

Submission on Notified Proposal for Plan, Change or Variation

Clause 6 of Schedule 1, Resource Management Act 1991

To: Timaru District Council

Name of submitter:

Hermann Frank

[State full name]

This is a submission on the following proposed plan or on a change proposed to the following plan or on the following proposed variation to a proposed plan or on the following proposed variation to a change to an existing plan) (the 'proposal'):

Proposed District Plan

[State the name of proposed or existing plan and (where applicable) change or variation].

I ~~could~~/could not* gain an advantage in trade competition through this submission.

[*Select one.]

*I am/am not† directly affected by an effect of the subject matter of the submission that—

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition.

[*Delete or strike through entire paragraph if you could not gain an advantage in trade competition through this submission.]

[†Select one.]

The specific provisions of the proposal that my submission relates to are: [Give details]

see details in attached submission text

My submission is: [Include whether you support or oppose the specific provisions or wish to have them amended; and reasons for your views]

[If your submission relates to a proposed plan prepared or changed using the collaborative planning process, you must indicate the following:

- Where you consider that the proposed plan or change fails to give effect to a consensus position and therefore how it should be modified; or
- In the case that your submission addresses a point on which the collaborative group did not reach a consensus position, how that provision in the plan should be modified.]

as above

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I seek the following decision from the local authority: *[Give precise details as this is the only part of your submission that will be summarised in the summary of decisions requested]*

as above
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I wish (or do not wish) † to be heard in support of my submission.

*[*In the case of a submission made on a proposed planning instrument that is subject to a streamlined planning process, you need only indicate whether you wish to be heard if the direction specifies that a hearing will be held.]*

[†Select one.]

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

*[*Delete if you would not consider presenting a joint case.]*

Hermann Franj
.....

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

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

Date *15 Dec 2022*
Electronic address for service of submitter: *hermann@newfrankland.org*

Telephone: *03 684 5399*

Postal address (or alternative method of service under s352 of the Act):
69 Fairview Rd Timaru 7972

Contact person: *[name and designation, if applicable]*

Note to person making submission

1. If you are making a submission to the Environmental Protection Authority, you should use form 16B. If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991.
2. Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):
 - It is frivolous or vexatious:
 - It discloses no reasonable or relevant case:
 - It would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
 - It contains offensive language:
 - It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialist knowledge or skill to give expert advice on the matter.

Submission on Notified Proposal for Plan: Timaru District Plan review – draft

To: Timaru District Council

Name of submitter: Hermann Frank, Timaru
hermann@newfrankland.org

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

The District Plan is an important document for managing the natural resources and protecting, managing and enhancing the biodiversity values in the District for the future. Unfortunately there have been substantial losses of biodiversity in the past and this needs to be address and halted. I appreciate the work that has gone into the draft and hope that my suggestions will help to add to this.

The specific provisions of the proposal that my submission relates to are:

Part 2 – District wide matters / Natural environment values

ECOSYSTEMS AND INDIGENOUS BIODIVERSITY

I support the rationale for maintaining indigenous biodiversity and the Objectives, Policies and Rules in general, but ask to make the following amendments.

Generally there seem to be appropriate Policies and Rules proposed to protect Significant Natural Areas, but there is no protection for indigenous vegetation outside these areas. This needs to addressed and Policies and Rules added, especially to give regard to the statement

“In addition, there are likely to be a range of other areas not yet assessed, but containing significant values.”

There is no provision in the Draft Plan for the Council to make funding available on a yearly basis for the protection, maintenance and enhancement of Significant Natural Areas. This needs to be added, possibly under Rules. Also missing is the responsibility for the Council to educate the public about the natural values and diversity in the District.

Particular points are:

ECO-01: There is no provision in the Plan here to aim for enhancement of natural values, so this needs to be considered in appropriate parts e.g. in regard to SNAs. Here add (in bold): across the District are protected **and where possible enhanced**.

Further applicable Policies similar to the chapter ‘Natural Character’ in regard to wetlands need to be added.

ECO-P1,P4,P6 are supported as they are.

ECO-P2: add (in bold): Provide for the clearance of indigenous vegetation in Significant Natural Areas where it is appropriate for health and wellbeing or customary reasons **and this cannot be avoided by other measures**, by enabling clearance:

ECO-P3: add (in bold): Protect **and enhance**

ECO-P5: Wording 'Avoid' is too weak and should be replaced by '**Prohibit**'

ECO-R1 /PER1: add (in bold) ... is undertaken in accordance with advice from a suitably qualified arborist **or ecologist**

ECO-R1 /PER3: seems to be too general and need clearer conditions; also in other Rules

ECO-R2 / PER1: add (in bold)is undertaken in accordance with advice from a suitably qualified arborist **or ecologist**

ECO-R7 / NC1: supported, but needs to include all cotoneaster species e.g. *Cotoneaster glaucophyllus*, *C. franchetii*, *C. simonsii*, *C. lacteus*, *C. harrovianus*, and *C. parneyi* Might be best to state **Cotoneaster, all species**

ECO-R7 / NC2: not clear why this is needed as it relates to planting these species. They should be included in NC1, at least *Lupinus polyphyllus* (Russell lupin) and *Sorbus aucuparia* (rowan)

NATURAL CHARACTER

I support the rationale and the Objectives, Policies and Rules in general, but ask to make the following amendments.

NATC-R3 / PER2: add (in bold) The earthworks are required to construct a new

fence **which is erected for the protection of the river margin**

NATC-R3 / PER3: delete; no new tracks should be built in river margins

NATURAL FEATURES AND LANDSCAPES

I support the rationale and the Objectives, Policies and Rules in general, but ask to make the following amendments.

NFL-P4: Wording 'Avoid' is too weak and should be replaced by '**Prohibit**'
When the conditions are not met, this should not be permitted

NFL-S2 /1. : Change '2. at any point above 900m above sea level' to '2. at any point above **500m** above sea level. It does not match NFL-P2 and generally does not make sense to allow new structures above this altitude considering the character and location of these natural features and landscapes in the Timaru District

SCHED7 :

support Schedule 7, but the statement in Ecosystems and Indigenous Biodiversity

“In addition, there are likely to be a range of other areas not yet assessed, but containing significant values” needs to be considered

SCHED8:

ONL-2: add (in bold) to sentence “The Ōrāri Gorge is a distinctive feature within the wider ONL which has particularly high biophysical **and biodiversity** values with native vegetation along the steep banks and high legibility of the incised landform traversing the foothills”.

Add (in bold) to sentence “At least ten species of native bird occur in Peel Forest and **Orari Gorge** including bellbird/korimako, silvereve/tauhou, tomtit/miromiro, rifleman/tītītipounamu, grey warbler/riroriro, native wood pigeon/kererū, fantail/ pīwakawaka, shining cuckoo/ pipiwharau and **(migrating)** longtailed cuckoo/koekoea.”

add point: **The Orari River and tributaries provide habitat for the blue duck/whio. The New Zealand falcon/karearea and the New Zealand pipit/pīhoihoi occur in the surrounding area.**

Add point: **Four of the five extant lizard species in the District are present in this ONL**

Add point: **Mt Peel edelweiss *Leucogenes tarahaoa* is endemic to the higher region of Middle/Big Mt Peel. The Orari Gorge is a stronghold for the rare stem-clasping hebe *Veronica amplexicaulis* which is endemic to South Canterbury. Other threatened species in the Gorge and the catchment are three native broom species (the Canterbury pink broom *Carmichelia torulosa*, the scrambling broom *C. kirkii*, the coral broom *C. crassicaule*) as well as at least seven other At Risk plant species.**

Sensory – High

add point: **The Orari River has high water quality and is one of the few Canterbury rivers which are suitable for swimming**

SCH9:

This Schedule is generally supported, especially the inclusion of limestone escarpments here. They are an important and distinct landscape feature in the District and provide habitat for long-tailed bats and for endangered plant species which only occur in this calcium-rich environment. Two of them, the Taiko gentian *Gentianella calcis* subsp. *taiko* and the Rockdale bittercress *Cardamine integra* are endemic to the Timaru District (with very small populations outside the District) and are classified Nationally critical.

ONF-2g-2d: add in second column (in bold): **Mt Donald**

ONF-2: add (in bold) under Biophysical-High point as in ONF-2 (e.g. Taiko gentian and Rockdale bittercress are present)

Native vegetation remnants, with specialised limestone species of high ecological value, are present

ONF-6: add (in bold) under Biophysical-High:

High diversity of ground beetles, some of them endemic to South Canterbury

Of the appendices APP5 in particular is supported. This are criteria widely recognised and used by scientists and institutions.

Hermann Frank

Timaru, 13 December 2022

Michelle Reeves

From: Hermann Frank <hermann@newfrankland.org>
Sent: Friday, 16 December 2022 2:51 pm
To: Samantha Orsulich
Subject: Re: FW: Submission District Plan draft
Attachments: DP draft subm H Frank.pdf; Sub form H Frank.pdf

Hello Samantha

Attached find the form and submission re the Proposed District Plan. Regards, Hermann

On 16/12/2022 12:04 pm, Samantha Orsulich wrote:

Hi Hermann,

Yes a Scanned Copy of the form is acceptable.

Kind regards



Samantha Orsulich | Planning Administration Officer

Timaru District Council | PO Box 522 | Timaru 7940
P: +64 3 687 7554 | W: www.timaru.govt.nz

From: PDP
Sent: Friday, 16 December 2022 8:14 am
To: Samantha Orsulich <Samantha.Orsulich@timdc.govt.nz>
Subject: FW: FW: Submission District Plan draft



Timaru District Council | PO Box 522 | Timaru 7940
P: 03 687 7200 | W: www.timaru.govt.nz

From: Hermann Frank <hermann@newfrankland.org>
Sent: Thursday, 15 December 2022 10:10 pm
To: PDP <pdp@timdc.govt.nz>
Subject: Re: FW: Submission District Plan draft

Hello

Thanks for your reply. The form cannot be filled out electronically, so that is why I did not use it. Is a scanned copy of a completed form acceptable?

Regards, Hermann Frank

On 15/12/2022 3:42 pm, PDP wrote:

Good afternoon Herman Frank,

Thank you for your submission

Please find attached the a Form 5 submission form that is required to accompany all submission to that proposed district plan and please fill it and resend it together with your submission so that it can be processed together.

Regards



Timaru District Council | PO Box 522 | Timaru 7940
P: 03 687 7200 | W: www.timaru.govt.nz

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

From: Hermann Frank <hermann@newfrankland.org>

Sent: Tuesday, 13 December 2022 4:45 pm

To: PDP <pdp@timdc.govt.nz>

Subject: Submission District Plan draft

Dear Sir/Madam

Attached find my submission regarding the proposed draft for the Timaru District Plan. If there is a need for clarification, let me know, please.

Yours sincerely