



Further Submission on the Proposed Otago Freshwater Planning Instrument Regional Policy Statement 2021

TO: Otago Regional Council (ORC)
SUBJECT: Proposed Otago Freshwater Planning Instrument
SUBMITTER NAME: Ernslaw One Limited
ADDRESS FOR SERVICE: PO Box 36, Tapanui, West Otago
Attn: Peter Weir Head of Environmental Planning and Performance
Phone 027 454 7873, Email Peter.Weir@Ernslaw.co.nz
DATE: 3 February 2022

Introduction

Ernslaw One, Port Blakely, City Forests, Calder Stewart and Wenita (Otago Forestry Companies) 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).

Otago Forestry Companies made a submission to the pORPS (Submission No. 000412). Otago Forestry Companies continue to rely on the statements made in that submission and the relief sought.

Trade Competition Statement

Otago Forestry Companies could not gain an advantage in trade competition through this submission.

We are not directly affected by an effect of the subject matter of the submission that adversely affects the environment and does not relate to trade environment or the effect of trade competition.

Further Submission

Otago Forestry Companies set out in the attached schedule each of the submissions it supports or opposes (or in some cases a combination of the two).

In addition to the reasons listed for supporting or opposing a provision (as the case may be):

a. Otago Forestry Companies supports the identified submissions, because what is proposed in accordance with:

- i. The Resource Management Act 1991;
- ii. A section 32 analysis;
- iii. Other relevant plan provisions and policy statements; and

iv. The Otago Forestry Companies submission on the Freshwater Policy Instrument parts of the proposed Otago RPS.

Otago Forestry Companies wish to be heard in support of its further submission.

If others make a similar submission, Otago Forestry Companies would consider presenting a joint case with them at a hearing.

Further submission prepared by

A handwritten signature in blue ink, appearing to read 'L Baish', is positioned below the text 'Further submission prepared by'.

Lynette Baish, MNZPI
Ernslaw One Ltd

Form 6

Further submission in support of, or in opposition to, submissions on notified the freshwater planning instrument parts of proposed Otago Regional Policy Statement 2021

(Submissions must be received by Otago Regional Council by 5pm on Friday 12 November 2021, and by original submitters within 5 working days of service on ORC)

To: Otago Regional Council

1. Name of person making further submission

Otago Forestry Companies

2. This is a further submission in support of (or in opposition to) submissions on the **Freshwater Planning Instrument Parts of the Proposed Otago Regional Policy Statement 2021**.

3. I am (tick whichever applies and add grounds if required):

<input type="checkbox"/>	A person representing a relevant aspect of the public interest. In this case, also specify the grounds for saying that you come within this category; or
<input checked="" type="checkbox"/>	The Otago Forestry Companies are persons who have an interest in the proposal that is greater than the interest the general public has.
Grounds:	The Otago Forestry Companies lodged submissions on the pORPS and has and or manages plantation forests within the Otago Region.
<input type="checkbox"/>	the local authority for the relevant area.

4. We wish to be heard in support of my further submission.

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

6. Further Submitter Details

a. Signature of person making further submission

(or person authorised to sign on behalf of submitter. A signature is NOT required if you make your submission by electronic means).



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, Ernslaw One Ltd

c. Date

3 February 2023

Address for service of person making further submission *(This is where all correspondence will be directed)*

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

Peter Weir, Head of Environmental Planning and Performance, Ernslaw One Ltd

e. Email: *(this is our preferred means of contact)*

Peter.weir@ernslaw.co.nz

f. Telephone:

Mb 027 454 7873

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

Ernslaw One Ltd, PO Box 36, Tapanui, West Otago

7. My further submission is:

I support and or oppose the submissions of:

Rayonier-Matariki Forests, Royal Forest and Bird Society, Director-General of Conservation, OWRUG, Minister for the Environment.

Further Submission					
Provision	Submitter/ Point	Relief Sought	Support/ Oppose	Allow/ Disallow	Reasons
SRMR-12 Climate change is likely to impact our economy and environment - Context	FP1043 Otago Water Resource User Group	The submitter proposes to amend SRMR12 - Context as follows: <i><u>"The region has an important role to play to reduce emissions including through land use production system adaptation and change."</u></i>	Oppose in part	Allow	<p>OWRUG is concerned that pORPS provisions may incentivise land use changes from pastoral to <i>"exotic plantation forests for carbon sequestration."</i> (Albeit, we would point out that typically, forests locked up for carbon are a separate land use from plantation forestry.)</p> <p>While we note that the submission point is out of scope for the Freshwater Planning Instrument Part of the pORPS, applying an integrated management ethic, the correlation between land use type and impact on water resource availability, particularly in water short catchments, is tangible. We agree that exotic afforestation may reduce annual water yield in water short catchments. Ernslaw One Ltd statement of evidence to the pORPS (paragraph 34, p 6) references emerging research into the complex hydrological processes of land under forestry. We agree that an integrated approach should be taken to ensure that the potential effects of land use change are considered and managed appropriately.</p> <p>Where plantation forestry is regulated by the NES-PF, carbon forestry is currently not regulated under regional or district planning frameworks in Otago. Ernslaw One Ltd has in its statement of evidence to pORPs proposed an amendment to Method LF-LS-M11 <i>Regional Plans</i> worded <i>"controlling the establishment of new or any spatial extension of existing land use activities where necessary to give effect to an objective developed under the NPSFM..."</i> providing an appropriately meted policy to ensure land use expansion, including into carbon forestry, is effectively managed.</p>

LF-WAI-O1 – Te Mana o te Wai	FP1044.005 Department of Conservation	The submitter seeks to better align the RPS with the principle of Te Mana o te Wai through the inclusion of new clause (6) <u>“all people and communities have a responsibility to exercise stewardship, care and respect in the management of freshwater.”</u>	Oppose	Allow	Otago Forestry Companies agree with the suggested amendment for the reasons stated in the DOC submission.
LF-WAI-P1- Prioritisation	FP1012.003 Minister for the Environment	The Minister seeks to amend the policy to read <u>“...in all decision-making affecting freshwater.”</u>	Support in part	Allow	Otago Forestry Companies agree with the suggested amendment for the reasons stated in the Ministers submission, in particular as the scope of the wording more effectively captures land use interventions with a material implication for freshwater.
LF-FW-P9 – Protecting natural wetlands	FP1045.017 Royal Forest and Bird Protection Society of New Zealand Incorporated	Forest and Bird seek to amend the policy to read <u>“Protect natural inland wetlands by ...”</u>	Oppose in part	Allow	Otago Forestry Companies agree with the suggested amendment for the reasons outlined in the submission. This aligns with our contention that the freshwater planning instrument is intended for freshwater specific policies. The New Zealand Coastal Policy Statement is the relevant instrument in respect of coastal wetlands. The NES-PF is the default regulatory mechanism for any wetlands within plantation forests.
LF-FW-M6- Regional Plans	FP1014.003 Rayonier Matariki Forests	Rayonier seek to amend clause (7) by adding the additional text <u>“... NES-F and the NES-PF.”</u>	Support in part	Allow	Otago Forestry Companies agree with the suggested amendment for the reason outlined in Rayonier Matariki Forest’s submission and additionally proposes a new clause (8) as follows: <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 NPS-FM.”</u>