

BEFORE THE OTAGO REGIONAL COUNCIL

IN THE MATTER of the Resource Management Act
1991

AND

IN THE MATTER of implications of the National
Policy Statement Indigenous
Biodiversity on the proposed
Otago Regional Policy Statement

STATEMENT OF EVIDENCE

LYNETTE BAISH for OTAGO FORESTRY COMPANIES

1. Made on behalf of the Otago Forestry Companies, this statement responds to Minutes 15 and 19 with respect to implications of National Policy Statement Indigenous Biodiversity (NPSIB) on the proposed Otago Regional Policy Statement (pORPS), and considers the evidence provided by Mr Andrew McLennan on 8th September, *Implications of the NPSIB*.
2. My name is Lynette Baish and I have prepared submissions on behalf of the Otago Forestry Companies on the Freshwater Planning Instrument Parts of the pORPS, including with respect to implications of the NPSIB.
3. I confirm that I have read and am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Consolidated Practice Note (2006). I agree to comply with the Code of Conduct and I am satisfied the matters I address in my evidence are within my expertise.
4. The Otago Forestry Companies would generally support the recommendations outlined in Mr McLennan's evidence to amend or propose new provisions to align the pORPS with the NPSIB, however I seek some amendments to provide further clarity.
5. The NPSIB applies to biodiversity in the terrestrial environment, to highly mobile species irrespective of environment type, and to natural inland wetlands and indigenous vegetation cover around them. It provides nationally consistent policy direction, with specific direction provided for plantation forestry in Policy 12, and Section 3.14.
6. In brief, Policy 12 of the NPS-IB provides that indigenous biodiversity must be managed within plantation forestry whilst providing for plantation forestry activities.

7. While afforestation would be a 'new' activity subject to section 3.10, I understand that once a plantation is planted, then ongoing activities over the forestry cycle are not 'new' activities. The intent of the NPS-IB is to provide for the ongoing operations of plantation forestry as specifically expressed in section 3.14.
8. With respect to significant natural areas (SNA's) (and that includes SNA's containing a natural inland wetland) that are located within plantation forests, section 3.14 directs that plantation forestry must be managed over the course of consecutive rotations in the manner necessary to maintain long-term populations of any threatened or at-risk species present in the area.
9. I agree with Mr McLennan's inclusion of a new definition for "*threatened, at-risk (declining)*"; to align with the meanings given in the New Zealand Threat Classification System Manual (Townsend et al, 2008).
10. I note that the NPSIB has taken effect from 4th August 2023, and guidance on its implementation and interpretation is still to be produced. I understand that indigenous biodiversity outside of SNA's within plantation forests, would be subject to the provisions for indigenous biodiversity in regulation 93 of the NES Plantation Forestry, as outlined in the NPSIB Exposure Draft for the Forestry Industry produced by Ministry for the Environment.²
11. I therefore seek the following amendment to ECO-P6 *Maintaining Indigenous Biodiversity* as recommended in Mr McClennan's evidence:

ECO-P6 – Maintaining *indigenous biodiversity*

Outside the coastal environment, maintain Otago's *indigenous biodiversity* (excluding areas protected under ECO-P3, and activities managed under ECOP6A(1) and ECO-P12 by..."

12. I also propose the following amendment to ECO-P12 as proposed by Mr McLennan:

ECO-P12 – Plantation forestry activities

Manage:

- (1) the adverse effects of plantation forestry activities in any existing plantation forest on any SNA in a manner that:
 - (a) maintains indigenous biodiversity in the SNA as far as practicable, ~~while~~ and
 - (b) provides for plantation forestry activities to continue.

² <https://environment.govt.nz/assets/publications/npis-forestry-info-sheet.pdf> (p 4).

(2) over the course of consecutive rotations of production, any part of an SNA that is within an area of an existing plantation forest that is planted, or is intended to be, replanted in trees for harvest in the manner necessary to maintain the long-term populations of any Threatened or At Risk (declining) species present in the area.

(3) the adverse effects of plantation forestry activities on indigenous biodiversity outside of any SNA or identified highly mobile fauna area in accordance with the National Environmental Standard for Plantation Forestry.

13. Policy 12 of the NPS-IB provides that indigenous biodiversity must be managed within plantation forestry. It follows therefore that indigenous biodiversity is managed within plantation forests whether it is SNA or not.

14. In conclusion, I agree with the recommendations by Mr McLennan which work to align the pORPS with the NPSIB. The amendments I further propose ensures there is sufficient certainty for the forestry sector with respect to the existing provisions within the NESPF for managing activities on indigenous biodiversity, including for any SNA in a plantation forest.



Lynette Baish
Otago Forestry Companies