
New commercial forestry standards introduced

The national environmental standards for commercial forestry (NES-CF) came into force on 3 November 2023, amending the current national environmental standards for plantation forestry (NES-PF).

The NES-CF will apply to both plantation forests and exotic continuous-cover forests (carbon forests) that are established for commercial purposes.

The intention is that the environmental effects of large-scale forestry on the environment, communities and rural economies will be able to be better managed.

The NES-CF are clear national standards on the way forests can operate; regulating the activities of afforestation, pruning and thinning to waste, earthworks, river crossings, forestry quarrying, mechanical land preparation and replanting.

The key changes from the NES-PF are that carbon forests will now be regulated by the standards (in addition to plantation forests) and there are greater powers for local authorities. There is also a new permitted activity condition to manage slash at harvest and new requirements around the management of wilding trees.

Recent cyclones and extreme weather events and subsequent media coverage have brought the issues of location of forests and slash management into the public arena. Whether the sharp focus on foresters is fair given surveys have shown only 2% of the post Cyclone Gabrielle debris in areas such as Wairoa was forestry slash appears to be a moot point.

The NES-CF gives councils more control over the location of forestry and councils have the flexibility to introduce rules that reflect the views of the local communities through their planning processes. Councils can now also consider the following additional matters of discretion:

- planting location and species, including planting density and establishment practice;
- future harvesting and earthworks effects;
- the level of risk to communities and infrastructure that might be adversely affected by slash or sediment;
- the forest type (plantation or exotic continuous-cover); and
- management requirements to avoid adverse effects on ecosystems, freshwater, coastal and marine area, communities and infrastructure.

For the purposes of harvesting, land has been zoned green, yellow, orange or red. Harvesting is a permitted activity in green, yellow and orange zones. Limited harvesting in a red zone is also permitted in certain circumstances. This hasn't changed under the NES-CF. What has is the slash management rules. Now, in orange or red zones, slash from harvesting that is "sound wood" (wood

that can be safely lifted using harvesting equipment and transferred to a landing without degrading or breaking up) must be removed unless it is unsafe to do so if it has a length of over 2 metres and a large end diameter of 10cm. Some residual slash larger than this size (not exceeding 15m³ per hectare of the cutover) may be left on the site. If the forest owner can't meet this requirement, harvest will be a controlled activity and they will need to apply for consent.

A number of other technical and operational amendments have been made to the NES-PF.

It will be interesting to see how these amended regulations affect our forestry industry going forward. Regional differences will likely make navigating the consenting and forestry management and compliance spaces more complex and costly. These additional restrictions and costs combined with increased ETS costs and a less forestry friendly overseas investment regime may ultimately result in less forestry over time. This raises the question of how New Zealand will meet its domestic and international climate change targets.
