

CHRISTCHURCH DISTRICT PLAN



Proposed Plan Change 7

Managing Significant Indigenous Vegetation

Copy of Submissions

Plan Change 7: Managing significant indigenous vegetation

Could you gain an advantage in trade competition through this submission?	No
If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?	Not applicable
The specific provisions of the plan change that my submission relates to are as follows.	Improved pasture Clearance of indigenous vegetation. Maximum limit Contiguous

My submission is that I oppose the proposed changes as we just cannot survive financially farming and carrying on conservation projects at Pohatu/Flea Bay under such draconian restrictions. It seems to us CCC are directly going out of their way to kill all prosperity of Banks Peninsula that they cannot do on a government level. Apart from the above, I oppose for the following reasons

1. Kanuka is a very fast-growing highly flammable tree oozing oil in the summer so there is more than one reason we control Kanuka scrub on our property. The main reason is to allow us to keep a financial farming operation to live and work at Pohatu/Flea Bay our family home and farm. We have to control kanuka annually and the limit of 0.1 of a hectare every five years is a very bad joke we could not possibly live with. We would not be able to apply for costly resource consents without directly affecting our conservation projects through lack of funds and it needs to be pointed out here CCC have already directly affected our financial ability to put in our sixth covenant to protect Kahikatea and regenerating nikau palms in taking all our conservation fund to pay for a resource consent that we should not have needed because we had existing use rights. It seems to us CCC are determined to hamper our conservation work in every way possible.
2. The second reason is really more important than the first. We share a five km boundary with CCC Misty Peaks reserve that CCC are happy to let highly combustible gorse to grow right to our boundary without adhering to the 10-meter rule. All our property is directly downwind North West and to let our Kanuka scrub go would be putting everything we hold dear, including the Largest Little Penguin colony on mainland New Zealand we have spent most of our life protecting in considerable risk of firestorm wildfire. To alleviate the risk we strategically control Kanuka scrub to form grazed land between our special areas so if a wildfire did sweep down out of misty peaks we might have some kind of chance to save our Covenants, property and Penguin colony. We have 40% of our farm protected including a kanuka block and we believe we have earned the right to control the rest at our own discretion without applying for consents. We believe we have earned the right to manage our property as we see fit without any outside interference.
3. Improved pasture. The proposed definition is ludicrous and can only be interpreted that you intend to destroy all farming on Banks Peninsula that of course would destroy all prosperity and ability for locals to live in Peninsula communities. This would go against National policy and I really can't believe CCC intended this and they just haven't thought through the consequences. You need to do this and I think you will be horrified of what you almost did.

I seek the following decision from the Council I want you to scrap this and work with farmers on what might be acceptable and that will allow continued prosperity for the Peninsula

Do you wish to speak at the hearing in support or opposition of your submission I wish to speak

If others make a similar submission would you consider presenting a joint case at the hearing Yes

First name	Shireen
Last name	Helps
Name of organisation, if you are submitting on behalf of the organisation	Pohatu/Flea Bay
Address for service	582 Flea Bay road
Email	tours@pohatu.co.nz
Phone	03 304 8552
Office Use	
Submission ID	40329
Submitted Date	31/05/2021 10:15:41
Submission Type	Online
Attachments	No
Notes	No

From: Pohatu Penguins <tours@pohatu.co.nz>
Sent: Saturday, 19 June 2021 11:05 am
To: PlanChange
Subject: We simply cannot live with these proposed changes(Francis, Shireen and Daniel Helps)Pohatu/Flea Bay.

It is only right to give you fair warning we will not abide by any of the rules or regulations within your suggested district plan changes. Our 50 years on this property testify to the fact we know what we are doing and there are very sound reasons for doing what we do. Your plan changes will affect our ability to carry on conservation work at the bay and kill any chance we have of affording to carry on with conservation projects or create new ones including funding much needed Penguin research. We have always used Eco tourism and our farm income to fund all conservation work including paying wages for conservation and research. We are in serious risk of losing our ability to carry on as it is due to Covid without this added horrific waste of money suggested in this district plan.

We know we cannot trust CCC as to existing use rights as we learned a few years back when CCC saw fit to slap a closure on our very long running eco tourism businesses and put us through a very costly resource consent that cost us all conservation money we had put aside to create our 6th Covenant on our property (still not completed!). On that occasion rather than fight it in court we complied. That was a big mistake and this time we will not!

We need the freedom to protect our property and the Penguins on it from the very serious risk of wild fire sweeping down our valleys from the CCC Misty Peaks reserve full of flammable gorse and kanuka. This means we MUST keep cleared land between our very important biodiversity blocks WITHOUT ANY INTERFERENCE from anyone.

I have contacted CCC many times expressing concern and suggested a good use for well treated Akaroa Wastewater would be to pump it up to a fire pond system in Misty peaks, but as CCC will not be pro- active we must!! We will not allow 50 years of good farm management and over 40 years of conservation go to waste! We have a right to protect our property and we will; at the risk of being dragged through the court system. We will fight for what we believe is right. All these proposed changes are doing; is affecting the conservation minded farmers, farmers like us who have chosen to protect diversity. We are the farmers protesting!!! You won't find the farmers are at all worried who have nothing left on their farms to protect!! This is VERY WRONG to hit the likes of us in this way!!

Shireen Helps
MNZM

Plan Change 7: Managing significant indigenous vegetation

S2

Could you gain an advantage in trade competition through this submission?	No
If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?	Not applicable
The specific provisions of the plan change that my submission relates to are as follows.	New law
My submission is that	I oppose the changes
I seek the following decision from the Council	I would like to see the council take a different approach to achieve the same ends.
Do you wish to speak at the hearing in support or opposition of your submission	I wish to speak
If others make a similar submission would you consider presenting a joint case at the hearing	No
First name	Jeff
Last name	Hamilton
Name of organisation, if you are submitting on behalf of the organisation	
Address for service	PO Box 50 Akaroa
Email	onukujeff@hotmail.com
Phone	0274111866
Office Use	
Submission ID	40373
Submitted Date	15/06/2021 16:20:45

Submission Type	Online
Attachments	No
Notes	No

Submission for Plan Change 7.

19/6/2021

To whom it may concern.

The Johns family and their ancestors have been farming in the eastern bays area for the last 150 years and intend to do so for the foreseeable future. My wife Hanna and I are the 6th generation to farm here and our daughters will be the 7th.

We continue too like our predecessors to farm in an environmentally sustainable way with as little impact on the environment as possible.

In the last 20 years in conjunction with the Banks Peninsula Conservation Trust we have covenanted and fenced off 3 areas of native bush and streams totaling about 15 hectares. The exclusion of livestock is having a great effect and the regeneration is remarkable. We also have approximately another 20 hectares of Native bush unfenced. We love these areas and have no qualms about letting regeneration happen in certain areas of the farm.

Except for the areas of native hardwoods, mature kanuka and areas of regeneration we are letting happen, virtually all our farmland is Improved pasture. We strongly oppose the definition change proposed for Improved pasture! Since my Great Grand fathers time farming, exotic grass seed has been spread and fertilizer has been applied so all our visually predominant vegetation is Improved pasture. Virtually all visually predominant pasture in the costal zone on Banks Peninsula is Improved.

Every year we control a certain area of scattered encroaching regrowth scrub, if this wasn't done over time we would lose productive grazing land negatively effecting our profit, profit that could be used enhancing our farms biodiversity, eg fencing off more areas of native hardwoods ect. Kanuka and Coprosmas grow and spread very well in this environment so its an ongoing problem like gorse. We don't mind regeneration in the more unproductive areas like gullies ect but their has to be a **balance!** We have to be profitable and maintain our improved pasture for the generations to come.

The last 6 generations have done an amazing job making our farm a beautiful place to live and work so please don't limit us on making our farm sustainable.

Regards Will and Hanna Johns

From: Hanna and Will Johns <johns.pauabay@gmail.com>
Sent: Wednesday, 23 June 2021 4:13 PM
To: PlanChange
Subject: Re: Plan change 7 submission

Hi there, sorry about all the red writing and underlined words, not sure what Microsoft is up to. Im not that good with computers.

- We wont gain advantage in trade competition
- We do not wish to speak at the hearing
- Our address is Po box 210 Akaroa
- Phone number is 03 304 7203.

Regards Will

On Wed, 23 Jun 2021, 3:41 pm PlanChange, <PlanChange@ccc.govt.nz> wrote:

Hi,

Thank you for your email below as well as the attachment thereto.

With your permission, we will use the attachment/information supplied as your submission for proposed Plan Change 7.

However, to be able to accept this as your submission, we will need further information as required by the Resource Management Act 1991.

The information we still require is the following:

- 1) Could you gain an advantage in trade competition trough this submission?
- 2) Do you wish to speak at the hearing in support or opposition of your submission?
- 3) If others made a similar submission would you consider presenting a joint case at the hearing?
- 4) Personal information – (as we already have your first names, last name and email address) please provide us with your address for service and contact number.

You can also view the questions to our online submission form (as required by the Resource Management Act 1991) here: <https://ccc.govt.nz/the-council/consultations-and-submissions/haveyoursay/show/412>

We look forward to hearing from you.

Kind regards

Annette Verwey
Asst Statutory Admin Advisor
Infrastructure, Planning & Regulatory Group

-----Original Message-----

From: Will and Hanna Johns <johns.pauabay@gmail.com>
Sent: Sunday, 20 June 2021 4:08 PM
To: PlanChange <PlanChange@ccc.govt.nz>
Subject: Plan change 7 submission

Plan change 7 submission attached

This electronic email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

The views expressed in this message are those of the individual sender and may not necessarily reflect the views of the Christchurch City Council.

If you are not the correct recipient of this email please advise the sender and delete.

Christchurch City Council
<http://www.ccc.govt.nz>

Plan Change 7: Managing significant indigenous vegetation

S4

Could you gain an advantage in trade competition through this submission?	No
If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?	Yes
The specific provisions of the plan change that my submission relates to are as follows.	In entirety
My submission is that	<p>Draft Changes to the Christchurch District Plan Definition of Improved Pasture Significant Indigenous Vegetation in the Coastal Zone My name is Francis Helps and I live and farm at Flea Bay Akaroa. Our farm is 500 hectares of which 40% is in indigenous forest. The significant parts of this forest is in reserves and covenants each with it's own management plan. However, none of this indigenous forest qualifies for consideration in the NZ ETS system. Remaining areas of forest include gully and stream riparian areas and cold faces. Within the coastal zone we, have for the last 30 years, protected, monitored and habitat managed the largest mainland colony of Little Penguins in Australasia. Much of the nesting habitat is protected by covenants with their own specific management plans. I have published my monitoring results in the NZ Journal of Ecology Also within the coastal zone we have covenants protecting in perpetuity archaeological and historic sites again with their own management plans. We have applied for several resource consents in recent years at a total cost of around \$60,000. None of these consent applications were able to be offset against the conservation work on this farm. It is clear that the CCC does not make applicants aware of the ability to offset or grant any offsetting. The cost of these consents has taken finance away from a project designed to protect seedling and germinating Kahikatea. Please note, that apart from some successful contestable funding applications, we on this property fund our conservation from our farming and tourism businesses. The protection of indigenous forest along stream riparian strips and gullies, together with careful stock management, has resulted in Flea Bay having the cleanest tested freshwater streams on Banks Peninsula, also in the top percentage of streams in a grazed environment in NZ. Yet governance of these streams is with the CCC, ECan and Ngai Tahu not with the landowners whose initiative, money, resources and hard work protected these streams. None of these organisations represent us as landowners. I am a founding member, past trustee and present chair of the covenants committee of the Banks Peninsula Conservation Trust. I oppose in entirety the changes to the</p>

Definition of Improved Pasture and the changes to the rules within the CCC Coastal Zone. Improved Pasture Revised Definition. The draft changes to the definition of improved pasture on Banks Peninsula contradicts the history and modern practice of maintaining improved naturalised exotic pasture grasses on Banks Peninsula. Present day BP pastoral farmers are not grazing NZ native grasses. Even in the north eastern side of BP the tussock plants are in dispersed with improved pasture (rye and white clover.) The farmers on that part of BP are masters at maintaining tussock in the presence of improved pasture. Cultivation and over sowing of improved pasture has continued since the start of pastoral farming on BP in 1839. Indeed, vast areas of rolling headland country was ploughed for cropping, the archaeological evidence and machinery in some cases are still there to be seen today. Vegetable crops on the Flea Bay headland, wheat on the Akaroa Heads points and stones gathered off the soil for ploughing on the Kaik Hill. The stock management (today's trendy term, regenerative farming) has been used for generations to maintain improved pasture. On my own farm I have taken random pasture samples from sea level to 500 meters altitude. All samples are Rye grass and White clover dominant with other exotic grass species. I had to look hard for areas of native species such as Pasture (Meadow) Rice Grass. Even the sheltered areas among tussocks were white clover, rye grass dominant. To change the agreed definition of improved pasture on BP, flies in the face of pastoral farming practice on BP, and I can only assume this change is being put forward as part of an agenda. Coastal Zone The Coastal Zone boundaries on BP are nothing but a lazy broad-brush approach to zoning, with no bases in science. In 2007 I negotiated, on our property, a coastal zone based on science and history/ archaeology, excluding the cluster of building that have been in place since 1838. Since that time the CCC planners have gerrymandered the zone boundaries without my input; as a catch all for consent purposes. The new draft rule changes have been designed so that any regular farm practice and management within the extensive Coastal Zone will trigger a Resource Consent application with the applicant having to provide an ecological plan and bio-diversity data base at the applicant's expense. This is nothing less than a lazy, crafty way of passing the obligations and expense of the SES identification system onto the landowner. Therefore by - passing the need for consultation with landowners. The CCC has failed miserably with the identification and consultation of SES sites with affected landowners. Clearance of indigenous vegetation. BP farmers want nothing more than the ability to control Kanuka , Coprosma and Helichysum that are encroaching onto improved pasture. This process is rapid on the more wet areas of BP. The outstanding conservation and protection programs undertaken by landowners on BP in the last 2 decades has clearly demonstrated that the wholesale clearance of native vegetation and the decline of associated native species is myth in the heads of the extreme environment activists. Indeed, it shows that BP landowners want full protection from clearance of old and regrowth podocarps and mixed native hardwoods. Conclusion. Yet again the CCC have entered into a deal with Forest and Bird, DoC and Ngia Tahu to the disadvantage of pastoral farming on BP. This is nothing new. CCC have never stuck to a situation arrived at by way of mediation. It has ignored IPH recommendations and instructions when such are in favour of farmer evidence. It has failed miserably to negotiate in good faith with landowners during the SES identification system. Rather has proposed

new tighter and underhand rules that will pass the cost and obligations of that system onto the landowner. I along with others who have been involved in dealing with CCC planning for over 20 years have had enough, no more! On our property at Flea Bay we have an ecological plan written for our own purposes and as a record of what we have achieved here in the last 50+ years. This is required not only as proof to us of what has been achieved and is still to be done, but guards against Ngia Tahu who have already demonstrated that they wish to erase from history our conservation efforts in this place. Ngia Tahu will not allow any public mention of the fact that our family gave the Tutakakahikura Scenic Reserve to the crown. Each of our covenant projects has it's own management plan. As I have already publicly stated, we on this farm, will continue to build and maintain fences, farm buildings and control encroaching shrubs without reference to the CCC. If the CCC's sanctimonious watch dogs and spies wish to report us or take action against us, so be it. From now on our gates are closed to CCC planners and Forest and Bird. Yours sincerely, Francis Helps, MNZM.

I seek the following decision from the Council

See my submission

Do you wish to speak at the hearing in support or opposition of your submission

I do not wish to speak

If others make a similar submission would you consider presenting a joint case at the hearing

Yes

First name

Francis

Last name

Helps

Name of organisation, if you are submitting on behalf of the organisation

Helps family farm. Pohatu/Flea Bay

Address for service

582 Flea Bay road

Email

F.D.Helps@outlook.com

Phone

03 304 8552

Office Use

Submission ID

40397

Submitted Date

20/06/2021 15:10:54

Submission Type

Online

Attachments

No

Notes

No

Plan Change 7: Managing significant indigenous vegetation

Could you gain an advantage in trade competition through this submission?	No
If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?	Not applicable
The specific provisions of the plan change that my submission relates to are as follows.	This submission relates to the entire Plan Change.
My submission is that	Pacific Investment Trust (PIT) is the holder of a land use consent for a residential unit and associated development at 417 Wainui Main Rd, Wainui (Lot 2 and 3 DP 58665). PIT opposes each provision of PC 7, and PC7 as a whole, insofar as the provisions impose any additional consenting requirements in relation to residential use of the land at 417 Wainui Main Rd. The reason for the submission is that any additional consenting requirements beyond those set out in the City Plan prior to the notification of PC7 are inappropriate and unnecessary, and will not promote the sustainable management of the natural and physical resources of Banks Peninsula.
I seek the following decision from the Council	Withdraw all provisions of PC7 which impose additional consenting requirements in relation to residential use of the land at 417 Wainui Main Rd. Alternatively, withdraw PC 7 in its entirety.
Do you wish to speak at the hearing in support or opposition of your submission	I wish to speak
If others make a similar submission would you consider presenting a joint case at the hearing	No
First name	Mark
Last name	Christensen
Name of organisation, if you are submitting on behalf of the organisation	Pacific Investment Trust

Address for service	C /- Natural Resources Law Limited PO Box 6643 Upper Riccarton Christchurch 8442
---------------------	---

Email	mark@naturalresourceslaw.co.nz
-------	--------------------------------

Phone	0274 878 611
-------	--------------

Office Use

Submission ID	40410
---------------	-------

Submitted Date	23/06/2021 14:22:04
----------------	---------------------

Submission Type	Online
-----------------	--------

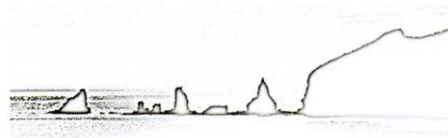
Attachments	No
-------------	----

Notes	No
-------	----

Managing significant indigenous vegetation

Could you gain an advantage in trade competition through this submission?	No
If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?	Not applicable
The specific provisions of the plan change that my submission relates to are as follows.	3.3.2; 3.3.16; 9.1.2.1.1; 9.1.2.1.2; 9.1.2.2.3; 9.1.2.2.4; 9.1.2.2.6; 9.1.2.2.7; 9.1.2.2.8; 9.1.2.2.9; 9.1.2.2.14; 9.6.2.1.1;
My submission is that	We oppose the proposed changes
I seek the following decision from the Council	Scrap the proposed changes - please see attached supporting document.
Do you wish to speak at the hearing in support or opposition of your submission	I wish to speak
If others make a similar submission would you consider presenting a joint case at the hearing	Yes
First name	David and Carole
Last name	Miller
Name of organisation, if you are submitting on behalf of the organisation	
Address for service	388 Decanter Bay Road RD 3
Email	decanterbay@gmail.com
Phone	033047567
Office Use	
Submission ID	40413
Submitted Date	24/06/2021 16:47:08

Submission Type	Online
Attachments	Yes
Notes	No



DAVID MILLER & CAROLE FRANCIS-MILLER

388 Decanter Bay Road, RD3, Akaroa 7583, New Zealand
 Tel: +64 3 304 7567
 decanterbay@gmail.com carole_francis@hotmail.com

22 June 2021

Christchurch City Council

Re: Notification of Changes to the Christchurch District Plan – Managing Significant Indigenous Vegetation (Plan Change 7)

Thank you for the opportunity to respond to notified changes to the Christchurch District Plan (Plan Change 7 [PC7]). We are rural landowners on Banks Peninsula – we own and lease our farm in Decanter Bay (our Affected Property Address is 54 Menzies Bay Road, while our home, farm rates and all CCC correspondence is addressed as 388 Decanter Bay Road). In responding to PC7 we note:

- The assurances in the listed background documentation that “*a landowner can rely on existing use rights, or limited clearance under Rules 9.1.4.1.1 (P4 and 5)*” (Plan Change 7 - Section 32 Evaluation Report P50).
- The Provision 3.3.2 (“Objective – Clarity of language and efficiency”) in PC7, Table 4, p.29, that “*The District Plan...Uses clear, concise language so that the District Plan is easy to understand and use.*” We dispute this provision, below.
- The Plan Change 7 is identified as a measure in response to the actions of one farmer on Kaitorete who cleared a significant area of nationally significant vegetation and ecological values, ostensibly because of ambiguities (“existing uncertain operative provisions”)¹ in the District Plan.
- The thematic distillation of feedback from affected landowners present at the Akaroa Drop-In session is essentially an accurate reflection of feedback given.²
- Additionally, the thematic distillation of written feedback in opposition to PC7 accurately reflects concerns of rural landowners.
- The ironic juxtaposition of Table 4 ‘Relevant Plan Provisions’ 9.1.2.2.3 (‘Policy – Mechanisms for the protection of indigenous biodiversity’)³ that states:
“Recognise that the maintenance and protection of indigenous biodiversity, including the Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, is dependent on landowner support and will be achieved through a number of mechanisms, including:

¹ CDP Plan Change 7, Section 32 Evaluation, p 46.

² CDP Plan Change 7, Section 32 Evaluation, p 43.

³ CDP Plan Change 7, Section 32 Evaluation, p 30.

i. (...);

ii. the use of rules regulating the clearance of indigenous vegetation and the disturbance of indigenous habitats.” (emphasis added).

- While “PC7 is a targeted plan change that is seeking to address immediate issues with the existing framework to better protect and maintain indigenous vegetation”⁴, it is not clearly known what indigenous vegetation vulnerable to clearance exists or where it is:
*“3.5.14. As previously mentioned, an ecological field study is required to determine the significance of an area of indigenous vegetation. In the absence of these surveys, Appendix 9.1.6.6 acts as a placeholder to provide for general clearance of indigenous vegetation that is less likely to be significant, and requiring consent to undertake clearance above the limits specified in Appendix 9.1.6.6. Part of that process then requires an assessment of the indigenous vegetation to be undertaken in accordance with the significance criteria contained in the CRPS.”*⁵
- The map identifying affected coastal areas on Banks Peninsula appears to be a desk-derived image that gives no specificity or clarity in relation to any of the 432 properties identified in the ‘PC7 Section 32 Evaluation’.
- The indigenous vegetation listed in Appendix 9.1.6.6 contains descriptions of 69 plant species, only eleven of which are described as ‘at risk’ or ‘threatened’. As written feedback has noted, this list is unlikely to be exhaustive or fully accurate where locations are described as known.
- Repeated feedback to the Council, and repeated Council admissions, as described in PC7 Section 32 Evaluation, state that there is not enough data on the location or amount of ‘at risk’ or ‘threatened’ indigenous vegetation.

In summary, the Council is proposing changes to the District Plan that lack a basis in accurate data, and in accurate geographical definition. Landowner support will not be forthcoming by ‘the use of rules’ and enhanced regulatory mechanisms. Further, the proposed changes and the Section 32 Evaluation fail to acknowledge or take account of the extraordinary amount of work for, and commitment to, biodiversity undertaken by farmers and rural landowners on Banks Peninsula in the past twenty years – work that has seen over 2000 hectares of farm land with remarkable ecological values covenanted in perpetuity through Banks Peninsula Conservation Trust (BPCT) and QEII Trust.

Working with landowners on a case-by-case basis, as BPCT has done, helps them understand the richness of the biodiversity under their care. This reduces or avoids massive extra financial, emotional and time expense of a ‘broad brush’ consent process. A parental approach by the Council demanding that ‘one size must fit all’ potentially involves very significant costs to rural landowners and is destined to fail.

Rural landowners are overwhelmingly in favour of protecting and restoring biodiversity – plant and animal – on Banks Peninsula. For example, we established a BPCT covenant on our farm to protect a concentration of *Oleria Fragrantissima* in 2004. Conversely, the Council’s own policies work against native biodiversity in one crucial area: the Council’s Climate Change policy incentivises the establishment of exotic monocultures on Banks Peninsula. Rather than working to develop more

⁴ CDP Plan Change 7, Section 32 Evaluation, p 46.

⁵ CDP Plan Change 7, Section 32 Evaluation, p 47.

structural burdens on farmers and rural landowners through unnecessary and ill-conceived coercive regulation, we urge the Council to disincentivise the establishment of exotic monocultures on productive farmland as an urgent priority. Such an approach would do a great deal to support the growth of indigenous vegetation on the Peninsula.

Finally, a word about the documentation offered by the Council in support of PC7: it is really difficult to digest and make sense of. Clearly the Section 32 Evaluation has been written by lawyers. The links between the various documents provided on the CCC website are unclear and it is very difficult to identify how they sit in relation to each other. If you wish to ensure documentation that...*"Uses clear, concise language so that the District Plan is easy to understand and use"* you'll have to do much better! We must be able to clearly understand what is being proposed if we are to be able to work together constructively.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'David Miller', with a long horizontal flourish extending to the right.

Dr David Miller

A handwritten signature in blue ink, appearing to read 'Carole Francis-Miller', with a long diagonal flourish extending from the top left.

Mrs Carole Francis-Miller

Managing significant indigenous vegetation

Could you gain an advantage in trade competition through this submission?

No

If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?

Not applicable

The specific provisions of the plan change that my submission relates to are as follows.

Oppose all the changes .

My submission is that

Oppose the amended plan

I seek the following decision from the Council

Removal of all the changes

Do you wish to speak at the hearing in support or opposition of your submission

I wish to speak

If others make a similar submission would you consider presenting a joint case at the hearing

Yes

First name

Charlotte

Last name

Osborne

Name of organisation, if you are submitting on behalf of the organisation

Address for service

PO Box 36 Akaroa 7542

Email

bill.osborne@xtra.co.nz

Phone

03 304 8554

Office Use

Submission ID

40421

Submitted Date

27/06/2021 11:57:05

Submission Type	Online
Attachments	Yes
Notes	No

Submission **Opposing** the Notification of Changes to the Plan – Managing Significant Indigenous Vegetation (Plan Change 7).

Our farm is one of the 432 farms identified who will be severely affected by the proposed unworkable rules. There is no consideration for the affect this would have on our EXISTING pastoral practices. As well it fails to recognise the conservation efforts that many farmers have undertaken of their initiative.

The DRACONIAN way this is proposed doesn't allow for collaboration between the landowner and the Council. This will not work.

The cost of consenting is a prohibitive and negative way to protect our indigenous vegetation.

Identifying indigenous vegetation that MAY BE significant beggars belief.

How was the Coastal Line decided? It covers between $\frac{1}{2}$ and $\frac{1}{3}$ of our 880 hectare farm at the head of Akaroa Harbour.

This is a TOTALLY TOTALLY unworkable proposal.

Verwey, Annette

From: Pam Richardson <iprichardson@xtra.co.nz>
Sent: Monday, 28 June 2021 9:12 AM
To: PlanChange; Richardson, Pam (Private)
Subject: Fwd: Plan Change 7

Please see my submission to Plan Change 7. I wish to be heard . Kind reagrds Pam

Date: 28 June 2021 at 8:58:27 AM NZST
To: Pam Ian <iprichardson@xtra.co.nz>

Pam Richardson
'Balcarres'
98 Holmes Bay Valley Rd ,
PO Box 88027
Pigeon Bay
Akaroa 7550

28th June 2021

I wish to be heard

My name is Pam Richardson and I farm in partnership with Ian and Andrew Richardson.

We have a 690 ha hill country , sheep and beef property in Holmes Bay , Pigeon Bay and integrate farming and conservation .

In 2009 we covenanted 27ha of significant indigenous vegetation and have had an ecological survey of our property - 15 areas of significant including 2 SES's [listed as B sites] in the Christchurch City Plan.The indigenous vegetation continues to increase despite our farming operation. We have logged a small forestry block and replanted with natives .

I am a foundation Trustee of the Banks Peninsula Conservation Trust and continue as landowner liaison , an inaugural member of the Banks Peninsula Water Zone committee , Banks Peninsula Pest Liaison Committee and awarded an Ecan Outstanding Contribution Award for community work.

Over the past 30 years we have been heavily involved in a considerable range of issues including the Banks Peninsula Plan and the more recent Christchurch City Plan and now plan Change 7 . It is with considerable disappointment that once again we have changes to the City Plan . It seems to be ever changing and each time becomes more complicated and written in a language that only lawyers can understand .

For the last three rounds of the Review of the District Plans little progress has been made with the identification of significant indigenous vegetation. I am astounded that there seems to be little progress with the SES programme - B list of sites .The Council has almost exhausted any real opportunities to improve their relationship with landowners . At all of the last three planning processes including hearings we have had agreed outcomes but we

have been sadly let down . The City Council had a number of dates to be complied with . We have offered ourselves to work collaboratively .

The Council is required to identify significant indigenous vegetation under the RMA but Plan Change 7 feels like an abuse of power and forces costs of identification including ecological surveys back on to the landowner .

The CCC Biodiversity Strategy is almost a distant dream . We provided considerable input also to this document . This strategy also identifies the importance of working collaboratively and in partnership .

The City Council Biodiversity team needs to be out working with us to achieve the outcomes we desire.

Managing significant indigenous vegetation

S9

Could you gain an advantage in trade competition through this submission?	No
If yes, are you directly affected by an effect of the proposed plan change/part that adversely affects the environment, and does not relate to the trade competition or the effects of trade competition?	Not applicable
The specific provisions of the plan change that my submission relates to are as follows.	Lack of clarity of Appendix 9.1.6.1
My submission is that	<p>This Appendix sets out the criteria for defining significant vegetation (outside of identified SESs) that are subject to clearance rules. It is important to make sure that it is absolutely clear as to what is intended, particularly for commercial farmers who have areas of grazed pasture they wish to maintain and where there is ongoing regeneration of native spp. The table as currently configured is anything but clear. For us the main Ecosystem Category of relevance is (a) (iii), although I suspect other landowners would have the same problems interpreting the table in relation to the other ecosystem categories. Specific points include: 1. Column 3 is headed 'Occupying a contiguous area of (ha)'. A pretty standard dictionary definition of 'contiguous' is 'next to or touching a similar thing'. Yet the overall intent of the table appears to be establish a lesser definition. Please line the intent up with common usage of the term; OR find an alternative adjective. 2. For categories (a) (i) and (ii), and (c), the intended (downgraded) meaning of 'contiguous' is specifically re-defined at the head of the table. There is no such re-definition included for (a) (iii). 3. The use of the word 'dominant' in the category description for (a) (iiii) (column 2) is possibly intended to cover off on the lack of a specific definition for 'contiguous'.....but the word 'dominant' is itself subjective and open to interpretation. 4. Column 4 (headed 'Canopy cover (%) of') simply adds to the confusion. For Category (a) (iii), the threshold is given as 0, which is proposed to replace N/A (presumably meaning not applicable). How on earth does a threshold of '0' relate to use of the words 'contiguous' and 'dominant'? Overall, we think the table is confusing and lacks clarity, and will lead to future issues of interpretation. As previously noted, for us and many other farmers the intent needs to be absolutely clear. The need for clarity is compounded by the fact that at least some of the species noted under (a) (iii), particularly coprosma spp, are anything but rare. Without active control measures some of these spp are highly invasive and rapidly recolonise pasture .</p>

I seek the following decision from the Council	1. Include a specific definition for 'contiguous' for Ecosystem Category (a) (iii) at the head of the table, as has been done for other categories; OR include a definition of what is meant by 'dominant'. 2. For Columns 4 ('Canopy cover (%) of') and 5 ('Height (m) and any individual plants') replace the '0' with 'Not Applicable', as '0' is non-sensical if the chosen descriptors of 'contiguous' or 'dominant' are anywhere close to common useage. 3. If any re-structuring of the Table is likely to make it even more difficult for a farmer to clear scattered regeneration of native spp in established pasture areas, the proposed changes should be re-notified for further consultation.
--	---

Do you wish to speak at the hearing in support or opposition of your submission	I wish to speak
---	-----------------

If others make a similar submission would you consider presenting a joint case at the hearing	No
---	----

First name	Richard
------------	---------

Last name	Holloway
-----------	----------

Name of organisation, if you are submitting on behalf of the organisation	RS&LS Holloway Farming P/ship
---	-------------------------------

Address for service	PO Box 88021 Pigeon Bay Akaroa 7550
---------------------	-------------------------------------

Email	r.holloway@xtra.co.nz
-------	-----------------------

Phone	027 4046807
-------	-------------

Office Use

Submission ID	40426
---------------	-------

Submitted Date	28/06/2021 10:47:59
----------------	---------------------

Submission Type	Online
-----------------	--------

Attachments	No
-------------	----

Notes	No
-------	----

S10



Federated Farmers of New Zealand

Submission on Christchurch City Council Proposed Plan Change 7

28 June 2021



0800
327
646 | FED
FARM
.ORG.NZ

FORM 5

SUBMISSION ON NOTIFIED PLAN CHANGE TO THE CHRISTCHURCH DISTRICT PLAN (PLAN CHANGE 7)

Clause 6 of Schedule 1, Resource Management Act 1991

Name of submitter: Federated Farmers of New Zealand

Contact: **Elisha Young-Ebert**
Senior Policy Advisor | Resource Management Solicitor

M 021 615 278
E eyoungebert@fedfarm.org.nz

Address for service: Federated Farmers of New Zealand
PO Box 20448
Christchurch 8543

This is a submission on Christchurch City Council's Proposed Plan Change 7.

Federated Farmers does not gain an advantage in trade competition through this submission.

The specific provisions of the proposal that Federated Farmers' submission relates to, and the decisions Federated Farmers seeks from Council, are detailed on the following pages.

We wish to be heard in support of our submission.

If others are making a similar submission, we would consider presenting a joint case with them at the hearing.

1. Introduction

- 1.1 Federated Farmers of New Zealand (FFNZ) is a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers, as well as many rural businesses and communities.
- 1.2 FFNZ and its members value New Zealand's indigenous biodiversity. We also support the goal of improving New Zealand's biodiversity management, which will include both maintenance and, where needed, protection of significant biodiversity values.
- 1.3 It is our privilege to represent numerous members in the Christchurch City district, many of whom are regularly recognised for their steadfast service to their local community and to conservation. Two of our members, Francis and Shireen Helps, recently made the Queen's Birthday List for their considerable contribution to conservation; another member was awarded for Outstanding Contribution to conservation by Environment Canterbury in 2020. Several of our members are also founding members and Trustees of the Bank Peninsula Conservation Trust, who run year-round programmes to promote the enhancement and restoration of indigenous biodiversity all around the Banks Peninsula, the Port Hills and down towards Te Waihora/Lake Ellesmere.
- 1.4 The introductory statements to Chapter 9 of the Christchurch District Plan acknowledge the efforts of our members, and many others, who have given up parts of their property to conservation by way of covenants in perpetuity, and have invested thousands of dollars into pest management and fencing.
- 1.5 Their efforts are why the introductory section of Chapter 9 gives the assurance:

“The role of landowners, particularly those on private land, is recognised throughout this sub-chapter which emphasises a collaborative approach between the Council and landowners”.
- 1.6 FFNZ considers that this proposed plan change does not reflect, or give effect to, a collaborative approach between council and landowners. It does not appropriately recognise the role of private landowners and the extensive work that many do to protect indigenous biodiversity on private land in the district. To the contrary, the proposed plan change, would take away the emphasis on collaboration.
- 1.7 It would also be inconsistent with, and add uncertainty around, landowners' existing use rights. Most of all, it does not acknowledge the years of dedication and conservative, sustainable farming practices adopted by many of the landowners in our district.
- 1.8 While councils and other parties may consider a strong regulatory approach is the best or only way to change landowner behaviour, regulation can only do so much to ensure indigenous biodiversity is well-understood and valued in New Zealand.
- 1.9 Partnership, engagement, trust, respect, education, incentives and support, and other non-regulatory measures, are also critical components to the protection, promotion and enhancement of indigenous biodiversity. They are important considerations that must be factored into this plan change.
- 1.10 We are deeply concerned with the overly restrictive, and nationally inconsistent, approach Council has taken. Its proposals are at significant odds with both the proposed regime for

improved pasture maintenance provided for in the draft National Policy Statement for Indigenous Biodiversity (NPSIB), and with other plan approaches across New Zealand within the past five years that permit indigenous vegetation clearance in existing improved pastures.

- 1.11 We cannot support this plan change and we urge the Council to withdraw it in the first instance.

2. Our comments on the proposed plan change

2.1 The Council explains that the plan change is aimed at:

- I. giving better effect to the Canterbury Regional Policy Statement (CRPS) and the New Zealand Coastal Policy Statement (NZCPS)
- II. clarifying what is *improved pasture* and *contiguous* when the rules for indigenous vegetation clearance are applied
- III. extending the geographical boundaries to which the rules for coastal vegetation clearance will apply; and
- IV. ensuring that indigenous vegetation that *may be significant* receives protection by changing the permitted activity rules and policies.

2.2 The plan change does not give effect to all relevant objectives and policies of the NZCPS. It is contrary to Objective 6 NZCPS in that it does not enable people and communities to provide for their social, economic and cultural wellbeing, through appropriate use. Nor does the plan change facilitate the identification of areas and sites of significant indigenous biological diversity, as envisaged by Policy 6.

2.3 As Council will be aware, a national policy statement on indigenous biodiversity (NPSIB) has been drafted and consulted on. There is a real likelihood that following gazettal of the NPSIB, Council will be required to either notify a further plan change, or variation, to give effect to the NPSIB. Accordingly, we consider that this plan change should not be progressed further, and the Council should await the gazettal of the NPSIB.

2.4 FFNZ also proposes that the Council should, instead, direct its resources and attention towards Schedule B of Appendix 9.1.6.1, which lists numerous sites where potentially significant ecological values have been identified but the Council needed to complete the collaborative/proper consultation exercise with the landowners.

2.5 Policy 9.1.2.2.1(b) of the operative plan is explicit: the Council would prioritise the sites listed in Schedule B for potential listing in Schedule A.

2.6 Policy 9.1.2.2.5 of the operative plan is equally clear: the Council would initiate a plan change in six years from when the District Plan became operative to:

- I. Include any other sites that may be significant by amending and updating Schedule A
- II. Remove the sites listed in Schedule B, and
- III. Remove Appendix 9.1.6.6 and associated rules.

- 2.7 FFNZ understands Policies 9.1.2.2.1(b) and 9.1.2.2.5 are based on a direction from the Independent Hearing Panel (the IHP)¹. We believe the Council must commit to fully implementing these policies to ensure what is significant in the district is appropriately protected.
- 2.8 We consider it remarkable that the reporting officers opine, at page 49 of the Section 32 Report, that the impact of these proposed changes would be ‘moderately significant’. It seems they reached this finding by taking into account the impact of the proposed changes on the whole of the district, and their uncertainty on how much this change will impact the affected landowners, balanced “with the direction in higher order planning documents...”.
- 2.9 While the definition of *improved pasture* applies to the whole of the district, the rest of the amendments create a clear divide between those within the mapped coastal environment and those outside it. And for those who now find themselves within the revised coastal environment map, and for the handful of longstanding farms out on Kaitōrete Spit, the effect of this plan change will be severe, not moderate.
- 2.10 The proposed limit on vegetation clearance that is permitted, particularly for those who have improved pasture in the revised coastal environment, is either unworkably low or zero. We understand many of the restrictions in Appendix 9.1.6.6 were originally set to manage the clearance of areas that are not improved pasture. For the restrictions to now apply to areas of improved pasture within the coastal environment would mean many farms would require a resource consent to carry on doing they have always done to run a sustainable business.
- 2.11 Landowners are entitled to exercise existing use rights, as provided for under section 10 of the Resource Management Act 1991. However, as we said in our introduction, the approach in this proposed plan change goes against all current district plans and the impending NPSIB that permit the clearance of indigenous vegetation within improved pasture.
- 2.12 Under PC 7, landowners would be required to prove existing use rights to continue their normal farm practices, and to establish that the proposed changes do not apply to them. Such a requirement is an inefficient use of a farmer’s time, and a complete waste of their money. It is why improved pasture maintenance, wherever it is in New Zealand, is invariably treated as a permitted activity.
- 2.13 Our members need to farm to sustain their livelihoods, and to enable them to be able to fund and resource the costs of actively managing the biodiversity on their properties, such as pest management, fencing and planting. The proposed changes will make it very difficult for many landowners in the coastal environment to continue their current farming practices. Whatever they have been budgeting for farm operations and maintenance, conservation and pest management, will be consumed by consent applications and their taking on the burden of proving existing use rights.

3. Summary of our recommendations on Plan Change 7

- 3.1 FFNZ’s specific submission points are tabled in the Appendix below.
- 3.2 We oppose the entire plan change in its current form. We request that Plan Change 7 be withdrawn in its entirety.
- 3.3 If not withdrawn, we seek the following relief:

¹ IHP decision 50 – Topic Chapter 9.1

- That PC7 includes a workable definition for improved pasture – one that accurately reflects the purpose of cultivating pasture.
- That PC7 continues to permit the maintenance of existing improved pasture, including the clearance of indigenous vegetation, in a way that acknowledges, and is consistent with, existing use rights.
- That PC7 expressly states that objectives, policies and rules relating to indigenous vegetation clearance are subject to landowners existing use rights.
- That Council works closely and collaboratively with landowners to prioritise assessment of sites on schedule B as soon as it is practicable.
- That Council deletes the notified, revised coastal environment map and engage directly with landowners in the Banks Peninsula and Kaitōrete Spit to identify areas of significant ecological value which warrant protection and careful management.
- The further specific relief detailed in the table below.

Chapter 2 – Abbreviations and Definitions				
Sub pt	Plan provision	Support/ Oppose	Reason	Decision Sought
1	The entire plan change	Oppose	Refer to all issues and matters discussed above.	Withdraw the entire plan change.
<p><i>Our primary relief sought is to have the entire plan change withdrawn at this time. However, the following comments are made to substantiate and expand on our concerns with individual provisions.</i></p>				
2	Amend the definition of Improved Pasture	Oppose	<p>We prefer the draft National Policy Statement – Indigenous Biodiversity’s definition for Improved Pasture (the draft NPS version).</p> <p>The draft NPS version properly considers the purpose of pastures, which is to generate plants to feed livestock and to ensure excess feed is produced to sustain livestock through situations where normal grazing on open fields is not possible. These situations can include the winter season or in times of drought or high floods.</p> <p>The Council’s proposed definition limits the purpose of improved pasture to one scenario: livestock grazing. Farmers generate pasture to sustain livestock, not just for grazing.</p> <p>The dates in 1(b)(i) and (ii) are ambiguous and unenforceable. The Council does not hold the information or data for this definition to work effectively.</p>	<p>The delete the notified amendment in its entirety.</p> <p>Adopt the draft NPS version:</p> <p><u>improved pasture means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed, for livestock grazing.</u></p>
<p>Chapter 9 (Natural and Cultural Heritage) - subchapter 9.1 (Indigenous Biodiversity and Ecosystems)</p>				
<p>Policies</p>				

Sub pt	Plan provision	Support/ Oppose	Reason	Decision Sought
3	Amend Policy 9.1.2.2.4	Oppose	<p>We oppose the amendments because:</p> <ul style="list-style-type: none"> (1) The provision contradicts and does not give effect to other policies in the chapter, namely Policies 9.1.2.2.1 (b) and 9.1.2.2.5 (2) Section 6(c) of the RMA does not extend such protection to areas that 'may' be significant. This is the basis for appropriate SNA assessments – to identify what is actually significant. Council has taken an overly precautionary approach that is inconsistent with the RMA (3) The provision does not appropriately provide for landowners who have demonstrated that, with appropriate existing land management practices, indigenous vegetation can be protected and enhanced (4) The provision does not appropriately provide for landowners who are committed to active management of indigenous biodiversity through voluntary mechanisms like covenants (5) The provision overlaps with Policy 9.1.2.2.2, which already says significance will be assessed in accordance with the CRPS (6) The provision will not support the Council's undertaking to work collaboratively with landowners (7) The provision does not meet Objective 6 of the NZCPS (8) The provision does not provide for existing use rights under section 10 of the RMA 	<p>Delete all proposed amendments to the policy.</p> <p>Retain the policy as set out in the operative plan, without amendment.</p>

			<p>(9) The provision does not give effect to Objective 5.2.1.2(e) of the CRPS – primary production in Canterbury’s rural areas is of significance to the economic and social well-being of...people and communities...It is important to manage the resources and activities in rural areas so that the foreseeable potential of the rural primary base...is maintained.</p> <p>(10) The provision does not give effect to Policy 5.3.12 of the CRPS - Maintain and enhance natural and physical resources contributing to Canterbury’s overall rural productive economy in areas which are valued for existing or foreseeable future primary production.</p>	
4	Amend Policy 9.1.2.2.6	Oppose	<p>We oppose this change to implement separate treatments for sites listed in Schedule A of Appendix 9.1.6.1, based on whether or not they are within the mapped coastal environment or outside it.</p> <p>There is no credible evidence given to justify this change, which will create an unfair and imbalanced approach to the protection of identified sites of ecological significance and the vegetation listed in Appendix 9.1.6.1</p> <p>We disagree that the vegetation within the mapped coastal environment holds more value than if the same species is located outside the map. It is arbitrary and does not appropriately reflect the actual intent of the NZCPS.</p>	<p>Delete all proposed amendments to the policy.</p> <p>Retain the policy as set out in the operative plan, without amendment.</p>

5	Amend Policy 9.1.2.2.8 Make it Policy 9.1.2.2.7	Oppose	<p>We oppose this change to implement separate treatments for sites listed in Schedule A of Appendix 9.1.6.1, based on whether or not they are within the mapped coastal environment or outside it.</p> <p>There is no credible evidence given to justify this change, which will create an unfair and imbalanced approach to the protection of identified sites of ecological significance and the vegetation listed in Appendix 9.1.6.1</p> <p>We disagree that the vegetation within the mapped coastal environment holds more value than if the same species is located outside the map. It is arbitrary and does not appropriately reflect the actual intent of the NZCPS.</p>	<p>Delete all proposed amendments to the policy.</p> <p>Retain the policy as set out in the operative plan, without amendment.</p>
6	Amend Policy 9.1.2.2.7 Make it Policy 9.1.2.2.8	Oppose	<p>We oppose the amendments because:</p> <ol style="list-style-type: none"> (1) The provision contradicts and does not give effect to other policies in the chapter, namely Policies 9.1.2.2.1 (b) and 9.1.2.2.5 (2) Section 6(c) of the RMA does not extend such protection to areas that 'may' be significant. This is the basis for appropriate SNA assessments – to identify what is actually significant. Council has taken an overly precautionary approach that is inconsistent with the RMA (3) The provision does not appropriately provide for landowners who have demonstrated that, with appropriate existing land management practices, indigenous vegetation can be protected and enhanced (4) The provision does not appropriately provide for landowners who are committed to active 	<p>Delete all proposed amendments to the policy.</p> <p>Retain the policy as set out in the operative plan, without amendment.</p>

			<p>management of indigenous biodiversity through voluntary mechanisms like covenants</p> <p>(5) The provision overlaps with Policy 9.1.2.2.2, which already says significance will be assessed in accordance with the CRPS</p> <p>(6) The provision will not support the Council's undertaking to work collaboratively with landowners</p> <p>(7) The provision does not meet Objective 6 of the NZCPS</p> <p>(8) The provision does not provide for existing use rights under section 10 of the RMA</p> <p>(9) The provision does not give effect to Objective 5.2.1.2(e) of the CRPS – primary production in Canterbury's rural areas is of significance to the economic and social well-being of...people and communities...It is important to manage the resources and activities in rural areas so that the foreseeable potential of the rural primary base...is maintained.</p> <p>(10) The provision does not give effect to Policy 5.3.12 of the CRPS - Maintain and enhance natural and physical resources contributing to Canterbury's overall rural productive economy in areas which are valued for existing or foreseeable future primary production.</p>	
7	Amend Policy 9.1.2.2.11 (a) and (b) – Farm biodiversity plans	Oppose	<p>This is a consequential objection based on primary opposition to the amendments to Policies 9.1.2.2.4, 9.1.2.2.6 and 9.1.2.2.7.</p> <p>The proposed policy changes to 9.1.2.2.4, 9.1.2.2.6 and 9.1.2.2.7 will not meet the Policy 9.1.2.2.11(a) – to establish a collaborative approach with rural</p>	<p>Delete all proposed amendments to the policy.</p> <p>Retain the policy as set out in the operative plan, without amendment.</p>

			landowners will through the development Farm Biodiversity Plans.	
8	Amend Policy 9.1.2.2.14 – Offsetting	Oppose	This is a consequential objection based on primary opposition to the amendments to Policies 9.1.2.2.4, 9.1.2.2.6 and 9.1.2.2.7.	Delete all proposed amendments to the policy. Retain the policy as set out in the operative plan, without amendment.
Rules				
Sub pt	Plan provision	Support/ Part Support/ Oppose	Reason	Decision Sought
9	Amend 9.1.4.1.1 (P1)	Oppose	Improved pasture is recognised and provided for in district plans, to enable existing use rights of landowners under section 10 of the RMA. Improved pasture is also permitted under the draft National Policy Statement for Indigenous Biodiversity and in district plans across the country. It is immaterial whether improved pasture occurs within or outside the mapped coastal environment. If a paddock or area meets the definition for improved pasture, ongoing clearance of indigenous vegetation within it should be permitted.	Delete all proposed amendments to the rule. Retain the rule as set out in the operative plan, without amendment.
10	Amend Rule 9.1.4.1.1 (P4)	Oppose	This is a consequential objection based on primary opposition to the amendment Rule 9.1.4.1.1 (P1)	Delete all proposed amendments to the rule. Retain the rule as set out in the operative plan, without amendment.

11	Introduce Rule 9.1.4.1.1 (P5)	Oppose	<p>This is a consequential objection based on primary opposition to the amendment Rule 9.1.4.1.1 (P1)</p> <p>This may appear as a permitted activity but the rule, as drafted, allows little to no clearance at all of the vegetation listed in Appendix 9.1.6.6 for the coastal environment. For Kaitōrete Spit the restriction is set at zero.</p> <p>There is no provision for improved pasture; but the limits in the Appendix, many of which were set pre-notification, was always aimed at areas of unimproved pasture.</p> <p>The effect of this amendment would mean even the removal of one plant to create a fence line for conservation, for example, or to re-sow a paddock would require a consent. The exercise of stock grazing could require consent if a single plant is found in a paddock which stock may destroy.</p>	Delete the proposed rule.
12	Amend Rule 9.1.4.1.3 – Restricted Discretionary activities Add RD7	Oppose	This is a consequential objection based on primary opposition to the amendment Rule 9.1.4.1.1 (P1)	Delete the proposed rule.
13	Amend 9.1.4.1.5 (Non-complying activities) Amend NC1 – not meeting RD7 will make the activity non-complying.	Oppose	This is a consequential objection based on primary opposition to the amendment Rule 9.1.4.1.1 (P1)	<p>Delete the proposed amendments to the rule.</p> <p>Retain the rule as set out in the operative plan, without amendment.</p>
Appendix 9.1.6.6				

Sub pt	Plan provision	Support/ Part Support/ Oppose	Reason	Decision Sought
14	Introduce a definition of “contiguous” for kanuka	Oppose	<p>This proposed definition subverts, and is inconsistent with, the ordinary meaning of contiguous.</p> <p>It will create perverse, unintended consequences. For example, this proposal assumes the area will only consist of exotic grasses and native plants. It will also include a variety of weeds that must be cleared. This definition will mean pest species may flourish as well.</p>	<p>Delete the proposed definition in its entirety.</p> <p>Apply the ordinary meaning of contiguous.</p>
15	Introduce a definition of “contiguous” for indigenous coastal vegetation	Oppose	<p>This proposed definition subverts, and is inconsistent with, the ordinary meaning of contiguous.</p> <p>It will create perverse, unintended consequences. For example, this proposal assumes the area will only consist of exotic grasses and native plants. It will also include a variety of weeds that must be cleared. This definition will mean pest species may flourish as well.</p>	<p>Delete the proposed definition in its entirety.</p> <p>Apply the ordinary meaning of contiguous.</p>
16	Replace all “N/A” values within the Appendix with “0”	Partially Oppose	<p>The proposal creates ambiguity.</p> <p>In some cases, canopy cover or whether the vegetation is contiguous is immaterial. If zero means you cannot clear at all, then it contradicts the corresponding clearance limitations in the Appendix.</p> <p>There are cases where “0” would make sense but not for all entries in the Appendix.</p>	<p>The Council must review its proposal to replace the value “N/A” in all entries in the Appendix and only use “0” where it is clear no clearance of the specified vegetation is permitted.</p>

17	Introduce limit for clearance of indigenous coastal vegetation within a five-year period; including within areas of improved pasture, in the Mapped Coastal Environment	Partially Oppose	<p>The mark-up of the Appendix does not clearly stipulate that the maximum clearance is confined to every five years.</p> <p>We oppose this limitation on improved pasture. It is contrary to basic existing use rights; it is unduly and unjustifiably onerous for landowners who may have adopted the same method of cultivating pasture for generations. It is also inconsistent with the draft NPSIB and other district plan provisions which permit improved pasture maintenance, including indigenous vegetation clearance or disturbance within it.</p> <p>The clearance of indigenous vegetation within all improved pasture across the district should be permitted and should not be subject to this five-year cycle limit.</p>	The five-year clearance limitation is opposed, unless it does not apply to improved pasture.
18	Extend the area to which limits on clearance of indigenous coastal vegetation listed in the Appendix applies, including in areas of <i>Improved Pasture</i> , as identified in the Mapped Coastal Environment	Oppose	<p>We also oppose the limitation applying to improved pasture.</p> <p>This is contrary to existing use rights, which will be unduly and unjustifiably onerous for landowners who have adopted the same method of cultivating pasture of generations.</p> <p>It is also inconsistent with the draft NPSIB and other district plan provisions which permit improved pasture maintenance, including indigenous vegetation clearance or disturbance within it.</p> <p>The clearance of indigenous vegetation within all improved pasture across the district should be permitted.</p>	Delete all proposals to extend coastal limitation to improved pasture.
19	Change limit of all indigenous vegetation clearance on Kaitōrete Spit to ZERO, including	Oppose	This is contrary to existing use rights which are provided for under section 10 of the RMA.	Delete this amendment in its entirety. OR

	areas of improved pasture		It is also inconsistent with the draft NPSIB and other district plan provisions which permit improved pasture.	Adopt ONLY IF this restriction does not apply to existing improved pasture.
20	Introduce an additional salt-marsh species – Three Square (Schenoplectus pungens) - into Table 1(d)(ii) of Appendix 9.1.6.6, and include a ZERO limit for its clearance	Oppose	<p>Three square is not a threatened species, and it regularly occurs on Kaitōrete Spit. Removing it in improved pasture would not have a significant adverse effect on this species.</p> <p>This proposal risks overriding existing use rights which are provided under section 10 of the RMA.</p> <p>It is also inconsistent with the draft NPSIB and other district plan provisions which permit improved pasture.</p>	<p>Delete Three Square from Table 1(d)(ii) of Appendix 9.1.6.6, including the zero clearance restriction.</p> <p>OR</p> <p>Adopt but ONLY IF this restriction does not apply to existing improved pasture.</p>
Coastal Environment Map				
Sub pt	Plan provision	Support/ Part Support/ Oppose	Reason	Decision Sought
21	Amend the geographic area that the limit applies to for indigenous coastal vegetation to the entire coastal environment as defined in the District Plan (currently restricted to Kaitōrete Spit)	Oppose	<p>This amendment would create an arbitrary zone that does not accurately reflect the significant indigenous vegetation and habitats along the coast that must be protected. It assumes all indigenous vegetation may be significant when it is not.</p> <p>The effect of this assumption will be detrimental to the ability of landowners with existing use rights to continue pastoral farming practices.</p>	<p>Delete the map.</p> <p>A more appropriate, and accurate, map can be re-notified after the Council has collaborated with the affected 432 landowners and properly identifies SESs through on-the-ground ecological surveys.</p>

Form 5

Submission on a Publicly Notified Proposal for Policy Statement or Plan

Clause 6 of Schedule 1, Resource Management Act 1991

CHRISTCHURCH DISTRICT PLAN: PROPOSED PLAN CHANGE 7

To: City Planning Team
Christchurch City Council ("the Council")
PO Box 73012
Christchurch 8154

SUBMITTERS: Wongan Hills Limited
Te Oka Farms Limited
Brian & Helen Hutchinson
Bruce Cameron
Murray and Lessa Edge
Albert and Elizabeth Birdling

Contact: Brent Thomas

Address for Service: C/- Planz Consultants Limited
PO Box 1845
Christchurch 8140

Attn: Dean Chrystal
M +64 21 668847
E dean@planzconsultants.co.nz

Introduction

This submission is lodged on behalf of Wongan Hills Limited, Te Oka Farms Limited, Brian & Helen Hutchinson, Bruce Cameron, Murray and Lessa Edge and Albert Birdling (The submitters) who wish to be heard in support of this submission.

Background

The Submitters all have farming operations within the Kaitōrete Spit area which will be impacted by Plan Change 7 (PC7).

Overview of Submission

The Submitters submission on PC7 is structured as follows:

- (a) General comments on the plan change.
- (b) Specific submission points on the provisions of the PSDP are contained in the table provided in **Attachment A**;
- (c) A conclusion, including the overarching reasons for the submission, is provided below.

General Comments

The Submitters are concerned with the overall intent of PC7 and the impact it will have on the day to day running of their farming operations. As noted in the Section 32 report PC7 has the potential to result in situations where current productive land becomes un-productive in circumstances where a resource consent is required and was not able to be granted. This in turn may render the land incapable of reasonable use.

The Submitters do not consider having to rely on existing use rights is an appropriate mechanism. The submitters existing farming activities (including existing maintenance activities in relation to improved pasture) were all lawfully established. The correct application of existing use rights in a farming context is potentially difficult and in the future would rely on a compliance officer (and future owners and occupiers of a property) having a clear understanding of the extent of such rights. The extent to which (for example) changes in the farming system could also continue to accommodate existing use rights is also not clear.

Given the high likelihood that all farming activity in the Kaitōrete Spit area would be reliant on existing use rights, the Submitters consider it more appropriate and efficient that the District Plan provide a clear permitted activity regime that is workable and provides certainty for all plan users.

The Submitters do not accept that the status quo is less efficient, and that increased regulation is necessary in order to implement Objective 1 and Policy 11 of the New Zealand Coastal Policy Statement. They consider the changes to the Plan will result in monitoring difficulties, higher compliance costs and impracticalities in terms of farming operations.

The Submitters consider in the first instance that PC7 should be withdrawn/declined and that a process be set up to work collectively with landowners and farmers to address biodiversity issues on Kaitōrete Spit and the wider Banks Peninsula.

Conclusion

The Submitters oppose PC7 in its entirety and consider it should be withdrawn/declined. Notwithstanding this the Submitters have raised concerns about specific provisions in Appendix 1 below. In addition, the Submitters make the following general submissions (which also apply to all specific submission points provided) and consider that PC7:

- (a) will not promote sustainable management of resources and will not achieve the purpose of the RMA;
- (b) is contrary to Part 2 and other provisions of the RMA;
- (c) incorrectly applies the New Zealand Coastal Policy Statement and the Canterbury Regional Policy Statement;
- (d) will not enable the social and economic well-being of the community within the Banks Peninsula;
- (e) will not meet the reasonably foreseeable needs of future generations;
- (f) will not achieve integrated management of the effects of the use, development or protection of the region's land and water resources;
- (g) will not enable the efficient use and development of Submitters land and farming operations;
- (h) does not appropriately give effect and accommodate existing use rights; and
- (i) does not represent the most appropriate means of exercising Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

The Submitters could not gain an advantage in trade competition through this submission.

The Submitters wish **to be heard** in support of this submission.

If others are making a similar submission, the Submitters will consider presenting a joint case with them at the hearing.

Date: 28th June 2021



Dean Chrystal

Consultant Planner (Director)

Authorised to sign this submission on behalf of the above Submitters

APPENDIX 1

ATTACHMENT A – SUBMITTERS SUBMISSIONS ON THE PROPOSED PLAN CHANGE 7

PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
Definitions of Improved Pasture	Oppose	<p>The reference to “livestock grazing” creates potential uncertainty and makes the definition unworkable. It could have the effect of limiting improved pasture solely to the narrow purpose of livestock grazing (while excluding reasonably expected activities in relation to farming activities such as the making of hay, balage or silage which in a narrow sense are not “livestock grazing”).</p> <p>The proposed definition is different from that proposed in the draft National Policy Statement on Biodiversity (NPS). While it is accepted that what was contained in the NPS definition could in theory change, the existing NPS definition also reflects feedback from a number of stakeholders and experts. The Submitters consider that there is a significant advantage in having the definitions align. This creates uniformity throughout the hierarchy of planning documents and avoids confusion, potential debate and litigation over the correct definition.</p> <p>The NPS definition more appropriately covers all aspects of improved pasture use particularly with the wording “<i>for the purpose of pasture production, ..., for livestock grazing</i>”.</p>	<p>That the definition of Improved Pasture be amended to read:</p> <p><i>improved pasture means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed, for livestock grazing</i></p>
Policy 9.1.2.2.4	Oppose	The use of the words “may be” in a policy context creates a high level of uncertainty and ambiguity.	Amend Policy 9.1.2.2.4 to create a greater degree of certainty.
Policy 9.1.2.2.6	Oppose	Schedule A should not be divided between mapped coastal and non-coastal areas. The existence of the New Zealand Coastal Policy Statement (for example)	Policy 9.1.2.2.6 be retained unamended.

		does not mean that areas outside of the coastal environment are of more or less value. Schedule A should be approached on the basis it is in the existing plan.	
Policy 9.1.2.2.7	Oppose	The revised policy attempts to provide greater emphasis on indigenous vegetation and habitat types listed in Appendix 9.1.6.6 which are located within the coastal environment than elsewhere. This creates an imbalance in terms of the approach of Schedule A and Policy 9.1.2.2.6.	Policy 9.1.2.2.7 (currently Policy 9.1.2.2.8) be retained unamended.
Policy 9.1.2.2.8	Oppose	Consequential changes to the submission point on Policy 9.1.2.2.6. The wider policy framework needs to continue to ensure reference to no net loss of indigenous biodiversity does not exclude pasture maintenance activities that might be undertaken as a permitted activity.	Policy 9.1.2.2.8 is further amended (to the extent required) to address the concern in relation to permitted activity authorisations and Policy 9.1.2.2.8(a)(ii)A is otherwise retained in its existing form.
Rule 9.1.4.1.1 P5 (and P1 and NC1 consequential)	Oppose	Maintenance of improved pasture needs to be recognised as a permitted activity in all areas. While being shown as a permitted activity the rule as draft allows no indigenous vegetation clearance at all of vegetation listed in Appendix 9.1.1.6 for the coastal environment including in particular Kaitōrete Spit due to the thresholds being set at zero. Further, there are no exemptions as in Rule P1. This situation creates absurdities such as the removal of one plant to create a fence line or to re-sow a paddock generates the need for consent. Indeed, stock grazing itself could generate a need for consent if a single plant is found in a paddock which stock might destroy.	That Rule 5 be deleted in its entirety and consequential amendments accordingly made to Rules P1, P4 & NC1, and that Rule RD 7 be deleted. In the alternative realistic thresholds, be provided in Appendix 9.1.6.6 alongside appropriate exemptions.
Appendix 9.1.6.6 – Note: definition of “contiguous” for indigenous	Oppose	The definitions are unworkable within the operation of a farming system which includes the re-sowing of pasture and spraying of weeds on a paddock-wide basis.	Delete the definition of “contiguous”.

coastal vegetation for the purposes of Table 1(a) and (b)			
Appendix 9.1.6.6 – Note: definition re occupying a contiguous area of: (hectares) for the purposes of Table 1(c)	Oppose	<p>The reference to 0.1 hectares is confusing when read against the different thresholds that apply in Tables 1(a), (b) and (c). This is particularly the case with Kaitōrete Spit where it appears the intent is that effectively no native vegetation is able to be removed.</p> <p>The reference to exotics also makes for example the permissibility of weed control unclear.</p>	Provide realistic thresholds and correct any ambiguity. Ensure the tables do not prevent pasture maintenance activities and weed removal.
Tables 1(a), (b) and (c)	Oppose	<p>The specific and different thresholds for the Kaitōrete Spit area are not appropriate for the reasons stated elsewhere in this submission – i.e. Kaitōrete Spit should not be treated on a different basis for simply falling within the coastal area.</p> <p>Having thresholds of zero makes the ability to farm areas of Banks Peninsula impossible and it also not appropriate that consent be required in all circumstances – especially when it relates to all circumstances.</p>	<p>Remove specific '0' thresholds for Kaitorete and provide realistic thresholds</p> <p>There should be no limits applying to improved pasture maintenance activities and weed removal (which should in any case continue to be covered by existing use rights)</p>
Appendix 9.1.6.6 - ii. Saltmarsh vegetation three square <i>Schenoplectus pungens</i>	Oppose	Three square (<i>Schenoplectus pungens</i>) is not a threatened species, and it regularly occurs on farms in the Kaitōrete Spit area particularly in the post crop phase of paddock rotation. Its removal from within an improved pasture situation would not constitute a significant adverse effect (and in any case could typically occur anyway by virtue of existing use rights).	Remove three square (<i>Schenoplectus pungens</i>) from Appendix 9.1.6.6.

Form 5

Submission on a Publicly Notified Proposal for Policy Statement or Plan

Clause 6 of Schedule 1, Resource Management Act 1991

CHRISTCHURCH DISTRICT PLAN: PROPOSED PLAN CHANGE 7

To: City Planning Team
Christchurch City Council (“the Council”)
PO Box 73012
Christchurch 8154

Submitter: Sage Properties

Address for Service: C/- Planz Consultants Limited
PO Box 1845
Christchurch 8140

Attn: Dean Chrystal

M +64 21 668847

E dean@planzconsultants.co.nz

Introduction

This submission is lodged on behalf of Sage Properties (‘the submitter’) who wishes to be heard in support of their submission.

Background

The submitter operates a large farming unit at Pigeon Bay, Banks Peninsula, known as “Annandale”. The property has been diversified into an internationally acclaimed luxury accommodation destination through a multi-million development phase that commenced in 2008. The submitter has made a significant investment in developing the property, including the erection of dwellings at Scrubby and Whitehead Bays, as well as alterations and additions to ‘Shepherd’s Cottage’ and a major upgrade to the historic Annandale Homestead and its setting, both of which have received Canterbury sustainable and heritage architecture awards.

The remote location of Scrubby Bay, Whitehead Bay and Wakaroa Point meant that the existing farm tracks required significant upgrading to provide two-wheel drive access to each of the house sites. Resource consent was obtained for these works and the upgrade has been completed. Reticulated electricity lines have also been installed to service each of these house sites, including the small Shepherd's Hut in the centre of the property.

All these facilities have been approved for both guest accommodation and private function purposes, including additional unimplemented resource consents for a dwelling at Wakaroa Point and the establishment of five additional guest houses near the homestead, and together they make a significant contribution to the overall Annandale farming operation. Equally, the pastoral farming activities contribute to the character and amenity of the environment that enhances the visitor experience to Annandale. As such, it is important that the planning framework that applies to this coastal property strike an appropriate balance between enabling a range of rural production activities, including related tourism ventures, while providing the necessary protection of significant indigenous biodiversity as envisaged by higher order planning documents.

Overview of Submission

The Submitters' submission on Plan Change 7 (PC7) is structured as follows:

- (a) General comments on the plan change.
- (b) Specific submission points on the provisions of the PSDP are contained in the table provided in **Attachment A**;
- (c) A conclusion, including the overarching reasons for the submission, is provided below.

General Comments

The submitter is concerned with the overall intent of PC7 and the impact it will have on the day to day running of their farming and tourist operations. As noted in the Section 32 report PC7 has the potential to result in situations where current productive land becomes un-productive in circumstances where resource consent is required and was not able to be granted. This in turn may render the land incapable of reasonable use.

The submitter does not consider having to rely on existing use rights is an appropriate mechanism. Such a mechanism is encumbered by the requirement to prove lawful establishment which is difficult in a farming context and does cater for changes in the farming system.

The Submitter does not accept that the status quo is less efficient, and that increased regulation is necessary in order to implement Objective 1 and Policy 11 of the New Zealand Coastal Policy Statement. They consider the changes to the Plan will result in monitoring difficulties, higher compliance costs and impracticalities in terms of farming operations.

The submitter considers in the first instance that PC7 should be withdrawn/declined and that a process be set up to work collectively with landowners and farmers to address biodiversity issues within the wider Banks Peninsula area.

Conclusion

The submitter opposes PC7 in its entirety and considers that it should be withdrawn/declined. Notwithstanding this the submitter has raised concerns about specific provisions in Appendix 1 below.

In addition, the submitter makes the following general submissions (which also apply to all specific submission points provided) and consider that PC7:

- (a) will not promote sustainable management of resources and will not achieve the purpose of the RMA;
- (b) is contrary to Part 2 and other provisions of the RMA;
- (c) incorrectly applies the New Zealand Coastal Policy Statement and the Canterbury Regional Policy Statement;
- (d) will not enable the social and economic well-being of the community within the Banks Peninsula;
- (e) will not meet the reasonably foreseeable needs of future generations;
- (f) will not achieve integrated management of the effects of the use, development or protection of the region's land and water resources;
- (g) will not enable the efficient use and development of the submitter's land, including both farming and tourism operations;
- (h) does not appropriately give effect and accommodate existing use rights; and
- (i) does not represent the most appropriate means of exercising Council's functions, having regard to the efficiency and effectiveness of the provisions relative to other means.

The submitter could not gain an advantage in trade competition through this submission.

The submitter wishes **to be heard** in support of this submission.

If others are making a similar submission, the submitter will consider presenting a joint case with them at the hearing.

Date: 28th June 2021



Dean Chrystal

Consultant Planner (Director)

Authorised to sign this submission on behalf of the above submitter

APPENDIX 1

ATTACHMENT A – SUBMITTER SUBMISSIONS ON THE PROPOSED PLAN CHANGE 7

PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
Definitions of Improved Pasture	Oppose	<p>The reference to “livestock grazing” creates potential uncertainty and makes the definition unworkable. It could have the effect of limiting improved pasture solely to the narrow purpose of livestock grazing (while excluding reasonably expected activities in relation to farming activities such as the making of hay, balage or silage which in a narrow sense are not “livestock grazing”).</p> <p>The proposed definition is different from that proposed in the draft National Policy Statement on Biodiversity (NPS). While it is accepted that what was contained in the NPS definition could in theory change, the existing NPS definition also reflects feedback from a number of stakeholders and experts. The Submitter considers that there is a significant advantage in having the definitions align. This creates uniformity throughout the hierarchy of planning documents and avoids confusion, potential debate and litigation over the correct definition.</p> <p>The NPS definition more appropriately covers all aspects of improved pasture use particularly with the wording “<i>for the purpose of pasture production, ..., for livestock grazing</i>”.</p>	<p>That the definition of Improved Pasture be amended to read:</p> <p><i>improved pasture means an area of land where exotic pasture species have been deliberately sown or maintained for the purpose of pasture production, and species composition and growth has been modified and is being managed, for livestock grazing</i></p>
Policy 9.1.2.2.4	Oppose	The use of the words “may be” in a policy context creates a high level of uncertainty and ambiguity.	Amend Policy 9.1.2.2.4 to create a greater degree of certainty.
Policy 9.1.2.2.6	Oppose	Schedule A should not be divided between mapped coastal and non-coastal areas. The existence of the New Zealand Coastal Policy Statement (for example)	Policy 9.1.2.2.6 be retained unamended.

PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
		does not mean that areas outside of the coastal environment are of more or less value. Schedule A should be approached on the basis it is in the existing plan.	
Policy 9.1.2.2.7	Oppose	The revised policy attempts to provide greater emphasis on indigenous vegetation and habitat types listed in Appendix 9.1.6.6 which are located within the coastal environment than elsewhere. This creates an imbalance in terms of the approach of Schedule A and Policy 9.1.2.2.6.	The Policy 9.1.2.2.7 (currently Policy 9.1.2.2.8) be retained unamended.
Policy 9.1.2.2.8	Oppose	Consequential changes to the submission point on Policy 9.1.2.2.6. The wider policy framework needs to continue to ensure reference to no net loss of indigenous biodiversity does not exclude pasture maintenance activities that might be undertaken as a permitted activity.	Policy 9.1.2.2.8 is further amended (to the extent required) to address the concern in relation to permitted activity authorisations and Policy 9.1.2.2.8(a)(ii)A is otherwise retained in its existing form.
Rules 9.1.4.1.1 P5 (and P1 and NC1 consequential)	Oppose	Maintenance of improved pasture needs to be recognised as a permitted activity in all areas. While being shown as a permitted activity the rule as drafted allows no indigenous vegetation clearance at all of vegetation listed in Appendix 9.1.1.6 for the coastal environment due to the thresholds being set at zero. Further, there are no exemptions as in Rule P1. This situation creates absurdities such as the removal of one plant to create a fence line or to re-sow a paddock generates the need for consent. Indeed, stock grazing itself could generate to need for consent if a single plant is found in a paddock which stock might destroy. It is also unclear how the rule would be applied to	That Rule 5 be deleted in its entirety and consequential amendments accordingly made to Rules P1, P4 & NC1, and that Rule RD 7 be deleted. In the alternative realistic thresholds, be provided in Appendix 9.1.6.6 alongside appropriate exemptions.

PROVISION	SUPPORT / OPPOSE	COMMENTS	RELIEF SOUGHT
		indigenous vegetation that was not within improved pasture but was surrounded by improved pasture.	
Appendix 9.1.6.6 – Note: definition of “contiguous” for indigenous coastal vegetation for the purposes of Table 1(a) and (b)	Oppose	The definitions are unworkable within the operation of a farming system which can include the re-sowing of pasture and spraying of weeds on a paddock-wide basis.	Delete the definition of “contiguous”.
Appendix 9.1.6.6 - Note: – definition re occupying a contiguous area of: (hectares) for the purposes of Table 1(c)	Oppose	The reference to 0.1 hectares is confusing when read against the different thresholds that apply in Tables 1(a), (b) and (c). The reference to exotics also makes for example the permissibility of weed control unclear.	Provide realistic thresholds and correct any ambiguity. Ensure the tables do not prevent pasture maintenance activities and weed removal.
Tables 1(a), (b) and (c)	Oppose	Having thresholds of zero is confusing and potentially makes the ability to farm coastal areas of Banks Peninsula impossible and it also not appropriate that consent be required in all circumstances – especially when it relates to all circumstances.	Remove specific ‘0’ thresholds. There should be no limits applying to improved pasture maintenance activities and weed removal (which should in any case continue to be covered by existing use rights).

Submission on a publicly notified plan change to the Christchurch District Plan

For office use only
Submission no:

Clause 6 of Schedule 1, Resource Management Act 1991

Submissions can be:

Posted to: City Planning Team
Christchurch City Council
PO Box 73012
Christchurch 8154

Delivered to: Ground floor reception
53 Hereford Street
Christchurch
Attn: City Planning Team

Emailed to: PlanChange@ccc.govt.nz

For Office Use Only
Received in Council Office

Date

Time

Person

* Denotes required information

I wish to make a submission on:

Plan Change Number:* ⑦ *Managing Significant Indigenous Vegetation*

Your name and contact details

Full name of person or organisation making submission:*

*Parish Double Family Trust,
/- Rebecca Parish + Gerrard Double.*

Address for service:*

*28 Governors Bay Teddington Road
RD1
Lyttelton 8971*

Email:

craterim2020@gmail.com

Phone:* *353 8915
021 713 273*

Trade competition and adverse effects* (select appropriate)

Could you gain an advantage in trade competition through this submission?

Yes No

(delete the following paragraph if you have indicated no above (you could not gain an advantage in trade competition))

If yes, are you directly affected by an effect of the proposed plan change/part that:

- (a) adversely affects the environment, and
- (b) does not relate to the trade competition or the effects of trade competition?

Yes No

N/A.

NOTE: If you answered no to this question, you cannot make a submission, as per clause 6(4) of Part 1 of the Schedule 1 of the RMA 1991.

The specific provisions of the plan change that my submission relates to are as follows:* (Please continue on separate sheet(s) if necessary.)

Please see attached.

My submission is that:* (You should clearly state whether you support or oppose the specific proposed provisions or wish to have them amended. You should also state the reasons for your views. Please continue on separate sheet(s) if necessary.)

Please see attached.

I seek the following decision from the Council:* *(Please give precise details stating what amendments you wish to see made to the proposed Plan Change. Please continue on separate sheet(s) if necessary.)*

Please see attached

Please indicate by ticking the relevant box whether you wish to be heard in support of your submission*

I wish to / I do not wish to speak at the hearing in support of my submission.

Joint submissions *(Please tick this box if you agree)*

If others make a similar submission, I will consider presenting a joint case with them at the hearing.

If you have used extra sheets for this submission, please attach them to this form and indicate below*

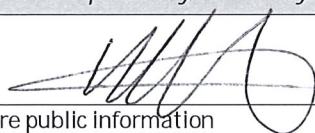
Yes, I have attached extra sheets.

No, I have not attached extra sheets.

Signature of submitter *(or person authorised to sign on behalf of submitter)*

A signature is not required if you make your submission by electronic means.

Signature:



Date:

28/06/2021

Submissions are public information

The information requested in this submission, including your contact details, is required by the Resource Management Act 1991. A copy of your submission will be made available for inspection at all Council service centres and libraries in accordance with the requirements of the Act. A document summarising all submissions and including names and addresses of submitters will be posted on the Council's website.

If you consider there are compelling reasons why your contact details should be kept confidential, you should contact the Statutory Administration Advisor at 941 8999.

Parish Double Family Trust
Gerrard Double & Rebecca Parish
59 Seftons Road, Okains Bay
craterrim2020@gmail.com

021 713 273

SUBMISSION OF PARISH DOUBLE FAMILY TRUST – 59 SEFTONS ROAD, OKAINS BAY

The specific provisions of the plan change that my submission relates to are as follows:

PC 7 does not appropriately identify or allow for practical farm management practices.

We oppose the identification of 59 Seftons Road being located within a Coastal Environment Zone, and further oppose the provisions of PC7 on our land. Our land has been incorrectly identified.

PC7 is not fair or reasonable.

The PC7 map is very difficult to read as it identifies all of Banks Peninsula in one map. This is not user friendly or enabling and would have made it difficult for landowners to determine how PC7 affects them – in turn many landowners will not realise how PC7 will impact their properties and future land management.

No Council representative has sought access to our land to view our land, yet PC7 will adversely affect our farming operations, health and safety and ability to utilise our landholding.

We oppose all the new objectives and policies frameworks as they relate to 59 Seftons Road including Appendix 9.1.6.6.

PC 7 unduly constrains farming operations. CCC should be encouraging farming operations on Banks Peninsula rather than unduly regulating and imposing unfair restrictions on them.

Our submission is that:

PC7 will create significant hardship with a poorly articulated blanket planning instrument.

PC7 places unnecessary vegetation controls on our land management, and will reduce our ability to farm productively.

We oppose our land being zoned within the Coastal Environment Area. 59 Seftons Road has been incorrectly identified as being within the Coastal Environment Area as it is bound by the Council transfer station, two well established pine plantations and a large road frontage, substantially separated from the Coast.

59 Seftons Road has been farmed for well over 160 years, and was converted from a dairy farm. The land identified as Coastal Environment has been grazed since farming was established on the property. It is steep with poor fencing. Any fencing upgrades, track management, Winter and Summer grazing, drought management, and fire risk control measures will trigger a resource consent

under the provisions of PC7. This is excessive, expensive and neither fair nor reasonable. As land owners we believe efforts should be concentrated on good farm practice rather than regulation.

We seek the removal of our land from within the Coastal Environment Zone.

The removal of our land as potentially having indigenous vegetation.

That our land is entirely identified as improved pasture.

That PC7 provisions are not related to our property, in order to retain certainty to fence, track manage, access and graze land without the need for expensive and unnecessary uncertain resource consents.

That the definition “deliberately sown or maintained” is too tight a term which will unduly restrict land management.

We seek the following from Council:

- Withdrawal of PC 7 in its entirety so as not to create unfair and unnecessary cost and planning process on landowners. PC7 is unnecessary and creates undue financial and physical restraints on landowners.
- Removal of the Coastal Environment Zone from 59 Seftons Road, as it has been incorrectly zoned within the Coastal Environment Zone.
- Removal of PC7 provisions from Banks Peninsula to allow pastoral farmers to continue to manage their own land effectively.
- Removal of the provisions of PC7 to 59 Seftons Road.

FORM 5

**SUBMISSION ON NOTIFIED PLAN CHANGE
TO THE CHRISTCHURCH DISTRICT PLAN
(PLAN CHANGE 7)**

Clause 6 of Schedule 1, Resource Management Act 1991

Name of submitter: Philip and Jane Helps

Contact: Philip Helps

P 033294696

E pd_jc_helps@xtra.co.nz

Address for service: P & J Helps
Port Levy
Diamond Harbour RD2
Christchurch 8972

This is a submission on Christchurch City Council's Proposed Plan Change 7.

My submission outlines the effects on our property that arise from the proposed Plan Change, with regard to the new mapped Coastal Environment, the rules in the zone and the change in definition of 'improved pasture'.

The specific provisions of the proposed Plan Change that my submission relates to, are the same as the decisions Federated Farmers (NCFE) seeks from Council, which are detailed in their submission.

I support the submission of Federated Farmers.

We wish to be heard in support of our submission.

If others are making a similar submission, we would consider presenting a joint case with them at the hearing.

Background

Our family farm is situated on the western side of Port Levy, which has a seaward riparian boundary of some five kilometres of which the revised Coastal Environment Boundary covers a significant proportion of the most productive land on the property. We have farmed this property on our own account for over 50 years.

I am a trustee of the Banks Peninsula Conservation Trust. I have been involved with the Christchurch City Council (CCC) planning process for some 25 years, including time on CCC Steering Advisory Group, set up as a result of an Environment Court directive.

1. Introduction

I appreciate the opportunity to submit to the Plan, and wish to be able to -

- operate our business in a fair and flexible regulatory environment.
- have access to services essential to the needs of our rural community; and
- adopt responsible management and environmental practices.

2. My submission Plan Change 7

The proposed amendments of Plan Change 7 will stop us from undertaking normal and expected farm working practices; and they are contrary to our land ownership property rights. The continued proliferation of Landscape areas, together with the associated escalation of controls to our property is a “Regulatory Taking without Compensation”.

We have invested considerable development effort into our property through fencing and pasture improvement, including topdressing, hoof and tooth stock management etc.

There is several kilometres of coast along the western side of Port Levy that has areas of vegetation regeneration. The vegetation types are, typically, Ribbon wood, Ngiao and Caprosma.

We do need to undertake some minor clearance on a boundary fence line, and to also maintain stock transit access. There is also weed in such areas, which must be managed or cleared. Typically, such weeds may include windblown species as, Spur Velarium, Nassella Tussock, Pigs ear, and Box Thorne. We do not want to have to apply for a restricted discretionary resource consent for these normal day to day farming activities.

I submit:

- 1) The ‘Improved pasture’ definition should remain as previously negotiated and should include the modifying and enhancement effect of livestock.

- 2) The revised mapped Coastal Environment is a 'broad brush' delineation of the land-form adjacent to the sea; and it is an incorrect detailed assessment of the actual area. The delineation of the zone is arbitrary and subjective. This planning proposal assumes that there are greater values, just because the land is in the zone.
- 3) The vegetation clearance rules are unworkable for normal farm management in such a large land zone.
- 4) If there is to be a strict interpretation of 'no net loss', this then could mean no clearance at all, anywhere.
- 5) Any indigenous vegetation clearance that exceeds the new rules would generate the need for a costly 'consent' and an Assessment of Effects by the applicant. This information requirement should have been obtained by the CCC, in the first instance, rather than triggering the landowner to supply the information.
- 6) The Schedule A and B programmes should have been in progress. After much negotiation, the CCC confirmed a process of confirming Schedule A areas, and formulating the identification and implementation of Schedule B areas. This process has stalled.

The specific provisions of the proposed Plan Change that my submission relates to, are the same as the decisions Federated Farmers (NCFE) seeks from Council, which are detailed in their submission.

I support the submission of Federated Farmers.

We wish to be heard in support of our submission.

Notice of Submission on Proposed Plan Change 7 – Managing Significant Indigenous Vegetation

Resource Management Act 1991 – Form 5

Name of Submitter: Canterbury Regional Council (**CRC** or the **Regional Council**)

Physical address: 200 Tuam Street, Christchurch, 8011

Address for service: Canterbury Regional Council

PO Box 345

Christchurch 8140

Contact person: Daniel Cox

Email: Daniel.cox@ecan.govt.nz

Telephone: 027 261 6137

The Regional Council could not gain an advantage in trade competition through this submission.

This is a submission on Proposed Plan Change 7 – Managing Significant Indigenous Vegetation.

The Canterbury Regional Council (**CRC** or the **Regional Council**) appreciates the opportunity to provide a submission on Proposed Plan Change 7 (**PC7** or **the Proposal**). We wish to acknowledge the work that has been undertaken by the Council in preparing PC7, including the engagement undertaken with the Regional Council early in the review process.

Our submission contains a small number of submission points that seek amendments to the proposed provisions. The submission points generally support the intent of the proposed provisions, but we are seeking amendments to better align with the Canterbury Regional Policy Statement (**CRPS**) and better protect significant indigenous vegetation.

These submission points have been included in the table outlined in Appendix One which indicate the relevant provisions submitted on, the relief sought, and the reasons for seeking amendments. The order of the table follows the same structure as the Proposed Plan Change.

Where specific amendments have been sought, we have used **underlined** text to indicate the recommended additions to the provisions and ~~strike through~~ to indicate recommendations for the removal of the proposed text.

Overall, CRC supports the Proposal, and in particular those aspects which better protect indigenous vegetation and better give effect to the CRPS.

Thank you again for the opportunity to provide a submission on PC7. For any clarification on the submission points contained within the submission, please contact Daniel Cox (Daniel.cox@ecan.govt.nz) and he will be happy to provide assistance.

We wish to retain the opportunity to speak in support of our submission.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'A' followed by a horizontal line.

Andrew Parrish
Regional Planning Manager

Appendix One: Canterbury Regional Council's submission on Proposed Plan Change 7 – Managing Significant Indigenous Vegetation

Relevant CRPS provisions and local authority responsibilities

The most relevant chapters and provisions of the CRPS are summarised below:

Chapter 8 of the CRPS (the Coastal Environment) addresses issues related to activities in the coastal environment (noting that the extent and characteristics of the coastal environment are defined in Policy 1 of the New Zealand Coastal Policy Statement 2010), including the appropriate occupation and use of the coastal marine area. This chapter also contains provisions to preserve and protect the coastal environment, and to manage activities in the coastal environment to ensure that adverse effects on indigenous species, significant indigenous vegetation or significant habitats of indigenous fauna are avoided.

Chapter 9 of the CRPS (Ecosystems and Indigenous Biodiversity) addresses issues relating to exotic and indigenous ecosystems and indigenous biodiversity. The focus of Chapter 9 is on section 6(c) of the Resource Management Act 1991 (**RMA**), in relation to the management of land use and its effects on ecosystems and indigenous biodiversity in the Canterbury Region. This chapter contains provisions to protect significant indigenous vegetation and habitats and provides significance criteria for assessing indigenous vegetation. In addition, this chapter contains a biodiversity offsetting framework and outlines circumstances where offsetting can be used. The roles of the Regional Council and the territorial authorities with respect to ecosystems and indigenous biodiversity are explained in Chapter 9, as follows:

- Environment Canterbury is solely responsible for indigenous biodiversity in wetlands, the coastal marine area, and in the beds of lakes and rivers.
- Territorial authorities are solely responsible for the control of the use of land for the maintenance of indigenous biodiversity on all land outside of these areas.
- Joint responsibility may exist where:
 - A territorial authority has identified in a district plan an area of significant vegetation or a significant habitat of indigenous fauna, that includes a bed of a river or lake or a wetland; or
 - There are indigenous vegetation clearance provisions in a district plan that apply to areas of the district that include a bed of a river or lake, or a wetland.

Chapter 5 of the CRPS (Land-use and Infrastructure) contains provisions relating to development, land-use, and infrastructure. The key focuses of this chapter are to enable people and communities to provide for their social, economic, and cultural well-being, maintain and where appropriate, enhance the quality of the natural environment, and enable rural activities that support the rural environment, including primary production.

Amendments Sought by the Canterbury Regional Council for Plan Change 7

Chapter 2 Abbreviations

Provision	Support or oppose	Decision requested	Comments
Improved Pasture	Oppose in part	<p>Adopt the nationally consistent definition as set out in the draft NPSIB and NPSFM</p> <p>OR</p> <p>Amend the definition as follows:</p> <p>Improved Pasture</p> <p><i>...means an area of pasture:</i></p> <ul style="list-style-type: none"> <i>a. where exotic pasture grass and herb species have been deliberately sown or maintained for the purpose of livestock grazing; and</i> <i>b. that</i> <ul style="list-style-type: none"> <i>i. is used for livestock grazing and has been routinely so used since 1 June 1996; or</i> <i>ii. at any time on or after 1 June 1996 was modified or enhanced for the purpose of livestock grazing by cultivation, irrigation, oversowing, top-dressing and/or direct drilling; and</i> 	<p>In relation to the proposed definition for improved pasture in PC7, CRC notes that the proposed definition is different from the definitions set out in both the draft National Policy Statement for Indigenous Biodiversity (NPSIB) and the National Policy Statement for Freshwater Management (NPSFM). For the purposes of PC7, CRC requests that CCC adopts the nationally consistent definition and strengthens the rule framework for indigenous vegetation clearance for the purposes of maintaining improved pasture.</p> <p>However, CRC recognises the complexities in determining what constitutes improved pasture and notes that the definition currently varies across different territorial authorities. In addition, any definition for improved pasture may have unique district-specific issues and may not go far enough to protect indigenous vegetation, which can be problematic.</p> <p>Improved pasture varies from areas that contain a lower proportion of introduced exotic pasture species (and a subsequently higher proportion of native species) to areas with a high proportion of introduced exotic pasture species (with little to no native species). CRC accepts that this is an evolving area, and that in future, the best approach to determining improved pasture may be through mapping which is likely to be more effective.</p>

		<p>iii. <u>records can be provided to show this grazing, modification or enhancement has occurred over the specific timeframes set out in b.i and b.ii</u></p>	<p>While the Regional Council supports the use of the nationally consistent definition, if CCC choose to maintain the definition as set out in the Proposed Plan Change, CRC requests that this definition is amended to better give effect to the CRPS.</p> <p>CRC requests that a third clause is added to part (b) of the definition, that states “records can be provided to show this grazing, modification or enhancement has occurred over the specific timeframes set out in b.i and b.ii. This would ensure that a landowner is able to demonstrate that the land has been routinely used for livestock.</p>
--	--	--	---

Chapter 9 Natural and Cultural Heritage

9.1 Indigenous Biodiversity and Ecosystems

9.1.2 Objectives and Policies

Feedback on Objectives and Policies of the Proposed Plan Change are summarised below:

Provision	Support or oppose	Decision requested	Comments
Policy 9.1.2.2.4	Support in full	Retain as notified or preserve the original intent.	CRC supports the proposed amendments to Policy 9.1.2.2.4 and the use of assessments of significance, consistent with Objective 9.2.3, Policy 9.3.1, Method 3 (associated with Policy 9.3.1), and Appendix 3 of the CRPS.
Policy 9.1.2.2.6	Support in full	Retain as notified or preserve the original intent.	CRC supports the proposed amendments to Policy 9.1.2.2.6 as they provide greater clarity and are consistent with the CRPS.
Policy 9.1.2.2.7	Support in full	Retain as notified or preserve the original intent.	CRC supports the proposed amendments to Policy 9.1.2.2.7. The Regional Council considers that the proposed amendments will better protect significant indigenous vegetation in the coastal environment, and are more consistent with Objective 9.2.1, Objective 9.2.3, Policy 9.3.2, Policy 9.3.6 and Policy 8.3.4 of the CRPS.
Policy 9.1.2.2.8	Support in part, subject to amendments	CRC suggests that a semi colon is included at the end of B, rather than a full stop.	CRC supports Policy 9.1.2.2.8, especially the addition of the assessments of significance criteria to be in accordance with the CRPS Policy 9.3.1 and Appendix 3.

Provision	Support or oppose	Decision requested	Comments
Policy 9.1.2.2.11	Support in part.	CRC supports that where a farm biodiversity plan is used as part of a resource consent application, it identifies areas of indigenous biodiversity that are to be maintained, protected, and enhanced.	CRC supports the use of farm biodiversity plans and the encouragement of the protection of indigenous biodiversity, including sites of ecological significance and vegetation types listed in Appendix 9.1.6.6.
Policy 9.1.2.2.14	Support in full	Retain as notified or preserve the original intent.	CRC supports the proposed amendments to Policy 9.1.2.2.14 and considers that these are consistent with the CRPS, particularly Policy 9.3.6.

9.1.4 Rules

Feedback on the Rules of the Proposed Plan Change are summarised below:

Provision	Support or oppose	Decision requested	Comments
Rule 9.1.4.1.1 (P1)	Support in part.	Amend Rule 9.1.4.1.1 (P1) to remove the permitted activity pathway for indigenous vegetation clearance for the purpose of maintaining improved pasture and manage this through either a controlled, or restricted discretionary activity status.	<p>CRC supports the change made a(iii) to exclude the coastal environment.</p> <p>CRC considers that P1 of Rule 9.1.4.1.1 should be further amended to better protect significant indigenous vegetation that occurs in areas that may meet the definition of improved pasture. As it stands, indigenous vegetation clearance within Sites of Ecological Significance is permitted if (amongst a range of other activity standards) it is undertaken for the purposes of maintaining improved pasture, without any consideration or control for adverse effects on Sites of Ecological Significance.</p> <p>CRC recommends that either a controlled activity status, or a restricted discretionary activity status, would be more appropriate for indigenous vegetation clearance for the purpose of maintaining improved pasture within a Site of Ecological Significance.</p> <p>This would better protect significant indigenous vegetation, and better give effect to the CRPS. Section 3.12 (4)(c) of the draft NPSIB also contains policies relating to how existing activities should</p>

			<p>ensure that there are no cumulative adverse effects on SNAs as a result of indigenous vegetation clearance for the purpose of maintaining improved pasture.</p> <p>In addition, the proposed addition (b iii) to the definition of improved pasture as requested by CRC, or a clause to similar effect, could be used as one of the matters of control or discretion.</p> <p>This will place less emphasis on the interpretation of the definition for improved pasture and thus better protect indigenous vegetation from cumulative adverse effects. It is also more consistent with the 'no net loss' requirement in Policy 9.3.1 of the CRPS.</p>
Rule 9.1.4.1.1(P5)	Support in part.	Retain as notified or preserve the original intent.	It should be noted that giving full effect to the CRPS is dependent on the implementation of Policy 9.1.2.2.5, (to map and identify sites of ecological significance). If this policy is not implemented, then the current threshold approach could result in the clearance of unidentified or unmapped significant indigenous vegetation.
Rule 9.1.4.1.3	Support in full	Retain as notified or preserve the original intent.	CRC supports the addition of RD7 and considers that it will better protect indigenous vegetation and better give effect to the CRPS.
Rule 9.1.4.1.5	Support in full	Retain as notified or preserve the original intent.	CRC supports amendments to NC1.

Appendices

Provision	Support or oppose	Decision requested	Comments
Appendix 9.1.6.6	Support in full.	Retain as notified or preserve the original intent	<p>CRC supports amendments to Appendix 9.1.6.6. to replace N/A values with 0.</p> <p>It is considered that this will improve clarity and better prevent indigenous vegetation clearance from this rule being interpreted incorrectly.</p> <p>CRC supports the revised thresholds for indigenous vegetation clearance for Kaitōrete Spit.</p> <p>CRC supports amendments made to the definition of “contiguous” as it relates to the contiguous area occupied for kanuka and coastal shrubland communities. It is considered that the proposed amendments will better protect indigenous vegetation.</p> <p>CRC supports the additions to Appendix 9.1.1.6, such as the additional salt marsh species described in Table 1(d)(ii).</p>

28 June 2021



Submission on Christchurch District Plan – Proposed Plan Change 7

To: Christchurch City Council
City Planning Team,
PO Box 73012,
Christchurch 8154

Royal Forest and Bird Protection
Society of New Zealand Inc.

By email to: planchange@ccc.govt.nz

Christchurch Office:
PO Box 2516
Christchurch 8140

www.forestandbird.org.nz

Submitter Details

Royal Forest and Bird Protection Society of New Zealand Inc.
PO Box 2516
Christchurch 8140

Contact Name: Nicky Snoyink
Contact Email: n.snoyink@forestandbird.org.nz
[Contact Phone: 03 940 5522](tel:039405522)

Introduction

1. The Royal Forest and Bird Protection Society of New Zealand Inc. (Forest & Bird) is New Zealand's largest and oldest non-government conservation organisation. For almost one hundred years, Forest & Bird has been giving a voice to nature on land, in freshwater and at sea, on behalf of its many members and supporters. Volunteers in fifty Forest & Bird branches throughout Aotearoa New Zealand carry out conservation and biosecurity projects in their communities including weed control, restoration and pest trapping.
2. The North Canterbury Branch of Forest & Bird has a long history of conservation in the greater Christchurch and Banks Peninsula area. Forest & Bird has contributed significantly – and continues to contribute significantly – to conservation in the area as an advocate for the environment through national, regional and local planning processes; as an educator through our Kiwi Conservation Club; and in action through on-the-ground conservation work within our communities.

3. The Christchurch City Council has tasked itself with rectifying its objectives, policies, methods and rules concerning the clearance of indigenous vegetation following a lengthy enforcement order proceeding. Forest & Bird supports the general intent of Plan Change 7 to provide clarity around when a landowner can and cannot clear indigenous vegetation.
4. Forest & Bird relief sought is set out in the table below. In addition, Forest & Bird seeks any consequential changes or alternative relief to achieve the relief sought.
5. Forest & Bird could not gain an advantage in trade competition through this submission.
6. Forest & Bird wishes to be heard in support of its submission.
7. If others make a similar submission, we will consider presenting a joint case with them at a hearing.

Protection of significant indigenous vegetation and the significant habitats of indigenous species

8. Forest & Bird has considered the wording provided in PC7 which appears to provide greater protection for indigenous biodiversity in the coastal environment but less protection beyond the coastal environment
9. This is because the definition of improved pasture as amendment by proposed PC7 is now broader. For the reasons explained in relation to that definition below, this would allow more vegetation clearance as a permitted activity outside the coastal environment.
10. Forest & Bird remains concerned that the extent of protection within the coastal environment may not give effect to the NZCPS. This is because there is no restriction on vegetation clearance beyond those areas identified in Schedule A of Appendix 9.1.6.1 or areas meeting the vegetation listed in Appendix 9.1.6.6., which may not capture all areas where protection is required under Policy 11 of the NZCPS.

Improved pasture

11. PC7 proposes to remove the wording for “visually predominant vegetation cover” and replace with wording which applies land use activities “deliberately sown or maintained for the purpose of livestock grazing”. The amendment proposed in PC7 is:

Improved pasture

in relation to Sub-chapter 9.1 Indigenous Biodiversity and Ecosystems of Chapter 9 Natural and Cultural Heritage, means an area of pasture:

- a. *where exotic pasture grass and herb species ~~are the visually predominant vegetation cover~~ have been deliberately sown or maintained for the purpose of livestock grazing; and*

b. that:

- i. is used for livestock grazing and has been routinely so used since 1 June 1996; or*
- ii. at any time on or after 1 June 1996 was modified or enhanced for the purpose of livestock grazing by cultivation, irrigation, oversowing, top-dressing and/or direct drilling.*

12. While not ideal the wording “visually predominant vegetation cover” did at least allow in some cases the presence of pasture and herb species was not enough to meet the first requirement of definition. As amended by PC7 the first requirement under a) becomes very similar to and can be achieved within in any case, by the second requirement b).
13. Forest & Bird is disappointed that changes have not been proposed to clause b) of the definition to reduce potential for further modification or intensification of land use where indigenous biodiversity values may be significant.
14. Clause b) ii. is particularly concerning as:
- a. not only would it allow for areas that had not been used routinely under b) i. to modified and therefore captured by the definitions;
 - b. this also allows for land use practices which may not have been used before, as often or in combination to be captured by the definition.
15. This definition captures pretty much any pasture area of very low to very high levels of modification. It also allows for intensification of land use which may result in the loss of indigenous biodiversity. For example, where an area of pasture with low modification meets the definition, the area can be cultivated, irrigated, top-dressed and direct drilled at any time without a consenting requirement for vegetation clearance despite “crushing, cultivation, irrigation, chemical application” all being recognised as means for vegetation clearance.¹
16. Forest & Bird recognises that the new wording reflects aspects of the definition of improved pasture used in recent National Policy Statements,² however, the definition still retains other wording which is inconsistent. In any regard Forest & Bird does not consider that the NPS definition is appropriate as a permitted activity baseline for the current policies and rule framework in the Christchurch District Plan. It is in our view difficult to find any wording

¹ These terms are all included in the definition of “indigenous vegetation clearance” in the District Plan

² Improved pasture: 3.21 (1) of the NPSFM 2020 and 3.12 (5) of the draft NPSIB 2019.

would satisfy Forest & Birds concerns with using the definition to permit vegetation clearance in areas of significant and potentially significant indigenous biodiversity.

Rule framework

17. The operative plan includes P1 permitted activity standard “for the purpose of maintaining improved pasture” for vegetation clearance within areas meeting Schedule A of Appendix 9.1.6.1 or of vegetation listed in Appendix 9.1.6.6.
18. Under PC7 as proposed P1 permitted activity standard would only apply to areas of “improved pasture” outside the coastal environment. This means that indigenous vegetation clearance in the coastal environment within areas meeting Schedule A of Appendix 9.1.6.1 or of vegetation listed in Appendix 9.1.6.6. is no longer permitted under P1 in relation to the maintenance of improved pasture. Other permitted activity standards remain unchanged.
19. This provides greater protection for areas identified as a Site of Significance (Schedule A of Appendix 9.1.6.1) and areas of potential significance (vegetation listed in Appendix 9.1.6.6), and Forest & Bird supports this.
20. While Forest & Bird has concerns with the definition of “improved pasture” as explained above, in respect of the coastal environment those concerns are less. This is because the wording of the definition is effectively irrelevant under P1 for coastal environment and under P5, while we consider the rule unnecessary as set out below, a wider definition means that more areas of pasture rather than less would need to be consistent with the rule. However, we consider that the amended definition has the opposite effect beyond the coastal environment, being broader will result in more areas of pasture being cleared under P1 (iii) within significant and potentially significant areas.
21. New rule P5 is not necessary as P4 could be amended so that it does not apply to the coastal environment. In that way non-compliance with P1 (and P3) would trigger the consenting requirement for vegetation clearance. New rule P5 is also uncertain as it refers to specified thresholds in Appendix 9.1.6.6. No other rules referring to this appendix refer to thresholds. It is our understanding that the thresholds are an integral part of Appendix 9.1.6.6 and are part of determining the application of the appendix for all rules. The specific statement of thresholds in the new P5 suggests that the appendix should be interpreted differently in other rules. For these reasons Forest & Bird does not support new rule P5.
22. While Forest & Bird still has concerns that are not addressed by the provisions, as set out above (that some Policy 11 NZCPS matters may not be captured by Appendix 9.1.6.6) we are supportive of the provision for a restricted discretionary consent to be sought in areas of

vegetation listed in Appendix 9.1.6.6 in the coastal environment on the basis of the matters of discretion in new rule RD7. However, in our view the RD7 rule largely duplicates RD4 and would be better as an amendment to this existing rule. This would simplify the RD rules and clarify the relationship to permitted rules P1 and P3 while the incorporation of matters of discretion and removal of the limits on public notification will provide appropriate considerations for decision makers both within and beyond the coastal environment.

23. For consistency amendments are required to clarify that rules RD5 and RD6 do not apply in the coastal environment.

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

Proposed PC7 Provision to which submission relates:	Position	The reasons for our submission are:	The decision we want Council to make:
Definitions			
<p>Improved Pasture in relation to Sub-chapter 9.1 Indigenous Biodiversity and Ecosystems of Chapter 9 Natural and Cultural Heritage, means an area of pasture:</p> <p>a. where exotic pasture grass and herb species are the visually predominant vegetation cover have been deliberately sown or maintained for the purpose of livestock grazing; and</p> <p>b. that:</p> <p>i. is used for livestock grazing and has been routinely so used since 1 June 1996; or</p> <p>ii. at any time on or after 1 June 1996 was modified or enhanced for the purpose of livestock grazing by cultivation, irrigation, oversowing, top-dressing and/or direct drilling.</p>	Oppose	<p>As explained under “improved pasture” above the proposed wording does not solve the problem with this definition which allows for conversion to pasture at any time by applying the methods set out.</p> <p>Forest & bird considered that it is inappropriate allow for intensification and further loss of indigenous biodiversity in a definition and as a permitted activity.</p> <p>This may be an unintended consequence of changes to give greater protection to the coastal environment; however, it would strip all protection for significant vegetation in pasture outside the coastal environment.</p>	<p>Either amend the definition to resolve Forest & Birds concerns or delete the definition and manage vegetation clearance depending on whether activities are in areas identified in Schedule A of Appendix 9.1.6.1 or areas meeting the vegetation listed in Appendix 9.1.6.6. or are outside of those areas.</p>
Planning Maps			
Coastal Environment overlay	Support to include maps showing the extent of the coastal environment landward of the CMA in Christchurch District Coastal Environment	Forest & Bird has not been able to determine that the maps show the full extent of the coastal environment. Need to clearly define the coastal environment for the entire district and ensure it easy to locate on the District Plan maps.	Amend maps accordingly
9.1.2.1 Objectives			
<p>9.1.2.1.1 Objective - Protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna</p> <p>1. Areas of significant indigenous vegetation and significant habitats of indigenous fauna are protected so as to ensure there is no net loss of indigenous biodiversity.</p>	Support with Amendment	<p>PC7 does not propose changes to this objective but Forest & Bird recommend that this objective be strengthened. This objective applies to both the coastal and terrestrial environments. In which case it needs to reflect the duality of the management regimes required by s6(c) of the RMA and NZCPS Policy 11.</p> <p>A “no net loss” approach to indigenous biodiversity is not be consistent with protection of significant areas required under s6(c) or the specific matters to be protected under Policy 11 of the NZCPS.</p>	Remove “so as to ensure no net loss of indigenous biodiversity” from Objective 9.1.2.1.1.
9.1.2.2 Policies			
9.1.2.2.4 Policy – Mechanisms for the management and	Support in part	Forest & Bird supports the inclusion of	Amend Appendix 9.1.6.6. to include

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

<p>protection of other indigenous vegetation and habitats that may be significant</p> <p>a. Recognise that the indigenous vegetation and habitat types on Banks Peninsula and the Port Hills listed in Appendix 9.1.6.6 may be of ecological significance in the Christchurch District by providing for their management and protection through:</p> <p>i. the Council working with and advising landowners where they consider that a property may contain the indigenous vegetation and habitat types listed in Appendix 9.1.6.6;</p> <p>ii. the Council filing its written advice on the property file held for the relevant property; and</p> <p>iii. the use of assessments of significance in accordance with the Canterbury Regional Policy Statement Policy 9.3.1 and Appendix 3 and District Plan rules to manage any potential adverse effects of the clearance or disturbance of the identified indigenous vegetation and habitat types listed in Appendix 9.1.6.6 and at the size and scale identified in Appendix 9.1.6.6.</p>		<p>assessments to apply CRPS significance criteria within the policy.</p> <p>However, it is not clear whether relying on Appendix 9.1.6.6 is appropriate to identify all potentially significant biodiversity areas across the district let alone the coastal environment beyond Banks Peninsula and the Port Hills. Does it adequately cover indigenous vegetation and habitat in the rest of the Christchurch District?</p> <p>Forest & Bird considers that the Council needs to seek expert ecological advice to determine if Appendix 9.1.6.6 is complete and update the appendix as part of PC7.</p>	<p>additional vegetation which indicates potentially significant areas applicable to all of the Christchurch District.</p> <p>Retain the inclusion of assessments to apply CRPS significance criteria within the policy.</p>
<p>9.1.2.2.6 Policy – Protection and management of significant indigenous vegetation and habitats of indigenous fauna listed in Schedule A of Appendix 9.1.6.1 outside the coastal environment</p> <p>a. Recognise and protect the indigenous vegetation and habitats of indigenous fauna within each site listed in the Sites of Ecological Significance in Schedule A of Appendix 9.1.6.1 except for those that are within the coastal environment so as to ensure no net loss of indigenous biodiversity by:</p> <p>i. avoiding the adverse effects of vegetation clearance and the disturbance of habitats as far as practicable; then</p> <p>ii. remedying any adverse effects that cannot be avoided; then</p> <p>iii. mitigating any adverse effects that cannot be remedied;</p>	<p>Support with amendment</p>	<p>“No net loss” should not be listed in the introductory paragraph to this policy. No net loss is a principle of biodiversity offsetting. The RMA s6 requires protection of significant indigenous vegetation and significant habitats of indigenous fauna regardless of where it is located, and adverse effects should in the first instance be avoided.</p> <p>This would be also be consistent with the CRPS Objectives and Policies, and protection required under Policy 11 of the NZCPS.</p>	<p>Remove “so as to ensure no net loss of indigenous biodiversity” from a.</p>

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

<p>and iv. where there are any significant residual adverse effects on the significant indigenous vegetation and significant habitats of indigenous fauna within the site, offsetting them in accordance with Policy 9.1.2.2.14.</p>			
<p>9.1.2.2.87 Policy – Protection of indigenous vegetation and habitats of indigenous fauna in the coastal environment <u>Protection and management of significant indigenous vegetation and habitats of indigenous fauna listed in Schedule A of Appendix 9.1.6.1 and indigenous vegetation and habitat types listed in Appendix 9.1.6.6 located within the coastal environment</u> a. Where Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 or indigenous vegetation and habitat types listed in Appendix 9.1.6.6 are located within the coastal environment, the protection of their indigenous biodiversity will be achieved by: i. avoiding adverse effects on: A. indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists; B. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened; C. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare; D. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare; E. areas containing nationally significant examples of indigenous community types; and F. areas set aside for full or partial protection of indigenous biodiversity under other legislation; and ii. avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on: A. areas of predominantly indigenous vegetation in the coastal environment; B. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species; C. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable</p>	<p>Oppose in part</p>	<p>Forest & Bird is concerned that limiting the application of this policy to the habitat types listed in Appendix 9.1.6.6 may preclude some significant indigenous biodiversity in the coastal environment. Linking policy 9.1.2.2.7 directly to Appendix 9.1.6.6 is not appropriate and another policy is required for that linkage to the rules</p> <p>All of the flora and fauna listed in policy 9.1.2.2.7 (i) and (ii) located in the coastal environment are significant by virtue of the NZCPS policy 11. This requires avoidance of adverse effects on (i)(a) - (F) and avoidance of significant adverse effects on (ii)(A) - (F)</p>	<p>Add the word “significant’ to the beginning so as to read “... 9.1.6.1 and <u>significant</u> indigenous ...”</p> <p>Also amend 9.1.2.2.7(a) so as to read: “Protect and manage Where Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 and significant indigenous vegetation and habitats of indigenous fauna listed below in (i) to (iii) types listed in Appendix 9.1.6.6 by”</p> <p>New sub-clause to Policy 9.1.2.2.7.: “<u>(iii) – The indigenous vegetation and habitat types listed in Appendix 9.1.6.6 and located within the coastal environment.</u>”</p>

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

<p>to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh; D. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes; E. habitats, including areas and routes, important to migratory species; and F. ecological corridors, and areas important for linking or maintaining biological values identified under this policy</p>			
<p>9.1.2.2. 87 Policy – Protection and management of other indigenous vegetation and habitats <u>that may be significant</u> a. On Banks Peninsula and the Port Hills, outside Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, manage the clearance of indigenous vegetation and habitat types listed in Appendix 9.1.6.6, by ensuring <u>that:</u> i. resource consent applications to clear indigenous vegetation or disturb habitat include an assessment of the <u>significance of the</u> indigenous biodiversity of the listed indigenous vegetation and habitat types on the site <u>in accordance with the Canterbury Regional Policy Statement Policy 9.3.1 and Appendix 3,</u> in order to inform the assessment of the potential effects of the activity; ii. that where the assessment undertaken in i. above concludes that an area of indigenous vegetation or habitat of indigenous fauna is significant: A. <u>Outside the coastal environment,</u> the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.6 a.i. – iv <u>to ensure there is no net loss of indigenous biodiversity;</u> B. <u>Within the coastal environment, the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.7. to ensure there is no net loss of indigenous biodiversity;</u> <u>and</u> b. Avoid the clearance of mature and regenerating</p>	<p>Oppose in part</p>	<p>This policy does not give effect to the NZCPS, policy 11 or RMA s6(c)</p> <p>It is not appropriate to limit the protection and management of habitat types listed in Appendix 9.1.6.6 in the coastal environment. All of the habitat types and fauna listed in policy 9.1.2.2.7 are significant and require protection.</p> <p>Also, it is not appropriate to presuppose the application ‘no net loss’ to indigenous biodiversity in the coastal environment. It may be that offsetting is not appropriate, no net loss forms part of the mitigation hierarchy for offsetting and it is not appropriate to jump to this conclusion with any policy outside of the management policies which set the application of the mitigation hierarchy.</p> <p>Also this policy only applies to coastal environment found within Banks Peninsula and the Port Hills. Indigenous biodiversity. This policy should apply across the district. Presumably the only matter currently in this policy that may only apply to the Banks Peninsula and Port Hills is 9.1.2.12.8(b).</p> <p>Perhaps the CCC should consider creating two policies out of this one.</p>	<p>Amend (a) to read “... manage the clearance of indigenous vegetation and habitat of indigenous fauna types listed in Appendix 9.1.6.6, by ensuring that: ...</p> <p>...</p> <p>B. Within the coastal environment, the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.7;</p> <p>and to ensure there is no net loss of indigenous biodiversity; and ...”</p> <p>New Policy: To reflect the protection of indigenous vegetation outside of Banks Peninsula but within the coastal environment.</p>

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

podocarp/hardwood and beech forest in the District.			
<p>9.1.2.2.11 Policy - Farm biodiversity plans</p> <p>a. Establish a collaborative approach with rural landowners/land managers through the development of Farm Biodiversity Plans that:</p> <p>i. recognises and encourages the integrated management, maintenance and protection of indigenous biodiversity, including Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, and the vegetation types listed in Appendix 9.1.6.6, while also providing for the maintenance of rural productive activities;</p> <p>ii. recognises that there may need to be some clearance of indigenous vegetation as part of maintaining rural productive activities; and</p> <p>iii. achieves maintenance, and over time, the enhancement of indigenous biodiversity.</p> <p>b. Farm Biodiversity Plans submitted as part of resource consent applications shall:</p> <p>i. identify areas of indigenous biodiversity to be maintained, protected and, where appropriate, enhanced;</p> <p>ii. adopt methods to minimise the clearance of previously un-cleared areas and Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, and the vegetation types listed in Appendix 9.1.6.6;</p> <p>iii. identify the measures that will be used to maintain, protect and, where appropriate, enhance indigenous biodiversity;</p> <p>iv. identify appropriate targets to measure progress in the maintenance, protection and, where appropriate, enhancement of indigenous biodiversity; and</p> <p>v. be flexible to adapt to changing needs of land use and indigenous biodiversity management.</p> <p>c. Promote the development of Farm Biodiversity Plans to landowners:</p> <p>i. at the time of identification and assessment of potentially ecologically significant values;</p> <p>ii. as good practice for maintaining and protecting indigenous biodiversity;</p> <p>iii. at a whole of property or catchment level, where appropriate; and</p>	Oppose in part	<p>Limiting the application of FBDs to vegetation type listed only in Appendix 9.1.6.6 does not give effect to the NZCPS, policy 11.</p> <p>It is not clear to Forest & Bird as to whether 9.1.6.6. includes all of the flora and fauna listed in policy 9.1.2.2.7.</p>	<p>Amend by deleting “ Appendix 9.1.6.6”</p> <p>Replace with “Policy 9.1.2.2.7(a)(i) and (ii) and [new (b) as requested relief above]”</p>

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

iv. where resource consent is required for farming involving clearance activities			
<p>9.1.2.2.14 Policy – Offsetting</p> <p>a. Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in residual adverse effects on a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, or on indigenous biodiversity outside such Sites of Ecological Significance.</p> <p>b. Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 biodiversity offset will only be considered appropriate where adverse effects on the significant indigenous vegetation and significant habitats of indigenous fauna within the site have been avoided remedied or mitigated in accordance with the hierarchy hierarchies established in Policy Policies 9.1.2.2.6 and 9.1.2.2.7; and</p> <p>i. the biodiversity offset is consistent with the framework detailed in Appendix 9.1.6.5; and</p> <p>ii. the biodiversity offset can achieve no net loss of indigenous biodiversity:</p> <p>A. preferably in the affected area of significant indigenous vegetation or significant habitat of indigenous fauna; or</p> <p>B. where that is not practicable, in the ecological district in which the affected area of significant indigenous vegetation or significant habitat of indigenous fauna is located.</p>	Oppose in part	<p>The policy still lacks clarity and as drafted does not give effect to RMA, s6(c) and NZCPS policy 11.</p> <p>Policy 9.1.2.2.14(a) applies to both Sites of Ecological significance and areas outside these sites that contain indigenous biodiversity. 9.1.2.2.14(b) only applies to sites with an site of ecological significance. 9.1.2.2.14 needs to reflect that many sites that contain one of the policy 9.1.2.2.7 matters may not be listed as a site of ecological significance.</p> <p>Within the coastal environment a biodiversity offset is not appropriate on policy 9.1.2.2.7(a)(i) matters.</p>	<p>Either exclude biodiversity offsets for the coastal environment</p> <p>Or;</p> <p>Amend 9.1.2.2.14(b) “ Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 <u>but outside of the coastal environment a</u> biodiversity offset will only ... and 9.1.2.2.7;</p> <p>And:</p> <p>Require a new policy to reflect the intricacies of the coastal environment</p>
How to interpret the rules			
9.1.3 How to interpret the rules Table		It is not clear why PC9 adds reference to controlled activity when one is not included in the plan change.	Remove unnecessary reference to controlled rules
Rules			
9.1.4.1 Activity status tables 9.1.4.1.1 Permitted activities			
P1 Indigenous vegetation clearance: a. within a Site of Ecological Significance	Support in part	As set out above, Forest & Bird has concerns with the definition of improved pasture.	Amendments to the P1 Activity specific standards:

Forest & Bird Submission on proposed Christchurch District Plan - Plan Change 7 June 2021

<p>listed in Schedule A of Appendix 9.1.6.1; or b. of vegetation listed in Appendix 9.1.6.6. Activity specific standards a. Any indigenous vegetation clearance shall be limited to clearance for one or more of the following: i. the operation, maintenance and repair, within 2 metres either side, of fences, access tracks, buildings, fire ponds, gates, stock yards, troughs and water tanks; ii. clearance necessary for the removal of pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993; iii. for the purpose of maintaining improved pasture outside the coastal environment; iv. conservation activities; v. to implement a conservation covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987; vi. clearance of any understory of indigenous vegetation as a result of harvesting an existing forestry area or maintenance of forestry access or firebreaks.</p>		<p>While we support the amendment which means the permitted activity standard for “improved pasture” does not apply to the coastal environment, Forest & Bird seeks further changes to the definition or deletion of the definition all together so that significant and potentially significant indigenous biodiversity outside the coastal environment also protected.</p> <p>Forest & Bird also considers that other permitted activity standards require changes to protect significant indigenous biodiversity, particularly in the coastal environment.</p> <p>Forest & Bird there for seeks that the 2 metre limit is reduced for areas within the coastal environment i.e. 2 metres of either side of fence for the purpose of operation, maintenance and repair is overly large. Forest & Bird cannot envision a 4 metre wide bulldozer being required for fence repair or the need to clear vegetation 2 metres of either side of an access track.</p> <p>P1(a)(i) does not give effect to NZCPS or the RMA s6(C)</p>	<p>Retain exclusion of the coastal environment at a) iii. and amend the definition of improved pasture as set out above. Alternatively delete a) iii entirely.</p> <p>Amend a) 1. By reducing the area for fence and track access maintenance, operation and repair to a maximum of 1 metre either side.</p>
<p>P4 Any indigenous vegetation clearance: a. outside of a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.6 and b. that: i. is not vegetation listed in Appendix 9.1.6.6 and is not provided for in P5 Activities specific standards Nil</p>	<p>Oppose in part</p>	<p>This rule is difficult to understand and it appears that it does not give effect to RMA, s 6(c), and 31 of to NZCPS Policy 11 or proposed policy 9.1.2.2.7. It seems to imply that any indigenous vegetation outside of a site of ecological significance listed in Schedule A Appendix 9.1.6.1 and Appendix 9.1.6.6 is a permitted activity despite whether it is in the coastal environment or not.</p> <p>The amendment to refer to new P5 only confuses the relationship to the coastal environment further.</p> <p>There needs to be a threshold somewhere in the</p>	<p>Add a rule that triggers a resource consent to addresses indigenous biodiversity that is a policy 9.1.2.2.7 matter and is not covered by Appendix 9.1.6.6 in the coastal environment.</p> <p>Amend P4 as set out below and delete new P5</p>

		rule framework that requires an assessment for habitat types that may not be captured by Appendix 9.1.6.6 is in the coastal environment.	
<p>P5 Any indigenous vegetation clearance within an area of improved pasture within the coastal environment that is of vegetation listed in Appendix 9.1.6.6 below the specified thresholds. Activity specific standards Nil</p>		<p>Should read like the either rules as including thresholds is not in the other r rules which should effectively be interpreted the same.</p>	<p>Noting Forest & Birds preferred relief for a new rule above, if such a rule is not added and it P5 is retained his rule should read in the same way as other rules referring to Appendix 9.1.6.6 and clearly apply to the coastal environment, for example: <u>Any indigenous vegetation clearance within the coastal environment:</u> <u>a. that is not vegetation listed in Appendix 9.1.6.6; and</u> <u>b.is within an area of improved pasture.</u></p> <p>Forest & Birds preference is to delete R5 and amend P4 to read: "Any indigenous vegetation clearance: a. outside a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; and or b. that is not vegetation listed in Appendix 9.1.6.6</p> <p>Activity specific standards: <u>1. The clearance is not within the coastal environment."</u></p>
9.1.4.1.3 Restricted discretionary activities			
<p>RD7 a. Indigenous vegetation clearance of vegetation listed in Appendix 9.1.6.6, that: i. is not provided for by Rule 9.1.4.1.1 P5; and b. Is undertaken in accordance with a Farm Biodiversity Plan which has been prepared in accordance with the requirements of Appendix 9.1.6.7. The Council's discretion shall be limited to the following matters: a. Indigenous biodiversity and ecosystems – Rule 9.1.5.2. b. Farm Biodiversity Plans – Rule 9.1.5.3;</p>	Oppose in part	<p>As discussed above Forest & Bird supports and RD status but considers this rule as worded is not appropriate and is confusing.</p> <p>A new rule is also need to capture all of the coastal environment not just improved pasture or 9.1.6.6 vegetation.</p> <p>Does not give effect to NZCPS or RMA ss6(c) and 31. There are likely to be areas within the coastal environment that are not covered by Appendix 9.1.6.6. These other areas require</p>	<p>Add a new RD rule that covers all of the NZCPS policy 11 matters.</p> <p>Delete new RD7 and amend RD4 as follows: "a. Indigenous vegetation clearance of vegetation listed in Appendix 9.1.6.6, that: i. is not provided for by Rule 9.1.4.1.1 P1 or P3 or P4; and ii. is undertaken in accordance with a Farm Biodiversity Plan which has been prepared in accordance with the requirements of</p>

<p><u>c. Effects of activities on the coastal environment – Rule 9.6.3.1.</u></p>		<p>protection under NZCPS, policy 11</p>	<p>Appendix 9.1.6.7. b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to the Department of Conservation (absent its written approval) Advice note: 1. The rule does not apply to customary harvesting.</p> <p>The Council’s discretion shall be limited to the following matters:: <u>a. Indigenous biodiversity and ecosystems – Rule 9.1.5.2.</u> <u>b. Farm Biodiversity Plans – Rule 9.1.5.3;</u> <u>c. Effects of activities on the coastal environment – Rule 9.6.3.1.”</u></p> <p>Make a consequential amendment to RD5 so that it does not apply to the coastal environment</p>
<p>9.1.4.1.5 Non-complying activities</p>			
<p>NC1 Indigenous vegetation clearance, that is not provided for by Rule 9.1.4.1.1 P1 or P3 or Rule 9.1.4.1.3 RD3 – RD6 RD7: a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or b. of vegetation listed in Appendix 9.1.6.6. Advice note: 1. This rule does not apply to customary harvesting.</p>	<p>Oppose in part</p>	<p>It is uncertain whether this rule captures consenting requirements for identified significant areas that do not meet preceding rules. This should clearly be a default rule. Any indigenous vegetation clearance that is not provided for above should be a non-complying activity</p> <p>Forest & Bird also considers that area B significant areas should be included in this rule. It is concerning that Council still has not ground trothed these areas and that the plan does not include specific rules to ensure consent requirements for clearance in these areas.</p>	<p>Amend: to read “NC1 Indigenous vegetation clearance, <u>that is not provided for as a permitted, or restricted discretionary activity within a Site of Ecological Significance including both A and B areas.</u>”</p> <p>Advice Note: 1. This rule does not apply to customary harvesting.”</p>
<p>Appendix 9.1.6.6</p>			
<p><u>Note: For the purpose of Table 1(a)(i) and (ii), contiguous</u></p>	<p>Support in part</p>	<p>As stated above Forest & Bird is concerned that</p>	<p>Amend Appendix 9.1.6.6. to include</p>

<p><u>means all plants are interconnected and form an intact (touching) cover. Where any individual plants are located beyond the intact edge being one metre or more away from any other plant and are not touching, they are not considered interconnected or contiguous.</u></p> <p><u>Note: For the purpose of Table 1(c), the vegetation described is considered to be contiguous where native plants occur irregularly but in proximity of each other within mixed exotic herbs and grasses. For the purpose of interpretation, the contiguous area of 0.1 ha is deemed to be an area comprising both native and exotic species</u></p>		<p>it is not clear whether relying on Appendix 9.1.6.6 is appropriate to identify all potentially significant biodiversity areas across the district let alone the coastal environment beyond Banks Peninsula and the Port Hills. Does it adequately cover indigenous vegetation and habitat in the rest of the Christchurch District?</p>	<p>additional vegetation which indicates potentially significant areas applicable to all of the Christchurch District.</p>
---	--	--	--

Hamish Menzies
Menzies Bay
RD 3
AKAROA 7583

28th June 2021

22 June 2021

Christchurch City Council

Re: Notification of Changes to the Christchurch District Plan – Managing Significant Indigenous Vegetation (Plan Change 7)

Thank you for the opportunity to respond to notified changes to the Christchurch District Plan (Plan Change 7 [PC7]). We are rural landowners on Banks Peninsula – (our Affected Property Address is 686 Menzies Bay Road). In responding to PC7 we note:

Banks Peninsula farmers and landowners are at the forefront of conserving and enhancing biodiversity and managing significant indigenous vegetation, one example is the Banks Peninsula Conservation Trust that was originally set up by farmers and landowners for this exact purpose and alongside the QE 2 Trust has covenanted over 2000 ha of private land with high ecological values. A lot of hard work has been done by landowners, BPCT and QE 2 to increase and protect the biodiversity and the Christchurch City Council should be working with them rather than adding extra layers of unknown compliance costs such as resource consents.

Areas of significant indigenous vegetation are increasing on Banks Peninsula without this extra bureaucratic cost and its hard to see what benefit it will bring. The Council should work with the land owners on a case by case basis rather than a broad-brush approach that assumes we are about to “clear fell the last rain forest”

Significant indigenous vegetation on our particular property and the majority of sites of Ecological Significance identified is protected by the steep topography, the poor return on investment from removing vegetation, the ongoing and increasing interest and passion for biodiversity by the land owners and also the increased value by future potential to generate income from carbon credits and tourism. Will adding extra layers of council costs onto the land owners be of any benefit to biodiversity?

Regards

Hamish Menzies

From: Hamish & Emma Menzies <PBMF@ruralinzone.net>
Sent: Tuesday, 29 June 2021 1:32 PM
To: Davison, Craig <Craig.Davison@ccc.govt.nz>
Subject: RE: Plan Change &

Dear Craig

Some answers to your questions below:

Many thanks

Hamish Menzies



From: Davison, Craig [<mailto:Craig.Davison@ccc.govt.nz>]
Sent: Tuesday, 29 June 2021 10:29 a.m.
To: Hamish & Emma Menzies
Subject: RE: Plan Change &

Hi Hamish,

To be able to accept this as your submission, we will need further information as required by the Resource Management Act 1991.

The information we still require is the following:

- 1) Could you gain an advantage in trade competition through this submission? **No**
- 2) Do you wish to speak at the hearing in support or opposition of your submission? **Yes**
- 3) If others made a similar submission would you consider presenting a joint case at the hearing? **Yes**
- 4) Personal information – (as we already have your first names, last name and email address) please provide us with your address for service and contact number. **686 Menzies Bay Road, RD 3, AKAROA 7583.**
Phone 033048613

You can also view the questions to our online submission form (as required by the Resource Management Act 1991) here: <https://ccc.govt.nz/the-council/consultations-and-submissions/haveyoursay/show/412>

Thanks
Craig

From: Hamish & Emma Menzies <PBMF@ruralinzone.net>
Sent: Tuesday, 29 June 2021 9:40 AM
To: Davison, Craig <Craig.Davison@ccc.govt.nz>
Subject: FW: Plan Change &
Incorrect email listed?? It was returned last night



From: Hamish & Emma Menzies [<mailto:PBMF@ruralinzone.net>]
Sent: Monday, 28 June 2021 5:30 p.m.
To: 'craig.davison@ccc.govt.nz'
Subject: Plan Change &

Good Afternoon Craig
Apologies for the late submission, we had a computer malfunction. Hope this will be excepted?
Many thanks & regards
Hamish Menzies



This electronic email and any files transmitted with it are intended solely for the use of the individual or entity to whom they are addressed.

The views expressed in this message are those of the individual sender and may not necessarily reflect the views of the Christchurch City Council. If you are not the correct recipient of this email please advise the sender and delete.

Christchurch City Council

<http://www.ccc.govt.nz>



DOCcm - 6679114

28 June 2021

Christchurch City Council
PO Box 73012
Christchurch 8154

Attention: Craig Davidson

Dear Craig,

Christchurch City Council – Plan Change 7 – Managing Significant Indigenous Vegetation

Please find enclosed the submission by the Director-General of Conservation in respect of Plan Change 7 – Managing Significant Indigenous Vegetation. The submission identifies the Director-General's concerns.

Please contact Nardia Yozin in the first instance if you wish to discuss any of the matters raised in this submission on 027 205 3129 or via nyozin@doc.govt.nz.

Yours sincerely

Andy Thompson
Operations Manager
Mahaanui – Eastern South Island

RESOURCE MANAGEMENT ACT 1991

SUBMISSION ON PLAN CHANGE 7

TO: Christchurch City Council

SUBMISSION ON: Plan Change 7 to the Christchurch District Plan

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 THE
DEPARTMENT OF CONSERVATION**

Pursuant to clause 6 of the First Schedule of the Resource Management Act 1991 (RMA), I, Andy Thompson, Operations Manager - Mahaanui, acting upon delegation from the Director-General of the Department of Conservation, make the following submission in respect of the Proposed Plan Change 7 to the Christchurch District Plan.

1. This is a submission on the Plan Change 7 to the Christchurch District Plan.
2. The specific provisions of the Proposed Plan Change 7 that my submission relates to are set out in Attachments 1 to this submission. The decisions sought in this submission are required to ensure that Plan Change 7 to the Christchurch District Plan:
 - a. Gives effect to the New Zealand Coastal Policy Statement.
 - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and to has particular regard to the other matters in section 7 of the Act.
 - c. Promotes the sustainable management of natural and physical resources.
 - d. The changes sought are necessary, appropriate and sound resource management practice.
4. I seek the following decision from the Council:
 - 4.1 That the particular provisions of Proposed Plan Change 7 that I support, as identified in Attachment 1, are retained.
 - 4.2 That the amendments, additions and deletions to Proposed Plan Change 7 sought in Attachments 1 are made.
 - 4.3 Further or alternative relief to like effect to that sought in 4.1 – 4.2 above.

5. I wish to be heard in support of my submission and if others make a similar submission, I will consider presenting a joint case with them at the hearing.

A handwritten signature in blue ink, appearing to read 'Andy Thompson', with a large, sweeping flourish extending from the end of the name.

Andy Thompson
Operations Manager
Mahaanui – Eastern South Island

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

Date: 28/6/21

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.

ATTACHMENT 1:

**PROPOSED PLAN CHANGE 7 – Christchurch City Plan
SUBMISSION BY THE DIRECTOR-GENERAL OF CONSERVATION**

The specific provisions that my submission relates to are set out in Attachment 1. My submissions are set out immediately following these headings, together with the reason and the decision I seek from the Council.

The decision that has been requested may suggest new or revised wording for identified sections of the proposed plan. This wording is intended to be helpful but alternative wording of like effect may be equally acceptable. Text quoted from Proposed Plan Change 7 (PC7) and the Christchurch City Plan is shown in *Italics* with underline and ~~strikethrough~~ indicating the changes proposed by PC7. The wording of decisions sought by the Director-General’s (D-G’s) submission are shown as **bold underline** for additional text and ~~**bold-strikethrough**~~ for deletions.

Unless specified in each submission point my reasons for supporting are that the policies are consistent with the purposes and principles of the Resource Management Act 1991 (RMA).

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
General	Chapter layout and format	<p>Oppose</p> <p>While the D-G recognises that this is a plan change, rather than full plan review, there is concern that the ‘slotting’ of reference to the coastal environment, within the Natural Environment Chapter, makes the plan more difficult to read. The national planning standards require provisions relating to the coastal environment to be contained within the coastal environment chapter. Currently, the Coastal Environment Chapter within the Christchurch District Plan, does not have specific rules.</p>	<p>Amend the Christchurch District Plan to include PC7 amendments to better align with the National Planning Standards, particularly, having rules for the coastal environment contained in the Coastal Environment Chapter.</p> <p>The relief sought in this submission seeks changes to the provisions in relation to the plan structure they were notified in (coastal environment specific provisions being contained within the Natural and Cultural Heritage Chapter). This has been done to present any changes sought by the D-G clearly, however, it is still the D-G’s position that the drafting of PC7 is complicated and clarity could be gained from separating the coastal environment provisions into the Coastal Environment Chapter.</p> <p>The intent behind any changes sought by the D-G is transferrable regardless of if the coastal environment provisions remain in the Natural and Cultural Heritage</p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
General	Chapter 9	<p>Oppose</p> <p>It is the D-G's position that the policy and rule framework is overly complex. Specifically:</p> <ul style="list-style-type: none"> - For plan users it is difficult to determine the activity status of an activity easily. - The drafting of provisions do not provide for the maintenance of indigenous biodiversity as required by s31(1)(b)(iii) of the RMA 1991. - The drafting of provisions are inconsistent with the direction given, and the mitigation hierarchy set out in Policy 11 of the NZCPS. - The drafting of provisions do not provide adequate protection for areas of significant indigenous vegetation or significant habitat of indigenous fauna which meet the criteria set out in Policy 9.3.1, or provide protection required by Policy 9.3.2 of the CRPS. <p>Overall, it is the D-G's position that the policy and rule framework needs to be simplified to ensure that significant biodiversity values are protected and indigenous biodiversity is maintained within Christchurch.</p>	<p>Chapter, or the Coastal Environment Chapter.</p> <p>Amend Chapter 9 to:</p> <ul style="list-style-type: none"> - Provide more user-friendly rules and remove complexity - Give effect to s31(1)(b)(iii) - Give effect to the New Zealand Coastal Policy Statement (NZCPS) Policy 11 - Give effect to the Canterbury Regional Policy Statement (CRPS) Policies 9.3.1 and 9.3.2
General	Where provisions refer to 'Schedule A of Appendix 9.1.6.1' and/ or 'Appendix 9.1.6.6'	<p>Oppose</p> <p>It is the D-G's understanding that those areas listed in Schedule B of Appendix 9.1.6.1 are highly likely to meet the significance criteria in the CRPS. The current rule framework does not provide any specific management for those areas listed in Schedule B of Appendix 9.1.6.1, and therefore these areas are not managed in accordance with the policy framework in the CRPS, or NZCPS.</p> <p>While the D-G recognises that those areas/ sites listed in Schedule B of Appendix 9.1.6.1 in some cases</p>	<p>Where Policies and rules refer to 'Schedule A of Appendix 9.1.6.1', it also references '<u>Schedule B of Appendix 9.1.6.1</u>.'...</p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
		<p>may also be captured by Appendix 9.1.6.6, it is considered that only referring to 'Schedule A of Appendix 9.1.6.1' and 'Appendix 9.1.6.6' may lead plan users to assume that those areas/ sites explicitly listed in Schedule B of Appendix 9.1.6.1 are not covered by policies or rules.</p> <p>There is also concern, that those areas listed in Schedule B of Appendix 9.1.6.6, would not meet the thresholds contained in Appendix 9.1.6.6 and could therefore be cleared without restriction. This would result in the loss of significant indigenous biodiversity and significant habitats of indigenous fauna, which is inconsistent with NZCPS Policy 11, CRPS polices 9.3.1 and 9.3.2, as well as Christchurch District Plan policy 9.1.2.2.2</p> <p>For clarity, it is sought that the plan refers to both Appendix A and B Appendix 9.1.6.1.</p>	
Where provisions relate to Schedule A of Appendix 9.1.6.1	Where provisions relate to Schedule A of Appendix 9.1.6.1	<p>Oppose</p> <p>Policy 9.1.2.2.1 acknowledges that Schedule A of Appendix 9.1.6.1 does not represent a comprehensive list of sites that would meet the CRPS significance criteria. It is the D-G position that provisions only providing protection to Schedule A of Appendix 9.1.6.1 sites means that the Christchurch District Plan is inconsistent with the CRPS.</p>	Council to carry out assessments on Schedule B Appendix 9.1.6.1 sites, and any other sites within the district, in accordance with Policy 9.3.1 of the CRPS.
Chapter 2 – Abbreviations and Definitions			
"Improved Pasture"	<p><i>Improved Pasture</i> <i>in relation to Sub-chapter 9.1 Indigenous Biodiversity and Ecosystems of Chapter 9 Natural and Cultural Heritage, means an area of pasture:</i></p> <p><i>a. where exotic pasture grass and herb species are the visually predominant vegetation cover have been deliberately sown or</i></p>	<p>Oppose</p> <p>The proposed definition does not provide additional clarity of what is 'improved pasture', at what point does an area become improved pasture and who can determine if an area is improved pasture within the Christchurch District. It is the D-G's view that any indigenous vegetation clearance for the purpose of maintaining improved pasture, is not increasing the scale, intensity or character of the existing improved</p>	<p>Amend the definition of 'improved pasture' as follows:</p> <p><i>Improved Pasture</i> <i>in relation to Sub-chapter 9.1 Indigenous Biodiversity and Ecosystems of Chapter 9 Natural and Cultural Heritage, means an area of pasture:</i></p> <p><i>a. where cultivation has occurred since 2001; and</i> <i>b. Indigenous vegetation present is not more than 20 years old; and</i> <i>c. Vegetation or habitat meeting the Criteria in</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>maintained for the purpose of livestock grazing; and</i></p> <p>b. <i>that:</i></p> <p>i. <i>is used for livestock grazing and has been routinely so used since 1 June 1996; or</i></p> <p>ii. <i>at any time on or after 1 June 1996 was modified or enhanced for the purpose of livestock grazing by cultivation, irrigation, oversowing, top-dressing and/or direct drilling.</i></p>	<p>pasture, it is merely allowing a landowner/ occupier to continue to use the pasture as they have been previously.</p> <p>It is the D-G's position that cultivation should be a consideration in determining areas of improved pasture. This is because only oversowing; topdressing; and/ or direct drilling would not necessarily mean that pasture species have removed the presence of indigenous vegetation.</p> <p>It is also considered that timeframes be included around the age of indigenous vegetation being removed. This is to add further clarity around what would be 'routine'.</p> <p>Within this submission, the D-G has provided for some permitted indigenous vegetation clearance for the purpose of the maintenance of improved pasture. If the D-G is not satisfied with the definition of improved pasture, then the D-G does not support any indigenous vegetation to occur as a permitted activity.</p> <p>It is also the D-G's view that if an area has been identified as having significant biodiversity values, then it also cannot be considered to be improved pasture.</p>	<p><u>CRPS Policy 9.3.1 or NZCPS Policy 11 are not present;</u></p> <p><u>d. The area is not identified as a threatened LENZ classification; and</u></p> <p><u>e. where exotic pasture grass and herb species are the visually predominant vegetation cover have been deliberately sown or maintained prior to 2001 for the purpose of livestock grazing; and</u></p> <p><u>f. that:</u></p> <p><u>i. is used for livestock grazing and has been routinely so used since 1 June 19962001; or</u></p> <p><u>ii. at any time on or after 1 June 19962001 was modified or enhanced for the purpose of livestock grazing by cultivation, irrigation, oversowing, top-dressing and/or direct drilling.</u></p>
Chapter 9 (Natural and Cultural Heritage), Sub-Chapter 9.1 (Indigenous Biodiversity and Ecosystems)			
Policy 9.1.2.2.1	<p><i>Policy – Identification and assessment of sites</i></p> <p>a. <i>Recognise that the Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 do not represent a comprehensive list of sites that are of significance for indigenous biodiversity within the Christchurch District; and undertake further work with</i></p>	<p>Support in Part</p> <p>The D-G supports the intent of this policy, however notes that to date, the Council has not undertaken assessments of Schedule B sites to determine significance.</p>	<p>Council to carry out assessments on Schedule B Appendix 9.1.6.1 sites in accordance with Policy 9.3.1 of the CRPS.</p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>landowners, Ngāi Tahu, Department of Conservation, Canterbury Regional Council, conservation groups and other stakeholders to identify and assess additional areas of indigenous vegetation or habitats of indigenous fauna that may be of significance.</i></p> <p><i>b. Prioritise the assessment of the sites listed in Schedule B of Appendix 9.1.6.1 for potential listing in Schedule A of Appendix 9.1.6.1. Other sites of indigenous vegetation and habitats of indigenous fauna will be assessed over time to identify their potential for significance, taking into account the following factors:</i></p> <p><i>i. ecological values, determined by the results of literature searches and / or expert advice;</i></p> <p><i>ii. the level of existing legal protection;</i></p> <p><i>iii. threats to ecological values;</i></p> <p><i>iv. whether the site has been identified as a Recommended Area for Protection in the surveys undertaken by Hugh Wilson (1992) for the Department of Conservation Protected Natural Areas Programme;</i></p> <p><i>v. the national priorities for protection in Policy 9.3.2 of the Canterbury Regional Policy Statement; and</i></p> <p><i>vi. requests for assessments by landowners.</i></p>		
Policy 9.1.2.2.4	Policy – Mechanisms for the	Support in Part	Retain Policy 9.1.2.2.4 as notified.

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>management and protection of other indigenous vegetation and habitats that may be significant</i></p> <p><i>a. Recognise that the indigenous vegetation and habitat types on Banks Peninsula and the Port Hills listed in Appendix 9.1.6.6 may be of ecological significance in the Christchurch District by providing for their management and protection through:</i></p> <p><i>i. the Council working with and advising landowners where they consider that a property may contain the indigenous vegetation and habitat types listed in Appendix 9.1.6.6;</i></p> <p><i>ii. the Council filing its written advice on the property file held for the relevant property; and</i></p> <p><i>iii. the use of <u>assessments of significance in accordance with the Canterbury Regional Policy Statement Policy 9.3.1 and Appendix 3 and District Plan rules to manage any potential adverse effects of the clearance or disturbance of the identified indigenous vegetation and habitat types listed in Appendix 9.1.6.6 and at the size and scale identified in Appendix 9.1.6.6.</u></i></p>	<p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G's submission point on Appendix 9.1.6.6.</p> <p>The D-G supports the recognition that there are areas of indigenous vegetation and habitat of indigenous fauna which are likely to meet significance criteria, but have not yet identified as an SES in the plan (which would afford it protection and/ or more appropriate management).</p>	
Policy 9.1.2.2.5	<p><i>Policy – Plan change</i></p> <p><i>a. The Council will initiate a plan change within six years of this Plan becoming operative to:</i></p> <p><i>i. include any other sites of indigenous vegetation and</i></p>	<p>Oppose in Part</p> <p>The Christchurch District Plan was made operative in 2017. This policy, indicates that plan changes will have at least started in process by now, given it has already been 4 years since the plan became</p>	<p>Council comply with Policy 9.1.2.2.5.</p> <p>AND</p> <p>Council review all Schedule B – Appendix 9.1.6.1 areas, and carry out a proper significance assessment of</p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>habitats of indigenous fauna assessed as being significant and warranting protection, by amending and updating Schedule A of Appendix 9.1.6.1;</i></p> <p>ii. <i>remove those sites listed in Schedule B of Appendix 9.1.6.1 that have been assessed for significance; and</i></p> <p>iii. <i>remove appendix 9.1.6.6 and associated rules.</i></p>	<p>operative. To date, no plan changes has occurred.</p> <p>It is necessary that the Council carry out the plan changes as indicated by Policy 9.1.2.2.5 to ensure the appropriate protection and management of indigenous biodiversity within Christchurch City.</p>	<p>Christchurch City in accordance with the CRPS, as part of PC7. This significance assessment should include sites where the vegetation listed in Appendix 9.1.6.6 is present, noting the D-G's submission on Appendix 9.1.6.6.</p> <p>It is not considered that Appendix 9.1.6.6 should be removed until such a time when significance assessments in accordance with the CRPS and NZCPS have been undertaken. Once these significance assessments have been undertaken, Appendix 9.1.6.6 may still hold values in relation to priorities for protection, and the management on indigenous biodiversity that may not have met significance criteria. Appendix 9.1.6.6 may still be a useful tool for plan users in managing indigenous biodiversity within Christchurch.</p>
Policy 9.1.2.2.6	<p><i>Policy – Protection and management of significant indigenous vegetation and habitats of indigenous fauna listed in Schedule A of Appendix 9.1.6.1 outside the coastal environment</i></p> <p>a. <i>Recognise and protect the indigenous vegetation and habitats of indigenous fauna within each site listed in the Sites of Ecological Significance in Schedule A of Appendix 9.1.6.1 except for those that are within the coastal environment so as to ensure no net loss of indigenous biodiversity by:</i></p> <p>i. <i>avoiding the adverse effects of vegetation clearance and the disturbance of habitats as far as practicable; then</i></p> <p>ii. <i>remedying any adverse effects that cannot be avoided; then</i></p> <p>iii. <i>mitigating any adverse effects</i></p>	<p>Oppose in Part</p> <p>The changes to Policy 9.1.2.2.87, removes the necessity to specifically refer to 'Schedule A of Appendix 9.1.6.1', as the policy applies to indigenous vegetation and habitats of indigenous fauna which are listed in Schedule A of Appendix 9.1.6.1, as well as other indigenous vegetation and habitats that may be significant.</p> <p>Schedule A is not representative of areas requiring protection by the CRPS. As noted in the D-G's submission relating to Policies 9.1.2.2.1, 9.1.2.2.4 and 9.1.2.2.5 and Appendices 9.1.6.1 and 9.1.6.6, these lists leave gaps with regards to sites that would likely meet the significance criteria in the CRPS.</p> <p>The relief sought in the D-G's submission better aligns which the direction set out in the CRPS</p> <p>The D-G also seeks the deletion of 'significant' in (a)(iv) as this is inconsistent with the CRPS policy 9.3.6.</p>	<p>Amend Policy 9.1.2.2.6 as follows:</p> <p><i>Policy – Protection and management of significant indigenous vegetation and habitats of indigenous fauna listed in Schedule A of Appendix 9.1.6.1 outside the coastal environment</i></p> <p>a. <i>Recognise and protect the significant indigenous vegetation and significant habitats of indigenous fauna within each site listed in the Sites of Ecological Significance in Schedule A of Appendix 9.1.6.1 except for those that are within the coastal environment so as to ensure no net loss of indigenous biodiversity by:</i></p> <p>i. <i>avoiding the adverse effects of vegetation clearance and the disturbance of habitats as far as practicable; then</i></p> <p>ii. <i>remedying any adverse effects that cannot be avoided; then</i></p> <p>iii. <i>mitigating any adverse effects that cannot be remedied; and</i></p> <p>iv. <i>where there are any significant residual adverse effects on the significant indigenous vegetation and significant habitats of indigenous fauna</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>that cannot be remedied; and</i></p> <p><i>iv. where there are any significant residual adverse effects on the significant indigenous vegetation and significant habitats of indigenous fauna within the site, offsetting them in accordance with Policy 9.1.2.2.14.</i></p>	<p>The D-G seeks the deletion of ‘except for those that are within the coastal environment’, as the amendments proposed by PC7, specifically state that this policy only applies outside of the coastal environment.</p> <p>The D-G has sought the deletion to the reference to no-net-loss. The drafting of Policy 9.1.2.2.6 is not consistent with Policy 9.3.6 of the CRPS,</p>	<p><i>within the site, offsetting them in accordance with Policy 9.1.2.2.14.</i></p>
<p>Policy 9.1.2.2.87</p>	<p><u>Policy – Protection of indigenous vegetation and habitats of indigenous fauna in the coastal environment</u></p> <p><u>Protection and management of significant indigenous vegetation and habitats of indigenous fauna listed in Schedule A of Appendix 9.1.6.1 and indigenous vegetation and habitat types listed in Appendix 9.1.6.6 located within the coastal environment</u></p> <p><i>a. Where Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 or indigenous vegetation and habitat types listed in Appendix 9.1.6.6 are located within the coastal environment, the protection of their indigenous biodiversity will be achieved by:</i></p> <p><i>i. avoiding adverse effects on:</i></p> <p><i>A. indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</i></p> <p><i>B. taxa that are listed by the</i></p>	<p>Support in Part</p> <p>Schedule A is not representative of areas requiring protection by the CRPS. As noted in the D-G’s submission relating to Policies 9.1.2.2.1, 9.1.2.2.4 and 9.1.2.2.5 and Appendices 9.1.6.1 and 9.1.6.6, these lists leave gaps with regards to sites that would likely meet the significance criteria in the CRPS.</p> <p>The way the provisions are drafted, may result in a lack of clarity around Schedule B Appendix 9.1.6.1. It is therefore sought that reference to Schedule B Appendix 9.1.6.1 is inserted into the provision. Reference to Schedule B Appendix 9.1.6.1 will ensure alignment with the CRPS and NZCPS.</p> <p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G’s submission point on Appendix 9.1.6.6.</p>	<p>Amend Policy 9.1.2.2.87 as follows:</p> <p><i>Policy – Protection of indigenous vegetation and habitats of indigenous fauna in the coastal environment</i></p> <p><i>Protection and management of significant indigenous vegetation and habitats of indigenous fauna listed in Schedule A of Appendix 9.1.6.1, sites listed in Schedule B of Appendix 9.1.6.1, and indigenous vegetation and habitat types listed Appendix 9.1.6.6 located within the coastal environment</i></p> <p><i>a. Where Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, sites listed in Schedule B of Appendix 9.1.6.1 or indigenous vegetation and habitat types listed in Appendix 9.1.6.6 are located within the coastal environment, the protection of their indigenous biodiversity will be achieved by:</i></p> <p><i>i. avoiding adverse effects on:</i></p> <p><i>A. indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;</i></p> <p><i>B. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;</i></p> <p><i>C. indigenous ecosystems and vegetation types</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>International Union for Conservation of Nature and Natural Resources as threatened;</i></p> <p><i>C. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare;</i></p> <p><i>D. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i></p> <p><i>E. areas containing nationally significant examples of indigenous community types; and</i></p> <p><i>F. areas set aside for full or partial protection of indigenous biodiversity under other legislation; and</i></p> <p><i>ii. avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on:</i></p> <p><i>A. areas of predominantly indigenous vegetation in the coastal environment;</i></p> <p><i>B. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</i></p> <p><i>C. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons,</i></p>		<p><i>that are threatened in the coastal environment, or are naturally rare;</i></p> <p><i>D. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;</i></p> <p><i>E. areas containing nationally significant examples of indigenous community types; and</i></p> <p><i>F. areas set aside for full or partial protection of indigenous biodiversity under other legislation; and</i></p> <p><i>ii. avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on:</i></p> <p><i>A. areas of predominantly indigenous vegetation in the coastal environment;</i></p> <p><i>B. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;</i></p> <p><i>C. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</i></p> <p><i>D. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;</i></p> <p><i>E. habitats, including areas and routes, important to migratory species; and</i></p> <p><i>F. ecological corridors, and areas important for linking or maintaining biological values identified under this policy.</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</i></p> <p><i>D. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;</i></p> <p><i>E. habitats, including areas and routes, important to migratory species; and</i></p> <p><i>F. ecological corridors, and areas important for linking or maintaining biological values identified under this policy.</i></p>		
Policy 9.1.2.2.87	<p><i>Policy – Protection and management of other indigenous vegetation and habitats that may be significant</i></p> <p><i>a. On Banks Peninsula and the Port Hills, outside Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, manage the clearance of indigenous vegetation and habitat types listed in Appendix 9.1.6.6, by ensuring that:</i></p> <p><i>i. resource consent applications to clear indigenous vegetation or disturb habitat include an assessment of the <u>significance of the indigenous biodiversity of the listed indigenous vegetation and habitat types on the site in accordance with the Canterbury Regional Policy Statement Policy 9.3.1 and Appendix 3, in order to inform the assessment of the potential</u></i></p>	<p>Support in Part</p> <p>The way the provisions are drafted, may result in a lack of clarity around Schedule B Appendix 9.1.6.1. It is therefore sought that reference to Schedule B Appendix 9.1.6.1 is inserted into the provision. Reference to Schedule B Appendix 9.1.6.1 will ensure alignment with the CRPS and NZCPS.</p> <p>Policy 9.1.2.2.87 has been amended to include indigenous vegetation that may be significant. However, reference to Policy 9.1.2.2.6(a)(i) at 9.1.2.2.87 (a)(ii)(A) could be confusing, as policy 9.1.2.2.6 only covers Sites of Ecological Significance in Schedule A of Appendix 9.1.6.1. While it seems that the intent of the amendment to 9.1.2.2.87 is for any vegetation clearance not meeting permitted activity standards are assessed against those matters in (i)-(iv). To clarify and better align with the intent of the proposed changes to Policy 9.1.2.2.87, amendments to 9.1.2.6 are necessary.</p>	<p>Amend Policy 9.1.2.2.6 in accordance with the D-G’s submission.</p> <p>AND</p> <p>Undertake significance assessments of those sites listed in Schedule B of Appendix 9.1.6.1.</p> <p>AND</p> <p>Review Appendix 9.1.6.6 to ensure that all vegetation types that would meet the NZPCS Policy 11 criteria are included.</p> <p>AND</p> <p>Review Appendix 9.1.6.6 to ensure that vegetation types listed are consistent with policy 9.3.2 of the CRPS.</p> <p>AND</p> <p>Amend Policy 9.1.2.2.87 as follows:</p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>effects of the activity;</i></p> <p>ii. that <i>where the assessment undertaken in i. above concludes that an area of indigenous vegetation or habitat of indigenous fauna is significant:</i></p> <p>A. <u>Outside the coastal environment, the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.6 a.i. – iv to ensure there is no net loss of indigenous biodiversity;</u></p> <p>B. <u>Within the coastal environment, the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.7.</u></p> <p><u>to ensure there is no net loss of indigenous biodiversity; and</u></p> <p>b. <i>Avoid the clearance of mature and regenerating podocarp/hardwood and beech forest in the district.</i></p>	<p>The D-G has sought the deletion to the reference to no-net-loss. The drafting of Policy 9.1.2.2.6 is not consistent with Policy 9.3.6 of the CRPS, or Policy 11 of the NZCPS,</p> <p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G’s submission point on Appendix 9.1.6.6.</p>	<p><i>Policy – Protection and management of other indigenous vegetation and habitats that may be significant</i></p> <p>a. <i>On Banks Peninsula and the Port Hills, outside Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, manage the clearance of indigenous vegetation and habitat types listed in Appendix 9.1.6.6, or sites identified in Schedule B or Appendix 9.1.6.1 by ensuring that:</i></p> <p>i. <i>resource consent applications to clear indigenous vegetation or disturb habitat include an assessment of the <u>significance of the indigenous biodiversity of the listed indigenous vegetation and habitat types on the site in accordance with the Canterbury Regional Policy Statement Policy 9.3.1 and Appendix 3, in order to inform the assessment of the potential effects of the activity;</u></i></p> <p>ii. that <i>where the assessment undertaken in i. above concludes that an area of indigenous vegetation or habitat of indigenous fauna is significant:</i></p> <p>A. <u>Outside the coastal environment, the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.6 a.i. – iv to ensure there is no net loss of indigenous biodiversity;</u></p> <p>B. <u>Within the coastal environment, the effects of any clearance shall be considered in relation to the matters set out in Policy 9.1.2.2.7.</u></p> <p>to ensure there is no net loss of indigenous biodiversity; and</p> <p>b. <i>Avoid the clearance of mature and regenerating podocarp/hardwood and beech forest in the district.</i></p>
Policy 9.1.2.2.11	<p><i>Policy - Farm biodiversity plans</i></p> <p>a. <i>Establish a collaborative approach with rural landowners/land</i></p>	<p>Support in Part</p> <p>The way the provisions are drafted, may result in a</p>	<p>Amend Policy 9.1.2.2.11 as follows:</p> <p><i>Policy - Farm biodiversity plans</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>managers through the development of Farm Biodiversity Plans that:</i></p> <ul style="list-style-type: none"> <i>i. recognises and encourages the integrated management, maintenance and protection of indigenous biodiversity, including Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, and the vegetation types listed in Appendix 9.1.6.6, while also providing for the maintenance of rural productive activities;</i> <i>ii. recognises that there may need to be some clearance of indigenous vegetation as part of maintaining rural productive activities; and</i> <i>iii. achieves maintenance, and over time, the enhancement of indigenous biodiversity.</i> <p><i>b. Farm Biodiversity Plans submitted as part of resource consent applications shall:</i></p> <ul style="list-style-type: none"> <i>i. identify areas of indigenous biodiversity to be maintained, protected and, where appropriate, enhanced;</i> <i>ii. adopt methods to minimise the clearance of previously un-cleared areas and Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, and the vegetation types listed in Appendix 9.1.6.6;</i> <i>iii. identify the measures that will be used to maintain, protect and, where appropriate,</i> 	<p>lack of clarity around Schedule B Appendix 9.1.6.1. It is therefore sought that reference to Schedule B Appendix 9.1.6.1 is inserted into the provision. Reference to Schedule B Appendix 9.1.6.1 will ensure alignment with the CRPS and NZCPS.</p> <p>The D-G is comfortable with clause (a)(ii), provided the D-G's submission on improved pasture is accepted.</p> <p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G's submission point on Appendix 9.1.6.6.</p>	<ul style="list-style-type: none"> <i>a. Establish a collaborative approach with rural landowners/land managers through the development of Farm Biodiversity Plans that:</i> <ul style="list-style-type: none"> <i>i. recognises and encourages the integrated management, maintenance and protection of indigenous biodiversity, including Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, sites listed in Schedule B of Appendix 9.1.6.1, and the vegetation types listed in Appendix 9.1.6.6, while also providing for the maintenance of rural productive activities;</i> <i>ii. recognises that there may need to be some clearance of indigenous vegetation as part of maintaining rural productive activities; and</i> <i>iii. achieves maintenance, and over time, the enhancement of indigenous biodiversity.</i> <i>b. Farm Biodiversity Plans submitted as part of resource consent applications shall:</i> <ul style="list-style-type: none"> <i>i. identify areas of indigenous biodiversity to be maintained, protected and, where appropriate, enhanced;</i> <i>ii. adopt methods to minimise the clearance maximise the protection or enhancement of previously un-cleared areas and Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, sites listed in Schedule B of Appendix 9.1.6.1, and the vegetation types listed in Appendix 9.1.6.6;</i> <i>iii. identify the measures that will be used to maintain, protect and, where appropriate, enhance indigenous biodiversity;</i> <i>iv. identify appropriate targets to measure progress in the maintenance, protection and, where appropriate, enhancement of biodiversity; and</i> <i>v. be flexible to adapt to changing needs of land use and indigenous biodiversity management.</i> <i>c. Promote the development of Farm Biodiversity Plans to landowners:</i>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>enhance indigenous biodiversity;</i></p> <p>iv. <i>identify appropriate targets to measure progress in the maintenance, protection and, where appropriate, enhancement of biodiversity; and</i></p> <p>v. <i>be flexible to adapt to changing needs of land use and indigenous biodiversity management.</i></p> <p>c. <i>Promote the development of Farm Biodiversity Plans to landowners:</i></p> <p>i. <i>at the time of identification and assessment of potentially ecologically significant values;</i></p> <p>ii. <i>as good practice for maintaining and protecting indigenous biodiversity;</i></p> <p>iii. <i>at a whole of property or catchment level, where appropriate; and</i></p> <p>iv. <i>where resource consent is required for farming involving clearance activities.</i></p>		<p>i. <i>at the time of identification and assessment of potentially ecologically significant values;</i></p> <p>ii. <i>as good practice for maintaining and protecting indigenous biodiversity;</i></p> <p>iii. <i>at a whole of property or catchment level, where appropriate; and</i></p> <p>iv. <i>where resource consent is required for farming involving clearance activities.</i></p>
Policy 9.1.2.2.14	<p>Policy – Offsetting</p> <p>a. <i>Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in residual adverse effects on a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, or on indigenous biodiversity outside such Sites of Ecological Significance.</i></p> <p>b. <i>Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 biodiversity offset</i></p>	<p>Oppose in Part</p> <p>The proposed amendments sought by the D-G reflect the changes to the provisions as a result of PC7 and the D-G’s submission points relating to the completeness of Schedules A and B of Appendix 9.1.6.1 and Appendix 9.1.6.6.</p>	<p>Amend Policy 9.1.2.2.14 as follows:</p> <p>Policy – Offsetting</p> <p>a. <i>Allow for a biodiversity offset to be offered by a resource consent applicant where an activity will result in residual adverse effects on a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1, or on indigenous biodiversity outside such Sites of Ecological Significance.</i></p> <p>b. <i>Within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1</i> <i>A biodiversity offset will only be considered appropriate where adverse effects on the significant indigenous vegetation and</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT											
	<p><i>will only be considered appropriate where adverse effects on the significant indigenous vegetation and significant habitats of indigenous fauna within the site have been avoided remedied or mitigated in accordance with the hierarchy <u>hierarchies</u> established in Policy Policies <u>9.1.2.2.6 and 9.1.2.2.7</u>; and</i></p> <p><i>i. the biodiversity offset is consistent with the framework detailed in Appendix 9.1.6.5; and</i></p> <p><i>ii. the biodiversity offset can achieve no net loss of indigenous biodiversity:</i></p> <p><i>A. preferably in the affected area of significant indigenous vegetation or significant habitat of indigenous fauna; or</i></p> <p><i>B. where that is not practicable, in the ecological district in which the affected area of significant indigenous vegetation or significant habitat of indigenous fauna is located.</i></p>		<p><i>significant habitats of indigenous fauna within the site have been avoided remedied or mitigated in accordance with the hierarchy <u>hierarchies</u> established in Policy Policies <u>9.1.2.2.6, and 9.1.2.2.7 and 9.1.2.2.8</u>; and</i></p> <p><i>i. the biodiversity offset is consistent with the framework detailed in Appendix 9.1.6.5; and</i></p> <p><i>ii. the biodiversity offset can achieve no net loss of indigenous biodiversity:</i></p> <p><i>A. preferably in the affected area of significant indigenous vegetation or significant habitat of indigenous fauna; or</i></p> <p><i>B. where that is not practicable, in the ecological district in which the affected area of significant indigenous vegetation or significant habitat of indigenous fauna is located.</i></p>											
<p>Rule 9.1.4.1.1 (P1)</p>	<p>Permitted Activity P1</p> <table border="1" data-bbox="371 1161 797 1433"> <tr> <td>Activity</td> </tr> <tr> <td><i>Indigenous vegetation clearance:</i></td> </tr> <tr> <td><i>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i></td> </tr> <tr> <td><i>b. of vegetation listed in Appendix 9.1.6.6.</i></td> </tr> <tr> <td>Activity Specific Standards</td> </tr> </table>	Activity	<i>Indigenous vegetation clearance:</i>	<i>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i>	<i>b. of vegetation listed in Appendix 9.1.6.6.</i>	Activity Specific Standards	<p>Oppose in Part</p> <p>The way the provisions are drafted, may result in a lack of clarity around Schedule B Appendix 9.1.6.1. It is therefore sought that reference to Schedule B Appendix 9.1.6.1 is inserted into the provision.</p> <p>As noted in the submission point relating to the definition of 'improved pasture', the D-G has some concerns around how improved pasture will be</p>	<p>Amend Rule 9.1.4.1.1 (P1) as follows:</p> <table border="1" data-bbox="1433 1161 2045 1433"> <tr> <td>Activity</td> </tr> <tr> <td><i>Indigenous vegetation clearance:</i></td> </tr> <tr> <td><i>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i></td> </tr> <tr> <td><i>b. within sites listed in Schedule B of Appendix 9.1.6.1; or</i></td> </tr> <tr> <td><i>c. of vegetation listed in Appendix 9.1.6.6.</i></td> </tr> <tr> <td>Activity Specific Standards</td> </tr> </table>	Activity	<i>Indigenous vegetation clearance:</i>	<i>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i>	<i>b. within sites listed in Schedule B of Appendix 9.1.6.1; or</i>	<i>c. of vegetation listed in Appendix 9.1.6.6.</i>	Activity Specific Standards
Activity														
<i>Indigenous vegetation clearance:</i>														
<i>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i>														
<i>b. of vegetation listed in Appendix 9.1.6.6.</i>														
Activity Specific Standards														
Activity														
<i>Indigenous vegetation clearance:</i>														
<i>a. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i>														
<i>b. within sites listed in Schedule B of Appendix 9.1.6.1; or</i>														
<i>c. of vegetation listed in Appendix 9.1.6.6.</i>														
Activity Specific Standards														

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT		
	<p>a. Any indigenous vegetation clearance shall be limited to clearance for one or more of the following:</p> <ul style="list-style-type: none"> i. the operation, maintenance and repair, within 2 metres either side, of fences, access tracks, buildings, fire ponds, gates, stock yards, troughs and water tanks; ii. clearance necessary for the removal of pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993; iii. for the purpose of maintaining improved pasture <u>outside the coastal environment</u>; iv. conservation activities; v. to implement a conservation covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987; vi. clearance of any understory of indigenous vegetation as a result of harvesting an existing forestry area or maintenance of forestry access or firebreaks. 	<p>identified and managed and the lack of clarity relating to the definition.</p> <p>Improved pasture should not have large areas of indigenous vegetation needing clearance as it is truly 'improved'. The current drafting enables paddock modification above the existing or current use.</p> <p>While the D-G is not opposed to some permitted activities for the purpose of the maintenance of improved pasture (noting changes sought to the definition of improved pasture), the current drafting of the improved pasture definition and Rule 9.1.4.1.1 (P1)(a)(iii) runs the risk of vegetation and habitat meeting the significance criteria in the CRPS being cleared without restriction. The D-G seeks that (P1)(a)(iii) is deleted, and replaced with specific activity rules. These specific activity rules are covered by following submission points.</p> <p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G's submission point on Appendix 9.1.6.6.</p>	<p>a. Any indigenous vegetation clearance shall be limited to clearance for one or more of the following:</p> <ul style="list-style-type: none"> i. the operation, maintenance and repair, within 2 metres either side, of fences, access tracks, buildings, fire ponds, gates, stock yards, troughs and water tanks; ii. clearance necessary for the removal of pest plants and pest animals in accordance with any regional pest management plan or the Biosecurity Act 1993; iii. for the purpose of maintaining improved pasture, outside the coastal environment; iv. conservation activities; v. to implement a conservation covenant established under the Conservation Act 1987 or any other Act specified in the First Schedule of the Conservation Act 1987; vi. clearance of any understory of indigenous vegetation as a result of harvesting an existing forestry area or maintenance of forestry access or firebreaks. 		
Rule 9.1.4.1.1 (P4)	<p>Permitted Activity P4</p> <table border="1" data-bbox="371 1362 792 1433"> <tr> <td>Activity</td> </tr> <tr> <td><i>Any indigenous vegetation</i></td> </tr> </table>	Activity	<i>Any indigenous vegetation</i>	<p>Oppose in Part</p> <p>The way the provisions are drafted, may result in a lack of clarity around Schedule B Appendix 9.1.6.1. It</p>	<p>Amend Rule 9.1.4.4 (P4) to include permitted indigenous vegetation thresholds, which at a point, require some assessment to take place.</p>
Activity					
<i>Any indigenous vegetation</i>					

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT											
	<p><i>clearance:</i></p> <p>a. <i>outside a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; and</i></p> <p>b. <i>that:</i></p> <p>i. <i>is not vegetation listed in Appendix 9.1.6.6 and is not provided for by P5.</i></p> <table border="1" data-bbox="371 448 792 515"> <tr> <td>Activity Specific Standard</td> </tr> <tr> <td><i>Nil</i></td> </tr> </table>	Activity Specific Standard	<i>Nil</i>	<p>is therefore sought that reference to Schedule B Appendix 9.1.6.1 is inserted into the provision.</p> <p>This provision is therefore inconsistent with Section 31(1)(b)(iii) of the RMA, which seeks to maintain indigenous biodiversity, as there appears to be no provisions in the Christchurch District Plan which seek to provide some level of maintenance of indigenous biodiversity.</p> <p>The drafting proposed by the D-G and covered by this submission, will capture the maintenance of improved pasture outside of the coastal environment, that is not in any scheduled or listed areas.</p> <p>This relates to the D-Gs submission of Rule 9.1.4.1.1 (P1) and noting the D-G's submission on the definition of 'improved pasture'.</p> <p>The CRPS, contains Policy 9.3.2, which seek to protect certain vegetation, species or habitats types that may not be covered in the Christchurch District Plans Appendix 9.1.6.1 or Appendix 9.1.6.6. The current plan provision may result in vegetation, habitat or species which the CRPS seeks protection for, being lost.</p> <p>It is the D-G's submission that provisions should be included which restrict how much uncontrolled indigenous vegetation clearance takes place.</p> <p>It is also the D-G's position, that the unregulated indigenous vegetation clearance proposed by Rule 9.1.4.4 (P4), only applies outside the coastal environment, in order to ensure consistency with NZCPS Policy 11.</p>	<p>AND</p> <p>Amend Rule 9.1.4.4 (P4) as follows:</p> <table border="1" data-bbox="1438 280 2045 743"> <tr> <td>Activity</td> </tr> <tr> <td><i>Any indigenous vegetation clearance outside of the Coastal Environment:</i></td> </tr> <tr> <td>a. <i>outside a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; and</i></td> </tr> <tr> <td>b. <i>outside a site listed in Schedule B of Appendix 9.1.6.1; and</i></td> </tr> <tr> <td>c. <i>that:</i></td> </tr> <tr> <td>i. <i>is not vegetation listed in Appendix 9.1.6.6 and is not provided for by P5.</i></td> </tr> <tr> <td>Activity Specific Standard</td> </tr> <tr> <td><i>Nil</i></td> </tr> <tr> <td>0.1ha or less every 5 years</td> </tr> </table>	Activity	<i>Any indigenous vegetation clearance outside of the Coastal Environment:</i>	a. <i>outside a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; and</i>	b. <i>outside a site listed in Schedule B of Appendix 9.1.6.1; and</i>	c. <i>that:</i>	i. <i>is not vegetation listed in Appendix 9.1.6.6 and is not provided for by P5.</i>	Activity Specific Standard	<i>Nil</i>	0.1ha or less every 5 years
Activity Specific Standard														
<i>Nil</i>														
Activity														
<i>Any indigenous vegetation clearance outside of the Coastal Environment:</i>														
a. <i>outside a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; and</i>														
b. <i>outside a site listed in Schedule B of Appendix 9.1.6.1; and</i>														
c. <i>that:</i>														
i. <i>is not vegetation listed in Appendix 9.1.6.6 and is not provided for by P5.</i>														
Activity Specific Standard														
<i>Nil</i>														
0.1ha or less every 5 years														
Rule 9.1.4.1.1	Permitted Activity P5	Oppose	Amend the thresholds set out in Appendix 9.1.6.6 to											

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
(P5)	<p>Activity <i>Any indigenous vegetation clearance within an area of improved pasture within the coastal environment that is of vegetation listed in Appendix 9.1.6.6 below the specified thresholds.</i></p> <p>Activity Specific Standard <i>Nil</i></p>	<p>(noting the D-G's submission on the definition of improved pasture)</p> <p>The maintenance of improved pasture is effectively enabling the continuation of an existing activity. The D-G does not oppose the continuation of pasture use, provided the character, intensity and scale remains the same.</p> <p>The D-G considers that Rule 9.1.4.1.1 (P5) is inconsistent with NZCPS Policy 11 as Appendix 9.1.6.6 does not comprehensively cover all vegetation types with the coastal environment. It also does not reflect the mitigation hierarchy set out in NZPCS Policy 11, related to vegetation clearance within the Coastal Environment.</p> <p>The D-G seeks that the thresholds contained in Appendix 9.1.6.6 are reviewed generally, and also in relation to indigenous vegetation clearance within the coastal environment.</p> <p>The D-G also seeks that a threshold is set for clearance within the coastal environment, outside of Schedule A or B of Appendix 9.1.6.1 and Appendix 9.1.6.6 areas.</p>	<p>better give effect to NZCPS Policy 11.</p> <p>Amend Rule 9.1.4.1.1 (P5) as follows:</p> <p>Activity <i>Any indigenous vegetation clearance within an area of for the purpose of maintaining improved pasture within the coastal environment that is of vegetation listed in Appendix 9.1.6.6 below the specified thresholds, and is:</i></p> <ul style="list-style-type: none"> <i>a. outside an area listed in Schedule A of Appendix 9.1.6.1; and</i> <i>b. outside an area listed in Schedule B of Appendix 9.1.6.1; and</i> <i>c. not vegetation listed in Appendix 9.1.6.6.</i> <p>Activity Specific Standard <i>##The clearance is less than 500m² every 5 years</i></p>
Rule 9.1.4.1.3 (RD3)	<p>Rule RD 3</p> <p>Activity <i>a. Indigenous vegetation clearance, not provided for by Rule 9.1.4.1.1 P1 or P3, for the purposes of new, or upgrades (except minor upgrades under Rule 11.4.1 P9 - P15) to, utilities or network infrastructure operated by network utility operators, including associated access tracks:</i></p>	<p>Oppose in Part</p> <p>Noting the D-G's submission related to the inclusion of Schedule B of Appendix 9.1.6.1.</p> <p>The D-G has also sought to include matter of discretion Rule 9.6.3.1, where the activity is undertaken in the coastal environment.</p> <p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G's submission point on Appendix 9.1.6.6.</p>	<p>Amend Rule 9.1.4.1.3 (RD3) as follows:</p> <p>Activity <i>a. Indigenous vegetation clearance, not provided for by Rule 9.1.4.1.1 P1 or P3, for the purposes of new, or upgrades (except minor upgrades under Rule 11.4.1 P9 - P15) to, utilities or network infrastructure operated by network utility operators, including associated access tracks:</i></p> <ul style="list-style-type: none"> <i>i. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i> <i>ii. within a site listed in Schedule B of Appendix</i>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p>i. within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</p> <p>ii. of vegetation listed in Appendix 9.1.6.6; or</p> <p>iii. consisting of the vegetation described in Rule 9.1.4.1.5 NC3.</p> <p>Advice note:</p> <p>1. This rule does not apply to customary harvesting</p> <p>The Council's discretion shall be limited to the following matters:</p> <p>a. Indigenous biodiversity and ecosystems – Rule 9.1.5.2</p>		<p>9.1.6.1; or</p> <p>iii. of vegetation listed in Appendix 9.1.6.6; or</p> <p>iv. consisting of the vegetation described in Rule 9.1.4.1.5 NC3.</p> <p>Advice note:</p> <p>1. This rule does not apply to customary harvesting</p> <p>The Council's discretion shall be limited to the following matters:</p> <p>a. Indigenous biodiversity and ecosystems – Rule 9.1.5.2</p> <p>b. <u>Effects of activities on the coastal environment – Rule 9.6.3.1.</u></p>
<p>Rule 9.1.4.1.3 (RD4)</p>	<p>Rule RD4</p> <p>Activity</p> <p>a. Indigenous vegetation clearance of vegetation listed in Appendix 9.1.6.6, that:</p> <p>i. is not provided for by Rule 9.1.4.1.1 P1 or P3; and</p> <p>ii. is undertaken in accordance with a Farm Biodiversity Plan which has been prepared in accordance with the requirements of Appendix 9.1.6.7.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to the Department of Conservation (absent its written approval)</p>	<p>Oppose in Part</p> <p>The matters of discretion do not recognise that the sites listed in Schedule A of Appendix 9.1.6.1 are incomplete and that areas listed in Schedule B of Appendix 9.1.6.1 would likely meet the significance criteria set out in the CRPS.</p> <p>The D-G has also sought to include matter of discretion Rule 9.6.3.1, where the activity is undertaken in the coastal environment.</p>	<p>Amend Rule 9.1.4.1.3 (RD4) as follows:</p> <p>Rule RD4</p> <p>Activity</p> <p>a. Indigenous vegetation clearance of vegetation listed in Appendix 9.1.6.6, that:</p> <p>i. is not provided for by Rule 9.1.4.1.1 P1 or P3; and</p> <p>ii. is undertaken in accordance with a Farm Biodiversity Plan which has been prepared in accordance with the requirements of Appendix 9.1.6.7.</p> <p>b. Any application arising from this rule shall not be publicly notified and shall be limited notified only to the Department of Conservation (absent its written approval)</p> <p>Advice note:</p> <p>1. The rule does not apply to customary harvesting.</p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>Advice note:</i></p> <p>1. <i>The rule does not apply to customary harvesting.</i></p> <p><i>The Council's discretion shall be limited to the following matters:</i></p> <p>a. <i>Farm Biodiversity Plans – Rule 9.1.5.3</i></p>		<p><i>The Council's discretion shall be limited to the following matters:</i></p> <p>a. <i>Farm Biodiversity Plans – Rule 9.1.5.3</i></p> <p>b. <i>Indigenous Biodiversity and Ecosystems – Rule 9.1.5.2</i></p> <p>c. <i>Effects of activities on the coastal environment – Rule 9.6.3.1.</i></p>
Rule 9.1.4.1.3 (RD7)	<p><i>Rule RD7</i></p> <p><i>Activity</i></p> <p>a. <i>Indigenous vegetation clearance of vegetation listed in Appendix 9.1.6.6, that:</i></p> <p>i. <i>is not provided for by Rule 9.1.4.1.1 P5; and</i></p> <p>b. <i>Is undertaken in accordance with a Farm Biodiversity Plan which has been prepared in accordance with the requirements of Appendix 9.1.6.7.</i></p> <p><i>The Council's discretion shall be limited to the following matters:</i></p> <p>a. <i>Indigenous biodiversity and ecosystems – Rule 9.1.5.2.</i></p> <p>b. <i>Farm Biodiversity Plans – Rule 9.1.5.3;</i></p> <p>c. <i>Effects of activities on the coastal environment – Rule 9.6.3.1.</i></p>	<p>Oppose in Part</p> <p>Indigenous vegetation clearance within the coastal environment requires additional protection, above indigenous vegetation clearance outside of the coastal environment. The D-G is concerned that the proposed Rule 9.1.4.1.3 (RD7) is not consistent with NZCPS Policy 11. Where clearance occurs within the coastal environment, a higher level of scrutiny should be applied.</p> <p>The D-G also has some concern around the completeness of Appendix 9.1.6.6. Please refer to the D-G's submission point on Appendix 9.1.6.6.</p>	<p>Amend Rule 9.1.4.1.3 (RD7) as follows:</p> <p><i>Activity</i></p> <p>a. <i>Indigenous vegetation clearance of vegetation listed in Appendix 9.1.6.6, outside of the Coastal Environment that:</i></p> <p>i. <i>is not provided for by Rule 9.1.4.1.1 P5; and</i></p> <p>b. <i>Is undertaken in accordance with a Farm Biodiversity Plan which has been prepared in accordance with the requirements of Appendix 9.1.6.7.</i></p> <p><i>The Council's discretion shall be limited to the following matters:</i></p> <p>a. <i>Indigenous biodiversity and ecosystems – Rule 9.1.5.2.</i></p> <p>b. <i>Farm Biodiversity Plans – Rule 9.1.5.3;</i></p> <p>c. <i>Effects of activities on the coastal environment – Rule 9.6.3.1.</i></p>
NEW Rule 9.1.4.1.3 (RD8)	New provision	<p>The D-G considers that there is a gap with regards to the clearance of indigenous vegetation within the Coastal Environment, which is not:</p> <ul style="list-style-type: none"> - Listed within Schedule A or B of Appendix 9.1.6.1; or - Listed in Appendix 9.1.6.6; or - For the purpose of maintaining improved pasture. 	<p>Insert a new provision as follows:</p> <p><i>Activity</i></p> <p>a. <i>Indigenous vegetation clearance of vegetation within the coastal environment, not provided for by Rule 9.1.4.1.1 P5 and is not</i></p> <p>i. <i>listed in Schedule A of Appendix 9.1.6.1; or</i></p> <p>ii. <i>listed in Schedule B of Appendix 9.1.6.1; or</i></p> <p>iii. <i>clearing vegetation types listed in</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
		<p>The D-G therefore seeks that a new Permitted Activity rule, and Restricted Discretionary Rule to cover this activity.</p> <p>The D-G considers that a rule framework is necessary to ensure consistency with the NZCPS Policy 11.</p>	<p><u>Appendix 9.1.6.6.</u></p> <p><u>The Council's discretion shall be limited to the following matters:</u></p> <p>a. <u>Indigenous biodiversity and ecosystems – Rule 9.1.5.2.</u></p> <p>b. <u>Effects of activities on the coastal environment – Rule 9.6.3.1.</u></p>
<p>Rule 9.1.4.1.5 (NC1)</p>	<p>Rule NC1</p> <p>Activity</p> <p><i>Indigenous vegetation clearance, that is not provided for by Rule 9.1.4.1.1 P1 or P3 or Rule 9.1.4.1.3 RD3 – RD6-RD7:</i></p> <p>a. <i>within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i></p> <p>b. <i>of vegetation listed in Appendix 9.1.6.6.</i></p> <p><i>Advice note:</i></p> <p>1. <i>This rule does not apply to customary harvesting.</i></p>	<p>Support in Part</p> <p>The D-G supports the intent of this rule. However, as noted in this submission, Appendix 9.1.6.6 does not include all vegetation types that require additional protection under the CRPS Policies 9.3.1 and 9.3.2, or those vegetation and habitat types covered by NZCPS Policy 11.</p>	<p>Amend Rule 9.1.4.1.5 (NC1) as follows:</p> <p>Activity</p> <p><i>Indigenous vegetation clearance, that is not provided for by Rule 9.1.4.1.1 P1, or P3, or P4 or Rule 9.1.4.1.3 RD3 – RD6-RD7:</i></p> <p>a. <i>within a Site of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; or</i></p> <p>b. <u>within a site listed in Schedule B of Appendix 9.1.6.1; or</u></p> <p>c. <i>of vegetation listed in Appendix 9.1.6.6.</i></p> <p><i>Advice note:</i></p> <p>1. <i>This rule does not apply to customary harvesting.</i></p>
<p>NEW <u>Rule 9.1.4.1.5 (NC4)</u></p>	<p>New provision</p>	<p>There appears to be a gap with indigenous vegetation clearance which does not meet the permitted activity standards in Rule 9.1.4.1.1 (P5), or captured by Rule 9.1.4.1.3 (RD7) (meaning that there is a Farm Biodiversity Plan).</p> <p>The D-G seeks that a new non-complying activity is included in the plan which covers indigenous vegetation clearance within areas of improved pasture, within either sites listed in Schedule B of Appendix 9.1.6.1 (where the clearance is of more than 50m² every 5 years); or for vegetation listed in Appendix 9.1.6.6 (where the clearance is above the</p>	<p>Insert new <u>Rule 9.1.4.1.5 (NC4)</u> as follows:</p> <p>Activity</p> <p><u>Indigenous vegetation clearance for the purpose of maintaining of improved pasture, that is not provided for by Rule 9.1.4.1.1 P5 or Rule 9.1.4.1.3 RD7 and RD8:</u></p> <p><u>Advice note:</u></p> <p>1. <u>This rule does not apply to customary harvesting.</u></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
		relevant thresholds); and: <ul style="list-style-type: none"> - is located in the coastal environment; and - No Farm Biodiversity Plan exists. 	
Rule 9.1.5.2 – Indigenous Biodiversity and Ecosystems	<p>9.1.5.2 Indigenous biodiversity and ecosystems</p> <p>a. <i>The extent to which the nature, scale, intensity and location of the proposed activity will adversely affect indigenous biodiversity and ecosystems taking into account:</i></p> <ul style="list-style-type: none"> i. <i>any loss of, or effects on, indigenous vegetation or habitats of indigenous fauna, including wetlands, ecological corridors and linkages;</i> ii. <i>indigenous ecosystem integrity and function;</i> iii. <i>Ngāi Tahu values associated with indigenous biodiversity;</i> iv. <i>where relevant, any effects on areas of significant indigenous vegetation and/or significant habitats of indigenous fauna in Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1; and</i> v. <i>where relevant, any effects on indigenous vegetation and habitats of indigenous fauna in the coastal environment.</i> <p>b. <i>The extent to which areas of significant indigenous vegetation and/or significant habitats of indigenous fauna in Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 will be protected to ensure no net loss of indigenous biodiversity;</i></p> <p>c. <i>The extent to which adverse effects</i></p>	<p>Oppose in Part</p> <p>Rule 9.1.5.2 does not recognise that Schedule A of Appendix 9.1.6.1 is incomplete. The amendment proposed in the D-G’s submission, improves consistency with the amendments sought by PC7, which seek to improve consistency with the CRPS and NZCPS.</p>	<p>Amend Rule 9.1.5.2 as follows:</p> <p>9.1.5.2 Indigenous biodiversity and ecosystems</p> <p>a. <i>The extent to which the nature, scale, intensity and location of the proposed activity will adversely affect indigenous biodiversity and ecosystems taking into account:</i></p> <ul style="list-style-type: none"> i. <i>any loss of, or effects on, indigenous vegetation or habitats of indigenous fauna, including wetlands, ecological corridors and linkages;</i> ii. <i>indigenous ecosystem integrity and function;</i> iii. <i>Ngāi Tahu values associated with indigenous biodiversity;</i> iv. <i>where relevant, any effects on areas of significant indigenous vegetation and/or significant habitats of indigenous fauna in Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1;</i> v. <u>where relevant, any effects on areas which would meet the criteria for significance in Policy 9.1.2.2;</u> vi. <i>where relevant, any effects on indigenous vegetation and habitats of indigenous fauna in the coastal environment.</i> <p>b. <u>The extent to which the indigenous vegetation of habitat of indigenous fauna has been assessed for significance in accordance with Policies 9.1.2.2.1, 9.1.2.2.2, 9.1.2.2.4 and 9.1.2.2.7;</u></p> <p>c. <i>The extent to which areas of significant indigenous vegetation and/or significant habitats of indigenous fauna in Sites of Ecological Significance listed in Schedule A of Appendix 9.1.6.1 will be protected to ensure no net loss of indigenous biodiversity;</i></p> <p>d. <i>The extent to which adverse effects on indigenous biodiversity and Ngāi Tahu values will be managed to ensure indigenous biodiversity in the Christchurch</i></p>

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
	<p><i>on indigenous biodiversity and Ngāi Tahu values will be managed to ensure indigenous biodiversity in the Christchurch District is maintained and enhanced;</i></p> <p><i>d. Any social, economic, environmental and cultural benefits resulting from the proposed activity including the extent to which the activity may protect, maintain or enhance any ecosystems or indigenous biodiversity, including through the use of biodiversity offsets, covenants and/or restoration and enhancement;</i></p> <p><i>e. The risk of the increase in weed and pest species, and proposed management of pests; and</i></p> <p><i>f. Any locational, technical or operational requirements of the proposed activity and the practicality of avoiding indigenous vegetation, including the viability of alternatives.</i></p>		<p><i>District is maintained and enhanced;</i></p> <p><i>e. Any social, economic, environmental and cultural benefits resulting from the proposed activity including the extent to which the activity may protect, maintain or enhance any ecosystems or indigenous biodiversity, including through the use of biodiversity offsets, covenants and/or restoration and enhancement;</i></p> <p><i>f. The risk of the increase in weed and pest species, and proposed management of pests; and</i></p> <p><i>g. Any locational, technical or operational requirements of the proposed activity and the practicality of avoiding indigenous vegetation, including the viability of alternatives.</i></p>
Appendix 9.1.6.1	Appendix 9.1.6.1	<p>Oppose in Part</p> <p>Appendix 9.1.6.1 contains two Schedules. Schedule A is those sites that have been identified as Sites of Ecological Significance, and Schedule B, are those sites that still would likely meet significance criteria in the CRPS, but are yet to be formalised into Schedule A.</p> <p>The provisions in the Christchurch District Plan generally refer to ‘Schedule A of Appendix 9.1.6.1’ and ‘Appendix 9.1.6.6’. The D-G recognises that those sites listed in Schedule B or Appendix 9.1.6.1 are likely to contain vegetation types listed in Appendix</p>	Amend provisions to include reference to Schedule B of Appendix 9.1.6.1.

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT
		9.1.6.6, the way the provisions are drafted could result in plan users not recognising that a site which is explicitly listed in Schedule B of Appendix 9.1.6.1 would be subject to provisions referencing Appendix 9.1.6.6.	
Appendix 9.1.6.6: Table 1	<p>Appendix 9.1.6.6 Indigenous vegetation on Banks Peninsula and the Port Hills, outside of the sites of ecological significance listed in Schedule A of Appendix 9.1.6.1</p> <p>Table 1. Indigenous vegetation on Banks Peninsula and the Port Hills (Note: Banks Peninsula means the area shown at Appendix 2.1 of Chapter 2 Definitions)</p> <p><u>Note: For the purpose of Table 1(a)(i) and (ii), contiguous means all plants are interconnected and form an intact (touching) cover. Where any individual plants are located beyond the intact edge being one metre or more away from any other plant and are not touching, they are not considered interconnected or contiguous.</u></p> <p><u>Note: For the purpose of Table 1(c), the vegetation described is considered to be contiguous where native plants occur irregularly but in proximity of each other within mixed exotic herbs and grasses. For the purpose of interpretation, the contiguous area of 0.1 ha is deemed to be an area comprising both native and exotic species.</u></p>	<p>Oppose</p> <p>As noted in this submission. Appendix 9.1.6.6 does not include all vegetation types found in the Banks Peninsula and Port hills, which would require additional protection and/or management under the NZPCS Policy 11 or CRPS Policies 9.2.1 and 9.3.2.</p> <p>The D-G is also concerned about the thresholds set in Appendix 9.1.6.6, as the thresholds appear to be too high, and likely to result in the unrestricted clearance of indigenous vegetation which meets the criteria set out in Policy 9.3.1 of the CRPS.</p> <p>Appendix also does not provided more scrutiny for clearance occurring within the coastal environment, as required by NZCPS Policy 11.</p> <p>The two 'notes' also add complication to the implementation of the proposed provisions.</p>	<p>Amend Appendix 9.1.6.6 to clarify the relationship between the identification of 'improved pasture' and two 'notes' in Table one, relating to Table 1 (a)(i) and (ii) and Table 1 (c).</p> <p>AND</p> <p>Amend Appendix 9.1.6.6 to include (or capture) all vegetation types found in the Banks Peninsula.</p> <p>AND</p> <p>Amend the permitted clearance thresholds, to better align with the mitigation hierarchy set out in NZCPS Policy 11 and Policy 9.1.2.2.&7 of the Christchurch District Plan.</p> <p>The D-G considers that more appropriate thresholds would be more in line with the thresholds set out below:</p> <ul style="list-style-type: none"> - Within the coastal environment - <0-500m² (depending of vegetation type and location) every 5 years; - Outside of the coastal environment <0-1,000m² (depending on vegetation type and location) every 5 years. <p>These changes are further detailed in the following submission points.</p>
Appendix 9.1.6.6: Table 1(a)(i)	Table 1 (a) Indigenous trees and forest	Oppose	Amend Table 1(a)(i) as follows:

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT												
	<p>(i) Mature and regenerating kanuka (<i>Kunzea robusta</i>) forest in the Port Hills Ecological District</p> <table border="1" data-bbox="371 280 795 584"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>0.25ha or greater in area</td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td>N/A 0</td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td>Any individual kanuka plants are 4m or greater in height</td> </tr> </table>	Occupying a contiguous area of: (hectares)	0.25ha or greater in area	Canopy cover (%) of:	N/A 0	Height (metre) of any individual plants	Any individual kanuka plants are 4m or greater in height	<p>The D-G considers that the threshold set is too high and does not promote the maintenance of indigenous biodiversity. The threshold proposed by the D-G also creates an opportunity for further assessment, which is necessary considering the inadequate assessments contained in Schedule A of Appendix 9.1.6.1.</p>	<p>Table 1 (a) Indigenous trees and forest (i) Mature and regenerating kanuka (<i>Kunzea robusta</i>) forest in the Port Hills Ecological District</p> <table border="1" data-bbox="1433 312 2018 552"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>0.205ha or greater in area</td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td>N/A 0</td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td>Any individual kanuka plants are 4m or greater in height0</td> </tr> </table>	Occupying a contiguous area of: (hectares)	0.205ha or greater in area	Canopy cover (%) of:	N/A 0	Height (metre) of any individual plants	Any individual kanuka plants are 4m or greater in height 0
Occupying a contiguous area of: (hectares)															
0.25ha or greater in area															
Canopy cover (%) of:															
N/A 0															
Height (metre) of any individual plants															
Any individual kanuka plants are 4m or greater in height															
Occupying a contiguous area of: (hectares)															
0.205ha or greater in area															
Canopy cover (%) of:															
N/A 0															
Height (metre) of any individual plants															
Any individual kanuka plants are 4m or greater in height 0															
<p>Appendix 9.1.6.6: Table 1(a)(ii)</p>	<p>Table 1 (a) Indigenous trees and forest (ii) Mature and regenerating kanuka (<i>Kunzea robusta</i>) forest in the Herbert, Akaroa or Ellesmere Ecological District</p> <table border="1" data-bbox="371 847 795 1150"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>0.5ha or greater in area</td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td>N/A 0</td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td>Any individual kanuka plants are 6m or greater in height</td> </tr> </table>	Occupying a contiguous area of: (hectares)	0.5ha or greater in area	Canopy cover (%) of:	N/A 0	Height (metre) of any individual plants	Any individual kanuka plants are 6m or greater in height	<p>Oppose</p> <p>The D-G considers that the threshold set is too high and does not promote the maintenance of indigenous biodiversity. The threshold proposed by the D-G also creates an opportunity for further assessment, which is necessary considering the inadequate assessments contained in Schedule A of Appendix 9.1.6.1.</p>	<p>Amend Appendix 9.1.6.6 Table 1(a)(ii) as follows:</p> <p>Table 1 (a) Indigenous trees and forest (ii) Mature and regenerating kanuka (<i>Kunzea robusta</i>) forest in the Herbert, Akaroa or Ellesmere Ecological District</p> <table border="1" data-bbox="1433 879 2018 1118"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>0.51ha or greater in area</td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td>N/A 0</td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td>Any individual kanuka plants are 6m or greater in height0</td> </tr> </table>	Occupying a contiguous area of: (hectares)	0.51ha or greater in area	Canopy cover (%) of:	N/A 0	Height (metre) of any individual plants	Any individual kanuka plants are 6m or greater in height 0
Occupying a contiguous area of: (hectares)															
0.5ha or greater in area															
Canopy cover (%) of:															
N/A 0															
Height (metre) of any individual plants															
Any individual kanuka plants are 6m or greater in height															
Occupying a contiguous area of: (hectares)															
0.51ha or greater in area															
Canopy cover (%) of:															
N/A 0															
Height (metre) of any individual plants															
Any individual kanuka plants are 6m or greater in height 0															
<p>Appendix 9.1.6.6: Table 1(a)(iii)</p>	<p>Table 1 (a) Indigenous trees and forest (iii) Lower altitude mixed scrub – in which mature specimens of any of the following genera form the dominant cover: <i>Olearia</i>:</p>	<p>Oppose</p> <p>The D-G considers that the threshold set is too high and does not promote the maintenance of indigenous biodiversity. The threshold proposed by the D-G also creates an opportunity for further assessment, which is necessary considering the</p>	<p>Amend Appendix 9.1.6.6 Table 1(a)(iii) as follows:</p> <p>Table 1 (a) Indigenous trees and forest (iii) Lower altitude mixed scrub – in which mature specimens of any of the following genera form the dominant cover:</p>												

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT			
	<ul style="list-style-type: none"> - <i>Olearia arborescens</i> - <i>Mountain akeake (Olearia avicenniifolia)</i> - <i>Olearia bullata</i> - <i>Olearia fimbriata</i> - <i>Fragrant tree daisy (Olearia fragrantissima)</i> - <i>Mountain holly, hakeke (Olearia ilicifolia)</i> - <i>Olearia nummulariifolia - Akiraho (Olearia paniculata)</i> <p><i>Hebe</i></p> <ul style="list-style-type: none"> - <i>Hebe odora</i> - <i>Koromiko (Hebe salicifolia)</i> - <i>Banks Peninsula hebe (Hebe strictissima)</i> <p><i>Pseudopanax</i></p> <ul style="list-style-type: none"> - <i>fivefinger, whauwhaupaku (Pseudopanax arboreus)</i> - <i>mountain fivefinger, orihou (Pseudopanax colensoi)</i> - <i>lancewood, horoeka (Pseudopanax crassifolius)</i> - <i>fierce lancewood (Pseudopanax ferox)</i> <p><i>Fuchsia</i></p> <ul style="list-style-type: none"> - <i>fuchsia, kotukutuku (Fuchsia excorticata)</i> - <i>climbing fuchsia (Fuchsia perscandens)</i> <p><i>Griselinia,</i></p> <ul style="list-style-type: none"> - <i>broadleaf, kapuka (Griselinia littoralis)</i> - <i>shining broadleaf, puka (Griselinia lucida) Pseudowintera</i> - <i>horopito, pepperwood (Pseudowintera colorata) and</i> <p><i>Coprosma</i></p> <ul style="list-style-type: none"> - <i>thin-leaved Coprosma (Coprosma</i> 	<p>inadequate assessments contained in Schedule A of Appendix 9.1.6.1.</p>	<p><i>Olearia:</i></p> <ul style="list-style-type: none"> - <i>Olearia arborescens</i> - <i>Mountain akeake (Olearia avicenniifolia)</i> - <i>Olearia bullata</i> - <i>Olearia fimbriata</i> - <i>Fragrant tree daisy (Olearia fragrantissima)</i> - <i>Mountain holly, hakeke (Olearia ilicifolia)</i> - <i>Olearia nummulariifolia - Akiraho (Olearia paniculata)</i> <p><i>Hebe</i></p> <ul style="list-style-type: none"> - <i>Hebe odora</i> - <i>Koromiko (Hebe salicifolia)</i> - <i>Banks Peninsula hebe (Hebe strictissima)</i> <p><i>Pseudopanax</i></p> <ul style="list-style-type: none"> - <i>fivefinger, whauwhaupaku (Pseudopanax arboreus)</i> - <i>mountain fivefinger, orihou (Pseudopanax colensoi)</i> - <i>lancewood, horoeka (Pseudopanax crassifolius)</i> - <i>fierce lancewood (Pseudopanax ferox)</i> <p><i>Fuchsia</i></p> <ul style="list-style-type: none"> - <i>fuchsia, kotukutuku (Fuchsia excorticata)</i> - <i>climbing fuchsia (Fuchsia perscandens)</i> <p><i>Griselinia,</i></p> <ul style="list-style-type: none"> - <i>broadleaf, kapuka (Griselinia littoralis)</i> - <i>shining broadleaf, puka (Griselinia lucida)</i> <p><i>Pseudowintera</i></p> <ul style="list-style-type: none"> - <i>horopito, pepperwood (Pseudowintera colorata) and</i> <p><i>Coprosma</i></p> <ul style="list-style-type: none"> - <i>thin-leaved Coprosma (Coprosma areolata)</i> - <i>mikimiki (Coprosma ciliata, Coprosma crassifolia, Coprosma dumosa, Coprosma rigida, Coprosma rubra, Coprosma virescens, Coprosma wallii)</i> - <i>yellow wood (Coprosma linariifolia)</i> - <i>karamu (Coprosma lucida, Coprosma robusta)</i> - <i>round-leaved mikimiki (Coprosma rotundifolia)</i> <table border="1" data-bbox="1435 1329 1856 1458"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>0.05ha or greater in area</td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> </table>	Occupying a contiguous area of: (hectares)	0.05ha or greater in area	Canopy cover (%) of:
Occupying a contiguous area of: (hectares)						
0.05ha or greater in area						
Canopy cover (%) of:						

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT									
	<p><i>areolata</i></p> <ul style="list-style-type: none"> - <i>mikimiki (Coprosma ciliata, Coprosma crassifolia, Coprosma dumosa, Coprosma rigida, Coprosma rubra, Coprosma virescens, Coprosma wallii)</i> - <i>yellow wood (Coprosma linariifolia)</i> - <i>karamu (Coprosma lucida, Coprosma robusta)</i> - <i>round-leaved mikimiki (Coprosma rotundifolia)</i> <table border="1" data-bbox="371 571 792 842"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td><i>0.5ha or greater in area</i></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>0.5ha or greater in area</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>		<table border="1" data-bbox="1435 177 1856 316"> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>
Occupying a contiguous area of: (hectares)												
<i>0.5ha or greater in area</i>												
Canopy cover (%) of:												
<i>N/A 0</i>												
Height (metre) of any individual plants												
<i>N/A 0</i>												
<i>N/A 0</i>												
Height (metre) of any individual plants												
<i>N/A 0</i>												
Appendix 9.1.6.6: Table 1(a)(iv)	<p><i>Table 1</i></p> <p><i>(a) Indigenous trees and forest</i></p> <p><i>(iv) Subalpine mixed scrub with generally continuous canopy of native species in which mature specimens of any of the following genera form the dominant cover: Dracophyllum, Olearia, Hebe</i></p> <table border="1" data-bbox="371 1173 792 1439"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>N/A 0</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>	Support	Retain as notified			
Occupying a contiguous area of: (hectares)												
<i>N/A 0</i>												
Canopy cover (%) of:												
<i>N/A 0</i>												
Height (metre) of any individual plants												
<i>N/A 0</i>												

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT												
Appendix 9.1.6.6: Table 1(a)(v)	<p><i>Table 1</i> <i>(a) Indigenous trees and forest</i> <i>(v) Lower altitude small-leaved shrubland dominated by small-leaved Coprosma species, scrub pohuehue (Muehlenbeckia complexa), Helichrysum lanceolatum, porcupine shrub (Melicytus alpinus), common broom (Carmichaelia australis) and/or matagouri (Discaria toumatou)</i></p> <p><i>Note: Kaitōrete Spit comprises the entire spit from where it adjoins Lake Forsyth / Wairewa and State Highway 75</i></p> <table border="1" data-bbox="371 738 792 1142"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td><i>0.1 ha or greater in area</i> <i>0 - where the vegetation and habitat is located within Kaitōrete Spit</i></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td><i>All native shrub species exceeds 15%.</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>0.1 ha or greater in area</i> <i>0 - where the vegetation and habitat is located within Kaitōrete Spit</i>	Canopy cover (%) of:	<i>All native shrub species exceeds 15%.</i>	Height (metre) of any individual plants	<i>N/A 0</i>	<p>Oppose</p> <p>The D-G considers that the threshold set is too high and does not promote the maintenance of indigenous biodiversity. The threshold proposed by the D-G also creates an opportunity for further assessment, which is necessary considering the inadequate assessments contained in Schedule A of Appendix 9.1.6.1.</p>	<p>Amend Table 1(a)(v) as follows:</p> <p><i>Table 1</i> <i>(a) Indigenous trees and forest</i> <i>(v) Lower altitude small-leaved shrubland dominated by small-leaved Coprosma species, scrub pohuehue (Muehlenbeckia complexa), Helichrysum lanceolatum, porcupine shrub (Melicytus alpinus), common broom (Carmichaelia australis) and/or matagouri (Discaria toumatou)</i></p> <p><i>Note: Kaitōrete Spit comprises the whole of Kaitōrete entire spit from where it adjoins Lake Forsyth / Wairewa and State Highway 75</i></p> <table border="1" data-bbox="1435 707 2038 978"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td><i>0.105 ha or greater in area</i> <i>0 - where the vegetation and habitat is located within Kaitōrete Spit</i></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td><i>All native shrub species exceeds 15%.</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>0.105 ha or greater in area</i> <i>0 - where the vegetation and habitat is located within Kaitōrete Spit</i>	Canopy cover (%) of:	<i>All native shrub species exceeds 15%.</i>	Height (metre) of any individual plants	<i>N/A 0</i>
Occupying a contiguous area of: (hectares)															
<i>0.1 ha or greater in area</i> <i>0 - where the vegetation and habitat is located within Kaitōrete Spit</i>															
Canopy cover (%) of:															
<i>All native shrub species exceeds 15%.</i>															
Height (metre) of any individual plants															
<i>N/A 0</i>															
Occupying a contiguous area of: (hectares)															
<i>0.105 ha or greater in area</i> <i>0 - where the vegetation and habitat is located within Kaitōrete Spit</i>															
Canopy cover (%) of:															
<i>All native shrub species exceeds 15%.</i>															
Height (metre) of any individual plants															
<i>N/A 0</i>															
Appendix 9.1.6.6: Table 1(b)(i)	<p><i>Table 1</i> <i>(b) Indigenous tussock grassland</i> <i>(i) Tall tussockland and/or tall tussock shrubland with native snow tussock (Chionochloa) and/or Dracophyllum</i></p> <table border="1" data-bbox="371 1369 792 1439"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> </table>	Occupying a contiguous area of: (hectares)	Support	Retain as notified											
Occupying a contiguous area of: (hectares)															

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT												
	<table border="1"> <tr><td data-bbox="367 186 795 218"><i>N/A 0</i></td></tr> <tr><td data-bbox="367 218 795 250">Canopy cover (%) of:</td></tr> <tr><td data-bbox="367 250 795 282"><i>N/A 0</i></td></tr> <tr><td data-bbox="367 282 795 346">Height (metre) of any individual plants</td></tr> <tr><td data-bbox="367 346 795 378"><i>N/A 0</i></td></tr> </table>	<i>N/A 0</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>									
<i>N/A 0</i>															
Canopy cover (%) of:															
<i>N/A 0</i>															
Height (metre) of any individual plants															
<i>N/A 0</i>															
Appendix 9.1.6.6: Table 1(b)(ii)	<p data-bbox="367 394 795 585"><i>Table 1 (b) Indigenous tussock grassland (ii) Short tussockland with native fescue/hard tussock (Festuca novae-zelandiae) and native inter-tussock species</i></p> <table border="1"> <tr><td data-bbox="367 585 795 649">Occupying a contiguous area of: (hectares)</td></tr> <tr><td data-bbox="367 649 795 681"><i>N/A 0</i></td></tr> <tr><td data-bbox="367 681 795 713">Canopy cover (%) of:</td></tr> <tr><td data-bbox="367 713 795 809"><i>The contiguous area of specified species accounts for 20% or more of canopy cover</i></td></tr> <tr><td data-bbox="367 809 795 873">Height (metre) of any individual plants</td></tr> <tr><td data-bbox="367 873 795 904"><i>N/A 0</i></td></tr> </table>	Occupying a contiguous area of: (hectares)	<i>N/A 0</i>	Canopy cover (%) of:	<i>The contiguous area of specified species accounts for 20% or more of canopy cover</i>	Height (metre) of any individual plants	<i>N/A 0</i>	Support	Retain as notified						
Occupying a contiguous area of: (hectares)															
<i>N/A 0</i>															
Canopy cover (%) of:															
<i>The contiguous area of specified species accounts for 20% or more of canopy cover</i>															
Height (metre) of any individual plants															
<i>N/A 0</i>															
Appendix 9.1.6.6: Table 1(b)(iii)	<p data-bbox="367 928 795 1088"><i>Table 1 (b) Indigenous tussock grassland (ii) Short tussockland with native silver tussock (Poa cita) and native inter-tussock species</i></p> <table border="1"> <tr><td data-bbox="367 1088 795 1152">Occupying a contiguous area of: (hectares)</td></tr> <tr><td data-bbox="367 1152 795 1184"><i>A contiguous area of over 1.0ha</i></td></tr> <tr><td data-bbox="367 1184 795 1216">Canopy cover (%) of:</td></tr> <tr><td data-bbox="367 1216 795 1311"><i>The contiguous area of specified species accounts for 30% or more of canopy cover</i></td></tr> <tr><td data-bbox="367 1311 795 1375">Height (metre) of any individual plants</td></tr> <tr><td data-bbox="367 1375 795 1407"><i>N/A 0</i></td></tr> </table>	Occupying a contiguous area of: (hectares)	<i>A contiguous area of over 1.0ha</i>	Canopy cover (%) of:	<i>The contiguous area of specified species accounts for 30% or more of canopy cover</i>	Height (metre) of any individual plants	<i>N/A 0</i>	<p data-bbox="822 928 1406 1216">Oppose</p> <p data-bbox="822 992 1406 1216">The D-G considers that the threshold set is too high and does not promote the maintenance of indigenous biodiversity. The threshold proposed by the D-G also creates an opportunity for further assessment, which is necessary considering the inadequate assessments contained in Schedule A of Appendix 9.1.6.1.</p>	<p data-bbox="1433 928 1783 952">Amend Table 1(b)(iii) as follows:</p> <p data-bbox="1433 992 2047 1120"><i>Table 1 (b) Indigenous tussock grassland (ii) Short tussockland with native silver tussock (Poa cita) and native inter-tussock species</i></p> <table border="1"> <tr><td data-bbox="1447 1120 1854 1184">Occupying a contiguous area of: (hectares)</td></tr> <tr><td data-bbox="1447 1184 1854 1216"><i>A contiguous area of over 1.00.05ha</i></td></tr> <tr><td data-bbox="1447 1216 1854 1248">Canopy cover (%) of:</td></tr> <tr><td data-bbox="1447 1248 1854 1343"><i>The contiguous area of specified species accounts for 30% or more of canopy cover</i></td></tr> <tr><td data-bbox="1447 1343 1854 1407">Height (metre) of any individual plants</td></tr> <tr><td data-bbox="1447 1407 1854 1439"><i>N/A 0</i></td></tr> </table>	Occupying a contiguous area of: (hectares)	<i>A contiguous area of over 1.00.05ha</i>	Canopy cover (%) of:	<i>The contiguous area of specified species accounts for 30% or more of canopy cover</i>	Height (metre) of any individual plants	<i>N/A 0</i>
Occupying a contiguous area of: (hectares)															
<i>A contiguous area of over 1.0ha</i>															
Canopy cover (%) of:															
<i>The contiguous area of specified species accounts for 30% or more of canopy cover</i>															
Height (metre) of any individual plants															
<i>N/A 0</i>															
Occupying a contiguous area of: (hectares)															
<i>A contiguous area of over 1.00.05ha</i>															
Canopy cover (%) of:															
<i>The contiguous area of specified species accounts for 30% or more of canopy cover</i>															
Height (metre) of any individual plants															
<i>N/A 0</i>															

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT																
Appendix 9.1.6.6: Table 1(c)	<p><i>Table 1</i> <i>(c) Indigenous coastal vegetation</i> <i>i. Coastal shrubland communities;</i> <i>ii. Scattered (low density) indigenous tussock, shrubs, rushes, vines, herbs, grasses and mosses among predominantly exotic grasslands, and/or cushionfields, mossfields and stonefields for example on Kaitōrete Spit but not restricted to here.</i></p> <p><u>Note: Kaitōrete Spit comprises the entire spit from where it adjoins Lake Forsyth / Wairewa and State Highway 75</u></p> <table border="1" data-bbox="371 671 797 1042"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>N/A</td> </tr> <tr> <td><u>0.1 ha within a five year period (outside Kaitōrete Spit)</u></td> </tr> <tr> <td><u>0 within Kaitōrete</u></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td>N/A 0</td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td>N/A 0</td> </tr> </table>	Occupying a contiguous area of: (hectares)	N/A	<u>0.1 ha within a five year period (outside Kaitōrete Spit)</u>	<u>0 within Kaitōrete</u>	Canopy cover (%) of:	N/A 0	Height (metre) of any individual plants	N/A 0	<p>Oppose in Part</p> <p>0.1ha (1,000m²) is a large area, particularly when it is required to be contiguous. This means that scattered indigenous vegetation throughout areas of improved pasture is not covered by the draft rule. It is considered that this draft rule does not suitably provide for the protection of indigenous vegetation in the coastal environment and does not give effect to Policy 11 of the NZCPS.</p> <p>It is not clear why there are different thresholds for Kaitorete, and coastal indigenous vegetation outside of Kaitorete. The NZPCS certainly does not indicate that these coastal areas should be treated any different to another.</p> <p>The D-G support a 0 threshold in the Coastal Environment.</p>	<p>Amend Table 1(c) as follows:</p> <p><i>Table 1</i> <i>(c) Indigenous coastal vegetation</i> <i>i. Coastal shrubland communities;</i> <i>ii. Scattered (low density) indigenous tussock, shrubs, rushes, vines, herbs, grasses and mosses among predominantly exotic grasslands, and/or cushionfields, mossfields and stonefields for example on Kaitōrete Spit but not restricted to here.</i></p> <p><u>Note: Kaitōrete Spit comprises the whole of Kaitōrete entire spit from where it adjoins Lake Forsyth / Wairewa and State Highway 75</u></p> <table border="1" data-bbox="1433 639 1856 1010"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td>N/A</td> </tr> <tr> <td><u>0.1 ha within a five year period (outside Kaitōrete Spit)</u></td> </tr> <tr> <td><u>0 ha within Kaitōrete</u></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td>N/A 0</td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td>N/A 0</td> </tr> </table>	Occupying a contiguous area of: (hectares)	N/A	<u>0.1 ha within a five year period (outside Kaitōrete Spit)</u>	<u>0 ha within Kaitōrete</u>	Canopy cover (%) of:	N/A 0	Height (metre) of any individual plants	N/A 0
Occupying a contiguous area of: (hectares)																			
N/A																			
<u>0.1 ha within a five year period (outside Kaitōrete Spit)</u>																			
<u>0 within Kaitōrete</u>																			
Canopy cover (%) of:																			
N/A 0																			
Height (metre) of any individual plants																			
N/A 0																			
Occupying a contiguous area of: (hectares)																			
N/A																			
<u>0.1 ha within a five year period (outside Kaitōrete Spit)</u>																			
<u>0 ha within Kaitōrete</u>																			
Canopy cover (%) of:																			
N/A 0																			
Height (metre) of any individual plants																			
N/A 0																			
Appendix 9.1.6.6, Table 1(d)(i)	<p><i>Table 1</i> <i>(d) Indigenous wetland vegetation</i> <i>(i) Naturally occurring freshwater marsh, fen, swamp, seepage, flush and aquatic vegetation, including closely associated riparian vegetation, in which native species of the following genera are present: raupo (Typha), toetoe (Cortaderia), flax (Phormium), sedges (Carex), spike rush (Eleocharis),</i></p>	Support	Retain as notified																

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT						
	<p><i>pond weed (Potamogeton), sphagnum moss (Sphagnum), bog rush (Schoenus); pygmy clubrush (Isolepis basilaris), slender clubrush (Isolepis cernua), Isolepis distigmata, Isolepis Habra, Isolepis pottsii</i></p> <table border="1" data-bbox="371 379 797 647"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>N/A 0</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>		
Occupying a contiguous area of: (hectares)									
<i>N/A 0</i>									
Canopy cover (%) of:									
<i>N/A 0</i>									
Height (metre) of any individual plants									
<i>N/A 0</i>									
Appendix 9.1.6.6, Table 1(d)(ii)	<p>Table 1 (d) <i>Indigenous wetland vegetation (i) Saltmarsh vegetation in which any of the following native species are present: seagrass (Zostera), saltmarsh ribbonwood (Plagianthus divaricatus), three square (Schenoplectus pungens) sea rush (Juncus kraussii), jointed rush (Apodasmia similis), remuremu (Selliera radicans), sea primrose (Samolus repens), glasswort (Sarcocornia quinqueflora), native musk (Thyridia repens), salt grass (Puccinellia spp), Schoenoplectus spp;</i></p> <table border="1" data-bbox="371 1110 797 1378"> <tr> <td>Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Canopy cover (%) of:</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> <tr> <td>Height (metre) of any individual plants</td> </tr> <tr> <td><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>N/A 0</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>	Support	Retain as notified
Occupying a contiguous area of: (hectares)									
<i>N/A 0</i>									
Canopy cover (%) of:									
<i>N/A 0</i>									
Height (metre) of any individual plants									
<i>N/A 0</i>									
Appendix 9.1.6.6, Table 1(e)	Table 1 (e) <i>Naturally uncommon ecosystem</i>	Support	Retain as notified						

PC REF	PLAN PROVISION	POSITION AND REASON	RELIEF SOUGHT						
	<p><i>(i) Indigenous vegetation in a naturally uncommon ecosystem as identified in Table 2</i></p> <table border="1" data-bbox="369 279 792 550"> <tr> <td data-bbox="369 279 792 343">Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td data-bbox="369 343 792 375"><i>N/A 0</i></td> </tr> <tr> <td data-bbox="369 375 792 406">Canopy cover (%) of:</td> </tr> <tr> <td data-bbox="369 406 792 438"><i>N/A 0</i></td> </tr> <tr> <td data-bbox="369 438 792 502">Height (metre) of any individual plants</td> </tr> <tr> <td data-bbox="369 502 792 550"><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>N/A 0</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>		
Occupying a contiguous area of: (hectares)									
<i>N/A 0</i>									
Canopy cover (%) of:									
<i>N/A 0</i>									
Height (metre) of any individual plants									
<i>N/A 0</i>									
Appendix 9.1.6.6, Table 1(d)	<p><i>Table 1</i></p> <p><i>(d) Threatened indigenous species</i></p> <p><i>(i) An area of vegetation which provides habitat for an indigenous species that is threatened, at risk or uncommon, nationally or within the relevant ecological district or that is endemic to the Canterbury Region</i></p> <table border="1" data-bbox="369 805 792 1080"> <tr> <td data-bbox="369 805 792 869">Occupying a contiguous area of: (hectares)</td> </tr> <tr> <td data-bbox="369 869 792 901"><i>N/A 0</i></td> </tr> <tr> <td data-bbox="369 901 792 933">Canopy cover (%) of:</td> </tr> <tr> <td data-bbox="369 933 792 965"><i>N/A 0</i></td> </tr> <tr> <td data-bbox="369 965 792 1029">Height (metre) of any individual plants</td> </tr> <tr> <td data-bbox="369 1029 792 1080"><i>N/A 0</i></td> </tr> </table>	Occupying a contiguous area of: (hectares)	<i>N/A 0</i>	Canopy cover (%) of:	<i>N/A 0</i>	Height (metre) of any individual plants	<i>N/A 0</i>	Support	Retain as notified
Occupying a contiguous area of: (hectares)									
<i>N/A 0</i>									
Canopy cover (%) of:									
<i>N/A 0</i>									
Height (metre) of any individual plants									
<i>N/A 0</i>									

FORM 5

**SUBMISSION ON NOTIFIED PLAN CHANGE
TO THE CHRISTCHURCH DISTRICT PLAN
(PLAN CHANGE 7)**

Clause 6 of Schedule 1, Resource Management Act 1991

Name of submitter: Edward Aitken

Contact: **Edward Aitken**

M 0272299302

E ejcaitken@gmail.com

Address for service: E Aitken
P O Box 88029
Pigeon Bay
Akaroa 7550

This is a submission on Christchurch City Council's Proposed Plan Change 7.

My submission outlines the effects on our property that arise from the proposed Plan Change, with regard to the new mapped Coastal Environment, the rules in the zone and the change in definition of 'improved pasture'.

The specific provisions of the proposed Plan Change that my submission relates to, are the same as the decisions Federated Farmers (NCFF) seeks from Council, which are detailed in their submission.

I support the submission of Federated Farmers.

We wish to be heard in support of our submission.

Background

Our family farm, 'Craigforth', runs from Holmes Bay on the western side of Pigeon Bay to Big Bay along the eastern side of Double Bay. The 1100 hectare farm has approximately 13 kilometres of coastline and the revised Coastal Environment map covers one quarter of the area of the property.

The farm was the Central Canterbury Monitor Farm for four years, a nation- wide public farming programme. We have two QEII covenants on our property that comprise 12 hectares of low land Matai forest.

I am a Trustee of the Banks Peninsula Conservation Trust. I have been involved with the Christchurch City Council (CCC) planning processes for 25 years, including time on a CCC Steering Group to advise and consult on the District Plan.

1. Introduction

I appreciate the opportunity to submit to the Plan, and wish to be able to -

- operate our business in a fair and flexible regulatory environment
- have access to services essential to the needs of our rural community; and
- adopt responsible management and environmental practices.

2. My submission Plan Change 7

The proposed amendments of Plan Change 7 will stop us from undertaking normal and expected farm working practices; and they are contrary to our land ownership property rights.

We have invested in considerable landscape, shelter and riparian planting in the Holmes Bay area, and we have developed our property through fencing and pasture renewal.

There is about several kms of coast along the western side of Pigeon Bay, that has areas of vegetation regeneration. The vegetation types are, typically, Kanuka, Ribbon wood, Ngiao and Caprosma.

We do need to undertake some minor clearance on a boundary fence line, and to also maintain stock transit access. There is also weed in regrowth areas, which must be cleared. We do not want to have to apply for a restricted discretionary resource consent for these normal farming activities.

I submit:

- 1) The 'Improved pasture' definition should remain as previously negotiated and should include the modifying and enhancement effect of livestock.
- 2) The revised mapped Coastal Environment is a 'broad brush' delineation of the land-form adjacent to the sea; and it is an incorrect detailed assessment of the actual area. The delineation of the zone is arbitrary and subjective. This planning proposal assumes that there are greater values, just because the land is in the zone.
- 3) The vegetation clearance rules are unworkable for normal farm management in such a large land zone.
- 4) If there is to be a strict interpretation of 'no net loss', this then could mean no clearance at all, anywhere.
- 5) Any indigenous vegetation clearance that exceeds the new rules would generate the need for a costly 'consent' and an Assessment of Effects by the applicant. This information requirement should have been obtained by the CCC, in the first instance, rather than triggering the landowner to supply the information.
- 6) The Schedule A and B programmes should have been in progress. After much negotiation, the CCC confirmed a process of confirming Schedule A areas, and formulating the identification and implementation of Schedule B areas. This process has stalled.

The specific provisions of the proposed Plan Change that my submission relates to, are the same as the decisions Federated Farmers (NCFF) seeks from Council, which are detailed in their submission.

I support the submission of Federated Farmers.

We wish to be heard in support of our submission.