

**Further Submission in support of, or opposition to, a notified proposed plan change or variation**

Clause 8 of Schedule 1, Resource Management Act 1991  
FORM 6



Send your submission to [districtplan@waitomo.govt.nz](mailto:districtplan@waitomo.govt.nz) or post to :

Attn: Proposed District Plan  
Waitomo District Council  
15 Queen Street  
PO Box 404  
Te Kūiti 3941

For office use only Further Submission No:
Receipt Date:

**Further Submitter details**

**Full Name or Name of Agent (if applicable)**

Mr/Mrs/Miss/Ms(Full Name) Monique Bedim

**Organisation Name (if further submission is made on behalf of Organisation)**

PF Olsen LTD

**Address for service of Further Submitter**

99 sala street, Whakarewarewa, Rotorua 3010

Telephone: 021 240 9004 Email: Monique.Bedim@pfolsen.com

Contact Person: (Name and designation, if applicable)

**Scope of Further Submission**

This is a further submission in support of (or opposition to) a submission on the Proposed Waitomo District Plan:

Please refer to the document attached.

I support :  Oppose  (tick one) the submission of:

(Original Submitters Name and Address)

Please refer to the document attached.

(Please identify the specific parts of the original submission)

**Submission Number**

**Point-Number**

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The reasons for my support / opposition are:

Further Submission attached.

I seek that:

the whole :

or part  (describe precisely which part) \_\_\_\_\_

of the original submission be **allowed**

**disallowed**

I wish to be heard in support of my submission

I do not wish to be heard in support of my submission

If others make a similar submission, I will consider presenting a joint case with them at a hearing



Signature of Further Submitter  
(or person authorised to sign on behalf of further submitter)



Date

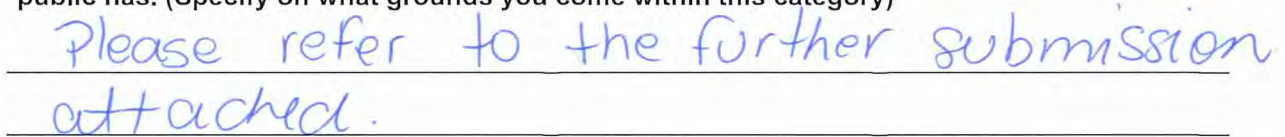
**PLEASE COMPLETE THE FOLLOWING SECTION**

Please tick one

I am a person representing a relevant aspect of the public interest. (Specify upon what grounds you come within this category)

\_\_\_\_\_  
\_\_\_\_\_

I am a person who has an interest in the proposal that is greater than the interest that the general public has. (Specify on what grounds you come within this category)



**Notes to person making submission:**

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority

If you are making a submission to the Environmental Protection Authority, you should use Form 16C.



PF Olsen Ltd  
PO Box 516 | Gisborne 4010 | New Zealand  
P: 64 6 868 5426 | 64 021 240 9004

[www.pfolsen.com](http://www.pfolsen.com)

E: [monique.bedim@pfolsen.com](mailto:monique.bedim@pfolsen.com)

28 July 2023

Waitomo District Council  
Proposed District Plan  
P O Box 404  
**Te Kuiti 3941**

Email: [districtplan@waitomo.govt.nz](mailto:districtplan@waitomo.govt.nz)

Dear Sir/Madam

**Further Submission on the Proposed Waitomo District Plan**  
Form 6, Clause 8 of Schedule 1, Resource Management Act 1991

**Introduction**

PF Olsen made a submission on the proposed Waitomo District Plan – 2022 (Proposed Plan).

**Interest in the submission**

Within the Waitomo District, PF Olsen manages forests for different forest owners.

**Decision sought**

The decisions sought are detailed in the tables attached to this form as Appendices 1-6.

**Request to be heard in support of further submission**

PF Olsen wishes to be heard in support of its further submission. If others make a similar submission, PF Olsen will consider presenting a joint case with them at a hearing.

Thank you for the opportunity to make this further submission.

I am happy to answer any questions.

Yours sincerely,

Monique Bedim  
Environmental Planner  
**PF OLSEN LTD**

Address for service of submitter:

PF Olsen Ltd  
c/ - Monique Bedim  
99 Sala Street, Whakarewarewa | Rotorua 3010

Email: [Monique.Bedim@pfolsen.com](mailto:Monique.Bedim@pfolsen.com)

Appendix 1 – PF Olsen Further Submission in Relation to NZ Forest Managers Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
30.1 30.2 30.3 30.4 30.5 30.6	(9) Definitions	Amend to add definitions for: <ul style="list-style-type: none"> <li>• Afforestation</li> <li>• Harvesting</li> <li>• Plantation Forestry</li> <li>• Sustainable Forest Management</li> <li>• Sustainable Harvesting</li> </ul>	Support	The submitter seeks to include new definitions in relation to Plantation Forestry Activities, according to NES-PF definitions, as well as seeking definitions for sustainable forest management and sustainable harvesting.  There is currently no definition of sustainable forest management and sustainable harvest, but there are rules for such.	Allow submission points.
30.7	(9) Definitions – ‘Earthworks’	Amend the definition of ‘Earthworks’ to exclude earthworks associated with plantation forestry and add a reference to the NES-PF.	Support	The submitter seeks clarity in relation to the definition of Earthworks. PF Olsen acknowledges that a clarification in the plan in relation to earthworks associated with plantation forestry activities as regulated by NES-PF is appropriate.	Allow submission points.
30.8	(9) Definitions Farm Airstrips and Farm helipads	Amend this term and definition so that it applies to all ‘Primary production airstrips and helipads’	Support	The submitter seeks to amend the definition to include all primary production. Equitable treatment across all primary industries is essential in relation to the principle of fair legislation.	Allow submission points.
30.9	Section 24 – HH-R13	Delete this rule	Support	The rule is unclear as plantation forest is not defined in the PWDP this also brings inconsistency with NES-PF.	Allow submission points.
30.10	Section 24 – HH-R17	Delete this rule	Support	The rule is unclear as plantation forest is not defined in the PWDP this also brings inconsistency with NES-PF.	Allow submission points.
30.11	Section 25 – SASM-R8	Delete this rule	Support	The rule is unclear as plantation forest is not defined in the PWDP this also brings inconsistency with NES-PF. In addition, the well-established protocols from the Heritage NZ Pouhere Taonga Act should not be overruled by PWDP.	Allow submission points.
30.12	Section 25 – SASM-R13	Delete this rule	Support	The rule is unclear as plantation forest is not defined in the PWDP this also brings inconsistency with NES-PF. In addition, the well-established protocols from the Heritage NZ Pouhere Taonga Act should not be overruled by PWDP.	Allow submission points.
30.13 30.14	Section 26 – ECO-P9 ECO-R17	Amend or delete	Support	The submitter seeks to amend or delete the rules, as ECO-R17 classifies afforestation and harvesting as a non-complying activity within an identified SNA. PF Olsen supports to amend this rule as unfairly targeting only forestry activity, bringing inequality treatment within the PWDP, against the good rules practice. Refer also to the PF Olsen submission.	Allow submission points.
30.15	Section 28 – NFL-R8	Amend to increase PA volumes	Support	The submitter seeks an amendment to the rule to raise PA earthwork/volumes, as the volume are inconsistent with the standards set by NES-PF. PF Olsen supports the relief sought as a District Plan rule cannot be inconsistent with the NES-PF.	Allow submission points.
30.16	Section 28 – NFL-R20	Oppose to delete the reference to indigenous plantation forestry (point 3) so that this rule applies to all plantation forestry	Support	The submitter seeks to delete the reference to indigenous plantation forest due to unfair treatment between the exotic and indigenous forest. PF Olsen supports the relief sought as the potential environmental effects of both forests can be the same. Therefore, there is no justification for this rule.	Allow submission points.
30.17	Section 28 – NFL-R21	Amend by deleting the 2 ha restriction for existing plantation forests	Support	There is no justification in the section 32 analysis to require limitation of harvesting activity to 2 ha or replanting within 12 months of harvesting. In a typical plantation forest regime, if an area is harvested between January and December, it will be replanted during the following year’s winter. Therefore some areas may extend to 18 months before they are re-established. It is also non-sensical to require replanting as a performance standard, as this is separate plantation forestry activity, and the plan gives clear direction that plantation forest is not welcomed on ONL as it has rules for afforestation (NFL-R20). Refer also to the PF Olsen submission.	Allow submission points.
30.18	Section 33 – Earthworks	Amend Section 33 by adding a reference within ‘EW-Table 1- Activity Rules’ that states: ‘Earthworks associated with plantation forestry are regulated by the National Environmental Standards for Plantation Forestry (NES-PF) are excluded from the rules within this section of the Waitomo District Plan, please refer to the NES-PF for detail’ or words to the same effect	Support	The NES-PF sets earthworks are a permitted activity in the jurisdiction of District Councils (refer to NES-PF regulations 22 and 23). PF Olsen supports the amendment sought as this is consistent with NES-PF permitted activity standards. Refer also to the PF Olsen submission.	Allow submission points.
30.19 30.20	Section 37 – Noise – R7 Noise – R8 Advice Notes	Delete criteria point 1. of R8 so that there is no limit of the number of flight movements associated with the use of helicopters for primary production land uses.	Support	PF Olsen supports the amendment to not limit the number of flight movements across the primary production sector. The limit prescribed by this rule creates a limitation to land use which is inconsistent with s 5 of RMA. Refer also to the PF Olsen submission.	Allow submission points.

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
30.22	Section 42 GRUZ-P3	Retain.	Support	PF Olsen recognises that forestry activities are part of the rural environment and may generate noise, odour, dust, and visual effects.	Allow submission points.
30.23	Section 42 – GRUZ-R15	Oppose	Support	PF Olsen supports the deletion of this rule because it restricts clearance of vegetation to only two activities – pasture reinstatement and building platform. This is unfair treatment across all the primary industries, contrary to legislation.	Allow submission points.
30.24	Section 42 GRUZ-R16	Oppose to delete	Support	This rule is inconsistent with the NESP-PF.	Allow submission points
30.25	Section 42 – GRUZ-R17	Oppose to delete	Support	PF Olsen supports the deletion of the rule as there is no justification for GRUZ-R17. Plantation forestry is not an irreversible land use change. Policy 4 of the NPS-HPL states that <i>highly productive land for land-based primary production is prioritised and supported</i> . GRUZ-R17 has not given this policy effect as plantation forestry has been singled out and unfairly regulated compared to other forms of primary production.	Allow submission points

Appendix 2 – PF Olsen Further Submission in Relation to DOC Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
53.1	All definitions	Support the proposed definitions except as DOC has submitted to be amended.	Oppose in part	PF Olsen opposes in parts the relief sought by amending the definition to include the definition of plantation forestry activities as per the NES-PF, as the PWDP has rules that will impact some of the activities.	Allow submission points, subject to including the definitions of forestry activities as per NES-PF.
53.2	New Definition – Effects Management Hierarchy	That the effects management hierarchy is defined in the Plan as per the draft National Policy Statement for Indigenous Biodiversity (NPS-IB)	Oppose	The submitter seeks to include a new legal principle in how to perceive environmental effects, under the effects management hierarchy. The PWDP is a delegated legislation that is authorised by ss 33 and 34 of the RMA 1991. Therefore, local authorities cannot include a new principle in the local plan that is not authorised under the principal act. Also there is no need to reiterate the requirements of National policy statements into the PWDP.	Disallow submission points.
53.6	New Definition – Bat Protection Area	Insert Bat Protection Areas as follows or with relief to like effect: <i>Areas of significant habitat that provide the resources and conditions needed for long and/or short tailed bats to remain present, and will include, but may not be limited to areas that provide for breeding, roosting, foraging and commuting.</i>	Oppose	The submitter seeks to include a new Bat Protection Area layer under specific rules and limitations to land use activities. This layer has not been assessed in terms of the section 32 analysis and would include large areas of plantation forest. It would not be consistent with the intent of the NPS-IB. PF Olsen opposes the relief sought as inconsistent with RMA principles in relation to legislation procedures.	Disallow submission points.
53.7	New Definition – Light Sensitive Area	Insert the following definition or relief to like effect <i>Light Sensitive Area. Includes land in the following areas: a. Significant Areas Overlay b. Outstanding Natural Landscapes Overlay c. the Natural Open Space Zone. d. Bat Protection Areas Overlay</i>	Oppose	The submitter seeks to include a new Light Sensitive Area layer under specific rules and limitations to land use activities. This layer has not been assessed in terms of the section 32 analysis and would potentially include large areas of plantation forest. It would not be consistent with the intent of the NPS-IB. PF Olsen opposes to the relief sought as inconsistent with RMA principles in relation to legislation procedures.	Disallow submission points.
53.8	New Definition - Risk	Insert a new definition of 'risk' as this is a term used in the Plan when considering natural hazards.	Oppose	PF Olsen opposes to the inclusion of a new definition of risk. The RMA has been dealing with risk since its creation in 1991, therefore, there is case law that defines risk and its implication. There is no need for a District Plan to include new definition of risk.	Disallow submission points.
53.10	Definition of forestry quarry	Oppose in part As well as adding the NES-PF definition, it should exclude the disturbance of indigenous vegetation.	Oppose	The NES-PF sets the definition of forestry quarry, which should be followed by the PWDP. The submitter cannot request a District plan to exclude "indigenous vegetation or habitat of indigenous fauna" from earthworks, mechanical land preparation, or gravel extraction, changing the definition of the National Environmental Standard.	Disallow submission points.
53.11	New Definition: Significant Natural Area	Insert the following definition or relief to like effect: <i>Means: (a) identified areas of significant indigenous vegetation and significant habitats of indigenous fauna, as set out in SCHED 6 and shown on the Planning Maps; or (b) areas that have been assessed as an area of significant indigenous vegetation or significant habitat of indigenous fauna in accordance with the criteria set out in WRPS APP5</i>	Oppose	The definition of Significant Natural Area (b) is too uncertain. All potential SNAs must be verified as SNA through ground truthing by an appropriately qualified person and then identified in Sched 6 and shown on the planning maps.	Disallow submission points.
53.28	ECO-01 ECO-04	Replace ECO -01 and ECO -04 with the following or words to like effect: <i>There is a net increase in indigenous biodiversity throughout the District, comprising: 1. Protected and restored SNAs, identified in SCHED6; and 2. Other areas of indigenous biodiversity that are maintained and enhanced, and 3. The restoration and enhancement of areas of indigenous biodiversity is encouraged and supported.</i>	Oppose	PF Olsen opposes to the relief sought as objectives are consistent with s 6 (c) of RMA, and there are other provisions within the Plan that deals with indigenous biodiversity accordingly.	Disallow submission points
53.29	ECO-PI	Oppose in part The D-G seeks amendments to the policy to ensure it is consistent with the NPS-FM 2020, NPS-IB 2022 exposure draft and implements the WRPS ECO-P2. In particular, PDP ECO-PI should require consistent application of the effects management hierarchy.	Oppose	PF Olsen opposes to inclusion new concept of effects management hierarchy without S 32 RMA analysis and also, the District Plan has no delegation power to include new analysis that is not derivative from the principal act, the RMA.	Disallow submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
53.30	NEW	<p>Insert the following or words to like effect:  ECO –Px  <i>Identify Significant Natural Areas by:</i>  1. <i>assessing and continuing to identify new areas of indigenous vegetation and habitats of indigenous fauna according to the criteria set out in WRPS APP5 – Criteria for Identifying Significant Natural Areas;</i>  and  2. <i>including Significant Natural Areas on the Planning Maps and in SCHED7 – Schedule of Significant Natural Areas.</i></p>	Support in part	PF Olsen Supports in part the creation of this new provision, as the SNAs will continue to be identified. All potential SNAs must be verified as SNA through ground truthing by an appropriately qualified person and then identified in Sched 6 and shown on the planning maps.	Allow submission point as amended by ground truthing
53.31	NEW	<p>Insert the following or words to like effect:  <i>Protect and restore SNAs and those other areas that meet the criteria set out in WRPS APP5 by:</i>  1. <i>avoiding adverse effects on SNAs including:</i>  a. <i>loss of ecosystem representation and extent;</i>  b. <i>disruption to sequences, mosaics, or ecosystems within an SNA;</i>  c. <i>fragmentation of SNAs or the loss of buffers or connection to other important habitats or ecosystems;</i>  d. <i>a reduction in the function of the SNA as a buffer or connection to other important habitats or ecosystems;</i>  e. <i>a reduction in the population size or occupancy of Threatened, At Risk (Declining) species that use an SNA for any part of their life cycle.</i>  2. <i>avoiding the clearance of indigenous vegetation and earthworks within SNAs unless these activities:</i>  a. <i>can be undertaken in a way that protects identified ecological values; and</i>  b. <i>are for regionally significant infrastructure and it can be demonstrated that adverse effects are managed in accordance with the effects management hierarchy.</i>  3. <i>promoting the restoration and enhancement of significant indigenous vegetation and habitats; and</i>  4. <i>supporting and promoting the use of covenants, reserves, management plans and community initiatives.</i></p>	Oppose	PF Olsen opposes to inclusion of the specific adverse effect on SNA that must be avoided under clause 3.10 to be included in District Plan, as is already included in the NPS-IB. The District Council is already bound to follow the NPS-IB standards regardless. The proposed wording also is inconsistent with the NES-PF.	Disallow submission points
53.32	ECO-P2	<p>Amend as follows:  <i>Recognise, protect, and enhance the ecological sustainability, indigenous biodiversity values and characteristics of significant natural areas by:</i>  1. <del><i>Only allowing the removal of indigenous vegetation in sustainable quantities within locally significant natural areas; and where the significance of the vegetation or habitat is not reduced.</i></del>  2. <del><i>Only allowing the removal of indigenous vegetation in limited circumstances within internationally, nationally or regionally significant natural areas; and</i></del>  2. <i>Protecting the health and functioning of Significant Natural Areas by avoiding inappropriate land use practices, subdivision and development.</i>  3....</p>	Oppose	PF Olsen opposes to the submitter's view as ECO-P2 is a policy tool and its inconsistent with the RMA principles and National Standards purposes. The proposed amendment is unrealistic.	Disallow submission points
53.33	NEW	<p>Insert new Policy which addresses the maintenance and enhancement of indigenous vegetation and habitats of indigenous fauna that do not meet the significance criteria. Matters that should be set out in the policy are:</p> <ul style="list-style-type: none"> <li>- the ongoing assessment of the current state of indigenous biodiversity within the District;</li> <li>- not only limiting vegetation clearance within sensitive areas but also within areas of indigenous vegetation that contain threatened, at risk species, or species at the reach of their national or regional distribution limits in the District or are naturally uncommon ecosystems; and</li> <li>- providing support and enabling the use of non - regulatory mechanisms to maintain and enhance indigenous biodiversity.</li> </ul>	Oppose	What is being sought is unrealistic and will unfairly penalise plantation forests as it provides habitat.	Disallow submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
53.34	New Policy ECO-Px Protection for bats	Insert a new policy with the following or words to like effect: <i>ECO – Px Protection for bats Protect native bats by:</i> 1. <i>Identifying important habitat for native bats as a Bat Protection Area overlay on the Planning Maps; and</i> 2. <i>Protecting, the bats and their habitat within this overlay.</i>	Oppose	The submitter seeks to include a new Bat Protection Area layer where under specific rules and limit land use activities. This layer has not been assessed in terms of the section 32 analysis. PF Olsen opposes to the relief sought as it will have a significant unintended impact on plantation forestry.	Disallow submission points
53.35	ECO-P3	Support in part Sub clauses (i) – (iii) are considered sufficient to convey the intent of the policy. Sub clause (iv) inappropriately creates a weighting exercise by which the effects management hierarchy may be disregarded.	Oppose	PF Olsen opposes to deletion of the words <i>(iv) Consideration is given to the positive benefits of the activity in respect of people's health and wellbeing</i> this would not give effect to section 5 of the RMA.	Disallow submission points
53.36	ECO-P4	Oppose in part The policy assumes unavoidable vegetation removal without requiring sequential application of the effects management hierarchy.	Oppose	PF Olsen opposes the amendment to the Policy – it is there to provide for ongoing rural activities.	Disallow submission points
53.37	ECO-P5	Support in part Subclause 1 should be amended to avoid adverse effects	Oppose	PF Olsen opposes to amendment as it significantly changes the intent of the policy and is unrealistic.	
53.38	ECO-P6	Amend the policy as follows: <i>Where considering any application for activities in a significant natural area, or any activity that will adversely affect indigenous biodiversity generally, <del>protect</del> promote the long-term ecological functioning and indigenous biodiversity value of significant natural areas by encouraging:</i>	Oppose	PF Olsen supports the ECO-P6 wording as it stands. As a policy, there is nothing else that needs to be included. It provides the right amount of protection required for the significant natural area and should not be broadened as submitted by DOC.	Disallow submission points
53.42	ECO-P11	Oppose in part. The D-G considers ECO-P11 should be amended to better give effect to NZCPS Policy II (a).	Oppose	PF Olsen opposes to the submitter's view and acknowledges that the wording in ECO-P11 achieves the objective of protecting indigenous biodiversity fulfilling the NZCPS.	Disallow submission points
53.43	ECO-P13	Oppose in part Amend ECO -P13 with wording that fully addresses the maintenance and enhancement of indigenous vegetation and habitats of indigenous fauna that do not meet the significance criteria. Matters that should be set out in the policy are: - the ongoing assessment of the current state of indigenous biodiversity within the District; - not only limiting vegetation clearance within sensitive areas but also within areas of indigenous vegetation that contain threatened, at risk species, or species at the reach of their national or regional distribution limits in the District or are naturally uncommon ecosystems; and 261 - providing support and enabling the use of non-reg	Oppose	PF Olsen opposes to the submitter's view and supports the maintenance of the ECO-P13 wording. ECO-P13 achieves the objective of protecting indigenous biodiversity fulfilling the NZCPS.	Disallow submission points
53.44	NEW	Insert new rule – <i>ECO-Rx Clearance of trees in the Bat Protection Area Activity Status: PERMITTED Where: It does not exceed:</i> 1. <i>a diameter of 150 mm when measured at 1.4 m in height above ground level.</i> <i>Activity Status where compliance not achieved: Restricted discretionary</i> <i>Matters of discretion are restricted to:</i> 1. <i>whether, upon specialist assessment by a suitably qualified ecologist (class x), tree/s proposed to be removed is habitat for long-tailed bats; and</i> 2. <i>the extent to which the removal of tree/s would impact on the ability of the long-tailed bat protection area to provide for the habitat needs of the bats</i> 3. <i>the reasons for removal of the tree and any alternatives considered; and</i> 4. <i>If the ecologist report determines the vegetation is being used as bat habitat, submission of a Bat Management Plan which will assess any measures to avoid, remedy or mitigate the adverse effects.</i>	Oppose	The submitter seeks to include a news rules and standards for a Bat Protection Area layer under specific rules and limitations to land use activities. This layer has not been assessed in terms of the section 32 analysis. PF Olsen opposes to the relief sought as inconsistent with RMA principles in relation to delegation legislation procedures. The proposed rule is unrealistic and would affect large areas of plantation forest.	Disallow submission points



Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
53.45	ECO-R1-R10	The D-G request amendments to Table 1 and the vegetation clearance threshold. ECO-R4 and ECO-R6 are considered to be provided for as conservation activities. The proposed vegetation clearance threshold is considered too permissive and does not manage cumulative effects over longer period than 1 year. Vegetation clearance should be setback from water bodies.	Oppose	PF Olsen opposes to the amendment of the vegetation clearance thresholds – and this is inconsistent with the NES-PF.	Disallow submission points
53.46	ECO-R14		Oppose	PF Olsen opposes to the amendment of the vegetation clearance thresholds and the inclusion of SNAs in the need for an ecologists report, as the proposed rule currently provides sufficient protection/use.	Disallow submission points
53.64	CE-R8, CE-R9, CE-R10, CE-R12, CE-R13 Matters of discretion	The D-G considers these activities should demonstrate avoidance of significant adverse effects, consistent NZCPS with Policy 11b, Policy 13, Policy 15 and RMA section 6.	Oppose	PF Olsen opposes the inclusion of any more matters of discretion. This would restrict the land use far more than visualised by the RMA, and the National Standards.	Disallow submission points
53.65	Introduction - Light	Amend the LIGHT introduction with the following or relief to like effect: <i>If artificial lighting is not properly located, installed and designed it can have adverse effects on people, particularly if it causes sleep disturbance. Poorly designed artificial lighting can also affect traffic safety and wildlife, such as long tailed bats and seabirds.</i>	oppose	The submitter seeks to include new rules and standards for a light layer that would limit land use activities. This has not been assessed in terms of the section 32 analysis. PF Olsen opposes to the relief sought as inconsistent with RMA principles in relation to delegation legislation procedures.	Disallow submission points
53.67	Rules Light Table 1 Light Table 2	Oppose in part The D-G requests the LIGHT rules be amended so that activities in the requested Light Sensitive Areas have their own set of performance standards including a lower lux level and warm white colour temperature in accordance with (insert Eurobats footnote). Light Sensitive Area: Includes land in the following areas: a. Significant Areas Overlay b. Outstanding Natural Landscapes Overlay	Support in part	Ensure this only applies to permanent lights, not lights associated with temporary lighting, machinery etc.	Allow submission points as amended by our further submission
53.71	SCHED 6 SCHED 7 SCHED 8 SCHED 10 SCHED 11 SCHED 12 SCHED 13	Support in part The D-G supports the identification of the areas and features in the listed schedules but retains 'scope' to request amendments to them, including the mapping of new areas and features should evidence indicate changes are necessary.	Oppose	PF Olsen strongly opposes the submitter's suggestion the retain "scope" to amend these features. There are plan change provisions that apply to the Department and equally anyone else wishing to amend the plan in the future.	Disallow submission points
53.72	APP 1. X	The Director-General recommends requiring a Bat Management Plan for activities in the bat protection area. The BMP should: <ul style="list-style-type: none"> <li>• <i>Have an objective specified in the PDP information requirements against which its effectiveness can be measured.</i></li> <li>• <i>Extend beyond roosting sites and manage effects on foraging and commuting sites to protect the functionality of core habitat.</i></li> <li>• <i>The Bat management plan should be prepared by the same suitably qualified ecologist/s to ensure they integrate and achieve the desired outcome. The management plans should also be peer reviewed by DOC and WRC ecologists.</i></li> <li>• <i>Consider roosting tree removal as a last resort but include best practice tree removal protocols and mitigation for any potential trees that have been identified for removal.</i></li> <li>• <i>Set out how protected, restored or enhanced habitat will link to other areas immediately outside of The application site It is important that connectivity to the wider landscape is accounted for.</i></li> <li>• <i>Set on-going monitoring obligations and triggers for a halt to development if it is determined non-trivial effects on threatened species are occurring.</i></li> </ul>	Oppose	The submitter seeks to include a news rules and standards for the Bat Protection which will limit to land use activities. This layer has not been assessed in terms of the section 32 analysis. PF Olsen opposes to the relief sought as inconsistent with RMA principles in relation to delegation legislation procedures. There would be unintended consequences on plantation forestry from this proposal.	Disallow submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
47.03	Chapter 9: Definitions Biodiversity offset	Amend to add: “Significant residual effect, means any measurable effect arising from activities after avoidance, remediation, and mitigation measures have been taken.” And Any consequential changes or alternative relief to achieve the relief sought	Oppose	The submitter seeks to include a new legal principle in how to perceive environmental effects, under the “significant residual effect”. The PWDP is a delegated legislation that is authorised by ss 33 and 34 of the RMA 1991. Therefore, local authorities cannot include a new principle in the local plan that is not authorised under the principal act.	Disallow submission points.
47.04	Conservation activities	Amend to the following: “means any activity that involves the preservation and protection of indigenous habitat, flora and fauna that fundamentally benefits indigenous biodiversity and safeguards it for future generations. For the avoidance of doubt, the following activities are conservation activities: (a) <del>Conservation</del> Restoration planting using indigenous plants of the same ecological district. (b) The restoration of wetlands and the margins of water bodies. (c) <del>Stock exclusion</del> . (d) Research and monitoring <u>where whole plants are not removed and habitat is not disturbed</u> . (e) <del>The establishment, maintenance or upgrading of public walking/cycle tracks</del> . (f) Interpretive signs and directional signs <u>where within an SNA whole plants are not removed and habitat is not disturbed</u> . (g) <del>Any Department of Conservation or Fish and Game New Zealand structure or building for visitor purposes or staff accommodation on public conservation land</del> . (h) <del>Underground structures on Crown land</del> . Ecosystem protection, rehabilitation or restoration works including removing plant pests <u>or the management of a nuisance plant or animal species that is impacting on the biodiversity values of a site or area</u> as identified in the Waikato Regional Pest Management Plan <del>and riparian fencing, including crossings and their approaches that are consented, permitted or otherwise authorised by Waikato Regional Council</del> .	Oppose	PF Olsen opposes to the amendments proposed by the submitter. As a definition of conservation activities, the wording of the PWDP is clear and consistent with RMA principles and National Standards. The inclusion of the details proposed would create more confusion.	Disallow submission points.
47.05	Add a new definition	Add a definition for vegetation clearance or removal as follows: “ <u>vegetation clearance or removal means the clearing or removal or destruction of indigenous or exotic vegetation by any means, including cutting, crushing, smothering, cultivation, irrigation, chemical application, drainage, stopbanking, overplanting, or burning.</u> <u>Indigenous vegetation clearance has the same meaning as applies to native vegetation</u> ”	Oppose	The submitter seeks to include vegetation clearance, however, the definition submitted departs from the vegetation clearance NES-PF definitions, which would create a legislative inconsistency. If the definition is adopted (either as is or amended) it should not apply to plantation forestry activities under the NES-PF.	Disallow submission points.
47.65	TRAN-O6	Amend TRAN-O6 by replacing “ <del>managed</del> ” with “ <u>avoided, remedied or mitigated</u> ”	Oppose	PF Olsen opposes the amendment as it introduces a very different meaning to the objective.	Disallow submission points
47.71	TRAN - Rules	Include for all permitted activities that “PER activities must: Comply with ECO chapter rules and any relevant overlay rules with respect to vegetation clearance and earthworks.” For all RDIS activities include “effects on indigenous biodiversity” as a matter of discretion.	oppose	There is no justification for this advice note as ALL District wide matters apply..	Disallow submission points
47.79	ECO-O1	Delete ECO-O1 and replace it with new text to read: “ <u>Indigenous biodiversity including significant indigenous vegetation and the significant habitats of indigenous fauna is protected.</u> ” And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	PF Olsen opposes to the relief sought as the submitter is trying to amplify the meaning of indigenous biodiversity, in a way that is not consistent with the PWDP wording and the SCHED6.	Disallow submission points
47.80	ECO-03	Delete ECO-03. And Any consequential changes or alternative relief to achieve the relief sought.	oppose	The submitter’s view is entirely inconsistent with the RMA principles of sustainable use of the land. Permitted activity has this status because has been assessed previously as having minimal environmental effect.	Disallow submission points
47.84	General comment on ECO policies	Amend ECO policies to: Provide for protection of s6(c) matters through provisions to protect Schedule 6 SNAs and other areas meeting the significance criteria set out in the RPS. Maintain indigenous biodiversity. Set out an effects management hierarchy that requires avoidance in accordance with Policy 11 of the NZCPS in the coastal environment. Requires the avoidance of significant adverse effects on significant indigenous vegetation and the significant habitats of indigenous fauna, unless the activity is for the National Grid or renewable energy, in which case those activities should seek to avoid adverse effects. Requires that all other activities avoid adverse effects on indigenous biodiversity to the extent practicable.	oppose	The submission introduces matters that are not consistent with the NPS-IB	Disallow submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
		<p>Recognises that it may not be practicable to avoid adverse effects to achieve protection as required by s6(c). Where it is not practicable to be able to avoid adverse effects, adverse effects are remedied, where adverse effects cannot be remedied, they are mitigated.</p> <p>Where residual adverse effects remain after the steps to avoid, remedy and mitigate set out above, consideration may be given to whether it is appropriate to offset residual effects in accordance with the criteria in Appendix 4.</p> <p>Where residual adverse effects remain after offsetting or it is not appropriate to offset residual adverse effects the activity should be declined.</p>			
47.85	ECO-P1	<p>Delete and replace ECO-P1 as follows: <u>“Recognise and protect areas of significant indigenous vegetation and the significant habitats of indigenous fauna, including by:</u></p> <ol style="list-style-type: none"> <li>1. <u>Managing land use and development to protect significant natural areas identified in Schedule 6; and</u></li> <li>2. <u>Identifying and protecting other areas meeting the significance criteria in Appendix 5 of the WRPS as significant natural areas, including through resource consent processes; and</u></li> <li>3. <u>Assessing the effect of activities on values, characteristics and extent of these areas when activities are proposed; and</u></li> <li>4. <u>In the coastal environment managing adverse effects in accordance with ECO-P7; and</u></li> <li>5. <u>outside the coastal environment, for the national grid and renewable energy activities seeking to avoid adverse effects on indigenous biodiversity</u></li> <li>6. <u>in all other cases avoiding significant adverse effects on significant natural areas;</u></li> <li>7. <u>managing other adverse effects in accordance with the effects management hierarchy in ECO PX.”</u> <p>Add a new policy setting out an effects management hierarchy for adverse effects on indigenous biodiversity as follows:</p> <p><u>“ECO-PX effects management hierarchy for adverse effects on indigenous biodiversity</u></p> <ol style="list-style-type: none"> <li>1. <u>Subject to ECO-P1, avoid adverse effects as far as practicable while recognising the functional and operational needs of Regionally Significant Infrastructure and the need to maintain indigenous biodiversity and protect significant natural areas</u></li> <li>2. <u>where adverse effects cannot be avoided, remedy adverse effects</u></li> <li>3. <u>where adverse effects cannot be remedied, mitigate adverse effects</u></li> <li>4. <u>where residual adverse effects remain after applying 1, 2 and 3 above:</u> <ol style="list-style-type: none"> <li>a. <u>in significant natural areas in relation to RSI activities consider whether offsetting is appropriate in accordance with APP4 Offsetting criteria; and</u></li> <li>b. <u>outside significant natural areas consider whether offsetting is appropriate in accordance with APP4 Offsetting criteria</u></li> </ol> </li> </ol> <p><u>If a and b are not satisfied consider whether the proposal should go ahead having regard to the residual effects and the need to maintain indigenous biodiversity and to provide for the protection of significant natural areas.”</u></p> </li></ol>	Oppose	The submitter has broadened the intent of this policy to the extent that it is not in accordance with the NPS-IB.	Disallow submission points
47.87	ECO-P2	<p>Delete ECO-P2. Add a new policy capturing aspects of P2 clause 4 and 5 and P6 clauses 1 to 13 as follows:</p> <p><u>“Maintain, restore and support the improvement of indigenous biodiversity through:</u></p> <ol style="list-style-type: none"> <li>1. <u>Protecting the health and functioning of significant natural areas that are or include wetland;</u></li> <li>2. <u>Protecting and improving connectivity along and between significant natural areas and other areas of indigenous vegetation and habitat of indigenous fauna;</u></li> <li>3. <u>Supporting and encouraging landowners to:</u> <ol style="list-style-type: none"> <li>a. <u>fence off stock from areas of indigenous vegetation;</u></li> <li>b. <u>undertake plant and animal pest control;</u></li> <li>c. <u>apply for covenants to provide permanent protection to indigenous biodiversity;</u></li> </ol> </li> <li>4. <u>The establishment of both mountain to sea corridors and north- south corridors of terrestrial and aquatic ecosystems; and</u></li> <li>5. <u>The reconnection of fragmented ecosystems on land and via waterways; and</u></li> <li>6. <u>The establishment of buffers around underrepresented and/or threatened indigenous ecosystems; and</u></li> <li>7. <u>The creation of ecological stepping stones or corridors to link indigenous vegetation; and</u></li> </ol>	Opposes	<p>The submitter is trying to include new standards in the policies without a proper legislative process such as s 32 analysis. The inclusion of the proposed matters is too broad and would essentially encompass the entire district.</p> <p>PF Olsen opposes to the relief sought.</p>	Disallow submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
		<p>8. <u>The improvement of habitat of nationally threatened or at risk indigenous species; and</u></p> <p>9. <u>The improvement or restoration of indigenous habitats adjoining wetlands, rivers, springs, karst ecosystems, coastal cliffs, dunes, estuaries and fragmented forests; and</u></p> <p>10. <u>The establishment and on-going management of pest free areas; and</u></p> <p>11. <u>The improvement or restoration of rare ecosystems; and</u></p> <p>12. <u>The retention and enhancement of indigenous vegetation cover; and</u></p> <p>13. <u>The restoration, maintenance and improvement of natural wetland and karst hydrology; and</u></p> <p>14. <u>The avoidance of physical and legal fragmentation; and</u></p> <p>15. <u>The role of mana whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing significant natural areas.</u></p>			
47.90	ECO-P5	<p>Amend ECO-P5 as follows:</p> <p><del>“When the limited circumstances of unavoidable removal of activities that may adversely affect indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas are being considered (including situations provided for in ECO-P4), in addition to any other considerations, have regard must be given to the following matters:</del></p> <ol style="list-style-type: none"> <li>Whether the area contains nationally significant examples of indigenous community types and indigenous ecosystems and/or vegetation types that are threatened in the coastal environment, or are naturally rare; and</li> <li>Effects on the <del>required</del> range of habitats, including roosting, nesting, foraging and migratory pathways of fauna; and</li> <li>Effects on the habitats of threatened and at risk species including migratory pathways; and</li> <li>Effects on the maintenance of ecological corridors, processes and sequences; and</li> <li>Whether sensitive sites remain buffered from intensive land use, development and subdivision; and</li> <li>The outcome of consultation where indigenous vegetation clearance is proposed in locations that are of significance to mana whenua; and</li> <li>Effects on natural waterway and wetland habitats and hydrology; and</li> <li>The legal and physical protection of existing habitat; and</li> <li><del>Whether consideration has been given to opportunities that contribute to no net loss of indigenous biodiversity at a regional scale; and</del></li> <li><del>Whether any there are practicable alternative locations for the activity that would avoid or reduce the need for removal of adverse effects on indigenous vegetation or habitats of indigenous fauna or disturbance of wetland areas, are used in the first instance; and</del></li> <li><del>Whether the area contains indigenous ecosystems or indigenous fauna habitat that are threatened by climate change factors, such as sea level rise, drought, fire or pathogens.”</del></li> </ol>	Support in part	The introductory amendments broaden the policy beyond its intention. The addition of clause 10 is a nonsense as this would apply to the entire district.	Disallow submission points
47.93	ECO-P8	<p>Amend ECO-P8 as follows: <del>Provide</del></p> <p><u>Control indigenous vegetation clearance for the purpose of forestry or woodlots and only consider providing for continuous cover forestry and/or sustainable forest management/sustainable harvesting only where it is outside significant natural areas and the indigenous biodiversity values and ecological characteristics of the area are maintained or enhanced. Avoid this activity where the site is in a significant natural area and set new activities back at least 500 m from significant natural areas vegetation or habitat that is currently a naturally uncommon or significantly underrepresented ecosystem or habitat for indigenous species or has associations of indigenous species that are classified as threatened or at risk, endemic to the Waikato region or at the limit of their natural range.</u></p>	Oppose	There is no justification for this level of control or setback. PF Olsen strongly opposes this submission.	Disallow submission points
47.94	ECO-P9	<p>Amend ECO-P9 as follows: <del>“Avoid plantation forestry afforestation and harvesting in significant natural areas and set back new plantation forest 1 km from Significant natural areas listed in Schedule 6 or otherwise able to be reasonably identified.</del></p>	Oppose	There is no justification for this level of control or setback. PF Olsen strongly opposes this submission.	Disallow submission points
47.98	ECO-P13	<p>Amend ECO-P13 as follows:</p> <p><del>“When considering removal of indigenous vegetation, or adverse effects on habitats of indigenous fauna, or disturbance of wetland areas occurs outside of significant natural areas, ensure the following matters are considered when avoiding, remedying or mitigating adverse effects on indigenous biodiversity:</del></p> <ol style="list-style-type: none"> <li>Whether any existing cleared areas on a site that are suitable to accommodate subdivision or new development, are used in the first instance; and</li> </ol>	Oppose and Support	<p>proposed amendments to the introduction are not helpful – oppose</p> <p>The amendment to clause 7 is helpful - support</p>	Disallow amendment 1 and 2 and allow amendment 3 in the submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
		<p>2. Any practicable alternative locations that would reduce the need for removal of indigenous vegetation, or habitats of indigenous fauna, or disturbance of wetland areas are used in the first instance; and</p> <p>3. Whether consideration has been given to opportunities that contribute to no net loss of indigenous biodiversity at a regional scale; and</p> <p>4. The maintenance of indigenous habitats adjoining wetlands, rivers, springs, karst ecosystems and fragmented forests; and</p> <p>5. The <u>retention and</u> maintenance of buffers <u>for protection</u> around underrepresented or naturally uncommon indigenous ecosystems; and</p> <p>6. The maintenance or creation of ecological stepping stones or corridors to link indigenous vegetation and/or fragmented ecosystems on land and via waterways; and</p> <p>7. The maintenance <u>and protection</u> of habitat of nationally threatened or at-risk indigenous species, <u>recognising that exotic vegetation or pasture may provide significant habitat for breed, roosting, nesting and/or feeding.</u></p>			
47.100 to 47.110	ECO-R1 to R10	<p>Amend Table 1 so that it clearly applies to activities within Significant Natural Areas. That this includes both areas identified in Schedule 6 and any area that meets the significance criteria set out in Appendix 5 of the WRPS unless specifically stated otherwise in a rule.</p> <p>Delete ECO-R1 and ECO-R2</p> <p>Amend ECO-R3 to read as follows: "<del>To remove, dead or damaged indigenous vegetation or</del> <u>Where the indigenous vegetation is presenting an imminent danger/threat to human life</u>"</p> <p>Amend ECO-R4 as follows: "<del>In the general rural, natural open space, open space and rural lifestyle zones to maintain a lawfully established fence, where any trimming, pruning or removal is within 1.5 of the fence, re/leave or construct a perimeter fences to exclude for stock exclusion from a significant natural area where any trimming, pruning or removal is within 1m of the new fence line</del>"</p> <p>Amend ECO-R5 as follows: "For maintenance purposes on or within 2 m of existing roads, driveways, tracks, <del>fences</del> or water intake/discharge structures"</p> <p>Delete ECO-R6 and ECO-R7</p> <p>Retain ECO-R8 For Māori cultural and customary uses or for scientific purposes</p> <p>Delete ECO-R9</p> <p>Delete ECO-R10 or amend the definition of "Conservation activities" as sought in this submission.</p> <p>Delete the condition set out under these rules that applies an area limit for clearance.</p>	Oppose	The submitter is trying to include land use limitations that is out of the scope and delete provision for other relevant activities. The relief sought is inconsistent with sustainable management of natural and physical resources provided by s5 of RMA. Neither is consistent with the NPS-IB.	Disallow submission points
47.113	New ECO Rules	Add a new Rule to Table 1 in the Ecosystems and Indigenous Biodiversity chapter for new mineral extraction and quarrying to be a Prohibited activity in SNAs. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The submitter is trying to include new activity status effects in SNAs without a proper legislative process such as s 32 analysis. PF Olsen opposes any provision for prohibited activities – this level of rule status is not warranted as a discretionary activity would provide appropriate protection if required.	Disallow submission points
47.116	ECO-R13	Delete ECO-R13.	Oppose	The relief sought in deleting the rule is inconsistent with the sustainable management of natural and physical resources provided by s5 of RMA, as it would limit the community and people to provide for their economic well-being. Furthermore, there is no s 32 RMA assessment if this limitation would provide for sustaining the potential of natural and physical resources.	Disallow submission points
47.118	ECO-R15	Delete ECO-R15. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	This rule could be to the benefit of SNAs and should be retained.	Disallow submission points
47.119	ECO-R16	Amend ECO-R16 to a Non-Complying activity. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The submitter is trying to change activity status effects and limit the land use there is no justification for this.	Disallow submission points
47.120	ECO-R17	Amend ECO-R17 to a Prohibited activity status. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The submitter is trying to change activity status effects and limit the land use there is no justification for this. PF Olsen strongly opposes this submission point	Disallow submission points
47.121	ECO new rules	Add a new Table 2, which applies to clearance of indigenous vegetation outside of Significant Natural Areas as follows: ....	Oppose	The limits and rule structure that have been proposed are nonsensical and not realistic in a rural industry environment.	Disallow ALL of the submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
47.122	New ECO rule	Add a new rule to Table 2 for indigenous vegetation clearance for mineral extraction and quarrying activities is DIS. Where: <u>1. An assessment in accordance with Appendix 5 of the WRPS demonstrates that the clearance and disturbance is not within a Significant Natural Area not yet listed in Schedule 6.</u> <u>Where compliance with 1 is not achieved the activity is NC</u>	Oppose	The submitter is trying to include new rules regarding effects in SNAs without there being any certainty. Any amendment of the rule should not result in a non-conforming activity	Disallow submission points
47.123	New ECO rule	Add a new rule to the Ecosystems and Indigenous Biodiversity chapter that addresses setbacks for vegetation clearance from water bodies. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	This is inconsistent with the NES-PF.	Disallow submission points
47.124	General comment – protection of mobile fauna	Include provision for protection of bat habitats including corridors, and corridors of other highly mobile indigenous species. We suggest that Waitomo DC work with WRC and DOC and other bat specialists to identify Bat Protection Areas to be included as an overlay in the DP maps, and include appropriate statements in the DP Objectives, Policies and Rules.	Oppose	The submitter is trying to include a new rule regarding bat habitat without a proper legislative process, such as s 32 analysis. PF Olsen opposes to the relief sought as inconsistent with the RMA principles.	Disallow submission points
47.127	NATC-P2	Amend clause 5 as follows: “Ensuring that activities are carried out in a way that maintains or <u>improves water quality and ecosystems of indigenous biodiversity</u> ”  Amend clause 6 as follows: “Providing for the continued operation of lawfully established farming activities, <u>only where the operations do not adversely affect the qualities and values of wetlands, and lakes and rivers and their margins</u> ”	Oppose in part	The original wording is an appropriate measure. However, PF Olsen does support the inclusion of the word “improves” but this should be over a time period and likewise the proposed amendment to clause 6.	Allow in part the submission points
47.129	NFL-P4	Amend policy NFL-P4 as follows: 4. Add Sched 7 5. <del>Minimising</del> Avoiding the removal of indigenous vegetation <del>as far as practicable.</del> 6. Avoiding in the first instance or <del>minimising</del> remedying or mitigating adverse effects on natural character from the removal of indigenous vegetation. And Make consequential amendments to NFL-P4 to replace the term “minimise” with “avoid, remedy or mitigate.” And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The original wording of ‘minimising’ is an appropriate measure.	Disallow submission points
47.130	NFL Rules	Amend rules in the Natural Features and Landscapes chapter to ensure that adverse effects to be avoided under Policy 15 of the NZCPS are not caused through permitted activities. And Make all permitted rules in Outstanding areas RDIS or reduce the scale of activities by at least half of what is set out in proposed rules. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The current rule activity classes are appropriate to manage the effects of afforestation	Disallow submission points
47.131	NFL-R13	Amend the rule so that afforestation is a PR activity in Outstanding Natural features and NC in Outstanding landscapes. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The current rule set is appropriate to manage the effects of afforestation.	Disallow submission points
47.132	NFL-R14	Support with amendment Amend NFL-R14 to add a condition that this activity is not in the coastal environment and make it prohibited. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	These activities should not be prohibited – there are many reasons why harvesting may be required – e.g. fire, safety, windthrow. To make this prohibited is a nonsense.	Disallow submission points
47.133	NFL-R15	Delete NFL-R15. And Add a reference in the Natural Features and Landscape chapter to require compliance with rules in the ECO chapter as sought elsewhere in the submission. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The submitter is trying to change activity status effects and limit land use.	Disallow submission points
47.134	NFL-R17	Add a note to NFL-R17 under the rule that rules in the ECO chapter also apply to vegetation clearance. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	This is not required.	Disallow submission points
47.135	NFL-R19	Amend NFL-R19 so that the activities are not permitted in the coastal environment. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The submitter is trying to change activity status effects and limit the land use with no perceived justification. PF Olsen opposes to the relief sought as inconsistent with the RMA principles.	Disallow submission points
47.136	NFL-R20	Amend NFL-R20 so that afforestation is a PR activity in Outstanding natural features and NC in Outstanding landscapes. And Amend the required setback from the coastal marine area to 50m from the CMA to provide more stringent protection of the values of the coastal environment than would otherwise occur under clause 68(4)(c) the NES for Plantation Forestry. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The current rule set is appropriate to manage the effects of afforestation. However, the rule needs to either delete point 3 or amend points 1 and 2 to provide equity between the limits on plantation forest afforestation and indigenous vegetation afforestation, as per PF Olsen submission.	Disallow submission points

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
47.137	NFL-R21	Amend NFL-R21 to Add a condition so that replanting increases the setback from the CMA and waterbodies to at least 30 and that wildings are controlled between the forest and CMA/waterbodies. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The relief sought is inconsistent with the NES-PF, and there is no justification for the increased setback. Wilding trees can be managed under the regional pest management plan if they are not a NES-PF matter. Further, the limitation of 2 ha for plantation forest harvesting for an existing forest is not justified and not addressed in the s 32 analysis, it should be deleted.	Disallow submission points
47.161	CE-P9	Delete CE-P9	Oppose	The submitter relief sought is inconsistent with realistic rural industry activities and effects.	Disallow submission points
47.162	EW-Table 2 – Performance Standards	Amend EW-Table2-Performance Standards to Include an advice note that directs plan users to the WRC Erosion and Sediment Control Guidelines: <a href="http://waikatoregion.govt.nz/assets/WRC/WRC2019/TR0902.pdf">http://waikatoregion.govt.nz/assets/WRC/WRC2019/TR0902.pdf</a> And Any consequential changes or alternative relief to achieve the relief sought.	Support in part	The advice note may be helpful to some rural industries, but in no way should be mandatory or be worded to apply that intent. Any advice note should be generic rather than point to a particular publication which is not under the control of WDC.	Disallow submission points
47.163	General comment – earthworks provisions	Amend provisions in the Earthworks chapter to ensure that any permitted earthworks within SNAs not otherwise restricted by rules in the ECO chapter are limited to no more than 250m3. Earthworks exceeding this volume should be a Discretionary activity within SNAs. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The submitter relief sought is inconsistent with realistic rural industry activities and effects.	Disallow submission points
47.173	GRUZ-O1	Amend GRUZ-O1 as follows: <i>Ensure the inherent life supporting capacity, health and well-being of rural land, ecosystems, indigenous biodiversity, soil and water resources is maintained and where possible enhanced. And Any consequential changes or alternative relief to achieve the relief sought</i>	Oppose	“Ecosystems” includes “indigenous biodiversity” therefore the inclusion of “indigenous biodiversity” is not supported.	Disallow submission points
47.174	GRUZ-PI	<i>Add a new clause to GRUZ-PI as follows: 10. Ensuring the protection of indigenous vegetation and the habitats of indigenous fauna. And Any consequential changes or alternative relief to achieve the relief sought.</i>	Oppose	The submitter is trying to include land use limitations that are out of the scope of the policy – rural character and amenity.	Disallow submission points
47.176	GRUZ-R15	Delete or Amend GRUZ-R15 for consistency with new Rule ECO Rule A to D sought elsewhere in the submission. And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The deletion or amendment is not supported as the rule as it stands provides for acceptable levels of adverse effects from rural industry.	Disallow submission points
47.191	Schedule 6 Significant Natural Areas	Amend Schedule 6 Significant Natural Areas to include an advice note to read: <i>Within and beyond Schedule 6 areas, other criteria that are specifically listed against identified SNAs may also be met that were not apparent when significance assessments for Schedule 6 were undertaken. And Any consequential changes or alternative relief to achieve the relief sought</i>	Oppose	This amendment goes beyond SNAs.	Disallow submission points
47.192	APP - 4	Delete Appendix 4 wording and replace with the following: <i>The following sets out principles for the use of biodiversity offsets. These principles represent a standard for biodiversity offsetting and must be complied with for an action to qualify as a biodiversity offset:</i> 1 Adherence to effects management hierarchy. .... 2 Limits to biodiversity offsetting: ... 3 No net loss and preferably a net gain: ..... 4 Additionality: ..... 5 Like for Like: .... 6 Landscape context: ... 7 Long-term outcomes: ... 8 Time lags: ... 9 Trading up: ... 10 Offset in advance: ... 11 Proposing a biodiversity offset: ... 12 Science and matauranga Māori: ... 13 Stakeholder participation: ... 14 Transparency: .... And Any consequential changes or alternative relief to achieve the relief sought.	Oppose	The relief sought does not conform with the NPS-IB – do not re-iterate the NPS-IB – refer to Appendix 3 for the Principles for biodiversity offsetting.	Disallow submission points

Appendix 4 – PF Olsen Further Submission in Relation to Auckland/ Waikato Fish & Game Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought PF Olsen
18.4	ECO-P3	Support Retain as notified	Support	PF Olsen supports the relief sought by maintaining the policy as written initially as it is consistent with the RMA and NES-PF standards.	Allow submission points
18.7	ECO-R6	Amend as follows: <i>In the event of a track being destroyed by flooding or landslip or other natural hazard and there are no alternative options to obtain access to undertake existing farming activities, plantation forestry activities or to access an existing residential unit. Vegetation removal is limited to the area necessary to obtain access</i>	Support in part	The submitter seeks to limit the area of vegetation removal – while this is in general acceptable, it would be appropriate to ensure the amount of vegetation removal provides for “safe” access, which could include ensuring the track will remain stable by daylighting to enable drying.	Allow submission point as amended by the addition of the word “safe”.
18.15	NFL-R8	Seek an amendment for conservation activities or otherwise, bring the area allowed for earthworks to 500m2 in line with the NES-F.	Support	PF Olsen supports the area allowed for earthworks be consistent with the NES-PF standards for this activity.	Allow submission points.
18.24	SUB-Table 1: SUB R1.1-1.20 & SUB-Table 2	Amend SUB-R1.1-1.20 as follows: matters over which discretion is restricted... <i>(h) Reverse sensitivity effects including the adequacy of separation distances between building platforms and established rural-based activities (such as game bird hunting).</i>	Support	PF Olsen supports the inclusion of the example.	Allow submission points.



Appendix 5 – PF Olsen Further Submission in Relation to Manulife Forest Management New Zealand Ltd Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
8.1 to 8.44	All the provisions identified by the submitter.		Support	PF Olsen supports the relief sought by the submitter as the submission points align with PF Olsen's own submission.	Allow submission points where there is alignment with the PF Olsen submission

Appendix 6 – PF Olsen Further Submission in Relation to Waka Kotahi NZ Transport Agency Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
17.66	TRAN- Table 3	Support in part Amend provision by incorporating threshold for equivalent car movements onto the State Highway: Activities adjacent to the state highway network Any development, land use or subdivision located adjacent the state highway network. ITA Threshold Any activity exceeding 100 equivalent car movements per day requires an ITA.	Oppose	The submitter seeks to amend the provision to include a new threshold where there will be limitations to land use activities under specific rules. PF Olsen opposes to the relief sought as it raises the level of compliance and there is no basis for this.	Disallow submission points.
17.91	NOISE-P2	Support Retain as notified.	Oppose	Regulation 98 of the National Environmental Standards for Plantation Forestry provides for noise associated with plantation forestry activities. It is incorrect for the plan to regulate noise for plantation forestry activities.	Disallow submission points.

Appendix 7 – PF Olsen Further Submission in Relation to Federated Farmers NZ Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
46.2	Overlays, scheduled sites areas and features	Amend the plan in respect of overlays, scheduled sites and features identified on private property to: (a) Provide the opportunity for on-going mapping refinement and ground-truthing of scheduled sites, particularly SNAs including where a proposed activity requires a resource consent solely as a result of an area being identified as a significant natural area (SNA) and the site has not been ground-truthed, Council will meet the costs of the ground-truthing assessment to confirm the status and boundaries of the significant natural area. The assessment will be carried out by a Council approved suitably qualified and experienced ecologist prior to an application for resource consent being lodged. (b) ensure no changes are made to sites without landowner involvement.	Support	The proposed amendment is logical and will ensure SNAs are understood, valued and have been appropriately identified.	Allow submission points
46.4	HOW THE PLAN WORKS General Approach	Oppose with amendment Delete from the note on page 5 in the “How the Plan Works” chapter the words: <del>Any activity not expressly provided for within this plan is a non-complying activity.</del> Any consequential amendments required as a result of the relief sought.	Support	PF Olsen supports the relief sought by deleting the wording. The default to non-complying is a nonsense when land use activities (as legal premise) are permitted unless limited by particular rules.	Allow submission points
46.6	Definitions – farm airstrips and farm helipads	Retain	Support in part	The definition should be retained but amended also to include the use for plantation forestry purposes or all primary production activities.	Allow submission points and provide for plantation forestry
46.10	Definitions – Conservation activities	Support with amendment Amend the definition of ‘conservation activities’ to include the control and / or removal of any plants and animals that detract from the indigenous biodiversity values. And any consequential amendments required as a result of the relief sought.	Support	PF Olsen supports the inclusion of the control or removal of plants that detract from the indigenous biodiversity values. As This will be consistent with RMA principles of sustainable management of natural and physical resources provided by s 5.	Allow submission points.
46.11	Definitions – Regionally significant industry	Support with amendment Amend the definition of ‘regionally significant industry’ to ensure that primary production is given regionally significant industry status through: • the inclusion of primary production in the definition of regionally significant industries; or • the recognition of primary production as a regionally significant industry in the definition of primary production; or • the recognition of primary production as a regionally significant industry elsewhere in the plan And any consequential amendments required as a result of the relief sought.	Support	The submitter seeks to include and define the importance of primary production which is supported by PF Olsen	Allow submission points.
46.12	SD - NEW	Add to Chapter 16 Strategic Direction a new objective as follows: SD-OX – Rural industry and rural environments are recognised for the important role they play in the district’s economy and are protected from any negative effects from sensitive or incompatible activities that seek to establish adjacent to them And any consequential amendments required as a result of the relief sought.	Support	This is an important addition to protect the rural industry from reverse sensitivity.	Allow submission points.
46.16	SD-O30	Support with Amendment Amend SD-O30 to implement the relief sought by Federated Farmers for the definition of ‘regionally significant industry’ in other submission points. And Any consequential amendments required as a result of the relief sought.	Support	PF Olsen supports the relief sought by the submitter as the submission points align with PF Olsen's own submission.	Allow submission points.
46.23	Network Utilities – NU Rules	Support with amendment Amend the rules for Network Utilities to reconsider the permitted activity classification for rules which allow network utility activities to occur which will adversely impact on existing rural activities and operations. And Add a new matter of discretion for restricted discretionary and discretionary activities in the Network Utilities chapter that reads (or with wording to similar effect): the potential adverse effects on the operation of existing farming and rural activities located in the general rural and rural production zones And Any consequential amendments required as a result of the relief sought.	Oppose	PF Olsen opposed the change of the permitted activity status without a proper s 32 analysis.	Disallow submission points.
46.27	TRAN- R17 (4) and (10)	Oppose with amendment Amend TRAN-R17(4) and (10) to exclude the rural zone from the requirements of that standard. And Any consequential amendments required as a result of the relief sought.	Support	PF Olsen supports the relief seeking to exclude rural zones from the standard in the rule TRAN-R17.	Allow submission points.
46.33	HH - R13	Oppose with amendments	Support in part	PF Olsen opposes the relief sought because discretionary activity for Earthworks activity is too restrictive, especially when an Authority would also	Allow as amended by PF Olsen.

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
		Amend HH-R13 so that the activity status is restricted discretionary rather than discretionary. And Add matters of discretion to HH-R13 And Any consequential amendments required as a result of the relief sought.		be necessary from Heritage NZ. This should be a permitted activity subject to obtaining the appropriate Authority from Heritage NZ.	
46.43	SASM-R7	Support with amendment Amend SASM-R7(3) and (4) as follows: 3. The earthworks are for maintaining or upgrading existing fences on the same or similar alignment; and 4. The earthworks are for maintenance of existing driveways and existing farm tracks on the same or similar alignment; And Any consequential amendments required as a result of the relief sought.	Support in part	PF Olsen supports the amendment to the rule SASM-R7 (4) to include the wording existing forestry track as well as farm tracks. There is no reason to treat primary activities differently.	Allow submission points to include the wording existing forestry track also.
46.64	CE-02	Support with amendment Amend CE-02 to clarify that the wording encompasses on-going farming operations; And Retain CE-02 if it encompasses on-going farming operations. Or Amend CE-02 so that it specifically refers to the on-going operation of existing and lawfully established activities such as farming. And Add a policy for natural character which provides for the on-going operation of existing and lawfully established activities such as farming within natural character areas; And Any consequential amendments required as a result of the relief sought.	Support in part	PF Olsen supports in part the relief sought as it is directed only to farm activities. Primary activities should be treated equally across the District Plan.	Allow submission points as amended to apply to all primary industry.
Not identified in the summary of submissions	GRUZ-R17	Oppose	Support	PF Olsen supports the relief sought as afforestation is an activity covered by NES-PF and not a matter where the district plan can be more stringent than the NES-PF.	Allow submission points.

Appendix 8 – PF Olsen Further Submission in Relation to Heritage New Zealand Pouhere Taonga Submission

Submission #	Plan section /Provision	Original Submitter Point	PF Olsen Support/Oppose	PF Olsen Reason for Support/Opposition	Relief Sought – PF Olsen
3.89	HH-R13	Support That the discretionary activity status of “Earthworks ” is retained.	Oppose	PF Olsen opposes the relief sought because discretionary activity for Earthwork activity is too restrictive, especially when an Authority would also be necessary from Heritage NZ. This should be a permitted activity subject to obtaining the appropriate Authority from Heritage NZ.	Disallow submission points.
3.92	HH-R16	Support That HH-R16 and the non-complying activity status is retained.	Oppose	PF Olsen opposes that non-complying activity status for the destruction of a significant archaeological site is too restrictive. especially when an Authority would also be necessary from Heritage NZ. This should be a restricted discretionary activity subject to obtaining the appropriate Authority from Heritage NZ	Disallow submission points.
3.93	HH-R17	Support That HH-R17 and the non-complying activity status is retained.	Oppose	PF Olsen opposes the relief sought for plantation forestry activity within a significant archaeological site is non-complying activity, especially where there are already procedures in place and the Authority is shared with Heritage NZ. As plantation forestry within the PWDP is not defined, it is not possible to determine the adverse effect to be managed – It would be assumed that afforestation would be of concern whereas removal of plantation forest (harvesting) would be beneficial?	Disallow submission points.
3.108	SASM-P7	Support That SASM-P7 is retained.	Oppose	This is inconsistent with the NES-PF	Disallow submission points.
03.120	SASM-R7	Oppose in part That the activities that are part of SASM-R7 are merged with SASM-R8 to be assessed as a Restricted discretionary activity.	Oppose	This is inconsistent with the NES-PF	Disallow submission point.