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17 September 2015

Freepost ORC 497  
Otago Regional Council  
Private Bag 1954  
**DUNEDIN 9054**

Dear Sir/Madam

**FURTHER SUBMISSION : PROPOSED REGIONAL POLICY STATEMENT**

Please find attached the further submission of the Central Otago District Council in response to the submissions by Federated Farmers of New Zealand and the Dunedin City Council that is served on you pursuant to Clause 8A(1)(a) of the First Schedule to the Resource Management Act 1991.

The further submission has been served on the original submitters concerned.

Yours faithfully

L A van der Voort  
**Manager, Planning and Environment**

per: 

FORM 6

FURTHER SUBMISSION IN SUPPORT OF SUBMISSIONS  
ON THE PUBLICLY NOTIFIED  
PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO  
UNDER CLAUSE 8 OF SCHEDULE 1 OF  
THE RESOURCE MANAGEMENT ACT 1991

To: Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

Name of Central Otago District Council  
Further PO Box 122  
Submitter: ALEXANDRA 9340

1. This is a further submission in support of submissions on the Proposed Regional Policy Statement for Otago.
2. The Central Otago District Council represents a relevant aspect of the public interest being a territorial authority in the Otago Region; and the Central Otago District Council has an interest in the proposal that is greater than the interest of the general public being a territorial authority in the Otago Region.
3. The Central Otago District Council supports or supports in part those parts of submissions as listed in the attached schedule for the reasons stated in that schedule.
4. The Central Otago District Council wishes to be heard in support of this further submission.
5. If others make a similar submission the submitter would consider presenting a joint case with them at a hearing.



Signature: .....  
Louise van der Voort  
Manager, Planning and Environment  
for the Central Otago District Council

Date: 17 September 2015

Address for Central Otago District Council  
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ALEXANDRA 9340

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Contact Person: Louise van der Voort  
Manager, Planning and Environment

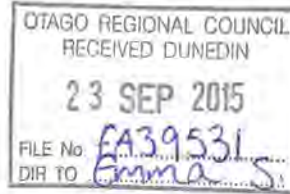
**Schedule to further submission by Central Otago District Council**

Submitter Name	Submission Number/ Reference Number	Oppose/Support	Reason
1. Federated Farmers of New Zealand	115/3	Support	<p>The Proposed Regional Policy Statement fails to state the significant resource management issues for the Otago Region as required by section 62(1)(a) of the RMA. An issues based focus is required.</p> <p>The Proposed Regional Policy Statement should not give prescriptive directions to Territorial Local Authorities (TLAs). TLAs should have the flexibility to address local issues within the local context through local planning processes having regard to regional guidelines rather than direction.</p>
2. Dunedin City Council	156/35	Support	<p>The control of the use of land for the purpose of soil conservation is a statutory function of the Otago Regional Council pursuant to section 30(1)(c)(i) of the RMA. Policy 2.1.5 should acknowledge this and provide for the policy to be given effect to through a Regional Plan; and any consequential amendments should be made to other provisions of the Proposed Regional Policy Statement accordingly.</p>
3. Dunedin City Council	156/156	Support in Part	<p>The control of land use for the purpose of maintaining water quality and quantity are statutory functions of the Otago Regional Council pursuant to section 30(1)(c)(ii) and (iii) of</p>

			<p>the RMA.</p> <p>Policy 4.3.2 (if it is to be retained) should acknowledge this and provide for the policy to be given effect to through a Regional Plan; and any consequential amendments should be made to other provisions of the Proposed Regional Policy Statement accordingly.</p>
4. Dunedin City Council	156/193	Support	<p>Method 4.1.2 should be deleted as the imposition of conditions of subdivision consent relating to heating appliances is inappropriate and unnecessary.</p> <p>Method 4.1.4 should be deleted as the control of land use for the purpose of maintaining water quality and quantity are statutory functions of the Otago Regional Council pursuant to section 30(1)(c)(ii) and (iii) of the RMA.</p>
5. Dunedin City Council	156/259	Support	<p>The Proposed Regional Policy Statement fails to state the significant resource management issues for the Otago Region as required by section 62(1)(a) of the RMA.</p>

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



To: rps@orc.govt.nz

Otago Regional Council  
Private Bag 1954  
DUNEDIN 9054

Submitter: Meridian Energy Limited  
PO Box 2146  
CHRISTCHURCH 8140

Attention: Andrew Feierabend, Statutory & Compliance Manager  
Phone: (03) 357 9731  
Mobile: 021 898 143  
Email: Andrew.Feierabend@meridianenergy.co.nz

Meridian Energy Limited ("Meridian") makes the further submissions on the Proposed Otago Regional Policy Statement set out in the **attached** document.

Meridian 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).

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

If other persons make a similar further submission then Meridian 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 be "Jeff Page".

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Jeff Page

For and behalf of Meridian Energy Limited

22<sup>nd</sup> day of September 2015

**FURTHER SUBMISSIONS**

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support of opposition are:
<p>Environmental Defence Society Incorporated (submitter 127).</p> <p>PO Box 91736, Victoria Street West, Auckland 1042.</p>	<p>Chapter B2 – General request for a new chapter focused on freshwater.</p>	<p>Oppose</p>	<p>The RPS purpose is to provide an overview of the issues, policies, and methods to achieve integrated management for the whole region. The proposed provisions of the Proposed RPS provide an appropriate basis for management of freshwater resources (subject to Meridian's submissions on these provisions). A chapter focussed on freshwater is unnecessary. Further, the submission lacks sufficient particulars to understand the nature of the changes sought in response to this submission point.</p> <p>The NPSFWM national objectives framework, and environmental bottom lines are more appropriately addressed in resource specific regional plans than in the RPS.</p>
<p>Environmental Defence Society Incorporated (submitter 127).</p> <p>PO Box 91736, Victoria Street West, Auckland 1042.</p>	<p>Chapter B2 – General request to develop specific measurable objectives addressing freshwater.</p>	<p>Oppose</p>	<p>The RPS purpose is to provide an overview of the issues, policies, and methods to achieve integrated management for the whole region. The proposed provisions of the Proposed RPS provide an appropriate basis for management of freshwater resources (subject to Meridian's submissions on these provisions). Specific measurable objectives addressing freshwater are unnecessary. Further, the submission lacks sufficient particulars to understand the nature of the changes sought in response to this submission point.</p> <p>Freshwater objectives to give effect to the NPSFWM are more appropriately addressed in resource specific regional plans than in the RPS.</p>

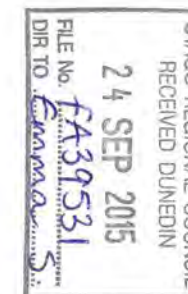
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The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support or opposition are:
<p>Environmental Defence Society Incorporated (submitter 127).</p> <p>PO Box 91736, Victoria Street West, Auckland 1042.</p>	<p>Chapter B2 – General request for a new chapter focused on Outstanding Natural Features and Landscapes.</p>	<p>Oppose</p>	<p>The RPS purpose is to provide an overview of the issues, policies, and methods to achieve integrated management for the whole region. The proposed provisions of the Proposed RPS provide an appropriate basis for management of Outstanding Natural Features and Landscapes (ONFL's) (subject to Meridian's submissions on these provisions). A chapter focussed ONFL's is unnecessary. Further, the submission lacks sufficient particulars to understand the nature of the changes sought in response to this submission point.</p> <p>Identification of the specific activities which must be managed in ONFL's is more appropriately addressed in District Plans, than in the RPS.</p>
<p>Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (submitter 154).</p> <p>PO Box 446, Dunedin 9054.</p>	<p>Introduction to Objective 3.5 – Reword the explanation to ensure environmental and cultural values are protected from the adverse effects that can arise from infrastructure.</p>	<p>Oppose</p>	<p>Sustainable management under the RMA requires an overall judgement be reached having considered environmental, economic, social, and cultural values. Protection of all environmental and cultural values would not appropriately promote the use, and development of infrastructure to provide for social, economic, and cultural wellbeing to achieve the purpose of the RMA.</p> <p>The use, development, and maintenance of renewable electricity generation in particular is required to be recognised and provided for to give effect to the NPS on Renewable Electricity Generation.</p>
<p>Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (submitter 154).</p>	<p>Objective 3.6 – Add a description that energy generation and transmission must avoid adverse effects on environmental and cultural values.</p>	<p>Oppose</p>	<p>Sustainable management under the RMA requires an overall judgement be reached having considered environmental, economic, social, and cultural values. Protection of all environmental and cultural values would not appropriately promote the use, and development of infrastructure to provide for social, economic, and cultural wellbeing to achieve the purpose of the RMA.</p>

The submission supported or opposed is:	The particular parts of the submissions supported or opposed are:	Support or Oppose	The reasons for support or opposition are:
PO Box 446, Dunedin 9054.			The use, development, and maintenance of renewable electricity generation in particular is required to be recognised and provided for to give effect to the NPS on Renewable Electricity Generation.



Further Submission	
TO:	Otago Regional Council
DATE:	23 September 2015
PLAN CHANGE:	Proposed Regional Policy Statement for Otago
KĀI TAHU KI OTAGO PAPATIPU RŪNAKA	Te Rūnanga o Moeraki, Kāti Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Ōtākou and Hokonui Rūnanga (collectively Kāi Tahu)
<p>These further submissions are in support or opposition to the submissions on the Proposed Regional Policy Statement for Otago.</p> <p>Kāi Tahu has an interest in the proposal greater than the interest that the general public has.</p> <p>We support or oppose the submission points set out in Schedule 1.</p> <p>Kāi Tahu <b>does</b> wish to be heard in support of these further submissions at a hearing. If others make a similar submission, we will consider presenting a joint case with them.</p>	



## Schedule 1

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Terry Wilson	152	The four outcomes	Oppose	Kai Tahu values, rights and interests have no place in RPS	Inconsistent with the status of Kāi Tahu as Treaty partner
Waitaha Iwi	54	Introduction – The Treaty Partner	Oppose	Seeks recognition of Waitaha as Takata Whenua for Otago separate from Ngai Tahu. Regional Council must therefore consult with Waitaha.	Inconsistent with the Ngāi Tahu Claims Settlement Act 1998. Ngāi Tahu and Ngāi Tahu Whānui encompass individuals who descend from the hapū of Waitaha.

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Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Transpower New Zealand Limited	97	Introduction – The Treaty Partner	Oppose	Removing provisions that elevate Kāi Tahu involvement in natural and resource management decision making processes. Protecting traditional food gathering sites only to the extent practicable.	Limiting Kāi Tahu involvement in decision making is inconsistent with the Treaty principles. Limiting protection of mahika kai sites only to the extent practicable leaves these open to degradation.
Federated Farmers of New Zealand	115	Chapter B1 - general requests	Support	Supports the recognition of Kāi Tahu as takata whenua of the Otago region, and the critical role of Kai Tahu in informing the region's regulatory response to challenges in partnership with the regional council.	Affirms Kāi Tahu as Manawhenua in Otago and the role Kāi Tahu plays as kaitiaki in natural resource management.
Dunedin City Council	156	Introduction – The Treaty Partner	Oppose	Removing provisions that elevate Kāi Tahu involvement in natural and resource management decision making processes.	Limiting Kāi Tahu involvement in decision making is inconsistent with the Treaty principles.
Dr Mike Jennings	20	Chapter B1 - general requests	Oppose	RPS should not be addressing specific treaty issues.	Inconsistent with the status of Kāi Tahu as the Treaty partner.
William George Lloyd	39	Chapter B1 - general requests	Oppose	Remove all references to Kāi Tahu, Treaty of Waitangi, Waitangi Tribunal.	Inconsistent with the status of Kāi Tahu as the Treaty partner.
Yellow-eyed Penguin Trust	63	Chapter B1 - general requests	Support	That ORC engage with Kai Tahu to enhance resources both for cultural wellbeing and economic benefit.	Kāi Tahu supports the Trust's aspirations for the conservation and enhancement of Otago's coastal biodiversity.
Peter Foster	67	Chapter B1 - general requests	Oppose	Ngāi Tahu should have no rights in respect to landscape management. Ngāi Tahu should not be given any political priority in terms of notice or influence on the ORC. 'Kāi Tahu' should not be spelled in southern dialect.	Places of significance are protected as a matter of national importance under s.6e. The RPS recognises Kāi Tahu as the Treaty partner. Kāi Tahu as Manawhenua reserves the right to use their own dialect.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Save The Otago Peninsula (STOP) Incorporated Society	88	Chapter B1 - general requests	Support	Support the objectives in this chapter and acknowledge Kāi Tahu's distinct status as a treaty partner.	This is consistent with Kāi Tahu's status as a Treaty partner.
Queenstown Lakes District Council	95	Chapter B1 - general requests	Oppose	Make greater reference to Iwi Management Plans, instead of replicating content.	It is appropriate that Kāi Tahu's values, rights and interests are articulated in the RPS. This provides clarity as to Kāi Tahu's aspirations for the natural environment in Otago.
W.G. Nagle	111	Chapter B1 - general requests		Amend Proverb in Part B, P 15 to reflect reality. The dams on the Mata-au, and other waterways, have destroyed the connection from source to mouth and affected ikawai and tuna.	The Kāi Tahu whakatauki, "He taura whiri kotahi mai anō te kopunga tai nō i te pu au", reflects a desired state and is appropriate.
Tautuku Block X Section 3C Trust	125	Chapter B1 - general requests; Process	Oppose	Wording of the Kāi Tahu and takata whenua sections does not accurately recognise submitter's participation in the RPS process.  Consultation process fails to meet the minimum requirements for consultation as set out in the Court of Appeal.	Kāi Tahu values, rights and interests are strongly represented throughout the RPS. It is unclear what additional relief is sought by the submitter.
Landpro Limited	150	Chapter B1 - general requests	Support	Supports objectives, policies and methods which ensure resource management decisions take Kai Tahu values into account whilst providing flexibility on the circumstances within which Kai Tahu will be engaged for more general resource management processes.	Recognition of the role of Kāi Tahu as the Treaty Partner in natural resource management is appropriate.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Contact Energy Limited	74	Need Objective 1.1	Neutral	Replace Local Authorities need to “give effect to” with “incorporate” Treaty principles (Objective 1.1, “Need”, Paragraph 2). Phrase “give effect to” is a term under the RMA and case law has clarified that it has a different meaning from “take into account”.	Kai Tahu would support an amendment that elevated the Treaty principles in natural resource management decision making.
Yellow-eyed Penguin Trust	63	Need Objective 1.2	Support	Without extensive investment by the ORC, territorial authorities, Kai Tahu and community conservation groups in enhancing coastal biodiversity, there will not be any or sufficient natural resources that customary rights can be exercised over.	Supports Kāi Tahu aspirations for coastal biodiversity.
Waitaki District Council	70	Need Objective 1.2	Oppose	Delete “...more effectively,...” from the “Need” associated to Objective 1.2 (p.16). This erroneously assumes local authorities are currently not recognising Kai Tahu values and plans effectively.	Kai Tahu values, and iwi management plans are not effectively recognised, and the exercise of customary rights is not well supported. The explanation to Objective 1.2 reflects the status quo.
Otago Water Resource Users Group	121	Need Objective 1.2	Oppose	To ‘recognise’ Kai Tahu plans” is too absolute and suggests the Kai Tahu plans are binding on local authority plans. Method 1.1.2 of the Proposed RPS uses the more appropriate phrase “Have regard to Iwi Management Plans”.  “To enable the exercise of customary rights” is too absolute. Section 6 of the RMA refers to recognising and providing for the protection of “protected customary rights” not “customary rights”.	IMPs must be <i>taken into account</i> when preparing or changing regional policy statements and regional and district plan.  The RMA reference to “protected customary rights” is narrower in scope. This explanation refers to the broader exercise of ‘customary rights’ by Kāi Tahu as Manawhenua.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
New Zealand Petroleum and Minerals	86	Objective 1.1 - The principles of Te Tiriti o Waitangi are taken into account in resource management decisions	Support	The provision reflects the ORC's current and desired practice in relation to Kai Tahu and its obligation under s8 RMA.	Reflects s.8 of the RMA
Royalburn Farming Company Ltd and other submitters	102-109; 129-138	Objective 1.1 - The principles of Te Tiriti o Waitangi are taken into account in resource management decisions	Oppose	Amend as follows: "The principles of Te Tiriti o Waitangi <u>are identified</u> and taken into account in resource management decisions".	The Treaty Principles are not codified and reflect an evolving relationship between Kāi Tahu and the Otago Regional Council (as the Crown's representative in the Treaty Partnership within Otago).
Contact Energy Limited	74	Introduction to Objective 1.1	Support	Change wording regarding treaty principles from give effect to, to take into account in decision making.	Reflects statutory requirements of s.8 of the RMA
Federated Farmers of New Zealand	115	Introduction to Objective 1.1	Oppose	Amend to: "A partnership approach, which involves Kai Tahu and <del>elevates</del> <u>considers</u> appropriately their values, rights and interests in decision making processes ...	The use of the term 'elevates' is intended to strengthen consideration of Kāi Tahu values, rights and interests. This does not exclude other residents and resource users from participation in resource management decisions.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Otago Water Resource Users Group	121	Introduction to Objective 1.1	Oppose	Delete the following paragraph from the introduction to Objective 1.1: "A partnership approach, which involves Kai Tahu and elevates 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 the special relationship between Kai Tahu and the Crown."	Inconsistent with the status of Kāi Tahu as the Treaty partner. The Otago Regional Council is the Crown's representative in the Treaty Partnership within Otago.  The RPS does not provide for the transfer of powers to Kāi Tahu.
Alliance Group, Power Net Ltd, HW Richardson	56 60 61	Policy 1.1.2	Oppose	Amend as follows: "Ensure that local authorities exercise their functions and powers, to: 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>	Inconsistent with the status of Kāi Tahu as the Treaty partner. The current provision strengthens the role of Kāi Tahu in resource management and gives effect to the Treaty.
Alliance Group, Power Net Ltd, HW Richardson	56 60 61	Policy 1.1.2	Support in part	d) <del>Ensure Kai Tahu have the prerogative to: Recognise and provide for Kai Tahu to identify their relationship with their ancestral lands, water, sites, wahi tapu and other taoka by:</del> i. <del>Identify their relationship with their ancestral lands, water, sites, wahi tapu, and other taoka; and</del> ii. <del>Determine how best to express that relationship; and</del>	The purpose of the RPS is to give effect to the spirit and intent of the RMA rather than replicating its wording. Kāi Tahu would support the following rewording for brevity: <u>d) Enable Kāi Tahu to identify and express their relationship with their ancestral lands, water, sites, wahi tapu and other taoka.</u>
Alliance Group, Power Net Ltd, HW Richardson	56 60 61	Policy 1.1.2	Oppose	e) <del>Ensure Kai Tahu are able to</del> Have regard to the exercise of kaitiakitaka; and ..."	The intent of the provision is to support the exercise of kaitiakitaka by Kāi Tahu.
Waitaki District Council	70	Policy 1.1.2	Oppose	<ul style="list-style-type: none"> <li>Amend Policy 1.1.2 b) from "Involve Kai Tahu in..." to "Consult Kai Tahu in..."</li> <li>Delete clause f) iii.</li> </ul>	The active engagement of Kāi Tahu in resource management is consistent with the Treaty. The areas of significance to Kāi Tahu are being mapped in partnership with local authorities.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Trust Power	85	Policy 1.1.2	Oppose	Amend as follows: "Ensure that local authorities exercise their functions and powers, to: a) <del>Accord Kāi Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and, ...</del>	Inconsistent with the status of Kāi Tahu as the Treaty partner. The current provision strengthens the role of Kāi Tahu in resource management and gives effect to the Treaty.
		Policy 1.1.2	Support in part	d) <del>Ensure Kāi Tahu have the prerogative to: Recognise and provide for Kāi Tahu to identify their relationship with their ancestral lands, water, sites, wahi tapu and other taoka by:</del> i. <del>Identify their relationship with their ancestral lands, water, sites, wahi tapu, and other taoka; and</del> ii. <del>Determine how best to express that relationship; and</del>	The purpose of the RPS is to give effect to the spirit and intent of the RMA rather than replicating its wording. Kāi Tahu would support the following rewording for brevity: <u>d) Enable Kāi Tahu to identify and express their relationship with their ancestral lands, water, sites, wahi tapu and other taoka.</u>
		Policy 1.1.2	Oppose	e) <del>Ensure Kāi Tahu are able to</del> Have regard to the exercise of kaitiakitaka; and ..."	The intent of the provision is to support the exercise of kaitiakitaka by Kāi Tahu.
Transpower New Zealand	97	Policy 1.1.2	Oppose	Amend the text as follows: "Ensure that local authorities exercise their functions and powers to: a) <del>Accord Kāi Tahu a status distinct from that of interest groups and members of the public, consistent with their position as a Treaty partner; and</del> b) <del>Involve Kāi Tahu in resource management decision making processes and implementation; and</del>	Inconsistent with the status of Kāi Tahu as the Treaty partner. The current provision strengthens the role of Kāi Tahu in resource management and gives effect to the Treaty.
			Support in part	c) Take into account Kāi Tahu <del>views</del> values in resource management ..."	Kāi Tahu would support the following amendment: "(c) Take into account Kāi Tahu values, rights and interests ..."

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Federated Farmers of New Zealand	115	Policy 1.1.2	Oppose	<p>Amend as follows (or words to similar effect): "Ensure that local authorities exercise their functions and powers, to:</p> <p>a) Accord Kai Tahu a status <del>distinct from that of interest groups and members of the public</del>, consistent with their position as a Treaty partner; and, b) Involve Kai Tahu <u>at an early stage in respect to</u> <del>in</del> resource management <u>planning and governance processes,</u> <del>decision making and implementation.</del></p> <p>Not willing to provide for additional statutory acknowledgement areas as this has the potential to disadvantage land owners and resource users.</p>	<p>Inconsistent with the status of Kāi Tahu as the Treaty partner. The current provision strengthens the role of Kāi Tahu in resource management and gives effect to the Treaty.</p> <p>The areas of significance to Kāi Tahu are being mapped in partnership with local authorities. The provision strengthens the protection of areas of importance to Kāi Tahu. The primary effect of these areas is to inform Kāi Tahu of development in these areas.</p>
Otago Water Resource Users Group	121	Policy 1.1.2	Oppose	<p>Recommends Paragraph e) uses the word 'recognises' kaitiakitanga rather than ensure and deletes "in a manner similar to that prescribed for statutory acknowledgement areas".</p>	<p>The intent of the provision is to support the exercise of kaitiakitaka by Kāi Tahu as provided for by the RMA.</p>
Dunedin City Council	156	Policy 1.1.2	Oppose	<p>Delete provisions (b) and (f)(iii) that provide for Kāi Tahu involvement in decision making and implementation.</p>	<p>Inconsistent with the status of Kāi Tahu as the Treaty partner. The current provision strengthens the role of Kāi Tahu in resource management and gives effect to the Treaty.</p>
John Wilson Douglas	94	Schedule 2	Support	<p>Requests recognition of Kopuwai.</p>	<p>Kāi Tahu supports the recognition of Kopuwai although this is not a statutory acknowledgement.</p>



Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Otago Water Resource Users Group	121	Introduction to Objective 1.2	Oppose	Delete provisions regarding Kāi Tahu ability to participate in decision making and implementation.	Inconsistent with the status of Kāi Tahu as the Treaty partner. The current provision strengthens the role of Kāi Tahu in resource management and gives effect to the Treaty.
Alliance Group Power Net HW Richardson Trust Power Queenstown Airport Soho Basin Ski Field Northlake Investments Ltd Shotover Country Ltd Ayrburn Farm Development Ltd Bridesdale Farm Development Ltd Glencoe Station Ltd Treble Cone Investment Ltd	56 60 61 85 122  129  130  131 132  133  134 135	Objective 1.2	Support in Part	Delete reference to Kāi Tahu rights, replace 'sustained' with 'recognised and provided'.	Retain reference to rights as provided for by the Treaty. The purpose of the RPS is to give effect to the spirit and intent of the RMA rather than replicating its wording. However, the use of 'recognised and provided' does strengthen protection for Kāi Tahu rights, interests and customary resources.
Contact Energy Ltd	74	Policy 1.2.1	Oppose	Adds a qualifier to limit provision to current customary uses and values.	This does not reflect that customary uses and values are evolving and current resources may not support Kāi Tahu aspirations for the use of resources.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Waitaki Irrigators Collective	113	Policy 1.2.1	Oppose	Amend to include wording: "where appropriate and practicable".	This is unduly limits the protection of customary resources.
New Zealand Petroleum	86	Policy 1.2.3	Oppose	Adds 'remedying and mitigating' to 'avoiding'	Some sites are of such importance to Kāi Tahu that it may be appropriate to avoid effects in the circumstances. Remedying or mitigating may result in degradation of valued sites. This clause is appropriate because it applies to significant adverse effects.
Transpower Ltd Waitaki Irrigators Collective	97 113	Policy 1.2.3	Oppose	Limits the clause to 'the extent practicable'.	Some sites are of such importance to Kāi Tahu that it may be appropriate to avoid effects in the circumstances. Remedying or mitigating to the 'extent practicable' may result in degradation of valued sites.
Royalburn Farming, and Others	102 to 109, 129 to 138, 140	Policy 1.2.3	Oppose	Adds 'from inappropriate, subdivision and development' and deletes reference to Schedule 3.	The purpose of the RPS is to give effect to the spirit and intent of the RMA rather than replicating its wording. The proposed amendment requires a value judgement as to what is 'inappropriate'.
Otago Water Resource Users Group	121	Policy 1.2.3	Oppose	Delete clause a)	Fails to protect Kāi Tahu sites from significant adverse effects.
Waitaki District Council	70	Policy 1.2.4	Oppose	Delete provision regarding facilitating Kāi Tahu access to sites of significance.	The intent is that Councils can play a role in negotiating access with private landowners.
Federated Farmers of New Zealand	115	Policy 1.2.4	Oppose	References direct engagement between Kāi Tahu and landowners to seek access.	The provision recognises that Councils can also play a role in facilitating access. Open ended access is not sought.
Dunedin City Council	156	Policy 1.2.4	Oppose	Delete clause a)	While District Plans cannot guarantee access, Councils can play a broader role in facilitating access,

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Royalburn Farming Company and Others	102 – 109, 129 – 138	Policy 1.2.5 Policy 2.1.1	Oppose	Add to Clause b) 'from inappropriate development'.	The purpose of the RPS is to give effect to the spirit and intent of the RMA rather than replicating its wording. The proposed amendment requires a value judgement as to what is 'inappropriate'.
Royalburn Farming Company and Others	102 – 109, 129 – 138	Schedule 1	Oppose	Identify other cultural values in Schedule 1A.	Cultural values may evolve over time and is not appropriate to codify these values in a statutory document.
Fertiliser Association of New Zealand	110	Policy 2.1.1	Oppose	Limit this clause to protection 'protected customary rights'.	Protected customary rights have a specific and restricted statutory meaning in the RMA. The proposed amendment would limit protection of the full range of customary rights sought by Kāi Tahu.
Central Otago District Council	37	Policy 4.2.3	Oppose	Remove 'or strongly suspected of containing to contain'.	Does not provide adequate protection for the accidental discovery of wāhi taoka.
Trustpower Ltd	85	Policy 4.2.3	Oppose	Avoid repetition of iwi values in this policy as this provided for by Chapter 1.	Kāi Tahu supports the integration of its values throughout the RPS.
Alliance Group Ltd Fonterra Fertiliser Assoc And Others	56 99 110	Policy 4.5.1	Oppose	Add 'remedy or mitigate' to avoid.	Kāi Tahu does not support discharges to land or water in close proximity sites mahinga kai sites or other sites of cultural values. The effects of these discharges on cultural value cannot be remedied or mitigated.
OsPRI	68	Policy 4.5.1	Oppose	Delete clause b)	This does not protect mahinga kai sites.
Federated Farmers	115	Policy 4.5.1	Oppose	Delete Policy	Kāi Tahu does not support discharges to land or water in close proximity sites mahinga kai sites or other sites of cultural values. This policy is appropriate and is consistent with the statutory protection for water quality in Otago.
Z Energy BP Oil Mobil Oil	128	Policy 4.5.1	Oppose	Replace the list of those affected with 'having regard to the sensitivity of the receiving environment'.	Specific reference to tangata whenua provides greater recognition and protection of cultural values.

Submitter	No.	Provisions	We support or oppose	Particular points supported or opposed	Reasons
Balance Agri-Nutrients	141	Policy 4.5.1	Oppose	Replace 'avoid' with 'minimise' discharges	Significant effects on Kai Tahu values from discharges ought to be avoided entirely, rather than minimised. Discharges can have irreversible effects on cultural values and mahika kai resources.
Ravensdown Works Ltd	143	Policy 4.5.1	Oppose	Limits policy to 'where practicable' and 'at the site boundary'.	Significant effects on Kai Tahu values from discharges ought to be avoided entirely, rather than 'where practicable'.
Royalburn Farming Co and Others	102 – 109, 129 – 138	Method 1.1 Method 1.2	Support	Recommends adding a method regarding facilitation of consultation with Kāi Tahu.	We note that an efficient and effective process that provides for consultation with Kāi Tahu exists by way of the environmental consultancy KTKO Ltd. The addition of this method would raise awareness of this service.
Royalburn Farm and Others	102 – 109, 129 – 138	Glossary	Support	Requesting definition of Kāi Tahu and Ngāi Tahu.	Add definition of Kāi Tahu and Ngāi Tahu as set out in the footnote on Page 6, and the definition of Te Rūnanga o Ngāi Tahu from the Ngāi Tahu Claims Settlement Act 1998.
Tautuku Block X Section 3C	125	Glossary of Te Reo Terms	Oppose	Requests removal of 'rakatirataka' from this glossary.	The term is used in the RPS and should be defined.

**Further Submission in Support of or in Opposition to Submissions on  
Proposed Regional Policy Statement for Otago**

*Clause 8 of the First Schedule, Resource Management Act 1991*

To: Otago Regional Council

Full name of submitter: Otago Water Resource Users Group ("OWRUG")

Postal Address: c/o Checketts McKay Law Limited  
PO Box 41  
Alexandra  
9340

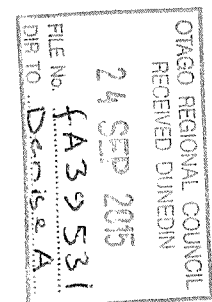
Contact person: John Williamson  
Telephone: 03 440 0180  
Fax: 03 448 8960  
Email: john@cmlaw.co.nz

We wish / ~~do not wish~~ to be heard in support of our submission *(delete the one that does not apply)*.

~~If others make a similar submission, I will consider presenting a joint case with them at a hearing.~~  
*(Delete if you would not consider presenting a joint case).*

*This Further Submission is on behalf of the Otago Water Resource Users Group. The OWRUG members represent a diverse range of industries and interests. Some of the Group's members may have made their own submissions and may be making further submissions on the Proposed Regional Policy Statement; which submissions may differ from the Group's position on specific matters.*

Date: 24 September 2015



1004

Submitter	Sub./Ref	Provision	Summary of submission this further submission relates to	Support/ Oppose	OWRUG reasoning
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou and Hokonui Runanga	154	Introduction RPS framework	Kai Tahu values, rights and interests [to be] "protected".	Oppose	Protection is too absolute; this concept elevates Kai Tahu's values rights and interests above other users which is inappropriate; and there is no statutory authority for this.
			The Treaty partnership between Kai Tahu and the Otago Regional Council ..."	Oppose	The provision in the Proposed RPS correctly refers to the Treaty partnership with the Crown. The Treaty partnership is not with the ORC.
		Issue 1.1	"Effective planning tools and processes are required to give effect to the Treaty partnership between Kai Tahu and local authorities"	Oppose	The Treaty partnership is with the Crown; it is not with the ORC.
		Issue 1.2	Request additional issue that "There has been insufficient recognition of iwi management plans and use of Cultural Impact Assessments in resource management processes".	Oppose	Articulating the Issue implies there needs to be a greater recognition of iwi management plans and use of Cultural Impact Assessments. This is contrary to the careful balancing of the different sectors of resource management interests under Part 2 of the RMA.
		Objective 1.2	"Kai Tahu values, rights and customary resources are protected and enhanced"	Oppose	"Protection" is absolute. There is no statutory authority for this. There is no statutory authority for enhancement.
		Policy 1.2.1	"Protect and enhance the values of the natural environment to support Kai Tahu well-being."	Oppose	"Protection" is absolute. There is no statutory authority for this. There is no statutory authority for enhancement.
			Protect and enhance the natural environment ... ensuring resources are healthy, abundant and accessible ...	Oppose	"Protection" is absolute. There is no statutory authority for this. There is no statutory authority for enhancement. "Ensuring" is absolute. There is no statutory authority for ensuring abundance and accessibility.
		Policy 2.1.1	Add policies dealing with: discharging to land over water; discharging to water; upgrading discharges; Kai Tahu exercising kaitiakitanga over water resources; managing water resources, prioritising customary uses and instream values over abstraction; establishing environmental flow regimes; establishing water quality standards; managing land use to maintain water quality; efficient use of water; riparian vegetation; freshwater biodiversity; monitoring the health of waterways; allocation of water and discharges; consent duration; and mixing water from different catchments.	Oppose	This is already addressed by the Regional Plan: Water including the recent Plan Changes 1C and 6A, and should not be re-written and re-litigated under the Proposed RPS. Efficiency is already dealt with by Policy 4.4.1 of the Proposed RPS.
		Policy 2.1.2	Add policies dealing with: managing water resources	Oppose	This is already addressed by the Regional Plan: Water

Submitter	Sub./Ref	Provision	Summary of submission this further submission relates to	Support/ Oppose	OWRUG reasoning
			according to the principles of ki uta ki tai and whole of catchment management; manage gravel and vegetation removal; address access along river and lake bed; provide for fish passage; protect and enhance riparian zones; and protect natural character of rivers and lakes.		and should not be re-written and re-litigated under the Proposed RPS. Access is considered in Chapter 4.
		Methods - general	Establish and maintain resource management relationships based on a principle of partnership.	Oppose	There is no statutory authority for this under the RMA. The Treaty partnership is with the Crown; it is not with the ORC.
			Endeavour to appoint tangata whenua as commissioners, particularly when making decisions on resource management issues significant to Kai Tahu.	Oppose	The appointment of particular commissioners for resource management hearings cannot be pre-empted or properly dealt with as a general method. To appoint tangata whenua as commissioners on issues of significance to Kai Tahu has the problem of pre-determination and conflict of interest.
			Seek Cultural Impact Assessment or Cultural Values Assessment as part of an assessment of environmental effects.	Oppose	Schedule 4 of the RMA details the information required for an assessment of environmental effects.
		Method 1.2	Provide for involvement of Kai Tahu as tangata whenua in decision-making processes.	Oppose	This is dealt with under Method 2.2.3 (noting that OWRUG has made a submission on this Method).
			Make provision for the embodiment of the statutory acknowledgements and regulations beyond their legally recognise expiry date.	Oppose	This is adequately dealt with by the Ngai Tahu Claims Settlement Act 1998 and Regulations.
		256 Miscellaneous	Chairman's forward: The treaty partnership between the Otago Regional Council and Kai Tahu is a vital part of this collaborative effort.	Oppose	The Treaty partnership is with the Crown; it is not with the ORC.
Environmental Defence Society Incorporated	127	Chapter B2	Include freshwater chapter on issues, objectives including environmental bottom lines, management addressing water quality and quantity, policies and methods addressing management of the effects, recognition and provision for preservation of wetlands, lakes and rivers and their margins, protection of wetlands	Oppose	The Proposed RPS addresses these matters at the right level. The detail is already addressed by the Regional Plan: Water including the recent Plan Changes 1C and 6A, and should not be re-written and re-litigated under the Proposed RPS.
			Develop specific measurable objectives addressing freshwater including; safeguarding the life-supporting capacities et cetera; avoiding further over-allocation and phasing out existing over-allocation; improving and maximising efficient application and use; and protecting significant values.	Oppose	The Proposed RPS addresses these matters at the right level. The detail is already addressed by the Regional Plan: Water including the recent Plan Changes 1C and 6A, and should not be re-written and re-litigated under the Proposed RPS.
		Policy 4.4.1	Specify allocation limits and give effect to		This is already addressed by the Regional Plan: Water

Submitter	Sub./Ref	Provision	Summary of submission this further submission relates to	Support/ Oppose	OWRUG reasoning
			environmental bottom lines.		including the recent Plan Changes 1C and 6A, and should not be re-written and re-litigated under the Proposed RPS.
		253 Structure of document & usability	Restructure the policy statement into traditional resource topics	Support in part	<p>OWRUG agrees that the requested restructure would make it simpler to locate topics. OWRUG does not support a total re-write as requested. If a restructure is to take place, then the original RPS content and format should be retained but edited to incorporate the additional matters contained in the proposed RPS. However that really means starting again.</p> <p>Because the process is so far advanced, OWRUG prefers the alternative of addressing the confusing overlap of matters covered in Chapter 2 and Chapter 4 by restructuring those two chapters. Chapter 2 should address the social and environmental benefits and issues of the natural resources and Chapter 4 should address the economic well-being from using the natural resources. For example:</p> <ul style="list-style-type: none"> <li>• The components of the narration to the Chapter 2 Outcome addressing economic benefit should be moved to the narration to the Outcome in Chapter 4.</li> <li>• The adverse environmental effects in the narration to the Chapter 4 Outcome should be moved to Chapter 2.</li> <li>• Move section 4.5 into Chapter 2.</li> </ul>
Forest and Bird NZ	98	Objective 2.1 Issues	Specifically address over-allocation (both quality and quantity) and degradation of freshwater resources.	Oppose	This is already addressed by the Regional Plan: Water including the recent Plan Changes 1C and 6A, and should not be re-written and re-litigated under the Proposed RPS.
		253 Structure of document & usability	Restructure the policy statement into traditional resource topics	Support in part	<p>OWRUG agrees that the requested restructure would make it simpler to locate topics. OWRUG does not support a total re-write as requested. If a restructure is to take place, then the original RPS content and format should be retained but edited to incorporate the additional matters contained in the proposed RPS. However that really means starting again.</p> <p>Because the process is so far advanced, OWRUG prefers the alternative of addressing the confusing overlap of matters covered in Chapter 2 and Chapter 4</p>



Submitter	Sub./Ref	Provision	Summary of submission this further submission relates to	Support/ Oppose	OWRUG reasoning
					<p>by restructuring those two chapters. Chapter 2 should address the social and environmental benefits and issues of the natural resources and Chapter 4 should address the economic well-being from using the natural resources. For example:</p> <ul style="list-style-type: none"> <li>• The components of the narration to the Chapter 2 Outcome addressing economic benefit should be moved to the narration to the Outcome in Chapter 4.</li> <li>• The adverse environmental effects in the narration to the Chapter 4 Outcome should be moved to Chapter 2.</li> <li>• Move section 4.5 into Chapter 2.</li> </ul>
Oceana Gold (NZ) Limited	140	Policy 4.4.1	Give preference to activities that make the best economic use of water.	Oppose	<p>Picking "winners and losers" in terms of competing commercial activities is fraught with dangers and complexity. Historic economic results won't necessarily reflect future economic results. Economic cycles change. Different operators can achieve different economic results for the same activity. It would be inappropriate, on a renewal application, to re-allocate water from an existing water user who has invested substantially in the activity, to another water user carrying out a 'perceived' more economic use of water.</p> <p>The marketplace can already manage the issue to a certain extent by trading in land and water. Decisions on investing in activities need to be made by the users (who bear the investment cost and risk) not regulators. The concept is in conflict with the protection of existing consent holders under sections 124B and 124C of the RMA.</p>
Otago and Central South Island Fish and Game Councils	118	Method 3.1	Set minimum and residual flows and allocation regimes for water quantity, including default flows and allocation regimes, on all rivers in Otago.	Oppose	This issue is already addressed by the Regional Plan: Water including the recent Plan Change 1C and the catchment review process, and should not be re-written, re-litigated or pre-empted under the Proposed RPS.
		AER 3.4	There is no net loss to the values of Otago's outstanding, significant, or highly valued natural and physical resources resulting from nationally and regionally significant infrastructure.	Oppose	The Anticipated Environmental Result encompasses mitigation.

Submitter	Sub./Ref	Provision	Summary of submission this further submission relates to	Support/ Oppose	OWRUG reasoning
Fonterra Co-operative Group Limited	99	253 Structure of document & usability	Restructure the policy statement into traditional resource topics	Support in part	<p>OWRUG agrees that the requested restructure would make it simpler to locate topics. OWRUG does not support a total re-write as requested. If a restructure is to take place, then the original RPS content and format should be retained but edited to incorporate the additional matters contained in the proposed RPS. However that really means starting again.</p> <p>Because the process is so far advanced, OWRUG prefers the alternative of addressing the confusing overlap of matters covered in Chapter 2 and Chapter 4 by restructuring those two chapters. Chapter 2 should address the social and environmental benefits and issues of the natural resources and Chapter 4 should address the economic well-being from using the natural resources. For example:</p> <ul style="list-style-type: none"> <li>• The components of the narration to the Chapter 2 Outcome addressing economic benefit should be moved to the narration to the Outcome in Chapter 4.</li> <li>• The adverse environmental effects in the narration to the Chapter 4 Outcome should be moved to Chapter 2.</li> <li>• Move section 4.5 into Chapter 2.</li> </ul>
Landscape Connections Trust	123	253 Structure of document & usability	Restructure the policy statement into traditional resource topics	Support in part	<p>OWRUG agrees that the requested restructure would make it simpler to locate topics. OWRUG does not support a total re-write as requested. If a restructure is to take place, then the original RPS content and format should be retained but edited to incorporate the additional matters contained in the proposed RPS. However that really means starting again.</p> <p>Because the process is so far advanced, OWRUG prefers the alternative of addressing the confusing overlap of matters covered in Chapter 2 and Chapter 4 by restructuring those two chapters. Chapter 2 should address the social and environmental benefits and issues of the natural resources and Chapter 4 should address the economic well-being from using the natural resources. For example:</p> <ul style="list-style-type: none"> <li>• The components of the narration to the Chapter 2</li> </ul>

Submitter	Sub./Ref	Provision	Summary of submission this further submission relates to	Support/ Oppose	OWRUG reasoning
					<p>Outcome addressing economic benefit should be moved to the narration to the Outcome in Chapter 4.</p> <ul style="list-style-type: none"> <li>The adverse environmental effects in the narration to the Chapter 4 Outcome should be moved to Chapter 2.</li> <li>Move section 4.5 into Chapter 2.</li> </ul>
Dunedin City Council	156	253 Structure of document & usability	Restructure the policy statement into traditional resource topics	Support in part	<p>OWRUG agrees that the requested restructure would make it simpler to locate topics. OWRUG does not support a total re-write as requested. If a restructure is to take place, then the original RPS content and format should be retained but edited to incorporate the additional matters contained in the proposed RPS. However that really means starting again.</p> <p>Because the process is so far advanced, OWRUG prefers the alternative of addressing the confusing overlap of matters covered in Chapter 2 and Chapter 4 by restructuring those two chapters. Chapter 2 should address the social and environmental benefits and issues of the natural resources and Chapter 4 should address the economic well-being from using the natural resources. For example:</p> <ul style="list-style-type: none"> <li>The components of the narration to the Chapter 2 Outcome addressing economic benefit should be moved to the narration to the Outcome in Chapter 4.</li> <li>The adverse environmental effects in the narration to the Chapter 4 Outcome should be moved to Chapter 2.</li> <li>Move section 4.5 into Chapter 2.</li> </ul>

1005

**Ralph Henderson**

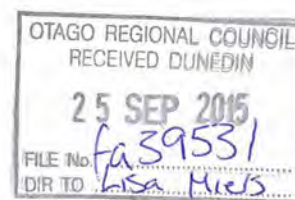
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**From:** Len Andersen <Len@barristerschambers.co.nz>  
**Sent:** Thursday, 24 September 2015 3:47 p.m.  
**To:** RPS ORC  
**Cc:** Lincoln Coe; Geoff Plunket; Mary O'Callahan  
**Subject:** PROPOSED REGIONAL POLICY STATEMENT FOR OTAGO  
**Attachments:** FURTHER SUBMISSION 143.pdf; FURTHER SUBMISSIONS 115 T 156.pdf; FURTHER SUBMISSIONS 28 TO 114.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Attached please find further submissions on behalf of Port Otago Ltd in respect of the following submissions:

28. Clutha District Council
52. New Zealand Defence Force
56. Alliance Group Ltd
57. Radio New Zealand Ltd
60. PowerNet Ltd
61. HW Richardson Group Ltd
69. KiwiRail Holdings Ltd
70. Waitaki District Council
75. Matthew Sole
76. Auroa Energy Ltd
78. NZ Transport Agency
81. Darby Planning LP
82. Meridian Energy Ltd
85. Trustpower Ltd
86. New Zealand Petroleum and Minerals
87. Blueskin Resilient Communities Trust
89. McKeague Consultancy Ltd
91. SouthCoast Boardriders Association
97. Trustpower New Zealand Ltd
98. Forest and Bird NZ
99. Fonterra Co-operative Group Ltd
103. Walter Peak Station
104. Millbrook Country Club
105. Eastburn Farm
106. RCL Queenstown PTY Ltd
107. Damper Bay Estates Ltd
108. Halfway Bay Station
109. Water Tight Investments Ltd
114. Wise Response Society Inc.
115. Federated Farmers of New Zealand
117. Director-General of Conservation
120. Heritage New Zealand Pouhere Taonga
122. Queenstown Airport Corporation
127. Environmental Defence Society Incorporated
129. Soho Basin Skifield Ltd
130. Northlake Investments Ltd



131. Shotover Country Ltd
132. Ayburn Farm Developments Ltd
133. Bridesdale Farm Developments Ltd
134. Glencoe Station Ltd
135. Treble Cone Investments Ltd
136. Woodlot Properties Ltd
137. Henley Downs Farm Holdings Ltd
139. Surfbreak Protection Society
140. Oceana Gold (New Zealand) Ltd
142. Pioneer Generation Ltd
143. Ravensdown Works Ltd
146. Peter and Margaret Hore
147. Remarkables Park Ltd
149. Angus Robertson
151. Straterra
156. Dunedin City Council

A hard copy of each further submission is being delivered today.

*Len Andersen*

Barrister

P O Box 5117, Dunedin, 9058

Phone (03) 4773488; Mobile (021) 361153

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***If you have received this email message in error please notify me immediately and erase the message and any attachments.***

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
SUBMISSION ON PUBLICLY NOTIFIED PROPOSED  
POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Federated Farmers of New Zealand submission number 115.**

The particular parts of the submission I oppose are:

The submissions on and amendments sought to policies 2.2.2, 2.2.4 and 2.2.6.

The reasons for my opposition are:

The amendments sought do not overcome the difficulties created by the *King Salmon* decision.

I seek that the submission on policies 2.2.2, 2.2.4 and 2.2.6 be disallowed: Those policies should be amended in accordance with the submission by Port Otago Ltd being submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....

Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

**Email:** [L.Coe@portotago.co.nz](mailto:L.Coe@portotago.co.nz)

**Telephone:** (03) 472 9884

**Counsel Instructed:** L A Andersen

**Telephone:** (03) 477 3488

**Fax:** (03) 474 0012

**Email:** [len@barristerschambers.co.nz](mailto:len@barristerschambers.co.nz)

**Note to person making further submission**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

If you are making a submission to the Environment Protection Authority, you should use Form 16C.

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED**  
**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Director-General of Conservation submission number 117.**

The particular parts of the submission I oppose are:

The submissions on policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.2.11, 2.3.1, 2.3.4, objective 3.5 and policy 3.5.2.

The reasons for my opposition are:

The submitter supports policies that Port Otago Ltd has sought to amend in submission number 58.

I seek that the submission on the specified policies be disallowed: Those policies should be amended as set out in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**  
Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050  
**Email:** [L.Coe@portotago.co.nz](mailto:L.Coe@portotago.co.nz)  
**Telephone:** (03) 472 9884  
**Counsel Instructed:** L A Andersen  
**Telephone:** (03) 477 3488  
**Fax:** (03) 474 0012  
**Email:** [len@barristerschambers.co.nz](mailto:len@barristerschambers.co.nz)

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**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED**  
**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Heritage New Zealand Pouhere Taonga submission number 120.**

The particular parts of the submission I oppose are:

The submissions on policies 2.2.4 and 3.5.2.

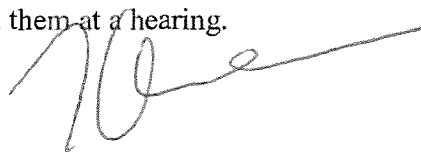
The reasons for my opposition are:

The submission does not allow for the amendments to those policies required by Port Otago Ltd's submission number 58.

I seek that the submission on policies 2.2.4 and 3.5.2 be disallowed: Policies 2.2.4 and 3.5.2 should be amended in accordance with Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

**Email:** [L.Coe@portotago.co.nz](mailto:L.Coe@portotago.co.nz)

**Telephone:** (03) 472 9884

**Counsel Instructed:** L A Andersen

**Telephone:** (03) 477 3488

**Fax:** (03) 474 0012

**Email:** [len@barristerschambers.co.nz](mailto:len@barristerschambers.co.nz)

**Note to person making further submission**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

If you are making a submission to the Environment Protection Authority, you should use Form 16C.

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED**  
**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in support of and opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support and oppose the submission of:

**Queenstown Airport Corporation submission number 122.**

The particular parts of the submission I support are:

The amendments sought to policies 2.2.2 and 2.2.4.

The reasons for my support are:

Queenstown Airport Corporation has identified the difficulties with the specified clauses and its proposed amendments are an acceptable alternative to the amendments sought in Port Otago Ltd's submission number 58.

The particular parts of the submission I oppose are:

The submissions on policies 3.5.1, 3.5.2 and 3.5.3.

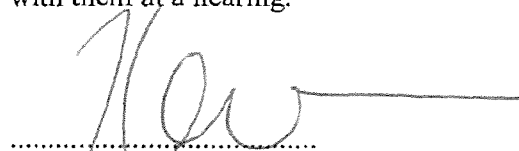
The reasons for my opposition are:

The submissions on policies 3.5.1, 3.5.2 and 3.5.3 do not include the additional amendments sought in Port Otago Ltd's submission number 58.

I seek that the parts of the submission relating to policies 2.2.2 and 2.2.4 be allowed and the parts of the submission relating to policies 3.5.1, 3.5.2 and 3.5.3 be amended to include the amendments sought by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

**Email:** [L.Coe@portotago.co.nz](mailto:L.Coe@portotago.co.nz)

**Telephone:** (03) 472 9884

**Counsel Instructed:** L A Andersen

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**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,  
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POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Environmental Defence Society Incorporated submission number 127.**

The particular parts of the submission I oppose are:

The submissions on policies 2.2.4, 2.2.6 and 2.2.9.


The reasons for my opposition are:

The proposed amendments to those policies do not overcome the issues raised in by Port Otago Ltd's submission number 58.

I seek that the submission on policies 2.2.4, 2.2.6 and 2.2.9 be disallowed: Policies 2.2.4, 2.2.6 and 2.2.9 should be amended in accordance with the submission of Port Otago Ltd number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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**TO: Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Soho Basin Skifield Ltd submission number 129.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the specified policies and objectives.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





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**TO:** Otago Regional Council, Freepost  
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Dunedin 9054

Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Northlake Investments Ltd submission number 130.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Shotover Country Ltd submission number 131.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

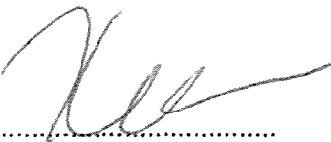
The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Ayburn Farm Developments Ltd submission number 132.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.


The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Bridesdale Farm Developments Ltd submission number 133.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



-2-



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Dunedin 9054**

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I oppose the submission of:

**Treble Cone Investment Ltd submission number 135.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

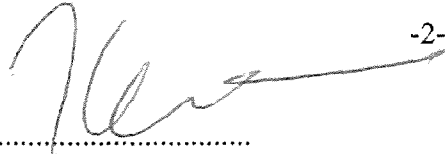
The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

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Name of person making submission: **Port Otago Ltd**

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I oppose the submission of:

**Woodlot Properties Ltd submission number 136.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

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Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Henley Downs Farm Holdings Ltd submission number 137.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Real Journeys submission number 138.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





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Name of person making submission: **Port Otago Ltd**

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I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Surfbreak Protection Society submission number 139.**

The particular parts of the submission I oppose are:

The support and amendment to policy 2.2.11.

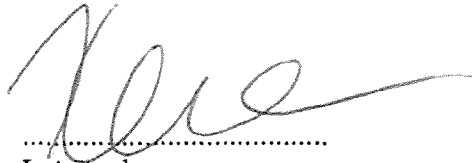
The reasons for my opposition are:

Port Otago Ltd recognises the value of surf breaks and accepts an obligation to have any adverse effects from the port's operation avoid remedy or mitigate the surf break. However, the effect of the *King Salmon* case is that the word "avoiding" creates an absolute prohibition on any adverse effect without any recognition of the importance of Port Otago Ltd's activities.

I seek that the submission on policy 2.2.11 be disallowed: A new policy 2.3.5 (or a clause having similar effect) be inserted in accordance with the submission of Port Otago Ltd number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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**TO:** **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

This is a further submission in support of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Oceana Gold (New Zealand) Ltd submission number 140.**

The particular parts of the submission I support are:

The amendments sought to policies 2.2.2, 2.2.4 and 2.2.6.

The reasons for my support are:

The difficulties with those policies have been identified by Port Otago Ltd in submission number 58 and the amendments proposed by Oceana Gold (New Zealand) Ltd are an acceptable resolution.

I seek that the submission on policies 2.2.2, 2.2.4 and 2.2.6 be allowed as an alternative to the acceptance of Port Otago Ltd's submission number 58 on those provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED**  
**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Pioneer Generation Ltd submission number 142.**

The particular parts of the submission I oppose are:

Point 5 (policy 2.2.2), point 10 (policy 3.5.1), point 11 (policy 3.5.2) and point 12 (policy 3.5.3).

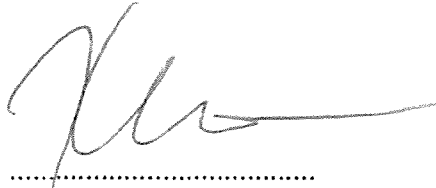
The reasons for my opposition are:

The specified parts of the submission do not recognise the need for the amendment to those clauses set out in Port Otago Ltd's submission number 58.

I seek that points 5, 10, 11 and 12 of the submission be disallowed: The relevant clauses should be amended in accordance with Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

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**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

TO: **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Revensdown Works Ltd submission number 143.**

The particular parts of the submission I support are:

The submissions on policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9.

The reasons for my support are:

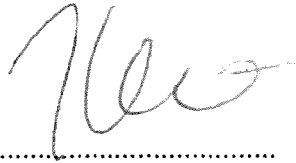
The submission identifies the difficulties with those clauses identified in Port Otago Ltd's submission number 58 and its solution overcomes the adverse effects of the *King Salmon* decision and is acceptable to Port Otago Ltd.

I seek that the parts of the submission dealing with policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9 be allowed: The amendments sought in Port Otago Ltd's submission number 58 relating to these clauses will only be necessary if the submission is not upheld.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





-2-

.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

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POL013/D50

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

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I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Peter and Margaret Hore submission number 146.**

The particular parts of the submission I support are:

The amendments proposed to policy 2.2.4.

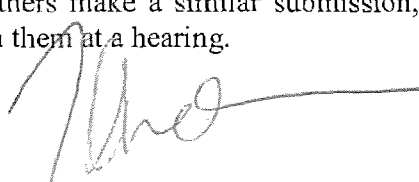
The reasons for my support are:

The submitter has identified the problem with the word "avoid" and it would be a solution to that problem to replace "avoid" with "minimise".

I seek that the submission on policy 2.2.4 be allowed: This is an alternative to the submission made on policy 2.2.4 by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in support of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Remarkables Park Ltd submission number 147.**

The particular parts of the submission I support are:

Submissions 11 and 12 on policies 2.2.4 and 2.2.6.

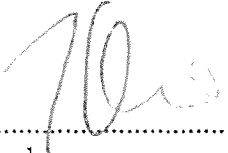
The reasons for my support are:

The submission recognises that absolute protection is not always necessary.

I seek that submissions 11 and 12 be allowed: This is in accordance with the principle behind the amendment to policy 2.3.5 sought by Port Otago Ltd in submission number 58 but is of more general application.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

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*Clause 8 of First Schedule, Resource Management Act 1991*

**TO:** **Otago Regional Council, Freepost  
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Dunedin 9054**

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Angus Robertson submission number 149.**

The particular parts of the submission I oppose are:

The support and amendment to policy 2.2.11.

The reasons for my opposition are:

Port Otago Ltd recognises the value of surf breaks and accepts an obligation to have any adverse effects from the port's operation avoid remedy or mitigate the surf break. However, the effect of the *King Salmon* case is that the word "avoiding" creates an absolute prohibition on any adverse effect without any recognition of the importance of Port Otago Ltd's activities.

I seek that the submission on policy 2.2.11 be disallowed: A new policy 2.3.5 (or a clause having similar effect) be inserted in accordance with the submission of Port Otago Ltd number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Date

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in support of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Straterra submission number 151.**

The particular parts of the submission I support are:

The submission on policies 2.2.2, 2.2.4, 2.2.6, 2.2.9 and 3.5.2.

The reasons for my support are:

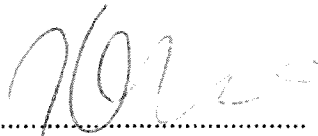
The submission on policies 2.2.2, 2.2.4, 2.2.6, 2.2.9 and 3.5.2 identifies the problems that result from the King Salmon decision and the amendments sought are an acceptable alternative to the amendments sought by Port Otago Ltd in submission number 58.

I seek that the identified parts of the submission be allowed: This is an alternative to the amendments sought to policies 2.2.2, 2.2.4, 2.2.6, 2.2.9 and 3.5.2 contained in the submission of Port Otago Ltd number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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**TO:** **Otago Regional Council, Freepost  
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Dunedin 9054**

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Dunedin City Council submission number 156.**

The particular parts of the submission I oppose are:

The amendments sought to policies 2.2.4, 2.2.6, 2.2.9, 3.5.1 and 3.5.2.

The reasons for my opposition are:

The amendments sought by the Dunedin City Council do not fully resolve the problems with policies 2.2.4, 2.2.6, 2.2.9, 3.5.1 and 3.5.2 identified by Port Otago Ltd in submission number 58.

I seek that the submission on policies 2.2.4, 2.2.6, 2.2.9, 3.5.1 and 3.5.2 be disallowed: There is no objection to the amendments being allowed that are not in conflict with the amendments sought by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

**TO:** Otago Regional Council, Freepost  
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Dunedin 9054

Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Glencoe Station Ltd submission number 134.**

The particular parts of the submission I oppose are:

Items 32, 34, 36, 39, 49, 52, 85, 88, 89 and 90 dealing with policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.3.1, 2.3.4, 3.5.1, 3.5.2, 3.5.3 and objective 3.5.

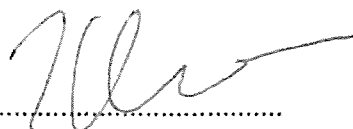
The reasons for my opposition are:

The submissions made do not resolve the issues raised by Port Otago Ltd in submission number 58.

I seek that the specified parts of the submission be disallowed: The amendments proposed by Port Otago Ltd in submission number 58 or other amendments having the same effect should be made to the identified provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Date

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*Clause 8 of First Schedule, Resource Management Act 1991*

**TO:** **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

This is a further submission in support of and opposition to of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support and oppose the submission of:

**Clutha District Council submission number 28.**

The particulars of the submission I support are:

The removal of policy 2.6.6.

The reasons for my support are:

The removal of policy 2.6.6 would solve the problem identified in Port Otago Ltd's submission number 58.

The particular parts of the submission I oppose are:

1. The changes proposed to policy 2.2.2 and policy 2.2.4 which would confirm an absolute prohibition on the specified adverse effects that are to be avoided.
2. Its support of policy 2.2.9.

The reasons for my opposition are:

1. The effect of the *King Salmon* decision is that the use of the word "avoiding" provides an absolute prohibition on the specified adverse effect.

2. The difficulties with these policies are identified in Port Otago's submission number 58.

I seek that part of the submission be disallowed: The parts to be disallowed are those dealing with policies 2.2.2, 2.2.4 and 2.2.9.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Date

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**TO:** **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**New Zealand Defence Force submission number 52.**

The particular parts of the submission I oppose are:

The proposed amendments to policies 3.5.1, 3.5.2 and 3.5.3.

The reasons for my opposition are:

1. The amended policies do not take into account the benefit of specifically identifying the regional and national importance of the two ports by adding "The ports at Port Chalmers and Dunedin" to policy 3.1 and making the amendments sought to policy 3.5.2 and 3.5.3 by the Port Otago Ltd's submission number 58.
2. Port Otago Ltd has no objection to "Defence facilities" be adding to the specified infrastructure in the definition or in policies 3.5.1, 3.5.2 and 3.5.3.

I seek that the specified parts of the submission be disallowed: Alternatively, the amendments sought can be incorporated into the amendments sought by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.



If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

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**TO:** **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Alliance Group Ltd submission number 56.**

The particular parts of the submission I support are:

The submissions on policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9.

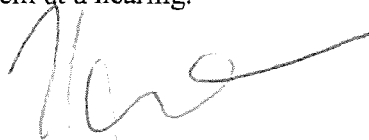
The reasons for my support are:

The solutions proposed by Alliance improve the relevant policies to alleviate the harshness of the *King Salmon* decision.

I seek that policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9 of the submission be allowed: This is an alternative to Port Otago Ltd's submission on those policies number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Date

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**TO:** **Otago Regional Council, Freepost  
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This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Radio New Zealand Ltd submission number 57.**

The particular parts of the submission I oppose are:

The support for objectives 3.5, policies 3.5.1 and 3.5.3.

The reasons for my opposition are:

The specified provisions should properly be amended as set out in Port Otago Ltd's submission number 58 although there is no objection to the further amendment to the content of objective 3.5 sought by Radio New Zealand Ltd.

I seek that the submissions on the support for objectives 3.5, policies 3.5.1 and 3.5.3 of the submission be disallowed: Port Otago Ltd's amendments to those provisions should be allowed with the addition of the words "and radio communication" to objective 3.5.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

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**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED**  
**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in support of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**PowerNet Ltd submission number 60.**

The particular parts of the submission I support are:

The submissions on policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9.

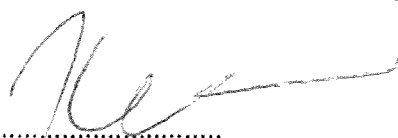
The reasons for my support are:

The solutions proposed by PowerNet Ltd improve the specified policies to alleviate the harshness of the *King Salmon* decision and overcome the problems with those policies identified in Port Otago Ltd's submission number 58.

I seek that policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9 of the submission be allowed: This is an alternative to Port Otago Ltd's submission number 58 on those provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in support of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**HW Richardson Group Ltd (“HWRG”) submission number 61.**

The particular parts of the submission I support are:

The submissions on policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9.

The reasons for my support are:

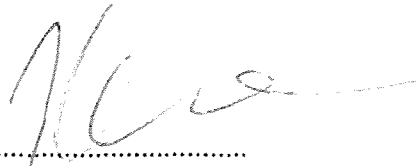
The solutions proposed by HWRG improve the specified policies to alleviate the harshness of the *King Salmon* decision and overcome the problems with those policies identified by Port Otago Ltd’s submission number 58.

I seek that policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9 of the submission be allowed: This is an alternative to Port Otago Ltd’s submission number 58 on those provisions.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Date

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**KiwiRail Holdings Ltd (“KiwiRail”) submission number 69.**

The particular parts of the submission I oppose are:

The support of objective 3.5 and policy 3.5.2(b).

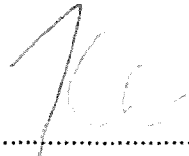
The reasons for my opposition are:

1. The heading to objective 3.5 should be changed in the manner identified in Port Otago Ltd’s submission number 58.
2. Policy 3.5.2(b) inappropriately uses the word “avoiding” requiring the amendment set out in Port Otago Ltd’s submission number 58.

I seek that the identified parts of the submission be disallowed: Objective 3.5 and policy 3.5.2(b) should be amended as identified by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

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*Clause 8 of First Schedule, Resource Management Act 1991*

**TO:** **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Waitaki District Council submission number 70.**

The particular parts of the submission I oppose are:

The amendment sought to policies 2.2.2, 2.2.4 and 2.2.9.

The reasons for my opposition are:

The proposed amendments do not alleviate the difficulties with those clauses identified in Port Otago Ltd's submission number 58.

I seek that the specified parts of the submission be disallowed: Port Otago Ltd's submission number 58 in respect of clauses 2.2.2, 2.2.4 and 2.2.9 should be adopted.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

**TO:** **Otago Regional Council, Freepost  
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Dunedin 9054**

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Matthew Sole submission number 75.**

The particular parts of the submission I oppose are:

The submissions on policies 2.2.2, 2.2.3, 2.2.4, 2.2.6 and 2.2.9.

The reasons for my opposition are:

The amendments suggested do not overcome the difficulties created by the *King Salmon* decision which requires the amendments set out in Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed: Port Otago Ltd's submission as to policies 2.2.2, 2.2.3, 2.2.4, 2.2.6 and 2.2.9 should be accepted.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

**TO:** **Otago Regional Council, Freepost  
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Dunedin 9054**

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Aurora Energy Ltd submission number 76.**

The particular parts of the submission I oppose are:

The amendments sought to policies 2.2.2, 2.2.4, 2.2.6, objective 3.5, policy 3.5.1 and policy 3.5.3.

The reasons for my opposition are:

1. The proposed amendments to policies 2.2.2, 2.2.4, 2.2.6 and 2.2.9 do not overcome the identified difficulties with the *King Salmon* case.
2. The heading to objective 3.5 should be amended to make it clear that the objective relates not just to the management of the existing structure but also to the necessary development
3. Policy 3.5.1 and policy 3.5.3 should specifically make reference to the port at Dunedin and Port Chalmers as detailed in Port Otago Ltd's submission number 58.

I seek that the relevant clauses of the submission be disallowed: The amendments sought by Port Otago Ltd in submission number 58 should be adopted.

I wish to be heard in support of my further submission.



If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**NZ Transport Agency submission number 78.**

The particular parts of the submission I oppose are:

The submissions on policy 2.3.1, objective 3.5, policy 3.5.1, policy 3.5.2 and policy 3.5.3.

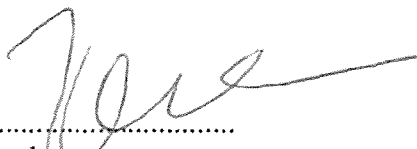
The reasons for my opposition are:

1. Policies 2.3.1 (and 2.3.4) require amendment as specified in Port Otago Ltd's submission number 58.
2. It is appropriate to specify "infrastructure of **national and regional significance**" in objective 3.5 and policy 3.5.1.
3. Policy 3.5.1 and policy 3.5.3 should be amended to specifically include the ports at Port Chalmers and Dunedin as specified in Port Otago Ltd's submission number 58.
4. The substitution of "manage" for "minimise" in policy 3.5.2 is not appropriate and the policy should be amended to include the new sub clause (b) specified in Port Otago Ltd's submission number 58.

I seek that the specified parts of the submission be disallowed: Port Otago Ltd's submission number 58 on policy 2.3.1, objective 3.5, policy 3.5.1, policy 3.5.2 and policy 3.5.3 should be adopted.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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Counsel for Port Otago Ltd

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**TO:** **Otago Regional Council, Freepost  
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Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Darby Planning LP submission number 81.**

The particular parts of the submission I oppose are:

The provisions dealing with policies 2.2.2, 2.2.4 and 2.2.6.

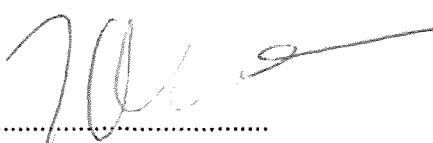
The reasons for my opposition are:

The amendments sought to those provisions do not satisfactorily meet or respond to the issues raised by Port Otago Ltd in submission 58.

I seek that the specified parts of the submission be disallowed: The provisions should be amended as set out in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.

  
.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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Date

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Name of person making submission: **Port Otago Ltd**

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I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Meridian Energy Ltd submission number 82.**

The particular parts of the submission I oppose are:

The provisions dealing with policies 2.2.2, 2.2.4, 2.2.6, 3.5.1, 3.5.2 and 3.5.3.

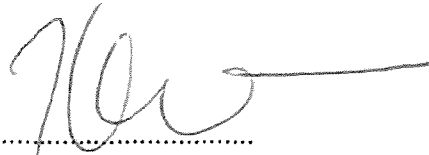
The reasons for my opposition are:

1. The amendments to clauses 2.2.2, 2.2.4 and 2.2.6 do not resolve the issues raised by the *King Salmon* case as identified by the submission of Port Otago Ltd number 58.
2. The amendments to policies 3.5.1, 3.5.2 and 3.5.3 do not include specific reference to the ports at Port Chalmers and Dunedin or adequately deal with the problems created by the *King Salmon* decision.

I seek that the specified parts of the submission be disallowed: The provisions should be amended as set out in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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I oppose the submission of:

**Trustpower Ltd submission number 85.**

The particular parts of the submission I oppose are:

The references to policies 2.2.2, 2.2.4, 2.2.6, 3.5.1 and 3.5.2.

The reasons for my opposition are:

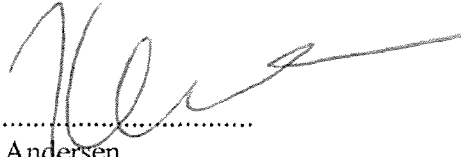
1. The amendments to policies 2.2.2 and 2.2.4 are inadequate to meet the *King Salmon* problems but an improvement on the wording in the proposed plan.
2. The retaining of clause 2.2.6 is opposed and it should either be deleted or amended in accordance with Port Otago Ltd's submission number 58.
3. Policies 3.5.1 and 3.5.3 need to include specific reference to the ports at Port Chalmers and Dunedin as set out in Port Otago Ltd's submission number 58.
4. Port Otago Ltd prefers its proposed amendment to policy 3.5.2 to that proposed but acknowledges that the amendment proposed by the submitter is preferable to the provisions in the proposed plan.



I seek that the specified parts of the submission be disallowed or amended so they are compatible with the submissions made by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**New Zealand Petroleum and Minerals submission number 86.**

The particular parts of the submission I support are:

The submissions on policies 2.2.2, 2.2.4 and 2.2.6.


The reasons for my support are:

The amendments overcome the problems identified by the *King Salmon* decision and are an acceptable alternative to the approach taken by Port Otago Ltd in respect of those clauses in submission number 58.

I seek that the submissions on policies 2.2.2, 2.2.4 and 2.2.6 be allowed as an alternative to the amendments sought to those clauses in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

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**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
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**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Blueskin Resilient Communities Trust submission number 87.**

The particular parts of the submission I oppose are:

The amendments sought to policies 2.2.6 and 2.2.9.


The reasons for my opposition are:

The amendments sought do not overcome the difficulties created by the *King Salmon* decision and do not deal with the assessment of port activities in respect of the coastal environment.

I seek that the submissions in policies 2.2.6 and 2.2.9 of the submission be disallowed: Policies 2.2.6 and 2.2.9 should be amended in accordance with Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

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I support the submission of:

**McKeague Consultancy Ltd submission number 89.**

The particular parts of the submission I support are:

1. The replacement of the word “avoid” in the policies in the plan to either “avoid or minimise” or “minimise”.
2. The specific amendment to policy 2.2.4.

The reasons for my support are:

1. The submission provides a solution to the *King Salmon* problem created in respect of the word “avoid” although the wording sought could probably be better expressed as “avoid, remedy or mitigate” as those are the words used in the Act.
2. If the proposed plan is amended so that the absolute prohibition created by the word “avoid” is removed then many of the amendments sought by Port Otago Ltd in submission number 58 will no longer be necessary.

I seek that the specified parts of the submission be allowed: If this submission is upheld then Port Otago Ltd’s submission number 58 can be consequentially amended.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

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Dunedin 9054**

Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**SouthCoast Board Riders Association submission number 91.**

The particular parts of the submission I oppose are:

The support of policy 2.2.11 in its current form.

The reasons for my opposition are:

Port Otago Ltd recognises the value of surf breaks and accepts an obligation to have any adverse effects from the port's operation avoid remedy or mitigate the surf break. However, the effect of the *King Salmon* case is that the word "avoiding" creates an absolute prohibition on any adverse effect without any recognition of the importance of Port Otago Ltd's activities.

I seek that the submission on policy 2.2.11 be disallowed: A new policy 2.3.5 (or a clause having similar effect) be inserted in accordance with the submission of Port Otago Ltd number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.





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L A Andersen  
Counsel for Port Otago Ltd

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Name of person making submission: **Port Otago Ltd**

This is a further submission in support of a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support the submission of:

**Transpower New Zealand Ltd (“Transpower”) submission number 97.**

The particular parts of the submission I support are:

The amendments proposed to policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 2.2.13, 3.5.1, 3.5.2 and 3.5.3 provided that “The ports at Port Chalmers and Dunedin” are specifically recognised in policy 3.5.1.

The reasons for my support are:

The amendments sought are an alternative to Port Otago Ltd’s submissions as to a mechanism for dealing with the problems that result from the *King Salmon* decision.

I seek that the specified parts of the submission be allowed as an alternative to the amendments to those provisions sought by Port Otago Ltd in submission 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

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Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Royal Forest and Bird Protection Society of New Zealand Incorporated  
submission number 98.**

The particular parts of the submission I oppose are:

The amendments to policy 2.2.2, policy 2.2.6 and policy 2.2.9, the retention of policy 2.2.4 and the support for policy 3.5.2.


The reasons for my opposition are:

There are issues with each of these policies which require amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the submission on policies 2.2.2, 2.2.4, 2.2.6, 2.2.9 and 3.5.2 be disallowed: Port Otago Ltd's submission number 58 on those policies should be accepted.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

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Name of person making submission: **Port Otago Ltd**

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I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose and support the submission of:

**Fonterra Co-operative Group Ltd submission number 99.**

The particular parts of the submission I oppose are:

- (a) Item 12 relating to policy 2.2.4.
- (b) Item 30 amendment to policy 3.5.1.
- (c) Item 31 amendment to policy 3.5.2
- (d) Item 32 support of policy 3.5.3.

The reasons for my opposition are:

1. The proposed amendment to policy 2.2.4 does not avoid the effects of the *King Salmon* decision.
2. The amendments made to policy 3.5.1 and 3.5.2 and the support of policy 3.5.3 do not specifically acknowledge the regional and national importance of the ports in Dunedin at Port Chalmers.

The particular part of the submission I support is:

Item 14 being the proposed amendments to policy 2.2.6.


The reasons for my support are:

Item 14 – the proposed amendments to policy 2.2.6 are an acceptable alternative to the amendment proposed in Port Otago Ltd’s submission number 58.

I seek the parts of the submission relating to policies 2.2.4, 3.5.1, 3.5.2 and 3.5.3 be disallowed and the submission relating to policy 2.2.6 be allowed: Policies 2.2.4, 3.5.1, 3.5.2 and 3.5.3 should be amended as set out in Port Otago Ltd’s submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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I support and oppose parts of the submission of:

**Royalburn Farming Company Ltd submission number 102.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
3. Item 39 in respect of policy 2.2.9.
4. Item 49 in relation of policy 2.3.1
5. Item 88 in respect of policy 3.5.1.
6. Item 89 in respect of policy 3.5.2.



7. Item 90 in respect of policy 3.5.3.

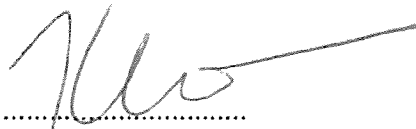
The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that require amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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I support and oppose parts of the submission of:

**Walter Peak Station submission number 103.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
3. Item 39 in respect of policy 2.2.9.
4. Item 49 in relation of policy 2.3.1
5. Item 88 in respect of policy 3.5.1.
6. Item 89 in respect of policy 3.5.2.

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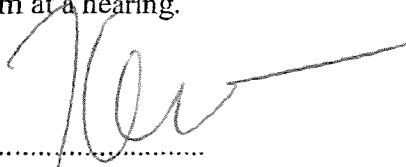
The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that requirement amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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I support and oppose parts of the submission of:

**Millbrook Country Club submission number 104.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
3. Item 39 in respect of policy 2.2.9.
4. Item 49 in relation of policy 2.3.1
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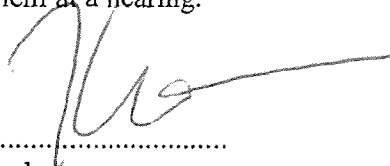
The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that requirement amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

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I support and oppose parts of the submission of:

**Eastburn Farm submission number 105.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
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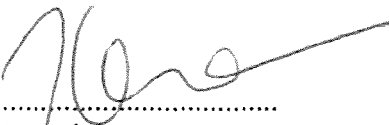
The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that requirement amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in support of and opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support and oppose parts of the submission of:

**RCL Queenstown Propriety Ltd submission number 106.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
3. Item 39 in respect of policy 2.2.9.
4. Item 49 in relation of policy 2.3.1
5. Item 88 in respect of policy 3.5.1.
6. Item 89 in respect of policy 3.5.2.



7. Item 90 in respect of policy 3.5.3.

The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that requirement amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd

24 September 2015

.....  
Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

**Email:** [L.Coe@portotago.co.nz](mailto:L.Coe@portotago.co.nz)

**Telephone:** (03) 472 9884

**Counsel Instructed:** L A Andersen

**Telephone:** (03) 477 3488

**Fax:** (03) 474 0012

**Email:** [len@barristerschambers.co.nz](mailto:len@barristerschambers.co.nz)

**Note to person making further submission**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

If you are making a submission to the Environment Protection Authority, you should use Form 16C.

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,**  
**SUBMISSION ON PUBLICLY NOTIFIED PROPOSED**  
**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

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I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support and oppose parts of the submission of:

**Damper Bay Estates Ltd submission number 107.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
3. Item 39 in respect of policy 2.2.9.
4. Item 49 in relation of policy 2.3.1
5. Item 88 in respect of policy 3.5.1.
6. Item 89 in respect of policy 3.5.2.

7. Item 90 in respect of policy 3.5.3.

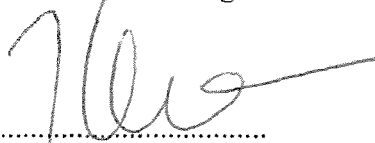
The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that requirement amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



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L A Andersen  
Counsel for Port Otago Ltd

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*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support and oppose parts of the submission of:

**Halfway Bay Station submission number 108.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
3. Item 39 in respect of policy 2.2.9.
4. Item 49 in relation of policy 2.3.1
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6. Item 89 in respect of policy 3.5.2.

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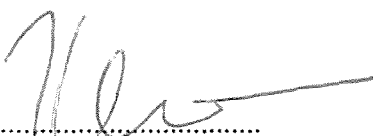
The reasons for my opposition are:

The proposed amendments do not adequately deal with the issues raised by the *King Salmon* decision or specifically recognise the issues relating to the ports at Port Chalmers and Dunedin that requirement amendment in accordance with Port Otago Ltd's submission number 58.

I seek that the relevant parts of the submission be disallowed where they are in conflict with the amendments sought in Port Otago Ltd's submission number 58.

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24 September 2015

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POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

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Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I support and oppose parts of the submission of:

**Watertight Investments Ltd submission number 109.**

The particular part of the submission I support are:

Item 36 in respect of policy 2.2.6.

The reasons for my support are:

The amendment sought meets the issues Port Otago Ltd has raised with clause 2.2.6 in its submission number 58.

The particular parts of the submission I oppose are:

1. Item 32 in respect of policy 2.2.2.
2. Item 34 in respect of policy 2.2.4.
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**POLICY STATEMENT OR PLAN**

*Clause 8 of First Schedule, Resource Management Act 1991*

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

Name of person making submission: **Port Otago Ltd**

This is a further submission in opposition to a submission on the following proposed policy statement:

Proposed Regional Policy Statement for Otago.

I am a person who has an interest in the proposal that is greater than the interest the general public has because the proposed operations of Port Otago Ltd in operating the ports at Port Chalmers and Dunedin are potentially affected by the Regional Policy Statement for Otago.

I oppose the submission of:

**Wise Response Society Inc submission number 114.**

The particular parts of the submission I oppose are:

The submissions on policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 3.5.1, 3.5.2 and 3.5.3.

The reasons for my opposition are:

The specified policies should be amended in accordance with the submissions made by Port Otago Ltd in submission number 58.

I seek that the submission on policies 2.2.2, 2.2.4, 2.2.6, 2.2.9, 3.5.1, 3.5.2 and 3.5.3 be disallowed: Those policies should be amended in the manner identified by Port Otago Ltd in submission number 58.

I wish to be heard in support of my further submission.

If others make a similar submission, I will consider presenting a joint case with them at a hearing.



.....  
L A Andersen  
Counsel for Port Otago Ltd



24 September 2015

.....  
Date

**Address for service of person making further submission:**

Lincoln Coe, General Manager, Infrastructure, PO Box 8, Port Chalmers 9050

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partnerships

OTAGO REGIONAL COUNCIL  
RECEIVED DUNEDIN  
25 SEP 2015  
FILE No. fa39531  
DIR TO Lisa MILES

**Environmental Consultants**  
PO Box 489, Dunedin 9054  
New Zealand  
Tel: +64 3 477 7884  
Fax: +64 3 477 7691

**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 REIONAL 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**



**CLAIRE HUNTER**

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

Enc

*Also in Auckland and Tauranga*  
Ground Floor, 25 Anzac Street, Takapuna  
PO Box 33 1642, Takapuna  
Auckland 0740, New Zealand  
Tel: +64 9 486 5773  
Fax: +64 9 486 6711

PO Box 4653, Mt Maunganui South  
Mt Maunganui 3149  
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

C

C

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 "Kāi Tahu values, rights and interests and customary resources are <u>protected and enhanced</u> <del>sustained</del> ."  The use of active wording is recommended	Oppose	Alliance considers that the "protection and enhancement" of Kai Tahu values is inconsistent with the obligation of decision makers under s. 6(e) of the RMA, to "recognise and provide for" 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	<u>and) Provide additional protection to significant and protect outstanding water bodies and wetlands; and</u>	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) <u>Maintain good Set ambient air quality standards that supports human health, or enhance air quality where it has been degraded; and</u>  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: "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  Otago's significant and highly-valued natural resources are identified, and protected or enhanced to maintain their distinctiveness."	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>  <u>Managing outstanding natural features, landscapes, and seascapes</u>  Protect, enhance and restore <u>to a standard above sustainable resource management</u> the values of significant and outstanding natural features, landscapes and seascapes, by: a) <u>Avoiding activities with a risk of adverse effects</u> 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 "standards above sustainable resource management" and to apply a requirement to avoid activities where there is a "risk" 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	<p>Amend as follows:</p> <p>"c) Identifying future growth areas that: ...</p> <p>v. <u>Avoid identified areas of the coastal environment where subdivision, use and development are deemed to be inappropriate. ...</u></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>	<p>Oppose</p> <p>Alliance notes that Policy 7 (b) of the NZCPS states: "Identify areas of the coastal environment where particular activities and forms of subdivision, use and development:</p> <p>(i) are inappropriate; and</p> <p>(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."</p> <p>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.</p> <p>Alliance considers that as drafted, the proposed policy has potentially widespread negative implications for development in the region and should be deleted.</p>
Policy 3.9.5 Avoiding the creation of new contaminated land	Z Energy Limited, BP Oil NZ Limited and Mobil Oil NZ Limited	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>	<p>Support</p> <p>Alliance considers that as drafted, the proposed policy has potentially widespread negative implications for development in the region and should be deleted.</p>
Chapter 4 People are able to use and enjoy Otago's natural and built environment				
Policy 4.3.5	Fonterra Co-operative Limited	99	<p>Retain Policy 4.3.5 as notified. Provides a clear and enabling framework for the efficient use of industrial land for industrial purposes.</p>	<p>Support</p> <p>Alliance considers that it is appropriate to recognise and provide for industrial activities in the Regional Policy Statement.</p>
Policy 4.5.1	Fonterra Co-operative Limited	99	<ul style="list-style-type: none"> <li>Reward as follows: <ul style="list-style-type: none"> <li>"Avoid discharges that are objectionable or offensive to tangata whenua and the wider community, including:</li> </ul> </li> </ul> <p>a) Discharges of human or animal waste:</p> <ol style="list-style-type: none"> <li>Directly to <u>water</u> <u>freshwater</u>, <u>natural wetlands</u> or <u>coastal environments</u>; or</li> <li>In close proximity to water environments as listed in (a)(i); or</li> <li>In close proximity to mahika kai or sites of cultural significance to Kal Tahu; or</li> </ol> <p>b) Discharges of hazardous or noxious substances close to sensitive activities, including:</p> <ol style="list-style-type: none"> <li>Residential activities; or</li> <li>In relation to air:</li> </ol>	<p>Support</p> <p>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>

<p>Policy 4.5.7 Enabling offsetting of indigenous biodiversity</p>	<p>Central Otago Environmental Society</p>	<p>59</p>	<p><u>"Policy 4.5.1 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><u>"Policy 4.5.1 Avoiding Managing the effects of objectionable discharges</u></p> <p>Avoid, remedy or mitigate discharges that are objectionable or offensive to takata whenua and the wider community, including: ..."</p> <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>	<p>Oppose</p>	<p>Alliance considers that the use of offsets is a valid means to mitigate adverse environmental effects and should not be precluded.</p>
<p>Policy 4.5.9</p>	<p>Save The Otago Peninsula (STOP) Incorporated Society</p>	<p>88</p>	<p>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.</p>	<p>Oppose in part</p>	<p>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.</p>
<p><b>Methods</b> 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>Significant indigenous vegetation and significant habitat of indigenous fauna of the <u>terrestrial, freshwater and marine environment</u>;</li> <li>Areas of outstanding and high 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 <u>Outstanding water bodies</u>; ..."</li> </ol>	<p>Support in part.</p>	<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 level</u> via the Regional Policy Statement.</li> </ul> <p>However Alliance considers that proposed references to undefined "highly valued natural features" are problematic as these are not defined or used elsewhere in the RMA or the Regional Policy Statement.</p>

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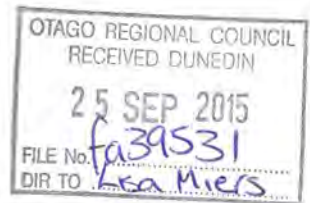
**Environmental Consultants**  
PO Box 489, Dunedin 9054  
New Zealand  
Tel: +64 3 477 7884  
Fax: +64 3 477 7891

**By Email**

24 September 2015

Our Ref: 9008

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 THE QUEENSTOWN AIRPORT CORPORATION**

Please find **attached** a further submission on behalf of the Queenstown Airport Corporation, 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**

**KIRSTY O'SULLIVAN**

Email: [kirsty.osullivan@mitchellpartnerships.co.nz](mailto:kirsty.osullivan@mitchellpartnerships.co.nz)  
Enc.

*Also in Auckland and Tauranga*  
Ground Floor, 25 Anzac Street, Takapuna  
PO Box 33 1842, Takapuna  
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Tel: +64 9 486 5773  
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PO Box 4653, Mt Maunganui South  
Mt Maunganui 3149  
New Zealand  
Tel +64 7 577 1261

5001

**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:** Queenstown Airport Corporation ("QAC")

**Address:** PO Box 2641  
Queenstown  
(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. QAC is a person who has an interest that is greater than the interest the general public has.
  - As explained in QAC's original submission, QAC operates the Queenstown and Wanaka Airports.
  - Queenstown Airport is one of the busiest airports in New Zealand, accommodating in excess of 1.4 million passengers for the year ending June 2015. This represented a 12% increase in passengers from the previous year. Queenstown Airport has experienced a sustained period of growth, with passenger numbers expected to increase over the coming years as the district receives an increasing number of domestic and international visitors.
  - Wanaka Airport accommodates aircraft movements associated with scheduled, general aviation and helicopter operations and is a major provider of commercial helicopter operations within the district.
  - QAC 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, QAC 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 and national significance.

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

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

4. **Further Submissions**

QAC's further submissions on the Proposed Otago Regional Policy Statement are attached as **Appendix A**.

5. QAC does wish to be heard in relation to this submission.

6. If others make a similar submission QAC will consider presenting a joint case with them at a hearing.

7. QAC 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 Kirsty O'Sullivan, on behalf of  
Queenstown Airport Corporation

**Date:** 24 September 2015

**Address for service:** Queenstown Airport Corporation  
C/- Mitchell Partnerships  
PO Box 489  
**DUNEDIN**  
Attn: Kirsty O'Sullivan

**Telephone:**

(03) 477 7884

**Email:**

kirsty.osullivan@mitchellpartnerships.co.nz

# APPENDIX A

Table 1 – QAC’s further submissions



PROVISION	SUBMITTER	SUB. ID	DECISION REQUESTED	QAC POSITION	REASONING
<b>Chapter 1 Kāi Tahu values, rights and interests are recognised and kaitiakitika 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	QAC 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>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> </li> </ul>	Oppose	QAC 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>ed</del> ) Provide additional protection to significant and <del>Protect</del> outstanding water bodies and wetlands; and	Oppose	QAC considers that the proposed amendments are vague in relation to the type of additional protection sought and the lack of definition of " <i>significant</i> " water bodies.
Policy 2.1.1 Managing for freshwater values	Pioneer Generation Limited	142	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.	Support	QAC supports recognition of the need for infrastructure providers to maintain and upgrade facilities and provide for the needs of the community.
Policy 2.1.2 Managing for the values of beds of rivers and lakes, wetlands, and their margins	Aurora Energy Limited	76	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>	Support	QAC 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.

Policy 2.1.4	Wise Response Society Inc.	114	Amend as follows: "Policy 2.1.4 <u>Managing air quality for ecosystem function and value</u> <del>Managing for air quality values</del> "	Oppose	QAC submits that the values associated with air quality include visibility. The proposed amendments strictly focuses this policy towards ecosystem function and value, thus excluding the link between air quality and visibility.
Objective 2.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced	Wise Response Society	114	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"  <del>Otago's significant and highly-valued natural resources are identified, and protected or enhanced to maintain their distinctiveness."</del>	Oppose	QAC 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) avoiding, or where this is not practicable, remedying or mitigating adverse effects...; and b) <del>Avoiding, remedying or mitigating other adverse effects on other values; and; ....</del> "	Support	QAC 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.
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) Avoiding <u>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) Avoiding, remedying or mitigating other adverse effects on other values <u>affecting the same locality</u> ; and...	Oppose	QAC 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.

Chapter 3 Communities in Otago are resilient, safe and healthy					
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	QAC agrees with this submission. 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	QAC supports the amendment of the policy to avoid reverse sensitivity effects on infrastructure.
Policy 3.4.1 Integrating infrastructure with land use	Transpower New Zealand Limited	97	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> c) <u>Managing urban growth and development:</u> i) Within areas that have sufficient infrastructure capacity <u>and provision;</u> or ii) Where infrastructure services can be upgraded, <u>developed</u> or extended efficiently and effectively; and iii) <u>By notifying the owners and operators of infrastructure of consent applications that may adversely affect such infrastructure."</u>	Support	QAC supports the amendment of the policy to avoid reverse sensitivity effects on infrastructure.
Policy 3.4.1 Integrating infrastructure with land use	Federated Farmers of New Zealand	115	Amend as follows (or words to similar effect): "Achieve the strategic integration of infrastructure with land use, by: ...  b) <u>viii. The effects on existing land use and land users; and</u> <u>...</u> "	Oppose	QAC 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.

Policy 3.4.2 Managing infrastructure activities	Airways Corporation of New Zealand	43	Amend (e):  Protect infrastructure corridors <u>and networks</u> for infrastructure needs, now and for the future.	Support	QAC supports the protection of infrastructure <u>networks</u> , as distinguished from infrastructure corridors.
Policy 3.5.1 Recognising national and regional significance of infrastructure	Airways Corporation of New Zealand	43	Amend (e):  Ports, <del>and</del> airports <u>and navigation infrastructure</u> .	Support	QAC supports the recognition of navigation infrastructure as it is integral to the functioning of regionally and nationally significant infrastructure.
Policy 3.5.1 Recognising national and regional significance of infrastructure	Dunedin City Council	156	Delete Policy 3.5.1 and include as a definition in the glossary.	Oppose	QAC considers that it is appropriate that the proposed Regional Policy Statement includes recognition (via a policy) of the national and regional significance of infrastructure.
Policy 3.5.2 Managing adverse effects of infrastructure that has national or regional significance	Pioneer Generation Limited	142	<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 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.</li> </ul>	Support	<p>QAC considers that the avoidance of all adverse effects is an impractical approach, given the locational constraints associated with infrastructure.</p> <p>QAC 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>
Policy 3.5.3 Protecting infrastructure of national or regional significance	Airways Corporation of New Zealand	43	Amend (e):  Protecting infrastructure corridors <u>and networks</u> for infrastructure needs, now and for the future.	Support	QAC supports the protection of infrastructure <u>networks</u> in addition to infrastructure corridors, given the significance of such networks at regional and national scales.
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. <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	QAC 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	Royalburn Farming	102	"i. Reverse sensitivity effects <u>on industrial activities</u> ; or"	Support	QAC supports this policy and considers it appropriate to clarify that the intent is protect industrial activities from reverse sensitivity effects.
	Walter Peak Station	103			
	Millbrook Country Club	104			
	Eastburn Farm	105			
	RCL Queenstown	106			
	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				

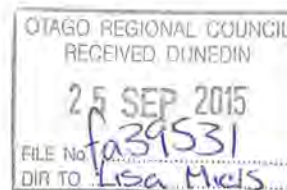
	Real Journeys	138			
Policy 4.5.7 Enabling offsetting of indigenous biodiversity	Central Otago Environmental Society	59	Delete. <ul style="list-style-type: none"> <li>Off-setting is a crude tool and in Otago has a poor record.</li> <li>It takes years to establish whether a project will succeed with a consequent delay of consents.</li> <li>Too often seen as an "easy" compromise.</li> </ul>	Oppose	QAC considers that the use of offsets is a valid means to mitigate adverse environmental effects and should not be precluded.
<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, oppose in part	<p>QAC 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 are identified at a regional level in the Regional Policy Statement.</li> </ul> <p>However QAC 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>

**Lisa Miers**

---

**From:** Peter Dowden <peter.dowden@gmail.com>  
**Sent:** Friday, 25 September 2015 7:43 a.m.  
**To:** RPS ORC  
**Cc:** Alex King  
**Subject:** Further Submission of Bus Users Support Group Otepoti Dunedin to the Otago Regional Council Regional Policy Statement Review

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged



To:  
(1) Otago Regional Council, and  
(2) the submitters named below in this Further Submission,

Kia ora tatou,

Please find below the Further Submission of Bus Go Dunedin to the Regional Policy Statement review.

naku, na

Peter Dowden  
co-president  
Bus Go Dunedin

FURTHER SUBMISSION FORM  
Proposed Regional Policy Statement for Otago

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

Name of further submitter: Peter Dowden (on behalf of submitter)

Organisation (if applicable): Bus Users' Support Group Otepoti-Dunedin (Bus Go Dunedin)

Bus Go does wish to be heard in support of this further submission.

If others make a similar submission, Bus Go will consider presenting jointly with them at a hearing.

Postal address: 12 Woodhaugh St Dunedin

Bus Go makes this submission on the grounds that it represents a relevant aspect of the public interest.

Telephone: 021 137 2129

Date: 24 September 2015

Email: [peter.dowden@gmail.com](mailto:peter.dowden@gmail.com)

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Please note: This Further Submission is presented in "order of provision" in the proposed RPS.

34 Policy 2.1.4 - Managing for air quality values

Support Annabeth Cohen 21 : support submitter's concern on bus exhaust but achieve requested improvement by less prescriptive means including eg Euro emission standards, hybrid drive, gas power, full electric power

93 Policy suite 3.3 - Otago's communities are prepared for and able to adapt to the effects of climate change

Support Anna Hughes 50 : support submitter's suggestion of "cheaper and more extensive public transport system within and between main centres"

97 Policy suite 3.4 - Good quality infrastructure and services meet community needs

Support Martin O'Brien 18 : support submitter's suggestions for improving bus services particularly "Help people to get on buses all around Dunedin, Otago and Southland."

Support Patricia Scott 65 : support submitter's comments and suggestions re public transport

99 Policy 3.4.2 - Managing infrastructure activities

Support Airways Corporation of New Zealand Limited 43: support submitter's requested inclusion of "networks" as in "Protect infrastructure corridors and networks for infrastructure needs, now and for the future." Agree with submitter that "Not all infrastructure is located in corridors, but operated as a network.."

114 Policy 3.6.6 - Reducing long term demand for fossil fuels

Support Hampden Community Energy Inc 64 : support submitter's comments and suggestions re public transport

Support QLDC 95 requested amendment "Policy address the need to consider public transport requirements during site design and transport planning phases."

Oppose Dunedin City Council 156 : oppose inclusion of "where available" - Bus Go submits that the text "integrated with public transport" should stand unamended. Integration of the whole transport network with public transport (and vice versa) can future proof aspects of design of the network allowing extension to new areas of public transport where it is not already available, and this is to be encouraged. There are examples of transport network construction where public transport has not been allowed for which has caused hardship to bus users. The inclusion of the words "where available" could result in public transport not being provided for if it doesn't happen to be already operating in a particular part of a transport network.



--

from Peter Dowden

news photo collator/archivist: [odt.co.nz](http://odt.co.nz)

compiler of comic verse: [twitter.com/odtclerihew](https://twitter.com/odtclerihew)

bus and coach driver: [gobus.go.nz](http://gobus.go.nz)

bus drivers' union rep [union.org.nz/organisation/nz-tramways-and-public-transport-union](http://union.org.nz/organisation/nz-tramways-and-public-transport-union)

transport history geek: [otagoheritagebus.co.nz](http://otagoheritagebus.co.nz)

public transport users' advocate: [busgodunedin.wikia.com](http://busgodunedin.wikia.com)

please consider the environment and travel by public transport

12 Woodhaugh St, Woodhaugh, Dunedin/Ōtepoti, 9010

+64-3-467 9353 (mornings are best)

+64 21 137 2129 (mobile; please try landline first)

[facebook.com/peter.dowden](https://facebook.com/peter.dowden)

## Additional Submission to Otago Regional Council

on

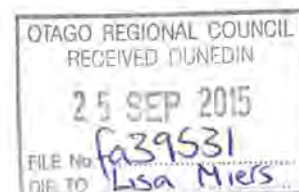
## Proposed Regional Policy Statement for Otago

### Submitter

**Peter Foster**

61 Whites Rd  
Merton  
R.D. 1  
Waikouaiti 9471

Phone 4657885  
Mobile 0272657885  
Email petefozzil@gmail.com



I wish to be heard in support of my submission on sea level

I would consider presenting jointly, if the time allotted per submitter is the same as the time allotted for a submitter not presenting jointly.

---

### Additional submission;

regarding the value of **predicted Sea Level** used in the Regional Policy Statement.

The IPCC has always claimed that CO<sub>2</sub> was the only significant driver of climate change. The sun they said had insignificant effect, as did ocean oscillations, galactic cosmic rays and anything else.

Looking back in history we should, therefore, see a correlation with CO<sub>2</sub> rising slightly ahead of global warming and falling slightly ahead of cooling.

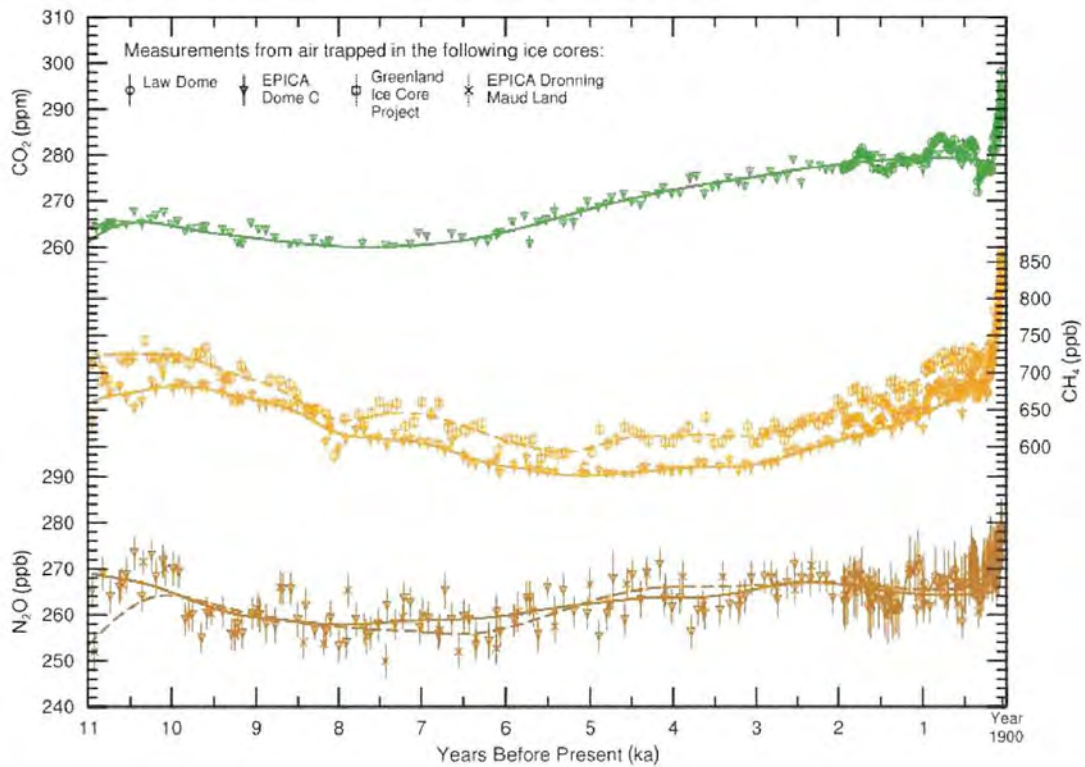
The first graph is from the IPCC Assessment Report 5 (2013) Working Group 1 Chapter 6 page 483

It shows that over the last 10,000 years, until 50 years ago, CO<sub>2</sub> ranged gently between 260 and 280 ppm .

The second graph is the ice core data from Greenland. It shows that during the same time period climate has changed dramatically, from very warm periods to periods much colder than today.

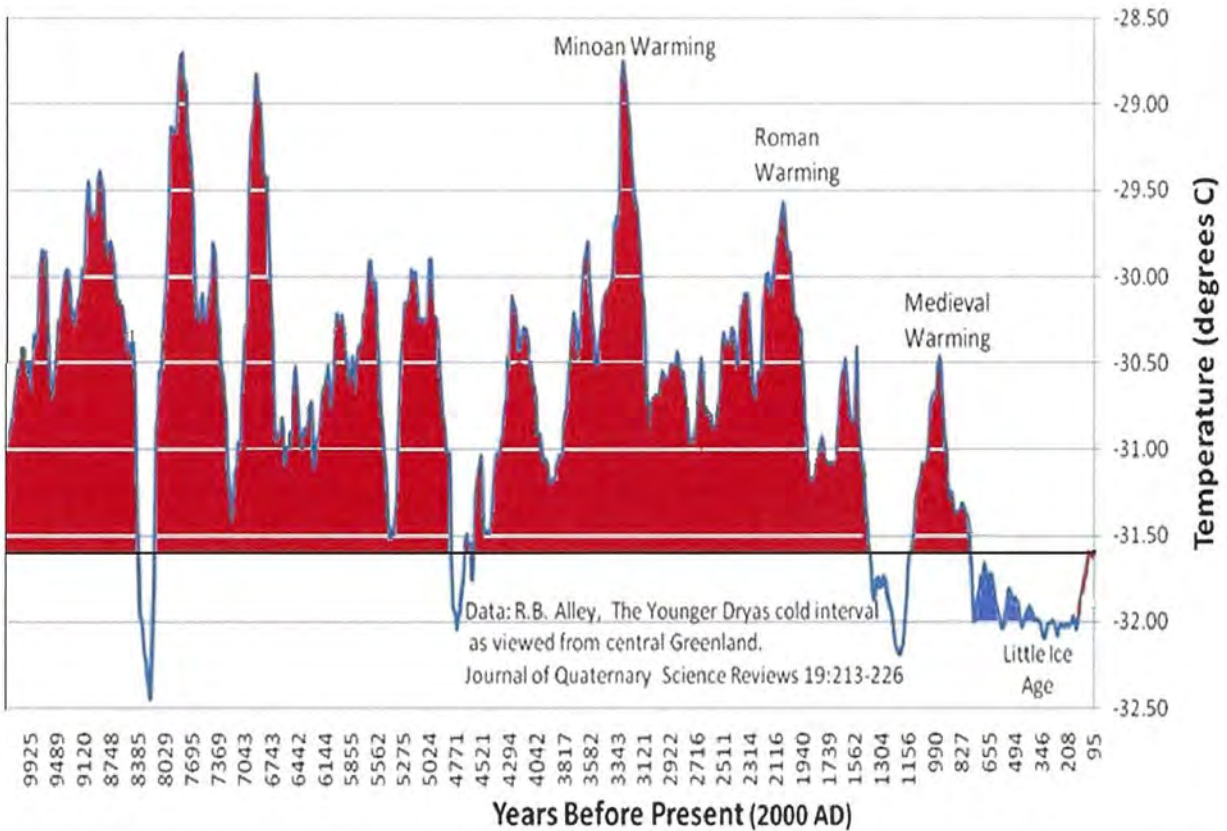
97% of the last 10,000 years were significantly warmer than today (shown in red shading)., particularly around 6700 to 7700 years ago.

Far from being the warmest, as some claim, 2014 was among the 300 coldest years in the last 10,000.



**Figure 6.6** | Variations of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O concentrations during the Holocene. The data are for Antarctic ice cores; European Programme for Ice Coring in Antarctica EPICA Dome C (Flückiger et al., 2002; Monnin et al., 2004), triangles; EPICA Dronning Maud Land (Schill et al., 2010b), crosses; Law Dome (MacFarling-Meure et al., 2006), circles; and for Greenland Ice Core Project (GRIP) (Blunier et al., 1995), squares. Lines correspond to spline fits.

### Greenland GISP2 Ice Core - Temperature Last 10,000 Years



These results have been confirmed by hundreds of peer reviewed papers from all around the world showing that these changes were global

Examples include; the expansion of the tropical rain belt between 9500 and 5000 years ago which resulted in the Sahara being covered in tropical vegetation with flowing rivers.

The retreating glacier in the Swiss Alps that last year uncovered the remains of a forest that was destroyed by the glacial advance 4000 years ago.

Clearly it had to be substantially warmer for hundreds of years for forests to develop and grow to maturity.

Caution - Global warming is never uniform across the globe. The tropics do not increase in temperature, instead the tropical rain belt broadens. Outside of that band temperatures increase progressively towards the polar regions.

**This data shows unequivocally;**

**that climate changes without any change in CO2**

It proves that the climate models cannot be validated (a process used in model analysis that requires the models to run backwards and reproduce the known changes) because the models are predicated on CO2 being the major driver of climate, yet all these changes occurred without any input from CO2.

**Since sea level rise is based on climate sensitivity, which is turn is based on CO2 being the main driver of climate change, then the values from the IPCC models are therefore wrong.**

Obviously all these changes in the last 10,000 years were driven by factors not yet understood, there are several candidates, but none have emerged as a clear cause.

But, does CO2 drive climate change independently of these other factors ?

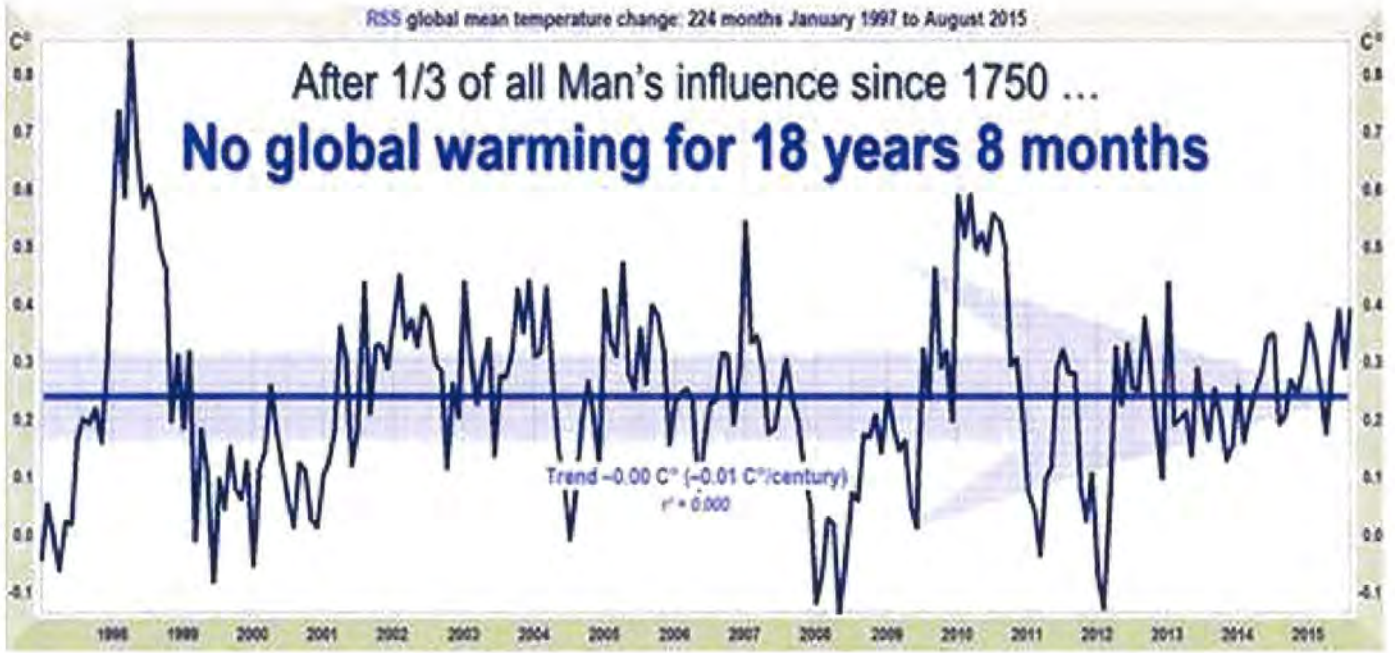
The US Department of Energy, Carbon Dioxide Analysis Information Centre, has calculated the human emission of CO2 since 1750. One third of all emissions since then have been put into the atmosphere in the last 18 years.

*NB any molecule of CO2 put into the atmosphere will have an immediate effect in absorbing infra red radiation - the increase in atmospheric temperature should follow rapidly.*

The graph below comes from the Remote Satellite Systems analysis of global temperature.

The satellite analysis can be relied on as the only reliable measure of global temperatures for the following reasons;

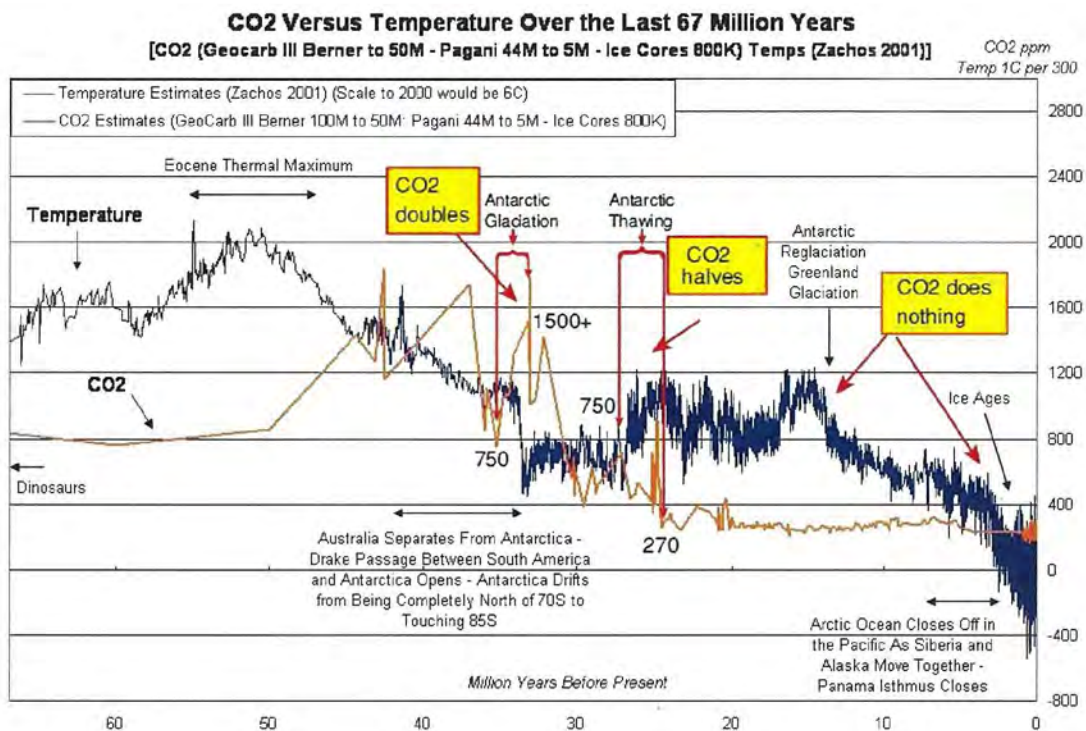
1. The satellites cover the whole Earth twice a day
2. The measurement is made by one or two instruments consistently as opposed to thousands of instruments
3. The measurement is of a band several kilometres thick so is not subject to UHI from cities or other close ground effects
4. The data correlates exceedingly well with balloon data
5. The data processing methodology is publicly available for all scientists to analyse if they wish (as all research should be) - The data from GISS, NOAA and HadCRU is not.
6. two different organisations analyse the satellite data using different methodology and sometimes different satellites yet the results are very very close to each other.



The situation here is that CO2 has risen significantly without any corresponding rise in global temperatures.

When this data is combined with that I have already presented in my DCC submission then it is clear that;

**CO2 has never driven any change of climate in the last 600 million years**



## **This being the case; why does the ORC base its sea level projections on the IPCC claims**

Satellite sea level altimetry.

Further to the points I have made regarding the inaccuracy and adjustment of the satellite sea level data from Boulder Colorado.

The satellites show sea level rising at almost double the rate that tide gauges do. Before using such data you should understand how it is processed and the inherent inaccuracies in this method. see <http://www.john-daly.com/altimetry/topex.htm>.

ORC staff have a duty to the ratepayers to use good scientific data to assess risk from sea level rise.

Currently it is using a hypothesis that is based on a huge number of assumptions where many parameters are simply guesses.

- (a) it is impossible to calculate a value for climate sensitivity from the climate models.
- (b) most projections have failed
- (c) the main method by which CO<sub>2</sub> heats the atmosphere has been shown not to exist.

No person in their right minds would ever use the IPCC data for public policy and indeed senior scientists involved in production of these models (Kevin Trenberth) has publicly warned against such use.

So why are you using it ?

Peter Foster  
25th September 2015

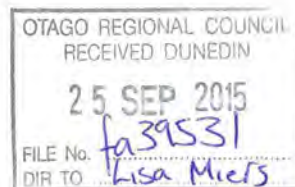


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25 September 2015

Freepost ORC 497  
Otago Regional Council  
Private Bag 1954  
Dunedin 9054



-delivered via e-mail-

Attention: Ralph Henderson

Dear Ralph

**Proposed Otago Regional Policy Statement 2015 – Further Submission by Rayonier Matariki Forests Limited.**

Please accept this letter as a further submission on behalf of Rayonier Matariki Forests (Rayonier).

**Submitter:** Rayonier Matariki Forests Limited (Rayonier)  
**Contact:** Sam Scarlett (sam.scarlett@rayonier.com)  
**Contact Person/**  
**Address For**  
**Service:** Katherine Davies (katherine@ktbplanning.co.nz)  
KTB Planning Consultants Ltd  
PO Box 641  
Cambridge 3450

Phone: 07 823 3584 or 021 445 425

**Trade Competition:** Rayonier could not gain an advantage in trade competition through this submission.

**Hearing:** Rayonier does wish to be heard in support of its submission and is prepared to consider presenting their submission in a joint case with others making a similar submission at any hearing.

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

Name of person or group making original submission and postal address	Original submission reference	I <b>support</b> or <b>oppose</b> the relief sought in the original submission
Federated Farmers - David Cooper, PO Box 5242, Dunedin 9058	115/166	Rayonier <b>support</b> the relief sought in the submission point as the word minimise sets a very high threshold. The use of the word manage is considered more appropriate in a resource management context.
Director-General of Conservation - Geoff Deavoll, Private Bag 4715, Christchurch Mail Centre 8140	117/174	Rayonier <b>oppose</b> the relief sought in the submission point and seek to have Policy 4.5.7 retained as notified. The implications of the amendments, including the new schedule, as requested in the submission are significant and need to be considered in the context of the proposed regional policy statement as a whole and therefore subject to a robust s32 analysis to determine their appropriateness. The amendments appear onerous and may further complicate the offsetting process.
Director-General of Conservation - Geoff Deavoll, Private Bag 4715, Christchurch Mail Centre 8140	117/175	Rayonier <b>oppose</b> the relief sought in the submission point and seek to have Policy 4.5.8 retained as notified. The implications of the new policy and schedule as requested in the submission are significant and need to be considered in the context of the proposed regional policy statement as a whole and therefore subject to a robust s32 analysis to determine its appropriateness.
Queenstown Airport Corporation - Kirsty O'Sullivan, Mitchell Partnerships, PO Box 489, Dunedin	122/44	Rayonier <b>support</b> the relief sought in the submission point as it is necessary to allow flexibility in circumstances where enhancement of significant indigenous vegetation and significant habitats of indigenous fauna is not appropriate and where avoidance, remediation or mitigation of adverse effects is not practicable.
Queenstown Lakes District Council - Marc Bretherton, Private Bag 50072, Queenstown 9348	95/42	Rayonier <b>support</b> the relief sought in the submission point as they support Policy 2.2.1 as notified.