Remember submissions close **at 5pm, Friday 21 October 2022**

Proposed District Plan submission form

Clause 6 of Schedule 1, Resource Management Act 1991

Feel free to add more pages to your submission to provide a fuller response.

Form 5: Submission on Proposed Far North District Plan

TO: Far North District Council

This is a submission on the Proposed District Plan for the Far North District.

1. Submitter details:

Full Name:	**Paul Quinlan**		
Company / Organisation Name: (if applicable)	**Tane's Tree Trust,** **Northland Tōtara Working Group**		
Contact person (if different):			
Full Postal Address:	**76 Mangamanihi Road, RD 2 Kaeo, 0479**		
Phone contact:	**Mobile:** **021 1478 279**	**Home:**	**Work:**
Email (please print):	**pdq@pqla.co.nz**		

2. (Please select one of the two options below)

☑ I **could not** gain an advantage in trade competition through this submission
☐ I **could** gain an advantage in trade competition through this submission

If you could gain an advantage in trade competition through this submission, please complete point 3 below

3. ☐ I **am** directly affected by an effect of the subject matter of the submission that:
(A) Adversely affects the environment; and
(B) Does not relate to trade competition or the effect of trade competition

☐ I **am not** directly affected by an effect of the subject matter of the submission that:
(A) Adversely affects the environment; and
(B) Does not relate to trade competition or the effect of trade competition

Note: if you are a person who could gain advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of Part 1 of Schedule 1 of the Resource Management Act 1991

The specific provisions of the Plan that my submission relates to are:
(please provide details including the reference number of the specific provision you are submitting on)

IB-R1 Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area
PER-1
It is for any of the following:
12. The harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries;

PROPOSED DISTRICT PLAN

Confirm your position: ☑ Support ☐ Support In-part ☐ Oppose
(please tick relevant box)

My submission is:
(Include details and reasons for your position)

PLEASE SEE ATTACHED SUBMISSION.
ESSENTIALLY SUPPORT FOR IB R1 PER-1, 12

I seek the following decision from the Council:
(Give precise details. If seeking amendments, how would you like to see the provision amended?)

PLEASE SEE ATTACHED. (FULL SUBMISSION DOC.)

- THAT HARVESTS UNDER M.P.I. APPROVED SUSTAINABLE FOREST MANAGEMENT PLANS & PERMITS ARE PERMITTED ACTIVITIES IN ALL RURAL ZONES & WITHIN SNAS & OUTSTANDING LANDSCAPES.

S157.001 to S157.004

☑ **I wish** to be heard in support of my submission
☐ **I do not wish** to be heard in support of my submission
(Please tick relevant box)

If others make a similar submission, I will consider presenting a joint case with them at a hearing
☑ Yes ☐ No

Do you wish to present your submission via Microsoft Teams?
☐ Yes ☑ No

Signature of submitter:
(or person authorised to sign on behalf of submitter)

Date: 18 OCTOBER 2022

(A signature is not required if you are making your submission by electronic means)

Important information:

Submission 157

P.O. Box 12094
Hamilton 3248
Phone: 027 900 7853
Email: office@tanestrees.org.nz

18 Oct 2022

Submission on:

The Proposed Far North District Plan

On behalf of:

Tāne's Tree Trust

Northland Tōtara Working Group

To the attention of:

Proposed District Plan
Strategic Planning and Policy, Far North District Council
Far North District Council,
Private Bag 752
KAIKOHE 0400

Emailed to: pdp@fndc.govt.nz

Prepared by: Paul Quinlan, Trustee, Tāne's Tree Trust, with input from other trustees

Submitted by: Tāne's Tree Trust

Submitter Type: NGO.

Contact: Mel Ruffell,
Executive Officer, Tane's Tree Trust
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Hamilton 3248
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INTRODUCTION – WHO WE ARE

Tāne's Tree Trust (TTT) is a not-for-profit charitable trust that promotes the planting and management of native forests for multiple reasons and values nationwide. It conducts research into native forest establishment and management and disseminates that information to the public, free of charge, via its website, field days, workshops, conferences, publications, and other media. The Trust is a nation-wide organisation with 11 trustees who have decades of professional experience in forest management, scientific research, ecological restoration, economics, policy, farm forestry, landscape architecture, conservation, matauranga Maori, and Wai 262 issues.

For a good overview of Tāne's Tree Trust ideology and activities, see the short video: O Tātou Ngāhere: https://vimeo.com/512760021

On the 27th & 28th October we will be holding a national conference at Te Papa, Wellington: O Tātou Ngāhere – Regenerating our landscape with native forests: https://www.tanestrees.org.nz/news-events/articles/o-t-tou-ng-here-conference-regenerating-our-landscapes-with-native-forest/

For more information and background on who we are, please refer to the Tāne's Tree Trust website: https://www.tanestrees.org.nz/

Northland Tōtara Working Group
Tāne's Tree Trust also convenes the Northland Tōtara Working Group (NTWG) and hosts their webpages: https://www.tanestrees.org.nz/about-us/northland-totara-working-group/
This group promotes the sustainable management of planted and naturally regenerating tōtara on private and Maori land, for multiple environmental benefits, but also including potential timber production. There are over 900 names on the NTWG mailing lists.

Tōtara Industry Pilot Project
The Trust was also a partner and chaired the Tōtara Industry Pilot project, a government-funded project determining the business case for a regional industry based on sustainably managing tōtara on private and Maori land in Northland. This involves sustainable low-impact harvests of existing naturally regenerated tōtara on farms using continuous-cover-forestry principles and in accordance with the Forests Act. It envisages an industry that encourages more native forest on private and

Maori land, and its sustainable management. More information on the Tōtara Industry Pilot can be found on its website: https://www.totaraindustry.co.nz/

Te Taitokerau Maori Forestry Inc. is keen to progress and lead this regional opportunity.

Indigenous forestry interests represented

This submission represents the interests of TTT and NTWG. It also supports sustainable indigenous forestry interests generally, but only on private or Maori land – not on conservation land. This includes sustainable management of existing regenerated second-growth native forest, such as regenerating tōtara forest and scrub on farms, that could be managed for multiple values and purposes, including some sustainable timber production under the provisions of the Forests Act. Importantly, it also includes the interests of new planted indigenous forestry for the future.

Native forests as part of climate-change response

The Trust supports the Climate Change Commission's recommendation to Government on the need to establish nearly 300,000 hectares of new native forests before 2035, to help meet international climate-change commitments. However, this is a considerable challenge. Good policy and incentives are needed to support landowner buy-in. Native forests, both existing and new planted forests, need to become an economically viable land-use options for landowners, otherwise sustainable management and native afforestation will not occur at sufficient scale.

SUPPORT FOR THE PROTECTION OF BIODIVERSITY VALUES & SNAs

We are strong advocates for native forest establishment and management for multiple values including indigenous biodiversity maintenance and enhancement. Recently, Tāne's Tree Trust published a comprehensive review of *Non-timber Values in Native Forests* (Aimers, *et al.* 2021[1]). Valuing the many ecosystem services that native forests provide, including meaningful cultural connections to our forests, is an inherent part of why we champion native forests and sustainable forestry practices.

Much of our work has been about finding effective ways to take up the challenge set by a former Parliamentary Commissioner for the Environment, Morgan Williams, to weave more native forest back into our working lands. We believe native forestry is great example of the type of 'nature-based' solutions required to address climate change and the other environmental issues we face.

Naturally, we support the intent and purposes of the National Policy Statement for Indigenous Biodiversity (NPSIB) Exposure Draft, and other mechanisms to improve the management of indigenous biodiversity throughout the landscape – not just in Significant Natural Areas (SNAs).

We support mapping of SNAs as a useful tool for land management planning and decision-making.

We also acknowledge the urgency required in addressing biodiversity management in Aotearoa.

[1] Aimers, J., Bergin, D., Horgan, G. (2021). Review of Non-Timber Values in sustainably-managed native forest in New Zealand. Tāne's Tree Trust bulletin, Hamilton, New Zealand. 119 pages. https://www.tanestrees.org.nz/site/assets/files/1069/non_timber_values_in_native_forests_-_web.pdf

Treaty obligations and kaitiakitanga

We also acknowledge and support the need to give effect to Treaty of Waitangi obligations and empower people to exercise kaitiakitanga. This includes acknowledging issues raised by Waitangi Tribunal Report Wai 262.

Land use changes necessary

We believe that significant changes in current land use practices are necessary, especially in regard to increasing biodiversity values in the production landscape. In this context, we contend that indigenous forestry is an example of the type of nature-based land use that needs to be promoted and encouraged.

Sustainable forest management under the Forests Act

As was stated in the NPSIB Exposure Draft summary document for the forestry sector[2], *"SFMPs* [sustainable indigenous forestry under the Forests Act] *can restore or enhance indigenous biodiversity."* We agree. Indeed, sustainable indigenous forest management under the control of the Forest Act, is consistent and compatible with the objectives of the Exposure Draft NPSIB.

Based on our extensive experience with sustainable indigenous forestry, we consider that it is one of the most environmentally and culturally appropriate land use and management options for many areas of native vegetation cover. Silvicultural trials by the Northland Tōtara Working Group have documented[3] improved understory development in tōtara stands that have been thinned and pruned compared to the control plots that have had no silvicultural management. John Wardle has noted the same with black beech in Canterbury. This supports the assertion that sustainable indigenous forest management is compatible with biodiversity maintenance and even its enhancement.

Although native forestry is not a big industry, it exemplifies the type of regenerative approach to land use that meets the values and stewardship standards that are sought by environmental policies and is fit for the twenty-first century.

It also represents one of the few opportunities to incentivise appropriate management of native forest areas – especially pre-1990 native forest areas on private and Maori land.

Therefore, we contend that indigenous forestry – including Sustainable Forest Management, as provided for under Part 3A of the Forests Act and administered by Te Uru Rākau – The New Zealand Forest Service, should be explicitly encouraged through regional and district plans around the country. It needs to have clear and favourable status. Our submission on the Exposure Draft NPSIB sought the following relief:

1. Sustainable indigenous forestry is promoted and encouraged as an example of an appropriate nature-based land use activity, including within Significant Natural Areas.

2. Harvests under MPI approved provisions of Part 3A of the Forests Act (e.g., SFMPs) are attributed **Permitted Activity** status in Regional and District Plans – including within Significant Natural Areas.

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[2] Publication number: INFO 1062, published by Ministry for the Environment, June 2022.

[3] For example, see the outputs of Tane's Tree Trust's Remeasurement of Farm Tōtara PSP project results: https://www.tanestrees.org.nz/site/assets/files/1234/results_of_the_2020_remeasurement_of_totara_psps.pdf And, see the Northland Tōtara Working Group Newsletter 2022: https://www.tanestrees.org.nz/site/assets/files/1984/ntwg_newsletter_2022.pdf
These confirm observations that thinning tōtara pole stands results in enhanced understory development.

PROPOSED FAR NORTH DISTRICT PLAN

We strongly support the following:

IB-R1 Indigenous vegetation pruning, trimming and clearance and any associated land disturbance for specified activities within and outside a Significant Natural Area

Activity status: Permitted

Where:

PER-1
It is for any of the following:

12. The harvesting of indigenous timber approved under the Forests Act 1949 via either a registered sustainable forest management plan, a registered sustainable forest management permit or a personal use approval for the harvesting and milling of indigenous timber from the Ministry of Primary Industries;

We commend the authors of the proposed district plan in recognising that the harvests under Ministry for Primary industries (MPI) approved Sustainable Forest Management Plans and Permits (SFMPs) require the protection of the forest and the maintenance of its *natural values* and is therefore compatible with the objectives both the NPSIB and SNAs. Indeed, the level of protection required for forests under MPI approved SFMPs ensures the avoidance of all the potential adverse effects set out in 3.10 (2) (a-e) in the Exposure Draft of the NPSIB.

This was acknowledged in the summary document on the NPSIB for the Forestry Sector[4] which stated that: *"SFMPs can restore or enhance indigenous biodiversity, and require the active management of stock, weeds and pests to encourage regeneration."* Furthermore, it states that *"They can assist local authorities and landowners to restore degraded SNAs. In this way an SFMP can complement the objectives of the NPSIB."* We agree with those statements in the summary position.

Sustainable, low-impact, selective harvesting under the Forests Act, is prescribed and tightly controlled and audited by specialist forestry advisors from Te Uru Rākau. Harvesting under SFMPs require the low impact harvesting of single stems or small groups of trees (3-5) and does not *clear* the forest. The forest remains. Continuous cover forestry is the practice. This has been demonstrated in Northland, for example see this video: https://vimeo.com/692925422

Requirements of the Forests Act
The Forests Act defines sustainable forest management as:

> *"the management of an area of indigenous forest land in a way that maintains the ability of the forest growing on that land to continue to provide a full range of products and amenities in perpetuity while retaining the forest's natural values."*

[4] Publication number: INFO 1062, published by Ministry for the Environment, June 2022.

Moreover, Schedule 2, (8) & (10) of the Forests Act requires the following protection and management of the forest areas involved.

> ***Schedule 2***
>
> ***8 Protection***
> *The* [SFMP] *plan shall specify—*
>
> *(a) any necessary measures to be taken to protect the forest, and, in particular, to protect the regenerating forest from pest, stock, fire, and other threats; and*
>
> *(b) any necessary measures to retain and enhance flora and fauna and soil and water quality.*

Schedule 2, Section 10, (1) limits harvest rates to a level where the forest can supply a "*non-diminishing yield in perpetuity*". And, going further, Section 10, (2), (a), requires "*...the character and structure of all parts of the forest shall be maintained.*" And clauses (e) and (f) require planting where regeneration is lacking.

The above stipulations under the Forests Act require far better formal protection and management of indigenous biodiversity for existing native forest areas than the NPSIB – which does not require landowners to actively manage SNAs.

Moreover, the Department of Conservation is consulted on all SFM Permit and SFM Plan applications. This provides the opportunity to include any site-specific conditions in response to relevant biodiversity matters - including highly mobile fauna. Likewise, any notations in respective district and regional plans (e.g., SNAs). These can all be considered and monitored by Te Uru Rākau's specialist indigenous forestry advisors, who are both more qualified and better resourced to assess the potential adverse effects than council planning staff or ecologists who may be inexperienced in SFMPs.

Therefore, we support the explicit status of PERMITTED ACTIVITY, for harvesting in native forests under MPI approved SFMPs throughout the district, including in SNAs. Indeed, it is critically important that no additional resource consent process is required.

Essential for SFMPs to avoid additional consent process

Obtaining SFM Permits and Plans under the Forests Act is extremely costly and time consuming[5]. It is itself a significant disincentive and impediment to most landowners. Adding another potential consenting process under the RMA (e.g., via District Plan rules pertaining to SNAs etc.), would add further significant cost, time, and also significant insecurity to sustainable indigenous forestry activities.

It is clear from the Exposure Draft of the NPSIB Section 3.24, "*that if a resource consent is required*" that it must "*include a report that is prepared by a qualified and experienced ecologist*". This would only duplicate the assessment carried out by experts in Te Uru Rākau, and the extra cost and process is unlikely to provide more effective control or management of indigenous biodiversity.

[5] For example, SFM Plan applications in regenerated tōtara forest areas incurred costs of $7,000 for an 11.6ha forest area, and around $10,000 for a 19.2ha area.

Moreover, the extra cost on top of the SFMP process will make most SFMP activities unviable, particularly for the smaller forest areas. This will have the perverse effect of removing one of the few appropriate revenue opportunities from pre-1990 indigenous forests on private and Maori land. This will further disincentivise SFMPs and prevent the development of an appropriate new industry (e.g., a regional tōtara Industry) that would effectively encourage and fund the management of indigenous biodiversity on private and Maori land.

Other mechanisms to incentivise the appropriate management of native forest areas on private land are likely to involve cost to the taxpayer or ratepayers.

Therefore, it is important that no additional resource consent process under the RMA for harvesting under MPI-approved Sustainable Forest Management Plans or Permits (SFMPs), is required. That would be an unnecessary double-up of regulatory control mechanisms. That would add significant associated costs without any substantive gain. It would also fail to accept the integrity of Te Uru Rākau in their administration of Part 3A of the Forests Act.

Requiring a resource consent for harvests under MPI approved SFMPs would result in the perverse effect of significantly disincentivising sustainable indigenous forestry as a land use activity – to the extent that it will make it untenable. This would scupper efforts of many decades of research, promotion, and government funded projects (e.g., The Tōtara Industry Pilot project), to develop and encourage appropriate and sustainable nature-based land management options and practices on private and Maori owned land.

That would be a perverse outcome especially given that indigenous forestry so strongly aligns with government objectives promoted through the Emissions Reduction Plan, Te Mana o te Taiao – Aotearoa New Zealand Biodiversity Strategy, recent freshwater objectives, and the Forestry and Wood Processing Industry Transformation Plan.

We consider requiring a resource consent would not only be unnecessary regulatory duplication, but it would also result in the following perverse effects:

- Prevent the realisation of an appropriate primary industry and land use option based on the sustainable management of indigenous forests on private and Maori land (e.g., the Tōtara Industry Pilot project).

- Disincentivise sustainable management of indigenous forest on private and Maori land.

- Make existing native vegetation even less valuable to the landowner, putting more at risk of neglect or destruction.

- Discourage the planting of new native forest areas in the rural production landscape – undermining afforestation goals that are an essential part of the country's climate-change response strategy and other policy objectives.

In contrast, we submit that harvesting under MPI approved SFMPs should be supported, encouraged, and acknowledged as a form of 'formal protection' for native forests.

RELIEF SOUGHT

It is critical that sustainable indigenous forestry activities are not subject to unnecessary additional, costly, and uncertain RMA consenting processes required by the district plan. In contrast, appropriate sustainable indigenous forest management activities under MPI approved SFMPs need to be encouraged, supported, and explicitly provided for to ensure the following:

1. Harvests under MPI approved provisions of Part 3A of the Forests Act (e.g., SFMPs) are attributed **Permitted Activity** status throughout the district – including within Significant Natural Areas and areas designated as Outstanding Landscapes.

S157.001 to S157.004

2. Sustainable indigenous forestry is supported and encouraged as an example of an appropriate nature-based land use activity and recognised as a form of *formal protection* for areas of native forest, including within Significant Natural Areas.

We welcome the opportunity to speak to this submission and assist with work to resolve any necessary wording to support the above in the Proposed Far North District Plan.

Thank you for your consideration of this submission.

Paul Quinlan p.p.

Peter Berg, Chairman of Tane's Tree Trust
18 Oct 2022