

1021



RESOURCE MANAGEMENT ACT 1991

Further Submission in Support and Opposition of Submissions on the Proposed Regional Policy Statement for Otago

To: Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

Submitter: NZ Transport Agency  
PO Box 5245  
DUNEDIN 9058

This is a further submission in support and opposition of submissions on the Proposed Regional Policy Statement for Otago.

The NZ Transport Agency has an interest in the Proposed Regional Policy Statement that is greater than the interest the general public has -

For example, the NZ Transport Agency has statutory functions, as defined in section 95 of the Land Transport Management Act, that include among other things:

- to promote an affordable, integrated, safe, responsive, and sustainable land transport system;
- to manage the State highway system; and,
- to assist, advise, and co-operate with approved organisations (such as regional councils and local territorial authorities).

The NZ Transport Agency could not gain an advantage in trade competition through this further submission.

The particular parts of the submissions that the NZ Transport Agency supports and opposes are: Please see the attached table

The NZ Transport Agency does wish to be heard in support of this submission.

The NZ Transport Agency would not be prepared to consider presenting its submission in a joint case with others making a similar submission at any hearing.

Dated at Dunedin this 25<sup>th</sup> day of September 2015.

Tony MacColl  
Senior Planning Advisor  
Pursuant to a delegation from  
the Chairman and the Board  
of the NZ Transport Agency

1501

**Address for Service:**

NZ Transport Agency

PO Box 5245

DUNEDIN 9058

**Attention:** Tony MacColl

Phone: (03) 951 3009

Facsimile: (03) 951 3013

## NZ Transport Agency Further Submission

Name of original submitter	We Support or Oppose the relief sought in the original submission	Reasons for support/opposition
Alliance Group Limited, HW Richardson Group, Trustpower Limited Queenstown Airport Corporation	Support (Submitter 56, 61, 85 & 122/Reference 30) <i>Policy Suite 2.1 – The values of natural and physical resources are recognised, maintained or enhanced</i>	These policies address natural resources only and need to include physical resources also to achieve Objective 2.1
KiwiRail Holdings Limited	Support (Submitter 69/Reference 31) <i>Policy 2.1.1 – Managing for freshwater values</i>	We support this policy as it recognises the importance of maintaining the functionality of infrastructure.
KiwiRail Holdings Limited	Support (Submitter 69/Reference 32) <i>Policy 2.1.2 – Managing for the values of beds of rivers and lakes, wetlands and their margins</i>	We support this amendment as it provides for the continued operation of existing infrastructure and provides consistency with Policy 2.1.1(p)
KiwiRail Holdings Limited	Support (Submitter 69/Reference 33) <i>Policy 2.1.3 – Managing for coastal water values</i>	We support this amendment as it provides for the continued operation of existing infrastructure.
Alliance Group Limited, PowerNet Limited, HW Richardson Group Limited, Trustpower Limited	Support (Submitters 56, 60, 61 & 85/Reference 58) <i>Objective 2.3 – Natural resource systems and their interdependencies are recognised</i>	The policies for this objective all relate to integrated management. Amending this objective to include both natural and physical resources will make this objective more applicable to the underlying policies.

Name of original submitter	We Support or Oppose the relief sought in the original submission	Reasons for support/opposition
Aurora Energy Limited	Support (Submitter 76/Reference 78) <i>Policy 3.1.1 – Recognising natural and physical environmental constraints</i>	The Transport Agency supports the submission regarding Policy 3.1.1(c) which identifies that some infrastructure is already subject to environmental constraints and that it can be subject to reverse sensitivity effects from land use and development.
Remarkables Park Limited and Queenstown Park Limited	Support (Submitter 147/Reference 276) <i>Need – Objective 3.4</i>	The Transport Agency supports the view that the management of infrastructure needs to take a long term view. The Transport Agency operates under a large planning window (up to 30 years) given the overall capital investment involved in maintaining and upgrading the transport network.
Contact Energy Limited	Support (Submitter 74/Reference 87) <i>Policy 3.2.7 – Reducing existing natural hazard risk</i>	The Transport Agency supports the recognition that essential physical infrastructure requires to be developed, upgraded and maintained to reduce natural hazard risk.
PowerNet Limited, Trustpower Limited, Queenstown Airport Corporation	Support (Submitter 60, 85 and 122/Reference 98) <i>Policy 3.4.1 – Integrating infrastructure with land use</i>	The Transport Agency agrees with the submitters that the integration of land use and development with infrastructure is essential. The Transport Agency supports the submitters requested additional clause to ensure land use developments do not result in reverse sensitivity effects on infrastructure.
Darby Planning LP, Meridian Energy Limited	Support (Submitter 81, 82/Reference 99) <i>Policy 3.4.2 – Managing infrastructure activities</i>	The Transport Agency agrees with these submitters that the adverse effects of infrastructure cannot always be avoided.

Name of original submitter	We Support or Oppose the relief sought in the original submission	Reasons for support/opposition
KiwiRail Holdings Limited	Support (Submitter 69/Reference 101) <i>Policy 3.4.4 – Managing hazard mitigation measures, lifeline utilities, and essential and emergency services</i>	Inappropriately located activities can result in reverse sensitivity effects for existing infrastructure. Restricting the establishment of new activities in these locations as promoted by Policy 3.4.4(a) will reduce potential reverse sensitivity effects.
Darby Planning LP	Support (Submitter 81/Reference 114) <i>Policy 3.6.6 – Reducing long term demand for fossil fuels</i>	The Transport Agency supports the retention of this policy as it encourages compact urban development and well integrated urban areas.
Queenstown Lakes District Council	Support (Submitter 95/Reference 114) <i>Policy 3.6.6 – Reducing long term demand for fossil fuels</i>	The Transport Agency supports the consideration of public transport networks and facilities as part of land use development.
NZ Transport Agency	Support (Submitter 78/Reference 288) <i>Introduction to Objective 3.7</i>	The Transport Agency’s decision requested has been incorrectly recorded in the summary of submissions. The decision requested incorrectly indicates that the Transport Agency requests the retention of the Introduction to Objective 3.7. The Transport Agency submitted in support of the Introduction and to Objective 3.7 itself.
Queenstown Airport Corporation	Support (Submitter 122/Reference 124) <i>Policy 3.8.1 – Managing for urban growth</i>	The Transport Agency supports the recognition of urban growth conflicts and reverse sensitivity effects when managing the encroachment of incompatible activities around infrastructure assets.

Name of original submitter	We Support or Oppose the relief sought in the original submission	Reasons for support/opposition
Willowridge Developments Limited	Oppose (Submitter 26/Reference 158) <i>Policy 4.3.4 – Managing the distribution of commercial activities in larger urban areas</i>	The Transport Agency does not support the unplanned extension of commercial activities which can adversely affect the management and efficient use of infrastructure.
Fonterra Co-operative Group Limited	Oppose (Submitter 99/Reference 194) <i>Method 4.2 – Implementing District Plans</i>	The Transport Agency opposes the relief sought by the submitter. The Transport Agency suggests that the use of structure plans for large scale land use changes are a useful tool in assisting the integration of land use and transport networks.
Dunedin City Council	Support and Oppose (Submitter 156/Reference 206) <i>Method 7.3 – Regional Land Transport Plan</i>	<p>The Transport Agency supports part of this submission. The Transport Agency supports the submitters requested change of language of the first part of the method as follows: <i>Regional Plan Land Transport Plan will set out objectives, policies and activities methods to assist in the implementation of policies 3.4.1 – 2.3.5.1, 3.7.1 and 3.7.4 with a particular focus on:</i></p> <p>The language of this proposed amendment is more consistent with the intent of the Land Transport Management Act with regard to the RLTP.</p> <p>The Transport Agency does not support the removal of the focus areas as reflected in our original submission where an additional focus statement was requested.</p>

Name of original submitter	We Support or Oppose the relief sought in the original submission	Reasons for support/opposition
Dunedin City Council	Oppose (Submitter 156/Reference 238) <i>AER 3.3 – Otago's infrastructure is safe, efficient and continues to operate through disruptive events</i>	The Transport Agency does not support the removal of safety as a key driver of this AER. Road safety is a key issue across Otago which is reflected in this submitters request to also include an indicator and measure on road safety.

1022

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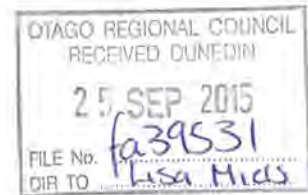
**By Email**

25 September 2015

Our Ref: 5655

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

**Attention:** Planning Department  
rps@orc.govt.nz



Dear Sir / Madam

**RE: OTAGO REGIONAL POLICY STATEMENT - FURTHER SUBMISSION BY TRUSTPOWER LIMITED**

Please find **attached** a further submission on behalf of Trustpower Limited, relating to the Proposed Otago Regional Policy Statement.

We trust these comments will be given due consideration and request that Trustpower be kept informed of the process. The contact at Trustpower is:

Paula Zinzan  
Trustpower Limited  
Private Bag 12023  
Tauranga Mail Centre  
TAURANGA 3143

Yours sincerely,

**MITCHELL PARTNERSHIPS LIMITED**

A handwritten signature in black ink, appearing to read "Claire Hunter".

**CLAIRE HUNTER**

Email: [claire.hunter@mitchellpartnerships.co.nz](mailto:claire.hunter@mitchellpartnerships.co.nz)

Enc.

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**SUBMISSION FORM 6**

**CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991**

**FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON  
PUBLICLY NOTIFIED PROPOSED OTAGO REGIONAL POLICY STATEMENT**

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

**Submission on:** Proposed Otago Regional Policy Statement

**Name:** Trustpower Limited ("Trustpower")

**Address:** Trustpower Limited  
Private Bag 12023  
Tauranga Mail Centre  
TAURANGA 3143

1. These further submissions are in support of, or in opposition to, submissions on the Proposed Otago Regional Policy Statement.
2. Trustpower commenced its electricity generation activities in 1925 and has since grown to become one of New Zealand's largest electricity retailers, serving just under a quarter of a million customers throughout the country and relying primarily on renewable energy generation. Trustpower's generation assets consist of 34 small- to medium-sized generation stations, located strategically around New Zealand to ensure power is generated close to where it is consumed.

By virtue of Trustpower's role as an operator of regionally and nationally significant infrastructure (including the Mahinerangi Wind Farm and Deep Stream, Waipori, Paerau and Patearoa hydroelectricity generation schemes in Otago) Trustpower considers it has an interest in the Proposed Otago Regional Policy Statement that is greater than the interest of the general public.

Trustpower therefore makes the following further submissions pursuant to Clause 8 of the First Schedule to the RMA.

3. Trustpower will not gain an advantage in trade competition through these further submissions.
4. **Further Submissions**  
Trustpower's further submissions on the Proposed Otago Regional Policy Statement are attached as **Appendix A**.
5. Trustpower seeks the following decisions from the Otago Regional Council:
  - a) That the relief sought and/or amendments (or those with similar or like effect) outlined in Appendix A be accepted; and,
  - b) such further or other relief as is appropriate or desirable in order to take account of the matters expressed in this further submission.
6. Trustpower does wish to be heard in relation to this submission.
7. If others make a similar submission Trustpower will consider presenting a joint case with them at a hearing.

**Signature:**



Paula Zinzan, Trustpower Limited

**Date:**

25 September 2015

**Address for service:**

Trustpower Limited  
Private Bag 12023  
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TAURANGA 3143

**Telephone:**

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# APPENDIX A

Table 1 – Trustpower's further submissions

PROVISION	SUBMITTER	SUB. ID	DECISION REQUESTED	TRUSTPOWER POSITION	REASONING
<b>Chapter 1 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed</b>					
Objective 1.2 Kāi Tahu values, rights and interests and customary resources are sustained	Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga	154	Amend objective as follows "Kai Tahu values, rights and interests and customary resources are <u>protected and enhanced</u> sustained."  The use of active wording is recommended	Oppose	Trustpower considers that the " <i>protection and enhancement</i> " of Kai Tahu values is inconsistent with the obligation of decision makers under s. 6(e) of the RMA, to " <i>recognise and provide for</i> " the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
<b>Chapter 2 Otago has high quality natural resources and ecosystems</b>					
Policy 2.1.1 Managing for freshwater values	Matthew Sole	75	• Add the following items to the policy: g) <u>Avoid human induced erosion and sedimentation</u> s) <u>Avoid changes in hydrology which could adversely affect indigenous biodiversity.</u>	Oppose	Trustpower opposes the all-inclusive avoidance of hydrological changes, erosion and sedimentation as this would prevent integrated resource management assessment and planning as is required by s. 5 of the RMA.  It is also noted that the inclusion of "could" at proposed sub-clause (s) introduces uncertainty.

Policy 2.1.1 Managing for freshwater values	Forest & Bird NZ	98	<ul style="list-style-type: none"> <li>• Add the following items to the policy:</li> <li>g) <u>Avoid human induced erosion and sedimentation</u></li> <li>s) <u>Avoid changes in hydrology which could adversely affect indigenous biodiversity.</u></li> </ul>	Oppose	<p>Trustpower opposes the all-inclusive avoidance of hydrological changes, erosion and sedimentation as this would prevent integrated resource management assessment and planning as is required by s. 5 of the RMA.</p> <p>It is also noted that the inclusion of “could” at proposed sub-clause (s) introduces uncertainty.</p>
Policy 2.1.1 Managing for freshwater values	Wise Response Society	114	e)d) <u>Provide additional protection to significant and <del>Protect</del>—outstanding water bodies and wetlands; and</u>	Oppose	Trustpower considers that the proposed amendments are vague in relation to the type of additional protection sought. There is no definition of “significant” water bodies, which increases uncertainty.
Policy 2.1.1 Managing for freshwater values	Environmental Defence Society Incorporated	124	Amend clause (p) to provide for the maintenance of existing infrastructure within freshwater limits.	Oppose	<p>Trustpower is concerned that the proposed amendments may prevent the development and growth of infrastructure required to meet the needs of the community.</p> <p>This restriction is also inconsistent with the intent of the <i>National Policy Statement for Renewable Energy Generation 2011 (NPSREG)</i> which seeks that decision makers recognise and provide for the benefits of maintaining and <u>increasing</u> renewable</p>

					<p>electricity generation capacity and supply, and the obligation that the Council has to include in its regional policy statement objectives and policies which enable the <u>development</u>, operation, maintenance and <u>upgrading</u> of new and existing hydroelectricity generation activities.</p> <p>It would therefore be inappropriate to restrict infrastructure to operate within its existing limits as this would not suitably recognise or provide for the significant benefits that could accrue.</p>
<p>Policy 2.1.1 Managing for freshwater values</p>	<p>Pioneer Generation Limited</p>	<p>142</p>	<p>Amendments including: p) Maintain the ability of existing infrastructure to operate within their design parameters while providing for the maintenance, upgrading and, as appropriate, the enhancement of the same.</p>	<p>Support</p>	<p>Trustpower supports recognition of the operational requirements of infrastructure providers to maintain and upgrade facilities and provide for the needs of the community.</p>
<p>Policy 2.1.2 Managing for the values of beds of rivers and lakes, wetlands, and their margins</p>	<p>Aurora Energy Limited</p>	<p>76</p>	<p>Insert new clause (m) as follows: <u>"(m) provide for the current and reasonably foreseeable future needs and cultural, economic and social wellbeing of people and the community by enabling the use and development of river and lake beds where appropriate."</u></p>	<p>Support</p>	<p>Trustpower supports the provision for new use and development of river and lake beds where such activity will provide for the growth and development of infrastructure facilities necessary to meet community needs.</p>

Policy 2.1.2 Managing for the values of beds of rivers and lakes, wetlands, and their margins	Oceana Gold (New Zealand) Limited	140	Include an acknowledgement that some activities such as mining will have unavoidable adverse effects on the beds of rivers, wetlands, and their margins. In these instances adverse effects should be remedied, mitigated or compensated.	Support	Trustpower considers that it will not always be possible or appropriate to avoid adverse effects and to preclude remediation and mitigation options would be inconsistent with the purpose of the RMA.
Policy 2.1.2 Managing for the values of beds of rivers and lakes, wetlands, and their margins	Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga	154	<u>Protect natural character of rivers and lakes.</u>	Oppose in part	Trustpower considers that the natural character of wetlands, rivers and lakes should be protected from inappropriate subdivision, use and development in accordance with s. 6(a) of the RMA, rather than protected from all development.
Policy 2.1.5 Managing for soil values	Matthew Sole	75	Rewrite to manage soil impacts from intensive soil use.  Amend b) to read: "b) maintain soil diversity and restore where it has been degraded."  Add "k) protect significant undeveloped soils from disturbance"	Oppose	Trustpower considers that it may not be possible or appropriate to restore degraded soils in all cases (e.g. where the operational requirements of significant infrastructure prevent this). Furthermore, it is unclear what would be classed as a "significant", "undisturbed" soil and it may not be possible to protect such soils in all instances. Trustpower considers that the ability to use soils for infrastructure purposes should be maintained.

<p>Objective 2.2</p> <p>Otago's significant and highly-valued natural resources are identified, and protected or enhanced</p>	<p>Wise Society</p> <p>Response</p>	<p>114</p>	<p>Amend as follows:</p> <p><u>"Natural features of Otago's environment with significant or outstanding qualities are identified, protected and enhanced to a standard above general sustainability criteria, so as to maintain their special qualities</u></p> <p><del>Otago's significant and highly-valued natural resources are identified, and protected or enhanced to maintain their distinctiveness."</del></p>	<p>Oppose</p>	<p>Trustpower opposes the proposed amendments as they appear to require protection to a standard greater than that required by the RMA. This is inappropriate. Furthermore, there is an absence of clarity as to how "a standard above general sustainability criteria" would be defined and practically implemented.</p>
<p>Policy 2.2.2</p> <p>Managing significant indigenous vegetation and significant habitats of indigenous fauna</p>	<p>Wise Society Inc.</p> <p>Response</p>	<p>114</p>	<p>Amend as follows:</p> <p><u>"Policy 2.2.2 Protect and enhance remaining significant indigenous vegetation and significant habitats of indigenous fauna</u> <del>Managing significant indigenous vegetation and significant habitats of indigenous fauna</del></p> <p>Protect and enhance <u>to a standard above sustainable resource management</u> the values of areas of significant indigenous vegetation and significant habitats of indigenous fauna, by:</p> <p>a) <u>Avoiding activities with a significant risk of adverse effects on those values which contribute</u></p>	<p>Oppose</p>	<p>Trustpower considers that it would be inappropriate to require planning consideration of undefined, "standards above sustainable resource management". This is not consistent with the purpose of the RMA.</p> <p>Trustpower is also concerned that the amendment being sought seeks to avoid and prohibit activities. This creates an absolute threshold which is inappropriate given that it prevents the ability to consider the benefits of the project and enable mitigation/remediation strategies to be imposed that appropriately manage the effects on indigenous</p>



			<p>to the area or habitat being significant; and</p> <p>b) <del>Prohibit</del> <del>Avoiding</del> significant adverse effects on other values of the area or habitat; and</p> <p>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</p> <p>d) Remediating, when adverse effects cannot be <u>or have not been</u> avoided; and</p> <p>e) Mitigating where adverse effects cannot be <u>or have not been</u> avoided or remediated; and</p> <p>f) <u>Actively promoting and supporting</u> <del>Encouraging</del> enhancement of those areas and values."</p>		<p>vegetation and habitats and overall achieve the purpose of the RMA.</p> <p>It is also unclear how the proposed additions to sub-clauses (d) and (e) would be applied retrospectively.</p>
<p>Policy 2.2.4 Managing outstanding natural features, landscapes, and seascapes</p>	<p>Transpower New Zealand Limited</p>	<p>97</p>	<p>Amend as follows: "Protect, enhance and restore the values of outstanding natural features, landscapes and seascapes, by:</p> <p>a) <del>avoiding</del> <u>or where this is not practicable, remedying or mitigating</u> adverse effects...; and</p> <p>b) <del>Avoiding, remedying or mitigating other adverse effects on other values; and; ..."</del></p>	<p>Support</p>	<p>Trustpower agrees that it is appropriate to recognise that while avoidance of adverse effects might be the first preference, this is not always practicable and therefore it is appropriate to allow for scope to remedy or mitigate adverse effects in such circumstances.</p>

<p>Policy 2.2.4 Managing outstanding natural features, landscapes, and seascapes</p>	<p>Wise Response Society Inc.</p>	<p>114</p>	<p>Amend as follows:  <u>"Policy 2.2.4 Protect and enhance significant and outstanding natural features, landscapes and seascapes</u>   <del>Managing outstanding natural features, landscapes, and seascapes</del>   Protect, enhance and restore <u>to a standard above sustainable resource management</u> the values of <u>significant and outstanding</u> natural features, landscapes and seascapes, by:  a) <u>Avoiding activities with a risk of</u> adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and  b) <u>Avoiding, remedying or mitigating</u> other adverse effects on other values <u>affecting the same locality</u>; and...</p>	<p>Oppose</p>	<p>Trustpower considers that it would be inappropriate to require planning consideration of undefined "<i>standards above sustainable resource management</i>" and to apply a requirement to avoid activities where there is a "<i>risk</i>" of adverse effects.   The RMA seeks to achieve the sustainable management of resources. This requires an integrated consideration of the potential or actual effects – both positive and adverse – that may be produced by an activity, as well as the suitability of any proposed methods to avoid, remedy or mitigate adverse effects. Trustpower therefore considers that the presence of a "risk" of adverse effects should not be adopted as the threshold at which an activity must be avoided. As set out above such an approach fails to take account of any positive effects that may be associated with activities and precludes consideration of methods to avoid, remedy or mitigate adverse effects.</p>
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<p>Policy 2.2.6 Managing special amenity landscapes and highly valued natural features</p>	<p>Wise Response Society Inc</p>	<p>114</p>	<p>Amend as follows: "Policy 2.2.6 Protect and enhance remaining special amenity landscapes and highly valued natural features <del>Managing special amenity landscapes and highly valued natural features</del></p> <p>Protect or enhance <u>to a standard above sustainable resource management</u> the values of <u>remaining</u> special amenity landscapes and highly valued natural features, by:..."</p>	<p>Oppose</p>	<p>Trustpower considers that the policy is inappropriate and should be deleted as it focusses on protecting landscapes and features that are not deemed to be "outstanding" in accordance with section 6(b) of the RMA.</p> <p>Trustpower further considers that it would be inappropriate to require planning consideration of undefined, "<i>standards above sustainable resource management</i>" as it is unclear what such 'standards' would involve and it is inconsistent with the purpose of the RMA.</p>
<p>Policy 2.2.9 Managing the natural character of the coastal environment</p>	<p>Wise Response Society</p>	<p>114</p>	<p>Amend as follows: "Policy 2.2.9 <u>Protect and enhance the natural character of the coastal environment and afford additional protection to significant and outstanding areas</u></p> <p><del>Managing the natural character of the coastal environment</del></p> <p>Preserve or enhance <u>to a standard above sustainable resource</u></p>	<p>Oppose</p>	<p>Trustpower considers that the differentiation between 'significant' and 'outstanding' areas is problematic as it is undefined/unclear. It is also unclear what form "additional protection" would take and the extent to which such additional protection would apply.</p> <p>Trustpower further considers that it would be inappropriate to require planning consideration of undefined, "<i>standards above sustainable resource management</i>" as it is</p>

		<p><u>management</u> the natural character values of the coastal environment, by:</p> <ul style="list-style-type: none"> <li>a) <del>Prohibiting activities with</del> Avoiding adverse effects on those values which contribute to the outstanding natural character of an area; and</li> <li>b) Avoiding significant adverse effects on those values which contribute to the high natural character values of an area; and</li> <li>c) <u>Encouraging enhancement of those values; and</u></li> <li>e)d) Assessing the significance of adverse effects on those values, as detailed in Schedule 3; and</li> <li>ϕ)e) Avoiding, remedying or mitigating other adverse effects on other values <u>affecting the same locality</u>; and</li> <li>e)f) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment; and</li> <li>f) <del>Encouraging enhancement of those values; and</del></li> <li>g) Controlling the adverse effects of pest species, prevent their</li> </ul>	<p>unclear what such 'standards' would involve.</p> <p>Trustpower also opposes an all-inclusive prohibition of adverse effects (as per proposed sub-clause (a)) without regard to the significance of the effect in question would be inconsistent with s. 5 of the RMA, Objective 6 of the NZCPS and the recognition of the national, regional and local benefits of renewable energy generation activities required by the NPSREG.</p> <p>The submitter's proposed amendments to sub-clause (d)/(e) are also opposed, as the definition and extent of what constitutes a "locality" is unclear.</p>
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			introduction and reduce their spread."		
Policy 2.3.4 Applying an integrated management approach for the coastal environment	Port Otago Limited	58	Add: " <u>c) Recognising the importance to the region of maintaining and developing appropriate infrastructure "</u>	Support	Trustpower supports amendment of Policy 2.3.4 to incorporate recognition of human use and economic values associated with the coastal environment. Trustpower considers that the amendments being sought by Port Otago in this regard will better promote integrated management of resources than the currently proposed drafting of this Policy.
<b>Chapter 3 Communities in Otago are resilient, safe and healthy</b>					
Objective 3.1 Protection, use and development of natural and physical resources recognises environmental constraints	Fonterra Co-operative Group Limited	99	Delete Objective 3.1.  The objective lacks any specific purpose or direction.	Support	Trustpower concurs with this submitter. Objective 3.1 is too vague in its present form to be effective.
Policy 3.4.1 Integrating infrastructure with land use	Radio New Zealand Limited	57	Retain this policy with the following amendment (or words to similar effect): <u>e) Avoiding issues of land use incompatibility by preventing new activities from taking place in locations where those activities are likely to be sensitive to the effects from regionally or nationally significant infrastructure.</u>	Support	Trustpower supports the amendment of the policy to avoid reverse sensitivity effects on infrastructure.

<p>Policy 3.4.1 Integrating infrastructure with land use</p>	<p>Transpower New Zealand Limited</p>	<p>97</p>	<p>Amend the text of Policy 3.4.1 as follows: "Achieve the strategic integration of infrastructure with land use, by: a) Recognising the functional, <u>technical, operational and locational</u> needs of infrastructure of regional or national importance; b) <u>Achieving a pattern, form and design of land use that does not adversely affect the efficient operation, use and upgrading of infrastructure of regional or national importance;</u></p>	<p>Support</p>	<p>Trustpower supports the amendment of the policy to avoid reverse sensitivity effects on infrastructure.</p>
<p>Policy 3.4.1 Integrating infrastructure with land use</p>	<p>Federated Farmers of New Zealand</p>	<p>115</p>	<p>Amend as follows (or words to similar effect):  "Achieve the strategic integration of infrastructure with land use, by: ...  <u>b) viii. The effects on existing land use and land users; and ..."</u></p>	<p>Oppose</p>	<p>Trustpower considers that proposed sub-clauses (b) (iv) and (v) adequately address the effects of infrastructure provision on land use and an additional clause as submitted is unnecessary.</p>
<p>Policy 3.5.1 Recognising national and regional significance of infrastructure</p>	<p>Dunedin City Council</p>	<p>156</p>	<p>Delete Policy 3.5.1 and include as a definition in the glossary.</p>	<p>Oppose</p>	<p>Trustpower considers that it is appropriate for the proposed Regional Policy Statement to include (via a policy) recognition of the national and regional significance of infrastructure.</p>

<p>Policy 3.5.2 Managing adverse effects of infrastructure that has national or regional significance</p>	<p>Transpower Zealand Limited</p> <p>New</p>	<p>97</p>	<ul style="list-style-type: none"> <li>• Decision makers should be directed to consider benefits of infrastructure, as well as adverse effects, to be consistent with the NPSET.</li> <li>• Also seeks consistency with King Salmon case regarding use of "Avoid".</li> <li>• Policy 8 of the NPSET requires that "planning and development of the transmission system should seek to avoid adverse effects" on these areas, rather than outright avoidance.</li> </ul>	<p>Support</p>	<p>Trustpower considers that the avoidance of all adverse effects is an impractical approach, given the locational constraints associated with infrastructure.</p> <p>Trustpower also notes that the regional and national benefits associated with infrastructure development should be balanced against any adverse effects in the assessment of such proposals.</p>
<p>Policy 3.5.2 Managing adverse effects of infrastructure that has national or regional significance</p>	<p>Pioneer Limited</p> <p>Generation</p>	<p>142</p>	<ul style="list-style-type: none"> <li>• The measures set out in Policy 3.5.2 to manage the adverse effects of infrastructure are overly restrictive and create tension between policy 3.5.2 and 3.5.1.</li> <li>• Policy 3.5.2 does not recognise that there are often constraints associated with ensuring infrastructure is located in a position where it can efficiently and effectively operate.</li> <li>• If infrastructure of national or regional significance is a required to be located in one of the areas identified in Policy 3.5.2 a) then the proposed RPS should recognise</li> </ul>	<p>Support</p>	<p>Trustpower considers that the avoidance of all adverse effects is an impractical approach, given the locational constraints associated with infrastructure.</p> <p>Trustpower also notes that the regional and national benefits associated with infrastructure development should be balanced against any adverse effects in the assessment of such proposals.</p>

			and provide for an assessment of the significance of the values which also considers not only the measures to be put in place to avoid, remedy or mitigate those effects, but also the benefits associated with the overall development of the infrastructure proposed.		
Policy 3.5.3 Protecting infrastructure of national or regional significance	Contact Energy Limited	74	Policy 3.5.3 a) needs strengthening to avoid reverse sensitivity effects.  Contact also considers that the policy needs to include recognition of cumulative effects.	Support	Trustpower supports the amendment of the policy to recognise the need to avoid reverse sensitivity effects on nationally and regionally significant infrastructure.
Policy 3.6.1 Using existing renewable electricity generation structures and facilities	Dunedin City Council	156	<del>"Using existing renewable electricity generation structures and facilities".</del>  <del>"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.</del>  <u>Promote the development of renewable electricity generation while managing adverse effects."</u>	Support	Trustpower supports policy recognition of the importance of existing facilities, but considers it is appropriate to also enable the development of new facilities.



			<ul style="list-style-type: none"> <li>• It is considered that existing structures or facilities should not be given preference over new structures or facilities, where they have greater adverse environmental effects, particularly given changes in technology, ownership of existing infrastructure, and locational requirements of new energy needs.</li> <li>• It is suggested that renewable electricity generation should be encouraged where adverse effects can be managed, not just small scale generation (as in Policy 3.6.2).</li> </ul>		
<p>Policy 3.9.5</p> <p>Avoiding the creation of new contaminated land</p>	<p>Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited</p>	128	<p>Delete policy.</p> <ul style="list-style-type: none"> <li>• This policy requires the avoidance of new contaminated land. Contamination occurs where there is a loss of control of a product. Accidents cannot be avoided and contamination will continue to occur from time to time</li> <li>• As drafted this policy effectively sets a zero tolerance threshold and could be construed as preventing the establishment of any activity involving hazardous substances.</li> </ul>	Support	<p>Trustpower considers that as drafted, the proposed policy has potentially widespread negative implications for development in the region and should be deleted.</p>

<p><b>Methods</b></p> <p>Method 6.1 – Identification of important resources</p>	<p>Director-General of Conservation</p>	<p>117</p>	<ul style="list-style-type: none"> <li>• Retain Method 6.1.1 as notified.</li> <li>• Amend Method 6.1.2 as follows:</li> </ul> <p>“Regional, city and district councils, in their areas of responsibility, will identify:</p> <ol style="list-style-type: none"> <li>a. Significant indigenous vegetation and significant habitat of indigenous fauna of the <u>terrestrial, freshwater and marine environment</u>;</li> <li>b. Areas of outstanding <u>and high</u> natural character in the coastal environment;</li> <li>c. Outstanding natural features, and outstanding natural landscapes and seascapes;</li> <li>d. Special amenity landscapes and <u>highly valued natural features</u>;</li> <li>e. Wetlands and <u>Outstanding</u> water bodies; ...”</li> </ol>	<p>Support in part, oppose in part</p>	<p>Trustpower considers it important that Otago’s:</p> <ul style="list-style-type: none"> <li>• outstanding natural landscapes and features,</li> <li>• areas of outstanding natural character (including in the coastal environment), and</li> <li>• significant indigenous vegetation and habitats of significant indigenous fauna</li> </ul> <p>Are identified at a regional level via the Regional Policy Statement.</p> <p>However Trustpower considers that proposed references to undefined “<i>highly valued natural features</i>” are problematic as these are not defined or used elsewhere in the RMA or Regional Policy Statement.</p>
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1023

FURTHER SUBMISSION ON THE PROPOSED OTAGO REGIONAL POLICY STATEMENT  
UNDER CLAUSE EIGHT OF THE FIRST  
SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

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



**Submitter:** The Fertiliser Association of New Zealand Inc.  
C/o Boffa Miskell Limited  
PO Box 110  
**CHRISTCHURCH 8140**

Attention: Claire Kelly  
Phone: (03) 353 7561  
Mobile: 027 809 8386  
Email: claire.kelly@boffamiskell.co.nz

The Fertiliser Association of New Zealand Inc. ("FANZ") makes the further submissions on the Proposed Otago Regional Policy Statement (PRPS) set out in the **attached** document.

FANZ confirms it is a person who is representing a relevant aspect of the public interest, and has an interest in the proposal that is greater than the interest the general public has (it is affected by the content of a submission).

FANZ would like to be heard in support of its further submission.

If other persons make a similar further submission then FANZ would consider presenting joint evidence at the time of the hearing.

A copy of this further submission has been served on the original submitters to which this further submission relates.

A handwritten signature in black ink, appearing to read 'Greg Sneath'.

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**Greg Sneath**

For and behalf of The Fertiliser Association of New Zealand Inc.

25<sup>th</sup> day of September 2015

**FURTHER SUBMISSIONS**

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
Central Otago Environmental Society Submission 59  Ref 30	Objective and Policies 2.1.1, 2.1.2, 2.1.3, 2.1.6 and 2.1.7  Remove distinction of "indigenous" when using terms "biodiversity, species and vegetation" except when classified as pests.	This has significant implications as crops are essentially vegetation and removing the term 'indigenous' would place the same value on crops as it would on kanuka or any other indigenous species of plant. FANZ does not find this appropriate.	Oppose
Ref 154	Objective 4.3  Add: " <u>The "efficiency" of land use must be assessed against fundamental values and where necessary, an integrated land management plan put in place</u> ".	The purpose of the objective is to ensure that land is available for economic production and provide for separation between incompatible activities. It is not intended to manage how the land is used.	Oppose
Forest and Bird NZ Submission 98  Ref 31	Policy 2.1.1 - Managing for freshwater values  ... <ul style="list-style-type: none"> <li>• Add the following policies</li> </ul> "q) Avoid human induced erosion and sedimentation  r) Ensure all water bodies are safe for human health and contact recreation	The Policy as sought to be amended by Forest and Bird is too stringent. FANZ is concerned with the addition of a policy relating to 'human induced erosion and sedimentation' and how this would be defined and managed. Furthermore, it is the intent of the National Policy Statement for Fresh Water Management that the health of people and communities is safeguarded, at least as affected by secondary contact with freshwater. The amendment sought by Forest and Bird is too broad.	Oppose

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	...		
Ref 32	<p>Policy 2.1.2 - Managing for the values of beds of rivers and lakes, wetlands, and their margins.</p> <p>...</p> <p>Add new paragraphs:</p> <p><u>"Maintain riparian vegetation where it protects water quality and habitat and restore riparian vegetation where it fails to protect water quality and habitat"</u></p> <p>....</p>	<p>FANZ is concerned how this Policy would be implemented. For example, how would it be determined that riparian vegetation was failing to protect water quality and habitat? Also does 'habitat' refer to the water in the waterbody or to the riparian margin itself?</p>	Oppose
Ref 41	<p>Policy suite 2.2 - Otago's significant and highly valued natural resources</p> <p>New Policy 2.2.8:</p> <p>"Identify the landward extent of margins of all freshwater bodies using the following criteria:</p> <p>a) area or landform where active riparian or lacustrine and/or wetland processes, influences or qualities are significant</p>	<p>The extent of waterbodies and riparian margins need to be identified in a much simpler manner, for example by way of a diagram as provided for in other regional plans.</p>	Oppose.

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>including legible historic processes and influences ; and</p> <p>b) the area dominated by vegetation associated with the water bodies and providing habitat for species dependent on the water body and its margins including dry to wet environments; and</p> <p>c) any landscape and natural feature that significantly contributes to the natural character, visual amenity and recreational value of the substitute word for coast?? water body and its margin??</p> <p>e) the relationship of taka whenua with the margins of freshwater bodies"</p>		
Ref 42	<p>Policy 2.2.1 - Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna</p> <ul style="list-style-type: none"> <li>• Amend title to include terrestrial, freshwater and coastal sites.</li> <li>• Amend to read: "Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for terrestrial and freshwater environments</li> </ul>	<p>FANZ considers that it is unnecessary to list specific environments, in particular freshwater as this is managed by way of Policies 2.2.12 and 2.2.13.</p>	Oppose

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>using the criteria set out in Schedule 5 (being the schedule as amended by this submission)."</p> <p>....</p>		
Ref 44	<p>Policy 2.2.2 – Managing significant indigenous vegetation and significant habitats of indigenous fauna</p> <ul style="list-style-type: none"> <li>• Amend title to read: "Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna which meets the terrestrial and freshwater criteria in Schedule 5 and coastal environments in Schedule xx, (being the schedule included in this submission in Appendix Two)."</li> <li>• Amend descriptor to read: "Protect and enhance areas of significant indigenous vegetation and significant habitats of indigenous fauna from the adverse effects of subdivision, use and development, by:..."</li> <li>• "(a) Avoiding adverse effects including cumulative effects on significant biodiversity that is vulnerable or</li> </ul>	<p>FANZ oppose the inclusion of freshwater in this Policy as this matter is subject to Policies 2.2.12 and 2.2.13.</p> <p>With regard to suggested part (a), FANZ states that for indigenous vegetation and fauna to have been identified as significant or outstanding it must have met criteria that generally include whether it is vulnerable and therefore this does not need to be addressed in the Policy.</p> <p>FANZ opposes the introduction of a new policy to offset any residual adverse effects. This is not the intent of offsetting. Offsetting is used when significant adverse effects cannot be avoided, remedied or mitigated.</p>	Oppose

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>irreplaceable and those values which contribute to the area or habitat being significant; and ..."</p> <ul style="list-style-type: none"> <li>• (b) - (f) retain.</li> <li>• Add new policy: "Avoid the adverse effects of pest species, prevent their introduction and their spread."</li> <li>• Add new policy: "Offset any residual adverse effects that are more than minor through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity in accordance with policy x and Appendix xx</li> </ul>		
<p>Waitaki Irrigators Collective Limited Submission 113 Ref 31</p>	<p>Policy 2.1.1 - Managing for freshwater values</p> <p>Addition of the following words:.....</p> <p>" g) support and provide for primary production values. "</p>	<p>FANZ agrees that primary production is recognised as a value in relation to soils, and the same should apply to freshwater.</p>	<p>Support the addition of part (g).</p>
<p>AgResearch Ltd Submission 116</p>	<p>Introduction - RPS framework</p>	<p>FANZ supports the intent of the proposed additional wording as none of the four identified 'outcomes' for the Otago Region focus on encouraging future economic growth.</p>	<p>Support.</p>



The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
Ref 4	<ul style="list-style-type: none"> <li>• Identify "regionally significant issues" instead of "outcomes".</li> <li>• Include the following as a "regionally significant issue":   <u>"Natural and physical resources need to be effectively and sustainably managed to fully realise the benefits of infrastructure and economic activities for the region's wellbeing (particularly the region's economic wellbeing)."</u> </li> </ul>		
Director-General of Conservation Submission 117  Ref 36	<p>Policy 2.1.6 - Managing for ecosystem and indigenous biodiversity values</p> <p>Amend as follows:</p> <p><u>"Recognise the values of ecosystems and indigenous biodiversity, and manage ecosystems and indigenous biodiversity of the terrestrial, freshwater and marine environments, to: ..."</u></p>	FANZ oppose the inclusion of freshwater in this Policy as this matter is subject to Policies 2.2.12 and 2.2.13.	Oppose
Ref 269	<p>Introduction to Objective 2.1</p> <p>Amend narrative under Objective 2.1 as follows:</p>	FANZ opposes the use of irrigation as an example as there are a number of other activities that have put pressure on Otago's biodiversity. The sentence could be retained but proposed amendment should end after 'intensification'.	Oppose

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>"Some of the many values of our natural resources may conflict with each other: for example, we depend on water for food production, yet we want water for healthy rivers. Otago's biodiversity is an example of another resource under pressure, <u>in part as a direct result of land use change and intensification such as development of irrigation, and</u> in part from indirect consequences of land use, such as the introduction and spread of pest species.</p> <p>..."</p>		
<p>Otago and Central South Island Fish and Game Councils</p> <p>Submission 118</p> <p>Ref 54</p>	<p>Policy 2.2.12 – Identifying outstanding water bodies and wetlands</p> <p>Amend as follows:</p> <p>"Identify outstanding water bodies and wetlands and their <u>amenity or intrinsic values</u>, using the following criteria:</p> <p>a) A high degree of naturalness;</p> <p>b) Outstanding aesthetic or landscape values;</p> <p><u>b1) Outstanding amenity or intrinsic values</u></p>	<p>FANZ is concerned with the amendments to the criteria proposed by Fish and Game to identify outstanding water bodies and wetlands. It is unnecessary to include the words 'amenity or intrinsic values' because as notified the Policy is broader as it just identifies 'values'. Furthermore the additional criteria are not actually criteria and the Policy should just list matters/criteria to be assessed i.e. aesthetic or landscape not outstanding aesthetic or landscape values.</p> <p>Criteria b2) is not a clear criteria and seems to pre-empt the water body having amenity or intrinsic values that are outstanding. Although it is unclear how this has been determined given that the purpose of the criteria is to assess whether the water body is outstanding.</p>	<p>Oppose</p>

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p><u>which are afforded by waters in their natural state;</u></p> <p><u>b2) Where waters are no longer in their natural state, the amenity or intrinsic values of those waters which in themselves warrant protection because they are considered outstanding;</u></p> <p><u>b3) Outstanding habitat for terrestrial or aquatic organisms.</u></p> <p><u>b4) Outstanding fishery values.</u></p> <p><u>b5) Outstanding for its wild, scenic, or other natural characteristics</u></p> <p><u>b6) Outstanding scientific or ecological values</u></p> <p><u>b7) Outstanding recreational, historical, spiritual, or cultural values and;</u></p> <p>[c-f unchanged]</p> <p><u>Meeting one of the above criteria is sufficient to result in a water body being</u></p>	<p>Also water bodies should be assessed by an expert who would generally use some form of ranking system and the Policy should not state that the waterbody only has to meet one criteria to be identified as outstanding.</p>	

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p><u>identified as outstanding under Policy 2.2.12 and therefore needing protection under Policy 2.2.13</u></p>		
Ref 58	<p>Objective 2.3 - Natural resource systems and their interdependencies are recognised</p> <ul style="list-style-type: none"> <li>• Amend as follows: "Objective 2.3 Natural systems and interdependencies are recognised, and sustained <u>and restored</u>"</li> </ul>	<p>The Objective and subsequent policies are related to integrated management and not restoration. Restoration, where necessary, is provided for through other policies in the Proposed RPS.</p>	Oppose
Ref 155	<p>Policy 4.3.1 - Managing for rural Activities</p> <p>Amend as follows:</p> <p>"Manage activities in rural areas, to support the region's economy and communities, by:</p> <p>a) Enabling <u>sustainable</u> farming and other rural activities that support the rural economy; and</p> <p>b) <del>Minimising</del> <u>Avoid, remedy or mitigate</u> the loss of soils highly valued for their versatility for primary production; and</p> <p>..."</p>	<p>FANZ supports the amendments to part b) of the Policy and agrees that the term 'minimise' is not consistent with the RMA. FANZ prefers the use of the term 'avoid, remedy or mitigate' as this provides a range of management options rather than 'minimise' which implies reducing effects to the smallest amount possible.</p>	Support, limited to part b) of the Policy.
Ref 171	Policy 4.5.4 - Minimising Soil Erosion	<p>FANZ finds the additional matter (e) is inappropriate as it is not clear what 'buffering land from water' will address in practice, and this proposed wording</p>	Oppose.

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>Amend as follows:</p> <p>"Minimise soil erosion resulting from activities, by:</p> <p>...</p> <p>d) Encouraging activities that enhance soil retention; <u>and</u></p> <p>e) <u>Buffering land from water.</u>"</p>	<p>does not add any meaningful improvement to the existing wording which includes appropriate erosion control etc.</p>	
<p>Horticulture New Zealand Submission 124 Ref 31</p>	<p>Policy 2.1.1 - Managing for freshwater values</p> <p>Amend Policy 2.1.1 as follows:</p> <p>..</p> <ul style="list-style-type: none"> <li>• Add additional point: " q) <u>Provide for food production values.</u>"</li> </ul>	<p>FANZ agrees that primary production is recognised as a value in relation to soils, and the same should apply to freshwater.</p>	<p>Support the addition of part (g).</p>
<p>Ref 249</p>	<p>Glossary</p> <p>Delete definition of "highly versatile soils".</p>	<p>This term is still used in Policy 3.8.3, so unless it is replaced with 'highly valued soils', the definition should remain.</p>	<p>Oppose</p>
<p>Environmental Defence Society Incorporated Submission 117 Ref 24</p>	<p>Chapter B2 - general requests</p> <p>Include a chapter focused on Outstanding Natural Features and Landscapes (ONFLs) and incorporating the necessary provisions</p>	<p>FANZ recognises that the structure of the chapters in the Proposed RPS has taken a different approach to other RPS's but that effectively rewriting the chapters may require such extensive changes that the Proposed RPS could have to be re-notified.</p>	<p>Oppose</p>

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>to respond to the specific submissions contained in EDS' submission [i.e.:</p> <ul style="list-style-type: none"> <li>• Regionally significant issues relating to ONFLs;</li> <li>• Specific objectives relating to ONFLs – See examples in Annexure 2-B of the EDS submission;</li> <li>• Policies and methods which clearly identify the activities which must be managed and how in order to protect the integrity of ONFLs and amenity landscapes.]</li> </ul>		
Ref 24	<p>Chapter B2 - general requests</p> <p>Include a chapter focused on freshwater and incorporate the necessary provisions [i.e.:</p> <ul style="list-style-type: none"> <li>• Regionally significant issues relating to freshwater;</li> <li>• Objectives relating to freshwater, including provision for the environmental bottom lines in the NPSFM;</li> <li>• A freshwater management framework</li> </ul>	<p>FANZ recognises that the structure of the chapters in the Proposed RPS has taken a different approach to other RPS's but that effectively rewriting the chapters may require such extensive changes that the Proposed RPS could have to be re-notified.</p> <p>The objectives and policies, subject to the relief sought by FANZ, adequately address the requirements of the RMA and the NPS for Fresh Water Management.</p>	Oppose

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<p>addressing water quality and quantity, as required under section CA of the NPSFM;</p> <ul style="list-style-type: none"> <li>• Policies and methods addressing the management of effects (including cumulative effects) of subdivision and development to reduce impacts on water quality and on water quantity;</li> <li>• Recognition and provision for the preservation of the natural character of wetlands, and lakes and rivers and their margins, and their protection from inappropriate subdivision, use and development;</li> <li>• Protection of all wetlands.</li> </ul>		
Ref 24	<p>Chapter B2 - general requests</p> <p>Develop specific measureable objectives addressing freshwater, and covering inter alia:....</p>	<p>FANZ recognises that the structure of the chapters in the Proposed RPS has taken a different approach to other RPS's but that effectively rewriting the chapters may require such extensive changes that the Proposed RPS could have to be re-notified.</p> <p>The objectives and policies, subject to the relief sought by FANZ, adequately address the requirements of the RMA and the NPS for Fresh Water Management.</p>	Oppose
Ref 31	<p>Policy 2.1.1 - Managing for freshwater values</p>		

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	Re-classify Policy 2.1.1 as a series of objectives identifying the key freshwater outcomes sought.	FANZ considers that specific water quality and quantity measures are more appropriately addressed in a regional plan.	
Ref 32	<p>Policy 2.1.2 - Managing for the values of beds of rivers and lakes, wetlands, and their margins</p> <p>Re-classify as a series of objectives identifying the key freshwater outcomes sought, where appropriate. Appropriate policies will need to complement each objective.</p>		
Ref 55	<p>Policy 2.2.13 – Managing outstanding water bodies and wetlands</p> <p>Amend the RPS to:</p> <ul style="list-style-type: none"> <li>• Include specific freshwater objectives, including objectives relating to freshwater bodies and wetlands.</li> <li>• Require avoidance of permanent loss of significant values of wetlands and outstanding fresh water bodies.</li> <li>• Require the avoidance of all adverse effects on these areas.</li> </ul>	FANZ is concerned that specific freshwater objectives have not been provided and therefore it cannot comment on the specific relief sought. However, it considers that the objectives and policies, subject to the relief sought by FANZ, adequately address the requirements of the RMA and the NPS for Fresh Water Management.	Oppose



The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<ul style="list-style-type: none"> <li>• Identify what activities the effects of which need to be avoided.</li> <li>• Require enhancement of freshwater bodies and wetlands.</li> </ul>		
Ref 62	<p>Policy 2.3.3 - Applying an integrated management approach for freshwater catchments</p> <p>Amend Policy 2.3.3 as follows:</p> <ul style="list-style-type: none"> <li>• Identify how the physical characteristics of freshwater bodies in (b) relate to and are used to achieve integrated management.</li> <li>• Identify specific actions necessary to achieve integrated management between catchments.</li> </ul>	FANZ considers that specific provisions to achieve this Policy will be addressed by the Regional Plan. The Proposed RPS is an over-arching document that provides the direction for the region and does not generally contain detailed methodologies and/or rules.	Oppose
Otago Conservation Board Submission 155 Ref 77	<p>Policy suite 3.1 - Protection, use and development of natural and physical resources recognises environmental constraints</p> <ul style="list-style-type: none"> <li>• [Acknowledge] that not all constraints are permanent, nor are all constraints known.</li> </ul>	FANZ supports this submission as it recognises that constraints are not necessarily permanent and the policies should reflect the flexibility needed to manage constraints as they rise and fall away. Furthermore the recognition that constraints drive research and development is supported.	Support.

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	The reasons for support or opposition are:	Support or oppose
	<ul style="list-style-type: none"> <li>• [Express] the potential for constraints to have positive impacts in forcing development, driving research.</li> </ul>		

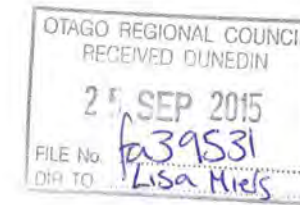


FURTHER SUBMISSION FORM (Print clearly on both sides)

# Proposed Regional Policy Statement for Otago

(Form 6, Clause 8 of the First Schedule, Resource Management Act 1991)

1024



Office use only

Name of further submitter:

Organisation (if applicable):

New Zealand Defence Force

Postal address:

C/- Property Group

Private Bag 902, Upper Hutt

Attn: Rob Owen

Postcode: 5140

Telephone: 04 587 2006

Email: rob.owen@nzdf.mil.nz and sara.mcmillan@nzdf.mil.nz

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

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

Tick as appropriate:

I represent a relevant aspect of the public interest.

I have an interest in the proposal greater than the interest that the general public has.

Signature: [Signature] Date: 25/9/15

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

### Important note to submitter:

1. A copy of your further submission must be served on the original submitter within five working days of making the further submission.
2. All further submissions are made available for public inspection.

**SUBMISSIONS MUST BE RECEIVED BY 5.00 PM,  
FRIDAY 25 SEPTEMBER 2015**



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

Please turn over

I support/oppose the submission of:	The parts of the submission I support/oppose are:	Support/ Oppose	The reasons for my support/opposition are:
Submitter 128 – Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Glossary – definition of ‘infrastructure’	Support	Support the inclusion of ‘National defence facilities’ within the definition. Defence facilities serve a critical regional and national function and should be recognised accordingly.
Submitter 128 – Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Glossary – definition of ‘reverse sensitivity’	Support	NZDF proposed the same definition for ‘reverse sensitivity’ in its submission as the Oil Companies. The definition proposed by NZDF/the Oil Companies provides a more accurate description of reverse sensitivity.
Submitter 85 – Trustpower Limited	Objective 3.4	Support	NZDF supports specific recognition of the need for some infrastructure n to support the wider needs of New Zealand as well as the region. Amending Objective 3.4 in this way also promotes greater consistency with the policies which give effect to it.
Submitter 97 – Transpower New Zealand Limited	Objective 3.4	Support	Agree that the objective should provide for national infrastructure needs.
Submitter 97 – Transpower New Zealand Limited	Policy 3.4.1	Support	Agree with amendments to Policy 3.4.1(b) requested by Transpower. The amended text seeks to limit reverse sensitivity effects on regionally or nationally important infrastructure.
Submitter 57 – Radio New Zealand Ltd	Policy 3.4.1	Support	Support the intent of an additional clause (e) to Policy 3.4.1 as it seeks to manage reverse sensitivity effects on infrastructure. This is an important aspect to achieving integration between infrastructure and other land uses.

Submitter 60 – PowerNet Limited	Policy 3.4.1	Support	Support the intent of an additional clause (e) to Policy 3.4.1 as it seeks to manage reverse sensitivity effects on infrastructure. This is an important aspect to achieving integration between infrastructure and other land uses.
Submitter 085 – Trustpower Limited	Policy 3.4.1	Support	Support the intent of an additional clause (e) to Policy 3.4.1 as it seeks to manage reverse sensitivity effects on infrastructure. This is an important aspect to achieving integration between infrastructure and other land uses.
Submitter 122 – Queenstown Airport Corporation	Policy 3.4.1	Support	Support the intent of an additional clause (e) to Policy 3.4.1 as it seeks to manage reverse sensitivity effects on infrastructure. This is an important aspect to achieving integration between infrastructure and other land uses.
Submitter 128 – Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.4.2	Support	NZDF supports the retention of this policy without modification.
Submitter 60 - PowerNet Limited	Objective 3.5.1	Support	NZDF supports the proposed amended wording which recognises and provides for infrastructure of national and regional significance.
Submitter 099 – Fonterra Co-operative Group Limited	Policy 3.5.1	Support	The policy should recognise <u>and provide for</u> significant infrastructure. This strengthens the policy to ensure that better direction is provided to lower order plans and consenting processes.
Submitter 128 – Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.5.2	Support	Amendments proposed by submitter clarify the values referred to are those that contribute to the significant or outstanding nature of those areas.
Submitter 128 – Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.5.3	Support	Amendments proposed by submitter appropriately address ‘intensification’ as well as establishment in terms of reverse sensitivity effects.

1025

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

**TO: OTAGO REGIONAL COUNCIL**  
Private Bag 1954  
**DUNEDIN**  
Email: rps@orc.govt.nz

OTAGO REGIONAL COUNCIL RECEIVED (DUNEDIN)	
21 SEP 2015	
FILE No.	fa39531
DIR TO	Lisa Myers

**NAME: REMARKABLES PARK LIMITED**  
C/- Brookfields  
P O Box 240  
**AUCKLAND**  
Attn: John Young / Rachael Davidson

1. This is a further submission on the Proposed Regional Policy Statement (**PRPS**).
2. **Remarkables Park Limited (RPL)** have an interest greater than the public generally. RPL is a development company in Queenstown that owns 150ha of land zoned to provide for town centre, mixed-use development in Frankton, Queenstown.
3. The table **attached** to this further submission as **Attachment A** is organised by theme as per the summary of decisions requested and records the submissions that RPL support and/or oppose together with the reasons for each further submission. A primary reason for supporting various submissions is to enable economic growth.
4. RPL wish to be heard in support of this further submission.
5. If others make a similar submission RPL will consider presenting a joint case with them at the hearing.

**REMARKABLES PARK LIMITED**  
by their lawyers and duly authorised  
agents **BROOKFIELDS** per:

**DATED** the 25<sup>th</sup> day of September 2015

  
\_\_\_\_\_  
J D Young / R A Davidson

**THIS FURTHER SUBMISSION** is filed by **JOHN DYLAN YOUNG**, solicitor for Remarkables Park Limited. The address for service of the submitters is at the offices of Brookfields, Lawyers, Tower One, 9th Floor, 205 Queen Street, Auckland.

Documents for service on the submitters may be left at the address for service or may be:

1. Posted to the solicitor at P O Box 240, Auckland 1140.
2. Left for the solicitor at Document Exchange for direction to DX CP24134.
3. Transmitted to the solicitor by facsimile to 09 379 3224.

**ATTACHMENT A**  
**Further submission table**

2501

<b>6. SCHEDULE 3 – SIGNIFICANCE THRESHOLD</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
1.	Royalburn Farming Company Ltd	102	Support relief seeking amendments to Schedule 3 so as to ensure consistency with case law and greater recognition and provision for economic growth.  Support relief seeking the insertion of criteria to reflect the need to consider offsetting or compensation and to reflect environmental/planning context on a case-by-case basis.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		
2.	Environmental Defence Society	127	Support the inclusion in Consideration 9 of identifying how well an area can absorb change.
3.	Oceana Gold (New Zealand) Ltd	140	Support relief seeking amendments that have regard to any mitigation proposed in order for the nature of the environmental effect to be properly understood and assessed.

<b>11. OBJECTIVE 1.1 – THE PRINCIPLES OF TE TIRITI O WAITANGI ARE TAKEN INTO ACCOUNT IN RESOURCE MANAGEMENT DECISIONS</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
4.	Royalburn Farming Company Ltd	102	Support relief seeking that the Objective be amended as follows: "The principles of Te Tiriti o Waitangi are <u>identified and</u> taken into account in resource management decisions".
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	

	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

14. POLICY 1.1.2 – TAKING THE PRINCIPLES OF TE TIRITI O WAITANGI INTO ACCOUNT			
	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
5.	Royalburn Farming Company Ltd	102	Support relief seeking that the policy be amended to use wording from the RMA as outlined in these submissions.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

20. POLICY 1.2.3 – PROTECTING IMPORTANT SITES AND VALUES OF CULTURAL SIGNIFICANCE TO KAI TAHU			
	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
6.	Royalburn Farming Company Ltd	102	Support relief seeking the inclusion of the words “ <u>from inappropriate subdivision, use and development</u> ” as per the directive in Part 2 of the RMA so that development opportunities are acknowledged and it is recognised that subdivision may be appropriate.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	



	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

<b>25. ISSUE 2.1 – DEGRADATION OF OTAGO’S NATURAL RESOURCES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
7.	Matthew Sole	75	Oppose relief seeking that the issue be amended to include reference to “intensifying land use, resource exploitation and utility development threatening Outstanding Natural Landscapes and Features”.
8.	Forest and Bird NZ	98	

<b>26. ISSUE 2.2 – HIGHLY VALUED NATURAL RESOURCES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
9.	Royalburn Farming Company Ltd	102	Support relief seeking to reflect the RMA directions in terms of protecting matters of national importance from inappropriate subdivision, use and development and providing for economic growth.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		

	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

**31. POLICY 2.1.1 – MANAGING FOR FRESHWATER VALUES**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
10.	Royalburn Farming Company Ltd	102	Support relief seeking to better reflect the direction in Part 2 of the RMA with the proposed inclusion of the words "from inappropriate subdivision, use and development".  Support relief that focuses the PRPS on resource management issues of regional significance.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

**35. POLICY 2.1.5 – MANAGING FOR SOIL VALUES**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
11.	Royalburn Farming Company Ltd	102	Oppose relief sought to the extent that it does not recognise that soils of a lower quality (which may or may not also be "regionally significant") may be better used for purposes other than primary production and that there may be situations where higher quality soils do not need to be protected.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	

	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

36. POLICY 2.1.6 – MANAGING FOR ECOSYSTEM AND INDIGENOUS BIODIVERSITY VALUES			
	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
12.	Royalburn Farming Company Ltd	102	Support relief seeking to better reflect the direction in Part 2 of the RMA with the proposed inclusion of the words “ <u>from inappropriate subdivision, use and development</u> ”.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
Real Journeys	138		

37. POLICY 2.1.7 – RECOGNISING THE VALUES OF NATURAL FEATURES, LANDSCAPES, AND SEASCAPES			
	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
13.	PowerNet Ltd	60	Partial support to the extent that this submission requires better guidance from the ORC to ensure consistent application of the criteria by local authorities.
14.	Darby Planning Ltd	81	Support the amendments proposed to the PRPS so as to ensure consistency with the modified <b>Pigeon Bay</b> criteria in order for local authorities to apply the criteria consistently. Agree that the list of attributes presently proposed in the Policy (and

			Schedule 4) are inconsistent with current case authorities.
15.	Te Runanga O Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga	154	Support relief seeking cross references with Policies 2.2.3 and 2.2.4 (identification and management of outstanding natural landscapes) and Policies 2.2.5 and 2.2.6 (identification and management of special amenity landscapes and high valued natural features).

<b>38. SCHEDULE 4 – CRITERIA FOR THE IDENTIFICATION OF NATURAL FEATURES AND LANDSCAPES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
16.	Contact Energy Ltd	74	Support the relief seeking amendments to the heading and description of the Schedule to reflect the fact that the Schedule is to determine the relative value of natural features and landscapes.
17.	Fonterra Co-operative Group Ltd	99	Support relief seeking amendments to ensure the Schedule only contemplates Outstanding Landscapes and special amenity/highly valued landscapes in the context of section 6 RMA.
18.	Environmental Defence Society Inc	127	Support relief seeking amendments to ensure clear and comprehensive criteria in the absence of maps.

<b>44. POLICY 2.2.2 – MANAGING SIGNIFICANT INDIGENOUS VEGETATION AND SIGNIFICANT HABITATS OF INDIGENOUS FAUNA</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
19.	Clutha District Council	28	Oppose relief seeking the replacement of “managing” with “protecting”.
20.	Royalburn Farming Company Ltd	102	Support relief seeking to better reflect the direction in Part 2 of the RMA with the proposed inclusion of the words “from inappropriate subdivision, use and development”.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		

	Real Journeys	138	
	Environmental Defence Society Inc	127	

<b>45. POLICY 2.2.3 – IDENTIFYING OUTSTANDING NATURAL FEATURES, LANDSCAPES AND SEASCAPES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
21.	Contact Energy Ltd	74	Support relief seeking guidance as to the application of Schedule 4 to natural features, landscapes, and seascapes in order to distinguish between those that are "outstanding" and those that are not.
22.			Support relief seeking the inclusion of comment that highly modified landscapes do not qualify as "outstanding".
23.	Forest and Bird NZ	98	Support relief seeking more guidance – the attributes, qualities and features underlying "outstanding" status need to be identified.
24.	Royalburn Farming Company Ltd	102	Oppose relief seeking deletion of Schedule 4.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

<b>46. POLICY 2.2.4 – MANAGING OUTSTANDING NATURAL FEATURES, LANDSCAPES AND SEASCAPES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
25.	Alliance Group Ltd	56	Support relief seeking deletion of the use of the word "avoid" in (a) in light of the <b>King Salmon</b> decision.
	PowerNet Ltd	60	
	HW Richardson Group Ltd	61	
26.	Aurora Energy Ltd	76	If "avoid" is to be retained, support relief seeking the inclusion of "remedying and mitigating" at (a) in light of the <b>King Salmon</b> decision.
	New Zealand Petroleum and Minerals	86	

	Oceana Gold (New Zealand) Ltd	140	
	Ravensdown Works Ltd	143	
27.	McKeague Consultancy	89	Support relief seeking the deletion of "avoid" and replacing it with "minimise" at (a) in light of the <b>King Salmon</b> decision.
	Peter and Margaret Hore	146	
28.	Darby Planning LP	81	Support relief to the extent that outside the coastal environment it is more appropriate to "avoid, remedy or mitigate" adverse effects.
29.	Darby Planning LP	81	Agree with the contention that Policy 2.2.4 sets too high a test in light of the RMA and the NZCPS.
	Meridian Energy Ltd	82	
30.	Director General of Conservation	117	Support proposed relief so as to ensure consistency with the NZCPS.
31.	Royalburn Farming Company Ltd	102	Support the inclusion of proposed (g) and (h) as follows:  (g) <u>Recognising that appropriately designed and managed recreational activities in such locations can be appropriate and can entail community benefits such as the enjoyment of landscape values.</u>  (h) <u>Recognising that when activities have a functional need to locate within such places and emphasis on mitigating or remedying adverse effects rather than avoiding them may be appropriate.</u>
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		
32.	Te Runanga O Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runaunga	154	Support relief seeking: <ul style="list-style-type: none"> <li>• Inclusion of "Method 6";</li> <li>• Cross references to Policies 2.1.7 and 2.2.3.</li> </ul>

**47. POLICY 2.2.5 – IDENTIFYING SPECIAL AMENITY LANDSCAPES AND HIGHLY VALUED NATURAL FEATURES**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPPOSED AND REASON
33.	Contact Energy Ltd	74	Support relief seeking guidance as to how the Schedule 4 attributes are to be applied to special amenity landscapes or natural features to distinguish between those that are "outstanding" and those that are highly valued, but not outstanding.

<b>48. POLICY 2.2.6 – MANAGING SPECIAL AMENITY LANDSCAPES AND HIGHLY VALUED NATURAL FEATURES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
34.	Alliance Group Ltd	56	Support relief sought to the extent it distinguishes between outstanding landscapes and features that are to be protected pursuant to section 6 of the RMA and other amenity landscapes which do not require as high a threshold of protection. Support the use of "maintenance" or similar wording to replace "protection".
	Aurora Energy Ltd	76	
	Darby Planning LP	81	
	Meridian Energy	82	
35.	Contact Energy Ltd	74	Support relief seeking the inclusion of "remedying or mitigating" at (a). A lesser standard is appropriate as these landscapes are less than outstanding.
	Ravensdown Works Ltd	143	

<b>54. POLICY 2.2.12 – IDENTIFYING OUTSTANDING WATER BODIES AND WETLANDS</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
36.	McKeague Consultancy Ltd	89	Support relief seeking greater clarity and detail as to values and how they will be assessed.
37.	The Fertiliser Association of New Zealand Inc	110	Support relief seeking amendments to better reflect the NPS on Freshwater Management.
	Environmental Defence Society Inc	127	

<b>55. POLICY 2.2.13 – MANAGING OUTSTANDING WATER BODIES AND WETLANDS</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
38.	Royalburn Farming Company Ltd	102	Support relief seeking amendments to reflect the direction in Part 2 of the RMA
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Environmental Defence Society Inc	127	
	Soho Basin Skiffeld Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

	Environmental Defence Society Inc	127	
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<b>57. POLICY 2.2.15 – MANAGING HIGHLY VALUED SOIL RESOURCES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
39.	NZ Pork Industry Board	83	Oppose relief seeking the insertion of a qualifier that the appropriateness is dependent on the requirement for primary production to be assessed first.
40.	Royalburn Farming Company Ltd	102	Support relief seeking amendments to reflect the direction in Part 2 of the RMA. Agree with the submission that the PRPS does not adequately address the issue of the shortage of zoned land supply, particularly in Queenstown. Protecting highly valued soil resources over urban growth and development is not appropriate for all rural parts of the region.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

<b>70. ISSUE 3.5 – IMPORTANCE OF INFRASTRUCTURE OF REGIONAL OR NATIONAL SIGNIFICANCE</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
41.	Royalburn Farming Company Ltd	102	Support the relief sought to the extent that the relief seeking to include the phrase “any infrastructure considered to be of regional or national significance” in the definition of Significant Infrastructure is also accepted.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	



	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

**78. POLICY 3.1.1 – RECOGNISING NATURAL AND PHYSICAL ENVIRONMENTAL CONSTRAINTS**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
42.	Blueskin Resilient Communities Trust	87	Oppose relief seeking deletion of (e) being “the functional necessity for the activity to be located where there are significant constraints”.
43.	Ravensdown Works Ltd	143	Support relief seeking retention of locational necessity as a factor.

**285. INTRODUCTION TO OBJECTIVE 3.4**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
44.	Transpower New Zealand Ltd	97	Support proposed inclusion of “current and future local, regional and <u>national</u> infrastructure needs are being met”.

**98. POLICY 3.4.1 – INTEGRATING INFRASTRUCTURE WITH LAND USE**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
45.	Transpower New Zealand Ltd	97	Support the relief seeking the inclusion at (a) of “recognising the function, technical, operational and locational needs of infrastructure of regional or national importance.
46.	Royalburn Farming Company Ltd	102	Support proposed amendments to the Policy.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skiffeld Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
Glencoe Station Ltd	134		
Treble Cone Investment Ltd	135		

	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

104. POLICY 3.5.1 – RECOGNISING NATIONAL AND REGIONAL SIGNIFICANCE OF INFRASTRUCTURE			
	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
47.	Royalburn Farming Company Ltd	102	Support relief seeking inclusion of “and tourism activities” at (f).
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

105. POLICY 3.5.2 – MANAGING ADVERSE EFFECTS OF INFRASTRUCTURE THAT HAS NATIONAL OR REGIONAL SIGNIFICANCE			
	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
48.	Queenstown Lakes District Council	95	Oppose relief seeking to strengthen the policy with regard to the protection of ONFs and ONLs.
49.	PowerNet Ltd	60	Support relief seeking the replacement of “minimise” with “manage”.
	HW Richardson Group Ltd	61	
	NZ Transport Agency	78	
	Transpower New Zealand Ltd	97	
	Queenstown Airport Corporation	122	
	Pioneer Generation Ltd	142	
	Straterra	151	
50.	PowerNet Ltd	60	Support relief seeking to take into account measures to avoid, remedy, or mitigate adverse effects at (b).
	HW Richardson Group Ltd	61	

	Transpower New Zealand Ltd	97	
	Royalburn Farming Company Ltd	102	
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	
	Pioneer Generation Ltd	142	
	Straterra	151	
51.	Royalburn Farming Company Ltd	102	Support relief seeking that infrastructure providers can employ the use of offsetting or other compensatory measures to address adverse effects on the environment, not just in the instance of effects on indigenous biodiversity.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		

	Real Journeys	138	
	Queenstown Airport Corporation	122	
	PowerNet Ltd	60	
	HW Richardson Group Ltd	61	
	Pioneer Generation Ltd	142	
<b>52.</b>	Transpower New Zealand Ltd	97	Support relief seeking the inclusion of "locational requirements".

**117. POLICY 3.7.1 – USING PRINCIPLES OF GOOD URBAN DESIGN**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
53.	Royalburn Farming Company Ltd	102	Support the proposed amendments to (b).
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

**124. POLICY 3.8.1 – MANAGING FOR URBAN GROWTH**

	SUBMITTER	SUBMITTER NO.	RELIEF SUPPORTED/OPOSED AND REASON
54.	Royalburn Farming Company Ltd	102	Support proposed addition to (c) to refer to the tourism sector.  Support proposed deletion of (c)(ii) and (iii).
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	

	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

<b>127. POLICY 3.8.3 – MANAGING FRAGMENTATION OF RURAL LAND</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPPOSED AND REASON</b>
55.	Darby Planning Ltd	81	Support proposed amendments to include “avoided, remedied, and mitigated”.
56.	McKeague Consulting Ltd	89	Support replacement of “avoid” with “minimise”.
	Peter and Margaret Hore	146	
57.	Royalburn Farming Company Ltd	102	Support proposed addition to (a)(i) to refer to primary production or <u>tourism</u> .
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

<b>127. POLICY 3.9.3 – IDENTIFYING CONTAMINATED LAND</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPPOSED AND REASON</b>
58.	Z Energy Ltd, BP Oil NZ Ltd and Mobil	128	Support retaining the policy.

	Oil NZ Ltd		
59.	Oceana Gold (New Zealand) Ltd	140	

<b>144. OBJECTIVE 4.1 – PUBLIC ACCESS TO AREAS OF VALUE TO THE COMMUNITY IS MAINTAINED OR ENHANCED</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
60.	Clutha District Council	28	Support relief seeking Objective 4.1 be adopted as proposed.
	Federated Farmers of New Zealand	115	
	Director-General of Conservation	117	
	Otago and Central South Island Fish and Game Councils	118	
	Heritage New Zealand Pouhere Taonga	120	
	Yellow-Eyed Penguin Trust	63	

<b>146. POLICY 4.1.1 – MAINTAINING AND ENHANCING PUBLIC ACCESS</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
61.	Director-General of Conservation	117	Support relief seeking Policy 4.1.1 be adopted as proposed.
	Heritage New Zealand Pouhere Taonga	120	

<b>155. POLICY 4.3.1 – MANAGING FOR RURAL ACTIVITIES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
62.	Royalburn Farming Company Ltd	102	Support relief seeking: <ul style="list-style-type: none"> <li>▪ Significant Industry Activities (tourism and primary production) be defined, recognised, and provided for; and</li> <li>• Greater recognition and provision for the tourism sector.</li> <li>• Greater recognition and provision for economic growth.</li> </ul>
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
Treble Cone Investment Ltd	135		
Woodlot Properties Ltd	136		

	Henley Downs Farm Holdings Ltd	137	
	Real Journeys	138	

<b>158. POLICY 4.3.4 – MANAGING THE DISTRIBUTION OF COMMERCIAL ACTIVITIES IN LARGER URBAN AREAS</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPPOSED AND REASON</b>
63.	Royalburn Farming Company Ltd	102	Support proposed amendments which recognise there is more than one central business district in Otago.
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
Woodlot Properties Ltd	136		
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

<b>159. POLICY 4.3.5 – MANAGING FOR INDUSTRIAL LAND USES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPPOSED AND REASON</b>
64.	Clutha District Council	28	Support relief seeking the deletion of this Policy.

<b>159. POLICY 4.3.5 – MANAGING FOR INDUSTRIAL LAND USES</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPPOSED AND REASON</b>
65.	Clutha District Council	28	Support relief seeking the deletion of this Policy.

<b>160. POLICY 4.3.6 – MANAGING LOCATIONAL NEEDS FOR MINERAL GAS EXPLORATION, EXTRACTION, AND PROCESSING</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPPOSED AND REASON</b>
66.	Oceana Gold (New Zealand) Ltd	140	Support relief seeking amendments to (a) with the following wording: "Providing for these activities in sensitive, significant, or outstanding areas, and recognising they are not inappropriate and may give rise to unavoidable adverse effects that need to be remedied, mitigated or compensated for".

<b>301. INTRODUCTION TO OBJECTIVE 4.5</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
67.	Central Otago District Council	37	Support proposed amendment to refer to Objective 2.2 rather than Section 2.3.

<b>168. POLICY 4.5.1 – AVOIDING OBJECTIONABLE DISCHARGE</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
68.	Director-General of Conservation	117	Support relief seeking retention of the Policy as notified as it is consistent with the NZCPS 2010.

<b>170. POLICY 4.5.3 – APPLYING EMISSION STANDARDS ON DOMESTIC FUEL BURNERS</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
69.	Straterra	151	Support submission point seeking retention of Policy.

<b>249. GLOSSARY</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
70.	Royalburn Farming Company Ltd	102	Support relief seeking the following: <ul style="list-style-type: none"> <li>• Inclusion of “any infrastructure considered to be of regional or national significance” in the definition of Significant Infrastructure; and</li> <li>• Inclusion of any activity associated with tourism in the definition of Regionally Significant Industry Activity.</li> <li>• Greater recognition and provision for economic growth.</li> </ul>
	Walter Peak Station	103	
	Millbrook Country Club	104	
	Eastburn Farm	105	
	RCL Queenstown PTY Ltd	106	
	Damper Bay Estates Ltd	107	
	Halfway Bay Station	108	
	Water Tight Investments Ltd	109	
	Soho Basin Skifield Ltd	129	
	Northlake Investments Ltd	130	
	Shotover Country Ltd	131	
	Ayrburn Farm Developments Ltd	132	
	Bridesdale Farm Developments Ltd	133	
	Glencoe Station Ltd	134	
	Treble Cone Investment Ltd	135	
	Woodlot Properties Ltd	136	
Henley Downs Farm Holdings Ltd	137		
Real Journeys	138		

<b>253. STRUCTURE OF THE DOCUMENT AND USABILITY – GENERAL</b>			
	<b>SUBMITTER</b>	<b>SUBMITTER NO.</b>	<b>RELIEF SUPPORTED/OPOSED AND REASON</b>
71.	Queenstown Lakes District Council	95	Support relief seeking reduction of repetition of objectives and policies to create a



			more streamlined document.
<b>72.</b>	Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Okatou and Hokonui Runanga	154	Support relief seeking cross references throughout document.



1026

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**Environmental Consultants**  
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Tel: +64 3 477 7884  
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**By Email**

25 September 2015

Our Ref: 8937

Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

**Attention:** Planning Department  
rps@orc.govt.nz

Dear Sir / Madam

**RE: PROPOSED OTAGO REGIONAL POLICY STATEMENT – FURTHER  
SUBMISSION BY OTAGO CIVIL DEFENCE EMERGENCY MANAGEMENT  
GROUP ('OTAGO CDEM')**

Please find **attached** a further submission on behalf of the Otago CDEM Group, relating to the proposed Otago Regional Policy Statement.

We trust these comments will be given due consideration and look forward to being kept informed of the process.

Yours sincerely,  
**MITCHELL PARTNERSHIPS LIMITED**

**S TUCK**

Email: [Steven.Tuck@mitchellpartnerships.co.nz](mailto:Steven.Tuck@mitchellpartnerships.co.nz)

Enc.

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2501

**SUBMISSION FORM 6**

**CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991**

**FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON  
PUBLICLY NOTIFIED PROPOSED OTAGO REGIONAL POLICY STATEMENT**

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

**Submission on:** Proposed Otago Regional Policy Statement

**Name:** Otago Civil Defence Emergency Management Group ("Otago CDEM")

**Address:** Otago CDEM Group  
c/- Mitchell Partnerships Ltd  
P O Box 489  
DUNEDIN 9054  
Attention: Steven Tuck

1. These further submissions are in support of, or in opposition to, submissions on the Proposed Otago Regional Policy Statement.
2. Otago CDEM is a person who has an interest that is greater than the interest the general public has.
  - As explained in Otago CDEM's original submission, Otago CDEM is established under section 12 of the *Civil Defence Emergency Management Act 2002* ("**CDEM Act**"). Otago CDEM comprises a joint standing committee with membership of the Mayors from the Central Otago District, Clutha District, Dunedin City, Queenstown Lakes District and Waitaki District Councils and the Chairperson of the Otago Regional Council. This submission does not reflect the views of these territorial authorities, but reflects the views of the Otago CDEM Group in relation to the matters for which it is responsible.
  - The CDEM Act gives Otago CDEM the responsibility to identify, assess and manage the Otago CDEM area's hazards and risks. The Otago CDEM Group Plan sets out how Otago is going to respond to the risks that it faces. The Otago CDEM Group area comprises all of Queenstown Lakes, Central Otago, Clutha and Waitaki Districts and Dunedin City, therefore the Regional Policy Statement

("RPS") has a role to play in contributing to the achievement of the vision, and the goals of Otago CDEM.

- The Otago CDEM Group area is subject to a wide range of significant hazards including:
  - Natural hazards: flooding, storm, tsunami, earthquake, rural fire, drought, landslide; and
  - Technological hazards: lifeline utility failure, dam break, hazardous substances spill, major transport accident, criminal act/terrorism, human pandemic, animal/plant diseases and pests.
- The Otago CDEM Group Plan identifies Otago's high priority hazards as being earthquakes, dam breaks, human pandemic, landslide, river and lake floods, tsunami, severe storms (snow, wind and rain), electricity failure, and fuel supply disruption.
- The Otago CDEM Group Plan also notes that climate change may lead to increased frequency and severity of emergency events, such as more intense rainfall and associated flooding, more frequent and intense droughts in eastern areas, more damaging winds and increased wildfire risk especially in eastern areas, sea level rise and a change in wave patterns.
- In accordance with section 62(1)(i)(i) of the RMA, a regional policy statement must state objectives, policies and methods for the control of the use of land to avoid or mitigate natural hazards or any group of hazards.
- In accordance with section 61(2)(a)(i) of the RMA, the regional council shall have regard to management plans and strategies prepared under other acts. The Otago CDEM Group Plan 2012-2017 is prepared under the CDEM Act. Accordingly, the regional council is required to have regard to it in the preparation of the proposed RPS.
- In light of the above, Otago CDEM considers it has an interest in this Proposed Policy Statement that is greater than the interest the greater public has, by virtue of its role in identifying, assessing and managing the Otago CDEM area's hazards and risks, and ensuring the effective operation of civil emergency management plans, strategies and procedures.
- Otago CDEM therefore makes the following further submissions pursuant to Clause 8 of the First Schedule to the RMA.

3. Otago CDEM will not gain an advantage in trade competition through these further submissions.

#### 4. **Further Submissions**

Otago CDEM's further submissions on the Proposed RPS are attached as **Appendix A**.

5. Otago CDEM seeks the following decisions from the Otago Regional Council:
  - a) That the relief sought and/or amendments (or those with similar or like effect) outlined in Appendix A be accepted; and,
  - b) Such further or other relief as is appropriate or desirable in order to take account of the matters expressed in this further submission.
6. Otago CDEM does wish to be heard in relation to this submission.
7. If others make a similar submission Otago CDEM will consider presenting a joint case with them at a hearing.



**Signature:**

---

By its authorised agent Steven Tuck, on behalf of  
Otago CDEM Group

**Date:** 25 September 2015

**Address for service:** Otago CDEM Group  
C/- Mitchell Partnerships  
PO Box 489  
**DUNEDIN**

Attn: Steven Tuck

**Telephone:** (03) 477 7884

**Email:** [steven.tuck@mitchellpartnerships.co.nz](mailto:steven.tuck@mitchellpartnerships.co.nz)

# APPENDIX A

Table 1 – Otago CDEM Further submissions

PROVISION	SUBMITTER	SUB. ID	DECISION REQUESTED	CDEM POSITION	REASONING
<p><b>Policy 3.2.8</b> Applying a precautionary approach</p> <p>Where natural hazard risk is uncertain or unknown, but potentially significant or irreversible, apply a precautionary approach to identifying, assessing and managing that risk.</p>	Federated Farmers	115	<p>Deletion of the policy.</p> <p>If the risks from a natural hazard/s is uncertain or unknown, applying the precautionary approach may result in significant or unacceptable costs to the communities irrespective of the scale of the risk.</p> <p>In instances where there are unknowns or unknowables it is important that councils discuss the potential for risk and the options for addressing this risk with the affected communities. The RPS is not the appropriate regulatory document to inform this discussion.</p>	Oppose	<p>Otago CDEM supports the use of the precautionary principle where natural hazard risk is unknown or uncertain.</p> <p>Otago CDEM considers that it is preferable to incur opportunity costs associated with a precautionary approach than to incur costs arising from decisions made in the absence of sufficient information about natural hazards</p>
<p><b>Policy 3.4.2</b> Managing infrastructure activities</p> <p>Manage infrastructure activities, to:</p>	<p>Royalburn Farming</p> <p>Walter Peak Station</p> <p>Millbrook Country Club</p> <p>Eastburn Farm</p>	<p>102</p> <p>103</p> <p>104</p> <p>105</p>	<p>Amendment of sub-clause (g) as follows:</p> <p>"Protect the functioning of <u>significant infrastructure</u> <del>lifeline utilities</del> and essential or emergency services."</p>	Oppose	<p>Otago CDEM supports the retention of reference in the RPS to lifeline utilities, which are defined in the <i>Civil Defence Emergency Management Act 2002</i>.</p> <p>The deletion of an explicit reference to "lifeline utilities"</p>

a) Maintain or enhance the health and safety of the community; and	RCL Queenstown		106			and insertion of a substitute reference to “significant infrastructure” will reduce the clarity of the RPS provisions. It may also unnecessarily complicate administrative processes associated with the consideration of proposals relating to lifeline utilities.
			107			
b) Reduce adverse effects of those activities, including cumulative adverse effects on natural and physical resources; and	Damper Bay Estates					
	Halfway Bay Station		108			
	Water Tight Investments		109			
c) Support economic, social and community activities; and	Soho Basin		129			
d) Improve efficiency of use of natural resources; and	Northlake Investments		130			
	Shotover Country		131			
e) Protect infrastructure corridors for infrastructure needs, now and for the future; and	Ayrburn	Farm	132			
	Developments					
f) Increase the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events; and	Bridesdale	Farm	133			
	Developments					
g) Protect the functioning of lifeline utilities and	Glencoe Station		134			
	Treble Cone Investment		135			
	Woodlot Properties		136			



essential or emergency services.	Henley Downs Farm Holdings Real Journeys	137 138			
<b>Policy 3.4.2</b> Managing infrastructure activities  <i>(Note: entire policy not shown below – is listed directly above)</i>	TransPower NZ Limited	97	g) <u>Protect the functioning functional and operational requirements ...</u>  Strongly supports g) as this ensures lifeline utilities such as the National Grid are protected.	Support	Otago CDEM supports this submission as it provides a more specific direction regarding the protection of lifeline utilities.
<b>Policy 3.4.3</b> Designing lifeline utilities and facilities for essential or emergency services  Design lifeline utilities, 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	Royalburn Farming  Walter Peak Station  Millbrook Country Club  Eastburn Farm  RCL Queenstown  Damper Bay Estates	102  103  104  105  106  107	Amend as follows:  "Policy 3.4.3 Designing <del>lifeline utilities</del> <u>significant infrastructure</u> and facilities for essential or emergency services  Design <del>lifeline utilities</del> <u>significant infrastructure</u> , and facilities for essential or emergency services, to:..."	Oppose	Otago CDEM supports the retention of reference in the RPS to lifeline utilities, which are defined in the <i>Civil Defence Emergency Management Act 2002</i> .  The deletion of an explicit reference to "lifeline utilities" and insertion of a substitute reference to "significant infrastructure" will reduce the clarity of the RPS provisions. It may also unnecessarily

<p>b) Take into account their operational co-dependence with other lifeline utilities and essential services to ensure their effective operation.</p>	Halfway Bay Station	108			<p>complicate administrative processes associated with the consideration of proposals relating to lifeline utilities.</p>
	Water Tight Investments	109			
	Soho Basin	129			
	Northlake Investments	130			
	Shotover Country	131			
	Ayrburn Farm Developments	132			
	Bridesdale Farm Developments	133			
	Glencoe Station	134			
	Treble Cone Investment	135			
	Woodlot Properties	136			
	Henley Downs Farm Holdings	137			
Real Journeys	138				

<p><b>Policy 3.4.4</b></p> <p>Managing hazard mitigation measures, lifeline utilities, and essential and emergency services</p> <p>Protect the functioning of hazard mitigation measures, lifeline utilities, and essential or emergency services, including by:</p> <p>a) Restricting the establishment of those activities that may result in reverse sensitivity effects; and</p> <p>b) Avoiding significant adverse effects on those measures, utilities or services; and</p> <p>c) Avoiding, remedying or mitigating other adverse effects on those measures, utilities or services; and</p>	Royalburn Farming	102	Amend header as follows:	Oppose	<p>Otago CDEM supports the retention of reference in the RPS to lifeline utilities, which are defined in the <i>Civil Defence Emergency Management Act 2002</i>.</p> <p>The deletion of an explicit reference to “lifeline utilities” and insertion of a substitute reference to “significant infrastructure” will reduce the clarity of the RPS provisions. It may also unnecessarily complicate administrative processes associated with the consideration of proposals relating to lifeline utilities.</p>
	Walter Peak Station	103	"Policy 3.4.4 Managing hazard mitigation measures, <del>lifeline utilities</del> ,		
	Millbrook Country Club	104	<u>significant infrastructure</u>		
	Eastburn Farm	105	, and essential and emergency services".		
	RCL Queenstown	106	• Delete d).		
	Damper Bay Estates	107			
	Halfway Bay Station	108			
	Water Tight Investments	109			
	Soho Basin	129			
	Northlake Investments	130			
Shotover Country	131				
Ayrburn Farm Developments	132				

<p>d) Assessing the significance of adverse effects on those measures, utilities or services, as detailed in Schedule 3; and</p> <p>e) Maintaining access to those measures, utilities or services for maintenance and operational purposes; and</p> <p>f) Managing other activities in a way that does not foreclose the ability of those mitigation measures, utilities or services to continue functioning.</p>	Bridesdale Farm Developments	133			
	Glencoe Station	134			
	Treble Cone Investment	135			
	Woodlot Properties	136			
	Henley Downs Farm Holdings	137			
	Real Journeys	138			
<b>Method 7: Strategies and Plans (non-RMA)</b>	Royalburn Farming	102	Delete Method 7.	Oppose	Otago CDEM considers that the inclusion of Method 7 in the proposed Regional Policy Statement relating to the management of natural hazards accords with the purpose of Regional Policy Statements specified at Section 59 of the RMA, as follows:
7.1 Natural hazard strategies	Walter Peak Station	103	Unnecessary or ambiguous ("may").		
	Millbrook Country Club	104	Deleting unnecessary provisions would provide clearer direction, strengthen the PRPS & result in efficiency gains.		
7.1.1 Regional, city and district councils may:	Eastburn Farm	105			

<p>a) Prepare strategies or other similar documents to assist in the:</p> <p>i) Management and reduction of natural hazard risk;</p> <p>ii) Adaptation to, and mitigation of, climate change;</p> <p>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.</p>	RCL Queenstown	106			<p><i>59 Purpose of regional policy statements</i></p> <p><i>The purpose of a regional policy statement is to achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region.</i></p> <p>Section 62 (1) (e) of the RMA goes on to specify that a Regional Policy Statement <u>must</u> specify the methods (excluding rules) used, or to be used, to implement the policies of the Plan.</p> <p>Otago CDEM supports the inclusion of non-RMA methods as the RPS is wider than simply setting direction for regional and district Plans.</p>
	Damper Bay Estates	107			
	Halfway Bay Station	108			
	Water Tight Investments	109			
	Soho Basin	129			
	Northlake Investments	130			
	Shotover Country	131			
	Ayrburn Farm Developments	132			
	Bridesdale Farm Developments	133			
	Glencoe Station	134			
Treble Cone Investment	135				
Woodlot Properties	136				

	Henley Downs Farm Holdings	137			
	Real Journeys	138			
<p><b>Glossary</b></p> <p>Natural hazard</p> <p>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.</p>	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	128	<p>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.</p> <p>Natural Hazard:</p> <p>Clarify the omissions from the RMA definition or amend the definition of natural hazard as follows:</p> <p>"Includes any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, <u>wind</u>, drought, <u>fire</u> or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment."</p>	Support	<p>Otago CDEM supports this submission. Wind and fire are natural hazards and their inclusion in the definition are necessary for the comprehension of the plan provisions relating to natural hazards.</p> <p>For a consistent approach within the Glossary of the proposed Regional Policy Statement, if the definition is amended to correlate to the RMA definition, the definition in the RPS Glossary may be amended to:</p> <p>"Has the meaning set out in Section 2 of the Resource Management Act 1991."</p>

1027



**DAIRYNZ FURTHER SUBMISSIONS ON THE  
PROPOSED OTAGO REGIONAL POLICY STATEMENT**

Corner Ruakura  
& Morrinsville Roads  
Private Bag 3221  
Hamilton 3240  
New Zealand

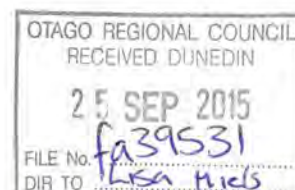
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**To:** Otago Regional Council  
Private Bag 1954  
Dunedin 9054

**Name of person making further submission:** DairyNZ

**Further submissions in support of/in opposition to submissions on the:** Proposed Otago Regional Policy Statement



**DairyNZ has an interest in the proposal that is greater than the interest the general public has because:**

DairyNZ is the industry good organisation representing New Zealand's dairy farmers. Funded by a levy on milksolids and through government investment, our purpose is to secure and enhance the profitability, sustainability and competitiveness of New Zealand dairy farming. We deliver value to farmers through leadership, influencing, investing, partnering with other organisations and through our own strategic capability. The proposed Otago RPS may have direct and significant impacts on dairy farmers in the Otago Region.

DairyNZ supports and opposes submissions made on the Otago RPS as detailed, with reasons, in the attached Table 1.

DairyNZ wishes to be heard in support of its further submissions. If others make similar submissions, it will consider presenting a joint case at a hearing.

A copy of DairyNZ's further submission will be served on the persons who made the submissions to which DairyNZ's further submissions relate, within five working days.

I am authorised to make these further submissions on behalf of DairyNZ.

25 September 2015

Address for service of person making further submission:  
DairyNZ, PO Box 85066, Lincoln University, 7647  
Telephone: 03 321 9014  
Email: [shirley.hayward@dairynz.co.nz](mailto:shirley.hayward@dairynz.co.nz)  
Contact person: Shirley Hayward

**TABLE 1**

**General**

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Fonterra (Submitter 99)</b>	3	Whole of RPS	Restructure the Otago PRPS, including Part A – Introduction, so that it is structured around specific natural and physical resources or topics rather than the four outcomes.	Support	While DairyNZ understands what the ORC is attempting to achieve by the structure used and sees some benefit in it demonstrating a high degree of integration, overall, the structure does seem overly academic and impractical. The apparent confusion and perceived duplication caused by the structure may underlay a number of submissions ORC has received on specific provisions. If the structure is to be retained moving outcome four to the beginning might assist resolving some issues.	Accept the submission
<b>Federated Farmers (Submitter 115)</b>	3	Whole of RPS	Consider it more appropriate to frame the RPS with key issues, to provide a better linkage between the higher level intentions and the subsequent methods and policies.	Support	As above	Accept the submission

1501

**PART A -**

**Introduction**

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Federated Farmers (Submitter 115)</b>	3	Introduction	Amend introduction to include a more robust discussion around the positive outcomes resulting from resource use and the agricultural sectors contribution	Support	There is insufficient acknowledgement of the needs to use, and value of using natural and physical resources for the well-being of people and communities	Accept the submission







<b>Fish and Game (Submitter 118)</b>	4	Introduction	Amend the description of "Otago has high quality natural resources and ecosystems" (p.11) as follows: <u>"Otago's natural resources are valued for their intrinsic values, and whilst Society relies heavily on the systems and services of the natural environment, the recognition, protection, and sustainable management of the intrinsic values of natural resources and their ecosystems is paramount.</u>	Oppose	The amended wording erects a legally incorrect framework for the management of resources in the Otago Region by suggesting that the protection of intrinsic values of resources are paramount (prevailing over the use of resources). That is contrary to the purpose of the Act.	Reject the submission
<b>Transpower New Zealand Limited (Submitter 97)</b>	5	Introduction - The Treaty Partner	In "Expression of Te Tiriti o Waitangi": • Remove the following text from the first bullet point: <i>"Recognising the rights and interests of Kai Tahu to be involved in natural and resource management <u>processes</u> in Otago including <u>decision-making processes and implementation.</u>"</i>	Support	The amendment is a more appropriate reflection of status in respect of decision making processes.	Accept the submission

PART B CHAPTER 1 -



Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
Federated Farmers (Submitter 115)	Omitted from summary	Objective 1.1	Amend wording as follows: A partnership approach, which involves Kāi Tahu and <del>elevates</del> <u>appropriately considers</u> their values, rights and interests in decision-making processes, enables the principles, including kaitiakitaka, to be given effect in an appropriately flexible way, and recognises Kāi Tahu and the Crown.	Support	While it is right that the principles of the Treaty are embedded within the regional policy framework, elevating values, rights and interests begs the question of “relative to what”. DairyNZ is concerned to ensure that the objective does not imply that some unspecified rights and interest are elevated above others. All will be relevant to decision-making and which will prevail in the event of conflict will be context dependent.	Accept the submission
Federated Farmers (Submitter 115)	14	Policy 1.1.2 a) and b)	Amend Policy 1.1.2 as follows: a) Accord Kāi Tahu a status <del>distinct from that of interest groups and members of the public,</del> consistent with their position as a Treaty partner b) Involve Kāi Tahu <u>at an early stage in respect to</u> <del>in</del> resource management <u>planning and governance processes</u> <del>decision-making processes and implementation</del>	Support	It is important that Kāi Tahu’s position as Treaty partner is recognised but it is also important that this is not done in such a way as to relegate the value and relevance of participation by other stakeholders.	Accept the submission
Federated Farmers (Submitter 115)	14	Policy 1.1.2 f) iii)	Delete the policy	Support	Requiring district and regional plans provide for areas of significance to Kāi Tahu in a manner similar to statutory acknowledgements risks imposing a unreasonable burden on landowners and may prevent more mutually beneficial relationships .	Accept the submission



**PART B CHAPTER 2 -**

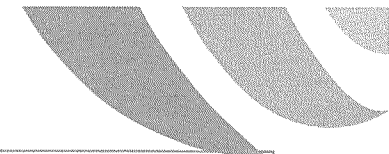
Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Waitaki District Council (Submitter 70)</b>	265	Chapter B2 – Introduction	Amend the 2nd paragraph of the introduction to:  Chapter B2 to: "It is critical to recognise the value we place on Otago's natural resources and to manage these resources accordingly. This includes identifying resources which we want to <del>preserve</del> <u>maintain</u> for future generations."	Support	Preserve is known to be the highest level of protection affordable in a policy document (exceeding for example "protect"). The Act itself only uses the word "preservation" very sparingly (in relation to natural character of the coastal environment). The introduction to this chapter inappropriately expands the usage of the concept of "preservation".	Accept the submission.

**Objectives 2.1 and associated policies**

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Environmental Defence Society (Submitter 127)</b>	24	Chapter B2 - general requests	Include a chapter focused on freshwater and incorporate the necessary provisions [i.e.: <ul style="list-style-type: none"> <li>• Regionally significant issues relating to freshwater;</li> <li>• Objectives relating to freshwater, including provision for the environmental bottom lines in the NPSFM;</li> <li>• A freshwater management framework addressing water quality and quantity, as required under section CA of the NPSFM;</li> <li>• Policies and methods addressing the management of effects (including cumulative effects) of subdivision and development to</li> </ul>	Oppose	While DairyNZ acknowledges and agrees that the RPS should give effect to the NPS-FM, the submission is too vague and other parties (DairyNZ included) are unable to assess the potential effects of the proposal.	Reject the proposal



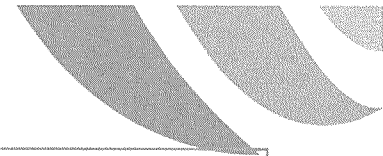
			<p>reduce impacts on water quality and on water quantity;</p> <ul style="list-style-type: none"> <li>• Recognition and provision for the preservation of the natural character of wetlands, and lakes and rivers and their margins, and their protection from inappropriate subdivision, use and development;</li> <li>• Protection of all wetlands.</li> </ul>			
<p><b>Environmental Defence Society</b> (Submitter 127)</p>	24	Chapter B2 - general requests	<p>Develop specific measureable objectives addressing freshwater, and covering inter alia:</p> <ul style="list-style-type: none"> <li>• The safeguarding of the life-supporting capacities, ecosystem process and indigenous species and their associated ecosystems of freshwater.</li> <li>• Avoiding further over-allocation and phasing out existing over-allocation.</li> <li>• Improving and maximizing the efficient allocation and efficient use of water.</li> <li>• Protecting significant values of wetlands and of outstanding freshwater bodies.</li> </ul> <p>For example, see provisions attached in Annexure 2-A.</p>	Oppose	<p>The submission is too vague and other parties (DairyNZ included) are unable to assess the potential effects of the proposal. It is unclear if the provisions in Annexure 2-A are examples or proposals.</p>	Reject the submission
<p><b>Fish and Game</b> (Submitter 118)</p>	29	Objective 2.1	<p>Amend as follows: "Objective 2.1 The value <u>and life-supporting capacity</u> of Otago's natural and physical resources are recognised, maintained and enhanced, or <u>restored where they were degraded or lost.</u>"</p>	Oppose	<p>Requiring blanket restoration of resources is unrealistic. Life supporting capacity is to be "safeguarded" under section 5 of the Act. The concept of restoration goes beyond the statutory requirement. DairyNZ considers that while restoration may be possible and appropriate in some discrete situations it is inappropriate as a blanket requirement.</p>	Reject the submission



<p><b>Fonterra (Submitter 99)</b></p>	<p>31</p>	<p>Policy 2.1.1</p>	<p>Delete Policy 2.1.1 and replace with a new policy or policies as suggested below setting out the direction that is to be followed to achieve Objective 2.1, the aspects of the resource that are required to be managed, the criteria and thresholds that are to be attained or protected, including the setting of measurable targets for freshwater management units to achieve overall water quality outcomes.</p>	<p>Support in part</p>	<p>Policy 2.1.1 appears to define the freshwater values that are relevant to the ORC PRPS. These values are, however limited and do not appear to have been derived from a robust community process. Such a value identification process is regarded by DairyNZ as good practice. Further the values are generically described and are not particularised to particular water bodies.</p>	<p>Accept the submission</p>
<p><b>Waitaki Irrigators Collective (Submitter 113)</b></p>	<p>31</p>	<p>Policy 2.1.1</p>	<p>Addition of the following words: <i>h) where appropriate maintain or enhance the natural functioning...</i></p> <p>Addition of the following words: <i>q) support and provide for primary production values.</i></p>	<p>Support</p>	<p>The policy direction to maintain and enhance natural functioning while desirable is not always realistic – especially in respect of waterbodies that have had their natural functioning modified through large scale abstraction, damming and diversion. In such cases enhancement of natural functioning is unlikely to be possible without major economic disruption.</p> <p>The policy lists a wide range of values associated with freshwater. However there is an entire suite of economic and social values that is omitted from this list. These values are relevant and should be acknowledged as they are in the NPS-FM.</p>	<p>Accept the submission</p>
<p><b>Fish and Game (Submitter 118)</b></p>	<p>31</p>	<p>Policy 2.1.1</p>	<p>Amend as follows: "Recognise freshwater values, and manage freshwater, to: a) <del>Support</del> <u>Maintain and enhance healthy ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins and restore unhealthy ecosystems;</u> and ...</p>	<p>Oppose</p>	<p>Reference to restoration is inappropriate as outlined in relation to submission point 29. The inclusion of a phase out date is premature. The extent of existing over allocation and the cost and practicalities of remedying any over-allocation are currently unknown. A phase out target date need to be set with far better information and is likely vary by resource/catchment. The</p>	<p>Reject the submission</p>



			<p>d) Protect migratory patterns of freshwater species, <u>including the habitat of trout and salmon</u>, unless detrimental to indigenous biodiversity; and ...</p> <p>f) <u>Phase out the over-allocation of freshwater that has negative effects on water quality and instream flows by 2035; and ...</u></p> <p>i) <del>Retain</del><u>Maintain or enhance</u> the quality and reliability of existing drinking water supplies;</p>		NPS-FM does not require remedying of over allocation by 2035 and accepts the phase down may be over longer periods	
<b>Trustpower (Submitter 85)</b>	32	Policy 2.1.2	<p>Amend as follows:</p> <p>"Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to:</p> <p>a) <del>Protect and restore their natural functioning; and</del> <u>Maintain functioning in order to provide for key values; and</u></p>	Support in part	<p>Reference to restoration is inappropriate as outlined in relation to submission point 29. The council's role under the RMA is the maintenance of biodiversity.</p> <p>DairyNZ supports maintaining the functioning of the beds of rivers, lakes and wetlands and their margins where it is practical and provides for key values.</p>	Accept the submission
<b>Fish and Game (Submitter 118)</b>	32	Policy 2.1.2	<p>Amend as follows:</p> <p>"Recognise the values of beds of rivers and lakes, wetlands, and their margins, and manage them to:</p> <p>...</p> <p>d) Maintain ecosystem health and indigenous biodiversity <u>and where it has been degraded restore or enhance it;</u> and</p> <p>...</p> <p>l) Maintain bank stability; <u>and</u></p> <p>m) <u>Maintain or enhance riparian vegetation; and</u></p>	Oppose in part	<p>Reference to restoration is inappropriate as outlined in relation to submission point 29. The council's role under the RMA is the maintenance of biodiversity.</p> <p>DairyNZ supports maintenance of riparian vegetation and enhancement where necessary to achieve water quality and habitat improvements</p>	Reject that part of the submission that refers to restoration.



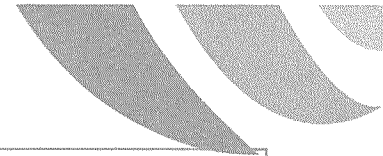
			<u>n) Ensure recreational access."</u>			
<b>Fish and Game (Submitter 118)</b>	35	Policy 2.1.5 - Managing for soil values	Add the following sub-clause to Policy 2.1.5: "m) Avoid human or animal-induced sediment runoff."	Oppose	Avoiding human or animal-induced sediment run off is an unrealistically high outcome. Given the King Salmon decisions the ORC needs to be weary of policies seeking "avoidance" when such an outcome is in a practical and absolute sense impractical.	Reject the submission.

### Objective 2.2 and associated polices

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Environmental Defence Society (Submitter 127)</b>	41	Policy suite 2.2 - Otago's significant and highly valued natural resources	Apply the same management approach to the natural character of wetlands, and lakes and rivers and their margins as to the coastal environment, i.e. avoidance of adverse effects on outstanding areas and avoidance of significant adverse effects, and avoidance, remediation and mitigation of other adverse effects in other areas.	Oppose	The management approach in the coastal environment is dictated by the policies of the NZCPS (not the RMA itself). The NZCPS does not apply outside of the coastal environment	Reject the submission
<b>Environmental Defence Society (Submitter 127)</b>	46	Policy 2.2.4 – Managing outstanding natural features, landscapes and seascapes	Restructure Policy 2.2.4 to comprise of: i. An objective seeking to protect ONFLs from inappropriate subdivision, use and development. ii. An objective seeking to promote restoration and enhancement of ONFLs. iii. Deletion of clause (c). iii. The division and reworking of clauses (a) - (f) into a suite of	Oppose	The relief sought is imprecise and it is not possible to determine its potential effect. There is no statutory or policy imperative to "restore" outstanding landscapes.	Reject the submission



			policies responding to the concerns outlined [see reasons]. See examples in Annexure 2-B.			
<b>Federated Farmers (Submitter 115)</b>	47	Policy 2.2.5	Delete Policy 2.2.5	Support in part	DairyNZ understands that special amenity landscape or natural features are landscape and features that are valued but not to the extent that they are outstanding. DairyNZ recognises that ORC has a duty under the NZCPS to identify and manage such landscapes and features within the coastal environment. However, DairyNZ considers that no such duty exists outside of the coastal environment.	Accept that part of the submission that would delete the application of policy 2.2.5 outside of the coastal environment.
<b>Federated Farmers (Submitter 115)</b>	48	Policy 2.2.6	Delete Policy 2.2.6 or amend to focus on effects on landscapes and features (rather than values) and to delete item (b)	Support in part	For the reasons set out above DairyNZ considers that Policy 2.2.6 should be limited to the coastal environment. Matter b is vague and potentially suggests that any effect on any landscape or feature should be avoided remedied or mitigated.	Accept that part of the submission that would delete the application of policy 2.2.6 outside of the coastal environment
<b>Fish and Game (Submitter 118)</b>	54	Policy 2.2.12	Amend as follows: "Identify outstanding water bodies and wetlands and their amenity or intrinsic values, using the following criteria: a) A high degree of naturalness; b) Outstanding aesthetic or landscape values; <u>b1) Outstanding amenity or intrinsic values which are afforded by waters in their natural state;</u> <u>b2) Where waters are no longer in their natural state, the amenity or intrinsic values of those waters which in themselves warrant protection because they are</u>	Oppose	The criteria added are too broad and the test that just one is met means that the threshold of "outstanding" would be set too low.	Reject the submission



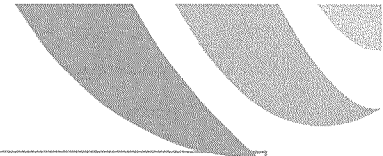
			<p><u>considered outstanding;</u></p> <p><u>b3) Outstanding habitat for terrestrial or aquatic organisms.</u></p> <p><u>b4) Outstanding fishery values.</u></p> <p><u>b5) Outstanding for its wild, scenic, or other natural characteristics</u></p> <p><u>b6) Outstanding scientific or ecological values</u></p> <p><u>b7) Outstanding recreational, historical, spiritual, or cultural values and;</u></p> <p>[c-f unchanged]</p> <p><u>Meeting one of the above criteria is sufficient to result in a water body being identified as outstanding under Policy 2.2.12 and therefore needing protection under Policy 2.2.13."</u></p>			
<b>Fonterra (Submitter 99)</b>	55	Policy 2.2.13	Delete Policy 2.2.13	Support in part	DairyNZ acknowledges that the NPSFM requires that outstanding water bodies be managed in a different way to other water bodies. However, the wording of the NPSFM is critical. It refers to protecting the "significant values" of outstanding water bodies. Policy 2.2.13, by contrast, refers merely to protecting "values".	Accept the submission insofar as it would delete application of the policy to non significant values.
<b>Environmental Defence Society (Submitter 127)</b>	55	Policy 2.2.13 - Identifying outstanding water bodies and wetlands	<p>Amend the RPS to:</p> <ul style="list-style-type: none"> <li>• Include specific freshwater objectives, including objectives relating to freshwater bodies and wetlands.</li> <li>• Require avoidance of permanent loss of significant values of wetlands and outstanding fresh water bodies.</li> </ul>	Oppose	DairyNZ acknowledges that the NPSFM requires that outstanding water bodies be managed in a different way to other water bodies. However the proposal of the submitter is insufficiently precise to assess its appropriateness.	Reject the submission



			<ul style="list-style-type: none"> <li>• Require the avoidance of all adverse effects on these areas.</li> <li>• Identify what activities the effects of which need to be avoided.</li> <li>• Require enhancement of freshwater bodies and wetlands.</li> </ul>			
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**Objective 2.3 and associated policies**

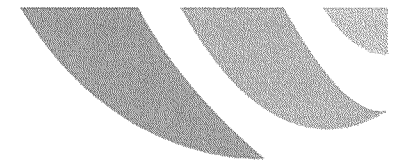
Submitter Name	Submission Number	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Federated Farmers (Submitter 115)</b>	Omitted from summary	Objective 2.3	Redraft Objective 2.3	Support	The current wording does not acknowledge the benefits of resource use and over states the complexity of linkages by reference to the coastal environment. DairyNZ accepts that there are connections between resources that require management to be truly integrated across resources and between agencies if objectives are to be achieved. However the proposed wording over complicates the issue.	Accept the submission
<b>Fish and Game (Submitter 118)</b>	58	Objective 2.3	Amend as follows: "Objective 2.3 Natural systems and interdependencies are recognised, and sustained <u>and restored</u> "	Oppose	Reference to restoration is inappropriate as outlined in relation to submission point 29.	Reject the submission
<b>Fonterra (Submitter 99)</b>	62	Policy 2.3.3	Amend Policy 2.3.3 to focus on developing freshwater objectives, targets and limits. Add a new clause on identifying, through stakeholder involvement, freshwater values.	Support	DairyNZ does not believe that there should necessarily be consistent freshwater objectives for connected waterbodies. Connected water bodies (e.g. within a catchment) will have different vulnerabilities and values (e.g. native biodiversity in small tributaries, sports fishery and recreational values in larger river sections), and will therefore, generally	Accept the submission



					<p>warrant differing freshwater objectives. DairyNZ considers that an integrated management approach to freshwater management requires integration of economic, social and environmental objectives and well and integrated assessment of water quantity and water quality. This is most effectively achieved through catchment scale stakeholder processes as proposed by the submitter.</p>	
<b>Federated Farmers (Submitter 115)</b>	63	Policy 2.3.4	Policy 2.3.4 b) ii. be deleted.	Support	<p>DairyNZ accepts that health and nuisance effects are relevant considerations. However, they are relevant because they could compromise coastal recreational values and hence are captured by b) i. Singling these effects out is not necessary and creates the question of why other effects that might compromise values are not identified.</p>	Accept the submission

PART B CHAPTER 3 -

Objective 3.1 and associated policies



Submitter Name	Submission Number	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
Fonterra (Submitter 99)	76	Objective 3.1	Delete Objective 3.1	Support	DairyNZ accepts that use of resources occurs within, and must be cognisant of, environmental constraints. However the value, of this objective and what its adds to the RPS is not apparent. It seems to us that it is another way of saying what a number of other objectives already state. As such it adds complexity and its effects on future policy making within the region is not clear	Accept the submission
Federated Farmers (Submitter 115)	76	Objective 3.1	Amend Objective 3.1 as follows: <i>Protection, use and development of natural and physical resources is <u>environmentally sustainable</u> recognises environmental constraints</i>	Support	DairyNZ supports the concept of sustainability being a broader and more holistic concept than the wording used in the RPS	Accept the submission if Fonterra's submission is rejected and the objective is retained
Fonterra (Submitter 99)	78	Policy 3.1.1	Delete Policy 3.1.1	Support	DairyNZ considers the policy to be abstract and it is difficult to understand or analyse how it will or should influence or direct future policy-making within the region.	Accept the submission
Federated Farmers (Submitter 115)	78	Policy 3.1.1	Add reference to "while providing for the reasonable use of these resources" within the policy	Support	If the ORC decide to retain Policy 3.1.1 it would be appropriate to recognise that constraints need to be understood in the context of people needing to use resources.	Accept the submission if the policy is retained.

### Objective 3.4 and associated policies

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Fonterra</b>	99	Policy 3.4.2	Amended Policy 3.4.2 clause b) to replace to the word “reduce” with “avoid, remedy or mitigate”	Support	Reducing effects may not be required if they are within acceptable limits. The Act requires adverse effects to be avoided, remedied or mitigated.	Accept the submission

### Objective 3.5 and associated policies

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Waitaki Irrigators (Submitter 113)</b>	104	Policy 3.5.1	Recognised irrigation water infrastructure as infrastructure of national or regional significance	Support	Irrigation infrastructure can represent significant capital investment and can deliver benefits that are significant in, at least, a regional context.	Accept the submission

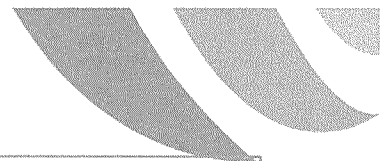
### Objective 3.9 and associated policies

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Fonterra (Submitter 99)</b>	134	Policy 3.9.5	Include a definition of contaminated land as per the definition contained in the RMA	Support	The term “contaminated land” is used in the RPS but not defined. As such it is open to broad and potentially unreasonable interpretation.	Accept the submission

PART B CHAPTER 4 -

Objective 4.3 and associated policies

Submitter Name	Submission Ref	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Environmental Defence Society (Submitter 127)</b>	137	Chapter B4 - general requests	Include additional policies addressing / providing a course of action for specific freshwater issues other than reduction of catchment yield.	Oppose	The scope and nature of additional policies proposed by the submitter is unclear and, accordingly, DairyNZ is unable to assess the appropriateness of them	Reject the submission
<b>Federated Farmers (Submitter 115)</b>	155	Policy 4.3.1	<p>Rewrite the policy as follows (or words to similar effect):</p> <p><del>Manage</del> <u>Providing for activities in rural areas, to support the region's economy and communities, by:</u></p> <p>a) <u>Enabling farming and other rural activities that support the rural economy; and</u></p> <p>b) <del>Minimising</del> <u>Managing the loss of soils highly valued for their versatility for primary production; and</u></p> <p>c) <u>Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects; and</u></p> <p>d) <del>Minimising-Managing</del> <u>the inappropriate subdivision of productive rural land into smaller lots that may where this will result in rural residential activities incompatible with primary production; and</u></p> <p>e) <u>Providing for other activities</u></p>	Support	DairyNZ recognises the value in economically diverse, prosperous Otago but is, at the same time, concerned to ensure any future development, particularly residential development, in dairying catchments is compatible with dairy land use and reverse sensitivity effects are avoided as much as possible.	Accept the submission



			<i>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.</i>			
<b>Fish and Game (Submitter 118)</b>	155	Policy 4.3.1	Amend as follows: "Manage activities in rural areas, to support the region's economy and communities, by: a) Enabling <u>sustainable</u> farming and other rural activities that support the rural economy; and b) <u>Minimising Avoid, remedy or mitigate</u> the loss of soils highly valued for their versatility for primary production; and	Oppose	The term "sustainable farming" is not defined. In the absence of a clear definition of that term the policy is likely to create uncertainty and debate in implementation.	Reject that part of the submission that refers to "sustainable farming"

**Objective 4.4 and associated policies**

Submitter Name	Submission Number	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Federated Farmers (Submitter 115)</b>	Omitted from summary	Chapter 4 introduction	The introduction be retained but amended as follows: <i>The use of natural and physical resources underpins economic and community <del>activity-well-being</del> in Otago. <del>However</del>Due to the <u>importance of these resources to Otago's wellbeing, and the dynamic and highly interconnected nature of the environment the sustainable management of our resources required consideration of the</u></i>	Support	DairyNZ supports the positive recognition of the benefits of natural and physical resources and their use in the Otago Region	Accept the submission





			<i>adverse effects of resource use on the environment and on other resource users</i>			
<b>Fonterra (Submitter 99)</b>	161	Objective 4.4	Retain Objective 4.4 as part of a restructure PRPS	Support	Under sections 12, 13, 14 and 15 use of natural resources is not allowed unless allowed by a rule in a regional plan or resource consent. The RPS therefore needs to direct regional plans to allow for resource use. In the absence of such a policy in the RPS there would be no policy basis for regional plans to contain rules allowing for resource use	Accept the submission
<b>Fonterra (Submitter 99)</b>	163	Policy 4.4.1	Add a new clause to policy 4.4.1 to ensure the efficient water allocation and use includes ensuring on-going water availability for regionally significant industry	Support	DairyNZ supports a policy on efficient allocation and use of water. However the policy needs to provide for significant industry to access water (including for example through transfers).	Accept the submission
<b>Federated Farmers (Submitter 115)</b>	163	Policy 4.4.1	Redraft Policy 4.4.1 a) (to refer to reasonable use) and 4.4.1 b) to ensure the expectations for infrastructure upgrades is qualified by a concerns for costs).	Support	DairyNZ supports a policy on efficient allocation and use of water. However, applying a “necessary” test for rural water use is problematic. A reasonable use test is preferable and used by other regions. This allows issues like water demand variability to be taken into account.	Accept the submission
<b>Waitaki Irrigators (Submitter 113)</b>	163	Policy 4.4.1 b)	Amend Policy 4.4.1 b) to read: <i>b) <u>where appropriate, give preference to the development or upgrade of infrastructure that increases use efficiency; and</u></i>	Support	DairyNZ recognises that some water distribution infrastructure is already highly water efficient. It is not necessary or appropriate to require upgrades of such efficient infrastructure.	Accept the submission (as an alternative to the above)

## Objective 4.5 and associated policies



Submitter Name	Submission Number	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
Federated Farmers (Submitter 115)	166	Objective 4.5	Objective 4.5 be rewritten as follows: <i>Adverse effects of using and enjoying Otago's natural and built environment are <u>appropriately managed</u> minimised</i>	Support in part	Adverse effects should be avoided, remedied or mitigated rather than "minimised".	Accept the submission insofar as it deletes the word "minimised"
Fonterra (Submitter 99)	167	Objective 4.5	Reword Objective as follows: <b>Objective 4.5</b> <i><u>Enable the use of natural and physical resources provided significant adverse effects are avoided, remedied or mitigated.</u></i> <del><i>Adverse effects of using and enjoying Otago's natural and built environment are minimised</i></del>	Support	The proposed wording better reflects the purpose of the Chapter being to enable use.	Accept the submission
Federated Farmers (Submitter 115)	168	Policy 4.5.1	That the policy be deleted, or rewritten to focus solely on hazardous substances	Support	The policy on objectionable or offensive discharges is too broad and imprecise. In particular DairyNZ is concerned about clause c) given that discharges of dairy effluent can be unavoidably odorous.	Accept the submission
Federated Farmers (Submitter 115)	169	Policy 4.5.2	Adopt the policy as proposed	Support	DairyNZ supports an adaptive management approach to policy issues where the adverse effect is poorly understood and the policy response is uncertain.	Accept the submission
Federated Farmers (Submitter 115)	172	Policy 4.5.5	Adopt the policy as proposed	Support	DairyNZ supports the control of pest species and sees this as an important contribution to environmental and economic outcomes of the Otago Region.	Accept the submission

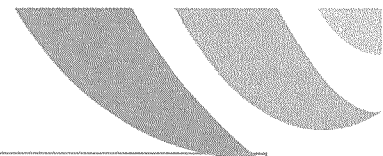


<b>Federated Farmers (Submitter 115)</b>	174	Policy 4.5.7	Delete Policy 4.5.7 (a)	Support	DairyNZ considers that off-setting may be appropriate regardless of whether the activity has a functional need for the location or not.	Accept the submission
<b>Fish and Game (Submitter 118)</b>	174	Policy 4.5.4	Amend as follows: "Policy 4.5.7 Enabling offsetting of <u>biodiversity, including</u> indigenous biodiversity Enable offsetting of adverse effects on <u>biodiversity, including</u> indigenous biodiversity values, only when:..."	Oppose	There is not statutory requirement (nor environmental rationale) to offset effects on introduced species some of which may be plant or animal pests. The function of the regional council under the RMA clearly focuses on indigenous biodiversity.	Reject the submission
<b>Fish and Game (Submitter 118)</b>	175	Policy 4.5.8	Policy 4.5.8 Offsetting for biodiversity, including indigenous biodiversity Provide for offsetting for <u>biodiversity, including</u> indigenous biodiversity, when it is enabled, by ensuring that: a) The offset achieves no net loss and preferably a net gain in <u>indigenous</u> biodiversity values; and..."	Oppose	There is not statutory requirement (nor environmental rationale) to provide for offsetting for loss of introduced species which may be pests. The function of the regional council under the RMA clearly focuses on indigenous biodiversity	Reject the submission

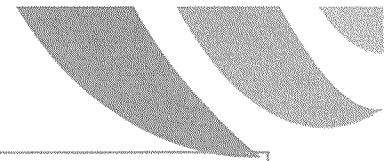
### PART 3 - IMPLEMENTATION

#### Methods

Submitter Name	Submission Number	RPS reference	Submission	Support/ Oppose	Reasons	Relief Sought
<b>Fonterra (Submitter 99)</b>	178	General point	Amend the PRPS to identify policies that are expected to be addressed through resource consent processes pending the preparation of regional and district plans	Support	The specification of methods in Part C of the Otago PRPS lists a range of methods to implement policies. A notable absence from this list is resource consents. The RPS is, however, to be had regard to in the determination of consent applications	Accept the submission



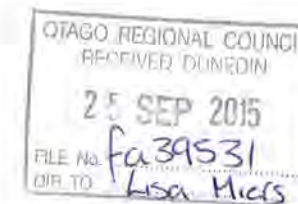
					under section 104 of the Act suggesting that will be a method of implementation. DairyNZ understands that some RPSs specify which policies will be had regard to in the context of resource consents and which rely on implementation through district and regional plan provisions. Similar clarification would be helpful in the Otago PRPS	
Fonterra (Submitter 99)	188	Method 3	<p>Amend Method 3 to give effect to the NPSFM by include the following:</p> <p><u>To implement Policy 2.3.3. the Regional Plan will:</u></p> <ul style="list-style-type: none"><li>a) <u>identify _____ freshwater management units;</u></li><li>b) <u>identify the use and non-use values of each unit;</u></li><li>c) <u>establish _____ freshwater objectives to achieve identified values;</u></li><li>d) <u>set limits to allow the freshwater objectives to be met;</u></li><li>e) <u>manage land use activities and discharges of contaminants to meet limits;</u></li><li>f) <u>determine timeframes and appropriate methods for the improvement of degraded freshwater management units;</u></li></ul> <p><u>implement a-f above through community and industry stakeholder involvement.</u></p>	Support	DairyNZ considers that the RPS should expressly state how it will give effect to the NPSFM.+	Accept the submission



<b>Fonterra (Submitter 99)</b>	199	Method 6.2.1	<p>A new method is required in relation to researching water abstraction and allocation as follows:</p> <p><i>Regional Council will:</i></p> <p><u><i>c) Research the amount of water available for allocation within the region, the rate or quantity currently allocated, the amount actually used and the cumulative effects of abstraction based on freshwater management units.</i></u></p>	Support	DairyNZ notes that ORC is required to undertake both freshwater quantity and freshwater quality accounting by the middle of 2016 under section CC of the NPSFM	Accept the submission
<b>Fonterra (Submitter 99)</b>	203	Method 7	<p>Add a new method 7.7 as follows:</p> <p><u><i>7.7 Freshwater Quality Regional, City and District Councils and Community and Industry stakeholders may:</i></u></p> <p><u><i>a) Develop and implement freshwater management strategies and plans to achieve freshwater quality objectives.</i></u></p>	Support	DairyNZ anticipates that improving particular water bodies may require non regulatory intervention.	Accept the submission
<b>Waitaki Irrigators (Submitter 113)</b>	224	Method 11.2.2 (c)	<p>Include a method that promotes the facilitation of collaborative, community-led processes for the integrated management of land and water resources at the catchment scale.</p>	Support	DairyNZ considers that catchment scale collaborative community-led processes are the most appropriate means of identifying and agreeing solutions to challenging land and water issues.	Accept the submission

1028

**FURTHER SUBMISSION IN SUPPORT OF OR OPPOSITION TO SUBMISSIONS  
ON THE PROPOSED OTAGO REGIONAL POLICY STATEMENT**



TO: Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

EMAIL: [rps@orc.govt.nz](mailto:rps@orc.govt.nz)

NAME OF SUBMITTER: AgResearch Limited ("AgResearch")

ADDRESS FOR SERVICE: Graeme Mathieson  
Environmental Management Services Ltd  
PO Box 97431  
MANUKAU 2241  
Email: [graeme.mathieson@emslimited.co.nz](mailto:graeme.mathieson@emslimited.co.nz)

AgResearch provides its further submission in the following table.

As a further submitter, AgResearch has an interest in the proposals on which it further submits that is greater than the interest of the general public, for the following reasons:

- AgResearch has research facilities in the Otago Region (i.e. the Invermay Agricultural Research Centre (n.b. Campus and associated Research Farms)), thereby contributing significantly to agricultural research, farming productivity and sustainable economic development.
- Provisions in the Proposed Otago Regional Policy Statement are of relevance to agricultural research activities (and to farming interests in general).

AgResearch wishes to be heard in support of its submission.

If others make similar submissions, AgResearch would consider preparing a joint case with them at the Hearing.

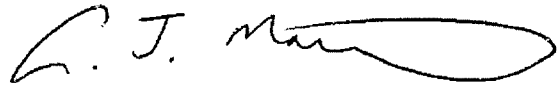
Ref	Submitter	Section	Relief Sought	Support/ Oppose	Reasons	Decision Sought
29	Egg Producers Federation of New Zealand	Policy 2.1.4 - Managing for air quality values	The submitter seeks to add the following subclause to Policy 2.1.4: <i>"d) Enable rural production activities in appropriate locations by allowing for minor and localised degradation of amenity."</i>	Support	AgResearch agrees that it is important to recognise that rural production activities have the potential to generate air discharge effects such as odour and dust but these are generally acceptable in a rural environment.	Allow
124	Horticulture New Zealand	Policy 2.1.4 - Managing for air quality values	Amend Policy 2.1.4 as follows: <i>"Identify and recognise air quality values and manage air quality to: ..."</i> Include an additional point: <i>" Provide for food production values ."</i> Include methods for identification of values.	Support	AgResearch agrees that it is important to recognise and provide for air discharges associated with food production values (particularly within a rural environment).	Allow
98	Forest and Bird NZ	Policy 2.1.4 - Managing for air quality values	Add: <i>"d) ensure land uses and human activity generating air pollutants avoid adverse effects on visual amenity"</i>	Oppose	Such a prescriptive and restrictive approach is unnecessary in the context of a PRPS.	Disallow
122	Queenstown Airport Corporation	Policy suite 2.1 - The values of Otago's natural and physical resources are recognised, maintained or enhanced	Include additional policies that recognise, maintain and enhance physical resources.	Support	There are physical resources within the region that contribute significantly to regional well-being, yet the current focus is on natural resources.	Allow
114	Wise Response Society Inc.	Policy 2.1.5 - Managing for soil values	Amend Policy 2.1.5 as follows: <i>"Policy 2.1.5 Managing soil for ecosystem function and value</i> <i>Managing for soil values</i> <i>Recognise soil values, and manage soils, to:</i> <i>a) Sustain and enhanceMaintain their life supporting capacity biological activity soil biodiversity; and</i> <i>b) Maintain soil biodiversity; and</i> <i>c) Maintain biological activity in soils; and</i> <i>d) b) Sustain and enhanceMaintain soil's functions in the storage and cycling of water,</i>	Oppose	The proposed amendment of 2.1.5(f) would undermine the basis of AgResearch's concern that the PRPS adequately provide for rural production activities.	Disallow

Ref	Submitter	Section	Relief Sought	Support/ Oppose	Reasons	Decision Sought
			<p><i>nutrients, and other elements through the biosphere; and</i></p> <p><i>e)c) Sustain and enhance <del>Maintain</del> soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and</i></p> <p><i>f)d) Actively promote soil conservation <del>Retain</del> soil resources for primary production; and..."</i></p>			
115	Federated Farmers of New Zealand	Policy 2.1.5 - Managing for soil values	Delete proposed Policy 2.1.5(f)	Oppose	The proposed deletion of 2.1.5(f) would undermine the basis of AgResearch's concern that the PRPS adequately provide for rural production activities.	Disallow
118	Otago and Central South Island Fish and Game Councils	Policy 2.1.5 - Managing for soil values	The submitter seeks to add the following sub-clause to Policy 2.1.5: <i>"m) Avoid human or animal-induced sediment runoff."</i>	Oppose	A requirement to <u>avoid</u> any human or animal induced sediment runoff is unrealistic, and notwithstanding this, the issue of soil erosion is adequately addressed under Policy 4.5.4 (Minimising Soil Erosion).	Disallow
74	Contact Energy Limited	Glossary	Amend the definition of "Reverse sensitivity" to read as follows: <i>"Reverse sensitivity – <del>Arises where an established activity is causing adverse environmental impact to nearby land and an activity susceptible to those impact is proposed for that land. Is an effect under the RMA. It arises when an activity that may be sensitive to the effects of a lawfully established activity seeks to establish, expand or intensify in proximity to that activity (e.g. by resource consent application) or when activities susceptible to impacts from the established activity are proposed for that land (e.g. through a plan change). If the new incompatible use is permitted, the established</del></i>	Support	The relief provides a more accurate and useful definition of the term.	Allow



Ref	Submitter	Section	Relief Sought	Support/ Oppose	Reasons	Decision Sought
			<i>activity may be required to restrict its operations or mitigate its effects to avoid adversely affecting the new activity.</i>			

**Signature: AGRESEARCH LTD**  
by its authorised agents Environmental Management Services Ltd

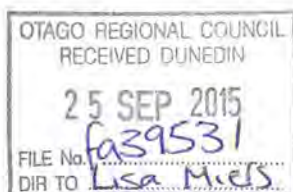



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G.J. Mathieson

**Date:** 25<sup>th</sup> September 2015

1006



**Environmental Consultants**

PO Box 489, Dunedin 9054  
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Tel: +64 3 477 7884  
Fax: +64 3 477 7891

**By Email**

24 September 2015

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

Our Ref: 9009

**Attention:** Planning Department  
rps@prc.govt.nz

Dear Sir / Madam

**RE: PROPOSED OTAGO REGIONAL POLICY STATEMENT – FURTHER  
SUBMISSION BY ALLIANCE GROUP LIMITED**

Please find **attached** a further submission on behalf of Alliance Group Ltd, relating to the proposed Otago Regional Policy Statement.

We trust these comments will be given due consideration and look forward to being kept informed of the process.

Yours sincerely,  
**MITCHELL PARTNERSHIPS LIMITED**

A handwritten signature in black ink, appearing to read "CHunter".

**CLAIRE HUNTER**

Email: [claire.hunter@mitchellpartnerships.co.nz](mailto:claire.hunter@mitchellpartnerships.co.nz)

Enc

*Also in Auckland and Tauranga*

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New Zealand  
Tel: +64 7 577 1261

2001

**SUBMISSION FORM 6**

**CLAUSE 8 OF FIRST SCHEDULE, RESOURCE MANAGEMENT ACT 1991**

**FURTHER SUBMISSION IN SUPPORT OF OR IN OPPOSITION TO SUBMISSIONS ON  
PUBLICLY NOTIFIED PROPOSED OTAGO REGIONAL POLICY STATEMENT**

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

**Submission on:** Proposed Otago Regional Policy Statement

**Name:** Alliance Group Limited ('Alliance')

**Address:** PO Box 1410  
**INVERCARGILL**

(Note different address for service)

1. These further submissions are in support of, or in opposition to, submissions on the Proposed Otago Regional Policy Statement.
2. As set out in Alliance's original submission, Alliance is a large meat processing and exporting company operating six meat processing and exporting plants throughout the South Island and two plants in the North Island. On an annual basis Alliance processes approximately 6 million lambs, 1 million sheep, 200,000 cattle, 115,000 deer and 270,000 calves. This equates to approximately 30% of New Zealand's sheep meat production, 10% of beef and 30% of venison.

Within the Otago region, Alliance operates its Pukeuri Plant. The Pukeuri Plant was established in 1914 and acquired by Alliance in 1990. The Plant employs approximately 950 people at the peak of the season. The annual turnover of the Plant exceeds \$200 million, with annual wages and salaries exceeding \$40 million.

The Pukeuri Plant is a large modern meat processing and export facility that processes animals (sheep, lambs, cattle and calves) and co-products for around 11 months of the year. The Plant is fully integrated with slaughter and further processing operations, the production of edible by-products, cold storage, rendering, fellmongery, potable water treatment, and an onsite wastewater treatment facility. Alliance currently holds consents from the Otago Regional Council in order to operate its Pukeuri Plant. The consents

authorise activities such as discharges of wastewater to water, land and discharging of contaminants and odour to air.

Alliance therefore has a significant interest in planning documents such as the Proposed Otago Regional Policy Statement that might influence or affect its ability to operate in an efficient and effective manner.

In light of the above, Alliance considers it has an interest in the Proposed Otago Regional Policy Statement that is greater than the interest the greater public has, by virtue of its role in operating infrastructure that is of regional significance.

Alliance therefore makes the following further submissions pursuant to Clause 8 of the First Schedule to the RMA.

3. Alliance will not gain an advantage in trade competition through these further submissions.
4. **Further Submissions**  
Alliance's further submissions on the Proposed Otago Regional Policy Statement are attached as **Appendix A**.
5. Alliance does wish to be heard in relation to this submission.
6. If others make a similar submission Alliance will consider presenting a joint case with them at a hearing.
7. Alliance seeks that following decisions from the Otago Regional Council:
  - a) That the relief sought and/or amendments (or those with similar or like effect) outlined in Appendix A be accepted;
  - b) such further or other relief as is appropriate or desirable in order to take account of the matters expressed in this further submission.

**Signature:**



---

By its authorised agent Claire Hunter, on behalf of  
Alliance Group Limited

**Date:** 24 September 2015

**Address for service:** Alliance Group Limited

C/- Mitchell Partnerships

PO Box 489

**DUNEDIN**

Attn: Claire Hunter

**Telephone:**

(03) 477 7884

**Email:**

claire.hunter@mitchellpartnerships.co.nz

# **APPENDIX A**

Table 1 – Alliance’s further submissions

PROVISION	SUBMITTER	SUB. ID	DECISION REQUESTED	ALLIANCE POSITION	REASONING
<b>Chapter 1 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed</b>					
Objective 1.2 Kāi Tahu values, rights and interests and customary resources are sustained	Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga	154	Amend objective as follows "Kai Tahu values, rights and interests and customary resources are <u>protected and enhanced</u> sustained."  The use of active wording is recommended	Oppose	Alliance considers that the " <i>protection and enhancement</i> " of Kai Tahu values is inconsistent with the obligation of decision makers under s. 6(e) of the RMA, to " <i>recognise and provide for</i> " the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.
<b>Chapter 2 Otago has high quality natural resources and ecosystems</b>					
Policy 2.1.1 Managing for freshwater values	Forest & Bird NZ	98	<ul style="list-style-type: none"> <li>Add the following items to the policy: <ul style="list-style-type: none"> <li><u>g) Avoid human induced erosion and sedimentation</u></li> <li><u>s) Avoid changes in hydrology which could adversely affect indigenous biodiversity.</u></li> </ul> </li> </ul>	Oppose	Alliance opposes the all-inclusive avoidance of hydrological changes, erosion and sedimentation as this would prevent integrated resource management assessment and planning as is required by s. 5 of the RMA.  It is also noted that the inclusion of "could" at proposed sub-clause (s) introduces uncertainty.
Policy 2.1.1 Managing for freshwater values	Wise Response Society	114	<del>e)d) Provide additional protection to significant and</del> <u>Protect</u> outstanding water bodies and wetlands, and	Oppose	Alliance considers that the proposed amendments are vague in relation to the type of additional protection sought and the lack of definition of "significant" water bodies.
Policy 2.1.4	Ballance Agri-Nutrients Limited	141	Amend as follows:  "Recognise air quality values, and manage air quality, to:  a) <del>Maintain good</del> <u>Set</u> ambient air quality <u>standards</u> that supports human health, <del>or enhance air quality where it has been degraded</del> , and  b) <u>Maintain air quality in accordance with established air quality standards, or enhance it where it has been degraded, and...</u> "	Oppose in part	Alliance notes that the proposed sub-clause (b) seems to require the enhancement of air quality regardless of the degree to which air quality is degraded and regardless of whether a statutory requirement exists for the enhancement to be undertaken.
Objective 2.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced	Wise Response Society	114	Amend as follows: " <u>Natural features of Otago's environment with significant or outstanding qualities are identified, protected and enhanced to a standard above general sustainability criteria, so as to maintain their special qualities</u>  <del>Otago's significant and highly-valued natural resources are identified, and protected or enhanced to maintain their distinctiveness.</del> "	Oppose	Alliance considers that natural resources should be protected from <u>inappropriate</u> use or development.

Policy 2.2.4 Managing outstanding natural features, landscapes, and seascapes	Transpower New Zealand Limited	97	Amend as follows: "Protect, enhance and restore the values of outstanding natural features, landscapes and seascapes, by: a) <del>avoiding, or where this is not practicable, remedying or mitigating</del> adverse effects... ; and b) <del>Avoiding, remedying or mitigating other adverse effects on other values; and; .....</del> "	Support	Alliance supports the inclusion of discretion to consider remediation and mitigation options in addition to avoidance.
Policy 2.2.4 Managing outstanding natural features, landscapes, and seascapes	Wise Response Society Inc.	114	Amend as follows: "Policy 2.2.4 <u>Protect and enhance significant and outstanding natural features, landscapes and seascapes</u>  <del>Managing outstanding natural features, landscapes, and seascapes</del>  Protect, enhance and restore <u>to a standard above sustainable resource management</u> the values of <u>significant and outstanding</u> natural features, landscapes and seascapes, by: a) <u>Avoiding activities with a risk of</u> adverse effects on those values which contribute to the significance of the natural feature, landscape or seascape; and b) <u>Avoiding, remedying or mitigating other adverse effects on other values affecting the same locality;</u> and...	Oppose	Alliance considers that it would be inappropriate to require planning consideration of undefined, unidentified " <i>standards above sustainable resource management</i> " and to apply a requirement to avoid activities where there is a " <i>risk</i> " of adverse effects.  The RMA enables the consideration of activities with possible adverse effects and the options for management of such effects.
Policy 2.3.5	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	128	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 adding the following clause:  "b) iii. <u>Restrict to the extent appropriate, the establishment or intensification of activities that may result in reverse sensitivity effects on established activities.</u> "	Support	Alliance supports the proposed inclusion of a suitable addition to manage reverse sensitivity impacts, as this is consistent with and builds on sub-clause (b) (ii) of the policy.
Objective 3.1 Protection, use and development of natural and physical resources recognises environmental constraints	Fonterra Co-operative Group Limited	99	Delete Objective 3.1.  The objective lacks any specific purpose or direction.	Support	Alliance agrees with this submission. Objective 3.1 is too vague in its present form to be effective.



Chapter 3 Communities in Otago are resilient, safe and healthy					
Policy 3.8.1 Managing for urban growth	Director-General of Conservation	117	Amend as follows: "c) Identifying future growth areas that: ... v. <u>Avoid identified areas of the coastal environment where subdivision, use and development are deemed to be inappropriate: ...</u> " • Policy 7 of the NZCPS 2010 requires the identification of areas in the coastal environment where subdivision, use and development are or may be inappropriate and provide protection through objectives, policies and rules. • Amendment is proposed to give effect to Policy 7 of the NZCPS 2010 and to give effect to the recommended change to Objective 3.8	Oppose	Alliance notes that Policy 7 (b) of the NZCPS states: <i>"identify areas of the coastal environment where particular activities and forms of subdivision, use and development: (i) are inappropriate; and (ii) may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules."</i>  Alliance is cognisant of the locational constraints associated with infrastructure and opposes an all-inclusive avoidance approach as it would be inconsistent with the RMA and would preclude the growth and development of infrastructure necessary to meet community needs.
Policy 3.9.5 Avoiding the creation of new contaminated land	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	128	Delete policy. • This policy requires the avoidance of new contaminated land. Contamination occurs where there is a loss of control of a product. 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 be construed as preventing the establishment of any activity involving hazardous substances.	Support	Alliance considers that as drafted, the proposed policy has potentially widespread negative implications for development in the region and should be deleted.
Chapter 4 People are able to use and enjoy Otago's natural and built environment					
Policy 4.3.5	Fonterra Co- operative Group Limited	99	Retain Policy 4.3.5 as notified. Provides a clear and enabling framework for the efficient use of industrial land for industrial purposes.	Support	Alliance considers that it is appropriate to recognise and provide for industrial activities in the Regional Policy Statement.
Policy 4.5.1	Fonterra Co- operative Group Limited	99	• Reword as follows: "Avoid discharges that are objectionable or offensive to tangata whenua and the wider community, including: a) Discharges of human or animal waste: i. Directly to <del>water</del> <u>freshwater, natural wetlands or coastal environments</u> ; or ii. In close proximity to <u>water environments as listed in (a)(i)</u> ; or iii. In close proximity to mahika kai <u>or sites of cultural significance to Kai Tahu</u> ; or b) Discharges of hazardous or noxious substances close to sensitive activities, including: i. Residential activities; or • In relation to air:	Support	Alliance agrees with the submitter's concerns that the highly restrictive ("avoid") drafting of the policy establishes an unreasonably high threshold, does not account for benefits associated with discharges and does not enable consideration of the capacity of the receiving environment. Alliance considers that the policy should be deleted or re-drafted to incorporate the management of discharges where they are considered to be acceptable.

			<p>"Policy [Z] <u>Manage the adverse effects of discharges to air to avoid unacceptable effects on human health.</u>"</p> <ul style="list-style-type: none"> <li>If, contrary to Fonterra's primary sought relief, Policy 4.5.1 is retained, it needs to be amended to provide:</li> </ul> <p>"Policy 4.5.1 <u>Avoiding Managing the effects of objectionable discharges</u></p> <p>Avoid, <u>remedy or mitigate</u> discharges that are objectionable or offensive to takata whenua and the wider community, including: ..."</p>		
Policy 4.5.7 Enabling offsetting of indigenous biodiversity	Central Otago Environmental Society	59	<p>Delete.</p> <ul style="list-style-type: none"> <li>Off-setting is a crude tool and in Otago has a poor record.</li> <li>It takes years to establish whether a project will succeed with a consequent delay of consents.</li> <li>Too often seen as an "easy" compromise.</li> </ul>	Oppose	Alliance considers that the use of offsets is a valid means to mitigate adverse environmental effects and should not be precluded.
Policy 4.5.9	Save The Otago Peninsula (STOP) Incorporated Society	88	Delete the options to opt out of improving air quality. The policy offers a large number of reasons to opt out of improving air quality.	Oppose in part	Alliance considers that the policy should be modified to enable the consideration of offsets for adverse effects on air quality in a wider range of circumstances than the proposed drafting would allow.
<b>Methods</b> Method 6.1 – Identification of important resources	Director-General of Conservation	117	<ul style="list-style-type: none"> <li>Retain Method 6.1.1 as notified.</li> <li>Amend Method 6.1.2 as follows:</li> </ul> <p>"Regional, city and district councils, in their areas of responsibility, will identify:</p> <ol style="list-style-type: none"> <li>Significant indigenous vegetation and significant habitat of indigenous fauna of the <u>terrestrial, freshwater and marine environment</u>;</li> <li>Areas of outstanding <u>and high</u> natural character in the coastal environment;</li> <li>Outstanding natural features, and outstanding natural landscapes and seascapes;</li> <li>Special amenity landscapes and <u>highly valued natural features</u>;</li> <li>Wetlands and <del>Q</del>outstanding water bodies; ..." </li></ol>	Support in part.	<p>Alliance submits that it is important that Otago's:</p> <ul style="list-style-type: none"> <li>outstanding natural landscapes and features,</li> <li>areas of outstanding natural character (including in the coastal environment), and</li> <li>significant indigenous vegetation and habitats of significant indigenous fauna are identified at a <u>regional</u> level via the Regional Policy Statement.</li> </ul> <p>However Alliance considers that proposed references to undefined "<i>highly valued natural features</i>" are problematic as these are not defined or used elsewhere in the RMA or the Regional Policy Statement.</p>

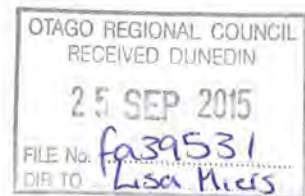
1029



## FONTERRA CO-OPERATIVE GROUP LIMITED

### FURTHER SUBMISSIONS ON PROPOSED OTAGO REGIONAL POLICY STATEMENT REVIEW

**To:** Otago Regional Council  
**Submitter:** Fonterra Co-operative Group Limited  
**Contact:** Jo Appleyard/Ben Williams  
(Client representative - Sue Ruston / Brigid Buckley)



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#### OVERVIEW

1. Fonterra Co-operative Group Ltd (Fonterra) is a person who has an interest in the proposal that is greater than the interest of the general public.
2. Fonterra has significant assets and operational interests in the Otago region which could be affected by the review of the Regional Policy Statement. These include the Stirling Milk Processing Site, the Mosgiel Distribution Centre and the Company's 1,200 farmer shareholders. Collectively, these assets and interests make a substantial contribution to the regional economy.
3. Fonterra made submissions on the proposed Otago Regional Policy Statement (*RPS*) review and was listed as Submitter 99. The attached schedule sets out Fonterra's further submissions in respect of submission points made by other parties.
4. Fonterra wishes to be heard in support of its submission points and would be prepared to consider presenting a joint case with submitters raising similar concerns.

PSOI

5. We confirm that we are authorised on behalf of Fonterra Co-operative Group Limited to make this submission.



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Jo Appleyard / Ben Williams  
Partner /Senior Associate  
Chapman Tripp

Dated: 25 September 2015

## Further Submission Points

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
118/3	Otago and Central South Island Fish and Game Councils	Introduction - RPS framework	<p>Amend the description of "Otago has high quality natural resources and ecosystems" (p.11) as follows:</p> <p><u>"Otago's natural resources are valued for their intrinsic values, and whilst sSociety relies heavily on the systems and services of the natural environment, the recognition, protection, and sustainable management of the intrinsic values of natural resources and their ecosystems is paramount.</u></p> <p>This chapter addresses ... rely on having a <del>great</del><u>high</u> quality environment..."</p>	Oppose	The proposed amendment does not reflect an appropriate balancing of the competing interests that are necessary to achieve the purpose of the Act.	Disallow.
118/3	Otago and Central South Island Fish and Game Councils	Introduction - RPS framework	<p>Insert a list of regionally significant resource management issues in Part A, as follows:</p> <p>"Regionally Significant Resource Management Issues</p> <p>Issue 1: Cumulative effects of human activities on natural resources, including the over allocation and degradation of freshwater resources.</p> <p>Issue 2: Managing complex interconnections between natural resources.</p> <p>Issue 3: Incorporating tangata whenua values in resource management decisions.</p> <p>Issue 4: Spreading of pest species.</p>	Oppose	While Fonterra supports the need to restructure the RPS to provide improved focus on regionally significant issues the full implications of the list identified in the submission are unclear in respect of associated objectives, policies and methods.	Disallow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p>Issue 4A: The loss of biodiversity, including indigenous biodiversity.</p> <p>Issue 4B: The loss and degradation of wetlands.</p> <p>Issue 5: Vulnerability to natural hazards.</p> <p>Issue 6: Adapting to climate change.</p> <p>Issue 7: Responding to fuel and energy constraints."</p>			
97/5	Transpower New Zealand Limited	Introduction - The Treaty Partner	<p>In "Expression of Te Tiriti o Waitangi":</p> <ul style="list-style-type: none"> <li>Remove the following text from the first bullet point: "Recognising the rights and interests of Kai Tahu to be involved in natural and resource management <del>processes in Otago including decision making processes and implementation.</del>"</li> </ul>	Support	The amendment is a more appropriate reflection of status in respect of decision making processes.	Allow
56/14	Alliance Group Limited	Policy 1.1.2 – Taking the principles of The Te Tiriti o Waitangi into account	<p>Amend as follows:</p> <p>"Ensure that local authorities exercise their functions and powers, to:</p> <p>a) <del>Accord Kai Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and,</del></p> <p>...</p> <p>d) <del>Ensure Kai Tahu have the prerogative to:</del></p> <p><u>Recognise and provide for Kai Tahu to identify their relationship with their ancestral lands, water, sites, wahi tapu and other taoka by:</u></p> <p>i. <del>Identify their relationship with their</del></p>	Support	For the reasons stated in the submission the amendment provides more appropriate wording in respect of Part 2 matters.	Allow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p><del>ancestral lands, water, sites, wahi tapu, and other taoka; and</del></p> <p><del>ii. Determine how best to express that relationship; and</del></p> <p><del>e) Ensure Kai Tahu are able to <u>Have regard</u> to the exercise of kaitiakitaka; and ..."</del></p>			
56/16	Alliance Group Limited	Objective 1.2 - Kai Tahu values, rights and interests and customary resources are sustained	Amend as follows: "Kai Tahu values, <del>rights</del> and interests and customary resources are <u>sustained recognised and provided for.</u> "	Support	For the reasons stated in the submission the amendment provides a more appropriate framework for the management of Kai Tahu values.	Allow
127/24	Environmental Defence Society Incorporated	Chapter B2 - High quality natural resources	<p>Include a chapter focused on the coastal environment and incorporating the necessary provisions [i.e.:</p> <ul style="list-style-type: none"> <li>• Significant resource management issues faced by the Otago region in the coastal environment;</li> <li>• Specific objectives for the coastal environment.</li> <li>• Policies to: <ul style="list-style-type: none"> <li>• Provide for a precautionary approach;</li> <li>• Provide for a comprehensive integrated management regime which identifies where and how to provide for future development in the coastal environment;</li> <li>• Identify areas where particular activities and forms of subdivision use and</li> </ul> </li> </ul>	Oppose in part	While Fonterra is supportive of the need for the RPS to include more focussed provisions relating to regionally significant issues, the full scope and effect of the relief sought is unclear.	Disallow.

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p>development are inappropriate or require consent;</p> <ul style="list-style-type: none"> <li>Identify what types of activities are inappropriate and provide criteria for determining the appropriateness of activities;</li> <li>Include provisions relating to aquaculture, reclamation, restoration, of natural character areas and public access;</li> <li>Address coastal water quality and identify a clear course of action re: identification of degraded areas, sedimentation issues and the discharge of contaminants into coastal waters.</li> <li>Identify a clear course of action re: identification of degraded areas, sedimentation issues and the discharge of contaminants into coastal waters.</li> </ul>			
70/265	Waitaki District Council	Chapter B2 – High Quality Natural Resources	<p>Amend the 2nd paragraph of the introduction to Chapter B2 to: "It is critical to recognise the value we place on Otago's natural resources and to manage these resources accordingly. This includes identifying resources which we want to <del>preserve</del> <u>maintain</u> for future generations."</p>	Support	For the reasons stated in the submission.	Allow.
122/30	Queenstown Airport Corporation	Policy suite 2.1 - The values of Otago's natural and physical resources are	Include additional policies that recognise, maintain and enhance physical resources.	Support	For the reasons stated in the submission, there are physical resources within the region that contribute significantly to regional well-being yet the sole	Allow.



#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
		recognised, maintained or enhanced			focus of policy direction is on natural resources.	
98/34	Forest and Bird NZ	Policy 2.1.4 - Managing for air quality values	Add "d) ensure land uses and human activity generating air pollutants avoid adverse effects on visual amenity"	Oppose	Such a prescriptive and restrictive approach is unnecessary in the context of a RPS.	Disallow
114/35	Wise Response Society Inc.	Policy 2.1.5 - Managing for soil values	Amend as follows: "Policy 2.1.5 <u>Managing soil for ecosystem function and value</u> <del>Managing for soil values</del> Recognise soil values, and manage soils, to: a) <u>Sustain and enhance</u> <del>Maintain</del> their life supporting capacity <u>biological activity soil biodiversity</u> ; and b) <u>Maintain soil biodiversity</u> ; and c) <u>Maintain biological activity in soils</u> ; and d) <u>Sustain and enhance</u> <del>Maintain</del> soil's functions in the storage and cycling of water, nutrients, and other elements through the biosphere; and e) <u>Sustain and enhance</u> <del>Maintain</del> soil's function as a buffer or filter for pollutants resulting from human activities, including aquifers at risk of leachate contamination; and f) <u>Actively promote soil conservation</u> <del>Retain soil resources for primary production</del> ; and..."	Oppose	To the extent that the relief seeks the replacement of criterion f) it would undermine provisions aimed at supporting regionally significant industries including primary production activities.	Disallow.

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
118/35	Otago and Central South Island Fish and Game Councils	Policy 2.1.5 - Managing for soil values	Add the following sub-clause to Policy 2.1.5: "m) Avoid human or animal-induced sediment runoff."	Oppose	A requirement to <u>avoid</u> any human or animal induced sediment runoff is unrealistic, and notwithstanding this, the issue of soil erosion is adequately addressed under Policy 4.5.4 (Minimising Soil Erosion).	Disallow.
115/35	Federated Farmers of New Zealand	Policy 2.1.5 - Managing for soil values	Delete proposed Policy 2.1.5f)	Oppose	To the extent that the relief seeks the replacement of criterion f) it would undermine the effectiveness of provisions that would support regionally significant industries including primary production activities.	Disallow.
78/58	NZ Transport Agency	Objective 2.3 – Natural Resource Systems and their interdependence are recognised	Amend Objective 2.3 to read: " <del>Natural Resources</del> systems and their interdependencies are recognised"; or alternatively: "Natural resource systems <u>and physical resources</u> , and their interdependencies are recognised."	Support	The proposed amendment will ensure greater consistency with the supporting policy framework.	Allow
58/63	Port Otago Limited	Policy 2.3.4 – Applying an integrated management approach for the coastal environment	Add: "c) Recognising the importance to the region of maintaining and developing appropriate infrastructure."	Support	For the reasons stated in the submission the relief provides an appropriate balancing of matters that are important to ensuring the social and economic well-being of the region.	Allow.
110/63	The Fertiliser Association of New Zealand Inc.	Policy 2.3.4 – Applying an integrated	Amend criterion b)ii) to read: " <del>Reduce-Manage</del> the potential for health and nuisance effects."	Support	For the reasons stated in the submission the relief provides a more appropriate approach.	Allow.

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
		management approach for the coastal environment				
115/79	Federated Farmers of New Zealand	Objective 3.2 – Risk that natural hazards pose to Otago’s communities are minimised	Retain the objective as notified	Support	Risks from natural hazards cannot be completely mitigated. Risks should be minimised based on the scale of threat they pose to human communities.	Allow
61/81	HW Richardson Group Limited	Policy 3.2.1 – Identifying natural hazards	Retain the policy as notified.	Support	For the reasons stated in the submission, it is appropriate to identify hazards within the Otago Region	Allow
122/83	Queenstown Airport Corporation	Policy 3.2.3 - Assessing natural hazard consequence	Amend policy to make it clear that the natural hazard assessment will be undertaken at a strategic level.	Support	For the reasons stated in the submission, the assessment should be undertaken at a strategic level	Allow
115/84	Federated Farmers of New Zealand	Policy 3.2.4 – Managing natural hazard risk	Amend as follows (or words to similar effect): "Manage natural hazard <u>risk to human communities</u> , including with regard to: ..."	Support	For the reasons stated in the submission, the assessment should be balanced against effects – with a focus on the impact to communities	Allow
60/85	PowerNet Limited	Policy 3.2.5 – Assessing activities for natural hazard risk	Insert a new clause at d): “ d) The extent to which the activity is functionally required to locate within a natural hazard risk area; and ...”  • Consequential renumbering of the subsequent clauses.	Support	For the reasons stated in the submission, it is appropriate to recognise that certain activities, will necessarily need to be located within areas which would be classified as potentially high natural hazard risk	Allow
128/86	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.2.6 - Avoiding increased natural hazard risk	Ensure that Policy 3.2.6 is amended to recognise that it is not necessary or possible to avoid all natural hazard risk or increases in risk, especially where there is	Support	For the reasons stated in the submission, it is not possible or necessary to avoid all natural hazard risk	Allow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			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.			
128/87	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.2.7 - Reducing existing natural hazard risk	Amend Policy 3.2.7 to recognise that it is not appropriate to reduce risk and that the focus should be on minimisation.	Support	For the reasons stated in the submission, it is not appropriate to reduce all natural hazard risk	Allow
115/88	Federated Farmers of New Zealand	Policy 3.2.8 – Applying a precautionary approach	Delete Policy 3.2.8.	Support	For the reasons stated in the submission, reference to the precautionary approach is not appropriate	Allow
128/89	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.2.9 - Protecting features and systems that provide hazard mitigation	Delete or amend Policy 3.2.9 as follows: “Protecting features and systems that provide hazard mitigation. <del>Protect, restore, enhance and promote the use of</del> <u>Avoid, remedy or mitigate adverse effects on existing natural or modified...</u> ”	Support	For the reasons stated in the submission, the focus should be avoiding, remedying or mitigating effects	Allow
128/90 128/91	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.2.10 – Mitigating natural hazards	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.	Support	For the reasons stated in the submission, the policies should be deleted.	Allow
51/114	The Southern District Health Board	Policy 3.6.6 Reducing long term demand for fossil fuels	Amend Policy 3.6.6 by adding the following clause: d) <u>Reduce the need for freight by promoting local economies for food and produce;</u> i) <u>foster the uptake of new technologies for more efficient energy uses, or renewable or lower emission transport fuels such as electric rail.</u> ii) <u>develop a carefully planned and</u>	Oppose in part	Although in some circumstances it may be appropriate to anticipate a reduction in the use of fossil fuels, it will not be appropriate or possible (given, for example, technological or practical constraints) for all individuals to reduce. Ongoing use will be necessary in some circumstances.	Disallow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<u>equitable strategy to phase out the use of fossil fuels for home heating. This will include transitioning the housing stock to improved housing efficiency and increasing the use of renewable energy for heating.</u>			
143/117	Ravensdown Works Limited	Policy 3.7.1 – Using the principles of good urban design	Retain reference to enabling industrial activities in urban environment.	Support	It is important that industrial activities are enabled (without emphasis being placed on urban design)	Allow
156/289	Dunedin City Council	Objective 3.9 - Hazardous substances and waste materials do not harm human health or the quality of the environment in Otago	Amend Address hazardous substances, contaminated sites and waste management separately - with their own issues, objectives and policies,	Support	Hazardous substances, contaminated sites and waste management need to be managed separately	Allow
128/290	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Introduction to Objective 3.9	Amend introduction to Objective 3.9 (p. 70) as follows: <del>"Waste materials are an end product of resource use and must be carefully managed to avoid creating environmental problems.</del> Hazardous substances are <u>potentially dangerous but essential components of some activities. Risks associated with hazardous 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.</u> "	Support	Hazardous substances, contaminated sites and waste management need to be managed separately	Allow
65/131	Z Energy Limited,	Policy 3.9.2 –	Amend Policy 3.9.2 as follows"	Support	For the reasons stated in the	Allow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
	BP Oil NZ Limited and Mobil Oil NZ Limited	Managing the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials	<p>“Managing the use <u>and storage and disposal</u> of hazardous substances, and the storage and disposal of waste materials.</p> <p>Manage the use <u>and storage and disposal</u> of hazardous substances, and the storage <u>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:</u></p> <p>a) Providing secure containment of those substances in case of accidental spillage; and</p> <p>b) <u>Minimising risk associated with</u> Requiring that hazardous facilities are, <u>to the extent practicable, resilient to potential damage caused by natural hazard events that will result in unintended discharges;</u> and</p> <p>c) <u>Managing the level of risk so as to appropriately manage potential</u> Avoiding adverse effects of <u>those hazardous substances and materials on property,</u> the health of and safety of the people, and on <u>other values the potential for contamination of air, land and water;</u> and</p> <p>d) <u>Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous waste</u></p>		submission the amendments provide a more appropriate framework for the management of hazardous substances through the RPS	

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p><del>and waste materials; and</del></p> <p><del>e) Ensuring hazardous substances are treated or disposed at authorised facilities, in accordance with the relevant disposal instructions; and</del></p> <p>f) Restricting the location <u>or intensification</u> of activities that may result in reverse sensitivity effects near:</p> <p>i. Authorised facilities for hazardous substance <u>use and storage</u> treatment or disposal; or</p> <p><del>ii. Waste transfer or disposal facilities."</del></p>			
124/131	Horticulture New Zealand	Policy 3.9.2 – Managing the use, storage and disposal of hazardous substances, and the storage and disposal of waste materials	<p>Clarify what “other values” will be considered under Policy 3.9.2 c).</p> <ul style="list-style-type: none"> <li>Amend Clause e) by adding: <u>“except for agrichemicals and fertilisers as part of primary production activities”</u>.</li> <li>Add a new clause: <u>“g) Provide for the use and disposal of agrichemicals and fertilisers as part of primary production activities through using best practice.”</u></li> <li>Add a new clause: <u>“h) Recognise the positive effects that can be derived from use of hazardous substances.”</u></li> </ul>	Support	For the reasons stated in the submission the amendments will provide a more appropriate framework for the management of regionally significant activities.	Allow
128/133	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Policy 3.9.4 - Managing the use of contaminated land	<p>Amend Policy 3.9.4 as follows:</p> <p><u>“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</u></p>	Support	For the reasons stated in the submission, the amendments are supported	Allow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p>from adverse effects, by:</p> <p>a) <del>Requiring that</del> <u>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;</u> and</p> <p>b) <u>Requiring, having regard to the intended use of the site, Where there is contamination:</u></p> <p>i. <del>Requiring</del> <u>an assessment of associated environmental risks from any contamination;</u> and</p> <p>ii. <del>Remediating land;</del> and</p> <p>c) Considering the <u>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."</u></p>			
60/134	PowerNet Limited	Policy 3.9.5 Avoiding the creation of new contaminated land	Delete Policy 3.9.5	Support	For the reasons stated in the submission deletion is appropriate.	Allow
74/163	Contact Energy Limited	Policy 4.4.1 – Ensuring efficient water allocation and use	Add a new e) as follows: " <u>e) In making allocation decisions assess potential conflicts between resource users and ensure there is no derogation of existing lawfully established uses of water. "</u>	Support	Certainty in investment and resource access are of critical importance	Allow
117/174	Director-General of Conservation	Policy 4.5.7 – Enabling offsetting of indigenous	Replace policy 4.5.7 and policy 4.5.8 with one new policy 4.5.7 as follows: "Manage the effects of activities on	Support in part	Fonterra supports the use of offsetting. However, the submission seeks the inclusion	Allow in part



#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
		biodiversity	<p>indigenous biodiversity by:</p> <p>a) avoiding as far as practicable, and where total avoidance is not practicable, minimising adverse effects on indigenous biodiversity</p> <p>b) requiring remediation where adverse effects cannot be avoided</p> <p>c) requiring mitigation where adverse effects on the areas identified above cannot be avoided or remediated</p> <p>d) requiring any significant residual adverse effects to indigenous biodiversity meeting the significance criteria detailed in Schedule 5 to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to Schedule XX [on biodiversity offsetting] or:</p> <p>e) enabling any significant residual adverse effects to indigenous biodiversity that does not meet the significance criteria detailed in Schedule 5 to be offset through protection restoration and enhancement actions that achieve no net loss and preferably: a net gain in indigenous biodiversity values having particular regard to Schedule XX [on biodiversity offsetting]."</p>		of provisions that would require rather than enable off-setting. Such an approach is overly prescriptive for inclusion in an RPS.	
118/174	Otago and Central South Island Fish	Policy 4.5.7 – Enabling offsetting	Amend as follows:	Oppose	The RPS states that the regionally significant issue that is	Disallow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
	and Game Council	of indigenous biodiversity	<p>Policy 4.5.7 -Enabling offsetting of <u>biodiversity, including</u> indigenous biodiversity.</p> <p>Enable offsetting of adverse effects on <u>biodiversity, including</u> indigenous biodiversity values, only when...</p>		required to be addressed relates to "significant areas of biodiversity". RPS policy should be focussed on addressing such resources rather than being more broadly based.	
117/174	Director-General of Conservation	Policy 4.5.8 – Offsetting for indigenous biodiversity	<p>Include the following new schedule: "Schedule XX Biodiversity Offsetting</p> <p>The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the NZ government Guidance on Good Practice Biodiversity Offsetting in New Zealand. August 2014 (or any successor document):</p> <ol style="list-style-type: none"> <li>1. Restoration, enhancement and protection actions will only be considered a biodiversity offset where they are used to offset the anticipated residual effects of activities after appropriate avoidance, minimisation, remediation and mitigation actions have occurred as per the policies in B4.3.4, i.e. not in situations where they are used to mitigate the adverse effects of activities.</li> <li>2. Restoration, enhancement and protection actions undertaken as a biodiversity offset are demonstrably additional to what otherwise would occur, including that there are additional to any remediation or mitigation undertaken in relation to the adverse effects of the</li> </ol>	Support in part	Fonterra supports the use of offsetting. However, the submission seeks the inclusion of provisions that would require rather than enable off-setting. Such an approach is overly prescriptive for inclusion in an RPS.	Allow in part

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p>activity.</p> <p>3. Offset actions should be undertaken close to the location of development, where this will result in the best ecological outcome.</p> <p>4. The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity, so that the overall result is no net loss, and preferably a net gain in ecological values.</p> <p>5. The offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost.</p> <p>6. As far as practicable, the positive ecological outcomes of the offset last at least as long as the impact of the activity and preferably in perpetuity. Adaptive management responses should be incorporated into the design of the offset, as required to ensure that the positive ecological outcomes are maintained over time.</p> <p>7. The biodiversity offset should be designed and implemented in a landscape context - i.e. with an understanding of both the donor and recipient sites role, or potential role in the ecological context of the area.</p>			

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<p>8. The consent application identifies the intention to utilise an offset, and includes a biodiversity offset management plan that:</p> <p>i. sets out baseline information on indigenous biodiversity that is potentially impacted by the proposal at both the donor and recipient sites</p> <p>ii. demonstrates how the requirements set out in this appendix will be addressed,</p> <p>iii. identifies the monitoring approach that will be used to demonstrate how the matters set out in this appendix have been addressed, over an appropriate timeframe. (While this appendix sets out a framework for the use of biodiversity offsets in Otago, many of the concepts are also applicable to mitigation actions i. e. where an overall outcome of no net loss (and preferably a net gain) in biodiversity values cannot be ensured but restoration and protection actions will be undertaken.)"</p>			
56/176	Alliance Group Limited	Policy 4.5.9 – Offsetting for air quality	Amend policy as follows: "Provide for offsetting of adverse effects of discharges to air on ambient air quality, <del>only</del> <u>including</u> when:"	Support in part	The submission seeks to broaden the opportunities to consider off-setting. Broadening is supported but it is further noted that although the use of offsetting should be an option in mitigating adverse effects it should not be a requirement.	Allow
82/167	Meridian Energy Limited	Policy suite 4.5	Add a new Policy 4.5.9 as follows " <u>Recognise and enable environmental</u>	Support	The use of offsetting and environmental compensation	Allow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<u>compensation as a voluntary means to provide measurable positive environmental outcomes to counter adverse environmental effects on indigenous biodiversity values which cannot otherwise be avoided, remedied, mitigated, or offset."</u>		should be an option in mitigating adverse effects and not a requirement.	
28/177	Clutha District Council	Roles and Responsibilities	Delete this section.	Support	For the reasons stated in the submission this section adds nothing to the RPS.	Allow
65/177	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	Roles and Responsibilities	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 hazardous 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) ...; b) The prevention or mitigation of the adverse effects of the storage, use, transport or disposal of hazardous substances on the environment outside of	Support in part	In the event that this section of the RPS is retained, the amendment will provide appropriate explanation of responsibilities in respect of the management of hazardous substances.	Allow

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			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)..."			
28/178	Clutha District Council	Methods - General	Methods need to be relooked at once the objectives and policies are redone as there are many gaps.	Support	The amendment or inclusion of additional provisions will necessitate review of appropriate methods.	Allow
32/206	Environment Southland	Method 7.3 – Regional Land Transport Plan	Add a new method: Method 7.3.5 – Identifying the region's National[ly] and Regionally important transport infrastructure within the Regional Land Transport Plan.	Support	The inclusion of an additional method will support the preparation of a robust Regional Land Transport Plan integrating the networks of Southland and Otago.	Allow
82/249	Meridian Energy Limited	Glossary	Add the following definitions to the Glossary: <u>" Offsetting - measureable outcomes resulting from actions designed to counter residual adverse effects of subdivision, use and development on indigenous biodiversity, which cannot otherwise be avoided, remedied, or mitigated. "</u>  <u>" Environmental Compensation - measureable outcomes resulting from voluntary actions designed to provide new</u>	Support	For the reasons stated in the submission, the definitions will assist in understanding and interpretation of the terms used in policies.	Allow.

#	SUBMITTER	SECTION	RELIEF SOUGHT	SUPPORT / OPPOSE	REASONS	DECISION SOUGHT
			<u>positive effects to counter residual adverse effects of subdivision, use and development on indigenous biodiversity, which cannot be otherwise avoided, remedied, mitigated, or offset. "</u>			
156/253	Dunedin City Council	Structure of the document and useability - general	Use the traditional approach where regionally significant issues are stated at the beginning of each section, followed by objectives, policies, methods and Anticipated Environmental Results.	Support	The existing RPS structure is difficult to follow	Allow

Further submission ends.

1030

**OceanaGold (New Zealand) Limited's Further Submission in Support of, or in Opposition to, Submissions on Publicly Notified Proposed Regional Policy Statement for Otago**

*Form 6, Clause 8 of Schedule 1, Resource Management Act 1991*

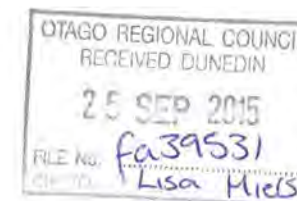
**POST TO:** Freepost ORC 497  
Otago Regional Council  
Private Bag 1954, Dunedin 9054

**EMAIL TO:** rps@orc.govt.nz



**Name of submitter:** OceanaGold (New Zealand) Limited ("OceanaGold")

**This is a Further Submission on:** The Proposed Regional Policy Statement ("RPS")



1. These further submissions are in support of or in opposition to submissions on the RPS.
2. OceanaGold is a person who has an interest in the RPS that is greater than the interest the general public has. As explained earlier in OceanaGold's original submission:
  - (a) OceanaGold is a significant multinational gold producer, with a portfolio of operating, development and exploration assets. In Otago these include the Macraes open pit mine and the Frasers underground mine both located in North Otago, primarily in the Waitaki District but with operations now taking place in the Dunedin City District.
  - (b) The Macraes open pit mine has been operating continuously since 1990. Frasers underground mine commenced production in 2006. The processing plant capacity was originally 1.5 million tonnes of ore per annum but has increased since 1990 through a series of upgrades and now processes nearly 6 million tonnes of ore per annum; including ore sourced from Macraes open pits and Frasers underground, as well as ore concentrate sourced from OceanaGold's Reefion Gold Mine.



- (c) The role of OceanaGold's operations play in the economy of the Waitaki District is particularly significant, but its impacts are also felt throughout Otago and the national economy.
  - (d) OceanaGold has resource consents to operate to at least 2020 in Otago. There remains a significant potential for the life of the Macraes Mine to extend well beyond 2020. Whether this happens depends in part on whether OceanaGold is able to secure the necessary resource consents on satisfactory conditions to enable further development of the Mine.
  - (e) That in turn will be affected by the contents of the RPS.
3. OceanaGold's further submission on the RPS is attached as **Attachment 1**.
  4. Wherever OceanGold has indicated support for a submission described in Attachment 1 that is to be interpreted as OceanaGold seeking that that part of the submitter's submission, as described in Attachment 1, is allowed. Wherever OceanaGold has indicated opposition to a submission described in Attachment 1 that is to be interpreted as OceanaGold seeking that that part of the submitter's submission, as described in Attachment 1, is disallowed.
  5. OceanaGold does wish to be heard in relation to this submission.
  6. If others make a similar submission, OceanaGold will consider presenting a joint case with them at a hearing.

Dated: 25 September 2015



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**OceanaGold (New Zealand) Limited**  
By its solicitors and duly authorised agents  
ANDERSON LLOYD  
Per: Stephen Christensen

**Address for service of submitter:**

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## Attachment 1

The provision(s) listed in the "Summary of Decisions Requested – by provision" make up the heading for each section

### Whole Regional Policy Statement (general support)

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Environment Southland	32	Support	<i>Support</i>	The RPS is well-presented and easy to comprehend. While OceanaGold has identified a number of matters that need to be changed (as per original OceanaGold submission) these can be satisfactorily achieved through the hearing process.

### Whole Regional Policy Statement (general opposition)

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Environmental Defence Society Incorporated	127	Oppose	<ul style="list-style-type: none"> <li>• <i>Withdraw the RPS; or</i></li> <li>• <i>Amend so as to promote the sustainable management of natural and physical resources in the region, to comply with the RMA and to give effect to the relevant national policy statements</i></li> <li><i>[• Other specific relief sought in submission.]</i></li> </ul>	The RPS is not fundamentally flawed to the extent that it needs to be scrapped, or essentially rewritten. OceanaGold therefore opposes the submission of the Environmental Defence Society Incorporated. The RPS does not need to be structured the same way as the PAUP.

### Whole Regional Policy Statement (overall approach)

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Central Otago Environmental Society	59	Oppose	<ul style="list-style-type: none"> <li>• <i>The RPS, and ORC's proposed integrated approach, should rest on an over-arching set of fundamental principles, to which consequential regional and district planning</i></li> </ul>	The RPS needs to enable the sustainable management and development of Otago's resources. This means the full range of options to manage the adverse effects of activities needs to be preserved. The submitter seems to want to pre-empt the regional and district plan making and resource consent processes by restricting the range of potential outcomes through

			<p><i>documents, policies and management plans should comply.</i></p> <ul style="list-style-type: none"> <li>• <i>Strengthen the language of policies to ensure "mitigation" and "off-setting" will not be used to betray those fundamental principles.</i></li> </ul>	<p>the RPS. That fails to recognise the complex nature of wise resource management decision-making which requires full consideration of the nature and sensitivity of the existing environment, the value and effects of proposed activities that will impart that environment, and the ways that any adverse effects can be managed.</p> <p>The RPS should <i>inform</i> those plan making and consenting processes by identifying what is important to Otago's people and communities and direct integrated decision-making. The RPS should not pre-determine outcomes by assuming, for example, that activities that have adverse effects on significant values cannot promote sustainable management and therefore must be avoided.</p>
Fonterra Co-operative Group Limited	99	Support	<ul style="list-style-type: none"> <li>• <i>Create additional provisions which specifically relate to regionally significant industry. These can adopt the model used in relation to regionally and nationally significant infrastructure.</i></li> <li>• <i>Include more explicit provisions that recognise and provide for natural and physical resources to be used for the benefit of the social and economic well-being of the community.</i></li> </ul>	<p>OceanaGold recognises that there is a need to include more explicit provisions that recognise and provide for resources to be used for the benefit of people. OceanaGold supports the idea that regionally significant industry (such as the Macraes Gold Project) should receive similar recognition in the RPS as regionally significant infrastructure.</p>
Graymont NZ Limited	112	Support	<ul style="list-style-type: none"> <li>• <i>Recognise the need to protect mineral resources from encroachment by incompatible land uses that could reasonably be located elsewhere.</i></li> </ul>	<p>Protection of mineral resources from sterilisation or encroachment from other activities incompatible with the extraction of the resource is the appropriate counterbalance to proposed Policy 4.5.6 which seeks to manage the impact of mineral development on other values.</p>
Wise Response Society Inc	114	Oppose	<ul style="list-style-type: none"> <li>• <i>Shift the focus of activity away from promoting economic development and financial return to sustainably managing of the natural and physical resources, as required under RMA S5.</i></li> <li>• <i>Build region-wide and integrated resilience.</i></li> </ul>	<p>The ORC's responsibility under the RMA is as set out in section 30 of the RMA and is to be exercised in accordance with Part 2. At its most fundamental level this is about promoting the sustainable management of Otago's natural and physical resources. One aspect of this is controlling adverse effects, but the submitter has overlooked the requirement to enable people and communities to provide for their social, economic and cultural well-being, and for their health and safety.</p>

## 259 Regionally Significant issues

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Central Otago District Council	37	Support	<i>State the significant resource management issues for the Otago region.</i>	OceanaGold says that if the RPS is amended to explicitly state the region's significant resource management issues, this must include recognition of the important role of regionally significant industry such as the Macraes Gold Project and the importance of enabling the future exploration and development of the region's mineral resources, including in areas where significant or sensitive values exist.

## 255 Introduction – Overview and the Otago Region

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Straterra	151	Support	<i>Support ["The Otago Region" section (p. 4),] subject to amendment to [fourth paragraph]: "Agriculture <u>currently forms</u> <del>has formed</del> the basis of Otago's economic development and continues to be a major source of revenue, <u>as does mining for gold and other minerals, including aggregates.</u></i>	Mining in Otago makes a significant contribution to economic and social well-being, and does so in a sustainable way with carefully managed adverse effects.

## 24 Chapter B2 – general requests

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Forest and Bird NZ	98	Oppose	<ul style="list-style-type: none"> <li>• Add further objective: "Human activity supports the healthy functioning and resilience of naturally occurring ecosystems including where integrated with production systems"</li> </ul>	OceanaGold agrees that biodiversity is an important resource management issue, but the RPS needs to ensure that objectives in relation to biodiversity sit within the broader framework of sustainable management. This means that maintenance and enhancement of biodiversity is not an absolute requirement, and the RPS (and lower order planning documents) needs to allow for situations where the overall

			<ul style="list-style-type: none"> <li>• Add an explanation that this objective seeks to halt and more so reverse the decline in Otago's biodiversity, and how retaining and enhancing indigenous habitats, will help halt the decline and why this is important for Otago's identity and economy.</li> </ul>	<p>promotion of sustainable management may entail some discrete and localised loss of biodiversity.</p>
Environmental Defence Society Incorporated	127	Oppose	<p>Include a chapter focused on freshwater and incorporate the necessary provisions [i.e.:</p> <p>...</p> <ul style="list-style-type: none"> <li>• Objectives relating to freshwater, including provision for the environmental bottom lines in the NPSFM;</li> </ul> <p>...</p> <ul style="list-style-type: none"> <li>• Protection of all wetlands.</li> </ul>	<p>While the RPS needs to give effect to the National Policy Statement for Freshwater Management 2011 ("NPSFM"), the NPSFM itself requires that it is implemented via regional plans not primarily through RPS's. By contrast the National Policy Statement for Renewable Electricity Generation 2011 ("NPSREG") requires relatively more implementation via the RPS rather than regional plans. The submitter seems to have overlooked this NPS.</p> <p>Also, an objective to protect all wetlands is opposed. At the Macraes Gold Project site there are numerous wetlands of various sizes and value. Some are actively managed for biodiversity purposes. Others have been removed by farming or mining development. Further mining development at the site is likely to affect some wetlands, and OceanaGold would expect to address the significance of those wetlands and any appropriate mitigation or compensatory measures at the time of obtaining resource consents. An unquantified objective to protect all wetlands is unhelpful and will not promote sustainable management as required by the RMA.</p>
Environmental Defence Society Incorporated	127	Oppose	<p>Include a chapter focused on Outstanding Natural Features and Landscapes (ONFLs) and incorporating the necessary provisions to respond to the specific submissions contained in EDS' submission [i.e.:</p> <ul style="list-style-type: none"> <li>• Regionally significant issues relating to ONFLs;</li> </ul>	<p>OceanaGold does not agree that the level of protection given to Outstanding Natural Features and Landscapes ("ONFLs") is insufficient. In some cases ONFLs are defined on a very broad scale and are capable of assimilating significant modification. Any direction in the RPS, and any subsequent provisions in lower order planning documents, need to provide flexibility in the way ONFLs are managed so as to ensure future activities (such as important mineral developments) are not precluded. In such cases an inflexible approach to the protection of ONFLs may frustrate the sustainable management purpose of the RMA, recognising that in Otago the responsible development of our mineral resource is an appropriate use of land, including land that has outstanding landscape qualities provided the impacts are carefully managed. At the Macraes</p>

				Gold Project OceanaGold has demonstrated that major changes to the landscape can be made, and with appropriate restoration/rehabilitation following mining the final landscape result can achieve a high degree of integration with the surrounding landscape and other values These rehabilitated areas make up significant landscapes which are at least as valued and appreciated as the modified natural landscape that existed prior to mining
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### 265 Outcome 2 and Introduction

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Waitaki District Council	70	Support	<i>Amend the 2nd paragraph of the introduction to Chapter B2 to: " It is critical to recognise the value we place on Otago's natural resources and to manage these resources accordingly. This includes identifying resources which we want to <del>preserve</del> <u>maintain</u> for future generations."</i>	"Maintain" is a more appropriate word than "preserve" in this context.

### 269 Introduction to Objective 2.1

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Fonterra Co-operative Group Limited	99	Support	<i>Amend the explanatory text to Objective 2.1 as follows: ... A good quality resource management framework <del>addresses</del> <u>all-identifies</u> the values <del>that apply attached</del> to our resources, <del>and identifies</del> <u>those which need protection</u> and the objectives that are sought to be met</i>	An RPS which emphasises the need to strike an appropriate balance between conflicting values and objectives is better suited to Otago's needs than one which "picks winners".

			<p><i>in respect of those values. Once identified, it is acknowledged that the values and objectives that apply to individual natural and physical resources may conflict with each other - example, we depend on water for food production, yet we want water for healthy rivers. A good quality resource management framework will take an integrated approach that attempts to balance competing values (and objectives) rather than preferring some at the exclusion of others."</i></p>
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**30 Policy suite 2.1 – The values of natural resources are recognised, maintained or enhanced**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Meridian Energy Limited	82	Support	<p>• Delete policies 2.1.1 and 2.1.2 and add a new policy as follows:  <u>" Recognise the values of freshwater, and the beds of rivers, lakes, wetlands, and their margins, and manage them to:</u>  <u>a) Protect outstanding water bodies and wetlands; and</u>  <u>b) Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers; and</u>  <u>c) Maintain ecosystem health and indigenous biodiversity; and</u>  <u>d) Retain the range and extent of habitats provided by freshwater; and</u>  <u>e) Maintain migratory patterns of freshwater species, unless detrimental to indigenous biodiversity; and</u>  <u>f) Maintain or enhance natural character; and</u>  <u>g) Avoid aquifer compaction, and seawater intrusion in aquifers; and</u>  <u>h) Maintain or enhance coastal values supported by</u></p>	OceanaGold supports the submitter's request that where appropriate "maintain" should be used instead of "protect".



			<p><u>freshwater values; and</u>  <u>i) Maintain good water quality or enhance it where it has been degraded; and</u>  <u>j) Retain the quality and reliability of existing drinking water supplies; and</u>  <u>k) Maintain Kai Tahu values; and</u>  <u>l) Provide for other cultural values; and</u>  <u>m) Maintain important recreation values; and</u>  <u>n) Maintain the landscape and amenity values of rivers, lakes, and wetlands; and</u>  <u>o) Avoid the adverse effects of pest species, prevent their introduction and reduce their spread; and</u>  <u>p) Mitigate the adverse effects of natural hazards, including flooding and erosion; and</u>  <u>q) Maintain bank stability; and</u>  <u>r) Maintain the ability of existing infrastructure to operate within their design parameter "</u>  <u>Make any consequential amendments necessary to give effect to the relief sought.</u></p>	
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### 31 Policy 2.1.1 – Managing for freshwater values

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Forest and Bird NZ	98	Oppose	<p>r) <i>Ensure all water bodies are safe for human health and contact recreation</i>  s) <i>Avoid changes in hydrology which could adversely affect indigenous biodiversity.</i>  ...  v) <i>Set limits and targets to achieve ecological health for all water bodies."</i></p>	<p>Some water bodies such as pit lakes and tailings decant ponds are not safe for human health and contact recreation, and cannot be expected to be so.</p> <p><i>Avoiding hydrological changes which could adversely affect indigenous biodiversity is unrealistic in light of the <i>Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd</i> [2014] 1 NZLR 593 case.</i></p> <p>What does "ecological health" mean?</p>
Wise Response Society Inc	114	Oppose	<p>Amend as follows:  ...  a) <u>Protect and sustain Support</u></p>	<p>A policy to restore degraded ecosystems in all water bodies is unrealistic. What does the submitter mean by "degrade" and how is it intended to deal with situations where impacted water bodies are known and</p>

		<p><i>healthy ecosystems function and restore degraded ecosystems in all Otago aquifers, and rivers, lakes, wetlands, and their margins; and</i></p> <p>...</p> <p><i>e)d) Provide additional protection to significant and <del>Protect</del> outstanding water bodies and wetlands; and</i></p> <p>...</p> <p><i>i)j) Retain and aim to improve the quality and reliability of raw water for existing drinking water supplies; and</i></p>	<p>accepted effects of consented activities?</p> <p>Sub-paragraph (a) should be limited to outstanding water bodies.</p> <p>Why impose the quality of raw water which already meets drinking water standards?</p>
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### 32 Policy 2.1.2 – Managing for the values of beds of rivers and lakes, wetlands, and their margins

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
PowerNet Limited	60	Support	<p>...</p> <p><i>m) Maintain the ability to use the beds of lakes and rivers for infrastructure and to those providing for the economic, health and safety and social wellbeing of the community.</i></p>	<p>The new proposed "(m)" would be appropriate to recognise the importance of the use of these resources and the policy needs to be extended to include regionally significant industry such as the Macraes Gold Project.</p>
Aurora Energy Limited	76	Support	<p><i>Insert new clause (m) as follows: "(m) provide for the current and reasonably foreseeable future needs and cultural, economic and social wellbeing of people and the community by enabling the use and development of river and lake beds where appropriate."</i></p>	<p>The new proposed "(m)" would be appropriate to recognise the importance of the use of these resources and the policy needs to be extended to include regionally significant industry such as the Macraes Gold Project.</p> <p>In OceanaGold's opinion either PowerNet Ltd or Aurora Energy Ltd new "(m)" would be appropriate.</p>

### 36 Policy 2.1.6 – Managing for ecosystem and indigenous biodiversity values

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Otago and Central South Island Fish and Game Councils	118	Support	<p><i>Amend as follows:</i></p> <p>...</p> <p><i>Recognise the values of ecosystems and <del>indigenous</del> biodiversity, and manage <u>adverse and cumulative effects on ecosystems and indigenous biodiversity, to:</u></i></p>	OceanaGold operates a trout hatchery at the Macraes Gold Project in partnership with Fish and Game. The importance of the Otago sports fishery resource needs to be acknowledged alongside the importance of native fisheries.

### 38 Schedule 4 – Criteria for the identification of natural features and landscapes

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Fonterra Co-operative Group Limited	99	Support	<ul style="list-style-type: none"> <li>• <i>Retain Schedule 4 but ensure it clearly contemplates both outstanding landscapes (as provided by section 6 of the Act) and other landscapes which might be special amenity landscapes or have high valued natural features but which are not outstanding.</i></li> <li>• <i>Include a discussion of the purpose and application of the attributes set out (and ensure the attributes align with relevant case law principles such as those included in the modified Pigeon Bay criteria).</i></li> <li>• <i>Include express reference to outstanding landscapes being in the context of section 6 of the Act (and not more generally).</i></li> </ul>	OceanaGold agrees with the submitter that care and clarity are required in approaching the issue of outstanding and other important landscapes, and supports in principle the suggested amendments.
Environmental	127	Oppose	<i>EDS supports the criteria however</i>	In the context of Otago where there is significant interplay between

Defence Society Incorporated		<p><i>an assessment methodology is required. This should identify that the identification of ONFLS is a three step process comprising:</i></p> <ul style="list-style-type: none"> <li>• <i>Identification of the landscape unit boundaries.</i></li> <li>• <i>Ascertaining whether a landscape is sufficiently natural, acknowledging that there is a spectrum of naturalness and that a landscape does not have to be pristine to be considered natural.</i></li> <li>• <i>Assessing whether the landscape is outstanding at a regional level, such that it is conspicuous, remarkable and stands out from the rest.</i></li> </ul>	<p>important or potentially outstanding landscape areas and mineral (and other regional significant) development there is a fourth step in the process – a recognition that careful development within these important landscapes in connection with regionally significant industry and infrastructure is not inappropriate. As noted elsewhere OceanaGold has had significant success in rehabilitating large-scale landscapes following mining. Any criteria for the identification and management of ONFLS need to recognise and provide for such outcomes</p> <p>The submitter also agrees that a landscape does not have to be pristine to be considered natural.</p>
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**40 Objective 2.2 – Otago's significant and highly valued natural resources**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Wise Response Society Inc	114	Oppose	<p><u>Amend as follows: "Natural features of Otago's environment with significant or outstanding qualities are identified, protected and enhanced to a standard above general sustainability criteria, so as to maintain their special qualities</u></p>	<p>Otago's mineral wealth is a significant natural feature and the development of this needs to be enabled. The submitter's suggested rewording of the objective makes no provision for this.</p>

270 Introduction to Objective 2.2

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Straterra	151	Support	<i>Support [explanation to Objective 2.2 - page 32] subject to amendment [to the last sentence of the paragraph]: "Giving these a higher level of protection ensures they will be retained, while consumptive use of resources (e.g., mining, quarrying and petroleum production) will be directed to areas where adverse effects are more acceptable, if possible. If not, as minerals can only be mined where they exist, they may be recognised as appropriate activities in these areas dependent on the avoidance, remediation or mitigation measures adopted."</i>	The submitter's suggested amendments to the explanation to Policy 2.2 are appropriate to recognise the special position of mineral resources in Otago.
Port Otago Limited	58	Support	<i>Insert new policy: "<u>The avoidance of adverse effects required by policies 2.2.2, 2.2.4, 2.2.6, 2.2.9 and 2.2.11 does not prohibit any part of the operation or proposed development of activities related to the ports at Port Chalmers and Dunedin with any adverse effects from the ports' operations required to be either avoided, remedied or mitigated.</u>"</i>	OceanaGold recognises the importance to Otago of the ports at Dunedin and Port Chalmers and supports the changes the submitter requests. However, the approach requested should also apply to regionally significant infrastructure and industry including the Macraes Gold Project.
Forest and Bird NZ	98	Oppose	<i>New Policy 2.2.8: "Identify the landward extent of margins of all freshwater bodies using the following criteria: a) area or landform where active riparian or lacustrine and/or</i>	The implications of the submitter's requested new policy are unclear. Unless it can be demonstrated that the request does not impact on existing and potential mineral development in Otago the request is opposed.

			<p>wetland processes, influences or qualities are significant including legible historic processes and influences ; and</p> <p>b) the area dominated by vegetation associated with the water bodies and providing habitat for species dependent on the water body and its margins including dry to wet environments;</p> <p>and</p> <p>c) any landscape and natural feature that significantly contributes to the natural character, visual amenity and recreational value of the substitute word for coast?? water body and its margin??</p> <p>e) the relationship of taka whenua with the margins of freshwater bodies"</p>	
Environmental Defence Society Incorporated	127	Oppose	<p>Apply the same management approach to the natural character of wetlands, and lakes and rivers and their margins as to the coastal environment, i.e. avoidance of adverse effects on outstanding areas and avoidance of significant adverse effects, and avoidance, remediation and mitigation of other adverse effects in other areas.</p>	<p>Avoidance of adverse effects on outstanding areas is too rigid a requirement in light of the <i>New Zealand King Salmon</i> case. Appropriate remediation, mitigation and / or compensation are also appropriate management responses, and this needs to be assessed on a case by case basis.</p>
Soho Basin Skifield Limited	129	Support	<p>Add the following new policy: "Managing cross boundary landscape effects Promote alignment of District Plans and integrated assessments of environmental effects when assessing landscape values and</p>	<p>OceanaGold has an existing development (Coronation) that traverses the Waitaki District and Dunedin City boundaries. It is consistent with integrated management to ensure that cross-boundary landscape effects and values are assessed on a consistent basis.</p>

			<i>effects in landscapes which traverse territorial authority boundaries."</i>	
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**42 Policy 2.2.1 – Identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Forest and Bird NZ	98	Oppose	<ul style="list-style-type: none"> <li>Amend to read: <i>"Identify and protect areas of significant indigenous vegetation and significant habitats of indigenous fauna for terrestrial and freshwater environments using the criteria set out in Schedule 5 (being the schedule as amended by this submission)."</i></li> </ul>	Policy 2.2.1 is about <i>identification</i> of significance. The submitter proposes to extend this to consequent actions. This is inappropriate.

**43 Schedule 5 – Criteria for the assessment of significant indigenous vegetation and habitat of indigenous fauna**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Otago Peninsula Biodiversity Group	40	Oppose	<ul style="list-style-type: none"> <li>Applaud the inclusion of these criteria in the RPS: the ORC should make all efforts to see these applied in all subordinate plans and policies across Otago.</li> <li>This Schedule may be the place to include criteria for environmental offsetting.</li> </ul>	Assessment of significance has nothing to do with the concept of biodiversity offsetting.
Darby Planning LP	81	Support	Amend Schedule 5 criteria, to make them more definitive, and in line with those used for the Canterbury Region.	OceanaGold has concerns about the potential for the proposed criteria of significance to result in too many of Otago's resources being affected. More clarity is required.

47 Policy 2.2.5 – Identifying special amenity landscapes and highly valued natural features

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Clutha District Council	28	Support	<ul style="list-style-type: none"> <li>• Remove policy and associated reference in Method 4.2.2</li> <li>• Alternatively, if the policy is to remain, amend method by changing “will” to “may” so implementation becomes optional.</li> </ul>	OceanaGold agrees there is no need for the RPS to identify a category of landscapes and natural features beyond those that are assessed as outstanding.

65 Chapter B3 – general requests

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Fonterra Co-Operative Group Ltd	99	Support	<p>Amend the PRPS to include the following objectives and policies:</p> <p><i>"Objective [x] Regionally significant industries and associated activities are able to establish, operate and grow. Regionally significant industries, particularly primary production activities, are critical to the social and economic wellbeing of the regional community. These activities often have functional locational requirements and have a heavy reliance on the availability of and access to natural resources such as soils and water, and physical resources such as transport infrastructure networks. Recognising and providing for these requirements will support the integrated management of resources and the avoidance of activities that would threaten the continued operation of regionally significant industry."</i></p> <p><i>"Policy [X] Recognise and provide for the establishment, operation and expansion of regionally significant industries by;</i></p> <ul style="list-style-type: none"> <li><i>a) co-ordinating infrastructure and service provision at a scale appropriate to the activities likely to be undertaken;</i></li> <li><i>b) enabling the establishment and colocation of supporting activities;</i></li> <li><i>c) maintaining and where appropriate enhancing access to natural and physical resources, including regionally significant</i></li> </ul>	OceanaGold supports the inclusion of appropriate objectives and policies reflecting the importance of regionally significant industries and associated activities including the Macraes Gold Project.



			<p>infrastructure;</p> <p>d) avoiding the potential for reverse sensitivity."</p> <p>"Policy [Y] Manage the adverse effects of regionally significant industries and associated activities by;</p> <p>a) Giving preference to the location of regionally significant industries away from outstanding natural features, outstanding landscapes and areas of significant indigenous vegetation and significant habitats of indigenous fauna, outstanding water bodies and wetlands; or</p> <p>b) Where the locations identified in a) above cannot be avoided, avoiding significant adverse effects on those values that contribute to the significance of the feature; and</p> <p>c) Assessing the significance of adverse effects on those values, as detailed in Schedule 3."</p>	
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**78 Policy 3.1.1 – Recognising natural and physical environmental constraints**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Horticulture New Zealand	124	Support	Amend Policy 3.1.1 e) as follows: "e) The functional necessity for the activity to be located where there are significant constraints <u>such as adverse effects on existing activities.</u> "	OceanaGold supports this sensible extension to Policy 3.1.1.

**87 Policy 3.2.7 – Reducing existing natural hazard risk**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Dunedin City Council	156	Support	Add a third bullet point to (d) as follows: " <u>iii. Mitigation of risk.</u> "	OceanaGold supports the suggested addition to Policy 3.2.7.

88 Policy 3.2.8 – Applying a precautionary approach

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Wise Response Society Inc	114	Oppose	<p><i>Amend as follows:</i>  <i>"Policy 3.2.8 Applying <u>the a precautionary principle across all policies approach</u></i>  <i>Where natural hazard risk is uncertain or unknown, but potentially significant or irreversible, apply a precautionary <u>principle approach</u> to identifying, assessing and managing that risk.</i>  <i>For the purposes of this plan the <u>precautionary principle and approach means that if an action or policy has a suspected risk of causing harm to the public or the environment, in the absence of extensive scientific consensus that the action or policy is not harmful, the burden of proof that it is not harmful falls on those taking action.</u></i>  <i>The principle implies that there is <u>social responsibility to protect the public from exposure to harm, when scientific investigation has found a plausible risk. These protections can be relaxed only if further scientific findings emerge that provide sound evidence that no harm will result.</u>"</i></p>	<p>OceanaGold does not support changing Policy 3.2.8 as the submitter requests. The additional wording the submitter seeks is unhelpful, and the intention for it to have effect throughout the RPS rather than in relation to natural hazards is inappropriate.</p>

**96 Objective 3.4 – Good quality infrastructure and services meet community needs**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Dunedin City Council	156	Oppose	<ul style="list-style-type: none"> <li>• Remove the objective.</li> <li>• In the event the objective is retained, clarify what is meant by "services" in the issue, and whether this includes "lifeline utilities" and /or "hazard mitigation measures".</li> </ul>	OceanaGold prefers to see the retention of this objective. The relatively remote location of the Macraes Gold Project means that OceanaGold relies upon good quality infrastructure and services to enable it to operate efficiently. Infrastructure and services need to be supported as they are a significant regional resource management issue.

**286 Introduction to Objective 3.5**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Fonterra Co-Operative Group Ltd	99	Support	<p>Amend the introduction to Objective 3.5 (p. 59) as follows:</p> <p><i>"Infrastructure of national and regional significance, including roads, rail, electricity generation and transmission, and telecommunications, and regionally significant industries <u>associated with primary production (such as dairy processing)</u> are part of a national network, and contribute to the economic and social wellbeing of the nation..."</i></p>	OceanaGold supports the amendment requested by the submitter to address the role of regionally significant industry, and seeks that mining and mineral processing be specifically mentioned alongside dairy processing.

**147 Objective 4.2 – Historic heritage resources are recognised and contribute to the region's character and sense of identity**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Director-General of	117	Oppose	<p>Amend as follows:</p> <p><i>"Objective 4.2 Historic heritage</i></p>	OceanaGold opposes the requested changes to this objective. Historic resources should be recognised, but protection of them is only one

Conservation			<i>resources are recognised and <u>protected, and continue to contribute to the region's character and sense of identity</u>"</i>	possible outcome.
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**155 Policy 4.3.1 – Managing for rural activities**

<b>Submitter</b>	<b>Submission number #</b>	<b>Support/ Oppose</b>	<b>Part of relief sought by submitter supported / opposed</b>	<b>Reasons for this further submission</b>
Straterra	151	Support	<p><i>Support subject to the following amendments:</i></p> <p><i>"Manage activities in rural areas, to support the region's economy and communities, by:</i></p> <p><i>a) Enabling farming and other rural activities, <u>including minerals and petroleum</u> activities, that support the rural economy; and</i></p> <p><i>b) <u>Avoiding, remedying or mitigating</u> <del>Minimising</del> the loss of soils highly valued for their versatility for primary production; and</i></p> <p><i>c) Restricting the establishment of activities in rural areas that may lead to reverse sensitivity effects; and</i></p> <p><i>d) <u>Avoiding, remedying or mitigating</u> <del>Minimising</del> the subdivision of productive rural land into smaller <u>allotments</u> <del>lots</del> that may result in rural residential activities; and</i></p> <p><i>e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities <u>and minerals and petroleum activities.</u>"</i></p>	<p>Mining is a productive rural activity that supports the rural economy to a significant extent, especially in the East Otago area as a result of the success of the Macraes Gold Project. OceanaGold supports the identification of minerals-related activities alongside farming in Policy 4.3.1.</p>

160 Policy 4.3.6 – Managing locational needs for mineral gas exploration, extraction and processing

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
New Zealand Petroleum and Minerals	86	Support	<p>Amend policy 4.3.6 as follows:</p> <p><i>"Policy 4.3.6 Managing locational needs for mineral and <del>gas</del> <u>petroleum</u> exploration, extraction and processing</i></p> <p><i>Recognise the needs of mineral exploration, extraction and processing activities to locate where the resource exists, and manage them by:</i></p> <p><i>a) <del>Giving preference to avoiding their location</del> <u>Implementing methods to achieve integrated management of natural and physical resources, in particular in:</u></i></p> <p>...</p> <p><i>b) Restricting the establishment of those activities in areas used for mineral and <del>gas</del> <u>petroleum</u> exploration, extraction and processing that may result in reverse sensitivity effects."</i></p>	<p>Policy 4.3.6 should be more enabling of mineral development. As currently worded it focuses inappropriately on avoiding conflicts between mineral use and other values by avoiding mineral development in these places. That does not achieve a balanced and integrated approach, does not facilitate the use of techniques other than avoidance, and may not promote sustainable management.</p>

163 Policy 4.4.1 – Ensuring efficient water allocation and use

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Central Otago Environmental Society	59	Oppose	<p>Add a new sub-paragraph e) reading "<u>Taking into account fundamental principles and environmental values.</u>"</p>	<p>The suggested amendment is unnecessary and uncertain. What are "fundamental principles and environmental values"?</p>
Forest and	98	Oppose	<p>Amend d) to read: "(d) Enable small scale on farm water</p>	<p>Water harvesting and storage is an important aspect of OceanaGold's Macraes Gold Project operation. The proposed amendment to this</p>

Bird NZ			<i>harvesting and storage to reduce pressure on water bodies during periods of low flows."</i>	policy does not recognise the importance of water harvesting and storage for purposes other than farming.
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### 301 Introduction to Objective 4.5

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Straterra	151	Support	<p><i>Support [explanation to Objective 4.5 - page 87] subject to the following amendment [to first and second paragraphs]:</i></p> <p><i>Any use of natural or physical resources has the potential to generate adverse effects. It is important to manage activities to avoid, <u>remedy or mitigate</u>, individually or cumulatively, <u>significant adverse effects on degrading</u> the quality of Otago's natural environment. This requires the proactive management of natural resources, and can only be achieved through the integrated management of Otago's natural resources, and by giving due consideration to both managing adverse effects and maintaining and enhancing environmental values, <u>in the context of the benefits for Otago from the use and development of these resources</u>. Resource use can also have adverse effects on other uses, <u>future uses</u>, or prevent the normal operation of existing uses.</i></p>	The submitter's suggested amendments better provide for a balanced approach to managing conflicting values or uses.

			<p><i>Resource management decisions are often about arbitrating between conflicting values or uses. For example, Section 2.3 of this document identifies resources which are so significant that adverse effects on their values should be avoided, <u>remedied or mitigated appropriately</u>. Some activities, such as mineral <u>and petroleum</u> extraction or infrastructure development <u>or electricity generation</u>, may have to locate in areas containing significant values. If we are to provide for those activities, it is important to outline how their adverse effects should be managed.</i></p>	
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**168 Policy 4.5.1 – Avoiding objectionable discharges**

<b>Submitter</b>	<b>Submission number #</b>	<b>Support/ Oppose</b>	<b>Part of relief sought by submitter supported / opposed</b>	<b>Reasons for this further submission</b>
Fertiliser Association of New Zealand Inc	110	Support	<p><i>Amend as follows: "Policy 4.5.1 Avoiding objectionable discharges Avoid, <u>remedy or mitigate</u> discharges that are objectionable or offensive to takata whenua and the wider community, including: a. Discharges of human or animal waste: i. <u>Directly to waterbodies</u>; or ii. <u>In close proximity to waterbodies</u>; or iii. <u>In close proximity to mahika kai sites</u>; or</i></p>	OceanaGold supports the extension of this policy to include remedying and mitigating (as well as avoiding) the effects of objectionable discharges.

			<p>b) Discharges of hazardous or noxious substances close to sensitive activities, including:</p> <ul style="list-style-type: none"> <li>i. Residential activities; or</li> <li>ii. Schools and other educational activities; or</li> <li>iii. <del>Places of public access to the natural environment</del> Publicly accessible areas in the natural environment; or</li> <li>iv. In close proximity to mahika kai sites; or</li> </ul> <p>c) Odorous or conspicuous discharges."</p>	
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**173 Policy 4.5.6 – Managing adverse effects from mineral and gas exploration, extraction and processing**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Director-General of Conservation	117	Oppose	<p>Amend as follows:</p> <p>"Minimise adverse effects from the exploration, extraction and processing of minerals, by: ...</p> <p>g) <del>Considering</del> <u>Require</u> the use of offsetting, <del>or compensatory measures</del>, for residual adverse effect ..."</p>	Offsetting is a tool which may or may not be appropriate in any particular circumstances. To <i>require</i> its use is inappropriate.

**174 Policy 4.5.7 – Enabling offsetting of indigenous biodiversity**

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Director-General of Conservation	117	Oppose	<p>Replace policy 4.5.7 and policy 4.5.8 with one new policy 4.5.7 as follows:</p> <p>"Manage the effects of activities on indigenous biodiversity by:</p> <p>a) avoiding as far as practicable, and where total avoidance</p>	OceanaGold does not support the proposed new version of Policy 4.5.7 suggested by the submitter, and does not support the inclusion of the proposed new Schedule relating to



			<p><i>is not practicable, minimising adverse effects on indigenous biodiversity</i></p> <p><i>b) requiring remediation where adverse effects cannot be avoided</i></p> <p><i>c) requiring mitigation where adverse effects on the areas identified above cannot be avoided or remediated</i></p> <p><i>d) requiring any significant residual adverse effects to indigenous biodiversity meeting the significance criteria detailed in Schedule 5 to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably a net gain in indigenous biodiversity values having particular regard to Schedule XX [on biodiversity offsetting] or:</i></p> <p><i>e) enabling any significant residual adverse effects to indigenous biodiversity that does not meet the significance criteria detailed in Schedule 5 to be offset through protection, restoration and enhancement actions that achieve no net loss and preferably: a net gain in indigenous biodiversity values having particular regard to Schedule XX [on biodiversity offsetting]."</i></p>	<p>biodiversity offsets. Offsetting should not be mandatory in any circumstances, and any offsetting policy should not specify circumstances when offsetting must and must not be used. The submission appears to be trying to inappropriately elevate the status of the August 2014 "Guidance" to override the scheme of the RMA. There may be an inconsistency between the submitter's requests and the way the submitter approaches offsets on land it manages.</p>
Director-General of Conservation	117	Oppose	<p><i>Include the following new schedule:</i></p> <p><i>"Schedule XX Biodiversity Offsetting</i></p> <p><i>The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the NZ government Guidance on Good Practice Biodiversity Offsetting in New Zealand. August 2014 (or any successor document):</i></p> <p><i>1. Restoration, enhancement and protection actions will only be considered a biodiversity offset where they are used to offset the anticipated residual effects of activities after appropriate avoidance, minimisation, remediation and mitigation actions have occurred as per the policies in B4.3.4, i.e. not in situations where they are used to mitigate the adverse effects of activities.</i></p> <p><i>2. Restoration, enhancement and protection actions undertaken as a biodiversity offset are demonstrably additional to what otherwise would occur, including that there are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity.</i></p>	Same

		<p>3. Offset actions should be undertaken close to the location of development, where this will result in the best ecological outcome.</p> <p>4. The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity, so that the overall result is no net loss, and preferably a net gain in ecological values.</p> <p>5. The offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost.</p> <p>6. As far as practicable, the positive ecological outcomes of the offset last at least as long as the impact of the activity and preferably in perpetuity. Adaptive management responses should be incorporated into the design of the offset, as required to ensure that the positive ecological outcomes are maintained over time.</p> <p>7. The biodiversity offset should be designed and implemented in a landscape context - i.e. with an understanding of both the donor and recipient sites role, or potential role in the ecological context of the area.</p> <p>8. The consent application identifies the intention to utilise an offset, and includes a biodiversity offset management plan that:</p> <ul style="list-style-type: none"> <li>i. sets out baseline information on indigenous biodiversity that is potentially impacted by the proposal at both the donor and recipient sites</li> <li>ii. demonstrates how the requirements set out in this appendix will be addressed,</li> <li>iii. identifies the monitoring approach that will be used to demonstrate how the matters set out in this appendix have been addressed, over an appropriate timeframe. (While this appendix sets out a framework for the use of biodiversity offsets in Otago, many of the concepts are also applicable to mitigation actions i. e. where an overall outcome of no net loss (and preferably a net gain) in biodiversity values cannot be ensured but restoration and protection actions will be undertaken.)"</li> </ul>	
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#### 175 Policy 4.5.8 – Offsetting for indigenous biodiversity

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Environmental Defence Society Incorporated	127	Oppose	<i>Add additional criteria to encapsulate all best practice offsetting principles. (See annexure 2-D of submission).</i>	OceanaGold agrees that where offsetting is used, it should be approached in a structured way. However, there are various guidelines and approaches available, and they are not all consistent. OceanaGold has experienced situations where ecologists have purported to be applying best practice offsetting principles and the resulting recommendations have been extraordinary and have been rejected by decision-makers. While offsetting is an approach with potential, it is complex and controversial. While the RPS should not <i>preclude</i> the use of this technique it should not be <i>required</i> , and the approach to offsetting must not be specified.

#### 192 Method 4 – City and District Plans

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Graymont (NZ) Ltd	112	Support	<i>Amend to require Councils to:</i> <ul style="list-style-type: none"> <li>• <i>Identify regionally significant mineral resources and mineral extraction activities to be protected from reverse sensitivity effects; and</i></li> <li>• <i>Apply buffers and setbacks to regionally significant mineral resources and mineral extraction activities to avoid reverse sensitivity effects.</i></li> </ul>	Protection of mineral resources from reverse sensitivity effects from other activities incompatible with the extraction of the resource is an appropriate approach to manage mineral development and the impact of other activities on it.

198 Method 6.1 – Identification of Important resources

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Powernet Limited	60	Support	<p>Add methods to require that:</p> <ul style="list-style-type: none"> <li>• a region wide landscape/features and natural character assessment to determine areas of outstanding natural character, and outstanding landscape areas and features is carried out; and</li> <li>• a region wide assessment of significant indigenous vegetation and habitats of significant indigenous fauna is carried out.</li> </ul> <p>These assessments could be carried out by the Regional Council, or as a collaborative effort between territorial authorities and the Regional Council.</p>	OceanaGold considers that a region wide assessment will promote better outcomes and reduce inconsistencies between districts.

244 AER 4.2 – Otago's significant historic heritage is identified, protected, and integrated into current and future uses

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Heritage New Zealand Pouhere Taonga	120	Oppose	<ul style="list-style-type: none"> <li>• There is no loss of significant historic heritage values associated with places, sites and areas identified in a district or regional plan.</li> </ul>	<p>There may be instances where significant historic heritage is located in a position where all values cannot be retained.</p> <p>For example at Waihi, Newmont's operations have included the relocation of the historic Cornish Pumphouse. The relocation of the pumphouse would have had a corresponding loss in historic heritage because it is no longer located on the exact spot it was constructed and operated on for many years. However, prior to relocation Newmont undertook extensive public consultation and consenting processes. All of this resulted in a relocation that was deemed an acceptable outcome which has been well received.</p>

248 Appendices – general

Submitter	Submission number #	Support/ Oppose	Part of relief sought by submitter supported / opposed	Reasons for this further submission
Forest and Bird NZ	98	Oppose	<p><i>New Schedule: "Schedule XX Biodiversity Offsetting The following sets out a framework for the use of biodiversity offsets. It should be read in conjunction with the NZ government Guidance on Good Practice Biodiversity Offsetting in New Zealand August 2014 (or any successor document):</i></p> <ol style="list-style-type: none"> <li><i>1. Restoration, enhancement and protection actions will only be considered a biodiversity offset where they are used to offset the anticipated residual effects of activities after appropriate avoidance, minimisation, remediation and mitigation actions have occurred as per the policies in Policies 2.1.6, 2.2.2 and 4.5.7. Biodiversity offsetting should not be applied to justify impacts on vulnerable and irreplaceable biodiversity values or biodiversity values which cannot be offset.</i></li> <li><i>2. Restoration, enhancement and protection actions undertaken as a biodiversity offset are demonstrably additional to what otherwise would occur, including that they are additional to any remediation or mitigation undertaken in relation to the adverse effects of the activity.</i></li> <li><i>3. Offset actions should be undertaken close to the location of development, where this will result in the best ecological outcome.</i></li> <li><i>4. The values to be lost through the activity to which the offset applies are counterbalanced by the proposed offsetting activity which is at least commensurate with the adverse effects on indigenous biodiversity, so that the overall result is no net loss, and preferably a net gain in ecological values.</i></li> <li><i>5. The offset is applied so that the ecological values being achieved through the offset are the same or similar to those being lost.</i></li> </ol>	<p>As stated above OceanaGold agrees that where offsetting is used, it should be approached in a structured way. However, there are various guidelines and approaches available, and they are not all consistent. OceanaGold has experienced situations where ecologists have purported to be applying best principles and the resulting recommendations have been extraordinary and have been rejected by decision-makers. While offsetting is an approach with potential, it is complex and controversial. While the RPS should not preclude the use of this technique it should not be required, and the approach to offsetting must not be specified.</p>

		<p>6. <i>The positive ecological outcomes of the offset last at least as long as the impact of the activity, and preferably in perpetuity. Adaptive management responses should be incorporated into the design of the offset, as required to ensure that the positive ecological outcomes are maintained over time.</i></p> <p>7. <i>The biodiversity offset should be designed and implemented in a landscape context- i.e. with an understanding of both the donor and recipient sites role, or potential role in the ecological context of the area.</i></p> <p>8. <i>The protection and restoration actions undertaken as a biodiversity offset are delivered or demonstrated prior to the adverse effects occurring.</i></p> <p>9. <i>The consent application identifies the intention to utilise an offset, and includes a biodiversity offset management plan that:</i></p> <ul style="list-style-type: none"> <li><i>i. sets out baseline information on all indigenous biodiversity) that are potentially impacted by the proposal at both the donor and recipient sites:</i> <ul style="list-style-type: none"> <li><i>A. Originally rare ecosystem types (Williams et al. 2007);</i></li> <li><i>B. Indigenous vegetation on wetlands and sand dunes;</i></li> <li><i>C. Indigenous vegetation types;</i></li> <li><i>D. Important fauna habitats;</i></li> <li><i>E. Threatened, At Risk, and locally uncommon species;</i></li> <li><i>and</i></li> <li><i>F. Indigenous vertebrate fauna guilds, including each trophic level (herbivore, predator), feeding guilds of avifauna (insectivore, frugivore, nectivore, carnivore), and indigenous fish.</i></li> </ul> </li> <li><i>ii. includes clear objectives and performance criteria which demonstrates how the requirements set out in this appendix will be addressed,</i></li> <li><i>iii. identifies the monitoring approach that will be used to demonstrate how the matters set out in this appendix have been addressed, over an appropriate timeframe.</i></li> </ul> <p><i>(While this appendix sets out a framework for the use of biodiversity offsets in Otago, many of the concepts are also applicable to compensation actions i.e. where an overall outcome of no net loss (and preferably a net gain)</i></p>	
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*in biodiversity values cannot be ensured through proposed restoration and protection actions."*

**249 Glossary**

<b>Submitter</b>	<b>Submission number #</b>	<b>Support/ Oppose</b>	<b>Part of relief sought by submitter supported / opposed</b>	<b>Reasons for this further submission</b>
Meridian Energy Limited	82	Support	<ul style="list-style-type: none"> <li>• <i>Add the following definitions to the Glossary:</i></li> <li><i>" Offsetting - measureable outcomes resulting from actions designed to counter residual adverse effects of subdivision, use and development on indigenous biodiversity, which cannot otherwise be avoided, remedied, or mitigated. "</i></li> <li><i>" Environmental Compensation - measureable outcomes resulting from voluntary actions designed to provide new positive effects to counter residual adverse effects of subdivision, use and development on indigenous biodiversity, which cannot be otherwise avoided, remedied, mitigated, or offset. "</i></li> </ul>	OceanaGold supports the inclusion of these definitions. Placement of definitions will remove any ambiguities that may arise from parties using different definitions in future resource consenting scenarios.
Fonterra Co-Operative Ltd	99	Support	<p><i>Include the following definition:</i></p> <p><i>"Regionally significant industry</i>  <i>An economic activity based on the use of natural and physical resources in the region and is identified in regional or district plans, which has been shown to have benefits that are significant at a regional or national scale."</i></p>	Strictly speaking this definition is not necessary because an industry is regionally significant once it is identified as such in the regional plan or district plan. However, if a definition is inserted into the RPS OceanaGold supports the inclusion of this definition over other suggested definitions.