



Submission form

Send your submission to reach us by **4:00 pm** on **Wednesday, 27 April 2016**.

Submission number
Office use only

Post: The Chief Executive
Bay of Plenty Regional Council
PO Box 364
Whakatāne 3158

or Fax: 0800 884 882

or email: rules@boprc.govt.nz

Submitter name:
**Kaingaroa
Timberlands
Partnership by its
agent and manager
Timberlands
Limited**

This is a submission on **Proposed Plan Change 10 (Lake Rotorua Nutrient Management) to the BOP Regional Water and Land Plan**.

- 1 The details of our submission are in the attached table.
- 2 We **do wish** to be heard in support of my submission.
- 3 If others make a similar submission, we would consider presenting a joint case with them at a hearing.

____ Colin Maunder _____

31 March 2016 _____

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BOPRC ID: **Error! Unknown document property name.**

SUBMISSION POINTS:**Introduction**

1. Kaingaroa Timberlands Partnership (KT) owns the lease for the Te Ngae nursery located at Te Ngae on land owned by Te Ngae Farm Trust. Within the Rotorua Lake catchment area KT also owns crown forest licences and forestry rights. These submissions relate mainly to the nursery asset. The nursery lease is for 80 hectares and a tree nursery has been on the majority of the site for at least 20 years. The nursery produces tree seedlings for the replanting of Kaingaroa Forest, Tarawera Forest and other forests in the region. In the last season seedlings for planting 6,000 hectares were produced. The nursery is the major supplier of plantation tree stock for this district
2. Part of the site is irrigated and KT is in the process of developing containerisation facilities on the site. The nursery also contains a laboratory for nursery research and tissue culture development. The site infrastructure exceeds \$4million.
3. Under the proposed rules, the nursery operation does not fit into the identified sectors and by default falls within the drystock sector. Furthermore the Overseer method to be used for allocating and monitoring nitrogen leaching has not been developed for a plant nursery for plants that are not used for human or stock consumption.
4. The **particulars** of our submission are as below:

Page no.	Reference (e.g. Policy, rule, method or objective number)	Support/oppose	Decision sought Say what changes to the plan you would like	Give reasons
2	Table LR 2: Pastoral farming sector proportional reductions.	Oppose	Include a statement that some existing land uses do not fit into the identified sectors and or Overseer has not been developed to provide certain nitrogen leaching rates from such land uses, or such other words to the same effect.	There needs to be recognition at the commencement of the proposal that there are land uses that operate in the catchment that do not fall within the majority classification of the sectors. This recognition will then set the platform for the later provisions that have been proposed for such land uses.

7	<p>LR P14 With regard to the proviso “Any alternative to OVERSEER® for nitrogen budgeting purposes must be authorised by the Regional Council”</p>	Support in part	Add “by way of the resource consent process”..	<p>LR R10 reserves control to the council to approve any alternative model and LR.P14 should be clear as to how authorisation is to be achieved.</p> <p>The resource consent process allows for legal remedies for KT if there is any dispute concerning alternative models.</p>
18	LR R11	Support		<p>The focus of the rules has been on the usual farming activities. Unique land uses must be provided for especially as the growing of seedlings to supply afforestation and replanting of forests in the catchment and the region is vital in helping to achieve the policies for nitrogen reduction.</p>
12	<p>LR R2</p> <p>(a) The land use remains in plantation forestry with no more than a two year interval between harvesting and replanting or upon harvesting the land is permanently retired;</p>	Oppose	<p>Delete the reference to two year interval between harvesting and or replanting,</p> <p>There is also a relationship with the definition of permanently retired requiring retired areas to be legally secured. See submission below.</p>	<p>While it is usual for forests to be replanted in 2 years there may be times when this does not occur especially if there is a different owner of the land and the trees. So at time of handback of land from a tree owner to the landowner it may take time for the landowner, often iwi, to undertake any replanting.</p> <p>Landowners who do not meet this timing requirement could be forced to apply for a non-complying consent. This is too onerous.</p> <p>Also within forestry there are areas of bush and scrub that do not fall within Overseer scope of a bush/scrub block. At the time of replant some areas of forests are not replanted for reasons such as regulatory requirements for setbacks from water, setbacks from powerlines, setbacks from public roads where issue of safety, setbacks from boundaries and non-replanting because of health and safety reasons. Furthermore these non-planted areas are not legally secured as required by the definition of permanently retired.</p> <p>Especially within this catchment some areas for mountain bike tracks and associated areas are not replanted.</p> <p>It would be too onerous for a landowner to have to apply for a noncomplying activity for non- replanted areas.</p>

21	Definitions <i>Permanently retired</i>	oppose	Delete the reference to “ that is legally secured”. Add “that is not grazed”	<p>In forestry there will be areas that are not replanted but such areas are not legally secured. They may be areas that are part of the management of a forest, that is they may be pulled across at time of harvest, they may be areas used for sediment control devices, areas used for new tracks and like., permanent skid sites and infrastructure areas such as water ponds, radio sites and or Identified cultural sites. So they form part of the normal management practices of a forest but are not legally reserved retired areas.</p> <p>What is important is that the areas are not grazed</p>
21	Definition of Plantation Forestry	Oppose	Include all those aspects of forestry such as earthworks, tracks and non-planted areas, rather than restricting the definition to planted areas only.	<p>Forestry is not just areas of planted trees. There are large areas of roading, skid sites and non-planted areas.</p> <p>The rules are also about the discharge of phosphorous. Therefore forestry earthworks should also be part of the definition.</p> <p>Non planted areas may revert to indigenous vegetation but they will not necessarily be areas that are legally reserved. They are just non-planted areas within a forest.</p> <p>Non-planted areas and management of such areas are important for cultural reasons and for the biodiversity of a forest and also an important part of international third party certification processes.</p>