

## Plan Change 3 Significant Natural Areas – Full Further Submissions

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**Further Submission on Plan Change 3**

**Full Name**

M J & C A Bayes

**Full postal address**

**Telephone number**

**E-mail**

[bayesmc@gmail.com](mailto:bayesmc@gmail.com)

**Are you using a different address for service (agent if applicable)**

No

**Do you wish to speak to your submission at a hearing?**

No

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

Yes

**I am:**

A person who has an interest in the proposal that is greater than the interest the general public has (e.g landowner affected by plan change/SNA)

**Can you please explain your answer above?**

Landowner

**Further submission on the proposed Plan Change 3 - Significant Natural Areas, to the Rotorua District Plan**

Instructions: A further submission can only be made on support of, or in opposition to, a submission already made on the plan change

**Submission number**

**Submitters Name**

Bayes

**Section Reference (Submission Point)**

8.59

**Support / Oppose**

Support

**Reasons**

Clarify area included, may not be sufficient

**Upload further additions to your submission here**

No Answer

**Further Submission on Plan Change 3**

**Full Name**

Helen Beaufill

**Full postal address**

**Telephone number**

**E-mail**

[Fantail2407@gmail.com](mailto:Fantail2407@gmail.com)

**Are you using a different address for service (agent if applicable)**

No

**Do you wish to speak to your submission at a hearing?**

No

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

Yes

**I am:**

A person who has an interest in the proposal that is greater than the interest the general public has (e.g landowner affected by plan change/SNA)

**Can you please explain your answer above?**

Landowner affected by SNA proposal

**Further submission on the proposed Plan Change 3 - Significant Natural Areas, to the Rotorua District Plan**

Instructions: A further submission can only be made on support of, or in opposition to, a submission already made on the plan change

**Submission number**

Submitter 8

**Submitters Name**

Director General of Conservation

**Section Reference (Submission Point)**

8.30 re SNA 660 - Mid Magaorewa Gorge

**Support / Oppose**

Oppose

**Reasons**

Oppose the submission as a whole on the basis that SNA 660 does not adjoin conservation land as stated. Further, the site does not have the canopy on some edges suggested by the aerial photography as those areas are currently grazed and provide shelter for livestock.

**Upload further additions to your submission here**

No Answer

**Further Submission Form**  
**PROPOSED PLAN CHANGE 3: SIGNIFICANT NATURAL AREAS**  
*Form 6 - Clause 8 of First Schedule, Resource Management Act 1991*

Submission number  
Office use only

**Instructions:** Email: [policy.planning@rotorualc.nz](mailto:policy.planning@rotorualc.nz)  
OR  
Post to: Rotorua Lakes Council, Private Bag 3029, Rotorua 3046, Attention Kim Smith  
OR  
Deliver to Rotorua Lakes Council, 1061 Haupapa Street, Rotorua, Attention Kim Smith

**CLOSING DATE FOR FURTHER SUBMISSIONS: Monday 7<sup>th</sup> October 2019**

<b>Full Name Of Submitter:</b>	<a href="#">Andrew Bedford</a>	<i>If address for service is different to submitter's</i>	
<b>Full Postal Address:</b>		<b>Address For Service:</b> [Agent if applicable]	
<b>Email:</b> <a href="mailto:andy@thsolutions.co.nz">andy@thsolutions.co.nz</a>			
<b>Phone:</b>			
<b>Preferred Method of Service:</b> Email / <del>Postal</del> <i>[circle preferred]</i>			

**PRIVACY:** Please note your further submission will be available on Council's website.

1. I ~~wish~~ ~~do not wish~~ *[delete one]* to be heard in support of my submission.
2. If others make a similar submission, I ~~will~~ ~~will not~~ *[delete one]* consider presenting a joint case with them at a hearing.
3. I am *[tick which applies - you can only make a further submission if one of these categories apply]*:
  - ☐ A person representing a relevant aspect of the public interest.  
[Explain why].....
  - ☒ A person who has an interest in the proposal that is greater than the interest the general public has (specify on what grounds you come within this category).  
[Explain why] [Land owner in the purposed SNA area](#).....

Signature of submitter [Andy Bedford](#) Date [7th October 2019](#)  
A signature is not required if you make an electronic submission

**Instructions: A further submission can only be made in support of, or in opposition to, a submission made on the plan change.**

Submission Number	Submitters Name	Section Reference (Submission Point)	Support/ Oppose	Reasons
Sub No. of original submission see: 'Summary of Decisions Requested'.		Clearly indicate which parts of the original submission you support or oppose, and any relevant provisions of the proposed plan change.		Please provide reasons for your views and clarify whether you seek that the whole or part (describe which part) of the submission is to be allowed/disallowed.  You may use additional paper if necessary.
8.31	Director general of Conservation	Schedule the entire area for SNA 679	oppose	Consideration should be given to land owners to have areas excluded or boundary adjustments made due to Health, Safety and well-being of occupants where the dwelling is located inside the purposed SNA area. As for the property of 829 Te Wearenga the dwelling is in the SNA area, consideration should be given to the shade from the trees as they mature and the effect this would have on the dwelling the the occupants.
13.01	Phillip Loest	The scheduling of the complete SNA 679 unaposed	Oppose	Consideration should be given to all land owners that have dwellings inside the SNA to have boundary's clarified and adjusted before approval.
9.01	Federated Farmers	Suite visits to establish areas of ecological value and the accuracy of mapping	support	We support the Federated farmers view that areas need to be better accessed and mapped
9.01	Federated Farmers	Retain the amendments purposed	Support	We support that amended areas in the SNA plan be retained and further work on boundary alignment be conducted.

**Further Submission Form**  
**PROPOSED PLAN CHANGE 3: SIGNIFICANT NATURAL AREAS**  
*Form 6 - Clause 8 of First Schedule, Resource Management Act 1991*

Submission number  
Office use only

**Instructions:**

OR  
OR

Email: [policy.planning@rotorualc.nz](mailto:policy.planning@rotorualc.nz)

Post to: Rotorua Lakes Council, Private Bag 3029, Rotorua 3046, Attention Kim Smith

Deliver to Rotorua Lakes Council, 1061 Haupapa Street, Rotorua, Attention Kim Smith

**CLOSING DATE FOR FURTHER SUBMISSIONS: Monday 7<sup>th</sup> October 2019**

Full Name Of Submitter:	Donald Shane Brill - Copley		If address for service is different to submitter's
Full Postal Address:		Address For Service: [Agent if applicable]	
Email:	Sharphanez27@yahoo.com		
Phone:			
Preferred Method of Service:	Email / Postal [circle preferred]		

**PRIVACY:** Please note your further submission will be available on Council's website.

1. I ~~wish~~/do not wish [delete one] to be heard in support of my submission.
2. If others make a similar submission, I ~~will~~/will not [delete one] consider presenting a joint case with them at a hearing.
3. I am [tick which applies - you can only make a further submission if one of these categories apply]:
  - ☐ A person representing a relevant aspect of the public interest.  
[Explain why].....
  - ☐ A person who has an interest in the proposal that is greater than the interest the general public has (specify on what grounds you come within this category).  
[Explain why]..... landowner of proposed change

Signature of submitter

*D. A. Brill - Copley* Date 24-9-19

A signature is not required if you make an electronic submission



Instructions: A further submission can only be made in support of, or in opposition to, a submission made on the plan change.

Submission Number	Submitters Name	Section Reference (Submission Point)	Support/ Oppose	Reasons
Sub No. of original submission see: 'Summary Decisions Requested'.	Director General of Conservation (DGC)	Clearly indicate which parts of the original submission you support or oppose, and any relevant provisions of the proposed plan change. 8.20		Please provide reasons for your views and clarify whether you seek that the whole or part (describe which part) of the submission is to be allowed/disallowed.  You may use additional paper if necessary.
	Donald S. Brill-Copley	I oppose the change plan for my property only. The area that the change plan effects is fenced and protected	oppose	I have the lands best interest at heart and are keen to see it return to something close to what it was.
		from livestock and currently has a pest management plan in place by myself (the owner).		The management of the land is nothing I can't handle myself with hard work and diligence. Therefore I strongly oppose the whole change plan
		Therefore I see no reason why the change plan needs to effect my property while under my ownership.		for my property.



Department of Conservation  
*Te Papa Atawhai*

DOCDM-6082714

7 October 2019

Rotorua Lakes Council  
1061 Haupapa Steet  
Rotorua

Dear Sir/Madam,

**FURTHER SUBMISSION ON PROPOSED PLAN CHANGE 3 – SIGNIFICANT NATURAL AREAS**

Please find enclosed the further submission by the Director-General of Conservation in respect of Proposed Plan Change 3 – Significant Natural Areas to the Rotorua Lakes Plan

Please contact Maggie Burns in the first instance if you wish to discuss any of the matters raised in this further submission on [mburns@doc.govt.nz](mailto:mburns@doc.govt.nz).

Yours sincerely

A handwritten signature in black ink, appearing to read 'Caraline Abbott'.

Caraline Abbott  
Operations Manager  
Rotorua

**FURTHER SUBMISSION IN SUPPORT OR OPPOSITION TO, SUBMISSION ON PUBLICLY  
NOTIFIED  
PROPOSED PLAN CHANGE 3 – SIGNIFICANT NATURAL AREAS TO THE ROTORUA LAKES  
PLAN**

Clause 8 of Schedule 1, Resource Management Act 1991

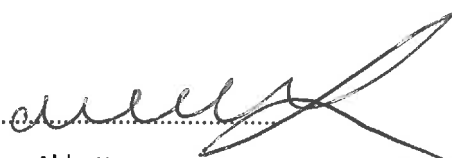
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**TO:**                **The Rotorua Lakes Council**

**NAME:**           **Director-General of Conservation**

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1. This is a further submission in support of and in opposition to submissions on the following proposed district plan:
  - 1.1. Proposed Plan Change 3 – Significant Natural Areas to the Rotorua Lakes Plan
2. I am a person representing a relevant aspect of the public interest for the following reason:
  - 2.1. I have delegated authority in relation to the Director-General of Conservation's statutory responsibilities under the Resource Management Act 1991.
3. I support or oppose the submissions of those persons and/ or organisations listed in the second column headed "Submitter Name" of Table 1 attached.
4. The particular parts of the submission I support or oppose are identified in the third column headed "Submission" of Table 1.
5. The reasons for my support or opposition are set out under the fifth column headed "Reasons" of Table 1.
6. In relation to those submissions I support I seek that that submission is allowed.
7. In relation to those submissions I oppose I seek that the part of the submission I oppose is disallowed.
8. I wish to be heard in support of my further submission.
9. If others make similar submissions, I will consider presenting a joint case with them at the hearing.

  
.....  
Caraline Abbott  
Operations Manager  
Rotorua

Acting pursuant to delegated authority

on behalf of Lou Sanson  
Director-General of Conservation

Date: 7 October 2019

Note: A copy of the Instrument of Delegation may be inspected at the Director-General's office at Conservation House Whare Kaupapa Atawhai, 18/32 Manners Street, Wellington 6011.

**Address for service of person making further submission:**

Department of Conservation  
Hamilton Shared Services  
Private Bay 3072  
Hamilton 3240

Contact person: Maggie Burns

email: [mburns@doc.govt.nz](mailto:mburns@doc.govt.nz)

**Table 1: Director-General of Conservation Further Submission Points:**

<b>Plan Reference</b>	<b>Submitter Name</b>	<b>No.</b>	<b>Decision Sought</b>	<b>Support/Oppose</b>	<b>Reasons</b>	<b>Relief Sought</b>
Site 659	Aislabie V and B	1.01	Include all sites that meet significance criteria, even if they are already covenanted.	Oppose	The Director-General considers that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs.	I seek that this submission point is disallowed.
Other sites not in scope of notified plan change	Bay of Plenty Regional Council	2.03	Site 153 includes areas of wetland vegetation and hence wetland areas should be included as SNAs.	Support	The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Wetlands are National Priority 2 in the Priorities for Protecting Rare and Threatened Biodiversity on Private Land (MfE 2007) and are significantly reduced in area in BOP.	I seek that this submission point is allowed.
Other sites not in scope of notified plan change	Bay of Plenty Regional Council	2.04	Site 578 includes areas of wetland vegetation and hence wetland areas should be included as SNAs.	Support	The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Wetlands are National Priority 2 in the Priorities for Protecting Rare and Threatened Biodiversity on Private Land (MfE 2007) and are significantly reduced in area in BOP.	I seek that this submission point is allowed.
Other sites not in scope of notified plan change	Bay of Plenty Regional Council	2.06	Include all sites that meet significance criteria. Ensure completeness of the SNA layer, District Plan schedule and maps	Support	The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs.	I seek that this submission point is allowed.
Site 008 Waiohiro Wetland	Campbell R	3.01	Review SNA boundary to true left of Waikuta stream margin.	Support	The SNA boundary appears to include small area of non-wetland paddock on true left. Groundtruthing is required to confirm this.	I seek that this submission point is allowed subject to groundtruthing.
Site 142	CNI	5.01	Retain site as SNA as per Director Generals submission	Oppose	Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Wetlands are National Priority 2 in the Priorities for Protecting Rare and Threatened Biodiversity on	I seek that this submission point is disallowed.

					<p>Private Land (MfE 2007) and are significantly reduced in area in BOP.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	
Site 015	Coatsworth J and H	6.01	Retain site as SNA with blue area included and yellow areas removed	Oppose removal of blue areas, Support removal of yellow areas	<p>The Blue area contains significant indigenous vegetation and appears to be fenced off as part of wider gully SNA. There is no indication it is pasture.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed in regards to blue area only.
b) New sites and additions to existing sites (general points)	Federated Farmers of New Zealand (Federated Farmers)	9.01	Remove specific SNAs from PC3 process if an affected landowner disputes the accuracy of the mapping and/or wishes to have site visits undertaken by an ecologist to identify the site's ecological values. The costs of the onsite assessment are to be met by Council. It is accepted that if the site is confirmed as meeting a significance threshold and is accurately mapped it will be brought back into the PC3 process and become subject to District Plan provisions.	Oppose	The Director-General opposes the removal of SNA without provision of appropriate evidence that the SNA does not meet RPS criteria.	I seek that this submission point is disallowed.
f) Sites with alternative legal protection (general points)	Federated Farmers of New Zealand (Federated Farmers)	9.03	<p>Remove SNA Sites subject to alternative legal protection from the planning maps and associated schedule of SNAs in Appendix 2;</p> <p>and</p> <p>Introduce provisions into the plan to ensure sites which become subject to alternative legal protection after this plan change are not subject to the rules framework. This may include a new policy and permitted activity rule similar to the following:</p>	Oppose	<p>The Director-General considers that all areas that meet the SNA criteria contained in the WRPS and BOPRPS should be included in the SNA mapping, regardless of alternative legal protection.</p> <p>The Director-General also considers that the proposed introduction of provisions is outside of scope of this plan change.</p>	I seek that this submission point is disallowed.

			(New policy in Part 2 Section 6 Matters of national importance) <u>"Sites that are protected by a registered covenant under the Reserves Act 1977, Conservation Act 1986 or Queen Elizabeth the Second National Trust Act 1977; already achieve the protection of significant indigenous vegetation and significant habitats of indigenous fauna as a matter of national importance under Section 6 of the Resource Management Act 1991."</u> (New permitted activity rule in Part 9 Rural Activity table across all zones) <u>"Activities that are carried out in accordance with the terms of a QEII National Trust or other covenant"</u> (or words to that effect).			
Site 664	Hartley G.	11.01	Retain site as SNA as per Director Generals submission with yellow areas removed.	Oppose	<p>Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. SNA areas cannot be removed to facilitate future development if they are assessed as significant. Landowner hasn't identified which specific areas are of concern so it is difficult to assess the relief sort.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed.
Site 679	Moyle B and Lance C	19.01	Schedule the entire area of Site 679 as per Director-Generals submission	Oppose	<p>Area contains significant indigenous vegetation.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed.
Site 155	Northdale Holdings and R Martin	20.01	Schedule the entire area of Site 155 as per Director-Generals submission	Oppose	<p>Area contains significant indigenous vegetation.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed.

Site 681	Pukahukiwi Kaokaoroa Incorp	21.01	Schedule the identified area as per Director-Generals submission subsequent to a field check of site to further ascertain if smaller areas identified are significant.	Oppose	Area contains significant indigenous vegetation.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 558	Te Kopia Forest partnership	24.01	Retain site as SNA as per Director Generals submission	Oppose	Area contains significant indigenous vegetation. No exotic pine forest is present in proposed SNA.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 590	Te Kopia Forest partnership	24.02	Retain site as SNA as per Director Generals submission	Oppose	Area contains significant indigenous vegetation. No exotic pine forest is present in proposed SNA.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 592	Te Kopia Forest partnership	24.03	Retain site as SNA as per Director Generals submission	Oppose	Area contains significant indigenous vegetation. No exotic pine forest is present in proposed SNA.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 154	Te Rimu Trust	25.01	Retain site as SNA as per Director Generals submission	Oppose	Area contains significant indigenous vegetation which is not minor scrub as per Wildlands report.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 703	Tozer C and W	27.01	Schedule the area as per Director-Generals submission	Oppose	Area contains significant indigenous secondary vegetation.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 585	Uttinger S	28.01	Remove area of gum trees on this property from SNA.	Support	Area appears to be dominated by gum trees. Groundtruthing is required to confirm this.	I seek that this submission point is allowed subject to groundtruthing.



					The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	
Site 700	CNI and Timberlands	5.02 and 26.01	Retain site as SNA as per Director Generals submission.	Oppose	<p>Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Wetlands are National Priority 2 in the Priorities for Protecting Rare and Threatened Biodiversity on Private Land (MfE 2007) and are significantly reduced in area in BOP.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed.
Site 701	CNI and Timberlands	5.03 and 26.02	Retain site as SNA as per Director Generals submission.	Oppose	<p>Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Wetlands are National Priority 2 in the Priorities for Protecting Rare and Threatened Biodiversity on Private Land (MfE 2007) and are significantly reduced in area in BOP.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed.
Site 703	CNI and Timberlands	5.04 and 26.03	Retain site as SNA as per Director Generals submission.	Oppose	<p>Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs.</p> <p>The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.</p>	I seek that this submission point is disallowed.
Site 559	WRC	34.15	Schedule the area including covenants, reserves if significance criteria in RPS is met.	Support	The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Groundtruthing is required to confirm this.	I seek that this submission point is allowed subject to groundtruthing.

Site 566	WRC	34.16	Schedule the area including covenants, reserves if significance criteria in RPS is met.	Support	The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Groundtruthing is required to confirm this.	I seek that this submission point is allowed subject to groundtruthing.
Site 570	WRC	34.17	Schedule the area including covenants, reserves if significance criteria in RPS is met.	Support	The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs. Groundtruthing is required to confirm this.	I seek that this submission point is allowed subject to groundtruthing.
Site 679	Walshe B	35.02	Schedule the entire area of Site 679 as per Director-Generals submission	Oppose	Area contains significant indigenous vegetation.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 585	McPherson, A, D and K	15.01, 16.01, 17.01	Retain site as SNA as per Director Generals submission	Oppose	Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.
Site 585	Van Maanen, G	31.01, 32.01, 33.01	Retain site as SNA as per Director Generals submission	Oppose	Site contains significant indigenous vegetation. The Director-General agrees that all sites that meet the significance criteria in the WRPS and BOPRPS must be included as SNAs.  The Director-General also considers that assurance that the site meets SNA criteria could be increased if groundtruthing is undertaken.	I seek that this submission point is disallowed.



### **Form 6**

Further submission in support of, or in opposition to, submission on notified proposed policy statement or plan, change or variation

*Clause 8 of Schedule 1, Resource Management Act 1991*

**To** Rotorua Lakes Council

Name of person making further submission: Federated Farmers of New Zealand

This is a further submission in support of and opposition to submissions on the following proposed plan,

#### **Proposed District Plan Change 3 :**

I am

- a person representing a relevant aspect of the public interest;
- a person who has an interest in the proposal that is greater than the interest the general public has.

#### Grounds for further submission:

Federated Farmers of New Zealand is a representative body for farmers, so both represents a relevant aspect of the public interest and has an interest in the proposal that is greater than the interest that the general public has

I support and oppose the submission of:

Submitters stated in the schedule attached to this further submission.

The particular parts of the submissions I support and oppose are:

Variously stated with respect to respective submitters in the schedule attached to this further submission.

The reasons for my support and opposition are:

Variously stated with respect to respective submitters in the schedule attached to this further submission.

I seek that the whole or part of the submission be allowed or disallowed:

As variously stated with respect to respective submitters in the schedule attached to this further submission.

I wish to be heard in support of my further submission.

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

A handwritten signature in blue ink, appearing to read 'Hilary Walker', is positioned above the printed name and affiliation.

Hilary Walker on behalf of Federated Farmers of New Zealand  
(person authorised to sign on behalf of person making further submission)

Date: 7 October 2019

Electronic Address for Service: [hwalker@fedfarm.org.nz](mailto:hwalker@fedfarm.org.nz):

Telephone: 0800 327 646

Postal Address:           Federated Farmers of New Zealand  
                                  L5 169 London Street  
                                  PO Box 447  
                                  Hamilton 3240

Contact person:           Hilary Walker - Senior Regional Policy Advisor

FFNZ Further Submission in support of, or opposition to, submission on Proposed Plan Change 3

Submission No.	Submitters name	Section reference (submission point)	Allow/disallow	The reasons for my support or opposition are:
2.01 2.02	Bay of Plenty Regional Council	Sites with alternative legal protection (general)	Disallow	FFNZ does not accept that sites with existing legal protection, in particular, QE11 covenants, are at risk of losing that protection. A QE11 covenant protects the land in perpetuity. It cannot be removed for any reason. The sites with legal protection can still form part of a district biodiversity dataset, they do not need to be identified as an SNA to achieve completeness of data.
2.03 2.04	Bay of Plenty Regional Council	Other sites not in scope of notified plan change	Disallow	The s32 report states that the status of sites 153 and 578 could not be determined from desktop information; this is a valid reason to not include them within the scope of PC3.
2.06	Bay of Plenty Regional Council	Other sites not in scope of notified plan change	Disallow	It is acknowledged in the Section 32 report that there is no certainty the additional sites described under section 1.3 would meet the significance criteria and as such can not be included into the SNA schedule. By necessity, the SNA identification process is always only going to be a 'snap shot of sites in time'. Non-regulatory methods are designed to help improve outcomes for those areas that are not quite at SNA status yet.
3.01	Campbell, R	Site 008`	Allow	This practical request is consistent with the decision sought in our submission.
6.01	Coatsworth, J and H	Site 015	Allow	This practical request is consistent with the decision sought in our submission.
8.02	Director-General of Conservation	Sites with alternative legal protection (general)	Disallow	FFNZ does not accept that sites with existing legal protection, in particular, QE11 covenants, are at risk of losing that protection. A QE11 covenant protects the land in perpetuity. It cannot be removed for any reason. The sites with legal protection can still form part of a district biodiversity dataset, they do not need to be identified as an SNA to achieve completeness of data.
8.04	Director-General of Conservation	Incentives and support	Allow	This is consistent with the decision sought in our submission.
8.09	Director-General of Conservation	Other sites not in scope of notified plan change	Disallow	It is acknowledged in the Section 32 report that there will be sites that are potential SNAs but for this Plan Change 3 there was not enough certainty they meet the significance criteria and as such cannot be included. By necessity, the SNA identification process is always only going to be a 'snap shot of sites in time'. Non-regulatory methods are designed to help improve outcomes for those areas that are not quite at SNA status yet.
8.31	Director-General of Conservation	SNA 679	Disallow	FFNZ supports the pragmatic approach taken in the notified Plan change. There is a range of options available to improve biodiversity outcomes on private land – identifying an area as an SNA is not the only way to 'protect' a site.

Submission No.	Submitters name	Section reference (submission point)	Allow/disallow	The reasons for my support or opposition are:
8.33	Director-General of Conservation	SNA 681	Allow in part	Support is extended to the relief sought for the site to be ground truthed to determine whether it is significant against the criteria, before being included into the district plan.
8.64	Director-General of Conservation	SNA 664	Disallow	FFNZ supports the pragmatic approach taken in the notified Plan change. There is a range of options available to improve biodiversity outcomes on private land – identifying an area as an SNA is not the only way to ‘protect’ a site.
8.65	Director-General of Conservation	Other sites not in scope of notified plan change	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process.
11.01	Hartley, H	SNA 664	Allow	This is consistent with the relief sought in our submission.
12.01 12.02	Kaharoa Community Association	Incentives and Support	Allow	This is consistent with the relief sought in our submission.
14.01	Submitter 14	SNA 567	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
15.01	McPherson, A	SNA 585	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
16.01	McPherson, D	SNA 585	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
17.01	McPherson, K	SNA 585	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
28.01	Uttinger, S	SNA 585	Allow	This is consistent with the relief sought in our submission.
31.01	van Maanen, C	SNA 585	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
32.01	van Maanen, G	SNA 585	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
33.01	van Maanen, M	SNA 585	Allow	Support is extended for the request to have further assessment undertaken to determine the accuracy of the SNA identification and mapping process.
34.01	Waikato Regional Council	Sites with alternative legal protection (general)	Disallow	FFNZ does not accept that sites with existing legal protection, in particular, QE11 covenants, are at risk of losing that protection. A QE11 covenant protects the land in perpetuity. It cannot be removed for any reason. The sites with legal protection can still form part of a district biodiversity dataset, they do not need to be identified as an SNA to achieve completeness of data or improved biodiversity outcomes. The relief sought in FFNZ submission can address the issues raised concerning access to funding.

Submission No.	Submitters name	Section reference (submission point)	Allow/disallow	The reasons for my support or opposition are:
34.03 34.04	Waikato Regional Council	New and amended geothermal sites (general)	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process.
34.06	Waikato Regional Council	SNA 555	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process.
34.07	Waikato Regional Council	SNA 558	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process.
34.19	Waikato Regional Council	SNA 712	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process.
34.22	Waikato Regional Council	SNA 715	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process. FFNZ does not accept that sites with existing legal protection, in particular, QE11 covenants, are at risk of losing that protection. A QE11 covenant protects the land in perpetuity. It cannot be removed for any reason. The sites with legal protection can still form part of a district biodiversity dataset, they do not need to be identified as an SNA to achieve completeness of data or improved biodiversity outcomes.
34.25	Waikato Regional Council	SNA 800	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process
34.27	Waikato Regional Council	Other sites not in scope of notified plan change	Disallow	Sites should only be brought into the district plan and subject to controls relating to SNAs and SGFs after a robust identification and landowner consultation process. FFNZ does not accept that sites with existing legal protection, in particular, QE11 covenants, are at risk of losing that protection. A QE11 covenant protects the land in perpetuity. It cannot be removed for any reason. The sites with legal protection can still form part of a district biodiversity dataset, they do not need to be identified as an SNA to achieve completeness of data or improved biodiversity outcomes
35.01 35.02	Walshe, B	SNA 679	Allow	It is FFNZ's understanding the sentiment expressed in the submission is widely shared by other affected landowners.

### **Further Submission on Plan Change 3**

**Full Name**

Winston Fleming

**Full postal address**

**Telephone number**

**E-mail**

[kiwioutback@kinect.co.nz](mailto:kiwioutback@kinect.co.nz)

**Are you using a different address for service (agent if applicable)**

No

**Do you wish to speak to your submission at a hearing?**

No

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

Yes

**I am:**

A person who has an interest in the proposal that is greater than the interest the general public has (e.g landowner affected by plan change/SNA)

**Can you please explain your answer above?**

One proposed sna on my farm is not a natural area. It was burnt in the 1960's. I have lived here for over 58 years and there are no kokako in that area. The other proposed sna has been logged four times. I support the sna removal. Only 2 kokako ever seen

**Further submission on the proposed Plan Change 3 - Significant Natural Areas, to the Rotorua District Plan**

Instructions: A further submission can only be made on support of, or in opposition to, a submission already made on the plan change

**Submission number**

8

**Submitters Name**

Director General of Conservation

**Section Reference (Submission Point)**

8.64



**Support / Oppose**

Support

**Reasons**

I support the Council in removing the proposed sna from my farm. One area was burnt in the 1960's and the other area has been grazed since 1936. The other area has been logged four times so is not a natural area. This area would have been developed by my late father in the 1970's but the NZCoOPDC cut us off from Dairy farming. Since then a major part of farm income has been from the sale of firewood. Only two sightings of kokako in the last 50 years. Doc have had two oportunities to buy my firewood block but have never even made an offer, If I am stopped from developing my farm I need ONE MILLION DOLLARS COMPENSATION.

**Upload further additions to your submission here**

No Answer

1 October 2019

**TO:** Rotorua District Council  
By email: [policy.planning@rotorualc.nz](mailto:policy.planning@rotorualc.nz)

**FROM:** Royal Forest and Bird Protection Society of New Zealand Incorporated  
Attn: Dr Rebecca Stirnemann  
PO Box 108 055  
Symonds Street  
Auckland 1150  
[r.stirnemann@forestandbird.org.nz](mailto:r.stirnemann@forestandbird.org.nz); ph 09 302 3905

## Further submission on the Proposed Plan Change 3: Significant Natural Areas to the Rotorua District Plan

1. Forest & Bird represents a relevant aspect of the public interest, and has an interest greater than the public generally. Forest & Bird is New Zealand's largest non-governmental conservation organization representing its members.
2. Forest and Bird could not gain an advantage in trade competition through this submission.
3. Forest & Bird wishes to be heard in support of this submission, and would be prepared to consider presenting this submission in a joint case with others making a similar submission at any hearing.

### Introduction

4. Forest & Bird is New Zealand's largest non-governmental conservation organization with many members and supporters. Forest & Bird originally set out to protect New Zealand's unique flora and fauna, the tasks of Forest and Bird in more recent years have extended to protecting and maintaining the environment surrounding the flora and fauna.
5. Forest & Bird is concerned that some of the decisions sought to the District Plan would result in loss of indigenous biodiversity. Forest & Bird also supports submissions which seek to retain or amend provisions of the plan to protect, maintain and enhance the indigenous biodiversity of the district. Our further submissions are set out in the Table 1.

Table 1: Forest & Bird supports or opposes the following submissions

Submitter Name	Sub. no.	Provision	Support/ Oppose	Reason for Support/Opposition	Decision sought
Department of Conservation	8	all parts of the submission	Support	That all areas meet the criteria in for significance in the RPS. That the additional SNAs identified be added for the reasons set out in the original submission. It is not appropriate to rely on a process under a different piece of legislation with a different purpose. The Department of Conservation responsibilities under Conservation Act do not replace the Council's functions and responsibilities under the RMA.	Allow
Bay of Plenty Regional Council	2	all parts of the submission	Support	The amendments sought are necessary to give effect to the Regional Policy Statement and to provide for Councils responsibilities under Section 6 of the RMA	Allow
Contact Energy Ltd	7	all parts of the submission	oppose in part	That all areas meeting the criteria for significance be mapped as SNAs to give effect to the RPS. The amendments sought are uncertain as to the Protection required under s6(c) of the RMA.	Disallow
Mercury Energy Ltd	18	all parts of the submission	Oppose	That all areas meeting the criteria for significance be mapped as SNAs to give effect to the RPS. We oppose removal of part of an SNA area. Maintenance activities need to be considered in the context of the area as an SNA.	Disallow
Federated Farmers of New Zealand	9	all parts of the submission	Oppose	Removing SNA status from sites that have other protection via covenant fails to give effect to the RPS.  The removal of exotic vegetation within an SNA could adversely affect significant habitat values, for example the habitat of NZ Long Tailed Bat.	Disallow
Rotorua Rural Community Board	23	all parts of the submission	Oppose	All potential SNAs should be mapped and defined as SNAs. Removing SNA status from sites that have other protection via covenant fails to give effect to criteria in the WRPS.	Disallow

Waikato Regional Council	34	all parts of the submission	Support	We support the recommendation RLC includes in its schedule of SNAs all areas within Department of Conservation Estate that meet the criteria in table 11-1 of the WRPS.	Allow
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Thank you for your consideration.

Yours faithfully

Dr Rebecca Stirnemann

Regional Manager, Central North Island Regional Manager  
Royal Forest and Bird Protection Society of New Zealand Inc

## FURTHER SUBMISSIONS ON PROPOSED PLAN CHANGE 3 (Significant Natural Areas) to the Rotorua District Plan Clause 8 of First Schedule, Resource Management Act 1991

To:

The Chief Executive

**Rotorua Lakes Council**

1061 Haupapa Street

Rotorua 3046

Email: [policy.planning@rotorualc.nz](mailto:policy.planning@rotorualc.nz)

4<sup>th</sup> October 2018

### Further Submitter Details

Full name of submitter: **Mercury NZ Limited ("Mercury")**

Contact name: *Fraser Graafhuis*

Address for service: *PO Box 445  
HAMILTON 3240*

Contact phone number: *(07) 858 8406*

Email: [fraser.graafhuis@mercury.co.nz](mailto:fraser.graafhuis@mercury.co.nz)

### Further Submissions

Mercury is a person who has an interest in the proposal that is greater than the interest of the public generally. Mercury made submissions on the Proposed Plan Change 3 to the Rotorua District Plan. Mercury owns and operates the Waikato Hydro System. The eastern side of Ohakuri hydro dam and Ohakuri electricity generation core site is located within the Rotorua Lakes District. Mercury is a key stakeholder in the Rotorua Lakes District particularly with respect to any matters that impact or potentially affect provision of Infrastructure or renewable electricity generation activities.

Mercury makes the further submissions as set out in the following table.

Mercury **wishes to be heard** in support of its further submissions.

If others make a similar submission, Mercury will **not** consider presenting a joint case with them at the hearing.

A handwritten signature in blue ink, appearing to read "Fraser".

---

Fraser Graafhuis  
**Planning and Policy Advisor**  
for Mercury NZ Limited

Submitter number	Submitter name	Section reference	Support/ Oppose	Reasons for Mercury's Further Submission	Decision Requested Allow/Disallow
8	Director – General of Conservation	Page 35/167 – SNA # 585 Lake Ohakuri NW Faces. Page 11 of DOC submission	Oppose in Part.	<p>Relevant to SNA # 585. Mercury seeks clarity on relief sought by DOC. Mercury seeks to ensure activities associated with operation, maintenance, upgrading of renewable electricity generation activities are not constrained by Plan Change 3.</p> <p>Mercury has freehold ownership Ohakuri electricity generation core site. Mercury seeks to ensure proposed SNA's do not expand further than notified over Ohakuri Power Station core site.</p>	Disallow
8	Director – General of Conservation	Page 40/167 - Lake Ohakuri Margins – All areas shown as DOC fixed marginal strip (PNA). Page 18 of DOC submission.	Oppose in Part	<p>Relevant to SNA # 585. Mercury seeks clarity on relief sought by DOC. DOC submission refers to data/information not within the public domain.</p> <p>Further assessment is needed to which titles are the subject of this submission, but appears relevant to Lake Ohakuri (former PNA), upstream of the Ohakuri electricity generation core site and dam. Mercury have an easement to inundate Lake Ohakuri over land owned by the Crown. Mercury does not oppose this SNA in principle.</p> <p>Mercury has freehold ownership of Ohakuri electricity generation core site. Mercury seeks to ensure proposed SNA's do not expand further than notified over Ohakuri Power Station core site.</p>	Disallow



**Further Submission on Plan Change 3**

**Full Name**

Warwick David Moyle and Catherine Elizabeth Lane

**Full postal address**

**Telephone number**

**E-mail**

[warwick5369@gmail.com](mailto:warwick5369@gmail.com)

**Are you using a different address for service (agent if applicable)**

No

**Do you wish to speak to your submission at a hearing?**

No

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

No

**I am:**

A person who has an interest in the proposal that is greater than the interest the general public has (e.g landowner affected by plan change/SNA)

**Can you please explain your answer above?**

Landowner

**Further submission on the proposed Plan Change 3 - Significant Natural Areas, to the Rotorua District Plan**

Instructions: A further submission can only be made on support of, or in opposition to, a submission already made on the plan change

**Submission number**

**Submitters Name**

M Burns - Director General of Conservation

**Section Reference (Submission Point)**

Site 679 - Te Waerenga Road 2 - Schedule the entire identified area for SNA 679 - "The Director-General considers that scheduling of these areas is required as significant forest sites. Although fragmented many are close by or almost contiguous. All significant unprotected sites that meet the RPS criteria must be scheduled as SNAs regardless of tenure."

**Support / Oppose**

Oppose

**Reasons**

No account has been made of the benefits individual ownership provides. This submission makes the false presumption that an authoritarian high handed one solution approach will work. What hasn't been understood is the environmental passion we as individual landowners have invested in our property. We have fenced, removed blackberry and barberry and trapped our very small bush area at our own expense. We pay rates on this privately owned land. An SNA will effectively make us tenants of our own land and will be totally counterproductive to what this submitter hopes to achieve.

**Upload further additions to your submission here**

No Answer



### **Further Submission on Plan Change 3**

**Full Name**

Philipp Marius Loest

**Full postal address**

**Telephone number**

**E-mail**

[philipp.loest@tll.co.nz](mailto:philipp.loest@tll.co.nz)

**Are you using a different address for service (agent if applicable)**

No

**Do you wish to speak to your submission at a hearing?**

No

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

Yes

**I am:**

A person who has an interest in the proposal that is greater than the interest the general public has (e.g landowner affected by plan change/SNA)

**Can you please explain your answer above?**

The proposal directly affects 70% of our family home property

**Further submission on the proposed Plan Change 3 - Significant Natural Areas, to the Rotorua District Plan**

Instructions: A further submission can only be made on support of, or in opposition to, a submission already made on the plan change

**Submission number**

8.31

**Submitters Name**

Director-General of Conservation

**Section Reference (Submission Point)**

SNA 679 Te Waerenga Road 2

**Support / Oppose**

Oppose

**Reasons**

We strongly oppose the Submission made by the Director-General of Conservation regarding SNA 679 Te Waerenga Road 2. I seek that this portion of the submission by the Director-General of Conservation is to be disallowed. I believe the Director-General's submission completely ignores the severe impacts that the the proposed SNA scheduling of our home property would have on our family's well being and future. It also doesn't take into consideration the errors made in the assessment that lead to the proposed SNA scheduling. It is easy for the Director-General of Conservation to make these submissions from behind a desk without having been on site. We are the ones that would have to live with the disproportionate consequences every day. I find her high level view on the issue at hand offensive as it completely lacks empathy for caring land owners. I have attached more detailed description of our position.

**Upload further additions to your submission here**

[https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/2b45ca29ce1164baeebe3a53264d3ffab4a84d4/file\\_answers/files/038/066/424/original/Proposed\\_SNA\\_679\\_-\\_119A\\_Kaharoa\\_Road.pdf?1570395726](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/2b45ca29ce1164baeebe3a53264d3ffab4a84d4/file_answers/files/038/066/424/original/Proposed_SNA_679_-_119A_Kaharoa_Road.pdf?1570395726)

Kim Smith  
Senior Policy Advisor  
Rotorua Lakes Council  
1061 Haupapa Street  
Private Bag 3029  
Rotorua Mail Centre  
ROTORUA 3046

8 November 2018

Dear Kim

Re: File Reference: 69-06-040-03 - SNA# 679 Location 119A Kaharoa Road

I am writing to you to inform you that we strongly oppose any part of our property being scheduled as a Significant Natural Area (SNA) as lined out in your letter dated 2 October 2018.

Our reasons for rejecting the proposal are detailed below.

In summary, the SNA proposal would have an unbearable, negative impact on our quality of life, the value of our property, our retirement plan and family home. It would take 68% of the property we paid for out of our control without reimbursement and would offer no environmental benefit.

We also believe that the information the proposal is based on is incorrect.

#### **Incorrect Information**

##### **Mapping errors:**

The proposed SNA incorrectly identifies our 145-metre-long concrete driveway (!), water tank, non-native vegetation and young plantings of native and non-native species as a Significant Natural Area.

A more accurate area estimate of SNA 679, Code 4 across the three affected properties (Kaharoa Road 89, 119A & 119) is 2.07 hectares, not 2.53 hectares as listed in the proposal.

##### **Risk Assessment errors:**

There is zero risk of grazing. Fencing to contain livestock within their designated paddocks is already in place on all three properties.

Classing the risk of grazing as medium, as done in the report the proposal is based on, is simply wrong.

**Significance Level Assessment:**

QEII Covenant protection was investigated by the previous property owner while subdividing in the late 1990's. The area was rejected as too small.

It seems incredulous that it would now meet criteria for local significance, especially as the area has since decreased in size (clearing for houses, driveways, utilities) and is not one continuous piece of bush anymore. Due to the mapping errors made, these factors would have been ignored in subsequent assessment steps.

**Excessive Restrictions:**

Although RLC is aware of the steep nature of our property, (council files list it as an area of landslide impact) this has not been taken into consideration in the SNA proposal.

It is likely that we will have to carry out slope strengthening and or retaining work within the proposed SNA boundaries to protect our property. The notion that we would have though a grueling and expensive resource consent process at our cost (as stated in SNA rules) to carry out this crucial work on our own land is unacceptable.

Due to the steep terrain, our only option to store objects like a trailer, boat or caravan is at the bottom of our driveway within the proposed SNA. Much like the retaining work, building the necessary storage shed would be very difficult and costly under SNA rules.

The proposed SNA would make other future use of our property very difficult. We were considering a tree house accommodation business and allowing use of our bush for a Forest Kindergarten.

In addition to severely limiting the legitimate use and potential of our land, the restrictions associated with the proposed SNA would discourage future purchasers of our property and hence devalue our single largest asset and jeopardize our retirement plan.

SNA rules are set in the District Plan. The plan is reviewed and changed regularly and there is no guarantee that the SNA rules will remain the same. It is very likely that the rules will become more restrictive in the future.

Even minor changes of these rules could have an enormous impact on us as it would affect 68% of our property and the proposed SNA would come within 9 metres of our family home. Realistically we would have no way to influence or veto these rules.

This ever-present level of uncertainty would not only impact on us mentally and emotionally but would also decrease the value of our property even further. No future purchaser would

want to purchase land that would effectively be in council control and subject to ever changing rules.

#### **No Environmental Benefit**

Much like our neighbors on either side, we believe our patch of bush is what gives our lifestyle property value by providing privacy, shelter and a unique, quality environment.

No future purchaser would want to destroy the value this bush provides. Especially since the land has no productive value.

Adding a layer of bureaucratic protection in form of an SNA is therefore not only unnecessary but would also fail to achieve any environmental gain.

The resources wasted on this SNA proposal could be used to great effect in other projects that provide real, tangible, positive outcomes for environment and community.

#### **Our Request**

We are requesting that our property not be scheduled as a Significant Natural Area.

The proposal is based on incorrect information and is the result of an erroneous assessment. Most importantly, the proposal fails to recognize the disproportionate negative effects it would have on our family.

We are asking you to exclude our property from any further steps in the SNA scheduling process.

Like our neighbors, we will fight to retain control over what we rightfully own, cherish and look after but would much prefer for common sense to prevail and invest this energy in our young family, the property we love and the community we're part of.

Yours sincerely

Tabea and Philipp Loest

[philipp.loest@gmail.com](mailto:philipp.loest@gmail.com)

CC Shirley Trumper - [Shirley.Trumper@rotorualc.nz](mailto:Shirley.Trumper@rotorualc.nz)  
Chris Sutton - [Chris.Sutton@rotorualc.nz](mailto:Chris.Sutton@rotorualc.nz)  
Bob Martin - [Bob.Martin@rotorualc.nz](mailto:Bob.Martin@rotorualc.nz)  
Bryce Heard - [bryce.heard@rotorualc.nz](mailto:bryce.heard@rotorualc.nz)  
Mark Gould, JP - [Mark.Gould@rotorualc.nz](mailto:Mark.Gould@rotorualc.nz)  
Hon Steve Chadwick JP - [Steve.Chadwick@rotorualc.nz](mailto:Steve.Chadwick@rotorualc.nz)  
Karen Hunt - [Karen.Hunt@rotorualc.nz](mailto:Karen.Hunt@rotorualc.nz)  
Rob Kent - [Rob.Kent@rotorualc.nz](mailto:Rob.Kent@rotorualc.nz)  
Jenny Riini - [jenny.riini@rotorualakescouncil.nz](mailto:jenny.riini@rotorualakescouncil.nz)  
Charles Sturt - [Charles.Sturt@rotorualc.nz](mailto:Charles.Sturt@rotorualc.nz)

**Further Submission Form**  
**PROPOSED PLAN CHANGE 3: SIGNIFICANT NATURAL AREAS**  
*Form 6 - Clause 8 of First Schedule, Resource Management Act 1991*

Submission number  
Office use only

**Instructions:** Email: [policy.planning@rotorualc.nz](mailto:policy.planning@rotorualc.nz)  
OR  
Post to: Rotorua Lakes Council, Private Bag 3029, Rotorua 3046, Attention Kim Smith  
OR  
Deliver to Rotorua Lakes Council, 1061 Haupapa Street, Rotorua, Attention Kim Smith

**CLOSING DATE FOR FURTHER SUBMISSIONS: Monday 7<sup>th</sup> October 2019**

<b>Full Name of Submitter:</b>	CG and WA Tozer	<i>If address for service is different to submitter's</i>	
<b>Full Postal Address:</b>	90 Waiewe St Whakatane	<b>Address For Service:</b> [Agent if applicable]	
<b>Email:</b>			
<b>Phone:</b>			
<b>Preferred Method of Service:</b> Email			

**PRIVACY:** Please note your further submission will be available on Council's website.

- I wish** to be heard in support of my submission.
- If others make a similar submission, **I will** consider presenting a joint case with them at a hearing.
- I am
  - ☐ A person who has an interest in the proposal that is greater than the interest the general public has (specify on what grounds you come within this category).  
[Explain why].....We are a directly affected landowner

Signature of submitter \_\_\_\_\_ Date \_\_\_\_\_  
A signature is not required if you make an electronic submission

## Further Submission from C&W Tozer (Submitter No 27)

Submission Number	Submitters Name	Section Reference (Submission Point)	Support/ Oppose	Reasons
Sub No. of original submission see: 'Summary of Decisions Requested'.		Clearly indicate which parts of the original submission you support or oppose, and any relevant provisions of the proposed plan change.		Please provide reasons for your views and clarify whether you seek that the whole or part (describe which part) of the submission is to be allowed/disallowed.  You may use additional paper if necessary.
Submission No. 5	CNI Iwi Land Management Ltd (CNIILML)	Submission point 5.04. Site #703 Torepatutahi Stream.	Support	We support CNIILML submission opposing the classification of this area as a Significant Natural Area. Concur that the gully system is not a riparian – it is a dry gully system – only flowing in periods of extreme rainfall (severe thunderstorms). We support the CNIILMI conclusion that areas do not meet the requirements of the RMA section 6(a) or significance criteria for RMA 6(c). Agree with the submitter that an SNA classification introduces yet another layer of compliance assessment when the existing protection mechanisms are adequate. We seek that the CNIILML submission be allowed.
Submission No. 8	Director General of Conservation	Submission point 8.04 – Incentives and Support. Referring to DOC Submission Appendix A Table	Support in part	We concur with Director General's support of ---'Council initiatives to incentivise protection of SNA's including rates remission, removal of resource consent fees for protection and restoration works and direct funding of restoration and protection works.' We support in part the Director General's relief sought, namely that 'Council investigate an incentive fund for the restoration and protection of SNA's'. We contend that Council should not just 'investigate', but as a matter of some urgency "--investigate <u>and establish</u> a meaningful incentive fund for the restoration and protection of SNA's."
Submission No. 8	Director General of Conservation	Submission point 8.51- Site # 703 Torepatutahi Stream. Referring to DOC Submission Appendix A Table.	Oppose	The Director General considers the scheduling of this area is required as it contains significant secondary vegetation. We question the significance of the 'secondary vegetation' due to there being no threatened or at- risk indigenous flora identified by Wildlands and because of the presence and ongoing invasive threat of wildling pines and disheartening impact of blackberry re-invasion despite our genuine efforts to control. We contend that the Regional Council Land Improvement Agreement across our property strictly controls vegetation clearance and provides adequate protection.
Submission No.9	Federated Farmers	Submission point 9.05 Incentives and Support	Support in part	We agree there is very real and urgent requirement to provide a range of incentives by way of public investment. Some of these are set out in the Federated Farmers 8 bullet point examples (paragraphs 2.7 and 2.8 of their submission) including rates remission, resource consent fee waivers and pest plant and pest animal control assistance. We therefore also support Federated Farmers contention that amendments to the Operative District Plan ('Incentives and Support' Section 3.5 of s32 Report) should have been included in PC3 to maintain momentum and equity and genuinely facilitate best biodiversity outcomes. We find it disappointing and difficult to comprehend that currently "Rotorua Lakes Council does not administer any assistance programme" for landowners with SNA's.

### Further Submission from C&W Tozer (Submitter No 27)

Submission Number	Submitters Name	Section Reference (Submission Point)	Support/ Oppose	Reasons
Submission No 23	Rotorua Rural Community Board	Submission point 23.01	Support in Part	Agree that the definitions of 'Significant' and 'Natural' need to be clear and not open to subjective interpretation. We consider that the Rotorua Community Board has raised a valid point about possible landowner loss of property capital value following an SNA being imposed. Compensation paid to the landowner for this loss (in the interests of a 'public good' demanded by the District and Regional ratepayers), is not inappropriate – particularly if Council fails to provide impacted landowners with meaningful long-term SNA protection/restoration assistance. Such assistance should be by way of pest plant and pest animal control, rates remission, resource consent fee waivers, transferable development rights etc. Such assistance and support would strongly encourage landowner buy-in, voluntary protection and worthy biodiversity protection outcomes.
Submission No 26	Timberlands Ltd	Submission point 26.03 – referring to Site #703 Torepatutahi Stream Riparian	Support	Support Timberlands submission that site #703 not be classified as an SNA for the reasons outlined by the submitter.



File No: 25 11 00  
Document No: **15184141**  
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2 October 2019

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Dear Sir/Madam

**Waikato Regional Council further submission to the Proposed Plan Change 3 – Significant Natural Areas (PC 3) to the Rotorua Lakes District Plan**

Thank you for the opportunity to further submit on the Proposed Plan Change 3 – Significant Natural Areas (PC 3) to the Rotorua Lakes District Plan. Please find attached the Waikato Regional Council's (the Council) further submission regarding this document.

Council wishes to be heard in support of its further submission and will consider presenting a joint case during the Hearing with other parties making similar submissions.

Should you have any queries regarding the content of this document please contact Alejandro Cifuentes, Policy Advisor, Policy Implementation directly on (07) 07 589 2786 or by email [Alejandro.Cifuentes@waikatoregion.govt.nz](mailto:Alejandro.Cifuentes@waikatoregion.govt.nz).

Regards,

Lisette Balsom  
**Manager, Integration and Infrastructure (Acting)**

# 1. FURTHER SUBMISSION ON Proposed Plan Change 3 – Significant Natural Areas (PC 3)

Submission point	Site/provision	Submitter	Support/ Oppose	Reasons	Decision requested
5.02	Site 700 - Mangaharakeke Waterfall	CNI Iwi Land Management Limited (CNIILML) on behalf of CNI Iwi Holdings Limited (CNIHL)	Oppose	Wildlands background ecological report (2014) identifies the site as locally significant based on aerial photographs and personal knowledge. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.	That the site be retained and mapped as SNA applying relevant WRPS criteria.
5.03	Site 701 - Mangaharakeke Wetland	CNI Iwi Land Management Limited (CNIILML) on behalf of CNI Iwi Holdings Limited (CNIHL)	Oppose	Wildlands background ecological report (2014) identifies the site as locally significant based on aerial photographs and personal knowledge. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.  Mapping of the wetland will also assist landowners in identifying zones subject to inspection requirements under the proposed National Policy Statement for Freshwater Management (re. Proposed NPSFM 3.15(5)(a)(i-iii)).	That the site be retained and mapped as SNA applying relevant WRPS criteria.
5.04	Site 703 - Torepatutahi Stream Riparian	CNI Iwi Land Management Limited (CNIILML) on behalf of CNI Iwi Holdings Limited (CNIHL)	Oppose	Wildlands background ecological report (2014) identifies the site as locally significant and important based on field work. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.	That the site be retained and mapped as SNA applying relevant WRPS criteria.
14.01	Site 567 - Golden Springs	Submitter 14	Oppose	Wildlands background ecological report (2014) identifies the site as both regionally and locally significant without need for further study. The study undertaken as part of the background	That the site be retained and mapped as SNA

				<p>report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.</p> <p>Council's main concerns is the protection and sustainable management of the geothermal stream.</p>	applying relevant WRPS criteria.
24.01	Site 558 - Akatārewa Stream	Te Kōwhiri Forest Partnership	Oppose	<p>Wildlands background ecological report (2014) identifies the site as regionally significant without need for further field work. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.</p> <p>Council's main concerns is the protection and sustainable management of the geothermal stream.</p>	That the site be retained and mapped as SNA applying relevant WRPS criteria.
26.01	Site 700 - Mangaharakeke Waterfall	Timberlands Ltd. (Timberlands)	Oppose	<p>Wildlands background ecological report (2014) identifies the site as locally significant based on aerial photographs and personal knowledge. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.</p>	That the site be retained and mapped as SNA applying relevant WRPS criteria.
26.02	Site 701 - Mangaharakeke Wetland	Timberlands Ltd. (Timberlands)	Oppose	<p>Wildlands background ecological report (2014) identifies the site as locally significant based on aerial photographs and personal knowledge. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.</p> <p>Mapping of the wetland will also assist landowners in identifying zones subject to inspection requirements under the proposed National Policy Statement for Freshwater Management (re. Proposed NPSFM 3.15(5)(a)(i-iii)).</p>	That the site be retained and mapped as SNA applying relevant WRPS criteria.

26.03	Site 703 - Torepatutahi Stream Riparian	Timberlands Ltd. (Timberlands)	Oppose	Wildlands background ecological report (2014) identifies the site as locally significant and important based on field work. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.	That the site be retained and mapped as SNA applying relevant WRPS criteria.
27.01	Site 703 - Torepatutahi Stream Riparian	Tozer, C and W	Oppose	Wildlands background ecological report (2014) identifies the site as locally significant and important based on field work. The study undertaken as part of the background report represents an appropriate degree of site validation. The site meets one or more of the Waikato RPS criteria for determining significance of indigenous biodiversity.	That the site be retained and mapped as SNA applying relevant WRPS criteria.