
Preparing for the 21st century

A personal view of the ANZIF 1997 Conference

Attending an overseas conference provides many benefits to the individual. There are the technical papers, which are, without doubt, assimilated the better for hearing and seeing them presented – ideally with the interactive audience dialogue that follows. There are the contacts made, and re-established; the faces put to names; the arguments had; the odd ale and the laughter (on top of that, the weather was better than Dunedin's summer – so you'll appreciate how good it was).

In this regard the conference was as good as many I have attended, though the diversity of delegates was better. You do tend to come away from these conferences thinking that forestry people are the salt of the earth, from whatever part of the planet they come. This conference was no exception.

In terms of interactive dialogue, it was not so hyper as Invercargill; but then, in Invergumboot we needed the exercise to keep ourselves warm. There is always a fine line between presenting enough information to attract delegates and stimulating the "conferring" that is the lifeblood of a conference. Too much of one restricts the other. I remain convinced that papers less than 25 minutes in length should be avoided like the ebola virus – with the ideal being 35 minutes, with a further 10 minutes for delegates to throw well-constructed brickbats and bouquets. Short theses can be covered in poster sessions.

To maintain order, the ideal chairperson is something of a cross between Attila the Hun, and the Great Khan himself. Given this ideal, I found it odd that Peter Olsen was not used more often, though Tony Grayburn made up for his absence to some extent. Peter's task was to sum up the conference. In so doing his great potential as an exemplary chairperson became evident to all.

Enough of traditional benefits. For me as a New Zealand forester, the Canberra ANZIF Conference will be remembered most for the perspective gained on the Australian industry and profession, and the mirror that perspective provided for New Zealand's virtues and vices – industry and profession.

That perspective is best summarised in the title (and chorus) of Fred Dagg's epic ballad "We don't know how lucky we are, mate." Rather than being negative about some aspects of the Australian experience, it would be more constructive to dwell on the positives in New Zealand (diplomacy has always been my strong suite).

So far as the respective industries go,

we ought to be thankful for the diversity of forest estate ownership, particularly the diversity of markets which provides options to the forest growers. This particularly includes the availability of an export log market – with internal transport distances that are minor by comparison to our trans-Tasman cousins – ensuring something near to an international price for logs. Price information is readily available, due to the existence of independent small and medium-sized sawmills all competing for the log resource in any one region. The comparison with Australia is stark, where a small number of large players dominate locally, and getting price information is marginally easier to obtain than hens' teeth. This constraint on information is, of course, more in the interests of the large companies than of the independent players, whether growers or millers, new or existing.

New Zealand is benefiting from our diverse competitiveness in a number of ways. Forestry as an investment is attractive to individuals, with prices readily available. Log prices find their own level without too many constraints by public policy or monopoly. The result of better prices is efficiencies in the mill (there is no greater spur to sawmill efficiency and their latent marketing ability than a narrow profit margin) and in the bush (low prices emphasise low-cost, high-production methods at the potential expense of the environment and safety, while also requiring large scale).

Rejoice that we have only one Government to deal with, and that we still have some members of the voting public who understand some aspects of the primary sector (shrinking though that number is as New Zealand rushes to join the designer-labelled valley girls in Auckland). Public perception of forestry and foresters may be a problem in New Zealand, but not to the same extent as in Australia. This is no excuse for resting on any imaginary laurels: it better represents a warning, particularly with the wood flow increases to come.

The final observation relates to the profession itself. In New Zealand it is going forward with relative confidence. NZIF has a strong council and highly-active working groups, which help to raise our profile, give access to public policy making, and build relationships with other interest groups, including the environmental movement. We produce things – a third handbook, guidelines, a journal, and policies. We make demands of some members, to which they respond, some even with thanks (only afterwards!). Debate is facilitated, inclusive, and bloody frank.

Before we all lie back with any self-satisfied port and cigar, it would pay to ask some questions of ourselves. There are reasons why the two industries are different. We should understand those reasons to ensure there is no domino effect. That will take effort.

Chris Perley

The Resource Management Act: six years on

John Novis

Ministry of Forestry, PO Box 25-022, Christchurch

Background

In January 1988, the Minister for the Environment, the Rt Hon Geoffrey Palmer, announced the Government's decision to undertake a comprehensive review of the major laws that governed New Zealand's natural and physical resources. Sound environmental planning in New Zealand was considered to have been hampered by resource management laws that had grown up over the years in an ad hoc manner, that were fragmented, uncoordinated, overlapping, and expensive to administer.

The so-called Resource Management Law Reform (RMLR) involved an inte-

grated review of the Town and Country Planning Act 1977, the water and soil legislation, the minerals legislation, and environmental assessment procedures. The emphasis existing law placed on the process of resource management, rather than the effects, or outcomes, of a course of action, were said to sometimes work against the best interests of the environment. "In some ways, it put the cart before the horse. What was really required was law which looked harder at the end results" and addressed "all the issues in an integrated way". (Ministry for the Environment, 1988).

The Resource Management Act 1991 received its Royal Assent from the Governor General, Dame Catherine Tizard, on July 22, 1991, and was hailed as the first piece of environmental legislation of its kind in the world. The Act took effect from October 1, 1991, and repealed or amended "a dog's breakfast of 57 statutes that regulated just about anything that moved" (Upton, 1996).

What the RMLR set out to achieve

The RMLR had a number of broad aims: to balance individual rights and public welfare on environmental matters, to reduce conflicts over resource use, to maintain the quality of our environment, and to be always mindful of the economic and social factors in decision making. (Ministry for the Environment, 1988). The Government also established the following guidelines for the RMLR:

- i. The primary goal for Government involvement in resource allocation and management is to produce an enhanced quality of life, for both individuals and the community as a whole, through the allocation and management of natural and physical resources.
- ii. Resource management legislation should have regard to the following, sometimes conflicting, objectives:
 - a) to distribute rights to resources in a just manner, taking into account the rights of existing land holders and the obligations of the Crown. The legislation should also give practi-

cal effect to the principles of the Treaty of Waitangi;

- b) to ensure that resources provide the greatest benefit to society. This requires that rights to use or conserve resources are able to move over time to uses in which they are valued most highly, and that the least-cost way is adopted to achieve this transfer;
- c) to ensure good environmental management (as specified in the World Conservation Strategy), which includes considering issues related to the needs of future generations, the intrinsic value of ecosystems, and sustainability;
- d) to be practical. (Ministry for the Environment, 1988)

Other objectives for the RMLR included:

- to focus on sustainability;
- to focus decisions on effects of activities, rather than activities themselves;
- to treat public and private sectors in an even-handed way;
- to provide streamlined, integrated consent procedures;
- to provide wider opportunity for individuals to participate in decision making;
- to develop a range of measures, including management plans and policies, performance standards, tradable development rights and quality standards;
- to apply the "user-pays" concept;

- to provide a more certain, more workable law.

When the Resource Management Act was passed by Parliament publicity highlighted the purpose of the Act, to promote sustainable resource management of natural and physical resources. The Act brought together the laws governing land, air and water resources. Noise, land, air and water pollution were also dealt with. "This legislation means that the environment will be looked at as a whole when authorities are planning and making decisions. The focus is on effects that proposed activities will have on the environment." (Ministry for the Environment, 1991)

Has the Resource Management Act been successful?

The legislation does provide the platform to achieve what was intended by the law reformers. The implementation, six years on from enactment, however, has been highly variable with respect to commitment or desire to embrace the new concepts embodied within the Resource Management Act. Some local authorities and planners have made a good attempt to come to terms with the contents and philosophy of the legislation. Others, it would seem, have yet to hear about the Resource Management Act as they continue to take an activity-driven, and inevitably inequitable, regulatory planning approach. Most are somewhere in between; struggling to grapple with the difficult task of implementing 450 pages of wide-ranging resource management law, where whatever they do they will upset parts of the community.

The Hon Simon Upton (1996) honed in on the fundamental problem facing implementation when he stated that "Councillors, planners and tribunal judges alike were required to leave the world of social and economic planning behind and focus on promoting the sustainable management of resources by looking at what sort of environmental effects are acceptable ... Yet around the country the old mindset of prescriptive controls lives on in the minds of some ... The RMA is a permissive statute. It explicitly assumes that you can do what you like on your own land unless it is specifically precluded by a rule in a plan ... The Act should be a liberating one. It should be encouraging innovation, ingenuity and lateral thinking. But that will only happen if councillors take control of the policy and leapfrog over attitudes rooted in the past."

What are the general problems?

The first round of policy statements and plans prepared under the Act reveals a range of problems with respect to the



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objectives of the RMLR. In addition to peoples' attitudes being rooted in the past:

- The resources required to effectively participate in the process are considerable and often beyond the means of small agencies and individuals;
- Plans commonly focus on the control of activities, rather than the control of adverse effects of activities;
- Treatment of the effects of different land uses is often inequitable;
- Little justification for the inclusion of controls is evident in many instances;
- The number of planning documents that a resource manager may need to abide by can be considerable, creating a complex planning environment. (The regional policy statement, one or several regional plans addressing various issues, the district plan);
- There are startling inconsistencies across some district boundaries with respect to objectives, policies and methods of implementation;
- Plans are complex and often difficult to interpret with certainty;
- The costs of obtaining resource consents can be high;
- The time taken to negotiate consents through all legal processes does not seem to have been reduced.

What are the forestry problems?

Forestry is still seen in some areas as an easy target for regulatory-minded local authorities and planners. Controls have been proposed for little more than to enable councillors to continue to feel comfortable by maintaining the hands-on approach of a bygone era.

The principal issues for forest managers that have emerged in planning documents relate to:

- the reduction of water flows that may result from afforestation of tussock grasslands and grasslands;
- impacts on landscape values;
- roading requirements and associated funding;
- controls on harvesting.

Some local authorities have assumed that if any (exotic) trees are planted water flows will be reduced, regardless of the situation, and that the effect must necessarily be significant. While the forestry sector acknowledges that reductions in water flows can result from afforestation, it needs to ensure that this issue is not considered in isolation from the related issue of water quality, and is not the basis for blanket forestry controls. In some water-short catchments, and where important in-

stream values depend on existing water flows, some form of control may well be justified.

The requirement under section 6(b) of the Act to protect outstanding landscapes from inappropriate subdivision, use and development, provides difficulties for everyone because the issue is subjective. The forestry sector must recognise the requirement of this section of the Act, promote sound siting and design principles, and accept that controls are justifiable in areas of outstanding landscape value.

Roading (like water flows) is an issue that some local authorities have latched onto with little understanding, and used to justify blanket controls on forestry. The concerns relate to funding road maintenance and upgrading associated with intensive road use by logging trucks. Hopefully the Land Transport Pricing Study will help to resolve road-funding issues, but the Transport Act 1962 may be more appropriate legislation under which specific roading issues could be addressed.

Blanket controls on harvesting have been proposed in some districts. The uncertainty created for forest managers and investors is a major concern. Often the basis for these controls relates to roading issues, but other effects used to justify controls relate to water quality, weed

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growth, noise, dust, and increased soil erosion. Where relevant, these effects should be addressed through performance standards. In areas with particular soil erosion problems, controls on vegetation clearance existed prior to the Resource Management Act, and it is reasonable to expect them to continue under the new legislation.

Conclusion

In theory, the Resource Management Act is a significant step forward from the prescriptive Town and Country Planning Act,

and other resource management legislation that it replaced. In practice, we could be forgiven for thinking that nothing has changed in some parts of the country. Some local authorities have made a reasonable first attempt to grapple with the implementation of a formidable piece of legislation. Others live on with a mindset still fixed on regulation. The reality is that six years on we will clearly have to wait another ten years, and hope that the potential of the Resource Management Act is delivered in the next round of policy statements and plans.

References

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- Ministry for the Environment, 1991: Resource Management Information Sheet Number Three. Ministry for the Environment, Wellington, 4p.
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RECENT EVENTS



NZ Forest Service Reunion

About 300 former employees attended a function at the NZFRI in Rotorua over Easter. The function was one of several held recently around New Zealand some 10 years after the disestablishment of the Forest Service. 1997 is also important as it marks a century since the State became involved in planting exotic trees.

The meeting was a relaxed occasion where former employees were able to catch up with colleagues. In addition, there were a number of special get-togethers and luncheons and a golf tournament. These group functions included people from the National Forest Survey, Kain-garoa woodsmen, 1956 and 1957 technical trainee intakes, Draughting Division, FTC staff and MOF Rotorua staff. On Sunday a special memorial service was held in the Redwood grove.

Highlight

The highlight was launch of a book written by Andy Kirkland and Peter Berg in front of the old stables of the original nursery (see photo). The book, "A Century of State-Honed Enterprise", reviews the 100 years of State plantation forestry. Andy and Peter deserved congratulations for getting this book together and having it published within a six to seven-month period. The book will be reviewed in the next issue of NZ Forestry.

For me the most satisfying experience was to meet old friends again – many I had not seen for a very long time. I am sure this was true for most who attended this and other reunions of the former Forest Service.

Don Mead



Andy Kirkland and Peter Berg at the launch of their book.