

4 May 2018

TO: Mackenzie District Council
By email: planning@mackenzie.govt.nz

FROM: Royal Forest and Bird Protection Society of New Zealand Incorporated
Attn: Jennifer Miller
PO Box 2516
Christchurch 8140
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phone: 03 940 5523
021 651 778

RE: Further submission on Proposed PC18 and PC19 to the Mackenzie District Plan

1. Forest & Bird represents a relevant aspect of the public interest, and has an interest greater than the public generally.
2. Forest and Bird could **not** gain an advantage in trade competition through this submission.
3. Forest & Bird wishes to be heard in support of this submission, and would be prepared to consider presenting this submission in a joint case with others making a similar submission at any hearing.
4. Forest & Bird is New Zealand's largest non-governmental conservation organisation with many members and supporters. The Society has been involved in advocating for the protection of the unique Mackenzie Basin landscape for many years. It has for a number of years campaigned to "Save the Mackenzie" due to growing concern over agricultural intensification, and in particular the impact irrigation was having on the District's outstanding natural values.
5. Forest & Bird is concerned that some of the amendments sought through submissions to the District Plan would result in the loss of indigenous biodiversity and are inconsistent with the Canterbury Regional Policy Statement and the purpose of the RMA. Our specific concerns are set out in the tables below in respect of the original submissions we support or oppose on PC 18 and PC 19 respectively.

Further submissions on PC 18

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
Federated Farmers	1	oppose	Rule 1.1.1	<p>Clearance for the purpose of maintenance of drinking water reticulation pipes needs to be within clear limits to avoid and mitigate adverse effects.</p> <p>It is not appropriate to provide for these activities without conditions to clarify the extent of clearance permitted.</p> <p>Consistent with the limits sought in our original submission an additional conditions is required to ensure that <u>clearance is not more than 1.5 metres on either side of the existing fence line, vehicle track, road, drain, stockyards farm building, water trough and associated stock drinking water reticulation piping.</u></p>	Disallow
Maryburn Station	2	oppose	PC18 Objectives and policies	<p>While we support the identification of significant indigenous biodiversity it is not possible to identify all areas and sites in a plan. This is because of the level of assessment required and as significant values change over time. Protection of unidentified sites can be achieved by considering the effects of activities of case by case basis and setting appropriate limits for permitted activities.</p>	Disallow
Maryburn Station	2	oppose	PC18 Objectives and policies	<p>It is not clear what "re-establishment of vegetation cover" means. The Mackenzie is dominated by dryland habitat which may have low vegetation cover consistent with significant habitat values. Cultivation and increasing exotic vegetation cover would not retain the habitat values which are present in those areas. Nor do the rules of the plan</p>	Disallow

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
				provide for appropriate consideration of effects on such values. In additions the Regional Council has specific functions under s30 (1)(c) of the RMA to control land use for the purpose of soil conservation.	
Maryburn Station	2	Oppose	Rule 1.1.1.1	It is not appropriate for the Council to rely on consents granted by the Environment Court and Regional Council for irrigation purposes even if it considered effects on indigenous biodiversity. The RPS specifically directs the responsibility for the maintenance of indigenous biological diversity to a district council.	Disallow
Maryburn Station	2	Oppose	Rule 1.1.1.1	It is not appropriate to provide for clearance within an identified Site of Natural Significance.	Disallow
Maryburn Station	2	Oppose	definitions "Improved pasture"	It is important that the definition clearly identifies improved pasture where the presence of significant indigenous biodiversity values is unlikely, compared to other pasture where such values may be present. The proposed amendment is too wide and unenforceable.	Disallow
Simons Pass Station Limited	3	Oppose	PC18	Vegetation clearance is a proxy to protect the habitat values which may not be easily identified at a permitted activity level.	Disallow
Simons Pass Station Limited	3	Support	Rule 1.1.1.1	The rule is uncertain for the reasons set out by the submitter.	Allow
Simons Pass Station	3	oppose	New Policy and	While we agree with the submitter that soil erosion is a	Disallow

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
Limited			matters for discretion under Rules 1.2.1 and 1.2.2	relevant consideration in addressing land use activities, cultivation and increasing exotic vegetation cover would not retain the habitat values which are present in those areas. Nor do the rules of the plan provide for appropriate consideration of effects on such values. In additions the Regional Council has specific functions under s30(1)(c) of the RMA to control land use for the purpose of soil conservation.	
Central South Island Fish & Game	7	oppose	Definitions: vegetation clearance	It is important that all vegetation within an area of significant vegetation is protected from clearance. Exotic vegetation can have values in respect of indigenous habitat s6(c) and in contributing to other values under s6(a), (b) and (c). It is also important to consider the plant communities and ecosystems, including exotic plant species, for the maintenance of indigenous biodiversity.	Disallow
Canterbury Regional Council	8	support	Policy 2	While we consider that policy 2 can be retained with amendments as sought in our original submission, the replacement policy proposed by the submitter is supported as a new policy.	Allow
Canterbury Regional Council	8	oppose	Definition: improved pasture	Dominance and composition are not adequate to determine that significant indigenous values are not present.	Disallow
Canterbury Regional Council	8	Oppose	Rule 1.1.1	The amendments sought are uncertain. It is not clear what the extent of erosion works would entail in respect of this plan or the Regional Land and water plan. .	Disallow
Canterbury Regional Council	8	Support	Rule 1.2.2, 1.3.1	While the certainty of a limit to clearance of vegetation is supported this must also be per site and on the basis that	Allow

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
Canterbury Regional Council	8	Support	Rule 2.2.1(b)	indigenous biodiversity is maintained. Consistent with need for protection of biodiversity required by s6 of the RMA and maintenance of indigenous biological diversity.	Allow
Canterbury Regional Council	8	Oppose	Rule 12.2	the intent of the amendment sought is uncertain as PC 18 includes non-complying activities	Disallow
EDS	9	Support	Policy 1	The plan does not adequately identify important sites.	
EDS	9	Support	Policy 4	The addition of the <u>significant wetlands</u> is consistent with the NPSFM. Adding 'agricultural conversions' acknowledges there are impacts on important values aside from pastoral intensification.	Allow
Herman Frank	10	Support	Rule 12	Support the need for further clarification on this rule inclusion in Chapter 19	Allow
Genesis	11	Oppose	Definition "maintenance of Waitaki Power scheme"	The term "refurbishment" is uncertain in the context of "maintenance". Upgrading is considered to have a different meaning than "maintenance" and should not be incorporated within the same definition. Minor upgrading which does not change the scale, location or adverse effects of the activity may be appropriately considered within the same rule as for maintenance. However other upgrading must be considered through a consent activity so that adverse effects can be adequately avoided, remedies and mitigated. It is	Disallow
Genesis	11	Support	Definition "Waitaki Power"	Clarification of the operational area is helpful. This area should also be identified on a map in the plan	Allow

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
Genesis	11	Oppose	Definition: indigenous vegetation	A percentage dominance cover does not address the significant values which may be present. The amendments sought to provide for clearance on the basis of dominance are also opposed for the same reason.	Disallow
Genesis	11	Oppose	New Objective	Direction to allow clearance is not consistent with the RMA which requires avoidance, mitigation and remediation as well as protection under s6. The rules already provide permitted clearance for operation and maintenance. The effect of clearance for other activities must be considered by way of resource consent. The new objective sought unnecessary and inconsistent with the RMA.	Disallow
Genesis	11	Oppose	Policy 2 and 2A	The amendment sought is inconsistent protection under s6(c) of the RMA and the RPS. In particular offsetting and compensation to not ensure protection of values to be protected under s6(c).	Disallow
Genesis	11	Oppose	Policy 7	Specific provision for national significance and the Waitaki Power scheme is not appropriate in this policy context. In particular the wording proposed is not consistent with Policy 4 of the NPS ET which sets out that: When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided,	Disallow

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
				remedied or mitigated by the route, site and method selection. In addition Policy 8 sets out that: In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities. While a range of management options are provided in the RPA, it is appropriate for the District Council to determine which methods will best achieve the objectives in the context of the local environment.	
Genesis	11	Oppose	Rule 2.1.2	The submitter has not included conditions or a definition to provide for "minor upgrading" as opposed to "major upgrading".	Disallow
Genesis	11	Oppose	new Rule 2.1.3	The rule is uncertain as it allows for "any activity" The conditions in Rule 1.1.1 are not appropriate to apply to new activities.	Disallow
Genesis	11	Oppose	Rule 2.2	The term "refurbishment" is uncertain and should be clarified in terms of maintenance or upgrading. Minor upgrades in relation to refurbishment could be appropriately provided by a controlled activity rule to give effect to the NPS ET. Any "major upgrading" should be considered in respect of council retaining discretion to decline consent and can appropriately be considered under Rule 2.3	Disallow
Genesis	11	Oppose	Rule 2.3.1 and new Rule 2.3.2	The new rule is not appropriate to the district councils functions. Nor is it necessary for integration with matters	Disallow

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
Genesis	11	Oppose	Rule 1	addressed under the regional plan, as proposed rule 2.3.1 includes words associated with the Waitaki Power Scheme. An additional specific permitted rule clearance of indigenous vegetation is not required as this is already providing for operation and maintenance under Rule 2.1.2. The location and extent of clearance are recognised by the restrictions set out within that rule. Unlimited clearance is not consistent with councils responsibilities and functions under the RMA or give effect to the NZCPS	Disallow
Meridian	13	Oppose	various	For the same reasons as set out in relation to the Genesis submission	Disallow
Opuha Water Limited	14	Oppose	All	The amendments sought are not consistent with need for protection of biodiversity required by s6 of the RMA, nor would they enable council to maintain indigenous biological diversity. It is not appropriate for an irrigation company to seek provisions that are provided for in the NPSET.	Disallow

Further submissions on PC 19

Submitter Name	Submission Number	Support/ Oppose	provision	Reason for Support/Opposition	Relief Sought
Mackenzie Guardians	6	Support	PC 19	For the reasons set out by the submitter	Allow
Fish and Game	7	Support	Rural Objective 8	For the reasons set out by the submitter	Allow

Fish and Game	7	Oppose	Rural Policy 8B – Lake Pukaki	Motorised activities have adverse effects on the significant values of this lake	Disallow
Fish and Game	7	Support	Rural Policy 8A, 8C, 8E, 8H		
Fish and Game	7	Oppose	Rural Zone Rule 7A.2.3.b	the special natural values of this lake are to be protected	Disallow
Fish and Game	7	Support	Rural Zone Rule 7A.2.3.a, 7A.3.1.a, 7A.3.4, 7A.4.1.a and 7A.4.3	For the reasons set out by the submitter	Allow
Genesis	11	Oppose	Scope of PC 19	The amendment sought goes beyond the direction of Policy 10 of the NPS ET. The plan needs to enable consideration of Policy 7 and in particular the direction of Policy 4 and 8 of the NPS ET.	Disallow
Genesis	11	Oppose	Policies - various	The amendments sought to provide special consideration are uncertain and cannot be determined on an effects basis.	Disallow
Genesis	11	Oppose	Policy 8	It is not appropriate to exempt activities associated with the Waitaki Power Scheme from consent requirements.	Disallow
Genesis	11	Oppose	new permitted Rule and definitions and new policy	The permitted activity rule does not give effect to the RMA or enable council to carry out its responsibilities and functions under the RMA and NPS ET. The new definitions sought for “Waitaki power scheme activities” and “Waitaki Power scheme” are inappropriate. The new definitions sought for “Core sites” and “operating easement” must be supported by a map setting out the location and extent of these areas. The new Policy is uncertain in the context of PC 19.	Disallow

Thank you for your consideration.

Yours faithfully

Jennifer Miller

Regional Manager, Canterbury/West Coast
Royal Forest and Bird Protection Society of New Zealand Inc



Federated Farmers of New Zealand

**Further Submission on Plan Change 18 to the
Mackenzie District Plan**

4 May 2018



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FURTHER SUBMISSION TO MACKENZIE DISTRICT COUNCIL ON PLAN CHANGE 18 TO THE DISTRICT PLAN

Form 6

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

Clause 8 of First Schedule, Resource Management Act 1991

To: Mackenzie District Council
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Fairlie 7949
planning@mackenzie.govt.nz

Name of submitter: Federated Farmers of New Zealand

Contact: Angela Johnston
SENIOR REGIONAL POLICY ADVISOR

M 021 518 271
E ajohnston@fedfarm.org.nz

Address for service: Federated Farmers of New Zealand
57A Theodosia Street
Timaru 7910

This is a further submission in response to submissions made on the Proposed Plan Change 18 to the District Plan.

The following pages detail the specifics in relation to our support or opposition to various submissions lodged, alongside our reasons for that position.

I am a person representing a relevant aspect of the public interest.

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

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

Person, or organisation, making original submission	I support or oppose the relief sought in the original submission
Canterbury Regional Council	<p>Support. Relief sought to Farming Enterprise definition.</p> <p>Federated Farmers supports the change of name to Farming Operation, and including the wording "whether contiguous or non-contiguous" provides clarity.</p>
Canterbury Regional Council	<p>Partial Support. Relief sought to Indigenous Vegetation definition.</p> <p>We support the inclusion of the wording "the district".</p> <p>We do not support the inclusion of the four bullets points, as this is overly prescriptive.</p>
Glenrock Station Limited	<p>Support. Relief sought to Improved Pasture definition.</p> <p>The proposed amendment is clear and straightforward to implement.</p>
Glenrock Station Limited	<p>Support. Indigenous Vegetation definition.</p> <p>Whilst no specific relief has been proposed, Federated Farmers supports the pragmatic and logical approach i.e. once the definition for improved pasture is agreed, indigenous vegetation can then be defined.</p>
Environmental Defence Society (EDS)	<p>Oppose. Relief sought to delete Improved Pasture definition.</p> <p>Improved Pasture needs to be defined within the Plan, especially in regard to the Mackenzie Basin subzone. Deleting this term ignores the reality of the current situation.</p>
EDS	<p>Oppose. Relief sought to Indigenous Vegetation definition.</p> <p>Relief sought is too broad and would essentially capture all vegetation within the Mackenzie District.</p>

EDS	<p>Oppose. Proposed Maintenance definition. Unnecessary and precedent setting. As the submitter notes it is not defined by the RMA or the RPS, therefore the need to define "maintenance" in the District Plan is unnecessary.</p>
EDS	<p>Oppose. Proposed No Net Loss definition Unnecessary as already defined in the RPS.</p>
EDS	<p>Oppose. Site of Natural Significance (SONS) definition. Unnecessary and unclear as to why this term needs to be defined and included. SONS are important, however the need to define every term in a district plan is superfluous.</p>
Department of Conservation (DOC)	<p>Oppose. Relief sought to Improved Pasture definition. The proposed amendment is illogical and unworkable i.e. the presence of indigenous values does not mean the pasture has not been improved. Requiring a suitably qualified ecologist to determine if indigenous biodiversity values have been lost is unfeasible and expensive. Also requiring all areas of improved pasture in the Mackenzie District to be mapped is impractical.</p>
DOC	<p>Oppose. Relief sought to Farm Biodiversity Plan definition and the overall intent of Farm Biodiversity Plans. Inappropriate and unnecessary, the relief sought is basically requiring all farmers to have a resource consent to farm.</p>
DOC	<p>Oppose. Relief sought to Indigenous Vegetation definition Relief sought is too broad and would capture all vegetation within the Mackenzie District.</p>

FURTHER SUBMISSION OF MT GERALD STATION LIMITED ON PROPOSED PLAN CHANGE 18

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

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

Dated 4 May 2018



Katherine Forward
Solicitor for Mt Gerald Station Limited

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:

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APPENDIX 1

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

		and rules to reflect that all the existing remaining indigenous biodiversity in the Mackenzie Basin is deemed significant				There must be a pathway for landowners to undertake indigenous vegetation clearance in accordance with the conditions of rule 1.1 and to intensify land use on areas of their properties where no SIV is identified.	
Colin Morris	5	Delete rule 1.1.1 part 6	Oppose			Retaining the permitted activity status for indigenous vegetation clearance to occur on areas of improved pasture is fundamental to preserve existing use rights and allow landowners to undertake maintenance and agricultural conversion activities.	Decline relief sought
Mackenzie Guardians Inc	6	Definition of <i>improved pasture</i> and amendment sought to rule 1.1.1 part 6 – submission suggests that all area of improved pasture should be mapped, as the definition contains “loopholes”	Oppose – or support, as long as SIV is also mapped.			Mapping areas of improved pasture would provide certainty for all plan users. However, if areas of improved pasture are mapped, areas of SIV should also be mapped. Any areas to be mapped need be assessed as a part of a collaborative process between Council and land owner and site inspections to ground truth desktop data would be required. Rules would need to be adjusted to reflect this different approach.	Grant relief sought, provided that both areas of improved pasture and SIV are mapped, otherwise decline. Decline relief sought with respect to deletion of rule 1.1.1 part 6.
		Amendment to Objective 3	Oppose			PC18 seeks to address indigenous biodiversity not landscape values. It is inappropriate for objective 3 to be amended to include consideration of landscape values. Landscape values have been thoroughly addressed through the objectives and policies introduced by PC13.	Decline relief sought
Central SI	7	Definition of <i>improved pasture</i> –	Oppose –			See reasons in response to submission 6 above.	Grant relief sought,

Fish and Game Council		<p>submission seeks that all area of improved pasture are mapped.</p>	<p>or support as long as SIV is also mapped.</p>		<p>provided that both areas of improved pasture and SIV are mapped, otherwise decline.</p>
		<p>Definition of <i>vegetation clearance</i> – submission seeks that a new definition is added specifically for <i>indigenous vegetation clearance</i> which includes activities such as grazing, artificial drainage, overplanting and oversowing.</p>	<p>Oppose</p>	<p>Grazing, artificial drainage, overplanting and oversowing are all traditional farming activities - it is inappropriate for these activities to be included within the definition of vegetation clearance.</p> <p>PC13 introduced the requirement for resource consent to be obtained for subdivisional fencing in all areas of the Mackenzie Basin subzone. This effectively controls grazing activities and to require a second resource consent to be obtained for vegetation clearance is onerous on the landowner and does not promote efficient land management.</p> <p>A pathway must be provided for existing activities (including grazing, artificial drainage, overplanting and oversowing) to be maintained in all areas, including areas of SIV.</p>	<p>Decline relief sought</p>
Environment Canterbury	8	<p>Clarity needed to objectives and policies in four main areas:</p> <ol style="list-style-type: none"> 1. identification of significant indigenous biodiversity 2. manging significant and non-significant indigenous vegetation 	<p>Support in part</p>	<p>Mt Gerald considers the relief sought to the proposed objectives and policies as detailed in its original submission will provide the clarity sought by Environment Canterbury.</p>	<p>Grant relief as detailed in Mt Gerald's original submission</p>

		<p>3. avoiding, remedying and mitigating adverse effects</p> <p>4. the link between indigenous vegetation and landscape in the Mackenzie Basin</p>			
		<p>Amendment to definition of <i>Improved Pasture</i> to incorporate an assessment of vegetation cover and composition as at December 2017; or two alternatives:</p> <ol style="list-style-type: none"> 1. to introduce a threshold for clearance of indigenous vegetation within an area of improved pasture; or 2. to amend the rules to make clearance of indigenous vegetation within an area of improved pasture a controlled activity. 	Oppose	<p>Mt Gerald disagrees that rural land subject to some degree of improvement still contains indigenous plant communities with significant values. It would be difficult to establish vegetation cover and composition as at December 2017 with certainty as this point in time has passed.</p> <p>The biggest threat to indigenous biodiversity in the Mackenzie Basin subzone is from pests. Rabbits, hieracium and wilding pines all decimate natural values. It is inappropriate to pin-point a decline in indigenous biodiversity to land use i.e. to introduce a threshold for clearance within an area of improved pasture or to require resource consent to be obtained for indigenous vegetation within an area of improved pasture.</p> <p>See also reasons in response to submission 5 above.</p>	Decline relief sought
Environmental Defence Society Inc	9	Mapping of all SONS, including mapping of the Mackenzie Basin's remaining contiguous/ connected area of biodiversity (and geomorphological and landscape) value as a SONS	Oppose	<p>While mapping any new SONS would create certainty as to where the rules apply it is not appropriate for all remaining contiguous/ connected areas of biodiversity to be attributed value as SONS. Ground-truthing is required to determine value. Any new SONS need be assessed as a part of a collaborative process between</p>	Decline relief sought

			Council and land owner.	
			No wording is proposed in the submission. See reasons in response to submission 6 and 8 above.	Decline relief sought
	<i>Improved Pasture</i> definition.		The definition is too broad and will capture nearly all vegetation within the Mackenzie Basin subzone. It is inappropriate for areas of non-indigenous vegetation to be caught by indigenous vegetation clearance rules. The proposed definition goes beyond what is required under the RMA and the CRPS.	Decline relief sought
	<i>Indigenous vegetation</i> definition		It is not appropriate for the MDP to define terms like "maintenance" and "biodiversity off-setting". If these terms are to be defined this must occur at a national scale to ensure consistency of approach across New Zealand. It is noted that the proposed NPS on Indigenous Biodiversity contains definitions for maintenance and biodiversity off-set but the NPS has not progressed.	Decline relief sought
	Definitions of <i>Maintenance</i> <i>Biodiversity off-setting</i>		It is in appropriate for the remaining area of biodiversity/ ecological connectivity in the Mackenzie Basin to be classified as a SONS. Robust on the ground assessment is needed to determine value.	Decline relief sought
	Policy 1 – to introduce a map identifying the remaining area of biodiversity/ ecological connectivity in the Mackenzie Basin as a SONS		This submission seeks to prohibit certain activities using the policies, rather than the rules, to do so. The proposed amendments effectively seek to prohibit (through the use of the word avoid) adverse effects in riparian areas, and any linkage areas - these areas	Decline relief sought
	Policy 2 – amendments to refer only to avoidance			

				have not been identified as significant.		Decline relief sought
		Rule 1.1.1 – introduction of a permitted activity cap	Oppose	The permitted activity rule should apply everywhere that the conditions to rule 1.1.1 are met. Introducing a maximum clearance cap is not consistent with the concept of sustainable management and would prevent landowners from undertaking some maintenance activities.		Decline relief sought
		Deletion of rule 1.1.1 (6)	Oppose	See reasons in response to submission 5 above.		Decline relief sought
		Amendments sought to Farm Biodiversity Plans (Appendix Y) to address the issues identified	Oppose	The issues identified increase the burden on the land owner. FBPs will be an important tool for gathering information and documenting biodiversity features within a property. If the costs associated with compiling a FBP are prohibitive (particularly where expert advice is required) then landowners will not support/ buy-in to the FBP process and the information that may be obtained from these plans will not become available. Balance is required.		Decline relief sought
Hermann Frank	10	Include <i>topdressing, oversowing or planting of non-site specific plants</i> to the definition of <i>Vegetation Clearance</i>	Oppose	Topdressing, oversowing and planting of exotic plants are not “clearance” activities and it is not appropriate that they be included in the definition of vegetation clearance – they are important and accepted farming methods. Topdressing and oversowing are included in the definition of pastoral intensification to also include them within the definition of vegetation clearance would create uncertainty, confusion and could potentially require two separate resource consents to		Decline relief sought

					Decline relief sought
		Amendment to rule 1.2.2	Oppose	be obtained to authorise the same activity.	
Genesis Energy Ltd.	11	Definition of <i>Indigenous Vegetation</i> amended to include reference to native species needing to dominate and comprise 66% or more of ground cover or as an alternative amendment to rule 1.1	Support	The proposed 5000m ² is only appropriate for small properties – 1000m ² would reduce this further. Requiring native species to both dominate and comprise 66% or more of the ground cover narrows the definition of indigenous vegetation. The definition of indigenous vegetation as notified is too broad and captures nearly all vegetation in the Mackenzie Basin subzone. It is inappropriate for non-indigenous vegetation to be subject to indigenous vegetation clearance rules. The definition must be drafted in a way to provide for this distinction. The introduction of a native species ground cover threshold (to meet the definition of indigenous vegetation) provides certainty and will ensure that the proposed rule package is not unduly onerous. The introduction of a native species ground cover threshold will assist landowners to make a determination of whether an area of vegetation meets the definition of indigenous vegetation without the need to obtain expert advice. This is cost efficient.	Grant relief as an alternative to that detailed in Mt Gerald's original submission
		New Policy 2A <i>To manage, or offset, or compensate, actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District</i>	Oppose	The term "manage" implies active control on the part of the Council, which in turn implies the need for a resource consent process. On the face of it this policy does not promote clearance of some indigenous vegetation as a permitted activity pursuant to rule 1.1.1.	Decline relief sought

Glenrock Station Ltd	12	Importance of link between the definitions of <i>Improved Pasture</i> and <i>Indigenous Vegetation</i> .	Support	Mt Gerald agrees in principal that in combination the definitions of indigenous vegetation and improved pasture are generally acceptable, however if any material change is made to the definition of improved pasture then consequential amendments would be required to the definition of indigenous vegetation.	Grant relief as an alternative to that detailed in Mt Gerald's original submission
Meridian Energy Ltd	13	Definition of <i>Indigenous Vegetation</i> amended to include reference to native species needing to dominate and comprise 66% or more of ground cover or as an alternative amendment to rule 1.1	Support	See reasons in response to submission 11 above.	Grant relief as an alternative to that detailed in Mt Gerald's original submission
		New Policy 2A <i>To manage actual or potential effects of the use, development and protection of land to maintain indigenous biological diversity in the District.</i>	Oppose	See reasons in response to submission 11 above.	Decline relief sought
Pukaki Tourism Holdings Ltd	15	Seeks a process for approving FBP not linked to a consent application.	Support	Mt Gerald considers that this is a good way to encourage landowners to prepare and work towards developing a FBP. It encourages future planning which is important. It is important that at all stages FBP are voluntary rather than mandatory.	Grant relief sought provided that that development of a FBP is at all stages a voluntary process
Director-General of Department of Conservation	18	Proposed new definition of <i>Biodiversity offset</i>	Oppose	See reasons in response to submission 9 above.	Decline relief sought
		Definition of <i>Improved Pasture</i> . Changes	Oppose	Mt Gerald is not opposed to mapping areas of	Decline relief sought

	<p>sought are three-fold:</p> <ol style="list-style-type: none"> 1. areas of improved pasture to be identified on a map; 2. "Oversowing and topdressing, or direct drilling", be removed from definition; 3. areas of improved pasture to be assessed by a suitably qualified ecologist to determine that indigenous biodiversity values have been lost 	<p>improved pasture provided that areas of SIV are also mapped. Any areas to be mapped must be ground-truthed, it is inappropriate to rely on plans and maps that are out of date.</p> <p>It is inappropriate to exclude oversowing and topdressing, and direct drilling, from the definition of improved pasture. These activities are traditional farming methods and a pathway must be provided for maintenance (as opposed to new pastoral intensification and/or agricultural conversion) activities to occur. Evidence was presented at the PC13 hearing to suggest that oversowing and direct drilling alter vegetation cover as the introduced species displace the native species – not dissimilar to cultivation.</p> <p>Ecologist confirmation should not be required to determine whether an area of vegetation meets the definition of improved pasture. This introduces an extra cost and time delay for plan users.</p>	<p>Grant relief as detailed in Mt Gerald's original submission</p>
	<p>Definition of Significant Indigenous vegetation or habitat</p>	<p>Support in part</p>	<p>Defining significant vegetation or habitat in the MDP would provide guidance however simply referring to Appendix 3 of the CRPS would be unhelpful. Any definition needs to be tailored to the Mackenzie Basin rather than on a Canterbury wide scale.</p>
	<p>Amendment to objectives and policies seeking protection, enhancement and no</p>	<p>Oppose</p>	<p>The CRPS requirement is to protect areas of significant indigenous vegetation and habitats. All other</p>

				indigenous vegetation and habitats are to be maintained. It is not appropriate for the District Plan to go further than what is required under the CRPS.	
		net loss of all indigenous biodiversity not only where significance has been determined		As per reasons in response to submission 9 above. A policy framework which seeks to <u>avoid</u> adverse effects effectively means that there is no possibility of a non-complying activity being granted resource consent.	Decline relief sought
		New policy – to avoid adverse effects of subdivision, use and development on significant indigenous vegetation and habitat	Oppose	The Policy as notified is one of the few enabling provisions, which allows landowners to consider a range of mechanisms and offer options able to meet both conservation requirements and enable productive land use. There is no obligation on the Council to adhere to the BBOP “Guidance on Good Practice Biodiversity Offsetting in New Zealand”.	Decline relief sought
		Policy 5 – seeks the deletion, and replacement with a biodiversity off-setting mitigation hierarchy	Oppose		
		Amendment to rule 1.2.1, including the amendments proposed to the matters of discretion	Oppose	It is not appropriate for the matters of discretion to consider how proposed indigenous vegetation clearance impacts areas of high visual vulnerability, scenic grassland areas, outstanding natural landscape or features. The rules to address landscape values have been confirmed through the PC13 litigation.	Decline relief sought
		Amendment to rule 1.2.2, including the amendments proposed to the matters of discretion.	Oppose	The additions sought to Council’s matters of discretion are excessive. The aim of this rule is to provide a pathway for reasonably small scale indigenous vegetation clearance. Reserving discretion for the Council to consider stock control measures is entirely inappropriate in the	Decline relief sought

				<p>context of an application for indigenous vegetation clearance. Likewise, consideration of the treatment of land outside of the application area is also inappropriate. The additions sought will effectively elevate the restricted discretionary status.</p>	
	Amendments to Appendix Y	Oppose	<p>The additions sought are excessive, onerous and do not consider the costs associated with gathering the proposed new information. FBPs must be pitched at a level that encourages the land owners to buy-in to the process. The information to be gained from FBPs has the potential to be invaluable. FBPs will document biodiversity features on private land that will inform a District wide database. The time and costs associated with compiling the information to be included in a FBP needs to be carefully balanced.</p> <p>It is not appropriate for FBP to become a tool for collating information on landscape values and features. The provisions of PC13 including the introduction of scenic grasslands address landscape values.</p> <p>Footnote to A(4)(g) seeks that improved pasture means <i>where it is confirmed by an independent ecologist and there are no indigenous biodiversity values present</i>. This is unreasonable and would mean that most land within the Mackenzie Basin subzone would be unable to meet the definition of improved pasture.</p>	Decline relief sought	

Forest and Bird	20	Delete definition of improved pasture and condition 6 of rule 19.1.1	Oppose	See reasons above in relation to responses on other submissions where similar amendments have been sought.	Decline relief sought
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FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 18 (INDIGENOUS BIODIVERSITY) TO THE MACKENZIE DISTRICT PLAN

Clause 8 First Schedule, Resource Management Act 1991

TO: Planning Manager
Mackenzie District Council
PO Box 52
Proposed Plan Change 18 (Indigenous Biodiversity) to Mackenzie District Plan
Main Street
FAIRLIE 7949

By email: planning@mackenzie.govt.nz

Name of further submitter:

- 1 Opuha Water Limited (**OWL**)

Address: c/- Gresson Dorman & Co
P O Box 244
TIMARU 7940

Contact: Georgina Hamilton

Email: georgina@gressons.co.nz

Submission that this further submission relates to is:

- 2 This is a further submission in support or opposition to the primary submissions set out in **Annexure A** on proposed Plan Change 18 (Indigenous Biodiversity) to the Mackenzie District Plan (**PC18**), which forms part of Stage 1 of the Mackenzie District Council's (**Council's**) review of the Operative Mackenzie District Plan (**District Plan**).

Status of further submitter:

- 3 OWL is a person who has an interest in PC18 that is greater than the interest the general public has as it owns and operates the Opuha Dam and related infrastructure supporting hydro electricity generation, irrigation and community supply schemes in the eastern part of the Mackenzie District.
- 4 The strategic importance of these schemes is recognised in the following regional planning documents:
 - 4.1 The Canterbury Regional Policy Statement (**CRPS**) – the hydro-electric scheme is “regionally significant infrastructure” for the purpose of this document.
 - 4.2 The Canterbury Land and Water Regional Plan (**CLWRP**) – the national benefits of the Opuha hydro-electric and irrigation and community supply schemes is recognised within Policy 4.51 and Rule 5.125C of this document, and OWL's status as a “principal water supplier” is also recognised and provided for through the CLWRP's policy and rule framework.

Parts of the primary submissions supported or opposed by OWL:

- 5 The parts of the primary submissions on PC18 that OWL supports and/or opposes are set out in **Annexure A** to this further submission, together with the reasons for the further submission and decisions sought by OWL.

Wish to be Heard:

- 6 OWL wishes to be heard in support of this submission.
- 7 OWL would be prepared to consider presenting a joint case with others making similar submissions at the hearing.



Opuha Water Limited

By its Solicitors and authorised Agents

Gresson Dorman & Co: Georgina Hamilton

Date: 4 May 2018

ANNEXURE A – REASONS FOR SUBMISSION AND DECISIONS SOUGHT BY OPUHA WATER LIMITED

Submitter Name	Submission Number	Plan Provision	Support/Oppose	Reasons	Decision sought
Mackenzie Guardians	6	Policies 1 - 4	Oppose	OWL is concerned that the approach proposed by the submitter unnecessarily limits the options available to those carrying out activities that are recognised as regional or nationally significant, such as renewable electricity generation and existing community and irrigation supply schemes, particularly those in the eastern Mackenzie District (such as the Opuha Dam and its Schemes).	Disallow submission
Environmental Defence Society	9	Policy 2	Oppose	The submitter seeks rewording that would amount to an “avoidance” policy. OWL is concerned about the implications of such a policy on activities that are recognised as regional or nationally significant, such as renewable electricity generation and existing community and irrigation supply schemes, particularly those in the eastern Mackenzie District (such as the Opuha Dam and its Schemes).	Disallow submission
		Policy 5	Oppose	OWL is concerned that the approach proposed by the submitter unnecessarily limits the options available to those carrying out activities that are recognised as regional or nationally significant, such as renewable electricity generation and existing community and irrigation supply schemes, particularly those in the eastern Mackenzie District (such as the Opuha Dam and its Schemes).	Disallow submission
		Section 2 – Waitaki Scheme Rules	Oppose	OWL is concerned that the approach proposed by the submitter unnecessarily limits the options available to those carrying out activities that are recognised as regional or nationally significant, such as renewable electricity generation and existing community and irrigation supply schemes, particularly those in the eastern Mackenzie District (such as the Opuha Dam and its Schemes).	Disallow submission
Genesis Energy Ltd	11	Section 2; Waitaki Power Scheme Rules and definitions	Support in part	For the reasons outlined in OWL’s primary submission, OWL supports the inclusion of bespoke planning provisions for renewable energy generation activities in the Mackenzie District. However, OWL considers that	Allow submission in part.

				such provisions should extend to all renewable energy generation activities in the District and which have strategic recognition in higher order planning documents under the RMA, not just those in the Mackenzie Basin, including the Opuha Scheme.			Allow submission in part.
Meridian Energy Ltd	13	Section 2; Waitaki Power Scheme Rules and definitions	Support in part	For the reasons outlined in OWL's primary submission, OWL supports the inclusion of bespoke planning provisions for renewable energy generation activities in the Mackenzie District. However, OWL considers that such provisions should extend to all renewable energy generation activities in the District and which have strategic recognition in higher order planning documents under the RMA, not just those in the Mackenzie Basin, including the Opuha Scheme.			Allow submission in part.
Royal Forest and Bird Protection Society of New Zealand Inc	20	Objective 1	Oppose	The submitter proposes that Objective 1 be split into two, but provides not proposed wording in its relief. In the absence of suggested wording it is difficult to understand the consequences/implications of the relief sought.			Disallow submission
		Policy 1	Oppose	The submitter seeks rewording that would amount to an "avoidance" policy. OWL is concerned about the implications of such a policy on activities that are recognised as regional or nationally significant, such as renewable electricity generation and existing community and irrigation supply schemes, particularly those in the eastern Mackenzie District (such as the Opuha Dam and its Schemes).			Disallow submission
		Policies 5 and 6	Oppose	OWL is concerned that the relief sought by the submitter is inconsistent with the directions of the Canterbury Regional Policy Statement. OWL is also concerned that the relief sought would require blanket "avoidance" of activities. OWL is concerned about the implications that such a policy approach would have on activities that are recognised as regional or nationally significant, such as renewable electricity generation and existing community and irrigation supply schemes, particularly those in the eastern Mackenzie District (such as the Opuha Dam and its schemes).			Disallow submission
		Policy 7	Support	OWL supports the submitter's view that Policy 7 is consistent with the NES on Renewable Energy.			Allow submission



Department of Conservation
Te Papa Atawhai

DOC DM-5472121

4 May 2018

Mackenzie District Council
PO Box 52
Main Street
Fairlie
7949

Attention: Karina Morrow

Dear Karina,

Further Submission – Plan Change 18 and Plan Change 19 – Mackenzie District Plan

Please find enclosed the further submission by the Director-General of Conservation in respect of Plan Change 18 and Plan Change 19.

Please contact Nardia Yozin in the first instance if you wish to discuss any of the matters raised in this submission (03 363 1665, 027 502 3129 or via nyozin@doc.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sally Jones'.

Sally Jones
Operations Manager
Department of Conservation
Te Manahuna / Twizel District, Eastern South Island

RESOURCE MANAGEMENT ACT 1991

**FORM 6
FURTHER SUBMISSION IN SUPPORT OR OPPOSITION TO, SUBMISSION ON PUBLICLY
NOTIFIED
PROPOSED PLAN CHANGES 18 and 19 – Mackenzie District Plan**

Clause 8 of Schedule 1, Resource Management Act 1991

TO: Mackenzie District Council

FURTHER SUBMISSIONS ON: Plan Changes 18 and 19

NAME: Lou Sanson
Director General of Conservation

ADDRESS: RMA Shared Services
Department of Conservation
Private Bag 4715
Christchurch Mail Centre 8140
Attn: Nardia Yozin

STATEMENT OF SUBMISSION BY THE DIRECTOR GENERAL OF CONSERVATION

This is a further submission in support of (or in opposition to) a submission on Proposed Plan Changes 18 and 19 of the Mackenzie District Plan.

I, Sally Jones, Operations Manager, Twizel of the Department of Conservation, acting under delegated authority from the Director General of Conservation, make the following further submissions in support or opposition to the submissions on Proposed Plan Changes 18 and 19.

1. **I support or oppose the submissions of** those persons and/ or organisations listed in the second column headed "Submitter Name" of the table in the attached.
2. **The particular parts of the submission I support or oppose** are identified in the third column headed "Submission".
3. **The reasons for my support or opposition** are set out under the fifth column headed "Reasons" of the table.
4. **The particular aspect of the Plan that the further submission relates to are:** set out in the first column headed "Plan Reference".
5. **In relation to those submissions I support I seek that that submission is allowed.**
6. **In relation to those submissions I oppose I seek that the part of the submission I oppose is disallowed.**

7. I do wish to be heard in support of this submission.
8. If others make similar submissions I will consider presenting a joint case with them at the hearing.



Sally Jones
Operations Manager
Twizel, Eastern South Island

Pursuant to delegated authority
On behalf of
Lou Sanson
Director-General of Conservation

Date: 4 May 2018

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

PLAN REFERENCE	SUBMITTER NAME	SUBMISSION	SUPPORT/ OPPOSE	REASONS
General Submission on PC18	#2 Maryburn Station	<i>Council in consultation with individual landowners should identify "significant Indigenous Vegetation"</i>	Oppose	<p>The Canterbury Regional Policy Statement (CRPS) sets out clear criteria for how significant indigenous biodiversity should be identified. All biodiversity which meets the criteria should be considered significant.</p> <p>The criteria contained in the CRPS also sets out that this determination should be undertaken by a suitably qualified ecologist.</p> <p>The outcome which Maryburn Station is seeking is inconsistent with the CRPS.</p> <p>This is not a matter for the District Plan.</p>
General Submission on PC18	#2 Maryburn Station	<i>Mackenzie District council needs to acknowledge how land owners are going to compensated financially for "loss of land", given the benefits to the wider public, through constant Plan Changes.</i>	Oppose	
General Submission on PC18	#8 Canterbury Regional Council (Environment Canterbury)	<i>The Regional Council seeks that the objectives and policies are rewritten to clarify – That indigenous vegetation is a significant component of the outstanding natural landscape in the Mackenzie Basin.</i>	Support	Biodiversity values contribute to the Outstanding Natural Landscape (ONL) in the Mackenzie Basin. There needs to be some direction in the policy framework recognising these linkages and for where biodiversity values contribute to ONL – it is considered as part of a resource consent.
General Submission on PC18	#8 Canterbury Regional Council (Environment Canterbury)	<i>The Regional Council seeks that the objectives and policies are rewritten to clarify – the policy approach that will be taken to listing further "sites of natural significance" in the District Plan</i>	Support	The D-G is also concerns that the current list of SONS appears to be static. While it is noted that the Matters of Discretion (MOD) in the rules as well as the Farm Biodiversity Plans seek to identify sites which meet the criteria, it is not clear how these sites, once identified will be treated by the plan framework if they are not an identified SONS in the planning maps.
General Submission on PC18	#8 Canterbury Regional Council (Environment Canterbury)	<i>The Regional Council seeks that the objectives and policies are rewritten to clarify – the policy approach to sites of geological or geomorphological significance</i>	Support	<p>The D-G's original submission sought to include these sites in the MODs. However, a policy framework to provide direction on the management of effects of activities on these sites will improve consistency with the CRPS.</p> <p>If it is not intended that these sites are addressed in PC18, then some indication of where these sites will be managed in the plan is necessary.</p>

General Submission on PC18	#9 Environmental Defence Society (EDS)	<p><i>Failure to take an integrated approach to protecting ONL and ecological/ biodiversity values..</i></p> <p><i>Insert a new policy recognising the overlap between ONL and Biodiversity Values</i></p> <p><i>Amend the assessment criteria and Appendix Y to provide for consideration of landscape effects...</i></p>	Support	<p>Biodiversity values contribute to the Outstanding Natural Landscape (ONL) in the Mackenzie Basin. There needs to be some direction in the policy framework recognising these linkages and for where biodiversity values contribute to ONL – it is considered as part of a resource consent.</p>
General Submission on PC18	#9 Environmental Defence Society (EDS)	<p><i>Mapping of all SONS, including mapping of the Mackenzie Basin's remaining contiguous/ connected area of biodiversity (and geomorphological landscape) value as a SONS.</i></p>	Support	<p>The D-G is concerned that effects on significant indigenous biodiversity which hasn't met the criteria may not be managed appropriately in the plan. It is important that those sites which meet the criteria, but aren't mapped are also protected.</p>
General Submission on PC18	#11 Genesis	<p>Genesis is of the understanding that both PC18 and PC19 have been prepared as part of a staged review of the District Plan. Undertaking a staged review does not adequately enable resource users to consider, in an integrated way, how plan provisions may affect them overall..</p>	Support in part	<p>The D-G agrees that a staged plan approach can make it difficult to understand how an activity may be managed where that activity may be covered by or fall under rules in different parts of the Plan. While the D-G prefers a district wide objective, policy and rule framework to manage indigenous vegetation, a staged review process can raise issues with consistency when later stages are reviewed.</p>
General Submission on PC18	#15 Pukaki Tourism Holdings Ltd	<p><i>(c) ...PC18 rules should give greater weight to the voluntary formulation of Farm Biodiversity Plans (FBP), particularly with respect to integrating development with the sustainable management and long-term protection of indigenous vegetation Values (i.e. policy 8 and 9).</i></p>	Oppose	<p>The D-G supports the use of FBP as part of a comprehensive resource consent for vegetation management. Any FBP should address the concerns raised by the D-G's original submission and this further submission.</p>
General Submission on PC18	#15 Pukaki Tourism Holdings Ltd	<p><i>(d) We submit that the approval of voluntary FBPs, as a protection method, should be enabled without necessarily having to clear indigenous vegetation. In other words, the approval of a FBP should be seen as a positive long-term management tool in itself, not just a reactive process that a landowner has to go through should they wish to apply for resource consent to clear indigenous vegetation.</i></p>	Oppose	<p>It is the D-G's understanding that FBPs are intended to manage vegetation clearance across a whole farm property. The D-G's position on the use of FBPs is outlined in the D-G's original submission and the use or approval of any FBP must be through a resource consent process.</p>

<p>General Submission on PC18</p>	<p>#15 Pukaki Tourism Holdings Ltd</p>	<p><i>(e) We also submit that the approval of voluntary FBPs should not necessarily need to be a resource consent. The Council could instead simply certify a FBP that meets the criteria on Appendix Y, to which the indigenous rules could then apply. A similar certification process exists for Ground Level in the Queenstown-Lakes District Plan to aid the implementation of rules.</i></p>	<p>Oppose</p>	<p>FBP should not be used as a proxy for the permitted activity. The approach proposed by Pukaki Tourism Holdings Ltd provides no certainty for the protection of indigenous vegetation which meets the criteria in the CRPS or for the maintenance of indigenous biodiversity. There is also no ability for the council to ensure that the FBP in being implemented properly, or that any changes are managed appropriately.</p>
<p>General Submission on PC18</p>	<p>#16 Mt Gerald Station</p>	<p><i>2.5 the proposed provisions do not adequately take account of the tenure review process of the controls on pastoral intensification and agricultural conversion introduced by PC14 particularly on the concept of FBA... Properties that have been through tenure review have been subject to rigorous assessment and areas of significant inherent value, including biodiversity/ecology, landscape and conservation are either identified and either returned to the Crown/ DOC or protected through conservation covenants on any land freehold. The proposed provisions must be viewed in context alongside large tracts of conservation lands that is already protected and other planning restrictions already in place.</i></p>	<p>Oppose</p>	<p>This is incorrect. Tenure review is a separate process and does not override the purpose of the RMA. PC13 focused on Landscape values – particularly effects on ONLs. Biodiversity is a function of the District council and should be managed through the district plan. Land tenure (Crown or freehold) should not dismiss the need for the RMA to apply.</p>
<p>General Submission on PC18</p>	<p>#17 The Wolds Station</p>	<p><i>2.5 the proposed provisions do not adequately take account of the tenure review process of the controls on pastoral intensification and agricultural conversion introduced by PC14 particularly on the concept of FBA... Properties that have been through tenure review have been subject to rigorous assessment and areas of significant inherent value, including biodiversity/ecology, landscape and conservation are either identified and either returned to the Crown/ DOC or protected through conservation covenants on any land freehold. The proposed provisions must be viewed in context alongside large tracts of conservation lands that is already protected and other planning restrictions already in place.</i></p>	<p>Oppose</p>	<p>This is incorrect. Tenure review is a separate process and does not override the purpose of the RMA. PC13 focused on Landscape values – particularly effects on ONLs. Biodiversity is a function of the District council and should be managed through the district plan. Land tenure (Crown or freehold) should not dismiss the need for the RMA to apply.</p>

General Submission on PC18	#19 Blue Lake Investments NZ Limited	<p><i>(c) ...PC18 rules should give greater weight to the voluntary formulation of Farm Biodiversity Plans (FBP), particularly with respect to integrating development with the sustainable management and long-term protection of indigenous vegetation Values (i.e. policy 8 and 9).</i></p>	Oppose	The D-G supports the use of FBP as part of a comprehensive resource consent for vegetation management. Any FBP should address the concerns raised by the D-G's original submission and this further submission.
General Submission on PC18	#19 Blue Lake Investments NZ Limited	<p><i>(d) We submit that the approval of voluntary FBPs, as a protection method, should be enabled without necessarily having to clear indigenous vegetation. In other words, the approval of a FBP should be seen as a positive long-term management tool in itself, not just a reactive process that a landowner has to go through should they wish to apply for resource consent to clear indigenous vegetation.</i></p>	Oppose	It is the D-G's understanding that FBPs are intended to manage vegetation clearance across a whole farm property. The D-G's position on the use of FBPs is outlined in the D-G's original submission and the use or approval of any FBP must be through a resource consent process.
General Submission on PC18	#19 Blue Lake Investments NZ Limited	<p><i>(e) We also submit that the approval of voluntary FBPs should not necessarily need to be a resource consent. The Council could instead simply certify a FBP that meets the criteria on Appendix Y, to which the indigenous rules could then apply. A similar certification process exists for Ground Level in the Queenstown-Lakes District Plan to aid the implementation of rules.</i></p>	Oppose	FBP should not be used as a proxy for the permitted activity. The approach proposed by Blue Lake Investments NZ Limited provides no certainty for the protection of indigenous vegetation which meets the criteria in the CRPS or for the maintenance of indigenous biodiversity. There is also no ability for the council to ensure that the FBP in being implemented properly, or that any changes are managed appropriately.

General Submission on PC18	#14 Opuha Water Limited	Submission in its entirety. Including submission on Chapter 12 Rules, Definitions and proposed PC18.	Oppose	<p>What is intended to be covered by the proposed submission is very broad and encompassing. The terminology and rule framework sought goes too far in permitting activities to occur unchecked with little consideration of the significant effects on indigenous biodiversity. The D-G is also concerned that the proposed amendments by Opuha Water Limited seek to have non-energy related activities to be treated the same as the Waitaki Power Scheme – which is more confined in what activities are occurring where with less ability for excessive expansion outside water bodies and their margins. The proposed amendments by Opuha Water Limited are inappropriate and do not give effect to the CRPS, nor s6 of the RMA. If Opuha Water Limited consider that specific rules are needed to cover their activities, specific rules should be drafted which reflect the array of activities being undertaken by Opuha Water Limited and the effects of these activities on biodiversity. Furthermore, the amendments sought by Opuha Water Limited appear to go further than the activities covered in the District Plans Opuha Dam Special Purpose Zone.</p>
PC18: Definitions	#8 Canterbury Regional Council (Environment Canterbury)	Amend the definition of "Improved Pasture" 4. <i>Introduce a threshold (for example X area per Y area per 5 years) for clearance of indigenous vegetation within improved pasture as a permitted activity...</i> 5. <i>amend the rules to make clearance of indigenous vegetation within areas of improved pasture a controlled activity.</i>	Oppose	<p>The D-G does not support the use of area ratios for clearance as this leads to significant losses of indigenous vegetation over time and little influence in maintaining indigenous biodiversity.</p>
PC18: Definitions	#8 Canterbury Regional Council (Environment Canterbury)		Support in Part	<p>While the D-G supports a controlled activity status (rather than permitted), the issue of how improved pasture is identified (as raised in the D-G's submission) is still valid.</p>
PC18: Definitions	#16 Mt Gerald Station	Insert new definition for "Introduced Vegetation" <u><i>Introduced Vegetation means a plant community where species introduced into New Zealand dominate and comprise between 66% to 100% ground cover.</i></u>	Oppose	<p>The use of ratios is problematic for a lay person to determine. Additionally, the vegetation types in the basin are not present as all times of the year and coverage of indigenous or exotic species may change throughout the year. The Mackenzie Basin is home to very rare and threatened plant species. Protection of these species cannot occur if their presence is ignored as they are surrounded by exotic species. The D-G considers that this approach proposed by Mt Gerald Station is over complicated and does not provide appropriate protection of significant indigenous biodiversity nor does it provide for biodiversity maintenance.</p>

PC18: Definitions	#17 The Wolds Station	Insert new definition for "Introduced Vegetation" <u><i>Introduced Vegetation means a plant community where species introduced into New Zealand dominate and comprise between 66% to 100% ground cover.</i></u>	Oppose	The use of ratios is problematic for a lay person to determine. Additionally, the vegetation types in the basin are not present as all times of the year and coverage of indigenous or exotic species may change throughout the year. The Mackenzie Basin is home to very rare and threatened plant species. Protection of these species cannot occur if their presence is ignored as they are surrounded by exotic species. The D-G considers that this approach proposed by The Wolds Station is over complicated and does not provide appropriate protection of significant indigenous biodiversity nor does it provide for biodiversity maintenance.
PC18: Definitions	#16 Mt Gerald Station	Insert new definition for "Mixed Vegetation" <u><i>Mixed Vegetation means a plant community comprised of species both native to New Zealand, and the ground cover of each group of species comprising between 33% to 66% ground cover of the total area.</i></u>	Oppose	The use of ratios is problematic for a lay person to determine. Additionally, the vegetation types in the basin are not present as all times of the year and coverage of indigenous or exotic species may change throughout the year. The Mackenzie Basin is home to very rare and threatened plant species. Protection of these species cannot occur if their presence is ignored as they are surrounded by exotic species. The D-G considers that this approach proposed by Mt Gerald Station is over complicated and does not provide appropriate protection of significant indigenous biodiversity nor does it provide for biodiversity maintenance.
PC18: Definitions	#17 The Wolds Station	Insert new definition for "Mixed Vegetation" <u><i>Mixed Vegetation means a plant community comprised of species both native to New Zealand, and the ground cover of each group of species comprising between 33% to 66% ground cover of the total area.</i></u>	Oppose	The use of ratios is problematic for a lay person to determine. Additionally, the vegetation types in the basin are not present as all times of the year and coverage of indigenous or exotic species may change throughout the year. The Mackenzie Basin is home to very rare and threatened plant species. Protection of these species cannot occur if their presence is ignored as they are surrounded by exotic species. The D-G considers that this approach proposed by The Wolds Station is over complicated and does not provide appropriate protection of significant indigenous biodiversity nor does it provide for biodiversity maintenance.
PC18: Definitions	#9 Environmental Defence Society (EDS)	Insert a new definition for "Maintenance" <u><i>In relation to indigenous biodiversity "Maintenance" means to enable indigenous biodiversity to continue by achieving no-net-loss</i></u>	Support	The objective, policy and rule framework refer to biodiversity maintenance. Including this definition would provide clarity around what is trying to be achieved.

PC18: Definitions	#13 Meridian	<p>Insert a new definition for "Waitaki Power Scheme Management Area"</p> <p><u>Waitaki Power Scheme Management Area means land within the following areas:</u></p> <p>a. <u>The existing footprint of the Waitaki Power Scheme.</u></p> <p>b. <u>On core sites associated with the Waitaki Power Scheme.</u></p> <p>c. <u>On Areas covered by an operating easement associated with the Waitaki Power Scheme.</u></p>	Support in Part	The D-G supports clarity around what areas the Waitaki Power Scheme specific rules apply. It would also be beneficial for this information to be mapped.
PC18: Rule 12.1.1.a	#16 Mt Gerald Station	<p>Amend Rule 12.1.1.a exemption to include:</p> <p><u>or for the maintenance, repair, replacement or minor upgrade of existing fence lines, roads, stock crossings, firebreaks, drains, ponds, dams, stockyards, farm buildings, airstrips, water troughs, waterlines, waterway crossings or any other utility.</u></p>	Oppose in Part	The D-G agrees that lawfully existing structures and access should be able to be maintained, however the area covered by Rule 12.1.1.a are often sensitive and have the potential to be habitat to terrestrial and aquatic indigenous species. The D-G is concerned that the raft of activities proposed by Mt Gerald Station could result in significant adverse effects on these species.
PC18: Rule 12.1.1.a	#17 The Wolds Station	<p>Amend Rule 12.1.1.a exemption to include:</p> <p><u>or for the maintenance, repair, replacement or minor upgrade of existing fence lines, roads, stock crossings, firebreaks, drains, ponds, dams, stockyards, farm buildings, airstrips, water troughs, waterlines, waterway crossings or any other utility.</u></p>	Oppose in Part	The D-G agrees that lawfully existing structures and access should be able to be maintained, however the area covered by Rule 12.1.1.a are often sensitive and have the potential to be habitat to terrestrial and aquatic indigenous species. The D-G is concerned that the raft of activities proposed by The Wolds Station could result in significant adverse effects on these species.
PC18: Section 19 - Heading	#16 Mt Gerald Station	Delete "indigenous Biodiversity" and replace with "Vegetation Clearance"	Oppose	The proposed heading reflects that the proposed provisions are to cover effects on indigenous biodiversity.
PC18: Section 19 - Heading	#17 The Wolds Station	Delete "indigenous Biodiversity" and replace with "Vegetation Clearance"	Oppose	The proposed heading reflects that the proposed provisions are to cover effects on indigenous biodiversity.
PC18: Objectives - New	#13 Meridian	<p>Insert a new objective to read:</p> <p><u>For Activities associated with the nationally significant Waitaki Power Scheme to</u></p> <p>a. <u>Address the special characteristics.</u></p>	Support in Part	The D-G recognises the national significance of the Waitaki Power Scheme and the need to give effect to the objectives and policies relevant to this infrastructure in the NPS (Renewable Energy Generation) (NPSREG) and the CRPS. Meridian notes that the staged review process causes some discomfort as to how this infrastructure is provided for in the Plan and the D-G agrees that policy recognition is helpful – however it may not be the right place for this to be in the PC18 chapter.

PC18: Objectives – Objective 1	#16 Mt Gerald Station	Delete Objective 1 and replace with: <u>Safeguarding the life-supporting capacity of indigenous biodiversity and ecosystems while also sustaining the reasonable use of land and natural resources.</u>	Oppose	The deletion of the proposed objective 1 and the insertion of Mt Gerald Stations proposed objective will not achieve sustainable management, nor would it set up an appropriate framework for managing indigenous biodiversity or significant indigenous biodiversity.
PC18: Objectives – Objective 1	#17 The Wolds Station	Delete Objective 1 and replace with: <u>Safeguarding the life-supporting capacity of indigenous biodiversity and ecosystems while also sustaining the reasonable use of land and natural resources.</u>	Oppose	The deletion of the proposed objective 1 and the insertion of The Wolds Stations proposed objective will not achieve sustainable management, nor would it set up an appropriate framework for managing indigenous biodiversity or significant indigenous biodiversity.
PC18: Objectives – Objective 2	#16 Mt Gerald Station	Delete Objective 2 and replace with: <u>To maintain and enhance indigenous biodiversity and ecosystem functioning by protecting areas of significant indigenous vegetation and significant indigenous habitats of indigenous fauna.</u>	Oppose	The deletion of the notified Objective 2 and the insertion of Mt Gerald Stations proposed objective will not achieve sustainable management. Section 6(c) is clear that the protection of significant indigenous biodiversity is to be provided for. Mt Gerald Stations proposed deletion and insertion fails to do this.
PC18: Objectives – Objective 2	#17 The Wolds Station	Delete Objective 2 and replace with: <u>To maintain and enhance indigenous biodiversity and ecosystem functioning by protecting areas of significant indigenous vegetation and significant indigenous habitats of indigenous fauna.</u>	Oppose	The deletion of the notified Objective 2 and the insertion of The Wolds Stations proposed objective will not achieve sustainable management. Section 6(c) is clear that the protection of significant indigenous biodiversity is to be provided for. The Wolds Stations proposed deletion and insertion fails to do this.
PC18: Objectives – Objective 3	#16 Mt Gerald Station	Delete Objective 3 and replace with: <u>Enable land use activities that achieve integration of development with protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</u>	Oppose	The deletion of the notified Objective 3 and the insertion of Mt Gerald Stations proposed objective will not achieve sustainable management. The amendment seems to attempt to weaken protection and strengthen the enabling of land development.
PC18: Objectives – Objective 3	#17 The Wolds Station	Delete Objective 3 and replace with: <u>Enable land use activities that achieve integration of development with protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna.</u>	Oppose	The deletion of the notified Objective 2 and the insertion of The Wolds Stations proposed objective will not achieve sustainable management. The amendment seems to attempt to weaken protection and strengthen the enabling of land development.
PC18: Policies – New Policy	#3 Simons Pass Station Limited	<i>That a policy should be introduced recognising the importance of responding to soil erosion... further that the risk of soil erosion should be a factor discussed in the farm biodiversity plan...</i>	Oppose	Soil shifting in the Mackenzie Basin has always been part of the natural process prior to indigenous vegetation removal and human impact. soil erosion now is generally a result of inappropriate activities such as vegetation clearance which can therefore be addressed by managing when and what vegetation clearance occurs.

PC18: Policies – New Policy	#12 Glenrock Station Limited	<p>Insert the following policy: Policy 4A <u>When rural development is being pursued promote/encourage opportunities to enhance or restore indigenous biodiversity in appropriate locations.</u></p>	Support in Part	<p>The D-G is support of the promotion or encouragement of opportunities to enhance or restore indigenous biodiversity.</p> <p>However, the term 'in appropriate locations' may cause issues. The inclusion of this policy should not remove the policy framework which provided clear direction for the management of effects on indigenous biodiversity resulting use and development.</p> <p>The D-G is supportive of the promotion or encouragement of opportunities to enhance or restore indigenous biodiversity.</p> <p>However, the term 'where appropriate' may cause issues. The inclusion of this policy should not remove the policy framework which provided clear direction for the management of effects on indigenous biodiversity resulting use and development.</p>
PC18: Policies – New Policy	#12 Glenrock Station Limited	<p>Insert the following policy: Policy 5A <u>Consider a range of mechanisms or methods, where appropriate, to promote/encourage the enhancement of indigenous vegetation including avoidance, remediation, mitigation or offsetting and compensation, and secure these methods through appropriate instruments including resource consent conditions (if approved).</u></p>	Support in Part	<p>PC18 is about indigenous biodiversity and the effects of activities on indigenous biodiversity. The Policy proposed by Glenrock Station Limited is not appropriate for the Indigenous biodiversity Chapter and overlaps with the policies developed through PC13.</p>
PC18: Policies – New Policy	#12 Glenrock Station Limited	<p>Insert the following policy: Policy 7A <u>Recognise the importance of rural land use and development (including pastoral intensification) in enabling people and communities to provide for their social, economic, and cultural wellbeing.</u></p>	Oppose	<p>The notified PC18 provisions (subject to the D-G's proposed amendments) already provide clear direction on how significant indigenous biodiversity values should be managed.</p>
PC18: Policies – New Policy	#16 Mt Gerald Station	<p>Insert the following Policy: <u>To allow clearance of significant indigenous vegetation or habitats of indigenous fauna where such activities...</u></p>	Oppose	<p>The notified PC18 provisions (subject to the D-G's proposed amendments) already provide clear direction on how significant indigenous biodiversity values should be managed.</p>
PC18: Policies – New Policy	#17 The Wolds Station	<p>Insert the following Policy: <u>To allow clearance of significant indigenous vegetation or habitats of indigenous fauna where such activities...</u></p>	Oppose	<p>The notified PC18 provisions (subject to the D-G's proposed amendments) already provide clear direction on how significant indigenous biodiversity values should be managed.</p>
PC18: Policies – Policy 2	#9 Environmental Defence Society (EDS)	<p>Delete Policy 2 and replace with: Policy 2A <u>Avoid adverse effects on significant indigenous vegetation and habitat, riparian areas, and linkages between these areas.</u></p> <p>Policy 2B <u>Avoid, remedy, or mitigate adverse effects on indigenous biological diversity outside of significant areas.</u></p>	Support	<p>The intent of the changes sought by EDS reflect the management of adverse effects sought through the D-G's submission.</p>

PC18: Policies – Policy 2	#16 Mt Gerald Station	Delete Policy 2 and replace with: <u>Enable land use activities that make efficient use of land and resources while avoiding, remedying, mitigating or offsetting adverse effects on water, soil, ecosystems and the natural character of the Mackenzie District.</u>	Oppose	Policy 2 should be retained noting the D-G's submission and further submission on EDS's submission. The policy proposed by Mt Gerald Station ignores the original intent of the notified Policy 2 which is to manage effects on natural values and instead seeks to promote development and the avoidance, remedying or mitigation of effects in a way that makes way for development rather than maintaining indigenous biodiversity. The inclusion of offsetting does not reflect best practice which is included in submission #20.
PC18: Policies – Policy 2	#17 The Wolds Station	Delete Policy 2 and replace with: <u>Enable land use activities that make efficient use of land and resources while avoiding, remedying, mitigating or offsetting adverse effects on water, soil, ecosystems and the natural character of the Mackenzie District.</u>	Oppose	Policy 2 should be retained noting the D-G's submission and further submission on EDS's submission. The policy proposed by The Wolds Station ignores the original intent of the notified Policy 2 which is to manage effects on natural values and instead seeks to promote development and the avoidance, remedying or mitigation of effects in a way that makes way for development rather than maintaining indigenous biodiversity. The inclusion of offsetting does not reflect best practice which is included in submission #20.
PC18: Policies – Policy 4	#9 Environmental Defence Society (EDS)	Amend Policy 4 to include 'agricultural conversion' and reference to the significant values of wetlands.	Support	Agricultural conversion has the potential to also adversely affect wetlands.
PC18: Policies – Policy 5	#16 Mt Gerald Station	Delete Policy 5 and replace with: <u>Recognise that the maintenance of indigenous biodiversity is dependent on landowners support and will be achieved through and number of mechanisms...</u>	Oppose	While the D-G agrees that maintenance can be achieved in the number of ways, there is a statutory responsibility for Council's to maintain indigenous biodiversity, while landowner engagement helps achieve this – it should be dependent on voluntary participation.
PC18: Policies – Policy 5	#17 The Wolds Station	Delete Policy 5 and replace with: <u>Recognise that the maintenance of indigenous biodiversity is dependent on landowners support and will be achieved through and number of mechanisms...</u>	Oppose	There is a statutory responsibility for Council's to maintain indigenous biodiversity, while landowner engagement helps achieve this – it should not be dependent on voluntary participation.
PC18: Policies – Policy 7	#9 Environmental Defence Society (EDS)	Delete policy 7 and replace with: <u>To recognise that the location of renewable energy generation structures and activities can overlap with indigenous biological diversity values.</u>	Support	The redrafting proposed by EDS recognises that there are overlaps between renewable energy generation activities occur and high value environments.

PC18: Policies – Policy 7	#13 Meridian	Significant amendments to Policy 7	Oppose in Part	While the D-G recognises the national significance of the Waitaki Power Scheme, PC18 is about indigenous biodiversity and the effects of activities on indigenous biodiversity. The intent of the Policy recognition proposed by Meridian is appropriate in the wider plan – but not necessarily in the indigenous biodiversity chapter. The D-G notes that this overlap may be difficult to address adequately through a partial plan review.
PC18: Policies – Policy 8	#16 Mt Gerald Station	Delete Policy 8 and replace with: <u>To enable rural land use and development at an on-farm level where development is integrated with a farm biodiversity process that...</u>	Oppose	PC18 is about indigenous biodiversity and the effects of activities on indigenous biodiversity. The Policy proposed by Mt Gerald Station appears to shift the focus of the policy from allowing development within the scope of how this may impact biodiversity, to providing for biodiversity management secondary to land use and development.
PC18: Policies – Policy 8	#17 The Wolds Station	Delete Policy 8 and replace with: <u>To enable rural land use and development at an on-farm level where development is integrated with a farm biodiversity process that...</u>	Oppose	PC18 is about indigenous biodiversity and the effects of activities on indigenous biodiversity. The Policy proposed by The Wolds Station appears to shift the focus of the policy from allowing development within the scope of how this may impact biodiversity, to providing for biodiversity management secondary to land use and development.
PC18: Rules – New Rules	#16 Mt Gerald Station	<i>3.1.3 Rule(s) that provide for clearance of introduced and mixed and vegetation to occur as permitted activities.</i>	Oppose	The D-G has raised concerns regarding the definitions for determining the vegetation types proposed by Mt Gerald Station. It is considered that rules using these definitions would be difficult to implement on the ground and likely lead to unchecked indigenous vegetation clearance including clearance of significant indigenous biodiversity.
PC18: Rules – New Rules	#17 The Wolds Station	<i>3.1.3 Rule(s) that provide for clearance of introduced and mixed and vegetation to occur as permitted activities.</i>	Oppose	The D-G has raised concerns regarding the definitions for determining the vegetation types proposed by The Wolds Station. It is considered that rules using these definitions would be difficult to implement on the ground and likely lead to unchecked indigenous vegetation clearance including clearance of significant indigenous biodiversity.
PC18: Rules – New Rules	#21 Ferintosh Station	Provide for the opening of Bogs.	Oppose	This activity has the potential to cause significant adverse effects on indigenous biodiversity and depending on the environment is more likely to be considered a land drainage activity which is managed through the regional plan.
PC18: Rules – All Rules	#7 Fish and Game NZ	That springs also be provided protection from vegetation clearance.	Support	The D-G supports this inclusion.

PC18: Rules – Rule 1.1.1	#2 Maryburn Station	<i>Consents granted through the Environment Court and Regional Council should be adhered to, with vegetation clearance being a permitted activity when conveying water for irrigation purposes.</i>	Oppose	Regional Consents do not appropriately consider the effects on biodiversity as the regional plan lacks direction and policy framework for making decisions. The role of the management indigenous biodiversity sits with the district council and needs to be dealt with in the District Plan.
PC18: Rules – Rule 1.1.1	#3 Simons Pass Station Limited	<i>That the rules should however also be modified to recognise the special issues associated with land at risk of significant soil erosion.</i>	Oppose	Soil shifting in the Mackenzie Basin has always been part of the natural process prior to indigenous vegetation removal and human impact. soil erosion now is generally a result of inappropriate activities such as vegetation clearance which can therefore be addresses by managing when and what vegetation clearance occurs.
PC18: Rules – Rule 1.1.1	#3 Simons Pass Station Limited	<i>A rule to be included in Chapter 19 to allow for indigenous vegetation clearance in farm base areas as a permitted activity.</i>	Oppose	Vegetation within Farm Base Areas may still contain vegetation which meets the CRPS criteria.
PC18: Rules – Rule 1.2.1	#16 Mt Gerald Station	<i>3.1.4 Rule(s) that provide for clearance of indigenous vegetation to occur as a controlled activity if a farm management plan (including a component focussed on biodiversity values specific to the property) is prepared...</i>	Oppose	The D-G does not support the activity status to be controlled as this will unlikely provided for biodiversity maintenance or the protection of significant values.
PC18: Rules – Rule 1.2.1	#17 The Wolds Station	<i>3.1.4 Rule(s) that provide for clearance of indigenous vegetation to occur as a controlled activity if a farm management plan (including a component focussed on biodiversity values specific to the property) is prepared...</i>	Oppose	The D-G does not support the activity status to be controlled as this will unlikely provided for biodiversity maintenance or the protection of significant values.
PC18: Rules – Rule 1.2.1 (MOD)	#9 Environmental Defence Society (EDS)	<i>Amend MOD to better identify biodiversity values (Significant and otherwise), identification of threats on values, maintenance of biodiversity, protection of ONLs.</i>	Support	The MOD sought to be included by EDS will better effect to objectives and policies of the Plan as well as the CRPS and Part 2 of the RMA – particularly matters of national importance in s6.
PC18: Rules – Rules 1.2.1 and 1.2.2	#3 Simons Pass Station Limited	<i>The risk of soil erosion should be a factor discussed in the farm biodiversity plan, and taken into account as one of the matters of discretion in rule 19.1.2.1 and 19.1.2.2</i>	Oppose	Soil shifting in the Mackenzie Basin has always been part of the natural process prior to indigenous vegetation removal and human impact. soil erosion now is generally a result of inappropriate activities such as vegetation clearance which can therefore be addresses by managing when and what vegetation clearance occurs.
PC18: Rules – Rule 1.2.2	#8 Canterbury Regional Council (Environment Canterbury)	<i>Amend Rule 1.2.2 to: ...any indigenous vegetation clearance up to 5000m² within any site per 100ha in any 5-year continuous period...</i>	Oppose	The use of ratios leads to uncontrolled indigenous vegetation clearance. The land parcels in the Mackenzie Basin are large, often being thousands of ha each. The use of a ration is only suitable in urban areas with smaller land parcels.

PC18: Rules – Rule 1.2.2	#16 Mt Gerald Station	<p>3.1.4 where no farm management plan is prepared rule(s) to provide for clearance of indigenous vegetation to occur as a restricted discretionary activity...</p> <p>Include a ratio of 5,000m² per 100ha.</p>	Oppose	<p>The D-G does not support the activity status to be Restricted discretionary as this will unlikely provided for biodiversity maintenance or the protection of significant values, nor is it consistent with the objective and policy framework in the CRPS or PC18.</p> <p>The use of ratios leads to uncontrolled indigenous vegetation clearance. The land parcels in the Mackenzie Basin are large, often being thousands of ha each. The use of a ratio is only suitable in urban areas with smaller land parcels.</p>
PC18: Rules – Rule 1.2.2	#17 The Wolds Station	<p>3.1.4 where no farm management plan is prepared rule(s) to provide for clearance of indigenous vegetation to occur as a restricted discretionary activity...</p> <p>Include a ratio of 5,000m² per 100ha.</p>	Oppose	<p>The D-G does not support the activity status to be Restricted discretionary as this will unlikely provided for biodiversity maintenance or the protection of significant values, nor is it consistent with the objective and policy framework in the CRPS or PC18.</p> <p>The use of ratios leads to uncontrolled indigenous vegetation clearance. The land parcels in the Mackenzie Basin are large, often being thousands of ha each. The use of a ratio is only suitable in urban areas with smaller land parcels.</p>
PC18: Section 2 – Waitaki Power Scheme	#9 Environmental Defence Society (EDS)	<p><i>Bespoke provision for clearance for the Waitaki Power Scheme is accepted in principle, however...</i></p>	Support	<p>The D-G agrees with the concerns raised by EDS regarding the notified provisions for the Waitaki Power Scheme.</p>
PC18: Appendix Y	#9 Environmental Defence Society (EDS)	<p>Concerns raised around the identification of significant biodiversity and its management in accordance with the objectives and policies contained in PC18 and the operative plan as well as the CRPS and s6 matters in the RMA.</p>	Support	<p>The D-G agrees with the concerns raised by EDS regarding the notified Appendix Y.</p>
General submission on PC19 - Recreational Use Activities	#79 Forest and Bird	<p>Forest and Bird seeks that council include rules to restrict such activities during bird breeding periods.</p>	Support in part	<p>D-G supports restricting motorised and non-motorised crafts on waterbodies to protect bird habitat and breeding sites.</p>
General submission on PC19	#153 Meridian Energy Limited	<p>Amend the provisions within Plan Change 19 to ensure that the rules enable the operation and maintenance of the Waitaki Power Scheme is protected and provide for activities related to the operation, maintenance, upgrading and development of the Waitaki Power Scheme.</p>	Oppose in part	<p>D-G does not oppose the intent of Meridian Energy's amendments to Plan Change 19 specifically in regard to operating the Waitaki Power Scheme. However, D-G wants to ensure the operational activities undertaken are managed appropriately.</p>

General submission on PC19	#155 Genesis Energy Limited	Amend the provisions within Plan Change 19 to ensure that the rules enable the operation and maintenance of the Waitaki Power Scheme is protected and provide for activities related to the operation, maintenance, upgrading and development of the Waitaki Power Scheme.	Oppose in part	As above, D-G does not oppose the intent of Genesis Energy's amendments to Plan Change 19 specifically in regard to operating the Waitaki Power Scheme. However, D-G wants to ensure the operational activities undertaken are managed appropriately.
PC19: Definitions	#162 Opuha Water Limited	Amend the District Plan's definition of "commercial activity" as follows: <i>Commercial Activity: means the use of land, and water and buildings for the display, offering, provision, sale or hire of goods, equipment, or services, and includes shops, showrooms, travel and real estate agencies, restaurants, takeaway food bars, professional, commercial and administrative offices, service stations, motor vehicle sales, the sale of liquor and associated parking areas; and recreational activities but excludes recreational, community and service activities, home occupations and visitor accommodation. Notwithstanding that service activities are excluded, commercial activity includes the ancillary manufacturing or repair of goods which have the same or similar effect on the environment as the retailing of those goods.</i>	Oppose	The D-G disagrees with Opuha Water Limited's interpretation of the changes proposed to the definition of 'commercial activity'. The proposed amendment is confusing as the definition already excludes recreational activities.
PC19: Policies – Rural Policy 8A – Values of Waterbodies	#94 Alister and Haidee McCabe	Additional Policy sought to acknowledge the importance of recreational activities to individuals and the ability for these to continue to have this opportunity.	Support in Part	D-G recognises the values associated with recreational activities and the wider benefits to the community. However, management of motorised craft in waterbodies is required to protect amenity values, habitats and takata whenua values.
PC19: Policies – Rural Policy 8B – Lake Pukaki	#144 Central South Island Fish and Game	Reword to: Rural Policy 8B – Lake Pukaki <i>To protect the unique natural quiet, beauty and tranquillity values and experience of Lake Pukaki by avoiding <u>commercial</u> motorised activities on the Lake other than for essential activities.</i>	Oppose	D-G opposes limiting the policy to avoid <i>only</i> commercial motorised activities. D-G considers that managing all motorised activities will ensure the unique values associated with Lake Pukaki are protected and also removes the risk of aquatic pest species being transferred to the Lake.
PC19: Policies – Rural Policy 8C – Commercial Activities	#148 Canterbury Regional Council (Environment Canterbury)	Amend Rural Policy 8C to: <i>To avoid, remedy or mitigate the adverse effects of commercial activities through assessment by way of resource consent, <u>except for commercial activities on or within the waterbody of Lake Pukaki.</u></i>	Support	D-G supports the amendment as it is consequential to the prohibited activity status of commercial activities on Lake Pukaki.

PC19: Policies – Rural Policy 8E - Effects on Wildlife and Wildlife Habitat	#162 Opuha Water Limited	<p>Amend Rural Policy 8E as follows: <i>To avoid, remedy or mitigate the adverse effects of the recreational or commercial use of riverbeds and waterbodies (in particular the use of off-road vehicles and power boats) on wildlife and wildlife habitats.</i></p> <p>Reward bullet point 5 to: <i>The predominantly single thread braided river channels of the Opihi and Opuha rivers and the single, narrow confines of the South Opuha and North Opuha are widely utilised by trout and salmon spawning, incubation and juvenile rearing. The Opihi and Opuha rivers contain brown trout and salmon (spawning 1 Apr-30 Sept) and N Opuha and S Opuha contain brown and rainbow trout (spawning 1 May-30 Nov). During the spawning season (April to September) eggs and fry buried in the riverbed gravels are particularly susceptible to disturbance from motorised boats.</i></p>	Support	D-G supports the inclusion of commercial use activities.
PC19: Policies – Rural Policy 8E – Effects on Wildlife and Wildlife Habitat Explanation and Reasons	#144 Central South Island Fish and Game	<p>Amend Rural Policy 8G as follows: To seek the continued administration and control of navigational safety matters principally through support the Canterbury Regional Council in implementing navigation safety regulations or bylaws equivalent mechanisms under the Harbours Act and its successor. <i>Explanation and reasons...</i></p>	Oppose in part	D-G opposes removing 'during the spawning season... from motorised craft'. D-G is concerned with the noise effects of motorised craft on birds.
PC19: Policies – Rural Policy 8G	#148 Canterbury Regional Council (Environment Canterbury)		Support	The Canterbury Regional Council manages navigation safety through a bylaw under the Local Government Act 1974.

PC19: Rules	#79 Forest and Bird	<p>Forest and Bird seeks that conditions/standards to:</p> <ul style="list-style-type: none"> Restrict activities during fish spawning and bird breeding periods, Set out that a pest is a species identified in the regional pest management plan avoid adverse effects on water quality and non target species when undertaking pest control activities measures to avoid or mitigate effects on amenity values including noise <p>measures to avoid or mitigate effects on ecological values including noise (i.e. during bird breeding periods)</p>	Support in part	D-G supports the outcomes sought.
PC19: Rules – Rules 7A.1.1.a, 7A.2.1.a, 7A.3.1.a and 7A.4.1.a	#148 Canterbury Regional Council (Environment Canterbury)	<p>Amend Rule 7A.4.1a as follows:</p> <p><i>7A.4.1 Permitted Activities on or within the Opihi and Opuha Rivers</i></p> <p><i>7A.4.1.a Use of motorised and non-motorised craft for search and rescue, civil emergency, scientific research and monitoring and pest control purposes, where the activity is an enactment of a statutory responsibility.</i></p>	Support in part	D-G recognises that some activities require the use of motorised and non-motorised craft on waterbodies as part of statutory functions and requiring consents for the use of these craft may be onerous.
PC19: Rules – Rule 7.A.2.2	#125 Pukaki Tourism Holdings Ltd	<p>Amend 7A.2.2 Non-complying Activities on or within Lake Pukaki (a) Commercial non-motorised activities from Non-complying Activity to Discretionary Activity.</p>	Oppose	D-G opposes amending the activity status of commercial activities on Lake Pukaki.
PC19: Rules – Rule 7A.4 - Activities on Opihi and Opuha Rivers	#131 Timaru District Council	<p>Plan Change 19 provides for such activities to be non-complying activities, while the Timaru District Plan provides for such activities being prohibited with very limited exceptions. Timaru District Council seek that Mackenzie District Council consider the cross boundary matters as described in the submission.</p>	Support	D-G supports consistency across District Plans. D-G also supports prohibiting activities on the rules (with exemptions) to protect habitats and support bank stability.
PC19: Rules – Rule 7A.4.1.a	#162 Opuha Water Limited	<p>Amend Rule 7A.4.1a as follows:</p> <p><i>7A.4.1 Permitted Activities on or within the Opihi and Opuha Rivers</i></p> <p><i>7A.4.1.a Use of motorised and non-motorised craft for search and rescue, civil emergency, scientific research and monitoring, consent monitoring, operational inspections of Opuha Scheme infrastructure and pest control purposes.</i></p>	Oppose	As stated above, D-G recognises that some activities require the use of motorised and non-motorised craft on waterbodies and consider that these are appropriately provided for by the notified rule.

<p>PC19: Rules -- Rule 7A.4.3</p>	<p>#162 Opuha Water Limited</p>	<p>Include new rule 7A.4.4 as follows: <u>7A.4.4. Prohibited Activities on or within the Opihi and Opuha Rivers</u> <u>7A.4.3.a Commercial motorised activities during the period 1 April to 30 September.</u> <u>7A.4.3.b Non-commercial motorised activities during the period 1 April to 30 September.</u></p>	<p>Oppose in Part</p>	<p>D-G supports prohibiting motorised crafts on the Opihi and Opuha River – particularly due to the sensitive ecological values present.</p>
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