

26 January 2024

Email: districtplan@mackenzie.govt.nz

Mackenzie District Council
PO Box 52, Main Street
Fairlie
Attn: *District Plan Team*

**Submission on the Proposed Plan Change 23/24/25/26/27
Mackenzie District Plan**

According to Form 5 under clause 6 of the First Schedule of the Resource Management Act 1991 (the Act):

1. PF Olsen professionally manages plantation forests in Mackenzie District, representing a relevant aspect of the public interest.
2. PF Olsen **could not** gain an advantage in trade competition through this submission.
3. PF Olsen wishes to be heard in support of its submissions.
4. If others make similar submissions, PF Olsen will consider presenting a joint case with them at the hearing.
5. PF Olsen's submission details are in the table located further in this document.

Please contact me to discuss any of the matters raised in this submission.

Yours sincerely

PF OLSEN LTD



Monique Bedim
Environmental Planner

Plan Change	Chapter	Plan Provision	Support/Oppose	PF Olsen's Submission Reason	Relief sought
23	Definitions	Commercial forest or commercial forestry	Support	The definition of commercial forestry is consistent with the NES-CF.	Retain the provision.
23	Definitions	Commercial forestry activity	Support	The definition of commercial forestry activity is consistent with the NES-CF.	Retain the provision
23	Definitions	Exotic continuous-cover forest or exotic continuous-cover forestry	Support	The definition is consistent with Section 3 of NES-CF.	Retain the provision.
23	Definitions	Exotic forest	Support	The definition is consistent with Section 3 of NES-CF.	Retain the provision.
23	Definitions	harvest of closed canopy	Oppose in part	The definition is very broad, it should be target wilding conifers trees to avoid confusion with any other type of trees or harvesting activity.	Amend to include the word wilding conifer after tree to narrow the scope of the provision.

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		wilding conifers			
23	Definitions	Land rehabilitation	Oppose in part	The provision directs that land rehabilitation after harvesting a closed canopy of wilding conifers be pasture only.. There is no justification for this requirement. This type of rule where it is conditional to one land use should be avoided.	Amend to align with measures provided in the NES-CF.
23	Definitions	Shelterbelt	Oppose in part	The definition diverts from the shelterbelt definition under Regulation 3 of the NES-CF	Amend to include the information where the shelterbelt is related to forestry activity the definition under Regulation 3 of NES-CF prevails.
23	definitions	Wilding conifer species	Oppose	Specifying wilding conifers is a regional council function under Regional Pest Management Plans.	Delete this definition and any further reference in the district plan.
23	definitions	woodlot	Oppose in part	The definition includes a stand of forest with proposed woodlot carbon sink. Carbon forests are covered under the NES-CF as exotic continuous-cover forests. A "woodlot" may be a planted forest of less than 1 ha.	Amend to exclude the exotic continuous-cover forests from the definition of woodlot and ensure consistency with the NES-CF.

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23 and 27	Natural Character	NATC-S1	Oppose in part	The proposed setbacks are inconsistent and divert from the setbacks for commercial forestry activities prescribed by the NES-CF. It is ultra vires for additional set backs to be required for natural character with the exception of afforestation.	Amend to exclude commercial forestry activities from the list of activities that need to follow the setbacks prescribed in this provision
23 and 27	Natural Character	NATC-R2	Oppose in part	The proposed setbacks are inconsistent with commercial forestry earthworks as per regulation 29 of the NES-CF.	Amend to include another exception for commercial forestry earthworks as they are regulated by the NES-CF.
23 and 27	Natural Character	NATC-R3	Oppose in part	The proposed setbacks are inconsistent with setbacks for commercial forestry activities that cover exotic continuous cover forests as prescribed by the NES-CF.	Amend to include an exception for exotic continuous cover forests as provided by the NES-CF.
23 and 27	Natural Character	NATC-R4	Oppose in part	Regulation 54 sets the setbacks for forestry quarries provided by NES-CF.	Amend to exclude commercial forestry quarries as they are regulated by the NES-CF.
23 and 27	Natural Character	NATC-1	Oppose in part	This table sets the general setbacks for wetland, lakes included in NATC-SCHED 1, Rivers Included in NATC-SCHED 1, and lakes and rivers are not included	Amend to exclude commercial forestry activities from this

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				<p>in NATC-SCHED 1. The rationale for these large setbacks is the introduction of human activity into riparian environments which can alter natural character values (S 32 report, p.37). Forestry activities already have an effective setback, where also a S32 Report was done, and was decided the setbacks from the NES-CF are quite efficient. There is no reason for imposing a higher setback for forestry activities and the council does not have this ability under the NES-CF.</p>	<p>provision, as they are regulated by the NES-CF.</p>
23 and 27	Natural Features and Landscapes	NFL-O2	Oppose in part	<p>The proposed objective specifically enables pastoral farming, managing pastoral intensification and agricultural conversion. It prioritises farming land activity over other primary production land uses. There is no plausible explanation in the S 32 Report that allows such exclusion of other primary production activities. This form of planning should be avoided</p>	<p>Amend to delete pastoral farming and include primary production activities. Also, delete pastoral intensification and agricultural conversion.</p>
23 and 27	Natural Features and Landscapes	NFL-O3	Oppose in part	<p>There is no explanation about this objective in the S 32 Report, and the policy is ambiguous. What does "Managing commercial forestry and woodlots" mean? .</p>	<p>Amend to clarify what this objective is trying to achieve. It seems redundant as NES-CF already</p>

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					provides for afforestation in relation to visual amenity.
23 and 27	Natural Features and Landscapes	NFL-P1	Oppose in part	<p>There is a great departure from the RMA section 5 of promoting sustainable management of natural and physical resources, as the sub policy 7 recognising the existence of working pastoral farms and their contribution to the outstanding natural features and landscapes of the Te Manahuna/Mackenzie District. Other features of working pastoral farms are also relevant – these include commercial forests which are defined as per the NES-CF and extend to areas of 1 ha.</p>	Amend to delete sub-policy 7 or also provide for commercial forests.
23 and 27	Natural Features and Landscapes	NFL-P8	Oppose in part	<p>The policy encouraging farming pastures in the Te Manahuna/the Mackenzie Basin ONL, besides being a departure for Part 2 of RMA, also encourages unequal treatment between farming and other land uses. These disparities not only violate the principles of social justice but also contradict the fundamental principles of equality enshrined in our legal system. Equal treatment under the law is a cornerstone of our society, and the existing discrepancies in land use policies undermine this principle.</p>	Amend to include other land uses that are suitable for Te Manahuna/the Mackenzie Basin ONL

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23 and 27	Natural Features and Landscapes	NFL-P9	Oppose in part	<p>The policy states: Manage the adverse effects of commercial forestry and woodlots in the Forestry Management Areas Overlay to recognise the significant landscape values". This is ambiguous. What is meant by managing adverse effects to recognise significant landscape values. Is the intent to manage adverse effects of commercial forestry to minimise adverse effects on the ONFL?</p>	Amend the policy to provide for appropriate commercial forestry effects on ONFL.
23 and 27	Natural Features and Landscapes	NFL-P10	Oppose in part	<p>The policy incorrectly presumes that pastoral farming is the only productive use of land (embedded in the definition of land rehabilitation). Prioritising one land use over other primary land uses should be avoided, and any policy outcomes should be effects based..</p>	Amend to focus on the enabling of harvest.
23 and 27	Natural Features and Landscapes	NFL-R7	Oppose in part	<p>The rule is flawed in that it provides for land rehabilitation but there are no performance standards for time frames, and it is based on the assumption that the land is suited to be returned to pastoral farming. . The rule is likely to result in perverse outcomes if land rehabilitation to pastoral land is required.</p>	Amend to focus the rule on timing of the operation.

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23 and 27	Natural Features and Landscapes	NFL-R10	Delete	The rule established a restricted discretion for any commercial forestry and woodlot activity in the Forestry Management Area. The Proposed FMA has been assessed and identified as second tier of ONF. If this is not ONFL then council does not have the ability to be more stringent than the NES-CF, except to control the location of afforestation.	Delete the provision.
23 and 27	Natural Features and Landscapes	NFL-MD2	Oppose in part	The matters of discretion for Wilding Conifer Management are excessive in relation to returning the land to pastoral grazing. This is inequitable for other primary production land uses.	Amend to delete (d) and (e).
23 and 25	General Rural Zone	GRUZ-O1	Support	Pprioritisation of primary production is essential for the social and economic development of the community.	Retain the provision.
23 and 25	General Rural Zone	GRUZ-O2	Support	Provides for primary production activities.	Retain the provision.
23 and 25	General Rural Zone	GRUZ-P1	Support	Provides for primary production activities.	Retain the provision.

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23 and 25	General Rural Zone	GRUZ-P2	Support	Recognises the economic importance of primary production.	Retain the provision.
23 and 25	General Rural Zone	GRUZ-P3	Oppose in part	The policy should apply to the reverse sensitivity effects of non-primary production activities, not be limited to non-farm development.	Amend the provision to apply to the reverse sensitivity effects of non-primary production activities.
23 and 25	General Rural Zone	GRUZ-P4	Support	The policy is consistent with the National Policy Statement for Highly Productive Land 2022	Retain the provision.
23 and 25	General Rural Zone	GRUZ-P5	Support	The policy is consistent with the National Policy Statement for Highly Productive Land 2022	Retain the provision.
23 and 25	General Rural Zone	GRUZ-P7	Oppose in part	Avoiding further planting douglas fir is inconsistent with the NES-CF. .	Amend 1. To exclude douglas fir.
23	General Rural Zone	GRUZ-R13	Oppose in part	The setback provisions should be in accordance with the NES-CF.	Amend the setback provisions to align with the NES-CF.

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23 and 25	General Rural Zone	GRUZ-S7	support	This is a sensible provision..	Retain.
24	Sites and Areas of Significance to Māori	SASM-P6	Oppose in part	There is no mention of other primary activity to be controlled, such as farming, near limestone outcrops, Māori rock art, and silent file areas to avoid damage to the integrity of these SASM.	Amend the policy to include primary productions on sub-policy 3.
24	Sites and Areas of Significance to Māori	SASM-R8	Oppose	There is a clear disproportional rule against commercial forestry turning this activity as non-complying. While regulation 6 of NES-CF permits the stringency, the District is required to assess whether the rule is necessary. The S 32 Report is very vague in this regard. It says the limestone outcrops were not considered outstanding natural features by the district Plan, therefore there is no legal course for the rule.,.	Delete the provision