

(Amendments are shown with additions underlined and deletions ~~struck-out~~)

Section 3, 3.1 Natural Environments, 3.1.3 Objectives and Policies

1. Amend 3.1.3.3 Implementation Methods as follows:

1. Identification on the Planning Maps and listing in an Appendix of areas, which have been confirmed as having significant nature conservation values in terms of Policy 3 (Group 1 areas), and the provision of rules to avoid, remedy or mitigate adverse effects on the values of these areas from earthworks, tree planting, clearance of indigenous vegetation and the establishment of buildings.

The Council undertook a Plan Change in 2009 to consider most of the previous Group 2 sites and transfer those of the sites which were assessed as having significant nature conservation values into Group 1.

2. Identification on the Planning Maps and listing in an Appendix of areas, which have been identified as potentially having significant nature conservation values in terms of Policy 3 (Group 2 areas), but which require confirmation as to the extent and significance of the values and the boundaries of the areas.

The provision of rules to avoid, remedy or mitigate adverse effects on the values of these areas from the clearance of indigenous vegetation whilst they await confirmation of their boundaries and values. The Council will give strong encouragement to the reassessment of each of these areas by the landholders, the Council and other relevant parties, in order to reach an agreed decision as to the long-term future of each area.

The Council undertook a Plan Change in 2009 to consider most of the previous Group 2 sites and transfer those of the sites which were assessed as having significant nature conservation values into Group 1. Activities within these areas are now controlled by specific rules relating to Group 1 sites.

However, there are several Group 2 sites that are awaiting further assessment following the completion of the Tenure Review process on the properties. Those remaining Group 2 sites that are on freehold land will be assessed by a Council appointed ecologist and a report produced identifying significant nature conservation values and the extent of the site. It is anticipated that this work will continue and another Plan Change will be initiated once all Group 2 site values and boundaries have been assessed.

Any remaining Group 2 sites that are transferred into Crown ownership, under the Tenure Review process and are administered by the Department of Conservation (DOC) will automatically be transferred to Group 1, and included in a future Plan Change. Where the boundaries of Group 2 sites to be managed by DOC do not match those in the District Plan; Council may either choose to accept the DOC boundaries following information from DOC as to the reasons for the boundaries and produce a report explaining the change to the site boundaries, or undertake its own assessment of the site as for any freehold land.

Where permission is not granted for a site visit then the site will be retained in the District Plan as a Group 2 site until an agreed process is determined between the landowner and the Council, or until the Council determines the appropriate process to be used if an agreement on process cannot be reached. Whilst the site is retained as Group 2, it will be controlled by the relevant Group 2 rule, as well as the general indigenous vegetation

clearance rules. However, the Council anticipates that all remaining Group 2 sites will be considered and included in a future Plan Change.

~~The Council anticipates that this process will be completed within 5 years, after which time the Council undertakes to introduce a Change to this District Plan, which will determine whether each area, or parts of each area, are transferred to Group 1 or no longer listed and identified in the District Plan. The results of the above reassessment process will be incorporated into this Plan Change or, where the process has not been completed or agreement cannot be reached, the Council will determine the status of the areas through the Plan Change procedure.~~

It is also anticipated that this reassessment could result in changes to the tenure or the protection mechanisms applying to all or parts of the areas, such as:

- management agreements in terms of section 29 of the Conservation Act;
- permanent protection mechanisms registered on the title to the land in terms of the Conservation Act or any Act in the first Schedule to the Conservation Act, the QEII National Trust Act, or the Resource Management Act;
- procedures under the Land Act.

2. Amend 3.1.3.4 Explanation and Reasons as follows:

...

Policy 3 sets out the criteria that the Council will use to identify areas with significant nature conservation values. These criteria reflect the range of important attributes or characteristics that must be apparent in an area for it to be considered significant. The criteria are not a checklist which must ~~not~~ all be fulfilled to “qualify” as a significant area nor does meeting only one of the criteria result in a qualification of significance. The policy provides direction on the qualities that are important in the assessment of an area.

In some instances, there remains disagreement regarding the boundaries of, and the values encompassed by, areas that potentially have significant nature conservation values. Confirmation as to the extent and significance of the values and the boundaries of these areas needs to be worked out on a detailed basis jointly between the landholders, the Department of Conservation and ~~of~~ the Council. All parties need to be involved in the decisions as to the most appropriate long-term protection mechanisms to be applied to these areas. ~~The implementation methods recognise that this will take some time and gives 5 years for this process to be undertaken. However, the time period specified is also an incentive for resolution to be reached on these matters before the Council initiates a Plan Change to determine the status and boundaries of these remaining areas.~~

The Council undertook a Plan Change in 2009 to consider most of the previous Group 2 sites and transfer those of the sites which were assessed as having significant nature conservation values into Group 1. The Council has set in place a process (refer to 3.1.3.3 Implementation Methods) for considering the remaining Group 2 sites that are awaiting completion of the Tenure Review process and those associated freehold areas awaiting ecological assessment. In future it is anticipated that these remaining Group 2 sites will be subject to a further Plan Change. Where sites remain as Group 2, they are controlled by the relevant Group 2 rule, as well as the general indigenous vegetation clearance rules.

Section 7, 7.5 Rural Zones

3. Amend Rule 7.6.5.1.13 Significant Nature Conservation Values and Alpine Environments as follows:
- a) Notwithstanding Rule 7.6.5.1.16 below, in the areas identified on the Planning Maps as being of significant nature conservation value (Group 1 Areas only); and/or on any land above the Altitudinal Land Use Line (900m a.s.l.) as shown on the Planning Maps (other than the Mt Hutt Policy Area):
- No earthworks shall:
 - exceed 30m³ (volume) and/or 50m² (area) in any one hectare in any continuous period of 5 years; or
 - be located on slopes with an angle of greater than 20° (measured as an average slope angle over any 100m length of slope);
 - No clearance of indigenous vegetation in the Rural C Zone shall exceed 100m² in area in any one hectare in any continuous period of 5 years, except for the clearance of amenity plantings and vegetation clearance within the “Extensions to the Altitudinal Land Use Line above 900m a.s.l.” as shown on the Planning Maps;
 - There shall be no clearance of indigenous vegetation in the Rural A and B Zones;
 - There shall be no exotic tree planting, except amenity tree planting;
 - No buildings shall be erected.
- Except that Rule 7.6.5.1.13 a) shall not apply to the maintenance of existing tracks up to 6 metres in width within Areas 17 and 36 in the locations identified in Appendix A2, including but not limited to earthworks and the clearance of vegetation.
- b) Notwithstanding Rule 7.6.5.1.16 below, within each area separately identified on the Planning Maps as being of significant nature conservation value (Group 2 Areas only), no clearance of indigenous vegetation shall exceed:
- 5000m² in area in any continuous period of 5 years; or
 - 500m² in area in any continuous period of 5 years, where the average maximum height of the canopy of the indigenous vegetation is greater than or equal to 3m; or
 - 500m² in area of matagouri in any continuous period of 5 years where the average maximum height of the canopy of the matagouri is greater than or equal to 1.5m; or
 - 100m² in area of *Chionochloa spp* (tall tussock) in any continuous period of 5 years.

The canopy height is to be determined over each area of 1 hectare where the vegetation is greater than 1 hectare in area, or over the lesser area where the area of vegetation is less than 1 hectare.

The Council shall restrict the exercise of its discretion in relation to these matters to their effect on nature conservation values.

(Note: There is also a Zone Standard relating to General Indigenous Vegetation Clearance in Rule 7.6.5.2.4 below)