

Ministry for Primary Industries
Manatū Ahu Matua



Ministry for the
Environment
Manatū Mō Te Taiao

Submission form for national direction for plantation and exotic carbon afforestation consultation

National direction for plantation and exotic carbon afforestation consultation

The Government welcomes your feedback on this discussion document. To ensure your point of view is clearly understood, you should explain your rationale and provide supporting evidence where appropriate.

Process to develop national direction

The proposals in this discussion document seek to amend the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017. These regulations are national direction under the Resource Management Act 1991.

The Minister for the Environment must undertake several statutory, procedural steps prior to recommending the making or amending of national direction. This includes choosing a public process for developing the instrument, and preparing and publishing an evaluation report that examines the extent to which the objectives of its proposals are the most appropriate way of achieving the purposes of the RMA. The Minister has chosen an officials-led process of public consultation.

Timeframes

We are accepting submissions until 5:00 pm on 18 November 2022.

After the consultation ends, we will continue to work with iwi/Māori and stakeholders to gather further information if required to refine preferred options. An evaluation report, as required under section 32 of the RMA, will be prepared.

Ministers intend to present finalised proposals to Cabinet in 2023 for a policy decision. Parliamentary Counsel Office would then draft the regulations for final Cabinet consideration and, if approved, gazettal.

How to make a submission

In the first instance, you can make a submission using the online submission form: [National direction for plantation and exotic carbon afforestation - consultation questions – Alchemer website](#).

Alternatively, to help you complete your submission, we encourage you to use this editable submission form. You can email your submission to mpi.forestry@mpi.govt.nz as a:

- PDF, or
- Microsoft Word document (2003 or later version).

Please include:

- the title of the consultation document – "National direction for plantation and exotic carbon afforestation"
- your name and title
- your organisation's name (if you are submitting on behalf of an organisation, and whether your submission represents the whole organisation or a section of it)
- your contact details (such as phone number, address, and email).

We prefer that you don't post your submission, as it may not reach us in a timely manner. However, if you need to, submissions can also be sent to:

Submission – National direction for plantation and exotic carbon afforestation consultation
Forestry & Bioeconomy Policy Team
Ministry for Primary Industries
PO Box 2526, Wellington 6140.

More information

Please send any queries to mpi.forestry@mpi.govt.nz.

Publishing and releasing submissions

A summary of submissions will be prepared and published on the Ministry for Primary Industries' website, mpi.govt.nz.

All or part of any written comments, including names of submitters, may be published on the Ministry for Primary Industries' website, mpi.govt.nz, including as part of the summary of submissions. **Unless you clearly specify otherwise in your submission, the Ministry will consider that you have consented to publication of both your submission and your name.**

Contents of submissions may also be released to the public under the Official Information Act 1982 (OIA) if requested. In your submission, please clearly indicate if you wish any part to be withheld from release and the reason(s) for withholding the information. We will consider these factors when responding to OIA requests for copies of, and information on, submissions to this document.

The Privacy Act 2020 applies certain principles regarding the collection, use and disclosure of information about individuals by various agencies, including the Ministry for Primary Industries. It governs access by individuals to information about themselves held by agencies.

Any personal information you supply to the Ministry in the course of making a submission will be used by the Ministry only in relation to the matters covered by this document. Please clearly indicate in your submission if you do not wish your name to be included in the summary of submissions that the Ministry will publish.

You have the right to request access to or to correct any personal information you supply to the Ministry. If you have any questions about the publishing and releasing of submissions, or if you would like to access or correct any personal information you have supplied, please email mpi.forestry@mpi.govt.nz.

Submission form for national direction for plantation and exotic carbon afforestation consultation

The questions in this submission template are a guide for your feedback. Please answer those that are most important to you; **there is no need to answer them all**. Where pages, tables, options, and proposals are mentioned, these are in reference to the '*National direction for plantation and exotic carbon afforestation*' consultation document.

Your details

Name of submitter or contact person:	Sarah Matthews
Title (if applicable):	Executive Manager Finance, Strategy and Governance
Organisation (if applicable):	Ruapehu District Council (RDC)
Please provide one of the following	
Email:	policyplanning@ruapehu.govt.nz
Contact phone number:	07 895 8188
Address:	59 Huia Street, Taumarunui, Ruapehu

Are you submitting on behalf of your organisation?

- Yes
- No
- N/A

Is there any other information you would like to provide?

Ruapehu District Council (Council) would like to thank the Ministry for Primary Industries (MPI) and the Ministry for the Environment (MoE) for the opportunity to present our views on the 'National direction for plantation and exotic carbon afforestation' discussion paper no: 2022/10. We acknowledge the immense work invested in putting this document together, and we appreciate that our concerns about the potential environmental, social cultural and economic impacts carbon forests may have on rural communities have been addressed, albeit not to the extent of which we may have liked. We recognise that we all operate within the tight constraints of the Resource Management Act 1991, and we appreciate partnering with you to address challenges caused by climate change.

Part A: Managing the environmental (biophysical) effects of exotic carbon forestry

A1. Do you agree with the problem statement set out on page 20?

- Yes
 No

Are there other things we should consider?

Council agrees with the three points, but additionally it should consider that the economic considerations of these forests drive different management behaviour (i.e., plantation forest owners are motivated to manage their plantations as they will receive financial benefit when the trees are harvested, so weed management and pruning schedules are implemented). With permanent carbon forests, there is no economic incentive to manage the trees. This issue is addressed in the paper, but it should be outlined as part of the problem statement as it is a critical contributor to the impact of carbon forests.

In addition to environmental effects, Council has concerns over the long term effects on the community as land use changes from pastoral farming to carbon forests. This concern will be raised throughout the submission.

A2. Have we accurately described the environmental effects of exotic carbon forests (Table 2 on pages 20 to 24)?

- Yes
 No

What other environmental effects (if any) need to be managed that are different to those of plantation forests? Please provide evidence on the impact of these effects.

A3. Do you agree that the environmental effects of exotic carbon forests should be managed through the NES-PF?

- Yes
 No

Why?

The NES-PF was developed specifically to manage the environmental effects of plantation forests at the point of afforestation, through the forest life cycle and harvest.

- A4. The right-hand column of Table 2 (on pages 20 to 24) sets out possible new regulatory controls. Please indicate if you disagree with any of these potential controls or feel we have missed anything, and explain or provide evidence.

Council agrees with the controls suggested.

- A5. Do you agree with option 2 for managing the environmental effects of exotic carbon forestry (amend the NES-PF to include exotic carbon forests)?

Yes

No

Why?

The described environmental effects can occur with any forest at any location and should therefore be managed through an NES.

- A6. Do you agree that a National Environmental Standard should manage: [choose ONE]

the environmental effects of exotic carbon forests only?

environmental effects and forest outcomes, including transitioning from predominantly exotic to predominantly indigenous species?

Why?

Council believes that the National Environmental Standard should take a holistic perspective of the activity, short sighted actions are not suitable.

A7. Do you agree with the proposal in option 2 (amend the NES-PF to include exotic carbon forests) to add wind effects as a matter of discretion to Regulation 17, to manage potential instability as a result of wind for all forests on red zone land?

Yes

No

What benefits or drawbacks would there be from adding wind effects?

While the NES-PF may have a focus on managing the effects of harvest, there is no reason why it cannot consider effects associated with growing trees, as most of these effects are associated with plantation forests in any location.

A8. How effective would option 2 (amend the NES-PF to include exotic carbon forests) be in managing the environmental effects of exotic carbon forestry? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer:

Why?

Council holds to the opinion that the NES-PF should be tailored to consider the additional effects of exotic carbon forests. For instance, what are the long term effects of forests standing over a long period and/or transitioning to a different species.

A9. What implementation support would be needed for option 2 (amend the NES-PF to include exotic carbon forests)?

Education - Communities need to be made aware of the advantages and disadvantages of investing into exotic carbon forests. This education must be accessible to all levels of communities, from rural communities to urban communities. This area of climate mitigation is saturated with information. Council would like to see MPI invest in an awareness campaign that culminates into better access to education for our decision makers, especially for those serving in rural communities.

A10. Do you agree with option 3 for managing the environmental effects of exotic carbon forestry (amend the NES-PF to require forest management plans for exotic carbon forests)?

- Yes
 No

Why?

Council agrees that Forest Management Plans should be used to demonstrate how the exotic carbon forest would meet the requirements of the NES-PF, and also to prompt planning for potential future effects.

As mentioned on page 27, the Forest Management Plan would also provide councils with a mechanism to check compliance with regulation.

A11. Do you agree that forest management plans should manage: [choose ONE]

- environmental effects only?
 environmental effects and forest outcomes, including transitioning from predominantly exotic to predominantly indigenous specie(s)?

Why?

Yes, it will complement the National Environmental Standards (NES).

A12. Based on your answer to the previous question, what content should be required in forest management plans?

We are limited in our forestry knowledge and experience, particularly as it relates to transitioning forests, so we will need support to effectively use management plans as a regulatory tool.

A13. How effective would option 3 (amend the NES-PF to require forest management plans for exotic carbon forests) be in managing the environmental effects of exotic carbon forestry? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer:

Why?

A14. What implementation support would be needed for option 3 (amend the NES-PF to require forest management plans for exotic carbon forests)?

We are limited in our knowledge and experience therefore we will need support in expanding our capabilities to be able to guide our community in this area of work.

Part B: Controlling the location of plantation and exotic afforestation to manage social, cultural and economic effects

B1. Do you agree with the problem statement set out on page 29?

- Yes
 No

Are there other things we should consider?

The RMA requires the use of land to be sustainably managed in a way which enables people and communities to provide for their social, economic, and cultural well-being.

However, this well-being is related to land use management and setting environmental bottom lines that allow a balance between the use of land and managing the effects of use. The RMA is not a best use document. It does not require land to be used at a particular level of production. It may therefore be difficult to introduce outcomes to reflect community concerns at the loss of productive farmland to carbon afforestation. Yet this is exactly what needs to be considered at a national level.

B2. Have we accurately described the social, cultural, and economic effects of plantation and exotic carbon afforestation at a community level (Appendix D refers)?

- Yes
 No

What other social, cultural or economic effects should we be aware of? Please provide evidence on the impact of these effects.

1. While this problem statement mentions community concerns with conversions of whole farms, it does not identify the potential magnitude of loss of productive land for some districts. The problem statement does not clarify that loss of productive land can have serious effect on the primary industry jobs and support sector, to the extent traditional rural support towns could have another blow to their social, economic, and cultural well-being.
2. Carbon forests may interfere with our communities internet connectivity. Council received feedback from our community that the height of trees interferes with the towers responsible for providing internet to isolated communities. Forest management plans should consider capping the height trees can grow to.
3. MoE and MPI should also consider the health impacts of increased pollen in the air. It has been reported to Council that some children have developed respiratory issues due to pollen.

B3. Do you agree that the social, cultural and economic effects of plantation and exotic carbon forests should be managed through the resource management system?

- Yes
- No

Why?

It makes sense to have an integrated approach to managing afforestation and rural land use.

B4. What is your preferred option for managing the social, cultural and economic effects of plantation and exotic carbon afforestation? [Select ONE from list]

- Option 1 (a local control approach)
- Option 2 (a consent requirement through national direction)
- I do not support either of these options
- No preference

Why?

Yes, but it must require mandatory input from local Councils to ensure oversight of local changes.

B5. How effective would option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation) be in managing the social, cultural and economic effects of plantation and exotic carbon afforestation? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer:

Why?

Likely ineffective – local approach does not have effective oversight on national levels of afforestation and would possibly tend toward declining all afforestation applications due to political pressure.

B6. What impact would option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation) have on the rate and pattern of plantation and exotic carbon afforestation?

B7. What are the benefits of option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation)?

Local knowledge of impacts, but likely a more subjective approach to applications, rather than objective.

B8. What are the costs or limitations of option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation)?

Councils do not possess the expertise or capability to manage the technicality of forestry applications and the approach would not be standardised.

B9. If option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation) is progressed, would making plan rules to manage the social, cultural and economic effects of plantation and exotic carbon afforestation by controlling its location be a priority for your community or district? Please rank how

much of a priority this would be on a scale of 0 to 100 (with 0 being not a priority and 100 being high priority).

Your answer:

Why?

B10. What implementation support would be needed for option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation)?

We are limited in our knowledge and experience therefore we will need support in expanding our capabilities to be able to guide our community in this area of work.

If option 2 (a consent requirement through national direction, to control the location of plantation and exotic carbon afforestation) is further developed:

B11. Are the variables outlined on pages 32 to 33 (type of land, scale of afforestation, type of afforestation i.e., plantation, exotic carbon, transitional) the most important ones to consider?

- Yes
 No

What, if any, others should we consider?

B12. Which afforestation proposals should require consent? (Please consider factors such as the type of land, the scale of afforestation, the type of afforestation (plantation, exotic carbon, transitional) and other factors you consider important).

Based on your answers to B11 and B12 above:

B13. How effective would option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation) be in managing the social, cultural and economic effects of plantation and exotic carbon afforestation? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer:

Why?

We think option 2 would be mid to highly effective because although a national direction approach would have advantage of greater consistency than local control, it would add compliance costs for foresters.

B14. What impact would option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation) have on the rate and pattern of plantation and exotic carbon afforestation? Please explain or provide evidence.

As mentioned in the consultation document, option 2 may slow down the exotic carbon afforestation rate because uncertainty about the ability to obtain a consent may deter investors and farm foresters.

B15. What are the benefits of option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation)?

The major benefit is that it gives Councils legislative power to make decisions that mitigate environmental, economic, cultural, and social issues that may arise from mass afforestation. Without that support, Councils will not be able to regulate afforestation within their areas.

B16. What are the costs and limitations of option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation)?

If adopted, option 2 will put pressure on Council's already limited capacity. We will require support to carry out these additional responsibilities.

B17. What are the most important and urgent social, cultural and economic effects of plantation and exotic carbon afforestation that you would like to see managed under the resource management system? Where and at what scale do these effects need to be managed?

Many traditional sheep and beef properties have been generating around \$300-\$400 per hectare, per year of Effective Farm Surplus (EFS). Current forestry and carbon numbers indicate EFS of around \$2,000 per hectare, per year. This is leading to the current interest in farm or partial farm conversions. Central Government policy in terms of carbon and climate change, and the implementation of said policies, are taking a toll on rural towns and communities that are struggling to survive as significant land-use changes take place and conversions of whole farms become forestry plantations. This issue has been briefly addressed in the consultation document; however, we would like to see a pathway to a permanent solution be addressed.

B18. Should this be done now under the RMA, or later under the proposed National Planning Framework and NBA plans?

This should be done under the RMA because the purpose of the RMA directly links to our main concerns about the multi-dimensional impacts of afforestation/carbon forests.

B19. Would standards in an amended NES-PF need the support of national policies and objectives?

Yes

No

Why?

B20. What implementation support would be needed for option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation)?

See answer to B16

Part C: Improving wildfire risk management in all forests

C1. Do you agree that wildfire risk management plans (WRMPs) should be included in the NES-PF?

Yes

No

Why?

The national standards must ensure forests owners build in considerations and management plans for communities that are isolated and surrounded by forests. We have isolated communities in our district who have limited access to main roads, in an event of a wildfire, these communities are extremely vulnerable.

C2. Do you agree that the role of councils in monitoring the WRMP should be limited to ensuring that a plan has been developed?

Yes

No

If not, what should the role of councils be?

C3. Do you agree that a five-year review requirement is appropriate for WRMPs?

Yes

No

Why?

C4. Do you agree that a module for a WRMP that is consistent with farm plan templates could be used for farmers with forests to plan for managing wildfire risk?

Yes

No

If no, please provide reasons.

C5. What implementation support would be needed for this proposal?

Council needs support with upskilling current staff to equip them with the right tools and knowledge to participate in this area of work.

Part D: Enabling foresters and councils to better manage the environmental effects of forestry

Wilding conifer risk management

D1. Do you agree with Proposal 1 for managing wilding risk (update the Wilding Tree Risk Calculator and guidance, and require the submission of a standardised worksheet assessment to councils at least six months prior to planting)?

- Yes
 No

If not, please explain why.

D2. Do you agree that extending the notification period for wilding conifer scores to no sooner than six months and no later than eight months before afforestation begins is an appropriate length of time?

- Yes
 No

If not, what timeframe would you suggest and why?

Dependent on whether Council possesses the technical expertise to act on this.

D3. Do you agree with Proposal 2 for managing wilding risk (require all forests to assess wilding tree risk at replanting)?

- Yes
 No

If not, please explain why.

D4. Do you agree that changes to Regulation 79(6) will clarify the intent and avoid confusion over property access rights?

- Yes
- No

Why?

Not sufficiently – the wildings need to be addressed and eradicated by one of the parties, and clarification of accountability needs to be considered further to ensure no wildings are left to spread.

Slash management

D5. Do you agree with each of the proposed amendments to the NES-PF in relation to slash regulations, set out in Table 4 (pages 49 to 50)?

- Yes
- No

If not, please identify any you disagree with by referencing the number in the left-hand column of Table 4 and explain why you disagree.

D6. What information about slash risk and slash management do you or your organisation require? What is the best way for you to receive this information?

Council needs support with upskilling current staff to equip them with the right tools and knowledge to participate in this area of work.

D7. What tools or information do you use to assess operational requirements for the 5 per cent annual exceedance probability (AEP) requirement?

Initial alignment with NES-Freshwater

D8. Do you agree with each of the proposed changes to align the NES-PF with the NES-Freshwater, set out in Table 5 (pages 53 to 54)?

- Yes
- No

If not, please identify any you disagree with by referencing the number in the left-hand column of Table 5 and explain why you disagree.

D9. Do you anticipate any unintended consequences from this proposal to align parts of the NES-PF with the NES-Freshwater?

Operational and technical issues

D10. Do you agree with each of the proposed changes to the NES-PF to address operational and technical issues, set out in Table 6 (pages 57 to 68)?

- Yes
 No

If not, please identify any you disagree with by the number in the left-hand column of Table 6 and explain why you disagree.

In some cases, we have not proposed an amendment but are seeking further information, as follows:

D11. **Temporary structures for river crossings (row D5d of Table 6):** Do you agree that this type of river crossing could be permitted under certain conditions?

- Yes
 No

What conditions should be applied to the crossing as a permitted activity?

D12. **Dual culverts (row D5e of Table 6):** Is there a need to include double culverts in the regulations?

- Yes
 No

If so, what permitted activity conditions should apply to these river crossings?

D13. **Culvert diameters (row D5g of Table 6):** Is a 325mm minimum internal diameter specification for stormwater culverts for forestry roads or forestry tracks in green, yellow and orange zones with a land slope of less than 25 degrees an appropriate minimum? (Think about the availability of culverts of this size and the products you commonly use or require).

- Yes
- No

If not, please explain why.

D14. **Notice periods (row D7a of Table 6):** Do you agree that notice periods could be reduced or waived for earthworks, quarrying and harvesting in green and yellow zones?

- Yes
- No

Please explain your answer with evidence to support your position. If you think notice periods could be reduced what would you suggest is an appropriate notice period?

D15. **Notice periods (row D7d of Table 6):** Where you have experience of annual notice periods (either positive or negative) please provide your views on whether annual notifications are working well or whether changes to the regulations are required. If you consider changes are required, please indicate what environmental risks will be better managed through change.

D16. **Indigenous vegetation (row D9b of Table 6):** If the definition of indigenous vegetation is changed to that used in the National Policy Statement for Indigenous Vegetation do you foresee any practical or operation issues for plantation forestry and enforcement of the regulations?

- Yes
- No

Why?

D17. **Vegetation clearance (row D9c of Table 6):** Do you think there will be any negative consequences of amending the definition of vegetation clearance in the NES-PF to clarify that part (b) of the definition does not authorize any vegetation clearance but that a forest crop should generally be harvestable within the constraints of the regulations?

- Yes
- No

Please provide evidence to support your views.

D18. **Incidental damage (row D9d of Table 6):** Please provide any evidence you have that the definition of incidental damage is causing issues for users and the nature of those issues. Do you have suggestions for how the definition could be less subjective while still achieving the intent of allowing minor damage to indigenous vegetation under limited circumstances?

D19. **Health and safety (row D12a of Table 6):** What additional information or resources could help foresters and councils make decisions that balance environmental outcomes with worker safety when managing slash?

Capacity and capability of local authorities to implement the NES-PF

Questions for councils and foresters

D20. What sources of information or training do you currently use to inform your decisions for forestry?

D21. What areas of forestry practice required by the NES-PF do you need more information about or training in?

D22. What are the best forms of delivery for that information or training? This may include a range of delivery methods or forums.

