer, for comparison to the Canterbury RPS¹⁰, as regards air quality, e.g., “<i>Policy 14.3.3 — Avoid, remedy or mitigate localised adverse effects on air quality To set standards, conditions and terms for discharges of contaminants into the air to avoid, remedy or mitigate localised adverse effects on air quality</i>”.</p>
<p>Communities in Otago are resilient, safe and</p>	<p>Support subject to amendments</p>	<p>Otago is at risk of a number of expected and unexpected shocks and changes, including from natural hazards, climate change and our reliance on energy, imported goods and fossil fuels. These disruptions have the</p>	<p>Opportunities in the region should be recognised.</p>

¹⁰ Canterbury RPS, air quality <http://ecan.govt.nz/publications/Plans/crps-chapter14.pdf>

healthy	sought	potential to affect our economic, social, cultural and environmental wellbeing. <u>There are also opportunities in this area for the region.</u> Ensuring Otago's communities develop having regard to environmental constraints, the effects of activities on the environment, and are designed in way which helps us to prepare for, respond, recover and adapt to such disruptions, will help make Otago's communities resilient.	
Objective 3.1 Protection, use and development of natural and physical resources recognises environmental constraints <u>and the need for people and communities to provide for their social, economic and cultural well-being.</u>	Support subject to amendments sought	As a community, we are highly dependent on the resources available to us. When undertaking activities it is therefore important to consider the environmental context we operate within and develop accordingly. For example, there should be sufficient water supply available for a proposed activity, <u>and efforts should be made to avoid siting subdivisions on top of, or adjoining aggregate resources that may be needed for Otago's roading, civil engineering, electricity generation and other infrastructure needs.</u>	This is to avoid the sterilisation of resources, in particular, aggregate and energy resources, that Otago will need in the future, to underpin a range of economic activities, including infrastructure, industry, and community resilience. The way the draft policies are worded currently, it would appear that the Council is taking a NIMBY approach to resource extraction and use, namely, that it should happen outside of the Otago region and the environmental protection comes before consideration of ways that resources can be used in a sustainable manner. An additional policy to reflect this proposal amendment may also be required to provide the appropriate balance to this section of the pORPS. Refer for comparison to the proposed West Coast Regional Policy Statement.
Policy 3.1.1 Recognising natural and physical environmental constraints	Support subject to amendments sought	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	As discussed (Objective 2.3, Policy 2.2.1).

		<ul style="list-style-type: none"> 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 <u>inappropriate</u> 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, <u>e.g., mineral, aggregate and petroleum resources.</u> 	
Policy 3.4.2 Managing infrastructure activities	Support subject to amendments sought	<p>Manage infrastructure activities, to:</p> <ul style="list-style-type: none"> a) Maintain or enhance the health and safety of the community; and b) Reduce <u>Avoid, remedy or mitigate</u> adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and c) Support economic, social and community activities; and d) Improve efficiency of use <u>and development</u> of natural resources; and e) Protect infrastructure corridors for infrastructure needs, now and for the future; and f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and g) Protect the functioning of lifeline utilities and essential or emergency services. 	<p>Policy 3.4.2 (d) is very important in the minerals context. As an example, aggregates for flood protection works and the like may be sourced from riverbeds. At places, that may require land owner permission from Land Information New Zealand (river bed) and the Department of Conservation (marginal strips), plus resource consents, and, potentially, a concession (from DOC), and a Crown minerals permit from NZ Petroleum & Minerals. Together, the regulatory burden becomes excessive, and the tendency is to instead source aggregates at greater expense (transport costs) from an existing quarry elsewhere in the region or from further afield. This is obviously an inefficient use and development of natural resources. To quantify that concern, the price of aggregate doubles on average on being trucked 30km from its source.</p>

<p>Objective 3.4 Good quality infrastructure and services meet community needs</p>	<p>Support subject to amendments sought</p>	<p>It is essential for Otago’s economy and the wellbeing and health and safety of its communities, that the people of Otago are serviced by the right infrastructure at the right time. <u>That includes the provision of materials for infrastructure development, such as aggregates, to appropriate specifications.</u> Some infrastructure is provided by local authorities (such as water supply, waste water and stormwater), while others are managed by private companies. Local authorities have a role to play, to ensure that the local and regional infrastructure needs are being met.</p>	<p>As discussed elsewhere (Overview), the sense of the pORPS is that it has largely ignored the strategic contribution of mineral resources to Otago.</p>
<p>Policy 3.4.1 Integrating infrastructure with land use</p>	<p>Support subject to amendments sought</p>	<p>Achieve the strategic integration of infrastructure with land use, by:</p> <ul style="list-style-type: none"> a) Recognising functional needs of infrastructure of regional or national importance; and b) Designing infrastructure to take into account: <ul style="list-style-type: none"> i. Actual and reasonably foreseeable land use change; and ii. The current population and projected demographic changes; and iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services; and iv. Natural and physical resource constraints, <u>including the availability of mineral resources, e.g., aggregates;</u> and v. Effects on the values of natural and physical resources; and vi. Co-dependence with other infrastructural services; and vii. The effects of climate change on the long term viability of that infrastructure; and c) Managing urban growth: <ul style="list-style-type: none"> i. Within areas that have sufficient infrastructure capacity; or ii. Where infrastructure services can be upgraded or extended 	<p>To recognise the issue of sterilisation of aggregate resources, and to connect with other policies to do with the location specificity of minerals resources.</p>

		efficiently and effectively; and d) Co-ordinating the design and development of infrastructure with the staging of land use change, including with: i. Structural design and release of land for new urban development; or ii. Structural redesign and redevelopment within existing urban areas.	
Policy 3.4.2 Managing infrastructure activities	Support subject to amendments sought	Manage infrastructure activities, to: a) Maintain or enhance the health and safety of the community; and b) Reduce — <u>Avoid, remedy or mitigate</u> adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and c) Support economic, social and community activities; and d) Improve efficiency of use <u>and development</u> of natural resources, <u>including mineral and aggregate resources</u> ; and e) Protect infrastructure corridors for infrastructure needs, now and for the future; and f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and g) Protect the functioning of lifeline utilities and essential or emergency services.	To address the King Salmon issue, as discussed above (in the introduction to this submission), and to provide adequate recognition of the role of minerals resources, in particular, aggregates, for infrastructure.
Policy 3.5.2 Managing adverse effects of infrastructure that has national or regional significance	Support subject to amendments sought	Minimise <u>Manage</u> adverse effects from infrastructure that has national or regional significance, by: a) Giving preference to avoiding their location in: i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna; and	As above (Policy 3.4.2). The deletion of offsetting is consistent with our seeking deletion of the policies on biodiversity offsetting (Policies 4.5.7 and 4.5.8). Whilst the consideration of biodiversity offsetting is a laudable goal, as the situation stands in New Zealand at the

		<ul style="list-style-type: none"> ii. Outstanding natural features, landscapes and seascapes; and iii. Areas of outstanding natural character; and iv. Outstanding water bodies or wetlands; and <p>b) Where it is not possible to avoid locating in the areas listed in a) above, <u>avoiding, remedying or mitigating</u> significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; and</p> <p>e) Avoiding, remedying or mitigating other adverse effects on values; and</p> <p>d) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>e) Considering the use of offsetting, or other compensatory measures, for residual adverse effects on indigenous biodiversity</p>	<p>moment, there is little by way of Court-accepted examples that fall within the internationally-accepted definition of this term. There are other options, a good case in point being the use of environmental compensation for Bathurst Resources' Escarpment mine on the Denniston Plateau. There is a range of environmental measures that can be invoked, from "avoid, remedy or mitigate" through environmental compensation and ultimately to biodiversity offsetting. The pORPS should not limit itself to just the latter because all of the foregoing are equally valid management tools.</p>
<p>Objective 3.6 Energy supplies to Otago's communities are secure and sustainable</p>	<p>Support subject to amendments sought</p>	<p>The social and economic well-being of Otago's people, and their health and safety, is dependent on their energy needs being met by a reliable, <u>affordable, environmentally sustainable and secure supply of energy.</u> More efficient energy uses, and a greater diversity of energy sources, <u>including local discovery and development of energy resources,</u> have the potential to increase community resilience, while increasing our ability to sustain economic growth. In particular, Otago's reliance on fossil-based transport fuels could be reduced in the medium to long term through more efficient or alternative transport fuels, <u>and the supply thereof could be safeguarded by encouraging local development of fossil fuels.</u></p>	<p>As worded, this objective is incomplete. Otago could also be a producer of fossil fuels, e.g., lignite for local uses, e.g., conversion to diesel, or for use in industrial process heat, depending on the economics, including the costs of managing greenhouse gas emissions (an issue that is addressed under other legislation than the RMA¹¹).</p> <p>The issue of resilience needs to build in the fact that coal and lignite are cost-effective sources of industrial process heat, around one-third the price of electricity per unit of heat produced. At</p>

¹¹ Climate Change Response Act 2002

			<p>this stage biomass is only slightly cheaper than electricity, and presents a host of other problems that will need to be resolved for biomass to be a credible and effective source of industrial process heat. These considerations go to dairy and other food processing, other industrial processes, as well as the heating of large buildings such as schools, the university, and hospitals in Otago. Biofuels may be a credible option in the future, in combination with fossil fuels.</p> <p>The references to affordable and environmentally sustainable in addition to secure/reliable speak to the World Energy Council's "energy trilemma"¹². Achieving all three objectives at the same time is difficult, and New Zealand ranks highly in the world on these indicators.</p>
<p>Policy 3.6.6 Reducing long term demand for and safeguarding supply of fossil fuels</p>	<p>Support subject to amendments sought</p>	<p><u>Manage</u> Reduce the long term demand for fossil fuels from Otago's communities, by:</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> i. Placing a high priority on walking, cycling, and public transport, where appropriate; and ii. Maximising pedestrian and cycling networks connectivity, 	<p>It is noted that the driver for "lower emission transport fuels" is climate change policy, not the RMA. The creation and dissemination of lower-emission transport fuels will depend, among other factors, on advances in cost-effective technologies, and on New Zealand's global competitiveness under a new global climate change agreement.</p> <p>As argued under Objective 3.6, it is not just a matter of reducing demand for</p>

¹² <https://www.worldenergy.org/work-programme/strategic-insight/assessment-of-energy-climate-change-policy/>

		<p>and integration with public transport; and</p> <p>iii. Having high design standards for pedestrian and cyclist safety and amenity; and</p> <p>c) Enabling the development or upgrade of transport infrastructure and associated facilities that:</p> <p>i. Increase freight efficiency; or</p> <p>ii. Foster the uptake of new technologies for more efficient energy uses, or renewable or lower emission transport fuels; <u>and</u></p> <p><u>d) Safeguarding the supply of fossil fuels by encouraging the exploration and mining of coal and lignite, and the exploration and extraction of petroleum.</u></p>	<p>fossil fuels, by way increasing Otago's resilience; the region also has the potential to develop local energy resources, and derive economic benefits from that set of activities, as well as increased resilience. That should receive positive recognition in the RPS.</p>
<p>Policy 3.8.3 Managing fragmentation of rural land</p>	<p>Support subject to amendments sought</p>	<p>Manage subdivision, use and development of rural land, to:</p> <p>a) <u>Avoid, remedy or mitigate</u> development or fragmentation of land which undermines or forecloses the potential of rural land:</p> <p>i. <u>For primary production, including minerals and petroleum prospecting, exploration and mining and production; or</u></p> <p>ii. In areas identified for future urban uses; or</p> <p>iii. In areas having the potential for future comprehensive residential development; and</p> <p>b) Have particular regard to whether the proposal will result in a loss of the productive potential of highly versatile soil, unless:</p> <p>i. The land adjoins an existing urban area and there is no other land suitable for urban expansion; and</p> <p>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;</p>	<ul style="list-style-type: none"> • In consideration of the King Salmon decision (explained in the introduction to this submission); • To provide adequate recognition of minerals and petroleum activities; • In consideration of the fact that mining is almost always a higher-value use of land than any other activity, and that mining is a temporary land-use; • If farmland is used for mining, it can be returned to farmland after mining, and in practice, it is returned as more productive farmland; and • Where there is competing demand for resources, there is an argument

		<p>and</p> <p>iii. reverse sensitivity effects on rural productive activities can be avoided, <u>remedied or mitigated</u>; and</p> <p>iv. <u>Mining or quarrying activities are considered, noting these are a temporary land-use and noting requirements for rehabilitation of disturbed ground post mine or quarry closure to a former use, a new use or an enhanced use;</u></p> <p>c) Avoid, <u>remedy or mitigate</u> unplanned demand for provision of infrastructure, including domestic water supply and waste disposal; and</p> <p>d) Avoid, <u>remedy or mitigate the creation of competing demand</u> for water or other resources.</p>	<p>for that resource to be transferred into the highest-value use, as is currently under debate in the Land & Water Forum, otherwise some activities will be arbitrarily discriminated in favour of others. That is economically inefficient.</p>
<p>Objective 3.9 Hazardous substances and waste materials do not harm human health or the quality of the environment in Otago</p>	<p>Support subject to amendments sought</p>	<p>Waste materials are an end product of resource use and must be carefully managed to avoid creating environmental problems. Hazardous substances are dangerous but essential components of some activities. Hazardous substances and their waste should also be managed to avoid creating environmental problems or adversely affecting human health. <u>It is noted that hazardous substances are currently comprehensively regulated under the Hazardous Substances and New Organisms Act 1996.</u></p>	<p>To avoid unnecessary and counterproductive regulatory duplication.</p>
<p>Policy 3.9.2 Managing the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials</p>	<p>Oppose</p>	<p>Delete Policy 9.3.2.</p>	<p>These matters are already covered under the Hazardous Substances and New Organisms Act 1996 regime, administered by the Environmental Protection Authority. Deletion of this policy is proposed to avoid unnecessary and counterproductive regulatory duplication.</p>

Policy 3.9.5 Avoiding, <u>remedying</u> or <u>mitigating</u> the creation of new contaminated land	Support subject to amendments sought	Avoid, <u>remedy or mitigate</u> the creation of new contaminated land.	This is necessary to provide appropriately for the creation of tailings dams and the like at gold mines. These are temporary structures or earthworks during the operation of a mine; they do contain contaminants; and they are contained as part of their management.
Policy 3.9.6	Oppose	Delete Policy 3.9.6.	These matters are already covered under the Hazardous Substances and New Organisms Act 1996 regime, administered by the Environmental Protection Authority. Deletion of this policy is proposed to avoid unnecessary and counterproductive regulatory duplication.
Objective 4.2 Historic heritage resources are recognised and contribute to the region's character and sense of identity	Support subject to amendments sought	Otago is a province rich in historic heritage and includes heritage places and areas that are recognised as nationally, regionally and locally important. Our historic heritage resources make significant contributions to our regional identity and tourism economy. Identification of these resources is a <u>prerequisite to affording them a level of protection commensurate with their significance and providing for their continued role in our daily lives. The use of common criteria identifying historic heritage provides a more efficient and consistent approach across the region, while allowing local variation. A particular consideration is that mining is often done today where mining was done in the past; the effects of historical mining is today's heritage, and is amenable to integrated management.</u>	Discussed below under Policy 4.2.3.
Policy 4.2.1 Recognising heritage themes	Support subject to amendments sought	Recognise the following elements as characteristic or important to Otago's historic heritage: a) Residential and commercial buildings; b) Māori cultural and heritage values;	It is noted that Otago contains historic heritage in relation to, for example, the mining of scheelite, an ore of tungsten.

		<ul style="list-style-type: none"> 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 <u>and other</u> 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 	
<p>Policy 4.2.3 Managing historic heritage values</p>	<p>Support subject to amendments sought</p>	<p>Manage-Protect and enhance the values of places and areas of historic heritage, by:</p> <ul style="list-style-type: none"> 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 b) Applying these provisions immediately upon discovery of such hitherto unidentified archaeological sites or areas, wāhi tapu or wāhi taoka; and c) <u>Avoiding, remedying or mitigating</u> adverse effects on those values which contribute to the area or place being of regional or national significance; and d) <u>Avoiding, remedying or mitigating</u> significant adverse effects on other values of areas and places of historic heritage; and e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and f) Remediating, when adverse effects on other values cannot be avoided or remediated; and 	<p>We note the potential for overlap or regulatory duplication with the Heritage New Zealand Pouhere Taonga Act 2014, under which historic and other heritage is administered and regulated, including approvals for the disturbance of relevant sites and heritage. This is a particular issue for mining because mining today is often done where mining was done in the past. What the old-timers left behind – noting that the net adverse environmental effects in the past are generally much greater than they are today – has, ironically, become today's heritage.</p> <p>Imposing a mitigation hierarchy when managing effects runs the risk of sub-optimal outcomes, i.e., less than cost-effective management of effects, without conferring any additional benefits on</p>

		<p>f) Encouraging the integration of historic heritage values into new activities; and</p> <p>g) Enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.</p>	<p>society or the environment. For this reason, the RMA provides for the simultaneous consideration of avoiding, remedying or mitigation of effects, which provides greater flexibility, and for better environmental and heritage outcomes.</p>
<p>Objective 4.3 Sufficient land is managed and protected for economic production</p>	<p>Support subject to amendments sought</p>	<p>The use of land for productive activity, <u>including minerals and petroleum exploration and extraction</u>, underpins the economy of the region. We want to provide ongoing opportunities for economic growth and development by recognising and providing for the effects of activities. Managing the efficient use of land may also require the management of other land use activities where significant historical investment or future productive potential may be adversely affected by competing or conflicting activities.</p>	<p>Productive activity includes mineral and petroleum exploration and extraction.</p>
<p>Policy 4.3.1 Managing for rural activities</p>	<p>Support subject to amendments sought</p>	<p>Manage activities in rural areas, to support the region’s economy and communities, by:</p> <ul style="list-style-type: none"> a) Enabling farming and other rural activities, <u>including minerals and petroleum activities</u>, that support the rural economy; and b) <u>Avoiding, remedying or mitigating</u> 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) <u>Avoiding, remedying or mitigating</u> Minimising the subdivision of productive rural land into smaller <u>allotments</u> 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 <u>and minerals and petroleum activities</u>. 	<p>As discussed elsewhere (Overview), and for consistency with our advocacy on other policies (policies under Chapter 2).</p>

<p>Policy 4.3.2 Managing land use change in dry catchments</p>	<p>Support subject to amendments sought</p>	<p>Manage land use change in dry catchments, to avoid any significant reduction in water yield, by:</p> <ul style="list-style-type: none"> a) <u>Avoiding, remedying or mitigating the adverse effects of Restricting</u> any extension of forestry activities within those catchments that would result in a significant reduction in water yield, including cumulative reductions; and b) <u>Avoiding remedying or mitigating Minimising</u> the conversion of tussock grasslands to species which are less able to capture and hold precipitation. 	<p>We observe that this policy, like a number of others, is of a command-and-control nature, and ignores the concept of economic efficiency. If forestry, by way of a scenario, led to more overall economic activity, despite lower water yield, then, arguably, this may be a better use of land, and a better way of achieving sustainable management. The possibility should be at least considered.</p> <p>Continuing with this scenario, if reduced water yield were to affect downstream farmers without their agreement, the foresters ought to have to compensate those farmers appropriately. This policy may prevent that mechanism being explored.</p> <p>In the case of the Macraes gold mine, the community decided that it preferred former mining land to be rehabilitated into productive pasture, not native tussocklands. OceanaGold is meeting the community's wishes. This matter is discussed further in the overview to this submission, under "picking winners".</p>
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<p>Policy 4.3.6 Managing locational needs for mineral and gas exploration, extraction and processing</p>	<p>Support subject to amendments sought</p>	<p>Recognise the needs of mineral exploration, extraction and processing activities to locate where the resource exists, and manage them by:</p> <p>a) <u>Recognising that their use and development may be appropriate</u> Giving preference to avoiding their location in:</p> <ul style="list-style-type: none"> 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>b) Restricting the establishment of those activities in areas used for <u>existing or potential</u> mineral and gas exploration, extraction and processing that may result in reverse sensitivity effects.</p>	<p>As set out in the first sentence of this policy, mineral deposits can only be mined or quarried where they occur. That is unlike a building, for example, which can be sited anywhere (within reason). Minerals activities, therefore, qualify as appropriate activities as opposed to “inappropriate” activities, within the meaning of, e.g., section 6 of the RMA.</p> <p>When considering proposals for avoiding, remedying and mitigating the effects of minerals activities, any significance of a site would form an automatic consideration.</p> <p>Note also the sequence of prospecting, exploration, mining feasibility studies, development and mining or quarrying. Hence the suggested inclusion of “existing or potential”.</p> <p>Great care in wording is needed because of the King Salmon decision (refer to the introduction to this submission).</p>
<p>Policy 4.4.1 Ensuring efficient water allocation and use</p>	<p>Support subject to amendments sought</p>	<p>Ensure an efficient allocation and use of water by:</p> <ul style="list-style-type: none"> 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, <u>or provide</u> 	<p>The wording in this policy is detailed, while containing omissions; it looks like making “policy on the hoof”, discussed in the overview under this heading. There are a number of other mechanisms that the Land and Water Forum has explored, such as the use of “good management practice”. The question is what value this policy adds to the National Policy</p>

		<p>for the allocation of water to its highest-value use, to avoid breaching any minimum flow or aquifer level restriction; and</p> <p>d) Enabling water harvesting and storage, to reduce pressure on water bodies during periods of low flows.</p>	<p>Statement for Freshwater Management 2014.</p> <p>The difficulty with the concept of “collective co-ordination and rationing” is that there is no discussion of efficiency in the use of water. In practical terms, an efficient water user will be reluctant to work collectively with an inefficient user of water. This is a very complex field, and, as stated, this policy goes into too much detail in some areas, while omitting consideration of others. It may be better to rely on the policy framework being developed under the NPS-FM. That would argue in favour of deleting this policy altogether.</p>
<p>Policy 4.4.3 Encouraging environmental enhancement</p>	<p>Support.</p>	<p>Encourage activities which contribute to enhancing the natural environment, including to:</p> <p>a) Improve water quality; or</p> <p>b) Protect or restore habitat for indigenous species; or</p> <p>c) Regenerate indigenous species; or</p> <p>d) Mitigate natural hazards; or</p> <p>e) Restore the natural character of wetlands; or</p> <p>f) Improve the health and resilience of:</p> <p>i. Ecosystems supporting indigenous biodiversity; or</p> <p>ii. Important ecosystem services, including pollination; or</p> <p>g) Improve access to rivers, lakes, wetlands and their margins; or</p> <p>h) Buffer or link ecosystems, habitats and areas of significance that</p>	<p>It is noted that in the context of managing effects on the environment, mining companies and other developers may include compensation activities among their proposals which could fall within this policy.</p>

		contribute to ecological corridors; or i) Control pest species.	
Objective 4.5 Adverse effects of using and enjoying Otago's natural and built environment are minimised	Support subject to amendments sought	Any use of natural or physical resources has the potential to generate adverse effects. It is important to manage activities to avoid, <u>remedy or mitigate</u> , individually or cumulatively, <u>significant adverse effects on degrading</u> the quality of Otago's natural environment. This requires the proactive management of natural resources, and can only be achieved through the integrated management of Otago's natural resources, and by giving due consideration to both managing adverse effects and maintaining and enhancing environmental values, <u>in the context of the benefits for Otago from the use and development of these resources</u> . Resource use can also have adverse effects on other uses, <u>future uses</u> , or prevent the normal operation of existing uses. Resource management decisions are often about arbitrating between conflicting values or uses. For example, Section 2.3 of this document identifies resources which are so significant that adverse effects on their values should be avoided, <u>remedied or mitigated appropriately</u> . Some activities, such as mineral and petroleum extraction or infrastructure development or <u>electricity generation</u> , may have to locate in areas containing significant values. If we are to provide for those activities, it is important to outline how their adverse effects should be managed.	For consistency with Policy 2.1.1 and other policies.
Policy 4.5.2 Applying an adaptive management approach	Support	Apply an adaptive management approach, to address adverse effects that might arise and that can be remedied before they become irreversible, by: a) <i>Setting appropriate indicators for effective monitoring of those adverse effects; and</i> b) <i>Setting thresholds to trigger remedial action before the effects result in irreversible damage.</i>	Supported
Policy 4.5.3 Applying	Support	Apply emission standards to domestic heating appliances, to achieve ambient air quality that supports good human health while ensuring	Supported

emission standards on domestic fuel burners		homes in Otago have adequate heating.	
Policy 4.5.6 Managing adverse effects from mineral and gas exploration, extraction and processing	Support subject to amendments sought	<p>Minimise <u>Avoid, remedy or mitigate</u> adverse effects from the exploration, extraction and processing of minerals, by:</p> <p>a) <u>Recognising that their use and development may be appropriate</u> Giving preference to avoiding their location in:</p> <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; and v. Areas subject to significant natural hazard risk; <p>b) Where it is not possible to avoid locating in the areas listed in a) above, <u>avoiding, remedying or mitigating</u> significant adverse effects of the activity on those values that contribute to the significant or outstanding nature of those areas; and</p> <p>c) <u>Avoiding, remedying or mitigating</u> adverse effects on the health and safety of the community; and</p> <p>d) <u>Avoiding, r</u>Remedying or mitigating adverse effects on other values; and</p> <p>e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and,</p> <p>f) Reducing unavoidable adverse effects by</p> <ul style="list-style-type: none"> i. <u>Staging development for longer term activities, where possible and reasonably practicable</u>; and 	For consistency with Policy 4.3.6, and with Policies 4.5.7 and 4.5.8, and other advocacy.

		<ul style="list-style-type: none"> ii. Progressively rehabilitating the site, where possible, <u>and</u> 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. 	
Policy 4.5.7	Oppose	Delete Policy 4.5.7.	<p>The treatment of biodiversity offsets is inconsistent with non-statutory guidance prepared by the Department of Conservation on biodiversity offsets, which Straterra largely supports, however, opposes on a number of material issues.</p> <p>The framing of this topic is poor, incomplete and suggests inadequate knowledge of this highly-complex topic. There is too much detail on some matters, with extensive omissions. To be blunt: this is not a biodiversity offsets framework.</p> <p>In any event, biodiversity offsetting is a tool to achieve an objective, not a policy approach per se. It is, arguably, inappropriate for inclusion in a regional policy statement.</p> <p>For these reasons, Straterra seeks deletion of this policy, noting that Straterra is advocating for clearer and improved national direction on this topic.</p>

Policy 4.5.8	Oppose	Delete Policy 4.5.8.	As above (Policy 4.5.7).
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