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22 September 2011

Otago Regional Council
Private Bag 1954
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Attention: Planning Department

Our Ref: 5586
Your Ref: Plan 1

TrustPower Limited

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Dear Sir/Madam

**RE: PROPOSED PLAN CHANGE 2 (REGIONALLY SIGNIFICANT WETLANDS)
TO THE WATER PLAN FOR OTAGO - FURTHER SUBMISSIONS**

TrustPower Limited ('TrustPower') appreciates this opportunity to make further submissions on Proposed Plan Change 2 (Regionally Significant Wetlands) to the Water Plan for Otago ("Plan Change 2" / "the Plan Change"). TrustPower has previously provided feedback on the consultation draft for Plan Change 2 on the 24th of September 2010 and submitted on the proposed Plan Change on the 29th of July 2011. The enclosed further submissions follow on from TrustPower's previous comments and submissions pertaining to Plan Change 2.

TrustPower's electricity generation assets in the Otago Region confirms that TrustPower is considered to have an interest in the proposed plan change greater than the interest of the general public, and is permitted to make further submissions on this plan change.

Further Submissions

Please refer to TrustPower's further submissions which are attached as **Attachment 1**.

In summary, TrustPower:

- Supports submissions seeking to recognise and provide for human use influences in relation to wetlands.
- Opposes submissions by parties seeking to apply the Plan Change to wetlands that have not been classified as "regionally significant" by the Otago Regional Council ("ORC") or through the consultation process. Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland

provisions and TrustPower does not consider that they should be included. ORC has undertaken the rigorous task of identifying wetlands in Otago with regionally significant values. Stakeholders and submitters have had the opportunity to comment on the scheduled wetlands and seek that additional wetlands that contain regionally significant wetland values are awarded protection. Wetlands may be added to Schedule 9 and awarded protection through a formal plan change process if appropriate.

- Opposes submissions by parties who seek to include the importance of a wetland to the wider network of wetlands / wetland patterns in the criteria for assessing regionally significant wetlands. All wetlands are part of the wider hydrological system; therefore this is not an appropriate criterion for wetlands to be classified as “regionally significant”, especially given only one criterion has to be triggered for a wetland to be classified as regionally significant.
- Opposes submissions seeking to make the removal or clearance of native plant material from any Regionally Significant Wetlands a non-complying activity. The existing discretionary activity status is wholly appropriate for the removal or clearance of native plant material – it requires an assessment of the proposed activity, and enables applications to be declined where they are deemed unsustainable. In some cases indigenous vegetation removal is incidental to the establishment and/or necessary safe and efficient operation of authorised activities and generates minor or less than minor effects; such removal does not warrant non-complying activity status.
- Opposes additional permitted activity conditions and other assessment criteria proposed to be included in the rules by submitters that are too subjective to be adequately assessed, are inappropriate / too restrictive given the activity to which they relate, or are repetitive of rules and assessment criteria already included, or proposed to be included, in the Water Plan.
- Opposes submissions inconsistent with Section 5(2) of the Act; in particular the Act does not provide for “no adverse effects”.
- Opposes submissions inconsistent with Section 6(a) of the Act. The Act does not provide for the outright protection of wetlands – it provides for their protection from inappropriate subdivision, use and development.
- Opposes submissions that reverse the simplifying and streamlining that has been undertaken by ORC, including submissions seeking to reinstate Schedule 10.

Yours sincerely,
TRUSTPOWER LIMITED



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ATTACHMENT 1

Further Submissions

Part 1: Regionally Significant Wetlands and values

What is a Regionally Significant Wetland

7.139 Policy 10.4.1A - Definition of a Regionally Significant Wetland

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Treble Cone Investments Limited	2	Amend	Delete 10.4.1A(c).	<ul style="list-style-type: none"> Remove provisions that relate to wetlands higher than 800m. 	Support – this relief would satisfy TrustPower's concerns in relation to wetlands above 800m.
Solid Energy New Zealand Ltd	5	Amend	Remove 10.4.1A(c) and replace with: <i>(c) A wetland higher than 800 metres above sea level which has been subjected to an evaluation confirming its ecological values against the ecological criteria detailed in Schedule 9.</i>	<ul style="list-style-type: none"> Definition of Regionally Significant Wetland is extremely broad given all 'wetlands' above a nominal 800m above sea level mark automatically trigger a regional significance status and subsequent protection. A nominal altitude of 800m above sea level is not an effective gauge of ecological significance, which may be confirmed by survey or ground-truthing. 	<p>Support in part – this relief would satisfy TrustPower's concerns in relation to wetlands above 800m, providing it is amended to specifically refer to "confirming it has one or more of the regionally significant wetland values contained in Policy 10.4.1" (rather than to "confirming its ecological values against the ecological criteria detailed in Schedule 9").</p> <p>In addition, TrustPower considers it would be preferable if all wetlands containing regionally significant values (including wetlands above 800m) have been identified and already scheduled as such in the Water Plan prior to the new Plan Change 2 provisions being adopted. This would enhance certainty for plan users, and would enable the arbitrary blanket protection pertaining to wetlands above 800m to be removed from the provisions.</p>
Cardrona Alpine Resort	15	Amend	Delete 10.4.1A(c).	<ul style="list-style-type: none"> Remove provisions that relate to wetlands higher than 800m. 	Support – this relief would satisfy TrustPower's concerns in relation to wetlands above 800m.
Lake Waihola Waipori Wetlands Society Inc.	20	Amend	Amend to more clearly delineate between what is defined as aquatic, wetlands, and land.	<ul style="list-style-type: none"> Lack of delineation between aquatic values and wetland values makes the proposal slightly confusing. Aquatic and wetland areas are distinct with quite different plant communities. This will make the rules work more clearly, and give greater guidance to people. 	Support
Contact Energy Limited	30	Oppose	That the definition of a Regionally Significant Wetland (which includes all wetlands over 800m above sea level) be not approved.	<ul style="list-style-type: none"> Process classifying the wetlands as regionally significant was not robust. Wetlands above 800m should not be automatically included if these are not accurately mapped/plotted and if no values assessment has been done on them. 	Support – this relief would satisfy TrustPower's concerns in relation to wetlands above 800m.
Meridian Energy Limited	32	Amend	Amend: <i>"A Regionally Significant Wetland is: [...] (b) A wetland physically within a wetland management area listed in Schedule 9; or (c) A wetland higher than 800 metres above sea level."</i>	<ul style="list-style-type: none"> Arbitrary classification on elevation; many wetlands will not meet habitat, flora, fauna or cultural values. More restrictive management is inappropriate given values not known. 	Support – this relief would satisfy TrustPower's concerns in relation to wetlands above 800m.
Department of Conservation	42	Support	Retain with no amendments.	<ul style="list-style-type: none"> Consistent with Part 2 RMA. Gives guidance when considering activities in wetlands. Maintains flows in streams sourced from wetlands which protects habitat of indigenous threatened fish. Gives effect to the NPS Freshwater Management. 	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.

New Zealand Railways Corporation	46	Amend	Add definition to the glossary section of the Water Plan which clarifies that those activities that occur on 'dry' land; such as land transport corridors located within the wider boundary area of the Regionally Significant Wetland shown in the revised Maps accompanying Plan Change 2 are not intended to be affected by the new controls.	<ul style="list-style-type: none"> •No definition of Regionally Significant Wetland in the Water Plan. •Where activities occur on 'dry' areas they should be permitted and the definition should clarify this. <p>Where activities occur on 'dry' areas they should be permitted and the definition should clarify this. Only those activities that impact on wetlands should be captured by the new controls.</p>	Support
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8 Policy 10.4.1B - Schedule 9

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Department of Conservation	42	Support	Retain with no amendments.	<ul style="list-style-type: none"> •Consistent with Part 2 RMA. •Gives guidance when considering activities in wetlands. •Maintains flows in streams sourced from wetlands which protects habitat of indigenous threatened fish. •Gives effect to the NPS Freshwater Management. 	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.

Regionally Significant Wetland values

6.14 Policy 10.4.1 - Definition of Regionally Significant Wetland values

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Amend	Add criterion: <i>A10) Importance of this wetland within the wider network of wetlands within its catchment.</i>	•Proposed plan only considers wetlands in isolation and doesn't consider networks of wetlands as important (e.g. for river flow stability).	Oppose, as all wetlands are part of the hydrological system the proposal is not an appropriate criteria for wetlands to be classified as "regionally significant".
Federated Farmers of New Zealand	29	Support	Adopt the provision as proposed.	•Supports the incorporation of wetland values within one provision, and the addition of "significant" to value A9.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
Meridian Energy Limited	32	Amend	Amend policy 10.4.1: <i>"A1 Habitat for <u>regionally</u>, nationally or internationally rare or threatened species or communities; A7 High diversity of indigenous flora and fauna; A8 Regionally significant habitat for waterfowl; and A79 Significant hydrological values including maintaining water quality or low flows, or reducing flood flows."</i>	•The new characteristics/identification criteria listed in A7 to A8 is unnecessary.	Support
Hawksbury Lagoon Inc	39	Amend	In identifying significant wetlands, ensure adequate weight is given to the pattern of wetlands in maintaining corridors and feeding sites for waterfowl.	No reason given.	Oppose as all wetlands form part of the wider hydrological system which is interconnected this is not appropriate criteria for classifying wetlands as "regionally significant".

Department of Conservation	42	Support	Retain with no amendments.	<ul style="list-style-type: none"> •Consistent with Part 2 RMA. •Gives guidance when considering activities in wetlands. •Maintains flows in streams sourced from wetlands which protects habitat of indigenous threatened fish. •Gives effect to the NPS Freshwater Management. 	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend: " <i>The regionally significant wetland values of Otago's wetlands that are identified in Schedule 9 are: ...</i> "	<ul style="list-style-type: none"> •Values inconsistent with case law, such as criterion for representativeness. •Significance criterion used to identify wetlands in Schedule 9 is incomplete and it's possible not all significant wetlands have been captured. 	Oppose. Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included. Wetlands may be added to Schedule 9 and awarded protection through a formal plan change process if appropriate.

Part 2: Protection of wetlands

Chapter 10 - Wetlands

5 Objective 10.3.1 - Maintain or enhance wetlands

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Delete Objective and replace with: <i>"To recognise and provide for the protection of the natural character, biodiversity and other values of wetlands in the regions."</i>	•Objective fails to form a framework to protect wetlands and their margins, and set out all that is required by Part 2 RMA.	Oppose. The existing Objective is more appropriate and sets a clear goal for the management of wetlands. The Act does not provide for the outright protection of wetlands – it provides for their protection from inappropriate subdivision, use and development (Section 6(a)).

9 Policy 10.4.2 - Priority on avoiding adverse effects

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Support	Support for the preference of an "avoid" test where possible.	•Gives a strong signal the Regionally Significant Wetlands should be left alone.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
Otago Conservation Board	27	Support	Strongly support the intention to avoid adverse effects on wetlands rather than to remedy or mitigate such effects.	•No longer acceptable to merely remedy or mitigate effects.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
Meridian Energy Limited	32	Amend	Delete policy 10.4.2 and replace with: <i>"The adverse effects of activities on Regionally Significant Wetland shall be avoided where practicable and, otherwise, remedied or mitigated."</i>	<ul style="list-style-type: none"> •Overly restrictive; fails to acknowledge remediation/mitigation may be more appropriate. •Priority to avoid doesn't reflect intent of Objective 10.3.1; objective doesn't preclude remediation and mitigation. •S 5(2)(c) RMA not a strict hierarchy. 	Support in part.
Clutha District Council	34	Amend	Delete: "Remedying or mitigating effects will be considered only where those effects cannot be avoided."	<ul style="list-style-type: none"> •The requirement to avoid adverse effects where possible is too strict and inflexible. •It is counter to the regime set up in Part 5 RMA, which treats 'avoid', 'remedy' and 'mitigate' equally, and is also contrary to the established principle that the Act contemplates that activities can have adverse effects and still be acceptable. •If provision remains it is inevitable that proposals will be opposed on the basis that 	Support

				effects can always be avoided by not doing anything.	
Department of Conservation	42	Support	Retain with no amendments.	<ul style="list-style-type: none"> •Consistent with Part 2 RMA. •Gives guidance when considering activities in wetlands. •Maintains flows in streams sourced from wetlands which protects habitat of indigenous threatened fish. •Gives effect to the NPS Freshwater Management. 	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
OtagoNet Joint Venture	43	Amend	Amend: <i>"Priority will be given to the avoidance of adverse effects of activities on Regionally Significant Wetlands and values. Remedying or mitigating adverse effects will be considered only where those effects cannot be avoided. Adverse effects on Regionally Significant Wetlands and their regionally significant values should be avoided, remedied or mitigated."</i>	<ul style="list-style-type: none"> •Primacy should not be given to avoiding adverse effects, over remedying or mitigating adverse effects. •Giving primacy to avoidance is inconsistent with sustainable management as defined in RMA and established case law. 	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Support	Support. No change.	•Appropriately recognises preferability of avoidance of adverse effects.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.

153 Chapter 10 general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Amend	Amend the objectives and policies to reflect that wetland boundaries are often indistinct and changeable. Suggested wording of new policy: <i>"Due to the seasonal variability of wetlands and their changing boundaries, resource consent applications on or near defined regionally significant wetland boundaries with likely wetland characteristics will be assessed to ensure that they have no adverse effect on the functioning of the wetland as a whole."</i>	<ul style="list-style-type: none"> •Proposed plan does not address issue of wetland transition and seasonal variability. •Suggested change enables assessment of effects of activities adjacent to wetland boundary. 	Oppose. Imprecise boundaries would make management of the regionally significant wetlands extremely difficult. Requiring "no adverse effects" is inconsistent with Section 5(2) of the RMA.
Te Ao Marama Inc	16	Amend	Include preservation of wetland, lake and river margins in the proposed plan change.	<ul style="list-style-type: none"> •Proposed change does not address this (as required by s 6 RMA). •Would significantly strengthen the provisions proposed and help to achieve the purpose of RMA. •A lot of inappropriate use and development has been carried out in the margins, with significant effects on wetlands, lakes, rivers and the coast. 	Oppose. Lake and river margins are outside the scope of Plan Change 2.
Hawksbury Lagoon Inc	39	Amend	Default position on rules and policies should be a conserved wetland rather than create permitted activities (To keep faith with the objective to "avoid").	No reason given.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
OtagoNet Joint Venture	43	Amend	Activities and human use values should be provided for in Plan Change 2 such that they are not unduly compromised without recognition of	•Relevant in establishing the boundaries and values ascribed to wetlands, and establishing the policy regime and the inventory.	Support

			their benefits.	•ORC is required to protect regionally significant infrastructure. •Would meet s 5 RMA.	
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Insert new policy and explanation: <u>"Policy x.x.x:</u> <u>To recognise and protect wetlands that are shown to have significant values that are not identified on Schedule 9, and to protect those values by controlling activities in wetlands and their margins to ensure their ecosystem functioning, natural character and habitat values are sustained.</u></p> <p><u>Explanation:</u> <u>It is stated in the introduction to Schedule 9 that Schedule 9 is not exhaustive, and therefore not all wetlands with significant values have been identified. This policy recognises and provides for the protection of the values of those unidentified wetlands."</u></p>	•Plan change doesn't allow for further significant wetlands to be identified. •Significance criterion used to identify wetlands in Schedule 9 is incomplete and it's possible not all significant wetlands have been captured.	Oppose. ORC has undertaken the rigorous task of identifying wetlands in Otago with regionally significant values. Stakeholders and submitters have had the opportunity to comment on the scheduled wetlands and seek that additional wetlands that contain regionally significant wetland values are awarded protection.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Insert new policy and explanation: <u>"Unidentified wetlands will be assessed using the following ecological criteria: 1. Ecological context</u> <u>2. Representative wetlands</u> <u>3. Rarity</u> <u>4. Distinctiveness</u></p> <p><u>Explanation:</u> <u>It is possible that not all wetlands with significant values have been identified on Schedule 9. This policy recognises and provides for the protection of these wetlands. The policy also introduces an ecological criteria (Appendix XX) that will be used when assessing those wetlands. Where an assessment of any wetlands is required for resource consent purposes it shall be carried out in accordance with the ecological criteria set out in Appendix XX."</u></p>	•Values inconsistent with case law, such as criterion for representativeness. •Note: Appendix XX Ecological Criteria can be found in full in the original submission.	Oppose. ORC has undertaken the rigorous task of identifying wetlands in Otago with regionally significant values. Stakeholders and submitters have had the opportunity to comment on the scheduled wetlands and seek that additional wetlands that contain regionally significant wetland values are awarded protection. In the unlikely event that there are any "unidentified" wetlands, these may be added to Schedule 9 and awarded protection through a formal plan change process if appropriate.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Insert new policy and explanation: <u>" Where an assessment has been undertaken on a wetland that is not identified on Schedule 9 and is shown to be significant these wetlands will be added to Schedule 9.</u></p> <p><u>Explanation:</u> <u>It is possible through resource consent processes that significant wetlands not included on Schedule 9 will be identified. It is appropriate that these significant wetlands are added to Schedule 9. In doing so the wetlands on</u></p>	•Possible not all significant wetlands have been captured in Schedule 9	Oppose. As per two above comments.

			<i>Schedule 9 will be derived from two different processes (Policy 10.4.1 and Policy x.x.x (see policy directly above)) and this is appropriate because the management of these significant wetlands will be consistent. Changes to Schedule 9 to include wetlands will be the subject of a plan change process."</i>		
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Insert new policy and explanation: <u>"Policy x.x.x</u> <u>To recognise and provide for the protection of wetlands by managing adverse effects of activities on the values present, including natural character, ecosystem functioning, biodiversity, aesthetics or amenity values.</u></p> <p><u>Explanation:</u> <u>All wetlands are required to be managed sustainably in accordance with RMA, not just those are determined as being significant. Within Part 2 of the RMA wetlands are to be managed to protect biodiversity, natural character and other values.</u></p>	•Many wetlands not scheduled, and all wetlands should be managed according to Part 2 RMA.	Oppose. The plan change clearly relates to regionally significant wetlands. Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included. Wetlands may be added to Schedule 9 and awarded protection through a formal plan change process if appropriate.

Chapter 12 - Rules: Water Take, Use and Management

22 Rule 12.1.1A.1 - Take and use of surface water from any Regionally Significant Wetland

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Support	Support.	•Will help to protect wetlands into the future.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
Otago Conservation Board	27	Support	Strongly support setting the default activity status of activities that affect wetlands as 'non-complying'.	•Essential that all remaining wetlands receive highest level of protection.	Oppose on the basis that the relief being sought is inconsistent with TrustPower's submission.
Federated Farmers of New Zealand	29	Amend	Amend the activity status to a restricted discretionary activity.	•Unnecessary, and adds needless expense and time compared to restricted discretionary.	Support
Contact Energy Limited	30	Amend	That the non-complying activity status proposed for activities controlled by Chapter 12 be not approved and that such activities remain as discretionary activities.	<ul style="list-style-type: none"> •Non-complying status is too onerous, especially given concerns on artificial wetlands, and the lack of robustness in the process classifying the wetlands as regionally significant •Activity with an adverse effect on a wetland value may still be appropriate. •Discretionary status allows robust examination, and the possibility of declining activities. 	Support
Meridian Energy Limited	32	Amend	Amend Rule 12.1.1A.1: <i>"Unless covered by Rules 12.1.1.1, 12.1.1.2, 12.1.2.1 and 12.1.2.3, the taking and use of surface water <u>directly</u> from any Regionally Significant Wetland is a non-complying activity."</i>	•Many Regionally Significant Wetlands form part of rivers or lakes; the rule should be explicit that only water taken directly from the area identified as Regionally Significant Wetland is non-complying.	Support in part – support the submission generally, but prefer that the non-complying status is removed from the plan.

Royal Forest and Bird Protection Society of New Zealand Inc	47	Support	Retain rule as proposed.	•Consistent with Part 2 and s 30 RMA.	Oppose, for reasons given in TrustPower's submission.
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26 Rule 12.1.2.4 - Take and use of surface water for no more than 3 days

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Amend 12.1.2.4(b): <i>"The water is not taken from and there is no change to the water level or hydrological function, or no damage to the indigenous flora, fauna or its habitat, in or on any Regionally Significant Wetland, or wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i></p> <p>Add the following permitted rule conditions: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands and their margins."</i></p>	<ul style="list-style-type: none"> •Deletion of 'water is not taken from' alters intent of rule. •Rule doesn't cover non-assessed and non-scheduled wetlands. 	<p>Oppose in part.</p> <p>TrustPower's opposes all aspects of this submission except the inclusion of "indigenous" as this is consistent with the principles of the Act.</p> <p>TrustPower submitted that "no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat" does not meet the requirements for a permitted activity standard. TrustPower considers that the wording "the water is not taken from" may replace this wording, but not that it applies in addition as this would be grossly inefficient.</p> <p>The proposed additional permitted rule conditions do not make sense in the context of the specific Rule, and are too subjective to provide any certainty in compliance or otherwise with this rule.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

27 Rule 12.1.2.5 - Take and use of surface water general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Amend 12.1.2.5(a): <i>"The water is not taken from and there is no change to the water level or hydrological function, or no damage to the indigenous flora, fauna or its habitat, in or on any Regionally Significant Wetland, or wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i></p> <p>Add the following permitted rule conditions: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands and their margins."</i></p>	<ul style="list-style-type: none"> •Deletion of 'water is not taken from' alters intent of rule. •Rule doesn't cover non-assessed and non-scheduled wetlands. 	<p>Oppose in part.</p> <p>TrustPower's opposes all aspects of this submission except the inclusion of "indigenous" as this is consistent with the principles of the Act.</p> <p>The Rule is set up to be effects based; the inclusion of "the water is not taken from" is inconsistent with the effects based approach.</p> <p>The proposed additional permitted rule conditions do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

28 Rule 12.1.2.6 - Take and use of surface water for land drainage

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Amend 12.1.2.6(a): <i>"The water is not taken from and there is no change to the water level or hydrological function, or no damage to the indigenous flora, fauna or its habitat, in or on any Regionally Significant Wetland, or wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i></p> <p>Add the following permitted rule conditions: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands and their margins."</i></p>	<ul style="list-style-type: none"> •Deletion of 'water is not taken from' alters intent of rule. •Rule doesn't cover non-assessed and non-scheduled wetlands. 	<p>Oppose in part. TrustPower's opposes all aspects of this submission except the inclusion of "indigenous" as this is consistent with the principles of the Act.</p> <p>TrustPower submitted that "no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat" does not meet the requirements for a permitted activity standard. TrustPower considers that the wording "the water is not taken from" may replace this wording, but not that it applies in addition as this would be grossly inefficient.</p> <p>The proposed additional permitted rule conditions do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

37 Rule 12.1.4.8 - Take and use of surface water - restricted discretionary activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Add new discretionary matters: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands and their margins."</i></p> <p>Amend (xvii): <i>"Any effect on any Regionally Significant Wetland or on any regionally significant wetland value or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i></p>	<ul style="list-style-type: none"> •Council responsibilities are greater than the identification of significant wetlands; need to consider adverse effects on all wetlands. •Possible not all significant wetlands have been captured in Schedule 9. •Gives effect to Part 2 RMA. 	<p>Oppose.</p> <p>Matter (xii) provides for consideration of any adverse effect on any lawful take of water, if consent is granted and Matter (xvii) provides for consideration of any effect on any Regionally Significant Wetland or any regionally significant wetland value. These considerations are more than sufficient to assess the potential adverse effects of a water take or use, and the new discretionary matters proposed would be unnecessary.</p> <p>In terms of the proposed amendment to (xvii), Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

45 Rule 12.2.1A.1 - Take and use of groundwater from any Regionally Significant Wetland

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Conservation Board	27	Support	Strongly support setting the default activity status of activities that affect wetlands as 'non-complying'.	•Essential that all remaining wetlands receive highest level of protection.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.
Federated Farmers of New Zealand	29	Amend	Amend the activity status to a restricted discretionary activity.	•Unnecessary, and adds needless expense and time compared to restricted discretionary.	Support, on the basis that the relief sought is consistent with TrustPower's submission.
Contact Energy Limited	30	Amend	That the non-complying activity status proposed for activities controlled by Chapter 12 be not approved and that such activities remain as discretionary activities.	•Non-complying status is too onerous, especially given concerns on artificial wetlands, and the lack of robustness in the process classifying the wetlands as regionally significant.	Support, on the basis that the relief sought is consistent with TrustPower's submission.

				<ul style="list-style-type: none"> •Activity with an adverse effect on a wetland value may still be appropriate. •Discretionary status allows robust examination, and the possibility of declining activities. 	
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48 Rule 12.2.2.5 - Take and use of groundwater for no more than 3 days

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend 12.2.2.5(b): <i>"The water is not taken from and there is no change to the water level or hydrological function, or no damage to the indigenous flora, fauna or its habitat, in or on any Regionally Significant Wetland, or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i>	<ul style="list-style-type: none"> •Deletion of 'water is not taken from' alters intent of rule. •Rule doesn't cover non-assessed and non-scheduled wetlands. 	<p>Oppose in part.</p> <p>TrustPower's opposes all aspects of this submission except the inclusion of "indigenous" as this is consistent with the principles of the Act.</p> <p>TrustPower submitted that "no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat" does not meet the requirements for a permitted activity standard. TrustPower considers that the wording "the water is not taken from" may replace this wording, but not that it applies in addition as this would be grossly inefficient.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

49 Rule 12.2.2.6 - Take and use of groundwater from Schedule 2C aquifer or within 100m of any wetland, lake or river

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend 12.2.2.6(a): <i>"The water is not taken from and there is no change to the water level or hydrological function, or no damage to the indigenous flora, fauna or its habitat, in or on any Regionally Significant Wetland, or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i>	<ul style="list-style-type: none"> •Deletion of 'water is not taken from' alters intent of rule. •Rule doesn't cover non-assessed and non-scheduled wetlands. 	<p>Oppose in part.</p> <p>TrustPower's opposes all aspects of this submission except the inclusion of "indigenous" as this is consistent with the principles of the Act.</p> <p>TrustPower submitted that "no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat" does not meet the requirements for a permitted activity standard. TrustPower considers that the wording "the water is not taken from" may replace this wording, but not that it applies in addition as this would be grossly inefficient.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

50 Rule 12.2.2A.1 - Take and use of groundwater for community water supply - controlled activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend 12.2.2A1(g): <i>"Any effect on and Regionally Significant Wetland or on any regionally significant wetland value or any wetland that meets the significance"</i>	<ul style="list-style-type: none"> •Council responsibilities are greater than the identification of significant wetlands; need to consider adverse effects on all wetlands. •Possible not all significant wetlands have been 	<p>Oppose.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should</p>

			<p><u>criteria listed in Appendix XX Ecological Criteria."</u></p> <p>Add new matters of control: <u>"(h) Effects on biological diversity and ecological values; and</u> <u>(i) Effects on the natural character of wetlands and their margins."</u></p>	captured in Schedule 9. •Gives effect to Part 2 RMA.	<p>not be included.</p> <p>The proposed additional matters of control do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.</p>
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53 Rule 12.2.3.4 - Take and use of groundwater - restricted discretionary activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Amend	Amend: <u>"Any adverse effect on any Regionally Significant Wetland or on any regionally significant wetland value"</u>	•Implementation uncertain; means standard farming practices may be captured.	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend (xiii): <u>"Any effect on and Regionally Significant Wetland or on any regionally significant wetland value or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</u> Add new matters of discretion: <u>"(a) Effects on biological diversity and ecological values; and</u> <u>(b) Effects on the natural character of wetlands and their margins."</u>	•Council responsibilities are greater than the identification of significant wetlands; need to consider adverse effects on all wetlands. •Possible not all significant wetlands have been captured in Schedule 9. •Gives effect to Part 2 RMA.	<p>Oppose.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p> <p>The proposed additional matters of control do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.</p>

60 Rule 12.3.1A.1 - Damming or diversion of water: Regionally Significant Wetland

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Conservation Board	27	Support	Strongly support setting the default activity status of activities that affect wetlands as 'non-complying'.	•Essential that all remaining wetlands receive highest level of protection.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.
Federated Farmers of New Zealand	29	Amend	Amend the activity status to a restricted discretionary activity.	•Unnecessary, and adds needless expense and time compared to restricted discretionary.	Support
Contact Energy Limited	30	Amend	That the non-complying activity status proposed for activities controlled by Chapter 12 be not approved and that such activities remain as discretionary activities.	•Non-complying status is too onerous, especially given concerns on artificial wetlands, and the lack of robustness in the process classifying the wetlands as regionally significant •Activity with an adverse effect on a wetland value may still be appropriate. •Discretionary status allows robust examination, and the possibility of declining activities.	Support
Meridian Energy Limited	32	Amend	Amend Rule 12.3.1A.1: <u>"Unless covered by Rules 12.3.1.1 to 12.3.1.4, and 12.3.3.1(i):</u> <u>(i) The direct damming or diversion of water from</u>	•Determination as to whether a diversion will 'affect' the water level requires subjective analysis and is not suitable for determining non-compliance.	Support

			<i>or within any Regionally Significant Wetland; or (ii) The damming or diversion of water that affects the water level of any Regionally Significant Wetland; is a non-complying activity."</i>	<ul style="list-style-type: none"> •Unclear why diversion is treated differently to (direct) take and use of surface water. Given many resource consents involve the take and diversion of water, inappropriate to treat differently. •Many Regionally Significant Wetlands form part of rivers or lakes; the rule should be explicit that only water diverted directly from/to the area identified as Regionally Significant Wetland is non-complying. •Non-complying activity overly restrictive: diversion may improve water flow enabling the enhancement of wetland values. 	
Royal Forest and Bird Protection Society of New Zealand Inc	47	Support	Retain wording as proposed.	No reason given	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

63 Rule 12.3.2.1 - Damming or diversion of water general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend 12.3.2.1(e): <i>"It is not within and 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; and"</i>	•Should be explicit that damming or diversion within a Regionally Significant Wetland is not permitted.	TrustPower submitted that "no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat" does not meet the requirements for a permitted activity standard. TrustPower considers that the wording "it is not within" may replace this wording, but not that it applies in addition as this would be grossly inefficient.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Add new matters of discretion: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands and their margins."</i>	•Need to sustainably manage all wetlands not just those considered significant.	Oppose. The proposed additional matters do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.

64 Rule 12.3.2.2 - Damming or diversion of water for land drainage

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Amend	Categorise the maintenance of an existing drain, including the clearing of any subsequent slumping, as a permitted activity.	<ul style="list-style-type: none"> •Land drainage has positive benefits, both locally and wider. •Unmaintained drainage systems risk flooding, erosion and discharges. •Requiring consent may deter maintenance. 	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend 12.3.2.2(a): <i>"The water is not diverted from and 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; and"</i>	•Should be explicit that damming or diversion within a Regionally Significant Wetland is not permitted.	TrustPower submitted that "no change to the water level or hydrological function, or no damage to the flora, fauna or its habitat" does not meet the requirements for a permitted activity standard. TrustPower considers that the wording "the water is not diverted from" may replace this wording, but not that it applies in addition as this would be grossly inefficient.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Add new matters of discretion: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands"</i>	•Need to sustainably manage all wetlands not just those considered significant.	Oppose. The proposed additional matters do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.

and their margins."

65 Rule 12.3.2.3 - Damming or diversion of water for erection, placement, repair or maintenance of structure

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Add new matters of discretion: <i>"(a) Effects on biological diversity and ecological values; and (b) Effects on the natural character of wetlands and their margins."</i>	•Need to sustainably manage all wetlands not just those considered significant.	Oppose. The proposed additional matters do not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.

66 Rule 12.3.3.1 - Damming or diversion of water - restricted discretionary activity

10	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Amend	Amend: <i>"Any adverse effect on any Regionally Significant Wetland or on any regionally significant wetland value"</i>	•Implementation uncertain; means standard farming practices may be captured.	Support
Contact Energy Limited	30	Support	The restricted discretionary activity status for the damming of water that has previously been carried out remains a restricted discretionary activity (Rule 12.3.3.1(i)).	No reason given.	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend 12.3.3.1(aa): <i>"Any effect on and Regionally Significant Wetland or on any regionally significant wetland value or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i> Add new matters of discretion: <i>"(o) Effects on biological diversity and ecological values."</i>	•Matters of discretion don't address/protect non-scheduled wetlands.	Oppose. Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included. The proposed additional matter does not make sense in the context of the specific Rule, and are too subjective to be included in any Rules.

156 Chapter 12 general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Support	Supports all rules within the proposed plan where the addition of the words "Regionally Significant Wetland" has been added to the previous rule which was related to lakes and rivers.	No reason given.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.
Contact Energy Limited	30	Did not specify	The opportunity to mitigate or offset the effects of activities on Regionally Significant Wetlands be given recognition in the rules.	•Wetlands can be relocated and enhanced. •Concerned by hierarchy of avoid, followed by remedy or mitigate - not endorsed in RMA.	Support
Hawksbury Lagoon Inc	39	Amend	Default position on rules and policies should be a conserved wetland rather than create permitted activities (To keep faith with the	No reason given.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

			objective to "avoid").		
Department of Conservation	42	Support	For the following rules: 12.1.1A.1 - 12.1.1A.3; 12.1.2.4 - 12.1.2.6; 12.1.3.1; 12.2.1A.1; 12.2.1A.2, 12.2.2.5; 12.2.2.6; 12.2.2A.1; 12.2.3.1A; 12.2.3.2A; 12.2.3.4; 12.2.3.5; 12.2.4.1; 12.3.1A.1; 12.3.1A.2; 12.3.2.1 - 12.3.2.3; 12.3.3.1; 12.3.4.1; 12.4.1.1; 12.4.2.1; 12.5.1.1; 12.5.2.1; 12.7.1.1; 12.8.1.1; 12.8.1.5; 12.8.2.1; 12.9.1.1; 12.9.1.2; 12.10.1.1; 12.10.2.1; 12.11.2.1 - 12.11.2.3. Retain with no amendments.	<ul style="list-style-type: none"> •Consistent with Part 2 RMA. •Gives guidance when considering activities in wetlands. •Manages discharges, the damming and diversion of water in a manner that protects the habitat of indigenous fish. •Maintains groundwater and surface flows in a manner that protects the habitat of indigenous fish. •Gives effect to the NPS Freshwater Management. 	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.
OtagoNet Joint Venture	43	Amend	Rules (or standards in rules) that seek to achieve no net change of any particular value(s) should not be included in the Water Plan.	<ul style="list-style-type: none"> •Do not enable compliance to be objectively assessed. •Application is uncertain. 	Support
OtagoNet Joint Venture	43	Amend	Amend or delete rules (or standards in rules) associated with a high degree of subjectivity.	No reason given.	Support
New Zealand Railways Corporation	46	Amend	Add to 12.3.3, 12.4.2, 12.5.2, 12.9.2 a criterion which recognises the importance of existing land transport networks, such as rail where these are currently located within regionally significant wetlands such as: " <i>Any positive effect derived from the function of the structure and/or activity in this location</i> " or similar. NB: Amending Schedule 1 as set out as requested would largely achieve the same relief.	<ul style="list-style-type: none"> •Criteria do not take into account location and importance of regionally (and nationally) important land transport networks which are, in places, incorporated within the new Regional Significant Wetland boundaries. •No balancing criteria, other than those in Part 2 RMA, which allow for the fixed location of land-based transport networks to be considered when they require replacement, or alteration along their current alignments. 	Support

Chapter 13 – Rules: Land Use on Lake or River Beds and Regionally Significant Wetlands

114 Rule 13.5.1.1 - Disturbance of the bed general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Amend (i):</p> <p><i>"Except for activities covered by Rules 13.2.1.5, 13.2.1.6, or 13.2.1.8, there is no change to the water level or hydrological function, or no damage to the <u>indigenous flora, fauna or its habitat, in or on any Regional Significant Wetland, or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria</u>"</i></p> <p>Amend 13.5.1.1(f) as follows:</p> <p><i>"...of sediment to the lake, river or wetland..."</i></p>	<ul style="list-style-type: none"> •Current words do not provide Council with necessary control on potential adverse effects of contaminant discharge. 	<p>Oppose, with the exception of the addition of "indigenous".</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p>

119 Rule 13.5.2.1 - Extraction of alluvium - restricted discretionary activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	<p>Delete "or any Regionally Significant" from the introduction to the rule</p> <p>Amend (aa): <i>"Any effect on and Regionally Significant Wetland or on any regionally significant wetland value or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria."</i></p> <p>Amend (a)(ii): <i>"The natural character of any affected water body <u>and their margins</u>"</i></p> <p>Add new matter of discretion: <i>"(m) Any effects on biological diversity and ecological values."</i></p>	•Current words do not provide Council with necessary control on potential adverse effects of contaminant discharge.	<p>Oppose.</p> <p>Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.</p> <p>In addition, the proposed new matter is already captured under (aa).</p>

120 Rule 13.5.3.2 - Alteration of Regionally Significant Wetland - discretionary activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Support	Adopt 13.5.3.2 as proposed.	No reason given.	Support

122 Rule 13.6.2.0 - Introduction or planting of New Zealand native plant

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Lake Waihola Waipori Wetlands Society Inc.	20	Support	Supports rule in principle.	Allows for planting of native species in wetlands without resource consent being required	Support
Federated Farmers of New Zealand	29	Support	Adopt 13.6.2.0 as proposed.	No reason given.	Support
Clutha District Council	34	Amend	<p>Either:</p> <ul style="list-style-type: none"> • Restrict native plants to wetland species which are native to the area; or • Add new condition "(d) There is no change to the water level or hydrological function, or no damage to the flora, fauna and its habitat, in or on any Regionally Significant Wetland". 	•Rule allows planting of any native plant, and some native plants can be inappropriate in wetlands (e.g., non-wetland species which could be invasive or encourage succession away from wetland species, or non-local genetic stock).	Oppose, it is not appropriate that in planting native species such criteria is required to be assessed.
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, and Hokonui Runanga	38	Support	Supports addition: <i>"The introduction or planting of any New Zealand native plant to any Regionally Significant Wetland, is a permitted activity providing: (a) . . ."</i>	•May assist in the future restoration of wetlands.	Support

123 Rule 13.6.3.1 - Introduction or planting of vegetation - discretionary activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend: " <i>...or any Regional Significant Wetland or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria...</i> "	•Current words do not provide Council with necessary control on potential adverse effects of contaminant discharge.	Oppose. Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.

124 Rule 13.7.1.2 - Removal or clearance of exotic plant material

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Support	Adopt 13.7.1.2 as proposed.	No reason given.	Support
Department of Conservation	42	Amend	Amend: " <i>(c) The wetland alteration is limited to that which is necessary, the use of best practice methods, for the removal or clearance of the plant material.</i> "	•Amendment sought so that the removal or clearance of exotic plant material cannot be used as a pretext to damage Regionally Significant Wetlands or Regionally Significant Wetland Values.	Oppose, as it is unnecessary to specifically assess which techniques will be used to remove plants given that wetland alteration is already limited to that which is necessary.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend: " <i>The removal or clearance...Regional Significant wetlands, is a permitted activity providing:</i> " Add the following condition: " <i>Damage to indigenous flora and habitats or indigenous fauna managed.</i> "	•Current words do not provide Council with necessary control on potential adverse effects of contaminant discharge.	Oppose. The proposed additional condition is not necessary given the Rule already limits the wetland alteration to that which is necessary.

125 Rule 13.7.2.1 - Removal of pest plants - controlled activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Lake Waiholo Waipori Wetlands Society Inc.	20	Amend	Amend to include; Reed Sweetgrass <i>Glyceria maxima</i> , Crack Willow <i>Salix fragilis</i> , Grey Willow <i>Salix cinerea</i> , Black Alder <i>Alnus glutinosa</i> , Red Alder <i>Alnus rubra</i> , Pine <i>Pinus radiata</i> .	•Makes consent always be granted for the removal of these species.	Support
Department of Conservation	42	Amend	Amend: " <i>Except as provided for by Rules 13.7.1.1.....</i> <i>(i) Lagarosiphon (Lagarosiphon major); or</i> <i>(ii) Eel Grass (Vallisneria spiralis); or</i> <i>(xv) Glyceria species</i> <i>(xvi) Alder (Alnus) species;</i> <i>(xvii) Crack willow;</i> <i>(xviii) Gray willow,</i> <i>from the bed of any lake or river, or from....."</i>	•The 4 species proposed for inclusion have potential to adversely effect Regionally Significant Wetlands and/or Regionally Significant Wetland Values. •Amendment is consistent with Part 2 RMA. •Amendment gives effect to NPS Freshwater Management.	Support

126 Rule 13.7.3.1 - Removal or clearance of plant material - discretionary activity

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Add the word exotic: " <u>Unless covered by Rules 13.7.1.1 to 13.7.2.1, removal or clearance of exotic plant material from any Regionally Significant Wetland, is a discretionary activity.</u> "	•Agrees may be a need for discretionary consents for some removal of exotic species from significant wetlands, but removal of indigenous vegetation should be avoided and should be non-complying.	Oppose. Discretionary activity status is appropriate for the removal of any plant material from a regionally significant wetland that is not captured by the permitted or controlled activity rules.

155 Chapter 13 general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Support	Supports all rules within the proposed plan where the addition of the words "Regionally Significant Wetland" has been added to the previous rule which was related to lakes and rivers.	No reason given.	Oppose in part, for the reasons given in TrustPower's submission.
Contact Energy Limited	30	Did not specify	The opportunity to mitigate or offset the effects of activities on Regionally Significant Wetlands be given recognition in the rules.	•Wetlands can be relocated and enhanced. •Concerned by hierarchy of avoid, followed by remedy or mitigate - not endorsed in RMA.	Support
Contact Energy Limited	30	Amend	That controls on the use of the beds of wetlands are not duplicated by the Regional and District Plans.	•Queries Chapter 13 rules applying to wetlands. •Especially relevant to Central Otago District Plan.	Support
Clutha District Council	34	Support	Strongly support the addition of Regionally Significant Wetlands into existing rules controlling activities in lake and river beds.	•Addresses existing gap between Regional Council and Territorial Authority functions, which allowed significant impacts on wetlands from activities such as the erection of structures, disturbance, planting and vegetation removal.	Support in part
Transpower New Zealand Limited	37	Amend	Provide for the "use" of existing structures in Rule 13.1.1.1 by including after the words "any lake or river" the word "or any Regionally Significant Wetlands".	•It is important to clearly sanction the operation of existing lawfully established structures in or over wetlands. •Not including wetlands in this rule creates uncertainty (when they are included in other rules - e.g. 13.2, 13.3).	Support
Transpower New Zealand Limited	37	Amend	In relation to Rules 13.7.1.2, 13.7.2.1 and 13.7.3.1: Further consideration required in terms of adequate provision provided for vegetation removal around transmission lines.	•Vegetation trimming undertaken to protect lines, not included in "removal and clearance of vegetation". •Electricity (Hazards from Trees) Regulations 2003 and NES Electricity Transmission Activities 2009 are relevant to vegetation control. •Not immediate issue as wetlands generally have low growing plants.	Support
Hawksbury Lagoon Inc	39	Amend	Default position on rules and policies should be a conserved wetland rather than create permitted activities (To keep faith with the objective to "avoid").	No reason given.	Oppose, for the reasons given in TrustPower's submission on Policy 10.4.2.
Department of Conservation	42	Support	For the following rules: 13.2.1.4 - 13.2.1.8; 13.2.2.1; 13.2.3.1; 13.3.1.1; 13.3.1.2; 13.3.2.1; 13.4.1.1; 13.4.2.1; 13.5.1.1; 13.5.1.3; 13.5.1.5A;	•Consistent with Part 2 RMA. •Gives Regionally Significant Wetlands the same recognition as the region's rivers and lakes	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

			13.5.1.6; 13.5.1.8; 13.5.2.1; 13.5.3.2; 13.6.2.0; 13.6.3.1 and 13.7.3.1. Retain with no amendments.	<ul style="list-style-type: none"> •Protects wetland flora •Enables the maintenance and restoration of regionally significant wetlands. •Gives effect to NPS Freshwater Management. 	
OtagoNet Joint Venture	43	Amend	Rules (or standards in rules) that seek to achieve no net change of any particular value(s) should not be included in the Water Plan.	<ul style="list-style-type: none"> •Do not enable compliance to be objectively assessed. •Application is uncertain. 	Support
OtagoNet Joint Venture	43	Amend	Amend or delete rules (or standards in rules) associated with a high degree of subjectivity.	No reasons given.	Support
New Zealand Railways Corporation	46	Amend	Add to 13.2.2, 13.3.2, 13.4.2, and 13.5.2 a criterion which recognises the importance of existing land transport networks, such as rail where these are currently located within regionally significant wetlands such as: " <i>Any positive effect derived from the function of the structure and/or activity in this location</i> " or similar. NB: Amending Schedule 1 as set out as requested would largely achieve the same relief.	<ul style="list-style-type: none"> •Criteria do not take into account location and importance of regionally (and nationally) important land transport networks which are, in places, incorporated within the new Regional Significant Wetland boundaries. •No balancing criteria, other than those in Part 2 RMA, which allow for the fixed location of land-based transport networks to be considered when they require replacement, or alteration along their current alignments. 	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Amend Rules 13.2.1.1; 13.2.1.2; 13.2.1.4; 13.2.1.5; 13.2.1.6 and 13.2.1.8: " <i>The...bed of a lake or river, or any Regionally Significant Wetland is a permitted activity, providing:</i> " Add the following permitted activity conditions: <i>"(a) The structure is not in a Regionally Significant Wetland or any wetland that meets the significance criteria listed in Appendix XX Ecological Criteria.</i> <i>(b) Effects on biological diversity and ecological values; and</i> <i>(c) Effects on the natural character of wetlands and their margins."</i>	<ul style="list-style-type: none"> •Fences shouldn't be erected in wetlands as animals tend to congregate along them, and regionally significant wetlands shouldn't be grazed. •Digging of wetlands for pipe, line and cable placement can cause irreversible damage. •Erection of structures over wetlands can adversely affect them. 	Oppose. Council did not intend for non-scheduled wetlands to be included in the regionally significant wetland provisions and in TrustPower's view they should not be included.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Add new non-complying rule: <i>"Removal or clearance of native plant material from any Regionally Significant Wetland, or any wetland that meets the significance criteria listed in Schedule #; and is a non-complying activity."</i>	<ul style="list-style-type: none"> •Removal of indigenous vegetation should be avoided and should be non-complying. 	Oppose. The existing discretionary activity status is appropriate for the removal of indigenous vegetation. In some cases indigenous vegetation removal would be incidental to other activities and would generate minor or less than minor effects, and such removal does not warrant non-complying activity status.

Protection general

161 Protection general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Contact Energy Limited	30	Support	The opportunity to mitigate or offset the effects of activities on Regionally Significant Wetlands be given recognition in the objectives, policies, and rules.	<ul style="list-style-type: none"> •Wetlands can be relocated and enhanced. •Concerned by hierarchy of avoid, followed by remedy or mitigate - not endorsed in RMA. 	Support

162 Generic permitted activity condition for wetlands protection

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Amend	Delete: "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." In rules 12.1.2.4, 12.1.2.5, 12.1.2.6, 12.2.2.5, 12.2.2.6, 12.3.2.1, 12.3.2.2, 12.3.2.3, 13.4.1.1, 13.5.1.1, 13.5.1.3, 13.5.1.8.	<ul style="list-style-type: none"> •Since other provisions control water in Regionally Significant Wetlands and wetlands are mapped, unsure of need for condition. •Concerned that implementation of rule is uncertain near mapped areas. 	Support
Meridian Energy Limited	32	Amend	Delete: "There is no change to the water level or hydrological function, or no damage to the flora, fauna or its habitats, in or on any Regionally Significant Wetland In rules 12.1.2.4, 12.1.2.5, 12.1.2.6, 12.2.2.5, 12.2.2.6, 12.3.2.1, 12.3.2.2, 12.3.2.3, 12.5.1.1 and 13.5.1.3	<ul style="list-style-type: none"> •Condition doesn't provide certainty to enable compliance to be objectively assessed (e.g., take of water affecting hydrological function or damaging habitat requires subjective analysis and not suitable as a permitted activity). 	Support
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, and Hokonui Runanga	38	Support	Support the addition throughout the Plan of: "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."	<ul style="list-style-type: none"> •Note, want independent assessment to determine whether there are changes to regionally significant wetlands. •Want clarification on how an assessment would be done, who would do it, and whether the causes of these changes can be established. •Risk that cumulative effects are missed, and only marked changes are picked up. 	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, and Hokonui Runanga	38	Amend	Add provision to all permitted activities where it concerns permanent structures in or possible effects on regionally significant wetlands: "That 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."	<ul style="list-style-type: none"> •There are now activities permitted within Regionally Significant Wetlands that may have a permanent impact. 	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.
OtagoNet Joint Venture	43	Amend	Delete permitted activity standard in Rules 13.4.1.1, 13.5.1.1 and 13.5.1.3: "There is no change in water level or hydrological function, or no damage to the flora, fauna or its habitat, in or on any Regionally Significant Wetland."	<ul style="list-style-type: none"> •Does not enable compliance to be objectively assessed. •Precludes any development in a Regionally Significant Wetland without consent. •Inconsistent with s 5(2) RMA. •Extends protection for flora and fauna beyond s 6(c) RMA. 	Support

Financial contributions

10 Financial contributions policy (Policy 10.4.2A and Ch.17)

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Federated Farmers of New Zealand	29	Oppose	Opposes in part 10.4.2A and the Introduction to Chapter 17 in part.	No reason given.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission

Contact Energy Limited	30	Amend	That the new policy 10.4.2A on financial contributions be amended to clarify that not every effect not avoided, remedied or mitigated is required to be addressed by way of financial contribution for environmental compensation, but only those residual effects above a certain threshold - being more than minor effects. Appropriate clarification of the circumstances, purpose and method of determining the contribution amount should also be provided.	<ul style="list-style-type: none"> •Not every effect needs to be addressed. •The policy implies a "no net loss" approach, which is not taken in RMA. 	Support
Meridian Energy Limited	32	Amend	Amend the sixth paragraph of Section 17.1: <i>"Works and services apply to remediation or mitigation activities, while financial contributions may apply to the offsetting of adverse effects that cannot be directly fully avoided, or completely remedied or, in the Council's opinion, adequately mitigated, perhaps due to the nature of activity that needs to occur within the vicinity of the Regionally Significant Wetland."</i>	<ul style="list-style-type: none"> •Explanation suggests financial contributions will be used to address residual effects that cannot be avoided, remedied or mitigated; not consistent with Policy 10.4.2A. •Given RMA is not a 'no effects' statute, 17.1 requires amendment to reflect direction provided in 10.4.2A. 	Support
Clutha District Council	34	Support	Supports the use of financial contributions to offset adverse effects	<ul style="list-style-type: none"> •Can help ensure the best environmental outcome. 	Support
Department of Conservation	42	Support	Retain policy 10.4.2A with no amendments.	<ul style="list-style-type: none"> •Consistent with Part 2 RMA. •Gives guidance when considering activities in wetlands. •Maintains flows in streams sourced from wetlands which protects habitat of indigenous threatened fish. •Gives effect to the NPS Freshwater Management. 	Support in part on the basis that the relief sought is consistent with TrustPower's submission.
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Delete policy 10.4.2A.	<ul style="list-style-type: none"> •Financial contributions inappropriate given large-scale loss or modification of wetlands, and inconsistent with Part 2 RMA and NPS Freshwater. •Assessment criteria inadequate to assess viability in any offsetting. 	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

165 Financial contributions rules

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Meridian Energy Limited	32	Amend	Delete clause regarding the consideration of the need for a financial contribution and replace with: <i>"In circumstances where adverse effects on Regionally Significant Wetlands cannot be avoided, remedied or mitigated, whether a financial contribution is necessary and the appropriate value of any contribution."</i>	<ul style="list-style-type: none"> •Should more accurately reflect Policy 10.4.2A. •Note: Relevant to Rules 12.1.4.8, 12.2.3.4, 12.3.3.1, 12.4.2.1, 12.5.2.1, 13.2.2.1, 13.3.2.1 	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Amend	Delete all provisions for financial contributions for regionally significant wetlands and values in all rules.	<ul style="list-style-type: none"> •Financial contributions inappropriate given large-scale loss or modification of wetlands, and inconsistent with Part 2 RMA and NPS 	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

				Freshwater Management. •Assessment criteria inadequate to assess viability in any offsetting.	
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Part 3: Schedules and maps

**Mapping of Schedule 9 wetlands general
199 Mapping of Schedule 9 wetlands general**

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Otago Fish & Game Council	8	Amend	Place detailed aerial photograph-based maps with cadastral boundaries of wetlands overlaid alongside the topographical maps within this plan.	<ul style="list-style-type: none"> •Maps do not show level of detail needed to assess effect of changes, or to give effect to the proposed plan. •Maps in the Wetland Inventory will not be sufficient as it doesn't have legal force. 	Support
Otago Conservation Board	27	Amend	Detailed maps and their base aerial photographs should be used in the new Schedule.	<ul style="list-style-type: none"> •Wetlands are often small areas with complicated boundaries •1:50,000 maps inadequate 	Support
Contact Energy Limited	30	Support	Supports all wetlands classified as Regionally Significant being accurately plotted/mapped before inclusion in the Regional Plan.	No reason given.	Support

Schedule 10 and non-Regionally Significant Wetlands

600 Schedule 10 and non-Regionally Significant Wetlands

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Save the Otago Peninsula Inc Society	21	Oppose	Oppose the deletion of Schedule 10.	<ul style="list-style-type: none"> •Deletion of Schedule 10 would contribute to the loss and degradation of small wetlands. •Some small wetlands on the Otago Peninsula are collectively very important as habitat for wading birds - they are gradually being drained and filled. •Wetlands at the head of Papanui Inlet were once on the Wetland of Ecological and National Importance database, and are now almost non-existent. 	Oppose as TrustPower supports the simplifying and streamlining that has been undertaken by ORC.
Save the Otago Peninsula Inc Society	21	Amend	Include schedule of locally important wetlands in the Water Plan.	No reasons given.	Oppose as TrustPower supports the simplifying and streamlining that has been undertaken by ORC
Otago Conservation Board	27	Amend	Schedule 10 areas which are not going to be added into Schedule 9 should be re-evaluated and, where appropriate, given protection.	•Not including will mean fewer wetlands protected.	Oppose as TrustPower understands the Schedule 10 wetlands have already been evaluated by ORC. TrustPower supports the simplifying and streamlining that has been undertaken by ORC.
Hawksbury Lagoon Inc	39	Amend	Would like to see as many as possible of the remaining wetlands, classified as significant or not, preserved.	<ul style="list-style-type: none"> •Wetlands play important role in sustaining diverse ecology, filtering water and providing interest to our landscapes. •The extent of loss makes all remaining wetlands significant. 	Oppose as TrustPower understands the Schedule 10 wetlands have already been evaluated by ORC. TrustPower supports the simplifying and streamlining that has been undertaken by ORC.
OtagoNet Joint Venture	43	Support	Supports repeal of Schedule 10.	•Streamlines wetland provisions, conducive to people using the Water Plan.	Support

Specific Schedule 9 wetlands

284 Schedule 9 - Loch Loudon Fen Complex (#84, Map F50)

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Department of Conservation	42	Support	That the inclusion in Schedule 9, and the extent of the wetland be retained without amendment.	Consistent with Part 2 RMA, and reflects ORC's functions under s 30 RMA.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

285 Schedule 9 - Loch Luella Fen Complex (#85, Maps F50 & F51)

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Department of Conservation	42	Support	That the inclusion in Schedule 9, and the extent of the wetland be retained without amendment.	Consistent with Part 2 RMA, and reflects ORC's functions under s 30 RMA.	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

367 Schedule 9 - Waipori/Waihola Wetland Complex (#167, Maps F48 & F49)

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Transpower New Zealand Limited	37	Did not specify	Review the extent of the wetland complex at the location of transmission support structures for the GOR-HWB 110kV and NMA-TMH 220kV lines, and confirm that these structures are not contained within the Waipori/Waihola Wetland Complex.	<ul style="list-style-type: none"> •From the maps looks like these are within the wetland boundary. •Don't want to get unnecessary consent to maintain/upgrade assets. Effects from such works cannot be avoided, and do not want financial contributions to be required. •Need to appropriately provide for the national grid, recognise its benefits and be in accordance with NPS Electricity Transmission. 	Support

Part 4: Methods other than Rules

Promotion, information and funding

14 Policy 10.4.6 - Promotion of wetlands

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Department of Conservation	42	Support	Retain with no amendments, except amend "(e): <i>Providing information on wetlands and their values ecosystem services.</i> "	<ul style="list-style-type: none"> •Consistent with Part 2 RMA. •Gives guidance when considering activities in wetlands. •Maintains flows in streams sourced from wetlands which protects habitat of indigenous threatened fish. •Gives effect to the NPS Freshwater Management. •Monitoring of wetland condition is essential to ensure ORC is fulfilling its functions under section 30(1)(c)(iia) RMA. •Requests that the policy be amended to clarify the values of and services provided by wetlands. 	Oppose on the basis that the relief sought is inconsistent with TrustPower's submission.

Wetland values information and Wetland Inventory

151 Wetland Inventory

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Waitaki District Council	14	Support	Supports providing information in a non-regulatory inventory of wetlands.	<ul style="list-style-type: none"> •Allows the inventory to be more extensive, regularly updated, and freely accessible to all. •Inventory information will be useful to the Waitaki DC's Ecological Study. 	Oppose
Federated Farmers of New Zealand	29	Amend	Include only those values and wetlands already identified within the proposed plan to any non-regulatory inventory. Alternatively ensure that any changes or updating of any wetland inventory only occur in direct consultation with landowners concerned and that Council introduces a policy and method that provides for a process of consultation with the affected landowner(s).	<ul style="list-style-type: none"> •Values could be changed without plan change process and public consultation process. •Affected farmers should be able to submit on inventory contents, and appeal to Environment Court if necessary. •Concerned that inventory would be counterproductive to working positively unless landowners involved, and that ability to easily change inventory brings uncertainty to landowners. 	Support in part
OtagoNet Joint Venture	43	Amend	Give due consideration to existing and consented activities and infrastructure and any associated human use in establishing the non-regulatory inventory for Regionally Significant Wetlands. This may involve identifying activities and human use values within or surrounding scheduled Regionally Significant Wetlands.	<ul style="list-style-type: none"> •Enables protection of physical resources in a way which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety pursuant to s 5 RMA 	Support

400 Schedule 9 - Wetlands values in Schedule 9

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
River-Estuary Care: Waikouaiti-Karitane	13	Oppose	Certain sections of the Consultation Draft should be included in the final proposal, e.g. listing of the specific nature and values in each of the designated wetlands.	No reason given.	Support
Otago Conservation Board	27	Oppose	Information on wetland values should be retained and included in the new Schedule to be used for ongoing planning and protection.	•Planning decisions and protection improved by having ready access to values information.	Support
Contact Energy Limited	30	Oppose	Opposes the removal of all descriptive information on each listed wetland, and the development of a separate non-regulatory inventory.	•Removing values is ultra vires - allows non-public, non-contestable process to assign values to a wetland, removes certainty for plan users, and is not just - especially as these values trigger non-complying category.	Support
Hawksbury Lagoon Inc	39	Amend	Ensure there is an explicit requirement in the plan to keep wetland values up to date to use when considering applications for activities.	No reason given.	Support
OtagoNet Joint Venture	43	Amend	Include regionally significant wetland values ascribed to each Regionally Significant Wetland in Schedule 9.	<ul style="list-style-type: none"> •There are likely to be issues in applying proposed provisions if values information is not listed in the Water Plan. •Any change to the regionally significant wetland values identified for a Regionally Significant Wetland should require a formal plan change. •General information can go in the non-regulatory inventory. •The non-regulatory inventory which is to contain regionally significant wetland values for scheduled Regionally Significant Wetlands should have been available to stakeholders and the public at least at the time Plan Change 2 was publicly notified. •For consideration in submission. •Method of assessing and mapping individual wetlands also has not been made available. •Lack of transparency is a significant shortcoming. 	Support

Part 5: General

Miscellaneous

150 RMA streamlining and simplifying

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Save the Otago Peninsula Inc Society	21	Oppose	Opposes the deletion of 10.2.3	No reason given	Oppose
Gregory Kerr	35	Amend	Chapter 10's Introduction, Issues and Anticipated Environmental Results sections should be reinstated.	•Nationally 10% of wetlands remaining, with less than half protected.	Oppose as TrustPower supports the simplifying and streamlining that has been undertaken by ORC.
Te Runanga o Moeraki, Kati Huirapa Runaka ki Puketeraki, Te Runanga o Otakou, and Hokonui Runanga	38	Support	Support the intent of " <i>making provisions easier to read and understand</i> ", provided that important details are not lost through doing this.	No reason given.	Support
Royal Forest and Bird Protection Society of New Zealand Inc	47	Oppose	Retain issues, Explanations, Principle Reasons, Anticipated Results, and cross references.	•Removal doesn't make Plan easier to understand. •These assist decision-makers individuals better understand the Plan, educates, and helps understand whether consents are required.	Oppose as TrustPower supports the simplifying and streamlining that has been undertaken by ORC.

154 Plan general

SUBMITTER NAME	SUB NUMBER	POSITION	DECISION REQUESTED	REASON FOR DECISION REQUESTED	TRUSTPOWER'S FURTHER SUBMISSION
Contact Energy Limited	30	Amend	That recognition be given to the fact that Regionally Significant Wetlands can be an outcome of legitimate resource development such as hydro power generation.	•Concerned that wetland origin (natural or man made) has not been appropriately considered in classifying wetlands, and in writing provisions. •Plan change does not make allowance for the creation of new wetlands	Support
Meridian Energy Limited	32	Amend	Ensure there is an enabling policy framework for renewable energy production when planning documents are being prepared and determined.	•Electricity is vital to everyday life •Reliability of supply is critical to economic growth and social well-being.	Support