

A PLANNER'S VIEW: INITIAL PERCEPTIONS OF WORKING FOR A FORESTRY COMPANY

The following is an edited version of a speech to the NZPI Bay of Plenty Branch meeting by Katie Mayes, Environmental Resource Manager, Ernslaw One Limited, who "crossed the fence" recently to take up a position as the environmental resource manager for Ernslaw One.

ERNSLAW ONE OVERVIEW

Ernslaw One currently has plantation holdings around the country, totalling about 65,000 hectares, although this figure is steadily increasing. Forests are located on the Coromandel Peninsula, the East Cape, around Dannevirke, all around Manawatu, and in inland Southland and Otago. The company is also associated with a nursery in Oamaru and a sawmill at Tapanui. The vast majority of plantings are *Pinus Radiata* in the North Island and Douglas Fir in the South Island with a few other pine species in existing forests.

My role within the company is to develop environmental policy, make submissions to policies and plans, oversee consent applications, lead the associated consultation process and so on. As the role is new, it provides me with an ideal opportunity to look at why I am doing things and what the best way is to achieve them.

FORESTRY OVERVIEW

Exotic plantation forestry accounted for about 5% of New Zealand land use last year. This figure is growing steadily, primarily at the expense of marginal pastoral agriculture. About 90% of production forests are planted in *Pinus Radiata*, with Douglas Fir and other exotics making up the remaining 10%.

For those interested, forestry is our second or third highest commodity export earner. It is projected that forestry industry exports will account for over \$2,800 million in the 1996

financial year. Only meat and, in some years, dairy have a higher export value.

Despite the perception that plantation forests are all run by multi-nationals, the figures paint a different picture. The number of smaller players is increasing and their holdings are growing much more rapidly than the bigger players. These smaller players include farm foresters, and forest consultants managing investments both from New Zealand and countries like America.

New Zealand's exotic plantation forests are important on a world scale, contributing about 35% of the exotic forest estate. Only Chile currently has a larger holding than New Zealand.

KNOWLEDGE AND CONTROL

My initial view of the forestry industry is that they are generally operating well above the requirements of plans but that it is not good at communicating what it is doing.

Foresters have good knowledge about ecological aspects of operations. It is probably a fair comment that they are therefore more comfortable communicating with councils about regional matters, particularly where they have ongoing communication with field staff. Foresters are generally less sympathetic towards landscape and other "fuzzy" issues. In their defence, I would say that numerous management practices do actually contribute to the amenity of an area, such as direction of planting rows, siting roads on ridgetops, leaving areas of indigenous vegetation and so on. However, because

these practices are also carried out for reasons such as minimising sedimentation or making harvesting safer, their amenity effects are not usually recognised.

It is interesting to note that an increasing number of forestry companies are employing people such as myself who understand how councils operate and who are comfortable with the language and processes of the Resource Management Act. Communication at a policy level should improve as a result.

In my opinion, many councils are controlling more elements of forestry operations than necessary. A small factor is that forestry companies are only now getting more organised about making submissions to policies and plans so that councils understand what their needs and desires are. In part, it may also be because some councils are still moving away from the old regime where all activities were controlled to an effects-based approach, as required under the Resource Management Act. However, I think the underlying issues are really that of trust and, even more, a lack of certainty about what effects councils are actually wanting to control.

TRUST

Trust is obviously something that needs to be developed over time. It is also something that cannot be controlled via a regional or district plan - often it is simply a matter of communication. Perhaps the best example of the need for communication relates to the identification of roads which will be used to transport logs out of the forests after harvesting.

Councils legitimately want to know which of their roads heavy vehicles are going to use after harvesting so that they can upgrade these roads before they are intensively used. Some district councils are placing requirements for notification of roading requirements in district plans, sometimes with penalties if different roads are then used. Some councils also take financial contributions. Forestry companies argue they already pay road user charges and rates for land throughout a rotation, and only use roads for a small

period of time. They also argue that notification rules and the like are inequitable as other activities involving heavy vehicles are not controlled in a similar way.

I have yet to see a successful rule in a plan dealing with this issue. Perhaps this is because notification is something that does not sit easily in a district plan - instead, use of roads should be part of ongoing communication between a company and a council. I also think that councils are confusing their regulatory function with their asset management functions, again making the district plan an inappropriate mechanism for dealing with the issue.

UNCERTAINTY ABOUT EFFECTS

The second reason I mentioned earlier for councils controlling too many aspects of forestry operations is that of uncertainty about what effects forestry can have, and which of these councils want to control.

Riparian management is a classic example of this lack of certainty. In my opinion, riparian management is a regional council function under section 30 of the Resource Management Act. Where the issue is one of access, esplanade reserves and esplanade strips can be utilised by district councils.

Regional councils have developed various methods for encouraging or requiring riparian management, but none of the councils I have dealt with are clear about the values which they are seeking to protect. As is widely recognised, purposes of riparian management can be contradictory and all will require different widths, lengths, types of vegetation and so on to ensure the purpose is achieved. It is therefore vital that regional councils identify what the problem is and what values are important, before developing methods to solve the problem.

I am also finding that requirements for riparian management are slipped in as a consent condition, even where the plan has not dealt with the merits of such a technique. This appears to be because councils have an opinion that riparian zones are inherently good and necessary. I have not yet absorbed enough of the science to know if this is

indeed the case, but it concerns me that this opinion seems to be based more on assumptions than by identifying a problem and determining that riparian management is the best method to solve that problem.

In my opinion, both councils and forestry companies are to blame for the lack of certainty about effects of forestry operations and benefits of management techniques such as riparian management. Forestry companies are notoriously secretive about information. This applies both with other forestry companies and with other organisations such as councils, environmental groups and so on.

It is certainly my intention with Ernslaw One to encourage forestry companies to share data and to discuss issues with each other - after all, forestry companies are facing the same issues and working with the same organisations as each other. This is increasingly starting to happen on a regional basis, as well as through the Forest Owners' Association as a national forum.

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In order to control effects, councils need to understand forestry operations. It appears that, although council field staff have good relationships with field staff from forestry companies, those developing policy and rules are not so well informed. I know of more than one

case where the planners and councillors responsible for developing a plan have never visited a forest in their area. It appears each "side" is waiting for the other to take the initiative, and visit to discuss particular issues at a policy level.

COMMUNICATION

More communication is therefore the key for everyone to determine the potential effects of forestry. There seems to be a wealth of scientific data out there about the effects of plantation forestry on water, soil and ecosystems although no one has pulled this data together. Doing so would save us covering the same ground with every combination of forestry company and council, as happens at present. As I have already said, the issue which may benefit most from dialogue is that of riparian management which has been hammered around for a long time with us making very little meaningful progress. Although we may not be able to reach a consensus on all matters, finding common ground would be good start and may help us identify areas where more data is necessary.

Obviously effects such as those on landscapes cannot be quantifiably measured. District councils therefore need to be even more clear about what it is they are controlling. In my opinion, district councils have embraced the concept of landscape assessments with alarming fervour and have often failed to identify which areas are significant and to recognise that the landscape is dynamic.

I will give you an example which does not involve forestry, but instead involves farming so that I cannot be accused of having already being tainted by my new position. I know of one landscape consultancy who proposed that all land in the hill country of a district should be a non-complying activity on landscape grounds! As farming is the predominant land use in the district, what landscape values are being maintained? A control like this would also have severe economic repercussions as, apart from forestry perhaps, there are no other suitable productive land uses.

In short, councils need to be clear

about what it is they're trying to achieve. Communication with other parties will then play a major role in achieving these ends.

SELF-REGULATION

You will all have heard rumblings from forestry companies about their desire for "self-regulation". It is certainly the case that, at present, many councils are setting out conditions on consents that require forestry companies to undertake what is already considered by the company to be good management practice. As the level of trust increases, this requirement may decrease, with councils relying more heavily on companies abiding by relevant guidelines and codes of practice.

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Although I am not yet sure exactly what shape self-regulation should take, I certainly believe that councils are relying too heavily on rules in plans rather than "other methods" to control effects. I have already mentioned communication as a key method, and many plans include policies of education and advocacy. In this regard, I am certainly not just talking about reliance on rules to control forestry. Matters which are more properly dealt with via asset management, reserve management plans, covenants and other non-regulatory methods are scattered in rules throughout plans as councils have not yet fully developed these other mechanisms. This should not be used as an excuse by councils - if a rule cannot withstand a section 32

analysis, control will have to wait until an appropriate mechanism is developed.

Coming back to the concept of self-regulation of the forestry industry, any self management regimes should at the very least have regard to relevant guidelines and codes of practice. Numerous guidelines and codes of practice exist which control various aspects of forestry operations, including the LIRO NZ Forest Code of Practice, the Agrichemical Users Code of Practice and, for signatories, the NZ Forest Accord and Principles for Commercial Plantation Forestry Management.

Self-regulation needs to include mechanisms for councils to ensure that these standards are being met. When it comes to enforcement measures, I am unsure if it is better to rely on the types of measures found in the Resource Management Act or whether councils should set out performance standards which mean that forestry comes under more stringent controls if certain conditions or guidelines are not met. On this point, I will sound like I have already been converted to the forestry way, as I believe that there needs to be equity between forestry and other land uses. The time may have come when councils have to bite the bullet and determine how to control adverse effects from farming in the same way that effects of other land uses are controlled.

Councils have a big part to play if forestry is to regulate itself, particularly in determining what guidelines/standards are necessary for an activity to be permitted. Education also needs to be provided to smaller players who may not be aware of the various guidelines.

Moves towards self-regulation are gathering momentum as forestry companies are starting to apply for longer-term resource consents. Already Carter Holt Harvey has recently completed a hearing for a 15 year consent for Tairua Forest on the Coromandel Peninsula, and Ernslaw One is likely to apply to Environment Waikato for a 30 year consent to cover the Whangapoua Forest, also on the Coromandel Peninsula. Councils need to anticipate this move by forestry

companies to avoid tension between shorter term planning horizons for councils and a longer term outlook for forestry companies.

APPROACH TOWARDS FORESTRY IN PLANS

Currently, councils are taking a number of different approaches to controls on forestry, not all of which involve a lot of regulation. Many councils in rural areas for example are keen to encourage investment, and are actively trying to achieve a balance of the community's needs with that of companies', where these are different.

Councils in the South Island are also more relaxed about the effects of forestry. In Otago and Southland for example, forestry is treated as a permitted activity at both a district and regional level, except for some water crossings which need consent from regional council.

Forestry is generally a controlled activity in districts in the North Island, primarily so that councils can exercise control over roading matters; or a permitted activity in some plans, particularly in the lower half of North Island.

As the final point I make about plans, I would like to comment briefly on the difficulties in working with so many different planning documents. Like many people in industry and environmental groups, my job is complicated by the fact that I work with 17 consent authorities. In addition, the company obviously has contact with iwi, the Department of Conservation and other interest groups.

Although I had made the plea on occasions before starting with Ernslaw One, I am quickly becoming even more vociferous about questioning the need for the number and size of policy documents and plans that councils are churning out. It is extremely difficult working with such a large number of councils, particularly where a forest crosses territorial boundaries. From what I have seen of plans from around the country, "cross-boundary issues" is usually the name of a stand-alone section which is tacked on near the back to cover roading and transportation.

Usually, no mention is made of issues dealt with by provisions throughout the rest of the plan. As a result, similar activities with similar effects are treated differently by neighbouring councils. Again, this comment refers to all land uses, not just forestry.

BIAS IN PLANS

I have already touched on the issues surrounding landscape and made it clear that I am concerned with the way in which the phrase "landscape and amenity value" is bandied around. I will not attempt to be unbiased about this topic, as it involves a subjective value judgement. Many of you will have been at the Resource Management Law Association conference where many people spoke about their concern that individuals were turning their private interests into public interest. I can only echo that concern, particularly in relation to people from urban areas imposing their perceptions of amenity onto rural landscapes so as to maintain an open, green space with a bias towards farming.

Some people consider that forestry is becoming too dominant a feature in a landscape where farming has been the traditional land use. Harvesting operations are also considered to be an eye-sore. As a result, some plans have proposed controls such as planted buffers along roads (in something other than pine), limits on the size of an area which can be harvested at any one time, and so on. Forestry companies on the other hand have argued that forestry is a legitimate part of a rural landscape, and in many cases has been a part of the landscape for a number of years. Forestry companies also argue that the landscape is dynamic and involves change, and can therefore cater for harvesting and changes in land use to forestry.

My experience is that landscape arguments are being used against forestry in direct proportion to how easily farmers believe that they can earn a living from their land. There are stories of farmers refusing to sell their property to a forestry company, despite being desperate to sell as they believe

the land should be used for farming. Whilst this is entirely their decision, it clearly reflects a bias against forestry, something which is generally missing from plans in districts where farming is marginal.

It will be interesting to see if perceptions about landscape effects alter with an upsurge in the amount of farm forestry throughout the country.

LACK OF INFORMATION

I have already talked about the fact that lack of information is resulting in councils not being clear about what effects they are trying to control. Other things which are affected by lack of information are monitoring requirements, the amount of information required in resource consent applications and the degree of consultation required with consent applications.

Requiring consent holders to undertake monitoring as a condition of a resource consent can assist in building up a picture of the environment where there is incomplete information. However, there are differences in opinion as to the extent of monitoring that the regional council can require as a consent condition. I am not going to say too much about this except to state that councils should be very clear about when they are requiring consent monitoring and when this falls over to state of the environment reporting.

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There is also a tendency for councils, environmental groups and the Department of Conservation to try to obtain state of the environment information at the consent application

stage, at the expense of an applicant. I have seen both these phenomena far more in the two months I have been with a forestry company than in my two years working as a planning consultant with other types of clients.

As an aside, I think that councils should involve themselves more with industry in determining what research should be carried out by agencies such as Landcare or LIRO under public funding. At present, it appears that research is not always as targeted as it could be because researchers are not being given clear directions about what is required by potential users of the information.

The final issue affected by lack of information is that of consultation. I am finding councils unwilling to help determine who "affected or interested parties" are for consent applications, quite a lot more so than in relation to other activities I have been involved with. This reluctance not only reflects the fact that the public is becoming more informed of their right to be involved in the consent process but also the fact that forestry is moving into areas where councils are not used to the scale or timeframe of development proposed by forestry companies.

CONCLUSION

The impressions I have felt in the first two months in my new role are that:

- i) Forestry is increasing as a land use much more rapidly than I realised.
- ii) There is a need for councils to better understand the potential effects of forestry and to work more closely with forestry companies.
- iii) Forestry companies are generally right when they complain that plans contain a bias towards farming and, conversely, against forestry.
- iv) Moves towards self-regulation of forestry are gathering momentum.
- v) There is still a feeling of wariness for each other on the part of forestry companies, councils, environmental groups and the public - a wariness which is largely uncalled for. We all have a responsibility to understand the other parties' points of view - I do not think we are as far apart from one another as might seem at times.