Forestry, the State and Society: Social responsibility and private concerns

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Summary
This paper describes how forestry businesses, and the forestry professionals employed by them, operate within the legal, societal and institutional frameworks currently existing within New Zealand. It primarily addresses these issues from the perspective of plantation forest management.

Forestry managers and practitioners must conform to a challenging web of statutory requirements, community expectations and institutional policies, guidelines and codes. The principal external requirements are the Resource Management Act, NZ Forest Accord and the recent principles for Commercial Plantation Forest Management.

The process of consultation often brings these practitioners into direct contact with parties potentially affected by planned activities and it is the conduct of the consultation, as much as the content, which determines the outcome. Recent case studies referred to illustrate the often extensive and protracted nature of consultation.

Introduction
Some negative public views of large corporations are often revealed in comments made by individuals and community groups during consultation and conflict resolution discussions, e.g.

"your company is only interested in the dollars"
"big businesses are not interested in small local issues"
"big companies are willing to trample on lifestyle/sacred sites to get their logs out"
"your strings are being pulled by someone in Auckland/New York".

These comments illustrate a sense of helplessness when individuals and community groups become concerned with the potential impacts of company activities on their own lifestyles and values. The comments also question the morality of how businesses develop their strategies and conduct themselves.

In late 1996, the Director of the New Zealand Business Round Table, Roger Kerr, sparked a national debate on a similar theme when he was reported as saying: "Those who argue that companies have a social responsibility beyond enhancing shareholder value are mistaken" ... "Corporations have a responsibility to maximise profits for shareholders." One of the many responses in the national press included a quotation from Baron Thurlow, Lord Chancellor of England, of some 200 years ago:

"Did you ever expect a corporation to have a conscience, when it has no soul to be damned, and no body to be kicked?" (Dawson 1997).

I certainly hope, and believe, that the practice and perception of corporations has improved considerably in the two centuries since Baron Thurlow. Nevertheless, the earlier comments suggest that people in the community still see corporations as more mechanical than biological in their interactions with society.

Professional forestry managers and practitioners within corporations operate within a comprehensive and challenging web of statutory requirements, community expectations, institutional policies, guidelines and codes; and of course are guided by their own morals, values and beliefs. Much of the web is currently concerned with the environmental sustainability of forest management practices, and I shall deal with the subject of this paper – Social Responsibility and Private Concerns – in terms of environmental management processes in New Zealand.

The principal external influences within New Zealand in this regard are:

- Voluntary Industry Accords and Principles.
- Internal Company Policies and Guidelines.

Resource Management Act
The Resource Management Act (RMA) which became operative on October 1, 1991, provides the legislative framework for the development of rural and urban land use and coastal planning in New Zealand. The Act repealed 19 regulations and orders as well as 59 statutes, and differs from previous legislation in being 'effects based' rather than focusing on control of activities (Dyck and Carter 1995).

The purpose of the RMA is to promote the sustainable management of natural and physical resources. Sustainable management is defined as:

- "Managing the use, development and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while:
  - sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
  - safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
  - avoiding, remedying or mitigating any adverse effects of activities on the environment.""

For any activity or operation which is not already expressly permitted under a local authority plan, a resource consent must be obtained from the local consent authority under the RMA. A process of consultation is used to advise potentially affected parties of the planned activity, to identify the potential adverse effects of the activities, and to facilitate measures for avoiding, remedying or mitigating adverse effects. The process to be followed in consultation is not well defined in the RMA, but is being developed in case law. Key components of satisfactory consultation are now seen as being provision of adequate information, genuine effort, and sufficient time.

A special duty for consultation is rapidly becoming apparent with respect to the satisfaction of a consent authority’s obligations under the Treaty of Waitangi, and particularly the (Authority’s) requirement to recognise and provide for the rela-
the practical effect of the Accord is to define forestry. For most forestry managers the voluntary Codes of Practice that provide lands, water sites, waahi dealings with the Accord too, including strong support from environmental groups in New Zealand for plantation forestry. In a further progression from the Accord, the New Zealand Forest Owners' Association worked closely with the nature conservation groups to develop a set of agreed principles for plantation management, resulting in the document 'Principles for Commercial Plantation Forest Management in New Zealand' (1995). The key points of agreement within the Principles are:

- the interdependence of ecological, economic and social sustainability must be recognised;
- efficient and effective monitoring is required in the implementation of these Principles;
- in the implementation of sustainable land management, rural land users should be treated equitably, based on the environmental effects of their activities;
- management practices must meet or improve on all statutory requirements and accepted best practices.

The document sets out a series of principles under the headings Ecological, Social and Economic (Appendix 1).

It is worth reminding ourselves that these voluntary agreements arose not from policy or direction by organisations or Government, but from the initiative and personal perception of a few individuals in companies and in conservation groups who believed in creating a positive framework for their practitioners to work within. As such, the agreements have a strong sense of ownership by both the forestry organisations and the conservation groups.

Company Policies and Guidelines

Carter Holt Harvey Limited is a major plantation forest owner in New Zealand and one of the largest forest and building products manufacturers in the southern hemisphere. The company owns and manages 330,000 ha of plantation forests in New Zealand, which is around 25% of the exotic forest estate. These forests are managed on a sustainable basis, and from this base the company exports a wide range of downstream forest products to Pacific Rim growth markets.

A core value contained in the company's mission statement is to manage the business in an environmentally responsi-

ble manner. To ensure that all employees are aware of these values and are implementing them in their activities, the company has produced a comprehensive policy and guidelines which are disseminated and promoted amongst operating staff. The policy initially sets out five guiding principles, which are to govern the behaviour of all employees. These include equal priority to environmental management, the minimisation of environmental risk, the efficient use of natural resources, minimisation and elimination of waste, and good housekeeping.

The policy imposes a number of general obligations on all company staff as to the means by which they will undertake their functions. The detail of the policy advises a set of specific management obligations, including the scope and responsibility for achievement of the various parts. It sets out the specific performance standards expected of site managers and the requirements for obtaining environmental information, the assessment of environmental risks and the preparation of documents defining specific performance improvement targets and contingency plans.

Under the RMA, liability for environmental damage and breach of standards in New Zealand is personal as well as corporate (the search for Baron Thurlow's 'body to be kicked'!) While it is not the primary reason for the company policy to avoid regulatory sanctions, it is accepted that the seriousness of the penalties which may result from inappropriate performance also warrant some degree of management control. The policy applies to all Carter Holt Harvey operations, whether in New Zealand or overseas. Site managers are primarily responsible for giving effect to the provisions of the policy, and environmental performance is an explicit part of most managers' performance agreements. Managers are also required to seek continuous improvement of environmental performance and to ensure that all staff on site are made aware of the environmental risks arising from their particular activities, the means by which those risks may be minimised, and the legal and environmental consequences of both normal and abnormal operations.

Over the last two years company staff have completed comprehensive risk assessments in respect of each of the forest areas, assessing risks both existing and potential, arising from their sites and activities.

The environmental policy is accompanied by a set of comprehensive guidelines which are intended to guide staff in fulfilling their obligations under the policy. Important sections of the guidelines with respect to forestry activities include
processes and procedures for gaining resource consents, including public consultation processes.

**The Practice of Social Responsibility**

Much of the discussion thus far deals with the framework within which individual employees and practitioners are required to operate. The framework is the theory but, as with most things in life, what really matters is what happens on the ground. This is where individuals introduce their own values, beliefs and morals, and it is these which influence the style and tenor of interactions with other parties and, most importantly, help shape the perceptions of the other party. An effective congruence of individual values and beliefs, with those of the employing corporation’s policy, provides the most powerful argument against Baron Thurrow’s perception of the ‘soulless’ corporation. This practice can be illustrated by reference to some recent practical examples of the conduct and resolution of resource consent consultation processes and other community interactions, in which the author has been involved.

**Public Road Use**

The first example deals primarily with conflict over the increased use of public roads by logging trucks. Maturangi Forest comprises approximately 8000 ha of plantations established by NZ Forest Products Ltd near Warkworth, in the period 1974 to 1981. Fast tree growth in the area and a desire to spread out the harvest of the narrow band of age classes has prompted planning to start harvest early and to spread it over a period of up to 12 years. The topography and soils present a challenge to harvesting from a soil and water protection point of view, and much of the forest will be logged by cable systems to landings and roads located on the drier, more stable ridge tops.

In preparing its application for a resource consent the company consulted with DOC, local iwi and Forest and Bird and presented plans to a public meeting. The resource consent application was originally planned for a five-year term, but the consent authority, Auckland Regional Council, issued an initial non-notified consent for the first year’s harvesting so that both parties could gain experience in the activities before issuing the longer-term consent. The company has since been successful in gaining a consent for a 15-year term. The consent includes 17 special conditions, of which nine relate to soil and water protection and three relate to biological monitoring and management strategies with particular regard to Hochstetter’s frog (an ancient and relatively rare species of native frog). Two of the conditions specifically require the consent holder to adhere to the provisions of the Forest Code of Practice and Principles referred to previously.

The key issues that have emerged from the consultation processes, however, have been the proposed upgrading and use of local roads by logging trucks, which actually falls outside of the RMA consent process. In two of the initial blocks, low-quality public roads required upgrading to carry a reasonably heavy flow of logging trucks and related service vehicles for a number of years into the future. As the forest is first rotation, neither the roads nor the residents living on them had any history of logging truck use, and minimal experience of any heavy vehicle use. In the case of one of the roads, the company has made a significant contribution to the upgrade, has installed a traffic light system over a narrow steep section and, in consultation with the local residents, has developed speed and noise control measures for truck use. In the case of the other road, however, the residents there have opposed the use of the public road and want the company to develop alternative access. This latter option is much less favourable on economic, environmental and safety grounds. Again, the company offered to impose special speed and noise controls on its trucks using the public road, and has contributed to the cost of the road upgrade. In spite of these offers, the residents applied for an enforcement order under the RMA to prevent use of the road, or in the alternative, to seal the road and provide compensation.

In the two and a half years since the initial consultation meetings, there has been a large number of meetings, discussions and field visits with the residents involved, to try to reach understanding and resolution of the issues of concern. The principal concerns are dust and noise generation and the safety of pedestrians and other road users. The local authority, the Rodney District Council, constituted a special Road Use Monitoring group under its auspices and including representatives of the residents and the company, as a forum for the communication and resolution of issues.

A draft agreement between the company and residents’ group now incorporates the proposed measures for speed control of trucks, communication with any future school bus operation, sealing and/or stabilisation of the road surface adjacent to houses, siting of harvesting landings and timing of road use. Upgrading of the road had recently been completed and some use by logging trucks has commenced, although the agreement had not finally been completed at the time of writing.

Lessons arising from this long and at times acrimonious dispute include:

1. The need to start advice and consultation as early as possible. In this case, not anticipating the degree of concern and opposition likely to arise; the joint meetings organised by the Council and company with the residents preceded the start of intended road upgrade activity by only few weeks. The short notice aggravated the feelings of imposition and inadvertently gave a message of advice rather than consultation.

2. A recognition that road neighbours who locate in a rural area for principally lifestyle reasons are likely to be less accepting of rural road use for production purposes than the more typical rural community involved in farming and other primary production activities. The Rodney District Council has attempted to address this growing issue in a proposed change to its District Plan by determining ‘Productive Activity Areas’ and noting that: “The plan also acknowledges that some of the external effects created by primary production operations that can bring them into conflict with rural lifestyles (e.g. sprays, noise of live-stock, use of machinery early in the morning, bird-scaring devices) are to be regarded as normal and acceptable aspects of life in the Production Activity Area. This attempt to establish that primary producers should not be unduly hampered by complaints from neighbouring rural lifestyles is counterbalanced by making the main provision for countryside living elsewhere than in the Production Activity Area.”

The forest industry in New Zealand faces many more such potential conflict issues over rural road use as it commences harvesting in the ‘new’ forest areas.

**Historic and Cultural Sites in Forests**

The second example deals with the issues of identification and protection of historic and cultural sites and values within plantation forests.

The Whangamata Peninsula, Tairua forest, faces the resort township of Whangamata and includes 270 ha of 1966 and 1967 radiata pine originally scheduled for clearfelling over the period 1994 to 1998. The current crop is actually the second rotation; the original plantings of minor pine species in the 1930s were not successful and were mainly felled and burnt in the mid 1960s.

The area has high visual amenity and recreational value, and also contains a rel-
Whangamata golf course had been successfully harvested and re-established in the preceding two years. There is no doubt in the area in recent years. In particular, the high sensitised attitude of the public towards the resource consent and management of the sites, particularly the case now in Crown Forest Licence areas which are the subject of intense interest and research by Waitangi Tribunal claimants, but there is also a growing and similar interest on the local manifestation of this same desire for involvement and determination and that the RMA and its consultation process provides an encouraging framework for this to occur.

Conclusions

The foregoing examples are based on the author's experience in one organisation and do not attempt to speak for the industry or profession at large. Fordyce (1997) describes a recent resource consent process within her company which illustrates how extensive and pro-active consultation and willingness to listen and act on feedback from consultation. There are many more good examples of forestry people adapting positively to the opportunity that consultation processes can provide to responsibly consider the impact of activities on individuals, communities and
society, as well as the more traditional consideration of effects on natural resources.

In New Zealand the Resource Management Act and the forestry sector’s own principles look for a desirable balance between ecological, social and economic considerations. Perhaps the following comment from a recent resource consent applicant submission illustrates the elusive nature of that balance:

“All we ask is that the same consideration that has been accorded to iwi and … frog be accorded to the … residents.”

References
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Professional registration*

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Summary
The New Zealand Institute of Forestry (NZIF) implemented a registration process for members on October 1, 1996. This has evolved from the NZIF Consultant Recognition Scheme which was started in 1966 and which grew successfully to the extent that there were 86 Recognised Forestry Consultants at the transition date. An important feature of the Registration Scheme is that all Full Members can apply for Registration. Registered Forestry Consultants are a subset of Registered Members – i.e. those Registered Members who provide consultancy services to the public.

The NZIF Registration Scheme represents an important step forward in the development and promotion of professional standards in New Zealand forestry. It reflects a response to the NZIF to the need for an increased level of quality assurance on the advice and practice being offered within the forestry sector.

Introduction
The issue of professionalism was a theme of the New Zealand School of Forestry 25th Anniversary Conference in 1995. At that conference Sutherland (1996) described the characteristics of professionalism at the level of both the individual and the Institute. He described four broad characteristics required by a professional:

* Competent – by virtue of initial education and training followed by continuing professional development.
* Responsible – take personal responsibility for decisions and actions.

He suggested that the roles of a professional institute are:

* Ethical standards – imposed by a code of ethics.
* Service – to humanity through responsible application of knowledge and skills.

He also notes that “the protection of the public’s interest was given more importance than the protection or promotion of the practitioner”.

Eligible members were, depending on their experience and expertise, recognised either as General Forestry Consultants or Specialist Forestry Consultants. General Forestry Consultants were recognised as having expertise over the broad range of forestry disciplines, whereas Specialist Forestry Consultants were recognised in specified disciplines.

The Recognition Scheme was administered by the NZIF Consultants Committee supported by a Registrar who maintained the register of Recognised Forestry Consultants. An important feature has been that recognition has been available only to individuals and not corporate bodies. Groome (1996) comments that “in the early 1980s a very strong move to have companies ‘recognised’ was forestalled in favour of individuals only having to bear full responsibility for their advice”.

The number of Recognised Forestry Consultants has increased steadily since the inception of the Scheme with a marked increase since 1990 (Fig. 1). This recent increase reflects a number of factors including:

Figure 1. Number of NZIF Recognised Forestry Consultants

* This is a reproduction of a paper published in the Proceedings of the ANZIF Conference, April 21-24, 1997, Canberra.
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