

DDPR_feedback_0095s	
Name	David Cormack
Organisation	Wenita
Email	dave.cormack@dn.wenita.co.nz
Response Date	Aug 31 22
Notes	
Q1	Select the chapter you want to provide feedback on
Q2	In general, to what extent do you support the contents of this chapter?
Q3	Objective/Policy/Rule/Standard reference:
Q4	Feedback/Comments
Q5	Objective/Policy/Rule/Standard reference:
Q6	Feedback/Comments
Q7	Objective/Policy/Rule/Standard reference:
Q8	Feedback/Comments
Q9	Objective/Policy/Rule/Standard reference:
Q10	Feedback/Comments
Q11	supporting documents?
	0
Q12	If you need more space, or have any other general comments, please leave them here
	Good afternoon, Please find attached Wenita's submission on the Waitaki Draft District Plan. Regards [cid:image001.jpg@01D8BD53.A8E2CA00] David Cormack Chief Executive Officer Phone – 03 489 3234 Cell – 021 222 9315

Draft District Plan

FEEDBACK FORM

scan for online
feedback form

Have
your say



Please get your feedback in by
5pm on Wednesday 31 August 2022

Save time - Do it online!

Fill in our online feedback form: www.waitaki.govt.nz/district-plan-review/have-your-say
- you can upload any extra documents and attachments there. Or:

- Email:** planreview@waitaki.govt.nz
Post: Draft District Plan Feedback
Waitaki District Council, Private Bag 50058, Ōamaru 9444
Deliver: Drop it off at any Council office or district library

Thank you for taking the time to comment on the Draft Waitaki District Plan. We welcome your feedback. Your feedback will be used to inform what goes into the next stage of the District Plan Review process, which will be the formal notification of the Proposed District Plan.

Points to remember when providing your feedback:

1. For your feedback to be considered you must include your full name, and a postal address or email address.
2. You are welcome to submit multiple feedback forms and add in any attachments if you have lots to tell us. Please make sure your feedback is provided under the relevant chapter heading. This helps us to make sure that we are considering your feedback correctly.
3. All feedback, including your name, are considered public under the Local Government Official Information and Meetings Act and may be published and made available to elected members and the public. Private contact details will not be made public.
4. If you would like help to fill out the feedback form, please contact one of our support team on 03 433 1661 or email planreview@waitaki.govt.nz

Your contact details: (please print clearly)

Full name: David Cormack

Organisation (if applicable): Wenita Forest Products Ltd.....

Street address: 11 Hartstonge Ave.....Town: Mosgiel

Email: forestry@dn.wenita.co.nz..... Phone: 03 489 3234.....

We are asking the following questions to understand more about who we are hearing from – these questions are completely optional.

Age (optional) Under 18 18-24 25 - 49 50-64 65+

Ethnicity (optional)

Māori Pacific Island NZ European/Pakeha other

Do you

Live in Waitaki Live elsewhere in NZ Live overseas

Feedback on the Draft District Plan

Please provide your feedback on as many of the draft chapters that you would like to. If you run out of space, feel free to submit additional surveys or attachments.

Which Chapter are you commenting on?

Name of Chapters: Whole document, but particularly District-wide matters and Area specific matters (any parts Wenita considered would impact on its ability to conduct its legitimate forestry activities).

	Strongly support	Support	Neutral	Oppose	Strongly oppose
In general, to what extent do you support the contents of this chapter? s				XX	

Is there a particular objective, policy or rule you would like to provide feedback on for this chapter?

Please use the space below to identify which provision you are providing feedback on. Please use a separate box for each provision. If you run out of space, please use the 'General Feedback' section at the end of the feedback form or attach more pages - but please remember to let us know which chapter AND provision you are commenting on.

Objective/Policy/Rule/Standard ref:

Comments:

Objective/Policy/Rule/Standard ref:

Comments:

General feedback

See attached submission letter (dated 31 August 2022)

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Need more room? You can add extra pages if there is not enough space on this form.



To: Draft District Plan Feedback
Waitaki District Council,
Private Bag 50058,
Oamaru 9444

Submitter: Wenita Forest Products Ltd
11 Hartstonge Ave,
PO Box 341,
Mosgiel 9053
www.wenita.co.nz

Contact: David Cormack
Chief Executive Officer
Ph – 03 489 3234
Email – forestry@dn.wenita.co.nz

Re: Submission to the Waitaki District Council on the Proposed Waitaki District Plan

Thank you for the opportunity to make a submission on the Proposed Waitaki District Plan (PDP).

Introduction

Wenita Forest products Limited (Wenita), was established in 1990. Wenita is the largest plantation forest owner in Otago and also manages plantation forests and afforestation projects for other owners, including Ngai Tahu and Kakapo Estate, which are partly located in the Waitaki District. Wenita employs 14 full time staff and well over 100 contractors, plus numerous service agents and suppliers. Wenita supplies logs to a range of domestic processors from Invercargill to Oamaru and also exports logs via Port Chalmers and Bluff. The domestic and export markets complement each other, with domestic customers generally getting first-pick of the logs. The logs which are not wanted by domestic processors (mainly short lengths or small diameter or large diameter logs with big branches) are sent to port for export to Asia.

Wenita's review of the PDP focused on how it might impact forestry operations within existing plantation forests and afforestation proposals involving conversion of farmland to forests. It also examined the relationship between the PDP and the National Environmental Standards for Plantation Forestry (NES-PF) and identified some issues which (we think) should be addressed by the Council.

In addition, in circumstances where the Council may have both jurisdiction and justification for more stringent rules for plantation forestry, some of the proposed rules seem unduly conservative and (we think) should be modified to ensure that they are no more restrictive than necessary to achieve their intended purpose.

Submission

1. The PDP significantly increases the land area within the district affected by ONL overlay and RSL, compared to the Operative Waitaki District Plan (ODP) and will create many examples where a forestry activity is permitted under the ODP, but would require resource consent under the PDP.
2. There are many rules in the draft PDP that are more stringent than the NES-PF. In our opinion some of these rules are not allowed to be more stringent under reg.6 of the NES-PF (e.g. earthworks and quarrying rules in the general rural zone, indigenous vegetation clearance rules outside SNAs regarding established plantation forestry, and plantation forestry within a RSL).
3. Some of these rules are allowed to be more stringent under reg.6 of the NES-PF (e.g. rules relating to ONLs and SNAs) however in order to meet the justification requirement at sec.32(4) of the RMA the Council is required to complete an evaluation report explaining why greater stringency is justified in the circumstances of the district. We are unaware of any such a report. In our view the extent of greater stringency in some instances cannot be reasonably justified (e.g. need for 100 m setback for plantation forestry from a SNA).
4. Plantation forestry rules: No distinction is made between (new) afforestation and replanting of existing plantation forests. This means that replanting of lawfully established plantation forest is subject to the same level of control as afforestation. In our view this ignores existing use rights under sec.10 of the RMA to replant such forests. Further, this situation may create potential deforestation liabilities under the Emissions Trading Scheme if trees cannot be replanted in the same or similar area as occupied by the previous rotation.
5. Earthworks and quarrying: Section A of the PDP Earthworks Chapter notes that the NES-PF provides earthworks requirements that override some District Plan provisions. However, the draft PDP does not identify which provisions to which this comment relates. In our view the NES-PF should override all earthworks and quarrying controls in the general rural zone of the PDP.
6. Indigenous vegetation clearance (IVC): As mentioned, the IVC rules are not allowed to be more stringent than the NES-PF regarding established plantation forests except where they relate to a SNA or ONL (we acknowledge the position is different in relation to IVC and afforestation). In our view these IVC rules are not legally enforceable and, focusing on the detail of the rules, we note the following points:
 - (a) PER-1 allows IVC for repair and maintenance of existing and lawfully established roads, farm tracks etc. but forestry tracks and/or forestry roads are not on the list;
 - (b) PER-4 provides a limited existing use rights exception for IVC that is regenerating and less than 15 years old;
 - (c) PER-6 provides for IVC if it is understory of a plantation forest and incidental to lawful plantation forest harvesting. Both need to be satisfied whereas the NES-PF deals with understory and incidental damage separately;
 - (d) RDIS-1 matters for discretion include criteria unrelated to biodiversity values such as effects on hydrological function of the catchment, effects on landscape, natural features, natural character and amenity values.

Summary

Wenita manages plantation forests and afforestation projects in parts of the Waitaki District and has an acute interest in the PDP. Wenita opposes the PDP as it is currently drafted due to the matters raised above.

The PDP significantly increases the land area within the district affected by ONL overlay and RSL, compared to the Operative Waitaki District Plan (ODP), thereby increasing the requirement for resource consents for forestry activities, even within existing plantation forest areas. Many of the draft rules are more stringent than those required by the NES-PF and Wenita questions whether this additional stringency is allowed, justifiable and indeed necessary. Wenita is also concerned that no distinction is made between afforestation and replanting of existing plantation forests and with some of the proposed new rules concerning earthworks, quarrying and indigenous vegetation clearance.

Wenita would welcome the opportunity to join with other forestry sector representatives and meet the Council to discuss and (insofar as possible) amending the PDP to address the matters raised above before it is notified for submission under Sch.1 of the RMA.

Regards

A handwritten signature in black ink, appearing to read 'D. Cormack', with a stylized flourish at the end.

David Cormack
Chief Executive Officer
WENITA FOREST PRODUCTS LTD

31 August 2022