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Proposed District Plan
Far North District Council
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Dear Sir/Madam

Submission on the Proposed Far North District Plan

Thank you for the opportunity to submit on the Proposed Far North District Plan. Please accept the following points as our submission.

1. Definitions

- 1.1 There is no definition for “forestry activities” that are not plantation forestry activities. Plantation forestry and plantation forestry activities are well defined in the draft plan (in accordance with the National Environmental Standards for Plantation Forestry), however other forestry activities are not (i.e. permanent or carbon forestry).
- 1.2 The section 32 analysis for the Rural Environment correctly notes on page 14: *that permanent exotic forestry/carbon farming is not covered by the definition of plantation forestry or plantation forestry activities under the NES-PF and is instead captured by the term ‘forestry activities’ as part of the wider primary production definition.*
- 1.3 Under the National Planning Standards, “forestry activities” is not defined. Primary production includes “plantation forestry” as a “forestry activity”, therefore the rationale in the section 32 analysis is flawed.
- 1.4 **Relief sought** – Define “permanent exotic forestry/carbon farming” and reconsider the application of objectives, policies and rules in the plan. As the plan is currently drafted there are no permanent exotic forestry/carbon farming appropriate controls in the plan as compared to plantation forestry. **S91.001**
S91.002

- 1.5 The definition of Highly Productive Land is inconsistent with the definition contained in the National Policy Statement for Highly Productive Land, which is:
1. zoned general rural or rural production; and
 2. LUC 1, 2, or 3 land; but is not
 3. identified for future urban development; or
 4. subject to a Council initiated, or an adopted, notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.

1.6 Relief sought: Amend the definition to Highly Productive Land to be consistent with the requirements of the National Policy Statement for Highly Productive Land **S91.003**

2. Sites of Significance to Māori

SASM-R5	Plantation forestry and plantation forestry activity	
Scheduled sites and area of significance to Māori	Activity status: Non-complying	Activity status where compliance not achieved: Not applicable

2.2 There are well established procedures in place and a significant depth of knowledge in the plantation forest industry with regards to sites and areas of significance to Māori. Protocols include discovery and/or management of sites and areas of significance to Māori that include consultation with local Māori and obtaining Authority from Heritage NZ for the removal of any plantation trees and/or wildings on those sites.

2.2 There is no provision for non-complying activities under the Natural and Built Environments Bill.

2.3 **Relief sought** - It is suggested that the activity status be changed to Controlled for plantation forestry activities and Permitted if an Authority has been granted by Heritage NZ. **S91.004**

3. Ecosystems and Indigenous Biodiversity

IB-P5	<p>Ensure that the management of land use and subdivision to protect Significant Natural Areas and maintain indigenous biodiversity is done in a way that:</p> <ol style="list-style-type: none"> a. does not impose unreasonable restrictions on existing primary production activities, particularly on highly versatile soils; b. recognises the operational need and functional need of some activities, including regionally significant infrastructure, to be located within Significant Natural Areas in some circumstances; c. allows for maintenance, use and operation of existing structures, including infrastructure; and d. enables Māori land to be used and developed to support the social, economic and cultural well-being of tangata whenua, including the provision of papakāinga, marae and associated residential units and infrastructure.
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IB-P6	Encourage the protection, maintenance and restoration of indigenous biodiversity, with priority given to Significant Natural Areas, through non-regulatory methods including consideration of: <ul style="list-style-type: none"> a. assisting landowners with physical assessments by suitably qualified ecologists to determine whether an area is a Significant Natural Area; b. reducing or waiving resource consent application fees; c. providing, or assisting in obtaining funding from other agencies and trusts; d. sharing and helping to improve information on indigenous biodiversity; and e. working directly with iwi and hapū, landowners and community groups on ecological protection and enhancement projects.
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3.2 These policies are supported.

3.3 **Relief sought** – retain policies IB-P5 and IB-P6 **S91.005 and S91.006**

3.4

IB-R5	Plantation forestry and plantation forestry activities within a Significant Natural Area	
All zones	Activity status: Discretionary	Activity status where compliance not achieved: Not applicable

3.5 The rule is too wide given the definition of plantation forestry activities and also in terms of how a Significant Natural Area is considered in the exposure draft of the National Policy Statement for Indigenous Biodiversity.

3.6 Our experience is that Significant Natural Areas have not been well mapped and have often mistakenly included areas of plantation forest. To make plantation forestry and plantation forestry activities a discretionary activity is unnecessarily restrictive and does not recognise the provisions for SNA's in the National Environmental Standards from Plantation Forestry.

3.7 The rule does not support the policy intent, especially clause b of IB-P5.

3.8 Notwithstanding the above, Section 34 (2) of the Resource Management Act requires: *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.* No justification for the plantation forestry rule has been presented. Just because regulation 6 of the NES-PF enables this, that in itself is not justification.

3.9 **Relief sought** – Delete rule IB-R5 and/or reconsider the need for it in terms of the National Environmental Standards for Plantation Forestry (e.g. if the clearance of indigenous vegetation meets the thresholds in the NES-PF, then it should be a permitted activity). **S91.007**

3.10

IB-R4 Indigenous vegetation clearance and any associated land disturbance outside a Significant Natural Area	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p> <ol style="list-style-type: none"> 1. A report has been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and it is submitted to Council 14 days in advance of the clearance being undertaken; and 2. It does not exceed the following amounts per site over a 5-year period: <ol style="list-style-type: none"> i. Rural Production zone, Horticulture zone, Māori Purpose zone and Treaty Settlement Land Overlay – 5,000m² if not in a remnant forest, otherwise 500m² in a remnant forest; ii. All other zones – 500m². <p>PER-2</p> <ol style="list-style-type: none"> 1. A report has not been obtained from a suitably qualified and experienced ecologist confirming that the indigenous vegetation does not meet the criteria for a Significant Natural Area and a report has not been submitted to Council 14 days in advance of the clearance being undertaken; and 2. It does not exceed 100m² per site in any calendar year. <p><i>Note: This rule only has immediate legal effect for indigenous vegetation clearance where compliance is not achieved with PER-2 (i.e. in circumstances where a report confirming that the indigenous vegetation is not a Significant Natural Area has not been obtained).</i></p>
	<p>Activity status where compliance not achieved with PER-1 or PER-2: Discretionary</p>

3.11 Indigenous vegetation and indigenous vegetation clearance are not defined in the plan.

3.12 Rule IB-R4 requires anyone wishing to undertake any indigenous vegetation in any zone to engage an ecologist to determine if the indigenous vegetation to be cleared is a Significant Natural Area for any clearance greater than 100 m² (that is any area of 10 x 10 metres). An overgrown residential garden could trigger this rule.

3.13 The section 32 analysis explores the rationale for not mapping and including SNA maps in the Plan. Instead, the approach was to provide a process where SNAs can be identified, assessed and managed using indigenous vegetation clearance thresholds and resource consent processes. It identifies that: *“the ongoing consenting and ecological assessment costs will continue over the life of the PDP and are ultimately expected to be substantially higher than the one-off SNA mapping approach.”* And *“Likely to result in a larger number of resource consent applications for indigenous vegetation clearance”* and *“Avoids the cost of additional ground-truthing of SNA areas at this stage, while acknowledging that this is a short-term saving in exchange for a more protracted and piecemeal identification of SNAs through the resource consent process”*. None of this rhetoric presents an attractive proposition for land managers required to obtain resource consent.

3.14 The requirement for individuals to obtain the ecological assessment for SNAs places a costly burden on resource consent applicants (essentially requiring private

individuals to provide and fund public good) and will result in significant delays in obtaining consent as there is a lack of suitably qualified and experienced ecologists available at any time to do this work.

3.15 **Relief sought** – Delete Rule IB-R4 or amend it to not require consent holders to obtain an ecologists report to prove that the indigenous vegetation is not a SNA.

S91.008

3.16 **Relief sought** – Council ground truth potential SNA's and after appropriate consultation with affected landowners and land managers, introduce the agreed and mapped SNAs into the plan by way of plan change.

3.17 We have been advised that the National Policy Statement for Indigenous Biodiversity (NPS-IB) is imminent and is to be gazetted before the end of 2022. Without this national instrument (which will continue through the RMA reform under the National Planning Framework) the section of the plan is at risk of being inconsistent with the NPS-IB.

3.18 **Relief sought** – Do not progress the entire Ecosystems and Indigenous biodiversity section of the plan until the Policy Statement for Indigenous Biodiversity has been gazetted. S91.009

4. Natural Features and Landscapes

4.1

NFL-P4	Provide for farming activities within ONL and on ONF where: a. the use forms part of the characteristics and qualities that established the landscape or feature; and b. the use is consistent with, and does not compromise the characteristics and qualities of the landscape or feature.
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4.2 Policy NFL-P4 is an unacceptable form of grandparenting existing land use, favouring one form of primary production over others.

4.3 **Relief sought** – Amend the policy to apply to all primary production activities. S91.010

4.4

NFL-R5	Plantation forestry and plantation forestry activity	
Within ONL and ONF	Activity status: Discretionary Where: DIS-1 The plantation forestry or plantation forestry activity is located outside the coastal environment.	Activity status where compliance not achieved with DIS-1: Non-complying

4.5 There is no provision for non-complying activities under the Natural and Built Environments Bill.

4.6 Outstanding natural landscapes (ONL) account for approximately 22% of the Far North District's land area. Outstanding natural features (ONF) account for

approximately 1.6% of the District's land area. Collectively this equates to almost ¼ of the Far North District's land area.

- 4.7 Plantation forests and plantation forestry activities are primary production activities in a working rural landscape. Where plantation forest already exists within an Outstanding Natural Landscape or Outstanding Natural Feature, it should be considered as a permitted activity and the associated plantation forest activities should also be permitted. Plantation forestry is a long term land use, with considerable financial inputs decades before any financial benefits are realised. To remove certainty of harvest and the ability to undertake other plantation forest activities does not give effect to the objectives and policies of the Proposed Plan, including Objectives NFL-02, RPROZ-01, RPROZ-03, RPROZ-04 and policies RPROZ-P1.
- 4.8 Limited earthworks and indigenous vegetation clearance are provided for other primary production industries but there is no provision for any plantation forestry activities. This is unjustified and inequitable.
- 4.9 Section 34 (2) of the Resource Management Act requires: *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.* No justification has been provided for the inclusion of more stringent rules for plantation forestry. Just because regulation 6 of the NES-PF enables this, that in itself is not justification.
- 4.10 Regulation 12 of the National Environmental Standards for Plantation Forests already requires afforestation within an outstanding natural feature or landscape to obtain consent as a restricted discretionary activity
- 4.11 **Relief sought** – Delete this rule.
- 4.12 **Relief sought** – Provide permitted activity status to existing plantation forests and associated plantation forest activities.
- 4.13 **Relief sought** – remove any areas of plantation forest from the Outstanding Natural Landscapes / Features overlay mapping. **S91.012 and S91.013**

S91.011

5. Coastal Environment

5.1

CE-R6	Plantation forestry and plantation forestry activity	
Coastal environment	Activity status: Discretionary	Activity status where compliance not achieved with DIS-1: Non-complying
	Where: DIS-1 The plantation forestry or plantation forestry activity is located outside outstanding natural character areas.	

5.2 There is no provision for non-complying activities under the Natural and Built Environments Bill.

5.3 Plantation forests and plantation forestry activities are primary production activities in a working rural landscape. Where plantation forest already exists within the Coastal Environment, it should be considered as a permitted activity and the associated plantation forest activities should also be permitted. The permitted activity regulations of the NES-PF are appropriate to give effect to policies 11, 13, 15 and 22 of the New Zealand Coastal Policy Statement. What further conditions of consent would council conceivably impose?

5.4 Plantation forestry is a long term land use, with considerable financial inputs decades before any financial benefits are realised. To remove certainty of harvest and the ability to undertake other plantation forest activities is unreasonable and not commensurate with evidence based policies.

5.5 Section 34 (2) of the Resource Management Act requires: *If the proposal will impose a greater or lesser prohibition or restriction on an activity to which a national environmental standard applies than the existing prohibitions or restrictions in that standard, the evaluation report must examine whether the prohibition or restriction is justified in the circumstances of each region or district in which the prohibition or restriction would have effect.* The section 32 analysis states that there are more stringent rules for plantation forestry rule to give effect to policy 13(2) of the New Zealand Coastal Policy Statement. Based on this, plantation forestry activities that have the potential to impact on natural character should be the focus, not all plantation forestry activities and not the existence of the plantation forest. Further, this is justification for a restricted discretionary rule for new afforestation and a controlled activity status for the other plantation forestry activities that have the potential to impact natural character in the Coastal Environment, as well as a permitted activity framework for the existing plantation forests.

5.6 **Relief sought** – Delete this rule

5.7 **Relief sought** – Amend the rule to only apply to the afforestation of land in the Coastal Environment.

S91.014

5.8 **Relief sought** – Amend the rule to only apply to those plantation forest activities that have the potential to impact natural character, and these should be controlled (RMA) or permitted (NBA) with appropriate matters of control or permitted activity standards.

6. Earthworks

6.1 Rules note 4 states: *Earthworks associated with plantation forestry are regulated under the National Environmental Standards for Plantation Forestry 2017 (NES-PF) and are not managed through the District Plan except where district plan rules may be more stringent under Regulation 6 of the NES-PF. If the activity relates to earthworks associated with plantation forestry, refer to the NES-PF. However, if plantation forestry earthworks are located in the Coastal Environment or Natural Features and Landscapes overlays, the more stringent earthworks rules in this District Plan prevails over the NES-PF.*

6.2

EW-R7	Earthworks for new infrastructure or repair and upgrades	
All zones	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Restricted discretionary
	Where: PER-1 The earthworks complies with standards: EW-S1 Maximum earthworks thresholds; EW-S2 Maximum depth and slope; EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards. EW-S1 does not apply to Motoura Island or Orongo Bay zones	Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.

6.3

EW-R4	Earthworks for a farming activity where sites are 8 hectares or greater	
Rural Production zone Māori Purpose zone - Rural Horticulture zone Ngawha Innovation and Technology Park zone	Activity status: Permitted	Activity status where compliance not achieved with PER-1: Restricted discretionary
	Where: PER-1 The earthworks complies with standards: EW-S4 Site reinstatement; EW-S6 Setbacks; EW-S7 Land stability; EW-S8 Nature of filling material; and EW-S9 Flood and coastal hazards.	Matters of discretion are restricted to: a. the matters of discretion of any infringed standard.

6.4 Rule EW-R7 would appear to be the rule that applies to plantation forestry activities. Rule EW-R4 applies to farming activities, which unlike plantation forestry is not

required to meet standards EW-S1 and EW-S2. EW-S1 provides for up to 5000 m³ and 2500 m² per calendar year of earthworks. EW-S2 has a maximum depth for any cut and fill of 1.5 m (with total allowable of 3 m).

6.5 There is no justification to require plantation forestry earthworks to comply with more stringent standards for earthworks in the Coastal Environment or Natural Features and Landscapes overlays, and for those standards to also not equally apply to other primary production land use.

6.6 Rules in both the Coastal Environment or Natural Features and Landscapes overlays are already in the plan for plantation forestry activities in these overlays. Plantation forestry activities include earthworks.

6.7 The section 32 analysis for earthworks states: *The RWSP [Regional Soil and Water Plan] has significantly higher Earthworks thresholds compared to those in the PDP [Proposed District Plan]. Overall, the proposed Earthworks chapter has been drafted to recognise that Earthworks are managed to a greater degree by the regional council, and to avoid duplication and overlaps between territorial and regional plans.* The proposed earthworks standards exceed, duplicate and overlap with the Regional rules in both the RWSP and the Proposed Regional Plan. The standards are poorly drafted and ill-considered and show a significant lack of understanding of earthworks process and application. As an example, EW-S4 requires:

As soon as practicable, but no later than six months from the commencement of works:

- i. the earthworks area shall be established, filled and/or recontoured in a manner consistent with the surrounding land.*
- ii. replanted with vegetation, which is the same as, or of similar species, to that which existed on the site prior to the earthworks taking place (if any), except that where the site was vegetation with any plant pest, the site may be replanted with indigenous vegetation, from locally sourced genetic stocks or*
- iii. sealed, paved, metaled or built over.*

Earthworks are undertaken in the main to provide access and infrastructure. The proposed standards might be applicable to land recontouring activities but not earthworks for plantation forestry. The drafting also provides a legal nonsense in that replanting plantation forest is a discretionary activity (under rules NFL-R5 and CE-R6) but is required for the earthworks to be permitted under this standard and rule EW-R7.

6.8 Notwithstanding this, the earthworks Matters of Discretion go well beyond the scope of the District Council's powers under section 31 of the Resource Management Act. The Matters of Discretion are listed as:

- a. the location, scale and volume;*
- b. depth and height of cut and fill;*
- c. the nature of filling material and whether it is compacted;*
- d. the extent of exposed surfaces or stockpiling of fill;*
- e. erosion, dust and sediment controls;*
- f. the risks of natural hazards, particularly flood events;*

- g. *stormwater controls;*
- h. *flood storage, overland flow paths and drainage patterns;*
- i. *impacts on natural coastal processes;*
- j. *the stability of land, buildings and infrastructure;*
- k. *natural character, landscape, historic heritage, spiritual and cultural values;*
- l. *the life-supporting capacity of soils;*
- m. *the extent of indigenous vegetation clearance and its effect on biodiversity;*
- n. *impact on any outstanding natural character, outstanding natural landscapes and outstanding natural features;*
- o. *riparian margins;*
- p. *the location and use of infrastructure;*
- q. *temporary or permanent nature of any adverse effect;*
- r. *traffic and noise effects;*
- s. *time of year earthworks will be carried out and duration of the activity; and*
- t. *impact on visual and amenity values*

As examples, Matters of Discretion c., d., e., f., g., h., i., l., m., o., r., s do not align with section 31 functions, powers and duties of local authorities or impact on the natural character of the Coast or Outstanding Natural Features and Landscapes.

- 6.9 **Relief sought** – If earthworks are the issue that the council is proposing to control via the earthworks rules, then the rules for plantation forestry activities in both the Coastal Environment or Natural Features and Landscapes overlays should be limited to only apply to plantation forestry earthworks.
- 6.10 **Relief sought** – Delete the irrelevant Matters of Discretion for earthworks in natural character areas of the Coastal Environment overlay, and in areas of Outstanding Landscape or Outstanding Natural feature.
- 6.11 **Relief sought** – Rewrite the rules to provide consistency of application for primary production activities.
- 6.12 **Relief sought** – Rewrite the earthworks standards to ensure that they do not frustrate the activity that is being permitted and are meaningful to the activity that they are applied to.
- 6.13 **Relief sought** – delete the requirement for setbacks (EW-S6) to apply to plantation forestry. This is provided for under the NES-PF and is beyond the scope of stringency provided for by section 6 of the National Environmental Standards for Plantation Forestry.
- 6.14 **Relief sought** – delete the requirement for nature of filling material (EW-S8) to apply to plantation forestry. This is provided for under the NES-PF.
- 6.15 **Relief sought** – delete the requirement for flood and coastal hazards (EW-S9) to apply to plantation forestry. This is beyond the scope of stringency provided for by section 6 of the National Environmental Standards for Plantation Forestry.

S91.015
and
S91.016

S91.017

7. Noise

7.1 The chapter on noise states that the noise rules and effects standards do not apply to noise generated by “...forestry planting and forestry harvesting in the Rural Production, Horticulture and Horticulture processing zones”. However, the chapter does not recognise that noise and vibration associated with all plantation forestry activities is a permitted activity subject to the provisions of regulation 98 of the NES-PF. There is no direction for plantation forestry to follow the NES-PF rather than the rules in the plan.

7.2 **Relief sought** – insert a “note #2” in the rules section of the noise section that directs plantation forestry activities to the NES-PF (regulation 98). **S91.018**

8. Rural Environment

8.1

Objectives	
SD-RE-O1	Primary production activities are able to operate efficiently and effectively and the contribution they make to the economic and social well-being and prosperity of the district is recognised.
SD-RE-O2	Protection of highly productive land from inappropriate development to ensure its production potential for generations to come.

8.2 PF Olsen supports these overarching objectives in their application to all primary production.

8.3 **Relief sought** – Retain these objectives **S91.019**

9. Rural Production Zone

9.1

RPROZ-O3	Land use and subdivision in the Rural Production zone: a. protects highly productive land from sterilisation and enables it to be used for more productive forms of primary production; b. protects primary production activities from reverse sensitivity effects that may constrain their effective and efficient operation; c. does not compromise the use of land for farming activities, particularly on highly productive land; d. does not exacerbate any natural hazards; and e. is able to be serviced by on-site infrastructure.
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9.2 PF Olsen supports clauses a. and b.

9.3 **Relief sought** – Retain these clauses.

9.4 Clause c. is an unacceptable form of grandparenting existing land use, favouring one form of primary production over others.

S91.020

9.5 **Relief sought** – Amend clause c. to apply to all primary production activities.

9.6

RPROZ-R15	Plantation forestry and and plantation forestry activity	
Rural Production zone	Activity status: Permitted Where: PER-1 It is not located on versatile soils.	Activity status where compliance not achieved with PER-1: Discretionary

9.7 Regulation 6 of the National Environmental Standards for Plantation Forestry establishes where councils may have more stringent rules than the National Environmental Standard. In summary, these are:

- To give effect to national instruments
- To recognise and provide for the protection of a) outstanding natural features and landscapes from inappropriate use and development and b) significant natural areas.
- To manage unique and sensitive environments: a) separation point granite soils, b) geothermal area or karst geology c) a waterbody drinking water supply for > 25 people and d) forestry quarrying activities over a shallow water table.

9.8 There is no provision for the plan to contain rule RPROZ-R15.

9.9 The section 32 analysis is flawed in its legal argument – paraphrasing “that as versatile soils have not been identified as a matter where stringency can be applied, section 43(5)(b) of the RMA can be used as the impact of plantation forestry or plantation forestry activities on highly productive land is an effect outside the scope of the NES-PF”. The section 32 analysis continues “As versatile soils (assumed to be LUC class 1, 2 or 3 soils and a subset of the wider definition of highly productive land) are a relatively rare and finite resource in the Far North district, plantation forestry and plantation forestry activities are only permitted in Rural zones if they are not located on versatile soils.”

9.10 Just because the NES-PF does not state which natural and physical resources are not regulated under its provisions, this does not mean that they are out of scope. The stated application of the NES-PF is very clear - “An NES prevails over district or regional plan rules except where the NES-PF specifically allows more stringent plan rules”. <https://www.mpi.govt.nz/forestry/national-environmental-standards-plantation-forestry/>. Fundamental to all council plans is that the NES-PF provides consistent rules across the country.

9.11 There is no section 43(5)(b) of the RMA.

9.12 Notwithstanding the above points, plantation forestry is not an irreversible land use and will not compromise the soil for other primary production activities. This is illustrated in the Waikato region where rotations of plantation forest have been replaced with dairy farmland, in Marlborough where plantation forest has been replaced with viticulture, in Tasman where plantation forests have been replaced

with rural lifestyle blocks, in Canterbury where plantation forests have been converted to dairy farms and cropping.

9.13 Further, perverse outcomes would be expected if certain primary production activities are segmented into Land Use Capability classes (versatile soils). We have the opportunity to learn from our mistakes, not promulgate a new generation of issues for the industry and the community. Historically, the government purchased large failing farms and planted the hill country with plantation species. Then the “flats were sold as farms. This has created numerous complexities for the plantation forest industry as flat land is beneficial for access, for slash management, for processing trees into logs and as a natural run-off area for discharges from the hill country. The proposed rule will perpetuate this issue. Allowing all primary production activities in the Rural Production Zone enables the land manager to choose the appropriate use of the land.

9.14 **Relief sought** – amend the rule by deleting PER-1: it is not located on versatile soils and the discretionary activity default. **S91.021**

10. Rural Lifestyle Zone

10.1	RLZ-R10 Plantation forestry activity and plantation forestry activity	
Rural Lifestyle zone	Activity status: Permitted Where: PER-1 It is not located on versatile soils.	Activity status where compliance not achieved: Discretionary

10.2 Regulation 6 of the National Environmental Standards for Plantation Forestry establishes where councils may have more stringent rules than the National Environmental Standard. In summary, these are:

- To give effect to national instruments
- To recognise and provide for the protection of a) outstanding natural features and landscapes from inappropriate use and development and b) significant natural areas.
- To manage unique and sensitive environments a) separation point granite soils, b) geothermal area or karst geology c) a waterbody drinking water supply for > 25 people and d) forestry quarrying activities over a shallow water table.

10.3 There is no provision for the plan to contain rule RLZ-R10. Please also refer to submission points in section 9 above.

10.4 **Relief sought** – amend the rule by deleting PER-1 : it is not located on versatile soils and the discretionary activity default. **S91.022**

11. Horticulture Zone

11.1	HZR11	Plantation forestry and plantation forestry activity
	Horticulture zone	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Plantation forestry and plantation forestry activities are not located on versatile soils.</p>
		Activity status where compliance not achieved with PER-1: Discretionary

11.2 Regulation 6 of the National Environmental Standards for Plantation Forestry establishes where councils may have more stringent rules than the National Environmental Standard. In summary, these are:

- To give effect to national instruments
- To recognise and provide for the protection of a) outstanding natural features and landscapes from inappropriate use and development and b) significant natural areas.
- To manage unique and sensitive environments a) separation point granite soils, b) geothermal area or karst geology c) a waterbody drinking water supply for > 25 people and d) forestry quarrying activities over a shallow water table.

11.3 There is no provision for the plan to contain rule HRZ11. Please also refer to submission points in section 9 above.

11.4 **Relief sought** – amend the rule by deleting PER-1 : Planation forestry and plantation forestry activities are not located on versatile soils and the discretionary activity default. **S91.024**

PF Olsen requests to be heard and if others make a similar submission would consider presenting joint evidence at the hearing .

I am happy to answer any questions.

Yours sincerely,

PF OLSEN LTD



Heather Arnold

Environmental Manager

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