

IN THE MATTER of the Resource Management Act 1991 (**RMA**)

AND

IN THE MATTER of Proposed Plan Change 1 to the Wellington Natural Resources Plan (NRP): Hearing Stream 3 – Rural Land Uses; Forestry and Vegetation Clearance; Earthworks

AND

IN THE MATTER of submissions, the subject of Hearing Stream 3

TO BE HEARD BY **GREATER WELLINGTON REGIONAL COUNCIL**

**PLANNING EVIDENCE OF CHRISTOPHER ADRIAN HANSEN
FOR GUILDFORD TIMBER COMPANY LIMITED,
SILVERSTREAM FOREST LIMITED AND THE GOODWIN
ESTATE TRUST**

5 MAY 2025

Solicitor Acting:
Mallett Partners
L12, City Chambers, PO Box 10341
142 Featherston Street, Wellington

Solicitor: Luke Walker
Tel: (04) 472 0022
E: luke.walker@mallett.co.nz

Counsel Acting:
Pherne Tancock
Harbour Chambers
L1 Wellington Free Ambulance Building
5 Cable Street, PO Box 10242
Tel: (04 499 2684

E: phernne.tancock@legalchambers.co.nz

Introduction

1. My name is Christopher Adrian Hansen and I am a Director in my own Company, Chris Hansen Consultants Ltd, which I established in 2010. I have over 44 years' experience in planning and resource management working for government agencies and multi-disciplinary consultancy companies. I provide a wide range of planning consultancy services including: advice and input into policy and plan preparation; preparation of resource consents; and advice on statutory processes. I have provided planning advice to a range of commercial and industrial sectors including transport; irrigation; utilities; hydro electricity generation; fertiliser; quarrying; retail and commercial; residential and coastal marine. I am a full member of the New Zealand Planning Institute, and I am a certified hearings commissioner.
2. I provide the following planning evidence on behalf of Guildford Timber Company Limited, Silverstream Forest Limited and the Goodwin Estate Trust ('**the submitters**' – submissions S210 and FS25) for Hearing Stream 3 (**HS3**) of submissions on Proposed Plan Change 1 to the Wellington Natural Resources Plan (**PC1-NRP**).
3. I reviewed PC1-NRP on behalf of the submitters and prepared and filed their submission S210 and further submission FS25.
4. Although not necessary in respect of council hearings, I can confirm I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the hearing committee. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

Overview of Submission S210

5. In PART ONE of their submission, the submitters made a number of general submission points relevant to HS3 concerning commercial forestry and the allocation of provisions

to the Freshwater Planning Process. These concerns were then carried through into PART TWO if their submission that addressed specific PC1-NRP provisions.

- By way of a context, in the Overview of their submission the submitters identified that large areas of its site in Silverstream/Pinehaven is mature commercial forestry (pines), that are due to be harvested in the short-medium term. The submitters also outlined their intention intend to develop parts of its land for residential and mixed-use activities as a post-harvest use of the land. **Figure 1** below shows the proposed re-zoning of its land that has been sought through Proposed Plan Change 1 to the Upper Hutt City District Plan¹. If successful with its rezoning request, the future staged development of the site proposes clusters of residential and mixed use (areas of yellow cross-hatched on Figure 1) activities and the Avro Road Precinct (area of orange cross-hatch) along the ridgeline that will require substantial earthworks. The remainder of the land will remain zoned rural and will be a mix of regenerating indigenous vegetation and commercial forestry on the slopes of the site.

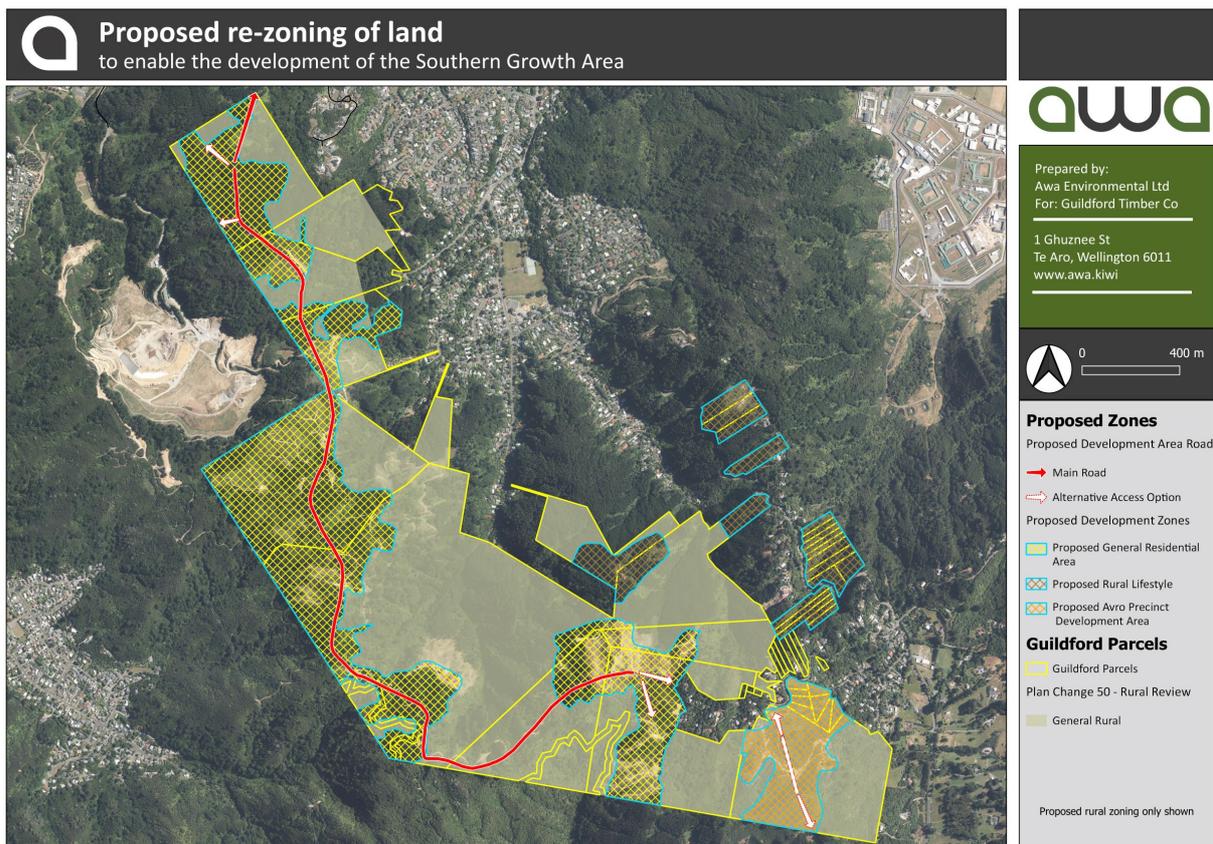


Figure 1: Proposed re-zoning of the submitter's site sought through PC50

¹ Figure one was included as Appendix A to submission S210 to PC1 – NRP.

7. Therefore, in relation to the matters being addressed in HS3, the submitters are particularly interested in provisions relating to commercial forestry (which includes rural land uses, earthworks and associated sediment discharges) and earthworks and associated discharges relating to future proposed residential and mixed-use activities.

PC1-NRP provisions relevant to this Planning Evidence

8. For efficiency purposes, I have divided my planning evidence into two parts:
 1. **PART ONE** addresses key matters raised by the submitters that have either been rejected, or accepted in part but have not been satisfactorily addressed, and
 2. **PART TWO** which for completeness summarises in table form the recommendations on submissions the submitters wish the Hearings Committee to accept; or the submitters wish to make no further response.

I only intend to speak to PART ONE matters at this hearing, and I have provided the table in PART TWO for your consideration during deliberations.

9. In PART ONE the following PC1-NRP provisions being addressed in HS3 are covered:
 - (a) General Comments – plantation forestry [S210.003]
 - (b) Allocation of provisions – definitions; Policy WH.P28; Rules WH.R17-WH.R22 [S210.004]; [FS25.018]; [FS25.019]; [FS25.023]; [FS25.026]
 - (c) Policy WH.P28 Achieving reductions in sediment discharges from plantation forestry [S210.034]
 - (d) Policy WH.P29 Management of earthworks [S210.035]
 - (e) Rule WH.R20 Plantation forestry – controlled activity AND Note above Rule [S210.0048]; [FS25.067]; [FS25.077]; [FS25.078]; [FS25.107]; [FS25.114]
 - (f) Rule WH.R24 Earthworks – restricted discretionary activity [S210.0052]; [FS25.056]; [FS25.097]; [FS25.099]
 - (g) Schedule 33 Vegetation Clearance Erosion and Sediment Management Plan [S288.023]; [FS25.108]

(h) Schedule 34 Forestry Erosion and Sediment Management Plan and Management Objective (4) [S210.054]

PART ONE

Structure of planning evidence

10. I have structured my planning evidence to address the following key points:
1. A brief summary of the key concern/points raised by the submitters in their submission and/or further submission and the relief they sought;
 2. The s.42A reporting officer's response and recommendations;
 3. My comment and recommendation.

General Comments – plantation forestry [S210.003]

11. In their general comments on plantation forestry provisions, the submitters considered the *Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2017 (updated November 2023) (NES-CF)* provided a consistent and clear process for forestry practitioners to manage forestry operations, including on sites susceptible to erosion. This remains a fundamental starting point for the matters raised by the submitters in relation to the forestry provisions contained in PC1-NRP.
12. The key points raised by the submitters included:
1. The provisions included in PC1-NRP add additional layers of requirements in policies and rules that are more restrictive to the updated NES-CF that are unjustified and unwarranted, and not required to implement the objectives of the NRP or National Policy Statement for Freshwater Management (**NPS-FM**);
 2. These additional provisions will cause additional costs and delays, and potential confusion around which rules need to be considered on site;
 3. PC1-NRP also provides for additional management practices and documentation for erosion and sediment control processes which are not occurring within 10m of a water body on areas that are identified by Greater Wellington Regional Council (**GWRC**) as having highly erodible soil;

4. The level of assessment under Schedule 34 is above and beyond what is required under the NES-CF and are onerous and unnecessary for managing commercial forestry resource management issue.
 5. The requirement to progressively reduce and cease plantation (commercial) forestry beyond the next harvest on the highest erosion risk land and then to provide an objective to restore and revegetate the site, with a presumably native permanent woody species, is also strongly opposed.
 6. Prohibiting forestry activity after the last harvest and then dictating through the schedule to not be able to consider other land uses for the site is a totally inappropriate use of the plan making tools available to manage resource management issues.
-
13. The submitters sought as relief that the NES-CF be used as the basis of management of commercial forestry in the Wellington region and the rules restricting plantation (commercial) forestry rules are deleted.
 14. The s.42A Forestry and Vegetation Clearance Report (para.343; page 77) summarises the submitter's concerns. While the Officer recommends retaining rules more stringent than the NES-CF as I outline below, they also recommend substantive amendments to provisions in PC1-NRP which respond to the submitters concerns about inappropriate use of plan making tools, lack of consideration of costs, benefits and property rights which in my opinion is related to PC1-NRP provisions which sought to prevent or restrict land use (Policies WH.P28, Rules WH.R22 and the Management Objectives in Schedule 34). The Officer notes this removes any prohibition or prevention on the use of land for commercial forestry activities which in their view is consistent with the main concerns of this submitter. The Officer therefore recommends this submission be accepted in part.
 15. I acknowledge that the Officer has made recommendations that address a number of concerns raised by the submitter, and in particular the recommendation to delete prohibited activity Rule WH.R22. I address the other recommendations to specific provisions relevant to S210.003 either below in my planning evidence, or in the table in PART TWO.

16. In terms of the reasons for the recommendation to retain more restrictive rules, the Officer provides these in paragraphs 200 – 205 of the s.42A Forestry and Vegetation Clearance Report. In principle, I do not have any issue with the reasons provided and the fundamental need to manage the effects of forestry activities that contribute to fine suspended sediment in waterways. I also note that Council is able to adopt more stringent rules in its plan than provided for in the NES-CF.²
17. Notwithstanding this, in my opinion Council needs to have good reason why more stringent rules are required, and has to introduce a planning regime which will meet the intended environmental outcomes sought and follows best planning practice. In relation to the latter point, in my opinion it is critical for any alternative planning regime to be able to be understood and followed using the ‘normal person’ test, and does not require technical or other expertise in order to interpret what the planning regime is. In other words, the fundamental principle is that a ‘normal person’ may be able to look at plan provisions and be able to easily work out if a resource consent is required for any activity they propose to undertake. If the planning regime is so complex that this is not possible, then in my opinion best planning practice is not being achieved.
18. As the Hearing Committee will know, the purpose of the NES-CF is to provide nationally consistent regulations to manage the environmental effects of commercial forestry associated with afforestation; pruning and thinning to waste; earthworks; river crossings; forestry quarrying, harvesting; mechanical land preparation; replanting; ancillary activities relating to slash traps and indigenous and non-indigenous vegetation clearance; and discharges, disturbances, diversions, noise, dust, indigenous bird nesting, and fuel storage and refuelling, which are referred to in the general provisions and conditions. Each activity has a comprehensive set of conditions for permitted activities to meet, otherwise restricted discretionary activity resource consents are required.
19. The submitter’s Forestry Manager, Mr Rillstone, provides an overview in his evidence of the current process he goes through with GWRC under the NES-CF. It is my

² Clause 7 of RM (NES-CF) Amendment Regulations 2023

understanding that the Forestry Management Plan and notification process Mr Rillstone uses under the NES-CF is efficient, cost-effective, and working extremely well for the commercial forestry activities he undertakes on the site.

20. With this in mind, my concerns regarding the Officer's recommendations relate to two key planning matters:
1. Firstly, what I will call the 'planning mechanism' (including the Note and new explanatory text above Rule WH.R20) being used to determine whether a resource consent is required;
 2. Secondly, whether the planning instruments (amended Policy WH.P28 and Rule WH.R20) being recommended to implement the planning mechanism are the most efficient and effective way to achieve the intended outcome which I understand to be ensuring the effects of forestry activities that contribute to fine suspended sediment in waterways are managed.

Recommended Planning Mechanism

21. In my opinion, the key to understanding the planning mechanism is found in the recommended amendments to Policy WH.P28 and the recommended amendments to the Note and new explanatory text above Rule WH.R20. Please note I address more specific concerns in relation to Policy WH.P28 and Rule WH.R20³ later in my evidence.
22. The recommended amendments to Policy WH.P28 are as follows (~~red text to be added; red strikethrough~~ to be deleted):

Policy WH.P28 - Achieving reductions in sediment discharges from ~~commercial plantation~~-forestry
"Discharges of sediment from **commercial forestry** shall be **minimised** by: ~~Reduce discharges of sediment from plantation forestry by:~~
~~(a) identifying highest erosion risk land (plantation forestry), and~~
(a) requiring the resource consent application to demonstrate that erosion and any discharge of sediment will be **minimised**, having regard to the quality of the receiving environment; particularly in part **Freshwater Management Unit's** where visual clarity TAS are not met or there is a downstream receiving environment that is sensitive to sediment accumulation; and
(b) improving management of ~~plantation~~-commercial forestry by requiring ~~erosion and sediment management plans~~ forestry management plans to be prepared and complied with.
~~(c) requiring that on highest erosion risk land (plantation forestry), plantation forestry is not established or continued beyond the harvest of existing plantation forest."~~

³ The full recommended amendments to Rule WH.R20 are provided in para. 60 below.

23. This amendment changes the notified intent of the policy being to reduce sediment discharges from commercial forestry activities (through the notified controlled activity Rule WH.R20) to applying a greater level of scrutiny and control over these activities by giving regard to the quality of the receiving environment, introducing a more stringent consenting process as determined through the TAS framework, and improved forestry management plan preparation and compliance.

24. The Note above Rule WH.R20 and recommended new explanatory text⁴ is as follows:

Note

Rules WH.R20, ~~WH.R21 and WH.R22~~ prevails over the following Regulations of the Resource Management (National Environmental Standards for ~~Commercial Forestry Freshwater~~) Regulations 2023~~0~~:

Part 2 Regulation of ~~commercial plantation~~ forestry activities

Subpart 1—Afforestation

Regulations 9(2), 10, ~~10A~~ 14(3), 15(5), 16(2), 17(1), 17(3), and 17(4)

Subpart 3—Earthworks

Regulations 24 to 35

Subpart 6—Harvesting

Regulation ~~63~~(2), 64, as far as these apply to a Regional Council, 65 to 69, 70(3) and (4), and 71

Subpart 7—Mechanical land preparation Regulations 73(2), 74, and 75

Subpart 8—Replanting

Regulations 77(2), ~~77A~~, 78(2), and (3), ~~78A~~, 80, and 81(3) and (4)

Subpart 9—Ancillary activities

~~Regulations 89 and 90~~ Regulation 95, as far as this applies to a Regional Council **Subpart 10—**

General provisions (including discharges of sediment)

Regulation 97(1)~~(a)~~, (b), ~~(c)~~, (d), (e) and (f) ~~and (g)~~

“Where the most recent Wellington Regional Council monitoring record demonstrates the measure of visual clarity for the relevant catchment meets the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 8.4, **commercial forestry activity** is regulated by the Resource Management (National Environmental Standards for Commercial Forestry) Regulations 2023”.

25. The recommended amendments to the Note above Rule WH.R20 and to the rule itself shifts commercial forestry activities from a controlled activity subject to conditions to a restricted discretionary activity with matters of discretion based on whether the visual clarity TAS of the relevant part Freshwater Management Unit (pFMU) is being met.

⁴ Recommended in the s.42A Forestry and Vegetation Clearance Report in response to EDS submission S222.059

26. On the face of it, it would appear the recommended planning mechanism is simple and clear – i.e. if your proposed commercial forestry activities are located within the relevant pFMU that the most recent monitoring shows is meeting the visual clarity TAS included in Table 8.4, you can continue to operate under the provisions of the NES-CF. Otherwise, Rule WH.R20 prevails over the activities covered by NES-CF provisions listed in the Note above.
27. For completeness, I note the provisions of the NES-CF that Rule WH.R20 does not prevail over relate to the following activities:
1. Wilding tree risk and control
 2. Pruning and thinning to waste
 3. River crossings
 4. Forestry quarrying
 5. Exotic continuous-cover forests
 6. Slash traps
 7. Disturbance of a wetland associated with commercial forestry
28. In my opinion, the recommended planning mechanism has a number of key planning issues – firstly, the resource user does not know if they require a consent until they have located the most recent monitoring records for the monitoring site within the pFMU closest to them, and those records show the visual clarity TAS is not being met. Bearing in mind the life of the NRP is 10 years (or longer), there is a possibility that previously the TAS had been met, but for reasons that may not be relevant to the resource user (i.e. other land use activities within the pFMU), the TAS may not be met at the current time, and therefore a restricted discretionary resource consent would be required under Rule WH.R20. Furthermore, it is not inconceivable that once a resource user has gained approval under the NES-CF to undertake commercial forestry activities (such as harvesting part of a site), they are then advised that a restricted discretionary activity resource consent is required because the most recent monitoring has found the visual clarity TAS in the pFMU is not being met. To add to the uncertainty, future monitoring may show the TAS is being met again, and the resource user didn't need to apply for a

resource consent after all. In my opinion, the above scenarios create significant uncertainty to the resource user.

29. I acknowledge that the current suspended fine sediment attributes at the nearest monitoring site to the submitter's site (Hull Creek adjacent to Reynolds Back Rd) has a baseline and TAS of A, which means currently the NES-CF provisions are applicable. There is no guarantee that the "A" TAS can be maintained, particularly in time with likely increase and changes in land use activities in the Silverstream/Pinehaven area in the pFMU upstream of Hull Creek in the future.
30. Secondly, the recommended amendments require that if there is a change in condition of the pFMU, any listed commercial forestry activities will be regarded as requiring a restricted discretionary activity consent, (regardless of whether any previous commercial forestry activities have been undertaken), or if those activities have contributed to the degradation of the visual clarity TAS in the pFMU. As I understand it, the contribution of sediment loads from commercial forestry activities has not been assessed as part of the Whaitua Implementation Programme (**WIP**) and therefore are not fully understood at this stage.⁵
31. Thirdly, the planning mechanism makes no distinction regarding the location, scale or level of effects the proposed activity has, but rather determines a restricted discretionary resource consent is required because the most recent monitoring records the visual clarity TAS is not being met in the pFMU. This is, in my opinion, inappropriate and unacceptable, is not effects based and does not represent good planning practice. There will be commercial forestry activities that due to their location on a site away from any waterways, or small-scale nature that would have little or no uncontrolled sediment discharges into waterways, that can be appropriately provided for by the NES-CF but would be captured by the planning mechanism recommended. This would be particularly true for the submitters site which is over 300ha and has a distance of approx.. 6km from the eastern to the western boundary meaning that many normal commercial forestry activities will not located anywhere near a waterway.

⁵ Para. 193; page 46 of s.42A Forestry and Vegetation Clearance Report

32. Fourthly, when considering collectively the recommended amended wording of Clause (a) in Policy WH.P28 which refers to “... *particularly in part Freshwater Management Unit’s where visual clarity TAS are not met or there is a downstream receiving environment that is sensitive to sediment accumulation*” (my emphasis added) and the recommended wording in Rule WH.R28 which refer to “...*where the most recent Wellington Regional Council monitoring record measure of visual clarity for the relevant catchment does not meet the target attribute state at any monitoring site within the relevant part Freshwater Management Unit set out in Table 8.4...*” it is confusing in terms of how this should be interpreted.
33. For example, in the case of the submitters site (Silverstream Forest) which drains into Hull Creek (which has a visual clarity TAS of A), is it the nearest monitoring site is relevant, or is the Hutt River at Boulcott further downstream in the same pFMU that is not meeting the visual clarity TAS (it has a baseline state of C and TAS A) is the relevant point of measurement trigger? If it is the latter, then this would mean that any commercial forestry activity (regardless of scale or distance to waterways) on the submitter’s site will automatically require a restricted discretionary resource consent.
34. It is also not clear when or how a downstream receiving environment that is sensitive to sediment accumulation, may affect any restricted discretionary activity resource consent required. For commercial forestry, timber is a product that needs to be harvested within a certain window. It is not economical (or safe) to simply cease harvesting the forests entirely, but this activity status suggests the ability to decline those consents – leaving no viable way to log.

Recommended Planning Instrument

35. Following on from the key planning issues I have raised above regarding the appropriateness of the planning mechanism, I also question whether the planning instrument, being restricted discretionary activity Rule WH.R20, is the most efficient and effective way to achieve the intended outcome (which I understand to be ensuring the effects of forestry activities that contribute to fine suspended sediment in waterways are managed). In my view, requiring the listed forestry activities that occur within part

of the FMU where the most recent monitoring records the visual clarity TAS is not being met, (regardless of the location, scale or effects of the activity), is not the most efficient and effective planning instrument to be used.

Overall, in my opinion the recommended planning mechanism being the reliance on the most recent monitoring shows the visual clarity TAS in a pFMU is not met combined with the planning instruments being recommended amended Policy WH.P28 and Rule WH.R20 create significant uncertainty and further confusion, and are likely to capture the listed forestry activities regardless of their location, scale or adverse effects of fine suspended sediment. Furthermore, in my opinion adopting these planning instruments also creates a duplication in regulations as there is potential for some forestry operators to have to comply with both the NES-CF and NRP, particularly where the NES-CF has recently been updated and introduced. These NES-CF regulations and standards are very detailed and require the forest operator to restrict activities to protect water quality, which is the same intent as PC1-NRP. I am concerned that GWRC is adding another layer of regulation over an already detail set of regulations that will not provide any better environmental results from a planning perspective, but will add time and cost delays to the forestry operator. GWRC already has a consenting and compliance role under the NES-CF, and I therefore fail to see what resource management issue GWRC considers needs to be addressed, particularly when sediment loads from forestry have not been assessed as part of the modelling work for the WIP nor assessed from any technical work supported by the PC1-NRP to date (as I have discussed above).

36. To resolve these issues of confusion and duplication, I consider the most appropriate way is to delete these provisions from the NRP and instead rely upon the newly updated NES-CF which require restricted discretionary activity consents where the permitted activity standards are not met for commercial forestry activities that may create suspended sediment. In my opinion the recommended amendments to Policy WH.P28 and restricted discretionary Rule WH.R20 are redundant in light of the provisions of the NES-CF.
37. However, in the event that the Hearing Panel do decide to regulate these activities via the NRP, in my view at the very least Policy WH.P28 and Rule WH.R20 need to be substantially re-drafted to address any resource management matters that are not

already regulated by the NES-CF. For example, if a concern GWRC is that it has no ability to recommend changes to a forestry management plan prepared under the NES-CF, a permitted activity rule could be drafted and included in PC1-NRP to address this concern. Permitted activity standards could: require the forestry management plan to be submitted 20 working days prior to any forest harvest or vegetation clearance activities require information to be provided meets the requirements of Schedule 3,5 and 6 of NES-CF; required changes adopted; require a notice of commencement of works be provided etc. to mirror the NES-CF process that is currently working well. If the forestry management plan is not adequate, GWRC could then require a restricted discretionary activity consent under various provisions of the NES-CF.

38. In addition, if the Hearing Committee are of the mind to continue with the approach of whether the visual clarity TAS is met or not met to determine if commercial forestry activities require a resource consent, I would recommend the current use of the broad pFMU is replaced by using the more defined drainage catchments as the geographical area. As an example relevant to the submitter's site, I have included as **Annexure 2** a figure showing the TAS monitoring sites, pFMUs and drainage catchments surrounding the Silverstream Forest site.
39. Recommendation: I recommend the Hearings Committee reject the Officer recommendation to accept in part S210.003 and to amend Policy WH.P28 and Rule WH.R20 as I have described above, and adopt the following approach to resolve the concerns I have raised above regarding the uncertainty and appropriateness of the planning mechanism and duplication concerns of the planning instruments recommended:
1. Delete these provisions from the NRP and instead rely upon the newly updated NES-CF;
 2. If the Hearing Panel decide to retain the provisions, substantially re-drafted Policy WH.P28 and Rule WH.R20 to address any resource management matters that are not already regulated by the NES-CF, including a permitted

activity rule to mirror the NES-CF but included ‘added effects’ not dealt with in the NES-CF permitted activity standards;⁶

3. If the Hearing Committee decides to continue with the visual clarity TAS approach, replace the broad pFMU by using the more defined drainage catchments as the geographical area.

Allocation of provisions – definitions; Policy WH.P28; Rules WH.R17-WH.R22 [S210.004]; [FS25.018]; [FS25.019]; [FS25.023]; [FS25.026]

40. The submitters expressed concern that a number of provisions of PC1 that relate to plantation (commercial) forestry and vegetation clearance are incorrectly allocated as Freshwater Planning Process (FPP) provisions. The submitters consider it is unclear how plantation (commercial) forestry activities in line with the NES-CF (2023) are allocated to the FPP. The submitters supported in their further submission (FS25.018; FS25.019; FS25.023) Winstone Aggregates (S206.022; S206.025; S206.058) and in their further submission (FS25.026) Transpower NZ Ltd (S177.040) who raised similar concerns.
41. In particular, the submitters noted:
 - The definition of Afforestation, Harvesting, Mechanical land preparation, Replanting, Vegetation Clearance for the purpose of the plantation (commercial) forestry rules, that all come from the NES-CF (updated November 2023) but have been allocated to the FPP. The primary aim of these regulations is forestry not freshwater;
 - Policy WH.P28; Rules WH.R20; WH.R21 and WH.R22 controlling plantation (commercial) forestry are all allocated to the FPP process;
 - Rules WH.R17; WH.R18 and WH.R19 relating to vegetation clearance are all allocated to the FPP process.
42. The submitters sought deletion of the allocation to the FPP the definitions, policies and rules relating to plantation (commercial) forestry covered by *Resource Management*

⁶ I intend to provide some suggested wording at the hearing of my evidence.

(National Environmental Standards for Commercial Forestry) Regulations 2017 (updated November 2023) and vegetation clearance, identified above.

43. All three reporting Officers (Mr Willis (Rural Land Uses); Mr Watson (Forestry and Vegetation Clearance); Ms Vivian (Earthworks) have agreed with the categorising of provisions to the FPP originally undertaken in the s.32 Evaluation Report and make no changes. The s.42A Forestry and Vegetation Clearance Report (para. 65; pages 16-18) recommends S210.004 be rejected on the basis that the Officer agrees with the categorisation of the PC1-NRP vegetation clearance and forestry provisions and supporting definitions and maps to the FPP undertaken when PC1-NRP was notified. The reason given for this is that these provisions relate to freshwater with a primary focus to manage land use activities to protect freshwater and give effect to the NPS-FM. The Officer considers they should form part of the FPI, consistent with s.80A(2)(d) RMA.
44. Interestingly, the Officer recommends submissions by Winstone Aggregates and Transpower NZ Ltd who sought the same relief be accepted in part.
45. In relation to the definitions, I am still concerned that Afforestation, Harvesting, Mechanical land preparation, Replanting, Vegetation Clearance for the purpose of the plantation (commercial) forestry rules, that all come from the NES-CF (updated November 2023) but have been allocated to the FPP. In particular I do not consider it appropriate to apply the NES-CF definitions which have specific context to commercial forestry activities to a broader range of activities non-commercial forestry orientated.
46. In relation to Policy WH.P28, this is a key policy which I discuss in detail in other parts of my evidence. This is a more stringent test that required by the NES-CF in order to meet the objective of PC1-NRP.
47. In relation to Rule WH.R20, as I address the appropriateness of this rule from a planning instrument perspective above, and I do not see what is it necessary or whether it will achieve any better environmental outcomes that the detailed provisions of the NES-CF, which include restricted discretionary activities. I recommend above a substantial re-

drafted Policy WH.P28 and Rule WH.R20 to address any resource management matters that are not already regulated by the NES-CF, including a permitted activity rule to mirror the NES-CF but included ‘added effects’ not dealt with in the NES-CF permitted activity standards;

48. In relation to Rules WH.R17, WH.R18,⁷ and WH.R19⁸ the Officer recommends deleting these rules and returning to the NRP rules on the basis that there is insufficient evidence to link them. As I understand it, by default this will mean the rules are not FPP as those rules also provide for coastal water. I therefore support the officer recommendation, and I note and support the return to Schedule 1 process for these activities as a consequence of this recommendation.
49. In relation to Rules WH.R21 and WH.R22, the Officer recommends these be deleted⁹, and I support this recommendation. The submitters concerns have therefore been met in regards to these provisions.
50. Recommendation: I recommend the Hearing Panel accepts S210.004 and FS25.018; FS25.019; FS25.023; FS25.026, and adopts the following amendments:
 1. Delete the Afforestation, Harvesting, Mechanical land preparation, Replanting, Vegetation Clearance definitions from being allocated to the FPP;
 2. Substantially re-drafted Policy WH.P28 and Rule WH.R20 to address any resource management matters that are not already regulated by the NES-CF, including a permitted activity rule to mirror the NES-CF but included ‘added effects’ not dealt with in the NES-CF permitted activity standards;
 3. Accept the Officer recommendation to delete Rules WH.R17, WH.R18, and WH.R19 and return them to the NRP rules;
 4. Accept the Officer recommendation to delete Rules WH.R21 and WH.R22.

⁷ Para. 114, page 29; para. 115; page 30 of s.42A Forestry and Vegetation Clearance Report

⁸ Para. 127, page 32 of s.42A Forestry and Vegetation Clearance Report

⁹ Para. 223, page 54 and para. 233, page 56 of s.42A Forestry and Vegetation Clearance Report

Policy WH.P28 Achieving reductions in sediment discharges from plantation forestry
[S210.034]

51. The submitters opposed the general intent of Policy WH.P28 that has direct relevance to their commercial forestry operations. In particular, the submitters:
1. Sought commercial forestry activities to be managed through the NES-CF which they consider are appropriate and justified;
 2. Questioned the differences in the mapping of erosion risk land and the quality of the mapping which is poor and it is difficult to tell where the high erosion risk land (plantation (commercial) forestry) areas shown on Map 95 start and finish on the submitter's site due to the pixelation that occurs when zooming in on a particular area;
 3. Opposed Clause (c) that seeks to prohibit new and continuing (after harvesting) of plantation (commercial) forestry on highest erosion risk land (plantation forestry), which leads to prohibited activity Rule WH.R22;
 4. Noted the intent of Clause (c) is carried through into Schedule 34.
52. The submitters sought the following action/ amendment in relation to Policy WH.P28:
1. The mapping of 'highest erosion risk land (plantation forestry)' be deleted, or amended and improved to a higher quality so that when zooming in on the map a resource user can easily determine where the areas are located on a site;
 2. Deletion of Clause (c).
53. The s.42A Forestry and Vegetation Clearance Report (para. 174; page 42) references the concerns raised by the submitters in S210.034 and recommends it be accepted in part. In particular Clause (c) is recommended to be deleted and amendments to the policy requires sediment from commercial forestry to be minimised by demonstrating erosion and any sediment discharge is minimised having regard to the quality of the receiving environment and particularly the FMU's TAS, and improving management of commercial forestry through Forest Management Plans.

54. I note the s.42A Forestry and Vegetation Clearance Report suggests that S210.034 sought deletion or amendment to the mapping OR deletion of Clause (c), – I note this was incorrect, for the record the relief sought in the submission was not either/or but both.
55. I support the Officer’s recommendation that Clause (c) of Policy WH.P28 be deleted. I consider this is appropriate and agree with the reasons included in the Officer’s commentary on this matter. I also support the approach this has been recommended to address the mapping issue recommended by Mr Willis in the s42A Rural Land Use Report and included in my table in PART TWO of my evidence.
56. I do not support the recommended amendments to the policy (refer to para. 22 above) that introduces the planning mechanism to determine when a restricted discretionary activity resource consent, as discussed in relation to submission S210.003 above.
57. Recommendation: I recommend the Hearings Committee accept the Officer recommendations to accept S210.034 in part and delete Clause (c) and to address the mapping issues as recommended by Mr Willis, and reject the Officer’s recommendations to amend Policy WH.P28 for reasons discussed in relation to submission S210.003 above.

Policy WH.P29 Management of earthworks [S210.035]

58. The submitters supported the managing of the risk of sediment discharges from earthworks using best practise management which is considered reasonable and pragmatic. The submitters sought for the intent and wording of Policy WH.P29 to be retained as written.
59. The s.42A Earthworks Report (Page 21) recommends the submission be accepted in part, and recommends the following amendments to Policy WH.P29:
1. The Chapeau is amended by replacing ‘*risk*’ with ‘*adverse effects*’ – this is because policies should seek to manage effects and not risks generally;

2. Clause (a) has been amended to read: “*Requiring retention of **uncontrolled** soil and sediment to the land using good management practices for erosion ...*” – this is to ensure policy does not apply to those remaining discharges following appropriate treatment via sediment control devices;
3. A new Clause (e) is added reading: “*minimising works required during the close-down period (from 1st June to 30th September each year)*” – this is to provide policy direction to the amendments proposed to Rule WH.R24.

60. While I support the Reporting Officer’s recommendation to amend the Chapeau and Clause (a) I do not support the recommendation to add a new Clause (e) which I presume is to fill the policy void resulting from the recommendation to delete Policy WH.P31. I am advised by Mr Rillstone that higher rainfall and moisture content is likely to be higher in the spring period from October to December which further questions what is trying to be achieved with the recommended Clause (e). In my opinion, this new clause is not justified or necessary.

61. Recommendation: I recommend the Hearing Committee accept the Officer recommendation to amend the Chapeau and Clause (a) but reject the recommendation to add a new Clause (e) and accept the submitter’s submission on this point.

Rule WH.R20 Plantation forestry – controlled activity [S210.048]; [FS25.067]; [FS25.077]; [FS25.078]; [FS25.107]; [FS25.114]

62. The submitters opposed the controlled activity status for plantation (commercial) forestry not on high erosion risk land (pasture) or highest erosion risk land (pasture) subject to the conditions and matters of control listed as they consider the matters being provided for by the rule are already appropriately controlled through the NES-CF, which has just been through a review process and has been updated accordingly. The submitters do not consider there is any justification for PC1 addressing these matters as this adds a further layer of unnecessary bureaucracy and seek the rule to be deleted in its entirety. Planting is a key means of managing erosion risk on erosion prone land.

63. In the event that GWRC decline this submission point, the submitters sought Rule WH.R20 to be amended to be consistent with, and not more restrictive than, the NES-CF. The submitters also sought for better mapping as addressed in Submission Point #3 of their submission, and opposed to this rule being allocated to the FPP process given that it does not directly relate to freshwater and is relevant to NES-CF and NPS-IB should properly be part of the Schedule 1 process.
64. The submitters sought the following:
1. Delete Rule WH.R20 in its entirety; or as an alternative and if it is retained - Amend Rule WH.R20 to be consistent with, and not more restrictive than, the provisions of the NES-CF; and
 2. Address the mapping issues identified in their submission, and
 3. Remove Rule WH.R20 from the allocation of the provision from the FPP as discussed in relation to S210.004 above.
65. In their further submission FS25.067, the submitters opposed EDS S222.064 that sought discretionary or restricted discretionary activity status for Rule WH.R20. In FS25.077 & FS25.078 ii supported NZ Farm Forestry Assoc. S195.005 & S195.029, and in FS25.107 & FS25.114 it supported China Forestry Group NZ Ltd S288.001 & S288.069 as this submission sought similar outcomes as the submitters in their submission.
66. The s.42A Forestry and Vegetation Clearance Report (Pages 17; 45) recommends S210.048 be accepted in part, and for rules more stringent than NES-CF to be retained (i.e. Rule WH.R20 reclassified from controlled to restricted discretionary with the addition of vegetation clearance (forestry) and replanting) to address the risk of sediment from forestry contributing to fine suspended sediment not meeting TAS in pFMUs where TAS is not being met (see amended Rule WH.R20 below - red text to be added; red text ~~striketrough~~ to be deleted).

Rule WH.R20 - ~~Commercial Plantation forestry – controlled activity~~ **restricted discretionary activity**

*“Afforestation, harvesting, earthworks, **vegetation clearance (forestry), replanting** or **mechanical land preparation for commercial plantation forestry**, and any associated discharge of sediment to a surface water body, where the most recent Wellington Regional Council monitoring record measure of visual clarity for the relevant catchment does not meet the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 8.4, is a restricted discretionary activity. ~~providing the following conditions are met:~~*

~~(a) the land is not **high erosion risk land (pasture)** or **highest erosion risk land (pasture)** that was in pasture or scrub on 30 October 2023, and~~
~~(b) an **erosion and sediment management plan** has been prepared in accordance with Schedule 34 (forestry plan), certified and submitted with the application for resource consent under this rule, and~~
~~(c) the concentration of total suspended solids in the discharge from the **plantation forestry** shall not exceed 100g/m^3 , except that, if at the time of the discharge the concentration of total suspended solids in the receiving water at or about the point of discharge exceeds 100g/m^3 , the discharge shall not, after the **zone of reasonable mixing**, decrease the visual clarity in the receiving water by more than:~~
~~(i) 20% in **River class 1** and in any river identified as having high macroinvertebrate community health in Schedule F1 (rivers/lakes), or~~
~~(ii) 30% in any other river, and~~
~~(d) the most recent Council monitoring record demonstrates that the measure of visual clarity for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Tables 9.1 and 9.2.~~

Matters of discretion

- ~~1. The content and implementation of the **forestry erosion and sediment management plan(s)**, including the actions, management practices and mitigation measures necessary to ensure that soil erosion and the discharge of sediment will be **minimised** and will not increase the average annual sediment load for the **part Freshwater Management Unit** in which the **plantation forestry** is located~~
- ~~2. Adverse effects, including cumulative and localised adverse effects, on:~~
 - ~~(i) **surface waterbodies** and coastal water, and particularly sites (outstanding water bodies), Schedule C (mana whenua), Schedule F (ecosystems and habitats with indigenous biodiversity), Schedule H, (contact recreation and Māori customary use), and Schedule I (important trout fishery rivers and spawning waters), and~~
 - ~~(ii) **group drinking water supplies** and **community drinking water supplies**~~
- ~~3. **The area, location and methods employed in the plantation forestry**~~
3. The monitoring, record keeping, reporting and information provision requirements for the holder of the resource consent (including auditing of information) to demonstrate and/or monitor compliance with the resource consent and the **forestry erosion and sediment management plan(s)**
4. The timing, frequency and requirements for review, audit and amendment of the **forestry erosion and sediment management plan(s)**”

67. I note the Officer recommends EDS submission S222.064 be accepted, and the NZ Farm Forestry Assoc. S195.005 & S195.029 and China Forestry Group NZ Ltd S288.001 & S288.069 be accepted in part.

68. I have discussed above in relation to S210.003 the issues with Rule WH.R20 applying when the visual clarity TAS is not being met. While in principle the Officer has simplified the provisions relating to forestry activities to one policy, one rule and the additional explanatory text preceding the rule, in my opinion there are a number of planning issues with the recommended approach.

69. In particular, the s.42A Report does not make it clear why a more restrictive rule is required that the originally notified controlled activity status. While I accept that there are areas where the visual clarity TAS is not met and needs to be improved, (as I have

discussed in para. 30 above), my understanding is that the contribution of sediment loads from commercial forestry activities has not been assessed as part of the Whaitua Implementation Programme and therefore are not fully understood at this stage. As a result it is questionable whether there is a sufficient evidential basis to justify or establish the need for these provisions, or for the Hearing Panel to be confident that the additional limits proposed by GWRC in PC1-NRP are warranted, (or needed to control sediment loads associated with commercial forestry's effect on water quality) particularly given that the NES-CF has recently been reviewed and updated by Government and is in the early stages of being implemented.

70. The experience of Mr Rillstone as outlined in his evidence¹⁰ is that the current process of using the Forestry Management Plan process that includes providing a harvest notice to GWRC that provides for feedback and changes is effective and efficient and results in good outcomes for the forestry operator and the environment. In my opinion, there needs to be compelling reasons that demonstrate that the current process is not working, and that an additional regulatory process as recommended is necessary.
71. I have raised a number of planning concerns regarding the planning mechanism and planning instruments recommended by the Officer in my evidence above in relation to S210.003. These concerns, particularly regarding the significant uncertainty for the resource user, are relevant to the matters raised by submitter in this submission. I have recommended possible solutions to address these uncertainty concerns in relation to S210.003 above.
72. The other two matters related to mapping which I have discussed in para. 49 above, and the allocation of Rule WH.R20 to the FPP which I have discussed above in relation to S210.004 (allocation of provisions to FPP).
73. Recommendation: I recommend the Hearing Committee reject the Office recommendation to accept in part S210.048 and FS25.067; FS25.077; FS25.078; FS25.107; FS25.114 and:

¹⁰ Section 4.2 – 4.6; pages 3 - 5

1. Substantially re-drafted Policy Rule WH.R20 (along with Policy WH.P28) to address any resource management matters that are not already regulated by the NES-CF, including a permitted activity rule to mirror the NES-CF but included 'added effects' not dealt with in the NES-CF permitted activity standards;;
2. Amend the mapping as recommended by Mr Willis as discussed in relation to Policy WH.P28 (S210.034) above;
3. Amend the PC1-NRP provisions that have been allocated to the FPP as sought in Para. 50 above.

Rule WH.R24 Earthworks – restricted discretionary activity [S210.052]; [FS25.056]; [FS25.097]; [FS25.099]

74. While the submitters supported the restricted discretionary activity status for earthworks and associated discharges subject to the conditions and matters of discretion listed which were considered reasonable and pragmatic, they opposed the shut-down period for earthworks included in condition (b) and the preparation for closedown matter of discretion (8). These requirements are considered onerous and will delay developments, result in unnecessary costs and are not required with the standards set in Policy WH.P30. There does not appear to be sufficient rationale to justify the shut-down period. The submitters noted that winter works are totally appropriate to be undertaken if the soil type provides for this and sufficient management of earthworks controls are provided to manage effects, and or during construction a contractor has demonstrated they can work effectively in these conditions and the project requires works in this period. This is regularly based on the performance of a contractor, winter works are able to be undertaken and in many cases is allowed for and assessed as being acceptable in resource consent applications.

The submitters sought the intent and wording of Rule WH.R24 to be retained as written, except for the deletion of Clause (b) in its entirety.

75. In their further submissions FS25.056; FS25.097; and FS25.099 the submitters supported Taranaki Whānui S286.088, Fulton Hogan Ltd S43.017, and David McKevitt

S190.004 respectively, as these submissions sought the deletion of Clause (b) from Rule WH.R24.

76. While the s.42A Earthworks Report does not specifically identify the submitters S210.052 nor their further submission FS25.056; FS25.097; and FS25.099 on this rule, in Appendix 5 to the Report the Officer recommends the submission and further submissions be rejected, and the s.42A Earthworks Report recommends the following amendments to Clause (b) of Rule WH.R24 (red text to be added):

(b) **earthworks** shall not occur between 1st June and 30th September in any year **where works are located within a Part Freshwater Management Unit where the target attribute state for suspended fine sediment in Table 8.4 is not met**

77. I refer to the comments I have made above in para. 54 in relation to Policy WH.P29 which provides the policy direction to this rule. I note in Policy WH.P29 the intention is that works would be minimised during the close-down period between 1st June and 30th September, and I provided reasons why I did not see the need for this policy direction.

78. I have two key planning concerns regarding the recommended amendment to Clause (b) of the rule:

1. Firstly, in my opinion the recommended amendment is contrary to the policy direction in WH.P29 that intends to '*minimise*' works during the close-down period, whereas Clause (b) in effects any earthworks during this period. There is no policy justification for this approach.
2. Secondly, the recommended amendment to Clause (b) adopts the visual clarity TAS planning mechanism that I have a number of significant concerns about, as discussed above in relation to S210.003.
3. Thirdly, it creates uncertainty as to whether development may or may not occur in a particular year (for example if construction occurs that breaches the limit, then that may mean other construction must cease), making it difficult to plan development, and will increase significant holding costs of development should development not be able to go ahead.

79. Recommendation: I recommend the Hearing Panel reject the Officer recommendation to reject the submitters request in its submission and further submissions to delete Clause (b) in its entirety, and accept S210.052 and FS25.056; FS25.097; and FS25.099 and amend PC1-NRP accordingly.

Schedule 33 Vegetation Clearance Erosion and Sediment Management Plan [S288.023]; [FS25.108]

Schedule 34 Forestry Erosion and Sediment Management Plan and Management Objective (4) [S210.054]

80. In relation to Schedule 33, the submitters supported in their further submission FS25.108 the original submission by China Forestry Group S288.023 that expressed concern that Schedule 33 in PC1-NRP to manage forestry creates confusion and overlaps between the existing NES-CF requirements and PC1-NRP, and sought Schedule 33 be deleted and replaced with Schedules 3, 4 and 6 of the NES-CF.
81. In relation to Schedule 34, the submitters considered the requirements for sediment management plans relates to commercial forestry erosion is also overly onerous and would cause significant costs and potential delays in getting the management plan approved. The submitters consider the sediment management plan requirements should reflect the sediment management approach included in the NES-CF.
82. The submitters also opposed Management Objective 4 which is implemented through Clause (c) of Policy WH.P28, as discussed in relation to S210.035 above in my evidence.
83. In relation to Schedule 33, while the s.42A Forestry and Vegetation Clearance Report does not specifically identify S288.023 or FS25.108 on Schedule 33, in Appendix 5 to the Report the Officer recommends the submission and further submission be accepted in part, and the s.42A Earthworks Report recommends the Schedule 33 be deleted and replaced with Schedules 5, 6 and 8 of the NES-CF.

84. In relation to Schedule 34, the s.42A Forestry and Vegetation Clearance Report (para.s 250, 251; Page 59) acknowledges the submitters concerns and agrees that Schedule 34 as notified is unnecessary as the detail required is less than Schedule 3, 4 and 6 of the NES-CF. The Officer recommends deleting Schedule 34 and replacing it with Schedules 3,4 and 6 of the NES-CF.
85. In relation to Management Objective 4, the s.42A Forestry and Vegetation Clearance Report (para. 261; Page 61) acknowledges the concerns raised by the submitters, and recommends the deletion of Management Objective 4 which implies retirement or revegetation with permanent forest is required post-harvest.
86. While I agree with the recommendations to delete Schedules 33 and 34, and I acknowledge the submitters supported submitters would seek the inclusion of Schedules 5, 6 and 8 of the NES-CF into the NRP, on reflection I can't see the point of including these schedules that are required to be met under the NES-CF anyway. This duplication seems pointless. Perhaps the solution would be a Note stating that the NES-CF schedules will apply in an appropriate location within the NRP?
87. Recommendation: I support Officer's recommendations to delete Schedules 33 and 34, and Management Objective 4, and would seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. I do not support the Officer's recommendations to replace Schedules 33 and 34 with Schedules 5, 6 and 8 of the NES-CF, and would seek instead the Hearings Committee insert a note in an appropriate location within the NRP that records that these schedules apply.

PART TWO

88. As discussed above, the table in Annexure 1 summarises the other matters the submitters raised in their submission and further submission, and for the record whether the submitters seek the Hearings Committee to accept the recommendation included in the relevant s.42A Report, or whether the submitters have no further response to the matter being addressed.

A handwritten signature in blue ink, appearing to read "Chris Hansen", is enclosed in a light gray rectangular box.

Chris Hansen

5 May 2025

Annexure 1 PC 1 to Planning evidence

| Submission /Further Submission No. | Relief sought | S.42A Officer recommendation | Comment |
|--|---|--|--|
| <p>S210.006 Interpretation Earthworks</p> <p>[Page 20 of <u>Earthworks</u> s.42A Report]</p> | <p>Seeks definition of 'earthworks' (subject to update to the new NES-CF) be retained as currently written.</p> | <p>Recommendation: accept submission S210.006</p> <p>Recommendation is to correct definition to refer to NES-CF.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>S210.007 Definitions:</p> <ul style="list-style-type: none"> • Highest erosion risk land (plantation forestry) • Highest erosion land (woody vegetation) <p>[Pages 66; 67 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Seek deletion or amendment to be consistent with and take same approach as NES-CF; improve mapping of Highest erosion risk land (plantation forestry) and Highest erosion land (woody vegetation) to a higher quality so a resource user can clearly determine where relevant area is on the Maps 94 & 95.</p> | <p>Recommendation: accept in part submission S210.007</p> <p>Recommendation is to delete the definitions of Highest erosion risk land (plantation forestry) and Highest erosion land (woody vegetation). Agree with Mr Willis (author of Rural Land Use s.42A Report) that mapping should be retained that is suitable for guiding plan users to areas where erosion risks are expected to be higher and further site-specific assessment should be undertaken. A new definition for 'potential erosion risk land' is recommended.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> <p>I also support Mr Willis' recommendation regarding how Mapping can be improved [see discussion on FS25.002 below].</p> |

| | | | |
|--|--|--|--|
| <p>S210.101 Interpretation Stabilisation</p> <p>[Page 20 of <u>Earthworks</u> s.42A Report]</p> | <p>Seeks definition of 'stabilisation' be retained as currently written.</p> | <p>Recommendation: accept submission S210.101</p> <p>Recommendation is no amendment to definition.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>S210.019 Method M44 – Supporting the health of rural waterbodies</p> <p>[Pages 17 – 19, 23 of <u>Rural Land Uses</u> s.42A Report]</p> | <p>Seek the intent and wording of Method M44 to be retained as written or updated to include reference to investigating the extension of rates relief to District Council rates.</p> | <p>Recommendation: accept in part submission S210.019</p> <p>Recommendation is to amend wording of Method M44 (provided below after this table) – key points are:</p> <ul style="list-style-type: none"> • Wetlands have been included as sought by EDS – no reason is given? • Plantation forestry has been deleted – recommendation of Watson that forestry addressed in separate methods • No consideration of rates relief request. | <p>I note submission S210.009 is not identified in the s.42A Rural Land Use Report, but is recorded in Appendix 3 to that report. Plantation Forestry has been deleted from Method M44, with reliance on amendments to forestry provisions to rely on the NES-CF recommended by Watson.</p> <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>S210.036 Policy WH.P30 Discharge standards for earthworks</p> <p>[GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report]</p> | <p>Seek the intent and wording of Policy WH.P30 to be retained as written.</p> | <p>Recommendation: accept in part GTC's submission</p> <p>Recommended amendments are:</p> <ul style="list-style-type: none"> • The amount of sediment that can be discharged from earthworks over an area greater than 3,000m² in Clause (a) is amended from "100g/m³" to "170 Nephelometric Turbidity Units (NTU)" – this is to reflect the nature of earthwork activities; | <p>I understand the 170 NTU is essentially the same measurement as 100g/m³, and therefore I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |

| | | | |
|---|--|---|---|
| | | Clause (a) is also amended to read “... <i>at a point of discharge where the discharge is to a surface water body, coastal water, (including via a stormwater network) or to ...</i> ” – this is to clarify the policy only applies to where the discharge is to water, not a stormwater network. | |
| S210.037 Policy WH.P31 Winter shut down earthworks [Submission S210.037 is not referenced in the <u>Earthworks s.42A Report</u>] | Seek Policy WH.P31 to be deleted in its entirety. | Recommendation (in Appendix 3 of Report): accept S210.037 Recommendation is Policy WH.P31 be deleted. | I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |
| S210.045 Rule WH.R17 [Page 19 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Seek the intent and wording of Rule WH.R17 to be retained as written, subject to better mapping as addressed in Submission Point #3 in S210. | Recommendation: accept in part submission S210.045 Officer notes support for rule, as well as issues with mapping – agrees with mapping concerns and references evidence of Nation regarding difficulties with mapping – Officer prefers definition of erosion prone land in NRP (‘land with a pre-existing slope of 20 degrees’) used for vegetation clearance. Permitted activity status retained, but significant amendments to rule that reinstates NRP erosion prone land rules R104 and R105 (see amended Policy WH.P28 below after this table). Officer also notes in | I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |

| | | | |
|--|--|---|---|
| | | para.80 (page 20) of s.42A Report that vegetation clearance rules are not intended to cover commercial forestry (these activities covered by Rule WH.R20). | |
| S210.046 Rule WH.R18 [Pages 21; 28 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Seek the normal plantation (commercial) forestry operations to be exempt from Rule WH.R18. | Recommendation: accept in part submission S210.046 Officer notes the submitter's concern that notified 200m ² threshold too restrictive, and an exemption sought. Officer also notes in para.80 (page 20) of the s.42A Report that vegetation clearance rules not intended to cover forestry (these covered by Rule WH.R20). Recommendation is for Rule WH.R18 to be deleted and replaced with a rule that is specific for vegetation clearance related to renewable energy generation. | I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |
| S210.047 Rule WH.R19 [Page 31 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Seek the intent and wording of Rule WH.R19 to be retained as written. | Recommendation: reject submission S210.047 Recommendation is for substantive changes be made to Rule WH.R19 to re-write Rule R107 of the NRP into PC1. | I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |
| S210.049 Rule WH.R21 | Seek the following: <ul style="list-style-type: none"> Delete Rule WH.R21 in its entirety; or as an alternative and if it is retained; | Recommendation: accept submission S210.049 | I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |

| | | | |
|--|--|---|--|
| <p>[Pages 17; 55 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <ul style="list-style-type: none"> • Amend the activity status of Rule WH.R21 to restricted discretionary activity, with the matters of discretion restricted to the one or more conditions of Rule WH.R20 that cannot be met, and to be consistent with, and not more restrictive than, the provisions of the NES-CF; and • Remove Rule WH.R20 from the allocation of the provision from the FPP as discussed in Submission Point #4 in S210. | <p>Recommendation is for Rule WH.R21 to be deleted in its entirety.</p> | |
| <p>S210.050 Rule WH.R22</p> <p>[Pages 56 - 58 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <p>Seek the deletion of Rule WH.R22 in its entirety.</p> | <p>Recommendation: accept submission S210.050</p> <p>Recommendation is that Rule WH.R22 be deleted.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>S210.051 Rule WH.R23</p> <p>[Submission S210.051 is not referenced in the <u>Earthworks s.42A Report</u>]</p> | <p>Seek the intent and wording of Rule WH.R23 to be retained as written.</p> | <p>Recommendation: accept in part submission S210.051</p> <p>Recommendation amendments are:</p> <ul style="list-style-type: none"> • Additional wording are added to the Chapeau so it reads: <i>"Earthworks and the associated discharge of sediment and/or flocculant into a surface water body or coastal water or onto or into land where it may enter a surface water body or coastal water, including via a stormwater network, ..."</i> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |

| | | | |
|---|--|---|--|
| | | <ul style="list-style-type: none"> • Clause (c) (iv) is deleted as this clause has been added to the Chapeau above. <p>A new permitted activity Rule WH.R23A Minor earthworks associated with infrastructure is recommended to be added.</p> | |
| <p>S210.053 Rule WH.R25</p> <p>[Submission S210.053 is not referenced in the <u>Earthworks s.42A Report</u>]</p> | <p>Seek the recategorizing of the non-complying activity status of Rule WH.R25 to discretionary activity.</p> | <p>Recommendation: accept submission S210.053</p> <p>Recommendation is for the activity status to be changed from non-complying to discretionary as it is considered the earthworks activities that cannot meet the requirements of Rule WH.R24 may still be able to be managed in a way that effects are less than minor, particularly through the winter works certification process currently used in the NRP to manage earthwork activities during the shutdown period.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>S210.054 Schedule 34 Forestry Erosion and Sediment Management Plan</p> <p>[Pages 59 - 62 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <p>Seek the re-write of the sediment erosion plan requirements to better reflect the management requirements of the NES-CF, and in particular delete Management Objective 4 in any re-write.</p> | <p>Recommendation: accept in part submission S210.054</p> <p>Recommendation includes deletion of Schedule 34 and replaced with Schedule 34A, 34B and 34C (which are schedules 3, 4 and 5 of the NES-CF) included in Appendix 4 to the s.42A Report. Recommendation also includes deletion of Management Objective 4.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |

| | | | |
|---|--|--|--|
| <p>FS25.001 – S36.010 Wellington Branch of NZ Farm Forestry Assoc.</p> <p>[Page 79 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Support request to withdraw prohibition on harvesting forests.</p> | <p>Recommendation: reject submission and further submission FS25.001</p> <p>Notwithstanding the recommendation to reject the submission and further submission, the Officer recommends deleting prohibited activity Rule WH.R22.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>FS25.002 – S36.020 Wellington Branch of NZ Farm Forestry Assoc.</p> <p>[Pages 46 – 53 of <u>Rural Land Use</u> s.42A Report - submission S36.020 and further submission FS25.002 are not referenced in Earthworks s42A Report]</p> | <p>Support request to commission a technical review of the mapping of highest risk erodible land.</p> | <p>Recommendation: accept in part submission and further submission FS25.002</p> <p>Recommendation relies on evidence of Nation – delete ‘high erosion risk’ maps and provide simplification of mapping so that pasture, woody vegetation and forestry maps are brought together in a single map; relabel maps as showing ‘potential erosion risk land’.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>FS25.003 – S36.012 Wellington Branch of NZ Farm Forestry Assoc.</p> | <p>Support request to explore other ways of mitigating risk of erosion from steep slopes after harvesting rather than prohibiting Plantation Forestry.</p> | <p>Recommendation: accept submission and GTC’s further submission</p> <p>Recommendation is based on a suite of amendments recommended.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |

| | | | |
|---|---|--|--|
| <p>[Page 79 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | | | |
| <p>FS25.008 – S225.017 Upper Hutt City Council</p> <p>[Page 84 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <p>Support request to delete or amend rules surrounding plantation forestry trying to provide a higher level of protection than currently allowed under NES-CF.</p> | <p>Recommendation: accept in part submission and GTC's further submission</p> <p>The s.42A Report recommends UHCC submission be rejected (para. 366) which is different to the recommendation included in Appendix 5.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>FS25.022 – S206.057 Winstone Aggregates</p> <p>[Pages 17, 27 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <p>Support consideration of Rule WH.R18 under a Part 1 Schedule 1 process.</p> | <p>Recommendation: accept in part submission and GTC's further submission</p> <p>Recommendation is not to accept request to reclassify allocation of rule.</p> | <p>I have no position on this recommendation.</p> |
| <p>FS25.036 – S261.089 Forest & Bird</p> <p>[Page 43 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <p>Oppose amending Policy WH.P28 to include large setbacks in areas of plantation forestry - include a cap on area logged in one harvest.</p> | <p>Recommendation: reject submission and accept GTC's further submission</p> <p>Recommendation proposes amendments that remove the implied prohibition on forestry on highest erosion risk land and to provide that forestry activities (regardless of the erosion risk) be able to be undertaken, provided an applicant can demonstrate that adverse effects from the</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |

| | | | |
|--|---|--|---|
| | | management and harvest of the forest can appropriately protect water quality. | |
| FS25.037 – S261.090 Forest & Bird [GTC’s submission is not referenced in the of <u>Earthworks s.42A Report</u>] | Oppose as the need to require setback distances from ephemeral watercourse is not required in the NRP as the NPS-FM and NES-CF already address this matter – retain wording of Policy WH.P29 as notified. | Recommendation: reject submission and accept GTC’s further submission Recommendation considers the proposed rules as notified provide the appropriate level of safeguard to freshwater during earthworks without increasing setback distances. | I support Officer’s recommendation, and seek the Hearing Committee adopt it. |
| FS25.040 – S261.110 Forest & Bird [Pages 22 - 24 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Oppose amendments sought to Rule WH.R17 – same setback provisions as requested to Policy WH.P29. | Recommendation: accept in part submission and GTC’s further submission Recommendation considers the proposed rules as notified provide the appropriate level of safeguard to freshwater during earthworks without increasing setback distances. | I support Officer’s recommendation, and seek the Hearing Committee adopt it. |
| FS25.041 – S261.111 Forest & Bird [Page 30 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Oppose request to reclassify Rule WH.R18 as a discretionary activity, or reclassify as a restricted activity and include “adverse effects on the environment” as a matter of discretion. | Recommendation: accept in part submission and GTC’s further submission Recommendation makes amendments to Rule WH.R18 that would only apply to vegetation clearance for renewable energy generation. | I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |

| | | | |
|--|--|--|---|
| <p>FS25.042 – S261.113 Forest & Bird</p> <p>[Page 54 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Oppose request to reclassify Rule WH.R20 as a discretionary activity.</p> | <p>Recommendation: reject submission and accept GTC's further submission</p> <p>Recommendation is for the controlled activity status of Rule WH.R20 to be changed to restricted discretionary. Note while the s.42A Report recommends F&B's submission be accepted, Appendix 5 records the recommendation as reject the F&B decision.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it. My concerns with the recommended amendments to Rule WH.R20 are addressed above in my planning evidence.</p> |
| <p>FS25.043 – S261.116 Forest & Bird</p> <p>[GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report]</p> | <p>Oppose request for additional standards and applying them to ephemeral watercourses and seek retention of the wording of Rule WH.R23 as notified.</p> | <p>Recommendation: reject submission and accept GTC's further submission</p> <p>Recommendation considers the proposed rules as notified provide the appropriate level of safeguard to freshwater during earthworks without increasing setback distances or including ephemeral watercourses.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>FS25.044 – S261.117 Forest & Bird</p> <p>[Page 23 of <u>Earthworks</u> s.42A Report]</p> | <p>Oppose request and seek retention of restricted discretionary activity status of Rule WH.R24 as notified.</p> | <p>Recommendation: reject submission and accept GTC's further submission</p> <p>Recommendation to reject F&B request as the potential adverse effects of earthworks related activities are well understood and the matters of discretion listed in the rule are robust and will ensure sediment related effects are a managed appropriately.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |

| | | | |
|---|--|---|---|
| <p>FS25.057 – S18.002</p> <p>PF Olsen Ltd</p> <p>[GTC’s submission is not referenced in the <u>Earthworks s.42A Report</u>]</p> | <p>Support request to exclude forestry from earthworks rules.</p> | <p>Recommendation: accept submission and accept GTC’s further submission</p> <p>Recommendation based on earthworks associated with forestry being controlled by amended restricted discretionary rule WH.R20.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it. My concerns with the recommended amendments to Rule WH.R20 are addressed above in my planning evidence.</p> |
| <p>FS25.059 – S18.032</p> <p>PF Olsen Ltd</p> <p>[Page 21 of <u>Forestry and Vegetation Clearance s.42A Report</u>]</p> | <p>Support request to amend Rule WH.R17 to default to the NES-CF standards for vegetation clearance associated with commercial forestry.</p> | <p>Recommendation: reject submission and GTC’s further submission</p> <p>Note in para.80 (page 20) that vegetation clearance rules not intended to cover commercial forestry (these covered by Rules WH.R20 – 21), but would cover GTC’s proposed development.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>FS25.060 – S18.037</p> <p>PF Olsen Ltd</p> <p>[GTC’s submission is not referenced in the <u>Earthworks s.42A Report</u>]</p> | <p>Support request to amend Rule WH.R23 to default to the NES-CF standards for earthworks associated with commercial forestry.</p> | <p>Recommendation: reject submission and GTC’s further submission</p> <p>Recommendation notes PC1 earthworks definition explicitly states for the purpose of Rules WH.R20 and WH.R21, ‘earthworks’ has the same meaning as given in section 3 of the NES-PF and therefore plantation forestry related earthworks operating under Rules WH.R20 and WH.R21 are not defined by</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it.</p> |

| | | | |
|--|--|---|--|
| | | the PC1 definition of earthworks and are not subject to standard earthwork rules or interpretation. | |
| FS25.065 – S222.048 EDS [Page 43 of <u>Forestry and Vegetation Clearance</u> s.42A Report] | Oppose request seeking policies include larger setbacks and seek the retention of the wording of Policy WH.P28 as notified, subject to the amendment sought by GTC in its original submission. | Recommendation: reject submission and accept GTC's further submission EDS sought the same relief as F&B discussed in S261.089 above. | I support Officer's recommendation, and seek the Hearing Committee adopt it. |
| FS25.066 – S222.049 EDS [GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report] | Oppose request to have setback distances from waterways including ephemeral streams and seek the retention of the wording of Policy WH.P29 as notified. | Recommendation: reject submission and accept in part GTC's further submission Recommendation considers the proposed rules as notified provide the appropriate level of safeguard to freshwater during earthworks without increasing setback distances. | I support Officer's recommendation, and seek the Hearing Committee adopt it. |
| FS25.068 – S222.063 EDS [GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report] | Oppose request to have setback distances from waterways including ephemeral streams and seek the retention of the wording of Rule WH.R23 as notified. | Recommendation: reject submission and accept in part GTC's further submission Recommendation considers the proposed rules as notified provide the appropriate level of safeguard to | I support Officer's recommendation, and seek the Hearing Committee adopt it. |

| | | | |
|---|--|---|--|
| | | freshwater during earthworks without increasing setback distances. | |
| FS25.069 – S222.064 EDS [GTC’s submission is not referenced in the <u>Earthworks s.42A Report</u>] | Oppose request and seek retention of restricted discretionary activity status of Rule WH.R24 as notified | Recommendation: reject submission and accept GTC’s further submission Recommendation considers the proposed rules as notified provide the appropriate level of safeguard to freshwater during earthworks without increasing setback distances. | I support Officer’s recommendation, and seek the Hearing Committee adopt it. |
| FS25.079 – S195.041 NZ Farm Forestry Assoc. [Page 50 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Support the request to remove afforestation from Rule WH.R20. | Recommendation: accept in part submission and GTC’s further submission Afforestation is retained in the amended Rule WH.R20. | I support Officer’s recommendation, and seek the Hearing Committee adopt it. My concerns with the recommended amendments to Rule WH.R20 are addressed above in my planning evidence. |
| FS25.080 – S195.030 NZ Farm Forestry Assoc. [Page 55 of <u>Forestry and Vegetation Clearance s.42A Report</u>] | Support the request to remove rules more stringent than the NES-CF. | Recommendation: reject submission and GTC’s further submission Recommendation is that discretionary activity Rule WH.R21 be deleted as amended Rule WH.R20 deals | I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |

| | | | |
|--|--|---|---|
| | | with forestry matters as a restricted discretionary activity. | |
| FS25.081 – S195.031 NZ Farm Forestry Assoc. [Page 56 of <u>Forestry and Vegetation Clearance</u> s.42A Report] | Support the request to remove rules (Rule WH.R22) more stringent than the NES-CF. | Recommendation: accept in part submission and GTC's further submission Recommendation is that discretionary activity Rule WH.R22 be deleted as amended Rule WH.R20 deals with forestry matters as a restricted discretionary activity. | I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |
| FS25.096 – S43.013 Fulton Hogan Ltd [GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report] | Oppose the request to add additional provisions to Policy WH.P31 and delete Policy WH.P31 in its entirety, as sought by GTC in its submission. | Recommendation: reject submission and accept GTC's further submission Recommendation is to delete Policy WH.P31 as sought by GTC in its submission. | I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |
| FS25.098 – S190.002 David McKeivitt [GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report] | Oppose the request to add additional provisions to Policy WH.P31 and delete Policy WH.P31 in its entirety, as sought by GTC in its submission. | Recommendation: accept submission and GTC's further submission Recommendation is to delete Policy WH.P31 as sought by GTC in its submission. Not clear why the | I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly. |

| | | | |
|---|--|--|--|
| | | recommendation for S190.002 is recorded as accept when clearly it is rejected. | |
| <p>FS25.109 – S288.056</p> <p>China Forestry Group NZ Ltd</p> <p>[Page 38 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Support in part request to remove Policy WH.P28 and reset to address deficiencies identified by submitter.</p> | <p>Recommendation: reject submission and GTC’s further submission</p> <p>Recommendation makes substantive amendments, ‘highest erosion risk (plantation forestry) and the removal of the implied prevention of new forestry and continuation of existing forestry’ from Policy WH.P28. Matters relating to GTC’s submission S210.034 on this policy are discussed above.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>FS25.110 – S288.057</p> <p>China Forestry Group NZ Ltd</p> <p>[Submission and GTC’s further submission not referenced in <u>Earthworks</u> s.42A Report]</p> | <p>Support request to amend Policy WH.P29 as requested by submitter and include a new policy covering commercial forestry earthworks consistent with the NES-CF.</p> | <p>Recommendation: accept submission and GTC’s further submission</p> <p>Matters relating to GTC’s submission S210.035 on this policy are discussed above.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>FS25.111 – S288.066</p> <p>China Forestry Group NZ Ltd</p> | <p>Support request relating to Rule WH.R17 to separate vegetation clearance associated with commercial forestry activities from general vegetation clearance and rely on NES-CF.</p> | <p>Recommendation: reject submission and GTC’s further submission</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it.</p> |

| | | | |
|--|--|--|--|
| <p>[Page 21 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | | <p>Recommendation amends WH.R17 as discussed above in relation to GTC's submission S210.045. This rule does not apply to forestry activities, but would cover GTC's proposed development.</p> | |
| <p>FS25.112 – S288.067 China Forestry Group NZ Ltd [Page 26 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Support request relating to Rule WH.R18 to separate vegetation clearance associated with commercial forestry activities from general vegetation clearance and rely on NES-CF.</p> | <p>Recommendation: reject submission and GTC's further submission Recommendation makes amendments to Rule WH.R18 that would only apply to vegetation clearance for renewable energy generation.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>FS25.113 – S288.068 China Forestry Group NZ Ltd [Page 31 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Support request relating to Rule WH.R19 to separate vegetation clearance associated with commercial forestry activities from general vegetation clearance and rely on NES-CF.</p> | <p>Recommendation: reject submission and GTC's further submission Recommendation is for substantive changes be made to Rule WH.R19 to re-write Rule R107 of the NRP into PC1. This rule is not intended to apply to forestry, but would cover GTC's proposed development.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>FS25.115 – S288.070 China Forestry Group NZ Ltd</p> | <p>Support in part the request to delete Rule WH.R21 and rely on provisions of NES-CF.</p> | <p>Recommendation: accept submission and accept in part GTC's further submission</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |

| | | | |
|--|---|--|--|
| <p>[Page 45 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | | <p>Recommendation is for Rule WH.R21 to be deleted in its entirety.</p> | |
| <p>FS25.116 – S288.071 China Forestry Group NZ Ltd [Page 57 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Support the request to delete Rule WH.R21 and rely on provisions of NES-CF.</p> | <p>Recommendation: accept submission and GTC’s further submission Recommendation is for Rule WH.R21 to be deleted in its entirety.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it, and amend PC1-NRP accordingly.</p> |
| <p>FS25.117 – S288.072 China Forestry Group NZ Ltd [GTC’s submission is not referenced in the <u>Earthworks</u> s.42A Report]</p> | <p>Support in part in relation to Rule WH.R23 request to align earthworks associated with commercial forestry activities with the provisions of the NES-CF.</p> | <p>Recommendation: reject submission and GTC’s further submission Earthworks associated with commercial forestry are specifically addressed in Rule WH.R20.</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it.</p> |
| <p>FS25.118 – S288.073 China Forestry Group NZ Ltd</p> | <p>Support in part in relation to Rule WH.R24 request to separate earthworks associated with commercial forestry</p> | <p>Recommendation: reject submission and accept in part GTC’s further submission</p> | <p>I support Officer’s recommendation, and seek the Hearing Committee adopt it.</p> |

| | | | |
|--|--|---|---|
| <p>[GTC's submission is not referenced in the <u>Earthworks</u> s.42A Report]</p> | <p>activities from general earthworks and rely on NES-CF.</p> | <p>Earthworks associated with commercial forestry are specifically addressed in Rule WH.R20.</p> | |
| <p>FS25.015 – S237.009 John Turkington Ltd [Page 78 of <u>Forestry and Vegetation Clearance</u> s.42A Report]</p> | <p>Support request that rules be consistent with existing operating framework of NES-CF.</p> | <p>Recommendation: accept in part submission and GTC's further submission Recommendation is to retain WH.P28 and so policy direction remains where the requirements of the NES-CF cannot be met and recommending a restricted discretionary activity for listed commercial forestry activities in pFMUs where visual clarity TAS are not met, the NES-CF will prevail in all other areas for all other activities and recommended amendments, including new methods and recommended amendments to Schedule 27.</p> | <p>I support Officer's recommendation, and seek the Hearing Committee adopt it.</p> |

Annexure 2 – Monitoring sites, pFMU, and drainage catchments surrounding submitter’s site

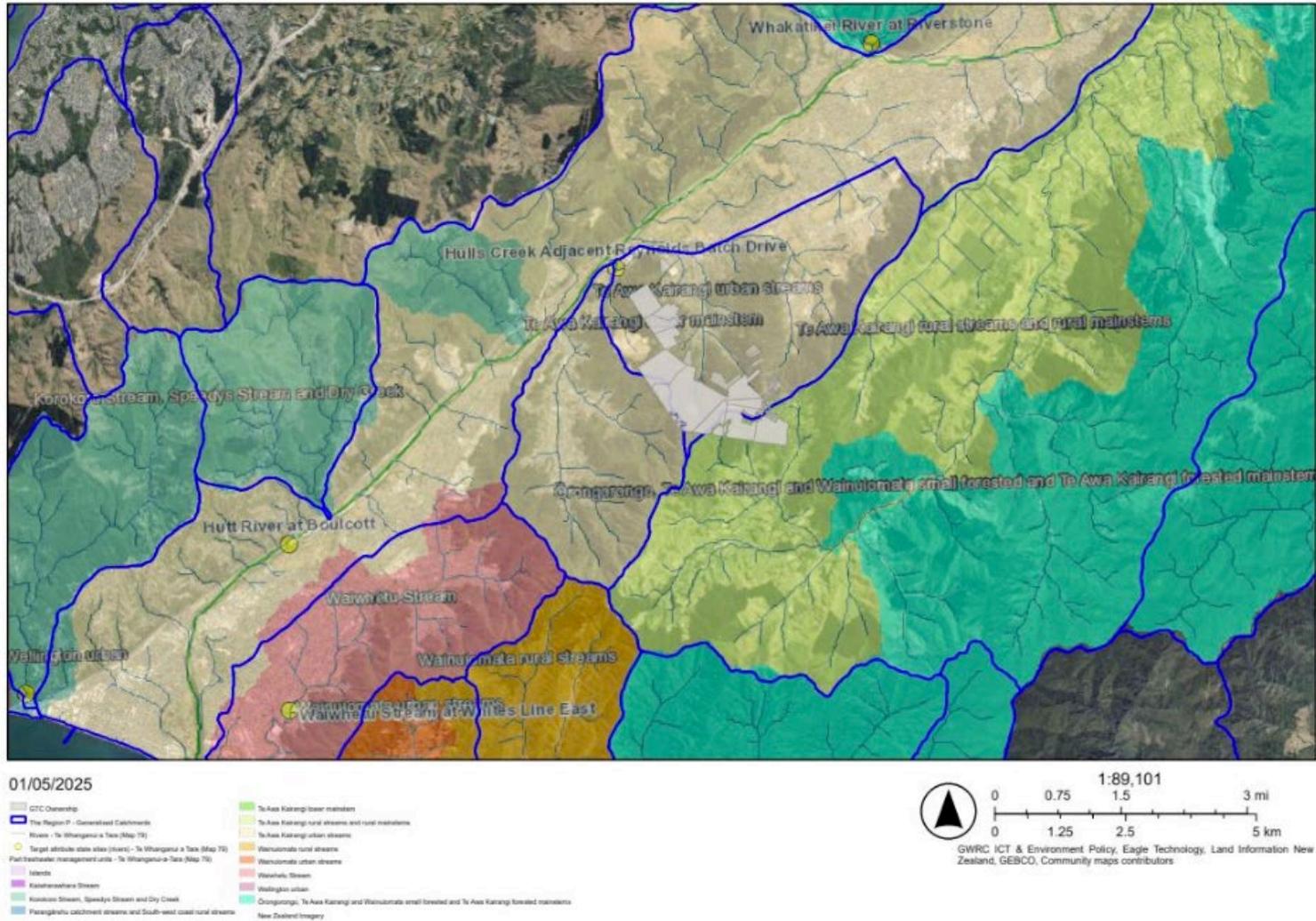


Figure 1 TAS monitoring sites, pFMUs and drainage catchments surrounding the GTC Silverstream Forest site