

**IN THE ENVIRONMENT COURT
AT CHRISTCHURCH**

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

ENV-2024-CHC-39

UNDER	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	ENVIRONMENTAL DEFENCE SOCIETY INCORPORATED 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**



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**NOTICE OF FORESTRY SUBMITTERS WISH TO BE PARTY TO
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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) *Environmental Defence Society Incorporated v Otago Regional Council.*

2. The Environment Court's reference number for these proceedings is ENV-2024-CHC-39.

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) Interpretation - Definitions – Significant Natural Area (SNA)

(b) IM - Integrated management: IM-O4 – Climate change; IM-P10 – Climate change adaptation and mitigation; IM-P12 – Contravening limits for climate change mitigation and climate change adaptation

(c) CE – Coastal environment: CE-O5 – Activities in the coastal environment

(d) LF-LS – Land and soil: LF-LS-P16A

- (e) ECO – Ecosystems and indigenous biodiversity: ECO-P10 – Integrated approach; ECO-M2 – Identification of significant natural areas; ECO-M5 – District plans; and ECO-AER4
6. The Forestry Submitters *support* the relief sought in:
- (a) IM-O4: forestry provides emissions offsets and is a tool to ensure New Zealand’s transition to a low emissions future. The relief sought by the Appellant is consistent with mitigation of climate change through forestry.
 - (b) IM-P10: in most cases forestry will reduce or be resilient to climate change.
7. The Forestry Submitters *oppose* the relief sought generally in the other identified provisions because it:
- (a) Is inconsistent with the Act including Part 2, and does not achieve sustainable management or integrated management;
 - (b) Is inconsistent with, contrary to or does not give effect to National Policy Statements;
 - (c) Is more stringent than the National Environmental Standards for Commercial Forestry (**NESCF**) and will impose unjustified constraints on the activities undertaken by the Forestry Submitters;
 - (d) Is unjustified, unclear and potentially broad in scope;
 - (e) The costs and benefits have not been quantified;
 - (f) Will constrain New Zealand’s ability to meet its emissions reduction targets;
 - (g) Will slow resource management processes in a manner that is inconsistent with s 18A of the Act;
 - (h) It shifts the onus of identifying SNAs from Councils onto developers.

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

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Advice

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