

**Proposed Kaipara District Plan:
Form 6 - Further Submission**

Clause 7 of Schedule 1, Resource Management Act 1991

This is a further submission that is either in support of or in opposition to any submission already received by Kaipara District Council on any Proposed Kaipara District Plan topic **except for Light** in the Proposed Kaipara District Plan. No new submission points can be made.

All submissions and Summary of Submissions can be viewed on our website here:
www.kaipara.govt.nz/kaipara-district-plan-review/proposed-district-plan-submissions

Note: *The topic of Light was notified for further submissions on 21 October 2025 prior to all other topics due to the hearing for Light being confirmed for 17 December 2025.*

Note: You can only make a further submissions on the submission points identified in an original submission on the Proposed Kaipara District Plan.

1. Further submitter details *(mandatory information)*

Full name of individual/organisation making further submission:

Contact person *(if different from above):*

Email address:

Postal address:

Postcode:

Preferred method of contact:

Email

Post

Contact phone number:

Do you have an agent who is acting on your behalf?

Yes

No

If you would like a copy of your submission sent to your agent, enter their email address below *(otherwise leave blank)*

Agent email address:

2. Eligibility to make a further submission *(for information on this section go to RMA Schedule 1, clause 8)*

I am (select one of the following options):

A person representing a relevant aspect of the public interest.

In this case, also specify below the grounds for saying that you come within this category.

A person who has interest in the proposal greater than the interest that the general public has.

In this case, also specify below the grounds for saying that you come within this category: or

The local authority

3. My reasons for selecting the category ticked above are:

(For example: Any person representing a relevant aspect of the public interest would likely include public interest environmental groups

OR

Any person that has an interest in the proposed policy statement or plan greater than the interest that the general public has is likely to include owners of land and users of resources directly affected by plan provisions. It is also likely to include iwi and hapu where their interests are directly affected.)

4. Request to be heard at hearings

Yes, I wish to be heard at the hearing in support of my further submission; or

No, I do not wish to be heard at the hearing in support of my further submission.

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

Yes

No

Signature of further submitter:

(or person authorised to sign on behalf of person making further submission)

(A signature is not required if you are making your further submission by electronic means)

Date

Important information:

1. This Form 6 is for further submissions on every topic with the Proposed Kaipara District Plan (apart from Light).
2. You must serve a copy of your further submission on the original submitter **within five working days after it is served** on Kaipara District Council.
3. The Kaipara District Council must receive this further submission before the closing date and time for further submissions (**5.00pm on Monday 15 December 2025**).
4. All information provided in your further submission is considered public under the Local Government Official Information and Meetings Act 1987 and will be published to progress the process for the Proposed Kaipara District Plan and will be made publicly available. Your further submission will only be used for the purpose of the Proposed Kaipara District Plan.
5. Submitters who indicate they wish to speak at the Hearing will be emailed all relevant information relating to the Hearing. If you don't have an email address, it will be posted.

Note to person making submission:

Your further submission (or part of your further submission) may be struck out if the authority is satisfied that at least one of the following applies to the further submission (or part of the further submission):

- It is frivolous or vexatious;
- It discloses no reasonable or relevant case;
- It would be an abuse of the hearing process to allow the further submission (or the part) to be taken further; and/or
- It contains offensive language.

Send your further submission:

Post it to: District Planning Team
Kaipara District Council
Private Bag 1001
Dargaville 0340

OR

Email to: districtplanreview@kaipara.govt.nz

OR you can hand-deliver this further submission form along with any attachments to: any Kaipara District Council service centre (Dargaville at 32 Hokianga Road or Mangawhai at 6 Molesworth Drive). Please be aware that our service centre doors close at **4.00pm**.

Please refer to District Plan Review on our website www.kaipara.govt.nz where all information and updates are located.

If you need any assistance at all, please contact the District Planning Team on 0800 727 059 or email us at districtplanreview@kaipara.govt.nz.

Further Submissions must be received
by: **5pm – Monday 15 December 2025**

5. Further Submission/s on all remaining topics (excluding the LIGHT topic) on the Proposed Kaipara District Plan:

Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) Give precise details
<i>Example</i> John Smith	<i>Example</i> 600	<i>Example</i> 600.001	<i>Example</i> Support	<i>Example</i> I support because I believe.....	<i>Example</i> I seek that the whole of the submission point be allowed

YOU ARE WELCOME TO PROVIDE THE REQUIRED INFORMATION ABOVE ON A SEPARATE PAGE IF YOU REQUIRE MORE SPACE



**Proposed Kaipara District Plan
Submitter Contact List
for all other topics (excluding the LIGHT topic)**

You must serve a copy of your further submission on the original submitter **within five (5) working days after it is served** on Kaipara District Council.

A list of original submitters contact details are available from www.kaipara.govt.nz/district-plan-review (go to submissions)

Or download from the link below

[Download the Original Submitter Contact List](#)

02 December 2025

Kaipara District Council

Planning and Policy Team

districtplanreview@kaipara.govt.nz

32 Hokianga Road, Dargaville

Further submission in support of, or in opposition to, submissions on the Kaipara Proposed District Plan as per *Clause 8, Schedule 1, Resource Management Act 1991*

1. Further submitter details

Name of further submitter:

PF Olsen Limited

Contact person:

Heather Arnold, Environmental Manager

Address for service:

PF Olsen Limited

99 Sala Street

Whakarewarewa

Rotorua 3010

Email: heather.arnold@pfolsen.com

Phone: 021 240 0530

Eligibility to make a further submission

PF Olsen Limited is an organisation with an interest in the proposal that is greater than the interest the general public has, as PF Olsen manages plantation forests and associated activities within the Kaipara District.

PF Olsen is not a trade competitor in relation to the provisions to which this further submission relates and could not gain an advantage in trade competition through this further submission.

PF Olsen wishes to be heard in support of this further submission. If other parties make a similar submission, PF Olsen will consider presenting a joint case with them at the hearing.

2. Scope of further submission

This further submission:

- raises a preliminary legal point; and
- subject to that preliminary point, only supports or opposes specific points raised in primary submissions on the Proposed Kaipara District Plan.

The detailed further submission points in support of, or in opposition to, specific primary submissions are set out in the attached Appendix 1.

3. Preliminary legal point – status of the Proposed Kaipara District Plan under the Resource Management (Consenting and Other System Changes) Amendment Act 2025

1. On 20 August 2025, the Resource Management (Consenting and Other System Changes) Amendment Act 2025 came into force. That Amendment Act inserts a new subpart into Part 5 of the Resource Management Act 1991 (RMA), including provisions that regulate the treatment of proposed planning instruments, such as proposed district plans.
2. New section 80Q RMA (When proposed planning instruments must be withdrawn) requires a local authority to withdraw a proposed planning instrument as soon as practicable, and no later than 90 working days after commencement of the subpart, unless one of the following applies:
 - (a) an automatic exemption applies under section 80U; or
 - (b) the local authority has applied for an exemption under section 80V; or
 - (c) the Minister has directed that the proposed planning instrument is not to be withdrawn under section 80T.
3. In addition, the new provisions include a duty on local authorities to give public notice of the status of proposed planning instruments within 90 working days of the commencement of the subpart. That duty requires public notice of, among other things:
 - (a) any part of a proposed planning instrument that has been withdrawn and the date of withdrawal;
 - (b) any proposed planning instrument (or part) that continues under an automatic exemption;
 - (c) any proposed planning instrument for which an exemption has been applied for under section 80V and the outcome, if known;
 - (d) any Ministerial direction given under section 80T; and
 - (e) any proposed planning instrument that will continue because an exemption has been granted under section 80V.
4. The Proposed Kaipara District Plan is a “proposed planning instrument” for the purposes of these amendments. PF Olsen understands that the Proposed Kaipara District Plan has been notified as a full review of the operative district plan under section 79(4) RMA, rather than as a limited-scope plan change.
5. Given that the Proposed Kaipara District Plan is a full review under section 79(4), it appears, on the face of it, that it does not fall within the limited exception categories for automatic exemption provided for in section 80U. On that basis, unless Kaipara District Council has applied for, and obtained, an exemption under section 80V, or is acting under a direction given by the Minister under section 80T, section 80Q requires

that the Proposed Kaipara District Plan must be withdrawn within the statutory timeframe.

6. In all cases, whether the Proposed Kaipara District Plan is withdrawn, continues under an automatic exemption, or continues under an exemption or Ministerial direction, the Council must give public notice of the status of the Proposed District Plan in accordance with the new duty described in paragraph 3 above.
7. In every case, the Council must then give public notice of the status of the Proposed District Plan in accordance with the new duty.
8. These provisions are threshold and jurisdictional in nature. They go to whether, and on what basis, the Proposed Kaipara District Plan is able to continue to be processed and heard under Schedule 1 RMA. They are not matters of substantive "relief" able to be sought or opposed within the confines of a further submission, and PF Olsen does not frame them as such.
9. PF Olsen raises this issue as a preliminary legal point to assist the Council. PF Olsen considers that:
 - (a) the Council should confirm on the record how it has complied with section 80Q (withdrawal, exemption or Ministerial direction) and the associated transitional provisions; and
 - (b) the Council should confirm that it has met the duty to give public notice of the status of the Proposed Kaipara District Plan, including the matters specified in the new subpart (withdrawals, exemptions, and any Ministerial directions or decisions).
10. Clear compliance with these new statutory duties is important for:
 - (a) legal certainty as to the status and ongoing validity of the Proposed Kaipara District Plan;
 - (b) transparency for all submitters and further submitters as to whether they are engaging with a planning instrument that will continue, be modified, or be withdrawn; and
 - (c) avoiding procedural or jurisdictional challenges arising later in the process.
11. PF Olsen reserves its position on any questions of jurisdiction or legal validity that may arise if the Council has not fully complied with section 80Q and the associated duty to give public notice. At this stage, PF Olsen simply requests that the Council treats compliance with the new provisions as a preliminary matter and seeks confirmation from the Council before further plan work progresses.

Please let me know if the Council requires any clarification or additional information in relation to this further submission, or if any consequential amendments are proposed that may affect the provisions addressed above.

PF Olsen is willing to work constructively with Council officers and other submitters to refine the provisions so that they are clear, effective, and aligned with the Resource Management Act 1991 and the NES-CF framework.

Yours sincerely

Heather Arnold
Environmental Manager
PF Olsen Limited

Document enclosed:

- Council PDF Form
- Appendix 1

Appendix 1 – Further Submission/s on all remaining topics (excluding the LIGHT topic) on the Proposed Kaipara District Plan:

Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) Give precise details
FS89.1 Federated Farmers of New Zealand	136	12	Support in part	Clarifies that references to “forestry” in the plan apply to commercial forestry, aligning terminology with the plan’s definitions and the NES-CF. This improves certainty for plan users and is consistent with PF Olsen’s submission seeking clear, NES-CF-aligned forestry terminology.	PF Olsen supports the whole of this submission point be accepted, so that all generic references to “forestry” are replaced with “commercial forestry” where appropriate throughout the plan.
FS89.2 Federated Farmers of New Zealand	136	4	Support in part	Supports the inclusion of a nested “rural activities group” definition that clarifies the relationship between primary production, land-based primary production, commercial forestry, afforestation, exotic continuous-cover forestry, plantation forestry and related activities. This structure is consistent with the NES-CF and aligns with PF Olsen’s submission seeking clear, NES-CF-aligned forestry terminology.	PF Olsen supports the inclusion of these terms and seeks that the nested definitions are retained, subject to any minor amendments needed to maintain consistency with the NES-CF definitions.
FS89.3 Federated Farmers of New Zealand	136	6	Support	Seeks inclusion of new nested definition on how rules for infrastructure and structures interact across chapters (including ECO, SASM, NFL). This improves consistency and usability for	PF Olsen supports this submission in full and seeks that it be accepted, with any consequential amendments required to ensure coherent and consistent treatment of

Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) Give precise details
				farm and commercial forestry infrastructure, which PF Olsen also seeks through its track and infrastructure relief.	farm and commercial forestry infrastructure and associated earthworks across the plan.
FS89.4 Federated Farmers of New Zealand	136	65	Support in part	Supports enabling maintenance of farm and forestry tracks and associated earthworks in NATC-R3, which is consistent with PF Olsen's aim of providing practical permitted pathways for farm and commercial forestry infrastructure. However, the use of the generic term "forestry tracks" is inconsistent with the defined term "commercial forestry" and PF Olsen's relief to use "commercial forestry tracks" throughout.	PF Olsen seeks to support in part to the extent it enables maintenance of farm and commercial forestry tracks in NATC-R3, and amended so that all references to "forestry tracks" are replaced with "farm and commercial forestry tracks" (or equivalent wording consistent with PF Olsen's original submission).
FS89.5 Federated Farmers of New Zealand	136	66	Support in part	Similar to 136.65, seeks to enable maintenance of farm and forestry tracks and drains and related indigenous vegetation clearance in NATC-R4. This is supported in principle as it reflects the operational needs of farming and forestry. The residual concern is the continued use of "forestry tracks" rather than the clearer "commercial forestry tracks".	PF Olsen seeks to support in part so that NATC-R4 continues to enable maintenance of farm and commercial forestry tracks and drains, but amended to replace "forestry tracks" with "farm and commercial forestry tracks" for consistency with NES-CF definitions and PF Olsen's original relief.

Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) Give precise details
FS89.6 Federated Farmers of New Zealand	136	78	Support in part / oppose in part	Seeks to recognise and permit maintenance of farming and forestry tracks and drains within Outstanding Natural Landscapes under NFL-R3. This is consistent with PF Olsen's intent that primary production infrastructure remains workable in ONLs. However, PF Olsen prefers the clearer term "commercial forestry tracks" to avoid ambiguity and to align with NES-CF.	PF Olsen support submission in part so that maintenance of farm and commercial forestry tracks and drains is enabled in NFL-R3, and amended to replace "forestry tracks" with "farm and commercial forestry tracks" (or equivalent) across the rule.
FS89.7 Federated Farmers of New Zealand	136	79	Support in part	As with 136.78, this point seeks to provide for earthworks and maintenance of farm and forestry tracks and drains in ONLs under NFL-R4. PF Olsen supports the enabling intent but opposes the continued use of the generic "forestry tracks" terminology, seeking consistency with its relief and NES-CF terminology.	PF Olsen support submission in part to retain permitted (or appropriately enabling) maintenance of farm and commercial forestry tracks and drains in NFL-R4, and amended so that all references to "forestry tracks" are replaced with "farm and commercial forestry tracks".
FS89.8 Manulife Forest Management NZ Ltd	158	1	Support	Seeks to amend rule SAS-R3.1.a to include commercial forestry infrastructure, including tracks and drains, provided the area and volume of land disturbed is limited to what is necessary to maintain the existing infrastructure along its existing alignment.	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.

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FS89.9	Manulife Forest Management NZ Ltd	158	3	Support	Seeks amendment to the rule NATC-R3 to include commercial forestry tracks	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.
FS89.10	Manulife Forest Management NZ Ltd	158	4	Support	Seeks amendment to the rule NATC-R4.1. (b) to include commercial forestry tracks	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.
FS89.11	Manulife Forest Management NZ Ltd	158	5	Support	Seeks amendment to the rule NFL-R3.1.b to include commercial forestry tracks	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.
FS89.12	Manulife Forest Management NZ Ltd	158	6	Support	Seeks to amend rule NFL-R4.1.b to include commercial forestry tracks	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.
FS89.13	Manulife Forest Management NZ Ltd	158	7	Support	Seeks to amend rule CE-R3.1.b to include commercial forestry tracks	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.

	Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) Give precise details
FS89.14	Manulife Forest Management NZ Ltd	158	12	Support	Seeks to delete all commercial forestry from ONL mapped area	PF Olsen supports the submission in part, mainly in relation to the boundaries of ONL8, ONL9, and ONL23 to exclude areas that do not exhibit Outstanding Natural Landscape (ONL) characteristics.
FS89.15	Rayonier Matariki Forests	259	1	Support	Seeks to amend the definition of "commercial forestry" and amend all references to forestry in the plan to "commercial forestry".	PF Olsen supports the submission in full, as it expressly includes commercial forestry and aligns terminology with the standardisation in the NES-CF.
FS89.16	Bream Tail Residents Association Incorporated	300	51	Oppose in part	Seeks to retain the rule CE-R4.	PF Olsen opposes the rule being retained in its current form. An amendment is required to include an advice note clarifying that forestry earthworks are excluded from the rule.
FS89.17	Northland Regional Council	332	26	Support in part	Seeks to amend CE-R4 to provide for maintenance of lawfully established structures, roads and tracs and removal of hazardous trees as permitted activity	PF Olsen supports in part the submission. The maintenance of established forestry earthworks should be a permitted activity where it complies with the permitted activity regulations under the NES-CF.

FS89.18

Name of original submitter	Original submitter number	Original submission point number	Support or oppose	Reasons for supporting or opposing	I seek that the whole (or part [describe part]) of the submission be allowed (or disallowed) Give precise details
Director of Conservation	304	18	Support in part	Seeks to amend the definition of exotic continuous cover forestry as per the definition of the NES-CF and retain the remainder of the definition for exotic continuous cover forestry as notified.	PF Olsen supports in part only related to maintain the NES-CF definition in relation to exotic continuous cover forestry.