

FOR OFFICE USE ONLY

Date received:

Submitter ID:

Submission Form (Form 5) Submission on Proposed Waitaki District Plan

Form 5: Submissions on a Publicly Notified Proposed District Plan under Clause 6 of Schedule 1 of the Resource Management Act 1991

Return your signed submission by 16 May 2025 via:

Email: planreview@waitaki.govt.nz (subject line: Proposed District Plan Submission)

Post: Planning Unit, Waitaki District Council, Private Bag 50058, Ōamaru, 9444

In person: Waitaki District Council Headquarters, 20 Thames Street, Ōamaru; or
Waihemo Service Centre, 54 Tiverton Street (SH 85), Palmerston

If you would prefer to complete your submission online, please visit www.waitaki.govt.nz/proposed-district-plan

All sections of this form need to be completed for your submission to be accepted. Your submission will be checked for completeness, and you may be contacted to fill in any missing information.

Full Name: Max Crowe **Phone:** 02040031969

Organisation*: _____

* the organisation that this submission is made on behalf of

Email: max@fieldlab.nz

Postal Address: 191 Dalziel Road, Dunedin

Postcode: 9011

Address for Service: name, email and postal address (if different from above):

Trade Competition

Pursuant to Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that:

- adversely affects the environment; and
- does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

- I could not gain an advantage in trade competition through this submission; or
 I could gain an advantage in trade competition through this submission.

If you have ticked this box please select one of the following:

- I am directly affected by an effect of the subject matter of the submission
 I am not directly affected by an effect of the subject matter of the submission

Signature:  **Date:** 16 May 2025

(Signature of person making submission or person authorised to sign on behalf of person making the submission)

Please note: all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information.

I **do not** wish to be heard in support of my submission; or

I **do** wish to be heard in support of my submission; and if so,

I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any hearing

(1) The specific provisions of the Proposed Plan that my submission relates to are:		(2) My submission is that: <i>(include whether you support or oppose the specific provisions or wish to have them amended and the reasons for your views.)</i>		(3) I seek the following decisions from Waitaki District Council. <i>(Please give precise details for each provision. The more specific you can be the easier it will be for the Council to understand your concerns.)</i>
Chapter/ Appendix/ Schedule/Maps	objective/policy/ rule/standard/ overlay	Oppose/support (in part or full)	Reasons	
please see attached				

Add further pages as required – please initial any additional pages.

Sheet1

Provision	support/ oppose	reason	relief sought
Definitions	amend	The definitions of "indigenous vegetation" and "improved pasture" have been taken from the National Policy Statement for Indigenous Biodiversity. It is problematic, in my opinion, because the NPS-IB in its original form required local authorities to create a comprehensive schedule of all Significant Natural Areas in their district, and anticipated this definition being used in a context. Due to delays in the implementation of that regulation, the Proposed WDP only partially identifies the SNAs in the district, and still relies heavily on indigenous vegetation clearance rules to avoid biodiversity loss. In this context, the definition of indigenous vegetation needs to have a set of objective parameters such as % of indigenous species, that can be used to make a determination in the field.	Retain the definitions of "Indigenous bush", "Indigenous vegetation", "diverse shrubland" and "tall tussock grassland" and "improved pasture" from the operative Waitaki District Plan.
introduction	Support	I support this provision	none
ECO-01	Support	I support this provision	none
ECO-02	amend	This objective appears to use redundant phrasing. I suggest the following amendment: "indigenous biodiversity" and "indigenous biodiversity values" are essentially synonymous.	Areas identified as Significant Natural Areas are protected to ensure no net loss of indigenous biodiversity as a result of land use activities.
ECO-03	support	I support this provision	none
ECO-P1	support	The introduction to this chapter states that the Significant Natural Areas identified in Schedule 6 is not a comprehensive list. This provision provides a sensible mechanism whereby Significant Natural Areas will be identified through planning processes. I support this provision.	none
ECO-P2	support	This provision adequately provides protection for Significant Natural Areas, while enabling land use change, where appropriate.	none

Sheet1

ECO-P3	Support	This provision recognises that management of Significant Natural Areas may require clearance or other disturbance, such as aerial weed spraying, and that this can result in net positive outcomes for indigenous biodiversity.	none
ECO-P4	Support	This provision recognises that the maintenance of indigenous biodiversity within Significant Natural Areas, in many instances, requires active management, and that the plan should enable these activities wherever possible. Clause 2 regarding incentives and other inducements to encourage and support landowners to undertake these works is especially important, as there are currently few financial incentives for landowners to manage these areas.	none
ECO-P5	Support	I support this provision	none
ECO-P6	Support	I support this provision	none
ECO-P7	Support	I support this provision	none
ECO-P8	Support	I support this provision	none
ECO-P9	Support	I support this provision	none
ECO-P10	Support	I support this provision	none

Sheet1

ECO-P11	support	I support this provision	none
ECO-P12	amend	I support this provision, however with the current wording it is ambiguous whether these types of sites are listed in order of priority. I suggest that they are all equally high priority, and recommend a small amendment to clarify this.	The following areas are priority areas for restoration(in no particular order): SNA's where the ecological integrity is degraded; threatened and rare ecosystems representative of naturally occurring and formerly present ecosystems; areas that provide important connectivity or buffer functions; natural inland wetlands where the ecological integrity is degraded or that no longer retain their indigenous vegetation or provide a habitat for indigenous fauna; areas of indigenous biodiversity on specified Māori land where restoration is advanced by the Māori landowners; and any other priorities areas specified in ECO-P5.
ECO-P13	support	I support this provision	none
ECO-P14	support	I support this provision	none
ECO-P15	support	I support this provision	none

Sheet1

ECO-R1	amend	<p>I support this provision with amendments. ECO-R1-PER4 allows for the clearance of indigenous vegetation that is less than 15 years old, where consent has previously been granted for indigenous vegetation clearance as a permitted activity. There are practical difficulties in determining the age of vegetation, which would make this provision difficult to administer from a monitoring and compliance perspective. Over time, if undertaken too frequently, clearance of indigenous vegetation risks species loss, which is inconsistent with ECO-O1(1) regarding the halting of indigenous biodiversity decline. It may therefore be appropriate in some circumstances for land use consents to specify that indigenous clearance is a "one off" event, or to specify a minimum period elapsing between clearance events to mitigate this risk, especially for large-scale vegetation clearance events such as rotational burning in tall tussock grassland systems. Retaining the ability to have discretion around the frequency of indigenous vegetation clearance will help Council to mitigate the potential for inadvertent degradation to natural habitats over time.</p>	Remove ECO-R1-PER4 as a permitted activity.
ECO-R2	support	I support this provision	none
ECO-R3	support	I support this provision	none
ECO-R4	amend	<p>The intention of ECO-R4 to require consideration of adjacency effects of plantation forest on Significant Natural Areas is commendable, although overly broad in its application. The National Environment Standards for Commercial Forestry have created a very permissive regulatory environment for forestry. ECO-R5 will therefore create one of the few DP rules that will necessitate a resource consent. Significant Natural Areas comprising indigenous forests are typically relatively large (tens of hectares), and often occur in the same steep and incised landforms that lends itself to forestry. The impacts of forestry on these types of SNA is arguably less profound than the effects on a more threatened ecosystem type, such as a limestone ecosystem, where shading and modification of hydrology can have major impacts. I therefore recommend that this 100m setback only apply in situations where the values in the SNA are of low stature.</p>	<p>RDIS-1(b) the activity is exotic commercial forestry, the distance shall be within 100 m of the Significant Natural Area <u>unless that Significant Natural Area has a median canopy height of more than 5 m.</u></p>

Sheet1

ECO-R5	support	I support this provision	none
ECO-R6	amend	there may be situations where the temporary or occasional use of non-indigenous vegetation as part of a restoration project is warranted, as indigenous fauna can and do use exotic vegetation as habitats, and there is evidence that some exotic species can be used as a transition to other, more desirable habitat types	Change this from non-complying to restricted discretionary
ECO-R7	support	I support this provision	none
ECO-R8	support	I support this provision	none
ECO-S1	amend	I support this provision with amendments; Compared with the operative district plan rule 4.4.8.3, the equivalent proposed DP rule ECO-S1 by omission appears to remove explicit protection for: Saltmarsh, coastal shrubland, inland saline, bog pine and other podocarps. The permitted clearance threshold for these uncommon and highly threatened ecosystems would presumably then default to the 5000m2 specified in ECO-S5, which in many cases is bigger than the extent of the remaining habitat. I recommend therefore combining rule 4.4.8.1 and 4.4.8.3 and using these as the replacement ECO-S1	ECO-S1 On any site there shall be no clearance of: Any indigenous forest or regenerating forest greater than 3 m high; or: any indigenous coastal duneland, saltmarsh or herbfield vegetation; or: any coastal shrubland containing Hebe elliptica, Carmichaelia sp. or Coprosma sp.; or: any indigenous inland saline vegetation; or: any indigenous vegetation associated with limestone outcrops; or: any indigenous shrubland containing: Bog Pine (Halocarpus bidwillii) Celery Pine (Phyllocladus alpinus) Hall's totara (Podocarpus hallii) Mountain totara (Podocarpus nivalis); or: any individual specimen of the above over one metre in height; or Any indigenous turf communities associated with tarns, glacial moraines or river margins.

Sheet1

ECO-S2	amend	<p>I support this provision, apart from ECO-S2(2), which allows for clearance of 50m2 of "indigenous forest or regenerating forest greater than 3 m high" in any continuous period of 5 years. I oppose this on the basis that the operative district plan does not allow for any clearance of indigenous forest as a permitted activity. For many forest fragments in lowland parts of the district, 50m2 may represent all that is left, and a regime of permitted activity for clearance of this type of vegetation will lead to biodiversity fragmentation and loss.</p> <p>I also oppose ECO-S2(6) on the basis that it provides for limited clearance of shrubland containing local and nationally threatened species, and recommend that it also be incorporated into ECO-S1 through my recommended incorporation of the relevant rules in the operative plan.</p>	remove ECO-S2(2) and ECO-S2(6) and incorporate into ECO-S1.
ECO-S3	oppose	<p>Comendably ECO-S3 aims to limit the clearance of indigenous vegetation with threatened land environments with less that 20% indigenous vegetation cover remaining, however this is an innappropriate use of a dataset that is now more than 20 years old. The data on which the analysis is based is now well out of date, and is designed to be used at scales much larger than by per "site". Given these difficulties, but recognising the intention of ECO-S3, it is suggested that a more simplistic method based on Ecological Districts is adopted to achieve higher levels of protection in those parts of the district where the highest levels of indigenous vegetation have occurred, without the resolution issues associated with the TEC dataset. All of the Ecological Districts listed have a high rates of landuse change occuring, as can be easily seen when comparing with the existing map provided as part of ECO-S3, but provide much simpler boundaries to consider a site within. Alternatively, a similar level of control could be gained by indirectly determining the location of indigenous biodiversity by instead mapping the extent of "improved pasture". This would be a particularly valuable excercise in Ecological Districts like Omarama and Macraes where the rate of indigenous vegetation loss is especially rapid.</p>	<p>ECO-S3 Indigenous vegetation clearanc must not exceed 500m2 on a site in any continuous period of five years in the following Ecological Districts: a) Macraes b) Waikouaiti c) Waianakarua d) Duntroon e) Glenavy d) Omarama</p>

Sheet1

ECO-S4	oppose	ECO-S4 represents a five-fold increase in the permitted baseline for clearance of tall tussock grasslands compared with the operative district plan. Weeks et al (2012) showed that in the ~20 years leading up to 2008 the Waitaki District led the country in terms of the rate of tall tussock grassland loss, much of which was in threatened land environments. Increasing the permitted baseline for clearance of this habitat type does not appear to be consistent with halting the decline of indigenous biodiversity in the Waitaki District (ECO-O1)	any indigenous inland saline vegetation; or:
ECO-S5	support	Alongside the other standards and rules, S5 provides for limited clearance of indigenous vegetation	none
SCHED 6	amend	I congratulate the Waitaki District Council on the notification of this proposed plan with such a well crafted schedule of Significant Natural Areas. I am aware, however, that sites that were included in the publicly available Draft District Plan have been subsequently removed based on the decisions of the District Plan Subcommittee. I recommend that these sites be re-incorporated into the schedule, on the basis that they meet the criteria to be included.	Reincorporate SNA-12 Table Hill, and other SNAs also protected as QEII covenants, that were removed from the schedule.