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SUBMISSION ON PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO PURSUANT TO CLAUSE 6 OF THE FIRST SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

To: Otago Regional Council
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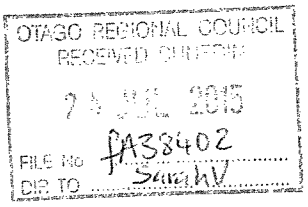

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Hereafter, collectively referred to as the Oil Companies

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A. INTRODUCTION

1. The Oil Companies receive, store and distribute refined petroleum products.

2. The Oil Companies have commercial, shore and marine based, and aviation and bulk storage facilities and are also owners of retail outlets and suppliers of petroleum products to individually owned retail outlets. Of particular importance is the Port of Otago.

3. The Port is a key coastal gateway for regular fuel imports to the region from the Marsden Point Oil Refinery. Fuel is transferred from tankers via wharf lines to three terminals. Tanker trucks distribute fuel from the terminals to the commercial and retail network. Alternative facilities in the wider area are provided at Timaru, Lyttelton and Bluff.

4. The comments on these provisions are therefore focused on the key issues to the Oil Companies as they relate to natural hazards, infrastructure, hazardous substances and contaminated land.

B. THE SPECIFIC PROVISIONS OF THE PROPOSED PLAN THAT THE OIL COMPANIES SUBMISSION RELATES TO ARE SUMMARISED AS FOLLOWS:

5. The submission relates primarily to Part B, Chapters 2, 3 and 4 but also addresses Part C relating to implementation and the definitions in the glossary at Part D.

6. The specific provision submitted on, the rationale for the Oil Companies' submission on each of these matters, and the relief sought is contained in the following schedules.

7. In addition to the specific outcomes sought in the attached Schedules (13 no), the following general relief is sought:

   a) Achieve the purpose and principles of the Resource Management Act 1991 (RMA) and consistency with the relevant provisions in Sections 6 - 8 RMA;
   b) Assist the Council to carry out its functions of achieving the integrated management of the effect of the use, development or protection of land;
   c) Meet the requirements of the statutory tests in section 32 of the RMA;
   d) Address, as relevant, the considerations identified by the Environment Court for planning instruments in decisions such as Long Bay-Okura Great Park Society Inc v North Shore City Council (and subsequent case law);
   e) Avoid, remedy or mitigate any relevant and identified environmental effects;
   f) Make any consequential relief as required to give effect to this submission, including any consequential relief required in any other sections of the Proposed Regional Plan that are not specifically subject of this submission but

are required to ensure a consistent approach is taken throughout the document; and

g) Any other relief required to give effect to the issues raised in this submission.

C. THE OIL COMPANIES WISH TO BE HEARD IN SUPPORT OF THIS SUBMISSION

D. IF OTHERS MAKE A SIMILAR SUBMISSION, THE OIL COMPANIES WOULD BE PREPARED TO CONSIDER PRESENTING A JOINT CASE AT ANY HEARING.

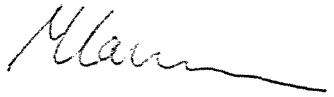
E. THE OIL COMPANIES COULD NOT GAIN AN ADVANTAGE IN TRADE COMPETITION THROUGH THIS SUBMISSION.

F. THE OIL COMPANIES ARE DIRECTLY AFFECTED BY AN EFFECT OF THE SUBJECT MATTER OF THE SUBMISSION THAT—

(i) ADVERSELY AFFECTS THE ENVIRONMENT; AND

(ii) DOES NOT RELATE TO TRADE COMPETITION OR THE EFFECTS OF TRADE COMPETITION.

Signed on and behalf of Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Ltd



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Mark Laurenson
Senior Planner

Dated this day of 24 July 2015

SCHEDULE ONE
PART D GLOSSARY/DEFINITIONS

A. The specific part of the RPS that is subject of this submission is:

- Definition of 'reverse sensitivity', which is opposed
- Definition of 'essential services', which is supported in part
- Definition of 'infrastructure', which is supported in part
- Definition of 'natural hazard', which is supported in part
- Definition of 'residual risk', which is opposed
- Definitions of 'risk', 'hazardous substance', and 'lifeline utilities', which are supported

B. The reason for the submission:

Reverse sensitivity

Reverse sensitivity is defined in the proposed RPS as follows:

Arises where an established activity is causing adverse environmental impact to nearby land, and an activity suceptible to those impacts is proposed for that land. The sensitivty is created by the likelihood that if the new use is permitted, the established activity may be required to restricts its operations or mitigate its effects to avoid adversely affecting the new activity.

Application of the concept of reverse sensitivity in the RPS is supported. There is no definition of reverse sensitivity in the existing RPS, Regional Plan Water or Regional Plan Air. This suggests that this is perhaps a new definition for the region and one which should better define reverse sensitivity as it may well be adopted in lower level documents.

The proposed definition suggests reverse sensitivity effects arise where an activity is currently causing adverse environmental impact to land. This is not necessarily the case. The introduction of a new activity, or indeed the intensification of an existing activity, may however lead to such effects. For instance a discharge from an in industrial development within an industrial zone may not be problematic until a sensitive activity encroaches into the industrial zone. Such a sensitive receptor is likely to pose an operational constraint to reconsenting of the industrial discharge, notwithstanding that there may be no complaints from the sensitive receptor.

The definition should also recognise that intensification of activities can create reverse sensitivity effects and that it need not be specific to new uses.

The following wording is proposed but alternative wording may achieve the same intent.

The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity.

Essential services

A definition of essential services is included in the proposed RPS as follows:

Include hospitals and health services, schools, public transport and essential commercial activities for civil defence purposes

Continuity of operations at service stations is recognised in the National Civil Defence Emergency Management Fuel Plan (2012) as paramount to the supply of fuel to emergency services and vehicles of other response agencies, as well as to the public. The definition of essential services should be extended to explicitly include service stations or clarification provided by Council that service station activities are recognised as essential commercial activities for civil defence purposes.

Infrastructure

The RMA s2 definition of infrastructure is provided in the plan and is as follows:

Infrastructure

a) Pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;
b) A network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;
c) A network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;
d) Facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—
i) Uses them in connection with the generation of electricity for the person's use; and
ii) Does not use them to generate any electricity for supply to any other person;
e) A water supply distribution system, including a system for irrigation;
f) A drainage or sewerage system;
g) Structures for transport on land by cycleways, rail, roads, walkways, or any other means;
h) Facilities for the loading or unloading of cargo or passengers transported on land by any means;

i) *An airport as defined in section 2 of the Airport Authorities Act 1966;*
j) *A navigation installation as defined in section 2 of the Civil Aviation Act 1990;*
k) *Facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;*
l) *Anything described as a network utility operation in regulations made for the purposes of the definition of "network utility operator" in section 166 of the Resource Management Act 1991.*

This definition is problematic in that it does not specifically provide for bulk fuel storage. This matter has been advanced through the Proposed Auckland Unitary Plan process and the Hearings Panel has released interim guidance on this topic. The Panel considers that infrastructure should be defined by using the RMA definition of that term, supplemented to include some related facilities and suggests the definition could be as follows:

Infrastructure has the same meaning as in section 2 RMA and also means:
a) Bulk storage for wholesale or distribution purposes of natural or manufactred gas over 15 tonnes, or petroleum over 1 million litres;
b) Storage and treatment facilities for a water supply distribution system
c) Storage, treatment and discharge facilities for a drainage of sewerage system
d) Class 1 solid waste landfills;
e) National defence facilities;
f) Facilities for air quality and meteorological services.

Adoption of this definition, or a similar definition would appropriately recognises bulk storage of LPG and petroleum, should be adopted in the Otago RPS.

It is noted that the term regionally significant infrastructure is used but not defined in the proposed RPS. A definition should be included and it would be appropriate to explictly recognise that bulk fuel storage facilities are regionally significant infastructure. ECan's RPS provides a definition that could be amended for this purpose.

Natural hazard

The definition of natural hazard in the proposed RPS is as follows:

Includes any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, drought, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

This definition is not the same as that used in the RMA. No explanation is provided as to why fire and wind hazards have been excluded. The definition should be amended to align with the RMA with the RPS then setting out how the objectives and policies should be applied to particular hazards.

Residual risk

Residual risk is defined in the RPS as follows:

The risk remaining after the implementation or undertaking of risk management measures.

It is submitted that residual risk is not the key matter but that the acceptability of risk should be the focus. This is discussed further in relation to the objective and policies relating to natural hazards. Of particular concern is the potential for the concept of residual risk to be adopted in lower order plans and in particular policies that seek to avoid residual risk. The definition of residual risk should be deleted and policies provided to establish appropriate acceptance criteria for risk.

Risk

The definition of risk in the RPS is as follows:

In the context of natural hazards means a combination of the likelihood of occurrence and consequences of a natural hazard event, and incorporates the concept of probabilities and impacts included in the definition of "effect" in Section 3 of the RMA.

The recognition of the relationship between likelihood and consequences is appropriate and is addressed further with regard to the natural hazard objectives and policies. The definition of risk is supported and should be maintained without modification.

Hazardous substance

The proposed definition of hazardous substance is:

Has the meaning set out in section 2 of the Hazardous Substances and New Organisms Act 1996, but including non-toxic environmentally damaging substances, medicines in dosage form, hazardous biological substances and radioactive substances.

This definition is supported and should be retained without modification.

Lifeline utilities

Adoption of the definition set out in section 4 of the Civil Defence Emergency Management Act 2002 appropriately provides for the Oil Companies activities at the port. The definition is supported.

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

1. Amend the definition of reverse sensitivity by making the following amendments, or amendments to achieve the same intent, to the definition of reverse sensitivity:

~~*Arises where an established activity is causing adverse environmental impact to nearby land, and an activity susceptible to those impacts is proposed for that land. The sensitivty is created by the likelihood that if the new use is permitted, the established activity may be required to restricts its operations or mitigate its effects to avoid adversely affecting the new activity.*~~

The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity.

2. Clarify that service stations are included in the definition of essential services. This could be achieved by amending the definition of essential services as follows:

Include hospitals and health services, schools, public transport and essential commercial activities for civil defence purposes, including service stations.

3. Amend the definition of infrastructure to include bulk storage facilities. This could be achived by making the following amendments, or amendments to achieve the same intent, to the definition of infrastructure:

~~*a) Pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;*~~

~~*b) A network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;*~~

~~*c) A network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;*~~

~~*d) Facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—*~~

~~*i) Uses them in connection with the generation of electricity for the person's use; and*~~

~~*ii) Does not use them to generate any electricity for supply to any other person;*~~

~~*e) A water supply distribution system, including a system for irrigation;*~~

~~*f) A drainage or sewerage system;*~~

~~*g) Structures for transport on land by cycleways, rail, roads, walkways, or any other means;*~~

~~*h) Facilities for the loading or unloading of cargo or passengers transported on land by any means;*~~

~~*i) An airport as defined in section 2 of the Airport Authorities Act 1966;*~~

~~*j) A navigation installation as defined in section 2 of the Civil Aviation Act 1990;*~~

~~*k) Facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;*~~

~~*l) Anything described as a network utility operation in regulations made for the purposes of the definition of "network utility operator" in section 166 of the Resource Management Act 1991.*~~

Infrastructure has the same meaning as in section 2 RMA and also means:

a) Bulk storage for wholesale or distribution purposes of natural or manufactured gas over 15 tonnes, or petroleum over 1 million litres;

b) Storage and treatment facilities for a water supply distribution system

c) Storage, treatment and discharge facilities for a drainage of sewerage system

d) Class 1 solid waste landfills;

e) National defence facilities;

f) Facilities for air quality and meteorological services.

4. **Include an appropriate definition of regionally significant infrastructure, and explicitly include bulk fuel storage within the definition.**

5. **Clarify the omissions from the RMA definition or amend the definition of natural hazard as follows:**

Includes any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.

6. **Delete the definition of residual risk.**

7. **Retain the definitions of risk, hazardous substances, and lifeline utilities, without modification.**

SCHEDULE TWO
PART B CHAPTER 2 – NATURAL RESOURCES AND ECOSYSTEMS

A. The specific part of the RPS that is subject of this submission is:

- Policy 2.3.5, which is supported in part

B. The reason for the submission:

Policy 2.3.5 – Applying an integrated approach for airsheds

Policy 2.3.5 seeks an integrated approach to the management of airsheds as follows:

Applying an integrated management approach for airsheds

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

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

The intent of this policy is supported but it is considered important that the policy have regard to minimising potential for reverse sensitivity effects. This could be achieved via addition of a matter (b)(iii) as follows:

iii. *Restrict to the extent appropriate, the establishment or intensification of activities that may result in reverse sensitivity effects on established activities.*

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

8. Amend Policy 2.3.5 to address potential reverse sensitivity effects associated with the establishment or intensification of activities in proximity to established activities. This could be achieved by the following amendments to Policy 2.3.5:

iii. *Restrict to the extent appropriate, the establishment or intensification of activities that may result in reverse sensitivity effects on established activities.*

SCHEDULE THREE
PART B CHAPTER 3 – SECTION 3.1 ENVIRONMENTAL CONSTRAINTS

A. The specific part of the RPS that is subject of this submission is:

- Objective 3.1, which is supported
- Policy 3.1.1, which is supported in part

B. The reason for the submission:

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

Objective 3.1 above is supported.

Policy 3.1.1 - Recognising natural and physical environmental constraints

The Oil Companies support the recognition of natural and physical environmental constraints provided at Policy 3.1.1.

Recognising natural and physical environmental constraints

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

Matter (d) requires consideration of exposure of an activity to natural and technological hazard risks. This clause should be amended to explicitly recognise the role of mitigation in limiting exposure of activities to hazard risks. Similarly it is considered that the phrase 'functional necessity' should be modified to recognise that while an activity may not have an essential requirement to be located in a particular location there may be a strong 'functional need' for a chosen location.

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

9. Retain Objective 3.1 without modification:

10. Amend Policy 3.1.1 as follows:

Recognising natural and physical environmental constraints

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 activity; and
b) The ecosystem services the activity is dependent on; and
c) The sensitivity of the natural and physical resources to adverse effects from the proposed activity/land use; and
d) Exposure of the activity to natural and technological hazard risks, having regard to mitigation proposed; and
e) The functional ~~necessity~~ need for the activity to be located where there are significant constraints.

SCHEDULE FOUR
PART B SECTION 3.2 – NATURAL HAZARD RISK

A. The specific part of the RPS that is subject of this submission is:

- Objective 3.2, which is supported
- Policies 3.2.1, 3.2.2 and 3.2.3, which are opposed in part
- Policies 3.2.4, 3.2.5, which are opposed in part
- Policy 3.2.6, which is opposed
- Policy 3.2.7, which is opposed in part
- Policy 3.2.8, which is supported
- Policy 3.2.9, which is supported in part
- Policies 3.2.10, 3.2.11, which are opposed

B. The reason for the submission:

Natural hazards are addressed through one objective and some 11 policies. It is considered that this framework should be simplified significantly to provide the clear and concise direction that is an appropriate for an RPS level document. The policies should focus on managing the risk of natural hazards to people, property and infrastructure. Activities should not be unreasonably constrained by a requirement to avoid or reduce natural hazard risk.

Objective 3.2 – Risks that natural hazards pose to Otago's communities are minimised

Objective 3.2 above seeks to minimise the risk that natural hazards pose to Otago's communities. It is not possible to control the risk of natural hazards per se. However this is qualified in this instance by the reference to risks posed to Otago's communities. In this context the focus on risk and minimisation is appropriate.

Policies 3.2.1 - 3.2.3 Assessment

Policies 3.2.1, 3.2.2 and 3.2.3 are grouped under a heading of assessment and refer to both hazard likelihood and consequence. Policy 3.2.1 relates to identifying natural hazards while 3.2.2 and 3.2.3 address the likelihood and consequence of natural hazard events as follows:

Policy 3.2.1 Identifiying natural hazards
Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence.

Policy 3.2.2 Assessing natural hazard likelihood

Assess the likelihood of natural hazard events occurring, having regard to a timeframe of no less than 100 years, including by considering:

a) Hazard type and characteristics;
b) Multiple and cascading hazards;
c) Cumulative effects, including from multiple hazards with different risks;
d) Effects of climate change;
e) Using the best available information for calculating likelihood;
f) Exacerbating factors.

Policy 3.2.3 Assessing natural hazard consequence
Assess the consequences of natural hazard events, including by considering:

a) The nature of activities in the area;
b) Individual and community vulnerability;
c) Impact on individual and community health and safety;
d) Impact on social, cultural and economic wellbeing;
e) Impact on infrastructure and property, including access and services;
f) Risk reduction and hazard mitigation measures;
g) Lifeline utilities, essential and emergency services, and their co-dependence;
h) Implications for civil defence agencies and emergency services;
i) Cumulative effects;
j) Factors that may exacerbate a hazard event.

As separate policies these create significant duplication in the assessment required with repetition of matters such as cumulative effects and exacerbating factors. Addressing likelihood and consequence separately is also not appropriate. The important policy consideration is how likelihood and consequence come together to generate risk and in turn how this risk can be managed and assessed. For instance some events may have a very high consequence but a very low likelihood and therefore may be acceptable in risk terms.

It would be appropriate to combine policies 3.2.1 to 3.2.3 to address likelihood and consequence by way of risk. Combining these policies would also remove the duplication and simplify the provisions for plan users.

<u>Policies 3.2.4 and 3.2.5 – Managing natural hazard risk and Assessing activities for natural hazard risk</u>

Policies 3.2.4 and 3.2.5 are as follows:

Policy 3.2.4 Managing natural hazard risk
Manage natural hazard risk, including with regard to:

a) The risk they pose, considering the likelihood and consequences of natural hazard events; and

b) *The implications of residual risk, including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures; and*
c) *The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event; and*
d) *The changing nature of tolerability and risk; and*
e) *Sensitivity of activities to risk.*

Policy 3.2.5 Assessing activities for natural hazard risk
Assess activities for natural hazard risk, by considering:
a) *The natural hazard risk identified, including residual risk; and*
b) *Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods; and*
c) *The long term viability and affordability of those measures; and*
d) *Flow-on effects of the risk to other activities, individuals and communities; and*
e) *The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.*

Natural hazard risk can be managed by either reducing likelihood of the natural hazard event or by reducing the potential consequences. There is often very little that can be done to influence the occurrence of a natural hazard event. The focus should therefore be on management to ensure the risk of the hazard to people, property and infrastructure is acceptable. The level of acceptability may differ significantly depending on the risk. In terms of coastal erosion for instance it may be acceptable to allow natural erosion to occur but tolerance to flooding of residential properties may be significantly lower.

Policies 3.2.4 and 3.2.5 should be amended to address how the consequences of natural hazards may be managed and assessed having regard to particular activities. The focus of these policies should be on achieving acceptable levels of risk rather than addressing residual risk. The concept of residual risk is problematic and does not recognise that a degree of risk will often be appropriate. These policies should guide management and assessment for risk and should not repeat matters addressed in 3.2.1-3.2.3.

<u>Policies 3.2.6 and 3.2.7 – Avoiding increased natural hazard risk and Reducing existing natural hazard risk</u>

3.2.6 Avoid increasing natural hazard risk, including by:
a) *Avoiding activities that significantly increase risk, including displacement of risk off-site; and*
b) *Encouraging design that facilitates:*
   i. Recovery from natural hazard events; or
   ii. Relocation to areas of lower risk.

Policy 3.2.7 Reducing existing natural hazard risk

Reduce existing natural hazard risk, including by:

a) Encouraging activities that:

i. Reduce risk; or

ii. Reduce community vulnerability; and

b) Discouraging activities that:

i. Increase risk; or

ii. Increase community vulnerability; and

c) Considering the use of exit strategies for areas of significant risk; and

d) Encouraging design that facilitates:

i. Recovery from natural hazard events or

ii. Relocation to areas of lower risk; and

e) Relocating lifeline utilities, and facilities for essential and emergency service, to areas of reduced risk, where appropriate and practicable; and

f) Enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services; and

g) Re-assessing natural hazard risk, and community tolerance of that risk, following significant natural hazard events.

The Oil Companies do not support blanket avoidance and reduction approaches to natural hazard risk as taken at 3.2.6 and 3.2.7.

In terms of 3.2.6, in the majority of circumstances it will be appropriate for risk to be appropriately managed rather than avoided entirely. That is the case, for example, if a risk is acceptable, such as when a change in land use results in an increased risk exposure, but one which can be appropriately managed. Similarly, greater levels of risk may be tolerable or unavoidable in certain cases, for instance a functioning port will always be exposed to the risk of tsunami and a linear network will often need to cross a flood plain. Therefore higher levels of risk can be acceptable for the likes of some infrastructure compared to residential activities.

The Council needs to be cognisant that in many situations it can be appropriate to have a managed response to risk and that mitigation may be appropriate.

The concept of "reducing" risk for existing natural hazards is also problematic. For example there may be little one can do to mitigate the effect at the Port from tsunami if the port is going to continue to be able to service shipping at sea level. It is important to ensure that there is flexibility in the policy to avoid unintended consequences for existing and new development in the region and a focus on reduction does not achieve this.

It is considered that these management policies could be appropriately consolidated into something similar to the objective contained in the decision on the Strategic Directions and Outcomes to the Christchurch Replacement District Plan.

3.3.6 Objective - Natural hazards

a) New subdivision, use and development, shall:
   i. be avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and
   ii. otherwise be undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated;

b) Except that new strategic infrastructure may be located in areas where the risks of natural hazards to people, property and other infrastructure are assessed as being unacceptable, provided that:
   i. there is no reasonable alternative; and
   ii the strategic infrastructure has been designed to maintain, as far as practicable, its integrity and form during natural hazard events.

Policy 3.2.8 – Applying a precautionary approach

The Oil Companies support the precautionary approach to natural hazard risk. Policy 3.2.8 should be maintained without modification.

Policy 3.2.8 Applying a precautionary approach

Where natural hazard risk is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk.

Policy 3.2.9 – Protecting features and systems that provide hazard mitigation

The title of this policy suggests protection of existing features and systems but the policy itself seeks to protect, restore, enhance and promote the use of natural or modified features and systems which contribute to mitigating the effects of both natural hazards and climate change. Council should clarify the purpose of this policy and amend it accordingly. A focus on avoiding, remedying or mitigating effects on existing features would seem most appropriate, especially in light of Policy 3.2.10 which seems to discourage engineering interventions. This could be achieved as follows:

Protecting features and systems that provide hazard mitigation

~~Protect, restore, enhance and promote the use of~~ Avoid, remedy or mitigate adverse effects on existing natural or modified features and systems, which contribute to mitigating the effects of both natural hazards and climate change.

Policies 3.2.10 and 3.2.11 – Mitigating natural hazards and Locating hard mitigation measures

Policy 3.2.10 Mitigating natural hazards
Give preference to risk management approaches that reduce the need for hard mitigation measures or similar engineering interventions, and provide for hard mitigation measures only when:

a) Those measures are essential to reduce risk to a level the community is able to tolerate; and
b) There are no reasonable alternatives; and
c) It would not result in an increase in risk, including displacement of risk off-site; and
d) The adverse effects can be adequately managed; and
e) The mitigation is viable in the reasonably foreseeable long term.

Policy 3.2.11 Locating hard mitigation measures
Enable the location of hard mitigation measures or similar engineering interventions on public land only when:

a) There is significant public or environmental benefit in doing so; or
b) The work relates to the functioning ability of a lifeline utility, or facility for essential or emergency services.

While the phrase 'hard mitigation measures' is not defined it seems that these policies may have been drafted with flood and coastal erosion in mind. They are however likely to have unintended consequences for other mitigation measures that are widely employed across the region. For instance a stormwater retention tank could be considered hard mitigation as it acts to reduce natural hazards associated with flooding. On this basis these policies are opposed and should be deleted.

C. **Relief sought** *(Additions are underlined with deletions in strikethrough)*

11. **Ensure the objective and policies addressing natural hazards are simplified to provide clear and concise direction that is an appropriate for an RPS level document and which focuses on the management of land use so the consequences of natural hazard risk are acceptable. Avoid unintended perverse outcomes from the focus on avoidance and reduction of natural hazard risk.**

12. **Retain Objective 3.2 without modification.**

13. **Ensure Policies 3.2.1 to 3.2.3 clearly and concisely require identification of natural hazard risk (rather than likelihood and consequence) and avoid unnecessary duplication across these policies.**

14. **Amend Policies 3.2.4 and 3.2.5 to avoid duplication with policies identifying risk and to ensure focus is on management of risk and acceptable levels of risk.**

15. **Ensure that Policy 3.2.6 is amended to recognise that it it not necessary or possible to avoid all natural hazard risk or increases in risk, especially where there is no control over the frequency of events. Ensure the focus is on the adverse effects arising from an exposure to a hazard and not about controlling the hazard per se.**

16. **Amend Policy 3.2.7 to recognise that it is not appropriate to reduce risk and that the focus should be on minimisation. This could be achieved by adopting wording along the following as follows:**

    a) *New subdivision, use and development, shall:*
        i. *be avoided in areas where the risks of natural hazards to people, property and infrastructure are assessed as being unacceptable; and*
        ii. *otherwise be undertaken in a manner that ensures the risks of natural hazards to people, property and infrastructure are appropriately mitigated;*
    b) *Except that new infrastructure may be located in areas where the risks of natural hazards to people, property and other infrastructure are assessed as being unacceptable, provided that:*
        i. *there is no reasonable alternative; and*
        ii. *the strategic infrastructure has been designed to maintain, as far as practicable, its integrity and form during natural hazard events.*
        iii. *the natural hazard risks to people, property and infrastructure are appropriately mitigated.*

17. **Retain Policy 3.2.8 without modification**

18. **Amend Policy 3.2.9 as follows**

    Protecting features and systems that provide hazard mitigation

    ~~*Protect, restore, enhance and promote the use of*~~ *Avoid, remedy or mitigate adverse effects on existing natural or modified features and systems, which contribute to mitigating the effects of both natural hazards and climate change.*

19. **Delete Policies 3.2.10 and 3.2.11 or otherwise provide justification as to why preference should be given to non engineering interventions to natural hazards.**

SCHEDULE FIVE
PART B SECTION 3.4 - INFRASTRUCTURE

A. The specific part of the RPS that is subject of this submission is:

- Objective 3.4, which is supported
- Policy 3.4.1, which is supported in part
- Policies 3.4.2, 3.4.3, 3.4.4, which are supported
- Policy 3.4.4, which is supported

B. The reason for the submission:

Objective 3.4 – Good quality infrastructure and services meet community needs

Infrastructure is critical to the functioning of the region and the operations of the Oil Companies. The continued resilience of the fuel supply chain is of particular importance to the Oil Companies. Objective 3.4 promotes good quality infrastructure that supports the needs of the community and is therefore supported and should be retained without modification.

Policy 3.4.1 – Integrating infrastructure with land use

Policy 3.4.1 provides a long list of mechanisms to achieve integration of infrastructure with land use.

Policy 3.4.1 Integrating infrastructure with land use
Achieve the strategic integration of infrastructure with land use, by:

a) Recognising functional needs of infrastructure of regional or national importance; and
b) Designing infrastructure to take into account:
  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; 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:
  i. Within areas that have sufficient infrastructure capacity; or
  ii. Where infrastructure services can be upgraded or extended 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.*

These are accepted but it is considered that matter b) should be qualified as follows to ensure that only relevant matters need to be assessed. The present list will not necessarily apply or need to be assessed for all infrastructure. The provisions should therefore be amended as follows:

b) Designing infrastructure to take into account (as appropriate):

Policies 3.4.2, 3.4.3 and 3.4.4

These policies are supported and should be retained without modification.

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

20. Retain Objective 3.4 without modification

21. Amend Policy 3.4.1 as follows:

Achieve the strategic integration of infrastructure with land use, by:....

b) Designing infrastructure to take into account (as appropriate):.....

22. Retain Policies 3.4.2, 3.4.3 and 3.4.4 without modification

SCHEDULE SIX
PART B SECTION 3.5 – SIGNIFICANT INFRASTRUCTURE

A. The specific part of the RPS that is subject of this submission is:

- Objective 3.5, which is supported
- Policy 3.5.1, which is supported in part
- Policy 3.5.2, which is supported in part
- Policy 3.5.3, which is supported in part

B. The reason for the submission:

Objective 3.5 – Infrastructure of national and regional significance is managed in a sustainable way

Objective 3.5 (above) is supported and should be retained without modification. The need for a definition of regionally significant infrastructure is addressed in Schedule One of this submission.

Policy 3.5.1 – Recognising national and regional significance of infrastructure

The recognition of ports and airports as nationally or regionally significant infrastructure is supported. The policy should however be amended to specifically refer to bulk fuel supplies.

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.
g) Bulk storage for wholesale or distribution purposes of natural or manufactred gas over 15 tonnes, or petroleum over 1 million litres;

Policy 3.5.2 – Managing adverse effects of infrastructure that has national or regional significance

Policy 3.5.2 is supported subject to amendments to matters (c) and (d) to clarify the values referred to are those that contribute to the significant or outstanding nature of those areas.

Minimise 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
   ii. Outstanding natural features, landscapes and seascapes; and
   iii. Areas of outstanding natural character; and
   iv. Outstanding water bodies or wetlands; and
b) Where it is not possible to avoid locating in the areas listed in a) above, avoiding significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; and
c) Avoiding, remedying or mitigating other adverse effects on values that contribute to the significant or outstanding nature of those areas identified in a); and
d) Assessing the significance of adverse effects on ~~those~~ values of those areas identified in a), as detailed in Schedule 3; and
e) Considering the use of offsetting, or other compensatory measures, for residual adverse effects on indigenous biodiversity.

Policy 3.5.3 – Protecting infrastructure of national or regional significance

New Zealand does not have very strong land use planning directives around bulk hazardous substance storage facilities. Issues around risk management and encroaching sensitive land uses are becoming a greater focus for planning authorities and Worksafe New Zealand Ltd. To ensure that infrastructure such as the bulk storage terminals at the port and the airport are provided for it will be increasingly important to ensure sensitive land uses do not encroach around such facilities. This is particularly relevant in Dunedin, should there be a drive for any redevelopment in and around the Port of Otago. Lessons should be taken from management now required around the Wiri Oil Services Ltd depot in Auckland. In 2003 a Regional Correctional facility was opened in close proximity to the depot. At that time risks associated with the terminal were assessed as being acceptable on the basis of certain credible scenarios and in relation to relevant overseas criteria. The vapour cloud explosion incident at Buncefield in the UK in 2006 has however changed risk assessment thinking and has had significant implications in terms of investigation and mitigation to ensure both the depot and the corrections facility can operate safely. A similar situation should not be allowed to occur in Otago and therefore the protection afforded to hazard mitigation measures by Policy 3.5.3 is supported. Matter (a) should however be amended to restrict not just the establishment of activities that may result in reverse sensitivity effects but also the intensification of activities that may have such effects as increased populations associated with sensitive activities will increase societal risks in an area.

Protect infrastructure of national or regional significance, by:

a) *Restricting the establishment <u>or intensification</u> of ~~those~~ activities that may result in reverse sensitivity effects <u>or other operational constraints</u>; 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.*

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

23. Retain Objective 3.5.1 without modification.

24. Amend Policy 3.5.1 as follows:

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.*
g) *<u>Bulk storage for wholesale or distribution purposes of natural or manufactured gas over 15 tonnes, or petroleum over 1 million litres;</u>*

25. Amend Policy 3.5.2 as follows:

Minimise 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*
    ii. *Outstanding natural features, landscapes and seascapes; and*
    iii. *Areas of outstanding natural character; and*
    iv. *Outstanding water bodies or wetlands; and*

b) *Where it is not possible to avoid locating in the areas listed in a) above, avoiding significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; and*
c) *Avoiding, remedying or mitigating other adverse effects on values that contribute to the significant or outstanding nature of those areas identified in a); and*
d) *Assessing the significance of adverse effects on ~~those~~ values of those areas identified in a), as detailed in Schedule 3; and*
e) *Considering the use of offsetting, or other compensatory measures, for residual adverse effects on indigenous biodiversity.*

26. Amend Policy 3.5.3 as follows:

Protect infrastructure of national or regional significance, by:

a) *Restricting the establishment or intensification of ~~those~~ activities that may result in reverse sensitivity effects or other operational constraints; 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.*

SCHEDULE SEVEN
PART B SECTION 3.6 – ENERGY SUPPLIES

A. The specific part of the RPS that is subject of this submission is:

- Policy 3.6.6, which is supported in part

B. The reason for the submission:

Policy 3.6.6 – Reducing long term demand for fossil fuels

This policy is supported but should be amended to recognise the importance of maintaining the integrity of the existing fossil fuel supply chain. There will be a need to rely primarily on fossil fuels until a shift to more sustainable fuels can be achieved. This transition will take some time to occur and in the interim it is important the supply chain for fossil fuels is maintained.

The support for the uptake of new technologies for more efficient energy uses, or renewable or lower emission transport fuels, is welcomed (Matter (c)ii). The Oil Companies are involved in the development of biofuels and the reduction in diesel emissions through the increasing availability of diesel exhaust fluids. These facilities and the supply chain would be appropriately provided for with the following revised wording:

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

27. Amend Policy 3.6.6 as follows:

Policy 3.6.6 -Reducing long term demand for fossil fuels

Reduce the long term demand for fossil fuels from Otago's communities, while recognising the importance and maintaining the integrity of the existing fossil fuel supply chain to the region in the interim, 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.*

d) *Ensuring fossil fuel supply chain infrastructure can be maintained and enhanced in the interim to meet community fuel demands, including facilities for the transition to a lower carbon future.*

SCHEDULE EIGHT
PART B SECTION 3.7 – URBAN AREAS

A. The specific part of the RPS that is subject of this submission is:

- Policy 3.7.1 and 3.7.2, which are supported in part

B. The reason for the submission:

Policies 3.7.1 and 3.7.2 - Using the principles of good urban design and Encouraging use of low impact design techniques

The Oil Companies support the encouragement of such approaches, however they would not want them to become mandatory in all circumstances. The phrase 'low impact design techniques' (LID) is used in Policy 3.7.1 at matter (b)(iv) and in the chapeau of Policy 3.7.2. It is noted in 3.7.2 (a) as also applying to air. LID is usually associated with the management of stormwater along with other approaches such as water sensitive design. It is considered that a definition would add clarity over what this is intended to mean, especially in relation to air discharges.

Matter (c) relating to natural hazards addresses matters that should be addressed through section 3.2 and need not be reiterated here.

Matter (f)(i) of Policy 3.7.1 is welcomed and should be maintained as it recognises that urban areas require a range of housing, commercial, industrial and service activities. Service stations are an essential service and should have scope to locate in urban areas.

Policy 3.7.2 sets out four matters to which LID is to be encouraged to apply. Matter (c) relates to "enhance amenity". The Oil Companies would not want LID to be required just for the purposes of amenity and this matter should be deleted.

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

28. Retain Policy 3.7.1 except for the following modfications:

Encourage the use of good urban design principles in subdivision and development in urban areas, as detailed in Schedule 6, to:

a) Provide a resilient, safe and healthy community, including through use of crime prevention through environmental design principles; and
b) Ensure that the built form relates well to its natural environment, including by:
i. Reflecting natural features such as rivers, lakes, wetlands and topography; and
ii. Providing for ecological corridors in urban areas; and

iii. Protecting areas of indigenous biodiversity and habitat for indigenous fauna; and

iv. Encouraging use of low impact design techniques; and

v. Encouraging construction of warmer buildings; and

~~*c) Reduce risk from natural hazards, including by avoiding areas of significant risk; and*~~

d) Ensure good access and connectivity within and between communities; and

e) Create a sense of identity, including by recognising features of heritage and cultural importance; and

f) Create areas where people can live, work and play, including by:

i. Enabling a diverse range of housing, commercial, industrial and service activities; and

ii. Enabling a diverse range of social and cultural opportunities.

29. Retain Pollicy 3.7.2 except for the following modifcations:

Encouraging use of low impact design techniques

Encourage the use of low impact design techniques in subdivision and development, to:

a) Reduce potential adverse environmental effects, ~~including on~~ from stormwater ~~and air quality;~~ or

b) Mitigate the effects of natural hazards and climate change; or

~~*c) Enhance amenity; or*~~

d) Enhance habitat for indigenous species and biodiversity values.

30. Include a definition of low impact design to the extent it is consistent with and applies to stormwater management.

SCHEDULE NINE
PART B SECTION 3.8 – URBAN GROWTH

A. The specific part of the RPS that is subject of this submission is:

- Policy 3.8.1, which is supported in part

B. The reason for the submission:

Policy 3.8.1 – Managing for urban growth

The Oil Companies support the principle of this policy but consider it should be amended to address the potential for urban growth to generate reverse sensitivity issues. An additional clause is proposed to explicitly require urban growth and creation of new urban land to address potential reverse sensitivity effects.

As per Schedule Eight in relation to urban areas it is considered that natural hazards need not be addressed through policies in this chapter and that this can be appropriately provided for in the natural hazards section. On this basis Policy 3.8.1(c)(iv) should be deleted. However, if reference is to be included then it is considered inappropriate that there should be a complete avoidance approach. For example infrastructure necessary for a development may need to be located in an area where there is a risk of significant natural hazard occurring but its design and location may be appropriate. The policy should focus on the acceptability of the risk.

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

31. Amend Policy 3.8.1 as follows:

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*~~ *ensuring the risk from natural hazards is acceptable for the proposed development*

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~~.~~; and*

i) *Restricting the establishment or intensification of activities that may result in reverse sensitivity effects; and*

SCHEDULE TEN
PART B SECTION 3.9 – HAZARDOUS SUBSTANCES

A. The specific part of the RPS that is subject of this submission is:

- Objective 3.9, which is supported in part
- Policy 3.9.1, which is opposed
- Policy 3.9.2, which is opposed in part
- Policy 3.9.3, which is supported
- Policy 3.9.4, which is opposed in part
- Policy 3.9.5, which is opposed
- Policy 3.9.6, which is supported in part
- Policy 3.9.7, which is opposed

B. The reason for the submission:

Objective 3.9

Hazardous substances are essential to a modern way of life. Their importance needs to be recognised and the need for their bulk storage, transport and use recognised. Waste on the other hand is something which is undesirable and to be discarded. Addressing hazardous substances and waste materials under one objective is problematic and the Oil Companies consider that it would be appropriate to address these matters separately. This confusion is made more acute by the references to hazardous substances and hazardous waste.

The corresponding policies suggest that contaminated land is also subject to this objective although it is not specifically mentioned in the objective or explanatory text. Contaminated land is the result of an historic discharge or incident. The discharge has occurred and the effects are in existence. Hazardous substances provision are about ensuring management of those substances to ensure control is not lost. Contaminated land should be subject to separate objectives and policies.

Policy 3.9.1 – Integrating management of hazardous substances and waste

An integrated approach to the management of hazardous substances and waste is supported in some instances but, as set out above, for the purposes of the RPS it is unclear. Hazardous substances and waste are governed under separate legislation and the issue of trying to combine them is borne out in the balance of policies. Should they be retained they need to be more generic. Policy 3.9.1 should be deleted.

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

The difficulties of combining policies relating to hazardous substances and waste is apparent in Policy 3.9.2. For instance matter (a) could be interpreted as requiring secure containment of waste in a landfill which is unlikely to be provided. The policy should be amended to address only the use and storage of hazardous substances and additional policies developed to address waste (hazardous and otherwise). Significant changes are set out in relief to focus this policy on hazardous substances.

Policy 3.9.3 – Identifying contaminated land

Notwithstanding that the contaminated land policies should be separated from those relating to hazardous substances, the intent of a policy to identify contaminated land is supported and should be retained without modification.

Policy 3.9.4 – Managing the use of contaminated land

This Policy relates to contaminated land and does not fit under the objective which relates to hazardous substances and waste. A separate objective should be developed for contaminated land and this policy relocated accordingly.

Contaminated land is the result of an historic discharge(s) i.e. it has already been affected by contaminants, from which the inherent risk is dependent upon nature and level of contaminants, and potential pathways and receptors. Therefore, absolute protection of the environment is not appropriate or achievable – the effect is already occurring. Management can address the effects. Remediation can sometimes lead to greater effects, for instance liberation of contaminants, and it is sometimes better to just allow natural attenuation. The focus of the policy should be on ensuring the land is fit for its intended use.

Matter (a) requires a site investigation where there is a proposal for subdivision or development of potentially contaminated land. It is not clear when this requirement would be triggered, what a site investigation would require, or to what purpose it should be designed. Further, the NES sets up a framework for managing potentially contaminated land in such circumstances. That framework does not necessarily require a site investigation. The critical point is that land affected by soil contamination is characterised and managed as required where there is a change in land use.

Matter (b)(i) requires an assessment of associated environmental risk where contaminated land is found. This is supported, however it is considered that in addressing the environmental risks (which can include off site passive discharges) it is important to have regard to the nature of the intended land use.

Matter (b)(ii) refers to remediating land. The policy sets up a mandatory remediation requirement where contamination is found. This is not appropriate. There may be many different approaches to addressing the risks arising from contaminated land, for

instance monitoring or management. The complete tool box of options should be enabled through the policy.

Policy 3.9.5 – Avoiding the creation of new contaminated land

This policy requires the avoidance of new contaminated land. This is not a helpful policy. Contamination occurs where there is a loss of control of a product; a matter which is controlled through the hazardous substance provisions and HSNO. However, accidents cannot be avoided and contamination will continue to occur from time to time

As drafted this policy effectively sets a zero tolerance threshold and could also be construed as preventing the establishment of any activity involving hazardous substances, for instance new landfills or offal pits. It would be more appropriate to delete Policy 3.9.5 and rely instead on an amended Policy 3.9.2 which provides policy for managing the use of hazardous substances and which should have the effect of minimising that risk.

Policy 3.9.6 – Encouraging use of best management practices for hazardous substance use

The policy support for use of best management practices is supported. The Oil Companies seek deletion of the reference to a reduction in use of hazardous substances. This is not generally reflected in best practice guidance and should not be confused with the waste hierarchy. Use of fossil fuels is adequately addressed at Policy 3.6.6. A reduction policy would be more appropriately focused within a separate waste policy.

Policy 3.9.7 – Encouraging services for hazardous substance collection, recycling and disposal

This policy should be relocated under a separate waste objective.

C. **Relief sought** *(Additions are underlined with deletions in strikethrough)*

32. **Delete reference to waste from the hazardous substance provisions. Ensure hazardous substances are appropriately addressed under Objective 3.9 and waste management is addressed through its own separate suite of objectives and policies.**

33. **Include a separate objective for contaminated land as follows:**

Land contamination is identified and managed to protect human health and the environment and ensure this land is fit for purpose.

34. Amend Objective 3.9 as follows:

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

~~Waste materials are an end product of resource use and must be carefully managed to avoid creating environmental problems.~~ Hazardous substances are potentially dangerous but essential components of some activities. Risks associated with ~~H~~azardous substances ~~and their waste~~ should ~~also~~ be appropriately managed to avoid potential adverse effects on ~~creating environmental problems or adversely affecting~~ human health and to minimise potential for contamination of air, land, and water.

35. Delete Policy 3.9.1

36. Amend Policy 3.9.2 as follows:

Managing the use~~,~~ and storage ~~and disposal~~ of hazardous substances~~, and the storage and disposal of waste materials~~

Manage the use~~,~~ and storage ~~and disposal~~ of hazardous substances~~, and the storage and disposal of waste materials,~~ having regard to the sensitivity of the receiving environment and recognising the social and economic benefits such activities provide, ~~to avoid accidental spillage or release of those substances and materials,~~ by:

a) Providing secure containment of those substances in case of accidental spillage; and

b) ~~Minimising risk associated with~~ Requiring that hazardous facilities are, to the extent practicable, resilient to potential damage caused by natural hazard events that will result in unintended discharges; and

c) Managing the level of risk so as to appropriately manage potential ~~Avoiding~~ adverse effects of ~~those~~ hazardous substances ~~and materials~~ on property, the health and safety of people, and ~~on other values~~ the potential for contamination of air, land and water; and

~~d) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous waste and waste materials; and~~

~~e) Ensuring hazardous substances are treated or disposed at authorised facilities, in accordance with the relevant disposal instructions; and~~

f) Restricting the location or intensification of activities that may result in reverse sensitivity effects near:

i. Authorised facilities for hazardous substance use and storage ~~treatment or disposal; or~~

~~ii. Waste transfer or disposal facilities.~~

37. Retain Policy 3.9.3 without modification

38. Amend Policy 3.9.4 as follows:

Managing the use of contaminated land

Encourage investment in and management of the use of contaminated land, to ~~protect~~ ensure it is fit for purpose and that it does not pose an unacceptable level of risk to people and the environment ~~from adverse effects,~~ by:

a) *Requiring that ~~Prior to subdivision or development of potentially contaminated land, requiring a site investigation is undertaken to determine~~ the nature or extent of any contamination is characterised where subdivision or land use change is proposed on potentially contaminated land; and*
b) *Requiring, having regard to the intended use of the site, ~~Where there is contamination:~~*
   ~~i. Requiring~~ an assessment of associated environmental risks from any contamination; and
   ~~ii. Remediating land; and~~
c) *Considering the nature and need for ongoing monitoring of contaminant levels and associated risks where the discharge of contaminants is likely to be a risk to human health and the environment.*

39. Delete Policy 3.9.5.

40. Amend Policy 3.9.6 as follows:

Encouraging use of best management practices for hazardous substance use

Encourage the use of best management practices to prevent or mitigate adverse effects of the use of hazardous substances on the environment~~, including reducing their use~~.

41. Relocate Policy 3.9.7 to a separate section on waste matters

SCHEDULE ELEVEN
PART B SECTION 4.3 – LAND FOR ECONOMIC PRODUCTION

A. The specific part of the RPS that is subject of this submission is:

- Policies 4.3.1, 4.3.4 and 4.3.5 which are supported

B. The reason for the submission:

Policy 4.3.1 – Managing for rural activities

The recognition of reverse sensitivity at matter (c) and the provision for other activities that have a functional need to locate in rural areas are supported. This policy should be retained without modification.

Policy 4.3.4 – Managing the distribution of commercial activities in larger urban areas

The Oil Companies support a degree of protection for central business districts but seek to ensure that matter (c) retains the reference to **'....significant** adverse effects on the central business district'. Service stations can be reasonably located outside CBDs with no such effects.

Policy 4.3.5 – Managing for industrial land uses

This policy provides a degree of protection for industrial development from the encroachment of sensitive activities. The policy should be retained as notified.

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.

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

42. Retain Policies 4.3.1, 4.3.4 and 4.3.5 without modification.

SCHEDULE TWELVE
PART B SECTION 4.5 – ADVERSE EFFECTS MINIMISED

A. The specific part of the RPS that is subject of this submission is:

- Objective 4.5, which is supported in part
- Policy 4.5.1, which is opposed in part
- Policy 4.5.2, which is supported in part

B. The reason for the submission:

Objective 4.5

The use of 'avoidance' in text underlying this objective and in subsequent policies, is potentially problematic. Avoid means to refrain or stop, the objective does not use this term so it is inappropriate for the explanatory text to indicate that is what the intent of the objective is. In light of the King Salmon decision, the directive nature of the wording may have unintended consequences over time, for instance the inability of activities to secure consent where there are adverse effects. Amendments as set out below are required to ensure the explanatory text that follows this objective does not have unintended consequences.

Adverse effects of using and enjoying Otago's natural and built environment are minimised

Any use of natural or physical resources has the potential to generate adverse effects. It is important to manage activities to ~~avoid,~~ minimise individually ~~or~~ and cumulatively, ~~degrading~~ adverse effects on 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. Resource use can also have adverse effects on other uses or prevent the normal operation of existing uses....

Policy 4.5.1- Avoiding objectionable discharges

The avoidance of discharges that are offensive or objectionable is supported. However, the criteria for assessing this should be clearly established and measurable. The list of specific inclusions is also problematic as it is unclear whether such discharges should be avoided in all instances or whether only offensive or objectionable discharges should be avoided. For instance the discharge of treated wastewater to water or in close proximity to water may be acceptable in some instances, subject to appropriate treatment. Similarly car emissions include carbon monoxide and this is hazardous and therefore potentially problematic with regard to

matter (b). Matter (c) is of concern as it is not appropriate to avoid all discharges that are odorous or conspicuous. Rather the focus should be on whether they are offensive or objectionable.

Zoning should remain as the primary control for ensuring separation between incompatible activities. The specific inclusions should be deleted and the policy should focus on avoiding discharges that are objectionable or offensive, noxious or dangerous, having regard to the sensitivity of the receiving environment as follows:

Avoid discharges that are objectionable or offensive, noxious or dangerous, having regard to the sensitivity of the receiving environment, ~~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 4.5.2 – Applying an adaptive management approach

The intent of this policy is supported and is relevant to the approach taken by the Oil Companies to water takes and discharges associated with the dewatering of tank pits for the installation of underground petroleum storage tanks. Dewatering water is treated differently depending on levels of contamination encountered. It is considered that this policy could be better adapted to also fit such applications:

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

a) *Setting appropriate indicators for effective monitoring of potential ~~those~~ adverse effects; and*
b) *Setting thresholds to trigger ~~remedial~~ action to avoid, remedy or mitigate adverse effects. ~~before the effects result in irreversible damage~~.*

C. Relief sought *(Additions are underlined with deletions in strikethrough)*

43. **Amend explanatory text to the Objective 4.5 to ensure the explanatory text reflects the overaraching objecitve and does not require avoidance of adverse effects. This could be achieved as follows:**

Any use of natural or physical resources has the potential to generate adverse effects. It is important to manage activities to ~~avoid,~~ minimise individually ~~or~~ and cumulatively, ~~degrading~~ adverse effects on 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. Resource use can also have adverse effects on other uses or prevent the normal operation of existing uses....

44. **Amend Policy 4.5.1 to ensure that the avoidance policy does not have unintended perverse consequences, for instance requiring the avoidance of emissions from vehicles. This could be achieved by amending Policy 4.5.1 as follows:**

Avoid discharges that are objectionable or offensive, noxious or dangerous, having regard to the sensitivity of the receiving environment, ~~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.~~

45. **Amend Policy 4.5.2 as follows:**

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

a) *Setting appropriate indicators for effective monitoring of potential ~~those~~ adverse effects; and*
b) *Setting thresholds to trigger ~~remedial~~ action to avoid, remedy or mitigate adverse effects. ~~before the effects result in irreversible damage~~.*

SCHEDULE THIRTEEN
PART C IMPLEMENTATION

A. The specific part of the RPS that is subject of this submission is:

- Roles and responsibilities and methods for implementation, which are supported in part.

B. The reason for the submission:

It is important that an RPS provides clear guidance in relation to the responsibilities of regional and district authorities. In terms of the interests of the Oil Companies, this is particularly important with regard to contaminated land and hazardous substances.

Contaminated land policies 3.9.4 and 3.9.5 refer to several methods included within Part C.

There needs to be further guidance in relation to the responsibilities of regional and district council functions relating to contaminated land if the overlap of functions is to be appropriately managed. The role of territorial authorities and the regional authority need to be clearly stated and complementary, especially in relation to regulation and information sharing. As currently drafted Method 3 sets out areas of responsibility regarding contaminated land for Regional Plans but no such method establishes what is required with regard to contamination in City and District Plans. City and District Plans should focus on human health and the NES.

In terms of hazardous substances there is considerable overlap WITHHSNO requirements. Authorities should be tasked only with addressing those gaps in the HSNO framework that are properly dealt with under the RMA, and where duplicated frameworks will not result. Having regard to the role and function of other (higher) authorities and the fact that discharges, odour and water quality are dealt with by the regional councils, the logical outcome is to charge district council's with addressing, to the extent practicable, human health effects, to which visual amenity and cultural values could be added if such concerns were triggered in a particular situation. Otherwise, the management of hazardous substances is appropriately dealt with by legislation other than the RMA.

For example, the RPS requires the following:

City and district councils will:
Specify objectives, policies and methods for the control of the use of land for:

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

b) *The prevention or mitigation of the adverse effects of the storage, use, transport or disposal of hazardous substances on the environment outside of the beds of rivers, lakes and wetlands or the coastal marine area;*
c) *The maintenance of indigenous biological diversity on all land outside of the coastal marine area and the beds of rivers and lakes.*

This directs city and district councils to establish and maintain provisions in plans to control the storage, use, transport or disposal of hazardous substances. This is contrary to current Ministry for the Environment guidance which advises that the inclusion of hazardous substance controls in plans should be the exception rather than the rule and included only when a rigorous analysis shows that these controls are justified.

C. **Relief sought** *(Additions are underlined with deletions in strikethrough)*

46. **Expand on the roles and responsibilities of regional and district authorities, particularly relating to hazardous substances and contaminated land, to clearly distinguish the roles of each and to avoid conflict and/or duplication with other legislation and in particular have regard to the Guidance from MfE on hazardou substances . For example, in relation to the function of city and district councils, this could be achieved with wording along the following lines:**

City and district councils will:
Specify objectives, policies and methods for the control of the use of land for:

a) *The management of natural hazards outside of the beds of rivers, lakes and wetlands or the coastal marine area;*
b) *The prevention or mitigation of the adverse effects of the storage, use, transport or disposal of hazardous substances on the environment outside of the beds of rivers, lakes and wetlands or the coastal marine area, noting that that the inclusion of hazardous substance controls in plans should be the exception rather than the rule and included only when a rigorous s32 analysis shows that these controls are justified;*
c) *The maintenance of indigenous biological diversity on all land outside of the coastal marine area and the beds of rivers and lakes.*

47. **Adopt any other such relief, including additions, deletions or consequential amendments necessary to give effect to these submissions as a result of the matters raised.**

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Submission on the Proposed Otago Regional Policy Statement

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

Submitter: **Soho Basin Skifield Limited**

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

Hearings & Meetings: Soho Basin Skifield Limited is willing to participate in pre-hearing meetings (if held) and present expert planning evidence at relevant hearings.

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Date: **24 July 2015**

Appendix 1 – Reasons for amendments to the PRPS

The submitter requests numerous amendments to the PRPS, as listed in Appendix 2. The following provides a summary of the reasons for these requested amendments:

General

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

Schedule 3 – Significance of Effects Criteria

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

Cross boundary issues

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

Significant Infrastructure

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

Significant Economic Industry Activities

7. Significant Industry Activities in Otago (tourism and primary production) should be defined, recognised and provided for. The rural provisions in the PRPS are too focused on recognising and

providing for the primary production sector, with not enough recognition of and provision for the tourism sector and education sector.

8. Issue 4.3 (and related objectives policies) should be rephrased to avoid implying that existing activities should always be prioritised. For example, when an area is rezoned, it is appropriate to find that existing uses are no longer optimal for a site.

Urban Growth

9. The section 32 analysis supporting the case for urban growth boundaries is weak and fails to appropriately evaluate whether the objectives are appropriate to give effect to the purpose of the Act, particularly in the context of the shortage of land supply addressed below, and the implications of this for enabling people and communities to provide for the well-being, health and safety. The section 32 analysis also fails to comprehensively assess the benefits and costs of the policies, nor properly identify reasonably practicable alternatives.

10. Otago lacks complex cross boundary issues between territorial authorities with respect to urban areas justifying growth boundaries in the RPS. It is therefore questioned whether urban growth is a regional issue and therefore the extent to which the RPS should provide policy direction on this matter.

11. Currently, the PRPS does not adequately address the issue of the shortage of zoned land supply and affordable housing. We seek amendments to recognise the issue of the shortage of land supply required for urban growth and housing in some places in the region, particularly Queenstown.

12. There is no rationale for "10 years" of supply for urban growth. Planning only for 10 years of supply is inconsistent with case law. It is not clear how it should be measured or whether 10 years' of capacity would be sufficient. Sufficient land to cater for growth is extremely important to the economic and social wellbeing of communities. It would be more useful to compel territorial authorities in high growth areas to undertake studies of demand for land across various sectors and of the amount of zoning necessary to service that demand in a manner which prevents significant supply shortages.

13. The PRPS favours the protection of highly valued soils over urban growth and development. This is not appropriate for all rural parts of the region.

14. "Avoiding" additional costs of infrastructure provision is far too high a requirement. Higher infrastructure costs may well be appropriate when there is a net benefit to the community in rezoning an area (for example where zoned land supply is increased to meet demand). Territorial authorities, who are well attuned to the costs of infrastructure provision, should be well placed to make such assessments without direction from an RPS. It would be useful also to clarify that relevant costs are those borne by the community.

15. "Considering the need for urban growth boundaries" (in policy 3.8.1) would be best dropped to a method, if retained at all. Territorial authorities can use a variety of methods to manage growth whether they are through setting out spatially defined growth boundaries, establishing objective and policy frameworks for assessing proposed urban extensions, providing zoning or using rates and contributions as incentives. It is not appropriate that the RPS specify a method in this manner.

16. Referencing to staging and limiting the release of land in policy 3.8.2 do not reflect the realities of urban development and does not represent an efficient use of resource, nor an effective means of controlling effects. Whether and how growth occurs cannot be entirely predicted and attempts to highly regulate the release of urban land for urban development are most likely to result in greater community costs than benefits in high growth areas. Such approaches may result in insufficient supply of land for urban growth which can result in significant adverse economic and social effects. If policy 3.8.2 is to be retained, it needs modifying. The words "as detailed in Schedule 8" should be deleted for several reasons. It is inconsistent with the glossary which states that urban growth areas are as defined in a District Plan (which is a more appropriate method). There would be significant

inefficiencies in detailing growth boundaries in an RPS, including that a private plan change cannot apply to change an RPS. It is not appropriate regional council become embroiled in growth management at a local level, and whether it could act quickly to adapt its RPS to accommodate growth which achieves the purpose of the Act.

Schedule 6

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

Natural Hazards

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

Contaminated Land

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

Offsetting effects on indigenous biodiversity

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

Outstanding Natural Landscapes and Features

21. The importance of managing development and subdivision in outstanding natural landscapes and features is not disputed. However it is submitted that the balance of these values with other important values as set out in the RMA could be disrupted if amendments to proposed RPS provisions, including policies 2.2.3 and 2.2.4 are not made. For example, it has been accepted for good reason that ski fields are appropriate to locate in alpine environments that may otherwise be considered outstanding natural landscapes. Ensuring that such businesses can continue to operate and provide an important recreational and economic resource to Otago's communities should be borne in mind in formulating RPS policy. Amendments are requested in Appendix 2.

22. With respect to Policy 2.2.3 and Schedule 4, these matters are now well set out by case law and District Plans. Introducing Schedule 4 risks inefficiencies and inaccuracies, particularly if any part is inconsistent with how such assessments are normally carried out. If they are consistent, the RPS would seem to be adding little in this respect. Schedule 4 is best deleted.

Special amenity landscapes

23. The PRPS affords special amenity landscapes a level of status and protection that is not consistent with sustainable management. Sustainable management will not be achieved by seeking to protect these areas from development or avoiding adverse effects from development in these areas. Doing so will frustrate efficient use and development of resources and worst case could prevent it. Rather, sustainable management will be achieved by ensuring these regionally significant, but not outstanding, landscape values are identified and managed to maintain and enhance amenity values and the quality of the local environment.

24. We are concerned about the introduction of the term Special Amenity Landscapes. While it is acknowledged that it is desirable to align District Plan policy frameworks where landscapes traverse territorial authority boundaries, there is a considerable risk of different criteria being applied to those contained within settled or proposed District Plans. This risks giving rise to significant inefficiencies including slowing the consideration of forthcoming District Plan reviews until the RPS has been settled and complexities in resource consent assessments. This concern also applies to Schedule 4, which proposes criteria which would apply to all landscape assessments.

25. Wording is recommended in Appendix 2 for how these landscape policies could be reworded. This includes a policy on the need to consider cross boundary issues for landscape matters. It is submitted that this can be an equally effective and significantly more efficient way in which to manage the occasional proposals that give rise to such matters.

26. The implications of policies such as Policy 2.2.4 need to be carefully considered. It is important to recognise that, arguably, most of those parts of the Queenstown Lakes District that are not Outstanding Natural Landscapes could fall within this category. Amendments are requested in Appendix 2 to make it clear that such environments are living environments where day to day activities need to be carried out. By way of example, it is noted that the current Queenstown Lakes District Plan which has a strong landscape management focus allows for appropriately managed and located urban growth and resort style developments in those areas classified as "visual amenity landscapes". The economic and social wellbeing of communities could be adversely affected by the RPS indicating that such activities may no longer be appropriate.

Glossary

27. To reduce ambiguity and enable more efficient implementation of the PRPS, we have requested the inclusion of the following new definitions: Define Significant infrastructure; Significant Community Facility; Urban; Regionally Significant Soil Resources; Regionally Significant Industry Activity; Hard mitigation measures. We have also sought clarification about the difference between "kai tahu" and "Ngai Tahu".

28. A single Glossary containing both English and Te Reo terms is requested, not two separated sections which is unnecessary.

Appendix 2 – Table of relief sought

No	Requested amendments are underlined and ~~struck out~~	
	Whole Document	
1	-	Retention of all provisions in the PRPS, as notified, except as requested in this table to be deleted or amended.
2	-	Any consequential or other amendment required to give effect, or like effect, to any matter raised in this submission.
3	-	Deletion of or amendments to any text in the PRPS that: • Is duplicated within document; • Is vague or ambiguous; • Duplicates the RMA or other statutory documents, including any provision stated in the RMA (provisions should be referenced but not quoted), and any definition already defined in the RMA or other legislation; and • Is not required by section 62 of the RMA or is not an active directive (for example the "need" statements provided in each chapter overview, Method 7, any text that begins with "Including", and all "may methods").
4	**Objective 1.1: The principles of Te Tiriti o Waitangi are identified and taken into account in resource management decisions**	
5	*Issue*	The principles of Te Tiriti o Waitangi are not formally codified and in many cases refer to broad concepts that need further exploration when applied to specific circumstances. This can make it challenging to effectively incorporate the principles of the Treaty into planning documents, as these principles are not formally codified in any way
6	~~*Need*~~	~~Te Tiriti o Waitangi creates a special relationship between takata whenua and the Crown. The RMA requires local authorities to take the principles of Te Tiriti o Waitangi into account, and have particular regard to kaitiakitaka. Local authorities need to find a way to give effect to these principles that ensures they are properly applied, and that accounts for the effects of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans~~
7	Policy 1.1.1	Promoting awareness of treaty obligations Promote awareness and understanding of local authorities' obligations regarding the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori
8	Policy 1.1.2	Identifying and t~~T~~aking the principles of Te Tiriti o Waitangi into account Ensure that local authorities ~~exercise their functions and powers, to~~ take into account the principles of Te Tiriti o Waitangi identified in Appendix 1A by: a) Providing ~~Accord~~ Kāi Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and, b) Involvinge Kāi Tahu in resource management decision-making processes and implementation; and c) Taking e into account Kāi Tahu views in resource management decision-making processes and implementation, particularly regarding the relationship of their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka; and d) Ensuring e Kāi Tahu have the prerogative to: i. Identifying their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka; and ii. Determininge how best to express that relationship; and e) Ensuringe Kāi Tahu are able to exercise kaitiakitaka; and f) Ensuringe that district and regional plans: i. Givinge effect to the Ngāi Tahu Claims Settlement Act 1998; and ii. Recognisinge and providinge for statutory acknowledgement areas, as detailed in Schedule 2; and iii. Providinge for other areas in Otago that are recognised as significant to Kāi Tahu in a manner similar to that prescribed for statutory acknowledgement areas.
9	**Objective 1.2: Kāi Tahu values, rights and customary resources are identified and sustained**	
10	*Issue*	Historically, decision makers have had difficulty understanding the takata whenua point of view. Some places, sites and values of cultural, spiritual or historic

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

		d) Protect migratory patterns of freshwater species from inappropriate subdivision, use and development, unless detrimental to indigenous biodiversity; and e) Avoid aquifer compaction, and seawater intrusion in aquifers; and f) Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded; and g) Maintain or enhance coastal values supported by freshwater values; and h) Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and i) Retain the quality and reliability of existing drinking water supplies; and j) Protect Kāi Tahu values from inappropriate subdivision, use and development; and k) Provide for other cultural values, as identified in Schedule 1A; and l) Protect important recreation values from inappropriate subdivision, use and development; and m) Maintain the aesthetic and landscape values of rivers, lakes, and wetlands; and n) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and o) Mitigate the adverse effects of natural hazards, including flooding and erosion; and p) Maintain the ability of existing infrastructure to operate within their design parameters.
21	Policy 2.1.2	Managing for the values of beds of rivers and lakes, wetlands, and their margins Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to: a) Protect or restore their natural functioning; and b) Protect outstanding water bodies and wetlands from inappropriate subdivision, use and development; and c) Maintain good water quality, or enhance it where it has been degraded; and d) Maintain ecosystem health and indigenous biodiversity; and e) Retain the range and extent of habitats supported; and f) Maintain or enhance natural character; and g) Protect Kāi Tahu values from inappropriate subdivision, use and development; and h) Provide for other cultural values, as identified in Schedule 1A; and i) Maintain their aesthetic and amenity values; and j) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and k) Mitigate the adverse effects of natural hazards, including flooding and erosion; and l) Maintain bank stability.
22	Policy 2.1.3	Managing for coastal water values Recognise coastal water values, and manage coastal water, to: a) Support healthy coastal ecosystems; and b) Retain the range of habitats provided by the coastal marine area; and c) Protect migratory patterns of coastal water species from inappropriate subdivision, use and development, unless detrimental to indigenous biodiversity; and d) Maintain coastal water quality, or enhance it where it has been degraded; and e) Maintain or enhance coastal values; and f) Protect Kāi Tahu values; and g) Provide for other cultural values, as identified in Schedule 1A; and h) Protect important recreation values from inappropriate subdivision, use and development; and i) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.
23	Policy 2.1.4	Managing for air quality values Recognise air quality values, and manage air quality, to: a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded; and

		b) Protect Kāi Tahu values from inappropriate subdivision, use and development; and c) Maintain other cultural, aesthetic and amenity values.
24	Policy 2.1.5	Managing for soil values Recognise soil values that are of a regional significance, and manage those soils, to: a) Maintain their life supporting capacity; and b) Maintain soil biodiversity; and c) Maintain biological activity in soils; and d) Maintain soil's function in the storage and cycling of water, nutrients, and other elements through the biosphere; and e) Maintain soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and f) ~~Retain~~ Ensure the primary use of regionally significant soil resources is for primary production purposes; and g) Protect Kāi Tahu values from inappropriate subdivision, use and development; and h) Provide for other cultural values, as identified in Schedule 1A; and i) Maintain the soil mantle where it acts as a repository of heritage objects; and j) Maintain highly valued soil resources; and k) Avoid contamination of soil from inappropriate subdivision, use and development; and l) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.
25	Policy 2.1.6	Managing for ecosystem and indigenous biodiversity values Recognise the values of ecosystems and indigenous biodiversity, and manage ecosystems and indigenous biodiversity, to: a) Maintain or enhance ecosystem health and indigenous biodiversity; and b) Maintain or enhance areas of predominantly indigenous vegetation; and c) Buffer or link existing ecosystems; and d) Protect important hydrological services, including the services provided by tussock grassland; and e) Protect natural resources and processes that support indigenous biodiversity from inappropriate subdivision, use and development; and f) Maintain habitats of indigenous species that are important for recreational, commercial, cultural or customary purposes; and g) Protect biodiversity significant to Kāi Tahu from inappropriate subdivision, use and development; and h) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread.
26	Policy 2.1.7	Recognising the values of natural features, landscapes, and seascapes Recognise the values of natural features, landscapes, seascapes and the coastal environment are derived from the following attributes, as detailed in Schedule 4: a) Biophysical attributes, including: i. Natural science factors; ii. The presence of water; iii. Vegetation (indigenous and introduced); iv. The natural darkness of the night sky; b) Sensory attributes, including: i. Legibility or expressiveness; ii. Aesthetic values; iii. Transient values, including nature's sounds; iv. Wild or scenic values; c) Associative attributes, including: i. Whether the values are shared and recognised; ii. Cultural and spiritual values for Kāi Tahu; iii. Historical ~~and heritage~~ associations.
27	Policy 2.1.8	Recognising the values of natural character in the coastal environment Recognise the values of natural character in the coastal environment are derived from the following attributes:

		a) Natural elements, processes and patterns; b) Biophysical, ecological, geological and geomorphological aspects; c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks; d) The natural movement of water and sediment; e) The natural darkness of the night sky; f) Places or areas that are wild or scenic; g) A range of natural character from pristine to modified; h) Experiential attributes, including the sounds and smell of the sea; and their context or setting.
28	**Objective 2.2 Otago's significant and highly valued natural resources are identified, and protected or enhanced to maintain their distinctiveness**	
29	*Issue*	Otago has a distinct range of outstanding natural features, landscapes, seascapes, indigenous biodiversity, water bodies and soil which have intrinsic value and help to create the region's identity and support the region's wellbeing. These highly valued resources risk becoming degraded if they are not adequately protected from inappropriate subdivision, use and development. In turn, resource degradation reduces the attractions Otago can offer to tourists, residents and businesses, and could lead to wider adverse economic impacts
30	~~*Need*~~	~~It is a matter of national importance to recognise and provide for natural resources systems and processes. We need to recognise the importance of these matters in sustaining Otago's economic advantage and quality of life.~~
31	Policy 2.2.1	Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna, using the attributes detailed in Schedule 5.
32	Policy 2.2.2	Managing significant indigenous vegetation and significant habitats of indigenous fauna ~~Protect and enhance~~ Manage subdivision, use and development that affects the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by: a) Avoiding adverse effects ~~on those values which contribute to~~ which will result in the area or habitat losing its ~~being~~ significant status; and b) Avoiding significant adverse effects from in appropriate subdivision, use and development on other values of the area or habitat; and ~~c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and~~ d) Remediating, when adverse effects cannot be avoided; and e) Mitigating where adverse effects cannot be avoided or remediated; and f) Encouraging enhancement of those areas and values.
33	Policy 2.2.3	Identifying outstanding natural features, landscapes and seascapes Identify areas and values of outstanding natural features, landscapes and seascapes~~, using the attributes as detailed in Schedule 4~~.
34	Policy 2.2.4	Managing outstanding natural features, landscapes, and seascapes ~~Protect, enhance and restore~~ Manage subdivision, use and development that affects the values of outstanding natural features, landscapes and seascapes, by: a) Avoiding adverse effects ~~on those values which contribute to~~ which will result in the loss of the significance of the natural feature, landscape or seascape; and b) Avoiding, remedying or mitigating other adverse effects on other values; and ~~c) Assessing the significance of adverse effects from inappropriate use and development on values, as detailed in Schedule 3; and~~ d) Recognising and providing for positive contributions of existing introduced species to those values; and e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those areas and values. g) Recognising that appropriately designed and managed recreational activities in such locations can be appropriate, and can entail community benefits such as the enjoyment of landscape values

		h) Recognising that when activities have a functional need to locate within such places and emphasis on mitigating or remedying adverse effects rather than avoiding them may be appropriate.
35	Policy 2.2.5	Identifying special amenity landscapes and highly valued natural features Identify areas and values of special amenity landscape or natural features which are highly valued for their contribution to the amenity or quality of the environment, but which are not outstanding~~, using the attributes detailed in Schedule 4~~.
xx	*New policy*	Managing cross boundary landscape effects Promote alignment of District Plans and integrated assessments of environmental effects when assessing landscape values and effects in landscapes which traverse territorial authority boundaries.
36	Policy 2.2.6	Managing special amenity landscapes and highly valued natural features ~~Protect or enhance the values of~~ Manage special amenity landscapes and highly valued natural features, by: a) Avoiding, remedying or mitigating ~~significant~~ adverse effects on those values which contribute to the special amenity of the landscape or high value of the natural feature; and ~~b) Avoiding, remedying or mitigating other adverse effects on other values; and~~ ~~c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and~~ d) Recognising and providing for positive contributions of existing introduced species to those values; and e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and f) Encouraging enhancement of those values. g) Recognising and providing for the use of such resources including as places where productive activities, tourism, recreation, infrastructure, education facilities, homes and work places are located. h) allowing values to adapt over time as communities and economies change
37	Policy 2.2.7	Identifying the landward extent of the coastal environment Identify the landward extent of the coastal environment, using the following criteria: a) Area or landform dominated by coastal vegetation or habitat of indigenous coastal species; and b) Landforms and the margins of landforms where active coastal processes, influences or qualities are significant; and c) Any landscapes or features, including coastal escarpments, which contribute to the natural character, visual quality or amenity values of the coast; and d) Any physical resource or built form, including infrastructure, that has modified the coastal environment and retains a connection to or derives character from connection to the coast; and e) The relationship of takata whenua with the coastal environment.
38	Policy 2.2.8	Identifying areas of high and outstanding natural character in the coastal environment Identify areas and values of high and outstanding natural character in the coastal environment, using the attributes detailed in Policy 2.1.8.
39	Policy 2.2.9	Managing the natural character of the coastal environment Preserve or enhance the natural character values of the coastal environment, by: a) Avoiding adverse effects of activities on natural character in areas of the coastal environment with ~~on those values which contribute to the~~ outstanding natural character ~~of an area~~; and b) Avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects of activities on natural character in all other areas of the coastal environment~~on those values which contribute to the high natural character values of an area; and~~ ~~c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and~~ ~~d) Avoiding, remedying or mitigating other adverse effects on other values~~; and

		e) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment; and f) Encouraging enhancement of those values; and g) Controlling the adverse effects of pest species, prevent their introduction and reduce their spread.
40	Policy 2.2.10	Identifying surf breaks of national importance Recognise the surf breaks of national importance at: a) Karitane; b) Papatowai; c) The Spit; d) Whareakeake.
41	Policy 2.2.11	Managing surf breaks of national importance Protect surf breaks of national importance, by: a) Avoiding adverse effects on the natural and physical processes contributing to their existence; and b) Avoiding adverse effects of other activities on access to, and use and enjoyment of, those surf breaks.
42	Policy 2.2.12	Identifying outstanding water bodies and wetlands Identify outstanding water bodies and wetlands and their values, using the following criteria: a) A high degree of naturalness; b) Outstanding aesthetic or landscape values; c) Significant takata whenua cultural values; d) Significant recreational values; e) Significant ecological values; f) Significant hydrological values.
43	Policy 2.2.13	Managing outstanding water bodies and wetlands ~~Protect~~ Manage subdivision, use and development that affects the values of outstanding water bodies and wetlands by: a) Avoiding significant adverse effects from inappropriate subdivision, use and development, including cumulative effects, on those values which contribute to the water body or wetland being outstanding; and b) Avoiding, remedying or mitigating other adverse effects on the water body or wetland's values; and ~~c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and~~ d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread; and e) Encouraging enhancement of outstanding water bodies and wetlands.
44	Policy 2.2.14	Identifying ~~highly~~ regionally significant~~valued~~ soil resources Identify areas and values of ~~highly valued~~regionally significant soil resources, using the following criteria: a) Degree of versatility for primary production; b) Significance for providing pollutant buffering or filtering services; c) Significance for providing water storage or flow retention services; d) Degree of rarity.
45	Policy 2.2.15	Managing ~~highly valued~~regionally significant soil resources Protect the values of ~~areas of highly valued~~regionally significant soil resources, by: a) Avoiding significant adverse effects from inappropriate subdivision, use and development on those values which contribute to the soil being ~~highly valued~~regionally significant; and b) Avoiding, remedying or mitigating other adverse effects on values of those soils; and ~~c) Assessing the significance of adverse effects on values, as detailed in Schedule 3; and~~ d) Recognising that loss of regionally significant soils to urban ~~expansion~~ development may be appropriate near ~~due to location and proximity to~~ existing urban development, ~~and infrastructure~~ particularly when there is a lack of supply of land available for urban development.
46	**Objective 2.3: ~~Natural s~~Systems and interdependencies are recognised and sustained**	

47	*Issue*	~~Natural~~ Environmental systems and resources are interconnected, complex and difficult to manage in a consistent and effective way. Sometimes, the use of one resource adversely affects the environmental value of another. Sometimes, other relevant legislation results in conflicting management directives. Sometimes, activities affecting a resource are managed by different authorities
48	~~*Need*~~	~~The RMA requires that resources are managed in an integrated way. Integration among interdependent resources, within resources that span management and administrative unit boundaries, and among different decision-makers will reduce the risk of adverse and unintended consequences arising from a proposal.~~
49	Policy 2.3.1	Applying an integrated management approach ~~among resources~~ Apply an integrated approach to the management of Otago's natural and physical resources, to achieve sustainable management, by: a) Taking into account the impacts of management of one resource on the environmental 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. c) Ensuring that resource objectives are complementary across administrative boundaries; and d) Ensuring that environmental effects of activities on the whole of a resource are considered when that resource is managed by sub-units.
50	~~Policy 2.3.2~~	~~Applying an integrated management approach within a resource~~ ~~Apply an integrated management approach within a natural and physical resource, to achieve sustainable management, by:~~ ~~a) Ensuring that resource objectives are complementary across administrative boundaries; and~~ ~~b) Ensuring that effects of activities on the whole of a resource are considered when that resource is managed by sub-units.~~
51	Policy 2.3.3	Applying an integrated management approach for freshwater catchments Apply an integrated management approach to activities in freshwater catchments, by: a) Using consistent freshwater objectives for interconnected water bodies; and b) Recognising the importance of river morphology, catchment hydrology, natural processes and land cover in supporting catchment values; and c) Coordinating the management of land use and freshwater, to: i. Maintain or enhance freshwater values; and ii. Maintain or enhance the wetland values; and iii. Maintain or enhance the values of beds of rivers and lakes, wetlands, and their margins; and iv. Reduce the potential for health and nuisance effects.
52	Policy 2.3.4	Applying an integrated management approach for the coastal environment Apply an integrated management approach to activities in the coastal environment, by: a) Recognising the importance of coastal morphology, coastal processes and land cover in supporting coastal environment values; and b) Coordinating the management of land use, freshwater, and coastal water, to: i. Maintain or enhance coastal values; and ii. Reduce the potential for health and nuisance effects.
53	Policy 2.3.5	Applying an integrated management approach for airsheds Apply an integrated management approach to activities that affect air quality, by: a) Setting emission standards for airsheds that take into account foreseeable demographic changes, and their effects on cumulative emissions; and b) Co-ordinating the management of land use and air quality, to: i. Maintain or enhance air quality values; and ii. Reduce the potential for adverse health and nuisance effects.
54	New Policy	Applying an integrated management approach for significant infrastructure and activities that affect significant infrastructure Apply an integrated management approach to the management of significant infrastructure and activities that affect significant infrastructure, by: a) Promoting consistent corridor management methods throughout the region.
55	**Objective 3.1 Protection,** subdivision, **use and development of** ~~**natural and physical**~~ **resources**	

	recognises environmental constraints	
56	*Issue*	Activities that utilise resources ~~are undertaken~~ without regard to ~~their local~~ environmental values ~~are at greater~~ risk inappropriately compromising ~~of overreaching~~ the ~~at~~ environment's ability to sustain the activity.
57	~~*Need*~~	~~We need to manage our activities with regard to constraints to improve our resilience.~~
58	Policy 3.1.1	Recognising ~~natural and physical~~ environmental constraints Recognise the ~~natural and physical~~ environmental constraints of ~~a~~ resources~~n area~~, the environmental effects of those constraints on activities utilising those resources, and the environmental effects of those activities on those constraints, ~~including~~ with particular recognition of: a) The availability of natural resources necessary to sustain the activity; and b) The ecosystem services the activity is dependent on; and c) The sensitivity of ~~the natural and physical~~ resources to adverse effects from the proposed activity/land use; and d) Exposure of the activity to natural and technological hazard risks; and e) The functional necessity for the activity to be located where there are significant constraints.
59	**Objective 3.2 Inappropriate r~~R~~isk that natural hazards pose to Otago's communities are minimised**	
60	*Issue*	Natural hazard events, such as flooding and earthquakes, have the potential to injure people and damage property. Sometimes, it is difficult and costly for a community to recover from a hazard event.
61	~~*Need*~~	~~While many of these events are beyond our control, we need to reduce their potential impacts on people's safety, health and wellbeing.~~
62	Policy 3.2.1	Identifying natural hazards Identify natural hazards that may adversely affect Otago's communities~~, including hazards of low likelihood and high consequence~~.
63	Policy 3.2.2	Assessing natural hazard likelihood Assess the likelihood of natural hazard events occurring, having regard to a timeframe of no less than 100 years, including by considering: a) Hazard type and characteristics; b) Multiple and cascading hazards; c) Cumulative effects, including from multiple hazards with different risks; d) Effects of climate change; e) Using the best available information for calculating likelihood; f) Exacerbating factors.
64	Policy 3.2.3	Assessing natural hazard consequence Assess the consequences of natural hazard events, including by considering: a) The nature of activities in the area; b) Individual and community vulnerability; c) Impact on individual and community health and safety; d) Impact on social, cultural and economic wellbeing; e) Impact on infrastructure and property, including access and services; f) Risk reduction and hazard mitigation measures; g) Lifeline utilities, essential and emergency services, and their co-dependence; h) Implications for civil defence agencies and emergency services; i) Cumulative effects; j) Factors that may exacerbate a hazard event.
65	Policy 3.2.4	Managing natural hazard risk Manage natural hazard risk, ~~including~~ with particular regard to: a) The risk ~~they~~ posed, considering the likelihood and consequences of natural hazard events; and b) The implications of residual risk, including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures; and c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event; and d) The changing nature of tolerability and risk; and e) Sensitivity of activities to risk.

66	Policy 3.2.5	Assessing activities for natural hazard risk Assess activities in areas known to be subject to an identified ~~for~~ natural hazard risk, by considering: a) The natural hazard risk identified, including residual risk; and b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods; and c) The long term viability and affordability of those measures; and d) Flow-on effects of the risk to other activities, individuals and communities; and e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.
67	Policy 3.2.6	Avoiding increased natural hazard risk from inappropriate subdivision, use and development Avoid, remedy ~~or~~ mitigate ~~increasing~~ increased natural hazard risk from inappropriate subdivision, use and development, including by: a) Avoiding activities that significantly increase risk, including displacement of risk off-site; and b) Encouraging design that facilitates: i. Recovery from natural hazard events; or ii. Relocation to areas of lower risk.
68	Policy 3.2.7	Reducing existing natural hazard risk Reduce existing natural hazard risk, ~~including~~ particularly by: a) Encouraging activities that: i. Reduce risk; or ii. Reduce community vulnerability; and b) Discouraging activities that: i. Increase risk; or ii. Increase community vulnerability; and c) Considering the use of exit strategies for areas of significant risk; and d) Encouraging design that facilitates: i. Recovery from natural hazard events or ii. Relocation to areas of lower risk; and e) Relocating lifeline utilities, and facilities for essential and emergency service, to areas of reduced risk, where appropriate and practicable; and f) Enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services; and g) Re-assessing natural hazard risk, and community tolerance of that risk, following significant natural hazard events.
69	Policy 3.2.8	Applying a precautionary approach Where natural hazard ~~risk~~ probability is uncertain or unknown, but consequence is likely ~~potentially~~ significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk.
70	Policy 3.2.9	Protecting features and systems that provide hazard mitigation Protect, restore, enhance and promote the use of natural or modified features and systems, which contribute to mitigating the effects of both natural hazards and climate change.
71	Policy 3.2.10	Mitigating natural hazards Give preference to risk management approaches that reduce the need for hard mitigation measures or similar engineering interventions, and provide for hard mitigation measures only when: a) *Those measures are essential to reduce risk to a level the community is able to* tolerate; and b) There are no reasonable alternatives; and c) It would not result in an increase in risk, including displacement of risk off-site; and d) The adverse effects can be adequately managed; and e) The mitigation is viable in the reasonably foreseeable long term.
72	Policy 3.2.11	Locating hard mitigation measures Enable the location of hard mitigation measures or similar engineering interventions on public land only when: a) There is significant ~~public or environmental~~ benefit in doing so; or

		b) The work relates to the functioning ability of significant infrastructure ~~a lifeline utility~~, ~~or~~ a facility used for essential or emergency services, or a significant community facility.
73	**Objective 3.3: Otago's communities are prepared for and able to adapt to the effects of climate change**	
74	*Issue*	Climate change is expected to bring higher sea levels and an increased frequency of climate-related natural hazard events, which will increase the risk that Otago's communities face.
75	~~*Need*~~	~~We need to have consistent guidance on sea level rise, and managing for adverse effects that will occur beyond the life of this RPS.~~
76	Policy 3.3.1	Adapting to, or mitigating the effects of, sea level rise Ensure Otago's people and communities are able to adapt to, or mitigate the effects of sea level rise, over no less than 100 years, by using: a) A sea level rise of at least 1 metre by 2115, relative to 1990 mean sea level (Otago Metric Datum); and b) Adding an additional 10mm per year beyond 2115.
77	Policy 3.3.2	Adapting to, or mitigating the effects of, climate change Ensure Otago's people and communities are able to adapt to, or mitigate the effects of climate change, over no less than 100 years, by: a) Taking into account the effects of climate change, including by using the best relevant climate change data; and b) Applying a precautionary approach to assessing the effects of climate change, where there is scientific uncertainty and potentially significant or irreversible effects; and c) Encouraging activities that assist to reduce or mitigate the effects of climate change.
78	**Objective 3.4 Good quality infrastructure and services meet community needs**	
79	*Issue*	Aging and sub-standard infrastructure risks creating safety, health and access problems, and as a consequence, threatens community resilience
80	~~*Need*~~	~~Infrastructure needs to meet community, business, and environmental needs. We need lifeline utilities and essential and emergency services that are able to operate through disruptive events.~~
81	Policy 3.4.1	Integrating infrastructure with land use Achieve the strategic integration of infrastructure with land use, by: a) Recognising functional needs of infrastructure of regional or national importance; and b) Designing infrastructure to take into account: 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 r~~Resource constraints; 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 in a coordinated manner to ensure~~:~~ ~~i. Within areas that have~~ sufficient infrastructure services ~~capacity~~ are provided ~~;~~ ~~or~~ ~~ii. Where infrastructure services can be upgraded or extended~~ 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.~~
82	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~~ Avoid, remedy or mitigate adverse effects of those activities, including cumulative adverse effects on ~~natural and physical~~ resources; and

		c) Support economic, social and community needs~~activities~~; and d) Improve efficiency of use of ~~natural~~ resources; and e) Protect infrastructure corridors ~~for infrastructure needs~~from inappropriate subdivision, use and development~~, 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 significant infrastructure ~~lifeline utilities~~ and essential or emergency services.
83	Policy 3.4.3	Designing ~~lifeline utilities~~significant infrastructure and facilities for essential or emergency services Design ~~lifeline utilities~~significant infrastructure, and facilities for essential or emergency services, to: a) Maintain their ability to function to the fullest extent possible, during and after natural hazard events; and b) Take into account their operational co-dependence with other lifeline utilities and essential services to ensure their effective operation.
84	Policy 3.4.4	Managing hazard mitigation measures, ~~lifeline utilities~~significant infrastructure, and essential and emergency services Protect the functioning of hazard mitigation measures, lifeline utilities, and essential or emergency services, including by: a) Restricting the establishment of those activities that may result in reverse sensitivity effects; and b) Avoiding significant adverse effects on those measures, utilities or services; and c) Avoiding, remedying or mitigating other adverse effects on those measures, utilities or services; and ~~d) Assessing the significance of adverse effects on those measures, utilities or services, as detailed in Schedule 3; and~~ e) Maintaining access to those measures, utilities or services for maintenance and operational purposes; and f) Managing other activities in a way that does not foreclose the ability of those mitigation measures, utilities or services to continue functioning.
85	**Objective 3.5: Significant Infrastructure ~~of regional and national significance~~ is recognised and provided for ~~managed in a sustainable way~~**	
86	*Issue*	It is important to recognise and provide for Significant Infrastructure, ~~of regional and national significance~~ even though it may result in ~~local~~ adverse environmental effects~~impacts, or adversely affect other nationally important values~~. Some infrastructure can only be located in particular areas, and it may not always be possible to avoid significant adverse effects.
87	~~*Need*~~	~~We need infrastructure of regional and national significance that operates efficiently and effectively, and recognises other values, including local impacts.~~
88	Policy 3.5.1	Recognising ~~national and regional~~and providing for significance of infrastructure Recognise and provide for 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 and tourism activities.
89	Policy 3.5.2	Managing adverse effects of significant infrastructure ~~that has national or regional significance~~ ~~Minimise~~ Avoid, remedy or mitigate adverse effects from significant infrastructure ~~that has national or regional significance,~~ by: a) ~~Giving~~ Requiring comprehensive alternative site assessments to be provided if a new development is proposed that will result in significant adverse effect on~~preference to avoiding their location in~~: i. Areas of significant indigenous vegetation and significant habitats of indigenous

		fauna; and ii. Outstanding natural features, landscapes and seascapes; and iii. Areas of outstanding natural character; and iv. Outstanding water bodies or wetlands; and b) Where it is not possible to avoid locating in the areas listed in a) above, ~~avoiding~~ minimising significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; and c) Avoiding, remedying or mitigating other adverse effects on values; and ~~d) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and~~ e) ~~Considering~~ Enabling infrastructure providers to employ the use of offsetting~~,~~ or other compensatory measures to address ~~, for~~ residual adverse effects on the environment~~indigenous biodiversity~~.
90	Policy 3.5.3	Protecting significant 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.
91	**Objective 3.6: Energy supplies to Otago's communities are secure and sustainable**	
92	*Issue*	Although Otago is rich in renewable energy sources, it is also an importer of fossil fuels. Any constraints on energy and fuel supply could affect the way we live and are able to respond to disruptive events.
93	~~*Need*~~	~~We need to reduce our dependency on fossil fuels and improve our energy resilience.~~
94	Policy 3.6.1	Using existing renewable electricity generation structures and facilities Give preference to the use of existing structures or facilities to increase the region's renewable electricity generation capacity over developing new structures in new locations.
95	Policy 3.6.2	Promoting small and community-scale renewable electricity generation Promote small and community-scale renewable electricity generation activities, ~~that:~~ ~~a) Increase the local community's resilience and security of energy supply; and~~ ~~b) Avoid, remedy or mitigate adverse effects from that activity~~.
96	Policy 3.6.3	Protecting the generation capacity of renewable electricity generation activities Protect the generation capacity of ~~nationally or regionally significant~~ renewable electricity generation activities, by: a) Recognising the functional needs of renewable electricity generation activities, including physical resource supply needs; and b) Restricting the establishment of those activities that may result in reverse sensitivity effects; and c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure; and ~~d) Assessing the significance of adverse effects on those needs, as detailed in Schedule 3~~.
97	Policy 3.6.4	Enabling more efficient transport of electricity Enable electricity transmission and distribution infrastructure activities that: a) Maintain or improve the security of supply of electricity; or b) Enhance the efficiency of transporting electricity; and c) Avoid, remedy or mitigate adverse effects from that activity.
98	Policy 3.6.5	Protecting electricity distribution infrastructure Protect electricity distribution infrastructure, by: a) Recognising the functional needs of electricity distribution activities; and b) Restricting the establishment of those activities that may result in reverse

		sensitivity effects; and c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure; and ~~d) Assessing the significance of adverse effects on these needs, as detailed in Schedule 3; and~~ e) Protecting ~~existing~~ distribution corridors for infrastructure needs, now and for the future.
99	Policy 3.6.6	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.
100	**Objective 3.7:**	**Urban areas are well designed, sustainable and reflect local character**
101	*Issue*	In the past, urban development has not always had regard to the local environment, or considered the mobility needs for different people. There are high costs to improve buildings and infrastructure to meet modern standards.
102	~~*Need*~~	~~We need communities that are designed to improve our quality of life and resilience and create more attractive opportunities for business investment. We need infrastructure that meets modern standards, is future-proofed, and is affordable.~~
103	Policy 3.7.1	Using the principles of good urban design Encourage the use of good urban design principles in subdivision and development in urban areas, ~~as detailed in Schedule 6,~~ to: a) Provide a resilient, safe and healthy community, including through use of crime prevention through environmental design principles; and b) Ensure that the built form relates well to its surrounding ~~natural~~ environment, ~~including by:~~ ~~i. Reflecting natural features such as rivers, lakes, wetlands and topography; and~~ ~~ii. Providing for ecological corridors in urban areas; and~~ ~~iii. Protecting areas of indigenous biodiversity and habitat for indigenous fauna; and~~ ~~iv. Encouraging use of low impact design techniques; and~~ ~~v. Encouraging construction of warmer buildings~~; and c) Reduce risk from natural hazards, including by avoiding areas of significant risk; and d) Ensure good access and connectivity within and between communities; and e) Create a sense of identity, including by recognising features of heritage and cultural importance; and f) Create areas where people can live, work and play, including by: i. Enabling a diverse range of housing, commercial, industrial and service activities; and ii. Enabling a diverse range of social and cultural opportunities.
104	Policy 3.7.2	Encouraging use of low impact design techniques Encourage the use of low impact design techniques in subdivision and development, to: a) Reduce potential adverse environmental effects, including on water and air quality; or b) Mitigate the effects of natural hazards and climate change; or

		c) Enhance amenity; or d) Enhance habitat for indigenous species and biodiversity values.
105	Policy 3.7.3	Designing for warmer buildings Encourage the design of subdivision and development to reduce the adverse effects of Otago's colder climate, and higher demand and costs for energy, including by: a) ~~Maximising~~ optimising passive solar gain; and b) Insulating to warmer standards than those set under building legislation.
106	Policy 3.7.4	Designing for good access in public spaces Design and maintain public spaces, including streets and open spaces, to provide for a range of uses and meeting the reasonable access and mobility needs of all sectors within the community~~, including the young and those with mobility impairments~~.
107	**Objective 3.8: Urban growth is well designed and integrates effectively with adjoining urban and rural environments**	
108	*Issue*	Unplanned urban growth risks exceeding the carrying capacity of existing infrastructure and services, adversely affecting community resilience. Sometimes, unplanned growth places pressure on adjoining productive land, and risks losing connectivity with adjoining urban areas.
109	~~*Need*~~	~~We need well-designed and integrated urban growth, to achieve effective and affordable infrastructure, and improve resilience. We need to make the best use of our natural and physical resources and reduce the effects of unplanned growth.~~
110	Policy 3.8.1	~~Managing~~ Providing for urban growth ~~Manage~~ Provide for urban growth and creation of new urban land in a strategic and co-ordinated way, by: a) Understanding demand and supply of~~Managing land use to e~~Ensuring there is ~~sufficient~~ residential, commercial and industrial zoned land ~~capacity, to~~ and catering for that demand ~~for such land, projected over at least the next 10 years~~; and b) Co-ordinating urban growth and extension of urban areas with relevant infrastructure development programmes, to: i. Provide infrastructure in an efficient and effective way; and ii. ~~Avoid~~ Discouraging additional costs on the public that arise from unplanned infrastructure expansion; and c) Identifying future growth areas that: i. Minimise significant adverse effects on ~~rural~~ the productivity of the rural and tourism sectors ~~, including loss of highly valued soils or creating competing urban demand for water and other resources~~; and ii. Can be developed without resulting in significant adverse effects on ~~Maintain or enhance~~ any matter of national importance or national significance ~~significant biodiversity, landscape or natural character values~~; and ~~iii. Maintain important cultural or heritage values; and~~ iii~~v~~. Avoids land with significant risk from natural hazards which cannot be remedied or mitigated; and d) Considering the need for urban growth boundaries to control potentially inappropriate urban expansion; and e) Ensuring efficient use of land; and f) Requiring the use of low or no-emission heating systems in buildings, ~~when~~ where ambient air quality ~~in or near the growth area~~ is: i. Below standards for human health; or ii. Vulnerable to degradation given the local climatic and geographical context; and g) Giving effect to the principles of good urban design~~, as detailed in Schedule 6~~; and h) Giving effect to the principles of crime prevention through environmental design. i) Ensure sufficient land is supplied for residential uses to assist with housing affordability.
110	~~Policy 3.8.2~~	~~Controlling urban growth where there are identified urban growth boundaries or future urban development areas~~ ~~Where urban growth boundaries, as detailed in Schedule 8, or future urban~~

		~~development areas, are needed to control urban expansion, control the release of land within these boundaries or areas, by:~~ ~~a) Staging development, using identified triggers to release new stages for development; or~~ ~~b) Releasing land in a way that ensures a logical spatial development, and efficient use of existing land and infrastructure before new land is released; and~~ ~~c) Avoiding urban development beyond the urban growth boundary or future urban development area, unless there is a shortage of land available for urban development.~~ ~~*Method 2: Regional, City and District Council Relationships*~~ ~~*Method 4: City and District Plans*~~ ~~*Method 5: Regional Policy Statement*~~ ~~*Method 7: Strategies and Plans (non-RMA)*~~
111	Policy 3.8.3	Managing fragmentation of rural land Manage subdivision, use and development of rural land, to: a) Avoid inappropriate development or fragmentation of land, particularly which undermines or forecloses the potential of rural land: i. For primary production or tourism; or ii. In areas identified for future urban uses; or *iii. In areas having the potential for future comprehensive residential development;* and b) Have particular regard to whether the proposal will result in a loss of the productive potential of regionally significant ~~highly versatile~~ soils, unless: i. The land adjoins an existing urban area and there is no other land suitable for urban expansion, or there is a shortage of land available for urban development; 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 satisfactorily avoided; and c) Avoid unplanned demand for provision of public infrastructure investment, including domestic water supply and waste disposal; and d) Avoid creating significant competing demand for water ~~or other~~ resources.
112	**Objective 3.9: Hazardous substances and waste materials do not pose a significant risk to ~~harm~~ human health or the quality of the environment ~~in Otago~~**	
113	*Issue*	Waste materials risk creating adverse effects on the environment. Hazardous substances have adverse effects on community health and safety
114	~~*Need*~~	~~We need to make the best use of our resources and minimise the materials disposed of as waste. We need to carefully manage waste materials and hazardous substances to avoid creating environmental problems or adversely affecting human health.~~
115	Policy 3.9.1	Integrating management of hazardous substances and waste Promote an integrated approach to the management of hazardous substances and waste in Otago.
116	Policy 3.9.2	Managing the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials Manage the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials, to avoid accidental spillage or release of those substances and materials, by: a) Providing secure containment of those substances in case of accidental spillage; and b) Minimising risk associated with natural hazard events; and c) Avoiding significant adverse effects of those substances and materials on the health and safety of people, and on other values; and d) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous waste and waste materials; and e) Ensuring hazardous substances are treated or disposed at authorised facilities, in accordance with the relevant disposal instructions; and

		f) Restricting the location of activities that may result in reverse sensitivity effects near: i. Authorised facilities for hazardous substance treatment or disposal; or ii. Waste transfer or disposal facilities.
117	Policy 3.9.3	Identifying contaminated land Identify sites of known or potentially contaminated land in Otago.
118	Policy 3.9.4	Managing the use of contaminated land Manage the use of contaminated land, to protect people and the environment from adverse effects, by: a) Prior to subdivision or development of potentially contaminated land, ~~requiring~~ ensure 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.
119	Policy 3.9.5	Avoiding the creation of new contaminated land Avoid the creation of new contaminated land which would give rise to risks to human health or would measurably degrade natural values.
120	Policy 3.9.6	Encouraging use of best management practices for hazardous substance use Encourage the use of best management practices to prevent or mitigate adverse effects of the use of hazardous substances on the environment, including reducing their use.
121	Policy 3.9.7	Encouraging services for hazardous substance collection, recycling and disposal Encourage the establishment of hazardous substance collection, disposal and recycling services across the region.
122	**Objective 4.1: Public access to areas of value to the community is maintained or enhanced**	
123	*Issue*	Sometimes, public access to areas of value to the community is limited or inappropriate
124	~~*Need*~~	~~Access to the natural environment and areas of cultural and historic significance is highly valued by residents and visitors. We need to use the opportunities subdivision and development create, to improve access to Otago's natural environment, or to limit access to more sensitive places.~~
125	Policy 4.1.1	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 takata whenua.
126	**Objective 4.2: Significant h~~H~~istoric heritage resources are recognised and contribute to the region's character and sense of identity**	
127	*Issue*	Sometimes, subdivision, use, and development risk damage to Otago's rich historic heritage
128	~~*Need*~~	~~Protection of historic heritage from inappropriate activities is required under the RMA as a matter of national importance.~~
129	Policy 4.2.1	Recognising heritage themes Recognise the following elements as characteristic or important to Otago's historic heritage: a) Residential and commercial buildings; b) Māori cultural and heritage values; c) 19th and early 20th century pastoral sites; d) Early surveying, communications and transport, including roads, bridges and routes; e) Early industrial heritage, including mills and brickworks; f) Gold mining systems and settlements; g) Dredge and ship wrecks;

		h) Coastal heritage, particularly takata whenua occupation sites and those associated with early European activity such as whaling; i) Memorials.
130	Policy 4.2.2	Identifying historic heritage Identify historic heritage places and areas of regional or national significance and their values, using the following attributes, detailed in Schedule 7: a) Physical values, including: i. Archaeological information; ii. Architecture; iii. Technology; iv. Scientific; v. Rarity; vi. Representativeness; vii. Integrity; viii. Vulnerability; ix. Context or group; b) Historic values, including: i. People; ii. Events; iii. Patterns; c) Cultural values, including: i. Identity; ii. Public esteem; iii. Commemorative; iv. Education; v. Takata whenua; vi. Statutory recognition.
131	Policy 4.2.3	Managing historic heritage values Manage historic heritage values to pProtect and enhance the values of places and areas of historic heritage from inappropriate development, by: 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) Avoiding, remedying or mitigating adverse effects on those values which contribute to the area or place being of regional or national significance; and d) Avoiding 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; and g) Mitigating when adverse effects on other values cannot be avoided or remediated; and h) Encouraging the integration of historic heritage values into new activities; and i) Enabling adaptive reuse or upgrade of historic heritage places and areas where heritage values can be maintained.
132	**Objective 4.3: Sufficient land is managed and protected for economic production**	
133	*Issue*	Sometimes, eExisting businesses activities are susceptible tomay be placed at reverse sensitivity effects, risk by pressure to change particularly when land use changes to activities that may compete or conflict, creating reverse sensitivities.
134	*Need*	We need some degree of spatial separation of incompatible activities and control over land use change to ensure efficient use of land and continuing economic vitality.
135	Policy 4.3.1	Managing Protectingfor rural regionally significant industry activities from inappropriate subdivision, use and development Manage activities in rural areas, to support the region's economy and communities, by: a) Enabling regionally significant industry activities, farming and other rural

		~~activities that support the rural economy~~; and b) Minimising the loss of regionally significant 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 on regionally significant industry activities; and d) ~~Minimising~~ Restricting the subdivision of productive rural land into smaller lots that may result in inappropriate 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~~.
136	Policy 4.3.2	Managing land use change in dry catchments Manage land use change in dry catchments, to avoid any significant reduction in water yield, by: a) Restricting any extension of forestry activities within those catchments that would result in a significant reduction in water yield, including cumulative reductions; and b) Minimising the conversion of tussock grasslands to species which are less able to capture and hold precipitation.
137	Policy 4.3.3	Recognising and providing for the values of Otago's central business districts Recognise and provide for the values of Otago's central business districts, including as the primary focal point for social, cultural and economic activities within a community.
138	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~~ Otago's central business districts and support local commercial needs, by: a) Enabling a wide variety of commercial, social and cultural activities in the central business districts; 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~~ a central business district, including on the efficient use of infrastructure, employment and services; and d) Enabling smaller centres to service local community needs.
139	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 landextensive activities~~; and c) Restricting the establishment of activities in industrial areas that may result in: i. Reverse sensitivity effects on industrial activities; or ii. Inefficient use of industrial land or infrastructure.
140	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 on mineral and gas exploration and extraction activities.
141	**Objective 4.4: Otago's communities can make the most of the natural and built resources available for use**	
142	*Issue*	Many ~~natural and physical~~ resources we rely on for economic activity and wellbeing are finite and under pressure from different uses and users.

143	~~*Need*~~	~~We need efficient allocation and use of these resources to maximise socio-economic and cultural benefits, as well as sustain environmental wellbeing.~~
144	Policy 4.4.1	Ensuring efficient water allocation and use Ensure an efficient allocation and use of water by: a) Requiring that the volume of water allocated does not exceed what is necessary for the purpose of use; and b) Requiring the development or upgrade of infrastructure that increases use efficiency; and c) Encouraging collective coordination and rationing of take and use of water when river flows or aquifer levels are lowering, to avoid breaching any minimum flow or aquifer level restriction; and d) Enabling water harvesting and storage, to reduce pressure on water bodies during periods of low flows.
145	Policy 4.4.2	Encouraging waste minimisation Encourage activities to give effect to the waste minimisation hierarchy of responses, by: a) Giving preference to reducing waste generated; then b) Reusing waste; then c) Recycling waste; then d) Recovering resources from waste; then e) Disposing residual waste to authorised landfill.
146	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.
147	**Objective 4.5: Adverse effects of using and enjoying Otago's natural and built environment are minimised**	
148	*Issue*	Resource use can create adverse effects on other resources, their values and for other resource users and the wider community. Otago's significant areas of biodiversity and outstanding landscapes, for example, are under pressure from the direct effects of human activities, as well as indirect effects, including the spread of multiple pest species.
149	~~*Need*~~	~~It is important to avoid effects that, individually or cumulatively, degrade Otago's natural and built environment, where possible.~~
150	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.
151	Policy 4.5.2	Applying an adaptive management approach

		Apply an adaptive management approach, to address adverse effects that might arise and that can be remedied before they become irreversible, by: a) Setting appropriate indicators for effective monitoring of those adverse effects; and b) Setting thresholds to trigger remedial action before the effects result in irreversible damage.
152	Policy 4.5.3	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.
153	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.
154	Policy 4.5.5	Controlling the introduction and spread of pest plants and animals Control the adverse effects of pest species, prevent their introduction and reduce their spread, to safeguard: a) The viability of indigenous species and habitats for indigenous species; or b) Ecosystem services that support economic activities; or c) Water quality; or d) Soil quality; or e) Human and animal health; or f) Recreation values; or g) Takata whenua values.
155	Policy 4.5.6	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) Remedying or mitigating adverse effects on other values; and ~~e) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and,~~ f) Reducing unavoidable adverse effects by i. Staging development for longer term activities; and ii. Progressively rehabilitating the site, where possible. g) Considering the use of offsetting, or compensatory measures, to address ~~for~~ residual adverse effects on the environment; and h) Applying a precautionary approach to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects.
156	~~Policy 4.5.7~~	~~Enabling offsetting of indigenous biodiversity~~ ~~Enable offsetting of adverse effects on indigenous biodiversity values, only when:~~ ~~a) The activities causing those adverse effects have a functional necessity to locate in significant or outstanding areas; and~~ ~~b) Those adverse effects cannot be avoided, remedied or mitigated; and~~ ~~c) Those adverse effects do not result in the loss of irreplaceable or vulnerable biodiversity.~~
157	Policy 4.5.8	Providing for ~~O~~offsetting ~~for~~ from adverse effects on indigenous biodiversity

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

171	1.2.3	Identify areas or values that may contribute to the importance of outstanding; natural features and landscapes, and special amenity landscapes to Kāi Tahu;
172	1.2.4	Determine appropriate naming for places of significance in Otago.
173	1.2.5 (New method)	Facilitate efficient and effective processes for applicants to consult Kāi Tahu on resource consent applications and private plan change requests
174	1.3	1.3 Regional, city and district councils will:
175	1.3.1	Seek opportunities to assess and improve knowledge of tikaka and the principles of Te Tiriti o Waitangi among staff and stakeholders.
176	~~1.4~~	~~Regional, city and district councils may:~~
178	~~1.4.1~~	~~Delegate and transfer RMA plan administration functions to an iwi authority, where this provides an efficient and effective service.~~
179	**Method 2: Regional, City and District Council Relationships**	
180	2.1	Regional, city and district councils together will:
181	2.1.1	Share information on matters of common interest;
182	2.1.2	Work together to ensure RMA plan provisions are complementary for overlapping or abutting responsibilities.
183	~~2.2~~	~~Regional, city and district councils may:~~
184	~~2.2.1~~	~~Establish joint processes for working together on common resource management matters or cross boundary issues, such as:~~ ~~a) Joint committees;~~ ~~b) Joint working groups;~~ ~~c) Joint project management;~~ ~~d) Joint or combined hearings;~~
185	~~2.2.2~~	~~Prepare combined regional and district documents;~~
186	~~2.2.3~~	~~Delegate or transfer RMA functions, where this provides an efficient and effective service, from:~~ ~~a) One local authority to another;~~ ~~b) A local authority to an iwi authority;~~
187	~~2.2.4~~	~~Establish joint management agreements with another statutory body (such as Te Rūnanga o Ngāi Tahu or the Crown);~~
188	~~2.2.5~~	~~Establish protocols and processes for resolving cross boundary issues through the triennial agreement under the Local Government Act 2002.~~
189	~~2.3~~	~~Regional council may, at the request of city or district councils:~~
190	~~2.3.1~~	~~Make a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address specific natural hazard risk;~~
191	~~2.3.2~~	~~Delegate the administration of that regional rule to the city or district council.~~
192	**Method 3: Regional Plans**	
193	3.1	Regional Plans will set objectives, policies and methods to implement policies in the RPS as they relate to Regional Council areas of responsibility. More specific direction is provided in the following areas:
194	3.1.1	Regional Plans will set objectives, policies and methods to implement Policy 1.2.3 by providing for the management of culturally sensitive information and the protection of culturally sensitive areas through the use of silent files and heritage alert layers by local authorities;
195	3.1.2	Regional Plans will set objectives, policies and methods to implement Policy 1.2.5 by promoting or restricting access to historic heritage places or areas to ensure the values Kāi Tahu associate with these places may be upheld in accordance with tikaka Māori;
196	3.1.3	Regional Plans will set objectives, policies and methods to implement Policy 1.1.2 by having regard to the Te Rūnunga o Ngāi Tahu, Hazardous Substances and New Organisms Policy Statement, 2008 when developing objectives, policies and methods for the management of hazardous substances and new organisms;

197	3.1.4	Regional Plans will set objectives, policies and methods to implement policies 2.1.1 – 6, 2.2.4, 3.9.4, 4.2.3, and 4.5.1, by including provisions to: a) Manage land uses and vegetation removal within the beds of lakes and rivers and the coastal environment; b) Manage change in river morphology; c) Encourage restoration of water margins; d) Apply emission standards to domestic fuel burners, that support good human health while ensuring homes in Otago have adequate heating; e) Managing noise in the coastal marine area; f) Identifying, and protecting from inappropriate subdivision, use and development, historic heritage places or, areas ~~or landscapes~~ located in the beds of rivers, lakes and wetlands or the coastal marine area; g) Manage the effects of the use of contaminated land on: i) The quality of air, water or land; ii) In the coastal marine area, and the beds of rivers, lakes and other waterbodies; h) Require solid waste facilities to monitor, record and report on the type and amount of material entering the waste stream and solid waste deposited to landfill; i) Implement policy 3.2.2 and 3.2.3 by using the criteria when undertaking natural hazard assessments;
198	3.1.5	Regional Plan will set objectives, policies and methods to implement policy 2.1.2 and 2.3.3 by developing river management strategies, including recommendations on: a) The management of riparian margins along rivers and lakes; b) The management of bed alterations.
199	3.2	Implementing Regional Plans:
200	3.2.1	Regional council will implement Policies 3.2.2 and 3.2.3 when undertaking natural hazard assessments;
201	3.2.2	Regional council will implement Policy 3.9.3 by investigating land for the purpose of identifying contaminated or potentially contaminated sites.
202	3.3	Monitoring and reviewing Regional Plans:
203	3.3.1	Regional Council will monitor and review regional plans to give effect to its responsibilities under the RMA.
204	**Method 4: City and District Plans**	
205	4.1	City and district plans will set objectives, policies and methods to implement policies in the RPS as they relate to the City or District Council areas of responsibility. More specific direction is provided in the following areas:
206	4.1.1	City or district plans will implement Policies 3.2.1 to 3.2.11 by determining the appropriate level of regulatory response to natural hazard risk by: a) Identifying areas subject to natural hazards in plans and/or natural hazard registers and databases; b) Applying the plan principles to the management of recently identified natural hazards; c) Considering the use of adaptive management techniques;
207	4.1.2	City or district plans will implement Policy 3.8.1 by putting conditions on development and subdivisions consents, and in district plans, on the type of heating systems allowed, consistent with ORC's discharge rules;
208	4.1.3	City or district plans will implement Policy 4.5.1 by including provisions to manage the discharge of dust associated with earthworks and land use
209	4.1.4	City or district plans will implement Policy 4.3.2 by including provisions managing land use in dry catchments where this will impact on water yield;
210	4.1.5	Include subdivision and infrastructure design standards to recognise the access

		needs of different sections of the community, including the mobility impaired, the elderly and children;
211	4.1.6	City or district plans will implement Policy 2.2.11 by maintaining and where possible enhance access to surf breaks of national importance;
212	4.1.7	City or district plans will implement Policy 3.9.2 including by managing the actual or potential adverse effects of the use or storage of hazardous substances, including on: a) Other land use activities; b) The health and safety of the community; c) Groundwater protection, or community water supplies; d) Amenity values, and community and takata whenua resources, cultural and spiritual values; e) Other activities or environmental values as a result of location in hazard prone areas;
213	4.1.8	City or district plans will implement Policy 3.5.2 by providing for and managing the land use effects associated with the establishment of waste management activities and facilities;
214	4.1.9	City or district plans will implement Policy 4.3.2 by: a) Including accidental discovery protocols as conditions on consent for earthworks or other activities that may unearth archaeological features providing for activities which contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening; b) Providing for the recording of culturally sensitive information and the protection of culturally sensitive areas through the use of silent files, heritage alert layers or other methods satisfactory to Kāi Tahu
215	4.1.10	City or district plans will implement Policy 1.2.5 by making allowance for native reserves to be used in the manner intended by the Crown at the time of their establishment, including Papakāika and marae related activities;
216	4.1.11	City or district plans will implement Policy 1.2.3 and 1.2.4 by promoting or restricting access, as required by circumstances, to historic heritage places and areas and identified sites in accordance with tikaka Māori
217	~~4.1.12~~	~~City or district plans may implement Policy 3.8.2 by:~~ ~~a) Establishing urban growth boundaries where required to manage pressure for urban development;~~ ~~b) Ensuring urban growth boundaries contain sufficient capacity, when measured district wide, to accommodate 10 years urban growth based on demographic growth projections;~~ ~~c) Requesting the ORC to include urban growth boundaries in the RPS~~
218	4.2	Implementing District Plans
219	4.2.1	City or district councils will implement Policies 3.2.2 and 3.2.3, to the extent applicable, when undertaking natural hazard assessments;
220	~~4.2.2~~	~~City or district councils will implement Policies 2.2.1, 2.2.3, 2.2.5 and 2.2.8 to assess the values of places of potential significance to inform the decision making process;~~
221	4.2.3	City or district councils will implement Policy 4.2.3 by including accidental discovery protocols as conditions on consent for earthworks or other activities that may unearth archaeological features;
222	~~4.2.4~~	~~City or district councils will implement Policies 4.3.1, 4.3.2, 3.8.1 and 3.8.2 by preparing structure plans for large scale land use changes;~~
223	4.2.5	City or district councils will implement Policy 4.2.3 by ensuring methods for protecting culturally important sites are culturally appropriate;
224	~~4.2.6~~	~~City or district councils may implement Policies 3.2.2 and 3.2.3 by:~~

		~~a) Requiring site specific investigation where there is limited information available on natural hazard or climate change risk or effects;~~ ~~b) Requesting the regional council develop a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address specific natural hazard risk;~~
225	~~4.2.7~~	~~City or district councils may implement Policy 1.2.4 and 4.1.1 by including conditions to maintain or enhance access to the natural environment or sites of cultural significance.~~
226	4.3	Monitoring and reviewing city and district plans:
227	4.3.1	City and district councils will monitor and review regional plans to give effect to its responsibilities under the RMA.
228	**Method 5: Regional Policy Statement**	
229	5.1	Regional Policy Statement
230	~~5.1.1~~	~~City or district councils may:~~ ~~a) Implement Policy 3.8.2 by requesting the regional council include urban growth boundaries in the Regional Policy Statement;~~
231	~~5.1.2~~	~~The regional council may:~~ ~~a) At the request of city or district councils, include urban growth boundaries, future urban development areas or their equivalent in the RPS, where:~~ ~~i) Those urban growth boundaries are necessary to sustainably manage urban growth within the district;~~ ~~ii) The boundaries are robust in terms of providing sufficient capacity for 10 years urban growth;~~ ~~iii) Those urban growth boundaries are consistent with the policy direction of the RPS in terms of priorities for the management of environment and natural hazards;~~ ~~b) Administer a change to the RPS where the relevant city or district council identifies a need to modify existing urban growth boundaries to maintain a minimum of 10 years capacity for urban growth.~~
232	**Method 6: Research, Monitoring and Reporting**	
233	6.1	Identification of important resources
234	6.1.1	Regional, city and district councils will: a) Work collaboratively to identify the landward extent of the coastal environment;
235	6.1.2	Regional, city and district councils, in their areas of responsibility, will identify: a) Significant indigenous vegetation and significant habitat of indigenous fauna; b) Areas of outstanding natural character in the coastal environment; c) Outstanding natural features, and outstanding natural landscapes and seascapes; ~~d) Special amenity landscapes;~~ e) Outstanding water bodies; f) The values of water margins critical to threatened or rare indigenous flora and fauna; g) Regionally significant soil resources; h) Significant infrastructure;
236	6.1.3	Regional council will: a) Identify airsheds based on geographical and physical boundaries, for the management of air quality; b) Identify dry catchments and areas of tussock grasslands where rules are required by TAs to manage water quantity; c) Identify highly valued soil resources;
237	6.1.4	Regional council will engage with Kāi Tahu to: a) Identify the cultural values of resources and requirements for customary uses;

		b) Identify wāhi tupuna and the values that contribute to their significance, including sites and landscapes of cultural significance to Kāi Tahu such as wāhi tapu and other elements identified in schedule 1C.
238	6.2	Research
239	6.2.1	The regional council will: a) Undertake investigation for the identification of catchment values, and the resources and processes those values depend on, with a particular focus on: i) The interconnections between water bodies, including coastal water; ii) The role of river and catchment morphology and natural functioning in supporting those values; iii) The maintenance and enhancement of indigenous biodiversity and ecosystem health; iv) Erosion risk mitigation; v) Providing for the natural functioning of rivers and lakes; b) Identify the values of Otago's coast, and the processes and resources those values are dependent on; c) Identify airsheds based on geographical and physical boundaries, for the management of air quality; d) Investigate and provide guidance on: i. The inventory and mapping of Otago's soil resources; ii. The location and extent of high class and versatile soil in Otago; iii. Identification of threats to the life-supporting capacity of Otago's soil resources; iv. e) Develop and maintain a register of sites of known or potentially contaminated land in Otago. Share information regarding Otago's soil resources and contaminated land with city and district councils; f) Provide city and district councils with regional data on the quantity and composition of waste entering the waste stream and being disposed for strategic forecasting and planning; g) Undertake research, in collaboration with local authorities and other stakeholders as appropriate, into natural hazards and climate change in Otago; h) Support city and district councils with information on natural hazards for: i) The preparation of district plan reviews or changes; ii) Inclusion in Land and Project Information Memoranda; i) Collect, centralise and share information on erosion-prone land in Otago; j) Collect, centralise, and make available any information on the expected effects of climate change in Otago.
240	6.2.2	Regional, city and district councils will: a) Research and share information relevant to the effects of land use on water, including: i) The values supported by the catchment; ii) Riparian vegetation cover or any land cover which contributes to supporting freshwater values, such as tussock grasslands; iii) Land use changes which might have significant effects on freshwater values; iv) Areas particularly sensitive to land use changes, such as sensitive aquifers and water-short catchments; v) The effects of land use on erosion; b) Research and share information relevant to the effects of land use on coastal values and coastal network infrastructure with city and district councils, including: i) Coastal values;

		ii) Coastal hazards; iii) Riparian vegetation cover or any land cover which contributes to supporting coastal values, or mitigating coastal hazards; iv) Land use changes which might have significant effects on coastal values or the consequences of coastal hazards; v) Areas particularly sensitive to land use changes.
241	6.2.3	City and district councils will: a) Research demographic changes within the district, including the relationship between housing demand and population growth, and residential capacity within existing urban areas. b) Share information with other local authorities on relevant regional rules, when approving a land use, development or subdivision by consent, including: i) Rules on discharges to water, or to land in circumstances which may result in contaminant entering water; ii) Rules on discharges to air; iii) Rules on discharges to land; iv) Provide information to the regional council, on any land use, development or subdivision approved by consent, which have the potential to adversely affect air quality and breach regional rules
242	6.3	State of Environment reporting
243	6.3.1	Regional, city and district councils will: a) Carry out state of the environment reporting
244	6.4	RMA plan effectiveness reporting
245	6.4.1	Regional, city and district councils will: a) Include indicators for determining plan effectiveness in all plans developed under the RMA, including the RPS; b) Report on the efficiency and effectiveness of plans based on those indicators.
246	6.5	Plan implementation reporting
247	6.5.1	Regional council will: a) Monitor and report publicly on the achievement of regional and district plan objectives, policies and methods
248	6.5.2	City and district councils will: a) Monitor and report publicly on the achievement of regional and district plan objectives, policies and methods.
249	~~**Method 7: Strategies and Plans (non-RMA)**~~	
250	~~7.1~~	~~Natural hazard strategies~~
251	~~7.1.1~~	~~Regional, city and district councils may:~~ ~~a) Prepare strategies or other similar documents to assist in the:~~ ~~i) Management and reduction of natural hazard risk;~~ ~~ii) Adaptation to, and mitigation of, climate change;~~ ~~b) Develop community relevant responses to the impacts of natural hazards and climate change in Otago, in collaboration with the relevant local authority, key stakeholders and affected community.~~
252	~~7.2~~	~~Air Strategy~~
253	~~7.2.1~~	~~Regional, city and district councils may:~~ ~~a) Jointly develop and implement, in collaboration with other key stakeholders, a strategy for:~~ ~~i) The upgrading of housing stock and their thermal envelopment;~~ ~~ii) The reduction of domestic emissions to air.~~
254	~~7.3~~	~~Regional Plan Land Transport will set objectives, policies and methods to implement policy 3.4.1 -2, 3.5.1, 3.7.1 and 3.7.4 with a particular focus on:~~
255	~~7.3.1~~	~~Enhancing road safety;~~

256	~~7.3.2~~	~~Ensuring travel needs in Otago are met;~~
257	~~7.3.3~~	~~Enabling increased freight efficiency;~~
258	~~7.3.4~~	~~Managing Otago's public transport services.~~
259	~~7.4~~	~~Pest management strategy~~
260	~~7.4.1~~	~~The regional council will:~~ ~~a) Develop and implement a pest management strategy, for the control of pest species, including those which:~~ ~~i) Have adverse effects on the natural character of the coastal environment;~~ ~~ii) Have adverse effects on significant indigenous biodiversity;~~ ~~iii) Have significant adverse effects on indigenous biodiversity;~~ ~~b) Have regard to indigenous biodiversity values when preparing any Regional Pest Management Strategy and prioritising pest management activities, including:~~ ~~i) Any areas of significant indigenous vegetation and significant habitats of indigenous fauna;~~ ~~ii) Any local indigenous biodiversity strategies~~
261	~~7.5~~	~~Pan-regional pest management strategy~~
262	~~7.5.1~~	~~The regional council may:~~ ~~a) Develop a joint pest management strategy with neighbouring regions.~~
263	~~7.6~~	~~Urban stream plans~~
264	~~7.6.1~~	~~District and city councils may:~~ ~~a) Develop and implement urban stream restoration plans, for the restoration of the natural character and natural functioning of urban streams.~~
265	**Method 8: Education and Information**	
266	~~8.1~~	~~Providing public information~~
267	~~8.1.1~~	~~Regional, district and city councils may:~~ ~~a) Provide information and education about the maintenance, restoration and enhancement of indigenous ecosystems and habitats;~~ ~~b) Provide guidance on:~~ ~~i) Natural hazard risk responses;~~ ~~ii) Ways to adapt to, and mitigate the effects of, climate change;~~ ~~iii) The benefits of natural features and systems in mitigating natural hazards.~~
268	8.1.2	Regional council will: a) Educate and provide available information on: i) Natural hazards; ii) Rainfall and river flow; iii) Climate change. b) Provide guidance on: i) Measures to mitigate erosion risks resulting from land uses; ii) Riparian margin management, especially on flooding and erosion risks; iii) Measures to maintain or enhance soil quality; iv) Discharge management, including on reducing domestic discharges to air; v) The management of diffuse discharges to water; vi) Waste management. c) Provide information material on: i) The ecosystem services derived from indigenous biodiversity; ii) On the benefits of riparian margin management, especially on flooding and erosion risks
269	8.1.3	City and district councils will: a) Collate and make available any information on the projected demographic changes to local communities;

		b) Provide available natural hazard information through the Land (LIM) and Project Information Memorandum (PIM) process; c) Provide available information on known or potentially contaminated sites through the Land (LIM) and Project Information Memorandum (PIM) process;
270	~~8.1.4~~	~~City and district councils may:~~ ~~a) Provide information and guidance on crime prevention through environmental design and urban design principles to inform local development proposals;~~ ~~b) Provide information and guidance on urban design techniques to respond to the different access requirements or needs of the community;~~ ~~c) Provide information and guidance on design techniques to enable adaptive reuse of buildings;~~ ~~d) Provide guidance material for water conservation and the efficient domestic use of water;~~ ~~e) Provide guidance on measures for increased energy efficiency and energy conservation;~~ ~~f) Provide guidance on opportunities for the development of small scale renewable electricity generation.~~
271	~~**Method 9: Funding**~~	
272	~~9.1~~	~~Providing financial support~~
273	~~9.1.1~~	~~Regional, city and district councils may:~~ ~~a) Establish and administer funds to provide public access or services to sites of significance on privately owned land;~~ ~~b) Fund community groups and projects with aims that complement RPS objectives and policies.~~
274	**Method 10: Service Provision**	
275	10.1	Public Services
276	10.1.1	Regional, city and district councils will provide public services according to their functions, roles and responsibilities
277	**Method 11: Advocacy and Facilitation**	
278	11.1	Promotion
279	11.1.1	Regional, city and district councils will work with stakeholders, including central government agencies and other interested parties, on resource management matters;
280	~~11.1.2~~	~~Regional, city and district councils may:~~ ~~a) Advocate for:~~ ~~i) Initiatives and proposals which support or complement the goals of the RMA, RPS and supporting documents;~~ ~~ii) Subdivision and building design that increases passive solar gain and uses higher levels of insulation in buildings to improve energy efficiency;~~ ~~iii) The implementation of the waste hierarchy throughout the region;~~ ~~iv) National guidance on managing natural hazards, and mitigating and adapting to climate change;~~ ~~v) Legislative change to improve resilience and reduce the risk of natural hazards and climate change to individuals and communities;~~ ~~b) Enhance individual and community resilience by encouraging activities and actions that:~~

		~~i) Promote interactions and partnerships within and between communities, businesses and organisations;~~ ~~ii) Support self-sufficiency;~~ ~~iii) Improve disaster readiness, response and recovery;~~ ~~iv) Enable opportunities for improvements to be made following a disaster event;~~ ~~v) Contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening;~~ ~~c) Encourage an approach to resource management that assists in reducing individual and community natural hazard risk and in reducing the effects of climate change.~~
281	~~11.1.3~~	~~Regional, city and district councils may:~~ ~~a) Advocate for the development, upgrade or maintenance of infrastructure, when it will enhance Otago's communities' wellbeing or health and safety;~~ ~~b) Promote subdivision and urban development that responds to and anticipates the changing demographic needs of the local community;~~ ~~c) Advocate for the development of infrastructure and services to provide for hazardous substance collection, disposal and recycling services across the region;~~ ~~d) Promote the development and adoption of best practice guidelines for the use and management of hazardous substances, and a reduction in hazardous substance use.~~
282	11.1.4	City and district councils will: a) Promote the integration of new development with existing areas through the use of elements that reflect local character; b) Encourage building design in commercial areas to be designed to facilitate adaptive reuse over time; c) Ensure consideration of orientation and design for solar gain in subdivision and building design; d) Advocate for the establishment of solid waste management and disposal facilities
283	11.2	<u>Facilitation</u>
284	11.2.1	Regional, city and district councils will: a) Facilitate the restoration of natural wetlands or construction of artificial wetlands, particularly when it contributes to the: i) Management of diffuse discharges to water; ii) Protection or restoration of indigenous species; iii) Mitigation of natural hazards; iv) Restoration of the natural character of wetlands; b) Facilitate the restoration or enhancement of riparian margins, particularly when they: i) Improve the health and resilience of ecosystems supporting indigenous biodiversity; ii) Restore or rehabilitate indigenous biodiversity and natural character; iii) Contribute to a safe network of active transport infrastructure; iv) Improve access to rivers, lakes, wetlands and their margins; v) Mitigate risks of erosion; c) Facilitate initiatives that support: i) The conservation of indigenous vegetation; ii) Conservation of biodiversity values;

		iii) Maintenance or enhancement of coastal values, including restoration or rehabilitation of the natural character; iv) The protection or restoration of the significant values of wetlands; v) Co-ordination of the services provided by operators of lifeline utilities, essential and emergency services across and beyond Otago; vi) Energy conservation and efficiency, at a community or individual scale; vii) Small scale renewable electricity generation; d) Facilitate coordination between significant infrastructure ~~lifeline utilities~~ and significant community facilities used for emergency management, including by: i) Recognising the interconnections between significant infrastructure ~~lifeline utilities~~; ii) Encouraging any development or upgrade of infrastructure which would resolve potential weaknesses in emergency management.
285	11.2.2	Regional council will: a) Facilitate the restoration, rehabilitation or creation of freshwater and coastal habitats, particularly when it: i) Encourages the natural regeneration of indigenous species; ii) Buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors; iii) Maintains or enhances the provision of indigenous ecosystem services; b) Facilitate the control of pest species, including wilding pines, particularly when it contributes to the protection or restoration of : i) Outstanding or amenity landscapes; ii) Indigenous species; c) Facilitate the establishment of: i) Water management groups that co-ordinate the exercise of water-related consents; ii) Water allocation committees for the management of water allocation in case of drought.
286	~~11.2.3~~	~~Regional, city and district councils may:~~ ~~a) Facilitate the planning for community infrastructure, when it would increase the efficiency of water use;~~ ~~b) Facilitate negotiations with landowners for public or Kāi Tahu access to sites of significance that do not have suitable access.~~
287	Schedule 1 Takata whenua values and interests	-
288	Schedule 2 Statutory acknowledgement areas	-
289	Schedule 1A	Specify or identify "other cultural values" referred to in other parts of the RPS
290	Schedule 3 Significance threshold	Delete. OR if retained: Amend provisions so consistent with case law insert new criteria to reflect the need to consider the ability for the effect to be offset or compensated and to reflect environmental/planning context on a case-by-case basis. For example: **11. Ability for offsetting or compensation** The extent to which the adverse effect can be directly offset or otherwise compensated, and consequently reducing the significance of the effect.

		12. Environmental Context The degree of change in social, economic, cultural, or ecological conditions, and the extent to which these conditions can absorb that change. 13. Matters of national importance and national significance. The extent to which the adverse effect changes a value recognised as a matter of a national importance under section 6 of the RMA. The extent to which the adverse effect is provided for, or is contrary to, any matter of national significance specified in a NPS or the NZCPS.
291	Schedule 4 Criteria for the identification of natural features and landscapes	-Delete Schedule 4
292	Schedule 5 Criteria for the assessment of the significance of indigenous vegetation and habitat of indigenous fauna	-
293	Schedule 6 Urban form and design	Delete Schedule 6
294	Schedule 7 Matters for the identification of historic heritage values	-
295	Schedule 8 Urban growth boundaries	Delete Schedule 8-
296	Appendix 1 Statutory Framework	Delete Appendix 1
297	Appendix 2 Te Tiriti o Waitangi	Delete Appendix 2 or Amend Appendix 2 to identify the principles of the Ttreaty of Waitangi that are to be applied when giving effect to the Otago RPS
298	Glossary	Define **Significant infrastructure** – include lifeline utilities and any infrastructure considered to be of regional or national significance
299	Glossary	Define **Significant Community Facility** – include facilities that provide essential community services
300	Glossary	Define **Urban**
301	Glossary	Define or identify **Regionally Significant Soil Resource** – include all soil resources intended to be managed by the PRPS
302	Glossary	Define **Regionally Significant Industry Activity** – include any activity associated with tourism, education or primary production
303	Glossary	Define **Hard mitigation measures**

304	Glossary	Amend definition of "kai tahu" to clarify if has the same or different meaning as "Ngai Tahu", having particular regard to the Ngāi Tahu Claims Settlement Act 1998 and other planning documents outside the Otago Region (for example the Canterbury and Southland Regional Policy Statements).
305	Glossary	Introduce all terms listed in the Te Reo Glossary (so that there is a single Glossary)
306	Glossary of Te Reo Terms	Delete – include these terms in the Glossary