

BEFORE THE HEARING PANEL

IN THE MATTER of the Resource Management Act 1991

AND of the proposed Timaru District Plan

Evidence of Elizabeth Moya Williams
on behalf of the Director-General of Conservation *Tumuaki Ahurei*
Hearing D: Open Space Zones, Hazards and Risk & Natural Environment
Submitter No. 166 Further Submitter No.166
Dated: 29 October 2024

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Table of Contents

INTRODUCTION..... 2
CODE OF CONDUCT 2
SCOPE OF EVIDENCE..... 3
MATERIAL CONSIDERED..... 4
EXECUTIVE SUMMARY 5
STATUTORY CONSIDERATIONS..... 6
NATURAL ENVIRONMENT 8
OPEN SPACE AND NATURAL OPEN SPACE ZONES18
CONCLUSION20
APPENDIX 1 TABLE OF SUBMISSION POINTS AND RECOMMENDATIONS.....22

Introduction

1. My full name is Elizabeth Moya Williams.
2. I have been asked by the Director-General of Conservation Tumuaki Ahurei ('the DG') to provide expert planning evidence on the proposed Timaru District Plan.
3. This evidence relates to Hearing D which includes the Natural Environment and the Open Space Zones.

Qualifications and experience

4. I am employed by the Department of Conservation (DOC) in Dunedin as a Resource Management Planner. I have worked for DOC in this role since June 2022.
5. Prior to this I have over fifteen years of experience in resource management, including roles in both consenting and plan development. This includes four years as a planner at the Environment Agency (a national public body in England and Wales), a combined total of eleven years as a Consents Officer at Christchurch City Council, Campbell River City Council (Canada) and Tasman District Council, and more recently two years as a Policy Planner at Dunedin City Council. I have experience in providing input on planning consents and Council plans from a national perspective, processing resource consents including notified/limited notified consents, Section 42A reporting for a plan variation and involvement in plan appeals and Environment Court mediation.
6. I hold a Bachelor of Resource and Environmental Planning with Honours from Massey University.
7. I am a Full Member of the New Zealand Planning Institute.

Code of Conduct

8. Although this is a Council hearing, I confirm that I have read the code of conduct for expert witnesses (Code) as contained in the Environment Court Practice Note 2023. I have complied with the Practice Note and Code when

preparing my written statement of evidence and I will do so when I give oral evidence at the hearing.

9. For the avoidance of doubt, in providing this evidence as an expert witness in accordance with the Code, I acknowledge that I have an overriding duty to impartially assist the Panel on matters within my area of expertise. The views and opinions expressed are my own expert views and opinions, and I do not speak on behalf of the Director-General.

10. The data, information, facts and assumptions I have considered in forming my opinions are set out in my evidence to follow. The reasons for the views and opinions expressed are also set out in the evidence to follow. This includes where relevant:
 - (i) Why other alternative interpretations of data are not supported;
 - (ii) Any qualification if my evidence may be incomplete or inaccurate without such qualification;
 - (iii) Any knowledge gaps and the potential implications of the knowledge gap;
 - (iv) If my opinion is not firm or concluded because of insufficient research or data or for any other reason;
 - (v) An assessment of the level of confidence and the likelihood of any outcomes specified in my conclusion(s).

11. Unless I state otherwise, this evidence is within my sphere of expertise and I have not omitted to consider material facts known to me that might alter or detract from the opinions that I express.

Scope of Evidence

12. The DG's submission covered a range of matters that are divided into two parts: Natural Environment, Open Space and Natural Open Space Zone. I have focussed my evidence on matters which remain in contention and where additional support for proposed amendments are expressed. This includes:
 - (a) Comment on the new policy and rule (ECO-PX and ECO R1.4) to maintain indigenous biodiversity;

- (b) The direction to protect significant indigenous biodiversity within the rules and assessment matters;
 - (c) Giving effect to the NPSIB/CRPS and aligning the plan provisions to apply the effects management hierarchy through the policies, rules, assessment matters and definitions.
 - (d) Support for the proposed amendments to ECO-P4 and the Bat Protection Overlay extension with one minor amendment.
 - (e) Clarification on the Blandswood Settlement zoning and interim discussions from Hearing B1.
 - (f) Clarification on how freedom camping is managed within Public Conservation Land.
13. Where there are elements of the DG's submission that I do not address in my evidence, this reflects that I am generally comfortable with the approach taken in the s42A report. I am available to take any questions that the Panel may have on those matters.
14. Where I quote proposed plan provisions, I have used the s42A report recommendations (as consolidated in that report's Appendix 1) as the base version. Where I show my suggestions as tracked changes, they are against that version.

Material Considered

15. In preparing my evidence I have read and relied upon the following documents:
- (a) Proposed Timaru District Plan 2022
 - (b) The Section 32 Evaluation Reports:
 - (i) Overview Section 32 report dated July 2022
 - (ii) Ecosystems and Indigenous Biodiversity dated May 2022
 - (iii) Natural Character dated May 2022

- (iv) Outstanding Natural Features and Landscapes Section 32 report dated May 2022
- (c) The DG's submission dated 15 December 2022 and further submissions dated 4 August 2023 and 18 March 2024.
- (d) The Officer's Section 42a Reports including:
 - (i) Ecosystems and Indigenous Biodiversity; Natural Character; and Natural Features and Landscapes dated 9 October 2024;
 - (ii) Natural Open Space Zone, Open Space Zone, and Sport and Active Recreation Zone dated 11 October 2024.

Executive Summary

16. Overall, I am generally supportive of the amendments proposed in the Council Officer's Section 42A report on the proposed Timaru District Plan Ecosystems and Indigenous Biodiversity, Natural Character and Natural Features and Landscapes Chapter and Natural Open Space Zone.
17. I accept the approach of the s42A Report which is to undertake a future Plan Change to give full effect to the NPSIB rather than require significant changes to the ECO chapter objectives, policies and rules. However, where there is scope and ability to give effect to the NPSIB without significant changes, I have recommended amendments.
18. I consider that there is a gap in the ECO chapter policies relating to how adverse effects of activities on indigenous biodiversity will be *avoided* within SNAs and *managed* outside SNAs by applying the effects management hierarchy and recommend amendments to better align with the NPSIB.
19. Based on evidence from Technical Advisor (Ecology), Mr Clayton, I recommend that changes are required to ensure effectiveness and consistency for the improved pasture approach within the proposed plan relating to indigenous vegetation clearance.
20. I support the recommendation in the s42A report to extend the Bat Habitat Protection overlay and recommend some minor changes based on the evidence provided by Biodiversity Ranger, Simon Waugh.

21. I provide further clarification around the DG's submission on the Blandwood settlement and interim involvement to date on bespoke provisions and on freedom camping provisions.

Statutory Considerations

22. The s32 Report identifies the overall context for this topic, including:
- (a) The purpose and principles of the Resource Management Act 1991, in particular Section 6 (matters of national importance), 7 (other matters) & 8 (Treaty of Waitangi);
 - (b) The s31(1)(b)(iii) council function to maintain indigenous biodiversity;
 - (c) The New Zealand Coastal Policy Statement 2010 (NZCPS), in particular Policy 11;
 - (d) Other national direction including the National Policy Statement for Freshwater Management 2020 (NPS-FM), the National Environmental Standard on Plantation Forestry Regulations 2018, the National Environmental Standards for Telecommunication Facilities 2016, the National Environmental Standard for Electricity Transmission Activities Regulations 2009;
 - (e) The Canterbury Regional Policy Statement 2013 (CRPS);
 - (f) Canterbury Regional Plans;
 - (g) Rangitata Water Conservation Order 2006;
 - (h) Iwi Management Plan of Kāti Huirapa;
 - (i) Te Whakatau Kaupapa Ngai Tahu Resource Management Strategy for the Canterbury Region.
23. At the time the s32 Report was prepared, the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB) was under development. It is now in force and is addressed within the s42A Report.

24. I agree with the statutory documents considered within the Council's s32 and s42A reports.

Council Functions

25. I consider that the s31(1)(b)(iii) function is critical to evaluating ecosystem and biodiversity provisions. It requires that indigenous biological diversity ('biodiversity') is maintained at the District level. Which, to put it simply, means that across the Timaru District, any biodiversity losses must be at least made up for by biodiversity gains. This is reflected in the structure of the NPSIB, which requires that:
- Biodiversity values must be protected or maintained (i.e. no loss);
 - Some loss of biodiversity is accepted (primarily through the use of exceptions and allowance for compensation);
 - Restoration is promoted and provided for (i.e. gains to make up for the losses).
26. I consider that this overall approach must equally apply to the proposed Timaru District Plan, if indigenous biodiversity is to be maintained. Plan provisions need to ensure that biodiversity losses across the district are limited to a level that can be made up for by gains that are promoted or enabled by the plan. I note that an equivalent function applies to the Canterbury Regional Council (s30(1)(ga)), which is reflected in CRPS Objective 9.2.2 and Policy 9.3.4 – to enhance or restore indigenous biodiversity – which applies at a regional scale, but will be contributed to by its implementation within the Timaru District.
27. I support the s42A recommendations to include a new policy (ECO-PX) and rule (ECO-R.1.4) to *maintain* indigenous biodiversity and a further new policy and associated amendments to *restore* indigenous biodiversity (ECO-PZ) which aligns with these Council functions under the RMA and direction of the NPSIB.

Natural Environment

28. In general, the DGs submission (166.29) sought that the provisions of the proposed plan:
- (a) align with the National Policy Statement – Indigenous Biodiversity (NPSIB) (at the time of the submission it was the exposure draft).
 - (b) maintain and enhance indigenous vegetation outside of mapped SNAs as required by the RMA s31(1)(b)(3);
 - (c) provide a process to identify and protect significant indigenous biodiversity that are not mapped SNAs; and
 - (d) apply the effects management hierarchy.

Giving Effect to the National Policy Statement for Indigenous Biodiversity (NPSIB)

29. The s42A Officers report recommends that a plan change is necessary to give full effect to the NPSIB given that it may require substantial changes to the policy and rule framework¹. I accept that this is an understandable approach given that the draft plan was prepared prior to the NPSIB becoming operative. However, it is important to note that Part 4 of the NPSIB requires that: *Every local authority must give effect to this National Policy Statement as soon as reasonably practicable* (Section 4.1, clause (1)). As noted by the s42A Officer, there is already scope to amend some of the provisions in the proposed District Plan (PDP)² to better align with the NPSIB based on the submissions received on the PDP.
30. With that in mind, I consider there are two areas where the proposed plan should be amended to give effect to the NPSIB:
- (a) A specific policy to avoid adverse effects on SNAs as specified in NPSIB clause 3.10(2)(a)-(e); and

¹ S42A report Ecosystems and Indigenous Biodiversity, Natural Character; and Natural Features and Landscapes, Paragraph 7.8.18, page 56

² S42A report Ecosystems and Indigenous Biodiversity, Natural Character; and Natural Features and Landscapes, Paragraph 7.1.20, page 29-28

- (b) An effects management hierarchy approach to addressing significant adverse effects on indigenous biodiversity outside of SNAs, consistent with NPSIB clause 3.16.
31. It is my opinion that these provisions can be included within the PDP without significant amendments to the ECO chapter (with proposed amendments mainly to policies and matters of discretion). Similar amendments have been made within the proposed Waimakariri Proposed District Plan to better align with the NPSIB and CRPS.
32. My understanding is that both the NPSIB and CRPS apply to the PDP and must be given effect. Currently the proposed policies in the ECO chapter:
- Assess and Identify SNAs (ECO-P1)
 - Provide for appropriate indigenous vegetation clearance in SNAs (ECO-P2)
 - Protect indigenous biodiversity in sensitive areas by managing clearance (ECO-P3)
 - Protect long-tailed bats (ECO-P4)
 - Protect SNAs by avoiding the clearance of indigenous vegetation & earthworks unless activities are outside the coastal environment and are for regionally significant infrastructure managed in accordance with EI-P2 *managing adverse effects* (ECO-P5)
 - Limit clearance of indigenous vegetation outside of SNAs to maintain indigenous biodiversity (ECO-PX)
 - Avoid the planting of species likely to affect indigenous biodiversity (ECO-P6)
 - Avoid adverse effects of activities on indigenous biodiversity in the Coastal Environment (ECO-PY)
 - Restore indigenous biodiversity (ECO-PZ)
33. However, there is no policy to direct the avoidance of adverse effects on SNAs or how to manage the adverse effects of indigenous vegetation clearance activities. Policy 7 of the NPSIB requires that *SNAs are protected by avoiding or managing adverse effects from new subdivision, use and development*. First, my concern is that where applications for vegetation removal within SNAs become non-complying and where that activity is assessed against the plan under s104D(1)(b) considerations, there are no 'avoid' clauses against which to assess the activity (apart from ECO-P5 which is worded to 'avoid' the clearance of indigenous vegetation and earthworks within SNAs not adverse

effects). Similarly, for vegetation removal outside of SNAs there is no policy to address the management of adverse effects and the matters of discretion do not direct the management of effects in accordance with the effects management hierarchy.

34. One of the comments within the s42A report is that the exemptions in Clause 3.11 of the NPSIB cannot be included in the PDP as they require evaluative judgements to be made which require further consideration in terms of how they might apply within the District³. The s42A report notes that this would require further changes to the proposed rules to implement such policy direction. Overall, the s42A report considers this is better undertaken when the Council notifies a plan change to give effect to the NPSIB in full.
35. Whilst I acknowledge that these exemptions are difficult to include within the plan provisions, it is noted that the plan provides for some exceptions already such as for *Regionally Significant Infrastructure* within the policies (ie ECO-P5) as well as allowing for specific permitted indigenous vegetation clearance within SNAs and sensitive areas in the plan rules such as natural hazard mitigation works. Further it is likely that these exemptions would be contemplated further through a resource consent assessment, having regard to the relevant provisions of the NPSIB via s104(1)(b) and when the effects management hierarchy is applied.
36. I consider that there is scope within the submissions to make these changes to the policies to further align them with the NPSIB and CRPS. On this basis, I recommend that ECO-P5, ECO-P3 and ECO-PX are amended to address the avoidance of adverse effects within SNAs and to introduce an effects management hierarchy approach to manage adverse effects outside of SNAs. The policies still retain the exceptions for regionally significant infrastructure and other policies apply in terms of appropriate indigenous vegetation clearance such as ECO-P2.
37. The proposed policy would be applied to assess how adverse effects are managed within and outside of SNAs. This further aligns with the CRPS which seeks to 'halt' the decline of Canterbury's ecosystems and indigenous

³ S42A report Ecosystems and Indigenous Biodiversity; Natural Character; and Natural Features and Landscapes, para 7.8.18, page 56.

biodiversity and to protect SNAs (Objective 9.2.1 & Policy 9.3.1 (protect SNAs), 9.3.2 (integrated management)). Territorial Authorities are also directed by the CRPS to recognise the national priorities for the protection of biodiversity through objectives and policies in district plans.

38. On this basis, I recommend amending ECO-P3, ECO-P5 and ECO-PX as follows:

ECO-P3 Protection of indigenous biodiversity in sensitive areas

Protect indigenous biodiversity by managing the clearance of indigenous vegetation in the following sensitive areas:

1. riparian ~~margins areas, wetlands~~ and springs; and
- ~~2. coastal areas; and~~
3. areas at higher altitude; and
4. areas on steep slopes.

And by managing the adverse effects of activities within these sensitive areas by applying the effects management hierarchy, except as provided for in EI-P2.

ECO-P5 Protection of Significant Natural Areas

Except as provided for in ECO-P2, Avoid the clearance of indigenous vegetation and earthworks within SNAs, unless these activities:

1. *are outside the coastal environment* and can be undertaken in a way that protects the identified ecological values *by avoiding adverse effects*; and
2. are for regionally significant infrastructure and it can be demonstrated that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure.

ECO-PX Maintaining indigenous biodiversity

Limit the clearance of indigenous vegetation outside areas identified in ECO-P1, ECO-P3 and ECO-PY, in order to maintain indigenous biodiversity, taking into account the value of such biodiversity and managing the adverse effects of activities by applying the effects management hierarchy, except as provided for in EI-P2.

39. These amendments provide further direction for the assessment of resource consents on the avoidance and management of adverse effects on indigenous biodiversity. I recommend consequential amendments to the definitions chapter to include definitions for the effects management hierarchy and for biodiversity offsetting and compensation that align with the NPSIB definitions.

Further, I recommend that amendments are made to the restricted discretionary matters for ECO-R.2 and R.4 to include the effects management hierarchy considerations. These are set out in Appendix 1. The rules as proposed would remain the same, given that the assessment of effects on indigenous biodiversity within and outside SNAs is triggered when the permitted activity standards are not complied with.

Plan provisions to maintain indigenous biodiversity outside of mapped SNAs and Sensitive Areas

40. In response to the DG's submission, the s42A Officer⁴, based on the evidence of Terrestrial Ecologist Mike Harding, has recommended an additional policy and rule (ECO-PX and ECO-R1.4) to maintain indigenous vegetation outside of identified SNA and sensitive environments, in order to achieve ECO-O2 and meet the Council's function under s31(1)(b)(iii). This introduces a new policy and rule for indigenous vegetation clearance outside of SNAs and sensitive areas and would capture any indigenous vegetation clearance within the District that did not meet a list of permitted allowances.
41. I support these additional provisions and consider that the proposed changes will align better with the NPSIB and Canterbury Regional Policy Statement (CRPS). Policy 3 of the NPSIB recommends adopting a precautionary approach when considering adverse effects on indigenous biodiversity. I consider that applying the precautionary approach and adopting better controls to manage indigenous vegetation clearance outside of SNAs and sensitive areas is necessary within the proposed plan provisions. This is based on the expert evidence provided by Ecologist, Richard Clayton (para 24-30, pages 6-8) which identifies the few remaining areas of indigenous vegetation and habitats within the Timaru district and importance of these areas to support indigenous biodiversity.

Plan provisions to protect significant indigenous biodiversity outside of mapped SNAs

42. Mr Harding's evidence⁵ sets out why an additional rule for indigenous vegetation clearance is required, including that further survey or increased knowledge about the presence and distribution of indigenous species'

⁴ S42A Report Ecosystems and Indigenous Biodiversity, Natural Character; and Natural Features and Landscapes, para 7.1.17 page 29

⁵ Ecological Evidence, Mike Harding dated July 2024, paragraphs 54-76

populations will likely reveal significant habitats for indigenous species that lie outside the SNAs listed in Schedule 7 (paragraph 58, page 14). Mr Harding also notes that other 'less visible areas of indigenous vegetation' such as non woody vegetation are likely to have been missed during the SNA surveys (paragraph 65, page 16). Mr Harding further notes that some of the lower priority un-surveyed sites may support significant indigenous vegetation and habitat. This is also supported in Mr Clayton's ecological evidence (paragraph 31, page 8).

43. Based on these comments and given that there is likely to be unmapped significant biodiversity within the district, it is considered that the proposed new policy and rule (ECO-PX and ECO-R1.4) will go some way to capture these areas as well. However, the question is whether or not the direction to protect (via RMA Section 6(c) and Objective 9.2.3 of the CRPS) is achieved through the proposed plan policy and rule framework for indigenous vegetation clearance outside of mapped SNAs where that vegetation would be assessed as significant. The CRPS (Method 3) sets out that District Plan provisions need to include appropriate rules that manage indigenous vegetation clearance within district plans to provide for the case-by-case assessments of whether an area of indigenous vegetation comprises a significant area that warrants protection.
44. I support rules ECO-R1.2 and ECO-R1.4, which captures other areas of indigenous biodiversity outside of SNAs. However, I recommend an amendment to the matters of discretion ECO.R1.4 (and consequential amendment to ECO-R1.2), to ensure that if significant indigenous biodiversity is identified, as part of the resource consent assessment (against the criteria set out in APP5), the higher order direction to protect areas of significant indigenous vegetation and habitats of indigenous fauna are better considered. The proposed amendments (in green text and underlined) also further align with the wording of ECO-O1 which seeks to protect significant indigenous vegetation and habitats of indigenous fauna. I have also recommended that the assessment matter refer to the protection of indigenous biodiversity and not just indigenous vegetation, as vegetation can also be significant habitat for indigenous fauna:

Matters of discretion are restricted to:

1. **Whether the indigenous vegetation is significant (when assessed against the APP5 – Criteria for Identifying Significant Natural Areas) and the ability extent to retain which the proposal will protect any significant indigenous vegetation; biodiversity.**

Consequential amendments are also required for ECO-R1.2 & ECO-R2 PER 2 – Matters of Discretion.

45. I support the s42A report recommendations to replace the word 'retain' with 'protect' in ECO-R1.2 matters of discretion. This is consistent with the proposed amendments I have suggested above in ECO-R1.4 and is necessary to align with the higher order documents as described above.

Improved Pasture Approach

46. The Forest and Bird submission (156.3) sought that improved pasture (fully converted pasture) is mapped within the PDP. The DG's further submission⁶ supported this submission point and requested that the plan provide certainty and clarity around what provisions apply for improved pasture and indigenous vegetation clearance. I consider this necessary as areas of indigenous vegetation (both significant and non-significant) within the district can be located on improved pasture as noted within Mr Clayton's Ecological evidence (paras 38-48, pages 9-12).
47. The Section 42A Officer rejects this submission point considering that mapping improved pasture would go beyond what is necessary to achieve the objectives of the chapter. As an alternative approach, the Section 42A Officer has introduced ECO R1.4 and proposed drafting to manage indigenous vegetation clearance outside of SNAs and sensitive areas including improved pasture provisions. The indigenous vegetation clearance activities that are provided for within improved pasture under the current proposed drafting of ECO Rule 1 (i.e incorporating the new proposed rule ECO R1.4) are:

⁶ Further Submission 166.11FS on Forest and Bird Submission Point 156.3

- (a) **Within SNAs ECO R1.1 Per 6**, *The clearance of indigenous vegetation occurs due to **grazing** within (but not over-grazing/trampling) an area of improved pasture.*
- (b) **Within Sensitive Environments ECO R1.2 Per 4**, *the clearance is of indigenous vegetation that:..(d) is within an area of improved pasture*
- (c) **In all other areas ECO R1.4 Per 1**, *the clearance is for the purpose of...:*
- (7) **grazing**, that is not over-grazing/trampling, within an area of improved pasture*
- (8) **maintaining** improved pasture by way of oversowing and/or topdressing, **outside any depositional landforms within the upper Rangitata***
48. Firstly, I support the provision in the rules for clearance due to light grazing (but not over-grazing/trampling) in an area of improved pasture within SNAs based on the evidence provided by Mr Harding (paras 78-82, pages 18-19) and Mr Clayton (para 47, page 12). I also support the inclusion of a definition for 'overgrazing/trampling' being added to the definitions chapter as recommended in the s42A Officer's Report (para 7.1.28, page 32) to clarify when this activity would be considered to be 'over-grazing' and require resource consent.
49. For ECO R.1.2 and ECO R.1.4, based on the examples provided in Mr Clayton's evidence and common occurrence for indigenous vegetation to be present within areas that meet the definition of improved pasture (often within threatened land environments)⁷, I consider that a precautionary approach, in line with Policy 3 of the NPSIB, is necessary. In the absence of mapping areas of fully converted improved pasture to provide certainty on where these areas can be maintained, I consider it necessary to amend these rules to only allow for the maintenance of improved pasture where it does not adversely affect a Threatened or At Risk (declining) species. I consider that this is warranted given the national importance of significant indigenous vegetation and habitats which requires protection under RMA s6(c) and requirements to maintain indigenous biodiversity under RMA s31(1)(b)(iii).

⁷ Richard Clayton's Ecological Evidence, (paras 40-43, pages 10-11)

50. On this basis, I recommend the following amendments to ECO-R1.4(8):

8. maintaining improved pasture by way of oversowing and/or topdressing, outside any depositional landforms within the upper Rangitata where the maintenance of improved pasture will not adversely affect a Threatened or At Risk (declining) species.

Consequential amendments are also required for ECO-R1.2 (as discussed further below)

51. Further, it is noted that the provisions within sensitive environments (ECO R1.2) and in all other areas (ECO R1.4) are inconsistent, where ECO R1.2 Per 4 allows for any indigenous vegetation clearance within an area of improved pasture and ECO R.1.4 Per 1(7) and (8) only allows for clearance as a result of maintaining and or light grazing of improved pasture provided it is outside any depositional landforms within the upper Rangitata. There is no further explanation within the Section 32 Report⁸ for allowing clearance associated with improved pasture within sensitive areas without any further limits.
52. The s42A Officer's report explains the reasons for including improved pasture provisions within Rule ECO-R.1 within SNAs (para 7.20.15, page 97) and all other areas (para 7.1.17 & 7.20.15, page 29 & 98). However, there is no explanation as to why the rules for improved pasture within sensitive areas and within all other areas are different. For consistency, I recommend that the drafting of the proposed improved pasture permitted activity rule within all other areas is also applied within sensitive areas (ECO-R.1.2). I note that the wording of the rule (ECO-R1.4.8) is supported by Mr Harding and therefore is recommended to be copied over to this other rule. Please refer to the attached Appendix 1 for a full copy of the recommended amendments.

⁸ Ecosystems and Indigenous Biodiversity dated May 2022, Section 2.2.1, page 22

ECO-P4 Protection for long-tailed bats

53. The DG's submission supported ECO-P4 and ECO-R4 given that South Canterbury supports the only known Long tailed bat population on the east coast of the South Island. As noted within Biodiversity Ranger, Simon Waugh's evidence, the causes of Long-tailed bats decline can be attributed to removal of old age trees and the effects of land use change. The DG requested the Bat Protection Area overlay is extended to cover the areas identified in the Canterbury bat habitat map.
54. Based on the evidence of Mr Harding, the s42A Council officer recommends that the overlay should be extended to match the Canterbury maps bat habitat map. I support this, and the proposed name change to Bat Habitat Protection Area. In regard to the changes proposed to ECO-R4, I generally support the changes but suggest that the matters of discretion do not refer to an assessment demonstrated through use of an automatic bat monitor. Based on Mr Waugh's evidence, only a suitably qualified expert will be able to conduct an effective ABM survey and analyse the data correctly. It is also noted that an ABM would only be useful for determining whether bats are present immediately prior to felling a tree, but does not rule out a tree from being a bat roosting tree⁹ and the need for that tree to be preserved for future use.
55. On this basis, I recommend that the ECO-R4 Matters of Discretion (clause 1) is amended to:

Matters of discretion are restricted to:

1. *Whether, upon specialist assessment by a suitably qualified **and experienced expert, ecologist** or demonstrated through use of an automatic bat monitor, the tree/s proposed to be removed is habitat for long-tailed bats;....*
56. I note that Mr Waugh's evidence (paras 21-23, pages 6-7) also considers the effects of artificial light on Long-tailed bats. This is relevant in regard to the DG's submission points¹⁰ relating to extending the mapped *light sensitive*

⁹ Evidence of Simon Waugh, paras 26-29, pages 11-12

¹⁰ Submission points 166.123, 166.124 & 166.125

overlay over the Bat Habitat protection overlay (and other consequential amendments to the lighting standards) which is a topic in the General District-Wide Matters: LIGHT chapter and deferred to Hearing Stream F. Further evidence on this matter will be filed for Hearing Stream F.

Open Space and Natural Open Space Zones

57. Overall, the D-Gs submission¹¹ supported the provisions of the Natural Open Space Zone. The fact that NOSZ-R7 was not referred to in the DG's submission was an oversight and does not indicate any opposition to the rule which prohibits motorsport facilities.

Blandswood Further Submission – Matters to be considered in other Hearings.

58. As noted within the Council's s42A report, a number of submissions were lodged in relation to the proposed Open Space Zone applying to the Blandswood Settlement. The DG's further submission (FS166.33, 166.34, and 166.35) opposed the request to rezone the Blandswood residential area from Open Space Zone-Holiday Hut Precinct to the Settlement Zone. The DG's submission sought that any provisions proposed for this area take into account the high ecological values of the Blandswood area and the effects of residential development on these values and adjoining public conservation land. Since Hearing B1 on the Rural Zones, we have discussed the provisions further with Council's consultant planner Mr Andrew Maclennan and other Blandswood submitters.
59. Based on the proposed drafting set out in Mr Maclennan's interim reply to Minute 14¹², I supported the proposal to rezone the Blandswood area to a Settlement Zone precinct. The proposed amendments create bespoke provisions for the Blandswood settlement that recognise the unique setting of the area and the high ecological values. My support for these provisions were on the caveat that I may seek further amendments to PRECX-P1 and SETZ-R4 relating to the avoidance of adverse effects on the natural environment subject to the outcomes of the ECO chapter.

¹¹ Submission point 166.131

¹² A Maclennan, Hearing B, Interim reply dated 20 September 2024, para 84-91

60. As discussed above, I support the Council's s42A report recommendations for a new policy and rule (ECO-PX and ECO-R1(4)) to maintain indigenous biodiversity outside of SNAs and sensitive environments and the recommendation to extend the Bat Habitat Protection Area overlay. If these recommendations are accepted by the panel, then I do not anticipate there being a need to further amend the proposed provisions set out for the Blandswood Precinct as the new provisions proposed within the ECO chapter will also apply to the Blandswood area.

Habitats for indigenous fauna

61. I support the recommendation to include reference to 'habitats for indigenous fauna' where relevant within the Natural Open Space zone provisions. I agree that the amendments proposed will ensure better alignment with the provisions of the Resource Management Act Section 6(c) which requires the protection of significant habitats of indigenous fauna and the NPSIB¹³ which confirms that the maintenance of indigenous biodiversity covers both ecosystems and habitats used or occupied by indigenous biodiversity.

Campgrounds and Freedom Camping within the Natural Open Space Zone

62. In regard to the New Zealand Motor Caravan Association (NZMCA) submission point (134.6) relating to campgrounds, I note that any activity associated with campgrounds within public conservation land would fall under the provisions of Section 4(3) of the RMA 1991 which provides an exemption to the rules of a plan where activities are consistent with a CMS (in this case the Canterbury (Waitaha) Conservation Management Strategy 2016) or management plan and there are no significant effects beyond the boundary. A note is provided within the introduction of the Natural Open Space zone chapter which clarifies this. In any case, Section 10 of the RMA also provides for existing uses that were lawfully established before a proposed plan was notified. As such existing campgrounds would be covered under the provisions of the RMA.
63. As noted in the s42A Report, freedom camping is regulated under the Freedom Camping Act 2011. Freedom camping is allowed on much of DOC managed public conservation land but there are exceptions and special conditions that

¹³ NPS-IB, Clause 1.7 Maintaining indigenous biodiversity

apply in some areas. For example, under Section 44(1) of the Reserves Act, freedom camping is not permitted in DOC administered scenic and recreation reserves, unless located within a managed campsite. The Director-General of Conservation can also prohibit freedom camping in specified areas of public conservation land under sections 15 – 19 of the Freedom Camping Act 2011. There are specified areas where freedom camping has been prohibited within the Timaru District.

64. My concern is that if provisions are made within the proposed district plan to manage freedom camping, it could conflict or create duplication with these other regulations. In my opinion, and as noted in the wider submission from NZMCA, freedom camping is not an activity that should be managed within the proposed district plan. For plan user clarity, I recommend that an advice note is included to identify that freedom camping is managed through the Freedom Camping Act 2011 and other statutory documents and not within the district plan. Examples of district plans providing this advice can be found within the Queenstown Lakes Proposed District Plan (Open Space and Recreation Zone Advice Note 38.8.3.1) and the Dunedin Second Generation Plan (Section 1.3, Activities Managed by this Plan – as was also noted in the NZCMA submission).

Planting Exotics for Natural Hazard Mitigation and Agricultural Aviation Activities

65. I agree with the s42A report recommendation that the rules of the Natural Open Space zone are not amended to allow for the planting of exotics for hazard mitigation or to specifically refer to agricultural aviation activity. I support the reasons set out by the s42A Officer in paragraphs 7.4.6 - 7.4.14 with regards to public conservation land.

Conclusion

66. I am generally supportive of the approach taken in the ECO chapter for the proposed Timaru District Plan, and the changes recommended in the s42A Report including a new policy (ECO-PX) and rule (ECO-R.1.4) for the maintenance of indigenous biodiversity and new policies managing adverse effects within the Coastal Environment (ECO-PY) and requiring the restoration of indigenous biodiversity (ECO-PZ).

67. Whilst I accept that a further Plan Change is required to give full effect to the NPSIB, I have recommended amendments to the plan provisions where there is scope and where significant changes to the provisions are not required. In particular, amendments have been made to policies to direct the avoidance of adverse effects within SNAs and to manage adverse effects outside of SNAs in accordance with the NPSIB and CRPS.
68. I have recommended specific changes to the ECO.R1 rules to ensure that there is consistency and clarity regarding provisions for the clearance of indigenous vegetation in relation to improved pasture based on evidence provided by Mr Clayton.
69. I support the extension of the Bat Habitat Protection Area overlay and recommend some minor changes to the provisions based on evidence provided by Mr Waugh.
70. In general, I support the changes recommended in the s42A reports relating to the Natural Character, Natural Features and Landscapes and Natural Open Space Zone provisions.



Elizabeth Williams

RMA Planner

DATED this 29 October 2024

APPENDIX 1 TABLE OF SUBMISSION POINTS AND RECOMMENDATIONS

This appendix summarises matters where I recommend changes to the wording of provisions where my opinion differs from what is proposed in the Section 42A Report. The table outlines the D-G's submission points and officer's recommendations, and includes the text of my suggested changes.

Note: Where submission points from the D-G's submission are recommended for acceptance in the s42A Report, and I concur with that recommendation, those submission points have not been included in this table.

PLAN PROVISION & SUB REF	D-G Submission	S42A recommendation (Red text and underline)	E Williams Planning evidence changes sought (Green text, italic and underline)
<p>Definitions (New): Sub Points 166.14, 166.15 & 166.16</p> <p>ECO Policies & Restricted Discretionary Matters</p> <p>Submission Points 166.29, 166.38, 166.41 & 166.43.</p>	<p><i>Alignment with the draft NPS-Indigenous Biodiversity (NPS-IB)</i></p> <p>We encourage Council to align its provisions with the exposure draft as much as possible i.e definitions, provisions, and criteria. This recognises that the exposure draft represents the current national best-practice on managing indigenous biodiversity in the RMA context.</p> <p><i>Application of the Effects Management Hierarchy</i></p> <p>It needs to be made clear in the provisions of the proposed Plan that new subdivision, use and development within a SNA should <u>avoid</u> certain effects as set out in the draft NPS-IB.</p> <p>The effects management hierarchy must also be applied to other effects within a SNA as well as for areas outside of mapped SNAs. This aligns with the requirements of the draft NPS-IB as set out in Clause 1.5(4) and principles applied for biodiversity offset and compensation in Appendix 3 and 4.</p> <p><i>Definitions (new)</i></p> <p>'Effects Management Hierarchy': In relation to other submission points made by the D-G, we seek that the effects management hierarchy is defined in the Plan to ensure that there is an appropriate cascade of effects management approaches, starting with avoidance, and ending with offsetting or compensation of residual adverse effects, to appropriate manage adverse effects on significant values.</p> <p>Insert new definition for "compensation", as the term is used within the Ecosystems and Indigenous Biodiversity chapter, it is considered necessary to define the term so it's meaning is clear. The draft National Policy Statement for Indigenous Biodiversity (NPS-IB) contains a definition for 'Biodiversity Compensation' which is recommended.</p> <p>New Definition - 'Biodiversity Offset': Insert new definition of 'Biodiversity Offset'. Providing for the use of biodiversity offset (where the effects management hierarchy has been applied), enables Councils and applicants to address any residual adverse effects, that cannot otherwise be demonstrably avoided, minimised, or remedied as a result of the proposed activity. This aligns with Section 104(1)(b) of the RMA and the draft National Policy Statement for Indigenous Biodiversity (NPS-IB) which includes offsetting to address residual effects via the effects management hierarchy. The definition recommended for 'Biodiversity Offset' has been copied from the NPS-IB.</p>	<p>Accept in part – refer to specific relief relating to the maintenance of biodiversity and restoration.</p> <p>Rejects the need to align with the NPSIB in terms of the avoidance of certain effects on SNAs and applying the effects management hierarchy and considers this is better worked through when the Council notifies a plan change to give effect to the NPSIB in full (refer to para 7.8.18).</p>	<p>I recommend that a new policy is included to address the management of adverse effects on indigenous biodiversity within SNAs and outside of SNAs as follows (or words to similar effect):</p> <p>ECO-P3 Protection of indigenous biodiversity in sensitive areas</p> <p>Protect indigenous biodiversity by managing the clearance of indigenous vegetation in the following sensitive areas:</p> <ol style="list-style-type: none"> 1. riparian margins areas, wetlands and springs; and 2. coastal areas; and 3. areas at higher altitude; and 4. areas on steep slopes. <p><i>And by managing the adverse effects of activities within these sensitive areas by applying the effects management hierarchy, except as provided for in EI-P2.</i></p> <p>ECO-P5 Protection of Significant Natural Areas</p> <p>Except as provided for in ECO-P2, Aavoid the clearance of indigenous vegetation and earthworks within SNAs, unless these activities:</p> <ol style="list-style-type: none"> 1. are outside the coastal environment and can be undertaken in a way that protects the identified ecological values <i>by avoiding adverse effects</i>; and 2. are for regionally significant infrastructure and it can be demonstrated that adverse effects are managed in accordance with EI-P2 Managing adverse effects of Regionally Significant Infrastructure and other infrastructure. <p>ECO-PX Maintaining indigenous biodiversity</p> <p>Limit the clearance of indigenous vegetation outside areas identified in ECO-P1, ECO-P3 and ECO-PY, in order to maintain indigenous biodiversity, taking into account the value of such biodiversity and managing the adverse effects of activities by applying the effects management hierarchy, except as provided for in EI-P2.</p> <p>Consequential Amendments include:</p> <p>Definitions</p> <p><i>Effects management hierarchy</i></p> <p><i>"an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that:</i></p> <ol style="list-style-type: none"> <i>(a) adverse effects are avoided where practicable; then</i> <i>(b) where adverse effects cannot be avoided, they are minimised where practicable; then (c) where adverse effects cannot be minimised, they are remedied where practicable; then (d) where more than minor residual adverse</i>

PLAN PROVISION & SUB REF	D-G Submission	S42A recommendation (Red text and underline)	E Williams Planning evidence changes sought (Green text, italic and underline)
			<p><i>effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then</i> <i>(e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided</i> <i>(f) if biodiversity compensation is not appropriate, the activity itself is avoided.”</i></p> <p><i>Biodiversity Compensation</i> <i>“means a conservation outcome that meets the requirements in Appendix 4 of the NPSIB and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.”</i></p> <p><i>Biodiversity Offset</i> <i>“biodiversity offset means a measurable conservation outcome that meets the requirements in Appendix 3 of the NPSIB and results from actions that are intended to:</i> <i>(a) redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and</i> <i>(b) achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost.</i></p> <p>Restricted Discretionary Matters ECO.R1.2, R1.4 and ECO-R2/PER2.</p> <p><i>Outside the coastal environment, the management of effects in accordance the effects management hierarchy</i></p>
<p>ECO Policies and Matters of restricted discretion</p> <p>Sub Points 166.29, 166.41</p>	<p><i>Protection of SNAs and providing a process for the assessment of new SNAs</i> <i>Whilst the D-G acknowledges that comprehensive surveys have been undertaken of the district’s SNAs, there are many areas that still need to be assessed and some existing areas that may need to be re-surveyed against current criteria. Therefore, there needs to be a process in the plan for allowing identification and protection of <u>new</u> SNAs.</i></p> <p><i>The maintenance and enhancement of areas outside of SNAs</i> <i>Further it is noted that whilst some areas outside of mapped SNAs (as well as unmapped SNAs) such as waterbody margins and higher altitudes/steep slopes have specific rules, there are many other areas of indigenous biodiversity outside of these areas that are required to be maintained and enhanced. Examples of these areas are indigenous vegetation associated with uncultivated dryland soils, tussock grasslands, shrublands, short and tall forest remnants, herbfields, and any coastal or dune environments. It is recommended that a set of vegetation clearance thresholds is introduced to ensure that indigenous biodiversity in these areas is appropriately managed.</i></p>	<p>Accept in part.</p> <p><i>One matter raised by several submitters is how indigenous vegetation outside SNAs is to be managed. I note in this respect that the Council has the function of controlling any actual or potential effects of the use, development, or protection of land for the purpose of maintaining indigenous biodiversity (s31(1)(b)(iii)).</i></p> <p><i>Mr Harding’s view (as set out in Appendix 3) is that a rule controlling clearance of other indigenous biodiversity would assist with the maintenance of indigenous biodiversity outside SNAs.</i></p> <p><i>Controlling other indigenous vegetation will, by default, increase protection of habitats of indigenous fauna and better allow consideration of the matters identified above. In addition, having greater controls on indigenous vegetation clearance outside identified SNAs will assist in protecting areas that may otherwise meet the significance criteria, but due to the above reasons, have not yet been identified in the PDP.</i></p> <p><i>Based on the above, I consider that additional controls are required in the PDP to control indigenous vegetation clearance outside identified SNA areas, in order to achieve ECO-O2 and meet the Council’s function under s31(1)(b)(iii). I recommend that an additional policy and rule be added relating to this.</i></p>	<p>I support the s42A report recommendation to include a new policy and rule (ECO-PX and ECO-R1.4).</p> <p>For the reasons provided above, I recommend an amendment to the Restricted Discretionary matters as follows:</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> <i>Whether the indigenous vegetation is significant (when assessed against the APP5 – Criteria for Identifying Significant Natural Areas) and the ability extent to retain which the proposal will protect any significant indigenous vegetation; biodiversity.</i> <p>It is considered that consequential amendments are also required for the matters of discretion in ECO-R1.2 & ECO-R2 PER 2 as follows:</p> <ol style="list-style-type: none"> <i>whether the indigenous vegetation is significant (when assessed against the APP5 — Criteria for Identifying Significant Natural Areas) and the ability extent to retain which the proposal will protect any significant indigenous vegetation-biodiversity;</i>
<p>Improved Pasture provisions</p> <p>Further Submission</p>	<p>The D-G agrees with the Forest and Bird submission that to give clarity to the plan provisions that improved pasture should be mapped. More clarity around the maintenance of pasture and permitted activities for vegetation clearance in line with the NPS-IB should be provided in the plan.</p>	<p>The s42A report rejects the request to map fully converted improved pasture and amend the definition.</p> <p>The s42A Officer considers that this would go beyond what is necessary to achieve the objectives of the chapter. As an alternative to this approach, the s42A Officer considers that the new policy and rule ECO-PX and ECO-R1.4 will go some way to address this issue including provisions for indigenous</p>	<p>For the reasons provided above, I recommend the following amendments to the improved pasture provisions:</p> <p>ECO-R1.2, PER 4</p> <p><i>d. is within an area of improved pasture; or is maintaining improved pasture by way of oversowing and/or topdressing outside any depositional landforms</i></p>

PLAN PROVISION & SUB REF	D-G Submission	S42A recommendation (Red text and underline)	E Williams Planning evidence changes sought (Green text, italic and underline)
166.11FS (Forest and Bird Submission Points 156.21, 156.106, 156.3)		vegetation clearance for light grazing within improved pasture and maintaining improved pasture.	<p><u>within the upper Rangitata, where the maintenance of improved pasture will not adversely affect a Threatened or At Risk (declining) species;</u></p> <p>ECO-R1.4</p> <p><u>7. grazing, that is not overgrazing/trampling, within an area of improved pasture.</u></p> <p><u>8. maintaining improved pasture by way of oversowing and/or topdressing, outside any depositional landforms within the upper Rangitata where the maintenance of improved pasture will not adversely affect a Threatened or At Risk (declining) species.</u></p> <p>I support the recommendation that there are no provisions for vegetation clearance associated with improved pasture within SNAs (Rule ECO-R1.1).</p> <p>I support the s42A report proposal to include a new definition for overgrazing/trampling as below:</p> <p><u>The practice of confining farm stock to an area of land resulting in the depletion or destruction of indigenous vegetation by intensive grazing and/or trampling.</u></p>
ECO-P4, ECO-R4 and Bat Protection Area Overlay	<p>The DG supports the protection provided in the plan for Long-tailed bats including ECO-P4, ECO-R4 PER-1 & PER-2 and Matters of Discretion.</p> <p>The DG seeks that the Long-tailed bat protection area overlay is aligned with the ECAN bat habitat map.</p>	<p>Accept.</p> <p>The s42A report recommends that the Bat Protection Area is extended to match the Canterbury maps bat habitat map.</p> <p>The s42A recommends a name change to: <u>Long-Tailed Bat Habitat Protection Area.</u></p> <p>The s42A report recommends changes to ECO-R4 – matters of discretion.</p>	<p>I support the s42A recommendation to extend the Long-Tailed Bat Habitat Protection area to match the Canterbury bat habitat map for the Timaru District.</p> <p>As described above, I recommend that the changes to the matters of discretion, clause 1 are amended as follows:</p> <p>Matters of discretion are restricted to:</p> <p>1. <u>Whether, upon specialist assessment by a suitably qualified and experienced expert, ecologist or demonstrated through use of an automatic bat monitor, the tree/s proposed to be removed is habitat for long-tailed bats;...</u></p>
<i>Natural Character Zone</i>			
Rules/Note Sub Point 166.53	Oppose - The DG considers that there should be a note included here that highlights to the user that there are indigenous vegetation clearance rules that also apply within riparian margins.	Reject – does not consider it appropriate to highlight a particular activity, or a particular chapter, as there are other activities and chapters that are appropriate.	I consider that the DG's submission point is accepted in part due to the recommended changes to move the provisions for indigenous vegetation clearance along riparian margins from this chapter to the ECO chapter. As a result, the amendments to the introduction to the NATC Chapter includes a new note that there are also provisions within the ECO chapter that apply to the clearance of indigenous vegetation within riparian margins.

PLAN PROVISION & SUB REF	D-G Submission	S42A recommendation (Red text and underline)	E Williams Planning evidence changes sought (Green text, italic and underline)
NATC-R3, PER-2 Earthworks Sub Point 166.55	Oppose in part - The DG considers that PER-2 is too lenient and should contain a limit to what can be allowed for earthworks to construct a new fence. The current rule is not consistent with point 5 of Policy NATC-P5 as the policy refers to ' <i>limited new fencing and tracks</i> '. Amend the rule to include some limits for earthworks associated with new fencing along a river margin.	Reject – PER 2 is removed as a Clause 16(2) amendment given that earthworks by definition does not include ' <i>disturbance of land for the installation of fence posts</i> '.	I accept the s42A report recommendation that disturbance of land for fence posts is <u>excluded</u> from the definition of earthworks and therefore the rule is not required.
<i>Open Space Zone and Natural Open Spaces Zone</i>			
Rezone Request Open Space Zone -Hut Precinct to Settlement Zone Further Sub 166.33,166.34,166.35 FS	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. 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.	Acknowledges that this is a matter considered in Hearing B1 'Rural' zones. Refers to Mr MacLennan's Hearing B Interim Reply dated 20 September 2024.	Based on the proposed drafting set out in Mr MacLennan's interim reply to Minute 14, I supported the proposal to rezone the Blandswood area to a Settlement Zone precinct. My support for these provisions were on the caveat that I may seek further amendments to PRECX-P1 and SETZ-R4 relating to the avoidance of adverse effects on the natural environment subject to the outcomes of the ECO chapter. I support the Councils s42A report recommendations for a new policy and rule (ECO-PX and ECO-R1 (4)) to maintain indigenous biodiversity outside of SNAs and sensitive environments and the recommendation to extend the Bat Habitat Protection Area overlay. If these recommendations are accepted by the panel, then I do not anticipate there being a need to further amend the proposed provisions set out for the Blandswood Precinct.
Natural Open Space Provisions Submission Point 166.131	The D-G supports the inclusion of these objectives, policies and rules. Retain as notified.	In response to a submission by NZMCA (134.6) regarding freedom camping the s42A report officer agrees with the potential issue being raised and an unintended restriction on freedom camping via the PDP. A potential solution would be to expressly exempt freedom camping from the PDP but the s42A Officer considers this is beyond the scope of this OSRZ topic. It is recommended that this is considered as a matter which is deferred to Hearing F(Temporary Activities) which could be considered with other submissions that wish to amend the PDP to acknowledge and provide greater scope for freedom camping.	As an alternative, I support an amendment within this chapter, as discussed above, to exempt freedom camping from the provisions within the NOSZ chapter similar to what has been included in the proposed Dunedin City Second Generation Plan and the Queenstown Lakes proposed District Plan: <u>Note:</u> <i>Freedom camping in the District is controlled by the Freedom Camping Act 2011 and Reserves Act 1977 and is not managed by this plan.</i>