

Submission – National Direction for plantation and exotic carbon afforestation

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SUBMISSION ON THE NATIONAL DIRECTION FOR PLANTATION AND EXOTIC CARBON AFFORESTATION

Introduction

1. The Dunedin City Council (DCC) congratulates the Ministry for Primary Industries and the Ministry for the Environment on the development of the proposals for the National Direction for Plantation and Exotic Carbon Afforestation and appreciates the opportunity to provide feedback.
2. This submission outlines the DCC's roles and responsibilities in the management of forestry and provides some general comments and recommendations regarding specific aspects of the proposals.

DCC roles and responsibilities

3. The Dunedin district has a large rural area within its city limits, at around 314,822 ha or approximately 96% of the total land area of the city. Pastoral farming dominates the rural environment, with plantation forestry in Dunedin being mainly located in the hills to the north of the Taieri Plain and in southern coastal parts of the city.
4. Under the Second Generation Dunedin City District Plan (2GP), forestry is a permitted activity in rural areas, subject to the requirements for plantation forestry under the National Environmental Standard for Plantation Forestry (NES-PF).
5. Forestry is defined in the 2GP as "The use of land and buildings for the purpose of growing trees for commercial timber, wood pulp, wood products, or for use as a carbon sink." Therefore, exotic carbon forests are managed under 2GP rules for forestry.
6. Because forestry is a permitted activity in most rural areas outside of landscape and biodiversity overlays (subject to permitted activity conditions), the DCC does not receive many consent applications for afforestation.
7. The 2GP requires resource consents for forestry activities in landscape overlays (equivalent to visual amenity landscapes and outstanding features or landscapes under the NES-PF) and areas of significant biodiversity value (ASBVs) (equivalent to significant natural areas under the NES-PF). The

2GP also has a comprehensive set of rules relating to vegetation clearance prior to afforestation, with clearance within ASBVs being non-complying (with some small-scale exceptions).

Comments

Managing the effects of exotic carbon forestry

8. The DCC wishes to express its strong support for amending the National Environmental Standards for Plantation Forestry to also manage exotic carbon forestry. DCC recognizes that there are a number of complex environmental, social, cultural and economic issues associated with changing land use and is supportive of the development of consistent national direction for carbon as well as plantation afforestation.
9. The DCC is committed to reducing carbon emissions and has been progressing work to mitigate and adapt to climate change since 2009. In 2019, the Council carried a motion to develop a city target of net zero carbon by 2030. While supportive of the use of forests to contribute to climate goals, the DCC's Zero Carbon Programme takes a holistic approach which focuses on gross emissions reduction, long-term thinking and maximizing co-benefits.
10. The DCC is supportive of managing carbon forest outcomes through forest management plans, including transitioning from exotic to indigenous vegetation, given the benefits to biodiversity outcomes alongside climate goals. However, DCC considers that there would need to be clear guidance and implementation support provided to councils, who may have limited forestry expertise, and to foresters who must comply with a number of different legislative requirements. As highlighted in the discussion document, DCC agrees that it would be important also to ensure alignment with requirements of other legislation and to minimise duplication or overlap.

Significant Natural Areas and Afforestation

11. The DCC considers the proposals present an opportunity to strengthen the alignment between the NES-PF and the NPS-IB. With the gazettal of the NPS-IB being expected in December 2022, and the anticipated work programme to identify significant natural areas across the district, it would be desirable for the NES-PF to contain stronger direction in relation to requiring ecological assessments to be provided to council prior to afforestation, to avoid potential SNAs being cleared.
12. When the DCC is notified of afforestation or harvesting as required under the NES-PF it provides an opportunity to assess the environmental effects of the activity relevant to territorial functions, including whether any areas of significant indigenous biodiversity are affected, by using 2GP significance criteria to identify any significant natural area. Under the NES-PF:

significant natural area means an area of significant indigenous vegetation or significant habitat of indigenous fauna that—

(a) is identified in a regional policy statement or a regional or district plan as significant, however described; and

(b) is identified in the policy statement or plan, including by a map, a schedule, or a description of the area or by using significance criteria

Where a significant natural area is identified, the DCC requires resource consent for forestry in an SNA (Area of significant biodiversity value) as a non-complying activity in the 2GP. While the NES-PF appears to provide for this approach based upon the definition of SNAs (above) it is not explicit.

13. Noting that the relevant regional council and territorial authority must be given written notice of the location where the afforestation will occur, the DCC submits that the requirement for notices in the NES-PF be amended to include a clear requirement for an ecological assessment of areas prior to planting. This would allow for the identification of any SNAs, which would in turn allow for appropriate protections to be put in place for these areas. This would provide clearer guidance to landowners and forestry operators on the implementation of the NES-PF as well as giving effect to the NPS-IB. The DCC suggests that an explanatory note be added as follows:

Where a SNA is identified through an assessment using significance criteria after notification of proposed afforestation or harvesting, pursuant to regulation 16(3) a resource consent is required from the local authority that has identified the area within its plan, or if the plan rules are more stringent then a resource consent pursuant to the relevant district or regional plan.

14. The DCC also notes its concern that the afforestation provisions of the NES-PF may inadvertently lead to large scale clearance of non-significant indigenous vegetation through overplanting of areas that have not been identified as SNAs. In the 2GP definition of 'vegetation clearance' overplanting is included as a form of vegetation clearance. Although vegetation clearance prior to afforestation is not within the scope of the NES-PF and is managed under district plans, overplanting of indigenous species during afforestation (for instance, tussock grassland) leading to eventual competitive exclusion comes under the scope of the NES-PF. The NES-PF specifically excludes any activity undertaken in relation to a plantation forest tree from the definition of 'vegetation clearance'. The loss of this vegetation would therefore be permitted even if it may have required consent under the Dunedin 2GP's vegetation clearance rules (for instance if it contravenes the area threshold for indigenous vegetation clearance). This outcome would be at odds with Government direction under the NPS-IB and the 2GP's objectives for indigenous biodiversity.
15. DCC notes that if the same approach is taken for exotic carbon forests, then large areas of indigenous vegetation could be removed, and the associated biodiversity values compromised. The DCC requests that carbon exotic forests be subject to any vegetation clearance rules within existing district or regional plans i.e., they are not given the same exemption as plantation forestry. This is because of the potential land area they may occupy, and their potential permanence.
16. The DCC has a specific interest in the technical questions on SNAs and indigenous vegetation (p. 63 of discussion document) and makes the following comments:
17. The consultation document proposes to amend the regulation providing for councils to have more stringent rules for SNAs so that it applies only to SNAs outside of the productive area of the forest. This is because the new NPS-IB is anticipated to have specific provisions for SNAs within a plantation forest. Noting that this is subject to the NPS-IB coming into effect, and it is currently unclear how the

two documents relate to each other, the DCC would be concerned about any relaxation of rules for SNAs and would appreciate the opportunity to submit on any particular amendments in this regard.

18. The DCC agrees that the definition of indigenous vegetation in the NES-PF is unclear and should be amended to align with the NPS-IB definition, which refers to plants that are native to an ecological district. The DCC also notes that there will need to be support provided, to both councils and forestry operators, in order to identify indigenous vegetation. Additional resourcing including ecological expertise and specific guidance on which plants are native to an ecological district will be required. Additional rules (in both the NES-PF and plans) are likely to be needed to clarify how the definition should be applied to vegetation cover at particular landscape scales.
19. The DCC agrees that the definition of vegetation clearance in the NES-PF is unclear in that it excludes 'any activity undertaken in relation to a plantation forest tree' which could potentially enable most activities in a plantation forest, while regulations 93-95 already set out specific regulations for managing vegetation clearance within the plantation forestry property. The 2GP definition of vegetation clearance specifically excludes "*the maintenance and harvesting of plantation trees as part of forestry.*" DCC suggests that the definition in the NES-PF could be amended to similarly exclude maintenance and harvesting of forestry trees rather than the broad 'any activity' currently in the definition. This would make it clearer, without changing the intent of the regulations for vegetation clearance.
20. With regard to the definition of incidental damage as it relates to indigenous vegetation clearance, DCC agrees that there is a high level of subjectiveness, and levels of incidental damage would currently be difficult for councils to monitor. The DCC suggests that it would be beneficial to require information on proposed vegetation clearance including incidental clearance, to be included in forest management plans.

Managing the location of new forests

21. With respect to managing the location of new forests, the DCC considers that it would be useful to amend the NES-PF or provide alternative national direction to enable councils to add new provisions in district plans in order to tailor the management of effects of forestry for particular local environments.
22. In particular, DCC considers that it would be beneficial for local authorities to have the ability to apply restrictions, where appropriate. For instance, regulations could be used to control the development of highly productive land for forestry. Under the National Policy Statement on Highly Productive Land 2022 (NPS-HPL), land-based primary production "means production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land".
23. Dunedin City has approximately 35, 073 ha of land classified as land use capability (LUC) 1-3 within its district. Under the Land Use Capability (LUC) classification system, LUC classes 1-3 are considered to be most suitable for cropping. Land in Classes 4 and above is considered to be limited or

unsuitable for arable use or cultivation, but (with the exception of Class 8 land), suitable for forestry¹

24. DCC's submission on the NPS-HPL in 2019 suggested that forestry should not utilise land that is important for food production. Appropriate use of highly productive land holds opportunities for increasing climate and food resilience and avoiding the best land for food growing would also align well with the Zero Carbon Work Programme.
25. The DCC expresses concern about the potential social impacts on small rural communities if there is a proliferation of exotic carbon afforestation in an area that may result in a decrease of local employment opportunities and therefore reduce the population of communities to the point where they can no longer support local schools and other community facilities. The DCC suggests, that with the forthcoming work required to be done by councils to implement the NPS-HPL, it is timely to develop options to amend the NES-PF to control the location of afforestation where appropriate. The DCC submits that more work needs to be done to investigate whether this would be better managed at a local level or through a consent requirement being introduced in the NES-PF.

General comments

26. DCC supports extending controls to improve wildfire management in all exotic forests, including requiring service level agreements between Fire and Emergency New Zealand and forest owners.
27. The DCC considers that it will be important that there is appropriate guidance and technical support for councils in implementing any of the proposed changes for the efficient and effective sustainable management of forestry resources. To this end, relevant DCC staff would appreciate the opportunity to provide more focused feedback as the proposals and options are developed further.

Conclusion

28. The DCC is committed to contributing to the sound management of plantation and carbon forestry resources and looks forward to working with central and local government further on the national direction for afforestation management.

Yours sincerely



Jules Radich
MAYOR OF DUNEDIN

¹ https://ourevironment.scinfo.org.nz/maps-and-tools/app/Land%20Capability/Iri_luc_main/421,406,404,387,388,389,390,405