

SUBMISSION ON AMENDMENTS TO THE NES (COMMERCIAL FORESTRY)

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INTRODUCTION

This submission

- adamantly opposes the removal of Clauses 6(1)(a) and Clause 6(4A) from the NES(CF), which would severely limit the ability of councils to restrict and control commercial forestry in highly erodible landscapes and around waterways. Instead, these clauses should be retained, and strengthened.

It argues that

- the NES(CF) should prohibit commercial forestry on red ESC zones and limit it on orange ESC zones;
- all adverse impacts of forestry operations on highly erodible land, waterways and the ocean, not just slash, should be controlled;
- forestry companies, not councils, should be required to use 1:10,000 scale mapping for plantation planning;
- Overall, the aim of the NES(CF) should be to minimise damage to waterways, downstream properties, and freshwater and marine ecosystems, and costs to the national and regional economies, taxpayers and ratepayers arising from commercial forestry operations.

These proposed amendments to the NES(CF), together with proposed amendments to the Overseas Investment Act, are economically, socially and environmentally irrational.

They fly in the face of overwhelming evidence that when plantation forests are established on highly erodible land and around waterways, and are allowed to operate without rigorous controls, the risks and economic costs to national and regional economies and local communities are often extreme.

Councils must retain the ability to restrict and control commercial forestry in areas where the costs to local communities outweigh the benefits, and that ability should be strengthened.

In this submission, I focus on the Tairāwhiti region, since I know it best; but similar arguments will apply to other regions including Northland, Coromandel and the top of the South Island.

The damage caused by commercial forestry in Tairāwhiti in recent years during a succession of severe weather events has been extensively documented in the report of a Ministerial Inquiry, '[Outrage to Optimism](#),' chaired by a former National Cabinet minister, Hekia Parata.

In part, this damage has been caused by locating commercial forests on highly erodible land and around waterways, and in part by forestry practices that are very poor, even illegal.

In recent years, some forestry companies have inflicted exorbitant ongoing costs – economic, social and environmental – on taxpayers and local communities with practices that in many cases are illegal, as is documented in the judgements in a [series of successful prosecutions](#). The outcomes of these prosecutions have been extensively publicised in media reports and elsewhere.

In addition, the Forestry Stewardship Council (FSC) in Bonn has recently conducted audits in Tairāwhiti and the top of the South Island, in response to concerns about the harm caused by major breaches of the FSC(NZ) standards by international forestry companies, and some companies have had their FSC accreditation suspended, accompanied by [damning comments](#) from the FSC assessors.

QUALIFICATIONS

As a distinguished professor at the University of Auckland, I am the co-Principal Investigator in 'Let the River Speak,' an interdisciplinary Marsden programme that has been researching the impacts of forestry operations on waterways across Tairāwhiti for the past 10 years.

In that capacity, I work with a team of highly qualified specialists in geology, river science, geomorphology, paleoecology, sedimentation and erosion, forest ecology, freshwater ecology, marine ecology and social history, documenting these impacts over time.

I have written or co-authored a number of peer reviewed articles about the impacts of industrial forestry on waterways in Tairāwhiti, past and present, and presented these at international conferences in Cambridge (UK), Melbourne (Australia), Udine (Italy) and Vienna (Austria).

Some years ago, I served as a member of the Social Chamber of the Forestry Stewardship Council in New Zealand, and am very familiar with the FSC(NZ) standards, and the breaches of these by international forestry companies. Recently I met with senior staff at the Forestry Stewardship Council in Bonn to discuss these matters.

At a local level, I am a member of Mana Taiao Tairāwhiti, the iwi-led community group that initiated a 10,000 signature petition that led to the Ministerial Inquiry into land use in the region. I have also participated in Mana Taiao Tairāwhiti submissions to the Inquiry, and in subsequent investigations and actions.

In addition, I am a member of the Transition Advisory Group set up by Gisborne District Council to advise on a transition towards sustainable land use in the region. In that capacity, I am aware of economic analyses carried out by consultants to GDC that

demonstrate the costs of the ongoing damage caused by industrial forestry operations in the region far exceed the benefits to the regional economy.

I am also on the committee of the Waimatā Catchment group, which is working to restore the river that runs through the heart of Gisborne city. This group, which includes all farmers in the catchment, has extensively documented the damage caused by forestry waste from the headwaters to the sea along the river, and written detailed submissions on these impacts.

COSTS AND IMPACTS OF COMMERCIAL FORESTRY IN TAIRĀWHITI

The **direct costs** of the harm caused by commercial forestry activities in Tairāwhiti during recent storm events in damage to roads, bridges, the Gisborne water supply, communications facilities, parks, sports clubs, private property and homes have been estimated in excess of a billion dollars.

The **indirect costs** are incalculable, with local people not being able to get to work, attend school, access medical services, and enjoy rivers and beaches. They are ongoing, including lasting harm to every other industry in the region, extensive health and mental health impacts on local people as documented in research reports, and the migration of valued workers out of the district.

During Cyclone Gabrielle in 2023, commercial forestry operations caused devastating damage across the region. As documented in court evidence, inappropriate and sometimes illegal earth works and poor water management on harvest sites, piles of logs and slash in vulnerable locations, and plantations established on highly erodible land where many of the trees simply fell over caused extreme erosion.

Across Tairāwhiti, huge rafts of logs, fallen trees and slash swept down the slopes of highly erodible hillsides, carving out gullies and transporting vast quantities of silt downstream. As they surged down the rivers, these rafts wrapped around the piles of successive bridges, creating dams, destabilising or destroying the bridges and causing extensive and costly damage.

At tight bends in the rivers, the logs and slash cascaded over the land, destroying or damaging fences and culverts, paddocks, crops, orchards, farm buildings, vehicles, equipment and family homes. All the way downriver, the rafts of logs collided with river banks, collapsing the banks, damaging riverside roads and depositing more trees and sediment in the river.

In Gisborne city, the logs piled around the town bridges, creating dams that caused flooding which destroyed houses and other infrastructure. The Waimatā River, which runs through the heart of the city, is extensively used for river sports including waka ama paddling, kayaking, rowing and swimming, and floating logs and sediment have made these activities difficult or impossible.

Slash has also had major impacts on shipping, the port, the harbour and local beaches, with expensive clean-ups required after every rain storm. In addition, with the deposition of sediment and slash, the Waimatā river bed is rising, increasing the flood risk to Gisborne city, which is built on a flood plain, at a time of climate change.

As a landowner with a 120 ha. property on the banks of the Waimatā River, I have witnessed this damage first hand. During Cyclone Gabrielle, a huge raft of logs blocked the river and the road upstream, marooning our neighbours, who had no way to get out. The logs took out our riverside fences and plantings, and partially destroyed the road, so that we had no safe access to town for weeks. The road is still very dangerous.

In the aftermath of the cyclone, when access to town was restored, my son, who is a local GP, was attending a medical workshop at Waikanae beach, where a small boy was killed playing with a large pine log at the water's edge. My son was one of the doctors who tried to save the boy's life.

Since the cyclone, the impacts of these and many other tragic events on the physical and mental health of local residents have been severe, and are well documented. Many people have left the district, and every other industry in the region, from tourism to IT to horticulture and viticulture, has been adversely affected.

LOCAL COUNCILS SHOULD HAVE AN ENHANCED ABILITY TO LIMIT COMMERCIAL FORESTRY OPERATIONS IN INAPPROPRIATE LOCATIONS

In Tairāwhiti, there is a very long history of poor decisions made in Wellington about land use in the region. For generations, politicians and officials in Wellington who understand almost nothing about the region and its landscapes, among the most erodible in the world, have overridden local advice about appropriate land uses, with catastrophic outcomes for Tairāwhiti.

This dates back as far as the early 1900s, when politicians decided that native forests should be cleared across New Zealand. In Tairāwhiti, hillsides collapsed across the region and fell into the rivers, filling the harbour at Gisborne so that ships could not enter the port, with crippling impacts on the regional economy.

This was followed by Marginal Lands Clearance loans and more catastrophic erosion, then a government decision that the Forest Service should plant 'conservation' plantations of pine trees across the region to try and hold the land together.

This still happens, although these shallow rooting trees are relatively short lived, highly flammable, and less effective for the purpose than indigenous temperate rain forests, with their tiered canopies to buffer heavy rain and transpire moisture all year round, and their complex, tiered root systems.

In the 1980s, the state owned 'conservation' plantations were privatised and sold to local companies, which then sold them to international forestry companies. As the

pine plantations were harvested, using clear fell harvesting coupled with very poor management techniques, more catastrophic erosion followed, culminating in Cyclone Bola in 1988, after which yet more pine plantations were established to try and control the resulting erosion. These were often planted right down to the water's edge.

In recent years, another harvest cycle has been under way using clearfell harvesting over very large areas, followed by more catastrophic erosion, in Cyclones Hale and Gabrielle, for instance.

The Gisborne District Council must retain the ability to limit commercial forestry in inappropriate locations, and to control commercial forestry practices that severely aggravate erosion, including clear felling over very large areas; culverts that channel water onto vulnerable slopes; earthworks that provoke large landslides (roading, skid sites etc) and the piling up of logs and slash in vulnerable locations.

The most recent imposition from Wellington, the Emissions Trading Scheme, has led to productive farms across the region being planted in pines, since the ETS settings (which allocate ten times more NZUs to pine plantations than native forests by Year 5 in Tairāwhiti) make planting pines more profitable than sheep and beef farming.

Many of these plantations are likely never to be harvested, but retained for carbon farming until these relatively short-lived trees die, earning an income for international investors while creating little or no local employment, a source of pests and weeds for local farmers and an extreme fire risk for local people to deal with – yet another central government folly.

As I have often heard forcibly expressed in the Transition Advisory Group (TAG) meetings in Gisborne, given this history, locals are adamantly opposed to politicians in Wellington making any decisions about land use in Tairāwhiti.

Generation after generation, government ministers and officials have shown an inability to learn from past mistakes, but have continued to make disastrous, ill-informed decisions about commercial forestry, with devastating impacts on the regional economy and local people.

For all these reasons, the TAG process initiated by the Gisborne District Council, which includes all key stakeholders, has reached a consensus that there is an urgent need to constrain forestry operations in the Tairāwhiti region.

Apart from a few foresters, there is no wish to see more pine plantations established on highly erodible land in Tairāwhiti, or more productive farms turned into short-lived, highly flammable, pest- and weed-filled carbon sinks for the benefit of international investors, while inflicting high risks and costs on local people.

The proposed amendments to the NES(CF) (and the OIA, in relation to forestry) fly in the face of that consensus. They also ignore the overwhelming evidence that some forestry operators have inflicted extensive economic, social and environmental harm

well in excess of the benefits delivered to regions such as Tairāwhiti. At the same time, some of these companies pay no tax, and contribute little to the communities in which they work.

CONCLUSION

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- overall, the aim of the NES(CF) should be to minimise damage to waterways, downstream properties, and freshwater and marine ecosystems arising from commercial forestry operations, and costs to the national and regional economies, taxpayers and ratepayers.