

Craig Barr for QLDC – Summary of evidence 02 May 2016 – Chapter 33
Indigenous Vegetation and Biodiversity, Hearing Stream 2

1. Section 31 of the RMA specifies that a function of the Council is to maintain indigenous biological diversity. Section 6(c) of the RMA requires the protection of areas of what are referred to in the proposed District Plan (**PDP**) as significant natural areas (**SNAs**).
2. The PDP primarily achieves these functions through the Indigenous Vegetation and Biodiversity Chapter by:
 - (a) Completing a requirement established through a consent order in the ODP to identify and schedule SNAs. The study identified 77 SNAs comprising 113 separate sites identified in the PDP;
 - (b) Updating the list of threatened plants;
 - (c) Providing definitions and rules that provide certainty and are practical to administer; and
 - (d) Taking positive steps toward halting the decline of biodiversity by using the Land Environments of New Zealand, Threatened Environment Classification in both rules and policies.
3. I have responded to submissions by recommending changes to provisions that more accurately reflect concepts such as biodiversity offsetting and using the significance criteria to both determine the effects of clearance, and to assist with the identification of additional potential areas of significance.
4. I consider that overall, the chapter achieves the requirements set out in sections 31 and 6(c) that are specific to indigenous biodiversity, however the chapter also addresses the inherent tension associated with this and the use and development of natural resources.
5. The chapter's provisions provide for small scale clearance, track maintenance and the construction of small tracks.
6. Other than those new areas of agreement, I maintain my position as set out in the section 42A report for Chapter 33. However, I wish to make the following

comments on areas of disagreement as raised in Mr Alan Cubitt's evidence for Jeremy Bell Investments Ltd:

- (a) Mr Cubitt raises concerns over the provisions that maintain indigenous biodiversity including the use of coverage and structural dominance to ascertain whether the area at issue is subject to the rules. He considers a judgement call is required to apply the rules.
- (b) As set out in the section 32 report and my section 42A evidence, the method for establishing a presence of indigenous vegetation and applying rules is more complex in Queenstown Lakes and other high country areas compared to coastal areas with predominantly bush vegetation.
- (c) I do not accept that a judgement call would be required to be made with respect to determining coverage, these are set at 20% and 30% respectively based on whether structural dominance is attained. The coverage can be determined through a quantitative assessment.

- 7. I also note that the Department of Conservation have withdrawn their further submission opposing NZ Ski's submission that exempts clearance activities within the Ski Area Sub Zones on land administered by DoC. On this basis an exemption could be supported providing it does not create unintended consequences associated with clearance on other land.