

Annexure A – Relevant Parts of the Director-General’s Submission

**PROPOSED PLAN CHANGE 18 and 19– Mackenzie District Plan
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION**

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
Plan Change 18 – Indigenous Vegetation Clearance			
PC18: <u>Section 19 – Definitions Biodiversity (or biological diversity)</u>	<u>Biodiversity (or biological diversity): means the variability of living organisms and the ecological complexes of which they are a part, including diversity within species, between species and of ecosystems.</u>	Support	<i>Retain as notified.</i>
PC18: <u>Section 19 – Definitions Improved Pasture</u>	<u>Improved Pasture: means an area of pasture where:</u> a) <u>Species composition and growth have been modified and enhanced for livestock grazing within the previous 15 years, by clearance, cultivation or topdressing and oversowing, or direct drilling; and</u> b) <u>Exotic pasture species have been deliberately introduced and dominate in cover and composition. For the purposes of this definition the assessment of dominance shall disregard indigenous vegetation which is growing on land that has previously been modified and enhanced for livestock grazing in accordance with clause a) above and is less than 15 years old.</u>	Oppose in Part – delete or amend so that areas of improved pasture have to be identified on the planning maps. The D-G also seeks to delete ‘oversowing and topdressing, or direct drilling’ as being improved pasture as in many cases indigenous values and significant indigenous values can still be present where these activities have occurred. Ecologically, cultivation and irrigation is where the D-G considers that improved pasture has been achieved. The Map referred to in the amendment is included in Attachment 2 of this submission. The D-G has based this on known cultivated areas (to the Department Staff) but is aware there may be	<u>Improved Pasture: means an area of pasture identified on the Planning Maps where:</u> a) <u>Species composition and growth have been modified and enhanced for livestock grazing within the previous 15 years, by clearance, or cultivation or topdressing and oversowing, or direct drilling; and</u> b) <u>It has been determined by a suitably qualified ecologist that indigenous biodiversity values have been lost; and</u> c) <u>Is recorded with the Council as ‘improved Pasture’.</u> Exotic pasture species have been deliberately introduced and dominate in cover and composition. For the purposes of this definition the assessment of dominance shall disregard indigenous vegetation which is growing on land that has previously been modified and enhanced for livestock grazing in accordance with clause a) above and is less than 15 years old.

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		some areas which are lawfully consented, but yet to be cultivated.	
PC18: Section 19 – Definitions (New) Significant Indigenous Vegetation or habitat	<i>New Definition</i>	(new definition) This definition supports the policy framework and provides clarity around what is considered to be significant.	<i>Insert new definition for ‘significant indigenous vegetation and habitat’ as follows:</i> <u>Significant Indigenous Vegetation or habitat: means indigenous vegetation of habitat of indigenous fauna which meets the criteria listed in the Canterbury Regional Policy Statement.</u>
PC18: Section 19 – Definitions Vegetation Clearance	Vegetation Clearance: means the felling, clearing or modification of trees or any vegetation by cutting, crushing, cultivation, spraying, or burning or irrigation. Clearance of vegetation shall have the same meaning.	Support The D-G supports this definition and the mention of particular activities which result in vegetation clearance.	<i>Retain as notified.</i> Vegetation Clearance: means the felling, clearing or modification of trees or any vegetation by cutting, crushing, cultivation, spraying, or burning or irrigation. Clearance of vegetation shall have the same meaning.
PC18: Section 19 – Rule 1.1.1 clause 1 to clause 5	1.1. <u>Permitted Activities – Indigenous Vegetation Clearance</u> 1.1.1. <u>Clearance of indigenous vegetation is a permitted activity provided the following conditions are met:</u> 1. ... 5. ...	Support The D-G supports some permitted activities which cover indigenous vegetation clearance for safety and maintenance, provided these structures for which the clearance relates to are lawfully established. However, the D-G notes that the large parts of the District, the vegetation types are highly unlikely to compromise safety and integrity structures or access due to their small stature and it needs to be ensured that clearance under 1.1.1.1 is not abused.	<i>Retain 1.1.1 clause 1-5 noting the D-Gs concerns.</i>
PC18: Section 19 – Rule 1.1.1 clause 6	1.1. <u>Permitted Activities – Indigenous Vegetation Clearance</u> 1.1.1. <u>Clearance of indigenous vegetation is a permitted activity provided the following conditions are met:</u> 6. <u>The clearance is of indigenous</u>	Oppose in Part – Amend 1.1.1(6) How Improved pasture is identified appears to be problematic in the context of the Mackenzie Basin and the significant indigenous biodiversity loss which has occurred	<i>Amend 1.1.1 Clause 6 as below:</i> 1. <u>Indigenous Vegetation Clearance excluding indigenous vegetation clearance associated with the Waitaki Power Scheme</u> 1.1. <u>Permitted Activities – Indigenous Vegetation Clearance</u> 1.1.1. <u>Clearance of indigenous vegetation is a permitted activity</u>

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	<p><u>vegetation within an area of improved pasture (refer Definitions);</u></p>	<p>to date as a result of the (pre PC17) loophole rule.</p> <p>The D-G considers that in order to sustainably manage the significant indigenous biodiversity community, which was confirmed by PC13 to be throughout the whole basin, there needs to be more accurate method for identifying what is considered to be improved pasture. While the D-G is not averse to landowners maintaining existing sprayed or irrigated land where the values are already lost, land which has been oversowed, topdressed or direct drilled can often still contain indigenous plant communities, and more than likely significant indigenous biodiversity due to the nature of biodiversity loss and rarity within the Mackenzie Basin.</p> <p>The D-G considers that there needs to be a clearer identification of what is improved pasture, and when something is considered to be 'within' improved pasture. The notified provision has the potential to lead to further significant losses, similar to what occurred prior to PC17.</p> <p>The Department considers that identifying 'improved pasture' through this plan change process is the best way to ensure that there is</p>	<p><u>provided the following conditions are met:</u></p> <ol style="list-style-type: none"> 1. ... 6. <u>The clearance is of indigenous vegetation within an identified area of improved pasture (refer Definitions);</u>

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		<p>clarity and agreement (or at least a baseline) on what areas are improved pasture. The Department would be comfortable with a permitted activity rule, if identification and assessment occurs.</p>	
<p>PC18: <u>Section 19 – Rule 1.1.1 clauses 7 and 8</u></p>	<p>1.1. <u>Permitted Activities – Indigenous Vegetation Clearance</u> 1.1.1. <u>Clearance of indigenous vegetation is a permitted activity provided the following conditions are met:</u> 7. <u>The clearance is not within a Site of Natural Significance or on land above 900m in altitude;</u> 8. <u>The clearance is not within:</u> a) <u>100m of a lake</u> b) <u>20m of the bank of a river</u> c) <u>100m of an ecologically significant wetland</u> d) <u>50m of all other wetlands</u></p>	<p>Support – Retain 1.1.1 clause 7 and 8 as notified. The D-G supports the rule hierarchy for the clearance of indigenous vegetation within sensitive areas (SONS, above 900m and waterbody margins)</p>	<p><i>Retain 1.1.1 clause 7 and 8 as notified.</i></p>

ATTACHMENT 2:

**PROPOSED PLAN CHANGE 18 and 19– Mackenzie District Plan
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Improved Pasture Mapping**