ISSN 0110-2044

Massey University

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DISCUSSION PAPER IN NATURAL RESOURCE ECONOMICS NO. 7

Department of Agricultural Economics and Farm Management,
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FOREWORD

To many farmers, trees are just another crop they can grow on their land. However, county councils have responsibility to consider the wider issues arising from alternative land uses. While county councils recognise the diversification benefits forestry may offer individual farmers, many view forestry as an enterprise that may well displace agriculture as the predominant form of land use in the future. In their view, this displacement of agriculture by forestry could have serious social and economic consequences. In practice there exists a considerable variation in the treatment of forestry as a land use in many district schemes throughout New Zealand.

The objective of the research reported in this Discussion Paper was to document the extent of controls placed on forestry by counties in the Wellington Conservancy. The research attempts to evaluate the significance of the various controls imposed and to determine the reasons for their imposition.

Results of this research are not presented as a set of conclusions or recommendations, but rather as an extensive documentation of the treatment of forestry and the process that some county councils went through to arrive at their current position on forestry as reflected in their district schemes. In the area of land use, planners are always faced with new and challenging situations. It is hoped that learning more about the way others have tackled the issues of land-use planning can provide new insights and help avoid making unnecessary mistakes.

This Discussion Paper is the result of research undertaken by Ms Dianne Fowler as part of her postgraduate diploma studies in Agricultural Economics. The research was supervised by Dr Anton Meister, Reader in Natural Resource and Environmental Economics. Financial support for the project from the New Zealand Forest Research Institute is gratefully acknowledged, as is sponsorship and professional support from the Centre for Agricultural Policy Studies.

On behalf of the authors, I would also like to acknowledge the cooperation of the many county councillors, planners and government department personnel, without whom this research would have been impossible. Not only have these people and institutions contributed to a useful piece of research work, they have also made a significant contribution to our University education programme.

Robert Townsley,
Head, Department of Agricultural Economics
and Farm Management

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continued/

Chapter One

INTRODUCTION

Almost within the lifetime of many people still actively farming, there has been a major turnaround in the perception of forests. Large areas of the North Island were cleared from bush in the late 19th and early 20th centuries and often re-cleared from pigfern, manuka or second growth. The competitive nature of this change was clear: pasture was "won" for productive use from bush which was seen to be non-productive. Logging of indigenous forest not only exploited the wood resource but cleared areas for pasture, which in terms of the economic structure was held to be the only legitimate use.

The first three decades of the 20th century saw recognition of the consequences of removal of the forest cover in terms of flooding and erosion problems which had reached crisis levels on the East Coast of the North Island and were almost as serious elsewhere. Although it was generally accepted that re-afforestation was the best means of halting soil erosion, forestry for other purposes was still regarded as a last alternative land use. The timber industry at the time was still dependent on the State Forests in the Central North Island for its major wood resource; elsewhere there was little competition from forestry for land. Pastoralism remained the obvious best use. But by the beginning of the 1970's forest plantings outside this area were increasing, and were perceived as:

(a) competing for land already in pasture, and

(b) competing for land which was potential pasture, i.e. reverted scrub.

To farmers attuned to clearing land for pasture the prospect of losing it again to trees seemed an illogical reversal. As a consequence, P.J. McDermott in the Central North Island Planning Study "Regional

Afforestation"(1) suggests a degree of ambivalence toward forestry on the part of local authorities. On the one hand it is often seen as a basis for economic growth, but on the other, a threat to traditional farming activities with attendant social consequences. Proponents of each case argue for either a complete absence of constraints on forestry in county planning documents, or for a plethora of them.

A survey of county councillor occupations and forestry constraints carried out by Mr F.W. Phillips, Farm Advisory Officer, Wanganui (2), showed that in the 60 county councils who participated in the survey, an overwhelming majority of councillors - 439 out of 561 - were active or retired farmers. These councillors were required to plan for the "best use of land" in their county and "the protection of land having high actual or potential value for the production of *food*" within this context.

PLANNING LEGISLATION

Local authorities were first obliged to implement planning procedures under the Town Planning Act 1926. At that time the intent of planning was simply to regulate relationships between individuals. Since then this statutory obligation has been increased, initially by the introduction of the Town and Country Planning Act 1953, which required the policy of local authorities with respect to land use planning to be set down in a "District Scheme". The District Scheme contains a general statement of the objectives and policies of the County Council, a code of ordinances which specifies permitted land uses in a county, and provides for the controls, prohibitions and incentives such as subdivision, bulk and loading requirements which apply to these uses, and a set of planning maps.

Under a District Scheme, use of land may be a permitted use, or a non-conforming use. *Permitted uses* are categorised into:

1. Predominant uses - those permitted as of right providing all other ordinances are complied with. In addition, certain

performance standards or special conditions can be specified in the scheme, but providing these are met, the right cannot be removed.

2. Conditional uses - those permitted only by consent of council, and subject to public notification, which confers the right of objection by interested parties. Council may impose such conditions as it thinks fit, within the terms of section 72 of the Act.

3. Uses requiring non-notified consent - section 36 (7) of the 1977 Act allows council to provide for a class of conditional use in which council may exercise discretion in granting consent to applications without public notification.

Non-conforming uses require consent from council as a specified departure from the scheme. The requirement of public notification, hearing of objections, and decision by council is procedurally similar to that for a conditional use application, but the conditions under which council may grant an application are limited by Section 74 of the Act. The effect of the departure must not be contrary to the public interest and should have little planning significance beyond the immediate vicinity. In addition, council must have already passed a resolution initiating a change or variation in the scheme, under which conditions the specified departure would be a permitted use.

The 1960 Town and Country Planning regulations laid down a recommended format for district schemes which was closely followed by most counties. This format allowed for a single zone covering most of the rural areas of a county, with a Code of Ordinances which allowed as a predominant use:

"Farming of all kinds including forestry ...."

The responsibility of local authorities to determine activities in a county was defined in Section 18 of the 1953 Act, which states:

"General purpose of district schemes - Every district scheme shall have for its general purpose the development of the area to which it relates (including, where necessary, the replanning and reconstruction of any area therein that has already been divided and built on) in such a way as will most effectively tend to promote and safeguard the health, safety and convenience, and the economic and general welfare of its inhabitants, and the amenities of every part of the area."

This responsibility was extended by a new section inserted in the 1953 Act by the Town and Country Planning Amendment Act 1973. Section 2B states:

"The following matters are declared to be of national importance and shall be recognised and provided for in preparation, implementation, and administration of regional and district schemes:

A. Preservation of the natural character of the coastal environment and of the mountains, lakes and rivers and the protection of them from unnecessary subdivision;

B. The avoidance of encroachment of urban development on, and the protection of, land having a high actual and potential value for the production of food;

C. The prevention of sporadic urban subdivision and development in rural areas."

In 1977, the 1953 Act and its amendments were repealed and replaced by the 1977 Town and Country Planning Act. Section 2B was incorporated and became Section 3D of the new Act.

Section 59 of the 1977 Act requires that the district scheme should be reviewed every five years. The Committee on the Review of the District Scheme (3), set up by Ministry of Works and Development (MWD), suggested that there is a three-fold purpose to district scheme reviews:

1. To give the council an opportunity to stand back and review policies and the direction being pursued by the activities of the county;

2. To allow other public authorities to assess their own programmes and their interaction with the county planning document;

3. To allow the public to contribute towards policy development and where necessary to challenge it.

The importance of the district scheme as a determinant of land use and land use change has considerably increased since the 1973 Amendment Act was passed. Prior to that time, planning law and regulations were drafted from an essentially urban point of view; therefore rural planning documents concentrated on an urbanised perception of planning needs. Similarly, a higher degree of homogeneity existed in the economic aspirations of rural areas; the assumption that pastoral farming was the only significant source of export earnings, the "backbone of the country", had not yet been subject to serious challenge.

The 1973 amendments introduced potential conflict in that the matters of national importance which were required to be considered were often seen to be in conflict with local aspirations. Until then, Section 18 clearly confined the council's planning responsibility to the well-being of the county. District schemes were relatively straight-forward documents, often based on the suggested format of the 1960 regulations, and were usually prepared by the County Clerk or Engineer. As schemes became due for quinquennial review, most county councils recognised the demands of the 1973 amendments and their own relative inexperience in planning matters, and appointed consultant planners or surveyors to carry out the review.

At the same time, the consequences of change in social preferences and the economic structure of primary industry was seen to threaten the established pattern of land use in rural areas. Expressing their own and ratepayers' preferences as to land use at a time when the pressure for land use change was being felt, and the feeling of uncertainty in the face of the need to make a 20-year forward plan, seems to have rendered councillors vulnerable to over-regulation. Examples of this could be seen in a desire for stricter controls over subdivision of small lots for part-time farmers and those with preferences for a rural lifestyle, over conversion of cropping land and intensive fattening land to horticultural uses, and over forestry.

THE PROBLEM

Studies such as the Central North Island Planning Study (4), and others carried out by Mr P. Nixon of MWD (5), by Mr Phillips, and by the New Zealand Counties' Association (6), have revealed that there is a tendency in current district scheme reviews to restrict forestry operations generally, and to assign forestry where it is permitted to low quality land or to remote areas. This tendency is usually interpreted as a manifestation of the contest between farming and forestry as competing land uses. The extent to which county councillors, as arbiters of land use policy in a district, are influenced by their own perceptions of the contest has been speculated upon. However, the above studies have all confined their attention to the outcome of the process. It is proposed in this study to examine the planning process itself. The questions which this study attempts to answer therefore, are:

What controls are imposed on forestry in district schemes?

How significant an effect do these controls have on commercial forestry and on small scale forestry?

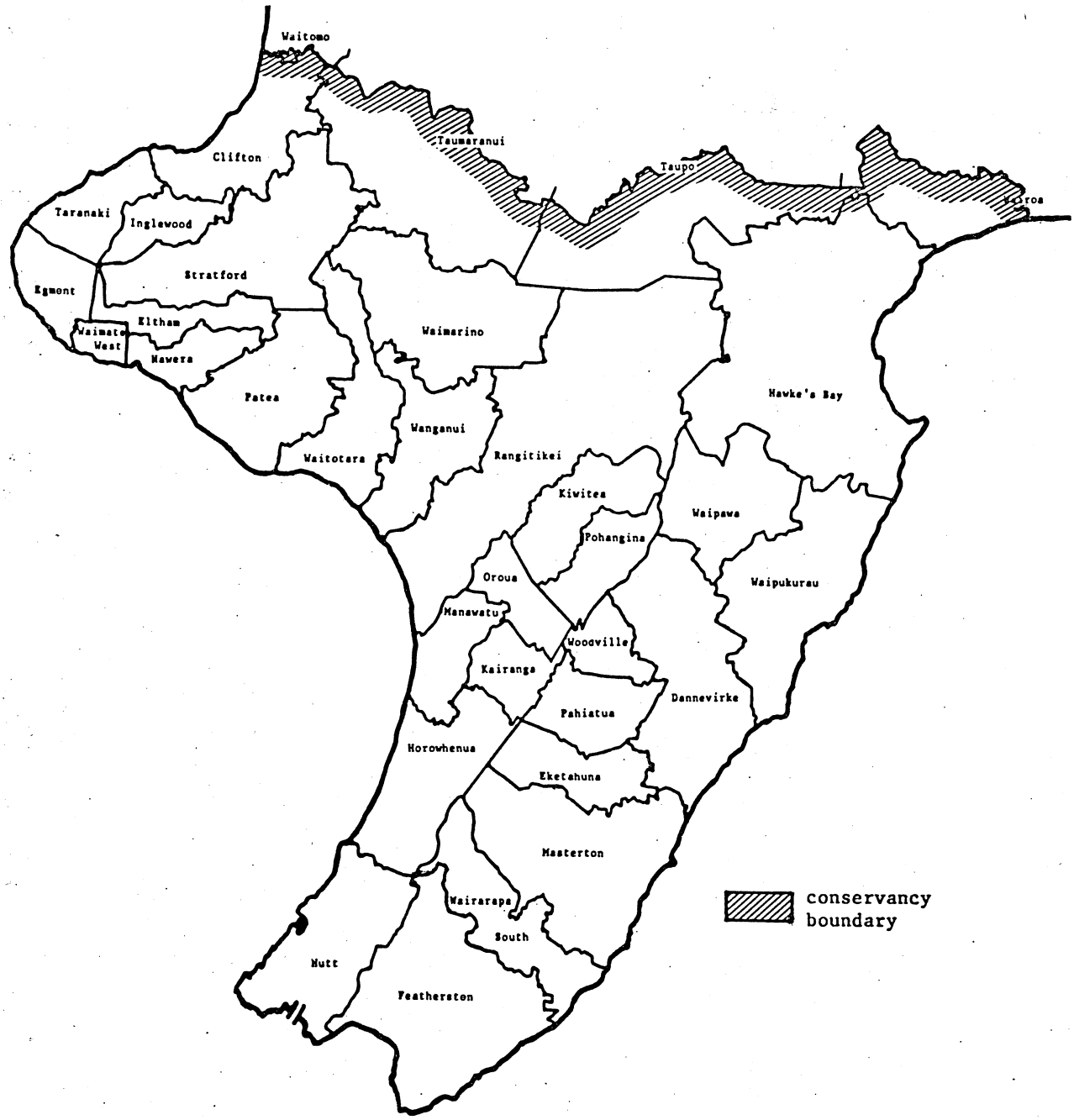
How and why are these controls imposed?

GENERAL METHODOLOGY

The approach taken in addressing these questions was to survey the ordinances relating to zoning and permitted uses in county district scheme reviews; to compare those areas in each county on which forestry was permitted as of right with those on which afforestation was economically and practically feasible; and to examine the process by which forestry policy evolved in selected district schemes.

AREA OF STUDY

The study area comprised all those counties wholly or partly lying within the Wellington Conservancy of the New Zealand Forest Service (NZFS) shown on Map 1. The conservancy covers the southern half of the North Island from Clifton county on the West Coast and Wairoa county on the East Coast. Major exotic afforestation, both state and private is located in Hawkes Bay, Wairoa, Taumarunui, Taupo, Waimarino, Dannevirke, Waipawa, Rangitikei, Horowhenua, Wanganui, Stratford, Masterton and Wairarapa South counties. Four other counties have areas under forest at 31 March 1981 aggregating to less than 100 ha. The conservancy accounts for 92,000 ha of productive forest, representing 10.1 per cent of the productive exotic forest area in New Zealand. None of the borough or city district schemes within this conservancy were included in this survey. Although Wellington City, Kapiti Borough, and Upper Hutt City have areas under forest totalling 3,275 ha, most of this is on reserves and the district schemes were considered to be urban in intent; rural land use issues were not addressed in the scheme statement.



MAP 1: AREA OF STUDY: NEW ZEALAND FOREST SERVICE, WELLINGTON CONSERVANCY

Chapter Two

THE SURVEY

METHODOLOGY

A data sheet for each county was compiled from the survey. The intention was to present not only the planning requirements for each area but the environment in which it was applied. The code of ordinances for each district scheme was scrutinised for interpretation of definitions relating to forestry, for zones applying to rural land, the area and land type of each zone and the uses permitted therein. Regional plans were not considered as the district scheme itself is the binding planning document. For similar reasons, material contained in the scheme statement was not included in all cases; it was observed that it was not uncommon for policies in the statement to be at variance, often in direct opposition, to the code of ordinances. Therefore, attention was confined to the code itself, as the enforceable section of the scheme. However, where the code of ordinances referred back to the scheme statement, this was acknowledged.

It has already been stated that the Town and Country Planning Act requires that the district scheme must be reviewed every five years. A pre-review statement of objectives and policies must be published 12 months prior to the due date for review. In practice the planning process takes several years and if the decisions of the council are appealed against, can take longer than the review period itself. While a scheme is under review the operative scheme is in force until it is replaced, but if sections of the review are not objected to at the time the review is publicly notified, then they can be administered under section 41 of the Act as if that part of the scheme were operative. Therefore, when a district scheme within the survey area was under review, the proposed review was also noted.

Additional information was gathered for each county to show total land area, and areas in private and state exotic forest. Areas in private exotic forest were drawn from the New Zealand Forest Service PRIFO System: Private Woodlot Size Analysis as at 1st April 1981, and excludes shelter belts, protection and amenity planting. While shelter belts and amenity plantings are often separated from forestry entirely, *Pinus radiata* is a common protection species and block plantings are an accepted protection method; these may be planted for protection purposes but are generally managed with at least some harvesting in mind. Therefore the total resource in each county may be larger than that stated. The total area in private forests is subdivided into forests between 2 and 50 ha, between 50 and 100 ha, and greater than 100 ha. Areas in state exotic forest are drawn from the Annual Report to Parliament of the Minister of Forests for the year ended 31 March 1981. Adjustments have been made for forests which are located across county boundaries, based on approximations advised by the Forest Service. The total land area was drawn from data supplied from the Water and Soil Conservation Division of MWD. The area was calculated using an approximate overlay procedure by which each map unit was analysed to see whether the central location point lay within or without the county boundary. If within, the whole map unit was included: if without, the whole unit was excluded. Total land area given is the sum of the units included and therefore represents an approximation only, with an error of ± 200 ha.

Finally, each county was analysed in terms of the percentage of land area by land use class. These data were also supplied by MWD, and were based on the National Water and Soil Conservation Authority Land Resource Inventory. The inventory uses a system of eight land use capability (LUC) classes which define the capacity of land for permanent sustained production, taking into account any physical limitations. These limitations are assessed in terms of susceptibility to erosion, steepness of slope, susceptibility to flooding, liability to wetness and drought, salinity, depth of soil, soil texture, structure and nutrient supply, and climate. The classes are ranked from one to eight in terms of increasing limitations on production.

The first four classes comprise land suitable for cropping, pasture, horticulture or forest, with the limitations increasing from class I to class IV. Classes V and VI are unsuited for cropping but suitable for pastures or forests. Class VII is not well suited for grazing because of a high potential erodability, although is moderately well suited to forestry. Class VIII is predominantly steep, high altitude mountain land usually with extreme erosion hazard, which would not yield "significant benefits for harvesting crops, grass or trees, within the limits of present knowledge"; use should be restricted to catchment protection or recreation. Further divisions into capability sub-classes and units are made but these were not used in this study.

The LUC classifications were not universally available during the 1970's, although they were used in some reviews and are increasingly being used as the basis for zoning. Some counties used alternative land classification data based on two DSIR Soil Bureau classification systems, which can be approximately equated to LUC classes. For those counties in which zoning was not related to any land classification system, approximate equivalents were assigned by comparing descriptions of current land use in the scheme statement to descriptions of land use capabilities in the Land Use Capability Survey Handbook (7).

The land area in each zone was either derived from the scheme statement or was approximated from the planning maps.

A similar survey of county provisions for forestry in the Wellington conservancy was carried out by New Zealand Forest Service (NZFS) in 1981 (8). It was decided to repeat the survey entirely for the following reasons:

1. The status of many district schemes had changed in the intervening period. Many counties had either initiated reviews since then, or reviews had been publicly notified or had become operative.

2. The Forest Service survey lacked information about the area and land form within zones, which made the impact of the code of ordinances difficult to assess.

3. Definitions of forestry in the "Interpretation" clause had not been included. Because there is substantial variation between schemes in the use and interpretation of terminology, definition was necessary to enable comparisons to be made.

4. Some errors were detected.

COMPARISON OF FEASIBLE AND PERMITTED AREAS OF AFFORESTATION

To determine just how great an effect the code of ordinances had over the county as a whole, the ordinances needed to be considered in the context of the land form of the county. The areas in which afforestation was permitted as of right had been established by the survey. To define those areas in which afforestation was feasible, the NZ Forest Owners' Association which represents approximately 95 per cent of commercial forest owners (i.e. owners of more than 150 ha in trees), and the Department of Lands and Survey which assesses proposals for land acquisition or land use change on behalf of Government departments, were asked the following question:

> *In the absence of planning restrictions, on what land use classes would commercial forestry be considered to be economically and physically feasible?*

The NZ Forest Owners' Association indicated that by and large, land price relative to development cost would be the major criterion. In general, forest owners would consider afforestation ventures on classes V to VII; class VIII land would probably require logging by cable hauler which is two to five times more expensive than tractor logging, and is usually remote from processing facilities and serviced

by poorer roads. Classes I to III are generally too expensive for forestry to be a profitable land use. Class IV and sometimes class III land would occasionally be acquired in spite of high prices if there were special circumstances such as proximity to processing facilities or ports, or very good roads.

Recommendations concerning land acquisition and land use change on behalf of the Crown are usually made by the Land Use Committee of the Land Use Advisory Council, Department of Lands and Survey. The committee bases its recommendations on LUC maps, but only as one criterion of several. Other criteria include water and soil conservation, historic, scenic, social, recreational, scientific, or ecological matters, and local and national government policies. It was not considered possible to answer the question based simply on land use capability. A decision was therefore made to accept the response from the NZ Forest Owners' Association as indicative of those land types which would be likely to be attractive for afforestation.

TIMELINESS OF RESULTS

County Councils are obliged to file the most recent of the publicly notified planning documents with Town and Country Planning Division of MWD. The survey data were drawn mainly from the Division's library and represent the most up to date and comprehensive information available in September 1982, when the survey was carried out. But the status of schemes in the survey is constantly changing as reviews progress and changes and variations are introduced. Although the survey was partially updated in November 1982 it is possible that it is already out of date. Therefore, the material presented in this section should be considered as an historical statement.

LIMITATIONS OF THE SURVEY METHOD

It should be recognised that there are a number of shortcomings in comparing predominant uses in district scheme reviews:

1. Different reviews were drawn up at different times. Some drawn up under the 1953 Town and Country Planning Act do not specifically consider forestry. The planning environment then was different; some counties that appear liberal may simply be behindhand with the review process.

2. Some counties qualify predominant use status with performance standards, which may have the same effect in terms of disincentive as a conditional use. Non-notified consent uses are similarly treated. Examples are the submission of forest management plans, the requirement for plans to be drawn up and/or supervised by a registered member of the New Zealand Institute of Foresters, a requirement for three to six months prior notice before planting, prior agreement concerning roading costs, different subdivision requirements, submission of harvest plans prior to planting, and minimum planting distances from boundaries.

3. Conditional use requirements affect the severity of predominant use limitations. Some counties have no conditional uses for forestry, so that any variation from the requirements of a predominant use must be treated as a specified departure. Other counties treat conditional uses as a fall-back position.

4. Zoning is sometimes not expressed in land use classes, or zones are not drawn up according to them. It would have been impractical in many cases to use a planimeter on planning maps supplied, and some proposed reviews have no maps, only descriptions.

5. There were differing interpretations of "woodlot", "production forestry", etc. For example, "woodlot" may either be an area planted in trees for any purpose, or

it may mean trees "for the normal timber requirement of that farm", or for protection rather than commercial (productive) purposes.

6. Differing size limitations were applied to woodlot and/or productive forestry. The area defined for a woodlot ranged from 0.4 ha per holding to an area ancillary to the main use of the land.

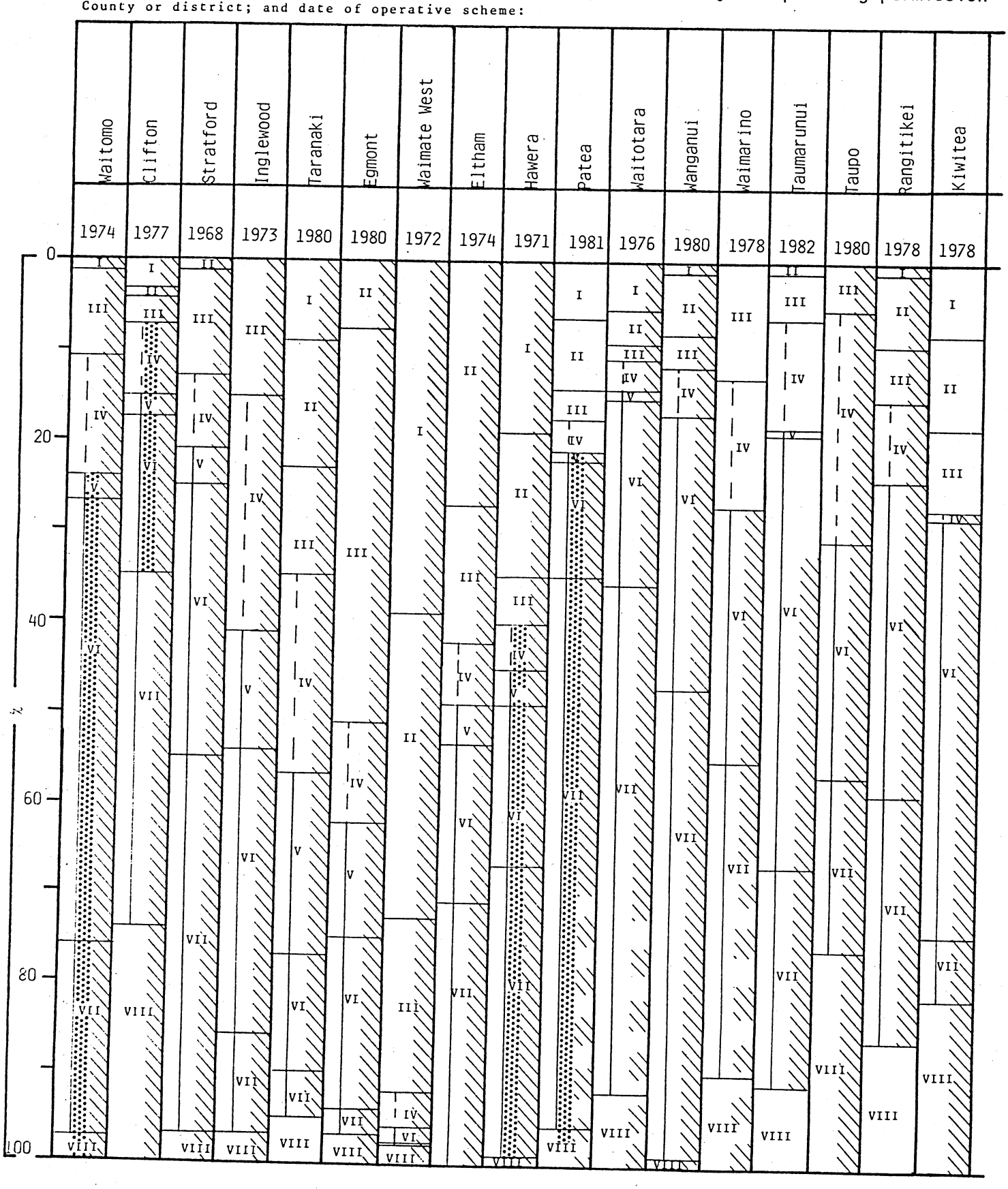
7. Use of LUC classes also has limitations, in that it does not account for social, political and geographic criteria which may influence land use capabilities. It is however, the most comprehensive classification system available and the only one applied to all the counties in the conservancy.

It became apparent that of all these limitations, the most important was the use of performance standards to qualify predominant use ordinances. Nonetheless, a predominant use whether or not it has rigorous performance standards attached is one which, provided clearly stated conditions laid down in the code of ordinances are complied with, cannot be challenged by the council. It embodies the limits of council concern over land use decisions. A conditional use may have no greater conditions attached but is still dependent upon express consent by the council, and express and implied consent by ratepayers and interested parties who may contest the use. It is therefore a consistent and valid basis for comparison.

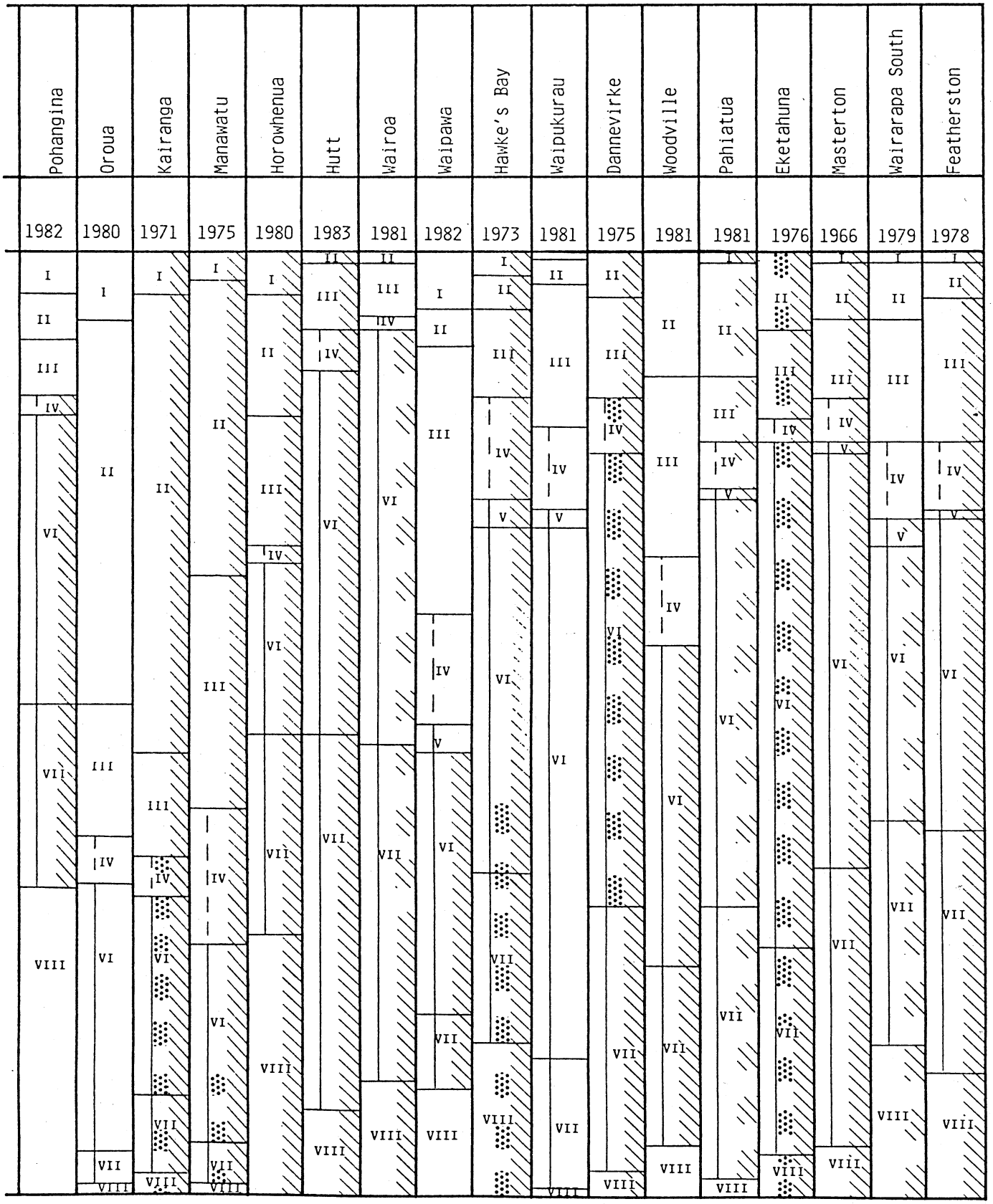
SURVEY RESULTS - PRODUCTION FORESTRY

A bar chart (Figure 1) was drawn up, each bar representing 100 per cent of the land area for each county. The bars were subdivided by the percentage area occupied by the eight LUC classes in each county. Overlaid on this were the four land use classes which NZ Forest Owners' Association considered had potential for afforestation. The second overlay showed the approximate areas (zones interpreted in terms of

FIGURE 1: AREA (%) OF COUNTIES BY LUC CLASS, and by feasibility and planning permission



for commercial afforestation



Note: solid line indicates planning permission without limits; dashed line indicates planning permission with performance standards or area limitations.

LUC classes) on which afforestation was permitted as of right in the operative and/or proposed reviews. A solid line indicates afforestation permitted without area limitations; a dash line indicates afforestation permitted, but with area limitations.

Dissonance between possible land use and permitted land use was clearly revealed by the coincidence or otherwise of the two overlays. However, the bar graph failed to differentiate between predominant use ordinances with greater or lesser degrees of control imposed by means of performance standards, and could be misleading. Further analysis of this type of control was therefore necessary.

TYPES OF CONTROL IMPOSED ON PRODUCTION FORESTRY

The special conditions which were applied to production forestry as a predominant use in the Wellington Conservancy were identified. Some were considered to be constructive in intent, often duplicating existing legislation, and were not onerous. These were:

- Prior notification of planting
  This varied between two and six months prior notice and was required by Pohangina, Waimarino and Wairoa reviews, Hawkes Bay proposed review, and Clifton and Dannevirke pre-review statements.

- Submission of a Forest Management Plan
  Some counties required an approved forest management plan similar to that required for the NZFS Forestry Encouragement Grant. (Kiwitea, Woodville, Patea reviews, Dannevirke pre-review statement).

- Compliance with relevant Acts
  This ensures that soil conservation objectives as laid down in the Soil Conservation and Rivers Control Act 1941 and its amending Act 1959, and the Water and Soil Conservation

Act 1967 are complied with, without unnecessarily duplicating the requirements in the code of ordinances. (Dannevirke pre-review statement).

- Approval of or consultation with Catchment Authorities
  This has similar effect to the above, ensuring oversight of construction of traps and slipways, and harvesting (Patea, Waimarino reviews).

- Forestry must be subject to the 1962 Forestry Encouragement Regulations
  This ensures that an approved forest management plan has been drawn up (Waitotara).

Some could be considered to be discriminatory, without being in direct response to a problem. They tended to enlarge on existing legislation, and could be considered to be excessive and possibly onerous on intending forest operations. These were:

- Submission of forest management plans other than those required by New Zealand Forest Service
  These have specifications usually in excess of those required by the NZFS, often requiring details of future employment, accommodation and processing requirements and other commercially sensitive information. The requirement that a forest management plan be signed by a full member of the NZ Institute of Foresters (Woodville review) is also in excess of the NZFS requirements. (Pohangina and Wairoa reviews, Hawkes Bay proposed review).

- Requirement for a separate forest harvesting plan
  This effectively duplicates existing requirements included in Forest Management Plans and in the National Soil and Water Conservation Authority Forest Operations Guidelines.

- Minimum planting distance from boundaries
  The Forests and Rural Fires Act 1977 specifies a minimum planting distance from boundaries of 10 metres. Some counties impose a requirement in excess of that. For example, Pohangina and Wanganui counties require 20 metres while Taumarunui requires 30 metres.

- More than half the land intended for afforestation is on LUC classes V to VII (Wairoa).

- A maximum planting rate of 10 ha per annum most be observed (Pahiatua).

- Land to be afforested is higher than 500 ft above sea level, *and* has not been productive for at least five years (Kairanga).

- Separate minimum requirements are needed for subdivision, to the effect that the remainder after subdivision can still be farmed as an economic unit, and the surveyed plan may not be approved until the first year's planting is completed (Pohangina).

Some conditions were discriminatory, but were in response to an acknowledged problem, such as roading. Conditions relating to roading costs cannot be simply categorised but must be judged by the intention of those imposing them. Pohangina and Waimarino counties require the agreement to be in place prior to planting, 30 years before it can be applied, and in association with other, excessive conditions; Woodville county requires agreement prior to harvest. Dannevirke county in imposing differential rating is following the recommendations of the NZ Counties' Association, and within the context of the policies and other requirements of the scheme it is hard to interpret as an onerous condition.

One special condition appeared somewhat ambiguous. Kiwitea review accords forestry predominant use status but also, within the same clause, requires such use to be subject to non-notified application

for consent. This condition is imposed on production and protection forest, specialised tree crops and farm forests.

Superficially this seems to be a potentially useful mechanism but Treadwell S.M. in a memorandum to all parties concerned in the appeal of *Ministry of Works and Development and Waimarino Forests Ltd* vs. *Waimarino County Council* expressed doubt as to the acceptability of non-notified consent procedures in this context. Section 72 (1) of the 1977 Act states:

> *"Every application for the council's consent to a conditional use of any land or building shall be by way of a notified application".*

Non-notified application is a class of conditional use, and to define a use as predominant and then require an application for consent as a conditional use may, in Treadwell's opinion, be *ultra vires*.

Eketahuna county requires an application for non-notified consent to plant forests on land which has previously been in pasture, crops or indigenous forest, or of area greater than 10 ha. The intention of the planner in including this in the draft (he is a forest-owner himself) was simply to ensure that areas planted were brought to council's attention so that future roading requirements could be considered. The reason for requiring an application for small areas was to account for new plantings; second-crop plantations were presumed to have been harvested and roading requirements therefore already known.

SIGNIFICANCE OF CONTROLS IMPOSED ON PRODUCTION FORESTRY

A. To the County

The significance of all of these controls on production forestry on the land use classes which were considered feasible by NZ Forest Owners' Association were summarised by categorising all the counties in the conservancy thus:

1. Those whose district schemes allowed production forestry as a predominant use in the LUC classes V to VII without special conditions:

Inglewood
Featherston
Eltham
Clifton
Egmont
Hawera
Masterton
Stratford
Taranaki
Taupo
Horowhenua
Hutt
Waimate West
Wanganui
Rangitikei.

2. Those whose district schemes allowed production forestry as a predominant use with conditions which were constructive in intent or were not onerous:

Dannevirke (pre-review statement)
Patea
Waitotara.
Wairarapa South
Woodville

3. Those whose district schemes allowed production forestry with conditions which can be considered excessive and could act as a disincentive to forestry in the region:

Wairoa
Pahiatua (variation no. 1).
Pohangina

4. Those whose district schemes allowed production forestry as a predominant use with or without performance standards, over only part of the feasible area:

Hawkes Bay
Kairanga
Taumarunui
Waipawa
Waitomo
Waimarino.

5. Those whose district schemes did not allow production forestry as a predominant use at all:

Waipukurau
Oroua
Eketahuna (pre-review statement).
Manawatu (publicly notified review)
Kiwitea.

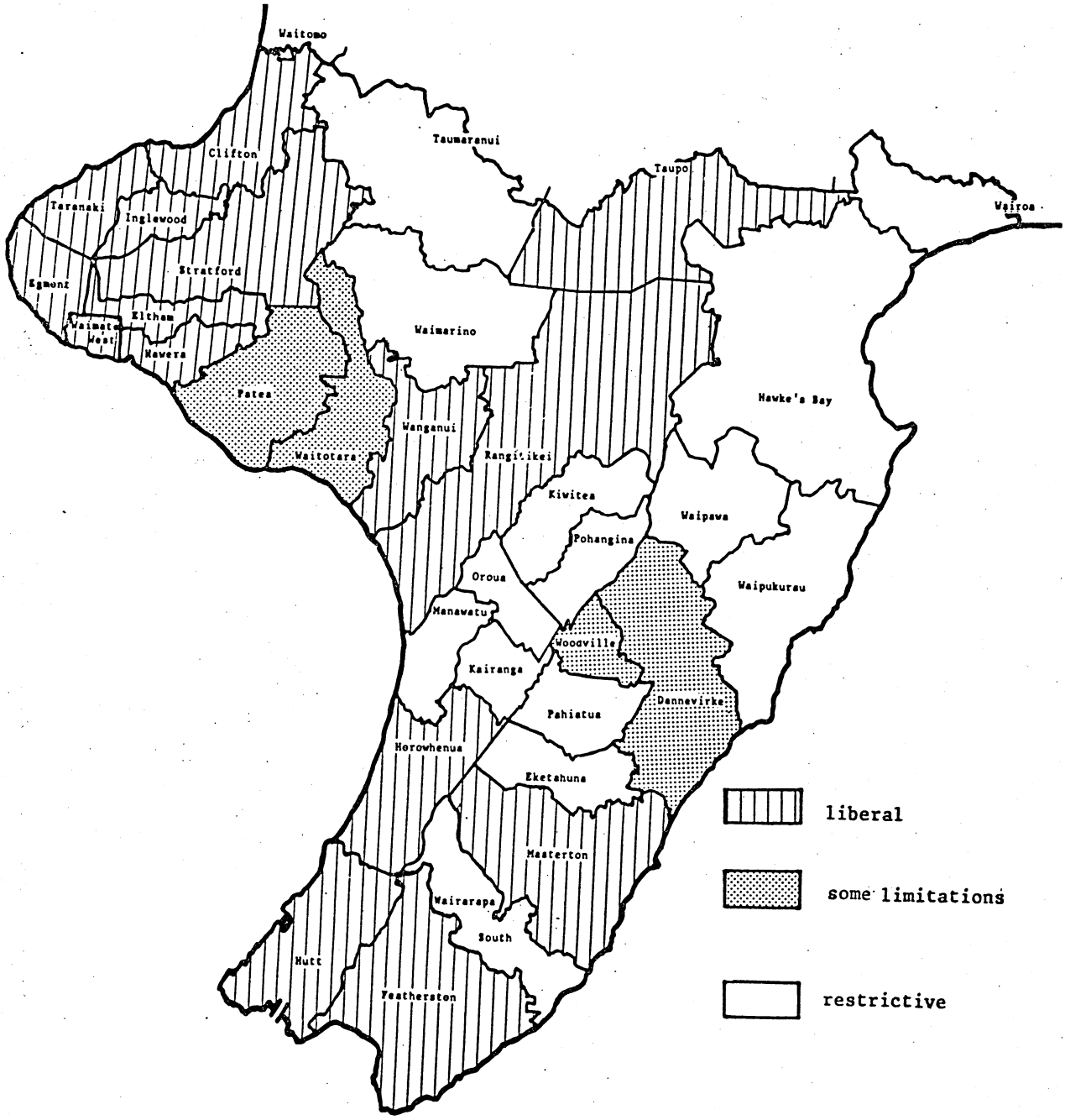
NOTE: Kiwitea county technically belongs in group 5 because of the requirement for non-notified planning consent.

B. To the Industry

Although 19 district schemes or proposed reviews allowed forestry as a predominant use in the "feasible" area, either with no further controls or with controls which could be considered reasonable, none of these "liberal" counties with the single exception of Taupo contain major processing facilities or ports capable of handling logs (see Map 2). If the four counties which lie only partly within the conservancy (Taumarunui, Taupo, Wairoa and Waitomo) are excluded from consideration on the grounds that it is not practicable to subdivide the counties into land use classes within and without the conservancy boundary, then a simple analysis shows that the "liberal" counties contribute approximately 46,000 ha or 50 per cent of the conservancy's timber resource (57 per cent of the adjusted timber resource), and occupy 50 per cent of the "feasible" land.

There is a conspicuous grouping around processing facilities of counties whose schemes impose substantial limitations of one form or another on production forestry, suggesting that the imposition of controls may depend less on the conservatism of councillors than on the existence of large scale private afforestation and associated industry in an area. The exception to this is a cluster of counties surrounding and to the north of Palmerston North. There are no major processing facilities in this area other than sawmills to provide for regional needs, which could explain this grouping. However, several of the counties employed the same firm of consultant planners to carry out their reviews.

It should be remembered that the survey represents the outcome of policy-making and discussion and does not indicate the often tortuous process of arriving at a consensus. Several district scheme reviews which can now be described as "liberal" are the result of objections successfully lodged against ordinances which were initially very



MAP 2: COUNTIES OF THE WELLINGTON CONSERVANCY ACCORDING TO PLANNING LIMITATIONS ON FORESTRY

restrictive. The case studies in this report examine the role of the planner in determining district schemes, and demonstrate that although the planner may have a significant effect on the complexity of the review, he cannot successfully impose ordinances upon a county unless they are to some degree consistent with the views of the councillors. However, a planner with conservative views regarding forestry may reinforce conservative views held by the councillors. It is possible that this may be the case with the counties of the Palmerston North region.

SURVEY RESULTS - FARM SCALE FORESTRY

Some counties differentiated between large and small scale afforestation. A second bar chart (Figure 2) was prepared, indicating county provisions for woodlots and/or farm scale forestry as a use permitted as of right.

Those counties whose reviews did not differentiate between the two were listed separately.

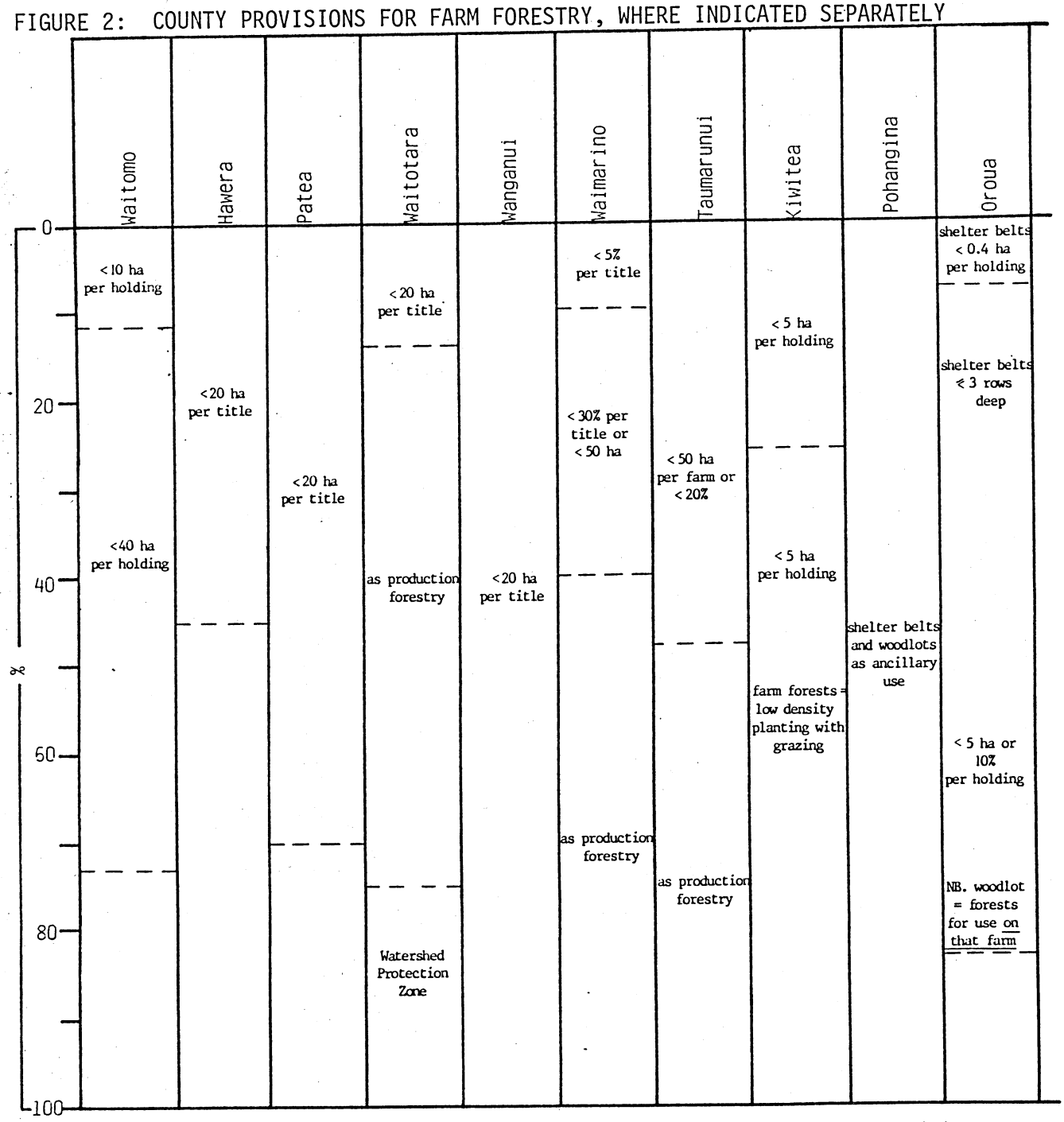
DISCRIMINATION BETWEEN LARGE AND SMALL FORESTS

There was no consistent differentiation between commercial or production forestry and forestry as a complementary farming activity. Some counties did not differentiate at all; others did, and various terms such as "woodlot", "farm forestry", "farm scale forest" were applied to forestry as a complementary activity.

Means of differentiating included:

1. Intention at planting. If trees were planted with the intention of commercial gain then the forest was defined as productive. Oroua county defined "woodlot" as an area

FIGURE 2: COUNTY PROVISIONS FOR FARM FORESTRY, WHERE INDICATED SEPARATELY



Number of Private Forests as at 31/3/81, excl

Woodlot area (ha)	Waitomo	Hawera	Patea	Waitotara	Wanganui	Waimarino	Taumarunui	Kiwitea	Pohangina	Oroua
< 2	38	18	57	41	42	16	23	34	46	11
2 < 4	12	5	22	9	16	1	9	14	6	1
5 < 19	27	6	32	33	25	4	11	9	15	4
20 < 49	5	0	4	17	7	1	9	2	1	0
50 < 99	1	0	0	5	2	0	5	1	0	0
100 <	3	0	0	0	2	1	7	0	0	0
Total	86	29	115	105	94	23	64	60	68	16
Median Size Range (ha)	2-4	<2	2-4	5-19	2-4	<2	2-4	<2	<2	<2
Modal Size Range (ha)	< 2	<2	<2	<2	<2	<2	<2	<2	<2	<2

Kairanga	Manawatu	Wairoa	Waipawa	Hawke's Bay	Waipukurau	Dannevirke	Woodville	Pahiatua	Eketahuna	Wairarapa South
shelter belts and woodlots as ancillary use	forests on land remnants < 15% per holding <30% per holding as production forestry	shelter belts shelter belts and woodlots as ancillary use	shelter belts <20 ha per holding farm forests = low density planting with grazing	shelter belts woodlots as ancillary use as production forestry	no forestry of any sort except for conservation purposes	shelter belts <4 ha shelter belts <10 ha tier farming	< 2 ha per holding forests on land remnants tier farming woodlots > 2 ha and ancillary use need Forest Management Plan	up to 10 ha planting p.a.	<10 ha per holding if >10 ha per holding non notified consent required	shelter belts forests on land remnants <10% per holding protection plantings <50 ha < 50 ha

uding shelterbelts, protection and amenity plantings

12	58	4	3	23	32	47	3	2	6	22
4	12	2	3	24	26	24	2	1	4	7
9	29	7	16	66	48	68	9	0	21	27
0	8	5	0	14	6	11	0	0	2	8
3	3	1	0	8	1	5	0	2	2	8
3	0	6	0	14	0	0	0	0	0	2
31	110	25	22	149	113	155	14	5	35	74
2-4	2	5-19	5-19	5-19	5-19	5-19	5-19	2-4	5-19	5-19
2	2	5-19	5-19	5-19	5-19	5-19	5-19		5-19	5-19

of trees planted for the normal timber requirements *of that farm.*

2. Area planted as a per cent of title. The percentage ranged from 5 per cent (Kiwitea) to 30 per cent (Waimarino).

3. Area planted per title, or per holding (which may comprise several titles). This ranged from 0.4 ha (Oroua) to 50 ha on LUC classes IV and VI (Waimarino).

4. Area ancillary to the main pastoral use of the farm (Pohangina, Kairanga).

Some schemes used a combination; Waimarino set a limit of 30 per cent or 50 ha, whichever was the lesser.

The NZ Forest Owners' Association define a commercial forest as one greater than 150 ha but for the purpose of this survey it was decided to use 50 ha as the cut-off point between commercial and farm scale forestry. While "ancillary use" seemed a more logical choice, it depended on average farm size which varied between counties. Fifty hectares is somewhat arbitrary but it is equal to the largest area limitation specified in any scheme. For this part of the analysis, low density plantings permitting grazing, variously defined as "tier farming" or "forest farming" were not considered.

TYPES OF CONTROL IMPOSED ON FARM SCALE FORESTRY

The treatment of shelterbelts, woodlots, specialised tree crops and low-density plantings as predominant uses was subject to wide variation.

1. Some counties did not differentiate between different types of forestry. These tended to be the same counties which adopted a permissive approach towards forestry in general. They were:

Inglewood	Hutt
Featherston	Wairoa
Eltham	Wanganui
Clifton	Rangitikei
Taranaki	Egmont
Taupo	Masterton
Stratford	Waimate West
Horowhenua.	

2. Some counties allowed farm scale forestry as a use ancillary or accessory to the main pastoral farming purpose. These were:

Hawkes Bay	Patea
Wairarapa South	Kairanga
Taumarunui	Woodville
Pohangina	Waipawa.

3. Some counties set a limit of 20-50 per cent of area or of 10 to 20 ha or more per farm. These included:

Waimarino	Waipawa
Hawera (Pre-review statement)	Waitotara (proposed review)
Patea	Waitomo
Wairarapa South	Taumarunui
Manawatu.	

4. Some counties set area restrictions of between 2 and 10 hectares per title or per holding. These included:

Woodville	Pahiatua
Kiwitea	Oroua
Dannevirke	Eketahuna.

5. One county did not permit forestry of any kind except for conservation purposes. This was: Waipukurau.

Most counties applied restrictions which varied with severity depending on land type. The most common situation was one in which shelterbelts only, or shelterbelts and woodlots of less than 0.4 to 10 ha were permitted on LUC classes I to III, with successively larger areas permitted on poorer land.

In some cases, definitions of farm forestry as an ancillary or accessory use overlapped definitions for production forestry, generating some ambiguity.

SIGNIFICANCE OF CONTROLS IMPOSED ON FARM SCALE FORESTRY

The median and modal size ranges for private forests in those counties which treat farm forestry separately is given at the foot of Figure 2. It was assumed that these planting patterns show a preference for farm forest size which will continue. Counties were screened for those whose ordinances would permit the median-sized farm forest to be planted throughout the most productive half of the county's total land area. This analysis was limited by the fact that some counties (Waimarino, Manawatu, Wairarapa South) impose limits in terms of percentage of holding rather than area in hectares, and by the sub-divisions in the area analysis; a finer classification than "15-19 ha" would have made planting patterns clearer.

Similarly although the data in Figure 2 were derived from the NZFS Private Woodlot Size Analysis for Productive Purposes, and specifically excluded shelterbelts, protection and amenity plantings, it is hard to accept the notion of "production forest" applying to an area of less than 2 ha - the modal size range for the Conservancy as a whole.

Counties were ranked according to the approximate area of the county on which the "median forest" was permitted as of right.

Waipukurau	not permitted at all
Woodville	permitted on all but the best 41% of land
Waipawa	permitted on all but the best 38% of land
Manawatu	permitted on all but the best 9% of land
Wairoa	permitted on all but the best 7% of land
Wairarapa South	permitted on all but the best 7% of land
Oroua	permitted on all but the best 7% of land
Hawkes Bay	permitted on all but the best 4% of land.

Eketahuna's status could not be determined; the "median forest" was in the 5 to 19 hectare range, and the limit on woodlots as a predominant use was 10 ha. In all the other counties, the "median forest" could be planted throughout.

Chapter Three

THE CASE STUDIES

The selection of counties for further study was based on the survey results described in Figure 1. The five counties selected, and the reasons for their selection, were:

Rangitikei - very few restrictions on forestry,
Waipukurau - substantial restrictions on foresty,
Waimarino - presence of both state and private commercial forests,
Pohangina - use of conditions attached to predominant uses,
Kiwitea - use of non-notified consent attached to predominant uses.

METHODOLOGY

The planning process in each county was then examined. The main events which it was hoped to identify were:

(a) the terms of reference given to the planner by the council;

(b) the draft pre-review statement of objectives and policies submitted by the planner;

(c) subsequent amendments by council;

(d) the published pre-review statement and the extent of its circulation;

(e) submissions made to council concerning review matters, and related correspondence and recorded discussions;

(f) the draft scheme statement and code of ordinances submitted by the planner;

(g) the recorded discussion and amendments arising from it;

(h) the publicly notified review;

(i) records of public meetings concerning reviews;

(j) submissions and objections to the review, and related correspondence;

(k) evidence (verbal and written) given at the hearing of objections;

(l) planner's recommendations concerning objections, council's reaction to them, and decisions handed down along with the reasons for each decision;

(m) reaction to the decisions by objectors;

(n) correspondence, submissions and decisions relating to any appeals arising from the decisions;

(o) applications for consent to a conditional use made subsequent to the scheme review becoming operative, and their outcome.

To achieve this, the following steps were taken:

1. The county clerk was approached for permission to include the county in the study.

2. As complete a record as possible of the documented planning events over the period of the review was established. This was achieved by searching the files and council meeting minutes in the county office, by searching the files of the appropriate catchment boards, New Zealand Forest Service Palmerston North office, Ministry of Works and Development regional office in Wanganui, and by consulting the Town and Country Planning Library at MWD Head Office. The consultant planner for each county was approached and his files also examined. Federated Farmers' branch meeting minutes and newspaper articles were consulted where indicated.

3. Undocumented comments and recollections of people involved in the review process were sought, by interviews either in person or by telephone of:

the county clerk,
the county engineer,
the county chairman,
those councillors most involved in planning,
Federated Farmers members,
objectors,
the consultant planner,
members of catchment boards and Government departments.

These interviews were necessarily fairly unstructured. County officials and councillors were asked to recall if possible the discussion surrounding these events, the response of council to submissions and other forms of input received from various sources, and the degree of unanimity in council. They were not asked for personal opinions with respect to forestry, although this information was usually volunteered. The comments made were read back in summarised form for confirmation. In some cases, a resumé of planning events was also sent to the county for confirmation.

4. With the material gathered from each county assembled in chronological order, the evolution of forestry policy throughout the planning process was traced and the events, inputs and perceptions which caused the policy to be formed or modified were identified. The role of various groups of participants was considered, such as the catchment boards, Government departments, ratepayers' groups and other special interest bodies, and private individuals. An attempt was made to place forestry in context as a planning issue by analysing the volume, nature and source of other submissions to the published pre-review statement and publicly notified review. The effect of legislation and aspects of Government policy were also assessed. Finally, the volume and nature of applications for planning consent relating to forestry

were considered. The necessity for such applications can be considered to be an indicator (albeit a crude one) of the extent to which an operative scheme imposes limitations on the aspirations of individuals.

It should be noted that the reliability of the information thus gathered was uneven, and in no case does a single source provide a complete record of planning events. Considerable variability exists in the recording systems employed by county officers and all were incomplete to a degree. Surprisingly, records kept by the consultant planners were also relatively sketchy. A calendar of events had therefore to be built up and cross-checked from various sources. It is not possible therefore to claim that the planning process has been fully described for any county. What can be asserted is that the events described and supported by documented evidence did occur.

While the interviews were useful in fleshing out the events as documented, they must be regarded as of fairly low reliability. In some instances respondents were required to remember up to a decade ago; several had retired either from council or from farming and associations with planning had faded; subsequent events had modified perception of the past; or people were reluctant to be candid. In some instances, key individuals had moved away or died. In spite of this, however, these interviews helped to confirm the documented events, and in several instances led to correction of misinterpreted material. Some individuals were able to recall events very clearly and presented their own analyses.

Chapter Four

RESULTS - INPUT FROM VARIOUS SOURCES

The five case studies have been reported in entirety in a separate publication (9), but to preserve the confidentiality which was promised to the participants, discussion of contributing events and inputs has been confined in this paper to an aggregated form.

The inputs to the planning process were considered according to their source; from planners, from private individuals, from NZFS and other Government departments, and from catchment authorities. All of these inputs were received by county councillors, each of whom had his own set of knowledge, opinions, and perceptions both of forestry and of those persons and organisations contributing input.

INPUT FROM THE PLANNERS

Initially, the planner was considered by councils to have considerable authority. Councillors then were generally inexperienced in planning matters and looked to the planner for advice and initial input.

Of the four counties which issued pre-review Statements of Policies and Objectives (Waipukurau did not), the first draft in two cases (Pohangina, Rangitikei) was almost entirely the input of the planner. Kiwitea county council gave a draft list of objectives to their planner upon which the pre-review statement was based. Waimarino county issued a statement of policy which simply embodied a council resolution to make no change, for which it was criticised by MWD.

Each planner took a different approach. In two counties, by accident or design, the planner allowed the county's policy to evolve, and accepted input from elsewhere. In two further counties, the

planner assumed a responsibility to make planning recommendations to council. Where the planner's and the council's wishes were similar, this caused no problem; where they differed, conflicts arose. Finally, one county, although employing a consultant, retained control over his work so that the planner was effectively assigned the role of draughtsman.

Inputs by the planner to each review could be described as follows:

- For the Waimarino county review the planner provided almost all the initial input, but later zoning proposals and accompanying draft ordinances submitted by Winstone Afforestation Ltd, Rangitikei-Wanganui Catchment Board and MWD were incorporated to a very large extent. The planner participated in planning decisions on a daily basis and knew the county well; he did not seem to have been pre-occupied with details. This was apparently acceptable to council, who felt that drafts of ordinances prepared by the planner fairly accurately reflected the wishes of the council. Both planner and council demonstrated a willingness to allow MWD and Waimarino Forests Ltd (subsidiary of Winstone Afforestation Ltd) to negotiate details associated with settling an appeal against the council's decisions on a variation to Review No. 2.

- The planner for Rangitikei county saw himself as a facilitator, with a responsibility not to intervene in policy making, but to outline planning issues and alternatives for council to decide upon. Although he and his assistant provided almost the entire text of the draft pre-review statement, council were reminded that the document should represent the council's views rather than the planner's, and were urged to criticise it as comprehensively as possible. A policy on forestry which acknowledged land as a means of generating primary raw materials for industry, including timber, was included in the draft pre-review statement on the planner's initiative.

Council were considered by the planner to be tentative about planning and tended to rely on input from him, a situation which he felt carried a danger of pre-empting the councillors' elective responsibility. However, drafts submitted by the planner were scrutinised extensively by the council and amended once consensus was reached.

- The same firm of planners was employed for both the Kiwitea and Pohangina reviews. In both cases the planner regarded councillors as generally ill-informed and dependent on him for advice. A contest of wills which developed between him and members of the Pohangina county council suggests that he considered himself to have responsibility as the planning expert to make policy recommendations to council rather than to simply interpret their policies.

A different strategy appears to have been adopted for each county. At the beginning of the Kiwitea review, council supplied a draft of objectives which the planner merely elaborated on, and the first draft of the code of ordinances bore a resemblance to the format employed under the 1960 Town and Country Planning Regulations, in which forestry was a predominant use. By contrast the draft pre-review statement for Pohangina county was considered to reflect the planner's views rather than the council's and was subject to several amendments. The first draft contained detailed ordinances which imposed severe restrictions on forestry, at the request of council.

Kiwitea county councillors considered the planner to have considerable authority in planning matters and were prepared at least initially to accept his recommendations on most matters. Pohangina county councillors had a clear idea of the policies they wishes to implement, and where these differed from the planner's the council insisted that their wishes were followed. The conflict did not however relate to forestry, and there seems to have been few problems in

acceding to council's requests to impose more stringent controls. Similarly, when Kiwitea county asked for more stringent treatment of forestry, this was not contested.

The planner conveyed the impression that he preferred to negotiate the reviews directly with Government departments and not necessarily on behalf of the council. He also had adopted a strongly conservative position which was evident in a letter to Rangitikei-Wanganui Catchment Board, in which he stated, "My concern here is to prevent the use for forestry on good farmland. There are many cases in the North Island where private interests have retired good farmland for tree planting - the culprits include NZ Forest Products and Fletchers. I would prefer to make forestry a predominant use in the special protection zones and leave it as a conditional use in the rural zone". It is evident that the planner shared the bias of many farmers and county councillors against forestry as a land use, and because of the special authority of his position this served to reinforce rather than mitigate any concerns councillors might have.

- The planner appointed to carry out the Waipukurau District review was a surveyor rather than a planner. He worked closely with the county staff, and the planner's contribution was in effect a joint effort by four people: the consultant planner, the County Clerk, County Engineer, and the County solicitor. In most instances, council instructed the planner and his role was confined to drafting the council's requirements into the planning document.

INPUT FROM FEDERATED FARMERS AND THE ASSOCIATION OF SMALLFARMERS

Both the extent and quality of input from these organisations varied widely. In Waipukurau district, most members of the local branch of Federated Farmers were not aware that the district scheme had been reviewed, and some did not fully understand what a district scheme was. In Rangitikei county, the Federation made no formal input to the planning process. One member commented that the district scheme was not discussed at all by the Marton branch but lack of comment was not indicative of apathy by farmers, simply of a confidence in council, whose members were perceived to be young and effective.

At branch meetings in Waimarino county, members discussed both the district scheme and forestry on several occasions and made two submissions to the publicly notified review, one being an objection to zoning which would provide for forestry as a predominant use in rural B zone, and one cross-objection seeking retention of conditional use status in rural A zone. Submissions were prepared at local level rather than by the Federation's legal advisors, and reflect concern at fire risk, and population effects.

Federated Farmers and the Association of Smallfarmers made extensive submissions to Kiwitea and Pohangina county reviews, covering a fairly wide range of issues. In both cases the submissions were guided and prepared by the Federation's legal advisors, Ms Ruth Richardson and later Mr P. Waugh. Federated Farmers twice contested the decisions of Kiwitea council; appeals were lodged against the outcome of objections both to the review and to the proposed changes.

Through its involvement in district planning, the Federation has developed policies with regard to forestry land use. Although these policies are still subject to modification, at the time that the district schemes under study were being reviewed the policy jointly agreed upon by Federated Farmers and the NZ Forest Owners' Association recommended that:

- On LUC classes I, II and III land, shelter belts, forest nurseries and tree seed orchards only should be permitted - all other types of forestry should be a specified departure.

- On class IV land, forestry should be a conditional use.

- On classes V, VI and VII land, forestry could be a predominant use.

- On class VIII land foresty could be a predominant use depending on soil conservation requirements.

The Federation's submissions reflected the opinions of many members in that while submissions almost always commenced with statements favouring the integration of farming and forestry in rural areas, "integrated" seemed to mean "on land not in farming". There was little recognition for the need to limit all kinds of production activity including forestry on steep hill country and apparently no recognition that confining forestry to poorer, less accessible land would exacerbate the roading problem which formed a part of the Federation's concerns. Other concerns of members which were revealed in the case studies were:

1. Fire risk and consequent limitations on the activities of neighbours;
2. Depopulation and its effects on schools, rural delivery and other services;
3. Possible lowering of land value;
4. Superior buying power of large forest companies;
5. Competition for pastoral land.

Federated Farmers' policy was later amended thus:

- On classes I to IV land, planting of trees such as shelter belts, woodlots and conservation planting which is part of the normal farm practice should be a predominant use;

- On classes IV to VII land, forestry should be a controlled use. "Controlled use" is equivalent to a non-notified consent use. The decision is to be made by an inspection committee consisting of a representative of the council, the NZFS and the farming community.

- On class VIII land, protection work should be a predominant use.

COUNCILLORS' ATTITUDES TO FEDERATED FARMERS AND THE ASSOCIATION OF SMALLFARMERS

Many council members are also members of Federated Farmers or the Association of Smallfarmers. Therefore, submissions from the Federation often represented council's opinions at only a slight remove, and often reinforced the publicly-held opinion of council. Input, both formal and informal from Federated Farmers had a considerable effect on council thinking. Moreover the Federation and the Association of Smallfarmers were ratepayer representatives as opposed to central government representatives, and while submissions from Government departments were usually more factually based than Federated Farmers submissions, councillors were conscious, especially in the case of the Pohangina council, that it was to the farmers that belonged to these bodies that they were answerable, not to Government departments.

Federated Farmers were also involved in the appeal of *Hawkes Bay Catchment Board and others* vs *Wairoa County Council*, and were a significant entry point for information and anxiety arising from the appeal and its implications. One county chairman regarded the Federation's input in this respect as particularly valuable. However, in another county, the Federation's input was less favourably regarded. The planner felt it did not represent the main stream of farmer opinion, and the County Clerk at the time considered it to be rubbish.

INPUTS FROM THE NEW ZEALAND FOREST OWNERS' ASSOCIATION

The New Zealand Forest Owners' Association was actively involved in submissions to Wairoa and Hawkes Bay district scheme reviews, but this involvement has not been consistent. Although all counties in the conservancy were canvassed by the Association in 1978 for information concerning policy and ordinances relating to forestry, in only one of the counties under study was there any other planning input; the Association wrote to Waimarino County Council at the request of forest owners in the county, protesting the "cavalier treatment" given this land use. The letter was too late to be received as an objection, and no cross-objections were lodged.

INPUT FROM THE FARM FORESTRY ASSOCIATION

No formal submissions or objections were received from the Farm Forestry Association in any county, although individual members in Waipukurau district recalled informal discussions and some concern at the code of ordinances. In general the interests of the farm foresters are served by submissions from other sources such as Federated Farmers and the Association of Smallfarmers, relating to forestry as a part of farming operations. Members of the Farm Forestry Association are often members of the other representative associations as well.

INPUTS FROM PRIVATE INDIVIDUALS

Most submissions and objections from ratepayers were channelled via representative organisations such as Federated Farmers or the Association of Smallfarmers. The remaining input was mostly in the form of objections to the publicly notified review; only in Pohangina county did private individuals make submissions to the pre-review

statement. At least one public meeting was called either by council, by Federated Farmers or by ratepayer groups in all five counties, although the agenda was sometimes confined to narrow areas of the review only. Most of these meetings were not recorded.

If private individuals and representative organisations are considered together, then private objectors accounted for:

39 out of 72 objections in Waipukurau district,
31 out of 50 objections in Waimarino county,
35 out of 101 objections in Pohangina county,
48 out of 121 objections in Rangitikei county,
39 out of 54 objections in Kiwitea county.

In Kiwitea county, most of the 39 private objections were jointly lodged and together represented 188 individual objections. In all counties except Pohangina the majority of private objections were lodged by individuals. The nature of these objections differed from "public sector" objections in that private objectors were overwhelmingly concerned with specific issues such as zoning, zone boundaries and minimum subdivision sizes. Very few individuals lodged objections to general policies.

In every county there was at least one private, individual objector who contended that the review was overly restrictive and represented an infringement on the right of property owners to make their own land use decisions. In Kiwitea, over half of the private objectors were concerned with this issue alone. It was otherwise left to representative organisations such as Federated Farmers to make submissions on broad policy issues. Very few private objections were raised with regard to forestry, and those mostly related to woodlots. Only one individual objector, in Waimarino county, opposed forestry as a predominant use.

COUNCILLORS' ATTITUDE TO PRIVATE INDIVIDUALS

The attitude of councillors toward public participation by ratepayers varied. Section 44 of the Town and Country Planning Act obliges council to inform all ratepayers by post of an impending review. Some councillors felt that most ratepayers were with some exceptions fairly apathetic to planning matters and generally ill-informed; their participation was often considered a hindrance to efficient planning. Other councillors depended on informal comment, at the ratepayer's initiative, to keep informed. Only Pohangina county council adopted a policy of inviting public response by circulating the pre-review statement in full to all ratepayers. Because private individuals seldom have the resources or expertise to provide comprehensive supporting material with objections, there is a tendency to consider these objections more lightly than those of organised groups.

INPUT FROM GOVERNMENT DEPARTMENTS OTHER THAN THE NZ FOREST SERVICE

As a rule, MWD acts on behalf of all Government departments in planning matters. The county is obliged to file a copy of all publicly notified planning documents (i.e. the pre-review statement of Objectives and Policies, the proposed review, and the operative scheme) with the Town and Country Planning Division of MWD, and with adjacent local authorities. The Ministry circulates the documents to all Government departments and to the relevant catchment boards, and collates and summarises any submissions. This is usually carried out in the first instance through the District Office. Where the pre-review statement is concerned, submissions may be forwarded directly to the county. If any department has a lengthy or significant input, its submission may be presented to the county in its entirety. When the review is publicly notified, departments who wish to object follow a similar procedure, except that the submissions go first to the Town and Country Planning Division which then asks the office of

the Ministry of Works to lodge the objection on behalf of the department concerned.

Inevitably, conflicts between departments arise over aspects of policy. Where submissions from departments are in conflict or are not considered soundly based, they are either modified or omitted altogether. There are three points in this process where submissions can be screened out, and this did in fact occur with submissions to the Waipukurau and Kiwitea district scheme reviews. Another effect of the summarising process is that some material which may be of assistance to the council is deleted.

Government departments other than the Forest Service which provided inputs concerning forestry were MWD Soil and Water Division, and the Department of Lands and Survey.

On two occasions, MWD adopted a position promoting forestry as a predominant use in all rural areas; but in a cross-objection to the Waimarino District scheme review it was asserted on behalf of the Department of Lands and Survey that forestry as a predominant use was contrary to accepted town and country planning practice, and contrary to the wider public interest. It has been MWD town and country planning policy not to attempt to impose uniform planning recommendations on counties, whose goals and requirements must all be different, but it is difficult to see the justification in adopting points of view which are so far at variance between counties. However, MWD input to the Pohangina review signified that the Ministry recognised that the issue at stake was not merely the treatment of forestry, but a planning approach to land use and land management. Accordingly the NZFS submissions on behalf of objections to the Pohangina review were supported by evidence from MWD District Office, in which Mr P. Nixon, Planning Officer, asserted that forestry was equal in importance to farming in achieving the objective of "the conservation, protection and enhancement of the physical, cultural and social environment" which is identified as a "matter of national importance" in terms of S3(1)(a) of the Town and Country Planning Act 1977.

MWD also supported the Rangitikei-Wanganui Catchment Board's original proposal to include water and soil conservation matters in district schemes and was extensively involved in correspondence and discussion as the concept of a Watershed Protection Zone was developed, first in Rangitikei County, and later in Kiwitea and Pohangina counties. The concept has since been applied by the Manawatu Catchment Board in Woodville county. However, the Catchment Board was the proposer in each instance and MWD adopted a supporting role only.

COUNCILLORS' ATTITUDES TO OTHER GOVERNMENT DEPARTMENTS

The attitude of some county councillors to the representatives of the Crown ranged from one of welcoming expert advice to being frankly rude. Councillors in Kiwitea county recorded their scepticism of the intrusion of Government departments into planning, and speculated that the number of submissions might be indicative of under-employed civil servants. A similar attitude was evident at the hearing of objections to the review. Pohangina county councillors also were somewhat concerned that submissions by the Crown might overshadow the wishes of ratepayers. By contrast, Waimarino county council were prepared to allow MWD to take an active role in settling the appeal against the variation to Review No. 2; reasoning that as all parties to the appeal were agreed on the principle of protecting the scenic values of the Wanganui river, then they were willing to let MWD, the Department of Lands and Survey and Waimarino Forests Ltd reach an acceptable agreement without overmuch intervention by council.

INPUT FROM THE NEW ZEALAND FOREST SERVICE

Submissions and objections to the district scheme reviews in terms of putting the case for forestry as a legitimate land use varied considerably. In Waimarino county, no comment on the legitimacy of

forestry as a land use or land use policy was made to the pre-review statement. It was only in evidence on behalf of an objection to the conditional use status imposed on forestry in the Rural A zone that the Forest Service made this point.

In Waipukurau county there seems to have been some difference between the conservancy staff who participated in the pre-review discussions and NZFS Head Office; although individuals in the conservancy argued for forestry as a predominant use, the opinion of Head Office was that conditional use status was not unreasonable. Objections to the review were confined to matters of definition, and even in this respect the advice received by the council from NZFS staff members did not assist in clarifying the point in contention.

The NZFS input to the Rangitikei review was more comprehensive, commencing with comments on the forestry policy in the pre-review statement, and including participation in pre-review discussions with the council concerning forestry, especially the creation of a water-shed protection zone. NZFS's only objection to the publicly notified review related to zone boundaries and not to forestry policy.

In the Pohangina county review, NZFS made extensive submissions both in response to the pre-review statement and in objections to the publicly notified review, asserting that commercial forestry was a form of primary production with important wood production and soil conservation benefits. All aspects of forestry policy and ordinances were challenged at objection time, and were accompanied by the most aggressive submissions, criticising the review as against acceptable land use practice, and the conditions imposed on forestry as serving to frustrate its presence as a viable land use.

The NZFS did not contribute to Kiwitea district scheme at the pre-review stage, and the two objections filed against the publicly notified scheme related only to the proposed watershed protection zone. The initiative in promoting forestry as a land use as of right was taken by the Manawatu and Rangitikei-Wanganui Catchment Boards instead, although NZFS did file a submission in support of the Boards'

objections. However, when Change No. 1 to the newly operative review was proposed, NZFS took the opportunity to lodge a strong objection to the restrictions imposed on forestry.

The preceding paragraphs demonstrate that the NZFS input, both in terms of participating in the framing of policy relating to forestry and in objecting to unacceptable elements of the codes of ordinance of these five reviews, has been inconsistent and has resulted in reduced credibility. Some reasons for this which suggest themselves are:

1. Differing opinions held by individuals at the conservancy level, resulting in advice to county councils which may be misinterpreted or may conflict with others.

2. Differences between the views held by conservancy and field staff, and those of the Head Office staff.

3. Differences of opinion between NZFS and other Government departments; if publicly acknowledged, these differences can reduce the weight given to professionally tended advice, or nullify it completely. The process by which MWD collates and summarises submissions allows conflicting submissions from Government departments to be modified or omitted altogether by the collating department. This effectively grants *de facto* approval of restrictive ordinances simply by failure to register an objection.

4. In some instances there was a simple failure to take the opportunity to comment or objections or appeals were received too late to be acted upon.

COUNCILLORS' ATTITUDES TO THE NEW ZEALAND FOREST SERVICE

Until recently, NZFS had been seen as neither the most visible nor the most significant advocate of forestry policies in land use planning. Generally, the catchment boards have had more effect than the Forest Service, principally by being involved at the earliest possible stage when zoning and ordinances have not fully taken shape. Some councillors are aware that Government departments sometimes make useful comments on county policies which for various reasons may not survive the processes of collation and summary through MWD, but nonetheless a number of councillors and one planner were of the opinion that the Forest Service had no coherent policy and would serve itself better by taking a more consistent approach.

It is important to note, however, that these comments were made within the context of the mid and late 1970's. It is apparent from discussion and correspondence over the Pohangina review that Government departments including the Forest Service are now adopting a different approach to district planning. The above comments, whether or not they were valid then, may not apply to the Forest Service now.

INPUT FROM CATCHMENT BOARDS

The counties under study lie within the catchment control areas of three catchment boards: Hawkes Bay (Waipukurau county, part of Rangitikei county), Manawatu (Pohangina county, parts of Waipukurau and Kiwitea counties) and Rangitikei-Wanganui (Waimarino and Rangitikei counties, part of Kiwitea county). Although the approach to planning differs slightly between boards, the catchment boards as a whole provided the most significant input to land use planning in all of the counties studied.

The catchment boards were usually involved early in the planning process, at the pre-review stage when policies had not yet been drafted into ordinances and were therefore more malleable.

While the catchment boards, Forest Service and MWD collaborated to a considerable extent in some reviews, it was often the catchment boards which initiated discussions on changes with the councils. The introduction of Watershed Protection zoning in Rangitikei county, and the recognition of protection/production forestry by Waipukurau district are examples. Also, alternative zoning plans for Waimarino and Pohangina counties had a considerable effect on shaping reviews.

In the Waimarino county review, the Rangitikei-Wanganui Catchment Board suggested alternative codes of ordinances, held discussions with the council over the need to incorporate soil conservation and water management practices into district schemes, and proposed zoning to provide watershed protection.

In Waipukurau county, the Hawkes Bay Catchment Board initiated or were involved in several discussions with the council over policies concerning unstable areas of the county and rivers control. Although forestry was recognised as a desirable land use by Catchment Board staff, submissions to council were confined to matters related to soil conservation works.

In Rangitikei county the Rangitikei-Wanganui Catchment Board were extensively involved in correspondence, discussion and meetings with MWD, NZFS and the council at the pre-review stage over the creation of watershed protection zones for classes VII and VIII uplands, and for a coastal foredune strip. Objections to the publicly notified review related to the basic prescription of the watershed protection zone, and to the lack of control over production forestry in the zone.

In Kiwitea county, the Rangitikei-Wanganui Catchment Board made no input to the pre-review statement. Their first contribution was therefore somewhat apologetically delivered, too late to influence the draft of the proposed review, and had to be received as an

objection. Rangitikei-Wanganui Catchment Board in partnership with Manawatu Catchment Board objected to the conditional use status imposed on exotic plantations in the rural zone, and to the exclusion of soil and water conservation values and a watershed protection zone in the scheme statement and code of ordinances.

In Pohangina county, the Manawatu Catchment Board provided one of several alternative zoning proposals at pre-review stage, including a proposal for a watershed protection zone. A low-key approach was adopted in the suggested zoning ordinances in that forestry was recommended as a predominant use on areas less than 10 ha, although the Board did state that it had no objection to forestry as a predominant use overall. The Board later objected in a comprehensive manner to the restrictions imposed on forestry in the publicly notified review, and contended that as there had been no problems in the past when forestry was a predominant use, there could be no reason for imposing restrictions now.

The attitude of the three boards differed in one important respect. While Hawkes Bay Catchment Board acknowledged forestry as a desirable land use, policy has been somewhat piecemeal. The Board is now formulating a policy on land use similar to the submissions made during the Wairoa County hearings. When invited to comment on Waipukurau District's review in 1976, staff members considered that while they recognised the desirability of afforestation over large areas of the district, commenting on land use that did not directly impinge on soil conservation work was outside their brief. It is now conceded by the Board that catchment authorities should contribute statements on desirable land use even when such uses are not essential for erosion control.

This was contrasted by the manner in which the Manawatu Catchment Board actively promoted forestry as a desirable land use in the three counties of the study which lay within its catchment control area, on the premise that any increase in vegetative cover would reduce sediment loading of rivers and was therefore worth encouraging.

The Rangitikei-Wanganui Catchment Board approach differed between reviews: conditional use attached to forestry was not considered objectionable in Waimarino Rural A zone, but was in the Kiwitea county rural zone, some of which was similar in topography. Rangitikei county's ordinances with respect to production forestry in the rural zone required no comment.

In all counties all three boards supported their submissions with detailed reports. Each recommendation to zone land for watershed protection or to adopt soil conservation methods was accompanied by maps and surveys of soil type and vegetation; and the catchment board staff were prepared to put a lot of time into discussions or field trips to explain to councillors what was intended. In all cases the planner placed a considerable reliance on the technical data and expert opinion provided by the catchment boards. The philosophy of the catchment boards differed from those of the Forest Service in that a need to retain control over forest operations on erodable uplands was regarded with rather more urgency. As a consequence, catchment boards generally opposed predominant use status for forestry in watershed protection zones.

COUNCILLORS' ATTITUDES TO THE CATCHMENT BOARDS

Councillors' opinion of the catchment boards was generally one of respect for its expertise and its powers were perceived to be very wide. However, the statutory powers of the catchment boards may be the cause of some resistance. In Pohangina county, there was a feeling that statutory authorities would, if permitted, have too much control over the county's policies, and this was to be avoided if possible. When the Manawatu Catchment Board purchased land which was subject to wind erosion to plant in trees, one councillor felt that the Board has "no right" to do so if there was any chance of its being successfully reclaimed as pasture.

The Rangitikei County Council initially was strongly opposed to the introduction of a watershed protection concept. Reasons that were given for this were:

- The Catchment Board was trying to use the district scheme as a means of imposing controls for which the Board already had the necessary authority under the Soil Conservation and Rivers Control Amendment Act 1959. It was seen to be asking the council to do the Board's "dirty work" in controlling the use of erosion-prone land via a watershed protection zone, rather than invoking section 34 of the Act on its own behalf.

- The Board was comprised mainly of appointees rather than elected members, and therefore more representative of a bureaucratic central government than of the region. Councillors had a strong feeling that the policies of the county should be determined within the county.

- The proposed zone boundaries affected the properties of farmers who were known to councillors. This made the implementation of the Board's proposal a somewhat personal issue.

Nevertheless, the specific recommendation of the catchment boards with regard to zoning land use ordinances was accepted by council in most instances.

Chapter Five

DISCUSSION

The initial situation prior to review was remarkably similar in all five countries. All counties had listed forestry as a predominant use in the previous operative schemes, and none had reported any problems arising from that. None of the initial planning objectives included forestry as an issue when terms of reference to the planner were discussed; the pressure for changes to the operative schemes was chiefly in terms of minimum subdivision size.

The initial attitudes of the councils are summarised as follows:

- Waipukurau district councillors were unanimous that they did not want forestry to be a predominant use in the rural zone.

- There was a range of opinion within Pohangina county council, with some concern expressed over land use conflicts and roading costs.

- A majority of the Kiwitea county councillors held conservative views with regard to forestry; it was considered to be acceptable as a land use provided it was located somewhere else.

- The Rangitikei county councillors also shared a range of opinions but generally were prepared to allow land values and profitability to determine land use. Several councillors owned forest blocks themselves.

- Waimarino county councillors saw the positive aspects of afforestation in generating industry and employment in the area, and openly encouraged Winstone Samsung Industries Ltd's proposal to build a pulp mill. At the same time there were fears expressed over the conversion of indigenous to exotic forest, and possible effects on roading.

However, with the exception of Rangitikei county, council policies as first published in the notified reviews were restrictive with respect to forestry. It was not possible to clearly separate the reasons for this stringency into those relating to "real" problems, such as roading, fire risk, isolation, population effects, and unequal rating burdens from those relating to "perceived" issues such as the pastoralist's perception of forestry as the last alternative land use, or resistance to input from central government. The extent to which "real" issues were over-stated to legitimise "perceived" issues could not be reliably measured within the scope of this study. Certainly the appeals against Wairoa County Council contributed a great deal to the levels of awareness and anxiety in all the major participants, but these appeals post-dated all but the Pohangina review. Significant occurrences, such as the legal consequences of the Mohaka State Forest fire, the inadvertent felling of council trees in Pohangina, proposing zoning restrictions impinging on councillors' property in Pohangina and Rangitikei, or the spread of *P. contorta* in Waimarino county can have effects greater than warranted because of personal involvement. These, when added to the pastoralist ethic, can be seen to provide a basis for justifying stricter controls on forestry.

Objections which were made to the publicly notified reviews with respect to forestry almost universally sought a relaxation of these restrictions. The only exception was found in Waimarino county district scheme review, where the Ohakune Borough and a private objector asked for the status of forestry to be further limited. The degree of relaxation considered appropriate varied:

- The catchment boards wanted production forestry to be a conditional use on erosion prone land but were happy with predominant use status elsewhere.

- NZFS sought predominant use status in general for forestry but were prepared to accept limitations on steep land.

- Federated Farmers wanted farm scale forestry to be a predominant use, but considered that production forestry competed against farming and therefore encouraged conditional use status on more productive soils.

When the operative reviews were compared to the initial attitudes of the councillors in each country, it was observed that regardless of other input, there was considerable similarity between the two.

- Waipukurau county, starting from an extremely conservative premise concluded with an extremely conservative operative scheme.

- Rangitikei county, starting with a generally liberal attitude, has an unrestrictive scheme which recognises the legitimacy of forestry as a land use.

- Pohangina county, starting with the intent to minimise restrictions but nonetheless anxious about forestry and subject to some reinforcing events, produced a scheme which is apparently liberal in terms of predominant use status but is hedged about with unwarranted restrictions.

- Kiwitea county, from a generally conservative premise arrived at a review which, like the Pohangina review, apparently confers predominant use status on forestry but then imposes conditional use via a requirement for non-notified application.

- Waimarino county from an initial position in which forestry was seen both to confer benefits and to cause problems in the county, has a review which attempts to control the problems and facilitate the benefits.

In support of this observation is the volume of submission and evidence from the catchment boards and NZFS to the Kiwitea change No. 1 and the Pohangina district scheme review, and the cosmetic rather than real nature of the amendments resulting from these objections. It is

possible that the collective opinion of council represents a minimum position beyond which council is likely to be resistant to any pressure or change, regardless of the input to the planning process from other sources. The planner may be able to influence council to be more restrictive, but there is little in the five district scheme reviews under study to suggest that planners are likely to succeed in persuading the council to adopt a less restrictive stance. This does not imply that the often exhaustive submissions by interested bodies are futile; rather they are necessary to mitigate as far as possible the pressures towards over-regulation which undoubtedly exist.

Finally the definitions attached to forestry were a source of concern, and have the potential to materially alter "de facto" predominant uses. Two examples:

- the removal of the 20 ha area limitation from the definition of forestry in the Waipukurau district publicly notified review had the effect of making forestry a conditional use throughout the county in all circumstances instead of allowing it as of right if less than 20 ha was planted;
- "woodlots" range from an area of 0.4 ha for on-farm timber requirements only, to use ancillary to the main pastoral farming use.

NZFS promoted the adoption of a definition of forestry as "the management of forests for soil conservation, regulation of water, production of timber or other forest produce, recreational, aesthetic or scientific purposes". This definition is becoming more widely accepted, often accompanied by further definitions of sub-categories of forests.

MWD has regarded the tendency to over-define forestry as a means of facilitating over-regulation. Certainly, those counties most anxious about forestry have put considerable effort into defining forests of various kinds. The focus of concern lies in differentiating between production and protection forest. *P. radiata* is widely used by

catchment boards as a conservation species, but regardless of whether or not the intent at planting is to stabilise land, most protection forests are managed to allow at least some harvesting. Plantings for protection purposes are often regarded with some suspicion for this reason. Multiple use of forests is a difficult concept for some local authorities to accept, but acceptance has been encouraged by the extension in 1982 of the Forestry Encouragement Grant system to apply to protection/production forests.

The Rangitikei-Wanganui Catchment Board has effectively removed itself from this area of uncertainty by considering protection forest to be indigenous forest only, on the premise that all exotic plantings have some intent to harvest.

Chapter Six

CONCLUSIONS

The results of the survey demonstrate that in a large area of the conservancy it would be possible at present for large-scale afforestation to take place without excessive impediment. However, these areas are not generally associated with ports or processing facilities, and the cost of transporting logs over large distances, infrastructural limitations in terms of existing road classification, and the relatively small and scattered nature of existing timber resources all mitigate against the development of such facilities in the short term. It is therefore probable that forest plantings in these areas will be to meet regional needs only.

The evidence from the survey and the case studies suggests that it is because of the distance from processing facilities that some schemes are permissive; where there is a real prospect of large-scale commercial afforestation, or where such afforestation already exists, counties tend to consider controls to be imperative. The comments made by councillors in the case studies suggest that it is private rather than state exotic afforestation which generates concern. There is a feeling that commercial forestry companies are exploitative in nature and less amenable to control than the Forest Service. Winstone Afforestation Ltd was at some pains to demonstrate an awareness of responsibility to the Waimarino area, but was nonetheless accused by MWD of having ulterior motives. Other forestry companies were described as "culprits"; their activities were perceived as somehow less legitimate than those of the Forest Service. This observation is supported by the findings of Barry Smith in his study of rural attitudes and sector growth in Northland (10).

Counties have adopted a variety of mechanisms for imposing controls on forestry, ranging from performance standards attached to predominant uses, through conditional uses to non-notified consent use and specified departures. Councillors and planners are well aware of the

cumbersome nature and expense of conditional use procedures. Attempts to avoid the administrative burden without relinquishing control have led to a proliferation of performance standards and special conditions attaching to forestry as a predominant use. These include allowing forestry as a predominant use but requiring logging to be a conditional use, non-notified consent uses, requiring binding agreements to contribute towards the cost of extraordinary roading damage at harvest, or dictating the acceptable end-use to which the trees are to be put.

These conditions may not always withstand a challenge in court: Treadwell S.M. in the matter of *Hawkes Bay Catchment Board and Others* vs. *Wairoa County Council* held that, "it must be accepted that if an area is to be subject to afforestation the harvesting of that forest is an integral part of the whole development. It is doubtful whether (requiring logging to be a conditional use) would be *intra vires*". Treadwell S.M. also considered, in a memorandum to the parties involved in appeal against the Waimarino District Council, that to make forestry a predominant use and then make it subject to non-notified planning consent did not comply with the requirements of S36 of the Town and Country Planning Act 1977 and was therefore *ultra vires*.

Cost-sharing agreements depend on an acceptable definition of "extraordinary damage", but the National Roads Board, when applied to by Winstone Afforestation Ltd on behalf of Waimarino Forests Ltd and Waimarino County Council, stated that it was not possible to define the extraordinary damage caused by the activities of a single company on a public road. The situation at present is one in which the effectiveness of such controls depends almost entirely on the goodwill of the forest developer.

There can be little doubt that the controls imposed on forestry are discriminatory. Aside from the "last alternative land use" status conferred on forestry by the pastoralist ethic, large scale afforestation does cause infrastructural problems which have been widely publicised and for which no easy answers exist.

It is not only the existence of infrastructural problems which encourages discrimination; other major developments in rural areas, such as Winstone Samsung Ltd's pulp mill at Karioi, also place strains on infrastructures but do not seem to have attracted the odium sometimes attributable to afforestation. The difference could be accounted for by the present lack of compensatory mechanisms for the external costs of forest development.

Forestry is often in the ambiguous position of being a major development within a district, but not being subject to the development levy applicable to other major works because trees are not "works". Similarly counties may exact a levy on indigenous trees harvested, but not on exotic trees. Because trees other than fruit trees and hedges are not included in the improved value of land for valuation, the rating burden is lower than that for improved pastoral lands. Thus county councils are denied most of the means of exacting a contribution from forest developers towards infrastructural costs which can be applied to other major developments. While forestry is claimed by commercial interests, catchment boards and the Crown to be a legitimate land use, its legitimacy is effectively denied in or by omission from existing legislation. To some extent this state of affairs accounts for the imposition of discriminatory controls in compensation.

County councillors generally do hold a conservative attitude towards afforestation. Council members are, overwhelmingly, active or retired farmers. Within the lifetimes of many councillors, the felling of trees, mostly indigenous, has been regarded as an approved development activity in obedience to exhortations to increase productivity in the national interest. Farmers have been and still are encouraged to see pastoral farming as of vital significance to the nation, outside of personal aspirations. This drive to increase the area of land under pasture has been encouraged by Government policies such as the Livestock Incentive Scheme and Land Development Encouragement loans. In their capacity as planners, councillors are also required to provide for the protection of land having high actual or potential value for the production of food. To then ask councillors to approve of a

district scheme which would make it possible to return pasture to trees is perceived as a complete contradiction; as one councillor phrased it, "a shocking waste of good land".

There also appears to be a widespread misunderstanding that if forestry should be given predominant use status in a county, then afforestation will inevitably happen. This ignores the fact that planning permission is only one determinant of land use, along with economic, social, geographic and infrastructural considerations. A more extreme misunderstanding is that if a catchment board promotes an activity such as protection forestry as a predominant use, it somehow becomes a *required* activity. Catchment board powers are perceived to be very wide, and some confusion appears to exist between the boards' powers to dictate land management under Section 34 of their empowering Act, and their intention in promoting protection forestry as a predominant use.

The requirement that a district scheme should provide a forward plan over twenty years can imply that the policies in a review are fixed for that period. This apparent inflexibility can overshadow the fact that policies are subject to testing and modification at each quinquennial review, or through changes proposed between reviews. Major changes in land use in an area rarely occur so quickly, or with so little notice, that councils cannot respond to them if necessary. The need to devise long-term plans in an uncertain environment can therefore induce a level of concern beyond that which is warranted.

Added to this is a considerable ignorance of planning procedures and planning law. Very few councillors interviewed in the case studies seemed to have a comprehensive grasp of the complex of legislation which sets forestry apart from other forms of land use. A partial remedy is already being provided by the Territorial Local Government Council, which recently published an excellent report "Forestry - Involvement of Local Government" (6) summarising planning procedures and legislation relating to revenue and roading issues.

Conservatism on the part of councillors does not of itself necessarily lead to the imposition of restrictions on forestry. But relatively little reinforcement is required to provide justification for controls. This additional reinforcement can come from the proximity of processing facilities, litigation against other local authorities involving disputes over treatment of forestry, reaction or over-reaction to newly introduced legislation, the concern of ratepayers, significant events either within or outside the county such as forest fires, actual roading problems, or closure of schools or rural services (whether or not attributable to forestry). Two further possible sources are the consultant planner, and government bodies.

The case studies suggest that differences in planning approach can affect the outcome of the review process. Some opposing philosophies were revealed in the study:

- The planner as a facilitator rather than a regulator. Planning documents can be drafted either to encourage optimal land use by ensuring that the necessary infrastructure is in place, or to limit sub-optimal land use by placing constraints upon it.

- The planner as an interpreter of council's policy rather than an imposer of policy on council. The first approach recognises and allows councillors to fulfil their elective responsibility towards their ratepayers; the second approach implies that county planning is independent of the inhabitants of the county.

- The "hands on" versus "hands off" approach. The planner who is in close contact with the county on a daily basis is likely to have a greater knowledge of the area and better appreciation of the practicality and administrative consequences of decisions, than the planner whose chief involvement with the county is the quinquennial review.

One of the shortcomings of the 1977 Town and Country Planning Act is that it favours the regulatory rather than the facilitative approach; although S3(a)(b) requires the district scheme to provide for the wise use and management of New Zealand's resources, there is no mechanism for encouraging wise land use; only for forbidding or restraining unwise land use. In situations where a land use such as forestry is characterised by strong emotional reactions and a considerable degree of uncertainty, there is a temptation to forbid all but a narrow range of activities which do not threaten and are understood.

Government departments may have in some degree helped to reinforce the conservatism of many councillors. In some of the counties studied, it was obvious that a lack of protest against unnecessary restrictions was perceived as tacit approval, and effectively legitimised restrictions. The apparent lack of a policy on land use, particularly in the mid seventies, helped to create a situation in which input from the Crown could be discounted because it was not consistent or authoritative. Differences of opinion between departments also served to limit the effectiveness of input from the Crown. There was also a built-in resistance to input from outside the county, which was more evident in some counties than others. While it would be an over-simplification to describe this as a "them" and "us" situation, it is possible that the same input would be more readily accepted if it originated from ratepayers rather than civil servants.

The catchment boards, on the other hand, were seen to pursue a clearly defined policy. Strategies for achieving planning goals were agreed on at Board level and understood by all participating staff members, with the consequence that they were also understood by councillors and planners. The boards also seemed to benefit to some degree by their regional rather than national structure; unlike Government departments, submissions were not routed from a regional office through a large bureaucratic system, and therefore were demonstrably "local" in origin.

Finally, the survey and case studies have demonstrated that in the decade since "matters of national importance" were included in the prescription of the Town and Country Planning Act, the philosophy of rural planning has undergone a substantial change, and is still evolving. During the decade, areas of planning have been brought to the attention of those involved in regional and district planning, subjected to scrutiny and often heated debate, and either modified, rejected or accepted as the topic became fully understood. Some examples of this are:

- the imposition, increase and then relaxation of minimum areas for sub-division;
- preoccupation with the protection of land for the production of food is being replaced by recognition of the land resource as a means of producing the raw materials for primary industry;
- the introduction and decline of the "economic unit" concept;
- the encouragement by MWD of zoning for watershed protection, followed by a policy change to the effect that including soil and water conservation values was a matter for land management controls rather than land use zoning.

Forestry is currently the subject of a similar wave of scrutiny.

The special nature of forestry as an alternative land use has its basis in that it represents not only an alternative monoculture but is also a harbinger of extensive structural change in rural areas; changes to land ownership patterns, unit size, employment patterns and all the attendant social changes. But the process of developing a forestry policy will inevitably follow the same trial-and-error pattern. In the interval between the reviews which have been studied and the presentation of this paper there will undoubtedly have been further modifications to the treatment of forestry as a part of this process.

Some of these modifications will have occurred as the outcome of points which were raised or resolved in earlier reviews; and they will be tested and further refined in reviews not yet underway. It is necessary to accept that the planning document for a county is the outcome of a conflict between people and organisations who hold differing perspectives on the same issues; and that policies cannot be successfully imposed but must be allowed to develop in this apparently piecemeal way.

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