

**FURTHER SUBMISSION IN SUPPORT OF, OR IN OPPOSITION TO,
SUBMISSION ON NOTIFIED PROPOSED POLICY STATEMENT OR PLAN,
CHANGE OR VARIATION**

Clause 8 of Schedule 1, Resource Management Act 1991

To Timaru District Council

Name of person making further submission: **Dairy Holdings Limited (DHL) (Submitter 89)**

- 1 This is a further submission on submissions on the proposed Timaru District Plan.
- 2 DHL is a person who has an interest in the proposal that is greater than the interest of the public generally, as its operations in the Timaru District are directly affected by the proposed Timaru District Plan.
- 3 If others make a similar submission, DHL will consider presenting a joint case with them at a hearing.
- 4 DHL's further submissions are set out in **Annexure 1**.

Signed for and on behalf of Dairy Holdings Limited by its solicitors and authorised agents
Chapman Tripp



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4 August 2023

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ANNEXURE 1: FURTHER SUBMISSIONS

Submitter name	Submission point	Decision requested by submitter	DHL support/oppose	Reasons for DHL's support/oppose	Decision sought
Definitions					
Royal Forest and Bird Protection Society	156.11	Amend definition of Clearance of Indigenous Vegetation as follows: Clearance of indigenous <u>Vegetation clearance</u> means the clearing, <u>felling, disturbance,</u> or removal of any indigenous vegetation by any means, including grazing, cutting, crushing, cultivation, spraying, irrigation, chemical application, artificial drainage, overplanting, over sowing, or burning.	Oppose	DHL considers the amendments would make the definition too broad. On its face, the definition would apply stock grazing pasture or crops which is not appropriate.	Reject the submission.
Royal Forest and Bird Protection Society	156.20	Delete the definition of Improved Pasture, and include a new definition as follows: 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	Oppose	DHL considers the existing wording is appropriate and consistent with approaches elsewhere. The proposed amendments are impractical.	Reject the submission.

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		<p>managed, for livestock grazing. <u>means an area where indigenous vegetation has been fully removed and the vegetation converted to exotic pasture or crops at the time this plan was written, and that has been mapped.</u></p>			
Natural hazards					
Fulton Hogan Limited	170.16	<p>Amend the title of NH-R4 as follows:</p> <p>NH- R4 Natural hazard sensitive activities or structures and additions to such activities or structures with a ground floor area of 30m2 or more</p>	Support	DHL considers the amendment appropriate. Structures such as hay barns or implement sheds are not sensitive to natural hazards and should not give rise to a consenting requirement.	Accept the submission.
Fonterra Limited	165.50	<p>Amend NH-R7 Natural Hazard Sensitive Activities ... as follows:</p> <p>[...]</p> <p>PER-2</p>	Support	DHL supports the permitted activity status for small buildings and structures, and agrees with the submitter that PER-2 is contradictory to the rule title.	Accept the submission.

Submitter name	Submission point	Decision requested by submitter	DHL support/oppose	Reasons for DHL's support/oppose	Decision sought
		<p>The new building or structure or addition has a ground floor area of less than 10m²; or</p> <p>PER-3-2</p> <p>[...]</p>			
Sites and Areas of Significance to Māori					
Federated Farmers	182.80	<p>1. Add a new policy to the SASM-Site and Areas of Significance to Māori chapter as follows:</p> <p><u>SASM-PX</u></p> <p><u>Provide recognition for grazing and farming activities that have not increased in their scale or intensity of effects from commencement date of the plan.</u></p>	Support	DHL supports policy recognition for existing grazing and farming activities.	Accept the submission.
Federated Farmers	182.93	<p>a) Amend SASM-R2 as follows:</p> <p>[...]</p> <p>1. The maximum height of buildings and structures does</p>	Support	DHL supports the proposed amendments, in particular increasing the maximum height of buildings and structures and providing for pre-existing structures	Accept the submission.

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		<p>not exceed 5m-10m above ground level; and</p> <p>2. Buildings and structures are not located within 20m vertical or 100m horizontal of any ridgeline, <u>unless it is pre-existing structure, or a new structure with little to no impact on the aesthetics of the environment</u> and</p> <p>3. Buildings and structures are not located at any point above 900m-1100m above sea level; and</p> <p>[...]</p>		or structures with little environmental impact.	
Port Blakely Limited	94.3	<p>Amend SASM-R3 Indigenous vegetation clearance with the following changes:</p> <p>1. Provide distinguish between indigenous vegetation that is cleared prior to afforestation and indigenous vegetation which has regrown after afforestation of a site.</p>	Support	DHL agrees that SASM-R3 should apply to significant vegetation only and that there should be consistency between this chapter and the ECO chapter provisions.	Accept the submission.

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		<p>2. Permit the clearance of indigenous vegetation associated with plantation forestry activity provided by reg. 93(2) & (3) of the NESPF.</p> <p>3. Make reference to significant indigenous vegetation, not just indigenous vegetation.</p> <p>4. The criteria used to assess the significance of indigenous vegetation should have more overlap with the objectives, policies and rules contained in the Ecosystems and Indigenous Biodiversity section of the Plan.</p>			
Ecosystems and Indigenous Biodiversity					
Federated Farmers	182.104	<p>1. Add a new Policy to the ECO-Ecosystems and Indigenous Biodiversity Chapter as follows:</p> <p><u>ECO-PX Provide recognition for grazing and farming existing activities that have not increased in their scale or intensity of effects from</u></p>	Support	DHL supports policy recognition for existing grazing and farming activities.	Accept the submission.

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		<u>commencement date of the plan.</u>			
Federated Farmers	182.10 5	Amend ECO-R1 Clearance of indigenous vegetation by removing the 50m setback from any wetland from ECO-R1.2 so this rule does not apply to activities within 50m of any wetland	Support	DHL considers there should be consistent between the NESFW and District Plan setbacks.	Accept the submission.
Transpower New Zealand Limited	159.73	Amend ECO-R5 Earthworks in a Significant Natural Area as follows: Activity status: Restricted discretionary <u>Permitted</u> Where: <u>RDIS PER</u> -1 The earthworks are within 2m, and for the purpose, of the maintenance, repair, or replacement <u>or upgrade</u> of existing lawfully established vehicle tracks, roads, walkways, firebreaks, drains, ponds, dams, waterlines,	Support	DHL considers it is appropriate for earthworks related where land is likely to have been disturbed and cleared in the past to be a permitted activity.	Accept the submission.

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		waterway crossings, or utilities. [...]			
Federated Farmers	182.10 9	1. Delete ECO-R5 Earthworks.	Support	DHL agrees that routine maintenance, repair and replacement for all existing lawful activities which should be permitted.	Accept the submission.
Versatile soils					
Canterbury Regional Council (Environment Canterbury)	183.96	1. Amend the Versatile Soils Chapter to give effect to the NPSHPL. 2. Remove reference to Versatile Soils and replace with reference to Highly Productive Land	Support in part	DHL supports this submission in principle, i.e. DHL agrees that the Versatile Soils should be amended to give effect to the NPSHPL. DHL's support is subject to specific wording of amended provisions.	Accept in part.
Earthworks					
Horticulture New Zealand	245.78	Retain EW-P1 as notified.	Support	DHL supports a framework that provides for ancillary rural earthworks and the benefits/recognition of rural earthworks in supporting rural activities.	Accept the submission.

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Silver Fern Farms	172.96	Amend EW-P5 as follows: EW-P5 Land stability Only allow earthworks on steeper slopes and in proximity to boundaries where they will not impact potential adverse effects on land stability <u>are avoided or mitigated.</u>	Support	DHL agrees the provision should be amended to recognise that land stability is an inherent part of earthworks design.	Accept the submission.
Federated Farmers	182.175	1. Retain the rules of the EW - Earthworks Chapter as notified; OR 2. Wording with similar effect; AND 3. Any consequential amendments.	Support	DHL supports the rules of the Earthworks chapter.	Accept the submission.
Drinking water protection					
Timaru District Council	42.41 / 42.42	Amend the policy to reflect a non-complying activity status, within Drinking Water Protection Areas, for the following: <ul style="list-style-type: none"> <u>Hazardous facilities;</u> 	Oppose	DHL does not consider it appropriate for existing activities, or the expansion of existing activities, to automatically be classified as a non-complying activity if they are within a Drinking Water Protection Area.	Reject the submission.

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		<ul style="list-style-type: none"> • Earthworks; • Composting facilities; • Buildings that require septic/sewage facilities; • Offal pits; • Silage storage; • Vegetation clearance; • Exotic tree planting/plantation forestry; • Intensive primary production 			
Light					
Federated Farmers	182.178	1. Amend LIGHT-P1 Appropriate artificial outdoor lighting as follows: Provide for lighting appropriate to its environment that: [...]; and 6. activities associated with primary production.	Support	DHL considers it appropriate to enable lighting that is associated with primary production, including for dairy sheds to maintain health and safety for both animals and workers.	Accept the submission.

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		AND 2. Any consequential amendments required as a result of the relief sought			
Rural zones					
Rooney Holdings Limited	174.87	<p>Amend GRUZ-R20 as follows:</p> <p>GRUZ-R20 Permanent workers accommodation</p> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <p>It is located on a site larger than 40 80 hectares; <u>or that where a property comprises more than one record of title, the sum of the titles is greater than 40 hectares. The overall density shall not be greater than 1 unit per 40 hectares that comprises the property.</u>;</p> <p>and</p> <p>PER-2</p>	Support	DHL submitted in support of this rule and sought that it is retained as notified, but agrees that the minimum requirement of 80 hectares is too large and not necessary.	Accept the submission.

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		<p>An employment contract for the permanent full time worker(s) who will reside in the worker's accommodation is provided to Timaru District Council at the time of a building consent application and is available upon request; and</p> <p>PER-3</p> <p>It is located on the same site where the permanent full worker is employed.</p> <p>Note: any associated building and structure must be constructed in accordance with GRUZ-R13.</p>			

Submission ends.