
**FURTHER SUBMISSION OF THE WOLDS STATION LIMITED (THE WOLDS)
ON PLAN CHANGE 28 TO THE MACKENZIE DISTRICT PLAN**

24 February 2025

To Mackenzie District Council
PO Box 52
Fairlie 7949

- 1 This is a further submission on proposed Plan Change 28 – Hazards and Risks, Historic Heritage and Notable Trees, Variation 1 to Plan Change 26, and Variation 1 to Plan Change 27– to the Mackenzie District Plan (**MDP**).
- 2 This submission is made by The Wolds Station Limited (**the Wolds**). The Wolds is a person who has an interest that is greater than the interest the general public has, due to its position as a landowner in the Mackenzie Basin, and particularly a landowner subject to the Hydro Inundation Hazard Overlay (**HIHO**). The rules of PC28, and the changes sought by submissions on PC28, will significantly impact how the Wolds is able to use its property.
- 3 The Wolds further submission is included at **Appendix 1** to this document.
- 4 The Wolds **does wish** to be heard in support of this further submission.

Dated 24 February 2025



Katherine Forward / Jessica Ottawa
Solicitor for The Wolds Station Limited

Address for service:

Jessica Ottawa
Jessica.Ottawa@duncancotterill.com
03 372 6405

This further submission is in relation to the original submission of:	This further submission is in relation to the original submission point:	The Wolds position on the original submission is:	The reasons for The Wolds opposition to the original submission are:	Allow or disallow the original submission (in full or in part)	Details of the decision you want the Council to make in relation to the original submission point
Mary Murdoch PC28.03	03.01	Support	<p>The Wolds supports the opposition to the introduction of the Hydro Inundation Hazard Overlay (HIHO). The submission details that this information has been available to the Mackenzie District Council (Council) since 2013, and that meaningful dialogue should have been entered into between affected landowners, the Council and the relevant hydro companies (Meridian and Genesis).</p> <p>The Wolds supports the submission that the HIHO is based on worst-case scenarios that have not been ground-truthed for accuracy. While the Wolds agrees it is crucial to prepare for potential hazards, the current proposal lacks sufficient evidence and quantifiable risk assessments.</p>	Allow	Remove the HIHO and associated rule framework.

Anthony Honeybone PC28.08	08.01	Support	<p>This submission calls for a robust, evidence-based approach to the management of hazards – including an assessment of the risk, not simply the consequences of that event occurring. The Wolds understands (relying on the submission of Mr Honeybone) that these provisions are based entirely on a report commissioned by Meridian. Council should have assessed that report, and considered the appropriateness of the recommendations in a planning context before formulating rules around that information.</p> <p>The Wolds supports the submission seeking that hydro inundation is managed in a way that is reflective of the level of risk – noting that the dams are built to a 1 in 10,000 annual exceedance probability event. The Wolds understands that the canals were built on a 2 metres sand base, to help in isolating the canal from earthquake impacts.</p> <p>The Wolds supports the submission point that a default ‘avoid’ position is inappropriate, particularly given the low likely risk of the failure which is triggering all of these controls.</p>	Allow	<p>The Wolds supports the two-part relief sought. However, realistically, only option 1 is available to the Council, as the timeframes for PC28 will not allow for the level of assessment and review required to the current provisions.</p> <p>The Resource Management Act 1991 (RMA) requires that decisions be based on sound information and that risks be properly assessed and managed.</p> <p>Implementing the proposed HIHO measures without peer-reviewed data and meaningful consultation with affected parties can unjustly impact development potential, an ability to diversify, property values, insurance</p>
----------------------------------	-------	---------	--	-------	--

			In addition to the financial impacts outlined in the submission (which are well considered), the proposed HIHO also covers the Farm Base Area for the Wolds, an area explicitly allowing for development. These HIHO controls would curtail activities that can occur within that area, and have significant impacts on the operations of the Wolds.		premiums, and mortgage eligibility, which are significant social and economic considerations under the RMA.
Meridian Energy Limited PC28.39	39.17, 39.18 and 39.19	Oppose	The Wolds rejects the submission of Meridian that the proposal strikes a balance between enabling land usage and minimising risk from hydro inundation. The use of an “avoid” policy is heavy-handed (given it acts as a bar to development) in a scenario where the actual likelihood of the risk is very low. The Wolds considers that balanced provisions would acknowledge the very low risk, and enable development in a way that minimises adverse effects arising from that risk.	Disallow	As outlined above, remove the provisions.

Genesis Energy Limited PC28.46	46.25	Oppose	<p>The new rule suggested by Genesis imposes obligations on all activities to demonstrate that the Potential Impact Classification (PIC) will not impact the operation of the scheme. This reverse sensitivity condition imposes cost on the landowners, even where those activities are located within Farm Base Areas which have been identified for intensification, and for activities which are entirely appropriate within that location such as fuel storage or unoccupied storage sheds).</p>	Disallow	<p>The additional rule is not necessary. If the rules are to be retained (noting the primary position remains that these rules should be deleted), landowners should not be subject to any activity within the HIHO being subject to scrutiny from Meridian and/or Genesis. The cost of demonstrating that an activity will not change the PIC is inappropriate sitting with the landowner, it should be for the schemes to establish which activities do change the PIC and suggest specific rules accordingly.</p>
---	-------	--------	--	----------	--

<p>Nick Ashley PC28.48</p>	<p>48.01</p>	<p>Support</p>	<p>The extremely low probability of major flooding must be a key factor in determining the appropriate district plan rules. The chapter as proposed imposes an “avoid” policy – which we know from various case law generally acts as a bar to development – for activities within the HIHO. The proposed chapter fails to accurately represent the level of risk communicated by Meridian (noting the above point that Council has not undertaken any ‘sense check’ of the Meridian-arranged document).</p>	<p>Allow</p>	<p>The relief sought in this submission is sensible. The existing land use controls are appropriate, and if HIHO rules and/or policies are to be included, context must be required as to the level of the risk being protected against. The provisions must also be amended to appropriately manage those risks without preventing development.</p>
--	--------------	----------------	--	--------------	---