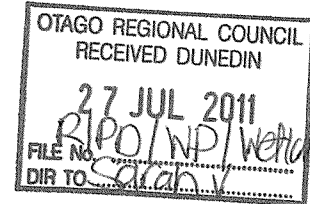


Form 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSED PLAN CHANGE 2 TO THE OTAGO
REGIONAL COUNCIL'S REGIONAL PLAN IN ACCORDANCE WITH THE FIRST
SCHEDULE OF THE RESOURCE MANAGEMENT ACT 1991

To: The Chief Executive,
Otago Regional Council,
Private Bag 1954
Dunedin 9054



Name of Submitter: NZSki Limited (NZSki)

Address: Private Bag 359,
Queenstown 9348

Introduction

1. This is a submission on Proposed Plan Change 2 (regionally significant wetlands) to the Otago Regional Council's Regional Plan: Water for Otago. (PPC2)
2. This submission relates to whole of PPC2.

NZ Ski's Interest

3. NZSki is a major ski field operator in the Queenstown-Lakes District and has been a significant contributor to the district's growth and development for many years. Coronet Peak and The Remarkables ski fields attract a significant number of visitors to Queenstown every year thereby benefiting the local, as well as the national economy by way of employment, recreation, tourism and other opportunities.
4. NZSki's importance to tourism and the overall regional and national economy is particularly relevant at this time when the nation is recovering from the recent earthquakes. NZSki has been and will continue to be a significant contributor to Canterbury (where it operates the Mt Hutt ski field) and the country's overall tourism recovery.
5. It is in the interest of the region that NZSki is able to continue and expand its ongoing operations in order to contribute towards the social and economic well being of not just the district, but the wider regional and national community.
6. NZSki is continually reviewing its ski fields infrastructural and planning requirements to ensure that it can operate effectively and can accommodate growth.
7. Accordingly, it is crucial for NZSki that PPC2 adequately provides for or otherwise does not unreasonably restrict NZSki's operations.

Scope of Submission

8. This submission relates to the whole of PPC2.
9. Without limiting the generality of this submission, NZSki is particularly interested in PPC2 in so far as it affects or may affect the current and future operation of its ski fields. NZSki is concerned to ensure that PPC2 adequately provides for current and future ski field activities as well as for expansion and development.

Nature of submission

10. NZSki supports PPC2 provided its concerns identified in this submission are adequately addressed to ensure that PPC2:
 - (a) will promote sustainable management of resources and will achieve the purpose of the Resource Management Act 1991 (RMA);
 - (b) is consistent with part 2 and other provisions of the RMA, the provisions of the Conservation Act 1987, the Otago Region's Conservation Management Strategy, the Queenstown Lakes District Plan, Central Otago District Plan and other Regional Plans;
 - (c) adequately provides for the continuance of activities on the ski fields;
 - (d) enables the efficient use, management, growth and development of the ski fields and surrounding area; and
 - (e) will meet the reasonably foreseeable needs of future generations.

Specific Submission

11. The specific provision of the proposal that the submission relates to is:
 - (a) The definition of regionally significant wetlands; and
 - (b) PPC2's intention to prioritize the 'avoidance of adverse effects' on these wetlands.
12. NZSki considers that the definition of regionally significant wetlands is too broad as proposed because applies to any wetland above 800 meters above sea level.
13. The majority of the land occupied or managed by NZSki is located above 800m. The definition has the consequential effect of classifying every wetland existing on that land as regionally significant with the further effect of imposing major new restrictions on use or development on and around those areas. Putting this in context, the currently proposed definition makes any shallow pool of water 800 meters above sea level in the Otago region significant. Areas of land that are seasonal and range from shallow pools in winter to dry bare land at all other times suddenly become strictly controlled. Water levels in such circumstances are extremely difficult and impractical to monitor/assess without incurring significant costs. This therefore makes implementation of PPC2 difficult, if not, impossible.
14. PPC2 has the real potential to restrict use, management, growth and development on NZSki's ski fields. It would also potentially cost NZSki significant sums of money by way of financial contributions to be paid to the Council either now or in the future if its operations were to result in effects to wetland levels which could not otherwise be completely 'avoided' as proposed by PPC2.
15. The Queenstown Lakes District Plan, Conservation Management Strategy, long standing leases and other concessions with the Crown and resource consents recognize that NZSki's operations must locate in areas that are sensitive at high altitude, and identify and address any potential effects fully. NZSki requests that the definition of regionally significant wetlands exempts:
 - (a) wetlands in or around its operations not already identified in statutory or other legal instruments as significant from the definition of "wetlands" or description of "regionally significant wetlands" in PPC2; and

- (b) ski field operations (including existing use, management and future development) from the restrictions otherwise proposed in PPC2.
16. Expanding on the above, NZSki has been through several rigorous district and regional planning, concession and resource consent processes when the leases/concessions to develop the fields were originally sought many years ago. All effects of the ski fields (including any potential future effects of, for example, earthworks) were stringently assessed at that time, including the effects of the proposals on wetlands. NZSki's existing operations and ongoing developments have been undertaken in consultation with the ORC, QLDC, the Department of Conservation and other interested parties in accordance with statutory and other legal instruments. NZSki believes the current regime fully provides for the matters now proposed to be addressed in PPC2.
17. The type of exemption NZSki seeks in respect of PPC2 is based on similar exemptions in the Mackenzie District Plan. Rural Policy 10C of that plan provides for the avoidance of duplication of regulatory control within the Aoraki Mount Cook National Park by stating that, "No district plan rules apply within the National Park other than subdivision controls".

Relief Sought

18. NZSki seeks that the proposed plan change be approved subject to:
- (a) PPC2 being amended as set out above to exclude wetlands in and around NZSki's operations and NZSki's operations themselves from PPC2;
 - (b) Any other amendments to any part of PPC2 and/or the Regional Plan as may be necessary or expedient to give effect to the purpose and intent of the relief sought above.
19. NZSki wishes to be heard in support of this submission.
20. NZSki will consider presenting a joint case with others who may want to make a similar submission at any hearing.

Signature:



Jim Castiglione/Hetish Lochan
Counsel for NZSki Limited

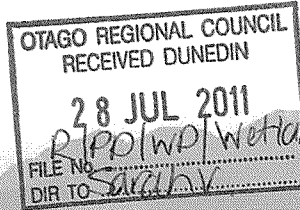
Date: 27 July 2011

Address for Service: Lane Neave Lawyers, PO Box 701, Queenstown
Attn: Jim Castiglione/Hetish Lochan

Telephone: 03 409 0321

Fax: 03 409 0322

E-mail: jim@laneneave.co.nz/Hetish.Lochan@laneneave.co.nz

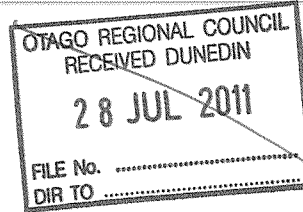


Otago Regional Council
Private Bag 1954
Dunedin 9054

Submission Form -
Form Name: Proposed Plan
Change 2
Application ID: ORCNDFCH1/13
Application Date: July 27, 2011
Applicant Name: DAVID JOPP
Application Status: New

ORCNDFCH1

Submission Form - Proposed Plan Change 2
(Regionally Significant Wetlands)



to the Regional Plan: Water for Otago
Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

SUBMITTER DETAILS

1A Contact details: *

Name: DAVID JOPP
Address: MARITANGA STATION
R.D.3
City: RANFURLY 9397
Phone: 034449669
Email: maritanga@scorch.co.nz

1B

Organisation name (if applicable): ()
Postcode: ()
Fax no: ()

1C I wish to be heard in support of my submission:*

Yes

1D If others made a similar submission, I will consider presenting a joint case with them at a hearing:*

Yes

Please note that all submissions are made available for public inspection.

Trade competitor's declaration
(if applicable)

1E No (not checked) I could gain through trade competition from a submission, but my submission is limited to addressing adverse environmental effects directly impacting my business.

ORCNDFCH1

Submission Form - Proposed Plan Change 2

SUBMISSIONS MUST BE RECEIVED BY 5.00 PM FRIDAY 29 JULY 2011

2A The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

MAP F55 TRIQ Q EPHEMERAL POOL

2B My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

Our farm, Maritanga, is a dryland property and this wet area you are referring to usually only ponds during high rainfall winters due to the area being at the base of Flat Hill and receiving run off from our seasonal conditions.

We have had an Otago Regional Council representative look at the area in the past and consequently it was decided then that it was not a significant wetland.

2C I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

I request the council not include Trig Q Ephemeral Pool in their Plan as it is not a true ephemeral wet area.

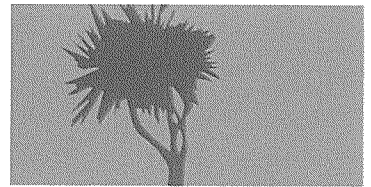
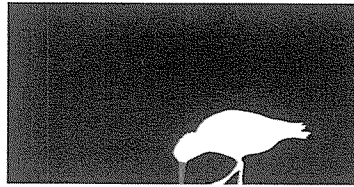
2D Please upload any documents in support of your submission:

[No files have been uploaded]

Click on **Finish** to send your submission to the Council.

2E Office use only

Submission redirected to:

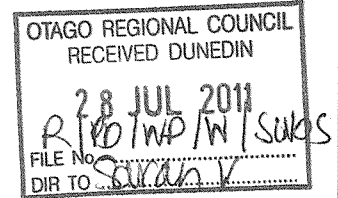


River - Estuary Care : Waikouaiti - Karitane

13

26 July 2011

Otago Regional Council Proposed Plan Change 2 (Regionally Significant Wetlands)



Submission from River-Estuary Care:Waikouaiti-Karitane

River-Estuary Care: Waikouaiti-Karitane is a community-based incorporated society that has been active since 1999. The group objectives are:

- To restore balance to Papatuanuku (mother earth)
- To have a well informed community about our river and estuary
- To have our community participating in sustainable resource practices
- To have a healthy, productive river and estuary ecosystem (fishing, biodiversity, general health)
- To promote an understanding of the interrelatedness of our river and estuary ecosystem with adjacent ecosystems

Current projects include, monitoring, revegetation, community education and advocacy in the Waikouaiti River Catchment. River-Estuary Care: Waikouaiti-Karitane received the Coastal Otago Conservation Award for 2005. Our habitat restoration projects have focussed on the riparian zones along the lower reaches of the river and along the tidal channels of the Merton Tidal Arm of the estuary. Last year's project, generously funded by a Department of Conservation's Community Conservation Grant, planted 6000 native plants on public land between the Merton Tidal Arm and Highway 1. The projects are meant to support and enhance the biodiversity of the area and to improve the health of the waterways.

We welcome the opportunity to comment on the Proposed Plan Change 2 (Regionally Significant Wetlands).

Comments:

1. We commend the inclusion of the Ellison Saltmarsh, the Waikouaiti River Estuary Wetland Complex, McGregor Swamp and the McLachlan Road Marsh in the proposed list of significant wetlands, recognising these areas as valuable in themselves and as areas with special biodiversity value.
2. It may be important to extend those areas to include adjacent areas in future as they are intrinsically connected as ecosystems, not as distinct areas.
3. Certain sections of the Consultation Draft should be included in the final proposal, eg the Wetlands Introduction which clearly sets out the context,

explains the types and values of wetlands in Otago, the Issues section which gives clear reasons for the need for certain wetlands to have special consideration, Section 10.5 Anticipated Environmental Results (especially the inclusion of the concept of "habitat and hydrological services", and a listing (pp 90-112) of the specific nature and values in each of the designated wetlands.

4. An emphasis on the interconnectedness of some wetlands (eg saltmarsh) with the marine environment should be made – and acknowledgement of the reliance of marine organisms and fish on various habitats for critical parts of their life cycles and food chains.

5. There should specific mention of the negative effects of tidal gates on coastal wetland habitats, blocking natural tidal flows to and from the wetland and the sea.

We do not wish to be heard in support of our submission.

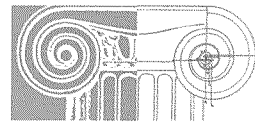


Patricia H. Vanderburg
Information/Education/Advocacy Project
River-Estuary Care: Waikouaiti-Karitane
47 Coast Rd
Karitane 9440
465-8113
vburg@es.co.nz



Andrew Barratt
Co-Chair
Rural Delivery Apes Rd
Waikouaiti
021-890-048
asbarratt@farmside.co.nz

14



Waitaki DISTRICT COUNCIL

Otago Regional Council
Private Bag 1954
Dunedin 9054
Attention: Policy Team

Waitaki District Council
Private Bag 50058, Oamaru 9444

Tel: 03-433 0300
Fax: 03-433 0301

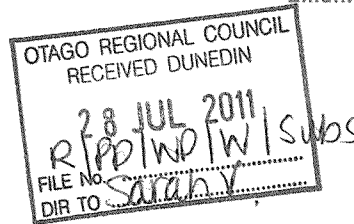
20 Thames Street
Oamaru, New Zealand
Website: www.waitaki.govt.nz
Email: service@waitaki.govt.nz

25 July 2011

**Submission on: Proposed Plan Change 2 (Regionally Significant Wetlands) to the Regional Plan:
Water for Otago**

Submission from: Waitaki District Council

Address: Private Bag 50058
Oamaru 9444
C/- David Campbell



Phone: 03 433 0300

Email: dcampbell@waitaki.govt.nz

The Waitaki District Council (WDC) generally supports Proposed Plan Change 2 (Regionally Significant Wetlands). It is noted that Jack Chandra as WDC's Planning Policy Manager attended a workshop on significant wetlands with ORC and the relevant territorial authorities on 21st April 2009. No significant issues were apparent from this workshop.

WDC have completed Plan Change 2 (Landscape and Visual Amenity) which through introducing new landscape categories into the District Plan, provides some protection of wetlands. However, the mechanisms by which Regionally Significant Wetlands are assessed and protected are not necessarily the same as those that WDC chose in determining which areas of the district are within the new landscape categories (Outstanding Landscape, Outstanding Natural Features, Significant Natural Features and Significant Coastal Landscapes) and as such not all Regionally Significant Wetlands are protected by the District Plan.

Furthermore, WDC have embarked on a district-wide Ecological Study in early 2011 for the purposes of meeting requirements under the Resource Management Act 1991, as well as the Proposed National Policy Statement on Indigenous Biodiversity. The information contained within the Wetland Inventory will be useful for this study. Therefore, WDC supports providing this inventory in a non-regulatory inventory of wetland, thereby allowing the inventory to be more extensive, to be updated with greater regularity and to be freely accessible to all.

It is noted that WDC's Rural Zone Site Development Standard 4.4.7 *Environmentally and Ecologically Sensitive Areas* does not provide for any buildings, earthworks, indigenous vegetation clearance and exotic tree planting within 20m of any lake, river, stream or wetland or within any wetland. Therefore WDC support the refined mapping for current and proposed Schedule 9 Wetlands as this will be of assistance to WDC and our ratepayers in determining compliance with Standard 4.4.7.

It is further noted that the Plan Change as proposed, has no implications that would require WDC to make amendments to our District Plan.

Council would appreciate some clarity around whether saltmarsh, herbfield vegetation, and inland saline vegetation habitats are considered to fall within the definition of 'wetland' in Proposed Plan Change 2.

The Waitaki District Council is happy to be contacted by the Otago Regional Council to clarify any points any point raised in this submission.

Yours Sincerely

A handwritten signature in black ink that reads "D.W. Campbell". The signature is written in a cursive style with a large, sweeping initial "D" and "C".

David Campbell

Planning Manager

On behalf of the Waitaki District Council



Otago Regional Council
Private Bag 1954
Dunedin 9054

Submission Form -
Form Name: Proposed Plan
Change 2
Application ID: ORCNDFCH1/14
Application Date: July 28, 2011
Applicant Name: Duncan Veall
Application Status: New

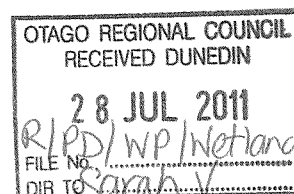
ORCNDFCH1

Submission Form - Proposed Plan Change 2

(Regionally Significant Wetlands)

to the Regional Plan: Water for Otago

Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.



SUBMITTER DETAILS

1A Contact details: *

Name: Duncan Veall
Address: 18 Dunmore Street
City: Wanaka
Phone: (03) 443-7411
Email: duncan@cardrona.com

1B

Organisation name (if applicable): (Cardrona Alpine Resort)
Postcode: ()
Fax no: ((03) 443-8818)

1C I wish to be heard in support of my submission: *

No

1D If others made a similar submission, I will consider presenting a joint case with them at a hearing: *

No

Please note that all submissions are made available for public inspection.

Trade competitor's declaration

(if applicable)

- 1E** No (not checked) I could gain through trade competition from a submission, but my submission is limited to addressing adverse environmental effects directly impacting my business.

ORCNDFCH1

Submission Form - Proposed Plan Change 2

SUBMISSIONS MUST BE RECEIVED BY 5.00 PM FRIDAY 29 JULY 2011

2A The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

Please refer to Treble Cone's submission. We have not duplicated their submission points as it would be repetitive.

Although Cardrona does not have any significant wetlands, we recognise that skifield operations have not been considered in the proposed amendments by Council. Skifields are a vital part of the economy and Council does recognise that their viability is significant in relation to Policy.

2B My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

Cardrona fully supports the submission made by Treble Cone.

2C I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

Please refer to Treble Cone's submission.

2D Please upload any documents in support of your submission:

[No files have been uploaded]

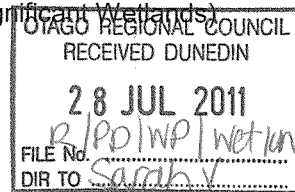
Click on **Finish** to send your submission to the Council.

2E Office use only

Submission redirected to:

Olivia Motion

From: Michael Skerrett [michael.skerrett@teaomarama.maori.nz]
Sent: Thursday, 28 July 2011 2:51 p.m.
To: Policy Reply
Subject: Regional Water Plan, Proposed Plan Change 2 (Regionally Significant Wetlands)
 Attention Fraser McRae



Tēnā Koe Fraser

I am submitting on behalf of Te Ao Mārama Inc which represents Te Runanga o Awarua, Te Rūnanga o Waihopai, Te Rūnanga o Oraka-Aparima and Te Rūnanga o Hokonui. The Takiwa of these four Rūnanga Papatipu o Murihiku extends to the southern side of Te Mata au (Clutha River) and from Wanaka across to Te Whakatipu Waitai (Lake McKerrow on the West Coast.)

The four Murihiku Rūnanga Papatipu also share an interest in the takiwa of the Otago Rūnanga Papatipu. This interest is inland in the mountains and the lakes to the west coast.

Our submission is that the Proposed Plan Change 2 does address the RMA Section 6 a requirements to preserve the margins of wetlands, and lakes and rivers i.e:

Matters of national importance

In achieving the purpose of this Act, all persons exercising powers and functions under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance:

- (a) The preservation of the natural character of the coastal environment (including the coastal marine area), wetlands, and lakes and rivers and **and their margins**, and the protection of them from inappropriate subdivision, use, and development:

Reasons for our submission

We believe a lot of inappropriate use and development has been carried out in the margins resulting in significant affects on wetlands, lakes, rivers and the coast including the coastal marine area.

Including preservation of margins in the proposed plan change would significantly strengthen the provisions proposed and help to achieve the purpose of the Act.

We believe Section 6 (e) is also of relevance.

We do wish to speak in support of our submission at a hearing

Heoi ano

Michael Skerrett
 Kaupapa Taiao Manager
 Te Ao Mārama Inc

FAX MESSAGE

RECEIVED
28/7

034790015

17

TO Otago Regional Council COMPANY _____

NO. OF PAGES
Incl. this page

2

FROM W. T. Bagg COMPANY MOUNTWALLACE LTD

PH 034150454

FAX 034150455

DATE 28-July-2011

Please find enclosed Submission

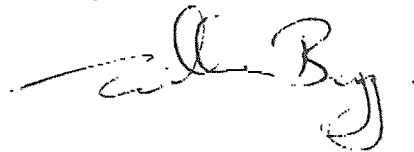
Regional Plan: Water

Proposed Plan Change 2
(Regionally Significant Wetlands)

OTAGO REGIONAL COUNCIL
RECEIVED DUNEDIN
28 JUL 2011
FILE No. R/PD/MP/W/sub
DIR TO Sarah V.

Yours Faithfully,

W. T. Bagg





SUBMISSION FORM
Proposed Plan Change 2
(Regionally Significant Wetlands)
to the Regional Plan: Water for Otago

Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.

Office use only

Full name of submitter: William Thomas BEGG

Name of organisation (if applicable):

Postal address: 222 Mount Wallace Road 2RD Balclutha 9272

Postcode: 9272

Telephone: 03 4180484 / 0274346756 Fax: 03 4180455

Email: mtwallace@xtel.co.nz

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

If others made a similar submission, I will consider presenting a joint case with them at a hearing.
(Cross out if you would not consider presenting a joint case).

Signature of submitter: [Signature] Date: 28-07-2011
(or person authorised to sign on behalf of person making submission).

Please note that all submissions are made available for public inspection.

Trade competitor's declaration (if applicable)

I could gain through trade competition from a submission, but my submission is limited to addressing adverse environmental effects directly impacting my business.

Signature of submitter:

The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

The Moving of Schedule 10 Wetland 139 Stirling Marsh Complex
(No 139 Map F43) to Schedule 9 on proposed plan change 2.

My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

I oppose in part plan change 2
Specifically I oppose the identification & inclusion of parts of
the Stirling Marsh (No 139) Wetland covering an my property
(See attached)

Please turn over

I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

Remove the areas identified as Stirling Marsh Complex (13.9.) Map F.113 that are on my property from proposed plan change 2 (Regionally Significant Wetlands) to the zoned plan: Water for Otago (see attached)

[Handwritten signature]

SUBMISSIONS MUST BE RECEIVED BY 5.00 PM, FRIDAY 29 JULY 2011.

Please fold and secure with a small piece of tape.

FreePost Authority ORC 1722



Otago Regional Council
Private Bag 1954
Dunedin 9054

Attention Policy Team

SUBMISSION ON PROPOSED PLAN CHANGE 2 (REGIONALLY SIGNIFICANT WETLANDS) TO THE OTAGO REGIONAL PLAN: WATER

To: Otago Regional Council

Submitter: Mt Wallace Ltd, (as lessee) and W T Begg, LE Begg, WT Begg & WT Begg Settlement as Land Owners

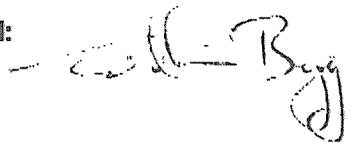
Name: William Thomas Begg

Address: 222 Mount Wallace Road
2RD
BALCLUTHA 9272

Tel: 03 418 0484
Mob: 0274 346756
Email: mtwallace@xtra.co.nz

Date: 28 July 2011

Signed:

A handwritten signature in black ink, appearing to read 'W T Begg', written over a horizontal line.

I wish to be heard in support of my submission and if others present a similar submission then I will consider presenting a joint submission with them

Introduction – A family owned property farmed in conjunction with additional land at Pukeawa giving a total land area of 742 Ha running 6500 Breeding Ewes plus 1600 Hoggets and 150 head of finishing cattle, it is an intensive breeding and finishing farm. Providing fulltime employment to two families and 1.5 full time labour equivalents

The company's farm is located in the Clutha catchment, 6km north east of Balclutha. The farming enterprise and the families and employees that it supports rely on the farm to provide for their economic well being.

Stirling Marsh Complex 139 on map F43

I have three areas of freehold land bordering the Stirling Marsh wetland and an area of ORC lease land that will be affected by these proposed changes.

Parts of the Stirling Marsh wetland are located on my property

Submission

I oppose in part plan change 2

Specifically I oppose the following

The identification and inclusion of parts of the Stirling March wetland, occurring on my property.

Decision Sought

1. Remove the areas identified of the Stirling March Wetland that are located on my property
2. If the wetland is retained as a regionally significant wetland then provide the following
 - Rates relief of up to 50% of total rates for the property to recognise the cost of protection and fencing
 - Provide for the harvesting of exotic species occurring in the wetland as a permitted activity

- A gorse and broom management/eradication plan for the wetland undertaken, implemented and funded by ORC
- Retention of grazing on ORC lease land
- The maintenance of existing Otago Regional Council drains out of the wetland

Reasons for my submission

I do not consider that the consultation carried out by the ORC was sufficient. The last contact I had prior to notification of the plan change was that the areas of wetland on my property (Stirling March Complex 139) were not of interest and that no further action would be required.

I do not consider that the areas of this wetland occurring on my property meet the criteria of regional significance identified in schedule 10.4.1.

- None of the designated areas on my property have been shown to be a habitat for rare or threatened species or communities
- These areas are not a critical habitat for the life cycles of indigenous fauna dependant on wetlands
- These areas don't provide a high diversity of habitat types
- These wetland areas do not contain a high degree of naturalness. Two of the areas are highly infested with Gorse, Broom and Blackberry and on all sites English grasses are prevalent. The largest area identified on my property had a peat fire through it about 40 years ago that completely destroyed any pre existing natural cover
- I don't consider the areas to be scarce in terms off ecological or physical character as one of the biggest wetland complexes in Otago is on my boundary, lake Tuakitoto
- To my knowledge these areas are not in any way valued by Kai Tahu
- These areas are insignificant as waterfowl habitats
- These areas do not have a high diversity of indigenous flora or fauna
- Because these areas have very small catchments they offer no benefit for maintaining water quality or reducing flood flows

The plan change fails to meet the requirements of Council in relation to Section 5 of the RMA, for me to provide for my economic wellbeing and that of the community around the effected area.

There are three distinct areas on my property. Activities carried out on or near these areas include intensive grazing as part of existing paddocks, however one area is already fenced because of the gorse problem in it to keep cattle out

Part of one area is planted in poplar trees for timber

Two of the areas contain scheduled ORC drains on the boundaries that are the responsibility of the ORC to maintain, I am concerned that these may not be maintained to the same level as previously undertaken

There are other existing drains in all of the areas identified in addition to the ORC drains. I am concerned that if a resource consent is required to maintain these drains that some landowners will view this as a significant enough disincentive not to maintain the existing drainage network

One of the areas identified on my place encompasses the boundary lines of four different properties – it would be useful to at the very least delineate responsibility for ORC maintaining drainage networks when the impact is on multiple properties that may lead to disputes about drainage between neighbours.

I believe these measures are an infringement of my freehold property rights and that to effectively remove these areas from my farm without any form of compensation or even assistance with fencing or rates relief for these areas is unacceptable.



Otago Regional Council
Private Bag 1954
Dunedin 9054

Submission Form -
Form Name: Proposed Plan
Change 2
Application ID: ORCNDFCH1/15
Application Date: July 28, 2011
Applicant Name: Trevor & Vivien
Nimmo
Application Status: New

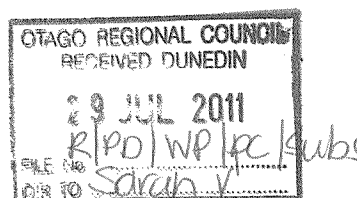
ORCNDFCH1

Submission Form - Proposed Plan Change 2

(Regionally Significant Wetlands)

to the Regional Plan: Water for Otago

Form 5, Clause 6 of the First Schedule, Resource Management Act 1991.



SUBMITTER DETAILS

1A Contact details: *

Name: Trevor & Vivien Nimmo
Address: 120 Kemp Road
Hillgrove
City: Palmerston
Phone: 03 4394852
Email: tvk@farmside.co.nz

1B

Organisation name (if applicable): ()
Postcode: (9482)
Fax no: (n/a)

1C I wish to be heard in support of my submission:*

No

1D If others made a similar submission, I will consider presenting a joint case with them at a hearing:*

Yes

Please note that all submissions are made available for public inspection.

Trade competitor's declaration
(if applicable)

1E No (not checked) I could gain through trade competition from a submission, but my submission is limited to addressing adverse environmental effects directly impacting my business.

ORCNDFCH1

Submission Form - Proposed Plan Change 2

SUBMISSIONS MUST BE RECEIVED BY 5.00 PM FRIDAY 29 JULY 2011

2A The parts of the proposed plan change that my submission relates to are:

(Give clear references if possible e.g. reference number, policy x, rule y)

The Kemp road Lagoon has been identified as regionally significant we believe it is not.

2B My submission is:

(Include whether you support, oppose, or wish to have amended the parts identified above, and give reasons)

We oppose the inclusion of the Kemp Road Lagoon(our lagoon) in schedule 9 of the regional plan: Water for Otago as we feel it would be a barrier to possible future development.

We had no idea that our lagoon was included in a list of significant wetlands until we received a letter(ref A242089) notifying us of the proposed plan change 2. This letter was in fact sent in error to our neighbour's, and had our neighbour not given us the letter we would still be none the wiser. We have had no personal contact from the council as to why our lagoon has been identified as regionally significant and feel this has all been done behind our backs. In a letter to Fraser McRae dated 14/10/10 we asked for our lagoon not to be included in a schedule of significant wetlands and received no response.

Our lagoon has none of the values listed in policy 10.4,1 and is not a freshwater lagoon.

2C I seek the following decision from the local authority:

(Give precise details e.g. changes you would like made)

We seek to have the Kemp Road lagoon removed from schedule 9 significant wetlands.

2D Please upload any documents in support of your submission:

[No files have been uploaded]

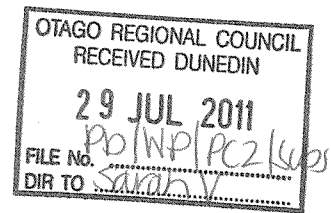
Click on **Finish** to send your submission to the Council.

2E Office use only

Submission redirected to:

19

SUBMISSION ON PROPOSED PLAN CHANGE 2 (REGIONALLY SIGNIFICANT WETLANDS) TO THE OTAGO REGIONAL PLAN: WATER



To: Otago Regional Council

Submitter: Three Creeks Farm

Name: Ian and Judith Isbister

Address: 63 Ardgowan Road
1DRD
OAMARU

Tel: 03 434 1422
Mob: 027 431 7058
Email: iisbister@xtra.co.nz

Date: 28 July 2011

Signed: *JM Isbister*

I wish to be heard in support of my submission and if others present a similar submission then I will consider presenting a joint submission with them

Introduction

The Company owns a 215 Ha Dairy farm employing four full time workers and supporting a family partnership made up of two families one of which has three school aged children.

The farm runs 600x Friesian cross Cows

The company's farm is located in the catchment, 20km north west of Oamaru. The farming enterprise and the families and employees that it supports rely on the farm to provide for their economic well being.

The wetland

The Te Hua Taki or Temby Swamp

The Temby Swamp is located on our property.

We have farmed along side the wetland and in harmony with its values for a number of years. Its values form an integral part of our farming operation and we undertake a number of farming activities that may be affected by the proposed plan change.

The Wetland has the values it currently holds because of our management over a number of years. The Wetland has not previously been identified as regionally significant.

Submission

I oppose in part plan change 2

Specifically I oppose the following

The identification and inclusion of the Te Hua Taki or Temby Swamp as a regionally significant wetland.

Decision Sought

1. Remove the Te Tua Taki wetland from the proposed schedule of regionally significant wetlands.
2. If the wetland is retained as a regionally significant wetland then provide the following
 - Rates relief of up to 50% of total rates for the property to recognise the cost of management
 - Provide for the maintenance of existing drains into and out of the wetland as a permitted activity
 - If consents are required include a non notification clause, include the consents as a controlled activity, that there is no fee on the consent
 - That the taking of water from the wetland and taking of adjacent groundwater for stock, domestic and agricultural use is a permitted activity
 - That there are no setbacks from the wetland for the application of Farm Dairy Effluent
 - That there are no arbitrary setbacks on structures or buildings occurring on or near the wetland

Reasons for my submission

I do not consider that the consultation carried out by the ORC was sufficient.
– what was the consultation with you on the inclusion of the wetland??

I do not consider that the areas of this wetland occurring on my property meet the criteria of regional significance identified in schedule 10.4.1

The plan change fails to meet the requirements of Council in relation to Section 5 of the RMA, for me to provide for my economic wellbeing and that of the community around the affected area

That there are drains in and out of the wetland that require regular maintenance – the cost and uncertainty of obtaining those resource consents will have a significant effect on my farming operation and that the maintenance of that drainage network is an important part of how the wetland currently functions

That we have actively managed the wetland area over a number of years and it is fenced and kept in its natural state.

That our cowshed and milking platform is located in close proximity to the wetland and that our current water take is adjacent to the wetland

That we are about to invest a large amount in upgrading our dairy farm effluent system and that the identification of the wetland as regionally significant may impact on the integrity and functioning of that system

RECEIVED
29 JUL 2011
BY: SP 11:06 AM

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OTAGO REGIONAL COUNCIL
RECEIVED DUNEDIN
29 JUL 2011
FILE No. 027 Subs.
DIR TO Sarah V.

29 July 2011

Chief Executive Officer
Otago Regional Council
Private Bag 1954
Dunedin

Dear Sir

Enclosed are the Submissions for the Lake Waihola Waipori Wetlands Society Inc. An electronic copy will be sent today.

Name of the submitter Pauline Bacon
Secretary
Lake Waihola Waipori Wetlands Society

Postal Address of the Society is PO Box 15037
Waihola 9243
Phone 03 4178286
NO fax available
Email pwbacon@xtra.co.nz

We wish to be heard at the hearings.

We do not wish to be included with others at the hearings.

The trade competitors declaration is not applicable.

Yours Faithfully

Pauline Bacon
Secretary
LWWWS.



Submission to Otago Regional Council's Proposed Plan Change 2 (Regionally Significant Wetlands)



**Presented by the Lake Waihola
Waipori Wetlands Society**

Introduction

It would actually be easy to argue that all wetlands are nationally significant given the information from the Ministry for the Environment suggests that nearly 85% of New Zealand wetlands have declined or since European settlement. While the Society supports the Otago Regional Council for its increased focus on the protection, enhancement and restoration of wetlands in Otago, some of the detail of the proposed plan requires refining and improvement.

Proposed Plan 10.4.6

"10.4.6 To promote the conservation, creation and reinstatement of wetland areas and enhancement of wetland values..."

The Society's Submission

The Society supports in principle the provisions of proposal 10.4.6 that are presented in the document. However, while such provisions within the plan are well intentioned there is no implementation or discussion from within Council on;

- Does the Council have a specific community education plan that details the ways education of the public on wetland values will be achieved?
- What are the priorities for investigations or monitoring of wetlands as set out in this plan and what is the mechanism for the Community to be able to be involved in those investigations or access the information gathered from that work?
- Will there be adequate resources to ensure that the high level outcomes described in 10.4.6 can be have a measurable level of success? If so how will that be prioritised in regards to wetland management for the region?
- How does the Council envisage funding this support within the rule and where is the funding line within the Council's Annual Plan to ensure these goals are achieved?

While the Society support the concepts held with 10.4.6, there needs to be a deeper level of public and council commitment to ensure that it occurs. This is particularly relevant to providing a deeper public understanding of the values associated with wetlands at social, environmental, cultural and economic level.

Proposed Plan Rule 12.7 – 12.7.4

“12.7 Discharge of pesticides”

The Society’s Submission

The heading of 12.7 is confusing because it relates to the “Discharge of pesticides” but then goes on to describe the discharge of herbicides for aquatic plant species. There is a fundamental differentiation required here, between the use of pesticide and the use of herbicide, as they are quite different activities, with different methodologies, target species and effects on the environment.

This is further borne out in the description of a “*permitted activity*” in 12.7.1.1 when it describes the control of “*aquatic plants*”. This description is contradictory, because by its intent it is seeking the control by spraying of only aquatic plants and not terrestrial plants that may occur within wetlands. The majority of weed species within wetlands (willow, elder, reed Sweetgrass, etc.) are ostensibly terrestrial species that have been successful in colonising wetland areas. They are quite distinct in phenology and physiology to aquatic species. The proposal then does not allow for the control of the weed species that are the most detrimental to wetlands.

In 12.7.1.2 the land based discharge of any pesticide is a permitted activity providing (e) “*There is no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat, in or on any Regionally Significant Wetland*” is a new rule within the proposed plan. While the intent of the rule is the protection of existing wetland values the use of this rule negates the positive effects of wetland restoration by landowners on current land based areas. This may mean that landowners or organisations that remove common terrestrial weeds through land-based control and whose object is to create new wetlands or restore derelict sites may be penalised by creating positive hydrological changes in newly created areas that have positive effects on downstream or neighbouring sites.

Rules 12.7.1.2, Rule (land based discharge) 12.7.1.3 (air to land discharge) & Rule 12.7.1.4 (aerial discharge to land) are highly confusing rules when applied to the protection and restoration of wetland areas in the region as in the description above.

In most cases the control of weed species (such as willow, elder, reed Sweetgrass and others) are impossible to undertake without making changes to water levels, hydrological function or damage to flora in significant wetlands. Indeed, in the case of weed species such as willow the eradication is designed to make positive changes to the hydrological function by their very removal. Ecological engineering species (weed species that alter the physical shape or processes found in their environment) like willow need to be removed from wetlands to improve those very functions that this rule seeks to protect. Further, weed control by herbicide application in wetlands is virtually impossible without making short term alterations to indigenous plant assemblages or communities. This is especially found in

highly degraded areas of wetlands where weed species have been established for significant periods of time before restorative efforts are made. The interpretation of the proposed rules leaves no practical room to allow restorative weed control in significant wetlands as it is presently worded.

Rules 12.7.1.2, Rule (land based discharge) 12.7.1.3 (air to land discharge) & Rule 12.7.1.4 (aerial discharge to land) also require a significant understanding of the core values including hydrological functionality and flora & fauna associated with significant wetlands within the presented schedule. That requires a very high degree of understanding from the Otago Regional Council for each scheduled wetland. This raises the issue of what level of benchmarked data is available to the Council to be able to make informed decisions on the assessment of environmental affects for applications under the above rules?

Rules 12.7.1.2, Rule (land based discharge) 12.7.1.3 (air to land discharge) & Rule 12.7.1.4 (aerial discharge to land) make restorative efforts by private landowners and community groups extremely difficult to develop, plan and implement. If the purpose of the plan is to:

“Promote the conservation, creation and reinstatement of wetland areas and enhancement of wetland values...”

and if in the course of that promotion the plan seeks *“to support landowners and community groups”* then wetland restorative works and weed control must be made simpler and more collaboratively between those groups or landowners and the Otago Regional Council.

Proposed Rule 13.5.1.8

“The disturbance of the bed of any lake or river, or any Regionally Significant Wetland, by livestock is a permitted activity...”

The Society’s Submission

The proposed rule seems counter intuitive to the wider goal of protection of wetland values. Stock grazing in wetlands will naturally create damage to native flora and fauna and this rule appears to set a threshold only when grazing is severely damaging to the wetland. That means only when the damage threshold is reached will action be taken. This does not take into account any long term damage caused by grazing at a “below” threshold level over time, where the damage may be highly significant. It would be far better to encourage farmers not to graze wetlands and to encourage options for protection rather than open up the issue to judgement and debate over levels of damage. Options for protection also include the ability to fence wetland areas from stock.

Proposed Rules 13.6-13.6.3

“The introduction or planting of vegetation”

The Society’s Submission

The prohibition of plants within the proposed plan is an unusual one when seen in context to wetland management. The plants listed within the proposed are all aquatic species that are not common in wetlands, but are problematic in lakes or waterways. This reiterates the Society’s earlier point made for section 12.7 of the proposed plan, that there is a concentration on aquatic control within the plan and this has been included in the definition of wetlands.

There needs to be a clear distinction between aquatic and wetland areas as they are distinct entities with quite different plant communities. In fact many wetlands include ostensibly terrestrial species, which seems to have been forgotten in the development of the proposed plan. This is quite critical in the wider protection of wetlands because the effects of weed species in aquatic and wetland areas are quite distinct. It is the submission of the Society that this distinction needs greater work to make the plan reflect the importance of wetlands.

A list of prohibited species should be included in proposed rule 13.6.1 because of their invasive qualities and the negative impacts they have on wetlands. This list should reflect that terrestrial species have a greater impact on the health of wetlands than the list of aquatic species in the proposed plan. A list of species that were prohibited to be planted in wetlands might include;

Reed Sweetgrass *Glyceria maxima*

Crack Willow *Salix fragilis*

Grey Willow *Salix cinerea*

Black Alder *Alnus glutinosa*

Red Alder *Alnus rubra*

Pine *Pinus radiata*

The Society supports in principle Proposed Rule 13.6.2 so that consent is not required for the planting of native species in wetlands. However, the practicality of the rule needs to be linked back to the overall objective of the plan in 10.4.6;

“10.4.6 To promote the conservation, creation and reinstatement of wetland areas and enhancement of wetland values...”

Wetland advocacy and leadership is required from the Otago Regional Council if the real rationale of this rule is to be realised. This includes the provision of public education and information to landowners and community organisations on what are the right kind of plant species for wetland planting within Otago Region. This may sound simplistic but the geographical and ecological differences within the Otago Region make this information critical if biodiversity and wetland functionality are to be retained and enhanced. The Council have a role to increase and improve its biodiversity benchmarking for wetlands in terms of the floral differences found in the variety of wetland types within Otago. The choice of plants is not simply a matter of generic species for the entire region, but the selection of appropriate plant assemblages found in differing wetlands throughout Otago.

The Society would strongly urge the Otago Regional Council to include and amend rule 13.7.2 to include; Reed Sweetgrass *Glyceria maxima*, Crack Willow *Salix fragilis*, Grey Willow *Salix cinerea*, Black Alder *Alnus glutinosa*, Red Alder *Alnus rubra*, and Pine *Pinus radiata* so that removal of such species is a controlled activity within wetlands where consent would always be granted. If the Otago Regional Council seeks to be “(C) Supporting voluntary community and landholder programmes...” under 10.4.6, the Council must act in a manner that effectively supports landowners and community groups so that they succeed in their restorative efforts. Wetland restoration and protection is a partnership between agencies, landowners and collective groups for the benefit of the environment. The Otago Regional Council must take a collaborative approach to such efforts and act as a collaborative partner rather than simply as a regulatory body. By acting in this manner there is greater likelihood that communities and landowners would approach the Council for guidance and input into wetland restoration and protection. This is the outcome that the Council clearly wishes to achieve in wetland management, but without public support will probably not achieve in the longer term.

Conclusions

The Lake Waihola Waipori Wetlands Society has made a significant public commitment to the sustainable management of the wetlands in its area. That commitment has come through extensive public advocacy, fundraising and a consultative approach with agencies including the Otago Regional Council. That commitment also includes accepting a high level of risk that would normally be placed on agencies such as the Otago Regional Council and the Department of Conservation. Because that risk is accepted at a community level the project for weed control has been a successful one and the community have taken ownership of the project. This acceptance of risk must be recognised by agencies like the Regional Council in the planning and resource management process, in ensuring that projects in wetland restoration are to mean the outcomes of 10.4.6.

1. The changes made by the Regional Council in the *Proposed Plan Change II* are certainly well meaning but need further consideration in the face of the broad public statement that they are making for the Otago Region. There is a subsequent lack of

detail to how the Council intend to educate, resource and fund parts of the plan, in particular the proposed 10.4.6;

“To promote the conservation, creation and reinstatement of wetland areas and enhancement of wetland values by:

(a) Educating Otago’s people and communities about land use activities that may result in the loss of wetlands and their values;

(b) Initiating or supporting investigations and monitoring of wetlands and their values;

(c) Supporting voluntary community and landholder programmes; or

(d) Initiating or undertaking works in consultation with local communities. Or

(e) Providing information on wetlands and their values.”

2. There is a lack of delineation between the understanding of aquatic values and wetland values in the proposal that makes the proposal slightly confusing. There must be a much clearer delineation between what is defined as aquatic, wetlands, and land so that the proposed rules work more clearly and give greater guidance to landowners and communities.
3. The proposed plan change indicates that a considerable degree of benchmarked information on hydrological and ecological understanding is already available so that the understanding of effects of applications can be made. If that is the case, where is the presentation of that information so that in the future applicants can balance their applications against what is already known about wetland held within the schedule of significant wetlands? There is no further information on how or when such information will be gathered in the future.
4. There is no appreciation in the proposed plan that terrestrial weed species have extremely negative effects on wetland values because the basis of all permitted control described is based around aquatic weed species.
5. The proposed rules around aerial and chemical control within significant wetlands highly limit the options for control or the use of chemicals by not allowing for the short term effects on non-target species caused by such control.
6. The proposed rules do not take into account that weed control will have positive effects on the hydrological function and sediment movement within wetlands and waterways. It only seeks to look at whether changes have occurred. In the case of willow control in wetlands, hydrological change is actually a positive effect due to control rather than a negative one.

7. There are no financial incentives to community organisations or private landowners wishing to undertake voluntary restorative efforts in wetlands in the form of exemptions for consent fees; investigations or monitoring.

Lake Waihola Wetlands Society

Submission Form

2011 - 12 Draft Annual Plan and proposed amendments to the 2009 - 19 Long Term Council Community Plan



Please fill in form and include your comments below.

Post/fax/email your submission to reach us no later than **5pm Monday 2 May 2011**

to:

**Draft Annual Plan
Otago Regional Council
Private Bag 1954, Dunedin 9054**

or

Facsimile: (03) 479-0015

or

Email: annual.plan@orc.govt.nz

Name or representative:

David Vollweiler

Organisational name (if applicable): Lake Waihola Waipori Wetlands Society

Address:

C/O The Secretary
26 Nore Waihola Milton 9073
pwbacon@xtra.co.nz

Business hours telephone: 03 4177160

After hours telephone: 0272486170

Email address: berriedale@farmside.co.nz

Date: / /

Check box if you would like to present your submission in person

(hearings will be held during the week starting 9 May 2011).

Reed Sweetgrass (*Glyceria maxima*) Control in the Taieri Plains

The Lake Waihola Waipori Wetlands Society submits to the Otago Regional Council the need to control the invasive species grass species Reed Sweetgrass (*Glyceria maxima*) in the Taieri Plains from its northern boundaries to the southern end of Lake Waihola. This includes its minor and major tributaries.

The Lake Waihola Waipori Wetlands Society has identified Reed Sweetgrass (*Glyceria Maxima*) as a significant threat to wetland and waterway health in the Waihola Waipori Catchment. Its removal is a major part of the weed control programme being implemented by the Society over the next three years. *Glyceria Maxima* is a large perennial grass that was introduced to New Zealand as a stock fodder. It grows aggressively around waterways and nutrient rich wetlands. Typically of weed species it forms a dense monoculture that will overtop its slower growing native counterparts. It has the ability to produce a significant waterborne seed source and also disperses by vegetative means, breaking off a portion of its rhizome to be dispersed by moving water into new open habitat.

It is the submission of the Lake Waihola Waipori Wetlands Society that the Otago Regional Council;



- Must take a catchment based approach to the widespread control of this species for the benefit of the region's waterways and wetland habitats.
- Add *Glyceria maxima* schedule of the Otago Regional Councils Pest Plant Strategy as a matter of extreme importance for waterway and wetland biodiversity.
- Seek progressive control of this weed species over a 5-7 year period of time within the Taieri Plains area and its associated tributaries and catchments.
- Should make public information available to landowners and land managers on the identification, control and management of this weed species for the benefit of our region.
- Encourage landowners to control and manage this invasive weed species on their properties with appropriate liaison and advice from the Otago Regional Council for the betterment of the waterways and wetlands in our region.

The Lake Waihola Waipori Wetlands Society recognise that this weed species cannot be eradicated overnight, but it is with increasing alarm that the Society are seeing the rapid spread of this weed species in our region. Therefore, the Society submit that the Otago Regional Council act in the best interests of our waterways and wetlands by being proactive in drawing greater attention to the need to control this weed in our region.

David Vollweiler

Chairman Lake Waihola Waipori Wetlands Society