

2 December 2022

Forestry & Bioeconomy Policy Team
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Kia ora koutou

Canterbury Mayoral Forum submission on National direction for plantation and exotic carbon afforestation - Discussion Paper

1. The Canterbury Mayoral Forum (the Forum) thanks the Ministry for Primary Industries for the opportunity to make a submission on the National direction for plantation and exotic carbon afforestation MPI Discussion Paper No 2022/10 (the 'discussion paper'). In this submission the Forum has provided comment on the key issues for Canterbury in the discussion paper.

Background and context

2. The Forum comprises the mayors of the ten territorial local authorities in Canterbury and the Chair of the Canterbury Regional Council (Environment Canterbury), supported by our Chief Executives. The purpose of the Forum is to promote collaboration across the region and increase the effectiveness of local government in meeting the needs of Canterbury's communities.
3. All Canterbury councils actively participate in the Forum: the Kaikōura, Hurunui, Waimakariri, Selwyn, Ashburton, Timaru, Mackenzie, Waimate and Waitaki District Councils, the Christchurch City Council and the Canterbury Regional Council (Environment Canterbury).
4. The following submission has been developed with input from across Canterbury councils. Our submission focuses on matters of general agreement between the members of the Forum.
5. We note that some Canterbury councils are also making individual submissions and we support careful consideration of these submissions

Mayors standing together for Canterbury.

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Mayoral Forum's Plan for Canterbury

6. The Forum published the *Mayoral Forum's Plan for Canterbury* in September 2020, which sets out our five key priorities in the previous local government term. Following the recent local government elections the current Mayoral Forum is revisiting the Mayoral Forum's Plan for Canterbury for this next triennium. Initial discussions still see sustainable environmental management, shared economic prosperity and climate change mitigation and adaptation as key priorities for the Forum.
7. One of the key priorities is:

Sustainable environmental management of our habitats (land, air, water and ecosystems), focusing on land use and freshwater management.

General comments

8. In the Forum's view, carbon forestry is a separate activity from exotic plantation forestry, with different motivators, income generators, and potential effects.
9. The Forum supports having greater control over the types and location of all forestry – a “right tree right location” approach – and recommends that this assessment is best determined at a regional or local level, rather than nationally.
10. The Forum supports extending the scope of national regulatory controls under the NES-PF to manage the environmental effects of exotic carbon forests.
11. However, the Forum is unsure that the NES-PF is the most appropriate place to manage the social, cultural, and economic effects of exotic carbon forestry. Management of these factors involve value ‘trade offs’ that need to be addressed in policy direction. The Forum encourages further consideration around alternative forms of national direction and guidance outside of the NES-PF such as:
 - a national policy statement to support the NES-PF and provide appropriate strategic policy direction
 - national guidance such as model plan provisions and appropriate metrics to assess social, cultural and economic effects
 - the consideration of the role and purpose of future regional spatial strategies (RSS) developed under the Natural Built and Environment Act, and the opportunity to consider within these strategies forestry issues and effects across regions.
12. Alternatively, if that direction is to be managed at a local level, the Forum considers that any national planning instrument to manage carbon forestry ought to be a ‘backstop’ or default position that applies in the absence of any regional or district plan provisions.
13. We support improved controls on wilding conifer spread.
14. We also support the requirement for wildfire risk management plans to assist in providing for active management and help to discourage the 'plant and leave scenarios' perception of exotic carbon forestry.
15. The Forum wishes to ensure there is the ability to manage the effects associated with transitioning exotic to indigenous forest species.
16. The Forum considers that the interlinkages and alignment with national directions is imperative to successfully managing the effects of exotic carbon forestry, including the proposed National Policy Statement for Indigenous Biodiversity (NPS-IB), the National Policy Statement for Highly

Productive Land (NPS-HPL), the National Policy Statement for Freshwater Management (NPS-FM) and the Emissions Trading Scheme (ETS) permanent forestry category. This includes, but is not limited to, ensuring consistency and alignment in definitions for forestry, exotic carbon forestry and land-based primary production.

17. We also recommend that any directions relating to afforestation and exotic carbon forestry are integrated into resource management systems review (including the national planning framework and proposed Natural and Built Environment and Spatial Planning Acts) and aligned with the corresponding review programme for local government.
18. Key areas of interest for Canterbury councils include:
 - ongoing management and compliance for exotic carbon forestry, including fire risk
 - effective management of the socio-economic effects of entire pastoral farm conversions to exotic carbon forestry including the cumulative effects of marginal and remote hill country areas where there is active management
 - management of indigenous plantings for exotic carbon farming
 - management of vegetation clearance associated with the establishment of forestry including exotic carbon forestry and loss of indigenous biodiversity in areas which are not classified as SNAs in district plans, including regenerating scrub and tussock lands
 - wilding spread
 - retention of more productive soils for food production
 - impacts on landscapes that are not classified as ONLs in district plans including wāhi tupuna/landscapes and areas of cultural significance; and
 - the opportunity for mana whenua values and input into decision-making on carbon forestry.

Summary of feedback on the four topic areas

Part A: Extending scope of regulatory controls to manage environmental effects of exotic carbon forests

19. The Mayoral Forum:
 - supports a standalone national level definition for exotic carbon forestry to promote consistency between regional and local planning documents and management approaches - we recommend that consideration be given to accommodating both carbon monoculture and biodiversity indigenous forest in this definition
 - supports determining locally where it is appropriate to locate exotic carbon forestry including considering the potential environmental, economic, cultural and social effects and other land uses. This would allow afforestation to be directed to areas where there are less concerns and a more permissive planning regime and deter it from areas that have greater concern about its impacts - this could be guided by RSS's under the new NBA legislation, with a need for alignment with the role and purpose of a RSS, and controls on the location of plantation and exotic carbon afforestation
 - requests that more scope be provided to local authorities under the NES-FP to control the location of exotic plantation and carbon forestry than there is currently. For example, there is currently no ability for councils to have rules in plans to manage planting in culturally significant landscapes and sites (which may not be ONLs or SNAs), heritage sites, on productive soils, or in higher density rural areas dominated by lifestyle blocks and farmlets

- supports the provision of national guidance for councils co-developed between councils, tangata whenua and the industry on methods and factors to consider in developing policy on the 'right tree in the right location'
- supports the ability of councils to make alternative policy and more stringent rules for exotic carbon forestry, but not more lenient rules than the current activity statuses for plantation forestry under the NES-PF or other national instruments applying in the absence of any regional or local provisions (the NES should be the default position backstop)
- does not support transferring the same regulatory controls for plantation forestry over to exotic carbon forestry especially within visual amenity landscapes, culturally significant landscapes and sites, productive soils, outstanding natural landscapes, significant natural areas (SNAs) and for indigenous vegetation clearance generally
- supports considering and reconciling the relationship between permanent indigenous forest sinks and legislation and policy to protect SNAs and indigenous biodiversity. The Forum's rationale behind this is that to encourage the planting or transition to permanent indigenous forest sinks over exotic carbon forest in the long-term, it is important that indigenous forests are not burdened with additional regulation or land use restrictions (including on land surrounding the forested areas) that may act as a deterrent.

Part B: Extending scope of regulatory controls to control the location of afforestation to manage social, cultural, and economic effects

20. The Mayoral Forum:

- does not support amendments to the NES-PF or the development of a new NES to manage the social, cultural, and economic effects of exotic carbon forestry
- does not support national directions around consenting requirements to manage the social, cultural, and economic effects of exotic carbon forestry
- supports councils to have the ability to make rules (local controls) to consider social, cultural, and economic matters outside of scope of the NES-PF noting that the onus would be on councils to undertake robust section 32 reports, which are open to challenge from the carbon forestry sector
- recommends that national guidance material is co-developed with councils, tangata whenua and the industry to address social, cultural, and economic considerations e.g. consistent metrics, options to consider cumulative effects across communities and other relevant assessment matters

21. In the Canterbury region, there is real concern that entire farms are being purchased and planted for exotic carbon forestry which impact on the population and therefore socio-economic viability of rural communities and provincial townships. Carbon forestry planting only has short term economic benefits for the community compared to the previous actively pastoral farmed land. This also reduces the social and cultural contribution each farm makes to the community, such as small rural schools, volunteer services such as fire and ambulance, community groups, agribusiness and flow on retail sectors. There is also the subsequent reduction in farm support activities, downstream rural processing industries and the entire rural population being further eroded.

22. There is also a concern that 'carbon forestry' currently falls within the definition of primary production in the NPS-HPL. Canterbury has some of the best soils and climatic conditions for arable farming in the world. We are already concerned about the cumulative effects of the loss

of such land for residential development. While that issue is now being recognised through the NPS-HPL, carbon forestry is another land use that will render such land unavailable for food production.

Part C: Extending scope of regulatory controls to improve wildfire risk management in all forests

23. The Mayoral Forum:

- supports extending the scope of regulatory controls to improve wildfire risk management in all forests
- supports new NES-PF rules to apply to all forests requiring service level agreements between FENZ and all forestry companies/owners) to better manage fire risk including making fire breaks compulsory in all plantations and carbon forests over a specified area in size; requiring all planting to be set back a minimum distance from any residential dwelling or designated building site on it; and ensuring each forest or plantation has a fire-fighting access plan
- recommends that public liability insurance be compulsory for any landowner with plantation or carbon forestry over a certain area in size.

24. In the Canterbury region, there are areas that are particularly vulnerable to wildfire, such as the Mackenzie Basin and surrounding areas as seen with the Lake Ōhau and Lake Pukaki fires in 2020. We emphasise that exotic afforestation in vulnerable areas needs to be carefully managed or avoided.

25. By way of example, in 2020 in Livingstone, North Otago, there was a large fire in the Waitaki district's first entirely carbon forestry farm. Following the fire, subsequent community concerns were raised around the lack of setbacks for forestry from neighbouring properties, and a recognition that if not managed appropriately, permanent forestry poses increased fire risk.

26. In the Selwyn District with the current gaps in national direction, landowners are needing to provide mitigation and defensible space on their land due to a neighbouring forestry operation. Although MPI considers that wildfire risk needs to be managed on both sides, at present neighbours 'pick up the tab' for a neighbouring site profit. This can be a significant opportunity loss for neighbouring landowners. More thought is required on how existing carbon forests which may not trigger a resource consent requirement in the future can be required to manage wildfire risk.

27. These examples highlight the importance of having appropriate regulatory controls in place to manage wildfire risk.

Part D: Measures to enable foresters and council to manage environmental effects of forestry

28. The Mayoral Forum:

- supports the proposal to update the wilding tree calculator and provide relevant guidance material as a default position, but enable local authorities to include more stringent rules to manage planting of tree species prone to wilding spread in their locations
- recommends amending the NES-FP to allow local authorities to have more stringent rules to identify areas where afforestation needs to be managed for soil erosion, fish spawning or

other ecological values, indigenous biodiversity, cultural values or heritage values, or impacts on local roads and infrastructure.

Summary

29. Thank you for the opportunity to make this submission on the discussion paper and in particular, agreeing to the two-week extension for the Mayoral Forum submission to 2 December 2022.
30. To maximise the chances of success, the Forum suggests there needs to be sufficient time allocated for all parties to consider any changes to national direction, and these changes need to be integrated with and aligned to other national directions, resource management systems reform and local government reform.
31. Our Secretariat is available to provide any further information or answer any questions the Committee may have about our submission. Contact details are Maree McNeilly, Canterbury Mayoral Forum Secretariat, secretariat@canterburymayors.org.nz , 027 381 8924.

Ngā mihi



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