

Form 6

FURTHER SUBMISSION

ON PROPOSED PLAN CHANGE 18 and 19 MACKENZIE DISTRICT PLAN

TO: Mackenzie District Council
PO Box 52
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FROM: Mackenzie Guardians Inc.
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DATE: 4 May 2018

This is a further submission in support of submissions on:

Plan Change 18 and Plan Change 19

Mackenzie Guardians Inc. has an interest in the proposals that are greater than the interest of the general public. Mackenzie Guardians was incorporated in 2009 as a result of rapid and seemingly uncontrolled development in the Mackenzie Basin. Our members remain concerned at the ongoing landscape degradation and indigenous biodiversity loss occurring in the Basin. Since its formation Mackenzie Guardians have made submissions on water take, use, and discharge applications. The Society was an active participant in the Mackenzie Shared Vision Forum and is a signatory to the Mackenzie Agreement. Mackenzie Guardians have been active in submitting on planning processes to ensure that landscape and indigenous biodiversity values are recognised and protected.

Mackenzie Guardians could not gain an advantage in trade competition through this further submission.

Mackenzie Guardians seek that the whole (*or part*) of the submissions identified as supported be allowed.

Mackenzie Guardians wish to be heard in support of this submission and would be prepared to consider presenting a joint case with others making a similar further submission at a hearing.

Signed: Rosalie Snoyink

Contact person for Mackenzie Guardians Incorporated

Submitter Name and (Number)	Submissions on:	Mackenzie Guardians position	Reasons
Environmental Defence Society EDS (9)	PC 18 as a whole	Support	Mackenzie Guardians acknowledge the gaps in the Plan outlined by EDS. Weak policies and rules have led to the rapid and ongoing loss of the Basin`s biodiversity and landscape values. There is an urgent need to identify and map all SONS. The plan needs to address the failure to take an integrated approach to protecting ONL and ecological/biodiversity values, and to address the relationship with Section 16 District Plan.
Carol Linda Burke (4) EDS (9) DOC (18)	<p>Biodiversity Objectives 1,2 and 3 and new Objectives</p> <p>Amend to reflect that all indigenous vegetation is significant.</p> <p>Amend Objective 1.</p> <p>Delete Policy 2 and replace with 2A and 2B</p> <p>Amend Objective 3.</p> <p>Amend Objective 3</p>	<p>Support</p> <p>Support</p> <p>Support</p> <p>Support</p> <p>Support</p>	<p>All remaining indigenous vegetation is significant, even if seriously degraded.</p> <p>As above.</p> <p>Will provide for the identification of all indigenous biodiversity across the whole farm.</p>
EDS (9) DOC (18)	<p>Biodiversity Policies Policy 1.</p> <p>Amend Policy 1.</p> <p>Policy 1.</p>	<p>Support</p> <p>Support</p>	<p>Need to avoid fragmentation of SONS. Will protect biodiversity/ecological contiguity and connectivity of the Basin`s remaining values.</p> <p>Up to date mapping will give effect to s. 6 (c) RMA and CRPS Policies 9.3.1 and 9.3.2.</p>

	Add new policy to protect significant values	Support	Will set clearer direction to protect significant values.
Forest and Bird (20)	Amend	Support	As above.
	Biodiversity Policy 2.		
EDS (9)	Replace Policy 2 with Policies 2A and 2B	Support	Mackenzie Guardians believe the Basin's biodiversity and landscape values are at a tipping point. Further loss of significant natural values will see it no longer qualify as outstanding under s. 6 (b) of the RMA or significant under s. 6 (c) of the RMA.
DOC (18)	Amend	Support	
Forest and Bird (20)	Amend	Support	
	Biodiversity Policy 3		
Carol Linda Burke (4)	Amend to exclude indigenous vegetation clearance	Support	Policy 3 needs to be clear that areas with significant natural values should be protected.
EDS (9)	Amend	Support	Amendments sought would give effect to CRPS 9.3.1. (3)
DOC (18)	Amend	Support	Avoidance of loss to apply to all indigenous biodiversity.
Forest and Bird (20)	Amend	Support	No net loss is not protection.
	Biodiversity Policy 4		
Central SI Fish and Game (7)	Amend to include all wetlands	Support	Given the loss of wetlands throughout NZ all ecologically significant wetlands should be protected.
EDS (9)	Amend	Support	Include reference to agricultural conversion introduced by Plan Change 13.
	Biodiversity Policy 5		
EDS (9)	Delete and replace new Policy 5	Support	The concept of offsetting does not <i>protect or progressively restore ecosystems, habitats and indigenous biodiversity to show significant improvement</i> as set out in the Canterbury Water Management Strategy.

DOC (18)	Delete and replace new Policy 5	Support	Offsetting does not seek to avoid ecosystem, habitat and biodiversity loss and is contrary to the RMA.
Forest & Bird (20)	Delete Policy 5	Support	This Policy does not protect significant indigenous vegetation and significant habitat of indigenous fauna.
	Biodiversity Policy 6		
Carol Linda Burke (4)	Remove provision for offsetting	Support	Offsetting does not provide protection. Mackenzie Guardians agree it is a "hollow piece of terminology". New definition builds on, and complements RPS criteria. Policy should provide a gain for indigenous biodiversity. Will prevent the compromising of significant natural values.
Central SI Fish and Game (7)	Oppose offsetting	Support	
EDS (9)	Delete and replace Policy 6	Support	
DOC (18)	Amend	Support	
Forest & Bird (20)	Amend	Support	
	Biodiversity Policy 8		
EDS (9)	Amend	Support	Need to manage indigenous biodiversity outside of significant sites to ensure maintenance is achieved.
DOC (18)	Amend	Support	Indigenous biodiversity values over the whole farm will be recognised.
Forest and Bird (20)	Amend	Support	Will integrate development with comprehensive identification, sustainable management, and long term protection of significant indigenous vegetation and significant habitats of indigenous fauna through a FBP process.
	Biodiversity Policy 9		
EDS (9)	Amend	Support	Will identify all indigenous biodiversity in FBP and assess against the CRPS significant criteria and the RMA.

DOC (18)	Amend	Support	As above.
Forest and Bird (20)	Amend	Support	
	Biodiversity Rules – Permitted Activities excluding Waitaki Power Scheme		
DOC (18)	Amend Rule 1.	Support	All vegetation clearance will be subject to the proposed rules.
	Amend Rule 1.1.6	Support	How `improved pasture` is identified is a problem.
EDS (9)	Rule 1.1.1 Add maximum clearance cap.	Support	A cap to control the extent of clearance is necessary to ensure cumulative effects are addressed.
Carol Linda Burke (4)	Delete Rule 1.1.1 (6) Rule 1.1.(7) Amend to exclude all valuable areas.	Support	Rule 1.1.1 (6) is confusing and unnecessary. It is open to misinterpretation and opens another “loophole” situation.
Colin Morris (5)	Delete Rule 1.1.1. (6)	Support	The proposed definition of “improved pasture” will enable extensive clearance as a permitted activity.
Forest and Bird (20)	Delete Rule 1.1.1. (6)	Support	
	Biodiversity Rules – Restricted Discretionary Activities excluding Waitaki Power Scheme		
Carol Linda Burke (4)	No indigenous vegetation clearance	Support	All indigenous vegetation that remains in the Mackenzie Basin is significant.
EDS (9)	Amend Rules 1.2.1 and 1.2.2 by adding matters of discretion	Support	New matters will adequately identify biodiversity values. An avoidance approach to protection is necessary because of the vulnerability of the Basin’s remaining values
	Retain Rule 1.3	Support	Rules 1.3.1 and 1.3.2 are appropriate in respect of the listed environments.

	Amend Rules 1.2.1 and 1.2.2	Support	As above.
DOC (18)	Support Rule 1.3	Support	Mackenzie Guardians support the proposed non-complying rule.
Forest and Bird (20)	Amend Rule 1.2.2 by adding matters of discretion	Support	
EDS (9)	Biodiversity Rules – Vegetation Clearance in Waitaki Power Scheme – Permitted Activities Insert controls on extent of permitted clearance	Support	
EDS (9)	Appendix Y – Farm Biodiversity Plan Framework Amendments to address identified issues	Support	The proposed amendments go some way to addressing Mackenzie Guardians' concerns at the inadequacy of Farm Plans i.e. it will be difficult to achieve consistent standards when case by case assessments are made. Farm Plans should not undermine hard fought for district wide consistent rules. The likely variation and the impossibility of independent scrutiny perhaps mean they should have no regulatory role at all. Farm Plans should at least reflect conditions of consent and should not be used to avoid "prohibited" activity status.
DOC (18)	Amend to clarify FBP functions the same as conditions of consent	Support	
Forest and Bird (20)	Amend	Support	

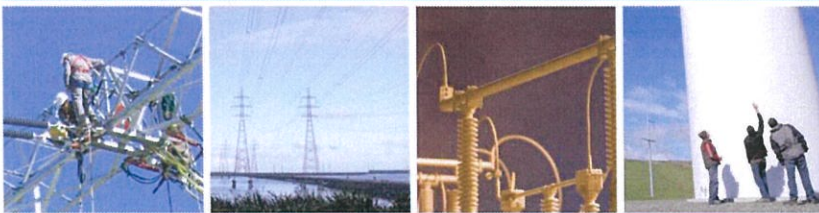
Plan Change 19 Section 7			
DOC (18)	Objectives and Policies 8, 8A, 8B, 8E, 8F, 8H	Support	Will provide for the avoidance, remedy and mitigation of adverse effects of recreational use of riverbeds and waterbodies, particularly the use of off road vehicles and powerboats, on wildlife and wildlife habitats.
DOC (18)	Plan Change 19 Section 7 Rural Zone Rules Supports Clauses 7A.2.1, 7A.2.2 and 7A.2.3	Support	Mackenzie Guardians support the rules which restrict motorised commercial activities and construction of jetties and boat ramps on or within Lake Pukaki. Lake Pukaki is highly significant for its cultural, landscape, biodiversity, peace and tranquillity and tourism values, and should be afforded the highest level of protection.
Sir Alan Mark (12)	Prohibit motorised activity on Lake Pukaki.	Support	As above.
Hugh Barr (20)	Adopt Plan Change 19 for Lake Pukaki	Support	As above.
Tony Orman (26)	Prohibit motorised activity on Lake Pukaki.	Support	“ ”
Kaye and Luke Paardekooper (54)	Prohibit motorised craft on Lake Pukaki	Support	Mackenzie Guardians agree the tranquil and extensive landscape is what draws people to the lake. As it is rarely used by motorised craft, and there are several other lakes in the area for recreational boating, “it will not be a huge leap to prohibit motorised craft on the lake”.

Dr Carolyn Jean Mincham (61)	Prohibit motorised craft on Lake Pukaki	Support	As above.
Mervyn Burke (63)	Prohibit motorised craft on Lake Pukaki	Support	As above
Gavin James (64)	Prohibit motorised craft on Lake Pukaki	Support	Some lakes should be free from the noise of motorised activity, in particular jet boats and jet skis.
Lake Pukaki Natural Quiet Zone Supporters	Prohibit motorised craft on Lake Pukaki	Support	Proposed Plan Change 19 will preserve the special character of Lake Pukaki's takata whenua values, conservation and wildlife values and visual and amenity values.
Valerie MacMillan (116)	Prohibit motorised craft on Lake Pukaki and the building of jetties on the shore of the lake.	Support	Will avoid the erosion and pollution evident at other lakes.

**Further Submission by Transpower New Zealand Limited
Proposed Plan Change 18 (Indigenous Biodiversity) to the
Mackenzie District Plan**

4 May 2018

Keeping the energy flowing



TRANSPOWER



Form 6

Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

Clause 8 of Schedule 1, Resource Management Act 1991

To Mackenzie District Council (the Council)

Name of person making further submission: Transpower New Zealand Limited (Transpower)

This is a further submission in support of, and in opposition to, a number of submissions on proposed Plan Change 18 (Indigenous Biodiversity) to the Mackenzie District Plan (PC18).

Transpower has an interest in PC18 that is greater than the interest the general public has, for reasons including the following:

- Transpower is the owner and operator of the National Grid and the National Grid is enabled, protected and regulated by the National Policy Statement on Electricity Transmission 2008 (NPSET) and the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (NESETA). PC18 must give effect to the NPSET and must not duplicate or conflict with the regulations in the NESETA. Transpower has a significant interest in ensuring that PC18 meets these statutory obligations.
- Transpower has an interest as a landowner and occupier in respect of existing and future National Grid infrastructure that is potentially affected (directly or indirectly) by the relevant submissions.

Background: The National Grid and Transpower's assets in Mackenzie District

Transpower is the state-owned enterprise that plans, builds, maintains, owns and operates New Zealand's high voltage electricity transmission network (the National Grid) that carries electricity across the country. It connects power stations, owned by electricity generating companies, to substations feeding the local networks that distribute electricity to homes and businesses. The National Grid is critically important, and nationally significant, infrastructure that is necessary for a reliable and secure supply of electricity throughout the country and that, in turn, supports national and regional growth.

It is important to note that Transpower's role is distinct from electricity generation, distribution or retail. Transpower provides the required infrastructure to transport electricity from the point of generation to local lines distribution companies (and large, 'direct-connect' industrial users, such as the Tiwai Point aluminium smelter), which supply electricity to everyday users. These users may be a considerable distance from the point of generation and therefore Transpower's assets must traverse all regions.

The National Grid extends from Kaikohe in the North Island to Tiwai Point in the South Island and comprises some 12,000 kilometres of transmission lines and cables and around 170 substations. The National Grid also includes a telecommunications network of approximately 300 telecommunications sites, forming a network that connects and controls the National Grid.

The National Grid has operational requirements and engineering constraints that dictate and constrain where it is located and the way it is operated, maintained, upgraded and developed.

Operational requirements are set out in legislation, rules and regulations that govern the National Grid, including the Electricity Act 1992, the Electricity Industry Participation Code, the New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) and the Electricity (Hazard from Trees) Regulations 2003. The Electricity (Hazard from Trees) Regulations 2003 are of particular relevance to PC18 because the Regulations define safe separation distances between vegetation and electricity lines and sets out a mandatory regime for the trimming and removal of vegetation to retain these safe separation distances.

Transpower owns and operates a number of assets within, and traversing Mackenzie District. These assets supply electricity to Mackenzie District, as well as transmit electricity to the rest of New Zealand, and include around 320 kilometres of transmission lines, five substations, communications cables and associated equipment and include the following:

- Benmore – Haywards A (BEN-HAY-A) 350kV HVDC overhead transmission line on towers;
- Benmore – Islington A (BEN-ISL-A) 220kV overhead transmission line on towers;
- Benmore – Twizel A (BEN-TWZ-A) 220kV overhead transmission line on towers;
- Christchurch – Twizel A (CHH-TWZ-A) 220kV overhead transmission line on towers;
- Ohau A – Twizel A (OHA-TWZ-A) 220kV overhead transmission line on towers;
- Roxburgh – Twizel A (ROX-TWZ-A) 220kV overhead transmission line on towers;
- Tekapo A – Timaru A (TKA-TIM-A) 110kV overhead transmission line on poles (including pi poles);
- Tekapo B – Deviation A (TKB-DEV-A) 220kV overhead transmission line on towers;
- Twizel – Deviation A (TWZ-DEV-A) 220kV overhead transmission line on towers;
- Albury Substation;
- Ohau A Substation;
- Tekapo A Substation;
- Tekapo B Substation;
- Twizel Substation; and
- Two communications sites (Mt Mary and Tekapo A).

The map attached as Appendix A shows the location of National Grid assets in Mackenzie District.

The Resource Management Act 1991 (RMA) and the National Grid

The national significance of the National Grid is recognised, in an RMA context, by the NPSET and the NESETA. These documents apply only to the National Grid, and do not apply to local electricity distribution networks, nor lines owned and operated by generators. Much of Transpower's further submission is focused on the requirements of these documents.

National Policy Statement on Electricity Transmission 2008

The NPSET confirms the national significance of the National Grid and provides policy direction in relation to:

- recognising the benefits of the National Grid;
- managing the adverse effects on the environment of the National Grid;
- managing the adverse effects of third parties on the National Grid; and
- long term strategic planning for transmission assets.

A key reason for introducing the NPSET was to resolve the inconsistencies that resulted from the variable provisions for the National Grid in RMA plans and policy statements and to address challenges to its management under the RMA created by the National Grid's physical characteristics and operational security requirements. This includes in relation to the clearance of vegetation.

The single Objective of the NPSET is:

"To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *managing the adverse environmental effects of the network; and*
- *managing the adverse effects of other activities on the network."*

The NPSET Objective is supported by fourteen Policies. The Policies that are relevant to PC18 are:

- Policy 1: Recognising the benefits of the National Grid.
- Policy 2: Recognising and providing for the effective operation, maintenance, upgrading and development of the National Grid.
- Policy 3: Requiring decision-makers to consider the constraints on the management of effects by the technical and operational requirements of the National Grid.
- Policy 5: Requiring decision-makers to enable the reasonable operational, maintenance and minor upgrade requirements of established National Grid assets.

Section 75(3) of the RMA requires a district plan to give effect to a national policy statement. PC18 must therefore give effect to the NPSET and, future decisions on the provision of, and submission on, PC18 must be made with consideration of the NPSET. To give effect the NPSET, PC18 must ensure that the national significance of, and benefits of, the National Grid are recognised by including provisions that provide for vegetation clearance associated with the operation, maintenance, upgrading and development of the National Grid.

Canterbury Regional Policy Statement 2013 (CRPS)

Section 75(3) of the RMA also requires a district plan to give effect to a regional policy statement. Therefore, PC18 must also give effect to the CRPS including Policy 16.3.4 that addresses the National Grid in Canterbury as follows:

"16.3.4 Reliable and resilient electricity transmission network within Canterbury

To encourage a reliable and resilient national electricity transmission network within Canterbury by:

1. *having particular regard to the local, regional and national benefits when considering operation, maintenance, upgrade or development of the electricity transmission network;*
2. *avoiding subdivision, use and development including urban or semi urban development patterns, which would otherwise limit the ability of the electricity transmission network to be operated, maintained, upgraded and developed;*
3. *enabling the operational, maintenance, upgrade, and development of the electricity transmission network provided that, as a result of route, site and method selection, where;*
 - (a) *the adverse effects on significant natural and physical resources or cultural values are avoided, or where this is not practicable, remedied or mitigated; and*
 - (b) *other adverse effects on the environment are appropriately controlled."*

Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009

The NESETA came into effect on 14 January 2010 and sets out a national regulatory framework for activities related to existing National Grid lines, including the operation, maintenance and upgrading of such lines. The NESETA specifies permitted activity transmission activities (subject to standards) and resource consent requirements where these activities do not meet the standards. The NESETA only applies to National Grid lines that existed at 14 January 2010 and does not apply to new lines or substations.

Under section 44A of the RMA, local authorities are required to ensure that there are no duplications or conflicts between the provisions of the NESETA and a proposed plan. Regulation 30 of the NESETA provides for the trimming, felling and removing of trees and vegetation as a permitted activity where a number of conditions are complied with, including the following:

- “(2) Any tree or vegetation must not be trimmed, felled, or removed if –*
- (a) a rule prohibits or restricts its trimming, felling, or removal; or*
 - (b) it is in a natural area.*

A ‘natural area’ is defined by the NESETA as *“an area that is protected by a rule because it has outstanding natural features or landscapes, significant indigenous vegetation, or significant habitats of indigenous fauna”*.

Transpower’s further submission seeks amendments to provisions supported by, or amended by, submission to clarify the role of the NESETA and to provide consistent provisions to apply to transmission lines that are constructed after 14 January 2010 with particular reference to Regulation 30(2).

Transpower’s further submission

Transpower understands that PC18 is part of a broader district plan review process. It is assumed that this review process will include a review of the network utility section of the Mackenzie District Plan, that in turn will encompass further provisions required to fully give effect to the NPSET. The relationship between PC18 and the operative and future network utilities provisions is not entirely clear to Transpower and this further submission is made on the basis that the PC18 provisions may apply to network utilities, although it is noted that the trimming or felling of vegetation for the benefit of network utilities may be permitted, in part, by Rule 1.1.j of the operative District Plan or within the scope of the review of the network utilities section.

Transpower’s support of, or opposition to, a particular submission including the reason for Transpower’s support or opposition and the relief sought are detailed in the table attached as Appendix B. The general reasons for Transpower’s further submission are set out below. These reasons apply to each submission listed in Appendix B and are supplemented by specific reasons and relief in Appendix B.

General reasons in respect of submissions supported by Transpower

For each of the submissions identified in Appendix B as being supported by Transpower, they are supported to the extent that they:

- give effect to the NPSET;

- give effect to Policy 16.3.4 of the CRPS;
- are consistent with and/or promote the outcomes sought by the NESETA;
- are the most appropriate means of exercising the Council's functions in respect of section 32 of the RMA;
- enable people and communities to provide for their social, economic and cultural well-being and for their health and safety.

Transpower seeks that the submissions it supports be allowed to the extent that they achieve the matters set out above or such further alternate relief or amendments as may be necessary to achieve those matters.

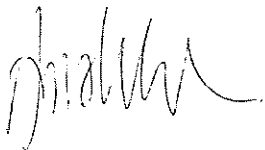
General reasons and decisions sought in respect of submissions opposed by Transpower

For each of the submissions identified in Appendix B as being opposed by Transpower, they are opposed to the extent that they failed to achieve the matters set out above.

Transpower seeks that the submissions it opposes be disallowed to the extent that they fail to achieve the matters set out above or such further alternative relief or amendments as may be necessary to achieve those matters.

Transpower wishes to be heard in support of its further submission.

Due to the specific interests of Transpower, and particularly the national significance of the National Grid, Transpower will not consider presenting a joint case.



Signature of person authorised to sign
on behalf of Transpower New Zealand Limited

Date: **4 May 2018**

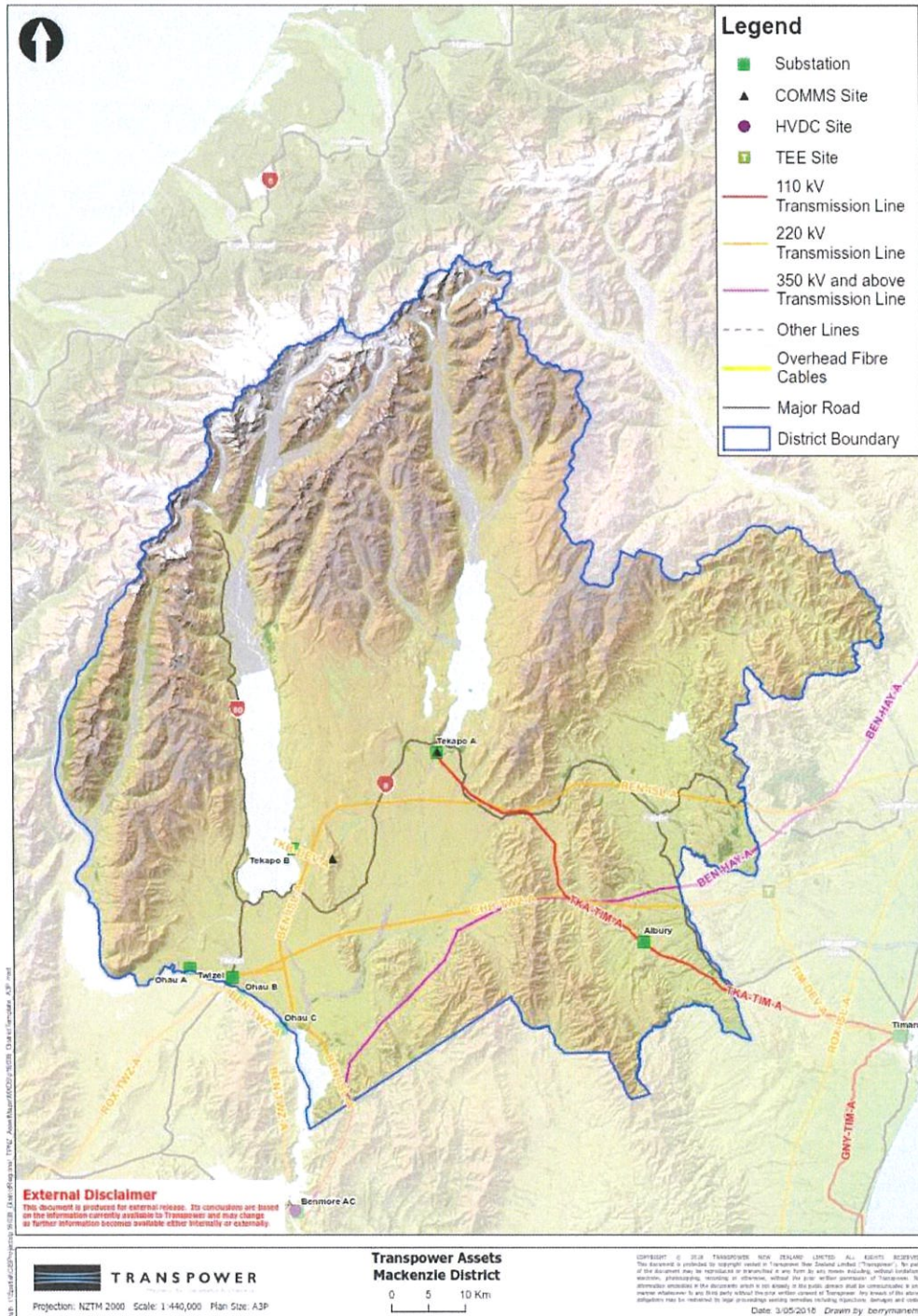
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Appendix A: National Grid Assets in Mackenzie District



Appendix B – Transpower New Zealand Limited: Further Submission on Submissions Made on Proposed Plan Change 18 (Indigenous Biodiversity) to the Mackenzie District Plan

The following table sets out the decisions sought by Transpower, including the reasons for Transpower's support or opposition and the specific amendments to the provisions of proposed PC18 as a result. The PC18 text is shown without underlining; the relief sought in primary submission is shown as black; and the amendments sought by Transpower are shown in red.

Submitter	Provision and Submission Summary	Support/ Oppose	Reason	Allow/Disallow
Biodiversity Objectives 1, 2 and 3 and new Objectives				
Genesis Energy Limited	Seeks the insertion of the following new Objective that is subsequently implemented by Policy 7 and Rule 2: "Objective X In respect of activities associated with the nationally significant Waitaki Power Scheme to: (a) <u>Recognise and provide for special characteristics and significance of the Waitaki Power Scheme</u> (b) <u>Allow vegetation clearance for the continued development, operation, maintenance and upgrading of the nationally significant Waitaki Power Scheme within the Waitaki Power Scheme Management Area.</u> (c) <u>Provide for appropriate vegetation clearance necessary for the continued development, operation, maintenance and upgrading of the nationally significant Waitaki Power Scheme outside the Waitaki Power Scheme Management Area."</u>	Support in part	Transpower supports the submission to the extent that the submission identifies the need for an Objective that is, in turn, implemented by Policy 7 and Rule 2. Transpower opposes the proposed wording of the Objective X because the Objective fails to address the electricity transmission component of Policy 7 and as such does not equally recognise and provide for the national significance of electricity transmission. As a result proposed Objective X: <ul style="list-style-type: none"> fails to give effect to the NPSET; fails to give effect to Policies 5.3.9 and 16.3.4 of the CRPS; does not consider the appropriateness of vegetation clearance that is a mandatory statutory requirement under the Electricity (Hazards from Trees) Regulations 2003. 	Allow
Meridian Energy Limited	Seeks the insertion of the following new Objective that is subsequently implemented by Policy 7 and Rule 2. "Objective X For activities associated with the nationally significant Waitaki Power Scheme to:	Support in part	Transpower supports the submission to the extent that the submission identifies the need for an Objective that is, in turn, implemented by Policy 7 and Rule 2. Transpower opposes the proposed wording of the Objective X because the Objective fails to	Allow

	<p>(a) Address the special characteristics and significance of the Waitaki Power Scheme</p> <p>(b) <u>Enable vegetation clearance for the continued development, operation, maintenance and upgrading of the nationally significant Waitaki Power Scheme within the Waitaki Power Scheme Management Area.</u></p> <p>(c) <u>Provide for appropriate vegetation clearance necessary for the continued development, operation, maintenance and upgrading of the nationally significant Waitaki Power Scheme outside the Waitaki Power Scheme Management Area."</u></p>	<p>address the electricity transmission component of Policy 7 and as such does not equally recognise and provide for the national significance of electricity transmission. As a result proposed Objective X:</p> <ul style="list-style-type: none"> fails to give effect to the NPSET; fails to give effect to Policies 5.3.9 and 16.3.4 of the CRPS; <p>does not consider the appropriateness of vegetation clearance that is a mandatory statutory requirement under the Electricity (Hazards from Trees) Regulations 2003.</p>	<p>For activities associated with the nationally significant Waitaki Power Scheme and nationally significant National Grid to:</p> <p>(a) <u>Address the special characteristics, benefits and significance of the Waitaki Power Scheme and the National Grid.</u></p> <p>(b) <u>Enable vegetation clearance for the continued development, operation, maintenance and upgrading of the nationally significant Waitaki Power Scheme within the Waitaki Power Scheme Management Area and in the vicinity of the National Grid. ...</u></p>
Biodiversity Policy 2			
Genesis Energy Limited	<p>Seeks that Policy 2 is amended and augmented by an additional Policy 2A as follows:</p> <p>"2. To avoid, remedy or mitigate, adverse effects of land use activities on the natural character and significant indigenous vegetation and significant habitats of indigenous fauna in indigenous land and water ecosystems functions in the District including:</p> <p>a) Landform, physical processes and hydrology</p> <p>b) Remaining areas of significant indigenous vegetation and habitat, and linkages between these areas</p> <p>c) Aquatic habitat and water quality and quantity.</p> <p>2A. <u>To manage, or offset or compensate, actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District."</u></p>	<p>Support in part</p> <p>Transpower supports the amendment to Policy 2 that are promoted in the submission on the basis that the amendments:</p> <ul style="list-style-type: none"> appropriately confine the Policy to section 6(c) matters; better reflects, and gives effect to, the policy direction in Policy 9.2.3 of the CRPS; better align with district council functions and the provisions that implement this policy. <p>Transpower considers that further amendment is necessary to proposed Policy 2A to ensure that the Policy is clear that compensation or offsetting cannot be required, but can be proposed or agreed to by an applicant. This is consistent with new section 104(ab) of the RMA.</p>	<p>Allow the submission by making the amendments proposed, subject to the following further amendment to proposed Policy 2A or alternatively, insert Policy 2A as proposed by Meridian Energy Limited:</p> <p>"2A. <u>To manage, or offset or compensate (when proposed or agreed to by an applicant), actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District."</u></p>
Meridian Energy Limited	<p>Seeks that Policy 2 is amended and augmented by an additional Policy 2A as follows:</p> <p>"2. To avoid, remedy or mitigate, adverse effects on the natural character and</p>	<p>Support</p> <p>Transpower supports the amendments to Policy 2 that are promoted in the submission on the basis that the amendments:</p>	<p>Allow the submission.</p>

	<p>significant indigenous vegetation and significant habitats of indigenous fauna in indigenous land and water ecosystems functions in the District including:</p> <p>a) Landform, physical processes and hydrology</p> <p>b) Remaining areas of significant indigenous vegetation and habitat, and linkages between these areas</p> <p>c) Aquatic habitat and water quality and quantity.</p> <p>2A. To manage actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District."</p>	<ul style="list-style-type: none"> appropriately confine the Policy to section 6(c) matters; better reflects, and gives effect to, the policy direction in Policy 9.2.3 of the CRPS; better align with district council functions and the provisions that implement this policy. 	
Biodiversity Policy 7			
Environmental Defence Society Inc. (EDS)	<p>Seeks the replacement of Policy 7 with the following:</p> <p><u>"To recognise that the location of renewable energy generation structures and activities can overlap with indigenous biological diversity values."</u></p>	<p>Oppose</p> <p>Transpower opposes this submission because the replacement Policy 7 that is proposed does not retain reference to electricity transmission or the enhancement of its "upgrading, maintenance and enhancement". As such, the relief sought:</p> <ul style="list-style-type: none"> fails to give effect to the NPSET, including the requirement to enable reasonable operational, maintenance and minor upgrade requirements in Policy 5; fails to give effect to Policies 5.3.9 and 16.3.4 of the CRPS; and therefore does not achieve the purpose of the RMA. 	<p>Disallow the submission.</p>
Genesis Energy Limited	<p>Seeks amendments to Policy 7 as follows:</p> <p><u>"To recognise and provide for the national significance, economic and social importance of renewable energy generation and transmission, including in particular activities of the Waitaki Power Scheme and the special features of that activity, including:</u></p> <p>a. <u>the need to locate the activity where the renewable energy resource is available;</u></p>	<p>Support in part</p> <p>Transpower supports the relief sought in the submission to the extent that the amendments provide greater detail in respect of how the recognition of the importance of energy generation and transmission is achieved. Transpower also supports the deletion of reference to being "consistent with objectives and policies of this Plan" on the basis that these provisions may change as part of the district plan</p>	<p>Allow the submission, subject to the following further amendments:</p> <p><u>"To recognise, economic and social importance of renewable energy generation and electricity transmission, including in particular electricity transmission on the National Grid and activities of the Waitaki Power Scheme and the special features of that activity, including:</u></p>

Meridian Energy Limited	<p>b. <u>logistical or technical practicalities associated with developing, upgrading, operating or maintaining the activity;</u></p> <p>c. <u>maintaining the output from existing renewable electricity generation activities;</u></p> <p>d. <u>the location of existing structures and infrastructure</u></p> <p><u>and consistent with objectives and policies of the Plan, to provide for its development, upgrading operation, maintenance and upgrading by:</u></p> <p><u>enhancement</u></p> <p>(i) <u>Treating indigenous vegetation clearance associated with development, operation, maintenance and upgrading of the Waitaki Power Scheme as distinct from Indigenous Vegetation Clearance for other activities;</u></p> <p>(ii) <u>Permitting indigenous Vegetation Clearance in areas that are part of the Waitaki Power Scheme Management Areas where they involve Waitaki Power Scheme Activities</u></p> <p>(iii) <u>Despite Policy 6 in any areas outside the Waitaki Power Scheme Management Area to provide for development, maintenance and upgrading of the Waitaki Power Scheme by allowing appropriate environmental offsetting and/or environment compensation of residual adverse effects (i.e. effects where it is not reasonable practicable to prevent adverse effects)."</u></p>	<p>review process and therefore the clause is not sufficiently certain.</p> <p>Transpower considers that further amendment to Policy 7 is necessary to explicitly refer to the National Grid and to ensure that the Policy gives effect to the NPSET and Policy 16.3.4 of the CRPS.</p>	<p>a. <u>the need to locate the activity where the renewable energy resource is available;</u></p> <p>b. <u>logistical or technical practicalities associated with developing, upgrading, operating or maintaining the activity and the National Grid;</u></p> <p>c. <u>maintaining the output from existing renewable electricity generation activities;</u></p> <p>d. <u>the location of existing structures and infrastructure</u></p> <p><u>and consistent with objectives and policies of the Plan, to provide for its development, upgrading operation, maintenance and upgrading by:</u></p> <p><u>enhancement</u></p> <p>(i) <u>Treating indigenous vegetation clearance associated with development, operation, maintenance and upgrading of the Waitaki Power Scheme and National Grid as distinct from Indigenous Vegetation Clearance for other activities; ..."</u></p>	<p>Support in part</p> <p>Seeks amendments to Policy 7 as follows: "To recognise and provide for the nationally significant, economic and social importance of renewable energy generation and transmission activities of the Waitaki Power Scheme and the special features of that activity, including: a. <u>the need to locate the activity where the renewable energy resource is available;</u> b. <u>logistical or technical practicalities associated with developing, upgrading, operating or maintaining the activity;</u></p>	<p>Allow the submission, subject to the following further amendments: "To recognise and provide for the nationally significant, economic and social importance of renewable energy generation and electricity transmission activities of the Waitaki Power Scheme, <u>and on the National Grid, and the special features of that activity, including:</u> a. <u>the need to locate the activity where the renewable energy resource is available;</u></p>
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<p>b. <u>logistical or technical practicalities associated with developing, upgrading, operating or maintaining the activity and the National Grid;</u></p> <p>c. <u>the location of existing structures and infrastructure and consistent with objectives and policies of the Plan, to provide for its development, upgrading, operation, maintenance and upgrading by:</u></p> <p>(i) <u>Treating indigenous vegetation clearance associated with development, operation, maintenance and upgrading of the Waitaki Electric Power Scheme as distinct from Indigenous Vegetation Clearance for other activities;</u></p> <p>(ii) <u>Permitting Indigenous Vegetation Clearance in areas that are part of the Waitaki Power Scheme Management Areas where they involve Waitaki Power Scheme Activities</u></p> <p>(iii) <u>Despite Policy 6 in any areas outside the Waitaki Power Scheme Management Area to provide for development, maintenance and upgrading of the Waitaki Electric Power Scheme by allowing appropriate environmental off-setting and/or environment compensation of residual adverse effects (i.e. effects where it is not reasonable practicable to prevent adverse effects)."</u></p>		<p>c. <u>the location of existing structures and infrastructure and consistent with objectives and policies of the Plan, to provide for its development, upgrading, operation, maintenance and upgrading by:</u></p> <p>(i) <u>Treating indigenous vegetation clearance associated with development, operation, maintenance and upgrading of the Waitaki Electric Power Scheme as distinct from Indigenous Vegetation Clearance for other activities;</u></p> <p>(ii) <u>Permitting Indigenous Vegetation Clearance in areas that are part of the Waitaki Power Scheme Management Areas where they involve Waitaki Power Scheme Activities</u></p> <p>(iii) <u>Despite Policy 6 in any areas outside the Waitaki Power Scheme Management Area to provide for development, maintenance and upgrading of the Waitaki Electric Power Scheme by allowing appropriate environmental off-setting and/or environment compensation of residual adverse effects (i.e. effects where it is not reasonable practicable to prevent adverse effects)."</u></p>	
Biodiversity – New Policy			
<p>Mt Gerald Station Limited The Wolds Station Limited</p>	<p>Support in part</p>	<p>Seeks the inclusion of a new policy as follows: <u>"To allow clearance of significant indigenous vegetation or habitats of indigenous fauna where such activities are necessary for:</u> - <u>the management of the site including the management of pests and the removal of diseased, damaged or dead plants;</u> - <u>To facilitate access for livestock, utility structures or farm vehicles past or through the site; and</u> - <u>Enable the reasonable use of the land and the maintenance of existing infrastructure."</u></p>	<p>Allow the submission to the extent that it provides for the access to, and maintenance of, the National Grid.</p>

Director General of Conservation	Seeks the inclusion of the following new policy: <u>"To avoid adverse effects of subdivision, use and development on significant indigenous vegetation and habitat."</u>	Oppose	Transpower opposes the proposed policy to the extent that the policy does not reconcile matters of national importance under section 6(c) of the RMA with matters of national significance, such as the National Grid. Section 4 of the NPSET states the <i>"matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network"</i> . The operation, maintenance, development and upgrade of the National Grid may necessitate removal of indigenous vegetation, given the National Grid's location and linear nature. It is considered that such situations, where avoidance is not achievable, must be recognised in order to give effect to the NPSET.	Disallow the submission to the extent that it applies to the National Grid.
Biodiversity Rules – Permitted Activities excluding Waitaki Power Scheme				
Mt Gerald Station Limited The Wolds Station Limited	Seeks the following amendment to Standard (1) in Rule 1.1.1: <u>"The clearance is for the purpose of maintenance or repair replacement or minor upgrade of existing fence lines, vehicle tracks, roads, stock crossings, firebreaks, drains, ponds, dams, stockyards, farm buildings, water troughs, waterlines, waterway crossings or any other utility or airstrips; ..."</u>	Support in part	Transpower supports the submission to the extent that the submission appropriately seeks an exemption for utilities. It is considered that such an exemption gives effect to the NPSET insofar as it relates to the National Grid.	Allow the submission.
Royal Forest and Bird Protection Society of New Zealand Inc.	Seeks the following amendments to Standard (1) in Rule 1.1.1: <u>"1. The clearance is for the purpose of maintenance or repair of existing fence lines, vehicle tracks, roads, firebreaks, drains, stockyards, farm buildings, or water troughs or airstrips; and within the setbacks identified under condition 8 is not more than 1.5 metres on either side of the existing fence line, vehicle track, road, drain, stockyards farm building, water trough."</u>	Support in part	Transpower supports the submission to the extent that the submission extends the exemption to apply within the setbacks in Standard (8) in a manner that gives effect to the NPSET and Policy 16.3.4 of the CRPS, insofar as this relief would apply to the National Grid.	Allow the submission, subject to the relief supported above (Mt Gerald Station Limited and The Wolds Station Limited).

	1a. The clearance is for the purpose of maintenance or repair of existing firebreaks or airstrips."			
Biodiversity Rules - Vegetation clearance associated with the Waitaki Power Scheme – Permitted Activities				
Environmental Defence Society Inc. (EDS)	<p>Seeks:</p> <ul style="list-style-type: none"> the insertion of controls on the extent of permitted clearance, such as no permitted clearance in SONS and parameters around permitted clearance elsewhere; the insertion of new matters of discretion to allow a consideration of, and requirement for, avoidance of effects; the inclusion of methods to protect section 6(b) and (c) of the RMA areas; monitoring and reporting. 	Support in part	<p>Subject to specific amendments to the PC18 text being provided, Transpower supports the submission to the extent that it seeks the inclusion of new matters of discretion, methods and monitoring. However, Transpower does not support a rule for no permitted clearance in a SONS and considers that such a provision, insofar as it relates to the National Grid, fails to:</p> <ul style="list-style-type: none"> fully implement proposed Policy 7; give effect to the NPSET; give effect to Policy 16.3.4 of the CRPS; and provide for trimming or removal of vegetation in the vicinity of National Grid and other transmission lines, which is a mandatory requirement under the Electricity (Hazards from Trees) Regulations 2003. 	<p>Disallow the submission to the extent that it promotes a new rule preventing the clearance of indigenous vegetation, for the operation, maintenance and upgrading of the National Grid as a permitted activity in SONS.</p>
Genesis Energy Limited Meridian Energy Limited	Seeks the retention of Rule 2.1.1.	Support in part	<p>Transpower supports the retention of Rule 2.1.1. but considers that the Rule fails to fully implement proposed Policy 7 because the Rule does not explicitly permit the clearance of indigenous vegetation as a consequence of an emergency occurring on the National Grid. In order to achieve this, and give effect to the NPSET, further amendment to Rule 2.1.1 is necessary.</p>	<p>Allow the submission to the extent that Rule 2.1.1 is retained, subject to the following amendments:</p> <p>"2.1.1 The clearance is a consequence of an emergency occurring on, or failure of, the Waitaki Power Scheme or National Grid; ..."</p>
Genesis Energy Limited	Seeks the following amendments to Rule 2.1.2: "Clearance is required for the operation, and maintenance and upgrading of the Waitaki Power Scheme Activities, with the Waitaki Power Scheme Management Area following areas; <ul style="list-style-type: none"> The existing footprint of the Waitaki Power Scheme; On-core sites associated with the Waitaki Power Scheme. 	Support in part	<p>Transpower supports the submission to the extent that it appropriately provides for indigenous vegetation clearance associated with the operation, maintenance and upgrade of the Waitaki Power Scheme. However, Transpower considers that the amended Rule fails to:</p> <ul style="list-style-type: none"> fully implement proposed Policy 7; give effect to the NPSET; give effect to Policy 16.3.4 of the CRPS; 	<p>Allow the submission, subject to the following amendments to Rule 2.1.2:</p> <p>"Clearance is required for the operation, and maintenance and upgrading of:</p> <ul style="list-style-type: none"> the Waitaki Power Scheme Activities, within the Waitaki Power Scheme Management Area; the National Grid, including where required by the Electricity (Hazards from Trees) Regulations 2003, following areas;

	<ul style="list-style-type: none"> On-areas covered by an operating easement associated with the Waitaki Power Scheme." 		<ul style="list-style-type: none"> provide a rule pathway alongside Regulation 30 of the NESETA; and provide for trimming or removal of vegetation in the vicinity of National Grid and other transmission lines, which is a mandatory requirement under the Electricity (Hazards from Trees) Regulations 2003. <p>Transpower considers that it is necessary to further amend the Rule to address these matters.</p>	<ul style="list-style-type: none"> The existing footprint of the Waitaki Power Scheme; On-core sites associated with the Waitaki Power Scheme; On-areas covered by an operating easement associated with the Waitaki Power Scheme."
Meridian Energy Limited	<p>Seeks the following amendments to Rule 2.1.2: "Clearance is required for the operation and maintenance of the Waitaki Power Scheme Activities, with the Waitaki Power Scheme Management Area, following areas;</p> <ul style="list-style-type: none"> The existing footprint of the Waitaki Power Scheme; On-core sites associated with the Waitaki Power Scheme; <p>On-areas covered by an operating easement associated with the Waitaki Power Scheme."</p>	Support in part	<ul style="list-style-type: none"> the operation and maintenance of the Waitaki Power Scheme Activities, within the Waitaki Power Scheme Management Area; the operation, maintenance or upgrading of the National Grid, including where required by the Electricity (Hazards from Trees) Regulations 2003, following areas; <ul style="list-style-type: none"> The existing footprint of the Waitaki Power Scheme; On-core sites associated with the Waitaki Power Scheme; <p>On-areas covered by an operating easement associated with the Waitaki Power Scheme."</p>	<ul style="list-style-type: none"> On-core sites associated with the Waitaki Power Scheme; On-areas covered by an operating easement associated with the Waitaki Power Scheme."
Genesis Energy Limited	<p>Seeks the inclusion of a new permitted activity rule as follows:</p> <p>"2.1.3 For any activity, clearance that is a permitted activity under Rule 1.1."</p>	Support	<p>Transpower supports the submission because the proposed new rule provides greater consistency and clarity by confirming that the permitted vegetation clearance for other activities, such as existing tracks, will also apply to vegetation clearance associated with the Waitaki Power Scheme and the National Grid (subject to the relief sought by this further submission).</p>	<p>Allow the submission.</p>
Biodiversity Rules - Vegetation clearance associated with the Waitaki Power Scheme – Discretionary Activities				
Genesis Energy Limited	<p>Seeks the following amendments to Rule 2.3.1: "2.3.1 Any indigenous vegetation clearance associated with any new facility; structure or works associated with the Waitaki Power Scheme or Waitaki Power Scheme Activities that is not permitted under rule 2.1 or Rule 2.1.3."</p>	Support in part	<p>Transpower supports the relief sought in the submission to the extent that it provides an explicit 'default' provision for all activities not provided for in the rules in 2.1. As a consequence of amendments sought by Transpower elsewhere, to give effect to the NPSET and implement Policy 7, Transpower</p>	<p>Allow the submission, subject to the following further amendment:</p> <p>"2.3.1 Any indigenous vegetation clearance associated with any new facility, structure or works associated with the Waitaki Power Scheme, the National Grid, or Waitaki Power Scheme Activities that is</p>

Meridian Energy Limited	Seeks the following amendments to Rule 2.3.1: "2.3.1 Any Indigenous vegetation clearance for Waitaki Power Scheme Activities not permitted under Rules 2.1.1, 2.1.2 or Rule 2.1.3. indigenous vegetation clearance associated with any new facility, structure or works associated with the Waitaki Power Scheme."	Support in part	considers further amendment is necessary to Rule 2.3.1.	not permitted under rule 2.1 or Rule 2.1.3."
Rural Rules				
Mt Gerald Station Limited The Wolds Station Limited	Seeks the following amendment to the exemption in Rule 12.1.1.a as follows: "This standard shall not apply to any removal or declared weed pests or vegetation clearance for the purpose of track maintenance or habitat enhancement or for the maintenance, repair, replacement or minor upgrade of existing fence lines, tracks, roads, stock crossings, fire breaks, drains, ponds, dams, stockyards, farm buildings, airstrips water troughs, waterlines, waterway crossings or any other utility."	Support	Transpower supports the submission to the extent that the submission appropriately seeks an exemption for utilities. It is considered that such an exemption gives effect to the NPSET insofar as it relates to the National Grid.	Allow the submission.
Opuha Water Limited	Seeks the following exemption in Rule 12.1.1.a: "This standard shall not apply to vegetation clearance that is: • a consequence of an emergency occurring on, or failure of the Opuha Scheme, • required for the operation and maintenance of the Opuha Scheme within areas oared by an operating easement associated with the Scheme. ..."	Support in part	Transpower supports the submission to the extent that it appropriately provides for vegetation clearance associated with the operation and maintenance of the Waitaki Power Scheme. However, Transpower considers that the further amendments to the Rule are necessary to similarly provide for the National Grid and to therefore: • give effect to the NPSET; • give effect to Policy 16.3.4 of the CRPS; • provide a rule pathway alongside Regulation 30 of the NESETA (by inserting a rule rather than an exemption); and • provide for trimming or removal of vegetation in the vicinity of National Grid and other	Allow the submission, subject to the following further amendment: "12.1.1.a Riparian Areas Clearance of vegetation shall not exceed 100m ² per hectare in any continuous period of 5 years, except where required for the operation, maintenance or upgrading of the National Grid, including when required under the Electricity (Hazard from Trees) Regulations 2003, - within 20m of the bank of the main stem ... Exemptions: ... This standard shall not apply to vegetation clearance that is:

			<p>transmission lines, which is a mandatory requirement under the Electricity (Hazards from Trees) Regulations 2003.</p>	<ul style="list-style-type: none"> • a consequence of an emergency occurring on, or failure of the Opuha Scheme. • required for the operation and maintenance of the Opuha Scheme within areas oared by an operating easement associated with the Scheme. ..."
Definitions				
<p>Environmental Defence Society Inc. (EDS)</p>	<p>Seeks the inclusion of the following new definition of 'Site of Natural Significance (or SONS)': "SONS means significant sites of indigenous vegetation and fauna habitat identified in the District Plan maps. Not all sites qualifying as significant under s6(c) RMA and Policy 9.3.1 RPS in the District have been mapped. Other sites will be identified on a case-by-case basis."</p>	<p>Support in part</p>	<p>Transpower supports this submission to the extent that it seeks to clearly define and distinguish areas of significant indigenous vegetation and significant habitats of indigenous fauna in a manner that is consistent with the definition of 'natural area' in the NESETA. In order for Regulation 30 of the NESETA to be implemented correctly it is essential that areas that are 'natural areas' can be easily identified in district plans. This is achieved by separately defining section 6(c) of the RMA areas.</p>	<p>Allow the submission to the extent that clear definition and distinction of areas where section 6(c) of the RMA values are protected is achieved.</p>

**FORM 6
FURTHER SUBMISSION
ON PROPOSED PLAN CHANGE 18
CLAUSE 8 OF FIRST SCHEDULE RESOURCE MANAGEMENT ACT 1991**

To: Mackenzie District Council, PO Box 52, Fairlie 7949

Full name of person making further submission **SIMONS PASS STATION LIMITED**

Address for service Level 3
 258 Stuart Street
 DUNEDIN 9016

Phone: 03 474 0900 Fax/email: mgv@jacksonv.co.nz

Contact person: Murray Valentine

This is a further submission in support of (or in opposition to) submissions on:

Plan Change 18 – Indigenous Biodiversity

I am:

a person representing a relevant aspect of the public interest. In this case, also specify the grounds for saying that you come within this category; or

a person who has an interest in the proposal that is greater than the interest the general public has. In this case, also explain the grounds for saying that you come within this category;

**SIMONS PASS STATION LIMITED OWNS AND RUNS SIMONS PASS STATION,
LOCATED WITHIN THE MACKENZIE BASIN.**

I support / oppose the submission of:

SEE THE ATTACHED DOCUMENT

The particular parts of the submission I support (or oppose) are:

SEE THE ATTACHED DOCUMENT

[clearly indicate which parts of the original submission you support or oppose, together with any relevant provisions of the proposal].

The reasons for my support / opposition are:

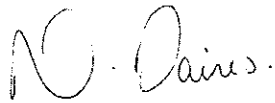
SEE THE ATTACHED DOCUMENT

I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed):
[give precise details].

SEE THE ATTACHED DOCUMENT

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

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



Signature of Submitter
or person authorised to sign on behalf of submitter
(A signature is not required if you make your submission by electronic means.)

4 May 2018

Date

If you have any queries about this form or the proposed plan change or variation, please contact Karina Morrow, Group Manager Regulations Mackenzie District Council.

Note to person making further submission

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

ATTACHMENT TO FURTHER SUBMISSION BY SIMONS PASS STATION LIMITED				
Submission No.	Name/Organisation	Request	Support/Oppose	Reason
2	Maryburn Station	Identify significant indigenous vegetation	No Comment	
2	Maryburn Station	Oppose need to provide for compensation for loss of land	Support	It is agreed that the financial impact on farmers caused through recent plan change processes should be given more consideration.
9	Environmental Defence Society Inc. (EDS)	Need to map all SONS, need to recognise overlap between biodiversity, ecological and landscape values, need strong policy showing rules apply in other parts of the Plan	Oppose	Identifying the land in Attachment A to the submission as a SONS is outside of the scope of PC18 and would have significant implications beyond Chapter 19. Landscape values are not relevant in Chapter 19. The proposed link to the Utilities Chapter is also outside of the scope of PC18.
15	Pukaki Tourism Holdings Limited	Approval of a Farm Biodiversity Plan should be enabled and approval should not require resource consent.	No comment	No comment
16	Mt Gerald Station Limited	Modify PC18 as set out in Primary Relief 3.1.1-3.1.7	Oppose in part	Simons Pass Station Limited does not agree with the proposed % based approach for defining indigenous and non indigenous vegetation. This is difficult to apply and creates uncertainty.
17	The Worlds Station Limited	Modify PC18 as set out in Primary Relief 3.1.1-3.1.7	Oppose in part	Simons Pass Station Limited does not agree with the proposed % based approach for defining indigenous and non indigenous vegetation. This is difficult to apply and creates uncertainty.
19	Blue Lake Investments New Zealand Limited	Approval of a Farm Biodiversity Plan should be enabled and approval should not require resource consent.	No comment	No comment
21	Marion Seymour	The Plan Change does not distinguish between the Basin and Gorge Runs which have very different terrain, land cover, rainfall etc. Weed type species spread very quickly and cause problems for stock so need clearing	No comment	No comment
Submissions on the whole of Section 19				
16	Mt Gerald Station Limited	Change heading to Vegetation Clearance	No comment	No comment
16	Mt Gerald Station Limited	Add Appendix Z with criteria for determining significant indigenous vegetation	No comment	No comment
16	Mt Gerald Station Limited	Add Appendix ZA with off-setting detail	No comment	No comment
17	The Worlds Station Limited	Change heading to Vegetation Clearance	No comment	No comment
17	The Worlds Station Limited	Add Appendix Z with criteria for determining significant indigenous vegetation	No comment	No comment
17	The Worlds Station Limited	Add Appendix ZA with off-setting detail	No comment	No comment

Submissions on Biodiversity Objectives 1, 2 and 3 and new Objectives			
1	Federated Farmers of New Zealand Maryburn Station	Support Recognise specific identified protected areas and establishing vegetation cover to avoid or remedy soil loss	Agree in part Agree with submission regarding soil erosion.
2	Carol Linda Burke	Objective 1 to refer to all remaining indigenous biodiversity	Oppose The proposed amendment is unrealistic in a farming area and unreasonably restrictive of legitimate farming practices.
4	Mackenzie Guardians Inc. Canterbury Regional Council (Environment Canterbury)	Objective 3 support with amendments to include ONL Rewrite to clarify listed matters	Oppose Consideration of landscape values is not relevant in Chapter 19. No comment
6	Canterbury Regional Council (Environment Canterbury)	Objective 1 - Amend to refer to significant habitats of indigenous fauna	No comment
8	Canterbury Regional Council (Environment Canterbury)	Objective 2 - Delete	No comment
8	Canterbury Regional Council (Environment Canterbury)	Amend to clarify that two limbs in the objective	The proposed change is unnecessary.
9	Environmental Defence Society Inc. (EDS)	Objective 3 - Amend	The proposed amendment is unnecessary. The current wording of the objective is appropriate and sufficient.
9	Environmental Defence Society Inc. (EDS)	Objective 3 - Amend	The proposed amendment is unnecessary.
10	Hermann Frank	Objective 3 - reword	No comment
11	Genesis Energy Limited	Add new objective for Waitaki Power Scheme	No comment
11	Genesis Energy Limited	Objective 1 - Amend	No comment
11	Genesis Energy Limited	Objective 2 - Amend	No comment
12	Glenrock Station Limited	Objectives 2 & 3 - Amend	No comment
13	Meridian Energy Limited	Add new objective for Waitaki Power Scheme	Support As an alternative to the current wording
13	Meridian Energy Limited	Objective 1 - Amend	No comment
13	Meridian Energy Limited	Objective 2 - Amend	No comment
16	MT Gerald Station Limited	Replace Objective 1	No comment
16	MT Gerald Station Limited	Replace Objective 2	Support Simons Pass Station Ltd made no submission on the current wording of Objective 1, but would support this proposed replacement Objective 1 in the alternative.
16	MT Gerald Station Limited	Replace Objective 3	Support Simons Pass Station Ltd made no submission on the current wording of Objective 2, but would support this proposed replacement Objective 2 in the alternative.
17	The Wolds Station Limited	Replace Objective 1	Oppose Simons Pass Station Limited supports the use of Farm Biodiversity Plans.
17	The Wolds Station Limited	Replace Objective 2	Support Simons Pass Station Ltd made no submission on the current wording of Objective 1, but would support this proposed replacement Objective 1 in the alternative.
17	The Wolds Station Limited	Replace Objective 3	Support Simons Pass Station Ltd made no submission on the current wording of Objective 2, but would support this proposed replacement Objective 2 in the alternative.
18	The Department of Conservation	Need to map all SONS, need to recognise overlap between biodiversity, ecological and landscape values, need strong policy showing rules apply in other parts of the Plan	Oppose Simons Pass Station Limited supports the use of Farm Biodiversity Plans.
20	Forest and Bird	Split Objective 1 into two separate objectives	The submission suggests that the reason for the amendment is that all indigenous biodiversity values should be identified, not just significant values. However, the effect of the amendment is that all indigenous biodiversity are to be identified and protected and enhanced. That is a more fundamental change than DoC suggests and is unnecessary given that the Farm Biodiversity Plan is already required to do this.
20	Forest and Bird	Objective 3 - delete	Oppose This is unnecessary. Objective 3 is necessary and supported in its current form.

Submissions on Biodiversity Policies					
1	Federated Farmers of New Zealand	Support	No comment	No comment	No comment
2	Maryburn Station	Recognise specific identified protected areas and establishing vegetation cover to avoid or remedy soil loss	Support	Support	The issue of soil loss was also raised in Simons Pass Station's original submission.
8	Canterbury Regional Council (Environment Canterbury)	Rewrite to clarify listed matters	Oppose	Oppose	The current wording is supported.
12	Glenrock Station Limited	Add new policies 4A and 5A	No comment	No comment	No comment
16	Mt Gerald Station Limited	Add new policy for minor works	Support	Support	For the reasons explained in the submission by Mt Gerald Station Ltd.
17	The Wolds Station Limited	Add new policy for minor works	Support	Support	For the reasons explained in the submission by The Wolds Station Ltd.
18	The Department of Conservation	Add new policy protect significant values	Oppose	Oppose	This new policy is unnecessary, protection of significant values is a theme that clearly runs through the existing policies as they are currently worded.
Submissions on Biodiversity Policy 1					
7	Central South Island Fish and Game	Amend to refer to CRPS criteria	No comment	No comment	No comment
9	Environmental Defence Society Inc. (EDS)	Amend and include map of biodiversity/ecological connectivity	Oppose	Oppose	The amendment is unnecessary and the proposed new map identifying a new SONS area is out of scope of PC18.
11	Genesis Energy Limited	Amend	No comment	No comment	No comment
13	Meridian Energy Limited	Amend	No comment	No comment	No comment
16	Mt Gerald Station Limited	Amend Policy 1	Support	Support	Simons Pass Station Limited agrees with the comments made in the submission by Mt Gerald Station Ltd.
17	The Wolds Station Limited	Amend Policy 1	Support	Support	Simons Pass Station Ltd agrees with the comments made in the submission by The Wolds Station Ltd.
18	The Department of Conservation	Amend	No comment	No comment	No comment
20	Forest and Bird	Amend	No comment	No comment	No comment
Submissions on Biodiversity Policy 2					
8	Canterbury Regional Council (Environment Canterbury)	Replace policy	No comment	No comment	No comment
9	Environmental Defence Society Inc. (EDS)	Replace Policy 2 with Policies 2A and 2B	Oppose	Oppose	The proposed change is unnecessary.
11	Genesis Energy Limited	Amend and add new Policy 2A	No comment	No comment	No comment
13	Meridian Energy Limited	Amend and add new Policy 2A	No comment	No comment	No comment
16	Mt Gerald Station Limited	Replace Policy 2	Support	Support	Simons Pass Station made no original submission on Policy 2, but would support the new Policy wording proposed in Mt Gerald Station Ltd's submission.
17	The Wolds Station Limited	Replace Policy 2	Support	Support	Simons Pass Station made no original submission on Policy 2, but would support the new Policy wording proposed in The Wolds Station Ltd's submission.
18	The Department of Conservation	Amend	No comment	No comment	No comment
20	Forest and Bird	Amend	No comment	No comment	No comment

Submissions on Biodiversity Policy 3					
4	Carol Linda Burke	Amend to exclude indigenous vegetation clearance	Oppose	The proposed amendment is unrealistic in a farming area and unreasonably restrictive of legitimate farming practices.	
7	Central South Island Fish and Game	Amend to clarify that areas identified as significant are protected	Oppose	The Policy is clear as worded that this is the intention. Policies 5 and 6 regarding offsetting are clear and consistent with the RPS.	
8	Canterbury Regional Council (Environment Canterbury)	Minor rewording	No comment	No comment	
9	Environmental Defence Society Inc. (EDS)	Amend	Oppose	The proposed amendment is unrealistic in a farming area and imposes unreasonable restrictions on the use of land.	
16	Mt Gerald Station Limited	Amend Policy 3	Support	Simons Pass Station Limited would support this proposed amended wording.	
17	The Wolds Station Limited	Amend Policy 3	Support	Simons Pass Station Limited would support this proposed amended wording.	
18	The Department of Conservation	Amend	Oppose	This would place too high a burden on landowners and unreasonably restrict normal farming activities.	
20	Forest and Bird	Delete	No comment	No comment	
Submissions on Biodiversity Policy 4					
7	Central South Island Fish and Game	Amend to include all wetlands	No comment	No comment	
9	Environmental Defence Society Inc. (EDS)	Amend	No comment	No comment	
16	Mt Gerald Station Limited	Delete Policy 4	No comment	No comment	
17	The Wolds Station Limited	Delete Policy 4	No comment	No comment	
Submissions on Biodiversity Policy 5					
4	Carol Linda Burke	Remove provision for offsetting	Oppose	Offsetting in certain circumstances is recognised in the RPS.	
6	Mackenzie Guardians Inc.	Support in part - Off-setting should not be first option	No comment	No comment	
7	Central South Island Fish and Game	Oppose offsetting	Oppose	Offsetting is an important opportunity in some cases. Policies 5 and 6 are clear that its use is restricted to limited circumstances and are consistent with the RPS.	
8	Canterbury Regional Council (Environment Canterbury)	Rewording to reflect priorities for management	Oppose	The current wording of the Policy is supported.	
9	Environmental Defence Society Inc. (EDS)	Delete and Replace Policy 5	Oppose	Offsetting is an important opportunity in some cases. Policies 5 and 6 are clear that its use is restricted to limited circumstances and are consistent with the RPS.	
10	Hermann Frank	Reword	Oppose	The proposed amendment is unnecessary.	
16	Mt Gerald Station Limited	Replace Policy 5	Support	Simons Pass Station Limited made no submission on the current wording of the Policy, but would support this proposed replacement policy if an alternative to the current wording is to be drafted.	
17	The Wolds Station Limited	Replace Policy 5	Support	Simons Pass Station Limited made no submission on the current wording of the Policy, but would support this proposed replacement policy if an alternative to the current wording is to be drafted.	
18	The Department of Conservation	Delete and replace Policy 5	Oppose	The amendment is unnecessary, the Department's concerns are already met through the wording of Policy 6.	
20	Forest and Bird	Delete	Oppose	The Policy is consistent with the RPS.	

Submissions on Biodiversity Policy 6					
4	Carol Linda Burke	Remove provision for offsetting		Oppose	Offsetting is an important opportunity in some cases. Policies 5 and 6 are clear that its use is restricted to limited circumstances and are consistent with the RPS.
6	Mackenzie Guardians Inc.	Support in part - Off-setting should not be first option		Oppose	Offsetting is an important opportunity in some cases. Policies 5 and 6 are clear that its use is restricted to limited circumstances and are consistent with the RPS.
7	Central South Island Fish and Game	Oppose offsetting		Oppose	Offsetting is an important opportunity in some cases. Policies 5 and 6 are clear that its use is restricted to limited circumstances and are consistent with the RPS.
9	Environmental Defence Society Inc. (EDS)	Delete and Replace Policy 6		Oppose	Offsetting is an important opportunity in some cases. Policies 5 and 6 are clear that its use is restricted to limited circumstances and are consistent with the RPS.
14	Opuha Water Limited	Amend		Support	For the reasons noted in the submission by Opuha Water Limited.
16	Mt Gerald Station Limited	Replace Policy 6		Support	Simons Pass Station Limited made no submission on the current wording of the Policy, but would support this proposed replacement policy if an alternative to the current wording is to be drafted.
17	The Wolds Station Limited	Replace Policy 6		Support	Simons Pass Station Limited made no submission on the current wording of the Policy, but would support this proposed replacement policy if an alternative to the current wording is to be drafted.
18	The Department of Conservation	Amend		No comment	No comment
20	Forest and Bird	Amend		Oppose	The policy is consistent with the RPS.
Submissions on Biodiversity Policy 7					
9	Environmental Defence Society Inc. (EDS)	Delete and Replace Policy 7		No comment	No comment
11	Genesis Energy Limited	Amend		No comment	No comment
12	Glenrock Station Limited	Add new Policy 7A		Support	For the reasons noted in the submission by Glenrock Station Limited.
13	Meridian Energy Limited	Amend		No comment	No comment
14	Opuha Water Limited	Amend		No comment	No comment
Submissions on Biodiversity Policy 8					
8	Canterbury Regional Council (Environment Canterbury)	Minor rewording		No comment	No comment
9	Environmental Defence Society Inc. (EDS)	Amend		Oppose	The proposed amendment is unrealistic in a farming area and imposes unreasonable restrictions on the use of land.
12	Glenrock Station Limited	Amend		No comment	No comment
18	The Department of Conservation	Amend		Oppose	The proposed amendments are too restrictive and would unreasonably interfere with the ability of landowners to carry out normal farming activities on their properties.
20	Forest and Bird	Delete heading and amend policy 8		No comment	No comment
16	Mt Gerald Station Limited	Combine policies 8 & 9		Support	Simons Pass Station Limited made no submission on the current wording of the Policy, but would support this proposed replacement policy if an alternative to the current wording is to be drafted.
17	The Wolds Station Limited	Combine policies 8 & 9		Support	Simons Pass Station Limited made no submission on the current wording of the Policy, but would support this proposed replacement policy if an alternative to the current wording is to be drafted.
Submissions on Biodiversity Policy 9					
9	Environmental Defence Society Inc. (EDS)	Amend		Oppose	See the comments in relation to Policy 8.
12	Glenrock Station Limited	Amend		No comment	No comment
16	Mt Gerald Station Limited	Delete Policy 9		Support	See the comment in relation to the submission on Policy 8
17	The Wolds Station Limited	Delete Policy 9		Support	See the comment in relation to the submission on Policy 8
18	The Department of Conservation	Amend		Oppose	The proposed amendments are too restrictive and would unreasonably interfere with the ability of landowners to carry out normal farming activities on their properties.
20	Forest and Bird	Delete heading		No comment	No comment

Submissions on Biodiversity Rules Vegetation clearance excluding Waitaki Power Scheme				
7	Central South Island Fish and Game	Amend so springs also protected from veg clearance	No comment	No comment
18	The Department of Conservation	Amend by specifying precedence of the rules	Oppose	The proposed amendment is outside of the scope of PC18.
Submissions on Biodiversity Rules - Permitted Activities excluding Waitaki Power Scheme				
1	Federated Farmers of New Zealand	Amend to include piping network	Support	Simons Pass Station Ltd agrees with this amendment for the reasons raised by Federated Farmers.
2	Maryburn Station	Rule 1.1.1.I needs clarification	No comment	No comment
4	Carol Linda Burke	Delete 1.1.1(6) Confusing and unnecessary	Oppose	The rule is necessary and appropriately allows for consented or otherwise permitted farming activities to continue.
4	Carol Linda Burke	1.1.1(7) Amend to exclude all valuable areas	Oppose	An appropriate level of restriction is achieved by not permitting clearance in the areas specified in rule 1.1.1.7.
5	Colin John Morris	Delete 1.1.1(6)	Oppose	The rule is necessary and appropriately allows for consented or otherwise permitted farming activities to continue.
6	Mackenzie Guardians Inc.	Oppose rule 1.1.1(6) clearer definition needed	Oppose	Simons Pass Station Limited supports the rule as drafted. It is more appropriate to have this category of permitted activity clearly specified than attempting to rely on the indigenous vegetation definition.
8	Canterbury Regional Council (Environment Canterbury)	Clarify that conditions 7 and 8 must be met, delete condition 5, and reword	Support in part	Support re conditions 7 and 8 proposed rewording. No comments on other proposals.
9	Environmental Defence Society Inc. (EDS)	Rule 1.1.1 Add maximum clearance cap or similar parameters, delete 1.1.1(6)	Oppose	The imposition of an arbitrary clearance cap is not supported. The parameters around permitted clearance are already sufficiently clear. Deletion of rule 1.1.1(6) is not supported, this rule is necessary to allow legitimate farming activities to continue.
16	Mt Gerald Station Limited	Rule 1.1.1 Amend conditions	Support	For the reasons explained in the submission by Mt Gerald Station Ltd
17	The Wolds Station Limited	Rule 1.1.1 Amend conditions	Support	For the reasons explained in the submission by The Wolds Station Ltd
18	The Department of Conservation	Rule 1.1.1.6 Amend to require improved pasture to be identified	Oppose	See the comments in relation to the Department's proposed amendments of the improved pasture definition.
20	Forest and Bird	Rule 1.1.1 Amend condition 1 and 2 and delete condition 5	Oppose	The amendment to condition 1 provides an arbitrary and unnecessary restriction to this exemption. Condition 6 is necessary and as drafted in combination with the definition of improved pasture appropriately allows for consented or otherwise permitted farming activities to continue.
21	Marion Seymour	Rule 1.1.1 add in stock tracks	Support	For the reasons raised in the submission.

Submissions on Biodiversity Rules - Restricted Discretionary Activities excluding Waitaki Power Scheme			
4	Carol Linda Burke Canterbury Regional Council (Environment Canterbury)	Oppose should be no ind veg clearance Rule 1.2.1 Include reference to farming operation	Oppose No comment
8	Canterbury Regional Council (Environment Canterbury)	Rule 1.2.2 reword and add matters of discretion	Oppose
9	Environmental Defence Society Inc. (EDS)	Rule 1.2.1 amend by adding matters of discretion	Oppose
9	Environmental Defence Society Inc. (EDS)	Rule 1.2.2 amend by adding matters of discretion	Oppose
10	Hermann Frank	Rule 1.2.2 - change 100m2 to 1000m2 and consequentially Rule 1.3.1	Oppose
12	Glenrock Station Limited	Rule 1.2.1 Amend matters of discretion	No comment
16	Mt Gerald Station Limited	Rule 1.2.1 change activity status to controlled, amend conditions, and replace matters of control	Support
16	Mt Gerald Station Limited	Rule 1.2.2 change activity status to restricted discretionary, amend conditions, and replace matters of control	Support
17	The Wolds Station Limited	Rule 1.2.1 change activity status to controlled, amend conditions, and replace matters of control	Support
17	The Wolds Station Limited	Rule 1.2.2 change activity status to restricted discretionary, amend conditions, and replace matters of control	Support
18	The Department of Conservation	Rule 1.2.1 Amend	Oppose
18	The Department of Conservation	Rule 1.2.2 Amend	Oppose
20	Forest and Bird	Rule 1.2.1 Delete	Oppose
20	Forest and Bird	Rule 1.2.2 Amend matters of discretion	Oppose
Submissions on Biodiversity Rules - Discretionary Activities excluding Waitaki Power Scheme			
8	Canterbury Regional Council (Environment Canterbury)	Rule 1.3.1 reword	Oppose
16	Mt Gerald Station Limited	Rule 1.3.1 include a per 100 ha ratio & amend condition 3	Support
17	The Wolds Station Limited	Rule 1.3.1 include a per 100 ha ratio & amend condition 3	Support
20	Forest and Bird	Amend introductory words	No comment

Submissions on Biodiversity Rules Vegetation clearance in Waitaki Power Scheme - Permitted Activities				
9	Environmental Defence Society Inc. (EDS)	Insert controls on extent of permitted clearance	No comment	No comment
11	Genesis Energy Limited	Support	No comment	No comment
11	Genesis Energy Limited	Rule 2.1.2 - Amend	No comment	No comment
11	Genesis Energy Limited	Rule 2.1 Add new permitted activity	No comment	No comment
13	Meridian Energy Limited	Support	No comment	No comment
13	Meridian Energy Limited	Rule 2.1.2 - Amend	No comment	No comment
13	Meridian Energy Limited	Rule 2.1 Add new permitted activity	No comment	No comment
14	Opuha Water Limited	Rules 2.1.1, 2.2.1 & 2.3.1 Add reference to Opuha Scheme	No comment	No comment
Submissions on Biodiversity Rules Vegetation clearance in Waitaki Power Scheme - Restricted Discretionary Activities				
8	Canterbury Regional Council (Environment Canterbury)	Rule 2.2.1(b) add matters of discretion	No comment	No comment
11	Genesis Energy Limited	Rule 2.2 - Delete	No comment	No comment
11	Genesis Energy Limited	Rule 2.3 - Amend and add new rule	No comment	No comment
13	Meridian Energy Limited	Rule 2.2 - Delete	No comment	No comment
13	Meridian Energy Limited	Rule 2.3 - Amend and add new rule	No comment	No comment
Submissions on Appendix Y - Farm Biodiversity Plan Framework				
1	Federated Farmers of New Zealand	Support	Support	Agree that Farm Biodiversity Plans are a good tool.
4	Carol Linda Burke	Include historic and current consents	Oppose	Current requirements for the Farm Biodiversity Plan are sufficient.
6	Mackenzie Guardians Inc.	Support with clear definition of improved pasture	Oppose	Consideration of landscape values is not appropriate in the Farm Biodiversity Plan.
9	Environmental Defence Society Inc. (EDS)	Various amendments	Oppose	The current wording of Appendix Y is supported (with minor changes), the changes proposed by EDS are unnecessary.
12	Glenrock Station Limited	Amend Introduction, Description of Property and Values and add new Management Methods	No comment	No comment
16	Mt Gerald Station Limited	Insert new condition and amend section C(1), delete c(5), amend Section D	No comment	No comment
17	The Wolds Station Limited	Insert new condition and amend section C(1), delete c(3), amend Section D	No comment	No comment
18	The Department of Conservation	Amend to clarify the FBP functions the same as conditions on a consent.	Oppose	The amendment elevates the Farm Biodiversity Plan to a resource consent, there is no statutory basis for this statement.
20	Forest and Bird	Amend to address concerns in submission	Oppose	The current wording of Appendix Y is supported (with minor changes), the changes proposed by Forest & Bird are unnecessary.

Submissions on Definitions					
2	Maryburn Station	Improved pasture - amend to include all existing pasture sown in exotic species.	Support	Simons Pass Station Limited supports the current definition, but would also support the proposed amended definition as an alternative.	
5	Colin John Morris	Amend "improved pasture" definition as ambiguous	Oppose	The current definition is supported for the reasons noted in Simons Pass Station Limited's original submission.	
6	Mackenzie Guardians Inc.	Improved pasture - amend definition to avoid loopholes	Oppose	The current definition is supported for the reasons noted in Simons Pass Station Limited's original submission.	
6	Mackenzie Guardians Inc.	Indigenous vegetation - should include exclusions e.g. domestic garden	No comment	No comment.	
7	Central South Island Fish and Game	Improved pasture - clarify what areas this applies to	Oppose	The current definition is supported for the reasons noted in the original submission.	
8	Canterbury Regional Council (Environment Canterbury)	Farming Enterprise - reword	No comment	No comment.	
8	Canterbury Regional Council (Environment Canterbury)	Indigenous vegetation - Amend	Oppose	The current definition is supported for the reasons noted in Simons Pass Station Limited's original submission. The proposed amendments add unnecessary complexity.	
8	Canterbury Regional Council (Environment Canterbury)	Improved pasture - Amend	Oppose	Introducing a fixed date does not allow for future development under consents granted for agricultural conversion.	
9	Environmental Defence Society Inc. (EDS)	Improved pasture - delete	Oppose	The current definition is supported for the reasons raised in Simons Pass Station Limited's original submission. EDS's criticisms are unfounded. The definition and related rule must remain to allow legitimate farming activities to continue.	
9	Environmental Defence Society Inc. (EDS)	Indigenous vegetation - delete	Oppose	The current definition is appropriate and supported for the reasons raised in Simons Pass Station Limited's original submission.	
9	Environmental Defence Society Inc. (EDS)	add definition of "maintenance"	Oppose	The new definition is unnecessary.	
9	Environmental Defence Society Inc. (EDS)	add definition of "no net loss"	Oppose	The new definition is unnecessary.	
9	Environmental Defence Society Inc. (EDS)	add definition of "biodiversity offsetting"	Oppose	The new definition is unnecessary.	
9	Environmental Defence Society Inc. (EDS)	add definition of "Site of Natural Significance"	Oppose	The proposed definition which changes the meaning of SONS would have wide implications beyond PC18 and is out of scope.	
10	Hermann Frank	Vegetation clearance - reword	Oppose	This is unnecessary, oversowing and topdressing are already dealt with in other parts of the Plan.	
11	Genesis Energy Limited	Waitaki Power Scheme - amend definition	No comment	No comment.	
11	Genesis Energy Limited	Maintenance of Waitaki Power Scheme - delete and replace with definition of Waitaki Power Scheme Activities	No comment	No comment.	
11	Genesis Energy Limited	Add new definition of Waitaki Power Scheme Management Area	No comment	No comment.	
11	Genesis Energy Limited	Refurbishment -delete and replace with definition of Waitaki Power Scheme Activities	No comment	No comment.	
11	Genesis Energy Limited	Indigenous Vegetation - amend or change rules 1.1.2.1 and 2.3	Oppose	The amendment is not required and introduces unnecessary additional complexity by returning to % cover.	
12	Glenrock Station Limited	Improved Pasture - Amend	Support	Simons Pass Station Limited supported the current definition but does not oppose this proposed amendment.	
12	Glenrock Station Limited	Indigenous Vegetation - support if amend improved pasture definition	Support in part	It is agreed that the two definitions must exist together.	
13	Meridian Energy Limited	Waitaki Power Scheme - amend definition	No comment	No comment.	
13	Meridian Energy Limited	Maintenance of Waitaki Power Scheme - delete and replace with definition of Waitaki Power Scheme Activities	No comment	No comment.	
13	Meridian Energy Limited	Add new definition of Waitaki Power Scheme Management Area	No comment	No comment.	
13	Meridian Energy Limited	Refurbishment -delete and replace with definition of Waitaki Power Scheme Activities	No comment	No comment.	
13	Meridian Energy Limited	Indigenous Vegetation - amend or change rules 1.1.2.1 and 2.3	Oppose	Simons Pass Station Limited does not agree with a return to a definition relying on % cover.	
14	Opuha Water Limited	Maintenance of Waitaki Power Scheme - by adding reference to Opuha	No comment	No comment.	
Submissions on Definitions					
14	Opuha Water Limited	Refurbishment -amend by adding reference to Opuha	No comment	No comment	
14	Opuha Water Limited	Add definition of "Opuha Scheme"	No comment	No comment	
14	Opuha Water Limited	Operating Easement -amend	No comment	No comment	
16	Mt Gerald Station Limited	Improved Pasture - Amend	Support	Simons Pass Station Limited supports the current wording of the definition, but would also support this proposed definition as an alternative.	

16	Mt Gerald Station Limited	Indigenous vegetation - Amend to include minor element of exotic vegetation	Support	Simons Pass Station Limited supports the current wording of the definition, but would also support this proposed definition as an alternative.
16	Mt Gerald Station Limited	Add new definition of "Significant indigenous vegetation"	No comment	No comment
16	Mt Gerald Station Limited	Vegetation clearance - delete reference to irrigation	Support	Simons Pass Station Limited agrees with the comments made in the submission by Mt Gerald Station Limited.
17	The Wolds Station Limited	Improved Pasture - Amend	Support	Simons Pass Station Limited supports the current wording of the definition, but would also support this proposed definition as an alternative.
17	The Wolds Station Limited	Indigenous vegetation - Amend to include minor element of exotic vegetation	Support	Simons Pass Station Limited supports the current wording of the definition, but would also support this proposed definition as an alternative.
17	The Wolds Station Limited	Add new definition of "Significant indigenous vegetation"	No comment	No comment
17	The Wolds Station Limited	Vegetation clearance - delete reference to irrigation	Support	Simons Pass Station Limited agrees with the comments made in the submission
18	The Department of Conservation	Add definition of "Biodiversity Offset"	No comment	No comment
18	The Department of Conservation	Improved Pasture - Amend to refer to Planning Maps	Oppose	Attempting to identify areas of improved pasture on a macro scale so as to allow for representation in the planning maps is not practical and would not allow changes in vegetation from current land use practices to be reflected. The proposed new paragraph (b) would create significant uncertainty for landowners and is too restrictive.
18	The Department of Conservation	Add definition of "No net loss"	No comment	No comment
20	Forest and Bird	Biodiversity - Amend to match RMA definition	No comment	No comment
20	Forest and Bird	Improved Pasture - delete definition	Oppose	The definition does not rely on subjective judgement as suggested by Forest & Bird. It is a clear definition that should be easily applied by appropriately qualified experts.
20	Forest and Bird	Add definition of "no net loss"	No comment	No comment
20	Forest and Bird	Indigenous Vegetation - Amend	Oppose	The current wording of the definition is clear and sufficient. The amendment proposed by Forest & Bird is unnecessary and it is unclear what deficiency with the current wording Forest & Bird considers it is rectifying by the proposal.
7	Central South Island Fish and Game	Vegetation clearance - need to clarify to cover indigenous	Oppose	To the extent that the submission suggests that extra activities such as grazing need to be included in the current vegetation clearance definition, that is unrealistic and unnecessary.
18	The Department of Conservation	Indigenous vegetation - Amend	No comment	No comment
18	The Department of Conservation	Add definition of "Significant Indigenous Vegetation or Habitat"	No comment	No comment
8	Canterbury Regional Council (Environment Canterbury)	Rule 12.1.1 Remove exemption in (ii) and notes	No comment	No comment
8	Canterbury Regional Council (Environment Canterbury)	Rule 12.1.1 Revord	No comment	No comment
10	Hermann Frank	Rule 12.1.1 to apply only to non-indigenous vegetation	No comment	No comment
14	Opuha Water Limited	Rule 12.1.1.a - Add new clauses relating to the Opuha Scheme	No comment	No comment
16	Mt Gerald Station Limited	Rule 12.1.1.a - modify riparian standards, add and/or modify exemptions	Support	Simons Pass Station Limited agrees with the reasons raised in the submission by Mt Gerald Station Ltd.
17	The Wolds Station Limited	Rule 12.1.1.a - modify riparian standards, add and/or modify exemptions	Support	Simons Pass Station Limited agrees with the reasons raised in the submission by The Wolds Station Ltd.
20	Forest and Bird	Change Riparian Margin to Area	No comment	No comment



Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Mackenzie District Plan Change 18 (Indigenous Biodiversity)

4 May 2018

Further Submission by Genesis Energy Limited

Trading as Genesis

ON

Proposed Mackenzie District Plan Change 18 (Indigenous Biodiversity)

To: Mackenzie District Council
53 Main Street
Fairlie 7925

Date: 4 May 2018

Name: Genesis Energy Limited

Contact: Karen Sky
Environmental Manager
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1. Introduction

Genesis Energy Limited, trading as Genesis ("Genesis") makes the specific further submissions on Proposed Plan Change 18 to the Mackenzie District Plan, as set out in table below.

Genesis wishes to be heard in support of this submission.

In accordance with Clause 8(1)(b) of the First Schedule of the Resource Management Act 1991, Genesis has an interest in Proposed Plan Change 18 to the Mackenzie District Plan greater than the interest of the general public.

Genesis does not gain an advantage in trade competition through this submission.

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

Yours sincerely



Karen Sky
Environmental Manager

Plan Change 18 – Further Submissions

Submitter Name	Sub no.	Section of Plan	Support/ Oppose	Reason	Relief sought
Meridian Energy Limited	13	All Submission Points	Support	For reasons outlined in Genesis's submission on PC18.	Accept Submission
Opuha Water Limited	14	Waitaki Power Scheme Provisions and Definitions	Oppose	Genesis opposes provisions sought by Opuha Water Limited relating to the Waitaki Power Scheme. It is noted that the Opuha Scheme did not form part of the notified PC 18. For reasons outlined in Genesis submission, specific provisions relating to the nationally significant Waitaki Power Scheme are required to give effect to the NPS-REG, which does not include provision for irrigation or community supply as sought by Opuha Water Limited.	Reject Submission
Royal Forest and Bird Protection Society of New Zealand Inc	20	Objective 1	Oppose	The consequences of amending Objective 1 by splitting it into two separate objectives is uncertain and therefore opposed by Genesis.	Reject Submission
Canterbury Regional Council	8	Objective 2	Oppose	Canterbury Regional Council seeks that this policy be deleted. Genesis does not consider the deletion to be appropriate. Objective 3 is only in relation to Farm Biodiversity Plans. Deleting Objective 2 would not provide an appropriate objective framework for non-farming related activities that occur in the Mackenzie District.	Reject Submission
Mackenzie Guardians Inc.	6	Policies 1-4	Oppose	Genesis is concerned with the consequences of 'avoid' policies on the existing nationally significant Waitaki Power Scheme. In the context of the core sites and easement areas, Genesis needs the ability to undertake works (which may involve vegetation clearance) to enable the operation, maintenance and enhancement of the Waitaki Power Scheme. Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme.	Reject Submission
Central South Island Fish & Game Council	7	Policy 1	Oppose	In the context of the Waitaki Power Scheme and renewable generation more widely, the RPS recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources. Genesis is concerned with the consequences of 'avoid' policies on the existing nationally significant Waitaki Power Scheme. In the context of the core sites and easement areas, Genesis needs the ability to undertake works (which may involve vegetation clearance) to enable the operation, maintenance and enhancement of the Waitaki Power Scheme. Genesis considers that the full range of effects	Reject Submission

Submitter Name	Sub no.	Section of Plan	Support/ Oppose	Reason	Relief sought
				management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme.	
Environmental Defence Society Inc	9	Policy 1	Oppose	In the context of the Waitaki Power Scheme and renewable generation more widely, the RPS recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources. It is appropriate for established activities to rely on mapped SONS that are contained within the district plan. This provides certainty and clarity to plan users as to which areas are significant and where the more stringent provisions apply. Further SONS and associated mapping should be added through a separate Plan Change process, where parties are given the opportunity to fully understand the effects.	Reject Submission
Director General of Conservation	18	Policy 1	Oppose	It is appropriate for established activities to rely on mapped SONS that are contained within the district plan. This provides certainty and clarity to plan users as to which areas are significant and where the more stringent provisions apply. Further SONS and associated mapping should be added through a separate Plan Change process, where parties are given the opportunity to fully understand the effects.	Reject Submission
Royal Forest and Bird Protection Society of New Zealand Inc	20	Policy 1	Oppose	Genesis is concerned with the consequences of 'avoid' polices on the existing nationally significant Waitaki Power Scheme. In the context of the core sites and easement areas, Genesis needs the ability to undertake works (which may involve vegetation clearance) to enable the operation, maintenance and enhancement of the Waitaki Power Scheme. Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme.	Reject Submission
Environmental Defence Society Inc	9	Policy 2	Oppose	In the context of the Waitaki Power Scheme and renewable generation more widely, the RPS recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources. Genesis is concerned with the consequences of 'avoid' polices on the existing nationally significant Waitaki Power Scheme. In the context of the core sites and easement areas, Genesis needs the ability to undertake works (which may involve vegetation clearance) to enable the operation, maintenance and	Reject Submission

Submitter Name	Sub no.	Section of Plan	Support/ Oppose	Reason	Relief sought
				enhancement of the Waitaki Power Scheme. Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme. In the context of the Waitaki Power Scheme and renewable generation more widely, the RPS recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources.	
Central South Island Fish & Game Council	7	Policy 5 and 6	Oppose	CRPS provides for offsetting as an option, and the notified Policy 6 is a direct replication of that policy. Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme. This includes avoidance as well as remediation and mitigation, and where appropriate, offsets and environmental compensation.	Reject Submission
Royal Forest and Bird Protection Society of New Zealand Inc	20	Policy 5 and Policy 6	Oppose	This policy recognises that there are a range of effects management mechanisms that can be employed. In the context of the core sites and easement areas, Genesis needs the ability to undertake works (which may involve vegetation clearance) to enable the operation, maintenance and enhancement of the Waitaki Power Scheme. The operation of the scheme may be compromised if all effects had to be avoided.	Reject Submission
Director General of Conservation	18	Policy 5	Oppose	Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme. This includes avoidance as well as remediation and mitigation, and where appropriate, offsetting and environmental compensation	Reject Submission
Environmental Defence Society Inc	9	Policy 6	Oppose	Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme. This includes avoidance as well as remediation and mitigation, and where appropriate, offsets and environmental compensation. It is important to note that there may be overlap between the critical areas of the Waitaki Power Scheme and significant indigenous vegetation where it may not be possible to avoid effects in entirety, but mitigation, offsetting and compensation is appropriate.	Reject Submission

Submitter Name	Sub no.	Section of Plan	Support/ Oppose	Reason	Relief sought
				In the context of the Waitaki Power Scheme and renewable generation more widely, the RPS recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources.	
Director General of Conservation	18	Policy 6	Oppose	CRPS provides for offsetting as an option, and the notified Policy 6 is a direct replication of that policy. Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme. This includes avoidance as well as remediation and mitigation, and where appropriate, offsets and environmental compensation.	Reject Submission
Environmental Defence Society Inc	9	Relationship with section 16 of the District Plan	Oppose	Section 16 of the District Plan provides for a range of important utilities throughout the Mackenzie District and is appropriately a stand-alone section recognising the importance of such utilities in providing for the social and economic well-being of people and communities.	Reject Submission
Environmental Defence Society Inc	9	Insert new policy	Oppose	Genesis considers that the objectives in the Rural Section of the District Plan already require the protection of outstanding landscape values.	Reject Submission
Director General of Conservation	18	Section 19- New Policy	Oppose	Genesis is concerned with the consequences of 'avoid' policies on the existing nationally significant Waitaki Power Scheme. In the context of the core sites and easement areas, Genesis needs the ability to undertake works (which may involve vegetation clearance) to enable the operation, maintenance and enhancement of the Waitaki Power Scheme. The operation of the scheme may be compromised if all effects had to be avoided.	Reject Submission
				In the context of the Waitaki Power Scheme and renewable generation more widely, the RPS recognise the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources.	
Environmental Defence Society Inc	9	Waitaki Scheme - Rules	Oppose	Genesis considers that the full range of effects management mechanisms should be available when considering the activities undertaken to support the operation, maintenance and enhancement of the Waitaki Power Scheme. This includes avoidance as well as remediation and mitigation, and where appropriate, offsets and environmental compensation. It is important to note that there may be overlap	Reject Submission

Submitter Name	Sub no.	Section of Plan	Support/ Oppose	Reason	Relief sought
				between the critical areas of the Waitaki Power Scheme and significant indigenous vegetation where it may not be possible to avoid effects in entirety, but offsetting and compensation is appropriate.	
Environmental Defence Society Inc	9	Definition - Indigenous Vegetation	Oppose	While it is acknowledged, the definition is from the RPS, the definition proposed by the Environmental Defence Society is too broad in the context of PC18.	Reject Submission
Director General of Conservation	18	Definition - Indigenous Vegetation	Oppose	While it is acknowledged, the definition is from the RPS, the definition proposed by the Director General of Conservation is too broad in the context of PC18.	Reject Submission
Environmental Defence Society Inc	9	New definition - Maintenance	Oppose	Genesis considers that the way in which "maintenance" is used throughout PC18 requires a situation specific consideration of what maintenance entails, and therefore a specific definition is not necessary.	Reject Submission
Environmental Defence Society Inc	9	New definition - No net loss	Oppose	Genesis considers that a definition of no net loss is unnecessary and is opposed.	Reject Submission
Director General of Conservation	18	New definition - No net loss	Oppose	Genesis considers that a definition of no net loss is unnecessary and is opposed.	Reject Submission
Royal Forest and Bird Protection Society of New Zealand Inc	20	New definition - No net loss	Oppose	Genesis considers that a definition of no net loss is unnecessary and is opposed.	Reject Submission
Environmental Defence Society Inc	9	New definition - Biodiversity Offsetting	Oppose	Genesis considers that a definition of biodiversity offsetting is unnecessary and is opposed.	Reject Submission
Director General of Conservation	18	New definition - Biodiversity Offsetting	Oppose	Genesis considers that a definition of biodiversity offsetting is unnecessary and is opposed.	Reject Submission
Environmental Defence Society Inc	9	New definition - Site of Natural Significance	Oppose	Genesis considers that this definition is unnecessary and is not appropriate in the context of Plan Change 18. If there is a new suite of provisions proposed to be introduced as they relate to SONs, this should be done through an additional plan change.	Reject Submission

FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 18 UNDER THE FIRST SCHEDULE TO THE RESOURCE MANAGEMENT ACT 1991

To: Plan Change 18 – Indigenous Biodiversity
Mackenzie District Council
PO Box 52
FAIRLIE 7949

planning@mackenzie.govt.nz

Name: Meridian Energy Limited
PO Box 2146
CHRISTCHURCH 8140

Attention: Andrew Feierabend
Phone: (03) 03 357-9731
Mobile: 021 898 143
Email: andrew.feierabend@meridianenergy.co.nz

Meridian Energy Limited (Meridian) makes the specific further submissions on Proposed Plan Change 18 – Indigenous Biodiversity (PC18) set out in the **attached** document.

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

In accordance with Clause 8(1)(b) of the First Schedule of the RMA Meridian has an interest in the Proposed Plan Change greater than the interest of the general public.

Meridian could not gain an advantage in trade competition through this submission.

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



Andrew Feierabend

For and behalf of Meridian Energy Limited

Dated this 2nd day of May 2018

FURTHER SUBMISSIONS

ORIGINAL SUBMISSION REFERENCE	PLAN PROVISION	SUPPORT OR OPPOSE	REASONS
9. Environmental Defence Society Inc 18. Director General of Conservation 20. Forest and Bird	New Definition – no net loss	Oppose	A definition of no-net loss is not necessary and is opposed.
9. Environmental Defence Society Inc	New Definition – “maintenance”	Oppose	The definition of maintenance relating to indigenous biodiversity and linking this to no-net loss is not necessary and is opposed.
9. Environmental Defence Society Inc 18. Director General of Conservation	New Definition – biodiversity offsetting	Oppose	A definition of biodiversity offsetting is not necessary and is opposed. The definitions sought are not necessary or appropriate in the context of the Resource Management Act. The definition seeks to include limitations that are inappropriate and are not consistent with the provisions of the NPSREG.
9. Environmental Defence Society Inc	New Definition – Site of Natural Significance	Oppose	The definition and the implication of the definition in combination with other changes sought by the submitter relating to SONS is neither appropriate nor necessary. If a suite of provisions addressing SONS, including mapping is to be introduced this should be achieved through a further Plan Change where the implications of the provisions are able to fully understood by parties who may

				<p>be affected.</p> <p>The definition sought is uncertain, not appropriate and is not necessary.</p>
<p>18. Director General of Conservation</p> <p>16. Mt Gerald Station</p> <p>17. The Wolds Station</p>	<p>New Definition – Significant Indigenous Vegetation</p>	<p>Oppose</p>	<p>The submitters seek the introduction of a new definition that would give effect to the Canterbury Regional Policy Statement. While the District Plan needs to give effect to the Regional Policy Statement– the introduction of a new definition must be carefully considered in the context of the existing provisions within PC18. The submission in opposition is lodged to ensure that the wider context of the definition and its implications on the implementation of PC18 are able to be considered holistically.</p>	
<p>20. Forest and Bird</p>	<p>Objective 1</p>	<p>Oppose</p>	<p>This submission is opposed as the nature and effect of the relief sought and its implications for the implementation of PC18 is unclear.</p>	
<p>8. Canterbury Regional Council</p>	<p>Objective 2</p>	<p>Oppose</p>	<p>The submission seeks the policy be deleted as it has a large degree of overlap with Objectives 1 and 3. Deleting the objective is not appropriate. Objective 3 as currently worded only addresses managing values in accordance with Farm Biodiversity Plans and enabling development in accordance with these. Deleting Objective 2 and relying only on Objective 3 will not provide an appropriate framework for non-farming related activities.</p>	
<p>18. Director General of Conservation</p>	<p>New Policy</p>	<p>Oppose</p>	<p>The submission seeks a new policy be introduced “to avoid adverse effects of subdivision, use and development on significant indigenous vegetation and habitat”.</p>	

			<p>The policy focusing only on avoidance is inappropriate, unnecessary and does not give effect to the Canterbury Regional Policy Statement or the NPSREG. Protection does not mean that avoidance is the only management option.</p> <p>The Canterbury Regional Policy Statement in relation to renewable electricity generation activities recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources.</p>
<p>9. Environmental Defence Society Inc</p>	<p>Policy 1 and insertion of new map</p>	<p>Oppose</p>	<p>The submission when addressing Policy 1 seeks a new map identifying the remaining areas of biodiversity/ecological connectivity in the Mackenzie basin be a SONS.</p> <p>If further provisions, including mapping, relating to SONS are to be introduced this should be achieved through a further Plan Change where the implications of the provisions are able to fully understood by parties who may be affected.</p> <p>The submission seeks changes that are uncertain, not appropriate and is not necessary.</p>
<p>20. Forest and Bird</p>	<p>Policy 1</p>	<p>Oppose</p>	<p>The submission seeks the policy be amended so that avoidance is the only management option in relation to significant adverse effects.</p> <p>This focus on avoidance is inappropriate, unnecessary and does not give effect to the Canterbury Regional Policy Statement or the NPSREG.</p>

<p>9. Environmental Defence Society Inc</p>	<p>Policy 2</p> <p>Oppose</p>	<p>The Canterbury Regional Policy Statement in relation to renewable electricity generation activities recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources.</p> <p>The submission seeks the policy be amended into two separate policies and that so that avoidance is the only management option in relation to significant indigenous vegetation and habitats.</p> <p>This focus on avoidance is inappropriate, unnecessary and does not give effect to the Canterbury Regional Policy Statement or the NPSREG.</p> <p>The Canterbury Regional Policy Statement in relation to renewable electricity generation activities recognises the options of avoid, remedy and mitigate, in relation to adverse effects on significant natural and physical resources.</p>
<p>7. Fish and Game</p>	<p>Policy 4</p> <p>Oppose</p>	<p>The submission seeks the policy be amended to include all wetlands and identifies mapping is sought. However, no maps are provided with the submission and as such the implications of the provisions sought are unable to be understood by parties who could be affected.</p>
<p>9. Environmental Defence Society Inc</p>	<p>Policy 4</p> <p>Oppose</p>	<p>The submission identifies that policy direction on the significant values of the Districts different wetland types should be included. The provisions to achieve this are not identified and as such the implications of the provisions sought are unable to be understood by parties who could be affected.</p>

20. Forest and Bird	Policy 5	Oppose	The submission seeks the policy be deleted. The submission seeks to exclude remediation, mitigation or offsetting from any role in the management of significant indigenous vegetation. This is not supported.
18. Director General of Conservation	Policy 5	Oppose	The changes sought to the policy are not necessary. However, if a change is to be made to the notified policy then the submission is supported in so far as it recognises avoidance, remediation and mitigation as well as offsetting.
9. Environmental Defence Society Inc 20. Forest and Bird 18. Director General of Conservation	Policy 6	Oppose	The submission seeks to delete the notified policy and replace it with a policy approach that does not enable offsetting in areas of significant indigenous vegetation. . The new policy seeks to include limitations that are inappropriate and are not consistent with the provisions of the Canterbury Regional Policy Statement and the NPSREG.
7. Fish and Game	Policy 6	Oppose	The submission seeks that offsetting not be provided as an option relating to indigenous biodiversity. This approach does not give effect to the Regional Policy Statement which recognises offsetting nor the NPSREG.
9. Environmental Defence Society Inc	Relationship with Section 16 of the District Plan	Oppose	The submission seeks to alter the way Section 16 (utilities) of the District Plan operates. The changes sought seek to amend the way Section 16 is to be interpreted. The notification of Plan Change 18 did not make it clear that Section 16 was affected.

<p>9. Environmental Defence Society Inc</p>	<p>Insert New Policy relating to Outstanding Natural Landscapes and biodiversity values. Amend assessment criteria to consider landscape values.</p>	<p>Oppose</p>	<p>The submission is not supported.</p> <p>The submission seeks a new policy that recognises the overlap between ONL and biodiversity values and that the assessment criteria and Appendix Y be amended to provide for consideration of landscape effects.</p> <p>However, no wording for the policy is provided and as such implications of the provision sought is unable to be understood by parties who could be affected.</p> <p>The changes sought are not appropriate and not necessary.</p>
<p>14. Opuha Water Limited</p>	<p>Waitaki Power Scheme Provisions</p> <ul style="list-style-type: none"> • Maintenance of Waitaki Power Scheme • Refurbishment of Waitaki Power Scheme • Operating Easement • Policy 7 • Rule Suite 19.2 	<p>Oppose</p>	<p>The submitter seeks that Opuha dam and the Opuha Scheme be recognised and retrofitted into the provisions relating to the Waitaki Power Scheme. This is not supported.</p> <p>It is noted that the Opuha Scheme did not form part of the notified PC 18. If references and provisions relating to the Opuha Scheme are to be inserted within PC18 then they should be done as a separate stream of provisions. The provisions should not be retrofitted into provisions that are specific to the Waitaki Power Scheme.</p>

Address List for Further Submissions

Director-General of Conservation
RMA Shared Services
Department of Conservation
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nyozih@doc.govt.nz

Forest & Bird NZ
PO Box 2516
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j.miller@forestandbird.org.nz

Environmental Defence Society Inc (EDS)
Po Box 91736
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Mt Gerald Station Limited
Duncan Cotterill Plaza
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Environment Canterbury
PO Box 550
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Central South Island Fish and Game
PO Box 150
Temuka
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Opuha Water Limited
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The Wolds
Duncan Cotterill Plaza
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katherine.forward@duncancotterill.com

FURTHER SUBMISSION ON PLAN CHANGE 18 TO MACKENZIE DISTRICT PLAN

TO: Mackenzie District Council (**Council**)
Karina Morrow, Planning Manager
PO Box 52
Fairlie 7949

BY EMAIL: planning@mackenzie.govt.nz

SUBMITTER: Environmental Defence Society Inc (EDS)

CONTACT: PO Box 91736
Victoria Street West
Auckland 1142
madeleine@eds.org.nz

DATE: 4 May 2018

INTRODUCTION

- 1 EDS has an interest in the proposal that is greater than the interest the general public has. EDS is a public interest environmental group, formed in 1971. The focus of its work is on achieving positive environmental outcomes through improving the quality of Aotearoa New Zealand's legal and policy frameworks and statutory decision-making processes. It has been actively involved in the Mackenzie District seeking to ensure protection of the Mackenzie Basin's unique and threatened biodiversity and of its iconic landscape values. EDS lodged a submission on Plan Change 18 to the Mackenzie District Plan (**PC18**). It could not gain an advantage in trade competition through this further submission. EDS wishes to be heard in support of this further submission and would be prepared to consider presenting a joint case with others making a similar further submission at any hearing.

FURTHER SUBMISSION POINTS

Submission #	Submitter	Submission Point	EDS position
2	Maryburn Station	Amend improved pasture definition.	Oppose. The proposed definition risks capturing areas which include indigenous vegetation, including areas that are significant under s6(c) RMA.
2	Maryburn Station	Vegetation clearance associated with irrigation should be permitted.	Oppose. Irrigation results in clearance of indigenous vegetation and should be subject to regulatory

			oversight.
2	Maryburn Station	Policy framework should recognise the District Plan's SONS may include areas that can be cleared.	Oppose.
3	Simons Pass Station Ltd	Introduce soil erosion considerations.	Oppose in part. Considerations relating to soil erosion may be acceptable but should not be used to justify activities which would adversely affect indigenous vegetation/ecosystems.
3	Simons Pass Station Limited	Permit vegetation clearance in FBAs.	Oppose in part. Some permitted clearance/reduced activity status in FBAs may be acceptable however identification of an area as FBA does not mean every activity should be permitted. Some FBAs are large and have biodiversity values that, although not significant, are important in achieving the ss30 and 31 RMA obligation of maintaining indigenous biodiversity.
3	Simons Pass Station Limited	Changes to Rule 19.1.1.1 to clarify application.	Support in part. It is critical any confusion over how the rules apply is removed to avoid issues of application akin to those faced under the operative District Plan (e.g. creation of loop holes).
3	Simons Pass Station Limited	Changes to Appendix Y to ensure consistency in terminology and focus on no net loss of indigenous biodiversity generally, not of significant indigenous biodiversity.	Support in part. The concept of no net loss is more appropriately connected with maintenance of indigenous biodiversity

			generally.
4	Carol Burke	Changes to reflect that all existing remaining indigenous biodiversity in the Mackenzie Basin is significant. Amendments to the proposed rules to ensure all areas with significant values are protected.	Support. Agree with submission's supporting reasons.
4	Carol Burke	Amendments to Appendix Y to ensure ecological assessments are peer reviewed and all consents recorded.	Support. Agree with submission's supporting reasons.
5	Colin Morns	Delete permitted activity rule for clearance of improved pasture on basis that the definition is ambiguous and open to misinterpretation.	Support. Agree with submissions supporting reasons. Open to a permitted activity rule for improved pasture if an appropriate definition can be formulated.
6	Mackenzie Guardians Inc	Delete permitted activity rule for clearance of improved pasture on basis that the definition is ambiguous and open to misinterpretation.	Support. Agree with submissions supporting reasons. Open to a permitted activity rule for improved pasture if an appropriate definition can be formulated.
6	Mackenzie Guardians Inc	Amend definition of indigenous vegetation to include domestic gardens, plants for screening and harvest on basis exclusions should be included in the rules, not the definition.	Support. Agree definition should not include exemptions (i.e indigenous vegetation in a domestic garden is still indigenous vegetation) and that the definition must capture mixed exotic/indigenous areas.
6	Mackenzie Guardians Inc	Amend objectives to include consideration of ONL values.	Support. Biodiversity values and landscape values are intimately intertwined in the Mackenzie Basin and consideration of both is necessary to ensure protection of both, and an integrated approach

FORM 6

FURTHER SUBMISSION

ON MACKENZIE DISTRICT PROPOSED PLAN CHANGE 18: INDIGENOUS BIODIVERSITY

CLAUSE 8 OF FIRST SCHEDULE RESOURCE MANAGEMENT ACT 1991

To: Mackenzie District Council, PO Box 52, Fairlie 7949

Full name of person making further submission: **Glenrock Station Limited ("Glenrock")**

Address for service: c/- Gallaway Cook Allan, PO Box 143, Dunedin 9054

Phone: 03 477 7312

Email: bridget.irving@gallawaycookallan.co.nz

Contact person: Bridget Irving

This is a further submission in support of (or in opposition to) various submissions on:

Proposed Plan Change 18 - Indigenous Biodiversity

Glenrock Station Limited is a person who has an interest in the proposal that is greater than the interest of the general public. Glenrock Station Limited filed submissions in relation to Plan Change 18 (recorded as submission number 12)

The submissions and specific parts of them that Glenrock Station Limited wishes to make further submissions in respect of are set out below.

Submitter	Provision submitted upon	Glenrock Station support or oppose submission	Reasons for support or opposition of submission
Mt Gerald Station Limited and Wolds Station Limited (submitter 16 & 17)	Objective 1	Support	Glenrock shares the submitters' concern about a lack of recognition for the importance of rural land use activities and development that support the social, economic and cultural wellbeing of the community within Mackenzie Basin. Glenrock sought this be recognised by the addition of a new policy 7A. Glenrock supports recognition of sustainable use of land in the objective.
		Supports the	Glenrock expressed concern in its own submission on Objective 2 and 3 that they significantly extended the application of the provisions in a manner inconsistent

	Objective 2	reasons for the submission.	with the Canterbury Regional Council Policy Statement. Glenrock supports utilising the full spectrum of management options available to land users and the Council. However, it also considers that clear direction is required within the plans regarding the methods for achieving the objectives (such as farm biodiversity plans)
	Policy 2	Support	Glenrock Station consider it necessary to have an objective and policy suite that recognises and enable land use activities including rural land use and development that provide for the community's social, economic and cultural well-being. The provisions of the proposed plan change 18 currently do not cover the field.
	Policy 3	Supports the submission and ensuring assessment of biodiversity loss is at an appropriate scale	It is important to recognising that methods of protection may be applied at other locations in the district through land protection, reserve land and so on. This is particularly if the Mackenzie Trust is to operate as originally intended. This amendment would support the other policies seeking to recognise and enable communities to provide for their social and economic wellbeing.
	Policy 5	Support	Glenrock supports the reason for the submission and considers it important to provide a range of mechanisms for achieving the maintenance of indigenous biodiversity. Any list of mechanisms included within the policy framework must be non-exhaustive to enable other mechanisms that may be developed in the future to be recognised and utilised as well.
	Rule 19.1.1.1	Support	To enable land use activities to provide for social and economic wellbeing it needs to be possible to complete standard farm maintenance and repair activities without unnecessary regulatory control. This dovetails with the utilisation of farm biodiversity plans.
	Rule 19.1.2.1	Support	Glenrock supports the view that activity status and notification rules can (and should) be used to encourage land users to engage with the development and utilisation of farm biodiversity plans. Providing for these applications to be processed on a non-notified basis provides some certainty for land users when engaging in that process.
	Rule 19.1.2.2 and 19.1.3	Support	Glenrock considers that further consideration needs to be given to whether the clearance areas included within the rules are appropriate.

Director General of the Department of Conservation (Submission number 18)	Definition - Biodiversity offset	Oppose	The definition does not assist or provide clarity in terms of outcomes particularly given it merely parrots a concept from elsewhere. Has potential to cause confusion elsewhere in the plan where offsets for the purposes of other things may need to be applied.
	Definition - Improved pasture	Opposes the submission seeking to delete reference to topdressing over sowing or direct drilling	Requested relief has the potential to significantly change the effect of the definition. It may also create unnecessary confusion particularly whether top dressing, over sowing and/or direct drilling are a form of cultivation.
	Definition - indigenous vegetation	Oppose	The inclusion of relatively limited plants and domestic gardens shelter belts etc. makes sense in this instance to improve the usability of the plan.
	Definition - No-net loss	Neither support nor oppose	Glenrock considers that a definition may be useful however it needs to take account of the scale at which the assessment of no net loss is undertaken. Given the intention to look at the Mackenzie basin as a whole there may be opportunities to offset off farm in more appropriate/advantageous locations. The definition should not preclude this. 'No net loss' should also apply to significant indigenous vegetation not all indigenous vegetation definition to be consistent with the Canterbury Regional Policy Statement (ref 9.3.1). Consistency between this plan and the CRPS should be ensured.
	Policy 1	Oppose	The district plan is the appropriate place for sites of natural significance or habitat to be identified. Allowing identification without applying the schedule 1 of the Act circumvents the process for considering whether identification is the most appropriate way of implementing the Objectives and Policies.
	New policy – to avoid adverse effects of subdivision use and development on significant indigenous vegetation and habitat	Oppose	The relief sought by Glenrock achieves better consistency with the relevant provisions of the Canterbury Regional Policy Statement.
	Policy 2	Oppose in part	Glenrock is not adverse to this policy being made more consistent with the Canterbury Regional Policy Statement; however it is necessary to distinguish between the obligations with respect to significant indigenous vegetation and indigenous vegetation more generally.

	Policy 3	Oppose	As set out above in relation to Policy 2
	Policy 5	Oppose	Once again the requested relief significantly extends the application of provisions to all indigenous vegetation (beyond significant indigenous vegetation). This is inconsistent with the Act and with the Canterbury Regional Policy statement. Glenrock would not be adverse to the proposed policy 5 relating to significant indigenous vegetation. It is also considered important to indicate the scale at which avoidance, remediation and mitigation will occur because values may be better protected by concentrating efforts in certain areas (which maybe off farm).
	Policy 6	Support	Glenrock supports the distinction between offsetting and compensation. However, considers it important to make compensation available as a tool when considering development under these provisions.
	Policy 8	Oppose in part	The Act only requires protection of values associated with significant indigenous vegetation and significant habitats. Glenrock is not opposed to the identification and management of other indigenous vegetation where appropriate, consistent with the CRPS.
	Policy 9	Oppose in part	Refer above.
	Rule 1.1.1 clause 6	Oppose	Glenrock does not consider it appropriate to identify areas of improved pasture on the planning maps at this stage. It is not clear from the submission the basis upon which areas are identified and there does not appear to have been full analysis of the land use activities carried out on the relevant land to ensure that land is appropriately classified for the purposes of identification within the planning maps.
	Rule 1.2.1 matters of discretion	Oppose	It is not considered necessary to add matters associated landscape in this section of the District Plan because these matters are dealt with elsewhere. Adding these into the assessment process will simply create unnecessary duplication and risk inconsistency.
	Rule 1.2.2	Oppose in part	Refer above
	Appendix Y – Farm diversity plan	Oppose	The additions made by the Department of Conservation are considered to inaccurately reflect status of the farm biodiversity plan and what they will outlines. The addition of an approval process is likely to be counterproductive particularly where farmers who do not intend on carrying out any clearance may still wish to develop a farm biodiversity plan. Finally, the foot note mischaracterises the nature of improved pasture in a manner that is unhelpful both from a plan interpretation and application perspective.
	Improved pasture mapping	Oppose	Refer above in relation to Rule 1.1.1.6. Glenrock question whether mapping of improved pasture is within the scope of the plan change. It may have a significant effect on land users that was not

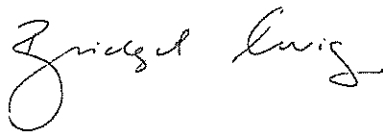
			readily apparent from the plan change as notified. It is considered more appropriate to carry out the assessment of whether particular land area comprises improved pasture on a case by case basis.
Simons Pass Station (submitter number 3)	Rule 19.2.1 and 19.1.2.2	Support	Glenrock Station supports recognition of soil erosion risks as a factor to be discussed within farm biodiversity plans and taken into account as a matter of discretion under the rules. Soil erosion is an important issue within the Mackenzie Basin and one that is heavily influenced by the vegetation cover.
Central South Island Fish and Game (submitter number 7)	Definition - improved pasture	Support reasons but oppose decision sought	Glenrock agree that the definition of improved pasture as included within the notified plan change lacks clarity however opposes the incorporation of a map within the plan to address this. Reasons are set out above in relation to the submissions from DOC.
	Policy 3	Oppose	The relief sought by Central South Island Fish and Game essentially seeks to prohibit any clearance of significant indigenous vegetation. This is not understood to be the intention of Plan Change 18. The plan is intended to set up a framework where any clearance of significant indigenous vegetation is strongly discouraged however there may be some circumstances where it is appropriate.
	Policies 5 and 6	Oppose	Offsetting is widely recognised as an appropriate tool for responding to the effects of a proposal. The plan is clear that this is not to be a tool of first resort but only considered after mechanisms to avoid, remedy or mitigate effects have already been considered. Use of offsetting as a tool is clearly identified within the Canterbury Regional Policy Statement and removing it from Plan Change 18 would fail to give effect to the higher order documents. Concerns expressed by the submitter appear to relate more to the robustness of conditions and subsequent monitoring of performance. Those are issues should be addressed in the context of consent monitoring and are not a basis for eliminating offsets from consideration.
Mackenzie Guardians Incorporated (submission number 6)	Definitions – improved pasture	Support and oppose	Glenrock agrees that definition as notified is difficult to interpret and would benefit from being clearer and more simple. However Glenrock is opposed to the incorporation of maps identifying improved pasture. The reasons for this are already set out above in relation to the submission from DOC.
	Objective 1 and 2	Oppose	The matters associated with landscape values are already addressed in other parts of the plan, incorporating them into the indigenous vegetation section simply creates unnecessary duplication and risks inconsistency.

	Permitted activities 1.1.16	Oppose	The definition of indigenous vegetation is extremely broad the exemption is necessary to allow land users to continue with their existing farm practices.
Environmental Defence Society (submission number 9)	New Policy recognising the overlap between LNL and biodiversity values	Oppose	This part of the plan will never operate in complete isolation. The plan already includes objectives and policies associated with outstanding natural landscapes. Incorporating further provisions into this section regarding those issues simply creates unnecessary duplication and risks inconsistency.
	Definition - Improved pasture deletion	Oppose	The recognition of improved pasture is important for enabling land users in the Mackenzie basin to continue to farm and provide for their social and economic wellbeing. Removal of the definition as requested by EDS would trigger consent requirements for land users simply continuing to farm their properties. This is considered inappropriate. Particularly where significant indigenous vegetation is not identified.
	New definition - maintenance	Oppose	The proposed definition of maintenance essentially equates to protection and is considered inappropriate when it applies to all indigenous biodiversity not that identified as significant. It has the potential to create significant unintended consequences for other parts of the plan that are not part of this plan change.
	New definition - 'no net loss'	Oppose	Refer above in relation to the same relief sought by DOC.
	New definition – 'biodiversity offsetting'	Oppose	Refer above in relation to the same relief sought by DOC
	New definition – 'Sites of natural significance'	Oppose	Sites of natural significance are those that have been identified in the plan. Including a new definition that enables sites to be identified that have not been subject to process under schedule 1 inappropriate. Refer above in relation to a similar submission on behalf of DOC.
	Policy 1	Oppose	As set out above in relation to the definition of site of national significance
	Policy 5	Oppose	It is considered appropriate to recognise the full suite of tools that may be available to address the effects of land use and development. The Canterbury Regional Policy Statement specifically identifies offsetting as a tool. A failure to recognise it in the provisions of the district plan would not give effect to the CRPS.
	Policy 6	Oppose	Glenrock does not consider it appropriate to limit the application of offsetting to non-significant areas only. Nor would it be consistent with the CRPS.
	Rule 1.1.1 Permitted activities	Oppose	Changes requested by the EDS would fail to allow people within the basin to carry out land use activities in a way that supports their social and economic wellbeing. It would create significant regulatory control

			and cost and affect the ability for land users to continue to operate.
	Rule 1.2.1 and 1.2.2 restricted discretionary activities	Oppose	The requested changes to the matters of discretion are significant and have the effect of increasing their scope markedly. It also has the effect of undermining the hierarchy between significant indigenous vegetation and other indigenous vegetation inherent in the Act and also reflected in the Canterbury Regional Policy Statement.
Royal Forest and Bird Protection Society of New Zealand Inc. (submission number 20)	Definition - farming enterprise	Neither support nor oppose	Glenrock considers it appropriate for farming enterprise owners to be able to manage indigenous biodiversity across their operations in an integrated fashion. Managing properties as an enterprise will provide greater flexibility and more options for addressing matters associated with these issues.
	Definition - improved pasture	Oppose	Glenrock consider the inclusion of a definition for improved pasture and rules enabling activities to continue are important to ensure that the community can continue to provide for its social and economic wellbeing. Glenrock opposes Forest and Bird's request to delete condition 6 from Rule 19.1.1
	New Definition – 'no net loss'	Oppose	As set out above in relation to DOC submission
	Objective 3	Oppose	Objective 3 is important to lead to policies and methods that incorporate the farm diversity plans. Glenrock considers it important for an objective within this section to recognise that a management of biodiversity will occur in conjunction with land development and land use activities.
	Policy 2	Neither support nor oppose	It was unclear from the submission the reasons for the requested amendments. The relief sought did not appear to relate to the reasons for the submission.
	Policy 3	Oppose	The plan change must include some recognition of the fact that land use and development will occur. Glenrock does not agree with the proposition that achieving no net loss will not achieve protection.
	Policy 5	Oppose	As above. The submissions of F+B essentially equate to a prohibition.
	Policy 6	Oppose	Glenrock does not consider it appropriate to incorporate limits into the application of offsetting through the policy framework. The relevance, effectiveness or appropriateness of offsetting in individual situations will be highly variable. Therefore it is important assessments are completed on a case by case basis. Glenrock would not be adverse to these matters being included as assessment matters where relevant so that they are directly considered in the event that offsets are proposed.

	Policy 8 and 9	Oppose	uncertainty by introducing a new term. It seeks to weaken the policy framework in a manner inconsistent with the Act.
	Rule 19.2.1	Oppose	Glenrock considers it appropriate to have a rule for farming enterprises.
	Rule 19.2.2	Oppose in part	Glenrock considers it appropriate to include the benefits that the activity provides for the local community and beyond.

Glenrock Station Limited wishes to be heard in support of its further submission and would consider presenting a joint case with others that may make a similar submission.

Signed: 

B Irving

Solicitor for Glenrock Station Limited

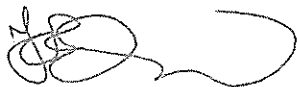
4 May 2018

FURTHER SUBMISSION OF THE WOLDS STATION LIMITED ON PROPOSED PLAN CHANGE 18

To PC18 – Indigenous Biodiversity
Mackenzie District Council
PO Box 52
Fairlie 7949

- 1 This is a further submission made by the Wolds Station Limited (**The Wolds**) in response to submissions made on proposed Plan Change 18 – Indigenous biodiversity (**PC18**) to the Mackenzie District Plan (**MDP**).
- 2 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. The provisions of PC18, and the changes sought by submissions on PC18, will impact the Wolds farming operation.
- 3 **Appendix 1** to this document details the specifics in relation to the Wold's support or opposition to the various submissions lodged. This further submission includes the particular parts of each submission supported or opposed, the reasons for that position and the decision sought from the Mackenzie District Council.
- 4 The Wolds wishes to be heard in support of this further submission.
- 5 If others make a similar submission, the Wolds will consider presenting a joint case with them at hearing.
- 6 The reasons and decisions sought in this further submission are to be read together with the Wolds original submission and not in preference to it.

Dated 4 May 2018



Katherine Forward
Solicitor for the Wolds Station Limited

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APPENDIX 1

Submitter	Submission #	Summary of relevant part of submission	Support/ Oppose	Reason for submission	Decision sought
Federated Farmers Maryburn Station	1	Amend permitted activity rule 1.1.1 to allow for reticulated piping to troughs	Support	This amendment is practical and necessary for farming to continue.	Grant relief sought
	2	<ul style="list-style-type: none"> - Significant Indigenous Vegetation (SIV) should be identified on a case-by-case basis with landowner, anything outside of that should be a permitted activity. - Amendment to objectives and policies to recognise specific protected areas of SIV and to establish vegetation cover to combat soil loss 	Support	Mapping significant indigenous vegetation would provide certainty for landowners. Permitted activity status for all vegetation clearance outside of SIV would provide for efficient land management and a reasonable use of productive land. It is critical that the MDP provide a pathway to allow landowners to combat naturally occurring soil loss - this is a key issue for the Mackenzie Basin.	Grant relief sought
Simons Pass Station	3	Policy and rule framework needed to specifically address soil erosion issues on denuded areas.	Support	Soil erosion is a major issue in the Mackenzie and it is appropriate for there to be a policy/ rule framework that recognises this.	Grant relief sought
		Permitted activity rule for clearance in Farm Base Areas (FBA)	Support	FBA's have been identified as areas where development, including vegetation clearance activities, is suitable. Most FBA's have been assessed for ecological importance and boundaries adjusted to reflect any areas of SIV so it is entirely appropriate that vegetation clearance be permitted within these areas.	Grant relief sought
Carol Burke	4	Amendment to various objectives, policies	Oppose	Only some areas of the Mackenzie Basin contain SIV.	Decline relief sought

		and rules to reflect that all the existing remaining indigenous biodiversity in the Mackenzie Basin is deemed significant		It is inappropriate for the Council to impose a blanket approach that reduces the threshold for clearance of indigenous vegetation to zero. There must be a pathway for landowners to undertake indigenous vegetation clearance in accordance with the conditions of rule 1.1 and to intensify land use on areas of their properties where no SIV is identified.	
Colin Morris	5	Delete rule 1.1.1 part 6	Oppose	Retaining the permitted activity status for indigenous vegetation clearance to occur on areas of improved pasture is fundamental to preserve existing use rights and allow landowners to undertake maintenance and agricultural conversion activities.	Decline relief sought
Mackenzie Guardians Inc	6	Definition of <i>improved pasture</i> and amendment sought to rule 1.1.1 part 6 – submission suggests that all area of improved pasture should be mapped, as the definition contains “loopholes”	Oppose – or support, as long as SIV is also mapped.	Mapping areas of improved pasture would provide certainty for all plan users. However, if areas of improved pasture are mapped, areas of SIV should also be mapped. Any areas to be mapped need be assessed as a part of a collaborative process between Council and land owner and site inspections to ground truth desktop data would be required. Rules would need to be adjusted to reflect this different approach.	Grant relief sought, provided that both areas of improved pasture and SIV are mapped, otherwise decline. Decline relief sought with respect to deletion of rule 1.1.1 part 6.
		Amendment to Objective 3	Oppose	PC18 seeks to address indigenous biodiversity not landscape values. It is inappropriate for objective 3 to be amended to include consideration of landscape values. Landscape values have been thoroughly	Decline relief sought

Central SI Fish and Game Council	7	Definition of <i>improved pasture</i> - submission seeks that all area of improved pasture are mapped.	Oppose - or support as long as SIV is also mapped.	addressed through the objectives and policies introduced by PC13. See reasons in response to submission 6 above.	Grant relief sought, provided that both areas of improved pasture and SIV are mapped, otherwise decline.
		Definition of <i>vegetation clearance</i> - submission seeks that a new definition is added specifically for <i>indigenous vegetation clearance</i> which includes activities such as grazing, artificial drainage, overplanting and oversowing.	Oppose	Grazing, artificial drainage, overplanting and oversowing are all traditional farming activities - it is inappropriate for these activities to be included within the definition of vegetation clearance. PC13 introduced the requirement for resource consent to be obtained for subdivisional fencing in all areas of the Mackenzie Basin subzone. This effectively controls grazing activities and to require a second resource consent to be obtained for vegetation clearance is onerous on the landowner and does not promote efficient land management. A pathway must be provided for existing activities (including grazing, artificial drainage, overplanting and oversowing) to be maintained in all areas, including areas of SIV. Oversowing/ overplanting (and topdressing) is critical to allow the Wolds to maintain stock levels and prevent	Decline relief sought

Environment Canterbury	8	<p>Clarity needed to objectives and policies in four main areas:</p> <ol style="list-style-type: none"> 1. identification of significant indigenous biodiversity 2. managing significant and non-significant indigenous vegetation 3. avoiding, remedying and mitigating adverse effects 4. the link between indigenous vegetation and landscape in the Mackenzie Basin 	Support in part	<p>wilding tree spread. Areas that have been oversown/ over planted (and topdressed) have improved markedly – bare ground and heracium are almost eliminated.</p> <p>The Wolds considers the relief sought to the proposed objectives and policies as detailed in its original submission will provide the clarity sought by Environment Canterbury.</p>	Grant relief as detailed in the Wolds original submission
		<p>Amendment to definition of <i>Improved Pasture</i> to incorporate an assessment of vegetation cover and composition as at December 2017; or two alternatives:</p> <ol style="list-style-type: none"> 1. to introduce a threshold for clearance of indigenous vegetation within an area of improved pasture; or 2. to amend the rules to make clearance of indigenous vegetation within an area of improved pasture a controlled activity. 	Oppose	<p>The Wolds disagrees that rural land subject to some degree of improvement still contains indigenous plant communities with significant values. Exotic species comprise approximately 60% of ground cover on land that has been subject to top-dressing and oversowing at the Wolds Station. Excluding fescue tussock and matagouri, the Wolds considers that less than 1% indigenous vegetation remains. It would be difficult to establish vegetation cover and composition as at December 2017 with certainty as this point in time has passed. The biggest threat to indigenous biodiversity in the</p>	Decline relief sought

Environmental Defence Society Inc	9	Mapping of all SONS, including mapping of the Mackenzie Basin's remaining contiguous/ connected area of biodiversity (and geomorphological and landscape) value as a SONS	Oppose	Mackenzie Basin subzone is from pests. Rabbits, hieracium and wilding pines all decimate natural values. It is inappropriate to pin-point a decline in indigenous biodiversity to land use i.e. to introduce a threshold for clearance within an area of improved pasture or to require resource consent to be obtained for indigenous vegetation within an area of improved pasture. See also reasons in response to submission 5 above.	Decline relief sought
		Improved Pasture definition.	Oppose	While mapping any new SONS would create certainty as to where the rules apply it is not appropriate for all remaining contiguous/ connected areas of biodiversity to be attributed value as SONS. Ground-truthing is required to determine value. Many of the areas identified in the PC13 proceedings as connected areas were based on historic, out-of-date plans and maps – this was certainly the case for some areas identified on the Wolds. Any new SONS need be assessed as a part of a collaborative process between Council and land owner.	Decline relief sought
		Indigenous vegetation definition	Oppose	No wording is proposed in the submission. See reasons in response to submission 6 and 8 above. The definition is too broad and will capture nearly all vegetation within the Mackenzie Basin subzone. It is inappropriate for areas of non-indigenous vegetation to be caught by indigenous vegetation clearance rules.	Decline relief sought

				The proposed definition goes beyond what is required under the RMA and the CRPS.	
		Definitions of <i>Maintenance</i> <i>Biodiversity off-setting</i>	Oppose	It is not appropriate for the MDP to define terms like "maintenance" and "biodiversity off-setting". If these terms are to be defined this must occur at a national scale to ensure consistency of approach across New Zealand. It is noted that the proposed NPS on Indigenous Biodiversity contains definitions for maintenance and biodiversity off-set but the NPS has not progressed.	Decline relief sought
		Policy 1 – to introduce a map identifying the remaining area of biodiversity/ ecological connectivity in the Mackenzie Basin as a SONS	Oppose	It is in appropriate for the remaining area of biodiversity/ ecological connectivity in the Mackenzie Basin to be classified as a SONS. Robust on the ground assessment is needed to determine value.	Decline relief sought
		Policy 2 – amendments to refer only to avoidance	Oppose	This submission seeks to prohibit certain activities using the policies, rather than the rules, to do so. The proposed amendments effectively seek to prohibit (through the use of the word avoid) adverse effects in riparian areas, and any linkage areas - these areas have not been identified as significant.	Decline relief sought
		Rule 1.1.1 – introduction of a permitted activity cap	Oppose	The permitted activity rule should apply everywhere that the conditions to rule 1.1.1 are met. Introducing a maximum clearance cap is not consistent with the concept of sustainable management and would prevent landowners from undertaking some maintenance activities.	Decline relief sought

		Deletion of rule 1.1.1 (6)	Oppose	See reasons in response to submission 5 above.	Decline relief sought
		Amendments sought to Farm Biodiversity Plans (Appendix Y) to address the issues identified	Oppose	The issues identified increase the burden on the land owner. FBPs will be an important tool for gathering information and documenting biodiversity features within a property. If the costs associated with compiling a FBP are prohibitive (particularly where expert advice is required) then landowners will not support/ buy-in to the FBP process and the information that may be obtained from these plans will not become available. There needs to be balance.	Decline relief sought
Hermann Frank	10	Include <i>topdressing, oversowing or planting of non-site specific plants</i> to the definition of <i>Vegetation Clearance</i>	Oppose	Topdressing, oversowing and planting of exotic plants are not "clearance" activities and it is not appropriate that they be included in the definition of vegetation clearance – they are important and accepted farming methods. Topdressing and oversowing are included in the definition of pastoral intensification to also include them within the definition of vegetation clearance would create uncertainty and confusion and could potentially two separate resource consents to be obtained to authorise the same activity.	Decline relief sought
		Amendment to rule 1.2.2	Oppose	The proposed 5000m ² is only appropriate for small properties – 1000m ² would reduce this further.	Decline relief sought
Genesis Energy Ltd.	11	Definition of <i>Indigenous Vegetation</i> amended to include reference to native species needing to dominate and comprise 66% or more of ground cover or	Support	Requiring native species to both dominate and comprise 66% or more of the ground cover narrows the definition of indigenous vegetation. The definition of indigenous vegetation as notified is too broad and	Grant relief as an alternative to that detailed in the Wolds original submission

		as an alternative amendment to rule 1.1		captures nearly all vegetation in the Mackenzie Basin subzone. It is inappropriate for non-indigenous vegetation to be subject to indigenous vegetation clearance rules. The definition must be drafted in a way to provide for this distinction. The introduction of a native species ground cover threshold (to meet the definition of indigenous vegetation) provides certainty and will ensure that the proposed rule package is not unduly onerous. The introduction of a native species ground cover threshold will assist landowners to make a determination of whether an area of vegetation meets the definition of indigenous vegetation without the need to obtain expert advice. This is cost efficient.		
		New Policy 2A <i>To manage, or offset, or compensate, actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District</i>	Oppose	The term "manage" implies active control on the part of the Council, which in turn implies the need for a resource consent process. On the face of it this policy does not promote clearance of some indigenous vegetation as a permitted activity pursuant to rule 1.1.1.		Decline relief sought
Glenrock Station Ltd	12	Importance of link between the definitions of <i>Improved Pasture</i> and <i>Indigenous Vegetation</i> .	Support	The Wolds agrees in principle that in combination the definitions of indigenous vegetation and improved pasture are generally acceptable, however if any material change is made to the definition of improved pasture then consequential amendments would be required to the definition of indigenous vegetation.		Grant relief as an alternative to that detailed in the Wolds original submission
Meridian	13	Definition of <i>Indigenous Vegetation</i>	Support	See reasons in response to submission 11 above.		Grant relief as an

Energy Ltd		amended to include reference to native species needing to dominate and comprise 66% or more of ground cover or as an alternative amendment to rule 1.1				alternative to that detailed in the Wolds original submission
		New Policy 2A <i>To manage actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District.</i>	Oppose	See reasons in response to submission 11 above.		Decline relief sought
Pukaki Tourism Holdings Ltd	15	Seeks a process for approving FBP not linked to a consent application.	Support	The Wolds considers that this is a good way to encourage landowners to prepare and work towards developing a FBP. It encourages future planning which is important. It is important that at all stages FBP are voluntary rather than mandatory.		Grant relief sought provided that that development of a FBP is at all stages a voluntary process
Director-General of the Department of Conservation	18	Proposed new definition of <i>Biodiversity offset</i>	Oppose	See reasons in response to submission 9 above.		Decline relief sought
		Definition of <i>Improved Pasture</i> . Changes sought are three-fold: 1. areas of improved pasture to be identified on a map; 2. "Oversowing and topdressing, or direct drilling", be removed from definition; 3. areas of improved pasture to be	Oppose	The Wolds is not opposed to mapping areas of improved pasture provided that areas of SIV are also mapped. Any areas to be mapped must be ground-truthed., it is inappropriate to rely on plans and maps that are out of date. It is inappropriate to exclude oversowing and topdressing, and direct drilling, from the definition of improved pasture. These activities are traditional		Decline relief sought

	assessed by a suitably qualified ecologist to determine that indigenous biodiversity values have been lost		farming methods and a pathway must be provided for maintenance (as opposed to new pastoral intensification and/or agricultural conversion) activities to occur. Evidence was presented at the PC13 hearing to suggest that oversowing and direct drilling alter vegetation cover as the introduced species displace the native species –not dissimilar to cultivation. Ecologist confirmation should not be required to determine whether an area of vegetation meets the definition of improved pasture. This introduces an extra cost and time delay for plan users.	
	Definition of <i>Significant Indigenous vegetation or habitat</i>	Support in part	Defining significant vegetation or habitat would provide guidance on a complex issue. Simply referring to Appendix 3 of the CRPS would be unhelpful. Any definition needs to be tailored to the Mackenzie Basin rather than on a Canterbury wide scale. The Mackenzie Basin is a unique climate and the criteria for an area to be "significant" needs to be adjusted to account for this.	Grant relief as detailed in the Wolds original submission
	Amendment to objectives and policies seeking protection, enhancement and no net loss of all indigenous biodiversity not only where significance has been determined	Oppose	The CRPS requirement is to protect areas of significant indigenous vegetation and habitats. All other indigenous vegetation and habitats are to be maintained. It is not appropriate for the District Plan to go further than what is required under the CRPS.	Decline relief sought
	New policy – to avoid adverse effects of	Oppose	As per reasons in response to submission 9 above. A	Decline relief sought

		subdivision, use and development on significant indigenous vegetation and habitat		policy framework which seeks to avoid adverse effects effectively means that there is no possibility of a non-complying activity being granted resource consent.	
		Policy 5 – seeks the deletion, and replacement with a biodiversity off-setting mitigation hierarchy	Oppose	The Policy as notified is one of the few enabling provisions, which allows landowners to consider a range of mechanisms and offer options able to meet both conservation requirements and enable productive land use. There is no obligation on the Council to adhere to the BBOP “Guidance on Good Practice Biodiversity Offsetting in New Zealand”.	Decline relief sought
		Amendment to rule 1.2.1, including the amendments proposed to the matters of discretion	Oppose	It is not appropriate for the matters of discretion to consider how proposed indigenous vegetation clearance impacts areas of high visual vulnerability, scenic grassland areas, outstanding natural landscape or features. The rules to address landscape values have been confirmed through the PC13 litigation.	Decline relief sought
		Amendment to rule 1.2.2, including the amendments proposed to the matters of discretion.	Oppose	The additions sought to Council’s matters of discretion are excessive. The aim of this rule is to provide a pathway for reasonably small scale indigenous vegetation clearance. Reserving discretion for the Council to consider stock control measures is entirely inappropriate in the context of an application for indigenous vegetation clearance. Likewise, consideration of the treatment of land outside of the application area is also inappropriate. The additions sought will effectively	Decline relief sought

	<p>elevate the restricted discretionary status to fully discretionary.</p>		
	<p>The additions sought are excessive, onerous and pay no consideration to the costs associated with gathering the proposed new information. FBPs must be pitched at a level that encourages the land owners to "buy-in" to the process. The information to be gained from FBPs has the potential to be invaluable. FBPs will document biodiversity features on private land that will inform a District wide database. The time and costs associated with compiling the information to be included in a FBP needs to be carefully balanced. It is not appropriate for FBP to become a tool for collating information on landscape values and features. The provisions of PC13 including the introduction of scenic grasslands address landscape values. Footnote to A(4)(g) seeks that improved pasture means <i>where it is confirmed by an independent ecologist and there are no indigenous biodiversity values present</i>. The Wolds strongly opposes this addition. This is unreasonable and would mean that most land within the Mackenzie Basin subzone would be unable to meet the definition of improved pasture – on the basis that one fescue tussock plant or one insect may be present within a greater area where introduced species dominate ground cover. It is likely</p>	<p>Amendments to Appendix Y</p>	<p>Oppose</p>
	<p>Decline relief sought</p>		

				that even cultivated land would be unable to meet the definition of improved pasture if this interpretation is introduced.	
Forest and Bird	20	Delete definition of improved pasture and condition 6 of rule 19.1.1	Oppose	See reasons above in relation to responses on other submissions where similar amendments have been sought.	Decline relief sought