



**Remember  
submissions  
close at 5pm,  
Friday 21  
October 2022**

## Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

**TO: Far North District Council**

This is a submission on the Proposed District Plan for the Far North District.

### 1. Submitter details:

<b>Full Name:</b>	Harold Corbett		
<b>Company / Organisation Name: (if applicable)</b>	Tupou Limited		
<b>Contact person (if different):</b>			
<b>Full Postal Address:</b>	252 Purerua Rd		
	RD 1, Kerikeri 0294		
<b>Phone contact:</b>	<b>Mobile:</b> 0275 407 4716	<b>Home:</b>	<b>Work:</b>
<b>Email (please print):</b>	Harold@Tupou.org		

2. (Please select one of the two options below)

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

*If you could gain an advantage in trade competition through this submission, please complete point 3 below*

3.  I **am** 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 effect of trade competition
- I **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 effect of trade competition

*Note: if you are a person who could gain 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*

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

*(please provide details including the reference number of the specific provision you are submitting on)*

IB01, IB02, IB05  
SUB-R3 e.

Confirm your position:  Support  Support In-part  Oppose  
*(please tick relevant box)*



**My submission is:**

*(Include details and reasons for your position)*

The Proposed Plan is a strong disincentive to reforestation using native species. Essentially, under the Proposed Plan, if you plant native vegetation on your property then your future options become extremely restricted. In effect, as significant loss of property rights.

Our vision for our hill country farm property within the FNDC area is to rationalise land use for food and wool production on the better land and to apply the class 6 & 7 land, which is the majority of the property, to the twin crises of climate change and loss of biodiversity. Essentially this means reforestation of the majority of the property using a range of native species and committed, on-going pest control.

However, if we are successful in achieving our goal, then the provisions of the Proposed Plan could severely restrict future potential activities within these planted areas, and/or require resource consents for future activities. The rugged topography means that seeking certification with MPI as a Sustainably Managed Indigenous Forest, at significant cost, is not really an option. In addition to creating indigenous vegetation, these areas could well grow to meet the criteria to be Significant Natural Areas, and consequently incur the even more restrictive provisions.

A basic principle is preservation of a viable population rather than necessarily preservation of an individual. An activity within an area of managed indigenous vegetation, for example, clearing an area for future access or a dwelling, may be adverse for individual specimens of flora or fauna, but the populations on the property as a whole remain infinitely better off than prior to the planting or management of that vegetation, or continued pastoral farming.

A high-level goal is the encouragement of native flora and fauna whilst not locking in restrictions on future land use, including uses which we haven't even thought of yet. The best way to achieve this is to encourage the army of landowners, not penalise them for doing good by placing restrictions on the outcome of their toil.

**I seek the following decision from the Council:**

*(Give precise details. If seeking amendments, how would you like to see the provision amended?)*

The Proposed Plan does not distinguish between managed (planted or enriched) and natural indigenous vegetation. To support the growing numbers of people looking to plant native species, there should be a new category of **Managed Indigenous Vegetation (MIV)**. To accommodate those who do not want such recognition for their planted areas, the landowner could make a non-reversible election for their MIV to be treated as Natural Indigenous Vegetation; and this could be binding on future owners.

The NES-Plantation Forest is of no assistance with this issue as it excludes long-term ecological restoration plantings.

We therefore seek a new category within the District Plan of MIV with the following provisions:

- The basis for a good definition for MIV already exists under the NZ Emissions Trading Scheme. That is, the land must be eligible as post-1989 forest land: S487.001
    - first established after 31 December 1989.
    - Wasn't forest land on 31 December 1989; or was forest land on 31 December 1989, but was deforested between 1 January 1990 and 31 December 2007;
    - is or will be planted in species that can reach at least 5m in height when mature
    - has/will have tree crown cover of more than 30% in each hectare
  - The post-1989 forest land definition should be adjusted to:
    - exclude the minimum size provision
    - include created wetlands
    - Pest and weed control is required
  - MIV cannot be included as SNA (possible exceptions with landowner agreement where the landowner receives some mitigation measure).
  - Pruning, trimming, thinning are permitted activities.
  - Clearance and any associated land disturbance are permitted activities.
- If any restrictions are required then as follows:



- In Rural Production Zone or Treaty Settlement Land Overlay: if it does not exceed 20% of the MIV over a 3-year period; or 5,000 m<sup>2</sup>, whichever is greater.
- All other zones, if it does not exceed 10% of the MIV over a 5-year period; or up to 5,000 m<sup>2</sup>, whichever is greater.
- Otherwise discretionary.

**An alternative** to creating a new district-wide category of MIV would be to create a Special Purpose Zone for Tupou, which adequately embraces and encourages what we are attempting to achieve for the property. An example of this is the poorly named Nature Preservation Zone in the Hastings District Council plan. Such a zone would allow (permitted activity) for:

- Vegetation clearance to a certain level for buildings, roads and tracks.
- Enhancement of accommodation offerings
- Subdivision that aligns with the nature conservation intentions of the zone

S487.003

Key requirements for the zone would include:

- Pest control
- Archaeological and taonga sites for local hapu are not modified.
- All actions fit under an umbrella of “net biodiversity gain”

A key issue is that Special Purpose Zone removes the need to classify the area as an SNA with the associated restrictive controls.

#### SUB-R3 e

This section addresses subdivision. At least for the Rural Production Zone the word ‘Net’ should be added to the beginning of clause e. That is, ‘Net adverse effects ...’

S487.004

SUB-R3	Subdivision of land to create a new allotment
Rural Production	Activity status: Controlled
	e. adverse effects on areas with historic heritage and cultural values, natural features and landscapes, wetland, lake and river margins, natural character or indigenous biodiversity values including indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification system lists;

This would align with IB-P10 I. which uses ‘positive contribution’:

IB-P10 I. any positive contribution any proposed biodiversity offsets or environmental biodiversity compensation will have on indigenous biodiversity; and

Adopting this strategy will tend to encourage plantings of native species and biodiversity rather than generating a **perverse disincentive**.

I wish to be heard in support of my submission  
 I do not wish to be heard in support of my submission  
 (Please tick relevant box)

If others make a similar submission, I will consider presenting a joint case with them at a hearing  
 Yes  No

Do you wish to present your submission via Microsoft Teams?  
 Yes  No Happy to do either

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



Date:

A handwritten signature in blue ink, appearing to read 'Mr. Corbett'.

(A signature is not required if you are making your submission by electronic means)

**Important information:**

1. The Council must receive this submission before the closing date and time for submissions (5pm 21 October 2022)
2. Please note that submissions, including your name and contact details are treated as public documents and will be made available on council's website. Your submission will only be used for the purpose of the District Plan Review.
3. Submitters who indicate they wish to speak at the hearing will be emailed a copy of the planning officers report (please ensure you include an email address on this submission form).

**Send your submission to:**

**Post to:** Proposed District Plan  
Strategic Planning and Policy, Far North District Council  
Far North District Council,  
Private Bag 752  
KAIKOHE 0400

**Email to:** [pdp@fndc.govt.nz](mailto:pdp@fndc.govt.nz)

**Or you can also deliver this submission form to any Far North District Council service centre or library, from 8am – 5pm Monday to Friday.**

**Submissions close 5pm, 21 October 2022**

**Please refer to [pdp.fndc.govt.nz](http://pdp.fndc.govt.nz) for further information and updates.**

***Please note that original documents will not be returned. Please retain copies for your file.***

**Note to person making submission**

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one 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 no independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.



**SUBMISSION NUMBER**