

# Proposed Waitomo District Plan SUBMISSION FORM



Clause 6 of Schedule 1, Resource Management Act 1991  
FORM 5

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**Closing date for submissions: 12pm on 23 December 2022**

**SUBMITTER DETAILS:** *(please note that the (\*) are required fields and must be completed)*

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Please tick your preferred method of contact *	Correspondence to *
<input checked="" type="checkbox"/> Email <input type="checkbox"/> Postal	<input checked="" type="checkbox"/> Submitter <input type="checkbox"/> Agent <input type="checkbox"/> Both
Trade competition and adverse effects: *	
<input type="checkbox"/> I could <input checked="" type="checkbox"/> I could not      gain an advantage in trade competition through this submission.	
Only if you ticked "I could" above, please answer this question: I am/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 effects of trade competition.	
<b>Note to person making submission:</b> If you are a person who could gain an 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.	
Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):	
<ul style="list-style-type: none"><li>• it is frivolous or vexatious:</li><li>• it discloses no reasonable or relevant case:</li><li>• it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:</li><li>• it contains offensive language:</li><li>• it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.</li></ul>	
Would you like to present your submission in person at a hearing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If others make a similar submission I will consider presenting a joint case with them at the hearing.	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	



The specific provisions of the proposal that my submission relates to e.g., provision number, map number	Do you: • Support? • Oppose? • Amend?	What decision are you seeking from Council? What action would you like: • Retain? • Amend? • Add? • Delete?	Reasons
<b>09-Definition Cultivation</b>	Amend	Amend	Amend to exclude plantation forestry.
<b>09-Definition Farm airstrips and farm helipads</b>	Support	Retain	It is appropriate to include forestry in this provision to provide certainty to our day-to-day operations.
<b>09-Definition Forest quarrying</b>	Support	Retain	Keeping the definition consistent with NES PF provides certainty.
<b>09-Definition Quarry</b>	Support	Retain	Definition is appropriate.
<b>09-Definition Quarrying activities</b>	Support	Retain	Definition is appropriate.
<b>09-Definition Primary production</b>	Support	Retain	Definition is appropriate to include forestry.
<b>09-Definition</b>	Amend	Add a definition of plantation forestry.	The inclusion of a definition for plantation forestry to be consistent with the NES PF would provide certainty.
<b>HH-R11</b>	Support	Retain	This provides for vegetation clearance to maintain archaeological sites.
<b>HH-R13</b>	Amend	Amend	Restrict discretion to direct impacts only
<b>HH-R17</b>	Oppose	Delete Or clarify which aspects of plantation forestry are to be regulated and amend status to restricted discretionary.	This rule states that plantation forestry is a non-complying activity with no further guidance as to which aspect of plantation forestry activities this applies to. It is assumed given the non-complying status, that this is intended to apply to afforestation. It would be helpful to clarify this. Given past practices it is possible that there will be plantation trees planted on archaeological site features in the district. Usual practice in this situation is to consult with mana whenua and obtain a Heritage NZ Authority at harvest time to remove the trees from the site and then not replant. For this situation a non-complying status seems overly onerous as it could lead to people leaving trees on the sites, with the risk of windthrow occurring and greater damage to site features.

<b>SASM-R13</b>	Oppose	Delete Or clarify which aspects of plantation forestry are to be regulated and amend status to restricted discretionary.	This rule states that plantation forestry is a non-complying activity with no further guidance as to which aspect of plantation forestry activities this applies to. It is assumed given the non-complying status, that this is intended to apply to afforestation. It would be helpful to clarify this. Given past practices it is possible that there will be plantation trees planted on Sites and Areas of Significance to Māori in the district. Usual practice in this situation is to consult with mana whenua and if required obtain a Heritage NZ Authority at harvest time to remove the trees from the site and then not replant. For this situation a non-complying status seems overly onerous as it could lead to people leaving trees on the sites, with the risk of windthrow occurring and greater damage to site features.
<b>Section 26 Ecosystems and Indigenous Biodiversity</b>	Amend		As noted, the NPS Indigenous Biodiversity is still in draft, however we understand that it is the Government's intent to release an exposure draft for public comment very soon. Clearly the provisions of this section will be impacted by any changes in that draft and the outcome of public consultation, which should occur in time to be incorporated into the final plan change.
<b>Objectives ECO-01</b>	Support	Retain	It is appropriate to identify and map SNA's.
<b>Objectives ECO-03</b>	Support	Retain	It is appropriate to have a level of activity in an SNA.
<b>Objectives ECO-04</b>	Oppose	Delete	It is not appropriate to require private landowners to enhance indigenous biodiversity outside of SNA.
<b>Policies Significant natural areas ECO-P1</b>	Support	Retain	It is appropriate to protect SNA identified and mapped.
<b>Policies Significant natural areas ECO-P2</b>	Amend	Amend	5. Protect and enhance connectivity along and between significant natural areas and other areas of indigenous vegetation and habitat of indigenous fauna.  It is not appropriate to require landowners to enhance areas outside SNA.
<b>Policies Significant natural areas ECO-P3</b>	Support	Retain	It is appropriate to allow for the maintenance of existing roads, tracks etc.

<b>ECO-P9</b>	Oppose	Delete to align with NES PF	This policy is achieved by the NES PF. As a duplicating function we can see no benefit in including the policy in the plan therefore suggest that it be deleted.
<b>Policies Significant natural areas ECO-P12</b>	Support	Retain	It is appropriate to allow provisions for pest plant and animal control.
<b>ECO-R3</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R5</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R6</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R7</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R8</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R9</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R10</b>	Support	Retain	Provides for forestry activities.
<b>ECO-R17</b>	Oppose	Delete	This exactly duplicates the provisions of the NES PF (regulations 12, 14(d) and 19(1)). As a duplicating function we can see no benefit in including the rule in the plan therefore suggest that it be deleted.
<b>Section 27 Natural character</b>	Amend	Amend to align with NES PF	This section makes no mention of the NES PF which suggests that the NES PF rules relating to indigenous vegetation and earthworks prevail and these rules do not apply to production forestry. For clarity it would be helpful if this could be stated. If that is not the case some of the provisions are problematic for forestry, particularly as it relates to harvesting near waterbodies and constructing water crossings.
<b>Policies NATC-P1</b>	Oppose in part	Amend	To include plantation forestry.  7. Providing for the continued operation of lawfully established farming and <u>plantation forestry</u> activities and recreational hunting.
<b>EW-R6</b>	Support & Amend	Amend to say that the NES PF rules prevail	Rule EW-R6 is supported. For clarity it would be helpful to extend the statement: <i>the rule does not apply to plantation forestry</i> , to say that the NES PF rules prevail.
<b>Noise-P3</b>	Support	Retain	Provides for forestry activities.
<b>Noise Advice Notes</b>	Support	Retain	Provides for forestry activities.
<b>Objectives GRUZ-01 - 4</b>	Support	Retain	Provides for forestry activities.
<b>Objectives GRUZ-06</b>	Support in part	Amend	To include plantation forestry.  Maintain the capacity of rural areas and rural resources to support <u>plantation forestry</u> , agricultural, pastoral and

			horticultural activities and lawfully established rural-based activities.
<b>Objectives GRUZ-08, 10, 12</b>	Support	Retain	Provides for forestry activities.
<b>Policies GRUZ-P1</b>	Support in part	Amend	To include plantation forestry.  Ensuring agricultural, pastoral, <u>plantation forestry</u> and horticultural activities predominate in the zone; and
<b>Policies GRUZ-P3</b>	Support	Retain	Provides for forestry activities.
<b>Policies GRUZ-P5</b>	Support	Retain	Provides for forestry activities.
<b>Policies GRUZ-P12, 13, 14</b>	Support	Retain	Provides for forestry activities.
<b>GRUZ-R</b>		Add	To provide clarity a statement referring plantation forestry to the NES PF.
<b>GRUZ-R16</b>	Oppose	Delete	<p>The rule that no harvesting of any plantation forestry can be conducted within 1km upstream of the abstraction point for a drinking water supply for more than 25 people seems overly restrictive. While we recognise that regulation 6 of the NES PF includes this matter for stringency, the District is required under section 32 of the Act to undertake an assessment as to whether a rule is necessary. We are not aware of any situation in the Waitomo District where forestry or harvesting has caused problems for water supply intakes. The science is clear that forestry provides cleaner water (less nutrients, e. Coli and, over the full forest cycle, less sediment) than farmland.</p> <p>The rule relating to forestry quarrying activities not being conducted over shallow groundwater (&lt;30m) also seems out of place. Again, while the NES PF includes this as a matter of greater stringency under regulation 6. We are aware that the rule arose from concerns in Canterbury where shallow groundwater in free draining gravels has become heavily contaminated with nutrients from intensive farming activity. As a result, it was postulated that ground waters could potentially become contaminated from fuel spills or the like. We are not aware of this having actually occurred. And we do not believe that there are quarries in extremely free soils above shallow aquifers in the Waitomo District. On that basis we question the need for the rule in the Waitomo District. Again, to include the rule the council is required to undertake a section 32 assessment and determine that the rule is necessary.</p>

<p><b>GRUZ-R17</b></p>	<p>Oppose</p>	<p>Delete</p>	<p>Rule GRUA-R16 is currently outside of the scope of regulation 6 of the NES PF. We are aware that there has been mention by Government Ministers of including rules restricting conversion of farmland to permanent forestry but that has yet to be developed. As it currently stands there is no scope to include the rule. We note that the approach also goes against the approach of the draft National Policy Statement for Highly Productive Land (NPS HPL), which aimed to protect such land for 'primary production.' The NPS HPL specifically did not pick winners. The proposed District Plan approach arbitrarily prioritises some productive activities over production forestry with no justification</p>
<p><b>GRUZ-R37</b> <b>Table 2 – performance standards</b></p>	<p>Support in part</p>	<p>Amend</p>	<p>It is appropriate to have relevant setbacks to protect existing activities from reverse sensitivity issues. Pines are setback at planting from the boundary and from time to time can blow over into neighbouring properties. For safety reasons it is appropriate to require a minimum 30 metres setback from any building or dwelling from a plantation forest boundary. Rewrite the Performance standard to include:</p> <p>3. 30-meter setback for dwellings and all other buildings from neighbouring boundaries in plantation forestry.</p>