

Appendix B - Recommended Decisions on Submissions – Natural Open Space Zone

Submission Point	Submitter (S) / Further Submitter (FS)	Section	Provision	Position	Summary of Decision Requested	Reasons	Officer recommendation
S109.003	Department of Conservation	Interpretation	conservation activity	Support	Retain as notified	Support the inclusion of a definition for conservation activity and the list of examples included.	Accepted
S126.013	Southland Federated Farmers of New Zealand	Interpretation	conservation activity	Support in part	Amend and make any necessary consequential amendments: Activities to manage, maintain and/or enhance Means the use of land for the management, maintenance and enhancement of ecological values for indigenous vegetation and fauna and their habitats. It may include : includes: (a) both western Science or mātauranga Māori; (b) weed, invasive species and pest control; (c) fencing and farm fencing ; and (d) restoration planting.	While SFF supports this recognition of restoration planting, the definition needs further clarity and flexibility to properly acknowledge a wide range of conservation activities. For example, eradicating invasive species, like some types of willows, that are not automatically recognised as weeds or pests. The definition should also accommodate situations where introduced species do provide good food sources for native birds.	Reject
S3.083	Stoney Creek Station Limited	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S113.083	Trudy Bokser	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S116.083	Nathan Bokser	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S118.083	AW+ JA Johnston Family Trust	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S127.119	Peters Farm LtdKaren Peters	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S18.085	Reaby Downs Farm Ltd	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S19.085	Karen Temple	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S20.085	Sarah and Peter Barclay	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted

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S24.085	Helen McIntosh	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S68.087	John Baynes	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S115.014	Kevin Robertson	Interpretation	conservation activity	Support in part	Amend and make any necessary consequential amendments: Activities to manage, maintain and/or enhance ~~Means the use of land for the management, maintenance and enhancement~~ of ecological values for indigenous vegetation and fauna and their habitats. It may include: ~~includes:~~ (a) both western Science or mātauranga Māori; (b) weed, invasive species and pest control; (c) fencing and farm fencing ; and (d) restoration planting.	While SFF supports this recognition of restoration planting, the definition needs further clarity and flexibility to properly acknowledge a wide range of conservation activities. For example, eradicating invasive species, like some types of willows, that are not automatically recognised as weeds or pests. The definition should also accommodate situations where introduced species do provide good food sources for native birds.	Reject
S143.025	Rural Ratepayers Group	Interpretation	conservation activity	Support in part	Amend and make any necessary consequential amendments: Activities to manage, maintain and/or enhance ~~Means the use of land for the management, maintenance and enhancement~~ of ecological values for indigenous vegetation and fauna and their habitats. It may include: ~~includes:~~ (a) both western Science or mātauranga Māori; (b) weed, invasive species and pest control; (c) fencing and farm fencing ; and (d) restoration planting.	While SFF supports this recognition of restoration planting, the definition needs further clarity and flexibility to properly acknowledge a wide range of conservation activities. For example, eradicating invasive species, like some types of willows, that are not automatically recognised as weeds or pests. The definition should also accommodate situations where introduced species do provide good food sources for native birds.	Reject
S148.026	Alistair & Bernadette Hunt	Interpretation	conservation activity	Support in part	Amend and make any necessary consequential amendments: Activities to manage, maintain and/or enhance ~~Means the use of land for the management, maintenance and enhancement~~ of ecological values for indigenous vegetation and fauna and their habitats. It may include: ~~includes:~~ (a) both western Science or mātauranga Māori; (b) weed, invasive species and pest control; (c) fencing and farm fencing ; and (d) restoration planting.	While SFF supports this recognition of restoration planting, the definition needs further clarity and flexibility to properly acknowledge a wide range of conservation activities. For example, eradicating invasive species, like some types of willows, that are not automatically recognised as weeds or pests. The definition should also accommodate situations where introduced species do provide good food sources for native birds.	Reject
S60.016	Ronald Crispin	Interpretation	conservation activity	Support in part	Amend and make any necessary consequential amendments: Activities to manage, maintain and/or enhance ~~Means the use of land for the management, maintenance and enhancement~~ of ecological values	While SFF supports this recognition of restoration planting, the definition needs further clarity and flexibility to properly acknowledge a wide range of conservation activities. For example, eradicating	Reject

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					for indigenous vegetation and fauna and their habitats. It may include: ~~includes:~~ (a) both western Science or mātauranga Māori; (b) weed, invasive species and pest control; (c) fencing and farm fencing ; and (d) restoration planting.	invasive species, like some types of willows, that are not automatically recognised as weeds or pests. The definition should also accommodate situations where introduced species do provide good food sources for native birds.	
S68.134	John Baynes	Interpretation	conservation activity	Support in part	Amend and make any necessary consequential amendments: Activities to manage, maintain and/or enhance ~~Means the use of land for the management, maintenance and enhancement~~ of ecological values for indigenous vegetation and fauna and their habitats. It may include: ~~includes:~~ (a) both western Science or mātauranga Māori; (b) weed, invasive species and pest control; (c) fencing and farm fencing ; and (d) restoration planting.	While SFF supports this recognition of restoration planting, the definition needs further clarity and flexibility to properly acknowledge a wide range of conservation activities. For example, eradicating invasive species, like some types of willows, that are not automatically recognised as weeds or pests. The definition should also accommodate situations where introduced species do provide good food sources for native birds.	Reject
S117.083	Greg Bokser	Interpretation	conservation activity	Support	Retain 'conservation activities' definition as drafted.	Supportive of this definition.	Accepted
S124.262	Fire and Emergency NZ	NOSZ - Natural Open Space Zone	NOSZ-Additional provisions sought	Not Stated	NOSZ-S6 Servicing 1. Where available any residential unit and buildings for non-residential activities shall be connected to a Council reticulated water supply. 2. Where available any residential unit and buildings for non-residential activities shall be connected to a Council reticulated wastewater network. 3. Where Council reticulated water supply is unavailable, any residential unit and buildings for non-residential activities must: (a) be connected to a community drinking water supply; or (b) be connected to a private drinking water supply; or (c) store 45,000 litres of potable water on-site from another source. 4. Where Council reticulated wastewater is unavailable, any residential unit and buildings for non-residential activities must: (a) be provided with an on-site wastewater treatment and disposal system. 5. All developments must have an independent water supply for firefighting that is compliant with SNZ PAS 4509:2008 New Zealand	Fire and Emergency consider that new buildings located in the NOSZ should be required to provide a firefighting water supply in accordance with SNZ PAS 4509:2008 New Zealand Fire Service Firefighting Water Supplies Code of Practice in order to manage fire risk.	Reject

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					Fire Service Firefighting Water Supplies Code of Practice'		
S110.070	Royal Forest and Bird Society of NZ Inc	NOSZ - Natural Open Space Zone	NOSZ-Additional provisions sought	Amend	Add: NOSZ-S6 - Setbacks from a Significant Natural Area (all activities) Permitted activity 1. Any building or structure is set back 10 metres from the closest boundary of any Significant Natural Area Activity status where compliance is not achieved: Restricted Discretionary Matters of discretion: 1. Effects on Significant Natural Area values and indigenous biodiversity values. 2. The impact of the activity on any, rare or threatened indigenous species or taonga species and how any potential impact could be avoided, remedied or mitigated. 3. The activity has a functional need to be located in the area.	There is no requirement in the plan for setbacks of buildings/structures from SNAs. The addition of this standard would ensure that buildings/structures are not established within an SNA in the Natural Open Space Zone. NOTE: Compliance with NOSZ-S6 would also need to be added into NOSZ-R11(2) and NOSZ-R12(2).	Reject
FS31.021	Department of Conservation			Support	Allow	The D-G would support the proposal for setbacks from an SNA to create a buffer and prevent 'edge effects'. A buffer is a defined space between core areas of ecological value and the wider landscape that helps to reduce external pressures. Support this submission	Reject
S109.138	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ - General	Support in part	Add: Note 2 Section 4(3) of the RMA allows certain Crown activity to contravene a District Plan in relation to any work or activity on land held under the Conservation Act 1987 that is consistent with a conservation management strategy, a conservation management plan or management plan and does not have a significant effect beyond the boundary of that land. Accordingly, this chapter does not apply to Department of Conservation activities that meet section 4(3), but does apply to activities that do not meet section 4(3) of the RMA	The D-G recommends that a note is added to provide clarity to Plan users about the exemptions in the RMA provided to any work or activity on land held under the Conservation Act that is consistent with a conservation management strategy, conservation management plan or management plan and does not have a significant effect beyond the boundary of that land.	Accepted
S146.093	Southland District Council	NOSZ - Natural Open Space Zone	NOSZ - General	Support	None specified.	The NOSZ protects Dolamore Park and Croydon Bush Reserve which are both across Dolamore Park Rd from SDC. SDC does not currently have a NOSZ or SNAs, so cross boundary issues are likely to be SDC affecting GDC and not the reserve.	Accepted

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S85.060	Environment Southland	Zone map layers	NOSZ-MAP	Support in part	Prevent any new zone changes from the current District Plan which have the potential to intensify land use change and development within a flood inundation area. This comment applies to all zones and maps	Intensifying development in flood prone (or hazard) areas will put communities at risk	Reject
F55.198	Hamish Weir			Oppose	Disallow		Accepted
S109.128	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-O1	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies and rules.	Accepted in part
S139.082	Hokonui Rūnanga Inc	NOSZ - Natural Open Space Zone	NOSZ-O1	Support in part	Amend to read: Natural character, biodiversity and amenity values are retained ~~Ngāi Tahu cultural values are retained~~ and ~~the values mana whenua hold in relation to the mauri of whenua, wai and ecosystems, mahinga kai, the whakapapa of place and the ethic of ki uta ki tai are recognised and provided for.~~	Wherever possible the plan provisions should specify the particular effects of concern to mana whenua to ensure the plan provisions are clear and that appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party.	Accepted in part
S109.129	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-O2	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies and rules.	Accepted
S109.130	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-O3	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies and rules.	Accepted
S109.139	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-P1	Oppose	Amend NOSZ-P1 as follows (or with other wording to similar effect): Enable recreational, sporting and community activities, limited commercial activities ~~and rural activities~~ that are compatible with the character and amenity of the site and surroundings. And any other consequential changes.	The D-G does not support rural activities as a permitted activity within the NOSZ. This would be inconsistent with the Conservation Management Strategy that applies to this area and NOSZ O3. Allowing rural activities within the NOSZ would have significant adverse effects on the indigenous biodiversity values of the area.	Accepted
S64.021	Jet Boating NZ	NOSZ - Natural Open Space Zone	NOSZ-P1	Amend	Amend wording as follows. Enable recreational, sporting and community activities, limited commercial activities and rural activities that are compatible with the character and amenity of the site and surroundings, or if	Recreational activities that are potentially incompatible with the character, qualities and purposes of the zone should still be enabled albeit with suitable control and	Reject

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					potentially incompatible can still be enabled albeit controlled or managed to reasonably mitigate adverse effects.	management to reasonably mitigate potential adverse effects.	
S109.132	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-P2	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies, and rules.	Accepted
S110.066	Royal Forest and Bird Society of NZ Inc	NOSZ - Natural Open Space Zone	NOSZ-P2	Amend	Add: 7. Ensuring indigenous vegetation is not disturbed or cleared.	There is the potential that establishment of a building and/or structure could cause the disturbance or clearance of indigenous vegetation. This policy would ensure it remains intact.	Reject
S109.133	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-P3	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies, and rules.	Accepted in part
S139.083	Hokonui Rūnanga Inc	NOSZ - Natural Open Space Zone	NOSZ-P3	Support in part	Amend to read: "Manage education activities that are potentially compatible with the role, function, and predominant character of the Natural Open Space Zone, and ensure it is appropriate for such activities to establish in the Natural Open Space Zone, having regard to whether: ... 3. the scale, design and layout of the activity and any associated built form is compatible with the character, ~~Ngāi Tahu cultural values~~ , and amenity of the natural open space area the activity is proposing to locate in including any values mana whenua associate with the whakapapa or mauri of the land and any sites of wāhi tapu or mahinga kai values ; 4. any adverse effects on natural, indigenous biodiversity, ecological, landscape, cultural and/or historic heritage values, ~~or Ngāi Tahu values~~ can be appropriately avoided, remedied and/or mitigated; "	Wherever possible the plan provisions should specify the particular effects of concern to mana whenua to ensure the plan provisions are clear and that appropriate effects are identified and assessed, including when Hokonui Rūnanga Inc may be an affected party.	Accepted in part

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S125.080	Ministry of Education	NOSZ - Natural Open Space Zone	NOSZ-P3	Support in part	None specified.	The submitter supports NOSZ-P1 in part as it provides for educational activities in the Natural and Open Spaces Zone.	Accepted
S125.081	Ministry of Education	NOSZ - Natural Open Space Zone	NOSZ-P3	Support in part	Amend as follows: Manage education facilities activities that are potentially compatible with the role, function, and predominant character of the Natural Open Space Zone, and ensure it is appropriate for such activities to establish in the Natural Open Space Zone, having regard to whether: (...)	To achieve consistency with the defined term.	Accepted
S109.134	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-P4	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies, and rules.	Accepted
S109.135	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-P5	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies, and rules.	Accepted
S64.022	Jet Boating NZ	NOSZ - Natural Open Space Zone	NOSZ-P5	Amend	Amend wording as follows. ~~Avoid Activities~~ that are potentially incompatible with the character, qualities and purpose of the Natural Open Space Zone are enabled albeit controlled and managed to mitigate adverse effects.	Activities that are potentially incompatible with the character, qualities and purposes of the zone need not be avoided and should be enabled with suitable control and management to reasonably mitigate potential adverse effects.	Reject
S109.137	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-R10	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies, and rules.	Accepted
S110.068	Royal Forest and Bird Society of NZ Inc	NOSZ - Natural Open Space Zone	NOSZ-R11	Amend	Add: Matters of discretion. 10. Any adverse effects on indigenous biodiversity or ecological corridors	Allowing building activity to occur in this zone has the potential cause adverse effects in indigenous biodiversity and/or ecological corridors. Providing the potential of this affect as a matter of discretion means it can be considered in the granting of a restricted discretionary consent	Reject

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S110.069	Royal Forest and Bird Society of NZ Inc	NOSZ - Natural Open Space Zone	NOSZ-R12	Amend	Add: Matters of discretion. 11. Any adverse effects on indigenous biodiversity or ecological corridors.	Allowing the building of an Education Facility in this zone has the potential cause adverse effects in indigenous biodiversity and/or ecological corridors. Providing the potential of this affect as a matter of discretion means it can be considered in the granting of a restricted discretionary consent.	Reject
S125.083	Ministry of Education	NOSZ - Natural Open Space Zone	NOSZ-R12	Support in part	Amend as follows: Education Facility Activity status: ~~Restricted-Discretionary~~ Controlled Where: 1. The hours of operation must be between 7am and 10pm; and 2. Any new building or structure or alteration or addition complies with NOSZ-S1, NOSZ-S2, NOSZ-S3, NOSZ-S4 and NOSZ-S5. ~~Matters of discretion~~ control: (...)	The submitter acknowledges the intention of NOSZ however, seeks a more enabling framework given educational activities are enabled under NOSZ-P3.	Reject
FS11.023	Heritage New Zealand Pouhere Taonga			Oppose	Disallow	HNZPT submits that the restricted discretionary activity status, better aligns with NOSZ-P3 of the proposed District Plan and better provides for s6(f) of the RMA. An application for a controlled activity cannot be declined (except if s106 of the RMA applies). Controlled activity consent applications may be notified, although it is common for them to be non-notified. Determining whether an educational facility in a Natural Open Space Zone does or does not have an adverse effect on historic heritage, including archaeology, requires further assessment and consultation with HNZPT is anticipated.	Accepted
S125.082	Ministry of Education	NOSZ - Natural Open Space Zone	NOSZ-R12	Support in part	None specified.	The submitter supports NOSZ-R12 in principle, as in the zone the establishment of education facilities are provided for, subject to resource consent where Councils discretion is limited to matters of relevance.	Accepted

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S64.023	Jet Boating NZ	NOSZ - Natural Open Space Zone	NOSZ-R2	Support	Retain as proposed.	Recreational jet boating activities should be permitted activities.	Accepted
S109.136	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-R3	Support	Retain as notified	The D-G supports the inclusion of these objectives, policies, and rules.	Accepted
S109.140	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-R3	Support	Retain as notified	The D-G supports the permitted activity status for conservation activities within this zone.	Accepted
S109.141	Department of Conservation	NOSZ - Natural Open Space Zone	NOSZ-R5	Oppose	Remove Agricultural, horticultural and pastoral activities as a permitted activity within the NOSZ and consequential amendments to provide for these activities as a Non-Complying Activity .	The D-G does not support agricultural, horticultural, and pastoral activities within the NOSZ as a permitted activity. This better aligns with the Conservation Management Strategy for the area and NOSZ objectives and policy P5.	Accepted
S110.067	Royal Forest and Bird Society of NZ Inc	NOSZ - Natural Open Space Zone	NOSZ-R5	Amend	Add: 1. The activity should not cause an adverse effect on indigenous biodiversity or ecological corridors.	Allowing a permitted rule for agricultural, horticultural, and pastoral activities in this zone without any provisions could cause biodiversity loss. It is important that if these activities are going to be established in this zone, that they ensure there is no adverse effect on biodiversity/ecology.	Reject
S109.010	Department of Conservation	Interpretation	park management activity	Support	Retain as notified	Supports definition.	Accepted