

**STANDARDS  
AND GUIDELINES**

FOR THE

**SUSTAINABLE  
MANAGEMENT**

OF

**INDIGENOUS FORESTS**

FOURTH EDITION

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# FOREWORD

This is the third edition of the *Standards and Guidelines for the Sustainable Management of Indigenous Forests*.

It builds on previous editions, incorporating updates that reflect recent research findings and the 2004 amendments to Part 3A of the Forests Act 1949.

The standards and guidelines will continue to provide the framework against which sustainable forest management plans and permits and their implementation will be tested, and technical guidelines for sustainable management of indigenous forests.

They are also a valuable reference tool for:

- › forest owners and managers;
- › resource planners; and
- › policy analysts.

I am therefore confident they will provide a consistent basis for interpretation of Part 3A for both the Ministry of Agriculture and Forestry and the indigenous forestry sector.



Murray A Sherwin  
Director-General



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# PREAMBLE

## PURPOSE AND SCOPE

Landowners and forest managers seeking approvals for Sustainable Forest Management (SFM) Plans and Permits must comply with the Indigenous Forestry Provisions (Part 3A) of the Forests Act 1949 (the Forests Act). The Forests Act is administered by the Ministry of Agriculture and Forestry (MAF).

Before MAF formulated these standards and guidelines for sustainable management of indigenous forests, standards were interpreted directly from the Forests Act. In some areas the Forests Act provides explicit, quantifiable performance standards, but in other areas the Act is not specific.

MAF standards and guidelines material for sustainable management of New Zealand's privately owned indigenous forests reflect the statutory requirements under Part 3A of the Forests Act, and specify structured indigenous forestry standards for approval and administration of SFM Plans and Permits. Each criterion and its subset of goals, indicators and standards provides guidance on how MAF applies provisions of the Forests Act.

The objective of the MAF standards and guidelines material is to present procedures and practice standards for sustainable forest management. In pursuit of this objective, the MAF standards and guidelines provide landowners and forest managers with:

- › recommended procedures and required steps to follow to achieve requirements under the Forests Act;

- › standards set for specific requirements under the Forests Act;
- › a guide to the matters that will be considered by MAF in administering the Forests Act provisions – specifically, approving SFM Permit applications and draft SFM Plans, and providing a basis for monitoring, reporting and reviewing forest management performance.

## **STANDARD SETTING**

Standard setting is an ongoing process and must recognise the following points:

- › Standards need to be simple, achievable and assessable.
- › Indicators (variables that characterise ecosystem processes and/or management systems) that are measured to determine standards compliance must be responsive to environmental change, easily sampled and functional.
- › New Zealand’s forests are changing, as a result of both natural and human-induced factors. Establishing appropriate standards reflecting the state of ecosystems and interpreting measured change is therefore an evolving process.
- › Information on some standards associated with indicators of SFM does not exist or is rudimentary. Standard parameters will need to be defined and/or refined as ecosystem management and knowledge develops.
- › Individual forest areas are subject to unique combinations of physical and biotic factors. Standards must be able to accommodate local values.

In indigenous forests, mixed associations of plant species are generally classified as “forest types”, which may include one or more commercial timber tree species. They also reflect the variability and limits of soils and other natural factors. This variability can affect the mix of species and other aspects that have a bearing on management under the Forests Act.

In developing and applying the MAF standards and guidelines material, MAF recognises that the variability of forest types means that draft SFM Plan and SFM Permit applications must be assessed on a case-by-case basis.

However, MAF also recognises the need for verifiable standards (performance measures) based on forestry practice reflecting the overall purpose of the Forests Act, which is:

To promote the sustainable management of indigenous forest land.

The standards provided under each of the criteria for SFM set limits which will, in all cases to which a given standard applies, be assessed by MAF prior to approval of draft SFM Plans, SFM Permit applications or Annual Logging Plans (as the case may be) and in subsequent monitoring.

MAF's *Standards and Guidelines for the Sustainable Management of Indigenous Forests* also aims to give information about the steps and considerations required in formulating and implementing SFM Plans and Permits while also directing readers to references for additional technical assistance. This document will be subject to periodic review and will be updated when statutory requirements or technical information change.

## **ADOPTION OF THE STANDARDS**

MAF is charged with administering Part 3A of the Forests Act. The Sustainable Programmes directorate of MAF administers Forests Act provisions under delegation from the Director-General of MAF (referred to as the "Secretary" in the Forests Act<sup>1</sup>).

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<sup>1</sup> When Part 3A of the Forests Act was introduced in 1993 the head of the Ministry of Forestry was the "Secretary of Forestry". In 1998 the Ministries of Forestry and of Agriculture merged into the Ministry of Agriculture and Forestry, the head of which is the Director-General of Agriculture and Forestry.

Part 3A has the overall purpose of promoting sustainable management of indigenous forest land. Sustainable Programmes manages the assessment and approvals necessary for SFM Permits, approval of **draft SFM Plans**, and other provisions of Part 3A, including personal use approvals (Section 67D(3)). **Sustainable Programmes also administers provisions** under the Forests Act (Section 67D(1)(a-e) and 67D(2)) for the milling of indigenous timber:

- › harvested from area/s subject to a registered SFM Plan or SFM Permit;
- › harvested from Māori land not subject to the sustainable forest management provisions of the Forests Act; from Crown land administered under the Conservation Act 1987; or from a planted indigenous forest;
- › harvested for a public work, or from a mining operation, accessway, water impoundment, or for scientific research;
- › first milled before 1 July 1993, or salvaged from land other than indigenous forest land, or that has died or become windthrown through natural causes;
- › seized or sold under the Forests Act, Section 67S.

SFM provisions contained within the Forests Act provide the framework for management of indigenous forest under SFM Plans and, in a more limited capacity, SFM Permits.

MAF adopts the standards contained in this document with the purpose of “promoting the sustainable forest management of indigenous forest land”. It will use the standards as a reference in exercising the relevant statutory powers and discretions as set out in the standards in relation to SFM Plans and SFM Permits.

This third edition of *Standards and Guidelines for the Sustainable Management of Indigenous Forests* incorporates provisions resulting from 2004 amendments to the Forests Act 1949, and supersedes previous editions.

# INTRODUCTION

## THE INDIGENOUS FORESTRY PROVISIONS (PART 3A) OF THE FORESTS ACT 1949 – POLICY DEVELOPMENT

In June 1989 the Government announced its intention to develop a national policy on the management of indigenous forests on public and private land. A public document was released, entitled *A National Policy for Indigenous Forests*, about which over 4000 submissions were received. This process provided the policy framework for the subsequent development of the Forests Act.

The policy framework was based on the following key principles from that document:

- › recognition of the rights and obligations of private land owners;
- › recognition of the rights and obligations of the Crown to maintain wildlife habitat and to reflect international agreements involving the Crown;
- › recognition of the rights and obligations of Māori landowners and the Crown under the Treaty of Waitangi;
- › efficiency, cost effectiveness and equity.

In June 1990 the Government announced its intention to introduce legislation prohibiting the removal of produce from indigenous forests unless it complied with an approved Sustainable Forest Management Plan or had the specific approval of the (then) Ministry of Forestry. The Forests Amendment Bill was introduced to Parliament in 1992 and passed in 1993.

The indigenous forestry provisions of the Forests Act inserted by the 1993 amendment apply to more than a million hectares of private indigenous forests that remain available for timber production. The

Forests Act focuses on private forests, promoting the principle of sustainable forest management by allowing a timber harvest at a level that also provides for management of natural (non-timber) values.

The Forests Act requires mills cutting indigenous timber to register, and places restrictions on milling and allowable exports. It included a transitional four-year period of harvesting from 1992–1996 based on mills' pre-legislation cutting levels, so that the industry could adjust to the change in log supply. The Part 3A provisions became fully operative in July 1996.

The Forests Act offers landowners the opportunity to benefit commercially from timber production. However, it also imposes specific restrictions, including explicit prescriptions that cover the management of natural forest species. For landowners who wish to harvest timber, apart from limited volumes under minor provisions, the Forests Act requires the preparation and approval of SFM Plans and Permits.

## **SUSTAINABLE FOREST MANAGEMENT**

The Forests Act recognises the many values of indigenous forests including flora and fauna, soil and water quality protection, and amenity and commercial timber values. It envisages both the maintenance and enhancement of indigenous forest values.

The Forests Act recognises the rights of landowners to obtain an economic return from a privately owned asset, but also identifies their responsibility to maintain a healthy forest and functioning ecosystem. It aims to achieve an appropriate balance between productive use and maintenance of the forests' natural values.

A sustainably managed forest involves modification as a consequence of timber extraction. The Forests Act focuses on providing forest

management within acceptable ecological limits so that a healthy functioning forest ecosystem is maintained in perpetuity, both for the nation and as an economic resource for the owner. The move to ecosystem-based management of indigenous forests is a new challenge for landowners and one that must be met if indigenous timber use is to be acceptable to society in the long term.

Sustainable forest management is defined in the Forests Act as:

The management of an area of indigenous forest land in a way that maintains the ability of the forest growing on that land to continue to provide a full range of products and amenities in perpetuity while retaining the forest's natural values.

The Act defines amenity values as:

Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

The principles expressed in the Forests Act are consistent with the key elements of international initiatives to which the New Zealand government is a signatory, such as the Montreal Process on Criteria and Indicators of SFM.

The Forests Act principles also complement the wider purpose of sustainable management of natural and physical resources provided for in the Resource Management Act 1991. However, the Forests Act does not specifically consider socio-economic or community issues.

There are many definitions applied internationally to describe SFM, ranging from "good" forest management to "near natural" forest management. The terminology employed often depends on the history of forest use and the degree of "naturalness" of the forest in question. There is a common theme: the management of forests using "silvicultural

systems which limit the magnitude of the resulting changes to levels near those that occur naturally in healthy forests” (Indigenous Forest Policy, New Zealand Institute of Forestry, 1998).

*Standards and Guidelines for the Sustainable Management of Indigenous Forests* is not designed to help owners achieve independent third party forest management certification. However, keeping to these standards will satisfy some of the prerequisites for private forest certification.

## **LINKING THE FORESTS ACT TO THE STANDARDS AND GUIDELINES**

Statements in the body of the Forests Act and in the Second Schedule to the Forests Act further define, in varying detail, what SFM is taken to be under that legislation. Rather than repeat these, this document:

- › identifies principles (referred to in this document as criteria) for sustainable forest management embodied in the Forests Act;
- › defines goals for the management of indigenous forests so that they are maintained in perpetuity, both as functioning ecosystems and an economic resource<sup>2</sup>;
- › presents, in a standards framework, a set of broad indicators and performance standards that may be added to on a case-by-case basis to reflect local forest values;
- › constitutes MAF standards for sustainable management of indigenous forests;
- › provides background information and guidance to landowners on appropriate forest management practice and where to obtain more information.

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<sup>2</sup> See the *Guide to the Associated Roles of the Ministry of Agriculture and Forestry and the Department of Conservation Under Part 3A of the Forests Act, 1949 – November 2000*

## STRUCTURE OF THE STANDARDS AND GUIDELINES

A criterion is defined as a “group of conditions or processes by which sustainable forest management may be assessed” and “characterised by a set of related indicators which are monitored periodically to assess change” (from the *Santiago Statement on Criteria and Indicators, Montreal Process*, 1995).

Under each criterion, the “conditions” or “processes” are defined as one or more individual management goals, each reflected by one or more indicators. Achievement of each goal is assessed through the setting and auditing of specific performance standards, tailored to the individual forest.

The criteria have their basis in the stated purpose of Part 3A of the Forests Act, the definition of sustainable forest management contained in that Act, and specific clauses that identify key outcomes required as a result of managing indigenous forests. Criterion 1 reflects the means by which the Forests Act intends sustainable forest management is to be achieved; through the implementation of approved and registered SFM Plans and SFM Permits.

MAF’s *Standards and Guidelines for the Sustainable Management of Indigenous Forests* is structured around the individually numbered criteria (each a key principle to SFM) and comprises two parts: the standards, and explanatory material.

Each criterion is accompanied by a set of one or more specific and detailed goals, indicators, and measurable or assessable standards that in turn reflect the purpose of, and subsections within, the Forests Act. These goals, indicators and standards are also individually numbered in line with the criterion under which each is applicable.

All criteria apply to both SFM Plans and Permits, but there are variations in applicability of goals, indicators and, in particular, the standards, between the two management regimes that reflect the different requirements of the Forests Act for SFM Plans and SFM Permits.

## **PART 1: THE STANDARDS**

The complete sets of standards under each criterion form Part 1 of this document. They are listed beneath the goals and indicators they apply to, and in two separate sets. One set is specific to management under SFM Plans, and the other is specific to management under SFM Permits. Each standards set is presented in a separate, labelled column.

These standards reflect and interpret provisions of Part 3A of the Forests Act. In cases where the Forests Act is less than specific, the precise requirement or standard to be met has been set on the basis of what MAF considers to be the minimum required to achieve sustainable forest management, consistent with the purpose of Part 3A. MAF will apply the standards in administering SFM Plans and SFM Permits; that is to say, the limits set in a given standard will, in all cases to which the standard applies, be assessed by MAF before it approves SFM Plans and SFM Permits or Annual Logging Plans, and in subsequent monitoring.

Appendix 3 presents tables linking the standards to the provisions of the Forests Act.

The provisions of the Forests Act, Part 3A, Section 67D are specific to control of sawmills, milling of indigenous timber (including tree ferns) and approval of harvesting and milling indigenous timber for an owner's personal use up to a prescribed volume limit within a prescribed time limit.

The minor sawmilling provisions for which the Director-General of Agriculture and Forestry may issue written statements as to his/her satisfaction with respect to compliance, or which the Director-General of Agriculture and Forestry may approve under Section 67D, relate to specific, occasional situations. This is in contrast to the long-term planning, monitoring and achievement of pre-defined ecological outcomes necessary to achieve sustainable forest management of indigenous forest land.

For any proposed activity or activities to which Clauses 1–3 of Section 67D pertain, MAF will apply the provisions of Part 3A, Section 67D as written in the Forests Act as the administrative standard. This document does not repeat Section 67D.

## **PART 2: EXPLANATORY AND GUIDELINE MATERIAL**

To help landowners decide on and carry out management practices in key areas prerequisite to SFM, Part 2 of this document contains, under each of the criterion, explanatory information and guidelines on what needs to be done and how it should be done, consistent with principles of SFM. Where goals and indicators for management under SFM Plans or SFM Permits are different, separately worded goals and/or indicators are shown and identified.

Text following from criteria, goals and indicators, and preceding one or more standards (location of each standard in Part 2 is shown by its number) may contain material on the rationale and background to the goals or indicators. It is the explanatory or guidance material pertinent to the standard(s) it has preceded. In addition, each standard number is accompanied by a brief statement that indicates how it relates to the explanatory material that went before.

The material in Part 2 is not intended to be a comprehensive treatment of every SFM practice for every situation. Specific sets of circumstances may require further research or consultation to determine the most appropriate management practice for achieving the SFM outcome desired. References are provided in Part 2 and are listed at the end of this document. Some of these may not be readily accessible to the public. MAF will provide relevant background information to landowners on request, where it is available.