

Submission

Development of national direction under
the resource management system.

Package 3: Freshwater

Submission to:

Ministry for the Environment

27 July 2025



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Endorsement

Regional wood councils act as representative bodies for the forestry and wood processing industries in their respective regions. They play a critical role in promoting the sustainable development of the industry, fostering collaboration and advocating for the interests of their members. Whilst many of the wood councils will prepare their own submissions to the National Direction consultation, FOA/FFA's submission is endorsed by the following wood councils:



Submitters

The New Zealand Forest Owners Association Incorporated (FOA) is the representative membership body for the commercial plantation forest growing industry. FOA members are responsible for the management of approximately 1.2 million hectares of Aotearoa New Zealand's plantation forests and over 70% of the annual harvest.

The New Zealand Farm Forestry Association (FFA) represents people who own small-scale private forests and/or are interested in the many values of trees. Currently FFA have over 1200 members representing a good cross-section of the approximately 15,000 entities owning private forests in Aotearoa New Zealand. Small forest owners represent more than 96% of the participants in the New Zealand Emissions Trading Scheme.

In 2024, the forest growing sector was worth \$5.75 billion in export value and is projected to reach \$6.4 billion¹ by 2026. The sector has a 12% share of rural land use. It contributes 1.6% of New Zealand's GDP and employs approximately 42,000 people in wood production, processing, and the commercial sector. It is anticipated that total export returns for forest products will reach \$7.33 billion by 2027². Commercial forests sequester approximately half of New Zealand's carbon dioxide emissions.

A high proportion of commercial forests are owned by Māori. The value of Māori forest assets is \$4.5 billion and Māori make up 44% of forestry's national workforce³.

Introduction

FOA/FFA welcome the opportunity to provide feedback on the Resource Management Act National Direction Package 3: Freshwater. Forest growers acknowledge and support the protection and enhancement of New Zealand's freshwater resources. Clean and healthy waterways underpin ecosystem resilience, community wellbeing, and long-term land-use viability. At the same time, it is essential that national direction reflects the reality of productive land uses and the practical measures available to manage environmental effects. Forestry contributes positively to freshwater outcomes over time through stabilisation and afforestation, despite short-term impacts during harvesting. To be effective and enduring, freshwater policy must enable land uses to operate within realistic compliance frameworks that recognise both their challenges and long-term benefits.

¹ <https://www.mpi.govt.nz/resources-and-forms/economic-intelligence/situation-and-outlook-for-primary-industries/#:~:text=shifting%20trade%20policies-,Forestry,to%20increase%20to%206.4%20billion.>

² https://www.nzfoa.org.nz/images/Facts_and_Figures_2022-2023_-_WEB.pdf

³ https://www.nzfoa.org.nz/images/Facts_and_Figures_2022-2023_-_WEB.pdf

PACKAGE 3: FRESHWATER

Discussion Document, Freshwater

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Section 2		
1	<p>What resource management changes should be made in the current system under the RMA (to have immediate impact now) or in the future system (to have impact longer term)? From the topics in this discussion document, which elements should lead to changes in the current system or the future system, and why?</p>	<p>Rebalancing Objectives: Supporting Integrated and Balanced Outcomes</p> <p>We support the proposal to introduce multiple objectives in place of the current hierarchical framework under Clause 2.1 of the National Policy Statement for Freshwater Management (NPS-FM). In our view, a multi-objective structure better reflects the complex interplay between environmental, social, cultural, and economic needs. For forestry, this change is essential to ensure that its long-term restorative role and economic contribution are not subordinated to interpretations requiring pristine conditions before other uses are considered.</p> <p>The proposed new objective - safeguarding the life-supporting capacity of freshwater and the health of people and communities, while enabling productive use of natural resources - is strongly supported.</p> <p>Planning instruments should be required to give effect to all objectives in a unified and practical way. We would like to see clear implementation guidance to help councils reconcile competing objectives in decision-making. Without such direction, regional variation in interpretation could undermine the clarity and durability of the revised framework.</p> <p>Rebalancing Te Mana o te Wai</p> <p>FOA/FFA support rebalancing the NPS-FM to better reflect the interests of all water users, however we consider that the concept of Te Mana o te Wai is misplaced within the NPS-FM. A broader set of objectives - including reference to cultural objectives - is more likely</p>

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		<p>to better reflect the interests of all water users. This issue is addressed in more detail below.</p> <p>Clarifying Timeframes and the Pace of Change</p> <p>We strongly support the proposal to include an objective that requires councils to consider the pace, scale, and cost of freshwater improvement, and who bears that cost. Forestry operations require a planning framework that recognises the temporal nature of environmental change and the staged benefits of afforestation. Timeframes for achieving freshwater outcomes must be linked to land-use lifecycle dynamics, enabling durable improvement without imposing unrealistic compliance burdens.</p> <p>We recommend including indicative time bands (e.g. 0–10 years, 10–25 years, 25+ years), catchment-scale flexibility, and providing flexibility to align those with forestry harvest, regeneration of native bush and replanting cycles.</p> <p>Changes to Values: Supporting Regional Relevance and Practicality</p> <p>We support proposals to provide greater flexibility in the identification and application of freshwater values. The existing requirement for all FMUs to provide for four compulsory values, including mahinga kai and human contact, can lead to inappropriate obligations in upper catchments where these values may not be culturally or practically relevant.</p> <p>Forestry often supports threatened species and ecosystem health, but have limited recreational use or mahinga kai relevance. We recommend that councils have the flexibility to determine which values are locally meaningful and which reflect catchment realities and land-use function. However, these processes need to be supported by consultation and transparent rationale.</p> <p>Attributes and Bottom Lines: Supporting Functionally Appropriate Regulation</p> <p>We support a tiered approach to attribute management and retaining compulsory attributes for the four major contaminants (sediment, nitrogen, phosphorus, and E. coli)</p>

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		<p>while allowing optionality for others. However, it is important to recognise that for forestry, suspended sediment attributes are particularly problematic in upper catchments, where natural erosion dynamics and harvesting phases create short-term effects that are difficult to reconcile with fixed thresholds.</p> <p>Flexibility must be embedded in how bottom lines are applied. Councils should be permitted to deviate from default thresholds and monitoring methods were justified by land-use function, catchment position, natural variability, or improved scientific understanding. Optional attributes such as ecosystem metabolism and macroinvertebrate indices should be used only where ecologically meaningful.</p> <p>We recommend that any framework include:</p> <ul style="list-style-type: none"> • Clear criteria for ecological justification; • Recognition of lifecycle-based water quality dynamics associated with some land uses; • Transparency in target setting and environmental limits. <p>Immediate and Enduring Changes: Prioritising What Should Be Done Now and Later</p> <p>We recommend that the following changes be progressed immediately under the current RMA framework:</p> <ul style="list-style-type: none"> • Introduction of multiple objectives in the NPS-FM; • Inclusion of an objective addressing pace, cost, and burden of change; • Flexibility in attribute application and threshold deviation;

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		<ul style="list-style-type: none"> • Clarification of the relationship between forestry regulation thresholds under National Environmental Standards for Freshwater (NES-F) and National Environmental Standards for Commercial Forestry (NES-CF). We note that although the NES-F is subject to the NES-CF there are some areas where the overlay is confusing. This is discussed in relation to wetlands below. <p>Longer-term changes should focus on:</p> <ul style="list-style-type: none"> • Formalising implementation guidance under the new resource management legislation; and • Aligning freshwater objectives with productive land uses. <p>In addition, it is essential that the overarching framework operates with clarity and cohesion. This submission highlights the implications of proposed amendments on forestry operations and identifies opportunities where further adjustments could strengthen alignment to improve improving regulatory certainty without diminishing environmental outcomes.</p>
Part 2.1 Rebalancing freshwater management through multiple objectives		
2	<p>Would a rebalanced objective on freshwater management give councils more flexibility to provide for various outcomes that are important to the community? How can the NPS-FM ensure freshwater management objectives match community aspirations?</p>	<p>Clarity and Balance in Objective Setting</p> <p>We support the proposed new objectives that seek to:</p> <ul style="list-style-type: none"> • safeguard the life-supporting capacity of freshwater and the health of people and communities, • while enabling communities to provide for their social, cultural, and economic well-being, including productive use of natural resources. <p>We agree these elements should not be applied hierarchically. Rather, planning instruments should give effect to all objectives in an integrated and practical way.</p>

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		<p>However, to achieve this, it is critical that guidance is provided to councils about how to navigate competing demands and values in decision-making.</p> <p>Need for Realistic Implementation Pathways</p> <p>The proposal to include an objective requiring councils to explicitly consider the pace and cost of change, and who bears that cost, is strongly supported. In our view, this is essential to ensuring that environmental aspirations are achievable and sustainable over time.</p> <p>Specific comment on other options</p> <p><i>Issue one: Te Mana o te Wai</i></p> <p>We support a revised NPS-FM that better balances Te Mana o te Wai with the legitimate needs of urban, industrial, agricultural, and infrastructure water users. While environmental stewardship remains essential, the policy framework must reflect the practical interdependence of economic and environmental wellbeing.</p> <p>A high proportion of commercial forests are owned by Māori. The value of Māori forest assets is \$4.5billion and Māori make up 44% of forestry’s national workforce⁴.</p> <p>Importantly, we note that Treaty Settlement legislation already provides regionally specific cultural and environmental protections that must be upheld. In the Waikato River catchment, for example, Te Ture Whaimana o Te Awa o Waikato (the Vision and Strategy) prevails over the NPS-FM and provides a legally binding, settlement-derived direction for freshwater management.</p>

⁴ https://www.nzfoa.org.nz/images/Facts_and_Figures_2022-2023_-_WEB.pdf

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		<p>However, Settlement Agreements are not uniform. Each agreement reflects unique historical, cultural, and ecological contexts and must be respected within its own geographic and legislative scope. The NPS-FM should not override or attempt to replicate settlement outcomes but instead co-exist with them. Removing Te Mana o te Wai provisions would reinforce that distinction and allow councils to more clearly navigate overlapping legal obligations.</p> <p>A revised NPS-FM should deliver:</p> <ul style="list-style-type: none"> • Clarity and proportionality in national freshwater planning; • Adaptive implementation pathways that allow for regional innovation; • Legal certainty for all water users, including primary industries and infrastructure providers; and • A streamlined approach that complements, rather than complicates, existing Treaty settlement frameworks. <p>FOA/FFA supports a more targeted and transparent framework without compromising the integrity of the settlement agreements.</p> <p>The current NPS-FM has introduced legal, operational, and interpretive uncertainty. The embedded Te Mana o te Wai provisions, particularly as they relate to compulsory cultural engagement, have proven complex and difficult to apply uniformly across diverse regions and sectors. This has resulted in delays, costly litigation, and reduced confidence for investors seeking long-term clarity on water use, infrastructure development, and land management.</p> <p>We support Option 3: removal of Te Mana o te Wai provisions from the revised NPS-FM. This would:</p>

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		<ul style="list-style-type: none"> • Reinstate freshwater governance under standard Resource Management Act (RMA) processes; • Remove mandatory cultural overlays that impose interpretive and procedural complexity; • Enable councils to weigh environmental priorities alongside economic needs with greater discretion; and • Support certainty for investment, particularly in export-driven and infrastructure sectors. <p><i>Issue two: The required pace, scale and cost for achieving freshwater improvement is unclear, and there is insufficient recognition of key government priorities within objectives and policies</i></p> <p>Regarding Issue Two, Option One proposes reverting to the 2017 NPS-FM, including Objective A2, which required “the overall quality of fresh water within a freshwater management unit is maintained or improved while...”. However, that formulation permitted localised degradation if offset by broader catchment improvements—an approach that undermines site-specific integrity. Option Two, which revises the NPS-FM to include objectives that set clearer direction on scale, cost, and pace of change, is rightly favoured by the Regulatory Impact Statement (RIS). It also introduces new objectives aligned to current government priorities, such as supporting productive land use. Forest growers support Option Two as the approach most likely to deliver balanced, enduring outcomes.</p> <p><i>Issue three: Limited ability for councils to take account of regional variation when setting environmental limits under the NOF</i></p> <p>On Issue Three, the RIS favours Option Three, which would make values, attributes, and bottom lines optional to give councils greater flexibility to respond to local conditions. While this approach may pose some risks to national consistency and environmental</p>

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		<p>outcomes, we believe the greater danger lies in imposing bottom lines that are fundamentally unachievable—particularly in naturally dynamic and erosion-prone catchments where forestry is located. Unrealistic standards offer limited practical benefit and risk reducing compliance to a procedural formality. We consider that these risks can be mitigated through improved drafting, requiring councils to set locally appropriate limits even where national bottom lines are not strictly mandated. This approach would preserve transparency, support environmental monitoring, and reinforce accountability.</p> <p>Finally, we note that section 30 of the RMA provides a robust check and balance, as councils retain their statutory function to control land use for the purpose of maintaining and enhancing freshwater quality. This responsibility remains irrespective of the compulsory or optional status of specific attributes under the NPS-FM.</p>
3	<p>What do you think would be useful in clarifying the timeframes for achieving freshwater outcomes?</p>	<p>We consider that clearer guidance on timeframes for achieving freshwater outcomes is essential to ensure both environmental integrity and practical feasibility. Under the current NPS-FM, councils are required to set “ambitious but reasonable” timeframes, yet this standard remains undefined and open to interpretation. To improve clarity, we recommend that the replacement NPS-FM include:</p> <ul style="list-style-type: none"> • Indicative time bands (e.g. short-term: 0–10 years; medium-term: 10–25 years; long-term: 25+ years) linked to attribute types and land-use contexts. • Lifecycle-based provisions that recognise the temporal nature of forestry impacts, allowing longer timeframes for recovery and improvement following harvesting. • Catchment-specific flexibility, enabling councils to align timeframes with natural variability, land capability (e.g. Class 7 land), and co-governance arrangements. • Explicit integration with action plans, ensuring that interim targets are staged and measurable, and that long-term goals are not undermined by aspirational but unenforceable commitments. <p>Without clearer direction, there is a risk that councils will either overreach—setting timeframes that are unachievable—or underdeliver, weakening the credibility of</p>

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		freshwater planning. Forestry, in particular, requires durable and context-sensitive timeframes that reflect its long-term environmental contributions and operational realities.
4	Should there be more emphasis on considering the costs involved, when determining what freshwater outcomes councils and communities want to set? Do you have any examples of costs associated with achieving community aspirations for freshwater?	FOA/FFA agree that there should be more emphasis on considering the costs involved when determining what freshwater outcomes councils and communities want to set. As noted above, FOA/FFA support inclusion of objectives and policies that set direction on scale, cost and pace of change needed, and new objectives to meet specific priorities as the option most likely to best address the policy objectives. Examples of costs include the Kaipara remediation scheme which is estimated to cost \$200 million of local and central government funding along with other contributions. The Lake Taupo Variation 5 costs to remove nitrogen from the lake were \$83.5 million over 15 years. The implementation of Waikato Regional Plan Change 1 (PC1), has cost the Waikato Regional Council an estimated \$23 million in labour, management, and direct costs since 2012, with no final decision as yet.
Part 2.2 Rebalancing Te Mana o te Wai		
5	What will a change in NPS-FM objectives mean for your region and regional plan process?	As forest owners operate across all regions, there will be a range of outcomes.
6	Do you think that Te Mana o te Wai should sit within the NPS-FM's objectives, separate from the NPS-FM's objectives, or outside the NPS-FM altogether – and why?	From a practical standpoint, locating Te Mana o te Wai outside the framework of the NPS-FM would likely exacerbate existing uncertainties. The policy landscape is already complex, with overlapping national policy statements, national environmental standards, regional and district plans, and, in many instances, additional layers introduced by Settlement Act provisions. Further decoupling would risk intensifying interpretive challenges and undermining consistency in freshwater management.

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7	How will the proposed rebalancing of Te Mana o te Wai affect the variability with which it has been interpreted to date? Will it ensure consistent implementation?	As previously noted, and outlined in the Treaty Impact Analysis, uniform implementation across regions remains improbable, irrespective of amendments to the NPS-FM. However, as this is already the case under the status quo, prioritising practical, context-specific application over strict regional consistency is the preferred option from a New Zealand Inc perspective.
Part 2.3 Providing flexibility in the NOF		
8	Which values, if any, should be compulsory? Why?	<p>We are concerned that at present the compulsory values must be applied to all FMUs regardless of whether they are locally relevant or achievable. This can result in misalignment with catchment-specific priorities, especially in areas where certain values (e.g. swimming or mahinga kai) are not culturally relevant or are not supported by the local ecological conditions, such as water quality, habitat type, or natural ecosystem characteristics.</p> <p>Councils are required to identify additional values in consultation with communities and tangata whenua, but the process is highly prescriptive. As it stands, the framework restricts councils from excluding values even where they may not be meaningful or measurable in a given FMU.</p> <p>Some values rely on attributes that are difficult to measure consistently, such as mahinga kai or threatened species habitat which often lack clear ecological baselines, reliable monitoring data, or well-defined spatial boundaries. For example, threatened species may occupy habitat intermittently, depend on degraded ecosystems, or require data-intensive surveys that are impractical at scale. This creates data gaps, inconsistent monitoring, and challenges in setting meaningful targets, especially when councils are expected to apply uniform measures across diverse catchments with varying ecological complexity.</p>

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		<p>Forestry catchments often support ecosystem health and threatened species, but may not align with values like human contact due to limited recreational use associated with issues such as location and flow.</p> <p>We consider that the values framework does not adequately account for temporal dynamics, such as short-term impacts during harvesting versus long-term water quality improvements.</p> <p>In addition, storm events increasingly challenge the viability of static water quality targets and ecological assessments. Extreme rainfall, flooding, and sediment discharges can rapidly alter habitat availability, turbidity, and contaminant levels, temporarily shifting freshwater parameters outside acceptable ranges. These episodic yet significant disruptions make it difficult to attribute changes to land-use practices or to establish consistent baseline conditions, especially in forestry-dominated catchments where slope, soil type, and vegetation clearance amplify these effects. The framework must recognise that ecological recovery is often nonlinear and episodic, and monitoring systems need to reflect the reality of climatic volatility rather than assume steady-state conditions.</p> <p>Overall, we agree that there should be greater flexibility to apply values that are assessed as meaningful to the specific FMU (or parts of).</p>
9	<p>What would be the practical effect of removing compulsory national values? Do you think this will make regional processes easier or harder?</p>	<p>As it is often situated on erosion-prone upper catchment land, forestry requires a framework that accommodates both its ecological benefits compared to alternative land uses and the temporal nature of its impacts. Allowing regions to tailor freshwater objectives to align with local circumstances and values could result in greater recognition of forests' contributions. On the other hand, there is likely to be greater inconsistency across plans which may also increase the negotiation burden for stakeholders, who would need to engage more intensively in each region to ensure land-use interests are fairly represented.</p>

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		<p>On balance, we support greater regional discretion in the application of freshwater values, particularly where this were to result in improved alignment with land capability and catchment-specific characteristics.</p>
10	<p>Which attributes, if any, should be compulsory to manage? Which should be optional to manage?</p>	<p>We support a tiered approach to attribute management under the NPS-FM, where attributes associated with the four major contaminants - sediment, nitrogen, phosphorus, and E. coli - remain compulsory due to their broad ecological relevance and national significance. However, the Interim RIS rightly identifies the need for councils to have flexibility to deviate from default thresholds and monitoring methods, particularly where natural variability, land-use function, or scientific advancements justify alternative approaches. For forestry, this flexibility is critical: attributes such as suspended sediment and macroinvertebrate indices may not be appropriate for upper catchments dominated by Class 7 land, where forestry is often located and natural sediment dynamics are pronounced. Optionality should apply to attributes that are either difficult to measure consistently (e.g. ecosystem metabolism) or less relevant in forested landscapes. We recommend that flexibility provisions explicitly include catchment position, land-use function, and lifecycle-based water quality dynamics as valid grounds for deviation, ensuring that attribute management remains both environmentally credible and practically achievable.</p>
11	<p>Which attributes, if any, should have national bottom lines? Why?</p>	<p>From a water quality standpoint, it is critical to recognise the long-term nature of forestry operations. While harvesting activities may cause short-term declines in water quality, the broader lifecycle of a forest typically yields net improvements in water quality over</p>

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		<p>time. Policy frameworks should therefore account for these temporal dynamics and support adaptive management approaches that reflect long-term environmental gains.⁵</p> <p>The current requirement for forestry to meet sediment and E. coli thresholds – which may be calibrated to safeguard downstream values such as swimming and mahinga kai – fails to account for two critical realities:</p> <ul style="list-style-type: none"> • Sediment naturally migrates downstream within a catchment; and • Forestry’s temporary impacts during harvesting are offset by longer-term water quality improvements across the forest lifecycle. <p>We question whether these attributes warrant rigid national bottom lines, or whether a more flexible approach is appropriate; one that considers catchment position and land-use function. Such an approach would better reflect the challenges faced in upper catchment areas, particularly steep, erosion-prone Class 7 land, where forestry is frequently located. Expecting these upstream areas to meet heightened water quality thresholds to protect downstream values disregards both the practical constraints and the temporal nature of forestry’s environmental contributions.</p> <p>Planted forests in upper catchments play a significant role in maintaining baseflow water quality, particularly during non-harvest phases. Through canopy interception, understorey vegetation, and stable ground cover, forestry reduces nutrient runoff, sedimentation, and peak flow variability. This contributes to comparatively clean discharges from forestry catchments, often exceeding that of mixed-use or agricultural areas further downstream. When rainfall occurs, these cleaner upstream flows help dilute nutrient and contaminant loads introduced by more intensive land uses in the lower catchment, such as dairying, horticulture, or urban discharge.</p>

⁵ Baillie, B.R., Neary, D.G. Water quality in New Zealand’s planted forests: a review. *N.Z. j. of For. Sci.* **45**, 7 (2015). <https://doi.org/10.1186/s40490-015-0040-0>

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		<p>This upstream-downstream dynamic reinforces the need to carefully consider which attributes should be subject to national bottom lines. Attributes that can be consistently measured, are ecologically feasible within a given FMU, and align with both land-use function and natural hydrology may warrant minimum thresholds. However, applying blanket bottom lines to all attributes regardless of catchment position risks penalising land uses that already deliver net water quality benefits. Forestry's contribution as a passive buffer and upstream stabiliser, particularly in headwater regions, underscores the need for a more nuanced, context-sensitive framework, one that prioritises meaningful outcomes over rigid compliance.</p>
12	<p>To what extent should action plans be relied upon, including to achieve targets for attributes?</p>	<p>While action plans under the NPS-FM may offer councils flexibility to address freshwater attribute targets, their application in forestry catchments remains largely untested. To date, limited experience with action plan development makes it difficult to assess how effectively they manage attributes such as sediment and E. coli, especially in upper catchment forestry operations where natural processes and temporal land-use impacts complicate monitoring. We are concerned that action plans may introduce uncertainty or inconsistent expectations for forestry, particularly if their implementation lacks clarity, resourcing, or alignment with forest lifecycle dynamics. Furthermore, there is a risk that forestry interests will be underrepresented in multi-stakeholder working groups convened to inform action plans. In some cases, this may result in forestry, despite comprising significant landholdings within a catchment, being outvoted or sidelined in decision-making processes. This may lead to outcomes that do not reflect the operational realities or long-term contributions of plantation forestry to water quality.</p> <p>Overall, we caution against relying heavily on action plans without clearer guidance, robust safeguards, and an evaluation of their practical application for plantation forestry.</p>

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13	Should councils have flexibility to deviate from the default national thresholds (including bottom lines) and methods? Are there any other purposes which should be included?	<p>We support councils having flexibility to deviate from default national thresholds and monitoring methods, provided this is grounded in robust science and justified by catchment-specific conditions. For forestry, this flexibility is essential to account for natural sediment dynamics in upper catchments, particularly on erosion-prone Class 7 land where forestry is often located. Uniform thresholds, especially for attributes like suspended sediment, fail to reflect the temporal nature of forestry impacts and the restorative role of afforestation.</p> <p>We recommend that flexibility provisions explicitly include consideration of land-use function, catchment position, and lifecycle-based water quality dynamics, particularly for land uses like forestry that deliver long-term environmental benefits.</p>
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>We support proposals to improve the definition of wetlands, particularly to distinguish between artificially engineered wetlands and those that develop naturally through landform and hydrological processes. In forestry settings, manmade wetlands frequently emerge behind culverts or in areas of natural ponding, without deliberate engineering or planting. These features contribute meaningfully to water quality outcomes by slowing flow and filtering sediment, yet they are often excluded from recognition or protection due to definitional ambiguity. To support farmers and forestry operators in enhancing environmental outcomes, regulations should provide clearer guidance on how such wetlands are treated—ensuring that naturally occurring constructed wetlands are not subject to unnecessary setbacks or planting requirements. This would enable practical land management while still supporting water quality improvement, particularly in upper catchments where forestry plays a stabilising role.</p> <p>Despite regulation 7 of the NES-F that provides that it is subject to the NES-CF we consider that there is a regulatory gap between the 0.05-hectare wetland threshold in the</p>

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		<p>NES-F and the 0.25-hectare threshold that applies under the NES-CF. This inconsistency creates uncertainty for forestry operators in determining which regulatory standard governs their activities.</p> <p>However, the 0.25-hectare threshold in the NES-CF is designed to reflect the practical realities of forestry operations. Unlike pastoral land uses—where concerns often arise around the protection of small grazed wetlands—forestry avoids saturated soils, as trees do not tolerate “wet feet.” As a result, wetlands within forestry landscapes are typically larger and less vulnerable to routine land-use disturbance. The angst surrounding small pasture wetlands in farming contexts does not generally apply to forestry.</p> <p>The regulatory framework should ensure that wetland management within plantation forestry is governed solely under the NES-CF, not through overlapping provisions in the NES-F. This requires clarification.</p>
23	<p>What will be the impact of removing the requirement to map wetlands by 2030?</p>	<p>We support the proposal to remove the requirement for councils to map all natural inland wetlands by 2030. While mapping provides important clarity, a blanket approach has proven unrealistic given current resourcing constraints and the absence of standardised methodologies. Removing the deadline would allow councils to prioritise mapping based on ecological value, regional risk, and implementation capacity, ensuring that effort is directed where it will have the greatest environmental benefit. This would also reduce administrative burden without compromising outcomes—particularly in forestry settings, where induced wetlands are common but often of low ecological significance. Targeted mapping, supported by clear national guidance, offers a more practical and enduring pathway for identifying and protecting high-value wetland systems while recognising operational realities across land uses.</p> <p>Importantly, mapping efforts should also be coordinated with the provisions of the National Policy Statement for Indigenous Biodiversity (NPSIB), particularly where</p>

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		<p>wetlands have been identified as Significant Natural Areas (SNAs). Marlborough District Council (MDC) provides a useful precedent, having undertaken a process that aligns wetland identification with SNA mapping obligations. Ensuring consistency between freshwater and biodiversity planning frameworks will improve efficiency, reduce regulatory duplication, and support coherent ecological protection across overlapping policy instruments.</p>
24	<p>Could the current permitted activity conditions in the NES-F be made clearer or more workable?</p>	<p>These could be made clearer by addressing the regulatory gap referred to above.</p>
<p>Part 2.7 Fish Passage</p>		
	<p>General comment regarding relationship with NES-CF - culverts</p>	<p>The current regulatory landscape imposes detailed, yet differing, obligations for fish passage across farming and forestry activities. Culverts for farming activities are governed by the NES-F while, forestry culverts are managed under the NES-CF.</p> <p>Fish passage is a critical ecological function, enabling native freshwater species—many of which require upstream and downstream movement for spawning, feeding, and lifecycle completion—to migrate freely through river systems. Culverts that impede this movement can fragment habitats and contribute to long-term population decline. Within forestry, fish passage requirements under the NES-CF are substantial, reflecting the complex topography, variable flows, and steeper terrain typical of forestry catchments. By contrast, culverts associated with pastoral farming are most often installed on flatter land—given the land use class characteristics—which presents fewer hydraulic challenges and simplifies design requirements. These flatter settings mean that fish passage provisions under the NES-F should be more readily achievable in farming contexts. FOA/FFA therefore see little justification for proposals to further simplify these</p>

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		<p>provisions, which risk weakening protections in locations where compliance is already practicable.</p> <p>Under the NES-CF, forestry operators face specific requirements to ensure culverts do not impede fish movement. By contrast, farming culverts, typically situated on flatter land due to land use class characteristics, tend to be less hydraulically complex and may require less intensive design or retrofitting. As such, FOA/FFA consider the existing NES-F provisions to be proportionate and opposes moves to further simplify fish passage requirements, which could weaken protections in areas where stream connectivity remains essential.</p> <p>Further, from an ecological perspective, it is illogical to require fish passage in forestry blocks typically located in upper catchments, while omitting the same requirement for downstream areas.</p> <p>FOA/FFA also note that the Freshwater Fisheries Regulations 1983 clearly establish long-standing obligations regarding fish passage. Specifically, they require that no person may construct a culvert or ford in any natural waterway in a manner that impedes fish movement, unless written approval is obtained from the Director-General with appropriate conditions. These structures must be maintained to allow free passage over time.</p> <p>Neither the NES-CF nor the NES-F appear to explicitly reference these regulations, despite their relevance. This disconnect underscores the need to reconcile existing fish passage requirements across all freshwater-related planning instruments to ensure consistency and legal clarity.</p>
	General comment regarding relationship with NES-CF - weirs	While culverts are regulated as permitted activities under the NES-CF, weirs which may be used for permanent water monitoring in forests, are currently addressed only under

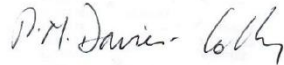
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		the NES-F. This disconnect undermines the intended coherence of freshwater infrastructure regulation. It means that the NES-CF is not operating as a one-stop shop for forestry activities involving water crossings. FOA/FFA recommend that weirs also be recognised as permitted activities within the NES-CF framework to ensure greater consistency and regulatory efficiency.

Summary

We do not object to the submission being made public. We welcome the opportunity for further discussion and engagement. We wish to be heard at Select Committee in support of our submission.



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