

18 November 2022

Ministry for the Environment,  
Ministry for Primary Industries,

Sent by email: [mpi.forestry@mpi.govt.nz](mailto:mpi.forestry@mpi.govt.nz)

Dear Sir/Madam,

### **NATIONAL DIRECTION FOR PLANTATION AND EXOTIC CARBON AFFORESTATION CONSULTATION**

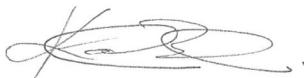
Please find attached the Hawke's Bay Regional Council's submission on the national direction for plantation and exotic carbon afforestation discussion document.

We welcome the opportunity to provide this submission and encourage you to contact myself or Liam Glading if you have any questions or concerns.

The Regional Council's address for service in relation to this submission is:

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Yours sincerely



Katrina Brunton  
Group Manager Policy & Regulation  
Hawke's Bay Regional Council

**Ministry for Primary Industries**  
Manatū Ahu Matua

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*Ministry for the*  
**Environment**  
*Manatū Mō Te Taiao*

# **Submission form for national direction for plantation and exotic carbon afforestation consultation**

# Submission form for national direction for plantation and exotic carbon afforestation consultation

The questions in this submission template are a guide for your feedback. Please answer those that are most important to you; **there is no need to answer them all**. Where pages, tables, options, and proposals are mentioned, these are in reference to the '*National direction for plantation and exotic carbon afforestation*' consultation document.

## Your details

Name of submitter or contact person:	Liam Glading
Title (if applicable):	Intermediate Policy Planner
Organisation (if applicable):	Hawke's Bay Regional Council
<b>Please provide one of the following</b>	
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Contact phone number:	0273506857
Address:	159 Dalton Street, Napier 4110

**Are you submitting on behalf of your organisation?**

- Yes
- No
- N/A

**Is there any other information you would like to provide?**

Please enter text here.

## Part A: Managing the environmental (biophysical) effects of exotic carbon forestry

A1. Do you agree with the problem statement set out on page 20?

- Yes  
 No

Are there other things we should consider?

There is a lack of science around the long-term environmental impacts of permanent exotic forests and a significant risk that they will become biosecurity, erosion and fire risk liabilities for communities in the long term without significant targeted management.

Additionally, transitioning from permanent exotic forest to indigenous forest will (in many cases) require significant interventional management and long-term monitoring.

A2. Have we accurately described the environmental effects of exotic carbon forests (Table 2 on pages 20 to 24)?

- Yes  
 No

What other environmental effects (if any) need to be managed that are different to those of plantation forests? Please provide evidence on the impact of these effects.

Please enter text here.

A3. Do you agree that the environmental effects of exotic carbon forests should be managed through the NES-PF?

- Yes  
 No

Why?

The NESPF is already established and implemented across the industry and councils. In some cases, carbon forestry companies are already adopting or using the NESPF as a guide for their practices. This will be the most efficient way to regulate permanent forestry, create / maintain consistency for forest owners and managers, and minimise compliance burdens.

- A4. The right-hand column of Table 2 (on pages 20 to 24) sets out possible new regulatory controls. Please indicate if you disagree with any of these potential controls or feel we have missed anything, and explain or provide evidence.

Water bodies- not just potential for changed circumstances but also potential damage if transitioning to native isn't successful and there is widespread toppling. Once again, this is very much an uncertain level of risk, and it makes sense to be conservative.

The ability to impose bonds may be a useful approach to managing where long-term effects may need to be managed when ownership and responsibilities over the land may change.

- A5. Do you agree with option 2 for managing the environmental effects of exotic carbon forestry (amend the NES-PF to include exotic carbon forests)?

- Yes  
 No

Why?

Stated above

- A6. Do you agree that a National Environmental Standard should manage: [choose ONE]

- the environmental effects of exotic carbon forests only?  
 environmental effects and forest outcomes, including transitioning from predominantly exotic to predominantly indigenous species?

Why?

Having the scope to ensure long term management of permanent forestry toward something with positive environmental outcomes, such as transition to native species, is supported. Active long-term management will be required to ensure that native regeneration has the best chance of being successful.

However, a successful transition may not always occur, regardless of whether councils 'require' it. A more practical approach would be to require the applicant to demonstrate how the site and management programme will facilitate a successful transition over time. This could be an assessment by qualified practitioners and a management plan that prescribes auditable management actions over time

Additionally, there will need to be caveats to ensure the long-term intent of native transitioning will be protected and upheld. Greater clarity is required around the status of the transitional forest. For example, if the land successfully transitions to native vegetation, will it also transition to management under the NPS-IB, or be eligible for SNA status etc? Would this land be locked up and protected as native vegetation, and would this ultimately result in a landowner no longer being able to 'use' the land?

- A7. Do you agree with the proposal in option 2 (amend the NES-PF to include exotic carbon forests) to add wind effects as a matter of discretion to Regulation 17, to manage potential instability as a result of wind for all forests on red zone land?

Yes

No

What benefits or drawbacks would there be from adding wind effects?

Yes. Windthrow can cause massive damage to both exotic and indigenous forests. In some cases this can affect many hundreds of hectares. Where these trees can't be salvaged via harvest, the result is likely to be weed proliferation, and further and ongoing wind damage, particularly in the case where edges previously sheltered from the wind are then opened up to its full force. High risk examples might be where a permanent exotic forest is situated on the lee side of a production forest or in close to a saddle orientated into the prevailing wind.

Benefits of including wind effects may be avoidance of the issues described in the previous paragraph and other issues associated with them such as increased fire risk; drawbacks might be a reduction in total sequestration due to some sites not being planted in fast-growing exotics that otherwise would have been.

A8. How effective would option 2 (amend the NES-PF to include exotic carbon forests) be in managing the environmental effects of exotic carbon forestry? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer: See below.

Why?

By providing clear and consistent national regulation for production and carbon forestry, councils and industry will be better placed to meet the requirements of the regulations. The most significant potential environmental risks of permanent exotic forestry are long-term. The NESPF will require some amendments to effectively manage those long-term risks.

This is especially true for transitional forests, where costs such as pest and weed control, especially where transition is to indigenous plants, wind throw, erosion of downstream structures or ongoing maintenance are incurred - above any likely income (how long is income likely to accrue from these forests?)

A9. What implementation support would be needed for option 2 (amend the NES-PF to include exotic carbon forests)?

- A comprehensive review of the evidence supporting (or otherwise) the exotic forest transition to indigenous forest under differing environmental circumstances. This would inform the development of technical guidance for councils and industry. This would also be useful to evaluate windthrow, and erosion risks as well as risks associated with pest and weed control.
- Creation of a category in the Forestry Advisor regulations specific to this topic.

A10. Do you agree with option 3 for managing the environmental effects of exotic carbon forestry (amend the NES-PF to require forest management plans for exotic carbon forests)?

- Yes  
 No

Why?

A requirement for science-based and auditable management plans would strike a balance between the significant potential long-term risks of exotic carbon forestry, and the need to increase sequestration to meet net emissions reduction commitments.

It would place the responsibility back on investors to demonstrate the potential long-term risks posed by their forests will be appropriately managed. This is important given the uncertainty of those risks and the wide variation from site to site.

A11. Do you agree that forest management plans should manage: [choose ONE]

- environmental effects only?  
 environmental effects and forest outcomes, including transitioning from predominantly exotic to predominantly indigenous specie(s)?

Why?

As per question A6- arguably the most significant environmental effects of permanent exotic forests are likely to arise in the long-term as forests age and deteriorate. Incorporating a process for transition to indigenous forest in the management plan, including how any necessary financing is to be assured, will be necessary to adequately account for the associated risks.

Without active management it is extremely unlikely most exotic forests would transition to ecologically intact indigenous forest. Without a plan outlining these steps that the company/investors can then be held accountable to; this would be difficult to enforce. Additionally, if the land changed ownership there would need to be some way of ensuring this management continued.

A12. Based on your answer to the previous question, what content should be required in forest management plans?

- Assessment by an appropriately qualified person on the suitability of the species as a permanent carbon forest, or transitional forest on the proposed site
- A schedule of management actions to be undertaken to facilitate the reversion to indigenous forest (timeframes and auditable) – this schedule will be subject to compliance monitoring by the Council.

- A schedule for reporting to council on the implementation of those actions (e.g. receipts for thinning, pest/weed control, photo-points, lightwell creation, or random sample plots to monitor regeneration)
- Wildfire risk management plan approved by FENZ or suitably qualified person

A13. How effective would option 3 (amend the NES-PF to require forest management plans for exotic carbon forests) be in managing the environmental effects of exotic carbon forestry? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer: See below

Why?

By setting an auditable series of milestones, management plans would help reduce the long-term and intergenerational environmental risks of permanent exotic forestry. This is important given the level of uncertainty as to the long-term sustainability of these forests as discussed previously. Particularly given the risks associated with the short-term reward / long term risk and/or liability model of exotic carbon forestry (i.e. investors receive most of the financial returns in the early stages but are unlikely to still be involved in the distant future when forests age, sequestration slows, potentially liabilities arise, and the land no longer has any earning capacity to pay for ongoing management and addressing issues/risks).

A14. What implementation support would be needed for option 3 (amend the NES-PF to require forest management plans for exotic carbon forests)?

The increased financial costs should be charged back to the applicants. A category should be established under the 'registered forestry advisor regulations' for people qualified to assess indigenous forest reversion potential and advise on management actions. It is not practical for councils to establish and maintain that specificity of expertise.

## Part B: Controlling the location of plantation and exotic afforestation to manage social, cultural and economic effects

B1. Do you agree with the problem statement set out on page 29?

- Yes  
 No

Are there other things we should consider?

As far as the proposed problem statement is concerned this is accurately captured. However, a significant driving force in the speed and scale of which this problem has emerged is the ETS and how it has been managed. The issue should not be pushed down to local government to fix, especially considering there will be local differences across communities. Additionally, cross boundary issues will arise where forestry blocks are situated across jurisdictional boundaries or affecting multiple communities.

This is an emerging issue nationally. In the Hawke's Bay region communities are becoming increasingly concerned with the rapid increase in land use conversions from Beef and Sheep farming to forestry. Part of the issue is the speed and capital with which forestry companies can buy land with. One of the key social factors influencing the communities is the loss of neighbours and workforce personnel associated with existing land use, such as pastoral farming, as land changes toward forestry.

Furthermore, the issues will manifest in different ways when considering the differences between 'carbon forests' and 'plantation forestry'. Exotic carbon forests exist solely for the purpose of carbon sequestration. They can offer soil conservation and biodiversity benefits in the short to medium term but in the longer-term, there are significant risks as described earlier in this consultation. Additionally, these forests are less likely to provide employment opportunities both in the short and longer term. Eventually as the carbon income declines and stops altogether, the productive capacity of the land and its contribution to local communities via rates will be exhausted. Exotic carbon forest may provide a good pathway to permanent indigenous cover on some low-productivity and erosion-prone sites, but is not a good strategy for higher productivity land.

Plantation forestry offers a more complex picture. It is important to recognise that plantation forestry is a more socially acceptable land use in contrast to carbon only forestry. It does generate employment and significant export revenue, while still contributing to net emissions reductions and forming the basis of much of the country's proposed bioeconomy and providing soil conservation and biodiversity gains.

B2. Have we accurately described the social, cultural, and economic effects of plantation and exotic carbon afforestation at a community level (Appendix D refers)?

- Yes  
 No

What other social, cultural or economic effects should we be aware of? Please provide evidence on the impact of these effects.

The likely drop in employment resulting from permanent exotic carbon farming once the trees are established is a significant concern. However, there may be opportunities for work in assisting the transition to native forest.

A seasonal non-permanent work force that is less likely to support local industry, schools etc

B3. Do you agree that the social, cultural and economic effects of plantation and exotic carbon forests should be managed through the resource management system?

Yes

No

Why?

The resource management system is for the efficient and sustainable management and use of natural resources *“In a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being” ....*

The NESPF was created on the basis that forestry is a viable and sustainable land use option (except where identified effects such as erosion risk, wilding pines and effects on indigenous fisheries require special consideration).

A carbon forest ETS regime substantially changes the way in which land use decisions are made resulting in priority for forestry land cover and raises wider issues about impacts on social, economic and cultural well-beings (including amenity and landscape) that must be addressed.

Incorporating consideration of these effects within an NES focussed on the effects on the natural and physical environment would set the scope of this NES too wide and make the legislation unwieldy and unworkable, increasing the risk of perverse outcomes. This is due to there being no directions, criteria or intended outcomes relating to how the impacts of substantial land use change that may occur in some communities are to be considered and assessed. It would be more within the scope of emissions trading regulations to set the market conditions for forestry and therefore manage the social and economic effects of widespread afforestation with permanent or production forestry.

B4. What is your preferred option for managing the social, cultural and economic effects of plantation and exotic carbon afforestation? [Select ONE from list]

Option 1 (a local control approach)

Option 2 (a consent requirement through national direction)

I do not support either of these options

No preference

Why?

As noted above, there is no direction provided to help make decisions about the impact of carbon forestry on communities and their social, economic and cultural well-being.

For the ETS carbon forest industry to be properly provided for, in a way that supports social, economic and cultural well-being, regional rules or resource consenting must be guided by robust national policy or direction.

The current incentives offered through carbon revenue set by the ETS have enabled forestry companies to outcompete other land users, including food and fibre production.

Development of criteria or other guidance through national policy direction would enable local scale decisions that meet the over-riding objectives for land cover while providing protections for other land uses where this is desirable.

- B5. How effective would option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation) be in managing the social, cultural and economic effects of plantation and exotic carbon afforestation? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer:

Why?

Without national decision-making assistance that allows communities to prefer other (food) production and land cover outcomes carbon forest will continue to be preferred over other (economic) land use activities, because it becomes the most viable economic land use.

Because the ETS is a national scheme, communities should be supported by national direction that can be applied at the local scale to indicate where carbon farming is not preferred.

It would be helpful to include in national direction, the criteria that could be applied when making decisions about where carbon forests should be preferred, and this could guide local rules. For example, some of the content provided for option 2 such as where the land has a higher productive potential for pastoral production, where there is a close relationship between pastoral production and local service centres.

- B6. What impact would option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation) have on the rate and pattern of plantation and exotic carbon afforestation?

Resolving the tension between the overall national goal for carbon forest and impacts on social, economic, and cultural impacts on the local community needs to be provided with further national direction and context. Without this guidance, the local community will find it difficult to resolve private property decisions about land use in the face of national direction and support for carbon forests.

- B7. What are the benefits of option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation)?

Subject to further national direction about the circumstances where carbon forests are to be preferred or not then Option 1 allows much more local input into how land use change can be managed and enables a more nuanced approach to land use change than Option 2.

B8. What are the costs or limitations of option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation)?

Please enter text here.

B9. If option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation) is progressed, would making plan rules to manage the social, cultural and economic effects of plantation and exotic carbon afforestation by controlling its location be a priority for your community or district? Please rank how much of a priority this would be on a scale of 0 to 100 (with 0 being not a priority and 100 being high priority).

Your answer:

Why?

As above. Note that the Council has embarked on a Regional Policy Statement and Regional Plan review and one of the most frequent issues raised in the first round of public engagement was the issue of increasing pine forest plantations across Hawke's Bay.

Local communities have no opportunities to influence how land use decisions are made in the face of enabling tax and ETS scheme policies and in the absence of district or regional rules.

The development of regional rules regarding land use change is a possibility for HBRC in this plan change process, however, there is little national guidance that would support such controls on land use change to carbon forest, when all the drivers are towards carbon forests.

B10. What implementation support would be needed for option 1 (a local control approach to managing the location of plantation and exotic carbon afforestation)?

Please enter text here.

***If option 2 (a consent requirement through national direction, to control the location of plantation and exotic carbon afforestation) is further developed:***

B11. Are the variables outlined on pages 32 to 33 (type of land, scale of afforestation, type of afforestation i.e., plantation, exotic carbon, transitional) the most important ones to consider?

- Yes  
 No

What, if any, others should we consider?

The impacts on the social and economic well-being of communities are a concern raised by local communities.

This variable needs to be better accounted for - better tools that help assess these impacts, especially where long term land use change is being contemplated would be helpful.

B12. Which afforestation proposals should require consent? (Please consider factors such as the type of land, the scale of afforestation, the type of afforestation (plantation, exotic carbon, transitional) and other factors you consider important).

Please enter text here.

***Based on your answers to B11 and B12 above:***

B13. How effective would option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation) be in managing the social, cultural and economic effects of plantation and exotic carbon afforestation? Please rank effectiveness on a scale of 0 to 100 (with 0 being not effective and 100 being highly effective).

Your answer:

Why?

Please enter text here.

B14. What impact would option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation) have on the rate and pattern of plantation and exotic carbon afforestation? Please explain or provide evidence.

Please enter text here.

B15. What are the benefits of option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation)?

Please enter text here.

B16. What are the costs and limitations of option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation)?

Please enter text here.

B17. What are the most important and urgent social, cultural and economic effects of plantation and exotic carbon afforestation that you would like to see managed under the resource management system? Where and at what scale do these effects need to be managed?

Please enter text here.

B18. Should this be done now under the RMA, or later under the proposed National Planning Framework and NBA plans?

Please enter text here.

B19. Would standards in an amended NES-PF need the support of national policies and objectives?

- Yes
- No

Why?

Please enter text here.

B20. What implementation support would be needed for option 2 (a consent requirement through national direction to control the location of plantation and exotic carbon afforestation)?

Please enter text here.

## Part C: Improving wildfire risk management in all forests

C1. Do you agree that wildfire risk management plans (WRMPs) should be included in the NES-PF?

Yes

No

Why?

Wildfire risk management plans should be a requirement of permanent carbon forests over a certain size (maybe 10ha / 20ha), but rather than establishing a new and duplicated set of regulations or standards, the NES-PF should simply require evidence that a plan has been created and has been approved or endorsed by FENZ or someone suitably qualified and registered under the Forestry Advisor's regulations. These costs would need to be charged to the forest owner. FENZ should remain the lead agency to avoid duplication and confusion.

C2. Do you agree that the role of councils in monitoring the WRMP should be limited to ensuring that a plan has been developed?

Yes

No

If not, what should the role of councils be?

Please enter text here.

C3. Do you agree that a five-year review requirement is appropriate for WRMPs?

Yes

No

Why?

To maintain up to date information on water points, new buildings or development, update contact details – it needn't be a massive undertaking, but the information needs to be kept current

C4. Do you agree that a module for a WRMP that is consistent with farm plan templates could be used for farmers with forests to plan for managing wildfire risk?

Yes

No

If no, please provide reasons.

Managing the risks to communities and the environment of wildfires is important but shouldn't come with an unreasonable compliance burden. Also, building forest owner understanding and capacity will be an important outcome of wildfire planning. Providing clear, simple templates covering the key points will be very important in both these regards

C5. What implementation support would be needed for this proposal?

Workshops providing council staff with basic knowledge of the principles of fire risks

## Part D: Enabling foresters and councils to better manage the environmental effects of forestry

### Wilding conifer risk management

D1. Do you agree with Proposal 1 for managing wilding risk (update the Wilding Tree Risk Calculator and guidance, and require the submission of a standardised worksheet assessment to councils at least six months prior to planting)?

- Yes  
 No

If not, please explain why.

Support wilding pine risk being considered and managed as part of permanent exotic forest afforestation. Some of our region's ecosystems (Hawkes Bay) are particularly vulnerable.

Support for a standardised worksheet assessment would depend very much on its complexity and usability.

Don't agree with the minimum 6-month period as it gives no flexibility to forest owners to take advantage of opportunities such as unexpected treestock or planting crew availability. The minimum period could be the standard 20 working day notification period.

D2. Do you agree that extending the notification period for wilding conifer scores to no sooner than six months and no later than eight months before afforestation begins is an appropriate length of time?

- Yes  
 No

If not, what timeframe would you suggest and why?

The timeframe does not allow enough time for foresters to order treestocks and secure planting crews. I would suggest a maximum of 18 months and a minimum of 20 working days prior to planting- nurseries need a long lead-in time with less commonly planted species of tree and not much will change in relation to wilding risk over a period of 18 months- if it was a concern, conditions could be given such as the existing land use remaining the same

D3. Do you agree with Proposal 2 for managing wilding risk (require all forests to assess wilding tree risk at replanting)?

- Yes  
 No

If not, please explain why.

Please enter text here.

D4. Do you agree that changes to Regulation 79(6) will clarify the intent and avoid confusion over property access rights?

Yes

No

Why?

Please enter text here.

### Slash management

D5. Do you agree with each of the proposed amendments to the NES-PF in relation to slash regulations, set out in Table 4 (pages 49 to 50)?

Yes

No

If not, please identify any you disagree with by referencing the number in the left-hand column of Table 4 and explain why you disagree.

It is currently clear that the requirements of Schedule 3 must be met. It is unclear why that schedule should be duplicated in the body

D6. What information about slash risk and slash management do you or your organisation require? What is the best way for you to receive this information?

Please enter text here.

D7. What tools or information do you use to assess operational requirements for the 5 per cent annual exceedance probability (AEP) requirement?

Please enter text here.

### **Initial alignment with NES-Freshwater**

D8. Do you agree with each of the proposed changes to align the NES-PF with the NES-Freshwater, set out in Table 5 (pages 53 to 54)?

- Yes
- No

If not, please identify any you disagree with by referencing the number in the left-hand column of Table 5 and explain why you disagree.

Support D4a having better articulated conditions on vehicles around wetlands but concerned the wording may imply more scenarios where vehicles are permitted to operate in wetlands or associated setbacks.

It would be ideal if NES-PF protected all wetlands, not just those over 0.25h, given their greatly reduced extent nationwide. This is also inconsistent with the NES-F (which doesn't specify a minimum size and has exceptions e.g.: does not include artificially constructed wetlands).

D9. Do you anticipate any unintended consequences from this proposal to align parts of the NES-PF with the NES-Freshwater?

Please enter text here.

## Operational and technical issues

D10. Do you agree with each of the proposed changes to the NES-PF to address operational and technical issues, set out in Table 6 (pages 57 to 68)?

- Yes  
 No

If not, please identify any you disagree with by the number in the left-hand column of Table 6 and explain why you disagree.

D9a: concerned that only including SNAs outside of the productive forest may have negative ecological outcomes, and any within the forest should be able to be made more stringent if deemed appropriate especially in areas with threatened ecosystems. The NPS-IB focuses on species rather than ecosystems (3.14: An SNA that is within a plantation forest must be managed over the course of consecutive rotations of production in the manner necessary to maintain the long-term populations of any Threatened or at-risk species in the SNA). If an area of productive forest has been identified as an SNA, it should have been for strong ecological reasons, and therefore able to have more stringent rules if deemed appropriate.

***In some cases, we have not proposed an amendment but are seeking further information, as follows:***

D11. **Temporary structures for river crossings (row D5d of Table 6):** Do you agree that this type of river crossing could be permitted under certain conditions?

- Yes  
 No

What conditions should be applied to the crossing as a permitted activity?

Secured in a way that it won't be swept downstream and contribute to blockage of the waterway in a flood event; high enough to cover the regular flow of the waterway

D12. **Dual culverts (row D5e of Table 6):** Is there a need to include double culverts in the regulations?

- Yes  
 No

If so, what permitted activity conditions should apply to these river crossings?

Same as for single culverts except only one should be required to maintain fish passage

D13. **Culvert diameters (row D5g of Table 6):** Is a 325mm minimum internal diameter specification for stormwater culverts for forestry roads or forestry tracks in green, yellow and orange zones with a land slope of less than 25 degrees an appropriate minimum? (Think about the availability of culverts of this size and the products you commonly use or require).

- Yes  
 No

If not, please explain why.

Please enter text here.

D14. **Notice periods (row D7a of Table 6):** Do you agree that notice periods could be reduced or waived for earthworks, quarrying and harvesting in green and yellow zones?

- Yes  
 No

Please explain your answer with evidence to support your position. If you think notice periods could be reduced what would you suggest is an appropriate notice period?

Please enter text here.

D15. **Notice periods (row D7d of Table 6):** Where you have experience of annual notice periods (either positive or negative) please provide your views on whether annual notifications are working well or whether changes to the regulations are required. If you consider changes are required, please indicate what environmental risks will be better managed through change.

Please enter text here.

**D16. Indigenous vegetation (row D9b of Table 6):** If the definition of indigenous vegetation is changed to that used in the National Policy Statement for Indigenous Vegetation do you foresee any practical or operation issues for plantation forestry and enforcement of the regulations?

- Yes  
 No

Why?

Climate change will affect the natural distribution of many of our indigenous species, if indigenous vegetation is considered at the ecological district level the regulations may end up out of step with vegetation response to different climate? There will also be greater information requirements and we will be missing this info for many areas- foresters are likely to then have to rely on PNA surveys which were mainly done in the 1990s, and things have changed since then. However, from an ecological perspective, the NPS-IB definition is more appropriate.

Additionally, it should be pointed out that adopting a new definition may require specialist ecological knowledge which many forest managers and operational staff may not have.

**D17. Vegetation clearance (row D9c of Table 6):** Do you think there will be any negative consequences of amending the definition of vegetation clearance in the NES-PF to clarify that part (b) of the definition does not authorize any vegetation clearance but that a forest crop should generally be harvestable within the constraints of the regulations?

- Yes  
 No

Please provide evidence to support your views.

Potential exemption needs to be closed. Some areas of our region (Hawkes Bay) have very little indigenous vegetation remaining and clearing in any areas is a significant concern.

D18. **Incidental damage (row D9d of Table 6):** Please provide any evidence you have that the definition of incidental damage is causing issues for users and the nature of those issues. Do you have suggestions for how the definition could be less subjective while still achieving the intent of allowing minor damage to indigenous vegetation under limited circumstances?

Incidental damage is a concerning part of the NES-PF- In the context of the Hawkes Bay region significant damage could be considered 'incidental' under the current regulation. Any damage to canopy trees >15m being damaged is quite significant. This part of the NES-PF needs reworking, it might be helpful to better define the "values" of significant natural areas consistent with NPSIB criteria?

D19. **Health and safety (row D12a of Table 6):** What additional information or resources could help foresters and councils make decisions that balance environmental outcomes with worker safety when managing slash?

Please enter text here.

## **Capacity and capability of local authorities to implement the NES-PF**

### ***Questions for councils and foresters***

D20. What sources of information or training do you currently use to inform your decisions for forestry?

We have several staff across different aspects of forestry related matters. Some sources of information include:

- Forest Owners Association guidance documents.
- consultants with specialist knowledge.
- conversation and discussion with local foresters.
- Information generated through consent processes

D21. What areas of forestry practice required by the NES-PF do you need more information about or training in?

(As a generalised statement) councils have a solid knowledge base in ecology and erosion, but there is a lack of knowledge of the technicalities of plantation management, planning and design and harvest planning (i.e., interpreting a harvest plan and identifying risks associated with it; the actual mechanics of how a forest is harvested) and earthworks. It may be helpful to provide further information or training in these matters.

D22. What are the best forms of delivery for that information or training? This may include a range of delivery methods or forums.



## General comments

Do you have any further comments or feedback to add?

General internal discussion points:

- Our compliance team have noted that conversations with some carbon forestry companies indicate they intend to harvest up to 60% of the “carbon forests”. This blurs the line between what is considered a “permanent forest”. There should either be some clear delineation between a permanent forest planted with an intention to transition into native over time, and a forest that may be harvested at some point; or no difference in the definition between the two forest types at all.
- Issues arising from the ETS regulations that have been identified across the country should not be fixed or ‘patched up’ by local government. This will lead to significant inconsistencies, complications, and cross boundary issues.