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**SUBMISSION OF THE WOLDS STATION LIMITED (THE WOLDS)  
ON PLAN CHANGE 23, TO THE MACKENZIE DISTRICT PLAN**

**26 January 2024**

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To Mackenzie District Council

This is a submission on proposed Plan Change 23 – General Rural Zone, Natural Features and Landscapes and Natural Character (**PC23**) to the Mackenzie District Plan (**MDP**).

- 1 The Wolds Station is located 18km south of Lake Tekapo. We are the second and third generations of farmers on The Wolds Station, and fourth and fifth generations in the Murray family to farm in the Mackenzie Basin.
- 2 The Wolds consistently participates in district, regional, and higher-level planning processes. The Wolds is passionate about protecting identified significant environmental values within the Mackenzie Basin, alongside providing for the ongoing viability of The Wolds farm operation and the wider rural farming community; both which contribute to the values of the Mackenzie Basin.
- 3 The specific provisions of PC23 that this submission relates to, and the Wolds position in relation to the same, are identified in the attached table.
- 4 PC23 deals with the extent of some Farm Base Areas, however it is understood (from notification documentation) that Farm Base Areas established under Plan Change 13, and related provisions are not within the scope of this plan change. On that basis, this submission does not address the operative Farm Base Areas or related provisions.
- 5 The Wolds general comments are as follows:
  - 5.1 The section 32 report does not adequately assess the costs of the proposed provisions, including the impact on The Wolds of imposing significant setbacks for activities around waterways. The extensive areas caught within the proposed setbacks will impact The Wolds ability to continue to productively farm the land. Limiting activities that may occur within the proposed setback areas also has potential to create operational farm management challenges, including the fundamental necessity of providing stock access to drinking water.
  - 5.2 These proposed provisions will not achieve sustainable management, including enabling people and communities to provide for their social and economic wellbeing, and have the potential to undermine the significant level of investment that has already been made by landowners to achieve compliance with other national and regional planning initiatives. The setbacks proposed in PC23 exceed those contained in the Freshwater regulations.

5.3 The Wolds wishes to be heard in support of this submission. If others make a similar submission, The Wolds would be prepared to consider presenting a joint case with them at any hearing.

5.4 The Wolds does not gain an advantage in trade competition though this submission.

6 The Wolds seeks the following decision.

6.1 That the proposed provisions be modified as set out in the table attached.

6.2 Such further or other consequential relief as may be necessary to fully give effect to the matters raised and relief sought in this submission.

Dated 26 January 2024



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Jessica Ottowa/ Katherine Forward

Solicitor for The Wolds

This document is filed by Katherine Forward of Duncan Cotterill, solicitor for the submitter.

The address for service of the submitter is:

Duncan Cotterill  
Duncan Cotterill Plaza  
148 Victoria Street  
Christchurch 8013

Documents for service on the submitter may be:

- Left at the address for service.
- Posted to the solicitor at 148 Victoria Street, Christchurch 8013
- Transmitted to the solicitor by fax on +64 3 3792430

Please direct enquiries to:

Katherine Forward  
Duncan Cotterill  
Tel +64 3 379 2340  
Fax +64 3

Email [Katherine.Forward@duncancotterill.com](mailto:Katherine.Forward@duncancotterill.com)

<b>The Wolds submission relates to:</b>	<b>The Wolds submission is that:</b>	<b>The Wolds seeks the following decisions:</b>
<b>Plan Change 23</b>		
<b>Pastoral Intensification definition</b>	<p>The Wolds support the removal of subdivisional fencing from the definition of Pastoral Intensification.</p> <p>The Wolds considers that the definition of Pastoral Intensification should only capture new top dressing and oversowing activities i.e. it should specifically exclude lawfully established existing uses / maintenance applications.</p>	<p>Amend the definition of Pastoral Intensification to only relate to new or first instance top dressing and oversowing activities.</p>
<b>Riparian Margin definition</b>	<p>The Wolds considers this definition should be deleted. Control of riparian margins is a function that sits with the Regional Council. Inclusion of a definition within the MDP will create confusion/ duplication.</p> <p>In the alternative, the definition must be further confined, so that the extent of a riparian margin can be easily identified by the landowner. As presently drafted, this definition has potential to encompass large tracts of adjacent land and will require expert assessment to determine where the riparian margin starts and finishes.</p>	<p>Delete or amend the definition of Riparian Margin so that it removes all subjectivity and can be applied by the landowner without expert assessment.</p> <p>The definition of Riparian Margin in the Canterbury Land and Water Regional Plan is:</p> <p><i>“means the land within the following distances of the bed of any lake, river or wetland boundary:</i></p> <ol style="list-style-type: none"> <li><i>1. In Hill and High Country land or land shown as High Soil Erosion Risk on the Planning Maps – within 10 m; and</i></li> <li><i>2. In all other land not shown as High Soil Erosion Risk on the Planning Maps or defined as Hill and High Country – within 5 m.”</i></li> </ol>

<b>Shelterbelt definition</b>	<p>Shelterbelts may be erected for a number of reasons/ purposes in addition to those listed. The determination of need for a shelterbelt (and for what purpose) should rest with the landowner, not the Council.</p> <p>It is not necessary to include the proposed new words in bold/ underline:</p> <p><i>for stock, crops, or non-principal buildings from winds</i></p>	<p>Retain the definition from the operative plan without amendment as follows:</p> <p><i>"means trees or vegetation planted predominately to provide shelter limited to a maximum average width of 15 metres from stem to stem."</i></p>
<b>Natural Character</b>  NATC-P1  NATC-P2  NATC-S1  Table NATC-1	<p>New policies NATC-P1 and P2 contemplate that natural character is linked to a waterbody/ wetland/ margin being in its natural state. This is a bar too high. Natural character exists and persists under a modified and working farm environment.</p> <p>NATC-S1 is unclear. The setback standards could be interpreted to apply to <u>all</u> activities contemplated near a waterway, rather than being limited to those activities listed in NATC-R1 – R4. The setbacks should only apply to the listed activities.</p> <p>The Wolds oppose the proposed setback distances, The setbacks would deem significant areas of productive and working land unusable as several scheduled (and additional unscheduled) surface waterbodies traverse The Wolds Station. It is not necessary to align the setbacks prescribed for buildings (as per the PC13 provisions) from rivers, wetlands and lakes.</p> <p>Refer also to reasons for the definition of natural character above.</p>	<p>Amend the policy framework and the listed matters of discretion at NATC-S1 to acknowledge the modified working farm environment in the Mackenzie Basin. In particular, the contribution of farming practices to natural character, including pest and weed maintenance must be recognised and provided for.</p> <p>Matter of discretion (b) refers to effects on any indigenous vegetation. This is too broad and will capture almost all land in the Mackenzie Basin. This should be limited to areas of significant indigenous vegetation only.</p> <p>Clarify the scope and application of NATC-S1 and Table NATC-1.</p> <p>Reduce the setback distances proposed under Table NATC-1 to reflect sustainable land management and use and recognise that lawfully established existing land uses are exempt.</p>

<b>Outstanding Natural Features and Landscapes</b>	The Wolds opposes the subzone being renamed/ mapped as an ONL without further detailed assessment. Not all areas in the subzone meet ONL criteria.	ONL to be accurately mapped rather than adopting a blanket approach.
NFL-02		Delete NFL-P1.
NFL-P1, P2 and P7	NFL-P1 is all encompassing. This policy will curtail all development within the subzone and does not provide a pathway for consent to be obtained. Almost all of the subzone is identified as having "limited capacity to absorb change".	Retain and strengthen NFL-P7 to reflect the critical contribution that existing farming practices make to ONL.
NFL-R1 – R5		
NFL-R11		
Planning maps		
NFL-SCHED1	The Wolds supports NFL-P7 and considers this ought to be strengthened to reflect the contribution farming makes to areas identified as ONL.  Despite the Council stating that the PC13 provisions are out of scope of PC23, NFL-R1 – R5 introduce change to these provisions within the subzone. The Wolds opposes any amendments that seek to introduce new hurdles for landowners to overcome when obtaining consent. The Wolds supports any amendments that enable continued lawfully established activities to occur and/ or support development.	NFL-R1 – R5 – no change to provisions over and above the activity status and matters of control/ discretion introduced in PC13 (unless that change would enable existing activities and/ or development).  Delete inclusion of 'Scenic Grasslands' from permitted activity standard (3) in NFL-R11.
<b>Wilding Conifers</b>		
NFL-P10 and 11	The Wolds supports the introduction of a planning framework to manage the spread of wilding conifers, provided the cost of control is not borne solely by the landowner. This is particularly important where some properties contain significant seed source, and others do not.	Retain policies NFL-P10 and P11 as notified and introduce new policy support for non-mechanical removal of wilding conifers via vegetation clearance. The new wilding conifer policies need to align with the vegetation clearance provisions in Section 19 – Ecosystem and Indigenous Biodiversity.
NFL-R6 – R8		
NFL-MD2		
GRUZ-P7 and P11		
GRUZ-R21	Topdressing and oversowing are key tools to manage the spread of wilding conifers. These activities ought to be encouraged, specifically in wilding conifer control and	

	<p>management overlays. Requiring a consent for land rehabilitation post-harvest of closed canopy wilding conifers (together with the comprehensive matters of control/ discretion listed at NFL-MD2) has potential to disincentivise landowners. The rule package and the pathway to consent must be simple to encourage landowner buy-in.</p> <p>The Wolds considers it would be inappropriate for the Council to take a blanket approach to requiring wilding conifer management, pursuant to GRUZ-P7, for all resource consent applications. For some activities it would be inappropriate for the Council to impose positive obligations on landowners to contain or eradicate wilding conifers.</p> <p>The Wolds consider it inappropriate to introduce an avoid policy on the planting of wilding conifers (as per GRUZ-P7) when coupled with the non-complying activity status under GRUZ-R21 which would essentially deem this a prohibited activity. Many existing shelter belts in the Mackenzie Basin comprise of these species. It is acknowledged that existing use rights would apply, however sound resource management practice would support this being codified in the plan, and where dead or diseased trees exist in current shelterbelts there needs to be a pathway for replacement.</p> <p>The Wolds supports rule NFL-R8 but considers it ought to be a permitted activity instead of controlled.</p>	<p>Amend wilding conifer rules to ensure that these provisions take precedence to other plan provisions, where topdressing and oversowing activities are subject to other consent requirements.</p> <p>Activity status for NFL-R8 to be permitted, and associated deletion of listed matters of control.</p> <p>Amend NFL-MD2 (a – f) to ensure there is a pathway for consent to be obtained.</p> <p>Amend GRUZ-P7 and GRUZ-R21 to provide a pathway for Wilding Conifer planting where it would be appropriate for sound resource management practice to do so.</p>
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<b>Wilding Conifer Overlays</b>	<p>The Wolds considers that given the extent of the Wilding Conifer spread within the Mackenzie, the wilding conifer Management Overlay should be extended to include the Mary Range, and the balance of the Mackenzie Basin.</p> <p>The Wolds also considers that given the strong migration abilities of wilding conifer seeds, there needs to be a mechanism in place to enable the extension of the Wilding Conifer Management and Removal Overlays, when and if necessary.</p>	<p>Extend the Wilding Conifer Management Overlay to include the Mary Range and the balance Mackenzie Basin.</p> <p>Include provision for Wilding Conifer Management Zones to be amended, subject to specific assessment criteria.</p>
<b>General Rural Zone</b>  Introduction  GRUZ-01 and 02  All Policies  GRUZ-R1 and GRUZ-22  Rule Standards	<p>The Wolds considers that the description of the General Rule zone character needs to be amended to reflect that there are many different land uses in the zone, including extensive areas of irrigation (not presently listed alongside open grasslands, pastoral farming, and forestry).</p> <p>Primary production activities can impact on character and amenity values. Within the GRUZ it is important to ensure that farming is prioritised, and existing lawfully established activities are provided a pathway to continue unimpeded. Farming is the lifeblood of the subzone and is fundamental to maintaining the sustainable management of the land and the rural community in the Mackenzie Basin.</p> <p>It is not clear whether the activity status for activities not otherwise listed is permitted (GRUZ-R1) or discretionary (GRUS-R22).</p>	<p>Amend GRUZ-02 to make 1. and 2. subject to 3. and 4. to prioritise primary production activities within GRUZ.</p> <p>Retain as notified policies that support primary production and activities that directly support primary production.</p> <p>Retain GRUZ-P5 as notified and provide a pathway for new areas of highly productive land to be included/ deleted from the planning maps when identified.</p> <p>Amend rule(s) GRUZ-R1 and/ or GRUZ-R22 to make it clear that, subject to compliance with other plan rules, expansion of an existing primary production activity is permitted.</p> <p>Retain GRUS-S1 as notified but delete 3 (c) "has a minimum net site area of 10ha".</p>

	<p>The Wolds supports that where a Site as at 1 November 2023 did not contain a residential unit, it ought to be possible to construct one, subject to compliance with other plan rules. There should be no minimum area requirement of 10ha as some existing sites will be less than this.</p> <p>It is not appropriate to constrain activities to employing a maximum of two non-resident full time equivalent staff to qualify as permitted. Obtaining staff in the Mackenzie Basin is very challenging.</p>	<p>Amend rule standards and matters of control/ discretion to ensure there is a pathway for consent to be obtained for buildings outside Farm Base Areas and within the subzone.</p> <p>Amend GRUS-S12 to delete 1.</p>
<b>New Farm Base Areas</b>	<p>The provisions do not currently provide for applications to be made for new farm base areas. Rather, it is anticipated that to create a new farm base area it will be necessary to go through the plan change process. It is considered that this process is unduly onerous, and that a resource consent pathway should manage the creation of a new farm base area.</p>	<p>That the creation of a new farm base area be a discretionary activity.</p>