

18 March 2024

Timaru District Council  
PO Box 522  
Timaru  
New Zealand  
Email: [pdp@timdc.govt.nz](mailto:pdp@timdc.govt.nz)

Attention: Planning Manager (Timaru Plan Review)

Timaru District Plan Review – Further Submission (re-notified summary)

Please find enclosed the further submission by the Director-General of Conservation *Tumuaki Ahurei* in respect of the summary of submissions on the proposed Timaru District Plan which was re-notified on 4 March 2024. The further submission identifies the Director-General's concerns and is made in respect of the Eastern South Island Region, Geraldine Department of Conservation District Office.

It is understood that our original further submission that was lodged on 4 August 2023 will be kept and fully considered as part of the hearing. As such, we have only made further submissions on those points which were substantively changed and highlighted in the summary of submissions with a blue fill background.

Please contact Liz Williams in the first instance if you wish to discuss any of the matters raised in this submission via [lwilliams@doc.govt.nz](mailto:lwilliams@doc.govt.nz) or on 027 2538586.

Yours sincerely,



Tony Preston  
Operations Manager *Pou Matarautaki*  
Geraldine District



Department of  
Conservation  
*Te Papa Atawhai*

DOC CM 7593684



Form 6: Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

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*Pursuant to clause 8 of the First Schedule of the Resource Management Act 1991*

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**To:** Timaru District Council

**Name of submitter:** Penny Nelson, Director-General of Conservation (the **Director-General**)

1. This is a further submission in support of (or in opposition to) a submission on the Proposed Timaru District Plan
2. I cannot gain an advantage in trade competition through this submission
3. The specific provisions of the proposal that my submission relates, and the detailed decisions sought are set out in Attachment 1 to this further submission.
4. The **Director-General** represents relevant aspects of public interest and has interest in the proposal that is greater than the interest the general public.
5. I seek that the following decision from the Council:
  - a. That the particular provisions of the Proposed Plan that I support, as identified in Attachment 1, are retained;
  - b. That the amendments, additions and deletions to the Proposed Plan sought in Attachment 1 are made; and
  - c. Further or alternative relief to like effect to that sought in 5.a and 5.b above, including any consequential changes or changes required for consistency.
6. The decisions sought in this further submission are required to ensure that the proposed Timaru District Plan:



- a. Gives effect to the New Zealand Coastal Policy Statement 2010, the National Policy Statement for Freshwater Management 2020, the National Policy Statement for Indigenous Biodiversity and the Canterbury Regional Policy Statement 2013;
  - b. Recognises and provides for the matters of national importance listed in section 6 of the Act and has particular regard to the other matters in section 7 of the Resource Management Act 1991 (RMA, the Act);
  - c. Promotes the sustainable management of natural and physical resources; and
  - d. The changes sought are necessary, appropriate and sound resource management practice.
7. I wish to be heard in support of my further submission and if others make a similar submission, I will consider presenting a joint case with them at a hearing.
8. A copy of this submission has been served on the original submitters.

A handwritten signature in blue ink, appearing to read 'Tony Preston'.

Tony Preston

Operations Manager *Pou Matarautaki*  
Geraldine District  
Department of Conservation Te Papa Atawhai  
Acting pursuant to delegated authority on behalf of Penny Nelson, Director-General of Conservation

Date: 18 March 2024

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

**Address for service:**

Attn: Liz Williams, RMA Planner *Kaiwhakamahere Penapenarawa*

[lwilliams@doc.govt.nz](mailto:lwilliams@doc.govt.nz)

+64 27 253 8586

Department of Conservation *Te Papa Atawhai*

<i>This further submission is in relation to the original submission of:</i>	<i>This further submission is in relation to the original Submission Number:</i>	<i>Particular parts of the original submission:</i>	<i>Plan provision</i>	<i>Summary of submission point</i>	<i>Our position on the original submission is:</i>	<i>The reasons for our support/opposition to the original submission are:</i>	<i>Allow/Di allow the original submission (in full or in part)</i>	<i>Give precise details of the decision you want the Council to make in relation to the original submission point.</i>
Luke Chailies and Elizabeth Ireland, Amy Alison, Nicolas Twaddle	77.1, 126.1 & 127.1	Planning Maps	Rezone	Oppose the zone change from Rural 4B to Open Space Zone-Hut Precinct within the Blandswood Area, due to detracting from the area as maintenance and development/improvement of properties will be restricted. The area is different to Rangitata or Opihi hut sites as for the most part the "huts" are within the one title, whereas Blandswood properties are on single titles. Considers property owners should have greater freedom and rights to improve their properties.	Oppose	<p>The Blandswood Area is surrounded by the Peel Forest Park Scenic Reserve. The D-G would only support a zone change (from what is proposed) which takes into account the high ecological values of the Blandswood Area and effects of residential development on these values and adjoining public conservation land.</p> <p>It is recommended that a specific zone for the Blandswood area is provided to recognise and provide for the unique setting and ecological values of the area. This may require rules which have tighter limits on development to avoid adverse effects on indigenous biodiversity by requiring greater setbacks (from the Natural Open Space Zone), controls on building coverage which limit the scale of residential development to avoid indigenous vegetation clearance and to avoid associated boundary effects on public conservation land such as increased animal and plant pests. It is noted that provisions in the ECO chapter may apply in this respect.</p>	Disallow	Decline this submission and retain the notified zoning Open Space Hut Precinct zoning or a new specific zoning which appropriately protects the ecological values and indigenous biodiversity of the Blandswood area and surrounding area.
Port Blakely Limited	94.7	ECO	Rules, ECO-R1	Considers that the NES-PF provisions regarding this matter should prevail over the proposed district plan rules as there is no justification in the s.32 report in relation to the more stringent rules.	Oppose	The National Environmental Standards (NES) for Plantation Forestry have been replaced by the NES for Commercial Forestry (CF). Regulation 6 of the NES-CF states that rules can be more stringent if the rule provides for the protection of matters of national importance such as Significant Natural Areas (SNAs). Timaru's SNAs have been assessed against the significance criteria and are supported by ecological assessments. Therefore, it is considered that there is sufficient justification for more stringent rules in the proposed plan. Further, the NPS-IB Clause 3.14 provides national direction on managing SNAs within any existing plantation forest. In regard to the other provisions and the protection of biodiversity in sensitive areas, this is likely to captures areas within outstanding natural features and landscapes and would meet requirements set out in the National Policy Statement for Freshwater Management for wetlands and rivers.	Disallow	Decline this submission.

<i>This further submission is in relation to the original submission of:</i>	<i>This further submission is in relation to the original Submission Number:</i>	<i>Particular parts of the original submission:</i>	<i>Plan provision</i>	<i>Summary of submission point</i>	<i>Our position on the original submission is:</i>	<i>The reasons for our support/opposition to the original submission are:</i>	<i>Allow/Disallow the original submission (in full or in part)</i>	<i>Give precise details of the decision you want the Council to make in relation to the original submission point.</i>
Fulton Hogan Limited	170.22	ECO-Ecosystems and Indigenous Biodiversity	Rules – New	<p>It is noted that this submission point was included in the D-Gs original further submission, and our comments remain the same. Given that it is highlighted blue in the re-notified summary of submissions and for completeness I have copied our further submission point in again:</p> <p>Considers a new rule be added to the plan to recognise the policy direction provided by the exposure draft of the National Policy Statement for Indigenous Biodiversity and to provide for quarrying activities.</p>	Oppose	<p>Whilst the D-G recognises that the NPS-IB provides for activities that contribute to NZ's economic wellbeing, the clause relating to aggregate extraction is specific to that which provides for significant national or regional public benefit that could not otherwise be achieved using resources within NZ. It is also noted that any adverse effects on an SNA that occur as a result of the exceptions must be managed by applying the effects management hierarchy. This is not reflected in the proposed rule.</p> <p>Any significant adverse effects on Indigenous biodiversity outside of SNAs must also be managed by applying the effects management hierarchy. It is also not clear whether the rule is for activities within the SNA overlay and/or within the other sensitive areas listed.</p>	Disallow	Decline submission point.
Federated Farmers	182.2	General	General	The submitter supports the Council's intention for having many activities able to occur without having an activity classification assigned to them. Submitter seeks that where a consent status is required, Council uses controlled status rather than restricted discretionary or discretionary which allows Council the ability to decline. This would assist the Council in future proofing the plan for when the Natural and Built Environment Act comes into force which has indicated the removal of the restricted discretionary activity classification.	Oppose	The D-G would not support a controlled activity status for breaches of a rule within sensitive environments. It is further noted that the Natural and Built Environment Act is now repealed and that the Resource Management Act provides for the various activity classifications proposed in the district plan.	Disallow	Decline the submission
Federated Farmers	182.27	Definitions	Shelterbelt	Considers the definition of Shelter Belt should acknowledge the ecological importance that shelter belts bring to biodiversity. They create habitats for fauna (eg tui, korimako, insects etc). Shelter belts are also a key requirement for animal welfare.	Oppose	It is considered that this definition should not be altered to include reference to the creation of ecological habitats given that this is not the primary purpose of a shelter belt. There are more appropriate places within the plan to recognise and provide for the planting of indigenous vegetation for the primarily purpose of the creation of habitats for indigenous fauna.	Disallow	Decline the submission.

