

# Council Meeting Agenda - 24 February 2021

Meeting will be held in the Council Chamber, Level 2, Philip Laing House  
144 Rattray St, Dunedin



## Members:

Cr Andrew Noone, Chairperson	Cr Carmen Hope
Cr Michael Laws, Deputy Chairperson	Cr Gary Kelliher
Cr Hilary Calvert	Cr Kevin Malcolm
Cr Michael Deaker	Cr Gretchen Robertson
Cr Alexa Forbes	Cr Bryan Scott
Hon Cr Marian Hobbs	Cr Kate Wilson

Senior Officer: Sarah Gardner, Chief Executive

Meeting Support: Liz Spector, Committee Secretary

24 February 2021 01:00 PM

## Agenda Topic

## Page

### 1. APOLOGIES

No apologies were noted at the time of publication of the agenda.

### 2. PUBLIC FORUM

Requests to speak should be made to the Governance Support team on 0800 474 082 or to [governance@orc.govt.nz](mailto:governance@orc.govt.nz) at least 24 hours prior to the meeting; however, this requirement may be waived by the Chairperson at the time of the meeting.

No requests were received prior to publication of the agenda.

### 3. CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

### 4. CONFLICT OF INTEREST

Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.

### 5. PRESENTATIONS

5.1 Yellow-eyed Penguin Trust - Te Tautiaki Hoiho Annual Update to Council

### 6. CONFIRMATION OF MINUTES

The Council will consider minutes of previous Council Meetings as a true and accurate record, with or without changes.

6.1 [Minutes of the 9 December 2020 Council Meeting](#)

6.2 [Minutes of the 10 February 2021 Extraordinary Council Meeting](#)

4

4

12

7.	<b>ACTIONS (Status of Council Resolutions)</b>	15
	The Council will review outstanding resolutions.	
8.	<b>MATTERS FOR COUNCIL CONSIDERATION</b>	16
8.1	<b>ORC PARTICIPATION IN DUNEDIN CITY ZERO CARBON 2030 ALLIANCE</b>	16
	To consider whether to join the proposed Dunedin City Zero Carbon 2030 Alliance.	
8.2	<b>RPS PANEL RECOMMENDATION PROCESS</b>	21
	To confirm the process to select the ORC nominated Freshwater Hearings Panel members who will hear, consider and make recommendations to Council on the proposed Regional Policy Statement 2021 (RPS).	
8.2.1	<b>Attachment 1: Flow Diagram - Freshwater Hearings Panel Process</b>	25
8.3	<b>ADDING FURTHER OPERATIVE PROVISIONS TO THE PARTIALLY OPERATIVE OTAGO REGIONAL POLICY STATEMENT 2019</b>	26
	This paper recommends making more of the proposed Otago Regional Policy Statement (pORPS) operative, by approving sections that have either been granted consent orders or finalised through appeals.	
8.3.1	<b>Attachment 1: RPS Version 2021.02.09 tracked text draft partially operative Appendix 1</b>	34
8.3.2	<b>Attachment 2: RPS v 2021.02.09 Clean draft pORPS Ch 3 update</b>	201
8.4	<b>LOCAL GOVERNMENT FUNDING AGENCY MEMBERSHIP PROPOSAL</b>	353
	This report is provided to allow consideration of whether the Otago Regional Council should join the Local Government Funding Agency (LGFA) and to approve commencement of the process for that to occur.	
8.4.1	<b>Attachment 1: LGFA Presentation to Audit and Risk Subcommittee 2021.02.17</b>	357
8.5	<b>DOCUMENTS SIGNED UNDER COUNCIL SEAL</b>	368
	To inform the Council of delegations which have been exercised during the period 28 October 2020 through 17 February 2021.	
9.	<b>RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS</b>	369
9.1	<b>Strategy and Planning Committee Recommendations</b>	369
	Resolutions passed at the 10 February 2021 Strategy and Planning Committee are presented for adoption.	
9.2	<b>Governance, Communications and Engagement Recommendations</b>	371
	Resolutions passed at the 10 February 2021 Governance, Communications and Engagement Committee are presented for adoption.	
10.	<b>CHAIRPERSON'S AND CHIEF EXECUTIVE'S REPORTS</b>	372
10.1	<b>CHAIRPERSON'S REPORT</b>	372
10.2	<b>CHIEF EXECUTIVE'S REPORT</b>	374
11.	<b>REPORT BACK FROM COUNCILLORS</b>	
	Councillors may update the meeting on on Council-related business undertaken since the previous Council Meeting.	

12.	RESOLUTION TO EXCLUDE THE PUBLIC	376
	That the public be excluded under LGOIMA Sec 48(1)(a) from discussions on the following items:	
	• Confirmation of minutes of the public-excluded Council Meeting of 9 December 2020	
	• Confirmation of minutes of the public-excluded Extraordinary Council Meeting of 10 February 2021	
	12.1 <a href="#">Public Excluded Reason and Grounds</a>	376
13.	CLOSURE	



Minutes of an ordinary meeting of Council held in the  
Conference Room of the Harvest Hotel  
6 Barry Ave, Cromwell  
Wednesday 9 December 2020 at 1:00 PM

**Membership**

Cr Andrew Noone *(Chairperson)*  
Cr Michael Laws *(Deputy Chairperson)*  
Cr Hilary Calvert  
Cr Alexa Forbes  
Cr Michael Deaker  
Hon Cr Marian Hobbs  
Cr Carmen Hope  
Cr Gary Kelliher  
Cr Kevin Malcolm  
Cr Gretchen Robertson  
Cr Bryan Scott  
Cr Kate Wilson

**Welcome**

Chairperson Andrew Noone welcomed Councillors, members of the public and staff to the meeting at 1 p.m.

Staff present included: Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gavin Palmer (GM Operations), Richard Saunders (GM Regulatory), Amanda Vercoe (Executive Advisor), Liz Spector (Committee Secretary), Gary Maloney (Manager Transport), Rebecca Sidaway (Service Delivery Lead), David McDowell (Infrastructure and Services Lead). Gwyneth Elsum (GM Strategy, Policy and Science) was present via electronic link.

*For our future*

70 Stafford St, Private Bag 1954, Dunedin 9054 | ph (03) 474 0827 or 0800 474 082 | [www.orc.govt.nz](http://www.orc.govt.nz)

## **1. APOLOGIES**

There were no apologies.

## **2. CONFIRMATION OF AGENDA**

Chairperson Noone made a motion to add an item 7.5, to acknowledge staff contributions throughout 2020.

### **Resolution**

*That an item be added after Item 8 to acknowledge staff contributions throughout 2020 be added to the agenda.*

Moved: Cr Noone

Seconded: Cr Calvert

CARRIED

## **3. CONFLICT OF INTEREST**

No conflicts of interest were advised.

## **4. PUBLIC FORUM**

Mr Kevin Allan and Mr Charlie Hore were present to speak to the Council during Public Forum about wallaby eradication. Mr Allan thanked ORC for its ongoing work towards this effort. He said it will be challenging to come up with a wallaby eradication plan that works for the entire country and would like the ORC to consider forming a regional wallaby control group similar to the wilding conifer control groups. He also suggested input from Central Government will be helpful. Several questions were asked of the gentlemen and then Cr Noone thanked Mr Allan and Mr Hore for coming to the meeting.

## **5. CONFIRMATION OF MINUTES**

### **Resolution**

*That the minutes of the (public portion of the) Council meeting held on 25 November be received and confirmed as a true and accurate record.*

Moved: Cr Hope

Seconded: Cr Robertson

CARRIED

## **6. ACTIONS (STATUS OF COUNCIL RESOLUTIONS)**

Outstanding actions from resolutions of Council were reviewed.

## **7. MATTERS FOR COUNCIL CONSIDERATION**

### **7.1. ORC Involvement in QLDC Spatial Planning**

The report was provided to present a request from Queenstown Lakes District Council for an ORC contribution towards funding part of a Housing Capacity Assessment for the Queenstown Lakes area. Kyle Balderston (Team Leader Urban Growth and Development) and Caroline Dumas (QLDC Spatial Plan Manager) were present to speak to the report and respond to questions. Mr Balderston noted that agreeing to this request from QLDC will be consistent

with the policy requirements of the NPS UD and the first step to the joint responsibility for development of FDS/Spatial plan for 2024 at both a staff and governance level.

After a general discussion of the report and questions for staff, Cr Robertson moved:

#### **Resolution**

*That the Council:*

- 1) **Receives** this report;
- 2) **Notes** the funding request from QLDC for a Housing Assessment delivered by 31 July 2021;
- 3) **Approves** the funding of 50% share, up to \$50,000 as detailed in Option A;
- 4) **Notes** that the requested funding is unbudgeted for this Financial Year; and
- 5) **Notes** that a proposed funding envelope to meet ORCs obligations to all of the region's Tier 2 and 3 Councils will be part of the upcoming LTP proposals, which would provide certainty around funding and associated work programmes from July 2021.

Moved: Cr Robertson

Seconded: Cr Wilson

CARRIED

#### **7.2. Regional Public Transport Plan - Scope**

The current Regional Public Transport Plan (RPTP or Plan) was adopted in 2014 and gave effect to the new Public Transport Operating Model (PTOM). The Plan has been amended since to reflect changes within the region and the current operating environment is significantly different than 2014. A full review of the Plan is now being undertaken due to these reasons. This report was provided to Council for its endorsement of the proposed approach to the RPTP review, including timelines and engagement. Garry Maloney (Manager Transport) and Gavin Palmer (GM Operations) were present to speak to the report and respond to questions.

Cr Hobbs asked how ORC intends to attract customers to use public transport. Mr Maloney said much work is underway in Central Otago, Queenstown, and Wanaka as well as the Shaping Future Dunedin project to encourage public transport use and to promote mode shift. Cr Scott asked about implications of delaying the review. Dr Palmer said the best window of opportunity to do the Plan review is now. Cr Wilson noted her concern about shortened time frames which might negatively impact the ability to get the best information from all stakeholders and other partners. Cr Deaker said he was not in favour of delaying the review. He said community consultation should begin soon to give Council time to work out how to affordably give the community what it asks for. Cr Hobbs voiced her support for the Plan review and encouraged staff and governance to work in partnership with Dunedin City Council to improve public transport for the area.

After further discussion, Cr Wilson moved:

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.

- 2) **Notes** Council has already received feedback to be considered in the development of the Plan through Annual Plan processes, community input and Councillor engagement with territorial authorities to date on public transport.
- 3) **Endorses** the proposed scope, with the addition of encouraging mode shift, increasing patronage and delivery of real time and other services that are envisaged in 2014 RPTP, and monitoring the existing regional passenger transport services, noting these will be refined through development of the Review.

Moved: Cr Wilson

Seconded: Cr Calvert

CARRIED

### **7.3. Phase 2 Bus Fares for Dunedin and Queenstown**

This paper was provided to obtain decisions from Council on bus fares in Dunedin and Queenstown for 2021, following the end of the Phase 1 (transitional) fare period put in place in both centres to enable implementation of the new electronic ticketing system. Garry Maloney (Manager Transport) and Gavin Palmer (GM Operations) were present to speak to the report and respond to questions.

Cr Malcolm asked whether the funding implications detailed in the paper were considered in LTP funding and Mr Maloney said they had been. Cr Hobbs said she strongly supports the recommendations and knows many regular users of public transport who are supportive of a universal fare. She said the ORC should work to encourage increased patronage and build trust with the community. After further discussions, Cr Hobbs moved:

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves** fare Option D2 (retain the current fares [excluding SuperGold Card] at least until the end of the 2020/21 financial year) for Dunedin.
- 3) **Notes** that at a staff level there has been engagement with Dunedin City Council staff on this matter and advice received that Dunedin City Council will await the outcome of the Regional Council's deliberations on this matter before considering its own response.
- 4) **Notes** that the fare revenue implication of Option D2 is forecast as a reduction in 2020/21 annual fare revenue of about \$600,000.
- 5) **Approves** fare Option Q1 (return to pre-COVID-19 fares) for Queenstown.
- 6) **Notes** that the fare revenue implication of Option Q1 is forecast as a reduction in 2020/21 annual fare revenue of about \$470,000.
- 7) **Approves** fare Option SGCA (free for SuperGold Bee card holders in the weekday interpeak period and after 6:30 pm and free all weekend) for both Dunedin and Queenstown.

- 8) **Notes** that the fare revenue implication of Option SGCA is estimated to be a monthly increase of about \$9,000 compared to the Phase 1 (transitional) period (incorporated in the values in recommendation's 4 and 6).
- 9) **Notes** that the changes recommended above to Dunedin and Queenstown fares will be implemented following the end of the Christmas 2020 electronic ticketing system change-freeze in mid-January 2021 (changes likely to be implemented in February 2021).
- 10) **Seeks** a quarterly report on SuperGold Bee Card holders' usage with a view to understanding the choices we make including possible discussions with LGNZ to work with Central Government towards increased funding.

Moved: Cr Hobbs  
Seconded: Cr Deaker  
CARRIED

Cr Noone moved that the meeting be adjourned at 3:00 p.m. for a short break. Cr Hope seconded, and the motion was carried. The meeting resumed at 3:15 p.m.

#### **7.4. Shaping Future Dunedin Transport Business Case**

This report provided detail on proposed Council projects included in the Shaping Future Dunedin Transport Programme to consider including in the 2021-2031 Long Term Plan. Garry Maloney (Manager Transport) and Gavin Palmer (GM Operations) were present to speak to the report and respond to questions.

A discussion was held about how to effect mode shift, with Mr Maloney noting the business case will primarily be around mode shift. Cr Kelliher asked how the programme would address the potential issue of parking deficiencies around the new hospital. Mr Maloney said this wasn't an issue that ORC had much influence over and would be addressed by the hospital working groups. Cr Wilson asked about real-time services for the buses and indicated she would add this to the resolution recommendations. Cr Deaker then noted that at a recent meeting of the Shaping Future Dunedin group, it was discussed to have the project team speak to ORC and DCC Councillors in a joint briefing. He said this was hopefully going to happen in January or February 2021.

After further discussion, Cr Wilson moved:

#### **Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Approves** the inclusion of the Otago Regional Council projects in the Shaping Future Dunedin Transport Programme (as outlined in this report) within the Draft 2021-2031 Long Term Plan.
- 3) **Approves** for inclusion in the business case development of the projects outlined in this report including consideration of a real time service.

Moved: Cr Wilson  
Seconded: Cr Calvert  
CARRIED



### 7.5. Councillor Appointment to Otago Catchment Community Governance Group

*Cr Scott left the meeting during deliberations on this item.*

The Otago Catchment Community is in the process of becoming an incorporated society and has elected the founding governance group members in line with this. As part of the formation of the governance group, the Otago Catchment Community invited Otago Regional Council to nominate a representative to sit on this committee. Chairperson Noone nominated Cr Bryan Scott to be the ORC Representative.

#### Resolution

*That the Council:*

- 1) **Receives** this report.
- 2) **Agrees** to nominate Councillor Bryan Scott to be the ORC representative on the Otago Catchment Community Governance Group.

Moved: Cr Noone  
Seconded: Cr Forbes  
CARRIED

*Cr Scott returned to the meeting.*

## 8. RECOMMENDATIONS ADOPTED AT COMMITTEE MEETINGS

### 8.1. Recommendations of the 1 December 2020 Strategy and Planning Committee

#### Resolution

*That the Council:*

- 1) *Adopts the resolutions of the 1 December 2020 Strategy and Planning Committee.*

Moved: Cr Calvert  
Seconded: Cr Robertson  
CARRIED

### 8.2. Recommendations of the 25 November Finance Committee

#### Resolution

*That the Council:*

- 1) *Adopts the resolutions of the 25 November Finance Committee.*

Moved: Cr Calvert  
Seconded: Cr Robertson  
CARRIED

Per the resolution to add an item to the agenda, Cr Noone moved:

**Resolution**

*That Governance sincerely appreciates all the hard work and dedication by staff during a very difficult year; the hurdles and challenges have been extreme - thank you all for being so committed to Team ORC.*

Moved: Cr Noone  
 Seconded: Cr Deaker  
 CARRIED

**9. RESOLUTION TO EXCLUDE THE PUBLIC**

**Resolution**

*That the Council excludes the public from the following part of the proceedings of this meeting (pursuant to the provisions of the Local Government Official Information and Meetings Act 1987) and also moves Shipleys IT staffer Nathan be permitted to remain at this meeting, after the public has been excluded, because of their knowledge of the technology.*

Moved: Cr Noone  
 Seconded: Cr Wilson  
 CARRIED

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
1.1 Minutes of the 25 Nov 2020 Public-excluded Council Meeting	Section 7(2)(g) - To maintain legal professional privilege.  Section 7(2)(i) - To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  Section 7(2)(j) - To prevent the disclosure or use of official information for improper gain or improper advantage.	
3.1 Lake Wakatipu Ferry Service Trial Procurement Approval	Section 7(2)(i) - To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).  Section 7(2)(j) - To prevent the	Section 48(1)(a); subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of

	disclosure or use of official information for improper gain or improper advantage.	the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
3.2 <i>Chief Executive Key Performance Indicators Update</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a)	Section 48(1)(a); subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

This resolution was made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by section 6 or section 7 of that Act or section 6 or section 7 or section 9 of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

**10. CLOSURE**

The was no further public business and Chairperson Noone declared the public meeting closed at 03:20 pm.

\_\_\_\_\_  
Chairperson

\_\_\_\_\_  
Date



## Minutes of an extraordinary meeting of Council held in the Council Chamber on Wednesday 10 February 2021 at 3:30 PM

### **Membership**

Cr Andrew Noone	<i>(Chairperson)</i>
Cr Michael Laws	<i>(Deputy Chairperson)</i>
Cr Hilary Calvert	
Cr Alexa Forbes	
Cr Michael Deaker	
Hon Cr Marian Hobbs	
Cr Carmen Hope	
Cr Gary Kelliher	
Cr Kevin Malcolm	
Cr Gretchen Robertson	
Cr Bryan Scott	
Cr Kate Wilson	

### **Welcome**

Chairperson Andrew Noone welcomed Councillors and invited staff to the Extraordinary Council Meeting at 3:31 p.m.

Staff present included Sarah Gardner (Chief Executive), Nick Donnelly (GM Corporate Services), Gwyneth Elsum (GM Strategy, Policy and Science), Gavin Palmer (GM Operations), Amanda Vercoe (Executive Advisor), Liz Spector (Committee Secretary), Catherine Harper, Dianne Railton.

*For our future*

70 Stafford St, Private Bag 1954, Dunedin 9054 | ph (03) 474 0827 or 0800 474 082 | [www.orc.govt.nz](http://www.orc.govt.nz)

## 1. APOLOGIES

There were no apologies. Cr Forbes was present via teleconference.

## 2. CONFIRMATION OF AGENDA

The agenda was confirmed as published.

## 3. CONFLICT OF INTEREST

Cr Calvert declared a conflict of interest and did not attend the meeting.

## 4. RESOLUTION TO EXCLUDE THE PUBLIC

That the public be excluded from the following part of the meeting under LGOIMA 48(1)(a):

### *1.1 Request approval of unbudgeted operational property lease contracts*

Moved: Cr Noone

Seconded: Cr Wilson

CARRIED

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under [section 48\(1\)](#) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
<i>1.1 Request approval of unbudgeted operational property lease contracts</i>	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)	Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist - Section 48(1)(a)

This resolution was made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official

Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.

## **5. CLOSURE**

Chairperson Noone declared the public meeting closed at 03:33 pm.

---

Chairperson

DRAFT

**ACTION REGISTER – OUTSTANDING RESOLUTIONS OF COUNCIL (PUBLIC) AT 24 FEBRUARY 2021**

Meeting Date	Document	Item No.	Item	Status	Action Required	Assignee/s	Action Taken	Due Date	Completed (Overdue)
26/08/2020	Council Meeting 2020.08.26	10.4	GOV1937 Electoral System for 2022 and 2025 Local Body Elections	In Progress	Work with Electoral Officer to include a poll asking for voter preference for STV/FPP alongside voting papers for the 2022 local elections.	Committee Secretary, Executive Advisor	<p><b>1/09/2020 Committee Secretary</b></p> <p>Contacted Electoral Officer Anthony Morton of Electionz for information. He will update our file, noting the request to conduct the poll with the 2022 election. He indicated additional cost of approx \$75,000, not including additional comms that will be necessary.</p> <p><b>14/09/2020 Committee Secretary</b></p> <p>Public Notice in ODT on 12/9/20 to meet legislative requirements and to advise ORC intends to conduct a poll on voting systems alongside the 2022 local body elections.</p>	01/01/2022	
09/12/2020	Council Meeting 2020.12.09	7.3	PT1916 Phase 2 Bus Fares for Dunedin and Queenstown	Assigned	Provide a quarterly report to Council on SuperGold Bee Cardholders' usage with a view to understanding the choices we make including possible discussions with LGNZ to work with Central Govt towards increased funding.	General Manager Operations, Manager Transport		24/03/2021	

### 8.1. ORC participation in Dunedin City Zero Carbon 2030 Alliance

**Prepared for:** Council  
**Report No.** GOV1959  
**Activity:** Governance Report  
**Author:** Amanda Vercoe, Executive Advisor  
**Endorsed by:** Sarah Gardner, Chief Executive  
**Date:** 19 February 2021

---

#### PURPOSE

- [1] To consider whether to join (as a founding member if timing matches) the proposed Dunedin City Zero Carbon 2030 Alliance.

#### EXECUTIVE SUMMARY

- [2] In late 2020, Dunedin City Council approved in principle the concept of establishing a Zero Carbon 2030 Alliance (the Alliance) to take a partnership approach to individual organisation carbon emissions reduction, and Dunedin City carbon emissions reduction. Otago Regional Council has been invited to join the Alliance.
- [3] The goal of the Alliance is to support the Dunedin City's target of achieving net zero emissions by 2030 (excluding biogenic methane)<sup>1</sup>, which is more ambitious than the national target of 2050<sup>2</sup>, and for members to work together to reduce their own organisational emissions. Organisations currently involved in discussions are Otago Polytech, Otago University, Dunedin based rūnaka, and the Southern District Health Board. A draft Memorandum of Understanding is being developed.
- [4] The Otago Regional Council has two key work programmes as part of its climate change mitigation programme
- a. The ORC's organisational Greenhouse Gas Emissions Inventory, and action plan being led by Corporate Services to work towards being net carbon zero (considered by Council on 25 November 2020)
  - b. The Otago region emissions inventory that is currently being prepared in conjunction with Otago Territorial Authorities being led by the Strategy Team (considered by Council on 12 November 2020)
- [5] Joining the current discussions on the Alliance would support ORC's key mitigation work programmes, given Dunedin is where a significant proportion of ORC's operational emissions occur (transport fuels, electricity, airline travel and waste associated with

---

<sup>1</sup> The Dunedin City Council has adopted a target for Dunedin's emissions in two parts:

- net zero emissions of all greenhouse gases other than biogenic methane by 2030, and
- 24 to 47 per cent reduction below 2017 biogenic methane emissions by 2050, including 10 per cent reduction below 2017 biogenic methane emissions by 2030



Stafford St). Public transport, for which ORC has responsibility for, also contributes to Dunedin City's emissions. The Alliance would provide an avenue for considering actions and next steps relevant to Dunedin as part of the Otago regional emissions inventory. The Alliance could also potentially be a partnership model that is used in other parts of the region.

- [6] There is no obligation in the draft MOU for any Alliance member to formally adopt the DCC's target of city-wide net carbon neutrality (excluding biogenic methane) by 2030. However, there are references in the draft MOU to Alliance member involvement in the DCC-led Zero Carbon 2030 Plan development. It is also anticipated by the draft MOU that each Alliance member would monitor and seek to manage down their organisational emissions.

## RECOMMENDATION

*That the Council:*

- 1) **Notes** the ORC has been invited to become part of the proposed Dunedin City Zero Carbon 2030 Alliance.
- 2) **Agrees** that the Chief Executive should write to the Dunedin City Council Chief Executive to confirm participation by the Otago Regional Council in the founding group developing the Memorandum of Understanding and Terms of Reference for the Alliance.
- 3) **Notes** that should Council agree to ORC participating in the founding group discussions, the MOU will be brought back to Council for approval to sign up and participate as a member.

## BACKGROUND

*Otago Regional Council emissions reduction activity*

- [7] In November 2020, Otago Regional Council considered its organisational Greenhouse Gas (GHG) Emissions Inventory and noted that Council would work towards being net carbon zero. This work involves Council working through the action plan that formed part of its inventory assessment and considering the process and cost for inclusion in the LTP 2021-31. Councillors were clear they did not want staff to use carbon offsets as a contributor to reducing emissions in the short term. No timeframes were set for getting to carbon zero.
- [8] At the same time, the ORC has also commissioned an Otago wide emissions inventory, working alongside each of Otago's territorial authorities. Understanding the region's carbon emissions profile is the first step towards effective mitigation and could form the basis of future regional collaboration and any advocacy or other appropriate action by ORC on behalf of the region. This is due to come back to Council around May 2021.

*National Context*

- [9] In 2019, the New Zealand Government passed the Climate Change Response (Zero Carbon) Amendment Act 2019 which set a new domestic greenhouse gas emissions reduction target for New Zealand to:
- a. reduce net emissions of all greenhouse gases (except biogenic methane) to zero by 2050

- b. reduce emissions of biogenic methane to 24–47 per cent below 2017 levels by 2050, including to 10 per cent below 2017 levels by 2030

- [10] On 2 December 2020, the New Zealand Government declared a climate emergency. A Carbon Neutral Government Programme was announced alongside the declaration and will require public sector agencies to measure and publicly report on their emissions and to offset any they can't cut by 2025.
- [11] In late January 2021, the New Zealand Climate Commission released draft advice for consultation on how New Zealand can achieve its 2050 target (a separate report is being prepared for Council). In parallel, the Government also announced its commitment to decarbonising the public transport bus fleet by 2035. In order to do this, by 2025, the Government will only allow zero-emission public transport buses to be purchased. To support regional councils to achieve these outcomes, a \$50 million fund over four years has been established (more information can be found [here](#)).
- [12] In short, national political momentum for committing to and achieving carbon zero targets is accelerating and there is reputational risk to the Otago Regional Council if we are not seen to be both leading and taking action.

#### **ISSUE**

- [13] Whether the Otago Regional Council should join discussions on being part of a proposed Dunedin City Zero Carbon 2030 Alliance.

#### **DISCUSSION**

- [14] In late 2020, Dunedin City Council approved in principle the concept of establishing a 'Zero Carbon 2030 Alliance' to take a partnership approach to city-wide emissions reduction, with Kāti Huirapa Rūnaka ki Puketeraki, Ōtākou Rūnaka, Otago Regional Council, Southern District Health Board, University of Otago and Otago Polytechnic to be approached as potential founding members.
- [15] Discussions have taken place between the potential founding members. The Alliance is likely to be formalised by way of a Memorandum of Understanding, with associated Terms of Reference for a steering group in the first quarter 2021.
- [16] The Dunedin City Zero Carbon 2030 Alliance is focussed on enhancing opportunities to work together and support each other with respect to reducing carbon emissions within organisations, and as a second step more broadly for Dunedin City.
- [17] Joining the current discussions on the Alliance would support ORC's mitigation action plan. The Alliance would also provide an avenue for considering actions and next steps relevant to Dunedin as part of the Otago regional emissions inventory.
- [18] There is no obligation in the draft MOU for any Alliance member to formally adopt the DCC's target of city-wide net carbon neutrality (excluding biogenic methane) by 2030. However, there are references in the draft MOU to Alliance member involvement in the DCC-led Zero Carbon 2030 Plan development. It is also anticipated by the draft MOU that each Alliance member would monitor and seek to manage down their organisational emissions.

## OPTIONS

- [19] **Option 1:** ORC could join the discussions on setting up the Dunedin City Zero Carbon 2030 Alliance.

### *Advantages*

- Joining the Alliance would signal a political commitment to work alongside the Dunedin City Council and other partners to reduce greenhouse gas emissions. This would also pave the way for a regional partnership approach.
- Working in partnership is an opportunity to learn and share information on organisational emissions reductions, but also for the ORC to contribute to Dunedin City plans (recognising some ORC managed activities – such as public transport – would be relevant with respect to Dunedin City).
- The Alliance model could be of value to the rest of the region, in due course.

### *Disadvantages*

- Dunedin is just one part of the ORC's, and region's emissions footprint. ORC would need to ensure that our carbon emissions reduction efforts weren't disproportionately focussed in Dunedin City.

- [20] **Option 2:** Status quo - ORC could choose not to join the discussions on setting up the Dunedin City Zero Carbon 2030 Alliance.

### *Advantages*

- Emissions reduction would continue to be progressed through existing work streams and through direct partnerships with relevant authorities.
- Otago Regional Council could continue with its own programme of work, at its own pace, and wouldn't have to dedicate resource to participating in the Alliance.

### *Disadvantages*

- The opportunity for ORC to coordinate across Dunedin City (our largest rate payer base and location for our Headquarters) with other partners could be lost (or would be done on an individual basis which would take more resource).
- The opportunity to signal an early political commitment to working with territorial authorities in Otago to combat carbon emissions would be lost.

## CONSIDERATIONS

### **Policy Considerations**

- [21] Joining the proposed Dunedin City Carbon Zero Alliance would support our existing work programmes and policy settings with respect to climate change mitigation and adaptation.

### **Financial Considerations**

- [22] Participating in the Alliance would require staff time. It's not clear at this stage how regular meetings would be, and how much staff time would be required. Participation would be led out of the ORC's Strategy Team.

**Significance and Engagement**

- [23] A decision to join the Alliance would be of low significance and would not require consultation with the community.

**Legislative Considerations**

- [24] See paragraph 9 above for the national legislative settings in New Zealand.
- [25] There is currently no legislative requirement for councils to develop organisational or regional greenhouse gas inventories and emission reduction target setting is also currently voluntary. However, RMA reform underway includes considering how land use planning can better support transition to a zero-carbon economy.

**Risk Considerations**

- [26] Climate change as a result of greenhouse gas emissions is a significant risk for Otago and subject to a high degree of uncertainty. There are risks to Otago Regional Council's reputation if we are not seen to be contributing to public sector efforts to reduce carbon emissions. Joining the Alliance would help us manage this risk.

**NEXT STEPS**

- [27] The next steps are for staff to proceed based on the guidance above from Council.

**ATTACHMENTS**

Nil

## 8.2. RPS Panel Recommendation Process

<b>Prepared for:</b>	Council
<b>Report No.</b>	SPS2101
<b>Activity:</b>	Regulatory: Policy Development
<b>Author:</b>	Anita Dawe, Manager Policy and Planning
<b>Endorsed by:</b>	Gwyneth Elsum, General Manager Strategy, Policy and Science
<b>Date:</b>	24 February 2021

---

### PURPOSE

- [1] To confirm the process to select the ORC nominated Freshwater Hearings Panel members who will hear, consider and make recommendations to Council on the proposed Regional Policy Statement 2021 (RPS).

### EXECUTIVE SUMMARY

- [2] Staff seek support for the process to nominate Commissioners to sit, hear and make recommendations on the proposed RPS 2021.
- [3] The process will satisfy all legal requirements under the Resource Management Act 1991, and the Local Government Act 2002, and provides for transparency and robustness.
- [4] The timeframes will ensure suitable notice of ORC's nominations to the Chief Freshwater Commissioner.

### RECOMMENDATION

*That the Council:*

- 1) **Approves** the process to seek nominations for the Freshwater Planning process
- 2) **Appoints** two elected members to sit on the shortlisting panel with one member of the Executive Leadership Team
- 3) **Notes** the steps in the process to follow, including interviews for candidates and formal recommendations for nominees to the Chief Freshwater Commissioner.

### BACKGROUND

- [5] The Resource Management Act 1991 (RMA) now provides for a new process to hear and decide freshwater planning instruments, called the Freshwater Planning process (FPP). The process is set out in Part 4 of the First Schedule to the Resource Management Act 1991 (the Act) and requires that regional councils nominate to the Chief Freshwater Commissioner, two members to sit on a Freshwater Hearings Panel that is considering a plan or policy statement.

- [6] As advised earlier to the Strategy and Planning Committee, staff consider that the proposed Regional Policy Statement 2021 (proposed RPS) is a freshwater planning instrument and therefore it must be heard through the FPP.
- [7] The proposed RPS is currently in the first stage of formal pre-notification consultation (RMA, Clause 3, First Schedule) and will continue to work through the statutory processes before coming to Council in mid-June, with a request to approve the section 32 report, and the proposed RPS, for public notification.
- [8] Notification is intended to occur in late June 2021, to comply with the agreed work programme set by the Minister for the Environment in December 2019.

### ISSUE

- [9] Section 59 of Part 4, First Schedule RMA sets out the composition of a Freshwater Hearings Panel to generally be a panel of five people<sup>1</sup>. Section 59(1)(b) requires that two (2) persons of the five are to be nominated by the [relevant] regional council, and those 2 persons may or may not be elected regional council members.
- [10] Staff have developed a process to select the two ORC nominees and seek Council endorsement of that process, to enable commencement of the nomination process.

### DISCUSSION

- [11] A Freshwater Hearing Panel under Section 59, Part 4, will usually have five members, comprised of two freshwater commissioners, one person with an understanding of tikanga Māori and mātauranga Māori who is either nominated by the local tangata whenua, or in the absence of a nomination, appointed by the Chief Freshwater Commissioner, and two members nominated by the regional council.
- [12] Staff propose a stepped process to seek nominees which is set out below (and shown in the Diagram attached as Appendix 1):
- An Expression of Interest (Eoi) process to commence on Monday 1 March, for a period of 2 weeks, closing Friday 12 March. The Eoi will seek expressions from accredited Commissioners who will or do have availability from late 2021 and into 2022 to sit on the panel. Commissioners with previous hearings experience and /or relevant knowledge and expertise to hear a wide range of topics will be sought.
  - A shortlisting process will commence in the week beginning 15 March. The shortlisting will be undertaken by a panel comprised of elected members and one member of the Executive Leadership Team.
  - The shortlisted candidates will be asked to be available for a short interview, with the selection committee on the morning of 14 April<sup>2</sup>, prior to the Strategy and Planning Committee.

---

<sup>1</sup> Section 59(2), Part 4, First Schedule provides for a panel of greater than 5(s59(2)(a)), and for a panel of fewer than 5(s59(2)(b)). If a panel of fewer than 5 were determined to be appropriate, one member of that panel would be nominated by the regional council, and if a panel of more than 5 were determined to be appropriate, they must include the 5 members as set out in section 59(2)(1) and described in paragraph[10].

<sup>2</sup> Time has tentatively been set aside on the morning of 14 April to facilitate this process.

- The Committee will, following the interviews, nominate their preferred candidates and the formal approval of the nominations will be brought to Council Meeting in May.
- [13] The intention of the Expression of Interest process is to ensure that Councillors have the best available pool of Commissioners to hear and decide the proposed RPS. In particular, the EoI will be looking for skills and /or experience in hearing a Regional Policy Statement, relevant technical and/or planning skills in one or more of the matters to be heard and recommendations made on, and having current Making Good Decisions certification, that will remain current during the course of the hearing.
- [14] While we are not required, under s37(2)(b) to advise the Chief Freshwater Commissioner of the nominations until at least 20 working days before the required documents are supplied under s37(1) [and that process under s37(1) is required to occur no later than 6 months after notification], suitable Commissioners are often committed to other hearing processes for months in advance. It is therefore important to get the process underway as soon as possible, to ensure the widest range of Commissioners is available.

## **OPTIONS**

- [15] Staff have outlined a suggested process to provide suitable nominees to the Chief Freshwater Commissioner. The process has transparency and a level of robustness to ensure a good outcome.
- [16] An alternative option would be to use the typical process where staff contact potentially suitable Commissioners as to availability, and then make staff recommendations to the Council.

## **CONSIDERATIONS**

### **Policy Considerations**

- [17] The process set out in this paper ensures that ORC Governors have the best possible opportunity to have a wide range of candidates available who are appropriately qualified and accredited Commissioners. It will also ensure ORC is able to satisfy the requirements of Part 4, First Schedule, with respect to nominating two persons to sit on the Freshwater Hearings Panel in a timely manner.

### **Financial Considerations**

- [18] This paper does not generate particular financial considerations however it is important that Councillors note and are aware of s63, Part 4, First Schedule, which outlines the funding of Freshwater Hearings Panels. The requirements on ORC for funding include funding all costs incurred by a freshwater hearings panel, including remuneration and expenses of members, administrative costs including venue hire and public notices, remuneration of any expert, mediator, or other dispute resolution facilitator, or any other person engaged by the panel, the allowances payable to any witness called by the panel, the costs of a special advisor or Friend of the submitter if so appointed, and the provision of administrative and secretarial support services to the panel as requested. The funding of the panel will fall into Year 1 of the next Long Term Plan cycle and provision has been made for this.

**Significance and Engagement**

[19] The process ascribed is consistent with the S & E Policy. The EoI process has a transparency and robustness, and any suitably qualified person can nominate themselves to be considered.

**Legislative Considerations**

[20] The process set out complies with Part 4, First Schedule of the Act.

**Risk Considerations**

[21] Timeliness of commencing a process is critical to ensure there are Commissioners with availability in the latter stages of 2021 and into 2022. If the process is not underway reasonably early in 2021, there is a significant risk of a lack of suitable Commissioners.

**NEXT STEPS**

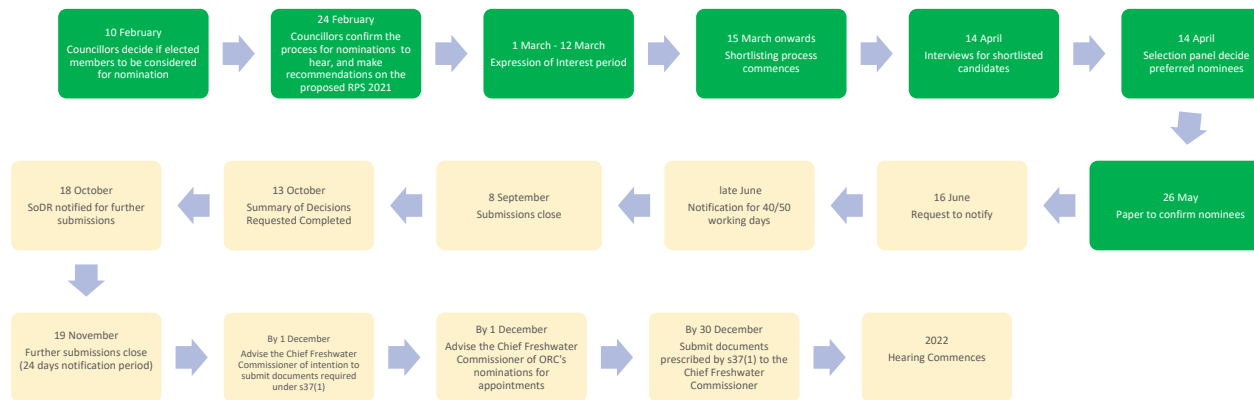
[22] The next steps, if the above process is approved, are to confirm and commence the Expression of Interest process.

**ATTACHMENTS**

1. Flow Diagram - Freshwater Panel Hearing Process [8.2.1 - 1 page]



Council Meeting Agenda - 24 February 2021 - MATTERS FOR COUNCIL CONSIDERATION



KEY



Confirmed steps



Dates subject to change, depending on number of submissions

### **8.3. Adding further operative provisions to the Partially Operative Otago Regional Policy Statement 2019**

**Prepared for:** Council  
**Report No.** SPS2105  
**Activity:** Regulatory: Policy Development  
**Author:** James Adams, Senior Analyst RPS, Air & Coast  
**Endorsed by:** Gwyneth Elsum, General Manager Strategy, Policy and Science  
**Date:** 24 February 2021

---

#### **PURPOSE**

- [1] This paper recommends making more of the proposed Otago Regional Policy Statement (pORPS) operative, by approving sections that have either been granted consent orders or finalised through appeals.
- [2] One matter in relation to the ports at Dunedin and Port Chalmers remains under appeal. The provisions in the pORPS, relating to that topic have not been finalised and cannot yet be made operative.
- [3] Draft copies of the pORPS showing tracked changes from the decisions' version (attachment 1), and as it will look if approved (attachment 2), are attached.
- [4] For completeness, ORC currently has four regional policy statement documents at various stages of development and operation:
  - a. The Regional Policy Statement for Otago 1998 (the 1998 RPS);
  - b. The proposed Otago Regional Policy Statement (the pORPS);
  - c. The Partially Operative Otago Regional Policy Statement 2019 (the 2019 RPS); and,
  - d. The draft Regional Policy Statement, currently in development and due for notification in July 2021 (the new RPS).
- [5] To avoid confusion: this paper relates to the 2019 RPS, the provisions of that document that are not yet operative (the pORPS), and the 1998 RPS.

#### **EXECUTIVE SUMMARY**

- [6] Council made parts of the pORPS operative in January 2019, forming the 2019 RPS.
  - [7] Remaining pORPS provisions were not made operative because they were not finalised at that stage, being subject to ongoing appeals or lacking a consent order from the Environment Court.
  - [8] As a result, parts of the 1998 RPS remain operative.
  - [9] The majority of the remaining pORPS provisions are now finalised. Staff recommend making these provisions operative, so that the remaining parts of the 1998 RPS can be
-

revoked. This will considerably simplify the regulatory landscape for Local Authorities' planning and consenting processes.

- [10] The key risks of making further provisions operative are:
- a. The pORPS is out of date with some current national directions;
  - b. The pORPS includes methods that it may not be effective or efficient for ORC to implement in full in the light of current workplans and work underway on a new RPS.
- [11] Staff consider these risks do not outweigh the benefits that exist in any event.

## RECOMMENDATION

*That the Council:*

- 1) **Makes**, under clause 16(1) of the 1<sup>st</sup> Schedule of the Resource Management Act 1991 the amendments to the pORPS set out in Appendix 1, as directed by the Environment Court.
- 2) **Approves** under clause 17(2) of the 1<sup>st</sup> Schedule of the Resource Management Act 1991 the amended Partially Operative Otago Regional Policy Statement 2019 attached as Appendix 2.
- 3) **Approves**, under clauses 17 and 20 of the 1<sup>st</sup> Schedule of the Resource Management Act 1991 public notice being given on 5 March 2021 that part of the pORPS set out in Appendix 1 is being approved and becoming operative on 15 March 2021.
- 4) **Revokes** all remaining operative sections of the Regional Policy Statement for Otago 1998.
- 5) **Notes**, that due to the outstanding matter under appeal, part of the pORPS will remain.

## BACKGROUND

- [12] The Resource Management Act 1991 (RMA) requires regional councils to have an operative regional policy statement at all times,<sup>1</sup> and to commence a review of the provisions within 10 years.<sup>2</sup>
- [13] ORC's first RPS became operative on 14 September 1998 (referred to below as the 1998 RPS), a full review commenced in 2013,<sup>3</sup> and culminated in the pORPS being publicly notified in May 2015 and heard in November 2015.
- [14] The panel deliberated from December 2015 to September 2016, and decisions were released in October 2016. Appeals resulted in mediation through 2017 which settled all but two appeal points – biodiversity and offsetting, and Ports.
- [15] These two appeal points were heard by the Environment Court in February 2018, with the Biodiversity appeal settled in August 2020, and the Ports appeal set down for a hearing before the Court of Appeal in July this year.

---

<sup>1</sup> Resource Management Act 1991, section 60(1)

<sup>2</sup> Resource Management Act 1991, section 79(1)

<sup>3</sup> Report to council No: 2012/1281

- [16] During the appeals process, both the Queenstown Lakes District Plan and the Dunedin City 2GP review processes were also progressing, with both plans being at various stages of notification and/or appeals and mediation since that time.
- [17] Both Territorial Authorities have expressed a desire to have as many provisions of the pOPRS made operative as soon as possible.
- [18] ORC approved the remaining (not subject to appeals) pORPS provisions and make the pORPS partially operative<sup>4</sup> to create more clarity for Territorial Authority plan review processes and ORC's consenting and plan-making processes while the pORPS appeals process continued. The Partially Operative Otago Regional Policy Statement became operative on 14 January 2019 (the 2019 RPS).

## ISSUE

- [19] There are multiple provisions across four RPS documents which creates uncertainty, and complexity. In addition, as part of the Pre-Hearing Conference for Plan Change 7, the Judge requested that Council make as much of the RPS operative, and revoke as much of the 1998 RPS, as possible.
- [20] A complicating factor to having a partially operative RPS is that certain 1998 RPS provisions also remain in force.
- [21] The 2019 RPS and the 1998 RPS have significantly different structures, express policies differently, and are not wholly consistent, which can create doubt about how policies apply. The pORPS provisions that are not yet operative include substantial parts of the document's framework: Chapter 3, which is concerned with managing natural resources, and parts of the implementation section.
- [22] Further confusion is created by the provisions of the pORPS that are not yet made operative, but which regional and district plan processes nonetheless need to have regard to<sup>5</sup>.
- [23] A further complication is that ORC is now reviewing its Regional Policy Statement, intending to notify it in June 2021 (the new RPS).

## DISCUSSION

- [24] The pORPS appeals process is now much further advanced. The Environment Court has approved the final consent orders, covering chapter 3 and the implementation section, and a final decision has been reached on the mining and biodiversity offsetting issue.
- [25] Only the ports issue remains outstanding. Port Otago has appealed the High Court decision to the Court of Appeal, and the case will be heard on 6 and 7 July 2021.

---

<sup>4</sup> In response to report PPRM1855.

<sup>5</sup> Resource Management Act 1991, ss 66(2) and 74(2).

- [26] There is no analogue for the ports issue in the 1998 RPS. If the pORPS provisions that are now beyond appeal are made operative, the entire 1998 RPS can be revoked, despite the ports issue not yet being resolved. This will simplify planning in Otago, particularly for local government.

*Amendments*

- [27] The amendments to the pORPS that are now beyond appeal are:

- All provisions and explanatory material in chapter 3: Otago has high quality natural resources and ecosystems
- Issue 5.3
- Policy 5.3.4 Mineral and petroleum exploration extraction and processing
- Policy 5.4.6 Offsetting for indigenous biological diversity
- Policy 5.4.6A Biological Diversity Compensation
- Policy 5.4.8 Adverse effects from mineral and petroleum exploration extraction and processing
- Method 2.1.3
- Method 2.2.3
- Method 3.1.3 a., g., h. and i.
- Method 3.1.12
- Method 4.1.4
- Method 4.1.9
- Method 4.2.1 to 4.2.7
- Method 5.2 Research
- Method 5.3 State of Environment Reporting
- Method 5.4.2
- Method 6.5.1 a.v.
- Method 6.9 Waste and hazardous substances
- Method 7.1.1
- Method 7.1.3
- Method 8: Funding
- Method 9.1.5 a. and d.
- Method 9.2.1 to 9.2.4
- AER 3.1 to AER 3.6
- Schedule 3
- Schedule 4
- Glossary: Biodiversity offsets
- Glossary: Highly valued natural features, landscapes, and seascapes
- Glossary: Wetland

- [28] These amendments have been directed by the Environment Court. Under clause 16(1) of the First Schedule of the RMA, the Council must make these changes.

- [29] Provisions that cannot be made operative relate to the ports issue. Note that some of the following were proposed during mediation, and were not part of the original decisions version of the Regional Policy Statement:

- Policy 4.3.7 Recognising port activities at Port Chalmers and Dunedin

- Method 3.1.6
- Method 3.1.10
- Method 3.1.18
- Method 4.1.3
- Method 4.1.22
- Method 5.1.2
- Definitions of “port activity” and “ship”

- [30] One further Council decision would be required to make the 2019 RPS fully operative once the ports issue is resolved.
- [31] Note that this process adds provisions to the existing 2019 RPS, rather than creating a new RPS.

## **OPTIONS**

### *Option 1 – preferred – making all finalised pORPS provisions operative*

- [32] Making all finalised pORPS provisions operative means that decision makers will no longer need to consider the 1998 RPS. The impact of the pORPS will be limited to the quite specific provisions around the port, currently under appeal.
- [33] Making these provisions operative also provides certainty on agreed pORPS sections for ORC and Territorial Authority processes. It simplifies the regulatory landscape as the Environment Court and Territorial Authorities have requested.

### *Option 2 – Status Quo – wait until all appeals are resolved to make pORPS provisions operative*

- [34] Waiting to make these provisions operative until the ports issue is resolved is not worthwhile. At best, any benefit of this approach is largely administrative.
- [35] In the meantime, it is uncertain when the ports issue will be resolved or when the new RPS will be made operative. Until either of these things happen, the current complexity in managing between multiple RPS documents would continue.
- [36] The pORPS provisions have now been through extensive mediation and appeal processes. They represent an agreed policy approach that the 1998 RPS does not give effect to.
- [37] Having weighed up the risks and benefits, staff consider that continuing with the status quo is not appropriate, and that the finalised pORPS provisions should be made operative in accordance with resolved appeals and the Judge’s request at the pre hearing conference for the Plan Change 7.

## **CONSIDERATIONS**

### **Policy Considerations**

- [38] The 1998 RPS is now 20 years old and is the basis for current regional and city and district plans. Further, there may be some inconsistency between regional plans and the pORPS and 2019 RPS.
- [39] The pORPS and 2019 RPS are not consistent with the National Planning Standards, or recent national directions, including the National Policy Statement for Freshwater Management 2020. These issues are being resolved by the new RPS currently in development.
- [40] Parts of the 2019 RPS methods section are unlikely to be fully implemented, as they will be overtaken by provisions in the new RPS. For example, method 5.4.1 requires indicators for the RPS to be developed within 12 months to support plan effectiveness reporting. It is highly likely that the 2019 RPS will be revoked and replaced before this activity becomes relevant.

### **Financial Considerations**

- [41] Making finalised pORPS provisions operative is unlikely to have significant additional financial implications.
- [42] Going through a process for making the pORPS partially operative now does mean repeating the process later to make the remaining provisions operative. Compared to the overall cost of the review process, this cost is likely minor, and waiting will create increased costs for Territorial Authorities (TAs).
- [43] On the other hand, in the unlikely event that waiting to make changes results in TAs having to make significant adaptations to district plans, the cost to TAs could be significant.
- [44] The status quo would also result in unnecessary duplication of effort, given the need to assess against multiple RPS documents.

### **Significance and Engagement**

- [45] Under the ORC's Significance and Engagement Policy, the decision to make the pORPS partially operative is significant, because it impacts on both ORC's and TAs' plan making and consenting processes and sets high-level direction for resource management in Otago.
- [46] The pORPS is addressed under ORC's Annual plans. It has been well canvassed through iwi, public and stakeholder consultation, and the RMA 1991 Schedule 1 process, including public submissions, hearings, mediation, and appellate decisions.
- [47] Accordingly, it does not require further consideration under the Significance and Engagement Policy.

### *Communications*

- [48] If approved, public notices will be posted in the Otago Daily Times announcing the date on which new PRPS provisions will become operative (at least 5 working days' notice must be given), and the operative 1998 RPS provisions will be revoked.
- [49] Staff propose issuing the public notice on 5 March 2021 and making the pORPS partially operative from 15 March 2021. This allows adequate time to prepare and distribute the documentation described below.
- [50] Versions of the document will be available on the ORC website, at ORC and Territorial Authority offices around Otago, and at public libraries.
- [51] Submitters will be directly advised about the process by letter.
- [52] The documents that will be available are attached:
- a. Track changes version showing changes from the decisions version and approved sections (Attachment 1);
  - b. A clean updated version of the partially operative RPS showing approved sections (Attachment 2).

#### **Legislative Considerations**

- [53] Regional policy statements:
- “achieve the purpose of the Act by providing an overview of the resource management issues of the region and policies and methods to achieve integrated management of the natural and physical resources of the whole region”.<sup>6</sup>
- [54] Regional policy statements must give effect to National Policy Statements, the New Zealand Coastal Policy Statement and National Planning Standards.<sup>7</sup> In turn, regional plans and district plans must give effect to regional policy statements.<sup>8</sup>

#### **Risk Considerations**

- [55] The 2019 RPS will be out of date with current regulations, particularly recent National Policy Statements and Environmental Standards, and the National Planning Standards that have come into force during the appeal period.
- [56] These inconsistencies will be resolved through the new RPS, to be notified in June.
- [57] The 2019 RPS and pORPS provisions are already being considered in decision making processes across Otago. Making these provisions operative will not have a detrimental impact on existing processes.

#### **NEXT STEPS**

- [58] Once new pORPS provisions are operative, ORC ought to give effect to them, specifically to relevant methods, through its work programme. This activity will be subsumed by

---

<sup>6</sup> Resource Management Act 1991, section 59

<sup>7</sup> Resource Management Act 1991, section 62(3)

<sup>8</sup> Resource Management Act 1991, sections 67(3) and 75(3) respectively



similar activities on the new RPS, and business as usual. Some methods will be carried forward into the new RPS, and some actions contemplated in the pORPS are already complete, such as developing a Biodiversity Strategy.

**ATTACHMENTS**

1. Attachment 1 RPS version 2021 02 09 Tracked text draft partially operative Appendix 1 [8.3.1 - 167 pages]
2. Attachment 2 - RPS version 2021 02 09 Clean draft Partially operative chapter 3 update [8.3.2 - 152 pages]

## **Partially Operative Otago Regional Policy Statement 2019 (Amended March 2021): Changes as a result of appeals**

### **Explanatory note:**

Being “partially operative” means that some provisions in the proposed Otago Regional Policy Statement are not yet settled, or do not have full legal force.

This version of the Partially Operative Otago Regional Policy Statement includes the changes that have occurred through appeals, and notes provisions that are not yet operative. The base text is the decisions version of the proposed RPS, approved by council on 1 October 2016. Changes made following appeals are marked in tracked text:

- Additions to the RPS as a result of appeals are shown in dark red and underlined.
- Deletions from the RPS as a result of appeals are shown in ~~dark red with strikethrough~~.
- Changes that were made operative on 14 January 2019 are not shaded.
- Changes proposed to be made operative on 15 March 2021 are shaded grey
- Proposed changes that are still subject to appeal (and so not operative) are shaded yellow.

*This explanation does not form part of the RPS.*

## Contents

PART A Introduction .....	1
Overview.....	1
The Otago Region .....	1
Statutory Framework Diagram .....	2
Map of Otago.....	3
Kai Tahu – The Treaty Partner .....	4
Principles of the Treaty.....	4
Partnership .....	4
Expression of Te Tiriti o Waitangi .....	4
Kai Tahu .....	5
Mana Whenua in Otago .....	7
RPS Framework.....	8
Part A: Introduction.....	9
Part B: Objectives and Policies .....	9
Part C: Implementation .....	9
Part D: Schedules and Appendices .....	9
Part B Chapter 1 Resource management in Otago is integrated .....	10
Chapter overview .....	10
Objective 1.1 Otago’s resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities .....	11
Issue.....	11
Policy 1.1.1 Economic Wellbeing.....	11
Policy 1.1.2 Social and cultural wellbeing and health and safety .....	11
Principal Reasons and Explanation .....	12
Objective 1.2 Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago .....	13
Issue.....	13
Policy 1.2.1 Integrated resource management .....	13
Principal Reasons and Explanation .....	15
Part B Chapter 2 Kāi Tahu Values and interests are recognised and Kaitiakitaka is expressed .....	16
Chapter Overview .....	16
Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions .....	17
Issue.....	17
Policy 2.1.1 Treaty Obligations .....	17
Policy 2.1.2 Treaty Principles.....	17
Principal Reasons and Explanation .....	18
Objective 2.2 Kāi Tahu values, interests and customary resources are recognised and provided for .....	19
Issue.....	19
Policy 2.2.1 Kāi Tahu wellbeing .....	19

Policy 2.2.2 Recognising sites of cultural significance .....	19
Policy 2.2.3 Wāhi tūpuna and associated sites .....	20
Policy 2.2.4 Sustainable use of Māori land .....	20
Principal Reasons and Explanation .....	21
Part B Chapter 3 Otago has high quality natural resources and ecosystems .....	22
Chapter Overview .....	22
Objective 3.1 The functions and values of Otago’s ecosystems and natural resources are recognised, maintained or enhanced where degraded .....	24
Issue .....	24
Policy 3.1.1 Fresh water .....	24
Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins .....	25
Policy 3.1.3 Water allocation and use .....	26
Policy 3.1.4 Water shortage .....	26
Policy 3.1.5 Coastal Water .....	27
Policy 3.1.6 Air Quality .....	27
Policy 3.1.7 Soil values .....	28
Policy 3.1.8 Soil erosion .....	29
Policy 3.1.9 Ecosystems and indigenous biological diversity .....	29
Policy 3.1.10 Biodiversity in the coastal environment .....	30
Policy 3.1.11 Natural features, landscapes, and seascapes .....	31
Policy 3.1.12 Natural character in the coastal environment .....	32
Policy 3.1.13 Environmental enhancement .....	32
Principal Reasons and Explanation .....	33
Objective 3.2 Otago’s significant and highly-valued natural resources are identified, and protected or enhanced where degraded .....	34
Issue .....	34
Policy 3.2.1 Identifying significant indigenous vegetation and habitats .....	34
Policy 3.2.2 Managing significant indigenous vegetation and habitats .....	34
Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes .....	35
Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes .....	35
Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes .....	36
Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes .....	37
Policy 3.2.7 Landward extent of the coastal environment .....	37
Policy 3.2.8 Identifying high and outstanding natural character in the coastal environment .....	38
Policy 3.2.9 Managing the outstanding natural character of the coastal environment .....	38
Policy 3.2.10 Managing the high natural character of the coastal environment .....	39
Policy 3.2.11 Identifying surf breaks of national importance .....	40
Policy 3.2.12 Managing surf breaks of national importance .....	40
Policy 3.2.13 Identifying outstanding freshwater bodies .....	40
Policy 3.2.14 Managing outstanding freshwater bodies .....	41
Policy 3.2.15 Identifying the significant values of wetlands .....	41
Policy 3.2.16 Managing the values of wetlands .....	42
Policy 3.2.17 Identifying significant soil .....	42

Policy 3.2.18 Managing significant soil .....	42
Principal Reasons and Explanation .....	43
Part B Chapter 4 Communities in Otago are resilient, safe and healthy .....	44
Chapter Overview .....	44
Objective 4.1 Risks that natural hazards pose to Otago’s communities are minimised .....	47
Issue .....	47
Policy 4.1.1 Identifying natural hazards .....	47
Policy 4.1.2 Natural hazard likelihood .....	47
Policy 4.1.3 Natural hazard consequence .....	48
Policy 4.1.4 Assessing activities for natural hazard risk .....	48
Policy 4.1.5 Natural hazard risk .....	49
Policy 4.1.6 Minimising increase in natural hazard risk .....	50
Policy 4.1.7 Reducing existing natural hazard risk .....	51
Policy 4.1.8 Precautionary approach to natural hazard risk .....	52
Policy 4.1.9 Protecting features and systems that provide hazard mitigation .....	52
Policy 4.1.10 Mitigating natural hazards .....	52
Policy 4.1.11 Hard protection structures .....	53
Policy 4.1.12 Lifeline utilities and facilities for essential or emergency services .....	53
Policy 4.1.13 Hazard mitigation measures, lifeline utilities, and essential and emergency services .....	53
Principal Reasons and Explanation .....	54
Objective 4.2 Otago’s communities are prepared for and able to adapt to the effects of climate change .....	55
Issue .....	55
Policy 4.2.1 Sea level rise .....	55
Policy 4.2.2 Climate change .....	55
Principal Reasons and Explanation .....	56
Objective 4.3 Infrastructure is managed and developed in a sustainable way .....	57
Issue .....	57
Policy 4.3.1 Managing infrastructure activities .....	57
Policy 4.3.2 Nationally and regionally significant infrastructure .....	58
Policy 4.3.3 Functional needs of infrastructure that has national or regional significance .....	59
Policy 4.3.4 Adverse effects of nationally and regionally significant infrastructure .....	59
Policy 4.3.5 Protecting infrastructure with national or regional significance .....	60
Policy 4.3.6 The National Grid .....	61
Policy 4.3.7 Recognising port activities at Port Chalmers and Dunedin .....	61
Principal Reasons and Explanation .....	62
Objective 4.4 Energy resources and supplies are secure, reliable and sustainable .....	63
Issue .....	63
Policy 4.4.1 Renewable electricity generation .....	63
Policy 4.4.2 Small and community scale renewable electricity generation .....	63
Policy 4.4.3 Protecting existing renewable electricity generation .....	64
Policy 4.4.4 Efficient transport of electricity .....	64

Policy 4.4.5 Electricity distribution infrastructure .....	65
Policy 4.4.6 Energy efficient transport .....	65
Policy 4.4.7 Fuels .....	66
Principal Reasons and Explanation .....	66
Objective 4.5 Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments .....	68
Issue .....	68
Policy 4.5.1 Providing for urban growth and development .....	68
Policy 4.5.2 Integrating infrastructure with land use .....	69
Policy 4.5.3 Urban design .....	71
Policy 4.5.4 Low impact design .....	71
Policy 4.5.5 Warmer buildings .....	72
Policy 4.5.6 Designing for public access .....	72
Principal Reasons and Explanation .....	72
Objective 4.6 Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago .....	74
Issue .....	74
Policy 4.6.1 Hazardous substances .....	74
Policy 4.6.2 Use, storage and disposal of hazardous substances .....	74
Policy 4.6.3 Hazardous substance collection, disposal and recycling .....	75
Policy 4.6.4 Identifying contaminated land .....	75
Policy 4.6.5 Managing contaminated land .....	75
Policy 4.6.6 Waste management .....	76
Policy 4.6.7 Waste minimisation responses .....	76
Policy 4.6.8 Waste storage, recycling, recovery, treatment and disposal .....	77
Policy 4.6.9 New Contaminated land .....	78
Principal Reasons and Explanation .....	78
Part B Chapter 5 People are able to use and enjoy Otago’s natural and built environment .....	79
Chapter Overview .....	79
Objective 5.1 Public access to areas of value to the community is maintained or enhanced .....	81
Issue .....	81
Policy 5.1.1 Public Access .....	81
Principal Reasons and Explanation .....	82
Objective 5.2 Historic heritage resources are recognised and contribute to the region’s character and sense of identity .....	83
Issue .....	83
Policy 5.2.1 Recognising historic heritage .....	83
Policy 5.2.2 Identifying historic heritage .....	83
Policy 5.2.3 Managing historic heritage .....	84
Principal Reasons and Explanation .....	84
Objective 5.3 Sufficient land is managed and protected for economic production .....	85
Issue .....	85
Policy 5.3.1 Rural activities .....	85

Policy 5.3.2 Distribution of commercial activities .....	85
Policy 5.3.3 Industrial land .....	86
Policy 5.3.4 Mineral and petroleum exploration, extraction and processing .....	86
Policy 5.3.5 Tourism and outdoor recreation .....	87
Principal Reasons and Explanation .....	87
Objective 5.4 Adverse effects of using and enjoying Otago’s natural and physical resources are minimised .....	88
Issue .....	88
Policy 5.4.1 Offensive or objectionable discharges .....	88
Policy 5.4.2 Adaptive management approach .....	88
Policy 5.4.3 Precautionary approach to adverse effects .....	89
Policy 5.4.4 Emission standards .....	89
Policy 5.4.5 Pest plants and animals .....	89
Policy 5.4.6 Offsetting for indigenous biological diversity .....	90
Policy 5.4.6A Biological Diversity Compensation .....	91
Policy 5.4.7 Offsetting for air quality .....	92
Policy 5.4.8 Adverse effects from mineral and petroleum exploration, extraction and processing .....	92
Policy 5.4.9 Activities in the Coastal Marine Area .....	93
Policy 5.4.10 Managing land use change in dry catchments .....	94
Principal Reasons and Explanation .....	95
Part C Implementation .....	96
Roles and Responsibilities .....	96
Methods .....	97
Method 1: Kāi Tahu Relationships .....	97
Method 2: Regional, City and District Council Relationships .....	97
Method 3: Regional Plans .....	98
Method 4: City and District Plans .....	100
Method 5: Research, Monitoring and Reporting .....	105
Method 6: Non-RMA Strategies and Plans .....	108
Method 7: Education and Information .....	109
Method 8: Funding .....	110
Method 9: Advocacy and Facilitation .....	111
Monitoring Procedures and Anticipated Environmental Results .....	114
Monitoring procedures .....	114
Anticipated Environmental Results .....	114
Part D Schedules and Appendices .....	117
Schedule 1 Kāi Tahu values & interests .....	117
Schedule 1A Kāi Tahu values .....	117
Schedule 1B Interests specific to particular papatipu rūnaka .....	120
Schedule 1C Wāhi tupuna .....	123
Schedule 1D Māori land reserves .....	125
Schedule 2 Statutory acknowledgement areas .....	130

Schedule 3 Criteria for the identification of outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes .....131

Schedule 4 Criteria for the identification of areas of significant indigenous vegetation and habitat of indigenous fauna .....132

Schedule 5 Criteria for the identification of historic heritage values .....136

Schedule 6 Housing capacity .....139

Appendix 1 Te Tiriti o Waitangi .....140

Glossary .....142

User Index.....153

<b>Abbreviations</b>	
AER	Anticipated Environmental Result
ORC	Otago Regional Council
RMA	Resource Management Act 1991
RPS	Regional Policy Statement
Treaty	Te Tiriti o Waitangi



*Part A: Introduction*

## **PART A Introduction**

### **Overview**

Continued prosperity and wellbeing is essential to ensuring the community is equipped to face the environmental, economic, cultural and social changes of the 21<sup>st</sup> century, and to provide opportunities for all people to realise their aspirations. A thriving and healthy natural environment is vital to sustaining our wellbeing.

The RPS is a high level policy framework for the sustainable integrated management of resources, identifying regionally significant issues, the objectives and policies that direct how natural and physical resources are to be managed and setting out how this will be implemented by the region's local authorities.

The RPS gives effect to the RMA and higher order planning documents, and takes into account relevant iwi authority planning documents. Regional and district plans must give effect to the RPS, as illustrated in the Statutory Framework Diagram.

The RPS has been developed to identify the best of the distinct life-style Otago has to offer: outstanding and wild environments, prosperity, abundant recreational opportunities, a sense of rich local history, and community pride. It provides for the values of all resources, people and communities. The RPS guides how these values are to be balanced in the sustainable management of natural and physical resources.

### **The Otago Region**

Otago is 12% of New Zealand's land area and at about 32,000 km<sup>2</sup> is the second largest region in New Zealand. It stretches 480 km along the South Island's eastern coast, from the Waitaki River in the north to The Brothers Point in the south. It reaches inland to the alpine lakes Wakatipu, Wanaka and Hawea, encompassing the Clutha Mata-au, and Taieri catchments.

Otago covers a wide range of geography and ecosystems: tussock and tor covered block mountains and dry inland basins, glacial lakes and their mountain settings, broad grassy valleys fringed with beech forests extending well into the Southern Alps and dramatic coastlines around the Otago Peninsula and the Catlins. The vegetation is similarly diverse, from the lowland podocarp forests of the Catlins, through the dry grassland ecosystems of Central Otago to the high rainfall beech and alpine areas of Mount Aspiring/Tititea National Park.

Human activity has left its mark on the landscape. Māori archaeological sites, hydro lakes, tailings and bridges from the gold rush era, pastoral landscapes, and historical architecture all provide evidence of long, rich and varied human occupation.

Introduced species have become a valued part of the environment in some cases, and troublesome pests in others.

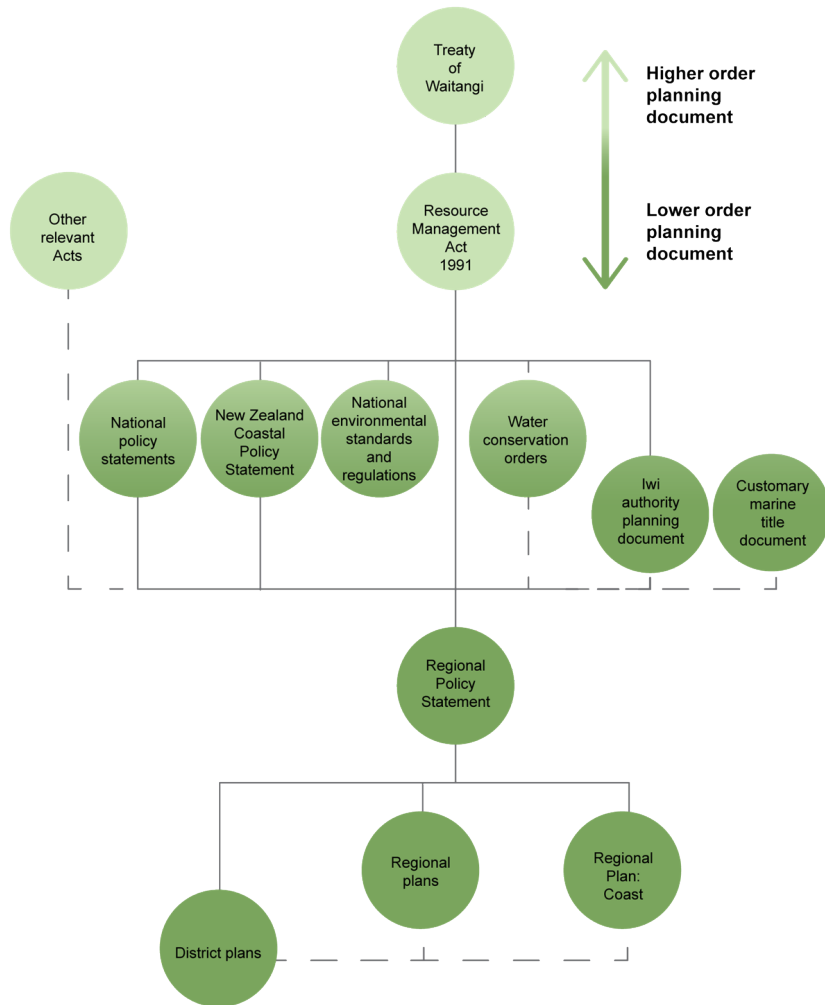
Agriculture is the basis of Otago's economic development and continues to be a major source of revenue, as does mining for gold and other minerals and education. Tourism now provides more

Part A: Introduction

than a quarter of Otago’s Gross Domestic Product, which is the highest proportion for any region in New Zealand.

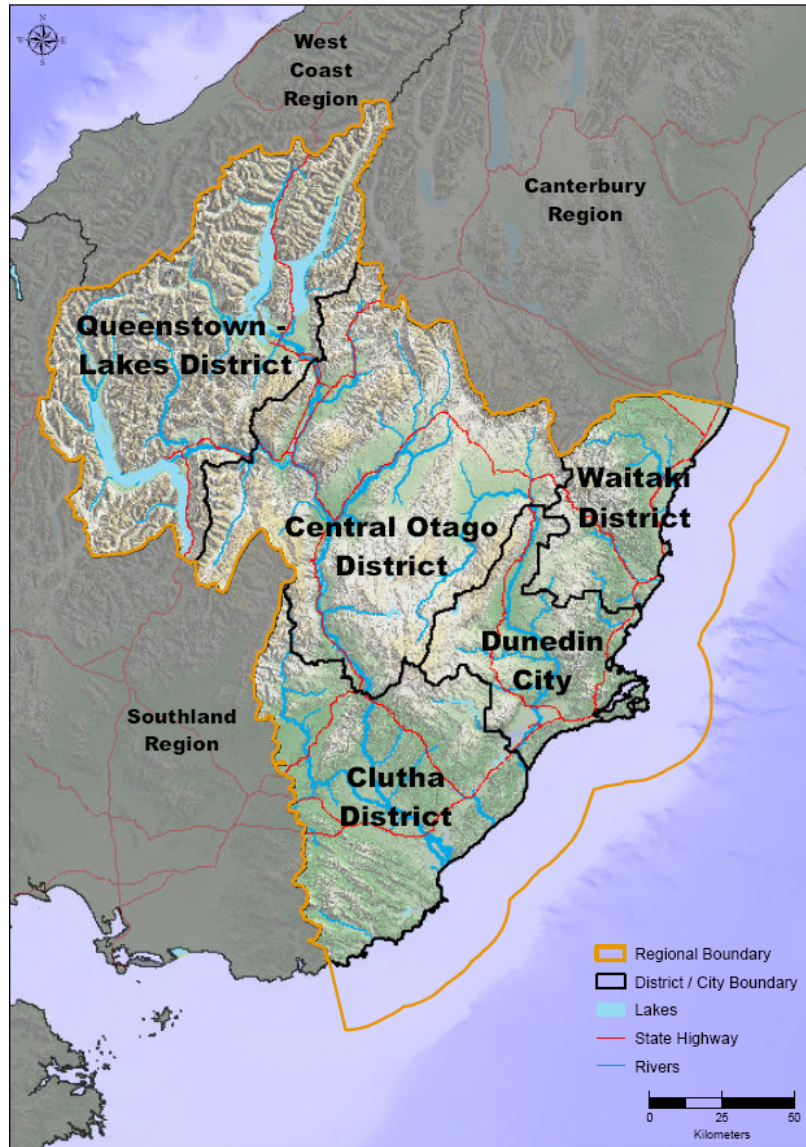
At the 2013 census, Otago’s population of 202,467 was the seventh largest of New Zealand’s 16 regions and is about 4.8% of New Zealand’s total population. The Queenstown Lakes District was the second fastest growing territorial authority area in New Zealand.

**Statutory Framework Diagram**



Part A: Introduction

## Map of Otago



Otago comprises five territorial authorities: Dunedin City Council, and Clutha, Central Otago, Queenstown Lakes and Waitaki District Councils. Waitaki District straddles both the Otago and Canterbury regions. The region includes the coastal environment offshore to 12 nautical miles.

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019*

3

*Part A: Introduction*

## **Kāi Tahu<sup>1</sup> – The Treaty Partner**

Te Tiriti o Waitangi, the Treaty of Waitangi, is the founding document for New Zealand, the basis upon which the partnership between Māori and the Crown was established. The Kāi Tahu rākatira Karetai and Korako signed the Treaty at Pukekura, Tairaroa Head, on 13 June 1840. The Treaty was also signed by Kāi Tahu at Akaroa, Ruapuke and Cloudy Bay. Kāi Tahu considered that the Treaty bound the tribe and the Crown irrevocably to a mutual agreement which imposed responsibilities on both signatories.

## **Principles of the Treaty**

In drafting legislation, Parliament has chosen to refer to the principles of the Treaty, rather than its explicit terms. The principles of the Treaty, as enunciated by the Waitangi Tribunal and the courts, include:

- The principle of tribal rākatirataka/self-regulation. Recognising the right of Kāi Tahu to manage resources and exercise kaitiakitaka over their ancestral lands, waters, and other taoka.
- The principle of partnership. Mutual obligations to act reasonably and in good faith.
- The principle of active participation in decision making.
- The principle of active protection of Kāi Tahu interests.
- The principle of development. The Treaty principles are not confined to customary uses or the state of knowledge as at 1840 but are to be adapted to modern, changing circumstances.

There are two versions of the Treaty of Waitangi, the English version and the Māori version. See Appendix 2. The Māori language text, as the version signed by the Kāi Tahu rākatira, should prevail if there is ambiguity.

## **Partnership**

The ORC has an established relationship with Kāi Tahu based on the Treaty partnership. Kāi Tahu values the relationship with the ORC and is committed to working with the wider community towards a positive future for all people. Partnership between the ORC and Kāi Tahu embodies the principles of the Treaty of Waitangi in decision making and local environmental management.

## **Expression of Te Tiriti o Waitangi**

The RPS has been developed in consultation with Kāi Tahu. It identifies the matters that have the potential to affect cultural values and wellbeing, and enables Kāi Tahu to participate in resource management processes.

Matters of particular interest to Kāi Tahu include:

---

<sup>1</sup> In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference is to use a 'k' so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu. In this document, the "ng" is used for the iwi in general, and the "k" for southern Māori in particular. See the glossary for a complete definition.

*Part A: Introduction*

- Recognising the rights and interests of Kāi Tahu to be involved in natural and resource management processes.
- Identifying and protecting important natural and physical resources, including the coast, waterways, lakes, wetlands and indigenous flora and fauna.
- Protecting traditional food gathering sites from any use or development which may threaten the values of these areas.
- Protecting mahika kai and restoring access to mahika kai areas;
- Protecting wāhi tūpuna and urupā.
- Enabling development of land and resources within native reserves, including papakāika housing.

### **Kāi Tahu<sup>2</sup>**

Kāi Tahu are takata whenua of the Otago region. Waitaha were the first people of Te Waipounamu, the South Island, Led by Rākaihautū, they explored and settled Te Waipounamu, and their exploits are reflected in enduring place names and histories across the motu. Waitaha were followed by the arrival of Kāti Māmoe and finally Kāi Tahu. Through warfare, intermarriage and political alliances a common allegiance to Kāi Tahu was forged. Kāi Tahu means the ‘people of Tahu’, linking them by name to their common ancestor Tahu Pōtiki.

The Kāi Tahu tribal area extends from the sub Antarctic islands in the south to Te Parinuiowhiti (White Cliffs, Blenheim) in the north and to Kahurangi Point on Te Tai o Poutini (the West Coast).

Te Rūnanga o Ngāi Tahu (the iwi authority) is made up of 18 papatipu rūnaka, of which four are in Otago.

Located predominantly in traditional coastal settlements, papatipu rūnaka are a focus for whānau and hapū (extended family groups) who have takata whenua status within their area. Takata whenua hold traditional customary authority and maintain contemporary relationships within an area determined by whakapapa (genealogical ties), resource use and ahi-kā-roa (the long burning fires of occupation).

Te Rūnanga o Ngāi Tahu encourages consultation with the papatipu rūnaka and takes into account the views of nga rūnaka when determining its own position. The four Otago rūnaka are Te Rūnanga o Moeraki, Kati Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Otakou, and Hokonui Rūnanga.

The interests of these rūnaka are given in more detail in Schedule 1B. They share an interest in South Otago and the inland lakes and mountains with the Southland papatipu rimaka.

The areas of shared interest originate from the seasonal hunting and gathering economy that was a distinctive feature of the southern Kāi Tahu lifestyle. Seasonal mobility was an important means by which hapū and whānau maintained customary rights to the resources of the interior and ahi kā.

---

<sup>2</sup> Changed by Environment Court consent order – 28 June 2018

*Part A: Introduction*

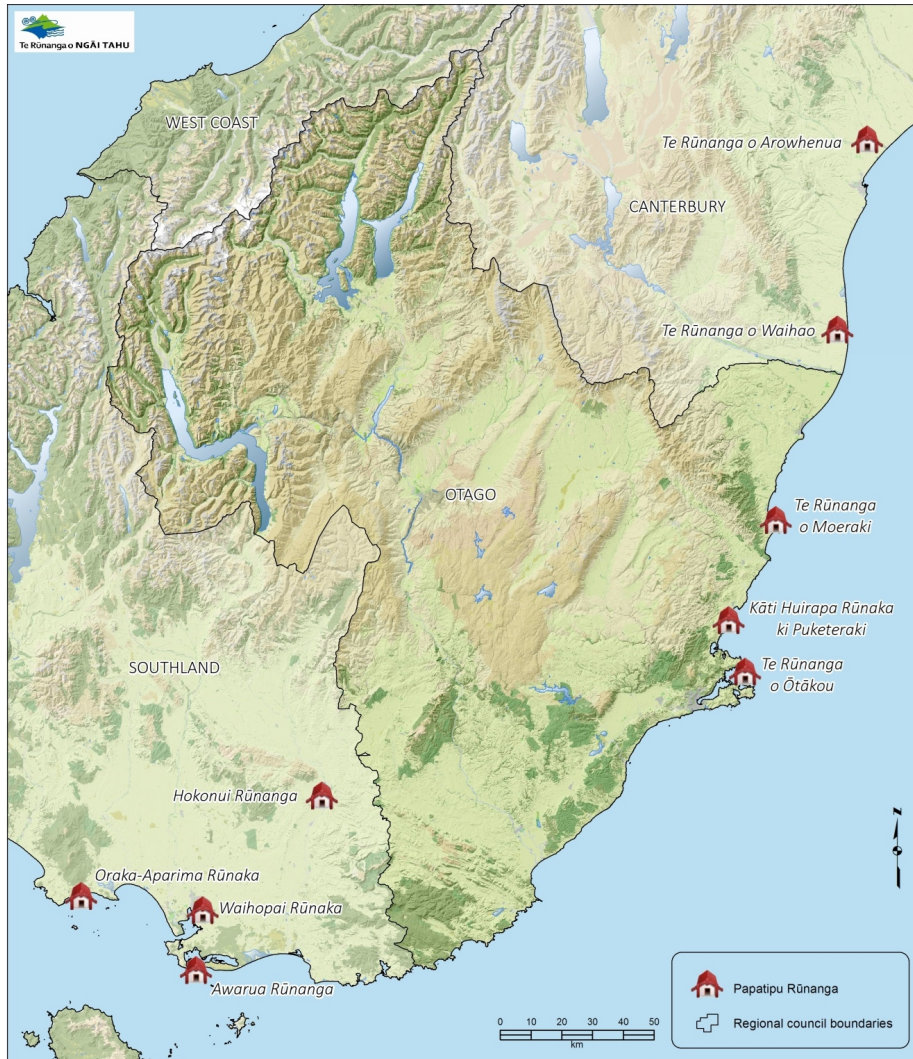
Otago is also home to Māori from other iwi, hapū, and mātāwaka. The Araiteuru marae in Dunedin and Te Whare Koa in Oamaru are important pan-tribal cultural centres for mātāwaka and sit within the manaakitanga of takata whenua.

In 1998, the Ngāi Tahu Claims Settlement Act 1998 was enacted to settle historical Ngāi Tahu claims against the Crown. This Act identifies some taoka species, establishes tōpuni, statutory acknowledgements, dual place names and nohoaka sites. These recognise the special association of Ngāi Tahu with these areas and resources and assist with Ngāi Tahu participation in processes under the Resource Management Act 1991 and the Local Government Act 2002.

The papatipu rūnaka consultancy services, Kāi Tahu Ki Otago Ltd, representing the Otago rūnaka, and Te Ao Marama Inc, representing the Southland rūnaka, provide a first point of contact and facilitate Kāi Tahu engagement in resource management processes.

Part A: Introduction

### Mana whenua in Otago



Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

7

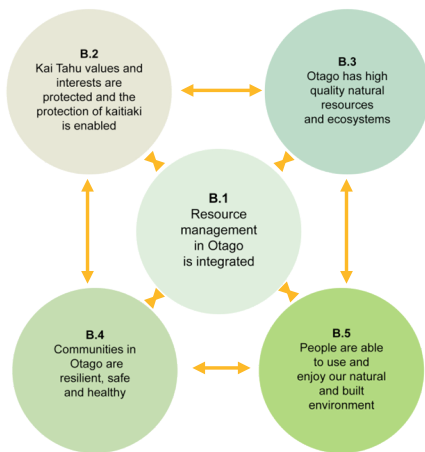
Part A: Introduction

## RPS Framework

### Part A: Introduction

Overview  
The Otago Region  
Kāi Tahu – The Treaty Partner  
RPS Framework

### Part B: Objectives and Policies



Each chapter is ordered as follows:  
Introduction  
Objective  
Related issue  
Policies  
Methods  
Principal Reasons and Explanations

### Part C: Implementation

Roles and responsibilities  
Methods  
Anticipated Environmental Results

### Part D: Schedules and Appendices

Schedules 1 – 6  
Appendix  
Glossary  
User Index



*Part A: Introduction*

Five outcomes are sought in managing the region's natural and physical resources.

All provisions of the RPS must be considered together. The outcomes inter-relate, and no hierarchy exists between them.

These outcomes provide the framework for sustainable, integrated management of resource use for us and for the generations that come after us - *Mō tātou, ā, mō kā uri ā muri ake nei*.

These outcomes form the chapters of Part B, which contain the inter-related objectives and policies. The focus of each chapter is outlined below.

### **Part A: Introduction**

This explains the RPS context and purpose.

### **Part B: Objectives and Policies**

The five outcomes form the chapter headings of Part B: Objectives and Policies.

Objectives and policies are set out under each chapter, together with the relevant regionally significant issues being addressed and general implementation methods. Schedules provide further detail for specific policies.

The five outcomes are:

1. Resource management in Otago is integrated
2. Kāi Tahu values, and interests are recognised and kaitiakitaka is expressed
3. Otago has high quality natural resources and ecosystems
4. Communities in Otago are resilient, safe and healthy
5. People are able to use and enjoy our natural and built environment

### **Part C: Implementation**

Part C: Implementation details the methods and procedures that will be used by local authorities to give effect to the objectives and policies of the RPS. This includes identifying the division of roles and responsibilities under the RMA, as well as monitoring, reporting and other methods to achieve the objectives of the RPS.

This section also contains the anticipated environmental results from implementing the RPS policies and methods.

### **Part D: Schedules and Appendices**

The schedules provide additional detail supporting RPS policies. The Appendix provides the wording of Te Tiriti o Waitangi in Te Reo and English. A glossary and user index are provided for ease of use.

*PART B: Chapter 1 Resource management in Otago is integrated*

## **PART B Chapter 1 Resource management in Otago is integrated**

This first chapter recognises that the different parts of the natural and physical environment are interconnected. The integrated management of natural and physical resources and human values is essential to safeguard the life-supporting capacity of the environment and enable the social, cultural, and economic wellbeing of all people and communities.

### **Chapter overview:**

#### **Objective 1.1<sup>3</sup>**

**Otago’s resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities** Page

Policy 1.1.1<sup>4</sup> Economic wellbeing 11

Policy 1.1.2<sup>5</sup> Social and cultural wellbeing and health and safety 11

#### **Objective 1.1<sup>2</sup>6**

**Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago.** Page

Policy 1.1.2.1<sup>7</sup> Integrated resource management 13~~15~~

Policy 1.1.2.2<sup>8</sup> Economic wellbeing 14

Policy 1.1.2.3<sup>9</sup> Social and cultural wellbeing and health and safety 14

<sup>3</sup> Changed by Environment Court consent order – 28 June 2018

<sup>4</sup> Changed by Environment Court consent order – 28 June 2018

<sup>5</sup> Changed by Environment Court consent order – 28 June 2018

<sup>6</sup> Changed by Environment Court consent order – 28 June 2018

<sup>7</sup> Changed by Environment Court consent order – 28 June 2018

<sup>8</sup> Changed by Environment Court consent order – 28 June 2018

<sup>9</sup> Changed by Environment Court consent order – 28 June 2018

*PART B: Chapter 1 Resource management in Otago is integrated*

**Objective 1.1<sup>10</sup> Otago’s resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities**

**Issue**

The social and economic wellbeing of Otago’s communities depends on use and development of natural and physical resources.

Loss or degradation of resources can diminish their intrinsic values and constrains opportunities for use and development now and into the future.

Some of Otago’s resources are nationally or regionally important for their natural values and economic potential and so warrant careful management.

**Policy 1.1.1<sup>11</sup> Economic wellbeing**

Provide for the economic wellbeing of Otago’s people and communities by enabling the resilient and sustainable use and development of natural and physical resources.

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Policy 1.1.2<sup>12</sup> Social and cultural wellbeing and health and safety**

Provide for the social and cultural wellbeing and health and safety of Otago’s people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:

- a) Recognising and providing for Kāi Tahu values;
- b) Taking into account the values of other cultures;
- c) Taking into account the diverse needs of Otago’s people and communities;
- d) Avoiding significant adverse effects of activities on human health;

---

<sup>10</sup> Changed by Environment Court consent order – 28 June 2018

<sup>11</sup> Changed by Environment Court consent order – 28 June 2018

<sup>12</sup> Changed by Environment Court consent order – 28 June 2018

*PART B: Chapter 1 Resource management in Otago is integrated*

- e) Promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing;
- f) Promoting good quality and accessible infrastructure and public services.

**Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.2 g

### **Principal Reasons and Explanation**

Sustainable management under the RMA includes enabling social, economic and cultural wellbeing for present and future generations. Resource management decisions need to recognise that individual and community wellbeing depends on use, development and protection of natural and physical resources.

**Objective 1.12<sup>13</sup> Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago**

**Issue:**

Natural and physical resources are interconnected, complex and should be managed in an integrated, sustainable, consistent and effective way because the use of one resource may adversely affect another. Inefficient and ineffective responses or unexpected adverse effects can occur when Aactivities affecting a resource are often undertaken by different resource users, governed by different legislation, or and administered by different local authorities. Plans need to address diverse and conflicting interests.

**Policy 1.12.1<sup>14</sup> Integrated resource management**

Achieve integrated management of Otago’s natural and physical resources, by all of the following:

- a) Coordinating the management of interconnected natural and physical resources;
- b) Taking into account the impacts of management of one natural or physical resource on the values of another, or on the environment;
- c) Recognising that the value and function of a natural or physical resource may extend beyond the immediate, or directly adjacent, area of interest;
- d) Ensuring that resource management approaches across administrative boundaries are consistent and complementary;
- e) Ensuring that effects of activities on the whole of a natural or physical resource are considered when that resource is managed as subunits.
- f) Managing adverse effects of activities to give effect to the objectives and policies of the Regional Policy Statement.
- g) Promoting healthy ecosystems and ecosystem services;
- h) Promoting methods that reduce or negate the risk of exceeding sustainable resource limits.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 9: Advocacy and Facilitation**

<sup>13</sup> Changed by Environment Court consent order – 28 June 2018

<sup>14</sup> Changed by Environment Court consent order – 28 June 2018

*PART B: Chapter 1 Resource management in Otago is integrated*

Method 9.2

**Policy 1.1.2<sup>15</sup> Economic wellbeing**

Provide for the economic wellbeing of Otago's people and communities by enabling the use and development of natural and physical resources only if the adverse effects of those activities on the environment can be managed to give effect to the objectives and policies of the Regional Policy Statement.

**Method 2: ——— Regional, City and District Council Relationships**  
————— Method 2.1, Method 2.2

**Method 3: ——— Regional Plans**  
————— Method 3.1

**Method 4: ——— City and District Plans**  
————— Method 4.1

**Policy 1.1.3<sup>16</sup> Social and cultural wellbeing and health and safety**

Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:

- a) — Recognising and providing for Kāi Tahu values;
- b) — Taking into account the values of other cultures;
- c) — Taking into account the diverse needs of Otago's people and communities;
- d) — Promoting good quality and accessible infrastructure and public services;
- e) — Avoiding significant adverse effects of activities on human health.

**Method 1: ——— Kāi Tahu Relationships**  
————— Method 1.1, Method 1.2

**Method 2: ——— Regional, City and District Council Relationships**  
————— Method 2.1, Method 2.2

**Method 3: ——— Regional Plans**  
————— Method 3.1

**Method 4: ——— City and District Plans**  
————— Method 4.1

**Method 9: ——— Advocacy and Facilitation**  
————— Method 9.1.2 g

---

<sup>15</sup> Changed by Environment Court consent order – 28 June 2018

<sup>16</sup> Changed by Environment Court consent order – 28 June 2018

*PART B: Chapter 1 Resource management in Otago is integrated*

**Principal Reasons and Explanation:**

The RMA requires that resources are managed in an integrated way.

The management of natural and physical resources needs to be integrated to ensure that resource management decisions are consistent, take account of the linkages between all parts of the environment and recognise and provide for the diversity of different interests and values associated with resources.

PART B: Chapter 24 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed

## **PART B Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed**

*He taura whiri kotahi mai anō te kopunga tai nō i te pu au*

“From the source to the mouth of the sea, all things are joined together as one”.

Te Tiriti o Waitangi establishes a partnership between Kāi Tahu and the Crown. The RMA requires that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga, is recognised and provided for and that the principles of the Treaty of Waitangi are taken into account. In the spirit of this partnership, and the Treaty principles, the RPS seeks to create the terms for engaging with Kāi Tahu closely in resource management.

This chapter incorporates the principles of Te Tiriti o Waitangi and sets out general considerations for the incorporation of Kāi Tahu values and interests into resource management planning, consenting, and implementation processes. Kāi Tahu themes are integrated throughout this document, and this chapter serves to tie these strands together. It reflects the Kāi Tahu philosophy of holistic resource management, ki uta ki tai – “from the mountains to the sea”.

### **Chapter overview:**

<b>Objective 2.1</b>		
<b>The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions.</b>		<b>Page</b>
Policy 2.1.1	Treaty obligations	<a href="#">1722</a>
Policy 2.1.2	Treaty principles	<a href="#">1722</a>
<b>Objective 2.2</b>		
<b>Kāi Tahu values, interests and customary resources are recognised and provided for.</b>		<b>Page</b>
Policy 2.2.1	Kāi Tahu wellbeing	<a href="#">1925</a>
Policy 2.2.2	Recognising sites of cultural significance	<a href="#">1925</a>
Policy 2.2.3	Wāhi tūpuna and associated sites	<a href="#">2026</a>
Policy 2.2.4	Sustainable use of Māori land	<a href="#">2027</a>



PART B: Chapter 24 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed

## **Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions**

### **Issue:**

The principles of Te Tiriti o Waitangi are broad concepts that need further exploration when applied to specific circumstances.

Effective planning tools and processes are required to give effect to the Treaty relationship between Kāi Tahu and local authorities in accordance with Part 2 of the RMA

### **Policy 2.1.1 Treaty obligations**

Promote awareness and understanding of the obligations of local authorities in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.

**Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2, Method 1.3, Method 1.4

### **Policy 2.1.2 Treaty principles**

Ensure that local authorities exercise their functions and powers, by :

- a) Recognising Kāi Tahu's status as a Treaty partner; and
- b) Involving Kāi Tahu in resource management processes implementation;
- c) Taking into account Kāi Tahu values in resource management decision-making processes and implementation;
- d) Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;
- e) Ensuring Kāi Tahu have the ability to:
  - i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka;
  - ii. Determine how best to express that relationship;
- f) Having particular regard to the exercise of kaitiakitaka;
- g) Ensuring that district and regional plans:
  - i. Give effect to the Ngāi Tahu Claims Settlement Act 1998;
  - ii. Recognise and provide for statutory acknowledgement areas in Schedule 2;
  - iii. Provide for other areas in Otago that are recognised as significant to Kāi Tahu;
- h) Taking into account iwi management plans.

**Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2, Method 1.3, Method 1.4

**Method 2: Regional, City and District Council Relationships**  
Method 2.2.4

*PART B: Chapter 24 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed*

- Method 3: Regional Plans**  
Method 3.1.1, Method 3.1.2
- Method 4: City and District Plans**  
Method 4.1.1110, Method 4.1.1211, Method 4.1.1413, Method 4.2.3,  
Method 4.2.5, Method 4.2.98
- Method 5: Research, Monitoring and Reporting**  
Method 5.1.4
- Method 8: Funding**  
Method 8.1

### **Principal Reasons and Explanation:**

Te Tiriti o Waitangi creates a special relationship between takata whenua and the Crown. The RMA requires local authorities to take the principles of Te Tiriti o Waitangi into account, with particular regard to kaitiakitaka.

Local authorities need to incorporate these principles into their decision making to ensure they are properly applied, and to account for the effects of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans.

Section 8 of the RMA requires local authorities to take into account the principles of Te Tiriti o Waitangi. Deliberate measures need to be taken to ensure the principles are properly understood and taken into account. The principles are broadly expressed, so a measure of flexibility is needed.

In particular exercising kaitiakitaka requires the ability to participate in resource management processes and implementation.

A partnership approach which involves Kāi Tahu and considers their values and interests in decision making processes, enables the principles, including kaitiakitaka, to be taken into account in an appropriately flexible way.

PART B: Chapter 24 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed

## Objective 2.2 Kāi Tahu values, interests and customary resources are recognised and provided for

### Issue:

The mauri and wairua of some places, sites, resources and the values of cultural, spiritual or historic significance to Kāi Tahu have often been destroyed or degraded.

In some instances it has been difficult for Kāi Tahu to use and develop Māori land for the purposes for which it was originally granted.

### Policy 2.2.1<sup>17</sup> Kāi Tahu wellbeing

Manage the natural environment to support Kāi Tahu wellbeing by all of the following:

- a) ~~Ensuring the sustainable management of resources supports~~ Recognising and providing for their customary uses and cultural values in Schedules 1A and B; and,
- b) Safe-guarding the life-supporting capacity of natural resources.

- |                  |   |
|------------------|---|
| <b>Method 1:</b> | <b>Kāi Tahu Relationships</b><br>Method 1.1, Method 1.2, Method 1.3, Method 1.4 |
| <b>Method 2:</b> | <b>Regional, City and District Council Relationships</b><br>Method 2.2.4        |
| <b>Method 3:</b> | <b>Regional Plans</b><br>Method 3.1   |
| <b>Method 4:</b> | <b>City and District Plans</b><br>Method 4.1, Method 4.2                        |

### Policy 2.2.2<sup>18</sup> Recognising sites of cultural significance

Recognise and provide for the protection of wāhi tūpuna, ~~as described in Schedule 1C~~ by all of the following:

- a) Avoiding significant adverse effects on those values ~~which that~~ contribute to the identified wāhi tūpuna being significant;
- b) Avoiding, remedying, or mitigating other adverse effects on the identified wāhi tūpuna;
- c) Managing ~~those landscapes and the identified wāhi tūpuna~~ sites in a culturally appropriate manner.

---

<sup>17</sup> Changed by Environment Court consent order – 28 June 2018

<sup>18</sup> Changed by Environment Court consent order – 28 June 2018

*PART B: Chapter 24 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed*

- Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2, [Method 1.2.1](#), Method 1.3, Method 1.4
- Method 2: Regional, City and District Council Relationships**  
Method 2.2.4, [Method 2.2.2](#)
- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1, Method 4.2
- Method 5: Research, Monitoring and Reporting**  
Method 5.1.4

**Policy 2.2.3 Wāhi tūpuna and associated sites**

Enable Kāi Tahu relationships with wāhi tūpuna by all of the following:

- a) Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna;
- b) Recognising and using traditional place names.

- Method 2: Regional, City and District Council Relationships**  
Method 2.2.4
- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1, Method 4.2
- Method 9: Advocacy and Facilitation**  
Method 9.2.8 b.

**Policy 2.2.4 Sustainable use of Māori land**

Enable Kāi Tahu to protect, develop and use land and resources within native reserves in a way consistent with their culture and traditions and economic, cultural and social aspirations, including for papakāiika, marae and marae related activities, while:

- a) Avoiding adverse effects on the health and safety of people; and
- b) Avoiding significant adverse effects on matters of national importance; and
- c) Avoiding, remedying or mitigating other adverse effects.

- Method 3: Regional Plans**  
Method 3.1

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019*

20

*PART B: Chapter 24 Kāi Tahu values, rights and interests are recognised and kaitiakitaka is expressed*

**Method 4: City and District Plans**  
Method 4.1. ~~1211~~

**Principal Reasons and Explanation:**

In managing natural and physical resources, local authorities need to recognise Kāi Tahu values, take into account Kāi Tahu plans, and the exercise of their customary rights.

Kāi Tahu's traditions, culture and practices are intricately linked with their ancestral lands, water, sites, wāhi tapu, and other taoka. The RMA requires that these values are recognised and provided for as a matter of national importance.

The exercise of kaitiakitaka requires a healthy, functioning natural environment, and recognition of values and sites of significance.

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**PART B Chapter 3 Otago has high quality natural resources and ecosystems<sup>19</sup>**

People and communities need to sustainably manage the environment, including safeguarding the life-supporting capacity of natural resources and recognising the intrinsic values of ecosystems, is essential to provide for the current and future wellbeing of people and communities.

The economy, particularly primary production, tourism, and mineral and petroleum exploration and extraction, strongly relies on the quantity and quality of natural resources and the ecosystem services they provide.

This chapter begins with the recognition and maintenance of all natural resources. The second part focuses on the identification, protection, and enhancement of natural resources that are nationally or regionally important. This chapter is not concerned with sustaining mineral resources for future generations.

**Chapter overview:**

<b>Objective 3.1</b>		
<b>The values (including intrinsic values) of Otago’s ecosystems and natural resources are recognised, and maintained, and or enhanced where degraded.</b>		<b>Page</b>
Policy 3.1.1	Fresh water	2432
Policy 3.1.2	Beds of rivers, lakes, wetlands and their margins	2533
Policy 3.1.3	Water allocation and use	2633
Policy 3.1.4	Water shortage	2634
Policy 3.1.5	Coastal water	2734
Policy 3.1.6	Air quality	2735
Policy 3.1.7	Soil values	2836
Policy 3.1.8	Soil erosion	2936
Policy 3.1.9	Ecosystems and indigenous biological diversity	2937
Policy 3.1.10	Biodiversity in the coastal environment	30
Policy 3.1.11	Natural features, landscapes, and seascapes	3138
Policy 3.1.12	Natural character in the coastal environment	3239
Policy 3.1.13	Environmental enhancement	3239
<b>Objective 3.2</b>		
<b>Otago's significant and highly-valued natural resources are identified, and protected, or enhanced where degraded.</b>		<b>Page</b>
Policy 3.2.1	Identifying significant indigenous vegetation and habitats	3441

<sup>19</sup> Chapter 3 changed by Environment Court consent orders – 15 March 2019 and 24 June 2020, unless otherwise stated.

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

Policy 3.2.2	Managing significant indigenous vegetation and habitats	3442
Policy 3.2.3	Identifying outstanding natural features, landscapes and seascapes	3542
Policy 3.2.4	Managing outstanding natural features, landscapes and seascapes	3542
Policy 3.2.5	Identifying highly valued natural features, landscapes and seascapes	3643
Policy 3.2.6	Managing highly valued natural features, landscapes and seascapes	3743
Policy 3.2.7	Landward extent of the coastal environment	3744
Policy 3.2.8	Identifying high and outstanding natural character in the coastal environment	3845
Policy 3.2.9	Managing the outstanding natural character of the coastal environment	3846
Policy 3.2.10	Managing the high natural character of the coastal environment	3946
Policy 3.2.11	Identifying surf breaks of national importance	4047
Policy 3.2.12	Managing surf breaks of national importance	4047
Policy 3.2.13	Identifying outstanding freshwater bodies	4048
Policy 3.2.14	Managing outstanding freshwater bodies	4148
Policy 3.2.15	Identifying the significant values of wetlands	4149
Policy 3.2.16	Managing the values of wetlands	4249
Policy 3.2.17	Identifying significant soil	4250
Policy 3.2.18	Managing significant soil	4250

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Objective 3.1** The values (including intrinsic values) of Otago's ecosystems and natural resources are recognised, and maintained, and or enhanced where degraded

**Issue:**

Degradation of natural values and natural systems compromises the life-supporting capacity of the environment, the intrinsic values of ecosystems and the ecosystem services they provide.

Knowledge of these systems and their interdependencies is often imperfect.

Cumulative effects of human activities on the natural environment may be difficult to pinpoint initially but over time can result in serious damage.

**Policy 3.1.1 Fresh water**

Safeguard the life-supporting capacity of fresh water and manage fresh water to:

- a) Maintain good quality water and enhance water quality where it is degraded, including for:
  - i. Important recreation values, including contact recreation; and,
  - ii. Existing drinking and stock water supplies;
- b) Maintain or enhance aquatic:
  - i. Ecosystem health;
  - ii. Indigenous habitats; and,
  - iii. Indigenous species and their migratory patterns.
- c) Avoid aquifer compaction and seawater intrusion;
- d) Maintain or enhance, as far as practicable:
  - i. Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;
  - ii. Coastal values supported by fresh water;
  - iii. The habitat of trout and salmon unless detrimental to indigenous biological diversity; and
  - iv. Amenity and landscape values of rivers, lakes, and wetlands;
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread;
- f) Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion; and,
- g) Avoid, remedy or mitigate adverse effects on existing infrastructure that is reliant on fresh water.

Manage fresh water to achieve all of the following:

- a) Maintain or enhance ecosystem health in all Otago aquifers, and rivers, lakes, wetlands, and their margins;
- b) Maintain or enhance the range and extent of habitats provided by fresh water, including the habitat of trout and salmon;
- c) Recognise and provide for the migratory patterns of freshwater species, unless detrimental to indigenous biological diversity;
- d) Avoid aquifer compaction and seawater intrusion in aquifers;



PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- e) — Maintain good water quality, including in the coastal marine area, or enhance it where it has been degraded;
- f) — Maintain or enhance coastal values;
- g) — Maintain or enhance the natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;
- h) — Maintain or enhance the quality and reliability of existing drinking and stock water supplies;
- i) — Recognise and provide for important recreation values;
- j) — Maintain or enhance the amenity and landscape values of rivers, lakes, and wetlands;
- k) — Control the adverse effects of pest species, prevent their introduction and reduce their spread;
- l) — Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion;
- m) — Avoid, remedy, or mitigate adverse effects on existing infrastructure that is reliant on fresh water.

**Method 3: Regional Plans**  
Method 3.1.3

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.7

**Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins**

Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to:

- a) — Safeguard the life supporting capacity of fresh water;
- b) — Maintain good quality water, or enhance it where it has been degraded;
- c) — Maintain or enhance bank stability;
- d) — Maintain or enhance ecosystem health and indigenous biological diversity;
- e) — Maintain or enhance, as far as practicable:
  - i. — Their natural functioning and character; and
  - ii. — Amenity values;
- f) — Control the adverse effects of pest species, prevent their introduction and reduce their spread; and,
- g) — Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion.

Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to achieve all of the following:

- a) — Maintain or enhance their natural functioning;
- b) — Maintain good water quality, or enhance it where it has been degraded;
- c) — Maintain or enhance ecosystem health and indigenous biological diversity;
- d) — Maintain or enhance natural character;
- e) — Maintain or enhance amenity values;

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

25

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- f) ~~Control the adverse effects of pest species, prevent their introduction and reduce their spread;~~
- g) ~~Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion;~~
- h) ~~Maintain or enhance bank stability.~~

**Method 3: Regional Plans**  
 Method 3.1.3, Method 3.1.1413

**Method 4: City and District Plans**  
 Method 4.1.43, Method 4.1.15

**Method 6: Non RMA Strategies and Plans**  
 Method 6.7

**Policy 3.1.3 Water allocation and use**

Manage the allocation and use of fresh water by undertaking all of the following:

- a) ~~Recognising and providing for the social and economic benefits of sustainable water use;~~
- b) ~~Avoiding over-allocation, and phasing out existing over-allocation, resulting from takes and discharges;~~
- c) ~~Ensure~~ Ensuring the efficient allocation and use of water by ~~undertaking all of the following:~~
  - ai) Requiring that the ~~volume of~~ water allocated does not exceed what is necessary for its efficient use;
  - bii) Encouraging the development or upgrade of infrastructure that increases ~~use~~ efficiency; ;
  - iii. ~~Providing for temporary dewatering activities necessary for construction or maintenance.~~

**Method 3: Regional Plans**  
 Method 3.1

**Method 9: Advocacy and Facilitation**  
 Method 9.2.8

**Policy 3.1.4 Water shortage**

Manage for water shortage by undertaking all of the following:

- a) ~~Encouraging land management that improves moisture capture, infiltration, and soil moisture holding capacity.~~
- ba) Encouraging collective coordination and rationing of the take and use of water when river flows or aquifer levels are lowering, to avoid breaching any minimum flow or aquifer level restriction ~~to optimise use of water available for taking;~~
- cb) ~~Providing for~~ Encouraging water harvesting and storage, ~~subject to allocation limits and flow management,~~ to reduce demand on water bodies during periods of low flows.

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Method 3: Regional Plans**

Method 3.1

**Method 9: Advocacy and Facilitation**

Method 9.2.7

**Policy 3.1.5 Coastal water**

Manage coastal water to:

- a) Maintain coastal water quality or enhance it where it has been degraded;
- b) Maintain healthy coastal ecosystems, the range of indigenous habitats provided by the coastal marine area, and the migratory patterns of indigenous coastal water species or enhance these values where they have been degraded;
- c) Maintain or enhance important recreation values;
- d) Maintain or enhance, as far as practicable:
  - i. Coastal values; and
  - ii. The habitats provided by the coastal marine area for trout and salmon unless detrimental to indigenous biological diversity.
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

Manage coastal water to achieve all of the following:

- a) Maintain or enhance healthy coastal ecosystems;
- b) Maintain or enhance the range of habitats provided by the coastal marine area, including the habitat of trout and salmon;
- c) Recognise and provide for the migratory patterns of coastal water species unless detrimental to indigenous biological diversity;
- d) Maintain coastal water quality or enhance it where it has been degraded;
- e) Maintain or enhance coastal values;
- f) Recognise and provide for important recreation values;
- g) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

**Method 3: Regional Plans**

Method 3.1.3

**Method 5: Research, Monitoring and Reporting**

Method 5.2.1, Method 5.2.2

**Method 9: Advocacy and Facilitation**

Method 9.2.3, Method 9.2.5

**Policy 3.1.6 Air quality**

Manage air quality to achieve the following:

- a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded;

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

27

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**b) Maintain or enhance amenity values.**

**Method 3: Regional Plans**  
Method 3.1.98

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1c, Method 5.2.3b.

**Method 6: Non RMA Strategies and Plans**  
Method 6.2

**Method 7: Education and Information**  
Method 7.1.2 g.

**Policy 3.1.7 Soil values**

Safeguard the life-supporting capacity of soil and manage soil to:

- a) Maintain or enhance as far as practicable
  - i. Soil biological diversity;
  - ii. Biological activity in soils;
  - iii. Soil function in the storage and cycling of water, nutrients, and other elements through the biosphere;
  - iv. Soil function as a buffer or filter for contaminants resulting from human activities, including aquifers at risk of leachate contamination;
  - v. Soil fertility where soil is used for primary production;
- b) Where a) is not practicable, minimise adverse effects;
- c) Recognise that urban and infrastructure development may result in loss of soil values.
- d) Control the adverse effects of pest species, prevent their introduction and reduce their spread;
- e) Retain the soil mantle where it acts as a repository of historic heritage objects unless an archaeological authority has been obtained.

Manage soils to achieve all of the following:

- a) Maintain or enhance their life supporting capacity;
- b) Maintain or enhance soil biological diversity;
- c) Maintain or enhance biological activity in soils;
- d) Maintain or enhance soil function in the storage and cycling of water, nutrients, and other elements through the biosphere;
- e) Maintain or enhance soil function as a buffer or filter for contaminants resulting from human activities, including aquifers at risk of leachate contamination;
- f) Maintain or enhance soil resources for primary production;
- g) Maintain the soil mantle where it acts as a repository of historic heritage objects unless an archaeological authority has been obtained;
- h) Avoid the creation of contaminated land;
- i) Control the adverse effects of pest species, prevent their introduction and reduce their spread;

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

28

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Method 3: Regional Plans**

Method 3.1.4

**Method 4: City and District Plans**

Method 4.1.54, Method 4.1.65

**Method 5: Research, Monitoring and Reporting**

Method 5.2.1

**Method 7: Education and Information**

Method 7.1.2f.

**Policy 3.1.8 Soil erosion**

Minimise soil erosion resulting from activities, by undertaking all of the following:

- a) Using appropriate erosion controls and soil conservation methods;
- b) Maintaining vegetative cover on erosion prone land;
- c) Remediating land where significant soil erosion has occurred;
- d) Encouraging activities that enhance soil retention.

**Method 4: City and District Plans**

Method 4.1.54

**Method 5: Research, Monitoring and Reporting**

Method 5.2.1, Method 5.2.2

**Method 7: Education and Information**

Method 7.1.2

**Method 9: Advocacy and Facilitation**

Method 9.2.2

**Policy 3.1.9 Ecosystems and indigenous biological diversity**

Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to:

- a) Maintain or enhance:
  - i. Ecosystem health and indigenous biological diversity including habitats of indigenous fauna;
  - ii. Biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;
- b) Maintain or enhance as far as practicable:
  - i. Areas of predominantly indigenous vegetation;
  - ii. Habitats of trout and salmon unless detrimental to indigenous biological diversity;
  - iii. Areas buffering or linking ecosystems;

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

29

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- c) Recognise and provide for:
  - i. Hydrological services, including the services provided by tall tussock grassland;
  - ii. Natural resources and processes that support indigenous biological diversity;
- d) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to achieve all of the following:

- a) Maintain or enhance ecosystem health and indigenous biological diversity;
- b) Maintain or enhance biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;
- c) Maintain or enhance areas of predominantly indigenous vegetation;
- d) Recognise and provide for important hydrological services, including the services provided by tussock grassland;
- e) Recognise and provide for natural resources and processes that support indigenous biological diversity;
- f) Maintain or enhance habitats of indigenous species and the habitat of trout and salmon that are important for recreational, commercial, cultural or customary purposes;
- g) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1.43

**Method 5: Research, Monitoring and Reporting**

Method 5.2.1

**Method 6: Non RMA Strategies and Plans**

Method 6.4

**Method 7: Education and Information**

Method 7.1

**Method 9: Advocacy and Facilitation**

Method 9.2

**Policy 3.1.10 Biodiversity in the coastal environment**

Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:

- a) Areas of predominantly indigenous vegetation in the coastal environment;
- b) Habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- c) Indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;
- d) Habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
- e) Habitats, including areas and routes, important to migratory species; and
- f) Ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1.4

**Method 5: Research, Monitoring and Reporting**

Method 5.2.1

**Method 6: Non RMA Strategies and Plans**

Method 6.4

**Method 7: Education and Information**

Method 7.1

**Method 9: Advocacy and Facilitation**

Method 9.2

**Policy 3.1.1110 Natural features, landscapes, and seascapes**

Recognise the values of natural features, landscapes and seascapes are derived from the biophysical, sensory and associative attributes in Schedule 3.

**Method 1: Kāi Tahu Relationships**

Method 1.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.2.2

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Policy 3.1.1211 Natural character in the coastal environment**

Recognise the values of natural character in the coastal environment are derived from one or more of the following attributes:

- a) Natural elements, processes and patterns;
- b) Biophysical, ecological, geological and geomorphological aspects;
- c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks;
- d) The natural movement of water and sediment;
- e) The natural darkness of the night sky;
- f) Places or areas that are wild or scenic;
- g) A range of natural character from pristine to modified;
- h) Experiential attributes, including the sounds and smell of the sea; and their context or setting.

**Method 3: Regional Plans**

Method 3.1.65

**Method 4: City and District Plans**

Method 4.1

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2

**Policy 3.1.1312 Environmental enhancement**

Encourage, facilitate and support activities which that contribute to enhancing the resilience and enhancement of the natural environment, by one or more of the following where applicable:

- a) Improving water quality and quantity;
- b) Protecting or restoring habitat for indigenous species;
- c) Regenerating indigenous species;
- d) Mitigating natural hazards;
- e) Protecting or restoring wetlands;
- f) Improving the health and resilience of:
  - i. Ecosystems supporting indigenous biological diversity;
  - ii. Important ecosystem services, including pollination;
- g) Improving access to rivers, lakes, wetlands and their margins, and the coast;
- h) Buffering or linking ecosystems, habitats and areas of significance that contribute to ecological corridors;
- i) Controlling pest species.

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 3: Regional Plans**

Method 3.1



PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Method 4: City and District Plans**  
Method 4.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.1 – Method 6.9

**Method 7: Education and Information**  
Method 7.1

**Method 8: Funding**  
Method 8.1

**Method 9: Advocacy and Facilitation**  
Method 9.1, Method 9.2

#### **Principal Reasons and Explanation:**

Understanding the many values and characteristics of natural resources and their ecosystem services is essential, in adequately managing the adverse effects of human activities on the environment's life supporting capacity.

There is often conflict between the many values of natural resources and human use of those resources.

These policies address the values attached to natural resources, and how all natural resources should be managed.

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

### **Objective 3.2 Otago's significant and highly-valued natural resources are identified, and protected, or enhanced where degraded**

#### **Issue:**

Otago has significant and highly-valued natural resources. These include outstanding natural features, landscapes, seascapes, indigenous biological diversity, water bodies and soil, which all have intrinsic value and help to create the region's identity and support the region's wellbeing.

These highly valued resources can become degraded if they are not adequately protected from inappropriate subdivision, use and development, and so deserve a greater degree of recognition.

Resource degradation can adversely affect the social, cultural and economic wellbeing of people and communities.

#### **Policy 3.2.1 Identifying significant indigenous vegetation and habitats**

Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna, using the attributes detailed in Schedule 4.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2

#### **Policy 3.2.2 Managing significant indigenous vegetation and habitats**

Protect and enhance areas of significant indigenous vegetation and significant habitats of indigenous fauna, by all of the following:

- a) In the coastal environment, avoiding adverse effects on:
  - i. The values that contribute to the area or habitat being significant;
  - ii. Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;
  - iii. Taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;
  - iv. Indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;
  - v. Habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
  - vi. Areas containing nationally significant examples of indigenous community types; and

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- vii. Areas set aside for full or partial protection of indigenous biological diversity under other legislation;
- ab) Avoiding adverse effects on Beyond the coastal environment, and in the coastal environment in significant areas not captured by a) above, maintaining those values which that contribute to the area or habitat being significant;
- bc) Avoiding significant adverse effects on other values of the area or habitat;
- de) Remedying when other adverse effects cannot be avoided;
- ed) Mitigating when other adverse effects cannot be avoided or remedied;
- fe) Encouraging enhancement of those areas and values which that contribute to the area or habitat being significant;
- gf) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.43

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2

**Method 6: Non RMA Strategies and Plans**  
Method 6.4, Method 6.5

**Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes**

Identify areas and values of outstanding natural features, landscapes and seascapes, using the attributes in Schedule 3.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 c.

**Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes**

Protect, enhance and or restore outstanding natural features, landscapes and seascapes, by all of the following:

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

35

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- a) In the coastal environment, avoiding adverse effects on the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;
- ba) Avoiding adverse effects on Beyond the coastal environment, maintaining those the values which contribute to the significance (even if those values are not themselves outstanding) of that contribute to the natural feature, landscape or seascape being outstanding;
- cb) Avoiding, remedying or mitigating other adverse effects;
- e) Recognising and providing for the positive contributions of existing introduced species to those values;
- d) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- de) Encouraging enhancement of those areas and values which that contribute to the significance of the natural feature, landscape or seascape.

**Method 1: Kāi Tahu Relationships**

Method 1.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2 c.

**Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes**

Identify natural features, landscapes and seascapes, which are highly valued for their contribution to the amenity or quality of the environment but which are not outstanding, using the attributes in Schedule 3.

**Method 1: Kāi Tahu Relationships**

Method 1.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1, 4.2.2

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2 d.

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes**

~~Protect~~ **Maintain** or enhance highly valued natural features, landscapes and seascapes by all of the following:

- a) Avoiding significant adverse effects on those values ~~which~~ **that** contribute to the high value of the natural feature, landscape or seascape;
- b) Avoiding, remedying or mitigating other adverse effects;
- ~~c) — Recognising and providing for positive contributions of existing introduced species to those values;~~
- ~~d) — Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;~~
- ~~ce)~~ Encouraging enhancement of those values ~~which~~ **that** contribute to the high value of the natural feature, landscape or seascape.

**Method 1: Kāi Tahu Relationships**

Method 1.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2 d.

**Policy 3.2.7 Landward extent of the coastal environment**

Identify the landward extent of the coastal environment, recognising that the coastal environment ~~consists of one or more of the following includes:~~

- a) The coastal marine area;
- b) Islands within the coastal marine area;
- c) Areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;
- d) Areas at risk from coastal hazards;
- e) Coastal vegetation and the habitat of indigenous coastal species including migratory birds;
- f) Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;
- g) Items of cultural and historic heritage in the coastal marine area or on the coast;
- h) Inter-related coastal marine and terrestrial systems, including the intertidal zone; and
- i) Physical resources and built facilities, including infrastructure, that have modified the coastal environment.

**Method 1: Kāi Tahu Relationships**

Method 1.2

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 5: Research, Monitoring and Reporting**

Method 5.1.1

**Policy 3.2.8 Identifying high and outstanding natural character in the coastal environment**

Identify areas and values of high and outstanding natural character in the coastal environment, where one or more of the following attributes are met which may include matters such as:

- a) Natural elements, processes and patterns;
- b) Biophysical, ecological, geological and geomorphological aspects;
- c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks;
- d) The natural movement of water and sediment;
- e) The natural darkness of the night sky;
- f) Places or areas that are wild or scenic;
- g) A range of natural character from pristine to modified;
- h) Experiential attributes, including the sounds and smell of the sea; and their context or setting.

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 3: Regional Plans**

Method 3.1.65

**Method 4: City and District Plans**

Method 4.1.23, Method 4.2.2

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2 b.

**Policy 3.2.9 Managing the outstanding natural character of the coastal environment**

Preserve or enhance the outstanding natural character of the coastal environment, by all of the following:

- a) Avoiding adverse effects on those values which that contribute to the outstanding natural character of an area;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment;
- d) Encouraging enhancement of those values which that contribute to the outstanding natural character of an area;

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- e) Controlling the adverse effects of pest species, prevent their introduction and reduce their spread.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.65

**Method 4: City and District Plans**  
Method 4.1.32

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 b., Method 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.3

**Policy 3.2.10 Managing the high natural character of the coastal environment**

Preserve or enhance the high natural character of the coastal environment, by all of the following:

- a) Avoiding significant adverse effects on those values which that contribute to the high natural character of an area;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment;
- d) Encouraging enhancement of those values which that contribute to the high natural character of an area;
- e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.65

**Method 4: City and District Plans**  
Method 4.1.32

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.3

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Policy 3.2.11 Identifying surf breaks of national importance**

Recognise the surf breaks of national importance at:

- a) Karitane;
- b) Papatowai;
- c) The Spit;
- d) Whareakeake.

**Method 3: Regional Plans**  
Method 3.1.76

**Policy 3.2.12 Managing surf breaks of national importance**

Protect surf breaks of national importance, by all of the following:

- a) Avoiding adverse effects on the natural and physical processes contributing to their existence;
- b) Avoiding adverse effects of other activities on access to, and use and enjoyment of, those surf breaks.

**Method 3: Regional Plans**  
Method 3.1.76

**Method 4: City and District Plans**  
Method 4.1.87

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 d.

**Policy 3.2.13 Identifying outstanding freshwater bodies**

Identify freshwater bodies where any one or more of the following significant values are outstanding:

- a) Naturalness;
- b) Amenity or landscape values;
- c) Kāi Tahu cultural values;
- d) Recreational values;
- e) Ecological values;
- f) Hydrological values.

**Method 3: Regional Plans**  
Method 3.1.87

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 e.



PART B: Chapter 32 Otago has high quality natural resources and ecosystems

**Policy 3.2.14 Managing outstanding freshwater bodies**

Protect outstanding freshwater bodies by all of the following:

- a) ~~Avoiding Maintaining the values that significant adverse effects on those values which~~ contribute to the water body being outstanding;
- b) Avoiding, remedying or mitigating other adverse effects on the water body;
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- d) Encouraging enhancement of those values ~~which that~~ contribute to the water body being outstanding.

**Method 3: Regional Plans**  
Method 3.1.87

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.2, Method 9.2.5

**Policy 3.2.15 Identifying the significant values of wetlands**

Identify the significant values of wetlands, having regard to all of the following:

- a) Degree of naturalness;
- b) Amenity or landscape values;
- c) Kāi Tahu cultural values;
- d) Recreational values;
- e) Ecological ~~function and~~ values;
- f) Hydrological ~~function and~~ values;
- g) Geomorphological features and values.

**Method 3: Regional Plans**  
Method 3.1.87

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 g, 5.2.2

**Method 911: Advocacy and Facilitation**  
Method 9.2.1, Method 9.2.2, Method 9.2.3, Method 9.2.5

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

### Policy 3.2.16 Managing the values of wetlands

Protect the **function and** values of wetlands by all of the following:

- a) **Avoiding significant adverse effects on Maintaining** the significant values of **the** wetlands;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- d) Encouraging enhancement **which that** contributes to the values of the wetland-;
- e) **Encouraging the rehabilitation of degraded wetlands.**

**Method 3: Regional Plans**  
Method 3.1. ~~87~~

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 g, 5.2.2

**Method 911: Advocacy and Facilitation**  
Method 9.2.1, Method 9.2.2, Method 9.2.3, Method 9.2.5

### Policy 3.2.17 Identifying significant soil

Identify areas of soil that are significant **according to one or more of, using** the following criteria:

- a) Land classified as land use capability I, II and IIIe in accordance with the New Zealand Land Resource Inventory;
- b) Degree of significance for primary production;
- c) Significance for providing contaminant buffering or filtering services;
- d) Significance for providing water storage or flow retention services;
- e) Degree of rarity.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 c, Method 5.2.1 d.

### Policy 3.2.18 Managing significant soil

**Protect Manage** areas of significant soil, by all of the following:

- a) **Maintaining those values that make the soil significant;**
- a) **Avoiding significant adverse effects on those values which make the soil significant;**
- b) **Avoiding, remedying or mitigating other adverse effects;**

PART B: Chapter 32 Otago has high quality natural resources and ecosystems

- b) Recognising that loss of significant soil to urban development urban expansion on significant soils may occur in accordance with any future development strategy be appropriate due to location and proximity to existing urban development and infrastructure;
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.4

**Method 4: City and District Plans**  
Method 4.1.65

**Method 78: Education and Information**  
Method 7.1.2 f.

#### **Principal Reasons and Explanation:**

Otago has many significant and highly-valued landscapes, natural features and areas of indigenous biological diversity which are nationally or regionally important. These policies guide the identification, protection and enhancement of these resources. This higher level of protection recognises the importance of these resources to the cultural, environmental, social and economic wellbeing of people and communities.

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

## **PART B Chapter 4 Communities in Otago are resilient, safe and healthy**

Otago is at risk of expected and unexpected shocks and changes, from natural hazards, climate change and reliance on energy, imported goods and fossil fuels. These disruptions have the potential to affect economic, social, cultural, and environmental wellbeing.

Ensuring communities develop in a way which helps to prepare for, respond, recover, and adapt to disruptions will help make communities resilient. The sustainable management of renewable energy sources, the use of hazardous substances, and management of waste materials will, in the long term, also help ensure communities' resilience.

This chapter deals with the response and ability to be resilient to resource limitations or constraints, shock events, system disruptions, natural hazards, and climate change.

### **Chapter overview:**

<b>Objective 4.1</b>		
<b>Risk that natural hazards pose to Otago's communities are minimised.</b>		<b>Page</b>
Policy 4.1.1	Identifying natural hazards	<u>4759</u>
Policy 4.1.2	Natural hazard likelihood	<u>4759</u>
Policy 4.1.3	Natural hazard consequence	<u>4860</u>
Policy 4.1.4	Assessing activities for natural hazard risk	<u>4860</u>
Policy 4.1.5	Natural hazard risk	<u>4961</u>
Policy 4.1.6	<del>Avoiding</del> <u>Minimising increased increase in</u> -natural hazard risk	<u>5062</u>
Policy 4.1.7	Reducing existing natural hazard risk	<u>5163</u>
Policy 4.1.8	Precautionary approach to natural hazard risk	<u>5263</u>
Policy 4.1.9	Protecting features and systems that provide hazard mitigation	<u>5264</u>
Policy 4.1.10	Mitigating natural hazards	<u>5264</u>
Policy 4.1.11	Hard protection structures	<u>5365</u>
Policy 4.1.12	Lifeline utilities and facilities for essential or emergency services	<u>5365</u>
Policy 4.1.13	Hazard mitigation measures, lifeline utilities, and essential and emergency services	<u>5365</u>
<b>Objective 4.2</b>		
<b>Otago's communities are prepared for and able to adapt to the effects of climate change.</b>		<b>Page</b>
Policy 4.2.1	Sea level rise	<u>5567</u>
Policy 4.2.2	Climate change	<u>5567</u>

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

<b>Objective 4.3</b>		
<b>Infrastructure is managed and developed in a sustainable way.</b>		<b>Page</b>
Policy 4.3.1	Managing infrastructure activities	<u>5769</u>
Policy 4.3.2	Nationally and regionally significant infrastructure	<u>5870</u>
<u>Policy 4.3.3</u>	<u>Functional needs of infrastructure that has national or regional significance</u>	<u>59</u>
Policy 4.3. <del>43</del>	Adverse effects of nationally and regionally significant infrastructure	<u>5970</u>
Policy 4.3. <u>54</u>	Protecting <u>infrastructure with nationally and-or regionally significance</u> significant infrastructure	<u>6071</u>
<u>Policy 4.3.6</u>	<u>The National Grid</u>	<u>61</u>
<u>Policy 4.3.7</u>	<u>Recognising port activities at Port Chalmers and Dunedin</u>	<u>61</u>
<b>Objective 4.4</b>		
<b>Energy <del>supplies to Otago's communities</del> <u>resources and supplies</u> are secure, <u>reliable</u> and sustainable.</b>		<b>Page</b>
Policy 4.4.1	Renewable electricity generation	<u>6374</u>
Policy 4.4.2	Small and community scale renewable electricity generation	<u>6374</u>
Policy 4.4.3	Protecting <u>existing</u> renewable electricity generation	<u>6475</u>
Policy 4.4.4	Efficient transport of electricity	<u>6475</u>
Policy 4.4.5	Electricity distribution infrastructure	<u>6575</u>
Policy 4.4.6	Energy efficient transport	<u>6576</u>
<u>Policy 4.4.7</u>	<u>Fuels</u>	<u>66</u>
<b>Objective 4.5</b>		
<b>Urban growth and development is well designed, <del>reflects local character</del> <u>occurs in a strategic and coordinated way</u>, and integrates effectively with adjoining urban and rural environments.</b>		<b>Page</b>
Policy 4.5.1	<del>Managing</del> <u>Providing</u> for urban growth and development	<u>6879</u>
<u>Policy 4.5.27</u>	<u>Integrating infrastructure with land use</u>	<u>69</u>
<del>Policy 4.5.2</del>	<del>Planned and coordinated urban growth and development</del>	<u>7080</u>
Policy 4.5.3	Urban design	<u>7181</u>
Policy 4.5.4	Low impact design	<u>7182</u>
Policy 4.5.5	Warmer buildings	<u>7282</u>
Policy 4.5.6	Designing for public access	<u>7283</u>
<del>Policy 4.5.7</del>	<del>Integrating infrastructure with land use</del>	<u>83</u>
<b>Objective 4.6</b>		
<b>Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago.</b>		<b>Page</b>
Policy 4.6.1	Hazardous substances	<u>7486</u>
Policy 4.6.2	Use, storage and disposal of hazardous substances	<u>7486</u>
Policy 4.6.3	Hazardous substance collection, disposal and recycling	<u>7587</u>

*PART B: Chapter 4.3 Communities in Otago are resilient, safe and healthy*

Policy 4.6.4	Identifying contaminated land	<u>7588</u>
Policy 4.6.5	Managing contaminated land	<u>7588</u>
Policy 4.6.6	Waste management	<u>7689</u>
Policy 4.6.7	Waste minimisation responses	<u>7689</u>
Policy 4.6.8	Waste storage, recycling, recovery, treatment and disposal	<u>7789</u>
Policy 4.6.9	<u>New</u> Contaminated land	<u>7890</u>

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

## Objective 4.1 Risks that natural hazards pose to Otago's communities are minimised

### Issue:<sup>20</sup>

Natural hazard events, such as flooding and earthquakes, have the potential to injure people and damage property. Natural hazards may be exacerbated by the effects of climate change, which include sea level rise, and greater frequency and intensity of extreme weather events.

It is sometimes difficult and costly for a community to recover from a hazard event.

### Policy 4.1.1 Identifying natural hazards

Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence by considering all of the following:

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

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 4: City and District Plans**  
Method 4.1.21, Method 4.2.87

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

### Policy 4.1.2 Natural hazard likelihood

Using the best available information, assess the likelihood of natural hazard events occurring, over no less than 100 years.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

---

<sup>20</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Method 3: Regional Plans**  
Method 3.1.1312, Method 3.2.1

**Method 4: City and District Plans**  
Method 4.1.24, Method 4.2.1, Method 4.2.87

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Policy 4.1.3 Natural hazard consequence**

Assess the consequences of natural hazard events, by considering all of the following:

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

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1.1312, Method 3.2.1

**Method 4: City and District Plans**  
Method 4.1.24, Method 4.2.1, Method 4.2.87

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Policy 4.1.4<sup>21</sup> Assessing activities for natural hazard risk**

Assess activities for natural hazard risk to people, property and communities, by considering all of the following:

- a) The natural hazard risk identified, including residual risk;
- b) Any measures to avoid, remedy or mitigate those risks, including relocation and recovery methods;

---

<sup>21</sup> Changed by Environment Court consent order – 28 June 2018



PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- c) The long-term viability and affordability of those measures;
- d) Flow-on effects of the risk to other activities, individuals and communities;
- e) The availability of, and ability to provide, lifeline utilities, and essential and emergency services, during and after a natural hazard event.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.24, Method 4.2.87

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Policy 4.1.5<sup>22</sup> Natural hazard risk**

Manage natural hazard risk to people, property and communities, with particular regard to all of the following:

- a) The risk posed, considering the likelihood and consequences of natural hazard events;
- b) The implications of residual risk, ~~including the risk remaining after implementing or undertaking risk reduction and hazard mitigation measures;~~
- c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;
- ~~d) The changing nature of tolerance to risk;~~
- ~~e) Sensitivity of activities to risk;~~
- ~~e) The need to encourage system resilience;~~
- ~~f) The social costs of recovery.~~

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**

---

<sup>22</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

Method 3.1

**Method 4: City and District Plans**  
Method 4.1.24, Method 4.2.87

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

**Policy 4.1.6<sup>23</sup> ~~Avoiding~~ Minimising increased increase in natural hazard risk**

Minimise natural hazard risk to people, communities, property and other aspects of the environment by:

- a) Avoiding activities that result in significant risk from natural hazard;
- b) Enabling activities that result in no or low residual risk from natural hazard;
- c) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years;
- d) Encouraging the location of infrastructure away from areas of hazard risk where practicable;
- e) Minimising any other risk from natural hazard.

~~Manage natural hazard risk to people and communities, by both:~~

- ~~a) Avoiding activities that significantly increase risk including displacement of risk off-site; and~~
- ~~b) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years.~~

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.24, Method 4.2.87

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

---

<sup>23</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

**Policy 4.1.7<sup>24</sup> Reducing existing natural hazard risk**

Reduce existing natural hazard risk to people and communities, including by all of the following:

- a) Encouraging activities that:
  - i. Reduce risk; or
  - ii. Reduce community vulnerability;
- b) Discouraging activities that:
  - i. Increase risk; or
  - ii. Increase community vulnerability;
- c) Considering the use of exit strategies for areas of significant risk to people and communities;
- d) Encouraging design that facilitates:
  - i. Recovery from natural hazard events; or
  - ii. Relocation to areas of lower risk; or
  - iii. Mitigation of risk;
- e) Relocating lifeline utilities, and facilities for essential and emergency service, to areas of reduced risk, where appropriate and practicable;
- f) Enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services;
- g) Reassessing natural hazard risk to people and communities, and community tolerance of that risk, following significant natural hazard events.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.~~2~~1

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

---

<sup>24</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Policy 4.1.8 Precautionary approach to natural hazard risk**

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

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.21

**Policy 4.1.9 Protecting features and systems that provide hazard mitigation**

Avoid, remedy or mitigate adverse effects on natural or modified features and systems, which that contribute to mitigating the effects of both natural hazards and climate change.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.21

**Policy 4.1.10<sup>25</sup> Mitigating natural hazards**

Give preference to risk management approaches that reduce the need for hard protection structures or similar engineering interventions, and provide for hard protection structures only when all of the following apply:

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

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.21

---

<sup>25</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

**Policy 4.1.11 Hard protection structures**

Enable the location of hard protection structures or similar engineering interventions on public land only when either or both of the following apply:

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

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2~~1~~

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2

**Policy 4.1.12 Lifeline utilities and facilities for essential or emergency services**

Locate and design lifeline utilities and facilities for essential or emergency services to:

- a) Maintain their ability to function to the fullest extent possible, during and after natural hazard events; and
- b) Take into account their operational co-dependence with other lifeline utilities and essential services to ensure their effective operation.

**Method 9: Advocacy and Facilitation**  
Method 9.2.3, Method 9.2.4

**Policy 4.1.13<sup>26</sup> Hazard mitigation measures, lifeline utilities, and essential and emergency services**

Protect the functional ~~needs and operational requirements~~ of hazard mitigation measures, lifeline utilities, and essential or emergency services, including by all of the following:

- a) Restricting the establishment of ~~those other~~ activities that may result in reverse sensitivity effects ~~on those measures, utilities or services~~;
- b) Avoiding significant adverse effects on those measures, utilities or services;

---

<sup>26</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- c) Avoiding, remedying or mitigating other adverse effects on those measures, utilities or services;
- d) Maintaining access to those measures, utilities or services for maintenance and operational purposes;
- e) Managing other activities in a way that does not restrict the ability of those mitigation measures, utilities or services to continue functioning.

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1.24, Method 4.2.87

**Method 6: Non RMA Strategies and Plans**

Method 6.1.1

**Method 9: Advocacy and Facilitation**

Method 9.2.3, Method 9.2.4

**Principal Reasons and Explanation:**

While many of these events are beyond the control of people and communities, there is a need to reduce their potential impacts on people's safety, health and wellbeing.

Natural hazards can injure or kill people, damage property, create stress and fear, affect the operation of infrastructure and impact on the economy.

Natural hazard risks can also be exacerbated by inappropriate subdivision, use and development. Natural hazards should be identified and managed appropriately, so the risk of avoidable social and economic harm to communities is reduced as much as possible.

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

## Objective 4.2<sup>27</sup> Otago's communities are prepared for and able to adapt to the effects of climate change

### Issue:

Climate change will bring higher sea levels and an increased frequency of climate-related natural hazard events, which will increase the risk that communities face.

Climate change is creating environmental and economic outcomes that negatively affect the sustainability of natural and physical resources. These include higher sea levels, increased frequency of natural hazard events, and changing distribution of plants and animals. There is significant uncertainty over the rate and scale of change.

National and international policy frameworks have set objectives and guidance for New Zealand to proactively work toward reducing the rate of global warming.

### Policy 4.2.1<sup>28</sup> Sea level rise

Ensure Otago's people and communities are able to adapt to, or mitigate the effects of sea level rise, over no less than 100 years, by using:

- a) A sea level rise of at least 1 metre by 2115, relative to 1990 mean sea level (Otago Metric Datum); and
- b) Adding an additional 10mm per year beyond 2115, or the most up-to-date national or regional guidance on likely sea level rise.

**Method 2:**           **Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3:**           **Regional Plans**  
Method 3.1

**Method 4:**           **City and District Plans**  
Method 4.1

### Policy 4.2.2<sup>29</sup> Climate change

Ensure Otago's people and communities are able to mitigate and adapt to, ~~or mitigate~~ the effects of climate change, over no less than 100 years, by all of the following:

- a) Taking into account the effects of climate change, including by using the best relevant climate change data;

---

<sup>27</sup> Changed by Environment Court consent order – 28 June 2018

<sup>28</sup> Changed by Environment Court consent order – 28 June 2018

<sup>29</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- b) Applying a precautionary approach ~~to~~ when assessing and managing the effects of climate change where there is scientific uncertainty and potentially significant or irreversible effects;
- c) Encouraging activities that assist to reduce or mitigate the effects of climate change.
- d) Encouraging system resilience.

<b>Method 2:</b>	<b>Regional, City and District Council Relationships</b> Method 2.1, Method 2.2
<b>Method 3:</b>	<b>Regional Plans</b> Method 3.1
<b>Method 4:</b>	<b>City and District Plans</b> Method 4.1
<b>Method 5:</b>	<b>Research, Monitoring and Reporting</b> Method 5.2.1 g. and j.
<b>Method 6:</b>	<b>Non RMA Strategies and Plans</b> Method 6.1.1
<b>Method 7:</b>	<b>Education and Information</b> Method 7.1.1, Method 7.1.2
<b>Method 9:</b>	<b>Advocacy and Facilitation</b> Method 9.1.2, Method 9.1.3

### Principal Reasons and Explanation:

Communities need consistent guidance on sea level rise, and extreme weather events, and all other adverse effects of climate change to manage their those adverse effects.

Climate change ~~will bring~~ is bringing higher sea levels and ~~may increase~~ is increasing the frequency and severity of climate related natural hazards ~~such as including~~ flooding, landslips, erosion and drought. Stormwater systems may not be able to cope with heavier rainfall. Other effects of climate change include changing distributions of plants and animals, and consequential effects, such as the risk of saltwater intrusion into groundwater as a result of rising sea levels. There may be other adverse effects from climate change that are not yet known. A precautionary approach is required where there is scientific uncertainty.

~~There may be benefits from higher temperatures such as opportunities for growing different crops and reduced demand for heating in winter.~~

The effects of climate change will result in social, environmental and economic costs, and in some circumstances benefits. It is prudent that these changes be planned for now, so that the impacts can be reduced.



PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

### Objective 4.3 Infrastructure is managed and developed in a sustainable way

#### Issue:<sup>30</sup>

Social and economic wellbeing depends on having adequate infrastructure. Failing to provide for its functional needs can result in adverse effects.

Aging and sub-standard infrastructure can present a risk to the community by threatening creates risks to health and access, and as a consequence, threatens community resilience and can constrain new infrastructure solutions.

Activities locating in proximity to infrastructure may lead to reverse sensitivity effects on that infrastructure.

Infrastructure may adversely affect other lawfully established activities.

Infrastructure of regional and national significance may result in ~~local~~ localised adverse environmental impacts, or adversely affect other nationally important values.

Some infrastructure can only ~~be located~~ in particular areas, and it may not always be possible to avoid significant adverse effects.

#### Policy 4.3.1<sup>31</sup> Managing infrastructure activities

Recognise and provide for infrastructure by all of the following:

- a) Protecting and providing for the functional needs of lifeline utilities and essential or emergency services;
- b) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events;
- c) Improving efficiency of natural and physical resource use;
- d) Minimising adverse effects on existing land uses, and natural and physical resources;
- e) Managing other activities to ensure the functional needs of infrastructure are not compromised.

Policies 4.3.2 – 4.3.6 regarding infrastructure that has regional or national significance prevail where there is a conflict with policy 4.3.1.

Manage infrastructure activities, to achieve all of the following:

- a) Maintaining or enhancing the health and safety of the community;
- b) Avoiding, remedying or mitigating adverse effects of those activities on existing land uses, including cumulative adverse effects on natural and physical resources;
- c) Supporting economic, social and community activities;
- d) Improving efficiency of use of natural resources;

<sup>30</sup> Changed by Environment Court consent order – 6 July 2018

<sup>31</sup> Changed by Environment Court consent order – 6 July 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- e) ~~Protecting infrastructure corridors for infrastructure needs, now and for the future;~~
- f) ~~Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events;~~
- g) ~~Protecting the functional and operational requirements of lifeline utilities and essential or emergency services.~~

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 4.3.2<sup>32</sup> Nationally and regionally significant infrastructure**

Recognise the national and regional significance of all of the following infrastructure:

- a) Renewable electricity generation activities, where they supply the ~~national electricity grid~~ National Grid ~~and or~~ local distribution network;
- b) National Grid;
- ~~cb)~~ Electricity sub-transmission infrastructure;
- ~~de)~~ Telecommunication and radiocommunication facilities;
- ~~ed)~~ Roads classified as being of national or regional importance;
- ~~fe)~~ Ports and airports and associated navigation infrastructure;
- ~~gf)~~ Defence facilities;
- ~~hg)~~ Rail infrastructure ~~Structures for transport by rail~~;
- i) Municipal infrastructure.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, Method 4.1.1~~74~~, 4.1.18

**Method 6: Non RMA Strategies and Plans**  
Method 6.3.1

---

<sup>32</sup> Changed by Environment Court consent order – 6 July 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Policy 4.3.3<sup>33</sup> Functional needs of infrastructure that has national or regional significance**

Provide for the functional needs of infrastructure that has regional or national significance, including safety.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Policy 4.3.4<sup>34</sup> Adverse effects of nationally and regionally significant infrastructure**

- (1) Minimise Manage adverse effects from of infrastructure that has national or regional significance, by all of the following:
- a) Giving preference to avoiding their its location in all of the following:
- i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the coastal environment;
  - ii. Outstanding natural features, landscapes and seascapes;
  - iii. Areas of outstanding natural character;
  - ii. Outstanding natural character in the coastal environment;
  - iii. Outstanding natural features and natural landscapes, including seascapes, in the coastal environment;
  - iv. Areas of significant indigenous vegetation and significant habitats of indigenous fauna beyond the coastal environment;
  - v. Outstanding natural character in areas beyond the coastal environment;
  - vi. Outstanding natural features and landscapes beyond the coastal environment;
  - viiiv. Outstanding water bodies or wetlands;
  - viii. Places or areas containing significant historic heritage of regional or national significance;
- b) Where it is not possible practicable to avoid locating in the areas listed in a) above, avoiding significant adverse effects on those values that contribute to the significant or outstanding nature of those areas; because of the functional needs of that infrastructure:
- i. Avoid adverse effects on the values that contribute to the significant or outstanding nature of a) i-iii;
  - ii. Avoid significant adverse effects on natural character and natural landscapes in all other areas of the coastal environment
  - iii. Avoid, remedy or mitigate, as necessary, adverse effects in order to maintain the outstanding or significant nature of a) iv-viii;

<sup>33</sup> Changed by Environment Court consent order – 6 July 2018

<sup>34</sup> Changed by Environment Court consent order – 6 July 2018. Note renumbering in accordance with Environment Court decision No. [2018] NZEnvC 183

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- c) Avoid, remedy or mitigate, as necessary, adverse effects on highly valued natural features, landscapes and seascapes, in order to maintain their high values;
- d) Avoiding, remedying or mitigating other adverse effects;
- e) Considering offsetting for residual adverse effects on indigenous biological diversity.
- (2) Where there is a conflict, Policy 4.3.4 prevails over the policies under Objectives 3.2 (except for policy 3.2.12), 5.2 and Policy 4.3.1.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.3.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.2

**Policy 4.3.54<sup>35</sup> Protecting infrastructure with nationally and/or regionally significance significant infrastructure**

Protect infrastructure with of national or regional significance, by all of the following:

- a) Restricting the establishment of activities that may result in reverse sensitivity effects;
- b) Avoiding significant adverse effects on the functional needs of such infrastructure;
- c) Avoiding, remedying or mitigating other adverse effects on the functional needs of such infrastructure;
- d) Protecting infrastructure corridors from activities that are incompatible with the anticipated effects of that infrastructure sensitive activities, now and for the future.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, Method 4.1.1814

---

<sup>35</sup> Changed by Environment Court consent order – 6 July 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Policy 4.3.6<sup>36</sup> The National Grid**

- (1) Provide for the National Grid by:
- a) Managing activities to the extent reasonably possible to avoid reverse sensitivity effects on the National Grid; and
  - b) Identifying corridors for the existing National Grid within which activities and development will be managed to the extent reasonably possible to ensure that the functional needs of the National Grid are not compromised; and
  - c) Not allowing existing activities in the identified corridors to intensify in a way that increases their incompatibility with existing National Grid infrastructure.
  - d) Manage the adverse effects of new National Grid infrastructure by all of the following:
    - i. recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas.
    - ii. seeking to avoid adverse effects on the values of the following:
      - a. Areas of significant indigenous vegetation and significant habitats of indigenous fauna;
      - b. Outstanding natural features, landscapes and seascapes;
      - c. Areas of outstanding natural character;
      - d. Outstanding water bodies or wetlands;
      - e. Places or areas containing historic heritage of regional or national significance.
    - iii. Where it is not practicable to avoid adverse effects on the values of the areas listed in d)ii. above because of the functional needs of the National Grid, remedy or mitigate adverse effects on those values;
    - iv. Avoiding, remedying or mitigating other adverse effects;
    - v. Consider offsetting for residual adverse effects on indigenous biological diversity.
- (2) Where there is a conflict, Policy 4.3.6 prevails over the policies under Objectives 3.1, 3.2, 4.3 and 5.2, and over policy 5.4.9.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Policy 4.3.7<sup>37</sup> Recognising port activities at Port Chalmers and Dunedin**

Recognise the functional needs of port activities at Port Chalmers and Dunedin and manage their effects by:

---

<sup>36</sup> Changed by Environment Court consent order – 6 July 2018

<sup>37</sup> Provisional wording suggested by the Environment Court in decision No. [2018] NZEnvC 183. Currently under appeal.

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- a) Ensuring that other activities in the coastal environment do not adversely affect port activities;
- b) Providing for the efficient and safe operation of these ports and effective connections with other transport modes;
- c) Providing for the development of those ports' capacity for national and international shipping in and adjacent to existing port activities;
- d) If any of the policies under objective 3.2 cannot be implemented while providing for the safe and efficient operation of Port Otago activities then apply policy 4.3.4 which relates to naturally and regionally significant infrastructure and prevails (in certain circumstances) over objective 3.2;
- e) If in turn (d) cannot be achieved because the operation or development of Port Otago may cause adverse effects on the values that contribute to the significant or outstanding character identified in policy 4.3.4(1)(a)(i) to (iii) then, through a resource consent process, require consideration of those effects and whether they are caused by safety considerations which are paramount or by transport efficiency considerations and avoiding, remedying or mitigating the effects (through adaptive management or otherwise) accordingly;
- f) In respect of naturally significant surf breaks to avoid, remedy or mitigate the adverse effects of port activities.

**Method 3: Regional Plans**

Method 3.1.18

**Method 4: City and District Plans**

Method 4.1.3, 4.1.22

### Principal Reasons and Explanation:

It is essential for the economy and the wellbeing and health and safety of communities, that people are serviced by the right infrastructure at the right time and that infrastructure operates efficiently and effectively.

Some infrastructure such as roads, water supply, waste water and storm water is provided by local authorities. Other infrastructure such as energy generation and network utility operation is managed by state owned enterprises, requiring authorities and private companies.

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

It is important to recognise the benefits of this infrastructure to the economy and to community resilience, in addition to managing any adverse effects on natural resources.

Local authorities have a role to play, to ensure that local, regional and national infrastructure needs are being met now and for the future.

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Objective 4.4<sup>38</sup> Energy supplies to Otago's communities resources and supplies are secure, reliable and sustainable**

**Issue:**

Although Otago is rich in renewable energy sources it is also an importer of fossil fuels. Any constraints on energy and fuel supply could affect the way we live and are able to respond to disruptive events.

**Policy 4.4.1<sup>39</sup> Renewable electricity generation**

~~Recognise and p~~Provide for the development, operation, maintenance, and upgrading of renewable electricity generation activities, by ~~both~~ all of the following:

- ~~a)~~ Recognising the benefits associated with those activities;
- ~~b)~~ Recognising the functional needs of those activities;
- ~~c)~~ Recognising the importance of the resource needs of those activities;
- ~~da)~~ Encouraging Promoting the efficient use of existing structures or facilities; and
- ~~eb)~~ Providing for activities associated with the investigation, ~~and~~ identification, and development of potential renewable electricity generation sites and sources.

- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1, ~~Method 4.1.14~~
- Method 7: Education and Information**  
Method 7.1.4
- Method 9: Advocacy and Facilitation**  
Method 9.2.3

**Policy 4.4.2 Small and community scale renewable electricity generation**

Promote small and community scale renewable electricity generation activities that both:

- a) Increase the local community's resilience and security of energy supply; and
- b) Avoid, remedy or mitigate adverse effects from that activity.

- Method 7: Education and Information**  
Method 7.1.4

---

<sup>38</sup> Changed by Environment Court consent order – 28 June 2018

<sup>39</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Method 9: Advocacy and Facilitation**  
Method 9.2.3

**Policy 4.4.3<sup>40</sup> Protecting existing renewable electricity generation**

Protect the generating capacity generation output of existing nationally or regionally significant renewable electricity generation activities, by all of the following:

- a) Recognising their functional needs of renewable electricity generation activities, including physical resource supply needs;
- b) Restricting the establishment of those activities that may result in reverse sensitivity effects, Avoiding, to the extent reasonably practicable, reverse sensitivity effects on their functional needs;
- c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure them; except when sub-clause d) applies;
- d) Having particular regard to avoiding, remedying or mitigating adverse effects from new water takes on those which do not have a specified water allocation volume.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 4.4.4<sup>41</sup> Efficient transport of electricity**

Enable electricity transmission and distribution infrastructure activities that achieve all of the following:

- a) Maintenance or improvement of the security and reliability of electricity supply;
- b) Enhancement of the safety, efficiency and effectiveness of the infrastructure efficiency of transporting electricity; and
- c) Avoidance, remediation or mitigation of adverse effects from that activity.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, ~~Method 4.1.14~~

---

<sup>40</sup> Changed by Environment Court consent order – 28 June 2018

<sup>41</sup> Changed by Environment Court consent order – 28 June 2018



PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Policy 4.4.5<sup>42</sup> Electricity distribution infrastructure**

~~Protect~~ Recognise and provide for electricity distribution infrastructure, by all of the following:

- a) Recognising the functional needs of electricity distribution activities;
- b) Restricting the establishment of activities that may result in reverse sensitivity effects;
- c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure;
- d) Minimising adverse effects of new and upgraded electricity distribution infrastructure on existing land uses;
- e) Identifying significant electricity distribution infrastructure and managing effects of potentially incompatible activities through methods such as corridors.
- d ~~Protecting existing distribution corridors for infrastructure needs, now and for the future.~~

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, 4.1.19

**Method 9: Advocacy and Facilitation**  
Method 9.1

**Policy 4.4.6<sup>43</sup> Energy efficient transport**

Enable energy efficient and sustainable transport for Otago's communities, by all of the following:

- a) Encouraging the development of compact and well integrated urban areas, to reduce travel needs within those areas;
- b) Ensuring that transport infrastructure in urban areas has good connectivity, both within new urban areas and between new and existing urban areas, by all of the following:
  - i. Placing a high priority on walking, cycling, and public transport, where appropriate;
  - ii. Maximising pedestrian and cycling networks connectivity, and integration with public transport;
  - iii. Having high design standards for pedestrian and cyclist safety and amenity;
- c) Enabling the development or upgrade of transport infrastructure and associated facilities that both:
  - i. Increase freight efficiency; and
  - ii. Foster the uptake of new technologies for more efficient energy uses, and renewable or lower emission transport fuels.

---

<sup>42</sup> Changed by Environment Court consent order – 28 June 2018

<sup>43</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

d) Fostering uptake of public transportation through provision of safe, reliable and well sheltered alternatives to private transport.

- Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2
- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1
- Method 6: Non RMA Strategies and Plans**  
Method 6.3
- Method 9: Advocacy and Facilitation**  
Method 9.1, Method 9.2.2

**Policy 4.4.7<sup>44</sup> Fuels**

Recognise and provide for reliable and resilient fuel supply chain infrastructure to meet community fuel needs, including facilities for the transition to a lower-carbon future.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Principal Reasons and Explanation:**

There is a need to encourage renewable energy generation, encourage sustainable energy use and improve energy resilience.

People's social and economic wellbeing, and their health and safety, is dependent on their energy needs being met by a sustainable, reliable and secure supply of energy. Communities rely on a range of renewable energy sources such as hydro, wind and solar generation and non-renewable sources such as oil, gas and coal.

More efficient energy uses, and a greater diversity of energy sources have the potential to increase community resilience while increasing the ability to sustain economic development.

---

<sup>44</sup> Changed by Environment Court consent order – 28 June 2018

*PART B: Chapter 43 Communities in Otago are resilient, safe and healthy*

In particular, more efficient or alternative transport fuels, in addition to better planning for access and public transport will provide for a more sustainable and resilient transport system.

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Objective 4.5<sup>45</sup> Urban growth and development is well designed, reflects local character, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments**

**Issue:**

Unplanned urban growth and development risks exceeding the carrying capacity of existing infrastructure and services, adversely affecting community resilience.

Unanticipated growth places pressure on adjoining productive land, and risks losing connectivity with adjoining urban areas.

Urban development has not always had regard for the local environment or the needs of the community.

**Policy 4.5.1<sup>46</sup> Managing Providing for urban growth and development**

Manage Provide for urban growth and development in a strategic and co-ordinated way, including by all of the following:

- a) Ensuring future urban growth areas are in accordance with any future development strategy for that district.
- b) Ensuring there is sufficient Monitoring supply and demand of residential, commercial and industrial zoned land capacity, to cater for the demand for such land, over at least the next 20 years;
- c) Ensuring that there is sufficient housing and business land development capacity available in Otago;
- d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6
- e) Coordinating urban growth and the development and the extension of urban areas with relevant infrastructure development programmes, to provide infrastructure in an efficient and effective way.
- f) Identifying future growth areas and managing the subdivision, use and development of rural land outside these areas to achieve all of the following Having particular regard to:
  - i. Providing Minimise for rural production activities by minimising adverse effects on significant soils and activities which sustain food production rural activities and significant soils;
  - ii. Minimising Minimise competing demands for natural resources;
  - iii. Maintaining Maintain high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of

<sup>45</sup> Changed by Environment Court consent order – 28 June 2018

<sup>46</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- ~~significant indigenous vegetation and significant habitats of indigenous fauna or enhance significant biological diversity, landscape or natural character values;~~
- iv. ~~Maintaining~~ **Maintain** important cultural or historic heritage values;
- v. ~~Avoiding~~ **Avoid** land with significant risk from natural hazards;
- ~~d) Considering the need for urban growth boundaries to control urban expansion;~~
- ge) Ensuring efficient use of land;
- ~~h) Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed;~~
- if) ~~Encouraging~~ **Requiring** the use of low or no emission heating systems where ambient air quality is:
  - i. ~~Below standards for human health; or~~
  - ii. ~~Vulnerable to degradation given the local climatic and geographical context;~~
- ~~g) Giving effect to the principles of good urban design, in Schedule 5;~~
- ~~h) Restricting the location of activities that may result in reverse sensitivity effects on existing activities.~~
- ~~j) Consolidating existing coastal settlements and coastal urban areas where this will contribute to avoiding or mitigating sprawling or sporadic patterns of settlement and urban growth.~~

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 4: City and District Plans**  
Method 4.1.65, Method 4.1.1312, Method 4.2.4, Method 4.2.7, Method 4.2.10

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.3

**Method 6: Non RMA Strategies and Plans**  
Method 6.2

**Policy 4.5.27<sup>47</sup> Integrating infrastructure with land use**

Achieve the strategic integration of infrastructure with land use, by undertaking all of the following:

- a) Recognising and providing for the functional needs of infrastructure ~~of regional or national importance;~~
- b) Locating and designing infrastructure to take into account all of the following:
  - i. Actual and reasonably foreseeable land use change;
  - ii. The current population and projected demographic changes;
  - iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services;
  - iv. Natural and physical resource constraints;

<sup>47</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

- v. Effects on the values of natural and physical resources;
  - vi. Co-dependence with other infrastructure;
  - vii. The effects of climate change on the long-term viability of that infrastructure;
  - viii. Natural hazard risk.
- ~~c) Locating growth and development :~~
- ~~i. Within areas that have sufficient infrastructure capacity; or~~
  - ~~ii. Where infrastructure services can be upgraded or extended efficiently and effectively;~~
- ~~c)d) Coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.~~

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, ~~Method 4.2.4~~

**Method 6: Non RMA Strategies and Plans**  
Method 6.3.1

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.2

**~~Policy 4.5.2<sup>48</sup> Planned and coordinated urban growth and development~~**

~~Where urban growth boundaries or future urban development areas, are identified in a district plan ; control the release of land within those boundaries or areas, by:~~

- ~~a) Staging development, using identified triggers to release new stages for development; or~~
- ~~b) Releasing land in a way that ensures both:
  - ~~i. a logical spatial development; and~~
  - ~~ii. efficient use of existing land and infrastructure before new land is released; and~~~~
- ~~c) Avoiding urban development beyond the urban growth boundary or future urban development area.~~

~~**Method 2: Regional, City and District Council Relationships**~~  
~~Method 2.1, Method 2.2~~

---

<sup>48</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Method 4: — City and District Plans**  
Method 4.1.12, Method 4.2.4

**Policy 4.5.3<sup>49</sup> Urban design**

Design new urban development with regard to: Encourage the use of Schedule 5 good urban design principles in the subdivision and development of urban areas.

- a) A resilient, safe and healthy community;
- b) A built form that relates well to its surrounding environment;
- c) Reducing risk from natural hazards;
- d) Good access and connectivity within and between communities;
- e) A sense of cohesion and recognition of community values;
- f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place;
- g) Areas where people can live, work and play;
- h) A diverse range of housing, commercial, industrial and service activities;
- i) A diverse range of social and cultural opportunities.

**Method 4 — City and District Plans**  
Method 4.1

**Method 2: — Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 4: — City and District Plans**  
Method 4.1

**Method 7: — Education and Information**  
Method 7.1.4

**Method 9: — Advocacy and Facilitation**  
Method 9.1.4, Method 9.1.5

**Policy 4.5.4 Low impact design**

Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects.

**Method 4: City and District Plans**

---

<sup>49</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

Method 4.1

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.5

**Policy 4.5.5 Warmer buildings**

Encourage the design of subdivision and development to reduce the adverse effects of the region's colder climate, and higher demand and costs for energy, including maximising passive solar gain.

**Method 4: City and District Plans**  
Method 4.1

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.5 c.

**Policy 4.5.6 Designing for public access**

Design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.

**Method 4: City and District Plans**  
Method 4.1.76

**Principal Reasons and Explanation:**

Well-designed and integrated urban growth, achieves effective and affordable infrastructure, and improves resilience. The best use of the natural and physical resources will reduce the effects of unanticipated growth.

Well planned urban growth and development can achieve multiple benefits, including economic, social and environmental benefits. Concentrating activities in urban areas creates economies of scale for the development and maintenance of infrastructure and supports community facilities such as health care and educational facilities. This can also reduce pressure on the surrounding productive and natural environment.

Urban areas that are well designed will improve quality of life, resilience and create more attractive opportunities for business investment.



*PART B: Chapter 43 Communities in Otago are resilient, safe and healthy*

The quality of the urban environment can affect quality of life and community viability. Built environments that relate well to their surroundings, have easy connectivity access to key services and reflect the distinctive character of their locality make a positive contribution to the community. Poor quality or badly co-ordinated development presents social, environmental, and economic risks.

Integrating the natural environment into urban areas has been shown to achieve multiple benefits. Urban design choices can allow natural processes to continue through and around everyday activities with minimal adverse impact to either.

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

## Objective 4.6 Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago

### Issue:

Waste materials, hazardous substances and contaminated land may adversely affect the environment and community health and safety.

#### Policy 4.6.1 Hazardous substances

Promote an integrated approach to the management of hazardous substances in Otago.

- |                  |  |
|------------------|--|
| <b>Method 6:</b> | <b>Non RMA Strategies and Plans</b><br>Method 6.9              |
| <b>Method 7:</b> | <b>Education and Information</b><br>Method 7.1.6               |
| <b>Method 9:</b> | <b>Advocacy and Facilitation</b><br>Method 9.1.2, Method 9.1.4 |

#### Policy 4.6.2<sup>50</sup> Use, storage and disposal of hazardous substances

Manage the use, storage and disposal of hazardous substances ~~to avoid accidental spillage or release of those substances~~, by all of the following:

- a) Providing secure containment ~~for the storage of hazardous substances of those substances in case of accidental spillage~~;
- b) Minimising risk associated with natural hazard events;
- c) ~~Avoiding adverse effects of those substances on~~ Ensuring the health and safety of people; ~~and~~
- d) ~~Avoiding, remedying or mitigating adverse effects on the environment and other values~~;
- e) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous substances;
- f) Ensuring hazardous substances are treated or disposed ~~of at authorised facilities~~, in accordance with the relevant ~~disposal instructions~~ regulatory requirements;
- g) Restricting the location ~~and intensification~~ of activities that may result in reverse sensitivity effects near authorised facilities for hazardous substance bulk storage, treatment or disposal;
- h) Encouraging the use of best management practices.

- |                  |  |
|------------------|--|
| <b>Method 2:</b> | <b>Regional, City and District Council Relationships</b> |
|------------------|--|
- 

<sup>50</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.98

**Method 6: Non RMA Strategies and Plans**  
Method 6.9

**Method 7: Education and Information**  
Method 7.1.6

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.4

**Policy 4.6.3 Hazardous substance collection, disposal and recycling**

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

**Method 9: Advocacy and Facilitation**  
Method 9.1.2

**Policy 4.6.4 Identifying contaminated land**

Identify sites of known or potentially contaminated land in Otago.

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1 e, Method 5.2.1 k.

**Method 7: Education and Information**  
Method 7.1.3 b.

**Policy 4.6.5<sup>51</sup> Managing contaminated land**

Ensure contaminated or potentially contaminated land does not pose an unacceptable risk to people and the environment, by:

- a) Assessing and, if required, monitoring contaminant levels and environmental risks;
- b) Protecting human health in accordance with regulatory requirements;

---

<sup>51</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

c) Minimising adverse effects of the contaminants on the environment.

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

- a) ~~Prior to subdivision or development of potentially contaminated land, requiring a site investigation be undertaken to determine the nature and extent of any contaminants;~~
- b) ~~Where there is contamination:~~
  - i. ~~Requiring an assessment of associated environmental risks; and~~
  - ii. ~~Remediating contaminated land;~~
- c) ~~Considering the need for ongoing monitoring of contaminant levels and associated risks.~~

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.1110

**Method 4: City and District Plans**  
Method 4.2.6

**Policy 4.6.6 Waste management**

Promote an integrated approach to the management of the use, storage and disposal of waste materials.

**Method 6: Non RMA Strategies and Plans**  
Method 6.9

**Method 9: Advocacy and Facilitation**  
Method 9.1.2 c.

**Policy 4.6.7<sup>52</sup> Waste minimisation responses**

Encourage activities to give effect to the waste minimisation hierarchy of responses, by:

- a) Giving preference to reducing waste generated; then
- b) Reusing waste; then
- c) Recycling waste; then
- d) Recovering resources from waste; then
- e) Treatment; then
- f) Disposing residual waste to authorised landfill a disposal facility.

**Method 6: Non RMA Strategies and Plans**

---

<sup>52</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

Method 6.8

**Method 9: Advocacy and Facilitation**  
Method 9.1.2 c.

**Policy 4.6.8<sup>53</sup> Waste storage, recycling, recovery, treatment and disposal**

Manage the storage, recycling, recovery, treatment and disposal of waste materials by undertaking all of the following:

- a) Providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of waste materials;
- b) ~~Avoiding adverse effects on~~ Ensuring the health and safety of people; ~~and~~
- c) ~~avoiding, remedying and mitigating~~ Minimising adverse effects on the environment ~~and other values;~~
- d) Minimising risk associated with natural hazard events;
- e) Restricting the location of activities that may result in reverse sensitivity effects near waste management facilities and services.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1. ~~1244~~

**Method 4: City and District Plans**  
Method 4.1. ~~109~~

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1 f.

**Method 6: Non RMA Strategies and Plans**  
Method 6.8, Method 6.9

**Method 7: Education and Information**  
Method 7.1.5

**Method 9: Advocacy and Facilitation**  
Method 9.1.5

---

<sup>53</sup> Changed by Environment Court consent order – 28 June 2018

PART B: Chapter 43 Communities in Otago are resilient, safe and healthy

**Policy 4.6.9<sup>54</sup> New Contaminated land**

Avoid the creation of new contaminated land or, where this is not practicable, minimise adverse effects on the environment.

**Method 3:           Regional Plans**  
Method 3.1

**Method 4:           City and District Plans**  
Method 4.1

**Principal Reasons and Explanation:**

Resources need to be carefully used to minimise the material disposed of as waste.

Waste materials and hazardous substances need to be carefully managed to avoid creating environmental problems or adversely affecting human health.

Hazardous substances can be dangerous when not managed appropriately but are essential components of some activities. Hazardous substances and their waste should also be managed to avoid creating environmental problems or adversely affecting human health, in accordance with regulatory requirements.

---

<sup>54</sup> Changed by Environment Court consent order – 28 June 2018

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## **PART B Chapter 5 People are able to use and enjoy Otago's natural and built environment**

The use of natural and physical resources underpins community, cultural, and economic wellbeing. Due to the importance of natural resources to wellbeing and the dynamic and interconnected nature of the environment, the sustainable management of resources requires consideration of the adverse effects of resource use on the environment and on other resource users.

This fifth chapter builds on the previous ones by enabling the use of the natural and physical environment for enjoyment and making a living, while ensuring that resources are sustainably managed for conflicting or incompatible uses.

### **Chapter overview:**

<b>Objective 5.1</b>		
<b>Public access to areas of value to the community is maintained or enhanced.</b>		Page
Policy 5.1.1	Public access	<a href="#">8195</a>
<b>Objective 5.2</b>		
<b>Historic heritage resources are recognised and contribute to the region's character and sense of identity.</b>		Page
Policy 5.2.1	Recognising historic heritage	<a href="#">8397</a>
Policy 5.2.2	Identifying historic heritage	<a href="#">8397</a>
Policy 5.2.3	Managing historic heritage	<a href="#">8498</a>
<b>Objective 5.3</b>		
<b>Sufficient land is managed and protected for economic production.</b>		Page
Policy 5.3.1	Rural activities	<a href="#">85100</a>
<del>Policy 5.3.2</del>	<del>Plantation forestry in dry catchments</del>	<del><a href="#">85100</a></del>
Policy 5.3. <del>2</del> <del>3</del>	Distribution of commercial activities	<a href="#">85101</a>
Policy 5.3. <del>3</del> <del>4</del>	Industrial land	<a href="#">86102</a>
Policy 5.3. <del>4</del> <del>5</del>	Mineral and petroleum exploration, extraction and processing	<a href="#">86102</a>
<del>Policy 5.3.5</del>	<del>Tourism and outdoor recreation</del>	<del><a href="#">87</a></del>
<b>Objective 5.4</b>		
<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised.</b>		Page
Policy 5.4.1	<del>Offensive or</del> Objectionable discharges	<a href="#">88105</a>
Policy 5.4.2	Adaptive management approach	<a href="#">88105</a>
Policy 5.4.3	Precautionary approach <a href="#">to adverse effects</a>	<a href="#">89106</a>
Policy 5.4.4	Emission standards	<a href="#">89106</a>
Policy 5.4.5	Pest plants and animals	<a href="#">89107</a>
Policy 5.4.6	Offsetting for indigenous biological diversity	<a href="#">90108</a>
Policy 5.4.6A	Biological Diversity Compensation	<a href="#">91</a>

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

Policy 5.4.7	Offsetting for air quality	<del>92</del> 108
Policy 5.4.8	Adverse effects from mineral and petroleum exploration, extraction and processing	<del>92</del> 109
<u>Policy 5.4.9</u>	<u>Activities in the Coastal Marine Area</u>	<u>93</u>
Policy 5.4. <del>10</del> 3.2	<del>Plantation forestry</del> <u>Managing land use change in dry catchments</u>	<u>94</u>



Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## Objective 5.1 Public access to areas of value to the community is maintained or enhanced

### Issue:

Public access to areas of value to the community is sometimes limited or inappropriate.

### Policy 5.1.1<sup>55</sup> Public access

Maintain ~~and~~ or enhance public access to the natural environment, including to the coast, lakes, rivers and their margins, and where possible areas of cultural or historic significance, unless restricting access is necessary for one or more of the following:

- a) Protecting public health and safety;
- b) Protecting the natural heritage and ecosystem values of sensitive natural areas or habitats;
- c) Protecting identified sites and values associated with historic heritage or cultural significance to Kāi Tahu;
- d) Ensuring a level of security consistent with the operational requirements of a lawfully established activity.

<b>Method 1:</b>	<b>Kāi Tahu Relationships</b> Method 1.2
<b>Method 2:</b>	<b>Regional, City and District Council Relationships</b> Method 2.1, Method 2.2
<b>Method 3:</b>	<b>Regional Plans</b> Method 3.1
<b>Method 4:</b>	<b>City and District Plans</b> Method 4.1.1 <del>413</del> , Method 4.2.9 <del>8</del>
<b>Method 8:</b>	<b>Funding</b> Method 8.1.1
<b>Method 9:</b>	<b>Advocacy and Facilitation</b> Method 9.2.2 e, 9.2.8 b.

---

<sup>55</sup> Changed by Environment Court consent order – 28 June 2018

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

**Principal Reasons and Explanation:**

Access to the natural environment and areas of cultural and historic significance is highly valued by residents and visitors.

The opportunities subdivision and development create to improve access to the natural environment or to limit access to more sensitive places should be utilised.

The ability to access the natural environment and areas of cultural and historic significance is highly valued by the community and contributes significantly to the tourism economy. The RMA identifies the maintenance or enhancement of public access to and along the coastal marine area, lakes, and rivers as a matter of national importance.

Improving access to the natural environment or sites of cultural and historic significance can contribute to recreational, cultural, spiritual and economic wellbeing and should be maintained or enhanced unless it would be detrimental to the protection of the values of these areas, or the health and safety of the community.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## **Objective 5.2 Historic heritage resources are recognised and contribute to the region's character and sense of identity**

### **Issue:**

Subdivision, use, and development may risk damage to Otago's rich historic heritage.

### **Policy 5.2.1 Recognising historic heritage**

Recognise all the following elements as characteristic or important to Otago's historic heritage:

- a) Residential and commercial buildings;
- b) Māori cultural and historic heritage values;
- c) 19<sup>th</sup> and early 20<sup>th</sup> century pastoral sites;
- d) Early surveying, communications and transport, including roads, bridges and routes;
- e) Early industrial historic heritage, including mills and brickworks;
- f) Gold and other mining systems and settlements;
- g) Dredge and ship wrecks;
- h) Coastal historic heritage, particularly Kāi Tahu occupation sites and those associated with early European activity such as whaling;
- i) Memorials;
- j) Trees and vegetation.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

### **Policy 5.2.2 Identifying historic heritage**

Identify historic heritage places and areas of regional or national significance, using the attributes in Schedule [56](#).

**Method 3: Regional Plans**  
Method 3.1.[109](#)

**Method 4: City and District Plans**  
Method 4.1.[1110](#)

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.3 e.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

### Policy 5.2.3 Managing historic heritage

Protect and enhance places and areas of historic heritage, by all of the following:

- a) Recognising that some places or areas are known or may contain archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value;
- b) Applying these provisions immediately upon discovery of such previously unidentified archaeological sites or areas, wāhi tapu or wāhi taoka;
- c) Avoiding adverse effects on those values ~~which~~ that contribute to the area or place being of regional or national significance;
- d) ~~Avoiding~~Minimising significant adverse effects on other values of areas and places of historic heritage;
- e) Remedying when adverse effects on other values cannot be avoided;
- f) Mitigating when adverse effects on other values cannot be avoided or remedied;
- g) Encouraging the integration of historic heritage values into new activities;
- h) Enabling adaptive reuse or upgrade of historic heritage places and areas where historic heritage values can be maintained.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.109

**Method 4: City and District Plans**  
Method 4.1.1140, Method 4.2.3, Method 4.2.5

**Method 8: Funding**  
Method 8.1.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.53 b

### Principal Reasons and Explanation:

In the RMA, protection of historic heritage from inappropriate activities is a matter of national importance.

Otago is a region rich in historic heritage which includes historic heritage places and areas that are recognised as nationally, regionally and locally important. Historic heritage resources make significant contributions to the regional identity and tourism economy.

The use of common criteria identifying historic heritage provides a more efficient and consistent approach across the region, while allowing local variation.

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019*

84

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## Objective 5.3 Sufficient land is managed and protected for economic production

### Issue:<sup>56</sup>

Providing for economic production can create adverse effects. Existing economic activities are susceptible to reverse sensitivity effects, particularly when adjoining land use changes.

### Policy 5.3.1<sup>57</sup> Rural activities

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

- a) Enabling primary production and other rural activities that support the rural economy that production;
- b) Providing for mineral exploration, extraction and processing;
- ~~c~~b) Minimising the loss of significant soils;
- ~~d~~e) Restricting the establishment of incompatible activities in rural areas that may are likely to lead to reverse sensitivity effects;
- ~~e~~d) Minimising the subdivision of productive rural land into smaller lots that may result in rural residential activities a loss of its productive capacity or productive efficiency;
- ~~f~~e) Providing for other activities that have a functional need to locate in rural areas, including tourism and recreational activities that are of a nature and scale compatible with rural activities.

**Method 4:** City and District Plans  
Method 4.1.6~~5~~, Method 4.2.4

**Method 5:** Research, Monitoring and Reporting  
Method 5.1.3 c, Method 5.2.1 d

**Method 7:** Education and Information  
Method 7.1.2 f

### Policy 5.3.2<sup>58</sup> Distribution of commercial activities

Manage the distribution of commercial activities by:

- a) Enabling a wide variety of commercial, social and cultural activities in central business districts, and town and commercial centres;
- b) Enabling smaller commercial centres to service local community needs;

---

<sup>56</sup> Changed by Environment Court consent order – 24 June 2020

<sup>57</sup> Changed by Environment Court consent order – 5 September 2018

<sup>58</sup> Changed by Environment Court consent order – 28 June 2018

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

- c) ~~Restricting commercial activities outside of a) and b) when such activities are likely to undermine the vibrancy and viability of those centres;~~
- d) ~~Encouraging the adaptive reuse of existing buildings.~~

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

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

**Method 4: City and District Plans**  
Method 4.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.5

**Policy 5.3.34<sup>59</sup> Industrial land**

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

- a) Providing specific areas to accommodate the effects of industrial activities;
- b) Providing a range of land suitable for different industrial activities, including land-extensive activities;
- c) Restricting the establishment of activities in industrial areas that ~~may are likely to~~ result in:
  - i. Reverse sensitivity effects; or
  - ii. Inefficient use of industrial land or infrastructure.

**Method 4: City and District Plans**  
Method 4.1

**Policy 5.3.45<sup>60</sup> Mineral and petroleum exploration, extraction and processing**

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

- a) ~~Giving preference to avoiding their location in all of the following:~~

<sup>59</sup> Changed by Environment Court consent order – 28 June 2018

<sup>60</sup> Changed by Environment Court consent order – 24 June 2020.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

- i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna;
  - ii. Outstanding natural features, landscapes and seascapes;
  - iii. Areas of outstanding natural character;
  - iv. Outstanding water bodies;
  - v. Areas subject to significant natural hazard risk;
  - vi. Places or areas containing significant historic heritage.
- b) Restricting the establishment of those activities in areas used for mineral and petroleum exploration, extraction and processing that may result in reverse sensitivity effects.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Policy 5.3.5<sup>61</sup> Tourism and outdoor recreation**

Recognise the social and economic value of some forms of outdoor recreation and tourism having access to, and being located within, outstanding natural features and landscapes.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Principal Reasons and Explanation:**

Some degree of spatial separation of incompatible activities and control over land use change is needed to ensure efficient use of land and continuing economic viability.

The use of land for productive activity underpins the economy of the region. Opportunities for economic growth and development need to be provided for by recognising and managing the effects of activities. Managing the efficient use of land may also require the management of other land use activities where significant historical investment or future productive potential may be adversely affected by competing or conflicting activities.

---

<sup>61</sup> Changed by Environment Court consent order – 28 June 2018

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## Objective 5.4 Adverse effects of using and enjoying Otago's natural and physical resources are minimised

### Issue:

Resource use can create adverse effects on other resources, their values and for other resource users and the wider community.

Ecosystems, significant areas of biological diversity and outstanding landscapes are under pressure from the direct effects of human activities, as well as indirect effects, including the spread of multiple pest species.

### Policy 5.4.1<sup>62</sup> Offensive or Objectionable discharges

Manage offensive or objectionable discharges to land, water and air that are objectionable or offensive to Kāi Tahu and/or the wider community by:

- a) Avoiding significant adverse effects of those discharges;
- b) Avoiding significant adverse effects of discharges of human or animal waste directly, or in close proximity, to water or mahika kai sites;
- c**b**) Avoiding, remedying or mitigating other adverse effects of those discharges.

<b>Method 3:</b>	<b>Regional Plans</b> Method 3.1
<b>Method 4:</b>	<b>City and District Plans</b> Method 4.1. <u>54</u>
<b>Method 7:</b>	<b>Education and Information</b> Method 7.1.2

### Policy 5.4.2 Adaptive management approach

Apply an adaptive management approach, to avoid, remedy or mitigate actual and potential adverse effects that might arise and that can be remedied before they become irreversible, by both:

- a) Setting appropriate indicators for effective monitoring of those adverse effects; and
- b) Setting thresholds to trigger remedial action before the effects result in irreversible damage.

<b>Method 3:</b>	<b>Regional Plans</b> Method 3.1
<b>Method 4:</b>	<b>City and District Plans</b> Method 4.1

---

<sup>62</sup> Changed by Environment Court consent order – 6 July 2018



Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Policy 5.4.3<sup>63</sup> Precautionary approach to adverse effects**

Apply a precautionary approach to activities where adverse effects may be uncertain, not able to be determined, or poorly understood but are potentially significant or irreversible.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 5.4.4 Emission standards**

Apply emission standards within airsheds, to achieve ambient air quality that supports good human health.

**Method 3: Regional Plans**  
Method 3.1.98

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 a

**Method 6: Non RMA Strategies and Plans**  
Method 6.2

**Policy 5.4.5<sup>64</sup> Pest plants and animals**

Control the adverse effects of pest species, prevent their introduction, ~~and~~ reduce their spread and enable the removal and destruction of material for biosecurity purposes, to safeguard all of the following:

- a) The viability of indigenous species and habitats for indigenous species;
- b) Ecosystem services that support economic activities;
- c) Water quality and water quantity;
- d) Soil quality;
- e) Human and animal health;
- f) Recreation values;
- g) Landscapes, seascapes and natural character;
- h) Primary production.

**Method 2: Regional, City and District Council Relationships**

---

<sup>63</sup> Changed by Environment Court consent order – 6 July 2018

<sup>64</sup> Changed by Environment Court consent order – 6 July 2018

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

Method 2.1, Method 2.2

- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1
- Method 6: Non RMA Strategies and Plans**  
Method 6.5, Method 6.6
- Method 7: Education and Information**  
Method 7.1.1 e
- Method 8: Funding**  
Method 8.1
- Method 9: Advocacy and Facilitation**  
Method 9.2.6

**Policy 5.4.6<sup>65</sup> Offsetting for indigenous biological diversity**

Consider ~~the offsetting of~~ indigenous biological diversity ~~offsetting~~, when:

- a) Residual adverse ~~Adverse~~ effects of activities cannot be avoided, remedied or mitigated;
- b) The offset achieves no net loss and preferably a net gain in indigenous biological diversity;
- c) The offset ensures there is no loss of ~~individuals of Threatened taxa rare or vulnerable species other than kānuka (Kunzea robusta and Kunzea serotina), and no reasonably measurable loss within the ecological district to an At Risk-Declining taxon, other than mānuka (Leptospermum scoparium), under the New Zealand Threat Classification System ("NZTCS");~~
- d) The offset is undertaken ~~close to the location of development~~, where ~~it this~~ will result in the best ecological outcome, ~~preferably~~;
  - i. ~~Close to the location of development; or~~
  - ii. ~~Within the same ecological district or coastal marine biogeographic region.~~
- e) The offset is applied so that the ecological values being achieved are the same or similar to those being lost;
- f) ~~The positive ecological outcomes of the offset last at least as long as the impact of the activity, preferably in perpetuity;-~~
- g) ~~The offset will achieve biological diversity outcomes beyond results that would have occurred if the offset was not proposed;~~
- h) ~~The delay between the loss of biological diversity through the proposal and the gain or maturation of the offset's biological diversity outcomes is minimised.~~

<sup>65</sup> Changes provided by Environment Court decision No. [2019] NZEnvC41 and No. [2020] NZEnvC 137.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Method 3: Regional Plans**  
Method 3.1.1514

**Method 4: City and District Plans**  
Method 4.1.2015

**Policy 5.4.6A<sup>66</sup> Biological Diversity Compensation**

Consider the use of biological diversity compensation:

a) When:

- i. Adverse effects of activities cannot be avoided, remedied, mitigated or offset; and
- ii. The residual adverse effects will not result in
  1. The loss of an indigenous taxon (excluding freshwater fauna and flora) or of any ecosystem type from an ecological district or coastal marine biogeographic region;
  2. Removal or loss of viability of habitat of a threatened or at risk indigenous species of fauna or flora under the New Zealand Threat Classification System ("NZTCS");
  3. Removal or loss of viability of an originally rare or uncommon ecosystem type that is associated with indigenous vegetation or habitat of indigenous fauna;
  4. Worsening of the NZTCS conservation status of any threatened or at risk indigenous freshwater fauna.

b) By applying the following criteria:

- i. The compensation is proportionate to the adverse effect;
- ii. The compensation is undertaken where it will result in the best practicable ecological outcome, preferably:
  1. Close to the location of development;
  2. Within the same ecological district or coastal marine biogeographic region;
- iii. The compensation will achieve positive biological diversity outcomes that would not have occurred without that compensation;
- iv. The positive ecological outcomes of the compensation last for at least as long as the adverse effects of the activity; and
- v. The delay between the loss of biological diversity through the proposal and the gain or maturation of the compensation's biological diversity outcomes is minimised.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

---

<sup>66</sup> Changes provided by Environment Court decision No. [2020] NZEnvC 137.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Policy 5.4.7 Offsetting for air quality**

Provide for the offsetting of adverse effects of discharges to air on ambient air quality, only when all of the following are met:

- a) The ambient air quality of the relevant airshed breaches air quality standards for human health;
- b) Offsetting will reduce the cumulative effect of discharges to air in the relevant airshed by the same, or greater amount, than the proposed discharge;
- c) Offsetting improves access to reliable and affordable domestic heating in the relevant airshed.

**Method 3: Regional Plans**  
Method 3.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.2

**Policy 5.4.8<sup>67</sup> Adverse effects from mineral and petroleum exploration, extraction and processing**

**Manage Minimise** adverse effects from the exploration, extraction and processing of minerals and petroleum, by ~~all of the following~~:

- a) Giving preference to avoiding their location in all of the following:
  - i. ~~Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the coastal environment;~~
  - ii. ~~Outstanding natural character in the coastal environment;~~
  - iii. ~~Outstanding natural features and natural landscapes, including seascapes, in the coastal environment;~~
  - iv. ~~Areas of significant indigenous vegetation and significant habitats of indigenous fauna beyond the coastal environment;~~
  - v. ~~Outstanding natural character in areas beyond the coastal environment;~~
  - vi. ~~Outstanding natural features and landscapes beyond the coastal environment;~~
  - ii. ~~Outstanding natural features, landscapes and seascapes;~~
  - iii. ~~Areas of outstanding natural character;~~
  - vii.iv. ~~Outstanding water bodies or wetlands;~~
  - viii.vi. ~~Places or areas containing historic heritage of regional or national significance;~~
  - ix.v. ~~Areas subject to significant natural hazard risk;~~
- b) Where it is not ~~practicable possible~~ to avoid locating in the areas listed in a) above, ~~avoiding significant adverse effects of the activity on those values that contribute to the significant or outstanding nature of those areas; because of the functional needs of that activity~~:
  - i. ~~Avoid adverse effects on the values that contribute to the significant or outstanding nature of a) i-iii;~~

<sup>67</sup> Changed by Environment Court consent order – 24 June 2020

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

- ii. Avoid, remedy or mitigate, as necessary, adverse effects on values in order to maintain the outstanding or significant nature of a)iv-viii;
- iii. Consider first biological diversity offsetting, and then biological diversity compensation, if adverse effects described in b)ii. on indigenous biological diversity cannot be practicably remedied or mitigated;
- iv. Minimise any increase in natural hazard risk through mitigation measures;
- v. Consider environmental compensation if adverse effects described in b) ii, other than on indigenous biological diversity, cannot practically be avoided, remedied or mitigated;
- ba) Avoid significant adverse effects on natural character in all other areas of the coastal environment;
- c) Avoiding adverse effects on the health and safety of the community;
- d) Avoiding, remedying, or mitigating adverse effects on other values including highly valued natural features, landscapes and seascapes in order to maintain their high values;
- e) Considering biological diversity offsetting or compensating for residual adverse effects on other values;
- f)e) Reducing unavoidable adverse effects by:
  - i. Staging development for longer term activities; and
  - ii. Progressively rehabilitating the site, where possible;
- f) Considering offsetting for residual adverse effects;
- g) Applying a precautionary approach (including adaptive management where appropriate) to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects.

Where there is a conflict, Policy 5.4.8 prevails over policies under Objective 3.2, (except for policy 3.2.12) Policy 4.3.1 and Policy 5.2.3.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

#### **Policy 5.4.9<sup>68</sup> Activities in the Coastal Marine Area**

In the coastal marine area minimise adverse effects from activities by all of the following:

- a) Avoiding activities that do not have a functional need to locate in the coastal marine area;
- b) When an activity has a functional need to locate in the coastal marine area, giving preference to avoiding its location in:
  - i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna;
  - ii. Outstanding natural features, landscapes and seascapes;
  - iii. Areas of outstanding natural character;

<sup>68</sup> Changed by Environment Court consent order – 6 July 2018

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

- iv. Places or areas containing historic heritage of regional or national significance;
- v. Areas subject to significant natural hazard risk;
- c) Where it is not practicable to avoid locating in the areas listed in b) above, because of the functional needs of that activity:
  - i. Avoid adverse effects on the values that contribute to the significant or outstanding nature of b)i.-iii;
  - ii. Avoid significant adverse effects on natural character in all other areas of the coastal environment;
  - iii. Avoid, remedy or mitigate adverse effects on values as necessary to preserve historic heritage of regional or national significance;
  - iv. Minimise any increase in natural hazard risk through mitigation measures;
  - v. Avoiding, remedying, or mitigating adverse effects on other values;
- d) Providing for the efficient use of space by requiring structures be made available for public or multiple use wherever reasonable and practicable;
- e) Applying a precautionary approach to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects;

**Method 3: Regional Plans**  
Method 3.1

**Policy 5.4.103.2<sup>69</sup> Plantation forestry Managing land use change in dry catchments**

Manage land use change in dry catchments, to avoid any significant reduction in water yield, by: ~~In dry catchments avoid plantation forestry activities that would result in significant, including cumulative, reductions in water yield.~~

- a) Controlling any extension of forestry activities within those catchments that would result in a significant reduction in water yield, including cumulative reductions; and
- b) Minimising the conversion of tall tussock grasslands to species which are less able to capture and hold precipitation.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.1~~6~~5

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 b

---

<sup>69</sup> Changed by Environment Court consent order – 28 June 2018

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

**Principal Reasons and Explanation:**

Any use of natural or physical resources has the potential to generate adverse effects. Resource use significantly contributes to the economic and wider wellbeing of communities. It is important to manage activities to avoid, remedy or mitigate individual or cumulative adverse effects on the quality of the natural environment. This requires the proactive management of natural resources, and can only be achieved through the integrated management of natural resources, and by giving due consideration to both managing adverse effects and maintaining and enhancing environmental values. Resource use can also have adverse effects on other uses or prevent the normal operation of existing uses.

Resource management decisions often involve balancing values or uses. Section 3.2 of this document identifies resources which are so significant that adverse effects on their values should be avoided. Some activities, such as mineral extraction or infrastructure development, may have to locate in areas with significant values. To provide for those activities, it is important to outline how their adverse effects should be managed.

*Part C: Implementation*

## **PART C Implementation**

### **Roles and Responsibilities**

Sections 62(1)(h) and (i) of the RMA requires the RPS identify the regional, city and district councils' responsibilities for the control of land use in regards to natural hazards, hazardous substances and the maintenance of indigenous biological diversity. These roles and responsibilities are provided for as follows:

#### **Regional council will:**

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

- a. The management of natural hazards in the beds of rivers, lakes and wetlands, and the coastal marine area;
- b. The management of hazardous substances to:
  - i. Avoid, remedy, or mitigate the actual or potential adverse effects of discharges of hazardous substances to water, land and air;
  - ii. Control the use, storage, disposal or transportation of hazardous substances in the beds of rivers, lakes and wetlands and the coastal marine area;
- c. The maintenance of indigenous biological diversity in the coastal marine area, in beds of rivers and lakes, and wetlands.

#### **City and district councils will:**

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

- a. The management of natural hazards outside of the beds of rivers, lakes and wetlands or the coastal marine area;
- b. Avoiding, remedying or mitigating the adverse effects of the storage, use, transport or disposal of hazardous substances on the environment outside of the beds of rivers, lakes and wetlands or the coastal marine area;
- c. The maintenance of indigenous biological diversity on all land outside of the coastal marine area and the beds of rivers, wetlands and lakes.

#### **Regional, city and district councils will:**

Share responsibility for specifying objectives, policies and methods for the purpose of the maintenance of indigenous biological diversity through the management of the margins of the coastal marine area, beds of rivers and lakes, and wetlands.



Part C: Implementation

## Methods

### Method 1: Kāi Tahu Relationships

- 1.1 Regional, city and district councils will develop processes to:
  - 1.1.1 <sup>70</sup>Establish and maintain effective resource management relationships with Kāi Tahu based on ~~the principle of partnership~~ a mutual obligation to act reasonably and in good faith;
  - 1.1.2 Take Iwi Management Plans into account;
  - 1.1.3 Consult Kāi Tahu at an early stage in resource management processes and implementation.
  - 1.1.4 Facilitate efficient and effective processes for applicants to consult Kāi Tahu on resource consent applications and private plan change requests.
  
- 1.2 Regional, city and district councils will collaborate with Kāi Tahu to:
  - 1.2.1 <sup>71</sup>Identify and protect places, areas or landscapes of cultural, spiritual or traditional significance to them, in accordance with Policy 2.2.2, 3.1. ~~1.11~~10, 3.2.3 and Schedule 3;
  - 1.2.2 Identify and protect the values that contribute to their significance;
  - 1.2.3 Identify areas or values that may contribute to the importance of outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes;
  - 1.2.4 Determine appropriate naming for places of significance in Otago.
  - 1.2.5 Share information relevant to Kāi Tahu interests.
  
- 1.3 Regional, city and district councils will:
  - 1.3.1 Promote awareness and improve knowledge of tikaka and the principles of Te Tiriti o Waitangi among staff and stakeholders.
  - 1.3.2 Include statutory acknowledgement areas in district and regional plans.
  
- 1.4 Regional, city and district councils may:
  - 1.4.1 <sup>72</sup>Delegate and transfer any one or more of their functions, powers or duties to an iwi authority in accordance with section 33 of the RMA, and where this provides an ~~efficient and~~ effective service.

### Method 2: Regional, City and District Council Relationships

- 2.1 Regional, city and district councils together will:
  - 2.1.1 Share information on matters of common interest;

---

<sup>70</sup> Changed by Environment Court consent order – 28 June 2018

<sup>71</sup> Changed by Environment Court consent order – 28 June 2018

<sup>72</sup> Changed by Environment Court consent order – 28 June 2018

Part C: Implementation

- 2.1.2 Work together to ensure RMA plan provisions are complementary for overlapping or abutting responsibilities.
  - 2.1.3 <sup>73</sup>Apply an integrated management approach to address the relationship between land use and both fresh and coastal water.
  - 2.1.4 <sup>74</sup>Policy 4.5.1, by applying an integrated management approach to achieving air quality standards, including through advising district plan users on regional rules and building consent requirements.
- 2.2 Regional, city and district councils may:
- 2.2.1 Establish processes for working together on common resource management matters or cross boundary issues, such as:
    - a. Committees;
    - b. Working groups;
    - c. Project management;
    - d. Combined hearings;
  - 2.2.2 Prepare combined regional and district documents;
  - 2.2.3 <sup>75</sup>Delegate or transfer any one or more of their functions, powers or duties from one local authority to another in accordance with section 33 of the RMA, and where this provides an efficient and effective service.
  - 2.2.4 Establish management agreements with another statutory body;
  - 2.2.5 Establish protocols and processes for resolving cross boundary issues through the Local Government Act 2002 triennial agreement.
- 2.3 Regional council may, at the request of city or district councils:
- 2.3.1 Make a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address natural hazard risk;
  - 2.3.2 Delegate the administration of that regional rule to the city or district council.

**Method 3: Regional Plans**

- 3.1 <sup>76</sup>Regional Plans will set objectives, policies and methods to implement policies in the RPS as they relate to Regional Council areas of responsibility. All objectives and policies of the RPS must be considered and given effect to when preparing Regional Plans. Matters in the methods can also be taken into account when considering resource consent applications.

More specific direction is provided in the following areas.

Objectives, policies and methods to implement the following policies:

---

<sup>73</sup> Changed by Environment Court consent order – 15 March 2019 and 24 June 2020

<sup>74</sup> Changed by Environment Court consent order – 28 June 2018

<sup>75</sup> Changed by Environment Court consent order – 15 March 2019 and 24 June 2020

<sup>76</sup> Changed by Environment Court consent order – 28 June 2018

Part C: Implementation

- 3.1.1 <sup>77</sup>Policy 2.2.2: by including in regional plans encompassing wāhi tupuna sites: providing for the management of culturally sensitive information and the protection of culturally sensitive areas through the use of silent files and heritage alert layers by local authorities;
- a) provisions to recognise wāhi tupuna and to protect the values that contribute to wāhi tupuna being significant;
- b) the location on plans of the wāhi tupuna to be protected and the values that contribute to their significance, using the guide in schedule 1C to assist;
- 3.1.2 Policy 2.1.2: by having regard to the Te Rūnunga o Ngāi Tahu, Hazardous Substances and New Organisms Policy Statement 2008 when developing objectives, policies and methods for the management of hazardous substances and new organisms;
- 3.1.3<sup>78</sup> Policies 3.1.1, ~~3.1.2~~, and to 3.1.5, and Policies 4.3.3, 4.4.1 and 4.4.3:
- a. Manage land use and vegetation removal within the beds of lakes and rivers, wetlands, riparian areas, and in the coastal environment;
- b. In appropriate circumstances, provide for activities that have a functional need to be located in the beds of rivers, lakes, wetlands, and their margins.
- c.b. Manage change in river morphology;
- d.e. Encourage restoration of water margins;
- e.d. Managing noise in the coastal marine area;
- f.e. Identify freshwater management units that include all freshwater bodies in Otago in accordance with the National Policy Statement for Freshwater Management 2014;
- g.f. Maintain good water quality and improve it where it is degraded.
- h. Provide for resource users, people and communities that rely on fresh water within environmental limits;
- i. Set limits and targets to give effect to the National Policy Statement for Freshwater Management 2014;
- 3.1.4 Policies 3.1.7 and 3.2.18: by including provisions to manage adverse effects of land use on soil and protect significant soil.
- 3.1.5 Policy 4.3.1: by providing controls adjacent to infrastructure, where necessary to ensure the functional needs of infrastructure are not compromised.
- 3.1.6<sup>79</sup> Policies 3.1.12~~11~~, 3.2.8 to 3.2.10: by identifying and protecting areas of outstanding and high natural character in the coastal environment.
- 3.1.7<sup>6</sup> Policies 3.2.11 and 3.2.12: by protecting surf breaks of national importance.
- 3.1.8<sup>7</sup> Policies 3.2.13 – 3.2.16: by protecting the values of wetlands and outstanding freshwater bodies.

---

<sup>77</sup> Changed by Environment Court consent order – 28 June 2018

<sup>78</sup> Changed by Environment Court consent orders – 28 June 2018, 15 March 2019, and 24 June 2020

<sup>79</sup> Changed by Environment Court consent order – 15 March 2019

Part C: Implementation

- 3.1.98 Policy 3.1.6 and 5.4.4: by applying emission standards within airsheds to achieve ambient air quality that supports good human health;
- 3.1.109<sup>80</sup> Policy 5.2.2 and 5.2.3: by identifying and protecting historic heritage places, areas or landscapes located in the beds of rivers, lakes and wetlands or the coastal marine area;
- 3.1.110 Policy 4.6.5: by managing the effects of the use of contaminated land:
  - a. On the quality of air, water or land;
  - b. In the coastal marine area, and the beds of rivers, lakes and other waterbodies;
- 3.1.121 Policy 4.6.8: by requiring waste disposal facilities to monitor, record and report on the quantity and composition of waste being deposited to landfill;
- 3.1.131 Policy 4.1.3: by using the criteria when undertaking natural hazard assessments;
- 3.1.141 Policy 3.1.2: by developing river management strategies, including:
  - a. The management of riparian margins along rivers and lakes;
  - b. The management of bed alterations.
- 3.1.151 Policy 5.4.6: by providing for offsetting for indigenous biological diversity.
- 3.1.161<sup>81</sup> Policy 5.4.103-2: by including provisions managing plantation forestry land use change in dry catchments where this will impact on water yield.
- 3.1.17<sup>82</sup> Policy 5.4.5: by including provisions managing removal and disposal of material for biosecurity purposes.
- 3.1.18<sup>83</sup> Policy 4.3.7: by mapping and managing for port activities within the coastal marine area.

3.2 Implementing Regional Plans:

- 3.2.1 Regional council will implement Policies 4.1.2 and 4.1.3 when undertaking natural hazard assessments;

3.3 Monitoring and reviewing Regional Plans:

- 3.3.1 Regional Council will monitor and review regional plans to give effect to their responsibilities under the RMA.

**Method 4: City and District Plans**

- 4.1 <sup>84</sup>City and district plans will set objectives, policies and methods to implement policies in the RPS as they relate to the City or District Council areas of responsibility. All objectives and policies of the RPS must be considered and given effect to when preparing city and

---

<sup>80</sup> Inserted pursuant to Environment Court decision No. [2018] NZEnvC 183. Currently under appeal.

<sup>81</sup> Changed by Environment Court consent order – 28 June 2018

<sup>82</sup> Changed by Environment Court consent order – 28 June 2018

<sup>83</sup> Inserted pursuant to Environment Court decision No. [2018] NZEnvC 183. Currently under appeal.

<sup>84</sup> Changed by Environment Court consent order – 28 June 2018

Part C: Implementation

district plans. Matters in the methods can also be taken into account when considering resource consent applications.

More specific direction is provided in the following areas.

Objectives, policies and methods to implement the following policies:

4.1.1 <sup>85</sup>Policy 2.2.2 by:

- a. including provisions to recognise the wahi tupuna and to protect the values that contribute to wahi tupuna being significant;
- b. Identifying the location on plans of the wahi tapuna to be protected and the values that contribute to their significance, using the guide in Schedule 1C to assist.

4.1.24 Policies 4.1.1 to 4.1.11 by determining the appropriate level of regulatory response to natural hazard risk by:

- a. Identifying areas subject to natural hazards in plans and/or natural hazard registers and databases;
- b. Applying the plan principles to the management of natural hazards;
- c. Considering the use of adaptive management techniques;

4.1.32<sup>86</sup> Policies 3.2.8 to 3.2.10: by identifying and protecting areas of outstanding and high natural character in the coastal environment.

4.1.43<sup>87</sup> Policies 3.1.2, 3.1.9 and 3.2.2: by including provisions to:

- a. mMaintain or enhance ecosystems and biological diversity; and to
- b. pProtect significant indigenous vegetation and significant habitats of indigenous fauna;
- c. Control the clearance or modification of indigenous vegetation and habitats of indigenous fauna;

4.1.54 Policies 3.1.7, 3.1.8 and 5.4.1: by including provisions to manage the discharge of dust, and silt and sediment associated with earthworks and land use;

4.1.65 Policies 3.1.7, 3.2.18, 4.5.1, and 5.3.1: by managing urban growth and development and the subdivision of land to protect significant soils

4.1.76 Policy 4.5.6: include subdivision and infrastructure design standards to recognise the access needs of different sections of the community, including the mobility impaired, the elderly and children;

4.1.87 Policy 3.2.12: by maintaining and where possible enhancing access to surf breaks of national importance;

4.1.98 Policy 4.6.2: including by managing the actual or potential adverse effects of the use or storage of hazardous substances, including on:

- a. Other land use activities;
- b. The health and safety of the community;
- c. Groundwater , or community water supplies;

<sup>85</sup> Changed by Environment Court consent order – 28 June 2018

<sup>86</sup> Changed by Environment Court consent order – 15 March 2019

<sup>87</sup> Changed by Environment Court consent orders – 15 March 2019 and 24 June 2020

Part C: Implementation

- d. Amenity values, and community and takata whenua resources, cultural and spiritual values;
  - e. Other activities or environmental values as a result of location in hazard prone areas;
- 4.1.109 Policy 4.6.8: by providing for and managing adverse effects associated with the establishment of waste management activities and facilities including but not limited to;
- a. Providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of waste so that adverse effects on health and safety are avoided and adverse effects on the environment are avoided, remedied or mitigated;
  - b. Minimising risk associated with natural hazard events; and
  - c. Restricting the location of activities that may result in reverse sensitivity effects.
- 4.1.110 Policy 5.2.2 and 5.2.3 by:
- a. Including accidental discovery protocols as advice notes on consents for earthworks or other activities that may unearth archaeological features
  - b. Providing for activities which that contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening;
  - c. Providing for the recording of information culturally sensitive to Kāi Tahu and the protection of culturally sensitive areas through the use of silent files, heritage alert layers or other methods satisfactory to them ;
  - d. Identifying and protecting significant historic heritage resources located within the authority's district;
  - e. Including heritage alert layers in plans to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values.
- 4.1.121 Policy 2.2.4: by making allowance for native reserves to be used in the manner intended by the Crown at the time of their establishment, including Papakāika and marae related activities;
- 4.1.131 Policy 4.5.1 and 4.5.2 by:
- a. Establishing urban growth boundaries where required to manage pressure for urban development;
  - b. Ensuring urban growth boundaries contain sufficient capacity, when measured district wide, to accommodate 20 years urban growth based on demographic growth projections;
- 4.1.141 Policy 5.1.1: by providing for the maintenance and enhancement of public access to the natural environment, including the coast, lakes, rivers and their margins, and where possible areas of cultural and historic significance.
- 4.1.14<sup>88</sup> – Policies 4.3.2, 4.3.4, 4.4.1 and 4.4.4: by:

---

<sup>88</sup> Changed by Environment Court consent order – 6 July 2018

Part C: Implementation

- a. —recognising transmission corridors for electricity transmission infrastructure within their district; and
  - b. —identifying transmission lines on planning maps; and
  - c. —providing controls on subdivision and land use, as necessary to ensure that the operation, maintenance, upgrading and development of electricity transmission infrastructure is not compromised as a result of the adverse effects of incompatible land uses (including structures).
- 4.1.15<sup>89</sup> Policy 3.1.2, 4.3.3, 4.4.1 and 4.4.3: by providing, in appropriate circumstances, for activities that have a functional need to be located in the beds of rivers, lakes, wetlands, and their margins.
- 4.1.16<sup>90</sup> Policy 4.3.1: by providing controls adjacent to infrastructure where necessary to ensure the functional needs of infrastructure are not compromised.
- 4.1.17<sup>91</sup> Policy 4.3.6: by:
- a. Identifying National Grid transmission lines and corridors on planning maps for managing sensitive and non-sensitive activities and development that can compromise the Grid;
  - b. Providing controls to avoid reverse sensitivity effects on the National Grid;
  - c. Providing controls on activities as necessary to ensure that the functional needs of the National Grid are not compromised.
- 4.1.18<sup>92</sup> Policies 4.3.2 and 4.3.5: by:
- a. Identifying nationally or regionally significant infrastructure on planning maps, including corridors where appropriate;
  - b. Including provisions managing land use activities within or adjacent to this regionally or nationally significant infrastructure to address potential reverse sensitivity issues;
  - c. When considering provisions to manage activities within or adjacent to electricity infrastructure, having regard to NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992).
- 4.1.19<sup>93</sup> Policy 4.4.5: by:
- a. Where necessary, providing controls for buildings, structures and other activities adjacent to electricity infrastructure, to ensure the functional needs of that infrastructure are not compromised based on NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992);
  - b. Identifying significant electricity distribution infrastructure on planning maps;

---

<sup>89</sup> Changed by Environment Court consent order – 6 July 2018

<sup>90</sup> Changed by Environment Court consent order – 6 July 2018

<sup>91</sup> Changed by Environment Court consent order – 6 July 2018

<sup>92</sup> Changed by Environment Court consent order – 6 July 2018

<sup>93</sup> Changed by Environment Court consent order – 28 June 2018

Part C: Implementation

c. Where necessary, providing controls on activities to ensure that the functional needs of the significant electricity distribution infrastructure are not compromised.

4.1.20<sup>94</sup> Policy Policies 4.3.6 and 5.4.6: by providing for offsetting for indigenous biological diversity.

4.1.21<sup>95</sup> Policy 5.4.5: by including provisions managing removal and disposal of material for biosecurity purposes.

4.1.22<sup>96</sup> Policy 4.3.7: by mapping and managing for port activities at Port Chalmers and Dunedin.

.

4.2 <sup>97</sup>Implementing district plans.

City and District Councils will implement the following policies:

4.2.1 Policies 4.1.2 and 4.1.3: when undertaking natural hazard assessments;

4.2.2 Policies 3.1.11~~10~~, 3.2.1, 3.2.3, 3.2.5 and 3.2.8: to assess the values of places of potential significance to inform the decision making process;

4.2.3 Policy 5.2.3: by including accidental discovery protocols as advice notes on consents for earthworks or other activities that may unearth archaeological features;

4.2.4 <sup>98</sup>Policies 4.5.1, 4.5.2, and 5.3.1: by preparing or requiring structure plans for large scale land use changes, including subdivision;

4.2.5 <sup>99</sup>~~Policy~~ Policies 2.2.2 and 5.2.3: by ensuring methods for protecting culturally important sites are culturally appropriate;

4.2.6 Policy 4.6.5: by managing adverse effects from the subdivision, development or use of contaminated land, in accordance with that policy and giving effect to the NES for Assessing and Managing Contaminants in Soil to Protect Human Health

4.2.7<sup>100</sup> Policy 4.5.1: or high growth areas, as defined under the NPS Urban Development Capacity, by developing a future development strategy.

City and District Councils may implement the following policies by:

4.2.8<sup>7</sup> Policies 4.1.1 to 4.1.6, and 4.1.13 ~~4.1.2 and 4.1.3~~:

- a. Requiring site specific investigation where there is limited information available on natural hazard or climate change risk or effects;
- b. Requesting the regional council develop a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address specific natural hazard risk;

<sup>94</sup> Changed by Environment Court consent order – 6 July 2018

<sup>95</sup> Changed by Environment Court consent order – 6 July 2018

<sup>96</sup> Inserted pursuant to Environment Court decision No. [2018] NZEnvC 183. Currently under appeal.

<sup>97</sup> Changed by Environment Court consent order – 15 March 2019

<sup>98</sup> Changed by Environment Court consent order – 28 June 2018

<sup>99</sup> Changed by Environment Court consent order – 28 June 2018

<sup>100</sup> Changed by Environment Court consent order – 28 June 2018



Part C: Implementation

4.2.98 Policy 5.1.1: by including conditions to maintain or enhance access to the natural environment or sites of cultural significance.

4.2.10<sup>101</sup> Policy 4.5.1: For medium growth areas, as defined under the NPS Urban Development Capacity, by developing a future development strategy.

4.3 Monitoring and reviewing city and district plans:

4.3.1 City and district councils will monitor and review district plans to give effect to their responsibilities under the RMA.

**Method 5 Research, Monitoring and Reporting**

5.1 Identification of important resources

5.1.1 Regional, city and district councils will:

- a. Work collaboratively to identify the landward extent of the coastal environment

5.1.2<sup>102</sup> Regional, city and district councils, in their areas of responsibility, will identify:

- a. Significant indigenous vegetation and significant habitat of indigenous fauna;
- b. Areas of outstanding natural character in the coastal environment;
- c. Outstanding natural features, landscapes and seascapes;
- d. Highly valued natural features, landscapes and seascapes;
- e. Outstanding water bodies and their significant values;
- f. The values of water margins critical to threatened or rare indigenous flora and fauna;
- g. Significant values of wetlands.

5.1.3 Regional council will:

- a. Identify airsheds based on geographical and physical boundaries, for the management of air quality;
- b. Identify dry catchments where rules are required by regional council to manage water quantity;
- c. Identify significant soils;
- d. Identify the spatial extent of the nationally important surf breaks.

5.1.4<sup>103</sup> Regional council will engage with Kāi Tahu to identify the cultural values of resources and requirements for customary uses:

- a. Identify the cultural values of resources and requirements for customary uses;
- b. Identify wāhi tūpuna and the values that contribute to their significance, including sites and landscapes of cultural significance to Kāi Tahu such as wāhi tapu and other elements identified in schedule 1C.

<sup>101</sup> Changed by Environment Court consent order – 28 June 2018

<sup>102</sup> Inserted pursuant to Environment Court decision No. [2018] NZEnvC 183. Currently under appeal.

<sup>103</sup> Changed by Environment Court consent order – 28 June 2018

Part C: Implementation

5.2 Research

5.2.1 The regional council will:

- a. Undertake investigation for the identification of catchment values and the resources and processes those values depend on, including:
  - i. The interconnections between water bodies, including coastal water;
  - ii. The role of river and catchment morphology and natural functioning in supporting those values;
  - iii. The maintenance and enhancement of indigenous biological diversity and ecosystem health;
  - iv. Erosion risk mitigation;
  - v. Providing for the natural functioning of rivers and lakes;
- b. Identify the values of the coast, and the processes and resources those values are dependent on;
- c. Identify airsheds based on geographical and physical boundaries, for the management of air quality;
- d. Investigate and provide guidance on:
  - i. The inventory and mapping of soil resources;
  - ii. The location and extent of significant soil;
  - iii. Identification of threats to the life-supporting capacity of soil resources;
- e. Develop, maintain and monitor a register of sites of known or potentially contaminated land in Otago. Share information regarding Otago's soil resources and contaminated land with city and district councils;
- f. Provide city and district councils with regional data on the quantity and composition of waste being deposited to landfill for waste assessments;
- g. Undertake research in collaboration with local authorities and other stakeholders as appropriate, into natural hazards and climate change in Otago;
- h. Supply city and district councils with information on natural hazards for:
  - i. The preparation of district plan reviews or changes;
  - ii. Inclusion in Land and Project Information Memoranda;
- i. Collect and share information on erosion-prone land;
- j. Collect and make available information on the expected effects of climate change.
- k. Investigate land for the purpose of identifying contaminated or potentially contaminated sites.

5.2.2<sup>104</sup> Regional, city and district councils *together* will:

- a. Research and share information relevant to the effects of land use on water, including:

---

<sup>104</sup> Changed by Environment Court consent order – 15 March 2019

Part C: Implementation

- i. The values supported by the catchment;
- ii. Riparian vegetation cover or any land cover **which that** contributes to supporting freshwater values, such as tussock grasslands;
- iii. Land use changes which might have significant effects on freshwater values;
- iv. Areas particularly sensitive to land use changes, such as sensitive aquifers and water-short catchments;
- v. The effects of land use on erosion;
- b. Research and share information relevant to the effects of land use on:
  - i. Coastal network infrastructure;
  - ii. Coastal values;
  - iii. Coastal hazards;
  - iv. Riparian vegetation cover or any land cover **which that** contributes to supporting coastal values, or mitigating coastal hazards;
  - v. Areas particularly sensitive to land use changes.

5.2.3 City and district councils will:

- a. Research demographic changes including the relationship between housing demand and population growth and residential capacity within existing urban areas.
- b. When considering land use, development or subdivision by consent, share information with the regional council on any identified breaches to relevant regional rules, including:
  - i. Discharges to water, or to land, in circumstances which may result in contaminant entering water;
  - ii. Discharges to air;
  - iii. Discharges to land.

5.3 State of Environment reporting

5.3.1 Regional, city and district councils will:

- a. Carry out state of the environment reporting in accordance with s35 of the RMA.

5.4 RMA plan effectiveness reporting

5.4.1 Regional council will develop appropriate indicators and measures for the RPS within 12 months, report on the efficiency and effectiveness of the RPS based on those indicators and measures, and review those indicators and measures every five years.

5.4.2 Regional, city and district councils will:

- a. Include indicators for determining plan effectiveness in all plans developed under the RMA;
- b. Report on the efficiency and effectiveness of plans based on those indicators.

5.5 Plan implementation reporting

*Part C: Implementation*

- 5.5.1 Regional, city and district councils will:
  - a. Monitor and report publicly on the achievement of regional and district plan objectives, policies and methods.

**Method 6 Non-RMA Strategies and Plans**

- 6.1 Natural hazard strategies
  - 6.1.1 Regional, city and district councils may:
    - a. Prepare strategies or other similar documents to assist in the management and reduction of natural hazard risk and adaptation to, and mitigation of, climate change;
    - b. Develop community relevant responses to the impacts of natural hazards and climate change, in collaboration with the relevant local authority, key stakeholders and affected community.
- 6.2 Air strategy
  - 6.2.1 Regional, city and district councils may develop and implement, in collaboration with other key stakeholders, a strategy for:
    - a. The upgrading of housing stock and their thermal envelopment;
    - b. The reduction of domestic emissions to air.
- 6.3 Regional Land Transport Plan
  - 6.3.1 Regional council will set objectives, policies and activities to assist in the implementation of policy 4.4.6, 4.5.27, 4.3.1, 4.3.2, with a particular focus on:
    - a. Enhancing road safety;
    - b. Ensuring travel needs in Otago are met;
    - c. Enabling increased freight efficiency;
    - d. Managing Otago's public transport services;
    - e. Ensuring transport networks are resilient, efficient and sustainably managed.
- 6.4 Regional Biological Diversity Strategy
  - 6.4.1 The regional council will develop and implement, with other key stakeholders, a Biological Diversity Strategy.
- 6.5 Pest management strategy
  - 6.5.1 The regional council will:
    - a. Develop and implement a Pest Management Strategy for the control of pest species including those which:
      - i. Have adverse effects on the natural character of the coastal environment;
      - ii. Have adverse effects on significant indigenous biological diversity;
      - iii. Have significant adverse effects on indigenous biological diversity;

Part C: Implementation

- iv. Have adverse effects on outstanding natural features, landscapes, seascapes and highly valued natural features, landscapes and seascapes;<sup>105</sup>  
v. Have propensity for spread, including wilding trees.
  - b. Have regard to indigenous biological diversity when preparing any Regional Pest Management Strategy and prioritising pest management activities, including:
    - i. Any areas of significant indigenous vegetation and significant habitats of indigenous fauna;
    - ii. Any local indigenous biological diversity strategies.
- 6.6 Pan-regional pest management strategy
- 6.6.1 The regional council may develop a pest management strategy with neighbouring regions.
- 6.7 Urban stream plans
- 6.7.1 District and city councils may develop and implement urban stream restoration plans, for the restoration of the natural character and natural functioning of urban streams.
- 6.8 Waste Management and Minimisation Plans
- 6.8.1 City and District Councils will develop Waste Management and Minimisation Plans in accordance with the Waste Minimisation Act 2008 and any regional strategy.
- 6.9 Waste and hazardous substances:
- 6.9.1 Regional, city and district councils may develop strategies or similar documents to:
- a. Provide an integrated approach to waste management under the NZ Waste Strategy 2010, the RMA, the Waste Minimisation Act 2008; the Hazardous Substances and New Organisms Act 1996, the Climate Change Response Act 2002 and the Local Government Act 2002;
  - b. Provide an integrated approach to hazardous substances management under the RMA, the Hazardous Substances and New Organisms Act 1996, the Climate Change Response Act 2002 and the Local Government Act 2002.

**Method 7 Education and Information**

- 7.1 Providing public information
- 7.1.1 Regional, district and city councils may provide information and guidance on:

---

<sup>105</sup> Changed by Environment Court consent orders – 15 March 2019 and 24 June 2020

Part C: Implementation

- a. The maintenance, restoration and enhancement of indigenous ecosystems and habitats;
  - b. Natural hazard risk responses;
  - c. Ways to adapt to and mitigate the effects of climate change;
  - d. The benefits of natural features and systems in mitigating natural hazards;
  - e. The control of pest species.
- 7.1.2 Regional council will provide information and guidance on:
- a. Natural hazards;
  - b. Rainfall and river flow;
  - c. Climate change;
  - d. Measures to mitigate erosion risks resulting from land uses;
  - e. Riparian margin management, especially on flooding and erosion risks;
  - f. Measures to maintain or enhance soil quality;
  - g. Discharge management, including on reducing domestic discharges to air;
  - h. The management of diffuse discharges to water;
  - i. The ecosystem services derived from indigenous biological diversity;
  - j. On the benefits of riparian margin management, especially on flooding and erosion risks.
- 7.1.3 City and district councils will:
- a. Provide available natural hazard information through the Land (LIM) and Property Information Memorandum (PIM) process;
  - b. Provide available information on known or potentially contaminated sites through the LIM and PIM process;
- 7.1.4 City and district councils may provide information and guidance on:
- a. Crime prevention through environmental design and urban design principles to inform local development proposals;
  - b. Urban design techniques to respond to the different access requirements or needs of the community;
  - c. Design techniques to enable adaptive reuse of buildings;
  - d. Water conservation and the efficient domestic use of water;
  - e. Measures for increased energy efficiency and energy conservation;
  - f. Opportunities for the development of small-scale renewable electricity generation.
  - g. The projected demographic changes to local communities.
- 7.1.5 Regional, city and district councils will provide information and guidance on waste minimisation and management.
- 7.1.6 Regional Council may facilitate and support a regional response to hazardous substances collection, disposal and recycling services.

**Method 8: Funding**

**8.1 Providing financial support**

**8.1.1 Regional, city and district councils may:**

- a. Establish and administer funds to provide public access or services to sites of significance on privately owned land;

*Part C: Implementation*

- b. Fund community groups and projects with aims that complement RPS objectives and policies.

**Method 9: Advocacy and Facilitation**

9.1 Promotion

- 9.1.1 Regional, city and district councils will work with stakeholders, including central government agencies and other interested parties, on resource management matters;
- 9.1.2 Regional, city and district councils may advocate for:
  - a. Initiatives and proposals which support or complement the goals of the RMA, RPS and supporting documents;
  - b. Subdivision and building design that increases passive solar gain and uses higher levels of insulation in buildings to improve energy efficiency;
  - c. The implementation of the waste hierarchy throughout the region;
  - d. National guidance on managing natural hazards, and mitigating and adapting to climate change;
  - e. Legislative change to improve resilience and reduce the risk of natural hazards and climate change to individuals and communities;
  - f. The development of infrastructure and services to provide for hazardous substance collection, disposal and recycling services across the region;
  - g. The development, upgrade or maintenance of infrastructure, when it will enhance Otago's communities' well-being or health and safety;
- 9.1.3 Enhance individual and community resilience by encouraging activities and actions that:
  - a. Promote interactions and partnerships within and between communities, businesses and organisations;
  - b. Support self-sufficiency;
  - c. Improve disaster readiness, response and recovery;
  - d. Enable opportunities for improvements to be made following a disaster event;
  - e. Contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening;
  - f. Encourage an approach to resource management that assists in reducing individual and community natural hazard risk and in reducing the effects of climate change.
- 9.1.4 Regional, city and district councils may promote:
  - a. Subdivision and urban development that responds to and anticipates the changing demographic needs of the local community;
  - b. The development and adoption of best practice guidelines for the use and management of hazardous substances, and a reduction in hazardous substance use.
- 9.1.5 City and district councils will:

Part C: Implementation

- a. Promote the integration of new development with existing areas through the use of elements that reflect local character;
- b. Encourage the adaptive reuse of buildings;
- c. Ensure consideration of orientation and design for solar gain in subdivision and building design;
- d. Advocate for the establishment of solid waste management and disposal facilities.

9.2 Facilitation

9.2.1<sup>106</sup> Regional, city and district councils ~~will~~ may facilitate the restoration of natural wetlands or construction of artificial wetlands, particularly when it contributes to the:

- a. Management of diffuse discharges to water;
- b. Protection or restoration of indigenous species;
- c. Mitigation of natural hazards;
- d. Restoration of the natural character of wetlands.

9.2.2<sup>107</sup> Regional, city and district councils ~~will~~ may facilitate the restoration or enhancement of riparian margins, particularly when they:

- a. Improve the health and resilience of ecosystems supporting indigenous biological diversity;
- b. Restore or rehabilitate indigenous biological diversity and natural character;
- c. Encourage the natural regeneration of habitats, including habitats for indigenous species.
- d. Contribute to a safe network of active transport infrastructure;
- e. Improve access to rivers, lakes, wetlands and their margins;
- f. Mitigate risks of erosion.

9.2.3<sup>108</sup> Regional, city and district councils ~~will~~ may facilitate initiatives that support:

- a. Community-based development of strategies and plans to maximise community, ecosystem and natural resource resilience at a scale sufficient for those natural and physical resources;
- ba. The conservation of indigenous vegetation;
- cb. Conservation of biological diversity;
- de. Maintenance or enhancement of coastal values, including restoration or rehabilitation of the natural character;
- ed. The protection or restoration of the significant values of wetlands;
- fe. Co-ordination of the services provided by operators of lifeline utilities, essential and emergency services across and beyond Otago;
- gf. Energy conservation and efficiency, at a community or individual scale;

<sup>106</sup> Changed by Environment Court consent order – 15 March 2019

<sup>107</sup> Changed by Environment Court consent order – 15 March 2019

<sup>108</sup> Changed by Environment Court consent order – 15 March 2019



Part C: Implementation

- hg. Small scale renewable electricity generation;
- 9.2.4<sup>109</sup> Regional, city and district councils ~~will~~ **may** facilitate coordination between lifeline utilities for emergency management, including by:
- a. Recognising the interconnections between lifeline utilities;
  - b. Encouraging any development or upgrade of infrastructure which would resolve potential weaknesses in emergency management.
- 9.2.5 Regional council will facilitate the restoration, rehabilitation or creation of freshwater and coastal habitats, particularly when it:
- a. Encourages the natural regeneration of indigenous species;
  - b. Buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors;
  - c. Maintains or enhances the provision of indigenous ecosystem services.
- 9.2.6 Regional council will facilitate the control of pest species, including wilding pines, particularly when it contributes to the protection or restoration of:
- a. Outstanding or highly valued landscapes;
  - b. Indigenous species.
- 9.2.7 Regional council will facilitate the establishment of:
- a. Water management groups that co-ordinate the exercise of water-related consents;
  - b. Water allocation committees for the management of water allocation in case of drought.
- 9.2.8 Regional, city and district councils may facilitate:
- a. The planning for community infrastructure, when it would increase the efficiency of water use;
  - b. Negotiations with landowners for public or Kāi Tahu access to sites of significance that do not have suitable access.

---

<sup>109</sup> Changed by Environment Court consent order – 15 March 2019

Part C: Implementation

## Monitoring Procedures and Anticipated Environmental Results

### Monitoring Procedures

This section describes the procedures that will be used to monitor the efficiency and effectiveness of PRPS provisions, as required by the section 62(1)(j) of the RMA.

Within 12 months of the PRPS becoming operative, the Regional Council will develop specific indicators and measures to monitor the RPS against its anticipated environmental results.

The Regional Council will report on the efficiency and effectiveness of the PRPS based on those indicators and measures, and review those indicators and measures every five years. This work will be in accordance with Section 35 of the RMA, and integrated with the other significant monitoring work that the ORC carries out, such as state of the environment reporting and compliance with resource consents.

These procedures are set out in Method 5 Research, Monitoring and Reporting.

The following section identifies environmental results anticipated from implementing the policies and methods of the PRPS.

### Anticipated Environmental Results

#### 1. Resource management in Otago is integrated

##### Objective 1.1<sup>110</sup>

Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities

##### **Objective 1.2**<sup>112</sup>

Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago

##### AER 1.1<sup>111</sup>

The economic, social, and cultural wellbeing of Otago's people and communities is enabled through sustainable use, development and protection of natural and physical resources

##### **AER 1.2**<sup>113</sup>

Natural and physical resources are managed in an integrated way

#### 2. Kāi Tahu values and interests are recognised and kaitiakitaka is expressed.

---

<sup>110</sup> Changed by Environment Court consent order – 28 June 2018

<sup>111</sup> Changed by Environment Court consent order – 28 June 2018

<sup>112</sup> Changed by Environment Court consent order – 28 June 2018

<sup>113</sup> Changed by Environment Court consent order – 28 June 2018

Part C: Implementation

**Objective 2.1**

The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions

**AER 2.1**

Te Tiriti o Waitangi principles are adhered to

**Objective 2.2**

Kāi Tahu values, interests and customary resources are recognised and provided for

**AER 2.2**

Kāi Tahu values and culture are respected and able to be expressed

**3. Otago has high quality natural resources and ecosystems**

**Objective 3.1**

The values (including intrinsic values) of Otago's ecosystems and natural resources are recognised, and maintained, and or enhanced where degraded

**AER 3.1**

Water bodies support healthy ecosystems, are safe for swimming, and maintain their natural form and character

**AER 3.2**

The quality of coastal environment is maintained or enhanced

**AER 3.3**

The quality of soils is maintained or enhanced

**AER 3.4**

The health and diversity of ecosystems is maintained or enhanced

**AER 3.5**

Ambient air quality is maintained or enhanced

**Objective 3.2**

Otago's significant and highly-valued natural resources are identified, and protected, or enhanced where degraded

**AER 3.6**

The extent of, and values of, significant and highly valued natural resources and are protected or enhanced

**4. Communities in Otago are resilient, safe and healthy**

**Objective 4.1**

Risk that natural hazards pose to Otago's communities are minimised

**AER 4.1**

The location and design of new developments and natural resource uses reduce community exposure to the adverse effects of multiple, large, and diverse shock events and processes.

**Objective 4.2**

Otago's communities are prepared for and able to adapt to the effects of climate change

**AER 4.2**

The impact on life, property, lifeline utilities, and essential services from climate change is reduced

*Part C: Implementation*

**Objective 4.3**

Infrastructure is managed and developed in a sustainable way

**Objective 4.4**

Energy supplies to Otago's communities are secure and sustainable

**Objective 4.5**

Urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments

**Objective 4.6**

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

**AER 4.3**

Infrastructure is safe, and efficient and the adverse effects of infrastructure on outstanding and highly-valued natural and physical resource values are avoided, remedied or mitigated.

**AER 4.4**

The use of local renewable energy sources increases and reliance on fossil fuels decreases

**AER 4.5**

Urban areas are compact, maximise the use of existing services and infrastructure and are able to adapt to evolving standards and to the changing requirements of its inhabitants and surrounding natural and physical environment

**AER 4.6**

Hazardous substances, contaminants and waste materials are not harmful to the environment, people and communities.

**AER 4.7**

The waste hierarchy is implemented, resulting in less waste requiring disposal and a reduction of the environmental effects generated from waste.

**5. People are able to use and enjoy Otago's natural and built environment**

**Objective 5.1**

Public access to areas of value to the community is maintained or enhanced

**Objective 5.2**

Historic heritage resources are recognised and contribute to the region's character and sense of identity

**Objective 5.3**

Sufficient land is managed and protected for economic production

**Objective 5.4**

Adverse effects of using and enjoying Otago's natural and physical resources are minimised

**AER 5.1**

The coast, lakes and rivers can be accessed by the public

**AER 5.2**

Significant historic heritage is identified, protected, and integrated into current and future uses

**AER 5.3**

The effects of land management do not preclude future economic uses of land

**AER 5.4**

The number and severity of environmental issues is reduced

*Part D: Schedules and Appendices*

## **PART D Schedules and Appendices**

### **Schedule 1 Kāi Tahu values & interests**

The following Kāi Tahu values and interests must be considered in planning and consenting decisions. Some interests are specific to particular papatipu rūnaka, and others are more generally applicable.

#### **Schedule 1A Kāi Tahu values**

This schedule is a guide to assist in identifying Kāi Tahu values. It is not a complete list of all values Kāi Tahu have.

Kāi Tahu do not see their existence as separate from Te Ao Tūroa, the natural world, but as an integral part of it. Through whakapapa, genealogy, all people and life forms descend from a common source. Whakapapa binds Kāi Tahu to the mountains, forests and waters and the life supported by them, and this is reflected in traditional attitudes towards the natural world and resource management.

Whakawhanaukataka, the process of maintaining relationships, embraces whakapapa, through the relationship between people, and between people and the environment. The nature of these relationships defines people's rights and responsibilities in relation to the use and management of resources in.

All things have the qualities of wairua, spiritual dimension, and mauri, life force or life supporting capacity, and have a genealogical relationship with each other.

Mauri provides the common centre between the natural resources, taoka, the people or guardians who care for the taoka, the kaitiaki, and the management framework, tikaka, of how taoka are to be managed by the kaitiaki. It is through kawa, protocol, that the relationship between taoka, tikaka and kaitiakitaka is realised.

Each papatipu rūnaka has its own takiwā determined by natural boundaries such as headlands, mountain ranges and rivers, see Schedule 1B . This political and operational authority over an area is undertaken by takata whenua and encompasses kaitiakitaka and rakatirataka. An integral element of the concepts of kaitiakitaka and rakatirataka is the recognition that Kāi Tahu have their own traditional means of managing and maintaining resources and the environment. This system of rights and responsibilities is inherited from previous generations and has evolved over time.

The resources in any given area are a point of prestige for the people who reside there and are a statement of identity. Traditionally, the abundance or lack of resources directly determines the welfare of every tribal group, and so affects their mana.

#### **Ki Uta Ki Tai**

Ki uta ki tai is a Kāi Tahu term that has become synonymous with the way Kāi Tahu think about natural resource management. Ki uta ki tai, from the mountains to the sea, is the concept used to describe holistic natural resource management.

*Part D: Schedules and Appendices*

Ki uta ki tai is the Kāi Tahu way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately.

**Rakatirataka**

Rakatirataka is about having the mana or authority to give effect to Kāi Tahu culture and traditions in the management of the natural world. Recognition of the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka are embedded in the RMA and the Treaty.

**Kaitiakitaka**

Kaitiakitaka means the exercise of guardianship by Kāi Tahu of an area in accordance with tikaka Māori in relation to natural and physical resources and includes the ethic of stewardship. This statutory definition of kaitiakitaka is, however, a starting point only for Kāi Tahu, as kaitiakitaka is a much wider cultural concept than guardianship. Kaitiakitaka entails the active protection and responsibility for natural and physical resources by Kāi Tahu.

Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the environment. The objectives of kaitiakitaka are to protect the life supporting capacity of the environment and to pass the environment on to future generations in an enhanced state. For Kāi Tahu, kaitiakitaka is not passive custodianship, nor is it simply the exercise of traditional property rights, but it entails an active exercise of responsibility in a manner beneficial to the resource.

**Tikaka**

Tikaka Māori encompasses the beliefs, values, practices and procedures that guide appropriate codes of conduct, or ways of behaving. In the context of natural resource management, observing tikaka is part of the ethic and exercise of kaitiakitaka. It is underpinned by a body of Mātauraka Māori, Māori knowledge, and is based on a general understanding that people belong to the land and have a responsibility to care for and manage the land. It incorporates forms of social control to manage the relationship of people and the environment, including concepts such as tapu, noa and rāhui.

Tikaka is based on traditional practices, but is dynamic and continues to evolve in response to different situations.

**Taoka**

All natural resources, air, land, water, and indigenous biological diversity, are taoka. Taoka are treasured resources that are highly valued by Kāi Tahu, derived from the atua, gods, and left by the tūpuna, ancestors, to provide and sustain life. In the management of natural resources, it is important that the habitats and wider needs of taoka species are sustainably managed and enhanced.

**Mahika Kai**

Mahika kai is one of the cornerstones of Kāi Tahu cultural identity. Mahika kai is a term that literally means "food workings" and refers to the customary gathering of food and natural materials and the

*Part D: Schedules and Appendices*

places where those resources are gathered or produced. The term also embodies the traditions, customs and collection methods, and the gathering of natural resources for cultural use, including raraka, weaving, and rokoā, traditional medicines. Maintaining mahika kai sites, gathering resources, and continuing to practice the tikaka that governs each resource, is an important means of passing on cultural values and mātauraka Māori, traditional knowledge, to the next generation.

Part D: Schedules and Appendices

### **Schedule 1B Interests specific to particular papatipu rūnaka**

This schedule is a guide to assist in identifying Kāi Tahu interests. It is not a complete list of all interests Kāi Tahu have.

#### **Te Rūnanga o Moeraki**

The takiwā of Te Rūnanga o Moeraki is centred on Moeraki and extends from the Waitaki River to the Waihemo, Shag, River and inland to the Main Divide. The coastal interests of Te Rūnanga o Moeraki are concentrated in the Moeraki Peninsula area and surrounds, including Te Raka-a-Hine-atea Pā, Koekohe, Hampden Beach, and Te Kai Hinaki, the Boulders Beach, with its boulders.



**Te Rūnanga o Moeraki Marae, Moeraki**

#### **Kāti Huirapa Rūnaka ki Puketeraki**

The takiwā of Kāti Huirapa Rūnaka ki Puketeraki centres on Karitāne and extends from the Waihemo, Shag, River to Purehurehu, Heyward Point, and includes an interest in Ōtepoti and the greater harbour of Ōtākou. The takiwā extends inland to the Main Divide sharing an interest in the lakes and mountains to Wakatipu Waitai with rūnaka to the south. The kaimoana resources of the coast from Karitāne to Okahau/Blueskin Bay and Pūrākaunui, and the kai awa of the Waikouaiti River and estuary are treasured and well-utilised mahika kai for Kāti Huirapa Rūnaka ki Puketeraki.



**Puketeraki Marae**

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

120



*Part D: Schedules and Appendices*

**Te Rūnanga o Ōtākou**

The takiwā of Te Rūnanga o Ōtākou centres on Muaūpoko, Otago Peninsula, and extends from Purehurehu, Heyward Point, to Te Mata-Au, Clutha River, and inland, sharing an interest in the lakes and mountains to the western coast with rūnaka to the north and south. The Otago Harbour has a pivotal role in the well-being of Ōtākou people. The harbour is a source of identity, a bountiful provider of kaimoana, and it is the pathway to the fishing grounds beyond. Traditionally it was the mode for other hapū to visit, and in today's world it is the lifeline to the international trade that benefits the region. The ebb and flow of the harbour tides is a valued certainty in a world of change, a taoka to be treasured and protected for the benefit of current and future generations.



**Ōtākou Marae, Otago Peninsula**

**Hokonui Rūnanga**

The takiwā of Hokonui Rūnaka centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards. Although Hokonui Rūnanga is based in Gore, their interests in the Otago area, especially South Otago, are significant. They hold this in common with other Otago Rūnaka through whakapapa, history and tradition.



**Hokonui Marae**

*Part D: Schedules and Appendices*

### **Whānau Rōpū**

Moturata Taieri Whānau and Waikoau Ngāi Tahu Rūnaka, South Otago, are whānau rōpū that have an interest in the coastal area from the Catlins south to Bruces Rocks.

Whānau rōpū are located in areas that hold a strong tradition of Kāi Tahu presence close to the Papatipu lands reserved from the 1840s land sales. The whānau rōpū are associated with the Papatipu Rūnaka.

Part D: Schedules and Appendices

## Schedule 1C Wāhi tūpuna

This schedule is a guide to assist in identifying wāhi tūpuna. It is not a complete list of all wāhi tūpuna in Otago.

Kāi Tahu use the term 'wāhi tūpuna' to describe landscapes that embody the customary and contemporary relationship of Kāi Tahu and their culture and traditions with Otago. It is important to understand this concept in the context of the distinctive seasonal lifestyle that Kāi Tahu evolved in the south. The sites and resources used by Kāi Tahu are spread throughout Otago. These places did not function in isolation from one another but were part of a wider cultural setting and pattern of seasonal resource use. The different elements of these sites of significance include:

Site of Significance	Explanation
Ara Tawhito	Ancient trails. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and along the coast, providing access to a range of mahika kai resources and inland stone resources, including pounamu and silcrete.
Kāika	Permanent settlements or occupation sites. These occurred throughout Otago, particularly in coastal areas.
Nohoaka	These were a network of seasonal settlements. Kāi Tahu were based largely on the coast in permanent settlements, and ranged inland on a seasonal basis. Iwi history shows, through place names and whakapapa, continuous occupation of a network of seasonal settlements, which were distributed along the main river systems from the source lakes to the sea.
Wāhi Mahika kai	The places where the customary gathering of food or natural materials occurs. Mahika kai is one of the cornerstones of Kāi Tahu culture.
Mauka	Important mountains. Mountains are of great cultural importance to Kāi Tahu. Many are places of spiritual presence, and prominent peaks in the district are linked to Kāi Tahu creation stories, identity and mana.
Marae	The marae atea and the buildings around it, including the whareniui, wharekai, church and urupā. The sheltering havens of Kāi Tahu cultural expression, a place to gather, kōrero and to welcome visitors. Marae are expressions of Kāi Tahu past and present.
Repo raupo	Wetlands or swamps. These provide valued habitat for taoka species and mahika kai resources.
Tauraka waka	Canoe mooring sites. These were important for transport and gathering kai.

*Part D: Schedules and Appendices*

Tūāhu	Places of importance to Māori identity. These are generally sacred ground and marked by an object, or a place used for purposes of divination.
Taumanu	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
Umu, Umu-tī	Earth ovens. Used for cooking tī-kōuka (cabbage tree), are found in a diversity of areas, including old stream banks and ancient river terraces, on low spurs or ridges, and in association with other features, such as kāika nohoaka.
Urupā	Human burial sites. These include historic burial sites associated with kāika, and contemporary sites, such as the urupā at Ōtākou and Puketeraki marae.
Wāhi kōhatu	Rock outcrops. Rocky outcrops provided excellent shelters and were intensively occupied by Māori from the moa-hunter period into early European settlement during seasonal hikoi. Tuhituhi neherā (rock art) may be present due to the occupation of such places by the tūpuna.
Wāhi pakaka	Battle sites. Historic battle sites occur throughout Otago, such as that at Ohinepouwera (Waikouaiti sandspit) where Taoka’s warriors camped for six months while they laid siege on Te Wera on the Huriawa Peninsula.
Wāhi paripari	Cliff areas.
Wāhi taoka	Resources, places and sites treasured by manawhenua. These valued places reflect the long history and association of Kāi Tahu with Otago.
Wāhi tapu	Places sacred to Kāi Tahu. These occur throughout Otago and include urupā (human burial sites).
Wāhi tohu	Features used as location markers within the landscape. Prominent landforms formed part of the network of trails along the coast and inland. These acted as fixed point locators in the landscape for travellers and are imbued with history.
Wai Māori	Freshwater areas important to Māori, including wai puna (springs), roto (lakes) and awa (rivers).

Part D: Schedules and Appendices

## Schedule 1D Māori land reserves

A Native Reserve is any property or site that is a:

- Native Reserve excluded from the Ōtākou Land Purchases (1844)
- Native Reserve excluded from the Kemps Land Purchases (1848)
- Reserve granted by the Native Land Court (1868)
- Half Caste Reserve (1881)
- Landless Native Reserve (1896)
- Other reserve (1890 and 1900)

A number of Māori reserves exist that were excluded from the land sales of the 1840s. These reserves are steeped in history and association and are places of belonging. Remaining reserves are located at Moeraki, Waikouaiti, Ōtākou, Onumia, Taieri Mouth, and Te Karoro, Kaka Point. Other categories of Māori land exist at Koputai, Port Chalmers, and Ōtepoti, Dunedin, where tauraka waka, landing sites, were recognised. In addition, land was held at Manuhaea, Lake Hawea, Aramoana, Clarendon, Taieri Mouth, Tautuku-Waikawa and Glenomaru amongst others. Landing reserves were allocated at Matainaka, Waikouaiti, and the former Lake Tatawai on the Taieri Plains.

The following table lists the reserves in Otago. Many of the sections within these Native Reserves now have the status of general land. While some of this general land is still in Māori ownership, many of the general titled sections have been sold to non-Māori or taken under various pieces of legislation such as the Public Works Act. Although these sections are no longer in whānau ownership, descendants of the original owners retain an ancestral relationship with these lands.

### Native Reserves located within the Otago region

Location	Comments	Reserve Type
Tautuku	Southern block of Tautuku sections  Northern sections are Reserved lands	South Island Landless Natives Act Native Reserve
Glenomaru	Located south of Kaka Point	South Island Landless Natives Act
Maranuku	Granted in 1844 as part of the Otakou Purchase. Originally called Te Karoro, split into two reserves	Native Reserve
Clarendon	Located inland from Taieri Mouth	Clarendon Half Caste Reserve
Taieri	Granted in 1844 as part of the Otakou Purchase Deed. Split into three reserves; A, B and C	Native Reserve

*Part D: Schedules and Appendices*

Lake Tatawai	Located on the Taieri Plain, south of the Dunedin City Airport	Native Reserve
Lake Tatawai	Lake that is now drained	Landing Reserve
Otago Heads Native Reserve	Granted in 1844 as part of the Otakou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Otakou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the Purakaunui Half Caste grant	Half Caste Reserve
Purakaunui	Granted in 1848 as part of Kemp's Purchase Deed. Further allocations were made in 1868 at Wharauwerawera	Native Reserve
Brinns Point	Granted in the latter part of the nineteenth century	Half Caste Reserve
Karitane (Waikouaiti Native Reserve)	Granted in 1848 as part of Kemp's Purchase Deed	Native Reserve
Matainaka and Hawksbury Fishing Easement	Two fishing easements fall under this reserve, Matainaka, located at Hawksbury Lagoon at Waikouaiti and the Forks Reserve located inland from Karitane. The legal description for the latter reserve is Section 1N Town of Hawksbury	Fishing Easement
Hawksbury	Located north of Waikouaiti, in the vicinity of Goodwood	Hawksbury Half Caste Reserve
Moeraki	Granted in 1848 as part of Kemp's Purchase Deed. Further awards were made in 1868	Native Reserve
Kuri Bush	10 acre reserve of timber	Native Reserve
Kakanui	Granted in 1848 as part of Kemp's Purchase Deed. By 1853, this Reserve was noted as being abandoned and the 75 acre allocation was added to the southern edge of the Moeraki Native Reserve.	Native Reserve

*Part D: Schedules and Appendices*

Korotuaheka	Located south of the Waitaki River mouth. Now Reserved as an urupa. It appears this originated as an occupational reserve and Fishing Easement	Partitioned in 1895. Possibly awarded as part of the 1868 awards.
Punaomaru	376 acre reserve located approximately 14 miles from the Waitaki River mouth on the south bank of the river	Native Reserve
Lake Hawea	Reserve of 100 acres situated in the western extremity of the middle arm of Lake Hawea near a Lagoon. Part of the Reserve was taken for power development in 1962 and the balance of the land was alienated by the Māori Trustee in 1970	Fishing Easement

Part D: Schedules and Appendices



Native reserves in Otago



*Part D: Schedules and Appendices*

**Applicable legislation:**

In ~~2019~~2015, all Māori land is governed by Te Ture Whenua Māori Act 1993. Some lands, such as those at Port Chalmers also fall under the Māori Reserve Land Act 1955.

**Explanatory notes:**

Since approximately the mid 1890's, ancillary claim blocks have been awarded for various reasons. Ancillary claim blocks are Māori freehold land granted under the South Island Landless Natives Act 1906 to those who were left landless when the original reserves were granted. There are a number located throughout Otago. The ownership lists for these blocks are incomplete and information for these blocks is not readily available. As ancillary claim blocks do not form part of the original reservations, they are not included in the RPS. Māori Reservations that have been created in recent times and fall outside the boundaries of the Native Reserves are not included, such as land at Arai te Uru Marae in Shetland Street, Wakari, Dunedin and Whare Koa, located in Oamaru.

PART D: Schedules

## Schedule 2 Statutory acknowledgement areas

Statutory acknowledgements are recorded in the Ngāi Tahu Claims Settlement Act 1998 for several water bodies, mountains and coastal features in the Otago Region.

These acknowledgements comprise a statement made by Te Rūnanga o Ngāi Tahu of the particular cultural, spiritual, historic and traditional association of Kāi Tahu with these areas.

Part 12 of the Ngāi Tahu Claims Settlement Act 1998 provides details of statutory acknowledgements, and the responsibilities relating to them. Section 208 of the NTSCA requires that local authorities have regard to these statutory acknowledgements in resource consent processing under Sections 95 of the RMA in deciding whether Te Rūnanga o Ngāi Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to or impacting directly on the statutory area.

The statutory acknowledgements provide a prototype for the approach to mapping wāhi tūpuna.

Statutory Acknowledgement areas	Ngāi Tahu Claims Settlement Act 1998 Schedule Number
Ka Moana Haehae (Lake Roxburgh)	22
Kakaunui River	23
Kuramea (Lake Catlins)	28
Lake Hawea	30
Lake Wanaka	36
Mata-Au (Clutha River)	40
Matakaea (Shag Point)	41
Pikirakatahi (Mount Earnslaw)	51
Pomahaka River	52
Te Tauraka Poti (Merton Tidal Arm)	60
Te Wairere (Lake Dunstan)	61
Tititea (Mount Aspiring)	62
Tokatā (The Nuggets)	64
Waiholā/Waipori Wetland	70
Whakatipu Wai Māori (Lake Wakatipu)	75
Te Tai O Arai Te Uru (Otago Coastal Marine Area)	103

PART D: Schedules

**Schedule 3<sup>114</sup> Criteria for the identification of outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes**

The identification of natural features, landscapes and seascapes will ~~be based on, but not limited to,~~ **have regard to** the following criteria:

1. Biophysical attributes
  - a. Natural science factors, including geological, topographical, ecological and dynamic components
  - b. The presence of water including in seas, lakes, rivers and streams
  - c. Vegetation (native and exotic)
2. Sensory attributes
  - a. Legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes
  - b. **Amenity Aesthetic** values including memorability and naturalness
  - c. Transient values including presence of wildlife or other values at certain times of the day or year
  - d. Wild or scenic values
3. Associative attributes
  - a. Whether the values are shared and recognised
  - b. Cultural and spiritual values for Kāi Tahu, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features
  - c. Historical and heritage associations

---

<sup>114</sup> Changed by Environment Court consent orders – 15 March 2019 and 24 June 2020

PART D: Schedules

**Schedule 4<sup>115</sup> Criteria for the identification of areas of significant indigenous vegetation and habitat of indigenous fauna**

The identification of areas of significant indigenous vegetation and habitat of indigenous fauna are assessed against all of the following criteria. Areas will be considered significant where they meet one or more of the following criteria.

- |                       |   |
|-----------------------|---|
| 1. Representativeness | An area that is an example of an indigenous vegetation type or habitat that is typical or characteristic of the natural diversity of the relevant ecological district <u>or coastal marine biogeographic region</u> . This may include degraded examples of their type or represent all that remains of indigenous vegetation and habitats of indigenous fauna in some areas.   |
| 2. Rarity             | An area that supports: <ul style="list-style-type: none"> <li>a. An indigenous species that is threatened, at risk, or uncommon, nationally or within an ecological district <u>or coastal marine biogeographic region</u>;</li> <li>b. Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent nationally, regionally or within a relevant land environment, ecological district, <u>coastal marine biogeographic region</u> or freshwater environment including wetlands;</li> <li>c. Indigenous vegetation and habitats within originally rare ecosystems.</li> </ul> |
| 3. Diversity          | An area that supports a high diversity of indigenous <u>ecosystem types, indigenous taxa or has changes in species composition reflecting the existence of diverse natural features or gradients</u> , vegetation and habitats of indigenous fauna or consists of a diverse range or sequence of interrelated vegetation and habitat types. The degree of diversity should be referenced to specific communities i.e. <u>levels of diversity varying significantly between communities and habitat types</u> .  |
| 4. Distinctiveness    | An area that supports or provides habitat for: <ul style="list-style-type: none"> <li>a. Indigenous species at their distributional limit within Otago or nationally;</li> <li>b. Indigenous species that are endemic to the Otago region;</li> <li>c. Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, or has developed as a result of an unusual environmental factor or combinations of factors.</li> </ul>  |
| 5. Ecological Context | The relationship of the area with its surroundings, including:  |

<sup>115</sup> Changed by Environment Court consent orders – 15 March 2019 and 24 June 2020

PART D: Schedules

- a. An area that has important connectivity value allowing dispersal of indigenous vegetation and fauna between different areas;
- b. An important buffering function that helps to protect the values of an adjacent area or feature;
- c. An area that is important for indigenous fauna during some part of their life cycle, either regularly or on an irregular basis, e.g. for feeding, nesting, breeding, or refuges from predation.

6. Coastal Environment

An area identified in accordance with Policy 11 of the NZCPS.

This schedule applies to indigenous vegetation and habitat of indigenous fauna in the terrestrial, coastal and marine environments.

The Regional Council holds additional information to inform decision making on these criteria including the rationale for criteria and examples of areas representing these criteria.

PART D: Schedules

## Schedule 5<sup>116</sup> — Urban form and design

Good quality urban design offers a safe and enjoyable setting for people to work, live and play in, and fosters a positive relationship between the community and their natural environment. It caters to the needs of all, offers many lifestyle choices, and supports a healthy community. It also contributes to the community's identity and cohesion, and reflects the community values.

- |  |   |
|--|---|
| 1. A safe and enjoyable environment  | <ul style="list-style-type: none"> <li>a. Provides lively and pleasant places for people to enjoy</li> <li>b. Reflects the importance of community spaces</li> <li>c. Protects public open space, and improves the quality, quantity and distribution of local open space over the long term</li> <li>d. Creates transport networks that are safer</li> <li>e. Creates safe, attractive and secure pathways and links between town centres and landmarks and neighbourhoods</li> <li>f. Provides a comfortable and safe urban environment</li> <li>g. Considers the impact of design on people's health</li> <li>h. Reduce risk from natural and man-made hazards, including avoiding areas of significant risk</li> </ul>  |
| 2. A positive relationship between the community and its natural environment | <ul style="list-style-type: none"> <li>a. Has regard to the suitability of development in regard to the viability of required resources such as water</li> <li>b. Provides a positive contribution to the environmental health of urban streams, and the coastal environment</li> <li>c. Manages the use of resources carefully, through environmentally responsive and sustainable design solutions</li> <li>d. Minimises the effects of increased impervious surfaces and manages contamination</li> <li>e. Promotes the maintenance, enhancement or protection of natural resources</li> <li>f. Recognises features or values which warrant protection or preservation</li> <li>g. Utilises green technologies in the design and construction of buildings and infrastructure</li> <li>h. Facilitates green networks that link public and private open space</li> <li>i. Promotes innovation and resource use efficiency</li> <li>j. Promotes energy efficiency in transport and urban form, including site layout and building design</li> <li>k. Incorporates renewable energy sources and passive solar gain</li> <li>l. Reflects natural features such as rivers, lakes, wetlands and topography</li> <li>m. Provides for ecological corridors</li> <li>n. Protects areas of indigenous biological diversity and habitat for indigenous fauna</li> </ul> |

---

<sup>116</sup> Changed by Environment Court consent order – 28 June 2018

PART D: Schedules

- 3. Supports a healthy community, and offers many choices and opportunities
  - o. — Utilises low impact design techniques
  - a. Ensures urban environments provide opportunities for all.
  - b. Supports design which is flexible and adaptable and which will remain useful over the long term
  - c. Facilitates access to services and efficient movement of goods and people
  - d. Promotes transport networks that are safe, legible, attractive and well connected
  - e. Provides for public transport, roading, cycling and walking networks that are integrated with each other and the land uses they serve
  - f. Places a high priority on walking, cycling and public transport
  - g. Provides environments that encourage people to become more physically active
  - h. Maximises pedestrian connectivity
  - i. Results in buildings that are adapted to local climatic conditions
  - j. Acknowledges the need for a diverse range of housing and creates a range of housing opportunities and choices
  - k. Ensures public spaces are accessible by everybody, including people with disabilities
  - l. — Creates areas where people can live, work and play
  - m. — Enables a diverse range of commercial, industrial and services activities
- 4. Contributes to the community's identity and cohesion, and reflects community values
  - a. Builds upon physical and cultural identity
  - b. Celebrates cultural identity and recognises the historic heritage values of a place
  - c. Provides formal and informal opportunities for social and cultural interaction
  - d. — Enables a range of opportunities

PART D: Schedules

## Schedule 56 Criteria for the identification of historic heritage values

The identification of items, places and areas of historic heritage value will be based on but not limited to the following criteria:

- 
1. The extent to which the item, place or area reflects important or representative aspects of Otago or New Zealand history.

---

  2. The association of the item, place or area with events, persons, or ideas of importance in Otago or New Zealand history.

---

  3. The potential of the item, place or area to provide knowledge of Otago or New Zealand history.

---

  4. The importance of the item, place or area to tangata whenua.

---

  5. The community association with, or public esteem for, the item, place or area.

---

  6. The potential of the item, place or area for public education.

---

  7. The technical accomplishment, value or design of the item, place or area.

---

  8. The symbolic or commemorative value of the item, place or area.

---

  9. The importance of identifying historic items, places or areas known to date from an early period of New Zealand settlement:
- 

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019

136



PART D: Schedules

---

10. The importance of identifying rare types of historic items, places or areas:

---

11. The extent to which the item, place, or area forms part of a wider historical and cultural item, place or area.

---

**Physical values**

- |                               |   |
|-------------------------------|---|
| 1. Archaeological information | Does the place or area have the potential to contribute information about the human history of the region, or to current archaeological research questions, through investigation using archaeological methods?   |
| 2. Architecture               | Is the place significant because of its design, form, scale, materials, ornamentation, style, period, craftsmanship or other architectural element?   |
| 3. Technology                 | Does the place demonstrate innovative or important methods of construction or design, does it contain unusual construction materials, is it an early example of the use of a particular construction technique or does it have the potential to contribute information about technological history? |
| 4. Scientific                 | Does the area or place have the potential to provide scientific information about the history of the region?  |
| 5. Rarity                     | Is the place or area, or are features within it, unique, unusual, uncommon or rare at a district, regional or national level or in relation to particular historical themes?  |
| 6. Representativeness         | Is the place or area a good example of its class, for example, in terms of design, type, features, use, technology or time period?  |
| 7. Integrity                  | Does the place have integrity, retaining significant features from its time of construction, or later periods when important modifications or additions were carried out?   |
| 8. Vulnerability              | Is the place vulnerable to deterioration or destruction or is threatened by land use activities?  |
| 9. Context or Group           | Is the place or area part of a group of historic heritage places, a landscape, a townscape or setting which when considered as a whole amplify the historic heritage values of the place and group/ landscape or extend its significance?   |

**Historic values**

- |            |  |
|------------|--|
| 10. People | Is the place associated with the life or works of a well-known or important individual, group or organisation? |
|------------|--|

PART D: Schedules

- 11. Events Is the place associated with an important event in local, regional or national history?
- 12. Patterns Is the place associated with important aspects, processes, themes or patterns of local, regional or national history?

**Cultural values**

- 13. Identity Is the place or area a focus of community, regional or national identity or sense of place, and does it provide evidence of cultural or historical continuity?
- 14. Public esteem Is the place held in high public esteem for its historic heritage or amenity values or as a focus of spiritual, political, national or other cultural sentiment?
- 15. Commemorative Does the place have symbolic or commemorative significance to people who use or have used it, or to the descendants of such people, as a result of its special interest, character, landmark, amenity or visual appeal?
- 16. Education Could the place contribute, through public education, to people's awareness, understanding and appreciation of New Zealand's history and cultures?
- 17. Takata-whenua Is the place important to Kāi Tahu takata-whenua for traditional, spiritual, cultural or historical reasons?
- 18. Statutory recognition Does the place or area have recognition in New Zealand legislation or international law including: World Heritage Listing under the World Heritage Convention 1972; registration under the Heritage New Zealand Pouhere Taonga Act 2014; is it an archaeological site as defined by the Heritage New Zealand Pouhere Taonga Act 2014; is it a statutory acknowledgement under claim settlement legislation; or is it recognised by special legislation?

*PART D: Schedules*

**Schedule 6<sup>117</sup>: Housing capacity**

This schedule will be amended in accordance with NPS Urban Development Capacity requirements.  
Refer to Policy 4.5.1(c) Providing for urban growth and development

---

<sup>117</sup> Changed by Environment Court consent order – 28 June 2018

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 14 January 2019*

*Appendices*

## **Appendix 1: Te Tiriti o Waitangi**

Two versions of Te Tiriti o Waitangi, the Treaty of Waitangi, exist, an English version and a version in Te Reo. Under international law, where there is a conflict between the versions the Te Reo version should be given precedence.

The Te Reo version was signed by 512 Chiefs and the English text version was signed by 30 Chiefs. Both were signed on behalf of the Crown by William Hobson, Consul and Lieutenant Governor.

### **Te Reo version of the Treaty**

#### **Ko te tuatahi**

Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua Wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu te Kawanatanga katoa o o ratou wenua.

#### **Ko te tuarua**

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga Hapu ki nga tangata katoa o Nui Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era waahi wenua e pai ai te tangata nona te wenua ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

#### **Ko te tuatoru**

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani nga tangata māori katoa o Nui Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

### **A Literal English Translation of the Māori Text**

(NZ Court of Appeal, 29 June 1987, credited to Professor I H Kawharu)

#### **The First**

The Chiefs of the Confederation and all the chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.

#### **The Second**

The Queen of England agrees to protect the chiefs, subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the Chiefs of the Confederation and all the chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

*Appendices*

**The Third**

For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties of citizenship as the people of England.

**English version**

**Article The First**

The chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess or may be supposed to exercise or to possess over their respective Territories as the sole sovereigns thereof.

**Article The Second**

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession: but the Chiefs of the United Tribes and the individual Chiefs yield to her Majesty the exclusive right of Pre-emption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

**Article The Third**

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her Royal protection and imparts to them all the rights and Privileges of British Subjects.

Glossary

## **Glossary**

If a word or phrase is not defined then the meaning should be taken to be the same as found in Section 2 of the RMA, or relevant National Policy Statement or National Environmental Standard. Terms not defined in either the glossary or the above documents should be interpreted in keeping with their common usage.

Where used in this regional policy statement, these terms have the following definitions.

**1990 mean sea level (Otago Datum)** The fixed level for basing subsequent level measurements on, in this case Otago Metric Datum is the Dunedin Vertical Datum (DVD 1958) plus 100 metres.

**Ahi kā** Continued occupation according to traditional law of Māori tenure “keeping the fires burning”.

**Ara Tawhito** Ancient Trails.

**Atua** God, supernatural being.

**Biodiversity Offsets<sup>118</sup>** Measurable conservation outcomes resulting from actions designed to compensate for residual adverse biodiversity impacts arising from project development after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.

**Cascading hazards** Where the occurrence of one natural hazard is likely to trigger another natural hazard event e.g. an earthquake triggering a landslide which dams a river causing flooding.

**Climate change** A change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods.

**Coastal water** Coastal water means seawater within the outer limits of the territorial sea and includes:

- (a) Seawater with a substantial fresh water component; and
- (b) Seawater in estuaries, fiords, inlets, harbours, or embayments.

---

<sup>118</sup> Changed by Environment Court consent orders – 15 March 2019 and by Environment Court decision No. [2019] NZEnvC 41

*Glossary*

<b>Contaminant</b>	<p>Includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat:</p> <p>(a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or</p> <p>(b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged</p>
<b>Contaminated Land</b>	<p>Means land that has a hazardous substance in or on it that:</p> <p>(a) has significant adverse effects on the environment; or</p> <p>(b) is reasonably likely to have significant adverse effects on the environment</p>
<b>Crime prevention through environmental design</b>	<p>A set of principles that can be applied to the design and development of buildings and other public areas. It seeks to use effective design to reduce the incidence and fear of crime.</p>
<b>Cumulative effects</b>	<p>In regard to assessing natural hazard consequence, cumulative effects include:</p> <p>a) The repeat of the same type of event, or different types of events, on the same area and/or people; and</p> <p>b) The effects of an event on many areas and/or people.</p>
<b>Customary</b>	<p>In accordance with custom or habitual practice; usual; habitual. Customs, or customary uses, may include those involving uninterrupted use and occupation. The word 'customary' in this <a href="#">policy statement plan</a> is used in accordance with its dictionary definition, and is not limited to its legal definition.</p>
<b>Ecosystem</b>	<p>A system of interacting terrestrial or aquatic living organisms within their natural and physical environment.</p>
<b>Ecosystem services</b>	<p>Are the resources and processes the environment provides that people benefit from e.g. purification of water and air, pollination of plants and decomposition of waste.</p>

Glossary

<b>Electricity distribution infrastructure</b> <sup>119</sup>	Lines and associated equipment used for the conveyance of electricity on lines other than <del>lines that are part of the nNational gGrid or electricity sub-transmission infrastructure.</del>
<b><u>Electricity sub-transmission Infrastructure</u></b> <sup>120</sup>	<u>Means electricity infrastructure which conveys electricity between the National Grid and renewable energy generation sources to zone substations and between zone substations.</u>
<b>Electricity transmission infrastructure</b>	The nNational gGrid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.
<b>Emergency services</b>	Has the meaning set out in section 4 of the Civil Defence Emergency Management Act 2002.
<b>Endemic</b>	Species that are naturally restricted to within a certain area.
<b>Essential services</b>	Include hospitals and health services, schools, public transport and essential commercial activities for civil defence purposes.
<b>Exit strategy</b>	A means of leaving a current situation that is likely to become difficult, e.g. as a result of natural hazards or climate change e.g. managed retreat or relocating dwellings.
<b>Fresh water</b>	Fresh water means all water except coastal water and geothermal water.
<b>Functional needs</b> <sup>121</sup>	The locational, operational, practical or technical needs of an activity, <u>including development and upgrades.</u>
<b><u>Future urban development areas</u></b>	<del>Land mapped in district plans to provide direction on the location of greenfield urban expansion.</del>
<b><u>Future development strategy</u></b> <sup>122</sup>	<u>In accordance with the NPS Urban Development Capacity</u>
<b>Hapū</b>	Sub-tribe, extended whānau.
<b>Hazardous substance</b>	Has the meaning set out in section 2 of the Hazardous Substances and New Organisms Act 1996, but including non-toxic environmentally

<sup>119</sup> Changed by Environment Court consent order – 6 July 2018

<sup>120</sup> Changed by Environment Court consent order – 6 July 2018

<sup>121</sup> Changed by Environment Court consent order – 28 June 2018

<sup>122</sup> Changed by Environment Court consent order – 28 June 2018



Glossary

damaging substances, medicines in dosage form, hazardous biological substances and radioactive substances.

**Highly valued natural features, landscapes and seascapes** Highly valued natural features, landscapes and seascapes are those which have natural values that are of significance under Sections 6(a), 6(c), 7(c) and 7(f), but are not 'outstanding natural features and landscapes' under Section 6(b) of the RMA.

**Indigenous species** A species or genetic variant found naturally in New Zealand, including migrant species visiting New Zealand on a regular or irregular basis.

**Infrastructure**

- a) Pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;
- b) A network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;
- c) A network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;
- d) Facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—
  - i. uses them in connection with the generation of electricity for the person's use; and
  - ii. does not use them to generate any electricity for supply to any other person;
- e) A water supply distribution system, including a system for irrigation;
- f) A drainage or sewerage system;
- g) structures for transport on land by cycleways, rail, roads, walkways, or any other means;
- h) Facilities for the loading or unloading of cargo or passengers transported on land by any means;
- i) An airport as defined in section 2 of the Airport Authorities Act 1966;
- j) A navigation installation as defined in section 2 of the Civil Aviation Act 1990;
- k) Facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;
- l) Anything described as a network utility operation in regulations made for the purposes of the definition of "network utility operator" in section 166 of the Resource Management Act 1991.

**Iwi** Tribe.

*Glossary*

<b>Iwi authority</b>	The authority which represents an iwi and which is recognised by that iwi as having the authority to do so. Te Rūnanga o Ngāi Tahu is the iwi authority in Otago.
<b>Kāi Tahu</b>	The collective of individuals who descend from Kāi Tahu, Kāti Māmoe and Waitaha, and who have mana whenua in Otago.  Note: In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference is to use a 'k' so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu. In this document, the "ng" is used for the iwi in general, and the "k" for southern Māori in particular.
<b>Kāi Tahu ki Otago</b>	The four Papatipu Rūnaka and associated whānau and rōpū of the Otago Region.
<b>Kāika</b>	Settlement.
<b>Kaimoana</b>	Food obtained from the sea.
<b>Kaitiaki</b>	Guardian.
<b>Kaitiakitaka</b>	The exercise of customary custodianship, in a manner that incorporates spiritual matters, by Kāi Tahu who hold manawhenua status for particular area or resource.
<b>Ki Uta Ki Tai</b>	Mountains to the sea.
<b>Lifeline utilities</b>	Utilities provided by those entities listed in Schedule 1 of the Civil Defence Emergency Management Act, 2002.
<b>Mahika Kai</b>	The customary gathering of food and natural materials and the places where those resources are gathered.
<b>Mana Whenua</b>	Customary authority or rakatirataka exercised by an iwi or hapū in an identified area.
<b>Manawhenua</b>	Those who exercise customary authority or rakatirataka in an identified area.
<b>Marae</b>	The marae atea and the complex of buildings around it, including the whareni, wharekai, church and urupa.
<b>Marae atea</b>	Courtyard or meeting place in front of the whareni.

Glossary

<b>Marae related activity</b>	<p>Māori cultural activities and provision of services primarily aimed at the health and wellbeing of the Māori population, by or for Kāi Tahu , undertaken on a marae that has the approval of rūnaka, including:</p> <ul style="list-style-type: none"><li>a) Hui;</li><li>b) Wānaka;</li><li>c) Tangi;</li><li>d) Overnight accommodation for visitors;</li><li>e) Events and gatherings;</li><li>f) Health services; and</li><li>g) Cultural tourism.</li></ul>
<b>Mauka</b>	Mountain.
<b>Mauri</b>	Life supporting capacity. This definition, while not replicating the term 'Mauri', achieves the essence of this concept.
<b>Multiple hazards</b>	Where two or more unrelated natural hazard events may occur.
<b><u>Municipal infrastructure</u><sup>123</sup></b>	<p><u>Infrastructure for:</u></p> <ul style="list-style-type: none"><li>a) <u>Conveyance of untreated water from source to, and including, the point of its treatment to potable standard for an urban environment (see below), but excluding its distribution within that urban environment;</u></li><li>b) <u>Treatment of wastewater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment;</u></li><li>c) <u>Treatment of stormwater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment.</u></li></ul> <p><u>Urban Environment means:</u></p> <ul style="list-style-type: none"><li>a) <u>Dunedin, Queenstown, Oamaru and any other urban area within Otago that qualifies as an urban environment as defined by the National Policy Statement on Urban Development Capacity 2016.</u></li></ul>

---

<sup>123</sup> Changed by Environment Court consent order – 6 July 2018

Glossary

b) An area of land containing, or intended to contain, a concentrated settlement of 10,000 people or more and any associated business land, irrespective of local authority or statistical boundaries).

**Native Reserve** Any property or site that is a: Native Reserve excluded from the Ōtākou Land purchases (1844), Native Reserves excluded from the Kemps Land Purchases (1848), Reserves granted by the Native Land Court (1868), Half Caste Reserves (1881), Landless Native Reserve (1896), Other reserves (1890 and 1900).

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

**No net loss**<sup>124</sup> In the context of biodiversity offsets, means no net loss with respect to:  
a) Species abundance, population structure, and composition (e.g. individual species or species groups)  
b) Habitat structure (e.g. vegetation tiers, vegetation pattern)  
c) Ecosystem function (e.g. nutrient cycling rates)  
d) People's use of and cultural values associated with biodiversity (e.g. particularly valued habitats or species).

**Nohoaka/Nohoanga** Seasonal settlements.

**Originally rare** In relation to terrestrial ecosystems, “originally” means the ecosystem type was present when Māori arrived, and still exists today. “Rare” means the total extent of each originally rare ecosystem type is less than 0.5 percent of New Zealand’s total area – that is, less than 134,000 hectares. A published list of originally rare terrestrial ecosystem types has been compiled by Landcare Research and is available from that organisation.

**Papakāika** Traditional settlement or settlement on traditional land.

**Papatipu Rūnaka/Rūnanga** Local manawhenua representative group or community system of representation.

---

<sup>124</sup> Changed by Environment Court consent order – 15 March 2019

*Glossary*

<b>Port Activities</b> <sup>125</sup>	Means the loading or unloading of ships for export or import purposes, including storage facilities and other related activities for the operation of the port area.
<b>Pounamu</b>	Nephrite, greenstone, jade.
<b>Primary Production</b>	The use of land and auxiliary buildings for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products). Primary production does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals.
<b>Rāhui</b>	Restriction on access to a specific resource for a particular time.
<b>Rakātira</b>	Chief.
<b>Rakātirataka</b>	Chieftainship, decision-making rights.
<b>Renewable electricity generation</b>	The generation of electricity from solar, wind, hydro electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.
<b>Residual risk</b>	The risk remaining after the implementation or undertaking of risk management measures.
<b>Resilient / Resilience</b>	The capacity and ability to withstand or recover quickly from difficult conditions.
<b>Reverse sensitivity</b>	The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or intensification of other activities which are sensitive to the established activity.
<b>Risk</b>	In the context of natural hazards means a combination of the likelihood of occurrence and consequences of a natural hazard event, and incorporates the concept of probabilities and impacts included in the definition of “effect” in Section 3 of the RMA.
<b>Rohe</b>	Boundary.

---

<sup>125</sup> Change proposed in Environment Court decision No. [2018] NZEnvC 183, currently subject to appeal.

Glossary

<b>Rōpū</b>	Grouping.
<b>Ship</b>	<p>In accordance with the Maritime Transport Act 1994, means every description of boat or craft used in navigation, whether or not it has any means of propulsion; and includes –</p> <ul style="list-style-type: none"> <li>a) A barge, lighter, or other like vessel;</li> <li>b) A hovercraft or other thing deriving full or partial support in the atmosphere from the reaction of air against the surface of the water over which it operates;</li> <li>c) A submarine or other submersible.</li> </ul>
<b>Significant electricity distribution infrastructure<sup>126</sup></b>	<p>Means electricity infrastructure which supplies:</p> <ul style="list-style-type: none"> <li>a) Essential public services (such as hospitals and lifeline facilities);</li> <li>b) Other regionally significant infrastructure or individual consumers requiring supply of 1MW or more;</li> <li>c) 700 or more consumers; or</li> <li>d) Communities that are isolated and which do not have an alternative supply in the event the line or cable is compromised and where the assets are difficult to replace in the event of failure.</li> </ul>
<b>Statutory acknowledgement</b>	An acknowledgement by the Crown of Ngāi Tahu’s special relationship with identifiable areas, namely Ngāi Tahu’s particular cultural, spiritual, historical, and traditional association with those areas (known as statutory areas).
<b>Surf break</b>	A natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a ‘surfable wave’. A surf break includes the ‘swell corridor’ through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable. ‘Swell corridor’ means the region offshore of a surf break where ocean swell travels and transforms to a ‘surfable wave’. ‘Surfable wave’ means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.

---

<sup>126</sup> Changed by Environment Court consent order – 28 June 2018

*Glossary*

<b><u>System</u></b> <sup>127</sup>	<u>A set of discrete components interconnected and working together to function as a complex whole.</u>
<b>Takata whenua</b>	The iwi or hapū that holds mana whenua in a particular area.
<b>Takiwā</b>	Area, region, district.
<b>Te Ao Tūroa</b>	The natural environment.
<b>Te Tai o Arai Te Uru</b>	Otago Coastal Marine Area.
<b>Te Wai Pounamu</b>	The South Island.
<b>Tikaka</b>	Lore and custom, customary values and practices.
<b>Tino Rangatirataka</b>	Full chiefly authority.
<b>Tōpuni</b>	Named for the Tōpuni cloak worn by Ngāi Tahu raketira, Tōpuni in this sense provides a public symbol of Ngāi Tahu manawhenua and raketirataka over some of the most prominent landscape features and conservation areas in Te Wai Pounamu. Under the Ngāi Tahu Claims Settlement Act 1998 Tōpuni has been laid over 14 areas of public conservation land of significance to Ngāi Tahu.
<b>Tuhituhi neherā</b>	Rock art.
<b>Tūpuna/tīpuna</b>	Ancestor.
<b>Umu-tī</b>	Earth oven used for cooking tī.
<b>Urban growth boundary</b>	Boundary mapped in district plans to identify areas of existing urban development and where further urban development can take place over the next 10 years and beyond.
<b>Urupā</b>	Burial place.
<b>Wāhi Taoka</b>	Resources, places and sites treasured by Kāi Tahu.
<b>Wāhi Tapu</b>	Places sacred to Kāi Tahu.

---

<sup>127</sup> Changed by Environment Court consent order – 28 June 2018

*Glossary*

<b>Wāhi Tūpuna</b>	Landscapes and places that embody the relationship of manawhenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka.
<b>Wairua</b>	Life principle, spirit.
<b>Waka</b>	Canoe.
<b>Wānaka/Wānanga</b>	Customary learning method.
<b>Waste</b>	Has the meaning set out in section 5 of the Waste Minimisation Act 2008.
<b>Water body</b>	Fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.
<b>Wetland<sup>128</sup></b>	<p>Wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</p> <p><u>In this Regional Policy Statement, 'wetland' excludes any wetland constructed for the purpose of water quality management</u></p>
<b>Whakapapa</b>	Genealogy.
<b>Whānau</b>	Family.
<b>Whānau Rōpū</b>	Whānau grouping.
<b>Whare Kai</b>	Dining hall.
<b>Wharenui</b>	Ancestral meeting house.
<b>Whenua</b>	Land.

---

<sup>128</sup> Changed by Environment Court consent orders – 15 March 2019 and and 24 June 2020



Glossary

## User Index

This index assists users of the Regional Policy Statement for Otago in identifying the most relevant objectives and policies that relate to a specific topic. Topics are presented in this index in alphabetical order. The index is a guide only and other policies may be relevant.

Chapter One 'Resource Management in Otago is Integrated' and Chapter Two 'Kāi Tahu Values and Interests are Recognised and Kaitiakitaka is Expressed' should be considered in every instance.

<b>AIR</b>	<b>Page</b>
<b>Objective 3.1 The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	24
Policy 3.1.6 Air quality	27
	88
<b>Objective 5.4 Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	
Policy 5.4.1 Offensive or objectionable discharges	88
Policy 5.4.4 Emission standards	89
Policy 5.4.7 Offsetting for air quality	92
<b>BIOLOGICAL DIVERSITY</b>	<b>Page</b>
<b>Objective 3.1 The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	24
	29
Policy 3.1.9 Ecosystems and indigenous biological diversity	30
Policy 3.1.10 Biodiversity in the coastal environment	32
Policy 3.1.12 Environmental enhancement	34
<b>Objective 3.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded</b>	
	34
Policy 3.2.1 Identifying significant indigenous vegetation and habitats	34
Policy 3.2.2 Managing significant indigenous vegetation and habitats	88
<b>Objective 5.4 Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	
	89
Policy 5.4.5 Pest plants and animals	90
Policy 5.4.6 Offsetting for indigenous biological diversity	xx

*User Index*

<u>Policy 5.4.6A Biological Diversity Compensation</u>		
<b>CLIMATE CHANGE</b>		<b>Page</b>
<b>Objective 4.1</b>	<b>Risks that natural hazards pose to Otago's communities are minimised</b>	47
	Policy 4.1.1 Identifying natural hazards	47
	Policy 4.1.2 Natural hazard likelihood	47
	Policy 4.1.6 Avoiding increased natural hazard risk	50
	Policy 4.1.8 Precautionary approach to natural hazard risk	52
	Policy 4.1.9 Protecting features and systems that provide hazard mitigation	52
<b>Objective 4.2</b>	<b>Otago's communities are prepared for and able to adapt to the effects of climate change</b>	55
	Policy 4.2.1 Sea level rise	55
	Policy 4.2.2 Climate change	55
<b>COASTAL ENVIRONMENT</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	24
		27
	Policy 3.1.5 Coastal water	30
	Policy 3.1.10 Biodiversity in the coastal environment	31
	Policy 3.1.11 Natural features, landscapes and seascapes	32
	Policy 3.1.12 Natural character in the coastal environment	32
	Policy 3.1.13 Environmental enhancement	34
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded</b>	35
	Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes	35
	Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes	36
	Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes	37
	Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes	37
	Policy 3.2.7 Landward extent of the coastal environment	38
	Policy 3.2.8 Identifying high and outstanding natural character in the coastal environment	38
	Policy 3.2.9 Managing the outstanding natural character of the coastal environment	39
	Policy 3.2.10 Managing the high natural character of the coastal environment	40
	Policy 3.2.11 Identifying surf breaks of national importance	40
	Policy 3.2.12 Managing surf breaks of national importance	

*User Index*

<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	88
	Policy 5.4.5 Pest plants and animals	89
	<a href="#">Policy 5.4.9 Activities in the Coastal Marine Area</a>	93
<b>DEVELOPMENT</b>		<b>Page</b>
<b>Objective 5.3</b>	<b>Sufficient land is managed and protected for economic production</b>	85
	Policy 5.3.1 Rural activities	85
	Policy 5.3.2 Distribution of commercial activities	85
	Policy 5.3.3 Industrial land	86
	Policy 5.3.4 Mineral and petroleum exploration, extraction and processing	87
	Policy 5.3.5 Tourism and outdoor recreation	87
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	88
	Policy 5.4.1 Offensive or objectionable discharges	88
	Policy 5.4.2 Adaptive management approach	88
	Policy 5.4.3 Precautionary approach	89
	Policy 5.4.4 Emission standards	89
	Policy 5.4.5 Pest plants and animals	89
	Policy 5.4.8 Adverse effects from mineral and petroleum exploration, extraction and processing	92
<b>ENERGY</b>		
<b>Objective 4.4</b>	<b>Energy supplies to Otago's communities are secure and sustainable</b>	63
	Policy 4.4.1 Renewable electricity generation	63
	Policy 4.4.2 Small and community scale renewable electricity generation	63
	Policy 4.4.3 Protecting existing renewable electricity generation	64
	Policy 4.4.4 Efficient transport of electricity	64
	Policy 4.4.5 Electricity distribution infrastructure	65
	Policy 4.4.6 Energy efficient transport	65
	Policy 4.4.7 Fuels	66
<b>FRESH WATER</b>		
<b>Objective 3.1</b>	<b>The functions and values of Otago's ecosystems and natural resources are recognised, maintained or enhanced where degraded</b>	24
	Policy 3.1.1 Fresh water	24
	Policy 3.1.2 Beds of rivers, lakes, wetlands and their margins	25
	Policy 3.1.3 Water allocation and use	26
	Policy 3.1.4 Water shortage	26

*User Index*

Policy 3.1.12	Environmental enhancement	32
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded</b>	34
Policy 3.2.13	Identifying outstanding freshwater bodies	40
Policy 3.2.14	Managing outstanding freshwater bodies	41
Policy 3.2.15	Identifying the significant values of wetlands	41
Policy 3.2.16	Managing the values of wetlands	42
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	88
Policy 5.4.1	Offensive or objectionable discharges	88
Policy 5.4.5	Pest plants and animals	89
<b>HISTORIC HERITAGE</b>		
<b>Objective 5.2</b>	<b>Historic heritage resources are recognised and contribute to the region's character and sense of identity</b>	83
Policy 5.2.1	Recognising historic heritage	83
Policy 5.2.2	Identifying historic heritage	83
Policy 5.2.3	Managing historic heritage	83
<b>INFRASTRUCTURE AND LIFELINE UTILITIES</b>		
<b>Objective 4.1</b>	<b>Risks that natural hazards pose to Otago's communities are minimised</b>	47
Policy 4.1.7	Reducing existing natural hazard risk	51
Policy 4.1.11	Hard protection structures	53
Policy 4.1.12	Lifeline utilities and facilities for essential or emergency services	53
Policy 4.1.13	Hazard mitigation measures, lifeline utilities, and essential and emergency services	53
<b>Objective 4.3</b>	<b>Infrastructure is managed and developed in a sustainable way</b>	55
Policy 4.3.1	Managing infrastructure activities	57
Policy 4.3.2	Nationally and regionally significant infrastructure	58
Policy 4.3.3	Functional needs of infrastructure that has national or regional significance	59
Policy 4.3.4	Adverse effects of nationally and regionally significant infrastructure	59
Policy 4.3.5	Protecting infrastructure with national or regional significance	60
Policy 4.3.6	The National Grid	61
Policy 4.3.7	Recognising port activities at Port Chalmers and Dunedin	61

*User Index*

<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>	68
	Policy 4.5.2 Integrating infrastructure with land use	69
<b>INTEGRATED RESOURCE MANAGEMENT</b>		<b>Page</b>
<b>Objective 1.1</b>	<b>Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities</b>	11
	Policy 1.1.1 Economic wellbeing	11
	Policy 1.1.2 Social and cultural wellbeing and health and safety	11
<b>Objective 1.2</b>	<b>Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago</b>	13
	Policy 1.2.1 Integrated resource management	13
<b>KĀI TAHU</b>		<b>Page</b>
<b>Objective 1.1</b>	<b>Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities</b>	11
	Policy 1.1.2 Social and cultural wellbeing and health and safety	11
<b>Objective 2.1</b>	<b>The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions</b>	17
	Policy 2.1.1 Treaty obligations	17
	Policy 2.1.2 Treaty principles	17
<b>Objective 2.2</b>	<b>Kāi Tahu values, interests and customary resources are recognised and provided for.</b>	19
	Policy 2.2.1 Kāi Tahu wellbeing	19
	Policy 2.2.2 Recognising sites of cultural significance	19
	Policy 2.2.3 Wāhi tūpuna and associated sites	20
	Policy 2.2.4 Sustainable use of Māori land	20
<b>Objective 5.2</b>	<b>Historic heritage resources are recognised and contribute to the region's character and sense of identity</b>	83
	Policy 5.2.1 Recognising historic heritage	83
	Policy 5.2.2 Identifying historic heritage	83
	Policy 5.2.3 Managing historic heritage	84

*User Index*

<b>LAND AND SOIL</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	24
		28
Policy 3.1.7	Soil values	29
Policy 3.1.8	Soil erosion	85
<b>Objective 5.3</b>	<b>Sufficient land is managed and protected for economic production</b>	85
		85
Policy 5.3.1	Rural activities	85
Policy 5.3.2	Distribution of commercial activities	86
Policy 5.3.3	Industrial land	86
<b>Policy 5.3.4</b>	<b>Mineral and petroleum exploration, extraction and processing</b>	87
Policy 5.3.5	Tourism and outdoor recreation	88
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	88
		88
Policy 5.4.1	Offensive or objectionable discharges	89
Policy 5.4.5	Pest plants and animals	92
Policy 5.4.8	Adverse effects from mineral and petroleum exploration, extraction and processing	93
Policy 5.4.10	Managing land use change in dry catchments	94
<b>LANDSCAPES, SEASCAPES AND NATURAL FEATURES</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The functions and values of Otago's ecosystems and natural resources are recognised, maintained or enhanced where degraded</b>	24
Policy 3.1.11	Natural features, landscapes and seascapes	32
Policy 3.1.12	Natural character in the coastal environment	32
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded</b>	34
Policy 3.2.3	Identifying outstanding natural features, landscapes and seascapes	35
Policy 3.2.4	Managing outstanding natural features, landscapes and seascapes	35
Policy 3.2.5	Identifying highly valued natural features, landscapes and seascapes	36
Policy 3.2.6	Managing highly valued natural features, landscapes and seascapes	37
Policy 3.2.17	Identifying significant soil	42
Policy 3.2.18	Managing significant soil	42
<b>NATURAL HAZARDS</b>		<b>Page</b>

*User Index*

<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	24
	Policy 3.1.13 Environmental enhancement	32
<b>Objective 4.1</b>	<b>Risks that natural hazards pose to Otago's communities are minimised</b>	47
	Policy 4.1.1 Identifying natural hazards	47
	Policy 4.1.2 Natural hazard likelihood	47
	Policy 4.1.3 Natural hazard consequence	48
	Policy 4.1.4 Assessing activities for natural hazard risk	48
	Policy 4.1.5 Natural hazard risk	49
	Policy 4.1.6 Minimising increase in natural hazard risk	50
	Policy 4.1.7 Reducing existing natural hazard risk	51
	Policy 4.1.8 Precautionary approach to natural hazard risk	52
	Policy 4.1.9 Protecting features and systems that provide hazard mitigation	52
	Policy 4.1.10 Mitigating natural hazards	52
	Policy 4.1.11 Hard protection structures	53
	Policy 4.1.12 Lifeline utilities and facilities for essential or emergency services	53
	Policy 4.1.13 Hazard mitigation measures, lifeline utilities, and essential and emergency services	53
<b>PUBLIC ACCESS</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The functions and values of Otago's ecosystems and natural resources are recognised, maintained or enhanced where degraded</b>	24
	Policy 3.1.13 Environmental enhancement	32
<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>	68
	Policy 4.5.6 Designing for public access	72
<b>Objective 5.1</b>	<b>Public access to areas of value to the community is maintained or enhanced</b>	81
	Policy 5.1.1 Public access	81
<b>URBAN DESIGN AND GROWTH</b>		<b>Page</b>
<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>	68
	Policy 4.5.1 Providing for urban growth and development	68

*User Index*

Policy 4.5.2	Integrating infrastructure with land use	69
Policy 4.5.3	Urban design	71
Policy 4.5.4	Low impact design	71
Policy 4.5.5	Warmer buildings	72
Policy 4.5.6	Designing for public access	72
<b>WASTE, CONTAMINATION AND HAZARDOUS SUBSTANCES</b>		<b>Page</b>
<b>Objective 4.6</b>	<b>Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago</b>	74
Policy 4.6.1	Hazardous substances	74
Policy 4.6.2	Use, storage and disposal of hazardous substances	74
Policy 4.6.3	Hazardous substance collection, disposal and recycling	75
Policy 4.6.4	Identifying contaminated land	75
Policy 4.6.5	Managing contaminated land	75
Policy 4.6.6	Waste management	76
Policy 4.6.7	Waste minimisation responses	76
Policy 4.6.8	Waste storage, recycling, recovery, treatment and disposal	77
Policy 4.6.9	New contaminated land	78



## Partially Operative Otago Regional Policy Statement 2019

### Approval

The Otago Regional Council by resolution dated 24 February 2021, approved and made operative the Partially Operative Otago Regional Policy Statement 2021 contained herein\*, pursuant to the powers and authorities vested in it by the First Schedule of the Resource Management Act 1991.

This Partially Operative  
Regional Policy Statement  
becomes operative  
on 15 March 2021.

The common seal of the  
Otago Regional Council was  
hereto affixed in the presence of:

---

Andrew Noone  
Chairperson

---

Michael Laws  
Deputy Chairperson

*\*The following provisions are the subject of court proceedings and are not made operative. Note that some of the following were proposed during mediation, and were not part of the original decisions version of the Regional Policy Statement:*

- *Policy 4.3.7*
- *Method 3.1.6*
- *Method 3.1.10*
- *Method 3.1.18*
- *Method 4.1.3*
- *Method 4.1.22*
- *Method 5.1.2*

## Contents

PART A Introduction .....	1
Overview.....	1
The Otago Region .....	1
Statutory Framework Diagram .....	2
Map of Otago.....	3
Kai Tahu – The Treaty Partner .....	4
Principles of the Treaty.....	4
Partnership .....	4
Expression of Te Tiriti o Waitangi .....	4
Kai Tahu .....	5
Mana Whenua in Otago .....	7
RPS Framework.....	8
Part A: Introduction.....	9
Part B: Objectives and Policies .....	9
Part C: Implementation .....	9
Part D: Schedules and Appendices .....	9
Part B Chapter 1 Resource management in Otago is integrated .....	10
Chapter overview .....	10
Objective 1.1 Otago’s resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities .....	11
Issue.....	11
Policy 1.1.1 Economic Wellbeing.....	11
Policy 1.1.2 Social and cultural wellbeing and health and safety .....	11
Principal Reasons and Explanation .....	12
Objective 1.2 Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago .....	13
Issue.....	13
Policy 1.2.1 Integrated resource management .....	13
Principal Reasons and Explanation .....	14
Part B Chapter 2 Kāi Tahu Values and interests are recognised and Kaitiakitaka is expressed .....	15
Chapter Overview .....	15
Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions .....	16
Issue.....	16
Policy 2.1.1 Treaty Obligations .....	16
Policy 2.1.2 Treaty Principles.....	16
Principal Reasons and Explanation .....	17
Objective 2.2 Kāi Tahu values, interests and customary resources are recognised and provided for .....	18
Issue.....	18
Policy 2.2.1 Kāi Tahu wellbeing .....	18

Policy 2.2.2 Recognising sites of cultural significance .....	18
Policy 2.2.3 Wāhi tūpuna and associated sites .....	19
Policy 2.2.4 Sustainable use of Māori land .....	19
Principal Reasons and Explanation .....	20
Part B Chapter 3 Otago has high quality natural resources and ecosystems .....	21
Chapter Overview .....	21
Objective 3.1 The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded.....	23
Issue .....	23
Policy 3.1.1 Fresh water .....	23
Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins .....	24
Policy 3.1.3 Water allocation and use .....	24
Policy 3.1.4 Water shortage .....	25
Policy 3.1.5 Coastal Water .....	25
Policy 3.1.6 Air Quality.....	26
Policy 3.1.7 Soil values.....	26
Policy 3.1.8 Soil erosion.....	27
Policy 3.1.9 Ecosystems and indigenous biological diversity.....	27
Policy 3.1.10 Biodiversity in the coastal environment.....	28
Policy 3.1.11 Natural features, landscapes, and seascapes.....	29
Policy 3.1.12 Natural character in the coastal environment .....	29
Policy 3.1.13 Environmental enhancement.....	30
Principal Reasons and Explanation .....	31
Objective 3.2 Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded .....	32
Issue.....	32
Policy 3.2.1 Identifying significant indigenous vegetation and habitats .....	32
Policy 3.2.2 Managing significant indigenous vegetation and habitats.....	32
Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes.....	33
Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes .....	34
Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes.....	34
Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes .....	35
Policy 3.2.7 Landward extent of the coastal environment.....	35
Policy 3.2.8 Identifying high and outstanding natural character in the coastal environment....	36
Policy 3.2.9 Managing the outstanding natural character of the coastal environment .....	36
Policy 3.2.10 Managing the high natural character of the coastal environment .....	37
Policy 3.2.11 Identifying surf breaks of national importance .....	38
Policy 3.2.12 Managing surf breaks of national importance .....	38
Policy 3.2.13 Identifying outstanding freshwater bodies .....	38
Policy 3.2.14 Managing outstanding freshwater bodies .....	39
Policy 3.2.15 Identifying the significant values of wetlands .....	39
Policy 3.2.16 Managing the values of wetlands .....	40
Policy 3.2.17 Identifying significant soil.....	40

Policy 3.2.18 Managing significant soil .....	40
Principal Reasons and Explanation .....	41
Part B Chapter 4 Communities in Otago are resilient, safe and healthy .....	42
Chapter Overview .....	42
Objective 4.1 Risks that natural hazards pose to Otago’s communities are minimised .....	45
Issue .....	45
Policy 4.1.1 Identifying natural hazards .....	45
Policy 4.1.2 Natural hazard likelihood .....	45
Policy 4.1.3 Natural hazard consequence .....	46
Policy 4.1.4 Assessing activities for natural hazard risk .....	46
Policy 4.1.5 Natural hazard risk .....	47
Policy 4.1.6 Minimising increase in natural hazard risk .....	48
Policy 4.1.7 Reducing existing natural hazard risk .....	48
Policy 4.1.8 Precautionary approach to natural hazard risk .....	49
Policy 4.1.9 Protecting features and systems that provide hazard mitigation .....	49
Policy 4.1.10 Mitigating natural hazards .....	50
Policy 4.1.11 Hard protection structures .....	50
Policy 4.1.12 Lifeline utilities and facilities for essential or emergency services .....	51
Policy 4.1.13 Hazard mitigation measures, lifeline utilities, and essential and emergency services .....	51
Principal Reasons and Explanation .....	52
Objective 4.2 Otago’s communities are prepared for and able to adapt to the effects of climate change .....	53
Issue .....	53
Policy 4.2.1 Sea level rise .....	53
Policy 4.2.2 Climate change .....	53
Principal Reasons and Explanation .....	54
Objective 4.3 Infrastructure is managed and developed in a sustainable way .....	55
Issue .....	55
Policy 4.3.1 Managing infrastructure activities .....	55
Policy 4.3.2 Nationally and regionally significant infrastructure .....	55
Policy 4.3.3 Functional needs of infrastructure that has national or regional significance .....	56
Policy 4.3.4 Adverse effects of nationally and regionally significant infrastructure .....	56
Policy 4.3.5 Protecting infrastructure with national or regional significance .....	57
Policy 4.3.6 The National Grid .....	58
Principal Reasons and Explanation .....	59
Objective 4.4 Energy resources and supplies are secure, reliable and sustainable .....	60
Issue .....	60
Policy 4.4.1 Renewable electricity generation .....	60
Policy 4.4.2 Small and community scale renewable electricity generation .....	60
Policy 4.4.3 Protecting existing renewable electricity generation .....	61
Policy 4.4.4 Efficient transport of electricity .....	61
Policy 4.4.5 Electricity distribution infrastructure .....	61

Policy 4.4.6 Energy efficient transport .....	62
Policy 4.4.7 Fuels .....	63
Principal Reasons and Explanation .....	63
Objective 4.5 Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments .....	64
Issue.....	64
Policy 4.5.1 Providing for urban growth and development.....	64
Policy 4.5.2 Integrating infrastructure with land use .....	65
Policy 4.5.3 Urban design .....	66
Policy 4.5.4 Low impact design.....	66
Policy 4.5.5 Warmer buildings.....	66
Policy 4.5.6 Designing for public access .....	67
Principal Reasons and Explanation .....	67
Objective 4.6 Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago .....	68
Issue.....	68
Policy 4.6.1 Hazardous substances .....	68
Policy 4.6.2 Use, storage and disposal of hazardous substances .....	68
Policy 4.6.3 Hazardous substance collection, disposal and recycling.....	69
Policy 4.6.4 Identifying contaminated land .....	69
Policy 4.6.5 Managing contaminated land .....	69
Policy 4.6.6 Waste management .....	70
Policy 4.6.7 Waste minimisation responses .....	70
Policy 4.6.8 Waste storage, recycling, recovery, treatment and disposal .....	70
Policy 4.6.9 New Contaminated land.....	71
Principal Reasons and Explanation .....	71
Part B Chapter 5 People are able to use and enjoy Otago’s natural and built environment.....	72
Chapter Overview .....	72
Objective 5.1 Public access to areas of value to the community is maintained or enhanced .....	74
Issue.....	74
Policy 5.1.1 Public Access .....	74
Principal Reasons and Explanation .....	75
Objective 5.2 Historic heritage resources are recognised and contribute to the region’s character and sense of identity .....	76
Issue.....	76
Policy 5.2.1 Recognising historic heritage .....	76
Policy 5.2.2 Identifying historic heritage .....	76
Policy 5.2.3 Managing historic heritage .....	77
Principal Reasons and Explanation .....	77
Objective 5.3 Sufficient land is managed and protected for economic production .....	78
Issue.....	78
Policy 5.3.1 Rural activities .....	78
Policy 5.3.2 Distribution of commercial activities .....	78

Policy 5.3.3 Industrial land .....	79
Policy 5.3.4 Mineral and petroleum exploration, extraction and processing.....	79
Policy 5.3.5 Tourism and outdoor recreation .....	79
Principal Reasons and Explanation .....	79
Objective 5.4 Adverse effects of using and enjoying Otago’s natural and physical resources are minimised .....	80
Issue.....	80
Policy 5.4.1 Offensive or objectionable discharges .....	80
Policy 5.4.2 Adaptive management approach.....	80
Policy 5.4.3 Precautionary approach to adverse effects .....	81
Policy 5.4.4 Emission standards.....	81
Policy 5.4.5 Pest plants and animals.....	81
Policy 5.4.6 Offsetting for indigenous biological diversity.....	82
Policy 5.4.6A Biological Diversity Compensation.....	83
Policy 5.4.7 Offsetting for air quality .....	83
Policy 5.4.8 Adverse effects from mineral and petroleum exploration, extraction and processing.....	84
Policy 5.4.9 Activities in the Coastal Marine Area .....	85
Policy 5.4.10 Managing land use change in dry catchments .....	86
Principal Reasons and Explanation .....	86
Part C Implementation .....	87
Roles and Responsibilities .....	87
Methods .....	88
Method 1: Kāi Tahu Relationships.....	88
Method 2: Regional, City and District Council Relationships.....	88
Method 3: Regional Plans.....	89
Method 4: City and District Plans .....	91
Method 5: Research, Monitoring and Reporting.....	94
Method 6: Non-RMA Strategies and Plans.....	96
Method 7: Education and Information.....	98
Method 8: Funding .....	99
Method 9: Advocacy and Facilitation .....	99
Monitoring Procedures and Anticipated Environmental Results .....	103
Monitoring procedures.....	103
Anticipated Environmental Results .....	103
Part D Schedules and Appendices .....	106
Schedule 1 Kāi Tahu values & interests .....	106
Schedule 1A Kāi Tahu values .....	106
Schedule 1B Interests specific to particular papatipu rūnaka .....	109
Schedule 1C Wāhi tupuna .....	112
Schedule 1D Māori land reserves .....	115
Schedule 2 Statutory acknowledgement areas .....	120

Schedule 3 Criteria for the identification of outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes .....121

Schedule 4 Criteria for the identification of areas of significant indigenous vegetation and habitat of indigenous fauna .....122

Schedule 5 Criteria for the identification of historic heritage values .....124

Schedule 6 Housing capacity .....126

Appendix 1 Te Tiriti o Waitangi .....127

Glossary .....129

User Index.....139

<b>Abbreviations</b>	
AER	Anticipated Environmental Result
ORC	Otago Regional Council
RMA	Resource Management Act 1991
RPS	Regional Policy Statement
Treaty	Te Tiriti o Waitangi

*Part A: Introduction*

## **PART A Introduction**

### **Overview**

Continued prosperity and wellbeing is essential to ensuring the community is equipped to face the environmental, economic, cultural and social changes of the 21<sup>st</sup> century, and to provide opportunities for all people to realise their aspirations. A thriving and healthy natural environment is vital to sustaining our wellbeing.

The RPS is a high level policy framework for the sustainable integrated management of resources, identifying regionally significant issues, the objectives and policies that direct how natural and physical resources are to be managed and setting out how this will be implemented by the region's local authorities.

The RPS gives effect to the RMA and higher order planning documents, and takes into account relevant iwi authority planning documents. Regional and district plans must give effect to the RPS, as illustrated in the Statutory Framework Diagram.

The RPS has been developed to identify the best of the distinct life-style Otago has to offer: outstanding and wild environments, prosperity, abundant recreational opportunities, a sense of rich local history, and community pride. It provides for the values of all resources, people and communities. The RPS guides how these values are to be balanced in the sustainable management of natural and physical resources.

### **The Otago Region**

Otago is 12% of New Zealand's land area and at about 32,000 km<sup>2</sup> is the second largest region in New Zealand. It stretches 480 km along the South Island's eastern coast, from the Waitaki River in the north to The Brothers Point in the south. It reaches inland to the alpine lakes Wakatipu, Wanaka and Hawea, encompassing the Clutha Mata-au, and Taieri catchments.

Otago covers a wide range of geography and ecosystems: tussock and tor covered block mountains and dry inland basins, glacial lakes and their mountain settings, broad grassy valleys fringed with beech forests extending well into the Southern Alps and dramatic coastlines around the Otago Peninsula and the Catlins. The vegetation is similarly diverse, from the lowland podocarp forests of the Catlins, through the dry grassland ecosystems of Central Otago to the high rainfall beech and alpine areas of Mount Aspiring/Tititea National Park.

Human activity has left its mark on the landscape. Māori archaeological sites, hydro lakes, tailings and bridges from the gold rush era, pastoral landscapes, and historical architecture all provide evidence of long, rich and varied human occupation.

Introduced species have become a valued part of the environment in some cases, and troublesome pests in others.

Agriculture is the basis of Otago's economic development and continues to be a major source of revenue, as does mining for gold and other minerals and education. Tourism now provides more

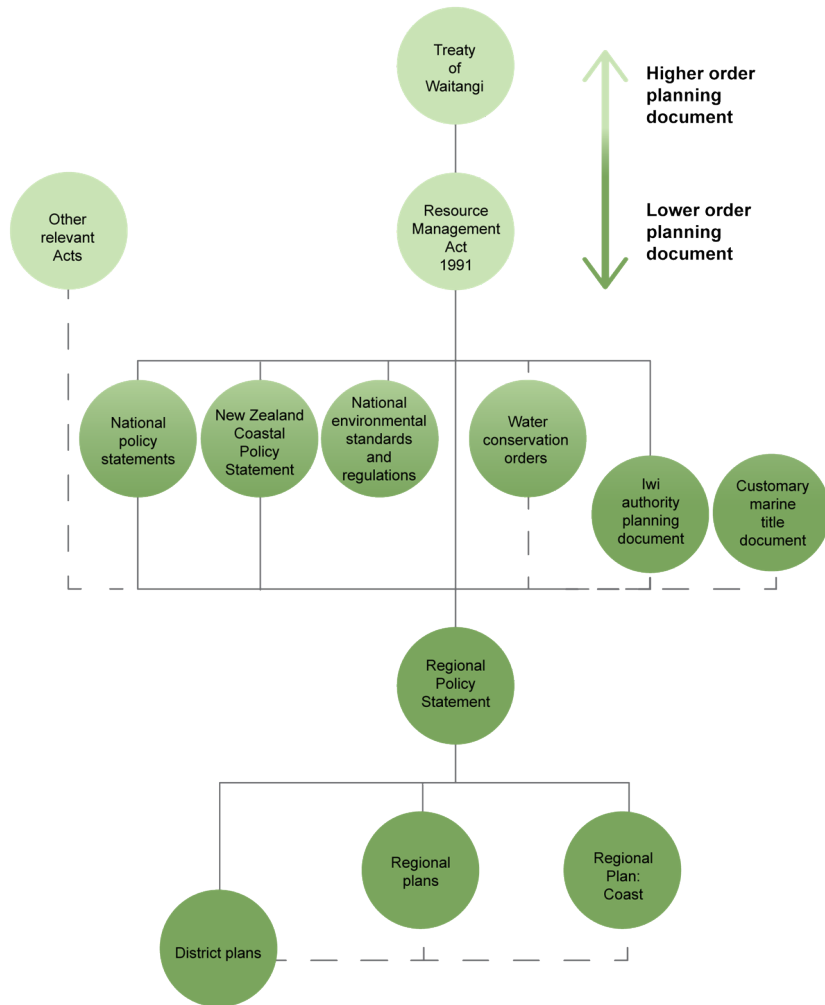


Part A: Introduction

than a quarter of Otago’s Gross Domestic Product which is the highest proportion for any region in New Zealand.

At the 2013 census, Otago’s population of 202,467 was the seventh largest of New Zealand’s 16 regions and is about 4.8% of New Zealand’s total population. The Queenstown Lakes District was the second fastest growing territorial authority area in New Zealand.

**Statutory Framework Diagram**



Part A: Introduction

## Map of Otago



Otago comprises five territorial authorities: Dunedin City Council, and Clutha, Central Otago, Queenstown Lakes and Waitaki District Councils. Waitaki District straddles both the Otago and Canterbury regions. The region includes the coastal environment offshore to 12 nautical miles.

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

3

*Part A: Introduction*

## **Kāi Tahu<sup>1</sup> – The Treaty Partner**

Te Tiriti o Waitangi, the Treaty of Waitangi, is the founding document for New Zealand, the basis upon which the partnership between Māori and the Crown was established. The Kāi Tahu rākatira Karetai and Korako signed the Treaty at Pukekura, Tairaroa Head, on 13 June 1840. The Treaty was also signed by Kāi Tahu at Akaroa, Ruapuke and Cloudy Bay. Kāi Tahu considered that the Treaty bound the tribe and the Crown irrevocably to a mutual agreement which imposed responsibilities on both signatories.

## **Principles of the Treaty**

In drafting legislation, Parliament has chosen to refer to the principles of the Treaty, rather than its explicit terms. The principles of the Treaty, as enunciated by the Waitangi Tribunal and the courts, include:

- The principle of tribal rākatirataka/self-regulation. Recognising the right of Kāi Tahu to manage resources and exercise kaitiakitaka over their ancestral lands, waters, and other taoka.
- The principle of partnership. Mutual obligations to act reasonably and in good faith.
- The principle of active participation in decision making.
- The principle of active protection of Kāi Tahu interests.
- The principle of development. The Treaty principles are not confined to customary uses or the state of knowledge as at 1840 but are to be adapted to modern, changing circumstances.

There are two versions of the Treaty of Waitangi, the English version and the Māori version. See Appendix 2. The Māori language text, as the version signed by the Kāi Tahu rākatira, should prevail if there is ambiguity.

## **Partnership**

The ORC has an established relationship with Kāi Tahu based on the Treaty partnership. Kāi Tahu values the relationship with the ORC and is committed to working with the wider community towards a positive future for all people. Partnership between the ORC and Kāi Tahu embodies the principles of the Treaty of Waitangi in decision making and local environmental management.

## **Expression of Te Tiriti o Waitangi**

The RPS has been developed in consultation with Kāi Tahu. It identifies the matters that have the potential to affect cultural values and wellbeing, and enables Kāi Tahu to participate in resource management processes.

Matters of particular interest to Kāi Tahu include:

---

<sup>1</sup> In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference is to use a 'k' so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu. In this document, the "ng" is used for the iwi in general, and the "k" for southern Māori in particular. See the glossary for a complete definition.

*Part A: Introduction*

- Recognising the rights and interests of Kāi Tahu to be involved in natural and resource management processes.
- Identifying and protecting important natural and physical resources, including the coast, waterways, lakes, wetlands and indigenous flora and fauna.
- Protecting traditional food gathering sites from any use or development which may threaten the values of these areas.
- Protecting mahika kai and restoring access to mahika kai areas;
- Protecting wāhi tūpuna and urupā.
- Enabling development of land and resources within native reserves, including papakāika housing.

## **Kāi Tahu**

Kāi Tahu are takata whenua of the Otago region. Waitaha were the first people of Te Waipounamu, the South Island. Led by Rākahautū, they explored and settled Te Waipounamu, and their exploits are reflected in enduring place names and histories across the motu. Waitaha were followed by the arrival of Kāti Māmoe and finally Kāi Tahu. Through warfare, intermarriage and political alliances a common allegiance to Kāi Tahu was forged. Kāi Tahu means the ‘people of Tahu’, linking them by name to their common ancestor Tahu Pōtiki.

The Kāi Tahu tribal area extends from the sub Antarctic islands in the south to Te Parinuiowhiti (White Cliffs, Blenheim) in the north and to Kahurangi Point on Te Tai o Poutini (the West Coast).

Te Rūnanga o Ngāi Tahu (the iwi authority) is made up of 18 papatipu rūnaka, of which four are in Otago.

Located predominantly in traditional coastal settlements, papatipu rūnaka are a focus for whānau and hapū (extended family groups) who have takata whenua status within their area. Takata whenua hold traditional customary authority and maintain contemporary relationships within an area determined by whakapapa (genealogical ties), resource use and ahi-kā-roa (the long burning fires of occupation).

Te Rūnanga o Ngāi Tahu encourages consultation with the papatipu rūnaka and takes into account the views of nga rūnaka when determining its own position. The four Otago rūnaka are Te Rūnanga o Moeraki, Kati Huirapa Rūnaka ki Puketeraki, Te Rūnanga o Otakou, and Hokonui Rūnanga.

The interests of these rūnaka are given in more detail in Schedule 1B. They share an interest in South Otago and the inland lakes and mountains with the Southland papatipu rimaka.

The areas of shared interest originate from the seasonal hunting and gathering economy that was a distinctive feature of the southern Kāi Tahu lifestyle. Seasonal mobility was an important means by which hapū and whānau maintained customary rights to the resources of the interior and ahi kā.

Otago is also home to Māori from other iwi, hapū, and mātāwaka. The Araiteuru marae in Dunedin and Te Whare Koa in Oamaru are important pan-tribal cultural centres for mātāwaka and sit within the manaakitanga of takata whenua.

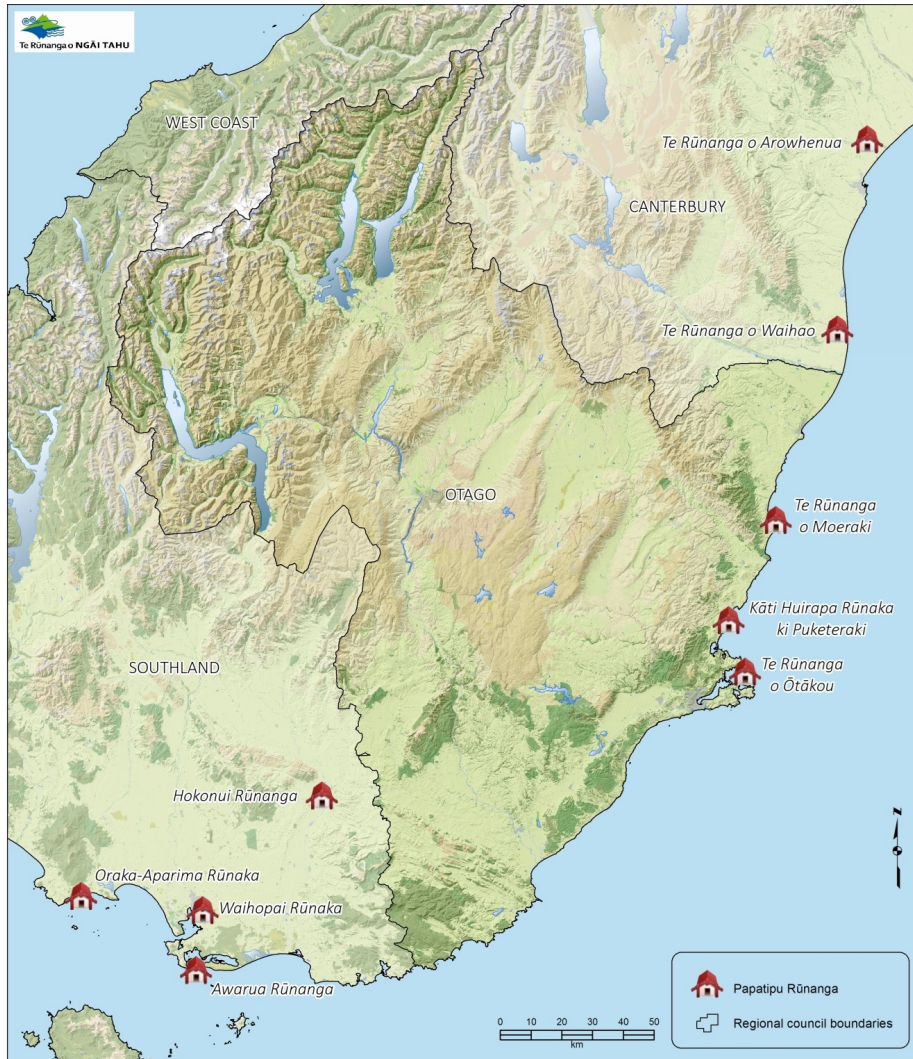
*Part A: Introduction*

In 1998, the Ngāi Tahu Claims Settlement Act 1998 was enacted to settle historical Ngāi Tahu claims against the Crown. This Act identifies some taoka species, establishes tōpuni, statutory acknowledgements, dual place names and nohoaka sites. These recognise the special association of Ngāi Tahu with these areas and resources and assist with Ngāi Tahu participation in processes under the Resource Management Act 1991 and the Local Government Act 2002.

The papatipu rūnaka consultancy services, Kāi Tahu Ki Otago Ltd, representing the Otago rūnaka, and Te Ao Marama Inc, representing the Southland rūnaka, provide a first point of contact and facilitate Kāi Tahu engagement in resource management processes.

Part A: Introduction

### Mana whenua in Otago



Part A: Introduction

### RPS Framework

<b>Part A: Introduction</b>	Overview The Otago Region Kāi Tahu – The Treaty Partner RPS Framework
-----------------------------	--

<b>Part B: Objectives and Policies</b>  	Each chapter is ordered as follows: Introduction Objective Related issue Policies Methods Principal Reasons and Explanations
--	--

<b>Part C: Implementation</b>	Roles and responsibilities Methods Anticipated Environmental Results
-------------------------------	--

<b>Part D: Schedules and Appendices</b>	Schedules 1 – 6 Appendix Glossary User Index
---	---

*Part A: Introduction*

Five outcomes are sought in managing the region's natural and physical resources.

All provisions of the RPS must be considered together. The outcomes inter-relate, and no hierarchy exists between them.

These outcomes provide the framework for sustainable, integrated management of resource use for us and for the generations that come after us - *Mō tātou, ā, mō kā uri ā muri ake nei*.

These outcomes form the chapters of Part B, which contain the inter-related objectives and policies. The focus of each chapter is outlined below.

### **Part A: Introduction**

This explains the RPS context and purpose.

### **Part B: Objectives and Policies**

The five outcomes form the chapter headings of Part B: Objectives and Policies.

Objectives and policies are set out under each chapter, together with the relevant regionally significant issues being addressed and general implementation methods. Schedules provide further detail for specific policies.

The five outcomes are:

1. Resource management in Otago is integrated
2. Kāi Tahu values, and interests are recognised and kaitiakitaka is expressed
3. Otago has high quality natural resources and ecosystems
4. Communities in Otago are resilient, safe and healthy
5. People are able to use and enjoy our natural and built environment

### **Part C: Implementation**

Part C: Implementation details the methods and procedures that will be used by local authorities to give effect to the objectives and policies of the RPS. This includes identifying the division of roles and responsibilities under the RMA, as well as monitoring, reporting and other methods to achieve the objectives of the RPS.

This section also contains the anticipated environmental results from implementing the RPS policies and methods.

### **Part D: Schedules and Appendices**

The schedules provide additional detail supporting RPS policies. The Appendix provides the wording of Te Tiriti o Waitangi in Te Reo and English. A glossary and user index are provided for ease of use.



*PART B: Chapter 1 Resource management in Otago is integrated*

## **PART B Chapter 1 Resource management in Otago is integrated**

This first chapter recognises that the different parts of the natural and physical environment are interconnected. The integrated management of natural and physical resources and human values is essential to safeguard the life-supporting capacity of the environment and enable the social, cultural, and economic wellbeing of all people and communities.

### **Chapter overview:**

#### **Objective 1.1**

<b>Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities</b>	Page
--	------

Policy 1.1.1	Economic wellbeing	11
--------------	--------------------	----

Policy 1.1.2	Social and cultural wellbeing and health and safety	11
--------------	---	----

#### **Objective 1.2**

<b>Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago.</b>	Page
---	------

Policy 1.2.1	Integrated resource management	13
--------------	--------------------------------	----

PART B: Chapter 1 Resource management in Otago is integrated

## **Objective 1.1 Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities**

### **Issue**

The social and economic wellbeing of Otago's communities depends on use and development of natural and physical resources.

Loss or degradation of resources can diminish their intrinsic values and constrains opportunities for use and development now and into the future.

Some of Otago's resources are nationally or regionally important for their natural values and economic potential and so warrant careful management.

### **Policy 1.1.1 Economic wellbeing**

Provide for the economic wellbeing of Otago's people and communities by enabling the resilient and sustainable use and development of natural and physical resources.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

### **Policy 1.1.2 Social and cultural wellbeing and health and safety**

Provide for the social and cultural wellbeing and health and safety of Otago's people and communities when undertaking the subdivision, use, development and protection of natural and physical resources by all of the following:

- a) Recognising and providing for Kāi Tahu values;
- b) Taking into account the values of other cultures;
- c) Taking into account the diverse needs of Otago's people and communities;
- d) Avoiding significant adverse effects of activities on human health;
- e) Promoting community resilience and the need to secure resources for the reasonable needs for human wellbeing;
- f) Promoting good quality and accessible infrastructure and public services.

**Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2

**Method 2: Regional, City and District Council Relationships**

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

11

*PART B: Chapter 1 Resource management in Otago is integrated*

Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.2 g

### **Principal Reasons and Explanation**

Sustainable management under the RMA includes enabling social, economic and cultural wellbeing for present and future generations. Resource management decisions need to recognise that individual and community wellbeing depends on use, development and protection of natural and physical resources.

## **Objective 1.2 Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago**

### **Issue:**

Natural and physical resources are interconnected, complex and should be managed in an integrated, sustainable, consistent and effective way because the use of one resource may adversely affect another. Inefficient and ineffective responses or unexpected adverse effects can occur when activities affecting a resource are undertaken by different resource users, governed by different legislation, or administered by different local authorities. Plans need to address diverse and conflicting interests.

### **Policy 1.2.1 Integrated resource management**

Achieve integrated management of Otago's natural and physical resources, by all of the following:

- a) Coordinating the management of interconnected natural and physical resources;
- b) Taking into account the impacts of management of one natural or physical resource on the values of another, or on the environment;
- c) Recognising that the value and function of a natural or physical resource may extend beyond the immediate, or directly adjacent, area of interest;
- d) Ensuring that resource management approaches across administrative boundaries are consistent and complementary;
- e) Ensuring that effects of activities on the whole of a natural or physical resource are considered when that resource is managed as subunits.
- f) Managing adverse effects of activities to give effect to the objectives and policies of the Regional Policy Statement.
- g) Promoting healthy ecosystems and ecosystem services;
- h) Promoting methods that reduce or negate the risk of exceeding sustainable resource limits.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 9: Advocacy and Facilitation**  
Method 9.2

*PART B: Chapter 1 Resource management in Otago is integrated*

**Principal Reasons and Explanation:**

The RMA requires that resources are managed in an integrated way.

The management of natural and physical resources needs to be integrated to ensure that resource management decisions are consistent, take account of the linkages between all parts of the environment and recognise and provide for the diversity of different interests and values associated with resources.

PART B: Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed

## **PART B Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed**

*He taura whiri kotahi mai anō te kopunga tai nō i te pu au*

“From the source to the mouth of the sea, all things are joined together as one”.

Te Tiriti o Waitangi establishes a partnership between Kāi Tahu and the Crown. The RMA requires that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taonga, is recognised and provided for and that the principles of the Treaty of Waitangi are taken into account. In the spirit of this partnership, and the Treaty principles, the RPS seeks to create the terms for engaging with Kāi Tahu closely in resource management.

This chapter incorporates the principles of Te Tiriti o Waitangi and sets out general considerations for the incorporation of Kāi Tahu values and interests into resource management planning, consenting, and implementation processes. Kāi Tahu themes are integrated throughout this document, and this chapter serves to tie these strands together. It reflects the Kāi Tahu philosophy of holistic resource management, ki uta ki tai – “from the mountains to the sea”.

### **Chapter overview:**

<b>Objective 2.1</b>		
<b>The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions.</b>		<b>Page</b>
Policy 2.1.1	Treaty obligations	16
Policy 2.1.2	Treaty principles	16
<b>Objective 2.2</b>		
<b>Kāi Tahu values, interests and customary resources are recognised and provided for.</b>		<b>Page</b>
Policy 2.2.1	Kāi Tahu wellbeing	18
Policy 2.2.2	Recognising sites of cultural significance	18
Policy 2.2.3	Wāhi tūpuna and associated sites	19
Policy 2.2.4	Sustainable use of Māori land	19

PART B: Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed

## **Objective 2.1 The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions**

### **Issue:**

The principles of Te Tiriti o Waitangi are broad concepts that need further exploration when applied to specific circumstances.

Effective planning tools and processes are required to give effect to the Treaty relationship between Kāi Tahu and local authorities in accordance with Part 2 of the RMA

### **Policy 2.1.1 Treaty obligations**

Promote awareness and understanding of the obligations of local authorities in regard to the principles of Te Tiriti o Waitangi, tikaka Māori and kaupapa Māori.

#### **Method 1: Kāi Tahu Relationships**

Method 1.1, Method 1.2, Method 1.3, Method 1.4

### **Policy 2.1.2 Treaty principles**

Ensure that local authorities exercise their functions and powers, by:

- a) Recognising Kāi Tahu's status as a Treaty partner; and
- b) Involving Kāi Tahu in resource management processes implementation;
- c) Taking into account Kāi Tahu values in resource management decision-making processes and implementation;
- d) Recognising and providing for the relationship of Kāi Tahu's culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka;
- e) Ensuring Kāi Tahu have the ability to:
  - i. Identify their relationship with their ancestral lands, water, sites, wāhi tapu, and other taoka;
  - ii. Determine how best to express that relationship;
- f) Having particular regard to the exercise of kaitiakitaka;
- g) Ensuring that district and regional plans:
  - i. Give effect to the Ngāi Tahu Claims Settlement Act 1998;
  - ii. Recognise and provide for statutory acknowledgement areas in Schedule 2;
  - iii. Provide for other areas in Otago that are recognised as significant to Kāi Tahu;
- h) Taking into account iwi management plans.

#### **Method 1: Kāi Tahu Relationships**

Method 1.1, Method 1.2, Method 1.3, Method 1.4

#### **Method 2: Regional, City and District Council Relationships**

Method 2.2.4

*PART B: Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed*

- Method 3: Regional Plans**  
Method 3.1.1, Method 3.1.2
- Method 4: City and District Plans**  
Method 4.1.11, Method 4.1.12, Method 4.1.14, Method 4.2.3, Method 4.2.5, Method 4.2.9
- Method 5: Research, Monitoring and Reporting**  
Method 5.1.4
- Method 8: Funding**  
Method 8.1

### **Principal Reasons and Explanation:**

Te Tiriti o Waitangi creates a special relationship between takata whenua and the Crown. The RMA requires local authorities to take the principles of Te Tiriti o Waitangi into account, with particular regard to kaitiakitaka.

Local authorities need to incorporate these principles into their decision making to ensure they are properly applied, and to account for the effects of resource management decisions on Kāi Tahu values, including those described in iwi resource management plans.

Section 8 of the RMA requires local authorities to take into account the principles of Te Tiriti o Waitangi. Deliberate measures need to be taken to ensure the principles are properly understood and taken into account. The principles are broadly expressed, so a measure of flexibility is needed.

In particular exercising kaitiakitaka requires the ability to participate in resource management processes and implementation.

A partnership approach which involves Kāi Tahu and considers their values and interests in decision making processes, enables the principles, including kaitiakitaka, to be taken into account in an appropriately flexible way.



PART B: Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed

## **Objective 2.2 Kāi Tahu values, interests and customary resources are recognised and provided for**

### **Issue:**

The mauri and wairua of some places, sites, resources and the values of cultural, spiritual or historic significance to Kāi Tahu have often been destroyed or degraded.

In some instances it has been difficult for Kāi Tahu to use and develop Māori land for the purposes for which it was originally granted.

### **Policy 2.2.1 Kāi Tahu wellbeing**

Manage the natural environment to support Kāi Tahu wellbeing by all of the following:

- a) Recognising and providing for their customary uses and cultural values in Schedules 1A and B; and,
- b) Safeguarding the life-supporting capacity of natural resources.

**Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2, Method 1.3, Method 1.4

**Method 2: Regional, City and District Council Relationships**  
Method 2.2.4

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, Method 4.2

### **Policy 2.2.2 Recognising sites of cultural significance**

Recognise and provide for the protection of wāhi tūpuna, by all of the following:

- a) Avoiding significant adverse effects on those values that contribute to the identified wāhi tūpuna being significant;
- b) Avoiding, remedying, or mitigating other adverse effects on the identified wāhi tūpuna;
- c) Managing the identified wāhi tūpuna sites in a culturally appropriate manner.

**Method 1: Kāi Tahu Relationships**  
Method 1.1, Method 1.2, Method 1.2.1, Method 1.3, Method 1.4

**Method 2: Regional, City and District Council Relationships**  
Method 2.2.4, Method 2.2.2

**Method 3: Regional Plans**

PART B: Chapter 2 *Kāi Tahu values and interests are recognised and kaitiakitaka is expressed*

Method 3.1

**Method 4: City and District Plans**  
Method 4.1, Method 4.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.4

**Policy 2.2.3 Wāhi tūpuna and associated sites**

Enable Kāi Tahu relationships with wāhi tūpuna by all of the following:

- a) Recognising that relationships between sites of cultural significance are an important element of wāhi tūpuna;
- b) Recognising and using traditional place names.

**Method 2: Regional, City and District Council Relationships**  
Method 2.2.4

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, Method 4.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.8 b.

**Policy 2.2.4 Sustainable use of Māori land**

Enable Kāi Tahu to protect, develop and use land and resources within native reserves in a way consistent with their culture and traditions and economic, cultural and social aspirations, including for papakāika, marae and marae related activities, while:

- a) Avoiding adverse effects on the health and safety of people; and
- b) Avoiding significant adverse effects on matters of national importance; and
- c) Avoiding, remedying or mitigating other adverse effects.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.12

*PART B: Chapter 2 Kāi Tahu values and interests are recognised and kaitiakitaka is expressed*

**Principal Reasons and Explanation:**

In managing natural and physical resources, local authorities need to recognise Kāi Tahu values, take into account Kāi Tahu plans, and the exercise of their customary rights.

Kāi Tahu's traditions, culture and practices are intricately linked with their ancestral lands, water, sites, wāhi tapu, and other taoka. The RMA requires that these values are recognised and provided for as a matter of national importance.

The exercise of kaitiakitaka requires a healthy, functioning natural environment, and recognition of values and sites of significance.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

## **PART B Chapter 3 Otago has high quality natural resources and ecosystems**

People and communities need to sustainably manage the environment. Safeguarding the life-supporting capacity of natural resources and recognising the intrinsic values of ecosystems are essential to provide for the current and future wellbeing of people and communities.

The economy, particularly primary production, tourism, and mineral and petroleum exploration and extraction, strongly relies on the quantity and quality of natural resources and the ecosystem services they provide.

This chapter begins with the recognition and maintenance of all natural resources. The second part focuses on the identification, protection, and enhancement of natural resources that are nationally or regionally important. This chapter is not concerned with sustaining mineral resources for future generations.

### **Chapter overview:**

<b>Objective 3.1</b>		
<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded.</b>		<b>Page</b>
Policy 3.1.1	Fresh water	23
Policy 3.1.2	Beds of rivers, lakes, wetlands and their margins	24
Policy 3.1.3	Water allocation and use	24
Policy 3.1.4	Water shortage	25
Policy 3.1.5	Coastal water	25
Policy 3.1.6	Air quality	26
Policy 3.1.7	Soil values	26
Policy 3.1.8	Soil erosion	27
Policy 3.1.9	Ecosystems and indigenous biological diversity	27
Policy 3.1.10	Biodiversity in the coastal environment	28
Policy 3.1.11	Natural features, landscapes, and seascapes	29
Policy 3.1.12	Natural character in the coastal environment	29
Policy 3.1.13	Environmental enhancement	30
<b>Objective 3.2</b>		
<b>Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded.</b>		<b>Page</b>
Policy 3.2.1	Identifying significant indigenous vegetation and habitats	32
Policy 3.2.2	Managing significant indigenous vegetation and habitats	32
Policy 3.2.3	Identifying outstanding natural features, landscapes and seascapes	33
Policy 3.2.4	Managing outstanding natural features, landscapes and seascapes	34

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

Policy 3.2.5	Identifying highly valued natural features, landscapes and seascapes	34
Policy 3.2.6	Managing highly valued natural features, landscapes and seascapes	35
Policy 3.2.7	Landward extent of the coastal environment	35
Policy 3.2.8	Identifying high and outstanding natural character in the coastal environment	36
Policy 3.2.9	Managing the outstanding natural character of the coastal environment	36
Policy 3.2.10	Managing the high natural character of the coastal environment	37
Policy 3.2.11	Identifying surf breaks of national importance	38
Policy 3.2.12	Managing surf breaks of national importance	38
Policy 3.2.13	Identifying outstanding freshwater bodies	38
Policy 3.2.14	Managing outstanding freshwater bodies	39
Policy 3.2.15	Identifying the significant values of wetlands	39
Policy 3.2.16	Managing the values of wetlands	40
Policy 3.2.17	Identifying significant soil	40
Policy 3.2.18	Managing significant soil	40

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

### **Objective 3.1 The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded**

#### **Issue:**

Degradation of natural values and natural systems compromises the life-supporting capacity of the environment, the intrinsic values of ecosystems and the ecosystem services they provide.

Knowledge of these systems and their interdependencies is often imperfect.

Cumulative effects of human activities on the natural environment may be difficult to pinpoint initially but over time can result in serious damage.

#### **Policy 3.1.1 Fresh water**

Safeguard the life-supporting capacity of fresh water and manage fresh water to:

- a) Maintain good quality water and enhance water quality where it is degraded, including for:
  - i. Important recreation values, including contact recreation; and,
  - ii. Existing drinking and stock water supplies;
- b) Maintain or enhance aquatic:
  - i. Ecosystem health;
  - ii. Indigenous habitats; and,
  - iii. Indigenous species and their migratory patterns.
- c) Avoid aquifer compaction and seawater intrusion;
- d) Maintain or enhance, as far as practicable:
  - i. Natural functioning of rivers, lakes, and wetlands, their riparian margins, and aquifers;
  - ii. Coastal values supported by fresh water;
  - iii. The habitat of trout and salmon unless detrimental to indigenous biological diversity; and
  - iv. Amenity and landscape values of rivers, lakes, and wetlands;
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread;
- f) Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion; and,
- g) Avoid, remedy or mitigate adverse effects on existing infrastructure that is reliant on fresh water.

**Method 3: Regional Plans**  
Method 3.1.3

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Method 6: Non RMA Strategies and Plans**  
Method 6.7

**Policy 3.1.2 Beds of rivers, lakes, wetlands, and their margins**

Manage the beds of rivers, lakes, wetlands, their margins, and riparian vegetation to:

- a) Safeguard the life supporting capacity of fresh water;
- b) Maintain good quality water, or enhance it where it has been degraded;
- c) Maintain or enhance bank stability;
- d) Maintain or enhance ecosystem health and indigenous biological diversity;
- e) Maintain or enhance, as far as practicable:
  - i. Their natural functioning and character; and
  - ii. Amenity values;
- f) Control the adverse effects of pest species, prevent their introduction and reduce their spread; and,
- g) Avoid, remedy or mitigate the adverse effects of natural hazards, including flooding and erosion.

**Method 3: Regional Plans**  
Method 3.1.3, Method 3.1.14

**Method 4: City and District Plans**  
Method 4.1.4, Method 4.1.15

**Method 6: Non RMA Strategies and Plans**  
Method 6.7

**Policy 3.1.3 Water allocation and use**

Manage the allocation and use of fresh water by undertaking all of the following:

- a) Recognising and providing for the social and economic benefits of sustainable water use;
- b) Avoiding over-allocation, and phasing out existing over-allocation, resulting from takes and discharges;
- c) Ensuring the efficient allocation and use of water by:
  - i. Requiring that the water allocated does not exceed what is necessary for its efficient use;
  - ii. Encouraging the development or upgrade of infrastructure that increases efficiency;
  - iii. Providing for temporary dewatering activities necessary for construction or maintenance.

**Method 3: Regional Plans**  
Method 3.1

**Method 9: Advocacy and Facilitation**  
Method 9.2.8

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021

24

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 3.1.4 Water shortage**

Manage for water shortage by undertaking all of the following:

- a) Encouraging land management that improves moisture capture, infiltration, and soil moisture holding capacity.
- b) Encouraging collective coordination and rationing of the take and use of water when river flows or aquifer levels are lowering, to avoid breaching any minimum flow or aquifer level restriction to optimise use of water available for taking;
- c) Providing for water harvesting and storage, subject to allocation limits and flow management, to reduce demand on water bodies during periods of low flows.

**Method 3: Regional Plans**  
Method 3.1

**Method 9: Advocacy and Facilitation**  
Method 9.2.7

**Policy 3.1.5 Coastal water**

Manage coastal water to:

- a) Maintain coastal water quality or enhance it where it has been degraded;
- b) Maintain healthy coastal ecosystems, the range of indigenous habitats provided by the coastal marine area, and the migratory patterns of indigenous coastal water species or enhance these values where they have been degraded;
- c) Maintain or enhance important recreation values;
- d) Maintain or enhance, as far as practicable:
  - i. Coastal values; and
  - ii. The habitats provided by the coastal marine area for trout and salmon unless detrimental to indigenous biological diversity.
- e) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

**Method 3: Regional Plans**  
Method 3.1.3

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.3, Method 9.2.5



PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 3.1.6 Air quality**

Manage air quality to achieve the following:

- a) Maintain good ambient air quality that supports human health, or enhance air quality where it has been degraded;
- b) Maintain or enhance amenity values.

**Method 3: Regional Plans**  
Method 3.1.9

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1c, Method 5.2.3b.

**Method 6: Non RMA Strategies and Plans**  
Method 6.2

**Method 7: Education and Information**  
Method 7.1.2 g.

**Policy 3.1.7 Soil values**

Safeguard the life-supporting capacity of soil and manage soil to:

- a) Maintain or enhance as far as practicable
  - i. Soil biological diversity;
  - ii. Biological activity in soils;
  - iii. Soil function in the storage and cycling of water, nutrients, and other elements through the biosphere;
  - iv. Soil function as a buffer or filter for contaminants resulting from human activities, including aquifers at risk of leachate contamination;
  - v. Soil fertility where soil is used for primary production;
- b) Where a) is not practicable, minimise adverse effects;
- c) Recognise that urban and infrastructure development may result in loss of soil values.
- d) Control the adverse effects of pest species, prevent their introduction and reduce their spread;
- e) Retain the soil mantle where it acts as a repository of historic heritage objects unless an archaeological authority has been obtained.

**Method 3: Regional Plans**  
Method 3.1.4

**Method 4: City and District Plans**  
Method 4.1.5, Method 4.1.6

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Method 7: Education and Information**  
Method 7.1.2f.

**Policy 3.1.8 Soil erosion**

Minimise soil erosion resulting from activities, by undertaking all of the following:

- a) Using appropriate erosion controls and soil conservation methods;
- b) Maintaining vegetative cover on erosion prone land;
- c) Remediating land where significant soil erosion has occurred;
- d) Encouraging activities that enhance soil retention.

**Method 4: City and District Plans**  
Method 4.1.5

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Method 7: Education and Information**  
Method 7.1.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.2

**Policy 3.1.9 Ecosystems and indigenous biological diversity**

Manage ecosystems and indigenous biological diversity in terrestrial, freshwater and marine environments to:

- a) Maintain or enhance:
  - i. Ecosystem health and indigenous biological diversity including habitats of indigenous fauna;
  - ii. Biological diversity where the presence of exotic flora and fauna supports indigenous biological diversity;
- b) Maintain or enhance as far as practicable:
  - i. Areas of predominantly indigenous vegetation;
  - ii. Habitats of trout and salmon unless detrimental to indigenous biological diversity;
  - iii. Areas buffering or linking ecosystems;
- c) Recognise and provide for:
  - i. Hydrological services, including the services provided by tall tussock grassland;
  - ii. Natural resources and processes that support indigenous biological diversity;
- d) Control the adverse effects of pest species, prevent their introduction and reduce their spread.

**Method 3: Regional Plans**  
Method 3.1

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

- Method 4: City and District Plans**  
Method 4.1.4
- Method 5: Research, Monitoring and Reporting**  
Method 5.2.1
- Method 6: Non RMA Strategies and Plans**  
Method 6.4
- Method 7: Education and Information**  
Method 7.1
- Method 9: Advocacy and Facilitation**  
Method 9.2

**Policy 3.1.10 Biodiversity in the coastal environment**

Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:

- a) Areas of predominantly indigenous vegetation in the coastal environment;
- b) Habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;
- c) Indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;
- d) Habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
- e) Habitats, including areas and routes, important to migratory species; and
- f) Ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1.4
- Method 5: Research, Monitoring and Reporting**  
Method 5.2.1
- Method 6: Non RMA Strategies and Plans**  
Method 6.4
- Method 7: Education and Information**  
Method 7.1

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Method 9: Advocacy and Facilitation**

Method 9.2

**Policy 3.1.11 Natural features, landscapes, and seascapes**

Recognise the values of natural features, landscapes and seascapes are derived from the biophysical, sensory and associative attributes in Schedule 3.

**Method 1: Kāi Tahu Relationships**

Method 1.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.2.2

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2

**Policy 3.1.12 Natural character in the coastal environment**

Recognise the values of natural character in the coastal environment are derived from one or more of the following attributes:

- a) Natural elements, processes and patterns;
- b) Biophysical, ecological, geological and geomorphological aspects;
- c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks;
- d) The natural movement of water and sediment;
- e) The natural darkness of the night sky;
- f) Places or areas that are wild or scenic;
- g) A range of natural character from pristine to modified;
- h) Experiential attributes, including the sounds and smell of the sea; and their context or setting.

**Method 3: Regional Plans**

Method 3.1.6

**Method 4: City and District Plans**

Method 4.1

**Method 5: Research, Monitoring and Reporting**

Method 5.1.2

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 3.1.13 Environmental enhancement**

Encourage, facilitate and support activities that contribute to the resilience and enhancement of the natural environment, by where applicable:

- a) Improving water quality and quantity;
- b) Protecting or restoring habitat for indigenous species;
- c) Regenerating indigenous species;
- d) Mitigating natural hazards;
- e) Protecting or restoring wetlands;
- f) Improving the health and resilience of:
  - i. Ecosystems supporting indigenous biological diversity;
  - ii. Important ecosystem services, including pollination;
- g) Improving access to rivers, lakes, wetlands and their margins, and the coast;
- h) Buffering or linking ecosystems, habitats and areas of significance that contribute to ecological corridors;
- i) Controlling pest species.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.1 – Method 6.9

**Method 7: Education and Information**  
Method 7.1

**Method 8: Funding**  
Method 8.1

**Method 9: Advocacy and Facilitation**  
Method 9.1, Method 9.2

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Principal Reasons and Explanation:**

Understanding the many values and characteristics of natural resources and their ecosystem services is essential, in adequately managing the adverse effects of human activities on the environment's life supporting capacity.

There is often conflict between the many values of natural resources and human use of those resources.

These policies address the values attached to natural resources, and how all natural resources should be managed.

## **Objective 3.2 Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded**

### **Issue:**

Otago has significant and highly-valued natural resources. These include outstanding natural features, landscapes, seascapes, indigenous biological diversity, water bodies and soil, which all have intrinsic value and help to create the region's identity and support the region's wellbeing.

These highly valued resources can become degraded if they are not adequately protected from inappropriate subdivision, use and development, and so deserve a greater degree of recognition.

Resource degradation can adversely affect the social, cultural and economic wellbeing of people and communities.

### **Policy 3.2.1 Identifying significant indigenous vegetation and habitats**

Identify areas and values of significant indigenous vegetation and significant habitats of indigenous fauna, using the attributes detailed in Schedule 4.

<b>Method 3:</b>	<b>Regional Plans</b> Method 3.1
<b>Method 4:</b>	<b>City and District Plans</b> Method 4.2.2
<b>Method 5:</b>	<b>Research, Monitoring and Reporting</b> Method 5.1.2

### **Policy 3.2.2 Managing significant indigenous vegetation and habitats**

Protect and enhance areas of significant indigenous vegetation and significant habitats of indigenous fauna, by all of the following:

- a) In the coastal environment, avoiding adverse effects on:
  - i. The values that contribute to the area or habitat being significant;
  - ii. Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;
  - iii. Taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;
  - iv. Indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;
  - v. Habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
  - vi. Areas containing nationally significant examples of indigenous community types; and

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

- vii. Areas set aside for full or partial protection of indigenous biological diversity under other legislation;
- b) Beyond the coastal environment, and in the coastal environment in significant areas not captured by a) above, maintaining those values that contribute to the area or habitat being significant;
- c) Avoiding significant adverse effects on other values of the area or habitat;
- d) Remedying when other adverse effects cannot be avoided;
- e) Mitigating when other adverse effects cannot be avoided or remedied;
- f) Encouraging enhancement of those areas and values that contribute to the area or habitat being significant;
- g) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.4

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2

**Method 6: Non RMA Strategies and Plans**  
Method 6.4, Method 6.5

**Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes**

Identify areas and values of outstanding natural features, landscapes and seascapes, using the attributes in Schedule 3.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 c.



*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes**

Protect, enhance or restore outstanding natural features, landscapes and seascapes, by all of the following:

- a) In the coastal environment, avoiding adverse effects on the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;
- b) Beyond the coastal environment, maintaining the values (even if those values are not themselves outstanding) that contribute to the natural feature, landscape or seascape being outstanding;
- c) Avoiding, remedying or mitigating other adverse effects;
- d) Encouraging enhancement of those areas and values that contribute to the significance of the natural feature, landscape or seascape.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 c.

**Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes**

Identify natural features, landscapes and seascapes, which are highly valued for their contribution to the amenity or quality of the environment but which are not outstanding, using the attributes in Schedule 3.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, 4.2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 d.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes**

Maintain or enhance highly valued natural features, landscapes and seascapes by all of the following:

- a) Avoiding significant adverse effects on those values that contribute to the high value of the natural feature, landscape or seascape;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Encouraging enhancement of those values that contribute to the high value of the natural feature, landscape or seascape.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 d.

**Policy 3.2.7 Landward extent of the coastal environment**

Identify the landward extent of the coastal environment, recognising that the coastal environment includes:

- a) The coastal marine area;
- b) Islands within the coastal marine area;
- c) Areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;
- d) Areas at risk from coastal hazards;
- e) Coastal vegetation and the habitat of indigenous coastal species including migratory birds;
- f) Elements and features that contribute to the natural character, landscape, visual qualities or amenity values;
- g) Items of cultural and historic heritage in the coastal marine area or on the coast;
- h) Inter-related coastal marine and terrestrial systems, including the intertidal zone; and
- i) Physical resources and built facilities, including infrastructure, that have modified the coastal environment.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.1

**Policy 3.2.8 Identifying high and outstanding natural character in the coastal environment**

Identify areas and values of high and outstanding natural character in the coastal environment, which may include matters such as:

- a) Natural elements, processes and patterns;
- b) Biophysical, ecological, geological and geomorphological aspects;
- c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, estuaries, reefs, freshwater springs and surf breaks;
- d) The natural movement of water and sediment;
- e) The natural darkness of the night sky;
- f) Places or areas that are wild or scenic;
- g) A range of natural character from pristine to modified;
- h) Experiential attributes, including the sounds and smell of the sea; and their context or setting.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.6

**Method 4: City and District Plans**  
Method 4.1.3, Method 4.2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 b.

**Policy 3.2.9 Managing the outstanding natural character of the coastal environment**

Preserve or enhance the outstanding natural character of the coastal environment, by all of the following:

- a) Avoiding adverse effects on those values that contribute to the outstanding natural character of an area;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment;
- d) Encouraging enhancement of those values that contribute to the outstanding natural character of an area;
- e) Controlling the adverse effects of pest species, prevent their introduction and reduce their spread.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

- Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2
- Method 3: Regional Plans**  
Method 3.1.6
- Method 4: City and District Plans**  
Method 4.1.3
- Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 b., Method 5.2.2
- Method 9: Advocacy and Facilitation**  
Method 9.2.3

**Policy 3.2.10 Managing the high natural character of the coastal environment**

Preserve or enhance the high natural character of the coastal environment, by all of the following:

- a) Avoiding significant adverse effects on those values that contribute to the high natural character of an area;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Recognising and providing for the contribution of existing introduced species to the natural character of the coastal environment;
- d) Encouraging enhancement of those values that contribute to the high natural character of an area;
- e) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

- Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2
- Method 3: Regional Plans**  
Method 3.1.6
- Method 4: City and District Plans**  
Method 4.1.3
- Method 5: Research, Monitoring and Reporting**  
Method 5.2.2
- Method 9: Advocacy and Facilitation**  
Method 9.2.3

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 3.2.11 Identifying surf breaks of national importance**

Recognise the surf breaks of national importance at:

- a) Karitane;
- b) Papatowai;
- c) The Spit;
- d) Whareakeake.

**Method 3: Regional Plans**  
Method 3.1.7

**Policy 3.2.12 Managing surf breaks of national importance**

Protect surf breaks of national importance, by all of the following:

- a) Avoiding adverse effects on the natural and physical processes contributing to their existence;
- b) Avoiding adverse effects of other activities on access to, and use and enjoyment of, those surf breaks.

**Method 3: Regional Plans**  
Method 3.1.7

**Method 4: City and District Plans**  
Method 4.1.8

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 d.

**Policy 3.2.13 Identifying outstanding freshwater bodies**

Identify freshwater bodies where any one or more of the following significant values are outstanding:

- a) Naturalness;
- b) Amenity or landscape values;
- c) Kāi Tahu cultural values;
- d) Recreational values;
- e) Ecological values;
- f) Hydrological values.

**Method 3: Regional Plans**  
Method 3.1.8

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 e.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 3.2.14 Managing outstanding freshwater bodies**

Protect outstanding freshwater bodies by all of the following:

- a) Maintaining the values that contribute to the water body being outstanding;
- b) Avoiding, remedying or mitigating other adverse effects on the water body;
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- d) Encouraging enhancement of those values that contribute to the water body being outstanding.

**Method 3: Regional Plans**  
Method 3.1.8

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.2, Method 9.2.5

**Policy 3.2.15 Identifying the significant values of wetlands**

Identify the significant values of wetlands, having regard to all of the following:

- a) Degree of naturalness;
- b) Amenity or landscape values;
- c) Kāi Tahu cultural values;
- d) Recreational values;
- e) Ecological function and values;
- f) Hydrological function and values;
- g) Geomorphological features and values.

**Method 3: Regional Plans**  
Method 3.1.8

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 g, 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.1, Method 9.2.2, Method 9.2.3, Method 9.2.5

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 3.2.16 Managing the values of wetlands**

Protect the function and values of wetlands by all of the following:

- a) Maintaining the significant values of wetlands;
- b) Avoiding, remedying or mitigating other adverse effects;
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread;
- d) Encouraging enhancement that contributes to the values of the wetland;
- e) Encouraging the rehabilitation of degraded wetlands.

**Method 3: Regional Plans**  
Method 3.1. 8

**Method 4: City and District Plans**  
Method 4.1

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.2 g, 5.2.2

**Method 9: Advocacy and Facilitation**  
Method 9.2.1, Method 9.2.2, Method 9.2.3, Method 9.2.5

**Policy 3.2.17 Identifying significant soil**

Identify areas of soil that are significant using the following criteria:

- a) Land classified as land use capability I, II and IIIe in accordance with the New Zealand Land Resource Inventory;
- b) Degree of significance for primary production;
- c) Significance for providing contaminant buffering or filtering services;
- d) Significance for providing water storage or flow retention services;
- e) Degree of rarity.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 c, Method 5.2.1 d.

**Policy 3.2.18 Managing significant soil**

Manage areas of significant soil, by all of the following:

- a) Maintaining those values that make the soil significant;
- b) Recognising that loss of significant soil to urban development may occur in accordance with any future development strategy;
- c) Controlling the adverse effects of pest species, preventing their introduction and reducing their spread.

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

40

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

- Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2
- Method 3: Regional Plans**  
Method 3.1.4
- Method 4: City and District Plans**  
Method 4.1.6
- Method 7: Education and Information**  
Method 7.1.2 f.

**Principal Reasons and Explanation:**

Otago has many significant and highly valued landscapes, natural features and areas of indigenous biological diversity which are nationally or regionally important. These policies guide the identification, protection and enhancement of these resources. This higher level of protection recognises the importance of these resources to the cultural, environmental, social and economic wellbeing of people and communities.



PART B: Chapter 3 Otago has high quality natural resources and ecosystems

## **PART B Chapter 4 Communities in Otago are resilient, safe and healthy**

Otago is at risk of expected and unexpected shocks and changes, from natural hazards, climate change and reliance on energy, imported goods and fossil fuels. These disruptions have the potential to affect economic, social, cultural, and environmental wellbeing.

Ensuring communities develop in a way which helps to prepare for, respond, recover, and adapt to disruptions will help make communities resilient. The sustainable management of renewable energy sources, the use of hazardous substances, and management of waste materials will, in the long term, also help ensure communities’ resilience.

This chapter deals with the response and ability to be resilient to resource limitations or constraints, shock events, system disruptions, natural hazards, and climate change.

### **Chapter overview:**

<b>Objective 4.1</b>		
<b>Risk that natural hazards pose to Otago’s communities are minimised.</b>		<b>Page</b>
Policy 4.1.1	Identifying natural hazards	45
Policy 4.1.2	Natural hazard likelihood	45
Policy 4.1.3	Natural hazard consequence	46
Policy 4.1.4	Assessing activities for natural hazard risk	46
Policy 4.1.5	Natural hazard risk	47
Policy 4.1.6	Minimising increase in natural hazard risk	48
Policy 4.1.7	Reducing existing natural hazard risk	48
Policy 4.1.8	Precautionary approach to natural hazard risk	49
Policy 4.1.9	Protecting features and systems that provide hazard mitigation	49
Policy 4.1.10	Mitigating natural hazards	50
Policy 4.1.11	Hard protection structures	50
Policy 4.1.12	Lifeline utilities and facilities for essential or emergency services	51
Policy 4.1.13	Hazard mitigation measures, lifeline utilities, and essential and emergency services	51
<b>Objective 4.2</b>		
<b>Otago’s communities are prepared for and able to adapt to the effects of climate change.</b>		<b>Page</b>
Policy 4.2.1	Sea level rise	53

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

Policy 4.2.2	Climate change	53
<b>Objective 4.3</b>		
<b>Infrastructure is managed and developed in a sustainable way.</b>		<b>Page</b>
Policy 4.3.1	Managing infrastructure activities	55
Policy 4.3.2	Nationally and regionally significant infrastructure	55
Policy 4.3.3	Functional needs of infrastructure that has national or regional significance	56
Policy 4.3.4	Adverse effects of nationally and regionally significant infrastructure	56
Policy 4.3.5	Protecting infrastructure with national or regional significance	57
Policy 4.3.6	The National Grid	58
<b>Objective 4.4</b>		
<b>Energy resources and supplies are secure, reliable and sustainable.</b>		<b>Page</b>
Policy 4.4.1	Renewable electricity generation	60
Policy 4.4.2	Small and community scale renewable electricity generation	60
Policy 4.4.3	Protecting existing renewable electricity generation	61
Policy 4.4.4	Efficient transport of electricity	61
Policy 4.4.5	Electricity distribution infrastructure	61
Policy 4.4.6	Energy efficient transport	62
Policy 4.4.7	Fuels	63
<b>Objective 4.5</b>		
<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments.</b>		<b>Page</b>
Policy 4.5.1	Providing for urban growth and development	64
Policy 4.5.2	Integrating infrastructure with land use	65
Policy 4.5.3	Urban design	66
Policy 4.5.4	Low impact design	66
Policy 4.5.5	Warmer buildings	66
Policy 4.5.6	Designing for public access	67
<b>Objective 4.6</b>		
<b>Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago.</b>		<b>Page</b>
Policy 4.6.1	Hazardous substances	68

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

Policy 4.6.2	Use, storage and disposal of hazardous substances	68
Policy 4.6.3	Hazardous substance collection, disposal and recycling	69
Policy 4.6.4	Identifying contaminated land	69
Policy 4.6.5	Managing contaminated land	69
Policy 4.6.6	Waste management	70
Policy 4.6.7	Waste minimisation responses	70
Policy 4.6.8	Waste storage, recycling, recovery, treatment and disposal	70
Policy 4.6.9	New Contaminated land	71

## **Objective 4.1 Risks that natural hazards pose to Otago's communities are minimised**

### **Issue:**

Natural hazard events, such as flooding and earthquakes, have the potential to injure people and damage property. Natural hazards may be exacerbated by the effects of climate change, which include sea level rise, and greater frequency and intensity of extreme weather events.

It is sometimes difficult and costly for a community to recover from a hazard event.

### **Policy 4.1.1 Identifying natural hazards**

Identify natural hazards that may adversely affect Otago's communities, including hazards of low likelihood and high consequence by considering all of the following:

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

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.8

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

### **Policy 4.1.2 Natural hazard likelihood**

Using the best available information, assess the likelihood of natural hazard events occurring, over no less than 100 years.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1.13, Method 3.2.1

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.1, Method 4.2.8

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Policy 4.1.3 Natural hazard consequence**

Assess the consequences of natural hazard events, by considering all of the following:

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

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1.13, Method 3.2.1

**Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.1, Method 4.2.8

**Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2

**Policy 4.1.4 Assessing activities for natural hazard risk**

Assess activities for natural hazard risk to people, property and communities, by considering all of the following:

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

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021

46

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.8
- Method 5: Research, Monitoring and Reporting**  
Method 5.2.1, Method 5.2.2
- Method 6: Non RMA Strategies and Plans**  
Method 6.1.1
- Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Policy 4.1.5 Natural hazard risk**

Manage natural hazard risk to people, property and communities, with particular regard to all of the following:

- a) The risk posed, considering the likelihood and consequences of natural hazard events;
- b) The implications of residual risk;
- c) The community's tolerance of that risk, now and in the future, including the community's ability and willingness to prepare for and adapt to that risk, and respond to an event;
- d) Sensitivity of activities to risk;
- e) The need to encourage system resilience;
- f) The social costs of recovery.

- Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3
- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.8
- Method 6: Non RMA Strategies and Plans**  
Method 6.1.1
- Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3
- Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021

47

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 4.1.6 Minimising increase in natural hazard risk**

Minimise natural hazard risk to people, communities, property and other aspects of the environment by:

- a) Avoiding activities that result in significant risk from natural hazard;
- b) Enabling activities that result in no or low residual risk from natural hazard;
- c) Avoiding activities that increase risk in areas potentially affected by coastal hazards over at least the next 100 years;
- d) Encouraging the location of infrastructure away from areas of hazard risk where practicable;
- e) Minimising any other risk from natural hazard.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.8

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

**Policy 4.1.7 Reducing existing natural hazard risk**

Reduce existing natural hazard risk to people and communities, including by all of the following:

- a) Encouraging activities that:
  - i. Reduce risk; or
  - ii. Reduce community vulnerability;
- b) Discouraging activities that:
  - i. Increase risk; or
  - ii. Increase community vulnerability;
- c) Considering the use of exit strategies for areas of significant risk to people and communities;
- d) Encouraging design that facilitates:
  - i. Recovery from natural hazard events; or
  - ii. Relocation to areas of lower risk; or
  - iii. Mitigation of risk;
- e) Relocating lifeline utilities, and facilities for essential and emergency service, to areas of reduced risk, where appropriate and practicable;

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021

48

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

- f) Enabling development, upgrade, maintenance and operation of lifeline utilities and facilities for essential and emergency services;
- g) Reassessing natural hazard risk to people and communities, and community tolerance of that risk, following significant natural hazard events.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2, Method 7.1.3

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

**Policy 4.1.8 Precautionary approach to natural hazard risk**

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

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2

**Policy 4.1.9 Protecting features and systems that provide hazard mitigation**

Avoid, remedy or mitigate adverse effects on natural or modified features and systems, that contribute to mitigating the effects of both natural hazards and climate change.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2



*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 4.1.10 Mitigating natural hazards**

Give preference to risk management approaches that reduce the need for hard protection structures or similar engineering interventions, and provide for hard protection structures only when all of the following apply:

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

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3, Method 9.2.1

**Policy 4.1.11 Hard protection structures**

Enable the location of hard protection structures or similar engineering interventions on public land only when either or both of the following apply:

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

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2

**Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 4.1.12 Lifeline utilities and facilities for essential or emergency services**

Locate and design lifeline utilities and facilities for essential or emergency services to:

- a) Maintain their ability to function to the fullest extent possible, during and after natural hazard events; and
- b) Take into account their operational co-dependence with other lifeline utilities and essential services to ensure their effective operation.

**Method 9: Advocacy and Facilitation**  
Method 9.2.3, Method 9.2.4

**Policy 4.1.13 Hazard mitigation measures, lifeline utilities, and essential and emergency services**

Protect the functional needs of hazard mitigation measures, lifeline utilities, and essential or emergency services, including by all of the following:

- a) Restricting the establishment of other activities that may result in reverse sensitivity effects on those measures, utilities or services;
- b) Avoiding significant adverse effects on those measures, utilities or services;
- c) Avoiding, remedying or mitigating other adverse effects on those measures, utilities or services;
- d) Maintaining access to those measures, utilities or services for maintenance and operational purposes;
- e) Managing other activities in a way that does not restrict the ability of those mitigation measures, utilities or services to continue functioning.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2, Method 2.3

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.2, Method 4.2.8

**Method 6: Non RMA Strategies and Plans**  
Method 6.1.1

**Method 9: Advocacy and Facilitation**  
Method 9.2.3, Method 9.2.4

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Principal Reasons and Explanation:**

While many of these events are beyond the control of people and communities, there is a need to reduce their potential impacts on people's safety, health and wellbeing.

Natural hazards can injure or kill people, damage property, create stress and fear, affect the operation of infrastructure and impact on the economy.

Natural hazard risks can also be exacerbated by inappropriate subdivision, use and development. Natural hazards should be identified and managed appropriately, so the risk of avoidable social and economic harm to communities is reduced as much as possible.

## **Objective 4.2 Otago’s communities are prepared for and able to adapt to the effects of climate change**

### **Issue:**

Climate change is creating environmental and economic outcomes that negatively affect the sustainability of natural and physical resources. These include higher sea levels, increased frequency of natural hazard events, and changing distribution of plants and animals. There is significant uncertainty over the rate and scale of change.

National and international policy frameworks have set objectives and guidance for New Zealand to proactively work toward reducing the rate of global warming.

### **Policy 4.2.1 Sea level rise**

Ensure Otago’s people and communities are able to adapt to, or mitigate the effects of sea level rise, over no less than 100 years, by using:

- a) A sea level rise of at least 1 metre by 2115, relative to 1990 mean sea level (Otago Metric Datum); and
- b) Adding an additional 10mm per year beyond 2115, or the most up-to-date national or regional guidance on likely sea level rise.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

### **Policy 4.2.2 Climate change**

Ensure Otago’s people and communities are able to mitigate and adapt to the effects of climate change, over no less than 100 years, by all of the following:

- a) Taking into account the effects of climate change, including by using the best relevant climate change data;
- b) Applying a precautionary approach when assessing and managing the effects of climate change where there is scientific uncertainty and potentially significant or irreversible effects;
- c) Encouraging activities that assist to reduce or mitigate the effects of climate change.
- d) Encouraging system resilience.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1
- Method 5: Research, Monitoring and Reporting**  
Method 5.2.1 g. and j.
- Method 6: Non RMA Strategies and Plans**  
Method 6.1.1
- Method 7: Education and Information**  
Method 7.1.1, Method 7.1.2
- Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.3

### **Principal Reasons and Explanation:**

Communities need consistent guidance on sea level rise, extreme weather events, and all other adverse effects of climate change to manage those effects.

Climate change is bringing higher sea levels and is increasing the frequency and severity of climate related natural hazards including flooding, landslips, erosion and drought. Stormwater systems may not be able to cope with heavier rainfall. Other effects of climate change include changing distributions of plants and animals, and consequential effects, such as the risk of saltwater intrusion into groundwater as a result of rising sea levels. There may be other adverse effects from climate change that are not yet known. A precautionary approach is required where there is scientific uncertainty.

The effects of climate change will result in social, environmental and economic costs, and in some circumstances benefits. It is prudent that these changes be planned for now, so that the impacts can be reduced.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

### **Objective 4.3 Infrastructure is managed and developed in a sustainable way**

#### **Issue:**

Social and economic wellbeing depends on having adequate infrastructure. Failing to provide for its functional needs can result in adverse effects.

Aging and sub-standard infrastructure can present a risk to the community by threatening community resilience and can constrain new infrastructure solutions.

Activities locating in proximity to infrastructure may lead to reverse sensitivity effects on that infrastructure.

Infrastructure may adversely affect other lawfully established activities.

Infrastructure of regional and national significance may result in localised adverse environmental impacts, or adversely affect other nationally important values.

Some infrastructure can only locate in particular areas, and it may not always be possible to avoid significant adverse effects.

#### **Policy 4.3.1 Managing infrastructure activities**

Recognise and provide for infrastructure by all of the following:

- a) Protecting and providing for the functional needs of lifeline utilities and essential or emergency services;
- b) Increasing the ability of communities to respond and adapt to emergencies, and disruptive or natural hazard events;
- c) Improving efficiency of natural and physical resource use;
- d) Minimising adverse effects on existing land uses, and natural and physical resources;
- e) Managing other activities to ensure the functional needs of infrastructure are not compromised.

Policies 4.3.2 – 4.3.6 regarding infrastructure that has regional or national significance prevail where there is a conflict with policy 4.3.1.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

#### **Policy 4.3.2 Nationally and regionally significant infrastructure**

Recognise the national and regional significance of all of the following infrastructure:

- a) Renewable electricity generation activities, where they supply the National Grid or local distribution network;
- b) National Grid;
- c) Electricity sub-transmission infrastructure;

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

55

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

- d) Telecommunication and radiocommunication facilities;
- e) Roads classified as being of national or regional importance;
- f) Ports and airports and associated navigation infrastructure;
- g) Defence facilities;
- h) Rail infrastructure;
- i) Municipal infrastructure.

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1, Method 4.1.17, 4.1.18

**Method 6: Non RMA Strategies and Plans**

Method 6.3.1

**Policy 4.3.3 Functional needs of infrastructure that has national or regional significance**

Provide for the functional needs of infrastructure that has regional or national significance, including safety.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Policy 4.3.4 Adverse effects of nationally and regionally significant infrastructure**

Manage adverse effects of infrastructure that has national or regional significance, by:

- a) Giving preference to avoiding its location in all of the following:
  - i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the coastal environment;
  - ii. Outstanding natural character in the coastal environment;
  - iii. Outstanding natural features and natural landscapes, including seascapes, in the coastal environment;
  - iv. Areas of significant indigenous vegetation and significant habitats of indigenous fauna beyond the coastal environment;
  - v. Outstanding natural character in areas beyond the coastal environment;
  - vi. Outstanding natural features and landscapes beyond the coastal environment;
  - vii. Outstanding water bodies or wetlands;
  - viii. Places or areas containing historic heritage of regional or national significance;

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

- b) Where it is not practicable to avoid locating in the areas listed in a) above because of the functional needs of that infrastructure:
  - i. Avoid adverse effects on the values that contribute to the significant or outstanding nature of a) i-iii;
  - ii. Avoid significant adverse effects on natural character and natural landscapes in all other areas of the coastal environment
  - iii. Avoid, remedy or mitigate, as necessary, adverse effects in order to maintain the outstanding or significant nature of a) iv-viii;
- c) Avoid, remedy or mitigate, as necessary, adverse effects on highly valued natural features, landscapes and seascapes. in order to maintain their high values;
- d) Avoiding, remedying or mitigating other adverse effects;
- e) Considering offsetting for residual adverse effects on indigenous biological diversity.

Where there is a conflict, Policy 4.3.4 prevails over the policies under Objectives 3.2 (except for policy 3.2.12), 5.2 and Policy 4.3.1.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.3.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.2

**Policy 4.3.5 Protecting infrastructure with national or regional significance**

Protect infrastructure with national or regional significance, by all of the following:

- a) Restricting the establishment of activities that may result in reverse sensitivity effects;
- b) Avoiding significant adverse effects on the functional needs of such infrastructure;
- c) Avoiding, remedying or mitigating other adverse effects on the functional needs of such infrastructure;
- d) Protecting infrastructure corridors from activities that are incompatible with the anticipated effects of that infrastructure, now and for the future.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1, Method 4.1.18



PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 4.3.6 The National Grid**

Provide for the National Grid by:

- a) Managing activities to the extent reasonably possible to avoid reverse sensitivity effects on the National Grid; and
- b) Identifying corridors for the existing National Grid within which activities and development will be managed to the extent reasonably possible to ensure that the functional needs of the National Grid are not compromised; and
- c) Not allowing existing activities in the identified corridors to intensify in a way that increases their incompatibility with existing National Grid infrastructure.
- d) Manage the adverse effects of new National Grid infrastructure by all of the following:
  - i. recognising there may be some areas in the coastal environment where avoidance of adverse effects is required to protect the identified special values of those areas.
  - ii. seeking to avoid adverse effects on the values of the following:
    - a. Areas of significant indigenous vegetation and significant habitats of indigenous fauna;
    - b. Outstanding natural features, landscapes and seascapes;
    - c. Areas of outstanding natural character;
    - d. Outstanding water bodies or wetlands;
    - e. Places or areas containing historic heritage of regional or national significance.
  - iii. Where it is not practicable to avoid adverse effects on the values of the areas listed in d) ii. above because of the functional needs of the National Grid, remedy or mitigate adverse effects on those values;
  - iv. Avoiding, remedying or mitigating other adverse effects;
  - v. Consider offsetting for residual adverse effects on indigenous biological diversity.

Where there is a conflict, Policy 4.3.6 prevails over the policies under Objectives 3.1, 3.2, 4.3 and 5.2, and over policy 5.4.9.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Principal Reasons and Explanation:**

It is essential for the economy and the wellbeing and health and safety of communities, that people are serviced by the right infrastructure at the right time and that infrastructure operates efficiently and effectively.

Some infrastructure such as roads, water supply, waste water and storm water is provided by local authorities. Other infrastructure such as energy generation and network utility operation is managed by state owned enterprises, requiring authorities and private companies.

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

It is important to recognise the benefits of this infrastructure to the economy and to community resilience, in addition to managing any adverse effects on natural resources.

Local authorities have a role to play, to ensure that local, regional and national infrastructure needs are being met now and for the future.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

## **Objective 4.4 Energy resources and supplies are secure, reliable and sustainable**

### **Issue:**

Although Otago is rich in renewable energy sources it is also an importer of fossil fuels. Any constraints on energy and fuel supply could affect the way we live and are able to respond to disruptive events.

#### **Policy 4.4.1 Renewable electricity generation**

Provide for renewable electricity generation activities, by all of the following:

- a) Recognising the benefits associated with those activities;
- b) Recognising the functional needs of those activities;
- c) Recognising the importance of the resource needs of those activities;
- d) Promoting the efficient use of existing structures or facilities; and
- e) Providing for activities associated with the investigation, identification, and development of potential renewable electricity generation sites and sources.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.2.3

#### **Policy 4.4.2 Small and community scale renewable electricity generation**

Promote small and community scale renewable electricity generation activities that both:

- a) Increase the local community's resilience and security of energy supply; and
- b) Avoid, remedy or mitigate adverse effects from that activity.

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.2.3

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 4.4.3 Protecting existing renewable electricity generation**

Protect the generation output of existing nationally or regionally significant renewable electricity generation activities, by all of the following:

- a) Recognising their functional needs, including resource needs;
- b) Avoiding, to the extent reasonably practicable, reverse sensitivity effects on their functional needs;
- c) Avoiding, remedying or mitigating adverse effects from other activities on them; except when sub-clause d) applies;
- d) Having particular regard to avoiding, remedying or mitigating adverse effects from new water takes on those which do not have a specified water allocation volume.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 4.4.4 Efficient transport of electricity**

Enable electricity transmission and distribution infrastructure activities that achieve all of the following:

- a) Maintenance or improvement of the security and reliability of electricity supply;
- b) Enhancement of the safety, efficiency and effectiveness of the infrastructure; and
- c) Avoidance, remediation or mitigation of adverse effects from that activity.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 4.4.5 Electricity distribution infrastructure**

Recognise and provide for electricity distribution infrastructure, by all of the following:

- a) Recognising the functional needs of electricity distribution activities;
- b) Restricting the establishment of activities that may result in reverse sensitivity effects;
- c) Avoiding, remedying or mitigating adverse effects from other activities on the functional needs of that infrastructure;
- d) Minimising adverse effects of new and upgraded electricity distribution infrastructure on existing land uses;
- e) Identifying significant electricity distribution infrastructure and managing effects of potentially incompatible activities through methods such as corridors.

**Method 3: Regional Plans**  
Method 3.1

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Method 4: City and District Plans**  
Method 4.1, 4.1.19

**Method 9: Advocacy and Facilitation**  
Method 9.1

**Policy 4.4.6 Energy efficient transport**

Enable energy efficient and sustainable transport for Otago's communities, by all of the following:

- a) Encouraging the development of compact and well integrated urban areas, to reduce travel needs within those areas;
- b) Ensuring that transport infrastructure in urban areas has good connectivity, both within new urban areas and between new and existing urban areas, by all of the following:
  - i. Placing a high priority on walking, cycling, and public transport, where appropriate;
  - ii. Maximising pedestrian and cycling networks connectivity, and integration with public transport;
  - iii. Having high design standards for pedestrian and cyclist safety and amenity;
- c) Enabling the development or upgrade of transport infrastructure and associated facilities that both:
  - i. Increase freight efficiency; and
  - ii. Foster the uptake of new technologies for more efficient energy uses, and renewable or lower emission transport fuels.
- d) Fostering uptake of public transportation through provision of safe, reliable and well sheltered alternatives to private transport.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Method 6: Non RMA Strategies and Plans**  
Method 6.3

**Method 9: Advocacy and Facilitation**  
Method 9.1, Method 9.2.2

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 4.4.7 Fuels**

Recognise and provide for reliable and resilient fuel supply chain infrastructure to meet community fuel needs, including facilities for the transition to a lower-carbon future.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Principal Reasons and Explanation:**

There is a need to encourage renewable energy generation, encourage sustainable energy use and improve energy resilience.

People's social and economic wellbeing, and their health and safety, is dependent on their energy needs being met by a sustainable, reliable and secure supply of energy. Communities rely on a range of renewable energy sources such as hydro, wind and solar generation and non-renewable sources such as oil, gas and coal.

More efficient energy uses, and a greater diversity of energy sources have the potential to increase community resilience while increasing the ability to sustain economic development.

In particular, more efficient or alternative transport fuels, in addition to better planning for access and public transport will provide for a more sustainable and resilient transport system.

## **Objective 4.5 Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments**

### **Issue:**

Unplanned urban growth and development risks exceeding the carrying capacity of existing infrastructure and services, adversely affecting community resilience.

Unanticipated growth places pressure on adjoining productive land, and risks losing connectivity with adjoining urban areas.

Urban development has not always had regard for the local environment or the needs of the community.

### **Policy 4.5.1 Providing for urban growth and development**

Provide for urban growth and development in a strategic and co-ordinated way, including by:

- a) Ensuring future urban growth areas are in accordance with any future development strategy for that district.
- b) Monitoring supply and demand of residential, commercial and industrial zoned land;
- c) Ensuring that there is sufficient housing and business land development capacity available in Otago;
- d) Setting minimum targets for sufficient, feasible capacity for housing in high growth urban areas in Schedule 6
- e) Coordinating the development and the extension of urban areas with infrastructure development programmes, to provide infrastructure in an efficient and effective way.
- f) Having particular regard to:
  - i. Providing for rural production activities by minimising adverse effects on significant soils and activities which sustain food production;
  - ii. Minimising competing demands for natural resources;
  - iii. Maintaining high and outstanding natural character in the coastal environment; outstanding natural features, landscapes, and seascapes; and areas of significant indigenous vegetation and significant habitats of indigenous fauna;
  - iv. Maintaining important cultural or historic heritage values;
  - v. Avoiding land with significant risk from natural hazards;
- g) Ensuring efficient use of land;
- h) Restricting urban growth and development to areas that avoid reverse sensitivity effects unless those effects can be adequately managed;
- i) Requiring the use of low or no emission heating systems where ambient air quality is:
  - i. Below standards for human health; or
  - ii. Vulnerable to degradation given the local climatic and geographical context;
- j) Consolidating existing coastal settlements and coastal urban areas where this will contribute to avoiding or mitigating sprawling or sporadic patterns of settlement and urban growth.

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 4: City and District Plans**

Method 4.1.6, Method 4.1.13, Method 4.2.4, Method 4.2.7, Method 4.2.10

**Method 5: Research, Monitoring and Reporting**

Method 5.2.3

**Method 6: Non RMA Strategies and Plans**

Method 6.2

**Policy 4.5.2 Integrating infrastructure with land use**

Achieve the strategic integration of infrastructure with land use, by undertaking all of the following:

- a) Recognising and providing for the functional needs of infrastructure;
- b) Locating and designing infrastructure to take into account all of the following:
  - i. Actual and reasonably foreseeable land use change;
  - ii. The current population and projected demographic changes;
  - iii. Actual and reasonably foreseeable change in supply of, and demand for, infrastructure services;
  - iv. Natural and physical resource constraints;
  - v. Effects on the values of natural and physical resources;
  - vi. Co-dependence with other infrastructure;
  - vii. The effects of climate change on the long-term viability of that infrastructure;
  - viii. Natural hazard risk.
- c) Coordinating the design and development of infrastructure with land use change in growth and redevelopment planning.

**Method 2: Regional, City and District Council Relationships**

Method 2.1, Method 2.2

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1, Method 4.2.4

**Method 6: Non RMA Strategies and Plans**

Method 6.3.1

**Method 7: Education and Information**

Method 7.1.4

**Method 9: Advocacy and Facilitation**

Method 9.1.2

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

65



PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Policy 4.5.3 Urban design**

Design new urban development with regard to:

- a) A resilient, safe and healthy community;
- b) A built form that relates well to its surrounding environment;
- c) Reducing risk from natural hazards;
- d) Good access and connectivity within and between communities;
- e) A sense of cohesion and recognition of community values;
- f) Recognition and celebration of physical and cultural identity, and the historic heritage values of a place;
- g) Areas where people can live, work and play;
- h) A diverse range of housing, commercial, industrial and service activities;
- i) A diverse range of social and cultural opportunities.

**Method 4 City and District Plans**  
Method 4.1

**Policy 4.5.4 Low impact design**

Encourage the use of low impact design techniques in subdivision and development to reduce demand on stormwater, water and wastewater infrastructure and reduce potential adverse environmental effects.

**Method 4: City and District Plans**  
Method 4.1

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.5

**Policy 4.5.5 Warmer buildings**

Encourage the design of subdivision and development to reduce the adverse effects of the region's colder climate, and higher demand and costs for energy, including maximising passive solar gain.

**Method 4: City and District Plans**  
Method 4.1

**Method 7: Education and Information**  
Method 7.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.5 c.

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

**Policy 4.5.6 Designing for public access**

Design and maintain public spaces, including streets and open spaces, to meet the reasonable access and mobility needs of all sectors.

**Method 4: City and District Plans**  
Method 4.1.7

**Principal Reasons and Explanation:**

Well-designed and integrated urban growth, achieves effective and affordable infrastructure, and improves resilience. The best use of the natural and physical resources will reduce the effects of unanticipated growth.

Well planned urban growth and development can achieve multiple benefits, including economic, social and environmental benefits. Concentrating activities in urban areas creates economies of scale for the development and maintenance of infrastructure and supports community facilities such as health care and educational facilities. This can also reduce pressure on the surrounding productive and natural environment.

Urban areas that are well designed will improve quality of life, resilience and create more attractive opportunities for business investment.

The quality of the urban environment can affect quality of life and community viability. Built environments that relate well to their surroundings, have easy connectivity access to key services and reflect the distinctive character of their locality make a positive contribution to the community. Poor quality or badly co-ordinated development presents social, environmental, and economic risks.

Integrating the natural environment into urban areas has been shown to achieve multiple benefits. Urban design choices can allow natural processes to continue through and around everyday activities with minimal adverse impact to either.

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

## **Objective 4.6 Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago**

### **Issue:**

Waste materials, hazardous substances and contaminated land may adversely affect the environment and community health and safety.

### **Policy 4.6.1 Hazardous substances**

Promote an integrated approach to the management of hazardous substances in Otago.

**Method 6: Non RMA Strategies and Plans**  
Method 6.9

**Method 7: Education and Information**  
Method 7.1.6

**Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.4

### **Policy 4.6.2 Use, storage and disposal of hazardous substances**

Manage the use, storage and disposal of hazardous substances, by all of the following:

- a) Providing secure containment for the storage of hazardous substances;
- b) Minimising risk associated with natural hazard events;
- c) Ensuring the health and safety of people;
- d) Avoiding, remedying or mitigating adverse effects on the environment;
- e) Providing for the development of facilities to safely store, transfer, process, handle and dispose of hazardous substances;
- f) Ensuring hazardous substances are treated or disposed of in accordance with the relevant regulatory requirements;
- g) Restricting the location and intensification of activities that may result in reverse sensitivity effects near authorised facilities for hazardous substance bulk storage, treatment or disposal;
- h) Encouraging the use of best management practices.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

*PART B: Chapter 3 Otago has high quality natural resources and ecosystems*

- Method 4: City and District Plans**  
Method 4.1.9
- Method 6: Non RMA Strategies and Plans**  
Method 6.9
- Method 7: Education and Information**  
Method 7.1.6
- Method 9: Advocacy and Facilitation**  
Method 9.1.2, Method 9.1.4

**Policy 4.6.3 Hazardous substance collection, disposal and recycling**

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

- Method 9: Advocacy and Facilitation**  
Method 9.1.2

**Policy 4.6.4 Identifying contaminated land**

Identify sites of known or potentially contaminated land in Otago.

- Method 5: Research, Monitoring and Reporting**  
Method 5.2.1 e, Method 5.2.1 k.
- Method 7: Education and Information**  
Method 7.1.3 b.

**Policy 4.6.5 Managing contaminated land**

Ensure contaminated or potentially contaminated land does not pose an unacceptable risk to people and the environment, by:

- a) Assessing and, if required, monitoring contaminant levels and environmental risks;
- b) Protecting human health in accordance with regulatory requirements;
- c) Minimising adverse effects of the contaminants on the environment.

- Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2
- Method 3: Regional Plans**  
Method 3.1.11

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

**Method 4: City and District Plans**  
Method 4.2.6

**Policy 4.6.6 Waste management**

Promote an integrated approach to the management of the use, storage and disposal of waste materials.

**Method 6: Non RMA Strategies and Plans**  
Method 6.9

**Method 9: Advocacy and Facilitation**  
Method 9.1.2 c.

**Policy 4.6.7 Waste minimisation responses**

Encourage activities to give effect to the waste minimisation hierarchy of responses, by:

- a) Giving preference to reducing waste generated; then
- b) Reusing waste; then
- c) Recycling waste; then
- d) Recovering resources from waste; then
- e) Treatment; then
- f) Disposing residual waste to a disposal facility.

**Method 6: Non RMA Strategies and Plans**  
Method 6.8

**Method 9: Advocacy and Facilitation**  
Method 9.1.2 c.

**Policy 4.6.8 Waste storage, recycling, recovery, treatment and disposal**

Manage the storage, recycling, recovery, treatment and disposal of waste materials by undertaking all of the following:

- a) Providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of waste materials;
- b) Ensuring the health and safety of people;
- c) Minimising adverse effects on the environment;
- d) Minimising risk associated with natural hazard events;
- e) Restricting the location of activities that may result in reverse sensitivity effects near waste management facilities and services.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.12

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021

70

PART B: Chapter 3 Otago has high quality natural resources and ecosystems

- Method 4: City and District Plans**  
Method 4.1.10
- Method 5: Research, Monitoring and Reporting**  
Method 5.2.1 f.
- Method 6: Non RMA Strategies and Plans**  
Method 6.8, Method 6.9
- Method 7: Education and Information**  
Method 7.1.5
- Method 9: Advocacy and Facilitation**  
Method 9.1.5

**Policy 4.6.9 New Contaminated land**

Avoid the creation of new contaminated land or, where this is not practicable, minimise adverse effects on the environment.

- Method 3: Regional Plans**  
Method 3.1
- Method 4: City and District Plans**  
Method 4.1

**Principal Reasons and Explanation:**

Resources need to be carefully used to minimise the material disposed of as waste.

Waste materials and hazardous substances need to be carefully managed to avoid creating environmental problems or adversely affecting human health.

Hazardous substances can be dangerous when not managed appropriately but are essential components of some activities. Hazardous substances and their waste should also be managed to avoid creating environmental problems or adversely affecting human health, in accordance with regulatory requirements.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## **PART B Chapter 5 People are able to use and enjoy Otago's natural and built environment**

The use of natural and physical resources underpins community, cultural, and economic wellbeing. Due to the importance of natural resources to wellbeing and the dynamic and interconnected nature of the environment, the sustainable management of resources requires consideration of the adverse effects of resource use on the environment and on other resource users.

This fifth chapter builds on the previous ones by enabling the use of the natural and physical environment for enjoyment and making a living, while ensuring that resources are sustainably managed for conflicting or incompatible uses.

### **Chapter overview:**

<b>Objective 5.1</b>		
<b>Public access to areas of value to the community is maintained or enhanced.</b>		Page
Policy 5.1.1	Public access	74
<b>Objective 5.2</b>		
<b>Historic heritage resources are recognised and contribute to the region's character and sense of identity.</b>		Page
Policy 5.2.1	Recognising historic heritage	76
Policy 5.2.2	Identifying historic heritage	76
Policy 5.2.3	Managing historic heritage	77
<b>Objective 5.3</b>		
<b>Sufficient land is managed and protected for economic production.</b>		Page
Policy 5.3.1	Rural activities	78
Policy 5.3.2	Distribution of commercial activities	78
Policy 5.3.3	Industrial land	79
Policy 5.3.4	Mineral and petroleum exploration, extraction and processing	79
Policy 5.3.5	Tourism and outdoor recreation	79
<b>Objective 5.4</b>		
<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised.</b>		Page
Policy 5.4.1	Offensive or objectionable discharges	80
Policy 5.4.2	Adaptive management approach	80
Policy 5.4.3	Precautionary approach to adverse effects	81
Policy 5.4.4	Emission standards	81

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

Policy 5.4.5	Pest plants and animals	81
Policy 5.4.6	Offsetting for indigenous biological diversity	82
Policy 5.4.6A	Biological Diversity Compensation	83
Policy 5.4.7	Offsetting for air quality	83
Policy 5.4.8	Adverse effects from mineral and petroleum exploration, extraction and processing	84
Policy 5.4.9	Activities in the Coastal Marine Area	85
Policy 5.4.10	Managing land use change in dry catchments	86



Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## **Objective 5.1 Public access to areas of value to the community is maintained or enhanced**

### **Issue:**

Public access to areas of value to the community is sometimes limited or inappropriate.

### **Policy 5.1.1 Public access**

Maintain or enhance public access to the natural environment, including to the coast, lakes, rivers and their margins and where possible areas of cultural or historic significance, unless restricting access is necessary for one or more of the following:

- a) Protecting public health and safety;
- b) Protecting the natural heritage and ecosystem values of sensitive natural areas or habitats;
- c) Protecting identified sites and values associated with historic heritage or cultural significance to Kāi Tahu;
- d) Ensuring a level of security consistent with the operational requirements of a lawfully established activity.

<b>Method 1:</b>	<b>Kāi Tahu Relationships</b> Method 1.2
<b>Method 2:</b>	<b>Regional, City and District Council Relationships</b> Method 2.1, Method 2.2
<b>Method 3:</b>	<b>Regional Plans</b> Method 3.1
<b>Method 4:</b>	<b>City and District Plans</b> Method 4.1.14, Method 4.2.9
<b>Method 8:</b>	<b>Funding</b> Method 8.1.1
<b>Method 9:</b>	<b>Advocacy and Facilitation</b> Method 9.2.2 e, 9.2.8 b.

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

**Principal Reasons and Explanation:**

Access to the natural environment and areas of cultural and historic significance is highly valued by residents and visitors.

The opportunities subdivision and development create to improve access to the natural environment or to limit access to more sensitive places should be utilised.

The ability to access the natural environment and areas of cultural and historic significance is highly valued by the community and contributes significantly to the tourism economy. The RMA identifies the maintenance or enhancement of public access to and along the coastal marine area, lakes, and rivers as a matter of national importance.

Improving access to the natural environment or sites of cultural and historic significance can contribute to recreational, cultural, spiritual and economic wellbeing and should be maintained or enhanced unless it would be detrimental to the protection of the values of these areas, or the health and safety of the community.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## **Objective 5.2 Historic heritage resources are recognised and contribute to the region's character and sense of identity**

### **Issue:**

Subdivision, use, and development may risk damage to Otago's rich historic heritage.

#### **Policy 5.2.1 Recognising historic heritage**

Recognise all the following elements as characteristic or important to Otago's historic heritage:

- a) Residential and commercial buildings;
- b) Māori cultural and historic heritage values;
- c) 19<sup>th</sup> and early 20<sup>th</sup> century pastoral sites;
- d) Early surveying, communications and transport, including roads, bridges and routes;
- e) Early industrial historic heritage, including mills and brickworks;
- f) Gold and other mining systems and settlements;
- g) Dredge and ship wrecks;
- h) Coastal historic heritage, particularly Kāi Tahu occupation sites and those associated with early European activity such as whaling;
- i) Memorials;
- j) Trees and vegetation.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

#### **Policy 5.2.2 Identifying historic heritage**

Identify historic heritage places and areas of regional or national significance, using the attributes in Schedule 5.

**Method 3: Regional Plans**  
Method 3.1.10

**Method 4: City and District Plans**  
Method 4.1.11

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.4

**Method 9: Advocacy and Facilitation**  
Method 9.1.3 e.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Policy 5.2.3 Managing historic heritage**

Protect and enhance places and areas of historic heritage, by all of the following:

- a) Recognising that some places or areas are known or may contain archaeological sites, wāhi tapu or wāhi taoka which could be of significant historic or cultural value;
- b) Applying these provisions immediately upon discovery of such previously unidentified archaeological sites or areas, wāhi tapu or wāhi taoka;
- c) Avoiding adverse effects on those values that contribute to the area or place being of regional or national significance;
- d) Minimising significant adverse effects on other values of areas and places of historic heritage;
- e) Remedying when adverse effects on other values cannot be avoided;
- f) Mitigating when adverse effects on other values cannot be avoided or remedied;
- g) Encouraging the integration of historic heritage values into new activities;
- h) Enabling adaptive reuse or upgrade of historic heritage places and areas where historic heritage values can be maintained.

**Method 1: Kāi Tahu Relationships**  
Method 1.2

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.10

**Method 4: City and District Plans**  
Method 4.1.11, Method 4.2.3, Method 4.2.5

**Method 8: Funding**  
Method 8.1.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.5 b

**Principal Reasons and Explanation:**

In the RMA, protection of historic heritage from inappropriate activities is a matter of national importance.

Otago is a region rich in historic heritage which includes historic heritage places and areas that are recognised as nationally, regionally and locally important. Historic heritage resources make significant contributions to the regional identity and tourism economy.

The use of common criteria identifying historic heritage provides a more efficient and consistent approach across the region, while allowing local variation.

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

77

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## Objective 5.3 Sufficient land is managed and protected for economic production

### Issue:

Providing for economic production can create adverse effects. Existing economic activities are susceptible to reverse sensitivity effects, particularly when adjoining land use changes.

#### Policy 5.3.1 Rural activities

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

- a) Enabling primary production and other rural activities that support that production;
- b) Providing for mineral exploration, extraction and processing;
- c) Minimising the loss of significant soils;
- d) Restricting the establishment of incompatible activities in rural areas that are likely to lead to reverse sensitivity effects;
- e) Minimising the subdivision of productive rural land into smaller lots that may result in a loss of its productive capacity or productive efficiency;
- f) Providing for other activities that have a functional need to locate in rural areas.

**Method 4: City and District Plans**  
Method 4.1.6, Method 4.2.4

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 c, Method 5.2.1 d

**Method 7: Education and Information**  
Method 7.1.2 f

#### Policy 5.3.2 Distribution of commercial activities

Manage the distribution of commercial activities by:

- a) Enabling a wide variety of commercial, social and cultural activities in central business districts, and town and commercial centres;
- b) Enabling smaller commercial centres to service local community needs;
- c) Restricting commercial activities outside of a) and b) when such activities are likely to undermine the vibrancy and viability of those centres;
- d) Encouraging the adaptive reuse of existing buildings.

**Method 4: City and District Plans**  
Method 4.1

**Method 9: Advocacy and Facilitation**  
Method 9.1.5

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Policy 5.3.3 Industrial land**

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

- a) Providing specific areas to accommodate the effects of industrial activities;
- b) Providing a range of land suitable for different industrial activities, including land-extensive activities;
- c) Restricting the establishment of activities in industrial areas that are likely to result in:
  - i. Reverse sensitivity effects; or
  - ii. Inefficient use of industrial land or infrastructure.

**Method 4: City and District Plans**  
Method 4.1

**Policy 5.3.4 Mineral and petroleum exploration, extraction and processing**

Recognise the functional needs of mineral exploration, extraction and processing activities to locate where the resource exists.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 5.3.5 Tourism and outdoor recreation**

Recognise the social and economic value of some forms of outdoor recreation and tourism having access to, and being located within, outstanding natural features and landscapes.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Principal Reasons and Explanation:**

Some degree of spatial separation of incompatible activities and control over land use change is needed to ensure efficient use of land and continuing economic viability.

The use of land for productive activity underpins the economy of the region. Opportunities for economic growth and development need to be provided for by recognising and managing the effects of activities. Managing the efficient use of land may also require the management of other land use activities where significant historical investment or future productive potential may be adversely affected by competing or conflicting activities.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

## **Objective 5.4 Adverse effects of using and enjoying Otago's natural and physical resources are minimised**

### **Issue:**

Resource use can create adverse effects on other resources, their values and for other resource users and the wider community.

Ecosystems, significant areas of biological diversity and outstanding landscapes are under pressure from the direct effects of human activities, as well as indirect effects, including the spread of multiple pest species.

### **Policy 5.4.1 Offensive or objectionable discharges**

Manage offensive or objectionable discharges to land, water and air by:

- a) Avoiding significant adverse effects of those discharges;
- b) Avoiding significant adverse effects of discharges of human or animal waste directly, or in close proximity, to water or mahika kai sites;
- c) Avoiding, remedying or mitigating other adverse effects of those discharges.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1.5

**Method 7: Education and Information**  
Method 7.1.2

### **Policy 5.4.2 Adaptive management approach**

Apply an adaptive management approach, to avoid, remedy or mitigate actual and potential adverse effects that might arise and that can be remedied before they become irreversible, by both:

- a) Setting appropriate indicators for effective monitoring of those adverse effects; and
- b) Setting thresholds to trigger remedial action before the effects result in irreversible damage.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

**Policy 5.4.3 Precautionary approach to adverse effects**

Apply a precautionary approach to activities where adverse effects may be uncertain, not able to be determined, or poorly understood but are potentially significant or irreversible.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

**Policy 5.4.4 Emission standards**

Apply emission standards within airsheds, to achieve ambient air quality that supports good human health.

**Method 3: Regional Plans**  
Method 3.1.9

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 a

**Method 6: Non RMA Strategies and Plans**  
Method 6.2

**Policy 5.4.5 Pest plants and animals**

Control the adverse effects of pest species, prevent their introduction, reduce their spread and enable the removal and destruction of material for biosecurity purposes, to safeguard all of the following:

- a) The viability of indigenous species and habitats for indigenous species;
- b) Ecosystem services that support economic activities;
- c) Water quality and water quantity;
- d) Soil quality;
- e) Human and animal health;
- f) Recreation values;
- g) Landscapes, seascapes and natural character;
- h) Primary production.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

81



Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Method 6: Non RMA Strategies and Plans**  
Method 6.5, Method 6.6

**Method 7: Education and Information**  
Method 7.1.1 e

**Method 8: Funding**  
Method 8.1

**Method 9: Advocacy and Facilitation**  
Method 9.2.6

**Policy 5.4.6 Offsetting for indigenous biological diversity**

Consider indigenous biological diversity offsetting, when:

- a) Residual adverse effects of activities cannot be avoided, remedied or mitigated;
- b) The offset achieves no net loss and preferably a net gain in indigenous biological diversity;
- c) The offset ensures there is no loss of individuals of Threatened taxa other than kānuka (*Kunzea robusta* and *Kunzea serotina*), and no reasonably measurable loss within the ecological district to an At Risk-Declining taxon, other than mānuka (*Leptospermum scoparium*), under the New Zealand Threat Classification System ("NZTCS");
- d) The offset is undertaken where it will result in the best ecological outcome, preferably:
  - i. Close to the location of development; or
  - ii. Within the same ecological district or coastal marine biogeographic region;
- e) The offset is applied so that the ecological values being achieved are the same or similar to those being lost;
- f) The positive ecological outcomes of the offset last at least as long as the impact of the activity, preferably in perpetuity;
- g) The offset will achieve biological diversity outcomes beyond results that would have occurred if the offset was not proposed;
- h) The delay between the loss of biological diversity through the proposal and the gain or maturation of the offset's biological diversity outcomes is minimised.

**Method 3: Regional Plans**  
Method 3.1.15

**Method 4: City and District Plans**  
Method 4.1.20

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

#### Policy 5.4.6A Biological Diversity Compensation

Consider the use of biological diversity compensation:

- a) When:
  - i. Adverse effects of activities cannot be avoided, remedied, mitigated or offset; and
  - ii. The residual adverse effects will not result in
    - 1. The loss of an indigenous taxon (excluding freshwater fauna and flora) or of any ecosystem type from an ecological district or coastal marine biogeographic region;
    - 2. Removal or loss of viability of habitat of a threatened or at risk indigenous species of fauna or flora under the New Zealand Threat Classification System ("NZTCS");
    - 3. Removal or loss of viability of an originally rare or uncommon ecosystem type that is associated with indigenous vegetation or habitat of indigenous fauna;
    - 4. Worsening of the NZTCS conservation status of any threatened or at risk indigenous freshwater fauna.
- b) By applying the following criteria:
  - i. The compensation is proportionate to the adverse effect;
  - ii. The compensation is undertaken where it will result in the best practicable ecological outcome, preferably;
    - 1. Close to the location of development;
    - 2. Within the same ecological district or coastal marine biogeographic region;
  - iii. The compensation will achieve positive biological diversity outcomes that would not have occurred without that compensation;
  - iv. The positive ecological outcomes of the compensation last for at least as long as the adverse effects of the activity; and
  - v. The delay between the loss of biological diversity through the proposal and the gain or maturation of the compensation's biological diversity outcomes is minimised.

**Method 3: Regional Plans**  
Method 3.1

**Method 4: City and District Plans**  
Method 4.1

#### Policy 5.4.7 Offsetting for air quality

Provide for the offsetting of adverse effects of discharges to air on ambient air quality, only when all of the following are met:

- a) The ambient air quality of the relevant airshed breaches air quality standards for human health;
- b) Offsetting will reduce the cumulative effect of discharges to air in the relevant airshed by the same, or greater amount, than the proposed discharge;
- c) Offsetting improves access to reliable and affordable domestic heating in the relevant airshed.

Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment

**Method 3: Regional Plans**

Method 3.1

**Method 6: Non RMA Strategies and Plans**

Method 6.2

**Policy 5.4.8 Adverse effects from mineral and petroleum exploration, extraction and processing**

Manage adverse effects from the exploration, extraction and processing of minerals and petroleum, by:

- a) Giving preference to avoiding their location in all of the following:
  - i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna in the coastal environment;
  - ii. Outstanding natural character in the coastal environment;
  - iii. Outstanding natural features and natural landscapes, including seascapes, in the coastal environment;
  - iv. Areas of significant indigenous vegetation and significant habitats of indigenous fauna beyond the coastal environment;
  - v. Outstanding natural character in areas beyond the coastal environment;
  - vi. Outstanding natural features and landscapes beyond the coastal environment;
  - vii. Outstanding water bodies or wetlands;
  - viii. Places or areas containing historic heritage of regional or national significance;
  - ix. Areas subject to significant natural hazard risk;
- b) Where it is not practicable to avoid locating in the areas listed in a) above because of the functional needs of that activity:
  - i. Avoid adverse effects on the values that contribute to the significant or outstanding nature of a) i-iii;
  - ii. Avoid, remedy or mitigate, as necessary, adverse effects on values in order to maintain the outstanding or significant nature of a)iv-viii;
  - iii. Consider first biological diversity offsetting, and then biological diversity compensation, if adverse effects described in b)ii. on indigenous biological diversity cannot be practicably remedied or mitigated;
  - iv. Minimise any increase in natural hazard risk through mitigation measures;
  - v. Consider environmental compensation if adverse effects described in b) ii, other than on indigenous biological diversity, cannot practically be avoided, remedied or mitigated;
- ba) Avoid significant adverse effects on natural character in all other areas of the coastal environment;
- c) Avoiding adverse effects on the health and safety of the community;
- d) Avoiding, remedying, or mitigating adverse effects on other values including highly valued natural features, landscapes and seascapes in order to maintain their high values;
- e) Considering biological diversity offsetting or compensating for residual adverse effects on other values;
- f) Reducing unavoidable adverse effects by:
  - i. Staging development for longer term activities; and
  - ii. Progressively rehabilitating the site, where possible;

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

- g) Applying a precautionary approach (including adaptive management where appropriate) to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects.

Where there is a conflict, Policy 5.4.8 prevails over policies under Objective 3.2, (except for policy 3.2.12) Policy 4.3.1 and Policy 5.2.3.

**Method 3: Regional Plans**

Method 3.1

**Method 4: City and District Plans**

Method 4.1

**Policy 5.4.9 Activities in the Coastal Marine Area**

In the coastal marine area minimise adverse effects from activities by all of the following:

- a) Avoiding activities that do not have a functional need to locate in the coastal marine area;
- b) When an activity has a functional need to locate in the coastal marine area, giving preference to avoiding its location in:
  - i. Areas of significant indigenous vegetation and significant habitats of indigenous fauna;
  - ii. Outstanding natural features, landscapes and seascapes;
  - iii. Areas of outstanding natural character;
  - iv. Places or areas containing historic heritage of regional or national significance;
  - v. Areas subject to significant natural hazard risk;
- c) Where it is not practicable to avoid locating in the areas listed in b) above, because of the functional needs of that activity:
  - i. Avoid adverse effects on the values that contribute to the significant or outstanding nature of b)i.-iii;
  - ii. Avoid significant adverse effects on natural character in all other areas of the coastal environment;
  - iii. Avoid, remedy or mitigate adverse effects on values as necessary to preserve historic heritage of regional or national significance;
  - iv. Minimise any increase in natural hazard risk through mitigation measures;
  - v. Avoiding, remedying, or mitigating adverse effects on other values;
- d) Providing for the efficient use of space by requiring structures be made available for public or multiple use wherever reasonable and practicable;
- e) Applying a precautionary approach to assessing the effects of the activity, where there is scientific uncertainty, and potentially significant or irreversible adverse effects;

**Method 3: Regional Plans**

Method 3.1

*Part B: Chapter 5 People are able to use and enjoy Otago's natural and built environment*

**Policy 5.4.10 Managing land use change in dry catchments**

Manage land use change in dry catchments, to avoid any significant reduction in water yield, by:

- a) Controlling any extension of forestry activities within those catchments that would result in a significant reduction in water yield, including cumulative reductions; and
- b) Minimising the conversion of tall tussock grasslands to species which are less able to capture and hold precipitation.

**Method 2: Regional, City and District Council Relationships**  
Method 2.1, Method 2.2

**Method 3: Regional Plans**  
Method 3.1.16

**Method 5: Research, Monitoring and Reporting**  
Method 5.1.3 b

**Principal Reasons and Explanation:**

Any use of natural or physical resources has the potential to generate adverse effects. Resource use significantly contributes to the economic and wider wellbeing of communities. It is important to manage activities to avoid, remedy or mitigate individual or cumulative adverse effects on the quality of the natural environment. This requires the proactive management of natural resources, and can only be achieved through the integrated management of natural resources, and by giving due consideration to both managing adverse effects and maintaining and enhancing environmental values. Resource use can also have adverse effects on other uses or prevent the normal operation of existing uses.

Resource management decisions often involve balancing values or uses. Section 3.2 of this document identifies resources which are so significant that adverse effects on their values should be avoided. Some activities, such as mineral extraction or infrastructure development, may have to locate in areas with significant values. To provide for those activities, it is important to outline how their adverse effects should be managed.

*Part C: Implementation*

## **PART C Implementation**

### **Roles and Responsibilities**

Sections 62(1)(h) and (i) of the RMA requires the RPS identify the regional, city and district councils' responsibilities for the control of land use in regard to natural hazards, hazardous substances and the maintenance of indigenous biological diversity. These roles and responsibilities are provided for as follows:

#### **Regional council will:**

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

- a. The management of natural hazards in the beds of rivers, lakes and wetlands, and the coastal marine area;
- b. The management of hazardous substances to:
  - i. Avoid, remedy, or mitigate the actual or potential adverse effects of discharges of hazardous substances to water, land and air;
  - ii. Control the use, storage, disposal or transportation of hazardous substances in the beds of rivers, lakes and wetlands and the coastal marine area;
- c. The maintenance of indigenous biological diversity in the coastal marine area, in beds of rivers and lakes, and wetlands.

#### **City and district councils will:**

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

- a. The management of natural hazards outside of the beds of rivers, lakes and wetlands or the coastal marine area;
- b. Avoiding, remedying or mitigating the adverse effects of the storage, use, transport or disposal of hazardous substances on the environment outside of the beds of rivers, lakes and wetlands or the coastal marine area;
- c. The maintenance of indigenous biological diversity on all land outside of the coastal marine area and the beds of rivers, wetlands and lakes.

#### **Regional, city and district councils will:**

Share responsibility for specifying objectives, policies and methods for the purpose of the maintenance of indigenous biological diversity through the management of the margins of the coastal marine area, beds of rivers and lakes, and wetlands.

*Part C: Implementation*

## Methods

### **Method 1: Kāi Tahu Relationships**

- 1.1 Regional, city and district councils will develop processes to:
  - 1.1.1 Establish and maintain effective resource management relationships with Kāi Tahu based on a mutual obligation to act reasonably and in good faith;
  - 1.1.2 Take Iwi Management Plans into account;
  - 1.1.3 Consult Kāi Tahu at an early stage in resource management processes and implementation.
  - 1.1.4 Facilitate efficient and effective processes for applicants to consult Kāi Tahu on resource consent applications and private plan change requests.
  
- 1.2 Regional, city and district councils will collaborate with Kāi Tahu to:
  - 1.2.1 Identify and protect places, areas or landscapes of cultural, spiritual or traditional significance to them, in accordance with Policy 2.2.2, 3.1.11, 3.2.3 and Schedule 3;
  - 1.2.2 Identify and protect the values that contribute to their significance;
  - 1.2.3 Identify areas or values that may contribute to the importance of outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes;
  - 1.2.4 Determine appropriate naming for places of significance in Otago.
  - 1.2.5 Share information relevant to Kāi Tahu interests.
  
- 1.3 Regional, city and district councils will:
  - 1.3.1 Promote awareness and improve knowledge of tikaka and the principles of Te Tiriti o Waitangi among staff and stakeholders.
  - 1.3.2 Include statutory acknowledgement areas in district and regional plans.
  
- 1.4 Regional, city and district councils may:
  - 1.4.1 Delegate and transfer any one or more of their functions, powers or duties to an iwi authority in accordance with section 33 of the RMA and where this provides an effective service.

### **Method 2: Regional, City and District Council Relationships**

- 2.1 Regional, city and district councils together will:
  - 2.1.1 Share information on matters of common interest;
  - 2.1.2 Work together to ensure RMA plan provisions are complementary for overlapping or abutting responsibilities.
  - 2.1.3 Apply an integrated management approach to address the relationship between land use and both fresh and coastal water.
  - 2.1.4 Policy 4.5.1, by applying an integrated management approach to achieving air quality standards, including through advising district plan users on regional rules and building consent requirements.

*Part C: Implementation*

- 2.2 Regional, city and district councils may:
  - 2.2.1 Establish processes for working together on common resource management matters or cross boundary issues, such as:
    - a. Committees;
    - b. Working groups;
    - c. Project management;
    - d. Combined hearings;
  - 2.2.2 Prepare combined regional and district documents;
  - 2.2.3 Delegate or transfer any one or more of their functions, powers or duties from one local authority to another in accordance with section 33 of the RMA and where this provides an effective service;
  - 2.2.4 Establish management agreements with another statutory body;
  - 2.2.5 Establish protocols and processes for resolving cross boundary issues through the Local Government Act 2002 triennial agreement.
- 2.3 Regional council may, at the request of city or district councils:
  - 2.3.1 Make a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address natural hazard risk;
  - 2.3.2 Delegate the administration of that regional rule to the city or district council.

**Method 3: Regional Plans**

- 3.1 Regional Plans will set objectives, policies and methods to implement policies in the RPS as they relate to Regional Council areas of responsibility. All objectives and policies of the RPS must be considered and given effect to when preparing Regional Plans. Matters in the methods can also be taken into account when considering resource consent applications.

More specific direction is provided in the following areas.

Objectives, policies and methods to implement the following policies:

- 3.1.1 Policy 2.2.2: by including in regional plans encompassing wāhi tupuna sites:
  - a) provisions to recognise wāhi tupuna and to protect the values that contribute to wāhi tupuna being significant;
  - b) the location on plans of the wāhi tupuna to be protected and the values that contribute to their significance, using the guide in schedule 1C to assist;
- 3.1.2 Policy 2.1.2: by having regard to the Te Rūnunga o Ngāi Tahu, Hazardous Substances and New Organisms Policy Statement 2008 when developing objectives, policies and methods for the management of hazardous substances and new organisms;
- 3.1.3 Policies 3.1.1 to 3.1.5, and Policies 4.3.3, 4.4.1 and 4.4.3:
  - a. Manage land use and vegetation removal within the beds of lakes and rivers, wetlands, riparian areas, and in the coastal environment;
  - b. In appropriate circumstances, provide for activities that have a functional need to be located in the beds of rivers, lakes, wetlands, and their margins.



*Part C: Implementation*

- c. Manage change in river morphology;
  - d. Encourage restoration of water margins;
  - e. Managing noise in the coastal marine area;
  - f. Identify freshwater management units that include all freshwater bodies in Otago in accordance with the National Policy Statement for Freshwater Management 2014;
  - g. Maintain good water quality and improve it where it is degraded.
  - h. Provide for resource users, people and communities that rely on fresh water within environmental limits;
  - i. Set limits and targets to give effect to the National Policy Statement for Freshwater Management 2014;
- 3.1.4 Policies 3.1.7 and 3.2.18: by including provisions to manage adverse effects of land use on soil and protect significant soil.
- 3.1.5 Policy 4.3.1: by providing controls adjacent to infrastructure, where necessary to ensure the functional needs of infrastructure are not compromised.
- 3.1.7 Policies 3.2.11 and 3.2.12: by protecting surf breaks of national importance.
- 3.1.8 Policies 3.2.13 – 3.2.16: by protecting the values of wetlands and outstanding freshwater bodies.
- 3.1.9 Policy 3.1.6 and 5.4.4: by applying emission standards within airsheds to achieve ambient air quality that supports good human health;
- 3.1.11 Policy 4.6.5: by managing the effects of the use of contaminated land:
- a. On the quality of air, water or land;
  - b. In the coastal marine area, and the beds of rivers, lakes and other waterbodies;
- 3.1.12 Policy 4.6.8: by requiring waste disposal facilities to monitor, record and report on the quantity and composition of waste being deposited to landfill;
- 3.1.13 Policy 4.1.3: by using the criteria when undertaking natural hazard assessments;
- 3.1.14 Policy 3.1.2: by developing river management strategies, including:
- a. The management of riparian margins along rivers and lakes;
  - b. The management of bed alterations.
- 3.1.15 Policy 5.4.6: by providing for offsetting for indigenous biological diversity.
- 3.1.16 Policy 5.4.10: by including provisions managing land use change in dry catchments where this will impact on water yield.
- 3.1.17 Policy 5.4.5: by including provisions managing removal and disposal of material for biosecurity purposes.
- 3.2 Implementing Regional Plans:
- 3.2.1 Regional council will implement Policies 4.1.2 and 4.1.3 when undertaking natural hazard assessments;
- 3.3 Monitoring and reviewing Regional Plans:
- 3.3.1 Regional Council will monitor and review regional plans to give effect to their responsibilities under the RMA.

*Part C: Implementation*

**Method 4: City and District Plans**

4.1 City and district plans will set objectives, policies and methods to implement policies in the RPS as they relate to the City or District Council areas of responsibility. All objectives and policies of the RPS must be considered and given effect to when preparing city and district plans. Matters in the methods can also be taken into account when considering resource consent applications.

More specific direction is provided in the following areas.

Objectives, policies and methods to implement the following policies:

- 4.1.1 Policy 2.2.2 by:
  - a. including provisions to recognise the wahi tupuna and to protect the values that contribute to wahi tupuna being significant;
  - b. Identifying the location on plans of the wahi tapuna to be protected and the values that contribute to their significance, using the guide in Schedule 1C to assist.
- 4.1.2 Policies 4.1.1 to 4.1.11 by determining the appropriate level of regulatory response to natural hazard risk by:
  - a. Identifying areas subject to natural hazards in plans and/or natural hazard registers and databases;
  - b. Applying the plan principles to the management of natural hazards;
  - c. Considering the use of adaptive management techniques;
- 4.1.4 Policies 3.1.2, 3.1.9 and 3.2.2: by including provisions to:
  - a. Maintain or enhance ecosystems and biological diversity;
  - b. Protect significant indigenous vegetation and significant habitats of indigenous fauna;
  - c. Control the clearance or modification of indigenous vegetation and habitats of indigenous fauna;
- 4.1.5 Policies 3.1.7, 3.1.8 and 5.4.1: by including provisions to manage the discharge of dust, and silt and sediment associated with earthworks and land use;
- 4.1.6 Policies 3.1.7, 3.2.18, 4.5.1, and 5.3.1: by managing urban growth and development and the subdivision of land to protect significant soils
- 4.1.7 Policy 4.5.6: include subdivision and infrastructure design standards to recognise the access needs of different sections of the community, including the mobility impaired, the elderly and children;
- 4.1.8 Policy 3.2.12: by maintaining and where possible enhancing access to surf breaks of national importance;
- 4.1.9 Policy 4.6.2: including by managing the actual or potential adverse effects of the use or storage of hazardous substances, including on:
  - a. Other land use activities;
  - b. The health and safety of the community;
  - c. Groundwater , or community water supplies;
  - d. Amenity values, and community and takata whenua resources, cultural and spiritual values;
  - e. Other activities or environmental values as a result of location in hazard prone areas;

*Part C: Implementation*

- 4.1.10 Policy 4.6.8: by providing for and managing adverse effects associated with the establishment of waste management activities and facilities including but not limited to;
  - a. Providing for the development of facilities and services for the storage, recycling, recovery, treatment and disposal of waste so that adverse effects on health and safety are avoided and adverse effects on the environment are avoided, remedied or mitigated;
  - b. Minimising risk associated with natural hazard events; and
  - c. Restricting the location of activities that may result in reverse sensitivity effects.
- 4.1.11 Policy 5.2.2 and 5.2.3 by:
  - a. Including accidental discovery protocols as advice notes on consents for earthworks or other activities that may unearth archaeological features
  - b. Providing for activities that contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening;
  - c. Providing for the recording of information culturally sensitive to Kāi Tahu and the protection of culturally sensitive areas through the use of silent files, heritage alert layers or other methods satisfactory to them;
  - d. Identifying and protecting significant historic heritage resources located within the authority's district;
  - e. Including heritage alert layers in plans to inform the public about areas where there is a high probability of the presence of heritage values, particularly archaeological values.
- 4.1.12 Policy 2.2.4: by making allowance for native reserves to be used in the manner intended by the Crown at the time of their establishment, including Papakāika and marae related activities;
- 4.1.13 Policy 4.5.1 and 4.5.2 by:
  - a. Establishing urban growth boundaries where required to manage pressure for urban development;
  - b. Ensuring urban growth boundaries contain sufficient capacity, when measured district wide, to accommodate 20 years urban growth based on demographic growth projections;
- 4.1.14 Policy 5.1.1: by providing for the maintenance and enhancement of public access to the natural environment, including the coast, lakes, rivers and their margins, and where possible areas of cultural and historic significance.
- 4.1.15 Policy 3.1.2, 4.3.3, 4.4.1 and 4.4.3: by providing, in appropriate circumstances, for activities that have a functional need to be located in the beds of rivers, lakes, wetlands, and their margins.
- 4.1.16 Policy 4.3.1: by providing controls adjacent to infrastructure where necessary to ensure the functional needs of infrastructure are not compromised.
- 4.1.17 Policy 4.3.6: by:
  - a. Identifying National Grid transmission lines and corridors on planning maps for managing sensitive and non-sensitive activities and development that can compromise the Grid;

*Part C: Implementation*

- b. Providing controls to avoid reverse sensitivity effects on the National Grid;
    - c. Providing controls on activities as necessary to ensure that the functional needs of the National Grid are not compromised.
  - 4.1.18 Policies 4.3.2 and 4.3.5: by:
    - a. Identifying nationally or regionally significant infrastructure on planning maps, including corridors where appropriate;
    - b. Including provisions managing land use activities within or adjacent to this regionally or nationally significant infrastructure to address potential reverse sensitivity issues;
    - c. When considering provisions to manage activities within or adjacent to electricity infrastructure, having regard to NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992).
  - 4.1.19 Policy 4.4.5: by:
    - a. Where necessary, providing controls for buildings, structures and other activities adjacent to electricity infrastructure, to ensure the functional needs of that infrastructure are not compromised based on NZECP34:2001 Electrical Code of Practice for Electrical Safe Distances and the Electricity (Hazards from Trees) Regulations 2003 (prepared under the Electricity Act 1992);
    - b. Identifying significant electricity distribution infrastructure on planning maps;
    - c. Where necessary, providing controls on activities to ensure that the functional needs of the significant electricity distribution infrastructure are not compromised.
  - 4.1.20 Policies 4.3.6 and 5.4.6: by providing for offsetting for indigenous biological diversity.
  - 4.1.21 Policy 5.4.5: by including provisions managing removal and disposal of material for biosecurity purposes.
- 4.2 Implementing district plans.
 

City and District Councils will implement the following policies:

  - 4.2.1 Policies 4.1.2 and 4.1.3: when undertaking natural hazard assessments;
  - 4.2.2 Policies 3.1.11, 3.2.1, 3.2.3, 3.2.5 and 3.2.8: to assess the values of places of potential significance to inform the decision making process;
  - 4.2.3 Policy 5.2.3: by including accidental discovery protocols as advice notes on consents for earthworks or other activities that may unearth archaeological features;
  - 4.2.4 Policies 4.5.1, 4.5.2, and 5.3.1: by preparing or requiring structure plans for large scale land use changes, including subdivision;
  - 4.2.5 Policies 2.2.2 and 5.2.3: by ensuring methods for protecting culturally important sites are culturally appropriate;
  - 4.2.6 Policy 4.6.5 by managing adverse effects from the subdivision, development or use of contaminated land, in accordance with that policy and giving effect to the NES for Assessing and Managing Contaminants in Soil to Protect Human Health

*Part C: Implementation*

- 4.2.7 Policy 4.5.1: For high growth areas, as defined under the NPS Urban Development Capacity, by developing a future development strategy.

City and District Councils may implement the following policies by:

- 4.2.8 Policies 4.1.1 to 4.1.6, and 4.1.13:
- a. Requiring site specific investigation where there is limited information available on natural hazard or climate change risk or effects;
  - b. Requesting the regional council develop a regional rule for the purpose of extinguishing existing use rights under Section 10 of the RMA to address specific natural hazard risk;
- 4.2.9 Policy 5.1.1: by including conditions to maintain or enhance access to the natural environment or sites of cultural significance.
- 4.2.10 Policy 4.5.1: For medium growth areas, as defined under the NPS Urban Development Capacity, by developing a future development strategy.

- 4.3 Monitoring and reviewing city and district plans:

- 4.3.1 City and district councils will monitor and review district plans to give effect to their responsibilities under the RMA.

**Method 5 Research, Monitoring and Reporting**

- 5.1 Identification of important resources

- 5.1.1 Regional, city and district councils will:
- a. Work collaboratively to identify the landward extent of the coastal environment
- 5.1.3 Regional council will:
- a. Identify airsheds based on geographical and physical boundaries, for the management of air quality;
  - b. Identify dry catchments where rules are required by regional council to manage water quantity;
  - c. Identify significant soils;
  - d. Identify the spatial extent of the nationally important surf breaks.
- 5.1.4 Regional council will engage with Kāi Tahu to identify the cultural values of resources and requirements for customary uses.

- 5.2 Research

- 5.2.1 The regional council will:
- a. Undertake investigation for the identification of catchment values and the resources and processes those values depend on, including:
    - i. The interconnections between water bodies, including coastal water;
    - ii. The role of river and catchment morphology and natural functioning in supporting those values;
    - iii. The maintenance and enhancement of indigenous biological diversity and ecosystem health;
    - iv. Erosion risk mitigation;
    - v. Providing for the natural functioning of rivers and lakes;

*Part C: Implementation*

- b. Identify the values of the coast, and the processes and resources those values are dependent on;
  - c. Identify airsheds based on geographical and physical boundaries, for the management of air quality;
  - d. Investigate and provide guidance on:
    - i. The inventory and mapping of soil resources;
    - ii. The location and extent of significant soil;
    - iii. Identification of threats to the life-supporting capacity of soil resources;
  - e. Develop, maintain and monitor a register of sites of known or potentially contaminated land in Otago. Share information regarding Otago's soil resources and contaminated land with city and district councils;
  - f. Provide city and district councils with regional data on the quantity and composition of waste being deposited to landfill for waste assessments;
  - g. Undertake research in collaboration with local authorities and other stakeholders as appropriate, into natural hazards and climate change in Otago;
  - h. Supply city and district councils with information on natural hazards for:
    - i. The preparation of district plan reviews or changes;
    - ii. Inclusion in Land and Project Information Memoranda;
  - i. Collect and share information on erosion-prone land;
  - j. Collect and make available information on the expected effects of climate change.
  - k. Investigate land for the purpose of identifying contaminated or potentially contaminated sites.
- 5.2.2 Regional, city and district councils together will:
- a. Research and share information relevant to the effects of land use on water, including:
    - i. The values supported by the catchment;
    - ii. Riparian vegetation cover or any land cover that contributes to supporting freshwater values, such as tussock grasslands;
    - iii. Land use changes which might have significant effects on freshwater values;
    - iv. Areas particularly sensitive to land use changes, such as sensitive aquifers and water short catchments;
    - v. The effects of land use on erosion;
  - b. Research and share information relevant to the effects of land use on:
    - i. Coastal network infrastructure;
    - ii. Coastal values;
    - iii. Coastal hazards;
    - iv. Riparian vegetation cover or any land cover that contributes to supporting coastal values, or mitigating coastal hazards;
    - v. Areas particularly sensitive to land use changes.
- 5.2.3 City and district councils will:

*Part C: Implementation*

- a. Research demographic changes including the relationship between housing demand and population growth and residential capacity within existing urban areas.
  - b. When considering land use, development or subdivision by consent, share information with the regional council on any identified breaches to relevant regional rules, including:
    - i. Discharges to water, or to land, in circumstances which may result in contaminant entering water;
    - ii. Discharges to air;
    - iii. Discharges to land.
- 5.3 State of Environment reporting
- 5.3.1 Regional, city and district councils will:
- a. Carry out state of the environment reporting in accordance with s35 of the RMA.
- 5.4 RMA plan effectiveness reporting
- 5.4.1 Regional council will develop appropriate indicators and measures for the RPS within 12 months, report on the efficiency and effectiveness of the RPS based on those indicators and measures, and review those indicators and measures every five years.
- 5.4.2 Regional, city and district councils will:
- a. Include indicators for determining plan effectiveness in all plans developed under the RMA;
  - b. Report on the efficiency and effectiveness of plans based on those indicators.
- 5.5 Plan implementation reporting
- 5.5.1 Regional, city and district councils will:
- a. Monitor and report publicly on the achievement of regional and district plan objectives, policies and methods.

**Method 6 Non-RMA Strategies and Plans**

- 6.1 Natural hazard strategies
- 6.1.1 Regional, city and district councils may:
- a. Prepare strategies or other similar documents to assist in the management and reduction of natural hazard risk and adaptation to, and mitigation of, climate change;
  - b. Develop community relevant responses to the impacts of natural hazards and climate change, in collaboration with the relevant local authority, key stakeholders and affected community.

*Part C: Implementation*

6.2 Air strategy

6.2.1 Regional, city and district councils may develop and implement, in collaboration with other key stakeholders, a strategy for:

- a. The upgrading of housing stock and their thermal envelopment;
- b. The reduction of domestic emissions to air.

6.3 Regional Land Transport Plan

6.3.1 Regional council will set objectives, policies and activities to assist in the implementation of policy 4.4.6, 4.5.2, 4.3.1, 4.3.2, with a particular focus on:

- a. Enhancing road safety;
- b. Ensuring travel needs in Otago are met;
- c. Enabling increased freight efficiency;
- d. Managing Otago's public transport services;
- e. Ensuring transport networks are resilient, efficient and sustainably managed.

6.4 Regional Biological Diversity Strategy

6.4.1 The regional council will develop and implement, with other key stakeholders, a Biological Diversity Strategy.

6.5 Pest management strategy

6.5.1 The regional council will:

- a. Develop and implement a Pest Management Strategy for the control of pest species including those which:
  - i. Have adverse effects on the natural character of the coastal environment;
  - ii. Have adverse effects on significant indigenous biological diversity;
  - iii. Have significant adverse effects on indigenous biological diversity;
  - iv. Have adverse effects on outstanding natural features, landscapes, seascapes and highly valued natural features, landscapes and seascapes;
  - v. Have propensity for spread, including wilding trees;
- b. Have regard to indigenous biological diversity when preparing any Regional Pest Management Strategy and prioritising pest management activities, including:
  - i. Any areas of significant indigenous vegetation and significant habitats of indigenous fauna;
  - ii. Any local indigenous biological diversity strategies.

6.6 Pan-regional pest management strategy

6.6.1 The regional council may develop a pest management strategy with neighbouring regions.



*Part C: Implementation*

- 6.7 Urban stream plans
  - 6.7.1 District and city councils may develop and implement urban stream restoration plans, for the restoration of the natural character and natural functioning of urban streams.
  
- 6.8 Waste Management and Minimisation Plans
  - 6.8.1 City and District Councils will develop Waste Management and Minimisation Plans in accordance with the Waste Minimisation Act 2008 and any regional strategy.
  
- 6.9 Waste and hazardous substances:
  - 6.9.1 Regional, city and district councils may develop strategies or similar documents to:
    - a. Provide an integrated approach to waste management under the NZ Waste Strategy 2010, the RMA, the Waste Minimisation Act 2008; the Hazardous Substances and New Organisms Act 1996, the Climate Change Response Act 2002 and the Local Government Act 2002;
    - b. Provide an integrated approach to hazardous substances management under the RMA, the Hazardous Substances and New Organisms Act 1996, the Climate Change Response Act 2002 and the Local Government Act 2002.

**Method 7 Education and Information**

- 7.1 Providing public information
  - 7.1.1 Regional, district and city councils may provide information and guidance on:
    - a. The maintenance, restoration and enhancement of indigenous ecosystems and habitats;
    - b. Natural hazard risk responses;
    - c. Ways to adapt to and mitigate the effects of climate change;
    - d. The benefits of natural features and systems in mitigating natural hazards;
    - e. The control of pest species.
  - 7.1.2 Regional council will provide information and guidance on:
    - a. Natural hazards;
    - b. Rainfall and river flow;
    - c. Climate change;
    - d. Measures to mitigate erosion risks resulting from land uses;
    - e. Riparian margin management, especially on flooding and erosion risks;
    - f. Measures to maintain or enhance soil quality;
    - g. Discharge management, including on reducing domestic discharges to air;
    - h. The management of diffuse discharges to water;
    - i. The ecosystem services derived from indigenous biological diversity;
    - j. On the benefits of riparian margin management, especially on flooding and erosion risks.

*Part C: Implementation*

- 7.1.3 City and district councils will:
  - a. Provide available natural hazard information through the Land (LIM) and Property Information Memorandum (PIM) process;
  - b. Provide available information on known or potentially contaminated sites through the LIM and PIM process;
- 7.1.4 City and district councils may provide information and guidance on:
  - a. Crime prevention through environmental design and urban design principles to inform local development proposals;
  - b. Urban design techniques to respond to the different access requirements or needs of the community;
  - c. Design techniques to enable adaptive reuse of buildings;
  - d. Water conservation and the efficient domestic use of water;
  - e. Measures for increased energy efficiency and energy conservation;
  - f. Opportunities for the development of small-scale renewable electricity generation.
  - g. The projected demographic changes to local communities.
- 7.1.5 Regional, city and district councils will provide information and guidance on waste minimisation and management.
- 7.1.6 Regional Council may facilitate and support a regional response to hazardous substances collection, disposal and recycling services.

**Method 8: Funding**

- 8.1 Providing financial support
  - 8.1.1 Regional, city and district councils may:
    - a. Establish and administer funds to provide public access or services to sites of significance on privately owned land;
    - b. Fund community groups and projects with aims that complement RPS objectives and policies.

**Method 9: Advocacy and Facilitation**

- 9.1 Promotion
  - 9.1.1 Regional, city and district councils will work with stakeholders, including central government agencies and other interested parties, on resource management matters;
  - 9.1.2 Regional, city and district councils may advocate for:
    - a. Initiatives and proposals which support or complement the goals of the RMA, RPS and supporting documents;
    - b. Subdivision and building design that increases passive solar gain and uses higher levels of insulation in buildings to improve energy efficiency;
    - c. The implementation of the waste hierarchy throughout the region;
    - d. National guidance on managing natural hazards, and mitigating and adapting to climate change;

*Part C: Implementation*

- e. Legislative change to improve resilience and reduce the risk of natural hazards and climate change to individuals and communities;
  - f. The development of infrastructure and services to provide for hazardous substance collection, disposal and recycling services across the region;
  - g. The development, upgrade or maintenance of infrastructure, when it will enhance Otago's communities' well-being or health and safety;
- 9.1.3 Enhance individual and community resilience by encouraging activities and actions that:
- a. Promote interactions and partnerships within and between communities, businesses and organisations;
  - b. Support self-sufficiency;
  - c. Improve disaster readiness, response and recovery;
  - d. Enable opportunities for improvements to be made following a disaster event;
  - e. Contribute to the retention of historic heritage places, areas or landscapes, including maintenance and seismic strengthening;
  - f. Encourage an approach to resource management that assists in reducing individual and community natural hazard risk and in reducing the effects of climate change.
- 9.1.4 Regional, city and district councils may promote:
- a. Subdivision and urban development that responds to and anticipates the changing demographic needs of the local community;
  - b. The development and adoption of best practice guidelines for the use and management of hazardous substances, and a reduction in hazardous substance use.
- 9.1.5 City and district councils will:
- a. Promote the integration of new development with existing areas through the use of elements that reflect local character;
  - b. Encourage the adaptive reuse of buildings;
  - c. Ensure consideration of orientation and design for solar gain in subdivision and building design;
  - d. Advocate for the establishment of solid waste management and disposal facilities.
- 9.2 Facilitation
- 9.2.1 Regional, city and district councils may facilitate the restoration of natural wetlands or construction of artificial wetlands, particularly when it contributes to the:
- a. Management of diffuse discharges to water;
  - b. Protection or restoration of indigenous species;
  - c. Mitigation of natural hazards;
  - d. Restoration of the natural character of wetlands.
- 9.2.2 Regional, city and district councils may facilitate the restoration or enhancement of riparian margins, particularly when they:

*Part C: Implementation*

- a. Improve the health and resilience of ecosystems supporting indigenous biological diversity;
  - b. Restore or rehabilitate indigenous biological diversity and natural character;
  - c. Encourage the natural regeneration of habitats, including habitats for indigenous species.
  - d. Contribute to a safe network of active transport infrastructure;
  - e. Improve access to rivers, lakes, wetlands and their margins;
  - f. Mitigate risks of erosion.
- 9.2.3 Regional, city and district councils may facilitate initiatives that support:
- a. Community-based development of strategies and plans to maximise community, ecosystem and natural resource resilience at a scale sufficient for those natural and physical resources;
  - b. The conservation of indigenous vegetation;
  - c. Conservation of biological diversity;
  - d. Maintenance or enhancement of coastal values, including restoration or rehabilitation of the natural character;
  - e. The protection or restoration of the significant values of wetlands;
  - f. Co-ordination of the services provided by operators of lifeline utilities, essential and emergency services across and beyond Otago;
  - g. Energy conservation and efficiency, at a community or individual scale;
  - h. Small scale renewable electricity generation;
- 9.2.4 Regional, city and district councils may facilitate coordination between lifeline utilities for emergency management, including by:
- a. Recognising the interconnections between lifeline utilities;
  - b. Encouraging any development or upgrade of infrastructure which would resolve potential weaknesses in emergency management.
- 9.2.5 Regional council will facilitate the restoration, rehabilitation or creation of freshwater and coastal habitats, particularly when it:
- a. Encourages the natural regeneration of indigenous species;
  - b. Buffers or links ecosystems, habitats and areas of significance that contribute to ecological corridors;
  - c. Maintains or enhances the provision of indigenous ecosystem services.
- 9.2.6 Regional council will facilitate the control of pest species, including wilding pines, particularly when it contributes to the protection or restoration of:
- a. Outstanding or highly valued landscapes;
  - b. Indigenous species.
- 9.2.7 Regional council will facilitate the establishment of:
- a. Water management groups that co-ordinate the exercise of water-related consents;
  - b. Water allocation committees for the management of water allocation in case of drought.

*Part C: Implementation*

- 9.2.8 Regional, city and district councils may facilitate:
- a. The planning for community infrastructure, when it would increase the efficiency of water use;
  - b. Negotiations with landowners for public or Kāi Tahu access to sites of significance that do not have suitable access.

Part C: Implementation

## Monitoring Procedures and Anticipated Environmental Results

### Monitoring Procedures

This section describes the procedures that will be used to monitor the efficiency and effectiveness of PRPS provisions, as required by the section 62(1)(j) of the RMA.

Within 12 months of the PRPS becoming operative, the Regional Council will develop specific indicators and measures to monitor the RPS against its anticipated environmental results.

The Regional Council will report on the efficiency and effectiveness of the PRPS based on those indicators and measures, and review those indicators and measures every five years. This work will be in accordance with Section 35 of the RMA, and integrated with the other significant monitoring work that the ORC carries out, such as state of the environment reporting and compliance with resource consents.

These procedures are set out in Method 5 Research, Monitoring and Reporting.

The following section identifies environmental results anticipated from implementing the policies and methods of the PRPS.

### Anticipated Environmental Results

#### 1. Resource management in Otago is integrated

##### Objective 1.1

Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities

##### AER 1.1

The economic, social, and cultural wellbeing of Otago's people and communities is enabled through sustainable use, development and protection of natural and physical resources

##### Objective 1.2

Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago

##### AER 1.2

Natural and physical resources are managed in an integrated way

#### 2. Kāi Tahu values and interests are recognised and kaitiakitaka is expressed.

##### Objective 2.1

The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions

##### AER 2.1

Te Tiriti o Waitangi principles are adhered to

*Part C: Implementation*

**Objective 2.2**

Kāi Tahu values, interests and customary resources are recognised and provided for

**AER 2.2**

Kāi Tahu values and culture are respected and able to be expressed

**3. Otago has high quality natural resources and ecosystems**

**Objective 3.1**

The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded

**AER 3.1**

Water bodies support healthy ecosystems, are safe for swimming, and maintain their natural form and character

**AER 3.2**

The quality of coastal environment is maintained or enhanced

**AER 3.3**

The quality of soils is maintained or enhanced

**AER 3.4**

The health and diversity of ecosystems is maintained or enhanced

**AER 3.5**

Ambient air quality is maintained or enhanced

**Objective 3.2**

Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded

**AER 3.6**

The extent of, and values of, significant and highly valued natural resources and are protected or enhanced

**4. Communities in Otago are resilient, safe and healthy**

**Objective 4.1**

Risk that natural hazards pose to Otago's communities are minimised

**AER 4.1**

The location and design of new developments and natural resource uses reduce community exposure to the adverse effects of multiple, large, and diverse shock events and processes.

**Objective 4.2**

Otago's communities are prepared for and able to adapt to the effects of climate change

**AER 4.2**

The impact on life, property, lifeline utilities, and essential services from climate change is reduced

**Objective 4.3**

Infrastructure is managed and developed in a sustainable way

**AER 4.3**

Infrastructure is safe, and efficient and the adverse effects of infrastructure on outstanding and highly-valued natural and physical resource values are avoided, remedied or mitigated.

*Part C: Implementation*

**Objective 4.4**

Energy supplies to Otago's communities are secure and sustainable

**Objective 4.5**

Urban growth and development is well designed, reflects local character and integrates effectively with adjoining urban and rural environments

**Objective 4.6**

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

**AER 4.4**

The use of local renewable energy sources increases and reliance on fossil fuels decreases

**AER 4.5**

Urban areas are compact, maximise the use of existing services and infrastructure and are able to adapt to evolving standards and to the changing requirements of its inhabitants and surrounding natural and physical environment

**AER 4.6**

Hazardous substances, contaminants and waste materials are not harmful to the environment, people and communities.

**AER 4.7**

The waste hierarchy is implemented, resulting in less waste requiring disposal and a reduction of the environmental effects generated from waste.

**5. People are able to use and enjoy Otago's natural and built environment**

**Objective 5.1**

Public access to areas of value to the community is maintained or enhanced

**Objective 5.2**

Historic heritage resources are recognised and contribute to the region's character and sense of identity

**Objective 5.3**

Sufficient land is managed and protected for economic production

**Objective 5.4**

Adverse effects of using and enjoying Otago's natural and physical resources are minimised

**AER 5.1**

The coast, lakes and rivers can be accessed by the public

**AER 5.2**

Significant historic heritage is identified, protected, and integrated into current and future uses

**AER 5.3**

The effects of land management do not preclude future economic uses of land

**AER 5.4**

The number and severity of environmental issues is reduced



*Part D: Schedules and Appendices*

## **PART D Schedules and Appendices**

### **Schedule 1 Kāi Tahu values & interests**

The following Kāi Tahu values and interests must be considered in planning and consenting decisions. Some interests are specific to particular papatipu rūnaka, and others are more generally applicable.

#### **Schedule 1A Kāi Tahu values**

This schedule is a guide to assist in identifying Kāi Tahu values. It is not a complete list of all values Kāi Tahu have.

Kāi Tahu do not see their existence as separate from Te Ao Tūroa, the natural world, but as an integral part of it. Through whakapapa, genealogy, all people and life forms descend from a common source. Whakapapa binds Kāi Tahu to the mountains, forests and waters and the life supported by them, and this is reflected in traditional attitudes towards the natural world and resource management.

Whakawhanaukataka, the process of maintaining relationships, embraces whakapapa, through the relationship between people, and between people and the environment. The nature of these relationships defines people's rights and responsibilities in relation to the use and management of resources in.

All things have the qualities of wairua, spiritual dimension, and mauri, life force or life supporting capacity, and have a genealogical relationship with each other.

Mauri provides the common centre between the natural resources, taoka, the people or guardians who care for the taoka, the kaitiaki, and the management framework, tikaka, of how taoka are to be managed by the kaitiaki. It is through kawa, protocol, that the relationship between taoka, tikaka and kaitiakitaka is realised.

Each papatipu rūnaka has its own takiwā determined by natural boundaries such as headlands, mountain ranges and rivers, see Schedule 1B. This political and operational authority over an area is undertaken by takata whenua and encompasses kaitiakitaka and rakatirataka. An integral element of the concepts of kaitiakitaka and rakatirataka is the recognition that Kāi Tahu have their own traditional means of managing and maintaining resources and the environment. This system of rights and responsibilities is inherited from previous generations and has evolved over time.

The resources in any given area are a point of prestige for the people who reside there and are a statement of identity. Traditionally, the abundance or lack of resources directly determines the welfare of every tribal group, and so affects their mana.

#### **Ki Uta Ki Tai**

Ki uta ki tai is a Kāi Tahu term that has become synonymous with the way Kāi Tahu think about natural resource management. Ki uta ki tai, from the mountains to the sea, is the concept used to describe holistic natural resource management.

*Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021*

106

*Part D: Schedules and Appendices*

Ki uta ki tai is the Kāi Tahu way of understanding the natural environment, including how it functions, how people relate to it and how it can be looked after appropriately.

**Rakatirataka**

Rakatirataka is about having the mana or authority to give effect to Kāi Tahu culture and traditions in the management of the natural world. Recognition of the relationship of Kāi Tahu and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka are embedded in the RMA and the Treaty.

**Kaitiakitaka**

Kaitiakitaka means the exercise of guardianship by Kāi Tahu of an area in accordance with tikaka Māori in relation to natural and physical resources and includes the ethic of stewardship. This statutory definition of kaitiakitaka is, however, a starting point only for Kāi Tahu, as kaitiakitaka is a much wider cultural concept than guardianship. Kaitiakitaka entails the active protection and responsibility for natural and physical resources by Kāi Tahu.

Kaitiakitaka is fundamental to the relationship between Kāi Tahu and the environment. The objectives of kaitiakitaka are to protect the life supporting capacity of the environment and to pass the environment on to future generations in an enhanced state. For Kāi Tahu, kaitiakitaka is not passive custodianship, nor is it simply the exercise of traditional property rights, but it entails an active exercise of responsibility in a manner beneficial to the resource.

**Tikaka**

Tikaka Māori encompasses the beliefs, values, practices and procedures that guide appropriate codes of conduct, or ways of behaving. In the context of natural resource management, observing tikaka is part of the ethic and exercise of kaitiakitaka. It is underpinned by a body of Mātauraka Māori, Māori knowledge, and is based on a general understanding that people belong to the land and have a responsibility to care for and manage the land. It incorporates forms of social control to manage the relationship of people and the environment, including concepts such as tapu, noa and rāhui.

Tikaka is based on traditional practices, but is dynamic and continues to evolve in response to different situations.

**Taoka**

All natural resources, air, land, water, and indigenous biological diversity, are taoka. Taoka are treasured resources that are highly valued by Kāi Tahu, derived from the atua, gods, and left by the tūpuna, ancestors, to provide and sustain life. In the management of natural resources, it is important that the habitats and wider needs of taoka species are sustainably managed and enhanced.

**Mahika Kai**

Mahika kai is one of the cornerstones of Kāi Tahu cultural identity. Mahika kai is a term that literally means "food workings" and refers to the customary gathering of food and natural materials and the

*Part D: Schedules and Appendices*

places where those resources are gathered or produced. The term also embodies the traditions, customs and collection methods, and the gathering of natural resources for cultural use, including raraka, weaving, and rokoā, traditional medicines. Maintaining mahika kai sites, gathering resources, and continuing to practice the tikaka that governs each resource, is an important means of passing on cultural values and mātauraka Māori, traditional knowledge, to the next generation.

Part D: Schedules and Appendices

## Schedule 1B Interests specific to particular papatipu rūnaka

This schedule is a guide to assist in identifying Kāi Tahu interests. It is not a complete list of all interests Kāi Tahu have.

### Te Rūnanga o Moeraki

The takiwā of Te Rūnanga o Moeraki is centred on Moeraki and extends from the Waitaki River to the Waihemo, Shag, River and inland to the Main Divide. The coastal interests of Te Rūnanga o Moeraki are concentrated in the Moeraki Peninsula area and surrounds, including Te Raka-a-Hine-atea Pā, Koekohe, Hampden Beach, and Te Kai Hinaki, the Boulders Beach, with its boulders.



Te Rūnanga o Moeraki Marae, Moeraki

### Kāti Huirapa Rūnaka ki Puketeraki

The takiwā of Kāti Huirapa Rūnaka ki Puketeraki centres on Karitāne and extends from the Waihemo, Shag, River to Purehurehu, Heyward Point, and includes an interest in Ōtepoti and the greater harbour of Ōtākou. The takiwā extends inland to the Main Divide sharing an interest in the lakes and mountains to Wakatipu Waitai with rūnaka to the south. The kaimoana resources of the coast from Karitāne to Okahau/Blueskin Bay and Pūrākaunui, and the kai awa of the Waikouaiti River and estuary are treasured and well-utilised mahika kai for Kāti Huirapa Rūnaka ki Puketeraki.



Puketeraki Marae

*Part D: Schedules and Appendices*

**Te Rūnanga o Ōtākou**

The takiwā of Te Rūnanga o Ōtākou centres on Muaūpoko, Otago Peninsula, and extends from Purehurehu, Heyward Point, to Te Mata-Au, Clutha River, and inland, sharing an interest in the lakes and mountains to the western coast with rūnaka to the north and south. The Otago Harbour has a pivotal role in the well-being of Ōtākou people. The harbour is a source of identity, a bountiful provider of kaimoana, and it is the pathway to the fishing grounds beyond. Traditionally it was the mode for other hapū to visit, and in today's world it is the lifeline to the international trade that benefits the region. The ebb and flow of the harbour tides is a valued certainty in a world of change, a taoka to be treasured and protected for the benefit of current and future generations.



**Ōtākou Marae, Otago Peninsula**

**Hokonui Rūnanga**

The takiwā of Hokonui Rūnaka centres on the Hokonui region and includes a shared interest in the lakes and mountains between Whakatipu-Waitai and Tawhitarere with other Murihiku Rūnanga and those located from Waihemo southwards. Although Hokonui Rūnanga is based in Gore, their interests in the Otago area, especially South Otago, are significant. They hold this in common with other Otago Rūnaka through whakapapa, history and tradition.



**Hokonui Marae**

*Part D: Schedules and Appendices*

**Whānau Rōpū**

Moturata Taieri Whānau and Waikoau Ngāi Tahu Rūnaka, South Otago, are whānau rōpū that have an interest in the coastal area from the Catlins south to Bruces Rocks.

Whānau rōpū are located in areas that hold a strong tradition of Kāi Tahu presence close to the Papatipu lands reserved from the 1840s land sales. The whānau rōpū are associated with the Papatipu Rūnaka.

Part D: Schedules and Appendices

## Schedule 1C Wāhi tupuna

This schedule is a guide to assist in identifying wāhi tūpuna. It is not a complete list of all wāhi tūpuna in Otago.

Kāi Tahu use the term 'wāhi tūpuna' to describe landscapes that embody the customary and contemporary relationship of Kāi Tahu and their culture and traditions with Otago. It is important to understand this concept in the context of the distinctive seasonal lifestyle that Kāi Tahu evolved in the south. The sites and resources used by Kāi Tahu are spread throughout Otago. These places did not function in isolation from one another but were part of a wider cultural setting and pattern of seasonal resource use. The different elements of these sites of significance include:

Site of Significance	Explanation
Ara Tawhito	Ancient trails. A network of trails crossed the region linking the permanent villages with seasonal inland campsites and along the coast, providing access to a range of mahika kai resources and inland stone resources, including pounamu and silcrete.
Kāika	Permanent settlements or occupation sites. These occurred throughout Otago, particularly in coastal areas.
Nohoaka	These were a network of seasonal settlements. Kāi Tahu were based largely on the coast in permanent settlements, and ranged inland on a seasonal basis. Iwi history shows, through place names and whakapapa, continuous occupation of a network of seasonal settlements, which were distributed along the main river systems from the source lakes to the sea.
Wāhi Mahika kai	The places where the customary gathering of food or natural materials occurs. Mahika kai is one of the cornerstones of Kāi Tahu culture.
Mauka	Important mountains. Mountains are of great cultural importance to Kāi Tahu. Many are places of spiritual presence, and prominent peaks in the district are linked to Kāi Tahu creation stories, identity and mana.
Marae	The marae atea and the buildings around it, including the wharenuī, wharekai, church and urupā. The sheltering havens of Kāi Tahu cultural expression, a place to gather, kōrero and to welcome visitors. Marae are expressions of Kāi Tahu past and present.

*Part D: Schedules and Appendices*

Repo raupo	Wetlands or swamps. These provide valued habitat for taoka species and mahika kai resources.
Tauraka waka	Canoe mooring sites. These were important for transport and gathering kai.
Tūāhu	Places of importance to Māori identity. These are generally sacred ground and marked by an object, or a place used for purposes of divination.
Taumanu	Fishing sites. These are traditional fishing easements which have been gazetted by the South Island Māori Land Court.
Umu, Umu-tī	Earth ovens. Used for cooking tī-kōuka (cabbage tree), are found in a diversity of areas, including old stream banks and ancient river terraces, on low spurs or ridges, and in association with other features, such as kāika nohoaka.
Urupā	Human burial sites. These include historic burial sites associated with kāika, and contemporary sites, such as the urupā at Ōtākou and Puketeraki marae.
Wāhi kōhatu	Rock outcrops. Rocky outcrops provided excellent shelters and were intensively occupied by Māori from the moa-hunter period into early European settlement during seasonal hikoī. Tuhituhi neherā (rock art) may be present due to the occupation of such places by the tūpuna.
Wāhi pakaka	Battle sites. Historic battle sites occur throughout Otago, such as that at Ohinepouwera (Waikouaiti sandspit) where Taoka’s warriors camped for six months while they laid siege on Te Wera on the Huriawa Peninsula.
Wāhi paripari	Cliff areas.
Wāhi taoka	Resources, places and sites treasured by manawhenua. These valued places reflect the long history and association of Kāi Tahu with Otago.
Wāhi tapu	Places sacred to Kāi Tahu. These occur throughout Otago and include urupā (human burial sites).
Wāhi tohu	Features used as location markers within the landscape. Prominent landforms formed part of the network of trails along the coast and inland.



*Part D: Schedules and Appendices*

	These acted as fixed point locators in the landscape for travellers and are imbued with history.
Wai Māori	Freshwater areas important to Māori, including wai puna (springs), roto (lakes) and awa (rivers).

Part D: Schedules and Appendices

## Schedule 1D Māori land reserves

A Native Reserve is any property or site that is a:

- Native Reserve excluded from the Ōtākou Land Purchases (1844)
- Native Reserve excluded from the Kemps Land Purchases (1848)
- Reserve granted by the Native Land Court (1868)
- Half Caste Reserve (1881)
- Landless Native Reserve (1896)
- Other reserve (1890 and 1900)

A number of Māori reserves exist that were excluded from the land sales of the 1840s. These reserves are steeped in history and association and are places of belonging. Remaining reserves are located at Moeraki, Waikouaiti, Ōtākou, Onumia, Taieri Mouth, and Te Karoro, Kaka Point. Other categories of Māori land exist at Koputai, Port Chalmers, and Ōtepoti, Dunedin, where tauraka waka, landing sites, were recognised. In addition, land was held at Manuhaea, Lake Hawea, Aramoana, Clarendon, Taieri Mouth, Tautuku-Waikawa and Glenomaru amongst others. Landing reserves were allocated at Matainaka, Waikouaiti, and the former Lake Tatawai on the Taieri Plains.

The following table lists the reserves in Otago. Many of the sections within these Native Reserves now have the status of general land. While some of this general land is still in Māori ownership, many of the general titled sections have been sold to non-Māori or taken under various pieces of legislation such as the Public Works Act. Although these sections are no longer in whānau ownership, descendants of the original owners retain an ancestral relationship with these lands.

### Native Reserves located within the Otago region

Location	Comments	Reserve Type
Tautuku	Southern block of Tautuku sections  Northern sections are Reserved lands	South Island Landless Natives Act Native Reserve
Glenomaru	Located south of Kaka Point	South Island Landless Natives Act
Maranuku	Granted in 1844 as part of the Otakou Purchase. Originally called Te Karoro, split into two reserves	Native Reserve
Clarendon	Located inland from Taieri Mouth	Clarendon Half Caste Reserve
Taieri	Granted in 1844 as part of the Otakou Purchase Deed. Split into three reserves; A, B and C	Native Reserve

Otago Regional Council  
Partially Operative Otago Regional Policy Statement, 15 March 2021

115

*Part D: Schedules and Appendices*

Lake Tatawai	Located on the Taieri Plain, south of the Dunedin City Airport	Native Reserve
Lake Tatawai	Lake that is now drained	Landing Reserve
Otago Heads Native Reserve	Granted in 1844 as part of the Otakou Purchase Deed. Split into four reserves	Native Reserve
Port Chalmers	Granted in 1848 as part of the Otakou Purchase Deed. A further grant adjacent to the Reserve was made in approximately 1888	Native Reserve
Aramoana	This reserve resulted from the Purakaunui Half Caste grant	Half Caste Reserve
Purakaunui	Granted in 1848 as part of Kemp's Purchase Deed. Further allocations were made in 1868 at Wharauwerawera	Native Reserve
Brinns Point	Granted in the latter part of the nineteenth century	Half Caste Reserve
Karitane (Waikouaiti Native Reserve)	Granted in 1848 as part of Kemp's Purchase Deed	Native Reserve
Matainaka and Hawksbury Fishing Easement	Two fishing easements fall under this reserve, Matainaka, located at Hawksbury Lagoon at Waikouaiti and the Forks Reserve located inland from Karitane. The legal description for the latter reserve is Section 1N Town of Hawksbury	Fishing Easement
Hawksbury	Located north of Waikouaiti, in the vicinity of Goodwood	Hawksbury Half Caste Reserve
Moeraki	Granted in 1848 as part of Kemp's Purchase Deed. Further awards were made in 1868	Native Reserve
Kuri Bush	10 acre reserve of timber	Native Reserve
Kakanui	Granted in 1848 as part of Kemp's Purchase Deed. By 1853, this Reserve was noted as being abandoned and the 75 acre allocation was added	Native Reserve

*Part D: Schedules and Appendices*

	to the southern edge of the Moeraki Native Reserve.	
Korotuaheka	Located south of the Waitaki River mouth. Now Reserved as an urupa. It appears this originated as an occupational reserve and Fishing Easement	Partitioned in 1895. Possibly awarded as part of the 1868 awards.
Punaomaru	376 acre reserve located approximately 14 miles from the Waitaki River mouth on the south bank of the river	Native Reserve
Lake Hawea	Reserve of 100 acres situated in the western extremity of the middle arm of Lake Hawea near a Lagoon. Part of the Reserve was taken for power development in 1962 and the balance of the land was alienated by the Māori Trustee in 1970	Fishing Easement

Part D: Schedules and Appendices



Native reserves in Otago

*Part D: Schedules and Appendices*

**Applicable legislation:**

In 2019, all Māori land is governed by Te Ture Whenua Māori Act 1993. Some lands, such as those at Port Chalmers also fall under the Māori Reserve Land Act 1955.

**Explanatory notes:**

Since approximately the mid 1890's, ancillary claim blocks have been awarded for various reasons. Ancillary claim blocks are Māori freehold land granted under the South Island Landless Natives Act 1906 to those who were left landless when the original reserves were granted. There are a number located throughout Otago. The ownership lists for these blocks are incomplete and information for these blocks is not readily available. As ancillary claim blocks do not form part of the original reservations, they are not included in the RPS. Māori Reservations that have been created in recent times and fall outside the boundaries of the Native Reserves are not included, such as land at Arai te Uru Marae in Shetland Street, Wakari, Dunedin and Whare Koa, located in Oamaru.

PART D: Schedules

## Schedule 2 Statutory acknowledgement areas

Statutory acknowledgements are recorded in the Ngāi Tahu Claims Settlement Act 1998 for several water bodies, mountains and coastal features in the Otago Region.

These acknowledgements comprise a statement made by Te Rūnanga o Ngāi Tahu of the particular cultural, spiritual, historic and traditional association of Kāi Tahu with these areas.

Part 12 of the Ngāi Tahu Claims Settlement Act 1998 provides details of statutory acknowledgements, and the responsibilities relating to them. Section 208 of the NTSCA requires that local authorities have regard to these statutory acknowledgements in resource consent processing under Sections 95 of the RMA in deciding whether Te Rūnanga o Ngāi Tahu is a person who may be adversely affected by the granting of a resource consent for activities within, adjacent to or impacting directly on the statutory area.

The statutory acknowledgements provide a prototype for the approach to mapping wāhi tūpuna.

Statutory Acknowledgement areas	Ngāi Tahu Claims Settlement Act 1998 Schedule Number
Ka Moana Haehae (Lake Roxburgh)	22
Kakaunui River	23
Kuramea (Lake Catlins)	28
Lake Hawea	30
Lake Wanaka	36
Mata-Au (Clutha River)	40
Matakaea (Shag Point)	41
Pikirakatahi (Mount Earnslaw)	51
Pomahaka River	52
Te Tauraka Poti (Merton Tidal Arm)	60
Te Wairere (Lake Dunstan)	61
Tititea (Mount Aspiring)	62
Tokatā (The Nuggets)	64
Waiholā/Waipori Wetland	70
Whakatipu Wai Māori (Lake Wakatipu)	75
Te Tai O Arai Te Uru (Otago Coastal Marine Area)	103

PART D: Schedules

### **Schedule 3      Criteria for the identification of outstanding natural features, landscapes and seascapes, and highly valued natural features, landscapes and seascapes**

The identification of natural features, landscapes and seascapes will have regard to the following criteria:

1. Biophysical attributes
  - a. Natural science factors, including geological, topographical, ecological and dynamic components
  - b. The presence of water including in seas, lakes, rivers and streams
  - c. Vegetation (native and exotic)
2. Sensory attributes
  - a. Legibility or expressiveness—how obviously the feature or landscape demonstrates its formative processes
  - b. Aesthetic values including memorability and naturalness
  - c. Transient values including presence of wildlife or other values at certain times of the day or year
  - d. Wild or scenic values
3. Associative attributes
  - a. Whether the values are shared and recognised
  - b. Cultural and spiritual values for Kāi Tahu, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features
  - c. Historical and heritage associations



PART D: Schedules

## Schedule 4 Criteria for the identification of areas of significant indigenous vegetation and habitat of indigenous fauna

The identification of areas of significant indigenous vegetation and habitat of indigenous fauna are assessed against all of the following criteria. Areas will be considered significant where they meet one or more of the following criteria.

1. Representativeness An area that is an example of an indigenous vegetation type or habitat that is typical or characteristic of the natural diversity of the relevant ecological district or coastal marine biogeographic region. This may include degraded examples of their type or represent all that remains of indigenous vegetation and habitats of indigenous fauna in some areas.
2. Rarity An area that supports:
  - a. An indigenous species that is threatened, at risk, or uncommon, nationally or within an ecological district or coastal marine biogeographic region;
  - b. Indigenous vegetation or habitat of indigenous fauna that has been reduced to less than 20% of its former extent nationally, regionally or within a relevant land environment, ecological district, coastal marine biogeographic region or freshwater environment including wetlands;
  - c. Indigenous vegetation and habitats within originally rare ecosystems.
3. Diversity An area that supports a high diversity of indigenous ecosystem types, indigenous taxa or has changes in species composition reflecting the existence of diverse natural features or gradients.
4. Distinctiveness An area that supports or provides habitat for:
  - a. Indigenous species at their distributional limit within Otago or nationally;
  - b. Indigenous species that are endemic to the Otago region;
  - c. Indigenous vegetation or an association of indigenous species that is distinctive, of restricted occurrence, or has developed as a result of an unusual environmental factor or combinations of factors.
5. Ecological Context The relationship of the area with its surroundings, including:
  - a. An area that has important connectivity value allowing dispersal of indigenous vegetation and fauna between different areas;
  - b. An important buffering function that helps to protect the values of an adjacent area or feature;
  - c. An area that is important for indigenous fauna during some part of their life cycle, either regularly or on an irregular basis, e.g. for feeding, nesting, breeding, or refuges from predation.
6. Coastal Environment An area identified in accordance with Policy 11 of the NZCPS.

*PART D: Schedules*

This schedule applies to indigenous vegetation and habitat of indigenous fauna in the terrestrial, coastal and marine environments.

The Regional Council holds additional information to inform decision making on these criteria including the rationale for criteria and examples of areas representing these criteria.

PART D: Schedules

## **Schedule 5      Criteria for the identification of historic heritage values**

The identification of items, places and areas of historic heritage value will be based on but not limited to the following criteria:

- 
1.    The extent to which the item, place or area reflects important or representative aspects of Otago or New Zealand history.
- 
2.    The association of the item, place or area with events, persons, or ideas of importance in Otago or New Zealand history.
- 
3.    The potential of the item, place or area to provide knowledge of Otago or New Zealand history.
- 
4.    The importance of the item, place or area to tangata whenua.
- 
5.    The community association with, or public esteem for, the item, place or area.
- 
6.    The potential of the item, place or area for public education.
- 
7.    The technical accomplishment, value or design of the item, place or area.
- 
8.    The symbolic or commemorative value of the item, place or area.
- 
9.    The importance of identifying historic items, places or areas known to date from an early period of New Zealand settlement:
-

*PART D: Schedules*

---

10. The importance of identifying rare types of historic items, places or areas:

---

11. The extent to which the item, place, or area forms part of a wider historical and cultural item, place or area.

---

*PART D: Schedules*

### **Schedule 6:      Housing capacity**

This schedule will be amended in accordance with NPS Urban Development Capacity requirements.  
Refer to Policy 4.5.1(c) Providing for urban growth and development.

*Appendices*

## **Appendix 1: Te Tiriti o Waitangi**

Two versions of Te Tiriti o Waitangi, the Treaty of Waitangi, exist, an English version and a version in Te Reo. Under international law, where there is a conflict between the versions the Te Reo version should be given precedence.

The Te Reo version was signed by 512 Chiefs and the English text version was signed by 30 Chiefs. Both were signed on behalf of the Crown by William Hobson, Consul and Lieutenant Governor.

### **Te Reo version of the Treaty**

#### **Ko te tuatahi**

Ko nga Rangatira o te Wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua Wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu te Kawanatanga katoa o o ratou wenua.

#### **Ko te tuarua**

Ko te Kuini o Ingarani ka wakarite ka wakaee ki nga Rangatira ki nga Hapu ki nga tangata katoa o Nui Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era waahi wenua e pai ai te tangata nona te wenua ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

#### **Ko te tuatoru**

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani nga tangata māori katoa o Nui Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

### **A Literal English Translation of the Māori Text**

(NZ Court of Appeal, 29 June 1987, credited to Professor I H Kawharu)

#### **The First**

The Chiefs of the Confederation and all the chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.

#### **The Second**

The Queen of England agrees to protect the chiefs, subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the Chiefs of the Confederation and all the chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

*Appendices*

**The Third**

For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties of citizenship as the people of England.

**English version**

**Article The First**

The chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation cede to Her Majesty the Queen of England absolutely and without reservation all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess or may be supposed to exercise or to possess over their respective Territories as the sole sovereigns thereof.

**Article The Second**

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession: but the Chiefs of the United Tribes and the individual Chiefs yield to her Majesty the exclusive right of Pre-emption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

**Article The Third**

In consideration thereof Her Majesty the Queen of England extends to the Natives of New Zealand Her Royal protection and imparts to them all the rights and Privileges of British Subjects.

*Glossary*

## **Glossary**

If a word or phrase is not defined then the meaning should be taken to be the same as found in Section 2 of the RMA, or relevant National Policy Statement or National Environmental Standard. Terms not defined in either the glossary or the above documents should be interpreted in keeping with their common usage.

Where used in this regional policy statement, these terms have the following definitions.

<b>1990 mean sea level (Otago Datum)</b>	The fixed level for basing subsequent level measurements on, in this case Otago Metric Datum is the Dunedin Vertical Datum (DVD 1958) plus 100 metres.
<b>Ahi kā</b>	Continued occupation according to traditional law of Māori tenure “keeping the fires burning”.
<b>Ara Tawhito</b>	Ancient Trails.
<b>Atua</b>	God, supernatural being.
<b>Biodiversity Offsets</b>	Measurable conservation outcomes resulting from actions designed to compensate for residual adverse biodiversity impacts arising from project development after appropriate avoidance, minimisation, remediation and mitigation measures have been taken. The goal of biodiversity offsets is to achieve no net loss and preferably a net gain of biodiversity on the ground.
<b>Cascading hazards</b>	Where the occurrence of one natural hazard is likely to trigger another natural hazard event e.g. an earthquake triggering a landslide which dams a river causing flooding.
<b>Climate change</b>	A change of climate that is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and that is in addition to natural climate variability observed over comparable time periods.
<b>Coastal water</b>	Coastal water means seawater within the outer limits of the territorial sea and includes: <ul style="list-style-type: none"> <li>(a) Seawater with a substantial fresh water component; and</li> <li>(b) Seawater in estuaries, fiords, inlets, harbours, or embayments.</li> </ul>
<b>Contaminant</b>	Includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat:



*Glossary*

	(a) when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or
	(b) when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged
<b>Contaminated Land</b>	Means land that has a hazardous substance in or on it that: <ul style="list-style-type: none"> <li>(a) has significant adverse effects on the environment; or</li> <li>(b) is reasonably likely to have significant adverse effects on the environment</li> </ul>
<b>Crime prevention through environmental design</b>	A set of principles that can be applied to the design and development of buildings and other public areas. It seeks to use effective design to reduce the incidence and fear of crime.
<b>Cumulative effects</b>	In regard to assessing natural hazard consequence, cumulative effects include: <ul style="list-style-type: none"> <li>a) The repeat of the same type of event, or different types of events, on the same area and/or people; and</li> <li>b) The effects of an event on many areas and/or people.</li> </ul>
<b>Customary</b>	In accordance with custom or habitual practice; usual; habitual. Customs, or customary uses, may include those involving uninterrupted use and occupation. The word 'customary' in this policy statement is used in accordance with its dictionary definition, and is not limited to its legal definition.
<b>Ecosystem</b>	A system of interacting terrestrial or aquatic living organisms within their natural and physical environment.
<b>Ecosystem services</b>	Are the resources and processes the environment provides that people benefit from e.g. purification of water and air, pollination of plants and decomposition of waste.
<b>Electricity distribution infrastructure</b>	Lines and associated equipment used for the conveyance of electricity on lines other than the National Grid or electricity sub-transmission infrastructure.

*Glossary*

<b>Electricity sub-transmission Infrastructure</b>	Means electricity infrastructure which conveys electricity between the National Grid and renewable energy generation sources to zone substations and between zone substations.
<b>Electricity transmission infrastructure</b>	The National Grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.
<b>Emergency services</b>	Has the meaning set out in section 4 of the Civil Defence Emergency Management Act 2002.
<b>Endemic</b>	Species that are naturally restricted to within a certain area.
<b>Essential services</b>	Include hospitals and health services, schools, public transport and essential commercial activities for civil defence purposes.
<b>Exit strategy</b>	A means of leaving a current situation that is likely to become difficult, e.g. as a result of natural hazards or climate change e.g. managed retreat or relocating dwellings.
<b>Fresh water</b>	Fresh water means all water except coastal water and geothermal water.
<b>Functional needs</b>	The locational, operational, practical or technical needs of an activity, including development and upgrades.
<b>Future development strategy</b>	In accordance with the NPS Urban Development Capacity
<b>Hapū</b>	Sub-tribe, extended whānau.
<b>Hazardous substance</b>	Has the meaning set out in section 2 of the Hazardous Substances and New Organisms Act 1996, but including non-toxic environmentally damaging substances, medicines in dosage form, hazardous biological substances and radioactive substances.
<b>Highly valued natural features, landscapes and seascapes</b>	Highly valued natural features, landscapes and seascapes are those which have values that are of significance under Sections 6(a), 6(c), 7(c) and 7(f), but are not ‘outstanding natural features and landscapes’ under Section 6(b) of the RMA.
<b>Indigenous species</b>	A species or genetic variant found naturally in New Zealand, including migrant species visiting New Zealand on a regular or irregular basis.
<b>Infrastructure</b>	a) Pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy;

*Glossary*

- b) A network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001;
- c) A network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989;
- d) Facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—
  - i. uses them in connection with the generation of electricity for the person's use; and
  - ii. does not use them to generate any electricity for supply to any other person;
- e) A water supply distribution system, including a system for irrigation;
- f) A drainage or sewerage system;
- g) structures for transport on land by cycleways, rail, roads, walkways, or any other means;
- h) Facilities for the loading or unloading of cargo or passengers transported on land by any means;
- i) An airport as defined in section 2 of the Airport Authorities Act 1966;
- j) A navigation installation as defined in section 2 of the Civil Aviation Act 1990;
- k) Facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988;
- l) Anything described as a network utility operation in regulations made for the purposes of the definition of “network utility operator” in section 166 of the Resource Management Act 1991.

**Iwi** Tribe.

**Iwi authority** The authority which represents an iwi and which is recognised by that iwi as having the authority to do so. Te Rūnanga o Ngāi Tahu is the iwi authority in Otago.

**Kāi Tahu** The collective of individuals who descend from Kāi Tahu, Kāti Māmoe and Waitaha, and who have mana whenua in Otago.

Note: In the south of the South Island, the local Māori dialect uses a 'k' interchangeably with 'ng'. The preference is to use a 'k' so southern Māori are known as Kāi Tahu, rather than Ngāi Tahu. In this document, the “ng” is used for the iwi in general, and the “k” for southern Māori in particular.

*Glossary*

<b>Kāi Tahu ki Otago</b>	The four Papatipu Rūnaka and associated whānau and rōpū of the Otago Region.
<b>Kāika</b>	Settlement.
<b>Kaimoana</b>	Food obtained from the sea.
<b>Kaitiaki</b>	Guardian.
<b>Kaitiakitaka</b>	The exercise of customary custodianship, in a manner that incorporates spiritual matters, by Kāi Tahu who hold manawhenua status for particular area or resource.
<b>Ki Uta Ki Tai</b>	Mountains to the sea.
<b>Lifeline utilities</b>	Utilities provided by those entities listed in Schedule 1 of the Civil Defence Emergency Management Act, 2002.
<b>Mahika Kai</b>	The customary gathering of food and natural materials and the places where those resources are gathered.
<b>Mana Whenua</b>	Customary authority or rakatirataka exercised by an iwi or hapū in an identified area.
<b>Manawhenua</b>	Those who exercise customary authority or rakatirataka in an identified area.
<b>Marae</b>	The marae atea and the complex of buildings around it, including the wharenuī, wharekai, church and urupa.
<b>Marae atea</b>	Courtyard or meeting place in front of the wharenuī.
<b>Marae related activity</b>	Māori cultural activities and provision of services primarily aimed at the health and wellbeing of the Māori population, by or for Kāi Tahu, undertaken on a marae that has the approval of rūnaka, including: <ul style="list-style-type: none"> <li>a) Hui;</li> <li>b) Wānaka;</li> <li>c) Tangi;</li> <li>d) Overnight accommodation for visitors;</li> <li>e) Events and gatherings;</li> <li>f) Health services; and</li> <li>g) Cultural tourism.</li> </ul>
<b>Mauka</b>	Mountain.

*Glossary*

<b>Mauri</b>	Life supporting capacity. This definition, while not replicating the term ‘Mauri’, achieves the essence of this concept.
<b>Multiple hazards</b>	Where two or more unrelated natural hazard events may occur.
<b>Municipal infrastructure</b>	<p>Infrastructure for:</p> <ul style="list-style-type: none"> <li>a) Conveyance of untreated water from source to, and including, the point of its treatment to potable standard for an urban environment (see below), but excluding its distribution within that urban environment;</li> <li>b) Treatment of wastewater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment;</li> <li>c) Treatment of stormwater from a reticulated system in an urban environment (see below) and conveyance for its disposal, but excluding its pre-treatment collection within that urban environment.</li> </ul> <p>Urban Environment means:</p> <ul style="list-style-type: none"> <li>a) Dunedin, Queenstown, Oamaru and any other urban area within Otago that qualifies as an urban environment as defined by the National Policy Statement on Urban Development Capacity 2016.</li> <li>b) An area of land containing, or intended to contain, a concentrated settlement of 10,000 people or more and any associated business land, irrespective of local authority or statistical boundaries).</li> </ul>
<b>Native Reserve</b>	Any property or site that is a: Native Reserve excluded from the Ōtākou Land purchases (1844), Native Reserves excluded from the Kemps Land Purchases (1848), Reserves granted by the Native Land Court (1868), Half Caste Reserves (1881), Landless Native Reserve (1896), Other reserves (1890 and 1900).
<b>Natural hazard</b>	Includes any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.
<b>No net loss</b>	<p>In the context of biodiversity offsets, means no net loss with respect to:</p> <ul style="list-style-type: none"> <li>a) Species abundance, population structure, and composition (e.g. individual species or species groups)</li> </ul>

*Glossary*

	b) Habitat structure (e.g. vegetation tiers, vegetation pattern)
	c) Ecosystem function (e.g. nutrient cycling rates)
	d) People's use of and cultural values associated with biodiversity (e.g. particularly valued habitats or species).
<b>Nohoaka/Nohoanga</b>	Seasonal settlements.
<b>Originally rare</b>	In relation to terrestrial ecosystems, “originally” means the ecosystem type was present when Māori arrived, and still exists today. “Rare” means the total extent of each originally rare ecosystem type is less than 0.5 percent of New Zealand’s total area – that is, less than 134,000 hectares. A published list of originally rare terrestrial ecosystem types has been compiled by Landcare Research and is available from that organisation.
<b>Papakāika</b>	Traditional settlement or settlement on traditional land.
<b>Papatipu Rūnaka/Rūnanga</b>	Local manawhenua representative group or community system of representation.
<b>Pounamu</b>	Nephrite, greenstone, jade.
<b>Primary Production</b>	The use of land and auxiliary buildings for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products). Primary production does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals.
<b>Rāhui</b>	Restriction on access to a specific resource for a particular time.
<b>Rakātira</b>	Chief.
<b>Rakātirataka</b>	Chieftainship, decision-making rights.
<b>Renewable electricity generation</b>	The generation of electricity from solar, wind, hydro electricity, geothermal, biomass, tidal, wave, or ocean current energy sources.
<b>Residual risk</b>	The risk remaining after the implementation or undertaking of risk management measures.
<b>Resilient / Resilience</b>	The capacity and ability to withstand or recover quickly from difficult conditions.
<b>Reverse sensitivity</b>	The potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment or

*Glossary*

intensification of other activities which are sensitive to the established activity.

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

**Rohe** Boundary.

**Rōpū** Grouping.

**Significant electricity distribution infrastructure** Means electricity infrastructure which supplies:

- a) Essential public services (such as hospitals and lifeline facilities);
- b) Other regionally significant infrastructure or individual consumers requiring supply of 1MW or more;
- c) 700 or more consumers; or
- d) Communities that are isolated and which do not have an alternative supply in the event the line or cable is compromised and where the assets are difficult to replace in the event of failure.

**Statutory acknowledgement** An acknowledgement by the Crown of Ngāi Tahu’s special relationship with identifiable areas, namely Ngāi Tahu’s particular cultural, spiritual, historical, and traditional association with those areas (known as statutory areas).

**Surf break** A natural feature that is comprised of swell, currents, water levels, seabed morphology, and wind. The hydrodynamic character of the ocean (swell, currents and water levels) combines with seabed morphology and winds to give rise to a ‘surfable wave’. A surf break includes the ‘swell corridor’ through which the swell travels, and the morphology of the seabed of that wave corridor, through to the point where waves created by the swell dissipate and become non-surfable. ‘Swell corridor’ means the region offshore of a surf break where ocean swell travels and transforms to a ‘surfable wave’. ‘Surfable wave’ means a wave that can be caught and ridden by a surfer. Surfable waves have a wave breaking point that peels along the unbroken wave crest so that the surfer is propelled laterally along the wave crest.

**System** A set of discrete components interconnected and working together to function as a complex whole.

*Glossary*

<b>Takata whenua</b>	The iwi or hapū that holds mana whenua in a particular area.
<b>Takiwā</b>	Area, region, district.
<b>Te Ao Tūroa</b>	The natural environment.
<b>Te Tai o Arai Te Uru</b>	Otago Coastal Marine Area.
<b>Te Wai Pounamu</b>	The South Island.
<b>Tikaka</b>	Lore and custom, customary values and practices.
<b>Tino Rangatirataka</b>	Full chiefly authority.
<b>Tōpuni</b>	Named for the Tōpuni cloak worn by Ngāi Tahu raketira, Tōpuni in this sense provides a public symbol of Ngāi Tahu manawhenua and raketirataka over some of the most prominent landscape features and conservation areas in Te Wai Pounamu. Under the Ngāi Tahu Claims Settlement Act 1998 Tōpuni has been laid over 14 areas of public conservation land of significance to Ngāi Tahu.
<b>Tuhituhi neherā</b>	Rock art.
<b>Tūpuna/tīpuna</b>	Ancestor.
<b>Umu-tī</b>	Earth oven used for cooking tī.
<b>Urban growth boundary</b>	Boundary mapped in district plans to identify areas of existing urban development and where further urban development can take place over the next 10 years and beyond.
<b>Urupā</b>	Burial place.
<b>Wāhi Taoka</b>	Resources, places and sites treasured by Kāi Tahu.
<b>Wāhi Tapu</b>	Places sacred to Kāi Tahu.
<b>Wāhi Tūpuna</b>	Landscapes and places that embody the relationship of manawhenua and their culture and traditions with their ancestral lands, water, sites, wāhi tapu, and other taoka.
<b>Wairua</b>	Life principle, spirit.
<b>Waka</b>	Canoe.



*Glossary*

<b>Wānaka/Wānanga</b>	Customary learning method.
<b>Waste</b>	Has the meaning set out in section 5 of the Waste Minimisation Act 2008.
<b>Water body</b>	Fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.
<b>Wetland</b>	Wetland includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.  In this Regional Policy Statement, 'wetland' excludes any wetland constructed for the purpose of water quality management
<b>Whakapapa</b>	Genealogy.
<b>Whānau</b>	Family.
<b>Whānau Rōpū</b>	Whānau grouping.
<b>Whare Kai</b>	Dining hall.
<b>Wharenui</b>	Ancestral meeting house.
<b>Whenua</b>	Land.

*User Index*

## User Index

This index assists users of the Regional Policy Statement for Otago in identifying the most relevant objectives and policies that relate to a specific topic. Topics are presented in this index in alphabetical order. The index is a guide only and other policies may be relevant.

Chapter One 'Resource Management in Otago is Integrated' and Chapter Two 'Kāi Tahu Values and Interests are Recognised and Kaitiakitaka is Expressed' should be considered in every instance.

<b>AIR</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.6 Air quality	26
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	80
	Policy 5.4.1 Offensive or objectionable discharges	80
	Policy 5.4.4 Emission standards	81
	Policy 5.4.7 Offsetting for air quality	83
<b>BIOLOGICAL DIVERSITY</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.9 Ecosystems and indigenous biological diversity	27
	Policy 3.1.10 Biodiversity in the coastal environment	28
	Policy 3.1.12 Environmental enhancement	29
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded</b>	32
	Policy 3.2.1 Identifying significant indigenous vegetation and habitats	32
	Policy 3.2.2 Managing significant indigenous vegetation and habitats	32
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	80
	Policy 5.4.5 Pest plants and animals	81
	Policy 5.4.6 Offsetting for indigenous biological diversity	82
	Policy 5.4.6A Biological Diversity Compensation	83

*User Index*

<b>CLIMATE CHANGE</b>		<b>Page</b>
<b>Objective 4.1</b>	<b>Risks that natural hazards pose to Otago's communities are minimised</b>	45
	Policy 4.1.1 Identifying natural hazards	45
	Policy 4.1.2 Natural hazard likelihood	45
	Policy 4.1.6 Avoiding increased natural hazard risk	48
	Policy 4.1.8 Precautionary approach to natural hazard risk	49
	Policy 4.1.9 Protecting features and systems that provide hazard mitigation	49
<b>Objective 4.2</b>	<b>Otago's communities are prepared for and able to adapt to the effects of climate change</b>	53
	Policy 4.2.1 Sea level rise	53
	Policy 4.2.2 Climate change	53
<b>COASTAL ENVIRONMENT</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.5 Coastal water	25
	Policy 3.1.10 Biodiversity in the coastal environment	28
	Policy 3.1.11 Natural features, landscapes and seascapes	29
	Policy 3.1.12 Natural character in the coastal environment	29
	Policy 3.1.13 Environmental enhancement	30
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded</b>	32
	Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes	33
	Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes	34
	Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes	34
	Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes	35
	Policy 3.2.7 Landward extent of the coastal environment	35
	Policy 3.2.8 Identifying high and outstanding natural character in the coastal environment	36
	Policy 3.2.9 Managing the outstanding natural character of the coastal environment	36
	Policy 3.2.10 Managing the high natural character of the coastal environment	37
	Policy 3.2.11 Identifying surf breaks of national importance	38
	Policy 3.2.12 Managing surf breaks of national importance	38

*User Index*

<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	80
	Policy 5.4.5 Pest plants and animals	81
	Policy 5.4.9 Activities in the Coastal Marine Area	85
<b>DEVELOPMENT</b>		<b>Page</b>
<b>Objective 5.3</b>	<b>Sufficient land is managed and protected for economic production</b>	78
	Policy 5.3.1 Rural activities	78
	Policy 5.3.2 Distribution of commercial activities	78
	Policy 5.3.3 Industrial land	79
	Policy 5.3.5 Tourism and outdoor recreation	79
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	80
	Policy 5.4.1 Offensive or objectionable discharges	80
	Policy 5.4.2 Adaptive management approach	80
	Policy 5.4.3 Precautionary approach	81
	Policy 5.4.4 Emission standards	81
	Policy 5.4.5 Pest plants and animals	81
<b>ENERGY</b>		<b>Page</b>
<b>Objective 4.4</b>	<b>Energy supplies to Otago's communities are secure and sustainable</b>	60
	Policy 4.4.1 Renewable electricity generation	60
	Policy 4.4.2 Small and community scale renewable electricity generation	60
	Policy 4.4.3 Protecting existing renewable electricity generation	61
	Policy 4.4.4 Efficient transport of electricity	61
	Policy 4.4.5 Electricity distribution infrastructure	61
	Policy 4.4.6 Energy efficient transport	62
	Policy 4.4.7 Fuels	63
<b>FRESH WATER</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.1 Fresh water	23
	Policy 3.1.2 Beds of rivers, lakes, wetlands and their margins	24
	Policy 3.1.3 Water allocation and use	24
	Policy 3.1.4 Water shortage	25
	Policy 3.1.12 Environmental enhancement	29
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified, and protected or enhanced where degraded</b>	32
	Policy 3.2.13 Identifying outstanding freshwater bodies	38
	Policy 3.2.14 Managing outstanding freshwater bodies	39

*User Index*

Policy 3.2.15	Identifying the significant values of wetlands	39
Policy 3.2.16	Managing the values of wetlands	40
<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	80
Policy 5.4.1	Offensive or objectionable discharges	80
Policy 5.4.5	Pest plants and animals	81
<b>HISTORIC HERITAGE</b>		<b>Page</b>
<b>Objective 5.2</b>	<b>Historic heritage resources are recognised and contribute to the region's character and sense of identity</b>	76
Policy 5.2.1	Recognising historic heritage	76
Policy 5.2.2	Identifying historic heritage	76
Policy 5.2.3	Managing historic heritage	77
<b>INFRASTRUCTURE AND LIFELINE UTILITIES</b>		<b>Page</b>
<b>Objective 4.1</b>	<b>Risks that natural hazards pose to Otago's communities are minimised</b>	45
Policy 4.1.7	Reducing existing natural hazard risk	48
Policy 4.1.11	Hard protection structures	50
Policy 4.1.12	Lifeline utilities and facilities for essential or emergency services	51
Policy 4.1.13	Hazard mitigation measures, lifeline utilities, and essential and emergency services	51
<b>Objective 4.3</b>	<b>Infrastructure is managed and developed in a sustainable way</b>	55
Policy 4.3.1	Managing infrastructure activities	55
Policy 4.3.2	Nationally and regionally significant infrastructure	55
Policy 4.3.3	Functional needs of infrastructure that has national or regional significance	56
Policy 4.3.4	Adverse effects of nationally and regionally significant infrastructure	56
Policy 4.3.5	Protecting infrastructure with national or regional significance	57
Policy 4.3.6	The National Grid	58
<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>	64
Policy 4.5.2	Integrating infrastructure with land use	65
<b>INTEGRATED RESOURCE MANAGEMENT</b>		<b>Page</b>
<b>Objective 1.1</b>	<b>Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities</b>	11
Policy 1.1.1	Economic wellbeing	11

*User Index*

	Policy 1.1.2 Social and cultural wellbeing and health and safety	11
<b>Objective 1.2</b>	<b>Recognise and provide for the integrated management of natural and physical resources to support the wellbeing of people and communities in Otago</b>	13
	Policy 1.2.1 Integrated resource management	13
<b>KĀI TAHU</b>		<b>Page</b>
<b>Objective 1.1</b>	<b>Otago's resources are used sustainably to promote economic, social, and cultural wellbeing for its people and communities</b>	11
	Policy 1.1.2 Social and cultural wellbeing and health and safety	11
<b>Objective 2.1</b>	<b>The principles of Te Tiriti o Waitangi are taken into account in resource management processes and decisions</b>	16
	Policy 2.1.1 Treaty obligations	16
	Policy 2.1.2 Treaty principles	16
<b>Objective 2.2</b>	<b>Kāi Tahu values, interests and customary resources are recognised and provided for</b>	18
	Policy 2.2.1 Kāi Tahu wellbeing	18
	Policy 2.2.2 Recognising sites of cultural significance	18
	Policy 2.2.3 Wāhi tūpuna and associated sites	19
	Policy 2.2.4 Sustainable use of Māori land	19
<b>Objective 5.2</b>	<b>Historic heritage resources are recognised and contribute to the region's character and sense of identity</b>	76
	Policy 5.2.1 Recognising historic heritage	76
	Policy 5.2.2 Identifying historic heritage	76
	Policy 5.2.3 Managing historic heritage	77
<b>LAND AND SOIL</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.7 Soil values	26
	Policy 3.1.8 Soil erosion	27
<b>Objective 5.3</b>	<b>Sufficient land is managed and protected for economic production</b>	78
	Policy 5.3.1 Rural activities	78
	Policy 5.3.2 Distribution of commercial activities	78
	Policy 5.3.3 Industrial land	79
	Policy 5.3.5 Tourism and outdoor recreation	79

*User Index*

<b>Objective 5.4</b>	<b>Adverse effects of using and enjoying Otago's natural and physical resources are minimised</b>	80
	Policy 5.4.1 Offensive or objectionable discharges	80
	Policy 5.4.5 Pest plants and animals	81
	Policy 5.4.10 Managing land use change in dry catchments	86
<b>LANDSCAPES, SEASCAPES AND NATURAL FEATURES</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.11 Natural features, landscapes and seascapes	29
	Policy 3.1.12 Natural character in the coastal environment	29
<b>Objective 3.2</b>	<b>Otago's significant and highly-valued natural resources are identified and protected, or enhanced where degraded</b>	32
	Policy 3.2.3 Identifying outstanding natural features, landscapes and seascapes	33
	Policy 3.2.4 Managing outstanding natural features, landscapes and seascapes	34
	Policy 3.2.5 Identifying highly valued natural features, landscapes and seascapes	34
	Policy 3.2.6 Managing highly valued natural features, landscapes and seascapes	35
	Policy 3.2.17 Identifying significant soil	40
	Policy 3.2.18 Managing significant soil	40
<b>NATURAL HAZARDS</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
	Policy 3.1.13 Environmental enhancement	30
<b>Objective 4.1</b>	<b>Risks that natural hazards pose to Otago's communities are minimised</b>	45
	Policy 4.1.1 Identifying natural hazards	45
	Policy 4.1.2 Natural hazard likelihood	45
	Policy 4.1.3 Natural hazard consequence	46
	Policy 4.1.4 Assessing activities for natural hazard risk	46
	Policy 4.1.5 Natural hazard risk	47
	Policy 4.1.6 Minimising increase in natural hazard risk	48
	Policy 4.1.7 Reducing existing natural hazard risk	49
	Policy 4.1.8 Precautionary approach to natural hazard risk	50
	Policy 4.1.9 Protecting features and systems that provide hazard mitigation	50
	Policy 4.1.10 Mitigating natural hazards	50
	Policy 4.1.11 Hard protection structures	50

*User Index*

Policy 4.1.12	Lifeline utilities and facilities for essential or emergency services	51
Policy 4.1.13	Hazard mitigation measures, lifeline utilities, and essential and emergency services	51
<b>PUBLIC ACCESS</b>		<b>Page</b>
<b>Objective 3.1</b>	<b>The values (including intrinsic values) of ecosystems and natural resources are recognised and maintained, or enhanced where degraded</b>	23
Policy 3.1.13	Environmental enhancement	30
<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>	64
Policy 4.5.6	Designing for public access	67
<b>Objective 5.1</b>	<b>Public access to areas of value to the community is maintained or enhanced</b>	74
Policy 5.1.1	Public access	74
<b>URBAN DESIGN AND GROWTH</b>		<b>Page</b>
<b>Objective 4.5</b>	<b>Urban growth and development is well designed, occurs in a strategic and coordinated way, and integrates effectively with adjoining urban and rural environments</b>	64
Policy 4.5.1	Providing for urban growth and development	64
Policy 4.5.2	Integrating infrastructure with land use	65
Policy 4.5.3	Urban design	66
Policy 4.5.4	Low impact design	66
Policy 4.5.5	Warmer buildings	66
Policy 4.5.6	Designing for public access	67
<b>WASTE, CONTAMINATION AND HAZARDOUS SUBSTANCES</b>		<b>Page</b>
<b>Objective 4.6</b>	<b>Hazardous substances, contaminated land and waste materials do not harm human health or the quality of the environment in Otago</b>	68
Policy 4.6.1	Hazardous substances	68
Policy 4.6.2	Use, storage and disposal of hazardous substances	68
Policy 4.6.3	Hazardous substance collection, disposal and recycling	69
Policy 4.6.4	Identifying contaminated land	69
Policy 4.6.5	Managing contaminated land	69
Policy 4.6.6	Waste management	70
Policy 4.6.7	Waste minimisation responses	70
Policy 4.6.8	Waste storage, recycling, recovery, treatment and disposal	70
Policy 4.6.9	New contaminated land	71



#### 8.4. Local Government Funding Agency Membership Proposal

<b>Prepared for:</b>	Council
<b>Report No.</b>	CS2116
<b>Activity:</b>	Governance Report
<b>Author:</b>	Nick Donnelly, General Manager Corporate Services
<b>Endorsed by:</b>	Nick Donnelly, General Manager Corporate Services
<b>Date:</b>	18 February 2021

---

#### PURPOSE

- [1] To consider whether Council should join the Local Government Funding Agency (LGFA) and approve commencement of the process for that to occur.
- [2] The Audit and Risk Subcommittee discussed this subject at its meeting on 17 February 2021 and endorsed Council commencing the process of joining the LGFA. In order to prevent delays in the process as that recommendation flows through the Finance Committee and Council the Audit and Risk Subcommittee also resolved to present the paper directly to Council.

#### EXECUTIVE SUMMARY

- [3] Council currently has no external debt but does fund some activities with internal debt. This is primarily in flood and drainage and transport activities. This internal lending is provided from Council reserves.
- [4] Over recent years the level of internal debt has increased together with general reserves also being utilised to fund increasing levels of budgeted and unbudgeted expenditure.
- [5] This has resulted in Council's operating cashflow being almost fully exhausted prior to the latest annual rates strike in September 2020.
- [6] Cashflow forecasts for the 2020-21 financial year and Long-term Plan 2021-31 indicate working capital cashflow will be insufficient to fund expenditure through to the next rates strike in September 2021. Council could manage the short term cashflow deficit via a temporary overdraft facility as it did in 2020 (although the facility was not utilised).
- [7] Alternatively, in the future it is proposed to replace internal debt with externally debt. This will allow reserves to be replenished and realign their balances to the underlying position.
- [8] It is recommended Council join the LGFA and utilise them as Council's preferred funding source. A summary of the LGFA and the benefits of joining is attached.
- [9] Historically Council has used internal funding in preference to external debt. This is because, for a number of years, Council maintained cash reserves in excess of \$50M. The interest cost of providing internal debt has then been aligned to the cash returns

Council has received on financial investments (term deposits and the fixed interest portion of the managed fund). This has typically provided a funding cost lower than externally sourced debt.

- [10] Current debt funding costs are now significantly lower than historic levels, particularly through the LGFA, and there is now a benefit in utilising external debt rather than internal.
- [11] Staff are therefore recommending that Council initiates the process to join the LGFA.

## RECOMMENDATION

*That Council:*

- 1) **Receives** this report and the attached LGFA Presentation to the Audit and Risk Committee from Bancorp Treasury Services.
- 2) **Approves** staff to commence the process of joining the LGFA including preparing a statement of proposal, amending the Treasury Management Policy and preparing a consultation plan and documentation to undertake a special consultative process (SCP).
- 3) **Notes** that Bancorp Treasury Services will assist Council with this process.

## BACKGROUND

- [12] The Local Government Funding Agency (LGFA) is a Council Controlled Trading Organisation (CCTO). It has around 70 member Councils and has provided around \$13B of loans.
- [13] The process to join the LGFA includes:
- Undertaking community consultation via an SCP to get approval to apply to join.
  - Development of a statement of proposal in relation to membership as part of the consultation.
  - Amendments to key supporting policies (Council's Treasury Management Policy) to allow Council to hold a CCTO's borrower notes; and
  - Establishing a debenture trust deed and appointments of a Trustees and a Registry (or paying agent).
  - Completion of accession documents and certificates.
- [14] The process is expected take approximately four months to complete and will cost around \$30,000. There will also be ongoing annual costs of maintaining membership of the LGFA.
- [15] Council currently retains Bancorp Treasury Services as an independent financial advisor, and they will assist Council with the process of joining the LGFA. Bancorp has advised a number of Councils who have joined the LGFA in recent years.
- [16] Specific services Bancorp will provide include:
- Statement of proposal.
  - Amended Treasury Management Policy.
  - Debt structuring advice.
- [17] An external legal advisor will also be engaged to provide:

- Establishment of the Debenture Trust Deed.
- LGFA accession.

## **DISCUSSION**

[18] At this stage the Audit and Risk Subcommittee is only being asked to approve staff commencing the process of joining the LGFA.

[19] As this process progresses, further decisions will be required from Council:

- To join the LGFA (or not).
- Whether to join as a guaranteeing or non-guaranteeing member.
  - Note, if borrowing is greater than \$20M the borrower must be a guaranteeing member.
- The amount to borrow and debt structure.
  - Note internal debt is currently in excess of \$25M.
- Approval of documents to allow consultation with the community including:
  - The statement of proposal.
  - The Treasury Management Policy.

These decisions will be brought to future Council meetings.

## **OPTIONS**

[20] At this stage the options are to proceed and initiate the process of joining the LGFA or not.

[21] If the Subcommittee chooses not to proceed with joining the LGFA, some form of external debt will still be required from another external funding source.

[22] The attached paper outlines the benefits of funding via the LGFA compared to funding via bank facilities.

## **CONSIDERATIONS**

### **Policy Considerations**

[23] The Treasury Management Policy (TMP) will need to be amended to enable Council to join the LGFA. This includes allowing the LGFA to be a permitted investment (CCTO borrower notes are required to be held and these may convert to equity)

[24] Alignment of borrowing limits in the TMP to those required by the LGFA is also required.

### **Financial Considerations**

[25] Use of external debt is being included in the draft LTP 2021-31 that is currently being prepared. Proposed debt levels will be finalised as that process progresses.

[26] Funding via the LGFA provides a lower cost of debt to schemes that are in deficit and allows for Council's cash reserves to be reinstated and cashflow managed more effectively.

[27] Loans from the LGFA will be secured via a charge of Council's rates.

### **Significance and Engagement**

- [28] Under the Local Government Act 2002 (LGA), community consultation is required via a special consultative process to allow Council to join the LGFA. This is because the borrower notes may convert to equity and the LGA requires consultation before a Council establishes or becomes a shareholder in a CCTO.

### **Legislative Considerations**

- [29] There are a number of legal considerations in joining the LGFA. Some of these are outlined in this paper and the attachment. Other legal considerations will be outlined further as the process progresses.
- [30] An external legal advisor will be engaged to ensure the process of joining the LGFA and all associated documentation is legally compliant.

### **Risk Considerations**

- [31] There is risk associated with obtaining and utilising external debt
- [32] There is also risk associated with the ongoing use of internal debt and the impact that has on cashflow management.
- [33] The primary risk considerations are credit risk (note, the LGFA has an S&P AA+ rating), interest rate risk and risk around joining as a guaranteeing member.

### **NEXT STEPS**

- [34] The next steps are to prepare the documentation required for consultation including:
- Development of a statement of proposal.
  - Amend the Treasury Management Policy.
  - Engage a legal advisor and establish a debenture trust deed, appoint a Trustee and Registry (or paying agent), prepare accession documents and certificates.
  - Determine desired debt levels and structure and whether guaranteeing or non-guaranteeing membership is preferred.

### **ATTACHMENTS**

1. Bancorp Presentation ORC Audit and Risk Committee 17 Feb 2021 [8.4.1 - 11 pages]



Make Risk Count.

# LGFA Presentation to the Audit and Risk Committee

---



**17 February 2021**

---

This document has been prepared by Bancorp Treasury Services Limited ("BTSL"). Whilst all reasonable care has been taken to ensure the facts stated are accurate and the opinions given are fair and reasonable, neither BTSL nor any of its directors, officers or employees shall in any way be responsible for the contents. No liability is assumed by BTSL, its directors, officers or employees for action taken or not taken on the basis of this document.

---

## Local Government Funding Agency

---



- The LGFA is a Council Controlled Trading Organisation established in 2011.
- Has had a major (positive) impact on Council funding.
- Has a S&P Global Ratings long term credit rating of 'AA+', the same as the New Zealand government.
- Now has around 70 council members and has raised around \$13 billion of debt.
- Borrowers must meet certain covenants to be able to borrow from the LGFA.
- Differential pricing applies depending on the borrowers credit standing and whether it is a guarantor or not.

## Local Government Funding Agency

---



- All borrowers are required to contribute 2.5% of the total amount borrowed as capital, these are known as Borrower Notes.
- A joint and several guarantee applies whereby all participating borrowers will be liable in the event of a default by any of the borrowers.
- However, there are a number of safeguards to avert this e.g. liquidity of \$1.3 billion, standby facility from the DMO of \$1.5 billion (currently at \$0.6 billion).
- The guarantee is in proportion to the ratepayer base, for ORC it is 0.37%.

## Local Government Funding Agency

---



- Offers maturities from one month out to April 2037.
- There are three forms of debt that a borrower can access
- Commercial Paper – is a floating rate instrument available for terms from 1 month to 1 year.
- Floating Rate Note – is a floating rate instrument with interest paid quarterly and is available for terms out to April 2037. With an FRN, the margin is set for the term of the instrument, but the base rate (the 3 month bank bill mid rate) can change at the 3 monthly reset dates.
- Fixed Rate Bond - is a fixed rate instrument with interest paid semi-annually. With an FRB the interest rate (the coupon) is set for the life of the instrument.



# Pricing of LGFA debt



Short Term Borrowing	BKBM Base Rate	Borrowing Yield Rated Councils	Borrowing Yield Unrated Councils	Short Term Borrowing Update: Money market yields are largely unchanged over the past fortnight, remaining just above the 0.25% OCR and unlikely to move in the near term. The recent economic data (GDP, inflation, unemployment, house prices, business confidence) suggests further rate cuts and additional quantitative easing is no longer on the RBNZ agenda. Markets are now pricing in small OCR increases in 2022 rather than OCR cuts.		
1 month	0.260%	0.460%	0.510%	Long Term Borrowing Update: Bond yields have risen and the yield curve steepened since the last pricing update on the strong domestic economic data and rising global bond yields. 2024 bond yields are 4 bps higher while yields on 2029 and longer dated bonds are 20 bps higher. Borrowing spreads have narrowed between 1 bps (2024s) and 3 bps (2037s) over the past fortnight as the rise in yields and steeper curve has attracted both domestic and offshore investor interest. The shortage of high bonds for investors is also helping sentiment.		
2 month	0.275%	0.475%	0.525%			
3 month	0.290%	0.490%	0.540%			
4 month	0.292%	0.492%	0.542%			
5 month	0.293%	0.493%	0.543%			
6 month	0.295%	0.495%	0.545%			
1 year	0.300%	0.550%	0.600%			

Fixed Rate Long Term Borrowing	Base Yield	Borrowing Yield AA rated Councils	Borrowing Yield AA- rated Councils	Borrowing Yield A+ rated Councils	Borrowing Yield Unrated Guarantors	Borrowing Yield Non Guarantors
May-21	0.35%	0.55%	0.60%	0.65%	0.75%	0.85%
Apr-22	0.38%	0.58%	0.63%	0.68%	0.78%	0.88%
Apr-23	0.45%	0.65%	0.70%	0.75%	0.85%	0.95%
Apr-24	0.60%	0.80%	0.85%	0.90%	1.00%	1.10%
Apr-25	0.80%	1.00%	1.05%	1.10%	1.20%	1.30%
Apr-26	1.00%	1.20%	1.25%	1.30%	1.40%	1.50%
Apr-27	1.16%	1.36%	1.41%	1.46%	1.56%	1.66%
Apr-29	1.50%	1.70%	1.75%	1.80%	1.90%	2.00%
Apr-33	1.94%	2.14%	2.19%	2.24%	2.34%	2.44%
Apr-37	2.38%	2.58%	2.63%	2.68%	2.78%	2.88%

Floating Rate Long Term Borrowing	Base Margin	Borrowing Margin AA rated Councils	Borrowing Margin AA- rated Councils	Borrowing Margin A+ rated Councils	Borrowing Margin Unrated Guarantors	Borrowing Margin Non Guarantors
May-21	5 bps	25 bps	30 bps	35 bps	45 bps	55 bps
Apr-22	12 bps	32 bps	37 bps	42 bps	52 bps	62 bps
Apr-23	12 bps	32 bps	37 bps	42 bps	52 bps	62 bps
Apr-24	15 bps	35 bps	40 bps	45 bps	55 bps	65 bps
Apr-25	19 bps	39 bps	44 bps	49 bps	59 bps	69 bps
Apr-26	22 bps	42 bps	47 bps	52 bps	62 bps	72 bps
Apr-27	27 bps	47 bps	52 bps	57 bps	67 bps	77 bps
Apr-29	31 bps	51 bps	56 bps	61 bps	71 bps	81 bps
Apr-33	51 bps	71 bps	76 bps	81 bps	91 bps	101 bps
Apr-37	63 bps	83 bps	88 bps	93 bps	103 bps	113 bps

## Otago Regional Council – possible LGFA debt profile



<i>Instrument</i>	<i>Maturity</i>	<i>Amount</i>	<i>Yield</i>		
Commercial Paper	Aug-21	\$5,000,000	0.55	0.20	0.11
Floating Rate Note	Apr-22	\$2,000,000	0.81	0.08	0.06
Floating Rate Note	Apr-23	\$2,000,000	0.81	0.08	0.06
Floating Rate Note	Apr-24	\$2,000,000	0.84	0.08	0.07
Fixed Rate Bond	Apr-25	\$2,000,000	1.20	0.08	0.10
Floating Rate Note	Apr-25	\$3,000,000	0.88	0.12	0.11
Fixed Rate Bond	Apr-26	\$3,000,000	1.40	0.12	0.17
Fixed Rate Bond	Apr-27	\$3,000,000	1.56	0.12	0.19
Fixed Rate Bond	Apr-28	\$3,000,000	1.74	0.12	0.21
		25,000,000		Weighted average	1.07



## Advantages of joining the LGFA

---

- Pricing – a bank facility for 3 years would be at least 1.30% so pricing benefit based on \$25m would be circa \$875,000 over 5 years.
- Deduct upfront costs of \$29,000 and ongoing costs of \$9,000 p.a including the first year totals \$74,000.
- ***Net savings of joining the LGFA over 5 years = \$801,000*** based on assumption that standby facilities with either bank debt or LGFA would net off.
- Immediacy of funding as LGFA debt can be accessed on a continuous basis.
- Longer funding tenors and allied with this is increased funding flexibility - LGFA debt extends out to 2037.
- Ease of acquiring ongoing replacement and additional debt.



## Disadvantages of joining the LGFA

---

- Being a guaranteeing borrower, but there are significant mitigating factors.
- The need to consult due to the (very unlikely) potential for the Borrower Notes to convert to equity.
- The initial setup process which does take quite a lot of administrative time due to the number of accession documents.
- Need to amend the Treasury Policies.
- The initial setup costs.



## **Process of joining the LGFA**

---

- **Council resolution needed to borrow.**
  - **Have to make amendments to the Treasury Policies.**
  - **Need to prepare a Statement of Proposal detailing benefits of joining the LGFA including whether to join as a guarantor or non guarantor.**
  - **Need to go through the Special Consultative Process and pass a subsequent resolution to join the LGFA.**
  - **ORC must comply with LGFA covenants**
    - Net debt shall not exceed 175% of revenue
    - Net interest shall not exceed 20% of revenue
    - Net interest shall not exceed 25% of rates revenue
    - Liquidity shall be not less than 110%
-



## Process of Joining the LGFA

---

- Need to appoint a law firm to prepare the DTD.
- Need to establish a Debenture Trust Deed, and appoint a Trustee and a Registry (or paying agent).
- Have to sign up to the accession documents of which there are four if joining as a guarantor and need a Council resolution approving the documents and delegating authority to sign them to 2 elected members.
- Need to sign up to the 4 certificates which the CE signs.
- It is a somewhat lengthy and time consuming process, ORC would need to allow four months to complete.
- There is a one off cost of around \$29,000 to join and there are circa \$9,000 of ongoing costs per annum.



**BANCORP**

BANCORP TREASURY SERVICES LIMITED

**Independent advisory services:**

**Treasury policy and healthcheck  
Funding and bank relationship review  
Transactional banking review  
Ongoing advisory services  
IFRS valuation and documentation  
Treasury training**

**[www.bancorptreasury.com](http://www.bancorptreasury.com)  
0508 226 2677 or +64 9 912 7600**

---

**8.5. Documents Signed Under Council Seal**

<b>Prepared for:</b>	Council
<b>Report No.</b>	GOV2104
<b>Activity:</b>	Governance Report
<b>Author:</b>	Liz Spector, Committee Secretary
<b>Endorsed by:</b>	Sarah Gardner, Chief Executive
<b>Date:</b>	24 February 2021

**PURPOSE**

- [1] To inform the Council of delegations which have been exercised during the period 28 October 2020 through 17 February 2021.

28/10/2020	Deed of Variation – Renewal of ORC Alexandra Office Building, 1 Dunorling St., Alexandra
5/11/2020	S417 certificate S4170053: Mining Privilege No. WR1326R, RN Tamblyn, Cherri Holdings Ltd, M and G Crabbe and M and G Roch
5/11/2020	S417 certificate S4170051, Mining Privilege No. WR1578R, Harliwich Carrying Co Ltd, Stonehaven Ltd, R N Tamblyn & C M Tamblyn and W N Gunn.
12/10/2020	S417 certificate S4170052: Mining Privilege No. WR1329R, R T Ballantine, M Dhillon, JRM Williams & MA Webber, Cherri Holdings Ltd, B Marshall and Linda Farrand.
1/12/2020	Deed of Funding, Environmental Monitoring and Reporting (EMaR)/LAWA project.
28/01/2021	S417 Certificate (S4170060) Mining Privilege WR5784N, Omakau Irrigation Company Limited, Checketts Mckay Law Limited, 21 Brandon St, Alexandra
28/01/2021	S417 Certificate (S4170059): Mining Privilege WR5785N, Omakau Irrigation Company Limited, Checketts Mckay Law Limited, 21 Brandon St, Alexandra
28/01/2021	S417 Certificate (S4170055): Mining Privilege WR9404Cr, Geoffrey Lewis Thompson of 1225 Glenorchy-Paradise Road, RD1, Glenorchy
28/01/2021	Deed of Funding, Dunedin City Gasworks Tar Well Remedial Planning Project – funding of a feasibility assessment of a proposed mediation scheme and development of the remediation action plan by MfE.
28/01/2021	Deed of Funding, Dunedin City Gasworks Tar Well Remedial Planning Project – funding of a feasibility assessment of a proposed mediation scheme and development of the remediation action plan by MfE.
17/02/2021	Use and Maintain No 2890 (Mining Priv. WR976N) – Greenbank Pastoral Ltd c/o Ibbotson Cooney Limited, Level 1, 69 Tarbert St, Alexandra
17/02/2021	Use and Maintain No. 2373 (Mining Priv WR118N) – Hamilton Dairy Ltd, ICL, Level 1, 69 Tarbert St, Alexandra
17/02/2021	Use and Maintain No. 3735 (Mining Priv WR2367N) – Christopher Patrick Mulholland and Dale Evelyn Mulholland, Ranfurly-Patearoa Rd, RD 4, Ranfurly

**RECOMMENDATION**

*That the Council:*

- 1) **Receives this report.**



### **9.1. Recommendations of the Strategy and Planning Committee Resolutions of the 10 February 2021 Strategy and Planning Committee**

#### **Resolution**

That the Council:

- 1) **Adopts** the resolutions of the 10 February 2021 Strategy and Planning Committee

### **8.1 SPS2104 RPS Panel Recommendation Process**

#### **Resolution**

*That the Committee:*

- 1) **Receives** this report.
- 2) **Confirms** its position that Otago Regional Council elected members should not be considered nominees to hear submissions on the Regional Policy Statement 2021; and
- 3) **Notes** that further papers will be brought to Council outlining a process to select two (2) Commissioners to be nominated to sit, hear and make recommendations on the proposed RPS 2021.

Moved: Cr Laws

Seconded: Cr Calvert

CARRIED

### **8.2 SPS2103 Manuherehia Engagement Process**

#### **Resolution 1**

*That the Committee:*

- 1) **Receives** this report.
- 2) **Continues discussions** of Te Mana o Te Wai and implications for FMUs on the Land and Water Regional Plan in consultation with iwi, including at Mana to Mana.

Moved: Cr Scott

Seconded: Cr Deaker

CARRIED

#### **Resolution 2**

That the Committee:

- 1) **Receives** a copy of the information that will be presented to the 4 and 5 March Manuherehia Reference Group meetings contemporaneously to that meeting.

Moved: Cr Calvert

Seconded: Cr Malcolm

CARRIED

### **8.3 PPT2101 Queenstown Transport Business Case**

#### **Resolution**

*That the Committee:*

- 1) **Receives** this report.
- 2) **Endorses in principle** the Queenstown Business Case as the basis for more detailed investigations subject to the Long Term Plan consultation process.

Moved: Cr Wilson

Seconded: Cr Calvert

CARRIED

**9.2. Recommendations of the Governance, Communications and Engagement Committee  
Resolutions of the 10 February 2021 Governance, Communications and Engagement  
Committee**

**Recommendation**

That the Council

- 1) **Adopts** the resolutions of the 10 February 2021 Governance, Communications and Engagement Committee.

**7.1 SPS2101 Update on Communications and Engagement Policy Review Process**

**Resolution**

*That the Committee:*

- 1) **Receives** this report.
- 2) **Notes** the current review of the ORC approach to communications and engagement, including the drafting of a new Significance, Engagement and Maori Participation Policy.
- 3) **Notes** there is a requirement to complete a special consultative process for the draft Significance, Engagement and Maori Participation Policy and that a draft will be presented to the Governance, Communications and Engagement Committee for approval on 12 May 2021 to commence consultation.

Moved: Cr Hope

Seconded: Cr Calvert

CARRIED

**7.2 GOV2103 Adopt Amended Meeting Calendar 2021**

**Resolution**

*That the Council:*

- 1) **Receives** this report.
- 2) **Adopts** the updated Otago Regional Council governance meeting calendar for 2021.

Moved: Cr Noone

Seconded: Cr Hope

CARRIED

### 10.1. Chairperson's Report

**Prepared for:** Council  
**Activity:** Governance  
**Author:** Cr Andrew Noone, Chairperson  
**Date:** 19 February 2021

---

#### PURPOSE

- [1] To update the Council on meetings and external events attended during the previous meeting period.

#### RECOMMENDATION

*That the Council:*

- 1) *Receives this report.*

#### KEY MEETINGS AND INFORMATION

- [2] I undertook media training with staff facilitated by Brendon Gray, a public relations professional.
- [3] Lisa Gloag and I were interviewed by Jeff Harford of Otago Access Radio RM about recreational water quality and alerts.
- [4] I was interviewed by Owen Rooney of Radio Dunedin, reflecting on 2020 and looking forward to 2021.
- [5] **Meetings:**
- Met with Queenstown Mayor Jim Boulton and Zero founder Rod Drury to discuss a financial contribution to the Lake Hayes culvert.
  - Strath Taieri post-January flood event debrief in Middlemarch with Crs Hope and Wilson, Dr Palmer and staff.
  - Met with MP Ingrid Leary to discuss development of a vision for South Dunedin with Government, DCC, ORC and the community in a collaboration.
  - Waikouaiti/Karitane/Hawksbury community meeting on lead levels in reticulated network with Richard Saunders.
  - Kati Huirapa Runaka on the marae to discuss lead levels in the water supply.
  - Joint Southland-Otago Mayoral Forum in Invercargill. Discussed forming a collective view on Three Waters. To be further discussed and finalised after the Zone 5/6 meeting in Wanaka on 17 March.
  - Met with Lloyd McCall and Cr Scott to discuss consent fees for Waipahi wetland.
  - Met with Cr Malcolm and Dr Palmer and staff to discuss Kakanui River gravel management.
  - Mana to Mana meeting on 17 Feb (all Councillors are welcome to attend these meetings). A karakia for ORC is going to be recommended after a committee request.

- Upper Taieri Wetland project site visit with Geoff Crutchley and Aimee Pont and Morgan Trotter of Fish and Game.

## 10.2. Chief Executive's Report

**Prepared for:** Council  
**Activity:** Governance Report  
**Author:** Sarah Gardner, Chief Executive  
**Date:** 19 February 2021

---

### KEY MEETINGS ATTENDED

- 19 January – LTP consultation document creative direction and advertising campaign meeting
- 20 January – LTP update from Finance team
- 21 January – funeral for Gary Phillips, a recent retiree from ORC
- 26 January – K4N Alliance meeting
- 28 January – Workshops on RPS and LTP
- 1 February – Three Waters Steering Committee Comms sub-group meeting
- 3 February – Chaired a Public Sector Network virtual event *“Improving the Operational Efficiency of your Council”*
- 4 February – Virtual launch of Chen Palmer Inquiries and Reviews
- 9 February – Three Waters Steering Group meeting
- 10 February – Governance, Comms & Engagement Committee, and Strategy & Planning Committee
- 11 February – Workshops for Climate Change Risk Assessment, and LTP Draft Consultation Document
- 12 February – ECC Incident Management Team Training (CDEM training)
- 15 February – Port Liaison meeting
- 16 February – Policy Review meeting
- 16 February – catch-up meeting with Richard Joseph
- 17 February – Mana to Mana meeting
- 17 February – Three Waters Steering Committee Comms sub-group meeting
- 17 February – Audit & Risk Subcommittee meeting
- 18 February – Otago Chief Executives’ Forum
- 18 February – CDEM CEG meeting
- 22 February – Three Waters Steering Group meeting
- 23 February – meeting in Queenstown with Waka Kotahi NZ Transport Agency Board

### DISCUSSION

#### Kai Mahi for Nature Alliance

- [1] The availability of funding and desire to generate jobs in the short- to medium-term are key drivers for this work. Communities continue to submit applications for projects that balance biodiversity outcomes with the need to provide employment. Some decisions and recommendations have been made on projects, but most are still to be contracted and finalised.

- [2] Information provided suggests the labour market has some concentrated areas where demand for jobs is high and there is a need for these projects to progress to provide employment. In other areas work is available but there is some difficulty in getting the staff required.

#### **Waka Kotahi Update**

- [3] I attended the Chief Executives forum with the Waka Kotahi Executive last week. It was a useful information sharing session that is intended to occur regularly throughout the year.
- [4] In particular, it was noted that there had been some delay in providing RLTP data and information required, that NLTP budgets for this financial year are fully committed and that further funding of revenue losses related to COVID for public transport services across local government was under consideration for the remainder of the financial year.
- [5] Discussions also referenced the need for public transport investment in vehicles to be net carbon zero after 2025 with fleets being completely net carbon zero by 2035. Similarly, the Climate Change Commissions recent report suggests that light vehicle fleet changes towards being net carbon zero should be accelerated.
- [6] Lastly there was a useful discussion on the interventions of most effect for reducing the road toll and enhancing road safety

#### **Coordinated Executive Group Meeting (CEG) for Emergency Management Otago**

- [7] Updates at the meeting were received from the Director of Emergency Management Otago, the Southern DHB and the National Emergency Management Agency (NEMA). Of interest is the progress towards closing out the CDEM review that was undertaken last year. Progress has resulted in a Group Business Plan for this financial year and the forming of an Operational Advisory Group to replace the Liaison Committee, which has traditionally been of a membership of second tier staff from Councils across Otago. A final action is the review and sign-off of the partnership agreement for Emergency Management Otago, which is in progress.

#### **RECOMMENDATION**

*That the Council:*

- 1) **Receives this report.**

#### **ATTACHMENTS**

Nil

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under [section 48\(1\)](#) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<b>General subject of each matter to be considered</b>	<b>Reason for passing this resolution in relation to each matter</b>	<b>Ground(s) under section 48(1) for the passing of this resolution</b>
<i>1.1 Minutes of the public-excluded Council Meeting of 9 December 2020.</i>	To protect the privacy of natural persons, including that of deceased natural persons – Section 7(2)(a) To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i) To prevent the disclosure or use of official information for improper gain or improper advantage – Section 7(2)(j)	Section 48(1)(a); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.
<i>1.2 Minutes of the public-excluded Extraordinary Council Meeting of 10 February 2021</i>	To enable any local authority holding the information to carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations) – Section 7(2)(i)	Section 48(1)(a); Subject to subsection (3), a local authority may by resolution exclude the public from the whole or any part of the proceedings of any meeting only on 1 or more of the following grounds: (a) that the public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist.

This resolution is made in reliance on [section 48\(1\)\(a\)](#) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by [section 6](#) or [section 7](#) of that Act or [section 6](#) or [section 7](#) or [section 9](#) of the Official Information Act 1982, as the case may require, which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public.