

Form 5

SUBMISSION ON PUBLICLY NOTIFIED PROPOSAL FOR POLICY STATEMENT OR PLAN, CHANGE OR VARIATION

Clause 6 of Schedule 1, Resource Management Act 1991

To Mackenzie District Council

Name of Submitter: Port Blakely Limited (Port Blakely)

- 1 This is a submission on Plan Changes 23, 24, 25 and 27 (**Plan Changes**) to the Mackenzie District Plan.
- 2 Port Blakely could not gain an advantage in trade competition through this submission.
- 3 The specific provisions of the Plan Changes that Port Blakely's submission relates to and the reasons for Port Blakely's submission are set out in **Appendix A** and **Appendix B** below.
- 4 Port Blakely's submission relates to the whole Plan Change. The general and specific reasons for Port Blakely's relief sought in **Appendix B** are set out in **Appendix A**.
- 5 Port Blakely seeks the following decisions from the local authority:
 - 5.1 Grant relief as set out in **Appendix A and B**;
 - 5.2 Grant any other similar relief that would deal with Port Blakely's concerns set out in this submission.
- 6 Port Blakely wishes to be heard in support of the submission.
- 7 If others make a similar submission, Port Blakely will consider presenting a joint case with them at a hearing.

Signed for and on behalf of Port Blakely Limited by its solicitors and authorised agents Saunders & Co.



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26 January 2024

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APPENDIX A

OVERVIEW

1. Port Blakey Limited (**Port Blakely**) welcomes the opportunity to submit on Plan Changes 23, 24, 25 and 27 (**Plan Changes**) to the Mackenzie District Plan.
2. Port Blakely owns and manages the Raincliff and Pioneer Park forests, which are located within the Mackenzie District. The combined total area of the forests is 471 ha and its location is shown in **Appendix C**.
3. The National Environmental Standards for Commercial Forestry (**NES-CF**) provide a nationally consistent set of provisions to manage eight core plantation forestry activities that cover the full forestry life cycle, as well as three ancillary forestry activities and general provisions that apply to all plantation forestry activities.
4. The RMA contains provisions designed to address duplication and conflict between National Environmental Standards (**NES**) and local planning instruments. Some of the provisions in the Proposed Plan Change do not comply with RMA requirements regarding the need for jurisdiction and justification of local rules that are more stringent than a NES.
5. Where the NES-CF permits an activity, the RMA allows proposed local plans to specify additional terms and conditions for that permitted activity.¹ However, these extra terms and conditions must relate to effects which are not covered by the NES-CF. If the plan's terms or conditions deal with effects which are the same, the terms or conditions in the NES-CF prevail, except in the limited and discrete circumstances that satisfy the jurisdictional test and justification test of the RMA (discussed at paragraphs 12 and 13 below).
6. Summary of the main points of the submission
 - (a) Remove or amend rules stricter than the NES-CF that do not meet the jurisdiction, nor the justification tests in the RMA.
 - (b) Remove or amend objectives, policies and other rules in the Plan Changes for the reasons stated in **Appendix B** according to the relief sought by Port Blakely.
 - (c) The requirements of s32(4) RMA have not been satisfied with respect to the Plan Change rules addressed in Appendix B.

¹ RMA Section 43A(5)(a)(b)&(c).

7. Kindly refer to Appendix B for specific relief sought by Port Blakely in respect to the Plan Changes.

ABOUT PORT BLAKELY

8. Port Blakely is a member of the New Zealand Forest Owners Association and has internationally recognised certification for responsible forestry practices across all of its forests since 2003. Port Blakely is committed to a strong health and safety culture across their staff and contractors. Port Blakely seek to be good stewards of their land by embracing conservation agreements which enhance fish and wildlife habitats. They also encourage responsible forest management and are on-board with forest certification schemes such as the Forest Stewardship Council and the Sustainable Forestry Initiative. Port Blakely acknowledges its forests hold significant environmental, historic and recreational values in some areas and are privileged to be in a position to protect and where possible enhance those values with responsible forestry practices.

LEGAL FRAMEWORK

9. The RMA legal framework and how it relates to NES and district plans can be summarised as follows.
10. A NES will prevail over local rules (district or regional rules) where the NES and the local rules deal with the effects of the same activity.²
11. Local authorities must address any duplication or conflict between existing local rules and a NES by completing a so-called alignment exercise and amend the district or regional plan accordingly.³
12. Local rules can be more stringent than a NES, where the NES expressly provides for greater stringency, otherwise known as the jurisdiction test. With respect to district plans, local rules can be more stringent than the NES-CF if (relevantly):
- (a) The rule gives effect to an objective developed to give effect to the National Policy Statement for Freshwater Management (**NPS-FM**)⁴; or
 - (b) The rule provides for protection of areas of national importance, namely outstanding natural landscapes and features; or
 - (c) The rule provides for the protection of significant natural areas (**SNAs**)⁵; or

² RMA section 43A(5)(c).

³ RMA section 44A.

⁴ Reg 6(1)(a) NES-CF.

⁵ Reg 6(2)(b) NES-CF

- (d) The rule regulates afforestation.⁶
13. If a local authority intends to propose a local rule that is more stringent than a NES, the local authority must complete an evaluation that examines whether the restriction is justified in the circumstances of each region or district in which the restriction would have effect.⁷ This is known as the justification test, which should be contained in the section 32 Evaluation Report.

National Environmental Standard for Commercial Forestry

14. As mentioned above in paragraph 3, the NES-CF provide a nationally consistent set of provisions which cover the full lifecycle of forestry operations.
15. The NES-CF includes comprehensive permitted activity standards which are more targeted and specific to plantation forestry activities than existing regional and district plan rules. They are deliberately comprehensive and robust to ensure they do not permit an activity with significant adverse effects.
16. A key driver for the National Environmental Standard for Plantation Forestry (**NES-PF**), the predecessor of the NES-CF, was to address unwarranted variation across regions and districts in the management of plantation forestry under the RMA. This variation was creating significant operational and regulatory uncertainty for the forestry industry and leading to uncertain and inconsistent environmental outcomes.
17. This is reflected in the policy objectives of the NES-CF, which is to:
- (a) Maintain or improve the environmental outcomes associated with commercial forestry activities nationally; and
 - (b) Increase efficiency and certainty in the management of commercial forestry activities.⁸
18. The jurisdiction and justification tests set out in reg. 6(2) of the NES-CF and s32(4) RMA place legal constraints on the ability of the District Council to promote rules that are more stringent than the NES-CF.

PARTS OF THE PLAN CHANGE WHICH ARE STRICTER THAN THE NES-CF

Earthworks

⁶ Reg 6(4A) NES-CF

⁷ RMA section 32(4)

⁸ [National Environmental Standards for Commercial Forestry | NZ Government \(mpi.govt.nz\)](https://www.mpi.govt.nz/national-environmental-standards-for-commercial-forestry/) last accessed 27 November 2023.

19. This submission discusses different provisions regulating earthworks. Plan Change 27 amends earthworks provisions contained in the Chapter on General District-Wide Matters and the Earthworks sub-chapter. Plan Change 23 amends earthworks provisions in the Natural Features and Landscapes Chapter.
20. The NES-CF regulates earthworks carried out in relation to commercial forestry and permits the activities which meet the requirements in regulations 24 to 33. The Plan Changes do not align with these higher order regulations and instead creates another set of regulations on top of those contained in the NES-CF. As mentioned in paragraph 16, this is contrary to the policy objectives of the NES-CF.

Do the rules meet the jurisdiction test?

21. The permitted activity rules lists a number of different activities to which the rules in the Earthworks sub-chapter do not apply. Commercial forestry is not contained in this list.
22. Rule EW-R1, R2 and R4 requires all Earthworks Effects Standards be complied with in order for the activity to be permitted. The Earthworks Effects Standards do not meet the jurisdiction test, as these standards do not relate to any of the exceptions contained in Reg. 6 of the NES-CF.
23. NATC-S1 imposes stricter standards than the NES-CF in relation to earthworks carried out in close proximity to rivers, streams and other water bodies. NATC-S1 contains standards designed to limit visual amenity impacts, and possibly also soil erosion and the instability of land and impose stricter standards than the NES-CF. The District Council does have jurisdiction to impose stricter standards than the NES-CF in these areas, because it gives effect to an objective in the NPS-FM, namely the health and well-being of water bodies and freshwater ecosystems.⁹

Do the rules meet the justification test?

24. The Plan Change 23 s32 Report identifies that both the NES-FM and the NES-CF require a 10 metre setback from setback wetlands, rivers and streams, so imposing additional stringency means that the rules and standards in the NATC and EW will be conflicting with the NES's. The s32 Report correctly points out that a rule in a District Plan may be more stringent than the NES-CF if it gives effect to the NPS FM. However, there is no discussion as to why EW-S3, EW-S4 & EW-S5 should impose stricter standards than the measures indicated in reg. 29 of the NES-CF, or why these stricter standards are justified.

⁹ National Policy Statement on Freshwater Management, Objective (1)(a).

25. The NES-CF contains setbacks for earthworks carried out in riparian margins, harvesting activities, replanting and afforestation. These standards are deliberately targeted towards commercial forestry activities, to ensure activities do not have a significant adverse effect on the environment, including potential adverse effects on water quality arising from among other matters discharge of sediment to water bodies.

Relief sought:

26. Amend the list of permitted activities related to earthworks activities in the earthworks chapter and the natural features, landscapes and natural character chapter, to include earthworks carried out in relation to commercial forestry; or
27. Insert a new rule for earthworks associated with commercial forestry, permitting those activities where they comply with Regulations 24 to 33 of the NES-CF.

Forest Management Areas

28. This submission discusses the Forest Management Area overlay provisions contained in the Natural Features, Landscapes and Natural Character chapter of Plan Change 23.
29. The NES-CF regulates afforestation activities carried out in relation to commercial forestry and permits or restricts afforestation activities as per the requirements in regulations 10 – 14(1) & (2). The Plan Change has undertaken the identification and analysis of those landscapes that warrant protection as matters of national importance and those areas with unique visual characteristics within the District.
30. The NES-CF was amended to include provisions to implement the previous government's policy to plant the "right tree in the right place", specifically Reg 6(4A). The s.32 Report has considered the need for District specific stringency related to afforestation, hence the provisions related to the ONL's and FMA's within the eastern portion of the Mackenzie District. For these reasons the jurisdiction and justification arguments are met here.
31. However, the measures proposed by Plan Change 23 are an unnecessary duplication of the controls already provided by Regulations 15(3)(4) NES-CF. These regulations already allow District Plans to control the effects of afforestation on the visual amenity values of the visual amenity landscape, along with any future effects.
32. The effects of wilding pines are also adequately managed through Reg. 11, which requires foresters to carry out a wilding tree risk assessment as a permitted activity condition. Rule NFL-

R10 will unnecessarily duplicate this requirement, without providing any benefit to what is already being provided under the NES-CF.

33. The most efficient and effective method of ensuring visual amenity landscapes in the Mackenzie District are adequately protected is by amending the activity threshold of RDIS and consent requirements to align with Regulations 15(3)&(4) of the NES-CF.

Relief sought:

34. Amend the activity status of afforestation activities within Rule NFL-R10 to align with the NES-CF.

Wilding Conifers

35. Wilding conifer management is controlled via the NES-CF at the establishment phase and places ongoing management requirements on landowners.
36. Regulation 6(4A) of the NES-CF does allow District Plans to include stricter measures concerning afforestation. The Mackenzie District Council has decided to take action upon the significant threat wilding conifer species pose to fragile and unique environments within the District. However, the s32 Report is flawed in an important respect. It has not accurately identified the costs from implementing provisions in Plan Change 23 which target wilding conifers.
37. The S32 Report states that the wilding conifer species identified in the definitions section of the Plan are not commercially important species.¹⁰ Port Blakely respectfully disagrees with this, as *Pseudotsuga menziesii* (Douglas Fir) makes up a large portion of Port Blakely's estate and Port Blakely does have pockets of larch, as species mix within areas of the estate.

Relief requested

38. Amend provisions in the Plan Change to avoid duplication with the wilding conifer control provisions in the NES-CF.
39. Remove reference to *Pseudotsuga menziesii* (Douglas Fir) and European larch in the definition of wilding conifer species in Part 1, Definitions chapter.

Setbacks

40. This submission relates to setback provisions introduced by Plan Change 23 contained in the Natural Character Chapter and General Rural Zone Chapter.

¹⁰ Section 32 Report, Plan Change 23, Mackenzie District Plan Review, 4 November 2023, p.61.

41. The NES-CF regulates the potential effects from afforestation upon neighbouring land uses, SNAs and water bodies through the setbacks set out in Regulations 14 and 16.
42. GRUZ-R13 imposes a greater setback from neighbouring uses than the setback specified in Reg.14 and creates another set of regulations on top of those contained in the NES-CF. As mentioned in paragraph 16, this is contrary to the policy objectives of the NES-CF.
43. NATC-S1 requires setbacks from various waterbodies in the district for all activities. The setbacks are greater than what is currently required under the NES-CF for commercial forestry activities. The NES-CF allows rules in District Plans to contain more stringent standards in relation to values protected by the NPS-FM. However, the Mackenzie District Council is required to examine whether the restriction is justified in the circumstances of the district.
44. The s32 Report prepared by the Council makes no mention about why the setbacks from lakes and Rivers not included in NATC-SCHED1 warrant greater protection than that already provided by the NES-CF in relation to commercial forestry activities. This results in efficient duplication of rules upon the forestry industry, contrary to the purpose of the NES-CF.

Relief sought:

45. Amend setback distances in GRUZ-R13 to align with the NES-CF, Regulation 14(1)(a)-(d).
46. Amend NATC-S1 to include an exception for commercial forestry, stating that commercial forestry must comply with setback from waterways under the NES-CF.

OTHER RULES WHICH FORM PART OF THE SUBMISSION

Sites of Significance to Maori

47. Port Blakely recognises that tangata whenua and Ngāi Tahu consider all elements of the environment are culturally significant to them. We also understand the approach behind the drafting of the SASM, by using other provisions in the Plan to appropriately consider the protection of values associated with the SASM where an activity requires a resource consent application.
48. However, the NES-CF was developed to comprehensively manage the effects on the environment from commercial forestry and District Council should take care to carefully balance the need to recognise and protect the historical and cultural interests of Maori, alongside the need to avoid unnecessary duplication of rules where those effects are already regulated by higher order RMA documents.

Relief sought:

49. Port Blakey neither supports nor opposes the provisions in the SASM chapter, but wishes to reserve the right to speak at the hearing to be held on these matters.

Sensitive Activity Setback from Commercial Forestry

50. Port Blakely supports the GRUZ-S7 in part.

Relief sought:

51. Retain the increased setback requirements for new or alteration of existing residential units.
52. Amend to include accessory buildings and other permanent and non-permanent structures.
53. Amend the matters of discretion to include the risk of fire from the proposed activity on the existing lawfully established activity.
54. Amend to include means and provision for firefighting.

GENERAL RELIEF

55. Below is the relief sought by Port Blakely in relation to Plan Changes 23, 24, 25 and 27 to the Mackenzie District Plan:
- (a) That the Plan Changes be rejected in its current form;
 - (b) That the Plan Changes be amended to reflect the issues raised in this submission;
 - (c) That the Plan Changes be amended to incorporate the equivalent regulation of the NES-CF or otherwise amend or delete the rule so that the equivalent NES-CF regulation applies instead of the Plan Change rule;
 - (d) That the relevant Plan Change objectives and policies be amended as required to support and implement the particular relief described above; and/or
 - (e) Such other relief as may be required to give effect to this submission, including alternative, consequential or necessary amendments to the Plan Change that address the matters raised by Port Blakely.

APPENDIX B

The drafting suggested in this annexure reflects the key changes Port Blakely Limited (Port Blakely) seeks. Consequential amendment may also be necessary to other parts of the proposed provisions.

Port Blakely proposes the drafting in the below table and seeks that this drafting, or drafting with materially similar effect, be adopted by the Council.

Suggested amendments and alternative drafting is shown in track change:

- Port Blakely's requested insertions are shown using **red**.
- Port Blakely's suggested deletions are shown as red with an underline.

Sub #	Provision	Position	Relief requested	Explanation
Plan Change 24 Sites and Areas of Significance to Māori				
1.	SASM-O3 Use and Development in SASM Inappropriate subdivision, use and development within SASM is avoided.	Support in part, oppose in part		Port Blakely recognises the approach behind the drafting of the SASM, by using other provisions in the Plan to appropriately consider the protection of values associated with the SASM where an activity requires a resource consent application. However, the NES-CF was developed to comprehensively manage the effects on the environment from commercial forestry and District Council should take care to carefully balance the need to recognise and protect the historical and cultural interests of Maori and the need to avoid unnecessary duplication of rules where those effects are already regulated by higher order RMA documents.

2.	SASM-P6 Activities within SASM Manage the adverse effects of activities within SASM so that the values associated with that SASM identified in SASM-SCHED1, SASM-SCHED2, SASM-SCHED3 and SASM-SCHED4 are not compromised, by (relevantly): 1.Considering the effects of activities located within a SASM on the identified values when resource consent is required under other chapters of this District Plan; 3.Controlling activities including earthworks, irrigation, buildings requiring wastewater discharges, commercial forestry and tourism on, in, or in close proximity to, limestone outcrops, Māori rock art and silent file areas to avoid damage to the integrity of these SASM;	Support in part, Oppose in part		The NES-CF allows District Plans to be more stringent in situations set out in Reg 6. This regulation allows for District Plans to impose stricter rules that give effect to the National Policy Statement for Freshwater Management and rules that regulate afforestation. The areas identified as SASM could come inside the jurisdiction of reg 6, if their protection is necessary for the <i>Mana o te Wai</i>, a central concept underpinning the NPS-FM. These include areas which protect mahinga kai and cultural traditions connected to water ways. In addition, under the concept of <i>ki uta ki tai</i>, mountains, river catchment zones and their tributaries also come under the protection of the NPS-FM. There is doubt as to whether the rules are justified. The District Council in their s32 Report is required to examine whether the restriction is justified in the circumstances of that district. There is no discussion in the s32 Report of circumstances in the Mackenzie District which justifies stricter requirements needed to manage the effects on SASMs from commercial forestry.
Plan Change 23 General Rural Zone, Natural Features and Landscapes, and Natural Character				
3.	Part 1 Definitions Wilding conifer species	Oppose in part	Amend the definition of wilding conifer species to remove reference to Pseudotsuga	The s32 Report, at page 61, for Plan Change 23 is flawed and does not adequately consider the economic costs from the proposed change. It states the species of

			menziesii (Douglas Fir) and Larix decidua (European Larch).	wilding conifers identified are typically not planted commercially. Pseudotsuga menziesii (Douglas Fir) makes up a large portion of Port Blakely's estate and Port Blakely does have pockets of larch, as species mix within areas of the estate.
4.	NATC-R2 Earthworks and Stockpiles Activity Status: PER Where the activity complies with the following standards: NATC-S1 Activity Setbacks from Surface Waterbodies With the exception of earthworks associated with conservation activity, where no setback shall apply.	Oppose in part	Amend NATC-R2 to align with the standards contained within the NES-CF. Amend the list of activities exempt from the Earthworks rules, to include earthworks carried out in relation to commercial forestry; or Insert a new rule for earthworks associated with commercial forestry, permitting those activities where they comply with the NES-CF regulations.	The NES-CF regulates earthworks carried out in relation to commercial forestry and permits the activities which meet the requirements in regulations 24 to 33. The Proposed Plan makes no attempt to align itself with these higher order regulations and instead creates another set of regulations on top of the regulations already contained in the NES-CF. Under the NES-CF, when the earthworks no longer meet the permitted standards, it is the regional council that has jurisdiction to consider an application for a resource consent, not the territorial authority.
5.	NATC-S1 Activity Setbacks from Surface Waterbodies Activities shall be located outside the setback distance specified in Table NATC-1. Table NATC-1: Surface Waterbody Setbacks for Rural Zones Wetland – 50m	Oppose	Amend NATC-S1 to include an exception for commercial forestry, stating that commercial forestry must comply with setback from waterways under the NES-CF.	The NES-CF allows rules in District Plans to contain more stringent standards in relation to values protected by the NPS-FM. However, the Mackenzie District Council is required to examine whether the restriction is justified in the circumstances of the district. The s32 Report prepared by the Council makes no mention about why the setbacks from lakes and Rivers not included in NATC-SCHED1 warrant greater protection than that already provided by the NES-CF in relation to commercial forestry activities.

	Lakes included in NATC-SCHED1 - 100m Rivers included in NATC-SCHED1 - 20m Lakes and Rivers not included in NATC-SCHED1 - 15m			This results in efficient duplication of rules upon the forestry industry, contrary to the purpose of the NES-CF.
Plan Change 23 Natural Features and Landscapes, and Natural Character				
6.	NFL-O3 Forestry Management Areas The landscape values of Forestry Management Areas are maintained by managing commercial forestry and woodlots.	Oppose in part	Review appropriateness of the FMA overlay, particularly where the overlay area adjoins a different TA.	The effects of commercial forestry are already managed via the NES-CF.
7.	NFL-P9 Forestry Management Areas Manage the adverse effects of commercial forestry and woodlots in the Forestry Management Areas Overlay to recognise the significant landscape values.	Oppose in part		The effects of commercial forestry are already managed via the NES-CF.
8.	NFL-R5 Earthworks ONF, ONL Activity Status: PER Where:	Oppose	Earthworks related to commercial forestry activities are already managed via the NES-CF. Align rule framework with the NES-CF.	Earthworks in the NES-CF are managed by Regional Councils.

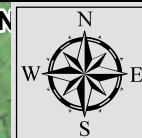
	1.Undertaken for the purpose of the maintenance and repair of existing fence lines, tracks, reticulated stock water systems (including troughs); or 2.Earthworks on any site shall not exceed 500m3 by volume and 500m2 by area per site in any 5-year period.			
9.	NFL-R10 Commercial Forestry and Woodlots FMA - Activity Status: RDIS Matters of discretion are restricted to: a. The visual amenity effects arising from the design, length, size, and siting of plantings. b. How plantings reflect and complement the landform patterns and shapes of the landscape. c. The extent to which the plantings satisfy the Landscape Guidelines in NFL-SCHED3. d. The effects arising from wilding conifer tree spread and any subsequent requirement for control.	Oppose	Align the activity status where the activity is to occur within a FMA amend from RDIS to Controlled, as per Regulation 15(3) of the NES-CF. Remove <u>(d) -Effects arising from wilding conifer tree spread.</u>	Wilding tree spread is comprehensively regulated by the NES-CF, and there is no need to duplicate regulations. Effects related to wilding conifer tree spread are regulated by Reg. 11, 16 and 17 NES-CF. If it fails to meet these standards, afforestation is a restricted discretionary activity under Reg. 16, with the matters of discretion set out in Reg. 17.

Rural Zones (PC23 and PC25)				
General Rural Zone				
10.	GRUZ-O1 Zone Purpose The General Rural Zone prioritises <u>primary production</u> and activities that support <u>primary production</u> , and provides for other activities where they rely on the natural resources found only in a rural location.	Support	Insert wording to the effect of encouraging land use practices, such as plantation forestry which mitigate the effects of climate change.	The objective should also include recognition of certain land uses which help mitigate the effects of climate change, especially activities which sequester carbon.
11.	GRUZ-P7 Wilding Conifers Reduce the adverse effects of wilding conifers on the rural land resource, including by: Avoiding the further planting of wilding conifer species; and Promoting land use activities that contain or eradicate wilding conifers in Te Manahuna / the Mackenzie District.	Oppose	Remove or amend.	Wilding conifer management is controlled via the NES-CF at the establishment phase and places ongoing management requirements on landowners. Additional rules via the Plan Change 23 are not required.
12.	GRUZ-R13 Commercial Forest and Woodlots Activity Status: PER Where: Conditions 1, 2, 3 and 4 are met	Oppose	Amend setback distances to align with the NES-CF, Regulation 14(1)(a)-(d) 1. Trees shall be set back a minimum of 50 40m from a residential unit or principal	Duplication of rules and standards for an activity already managed under the NES-CF.

	Activity status when compliance is not achieved with R13.1 to R13.4: RDIS		building on a separate site under different ownership. And Trees shall be set back a minimum of 15 10m from the boundary of a separate site under different ownership (unless that adjoining property is also commercial forest).	
13.	GRUZ-R21 Planting of any Wilding Conifer Species GRUZ – Activity Status NC	Oppose	Remove the rule in its entirety.	Wilding conifers are managed via the NES-CF.
14.	GRUZ-S7 Sensitive Activity Setback from Commercial Forestry Any new or expanded residential units and minor residential units shall be setback from lawfully established commercial forestry by not less than 50m. Advice Note: The establishment of residential units, or minor residential units on the same site as the commercial forest are exempt from this standard	Support in part Oppose in part	Retain the increased setback requirements for new or alteration of existing residential units. Amend to include accessory buildings and other permanent and non-permanent structures. Amend the matters of discretion to include the risk of fire from the proposed activity on the existing lawfully established activity. Amend to include means and provision for firefighting.	Port Blakely supports the GRUZ-S7 in part.

	Activity status where compliance not achieved: RDIS Matters over which control is reserved: Reverse sensitivity effects on the lawfully existing commercial forest activity. The risk to the proposed dwelling from fire.			
Plan Change 27 General District-Wide Matters - Earthworks				
15.	EW-R1 Earthworks for Maintenance or Repair of Existing Activities All Zones Activity Status: PER EW-R2 Earthworks General EW-R4 Earthworks not Specified in EW-R1, EW-R2 or EW-R3	Support in part	Amend to include earthworks undertaken in accordance with NES-CF.	The NES-CF regulates earthworks carried out in relation to commercial forestry and permits the activities which meet the requirements in regulations 24 to 33. The Plan Changes do not align with these higher order regulations and instead creates another set of regulations on top of those contained in the NES-CF. As mentioned in paragraph 16, this is contrary to the policy objectives of the NES-CF.

ASHBURTON



1:150,000

MACKENZIE DISTRICT

TIMARU DISTRICT

Saddle Peak Forest
2094 ha

Pioneer Park Forest
387 ha

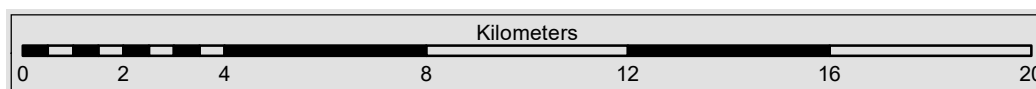
Raincliff Forest
84 ha

Geraldine Forest
5085 ha

Legend

- Port Blakely Ltd owned forests
- Territorial Authority Boundaries

Environment Canterbury Regional Council; Hurunui District Council; Waimakariri District Council; Timaru District Council; Waimate District Council; Mackenzie District Council; Otago Regional Council; LINZ; NIWA



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