

Written Submission on Freshwater Planning Instrument Parts of Proposed Otago Regional Policy Statement 2021

Submissions must be received by Otago Regional Council by 3 pm Tuesday 29 November 2022


To: Otago Regional Council

1. **Name of submitter** (*full name of person/persons or organisation making the submission. Note: The submissions will be referred to by the name of the submitter*)

Lynette Baish, Environmental Planner for Otago forestry companies (Port Blakely, Calder Stewart, City Forests, Ernslaw One Ltd, and Wenita)

2. This is a submission on the **Freshwater Planning Instrument Parts of Proposed Otago Regional Policy Statement 2021**.
3. I **could not** gain an advantage in trade competition through this submission. (*See notes to person making submission*)
4. I **am not** directly affected by an effect of the subject matter of the submission that
- a. adversely affects the environment; and
 - b. does not relate to trade competition or the effects of trade competition (*See notes to person making submission*)
5. I **wish** to be heard in support of my submission
6. If others make a similar submission, I **will** consider presenting a joint case with them at a hearing
7. **Submitter Details**

- a. **Signature of submitter** (*or person authorised to sign on behalf of submitter*)



- b. **Signatory name, position, and organisation** (*if signatory is acting on behalf of a submitter organisation or group referred to at Point 1 above*)

Name: Lynette Baish

Position: Environmental Planner

Organisation: Ernslaw One Ltd

- c. **Date**

29th November 2022

Address for service of submitter (This is where all correspondence will be directed)

d. Contact person (name and designation, if applicable)

Peter Weir, Head of Environmental Planning and Performance

e. Email:

peter.weir@ernslaw.co.nz

f. Telephone:

027 454 7873

g. Postal address (or alternative method of service under [section 352](#) of the Act):

PO Box 36, Tapanui, West Otago

8. My submission is:

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<i>The specific provisions that my submission relates to are:</i>	<i>I support or oppose or seek amendment.</i>	<i>The reasons for my views are:</i>	<i>I seek the following decision from the local authority:</i>
The Freshwater Planning Instrument in its entirety.	We support the intent of the Freshwater Planning parts of the RPS, and its drafting, in principle, but seek some amendments to provide further clarity.	The RPS, including the freshwater parts (the FPI), must provide appropriate policy direction for the making of regional and district plans, and other methods, to phase out over-allocation, and identify sustainable limits on resource use including land and soils, freshwater and biodiversity. It is noted a regional rule (or a resource consent) can be more stringent than any of the agricultural intensification rules in the NES-F regulations. The Freshwater Objectives and Policies should be clear in setting out that where effects associated with over-allocated water bodies are to be avoided, remedied or mitigated, more stringent provisions than the default NES-F or NES-PF may be necessary, subject to evidenced, science-based scenarios for maintaining and enhancing those particular water bodies.	Include policy direction at an appropriate place in the Freshwater Planning Instrument to stipulate that while a precautionary approach may be appropriate, section 32 of the RMA requires some certainty that any policy intervention would have a projected benefit and would achieve environmental outcomes. This is particularly important in cases where a more stringent approach is taken over and above default policy and regulatory settings.

<p>SRMR-16 - p 78 (Para 4) <i>“Activities such as agricultural intensification, mining, and forestry also contribute.”</i></p>	<p>We support in part and wish the provision to be amended.</p>	<p>The sentence does not encapsulate that pastoral and other farming systems already create discharges that may contribute to elevated levels of contaminants and associated effects in catchments containing over-allocated water bodies.</p>	<p><i>“Activities such as <u>arable, horticultural and pastoral farming, farm systems subject to agricultural intensification, mining, and forestry also contribute.</u>”</i></p>
<p>LF-FW-M6-Regional Plans (7)</p>	<p>We support in part and wish the provision to be amended.</p>	<p>There is no recognition that the NES-PF manages forestry activities adjacent to wetlands.</p>	<p>Insert after the word “NES-F” <u>“and the NES-PF.”</u></p>
		<p>There is no recognition that the NES-PF manages forestry activities to avoid adverse effects arising from sediment discharges to water bodies.</p>	<p>Insert after clause (8): <u>“The NES-PF provisions must be applied by regional councils unless it is determined that a more stringent rule is necessary to achieve a freshwater objective under the NES-FM.”</u></p>
<p>LF-LS-M11 (1)</p>	<p>We support in part and wish the provision to be amended.</p>	<p>Sections (10 (a)-(c) are all related to the NES-F and there is no recognition of the management provisions provided by the NES-PF.</p>	<p>Insert a new (b) and renumber, as follows: <u>“(b) the development and implementation of harvest and forest earthwork management plans as set out in the NES-PF.”</u></p>



Otago Regional Council
Proposed FPIRPS
Private Bag 1954
Dunedin 9054
fpisubmission@orc.govt.nz

29 November 2022

Dear Sir/Madam,

SUBMISSION ON THE PROPOSED FRESHWATER PLANNING INSTRUMENT PART OF
PROPOSED OTAGO REGIONAL POLICY STATEMENT USING FRESHWATER
PLANNING PROCESS

Ernslaw One, Port Blakely, City Forests, Calder Stewart and Wenita wish to submit to the Otago Regional Council Freshwater Planning Process in respect of the Proposed Freshwater Planning Instrument part of the Regional Policy Statement (FPIRPS).

Port Blakely Ltd owns and manages 14,000 ha of land in Otago, of which 11,900 ha is stocked in conifers, primarily radiata pine and Douglas-fir. The balance of the land is in indigenous forest or tussock managed for biodiversity, streams and wetlands or in infrastructure (roads and landings). Please refer to www.portblakely.com for more information.

Calder Stewart is a nationwide company involved in industrial, commercial, agribusiness and community facility construction; manufacturing of construction materials including precast concrete, steel, and reinforcing; plantation forestry; and land development across New Zealand. Calder Stewart owns and manages 6,500 ha of forest land in Otago, predominantly radiata pine. Net stocked area is 5,500 ha, the balance is made up of indigenous forest, streams, wetlands and roads.

City Forests owns and manages 24,910 ha of land in Otago, of which 19,920 ha is stocked in conifers, primarily radiata pine and Douglas-fir. The balance of the land is in indigenous forest or tussock and is managed for biodiversity, streams and wetlands or in infrastructure (roads and landings). Please refer to, and follow the links available at, <https://www.cityforests.co.nz/about> for more information.

Ernslaw One owns and manages 20,400 ha of land in Otago, of which 16,770 ha is stocked in conifers, primarily radiata pine and Douglas-fir. The balance of the land is in indigenous forest or tussock managed for biodiversity, streams and wetlands or in infrastructure (roads and landings). Please refer to <https://www.ernslaw.co.nz/about> for more information.

Wenita owns and manages 29,180 ha of land in Otago, of which 24,770 ha is stocked in conifers, primarily radiata pine and Douglas-fir. The balance of the land is in indigenous forest or tussock managed for biodiversity, streams and wetlands or in infrastructure (roads and landings). Please refer to <https://www.wenita.co.nz/>

Our joint submission is presented in the attached Form 5 document and relates to the FPIRPS as a whole, with amendment/relief requested for some specific provisions.

Please note that we wish to be heard in support of this submission.

Yours faithfully,



Lynette Baish
Environmental Planner
Ernslaw One Ltd