

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

**I TE KŌTI TAIAO O AOTEAROA
KI ŌTAUTAHI**

UNDER	ENV-2024-CHC-29 The Resource Management Act 1991 (the Act/RMA)
IN THE MATTER	of an appeal against decisions on the non-freshwater planning instrument related parts of the Proposed Otago Regional Policy Statement 2021 (Decisions Version)
BETWEEN	OCEANA GOLD NEW ZEALAND LIMITED Appellant
AND	OTAGO REGIONAL COUNCIL Respondent
AND	RAYONIER MATARIKI FORESTS, CITY FORESTS LIMITED, ERNSLAW ONE LIMITED, PORT BLAKELY NZ LIMITED (FORESTRY SUBMITTERS) Section 274 Parties

**NOTICE OF FORESTRY SUBMITTERS WISH TO BE PARTY TO
PROCEEDINGS**



GALLAWAY COOK ALLAN LAWYERS

Phil Page/Aengus Griffin

Phil.Page@gallawaycookallan.co.nz

Gus.Griffin@gallawaycookallan.co.nz

PO Box 143

Dunedin 9054

Ph: +64 (03) 477 7312

Fax: (03) 477 5564

**NOTICE OF FORESTRY SUBMITTERS WISH TO BE PARTY TO
PROCEEDINGS**

To: The Registrar

Environment Court

Christchurch Registry

1. We, Rayonier Matariki Forests Limited, City Forests Limited, Ernslaw One Limited and Port Blakely NZ Limited (together the **Forestry Submitters**), wish to be a party to the following proceeding:

(a) *Oceana Gold (New Zealand) Limited v Otago Regional Council.*

2. The Environment Court's reference number for these proceedings is ENV-2024-CHC-29.

3. The Forestry Submitters made original and further submissions on Otago Regional Council's Proposed Otago Regional Policy Statement 2021 (**Decisions Version**), which is the subject of the proceedings.

4. The Forestry Submitters are not a trade competitor for the purposes of section 308C or 308CA of the Act.

5. The Forestry Submitters are interested in all the proceedings. Without limiting the generality of the Forestry Submitters' interest, they are interested in the following particular issues:

(a) IM – Integrated Management: IM-P1 – Integrated approach to decision-making; and IM-P2 – Decision Priorities

(b) AIR – Air - AIR-P4 – Managing certain discharges

(c) LF-LS – *Land* and soil: LF-LS-O12 – Use, development, and protection; NEW PROVISION - LF-LS-O13; LF-LS-P19 – Highly productive land; UFD-P7 – Rural Areas; and LF-LS-M12 – *District plans*

(d) ECO – Ecosystems and indigenous *biodiversity*: ECO-P2 – Identifying *significant natural areas* and taoka; ECO-P3 – Protecting *significant natural areas* and taoka; ECO-P5/ECO-P5A

– Managing adverse effects of established activities on *significant natural areas*; ECO-P6 – Maintaining indigenous *biodiversity*; and ECO-M4 – *Regional plans APP2-4*

- (e) HAZ – Hazards and *risks* - HAZ-NH-P3 – New activities
 - (f) APP2 – Criteria for identifying areas that qualify as *indigenous natural areas* (SNAs); APP3 – Principles for biodiversity offsetting; and APP4 – Principles for biodiversity compensation.
6. The Forestry Submitters *oppose* the relief sought in:
- (a) LF-LS-M12: this is an unjustified limitation on commercial forestry and is inconsistent with the Act and the National Environmental Standards for Commercial Forestry (**NESCF**).
7. The Forestry Submitters *support* the relief sought:
- (a) Where the relief sought is enabling or provides for forestry activities undertaken by the Forestry Submitters;
 - (b) in most cases for the reasons put forward by the Appellant;
 - (c) Where it gives effect to the National Policy Statement for Indigenous Biodiversity 2023 (**NPSIB**);
 - (d) Because some of the relevant provisions are inconsistent with the Act or are an unjustified extension of regulation in the NESCF;
 - (e) Because some of the relevant provisions are unjustified, broad and unclear;
 - (f) HAZ-NH-P3: because natural hazard risks can be mitigated and managed.
8. The Forestry Submitters agree to participate in mediation or other alternative dispute resolution of the proceedings.



Phil Page / Aengus Griffin

Counsel for Forestry Submitters

Date: 7 June 2024

Address for service of person wishing to be a party:

Galloway Cook Allan Lawyers
123 Vogel Street
P O Box 143
Dunedin 9054

Telephone: (03) 477 7312
Fax: (03) 477 5564
Email: Phil.Page@gallowaycookallan.co.nz
Gus.Griffin@gallowaycookallan.co.nz

Contact person: Phil Page (Partner)
Aengus Griffin (Solicitor)

Advice

If you have any questions about this notice, contact the Environment Court in Auckland, Wellington, or Christchurch.