

SUBMISSION ON:
**DEVELOPMENT OF NATIONAL DIRECTION UNDER THE RESOURCE
MANAGEMENT SYSTEM**

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Introduction

- 1 NZ Forest Managers (NZFM) is a privately owned forest management company established in 1989. We provide commercial forest owners with a comprehensive management service covering the full range of operations from forest development, protection and investment through to harvesting and marketing.
- 2 In total NZFM manage approximately 80,000 hectares of land on behalf of its clients and produces around 1M m³ of logs annually. NZFM manages forest on behalf of a wide range of clients which includes the Ministry for Primary Industries (MPI), Lake Taupo Forest Trust, Lake Rotoaira Forest Trust, New Forests NZ Pty Limited, the Taheke Paengaroa Trust, the Rohatyn Group, and a number of small forest owners.
- 3 NZFM appreciates the opportunity to provide feedback to the information packages prepared for the proposed new and amended national directions to improve the operation of the resource management system under the Resource Management Act 1991. Our submission is

based mainly on feedback to 'Package 2: Primary Sector Discussion Document'. Comments have also been made to packages 1 and 3 below.

PACKAGE 1: Infrastructure and Development

1.0 Proposed Amendments to the National Environmental Standards for Electricity Transmission Activities (NES-ETA) / Draft NES for Electricity Network Activities (NES-ENA)

The objective of improving electricity network resilience and the acknowledgement that reliable transmission and distribution infrastructure is of national importance is supported by NZFM.

The proposed National Environmental Standard for Electricity Network Activities (NES-ENA) aims to simplify consenting and clarify operational rules for electricity networks. However, there are concerns that the amendments could weaken water quality protections, disrupt regulatory balance in rural and forested areas, and allow increased structure heights and relocations. These changes may impose costs on adjacent land users, such as forest owners, especially if transmission lines are shifted.

Additionally, the proposals intersect with several existing regulatory frameworks—including the NES-CF, NES-F, Electricity Act, and related regulations—creating complexity and potential conflicts. While granting permitted activity status to electricity distribution networks is not opposed, NZFM submits that environmental standards must match those imposed on adjacent land users like forestry operations. The current proposal falls short in ensuring consistent and equitable environmental expectations across shared landscapes. In particular:

- *EDN Maintenance works (Erosion, Sediment Control, Earthworks and Culverts)*

Forestry operations are subject to strict environmental standards under the NES-CF to protect water quality, slope stability, and sensitive ecosystems. These standards apply to activities such as earthworks, sediment control, culvert installation, and access track upgrades—many of which are also common in electricity distribution network (EDN) maintenance and development.

NZFM submits that environmental regulations should be applied consistently across sectors and that EDN activities near or within forested areas must meet the same environmental standards as forestry activities to avoid regulatory imbalance and ensure environmental accountability in forested catchments.

- *Structure Relocation – Risks to Forest Margins and Adjacent Land Uses*

The proposed amendment to Regulation 14 of the NES-ENA, which increases the permitted relocation distance for transmission line support structures from 5 to 10 metres, significantly raises risks for adjacent plantation forests. This change, combined with expanded Growth Limit and Treefall Hazard Zones under the amended Electricity (Hazards from Trees) Regulations, could lead to legally established forest rows being subjected to removal notices, even if previously compliant. The potential increase in support structure height further intensifies the issue by expanding the zones affected and capturing more tree canopies under fall-risk assessments.

These cumulative spatial changes introduce uncertainty for forest owners, potentially devaluing ETS-registered forest areas and impacting carbon sequestration, harvest planning, and operational viability. To manage the interface between electricity infrastructure and forestry effectively, the Forest Owners Association recommends retaining the current classification under NES-ENA Regulations 14 and 16 as restricted discretionary activities (with discretion limited to earthworks and clearance of vegetation and trees as set out in Regulation 16(4)(b)). This would allow site-specific impacts to be transparently assessed and mitigated, ensuring fairness while supporting essential infrastructure development.

PACKAGE 2: Primary Sector Discussion Document, Part 2.2: National Environmental Standards for Commercial Forestry

Question Number	Question	Response
10	Does the proposed amendment to 6(1)(a) enable management of significant risks in your region?	<p>In general terms, the plantation forests managed by NZFM do not pose significant risk to downstream receiving environments, due to their location, slope profiles and underlying geology. NZFM submits that the majority of NZ's plantation forests do not possess the level of risk that the proposed amendment of regulation 6(1)(a) has been designed to address.</p> <p>The damage experienced during Cyclone Gabrielle and recent severe weather events have highlighted the importance of effectively managing significant risk environmental risk where it exists. In these circumstances the proposed amendments are supported, however these should be applied together, i.e. all three subclauses apply in conjunction. The proposed amendment focuses the ability to be more stringent on those areas with severe erosion risk and also sets out sensible criteria for how it should be applied.</p> <p>For the majority of majority of NZ, the existing NES-CF regulations are more than sufficient to manage risk.</p> <p>In addition, the following points are noted:</p> <ul style="list-style-type: none"> • The term 'severe erosion' requires clarification to ensure certainty of interpretation between industry and local authorities, including the context of storm size that has the potential to create 'severe erosion'. • While some local authorities in NZ have modelled severe erosion risk and connectivity to waterways, a national model/database would be extremely beneficial and provide national consistency that aligns with the NES-CF. • Severe erosion is predominantly influenced by geological conditions, with land use acting as secondary risk factors. Referring to 'severe erosion from a commercial forestry activity' inaccurately attributes a geophysical process to a specific land use, which is misleading.

Question Number	Question	Response
11	Does the proposal provide clarity and certainty for local authorities and forestry planning?	Yes, with additional amendments for clarity included as mentioned above.
12	How would the removal of 6(4A) impact you, your local authority or business?	NZFM has had no experience with Reg 6(4A).
13	Do you support amendments to regulations 69(5-7) to improve their workability?	<p>Yes.</p> <p>Regulations 69(5–7) are currently too blunt, capturing areas with minimal slash mobilisation risk and imposing unnecessary compliance burdens and uncertainty for forest owners and councils. This undermines the intent of risk-based regulation.</p> <p>In forests that NZFM manages there are areas classified as ‘orange zone’ due to their pumice soils. Most of these areas are not connected to waterways or sensitive downstream receiving environments and therefore pose very low risk of debris movement. Despite this, they are captured by Regulations 69(5-7) and will likely require resource consents – a financial and time burden to NZFM and the local authority which provides no real environmental benefit in this localised situation.</p> <p>NZFM strongly supports a more risk based approach, as is outlined in the consultation document. This is discussed further in the questions below.</p>
14	Do you support a site-specific risk-based assessment approach or a standard that sets size and/or volume dimensions for slash removal?	<p>NZFM supports a site-specific risk based assessment approach but can see the potential benefit for methodology that combines both within the regulations.</p> <p>As an example, a site-specific risk assessment could be used as a ‘drafting gate’ to determine whether subsequent regulations for slash management apply. If the site-specific risk assessment shows a high risk of slash mobilisation, then PA regulations become the basis of management or consent is sought for the activity.</p>

Question Number	Question	Response
15	Is the draft slash mobilisation risk assessment template (provided in attachment 2.2.1 to this document) suitable for identifying and managing risks on a site-specific basis?	<p>In general terms yes, the draft slash mobilisation risk assessment has the potential for identifying and managing risks on a site-specific basis however some amendments and/or adjustments are suggested to ensure effective regulation nationwide.</p> <p>NZFM suggests that some of the objective criteria from the Slash Mobilisation Risk Assessment, specifically indicators 1-5, are incorporated into the regulations to determine activity status for the harvest activity. Determining activity status based on objective criteria within the regulation is preferred over the proposed method of determining the activity status from a potentially subjective Slash Mobilisation Risk Assessment.</p> <p>NZFM submits that regulation 69(6) is amended to the following (or similar wording that reflect the same intent) -</p> <p><i>(5) On orange zone and red zone land slash from harvesting must be removed from any cutover area, unless it is unsafe to do so, to achieve residual slash levels at or below 15m³ per hectare of cutover, if -</i></p> <p><i>The cutover falls within an area that exceeds the following thresholds:</i></p> <ol style="list-style-type: none"> a. <i>The Land Use Capability (LUC) unit extended legend description for the area lists any of the following erosion risk types, with a 'potential' erosion severity of 'severe' or above:</i> <ol style="list-style-type: none"> i. <i>Soil slip</i> ii. <i>Rock fall</i> iii. <i>Debris avalanche</i> iv. <i>Debris flow, and</i> b. <i>The predominant slope exceeds 25 degrees, and</i> c. <i>There is direct connectivity between erosion features and a waterway that would result in slash entering a waterway if mobilised.</i> <p><i>Note: This regulation applies to slash that has a length of over 3m and a small end diameter (SED) of over 10cm.</i></p>

Question Number	Question	Response
		In addition, NZFM submits that regulation 69(6) is deleted, as is the definition of 'Residual Slash'.
16	Should a slash mobilisation risk assessment be required for green-zoned and yellow-zoned land? If so, please explain the risks you see of slash mobilisation from the forest cutover that need to be managed in those zones?	<p>No, a slash mobilisation risk assessment should not be required for green-zoned and yellow-zoned land.</p> <p>Slash management is part of harvest planning and required currently in Schedule 6. An additional requirement that determines activity status for green-zoned and yellow-zoned land is not justified.</p>
17	If a risk-based approach is adopted which of the two proposed options for managing high-risk sites, do you prefer (i.e., requiring resource consent or allowing the removal of slash to a certain size threshold as a condition of a permitted activity)?	As per Question 14
18	For the alternative option of setting prescriptive regulations for slash management, is the suggested size and/or volume threshold appropriate?	<p>NZFM agrees with the proposed changes to the slash size thresholds.</p> <p>3 metres is a more practical length for harvesting machinery to pick up, in particular when using a hauler grapple.</p> <p>Using the SED rather than LED aligns with other standard assessment processes in the NZ forest industry, such as the Wagner Waste assessment process.</p>
19	Do you support the proposed definition of cutover to read "cutover means the area of land that has been harvested"?	<p>Yes the proposed definition is clearer, however NZFM submits that the definition is extended as per below to provide absolute clarity of what is considered cutover within the regulations.</p> <p><i>'Cutover: The area of land that has been harvested, excluding forest infrastructure (roads and landings).'</i></p>

Question Number	Question	Response
		<p>For further clarity, a temporal context could be added to the definition to reflect the time between harvesting and planting of the next rotation, i.e. to make it clear that land that is replanted is no longer cutover, it is planted production forest. Adding the word 'recently' would achieve this.</p> <p><i>'Cutover: The area of land that has been recently harvested, excluding forest infrastructure (roads and landings).'</i></p>
20	<p>Do you support the proposed removal of the requirement to prepare afforestation and replanting plans? (Regulations 10A and 77A)</p>	<p>NZFM strongly supports the removal of regulation 77A - the requirement to prepare a replanting management plan and submit this to the local authorities.</p> <p>In our experience these plans have been of no practical use to foresters and local authorities alike, particularly in the large-scale plantation forest context. There has not been any compliance visits undertaken to assess the accuracy of the replanting plans to our knowledge and the plans appear to be a purely administrative requirement that provide no real environmental benefit.</p> <p>The requirement to remove afforestation plans is also supported, however NZFM would not oppose this requirement remaining within the regulations provided Schedule 3 is amended to focus on matters directly relevant to an afforestation activity. As it is currently written, Schedule 3 includes matter outside the scope of the environmental impacts from planting.</p> <p>As well as providing information that shows evidence of good planning for the establishment of a forest, Regulation 10A has also proven useful as a method to provide evidence that forests have been established in compliance with national legislation. This is required to register new forests within the Emissions Trading Scheme.</p> <p>If Schedule 3 is to be retained for afforestation, the following amendments are requested:</p> <p>Schedule 3</p> <p>1. Replace 1 (g), (h) and (i) with:</p>

Question Number	Question	Response
		<p>(g) the name of the road used for forest access and the rural number of the entry point: (h) the forest name or property location identifier: (i) the cadastral and map references, or GIS polygon reference.</p> <p>2. Amend 2(f) to the following (because vegetation clearance prior to afforestation is out of scope of the NES CF): (f) The location of any significant natural areas and vegetation clearance areas</p> <p>3. Remove 2 (h) and (i)</p> <p>4. Amend clause 2(i) to remove reference to replanting.</p> <p>5. Amend clause 2(l) to: (l) the year or season where planting is expected to occur (if afforestation is occurring)</p> <p>6. Delete clause 2(m) and (n)</p> <p>7. Delete sections, 3, 4 and 6</p> <p>8. Revise 5 to state: The information required by clauses 1 to 4 <u>and 2</u> must be submitted in a GIS-compatible format, if requested by the relevant council.</p>
21	Do you support the proposed minor text amendments?	<p>The removal of the term 'woody debris' from the schedules is supported.</p> <p>Comments on the wilding risk process in section 2 are outlined in the questions below.</p>

Other matters in the Discussion Document not covered by the Discussion Document questions

NES CF Section	Proposed Change	Comments
11(4) Wilding tree risk control	<p>Amend regulation 11(4) to: "The relevant regional council and territorial authority must be given the following at the same time as notice is given under regulation 10: <i>a) the score required under subclause (1) and the calculations used for the final wilding tree risk</i></p>	<p>The amendment to the wording of regulation 11(4) is supported, however NZFM has significant concerns regarding the wilding tree risk calculator.</p> <p>Specifically, the replacement of the existing calculator – that is relatively straightforward to use – with a system that is detailed and requires GIS knowledge and application to use.</p> <p>The change in system essentially require small growers to employ the services of an entity with GIS capability. For larger companies with GIS capability, the system is detailed and may require a level of work hours that is completely out of balance with the actual risk present.</p>

NES CF Section	Proposed Change	Comments
	<i>calculator score and supporting evidence for each calculation.</i>	NZFM suggests that a drafting gate of risk be introduced within the regulation such that only sites the potentially possess high risk are required to complete a detailed process. All others can be sufficiently assessed by a manual process similar to what is currently in place.
66 Harvest Plan	Amend regulation 66 (harvest plan) to also require a slash mobilisation risk assessment in accordance with Schedule 6.	A slash mobilisation risk assessment is supported, however as previously mentioned NZFM submits that the requirement to develop an assessment should apply to red and orange ESC-zoned land only.
Reg 71A(b)	Amend regulation 71A(b) to remove the word 'not' so that an activity is permitted if "any relevant forest planning requirement is complied with". Currently, regulation 71A incorrectly states that: "Low-intensity harvesting is a permitted activity in all erosion susceptibility classification zones if— a) regulations 64 to 69 are complied with; and b) any relevant forest planning requirement is not complied with.	This amendment is supported.
Regulation 79 Permitted activity conditions: wilding tree risk and control	Amend regulation 79(5) as follows: <i>Regulation 79(5) The relevant regional council and territorial authority must be given the following no more than 8 months before replanting is carried out at the same time as notice is given under regulation 78A:</i>	This amendment is supported. Please see above comments to regulation 11(4) also.

NES CF Section	Proposed Change	Comments
	<p><i>a) the score required under subclause (1) and the calculation sheet used to provide that score <u>calculations used for the final wilding tree risk calculator score and supporting evidence for each calculation.</u></i></p>	
Schedule 2	<p>Amendment to Schedule 2 to add a slash mobilisation risk assessment template, incorporated by reference.</p>	<p>NZFOA supports the risk assessment approach being proposed for managing the risk of slash mobilisation subject to changes proposed in section 3 of this submission.</p>
Implementation	<p>Statutory implementation Changes to regulation 6(1)(a) and regulation 6(4A) will require some councils to carry out plan changes to create alignment of more stringent rules with the new intent and wording. Section 44A of the Resource Management Act 1991 enables this work to be undertaken without a Schedule 1 plan change, either in accordance with a specification in the NES, or as soon as practicable after the date it comes into force.</p> <p>Non-statutory implementation Te Uru Rākau – New Zealand Forest Service will update NES-CF user guidance following amendment of the NES-CF.</p>	<p>These implementation methods are supported.</p>

NES CF Section	Proposed Change	Comments
	<p>Guidance on new slash requirements may include workshops and webinars with industry and councils to ensure they understand how to apply the slash mobilisation risk assessment appropriately and with common understanding of intent and the practical issues in addressing slash risk, and of monitoring risk until it reverts to pre-harvest levels.</p>	

Other NES CF matters not covered in the Discussion Documents

In addition to the above matters, NZ FOA requests consideration of the following matters in the current NES CF which require review to address implementation issues.

NES CF Section	Comments
<p>Amendments to the ESC layer – formal recognition of re-mapping at a 1:10,000 scale.</p>	<p>The current ESC can be inaccurate at the forest activity planning scale (1:10,000) due to the ESC layer being produced at a coarser scale (1:50,000).</p> <p>To rectify inaccurate classifications, NZFM has undertaken a number of re-mapping exercise with suitably qualified individuals (as per the requirements) within forests that it manages. The re-mapped assessments have been accepted by local authorities in NZFM’s experience, however this has not been the case for other companies in some regions of NZ. This is often due to the wording of the NES-CF regulations which reference the current version of the ESC only, i.e. not re-mapped accurate assessments.</p> <p>This is an issue that requires rectifying to ensure the most accurate ESC information is able to be used within the regulations and deemed compliant with the RMA.</p> <p>The process to update the ESC layer is unclear and a difficult process due to the difference in scale between the re-mapping assessments and the original ESC (1:10,000 vs 1:50,000).</p> <p>The October-2023 review of the NES-CF included a recommendation (3.5n) regarding the re-mapping of ESC layer and <i>‘agreed in principle to amend the regulations to enable a Council to rely on re-mapped erosion susceptibility zones for forestry activities if:</i></p> <ul style="list-style-type: none"> • <i>Undertaken and provided by a suitably qualified person as defined by criteria to be determined, and</i> • <i>Undertaken in accordance with set processes and reporting requirements to be determined. And</i> • <i>The criteria, process and reporting requirements will be incorporated by reference in Schedule 2 of the regulations, and</i> • <i>A limited, targeted consultation process, including at least all submitters on this proposal and all regional councils, is required to confirm the criteria, process and</i>

	<p><i>reporting requirements before recommending to the Minister for the Environment that it be incorporated by reference in the regulations.'</i></p> <p>NZFM supports this recommendation and submits that it is progressed as part of the 2025 NES-CF review.</p>
Regulation 85 - Slash traps	<p>Currently, regulation 85(3) has a 20 hectare threshold. This is too small to be practical in many instances, with slash traps therefore requiring resource consent. Because the threshold is small it is a deterrent to the use of slash traps due to the delays and costs involved with going through a consenting process. NZFM submits that a 50 hectare threshold would achieve a better balance between managing risk and practicalities.</p>

Draft Slash Mobilisation Risk Assessment comments

NZFM endorses the feedback provided to the Draft Slash Mobilisation Risk Assessment from the NZ Forest Owners Association (NZFOA). This feedback was compiled by environmental managers and industry experts across the country .

Please see the NZFOA submission for further details on the Draft Slash Mobilisation Risk Assessment.

PACKAGE 3

Discussion Document, Freshwater

Question No.	Question	Response
Part 2.6 Wetland provisions		
21	What else is needed to support farmers and others to do things that benefit the environment or improve water quality?	<p>To support farmers and forestry operators in improving environmental outcomes, regulations should clearly distinguish between natural and constructed wetlands. Constructed wetlands should not be subject to unnecessary setbacks or planting rules, enabling practical land use while still enhancing water quality—especially in upper catchments where forestry helps stabilize land.</p> <p>Wetland management within plantation forestry should be governed solely by the NES-CF, avoiding regulatory overlap with the NES-F.</p>

Thank you for the opportunity to provide feedback to the development of national direction under the resource management system.

If you would like to discuss any of the feedback provided above, please don't hesitate to get in touch.

