

# Submission to Material Incorporated By Reference into the Auckland Unitary Plan Operative in part

Clause 34(2)(d), Part 3 of First Schedule, Resource Management Act 1991



Correspondence to :

unitaryplan@aucklandcouncil.govt.nz

**Submissions Close**  
**Thursday 22 November 2018**

## Submitter details

### **Full Name of Submitter or Agent (if applicable)**

Please note that your details are required to be made publicly available under the Resource Management Act 1991.

Mr/Mrs/Miss/Ms(Full Name)

*Rayones NZ Ltd / Matariki Forests*

**Organisation Name (if submission is on behalf of Organisation)**

### **Address for service of the Submitter**

*C/- Trish Fordyce PO Box 5791 Wellesley St, Auckland*

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*0274517 253*

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*trish.fordyce@tra.co.nz*

Contact Person: (Name and designation if applicable)

*Trish Fordyce, Consultant*

## material proposed to be incorporated

- Stormwater Management Devices in the Auckland Region, December 2017, Guideline Document 2017/001 Version 1 (GD01)
- Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region, June 2016, Guideline document 2016/005, Incorporating Amendment 1 (GD05)

## Submission

**My submission is:** *(Please indicate whether you support or oppose the specific material referred to or wish to have them amended and the reasons for your views)*

I **support** the inclusion of the material referred to above

I **oppose** the inclusion of the material referred to above

I wish to have the material referred to above amended Yes  No

The reasons for my views are: *See attached*

Signature of Submitter *[Handwritten Signature]*  
*(or person authorised to sign on behalf of submitter)*

Date *22 November 2018*

**Notes to person making submission:**

If you are a person who could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6 (4) of part 1 of Schedule 1 of the Resource Management Act.

I could  could not  gain an advantage in trade competition through this submission

*If you could gain an advantage in trade competition through this submission please complete the following:*

I am  am not  directly affected by an effect of the subject matter of this submission that:

(a) adversely affects the environment; and

(b) does not relate to trade competition or the effects of trade competition

**Material Incorporated by Reference into the Auckland Unitary Plan Operative in Part  
Re: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region June  
2016**

**Material to be Amended and Reasons:**

1. The guide is confusing as to its relevancy to ancillary forestry earthworks in the Auckland Region. The confusion arises from the approach to earthworks and land disturbing activities in the Auckland Unitary Plan (AUP).
2. The AUP provides different activity status for activities that fall within the scope of Land Disturbing Activities namely, Earthworks, Ancillary Farming earthworks and Ancillary Forestry Earthworks.

3. The Preface states:

*"As is explained in section A1.2, this guideline focuses on 'earthworks', where earthworks comprise: • Disturbance of soil/ground for activities such as residential, commercial or infrastructure developments, roads and utilities, and • Earthworks associated with quarrying (such as overburden disposal), and ancillary farming earthworks (excluding cultivation)."*

So, it would appear from the Preface and the guide does not apply to ancillary forestry earthworks. However, section A1.2 (Scope and Application of the guide) commences with the AUP definition of land disturbing activities which encompasses all types of earthworks, in other words the implication being that ancillary forestry earthworks will be included in the scope and application of the guide.

4. The guide then states what it "**primarily**" deals with, which does not include ancillary forestry earthworks.
5. However, in a backhanded way while stating that ancillary forestry activities are not **specifically** addressed the guide goes on to state that "many of the measures covered in the guideline are relevant to cultivation and ancillary forestry activities.
6. This leaves the door open to application of the guide to ancillary forestry earthworks.
7. It should be noted that the forest industry in Auckland were never consulted on this guide.
8. The guide should be amended to be very specific that its scope and application does not apply to ancillary forestry activities.

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### **Full Name of Submitter or Agent (if applicable)**

Please note that your details are required to be made publicly available under the Resource Management Act 1991.

Mr/Mrs/Miss/Ms(Full Name) Mrs Ursula Buckingham

**Organisation Name (if submission is on behalf of Organisation)** Hancock Forest Management NZ Ltd

### **Address for service of the Submitter**

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ubuckingham@hnr.com

Contact Person: (Name and designation if applicable)

## **material proposed to be incorporated**

- Stormwater Management Devices in the Auckland Region, December 2017, Guideline Document 2017/001 Version 1 (GD01)
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I **oppose** the inclusion of the material referred to above

I wish to have the material referred to above amended Yes  No

The reasons for my views are:

HFM NZ were not consulted on this document and would have welcomed such consultation. The guideline is ambiguous in its intent by including the definition of land disturbance in the text but implying forestry is managed through other documents. ~~HFM NZ seek to be consulted with on the intent of the document and to make this clear in the introduction of the guideline.~~ This is important as the document will be used by practitioners as well as Council staff.

Signature of Submitter

Date

(or person authorised to sign on behalf of submitter)

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Mr/Mrs/Miss/Ms(Full Name) Mrs Ursula Buckingham

**Organisation Name (if submission is on behalf of Organisation)** Northland Wood Council

### **Address for service of the Submitter**

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Please see over page.

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SUBMISSION ON: Erosion and Sediment Control Guide for Land Disturbing Activities in the Auckland Region

DATE: 20 November 2018

FROM: This submission is written on behalf of the Northland Wood Council (NWC) who are a regional association representing the larger plantation forest owners and forest managers operating in Northland including Auckland, which accounts for 20% of the total plantation forestry area within the Northland Wood Supply Region (refer table 9.7 page 2 of this submission).

The NWC works to represent or lobby for and on behalf of its members in a range of areas where common objectives can be better achieved when working as a cohesive group.

The NWC are made up of representatives from Summit Forests, Northland Forest Mangers, PF Olsens, Rayonier Matariki Forests, New Zealand Farm Forestry Association, Tai Tokerau Iwi Forestry and Hancock Forest Management Ltd NZ of which several members of the NWC are participants on the Forest Liaison Group.  
([www.northlandwoodcouncil.co.nz](http://www.northlandwoodcouncil.co.nz))

The Reasons for NWC views are as follows:

1. NWC support and welcome consultation with Auckland Council and can see great benefits of Auckland Council engaging in consultation with the forest industry over this guideline.
2. Auckland Council meet twice a year with the Forest Liaison Group and this guideline was not shared with the group.
3. In section **A1.1 'Aims of the guidelines'** states that the guideline provides guidance for the selection, design and use of erosion and sediment control practices and measures for a range of land disturbing activities. Further in **A1.2 'Scope and application of the guideline'** land disturbance activities are defined which includes ancillary forestry earthworks. Section A1.2 goes on to state that:

*While many of the measures covered in the guidelines are relevant to cultivation and ancillary forestry activities, those activities are not specifically addressed. Other industry best-practice guidelines apply to those activities, as required throughout the Auckland Unitary Plan.*

In summary, Section A1.2 is highly ambiguous in the way it is written. including the definition of land disturbance into the introduction and the title of the guideline implies that forestry will be captured.

4. Given the above concerns no comment is given in this submission on Sections B through to F or the appendices, tables or figures.

NWC seek to have the guide amended to state at the beginning of the guideline the intended purpose and what activities the guideline intends to capture and those activities that should be exempt. This is also important given this document is intended to be used by Auckland Council consent processors and compliance officers.

NWC encourages Auckland Council to engage in consultation with the forest industries over guidelines and other documents effecting the industry.

We look forward to working with you in the future.

TABLE 9.7: FOREST AREA<sup>1</sup> COLLECTED BY POSTAL SURVEY AND ADJUSTMENTS FOR NEW PLANTING, AS AT 1 APRIL 2016

TERRITORIAL AUTHORITY	COLLECTED BY POSTAL SURVEYS (HA) <sup>2</sup>	IMPUTED NEW PLANTING 1992-2006 (HA) <sup>3</sup>	ESTIMATED TOTAL AREA (HA)
NORTHLAND WOOD SUPPLY REGION			
Far North District	75 091	8 087	83 178
Whangarei District	25 851	3 704	29 555
Kaipara District	30 391	4 829	35 220
Auckland Council	31 741	6 245	37 986
<b>Region total</b>	<b>163 074</b>	<b>22 865</b>	<b>185 939</b>

*Source: MPI, NZFFA & NZFOA National Exotic Forest Description as at 1 April 2016*

Ursula Buckingham  
Northland Wood Council Secretary