

NES-PF Workshops 2018 – Scenario 2 – Harvesting - Questions

Overview

It is July 2018. Harvesting has not previously required resource consent. Will it under the NES-PF?

You are the woodlot planner. You did a harvest plan for a good-sized woodlot just prior to the NES-PF coming into effect. The questions below are a list of things you need to check out before meeting with your boss.

Background

1. The harvesting will likely take three months.
2. The harvesting is planned to start shortly after the forestry infrastructure has been constructed - hopefully in late August.
3. The harvesting will be predominantly cable.
4. You've decided to use ridge-to-ridge cable logging to improve lift on the stems. This will lead to native vegetation riparian damage along some of the headwater gullies. Even with improved lift there will only be butt suspension, not full suspension of the stems.
5. The block has an archaeological site.
6. The exact hauler configuration will not be known until just prior to the harvest start, so it will be inevitable that there will be modifications to the harvest plan like setting boundary changes.
7. You're considering putting in a slash trap.
8. As the environmental considerations in the plan mention, kiwi are known to be in the area but have not been sighted in the block.
9. The area of native vegetation to the east is a Significant Natural Area (SNA).

Scenario paperwork

You have been provided with the:

1. Scenario background
2. NES PF tools which includes the ESC and fish spawning maps and accompanying tables..
3. Harvesting map

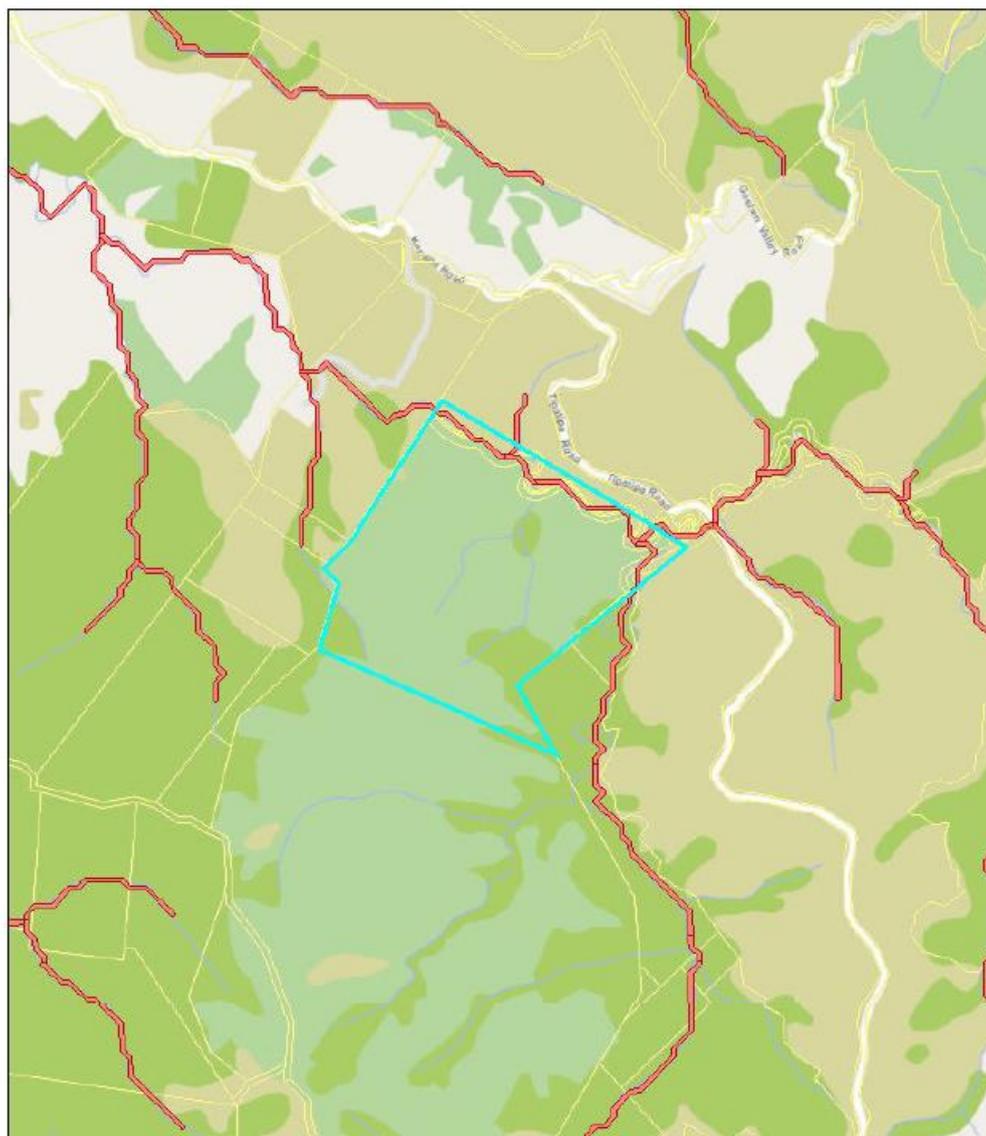
You will find the [Regulations](#), the [User Guide](#), and the [Consenting and Compliance Guide](#) helpful.

Questions

1. For the indigenous vegetation around this block:
 - a. Is indigenous vegetation clearance a regional council or territorial authority responsibility under the NES-PF?
 - b. What are the requirements for indigenous vegetation clearance and incidental damage associated with harvesting next to a SNA?
 - c. Are there any regulations relevant to incidental damage of indigenous vegetation in riparian edges, which are not SNA's?
2. There are fish in the stream that forms the northern boundary. What would you be writing in the harvest plan to meet the permitted activity conditions relating to disturbing stream beds and fish habitats?
3. Are there any consenting implications in the NES-PF associated with dragging stems across a streambed?
4. What planning considerations for access and maintenance of slash traps need to be considered, for the slash trap to meet permitted activity conditions in the NES-PF?
5. What do the regulations say about undertaking forestry activities in areas where kiwi are present? Is the permitted activity status met? Please explain.
6. What are the NES-PF requirements for a change in the harvest regime/methods? How much of a deviation from the harvest plan is considered a "material amendment"?
7. Does the harvesting require a consent?
 - a. If so, what type of consent is needed?
8. Is the existing map adequate to meet the NES-PF mapping requirements for the harvest plan in Schedule 3?
 - a. What aspects are good?
 - b. What things need beefing up?
 - c. If all the NES-PF harvest plan mapping requirements are put on a single map, would that confuse operators? I.e. would you show all mapping requirements on a single plan, or split them up? What would you put on a secondary map?
9. Are the existing use rights relevant if the NES-PF requires a resource consent for harvesting? Please explain.

The information in each scenario was developed solely for the purpose of the NES-PF workshops. To provide realistic scenarios for participants to work with, every effort has been made to ensure this information is accurate. However, Te Uru Rākau does not accept any responsibility or liability for error of fact, omission, interpretation or opinion that may be present in the contents of these scenarios.

NES-PF Fish Spawning Habitats Report



11/04/2018

Legend

Modelled Probability of over 50% - Group A

Land Parcel

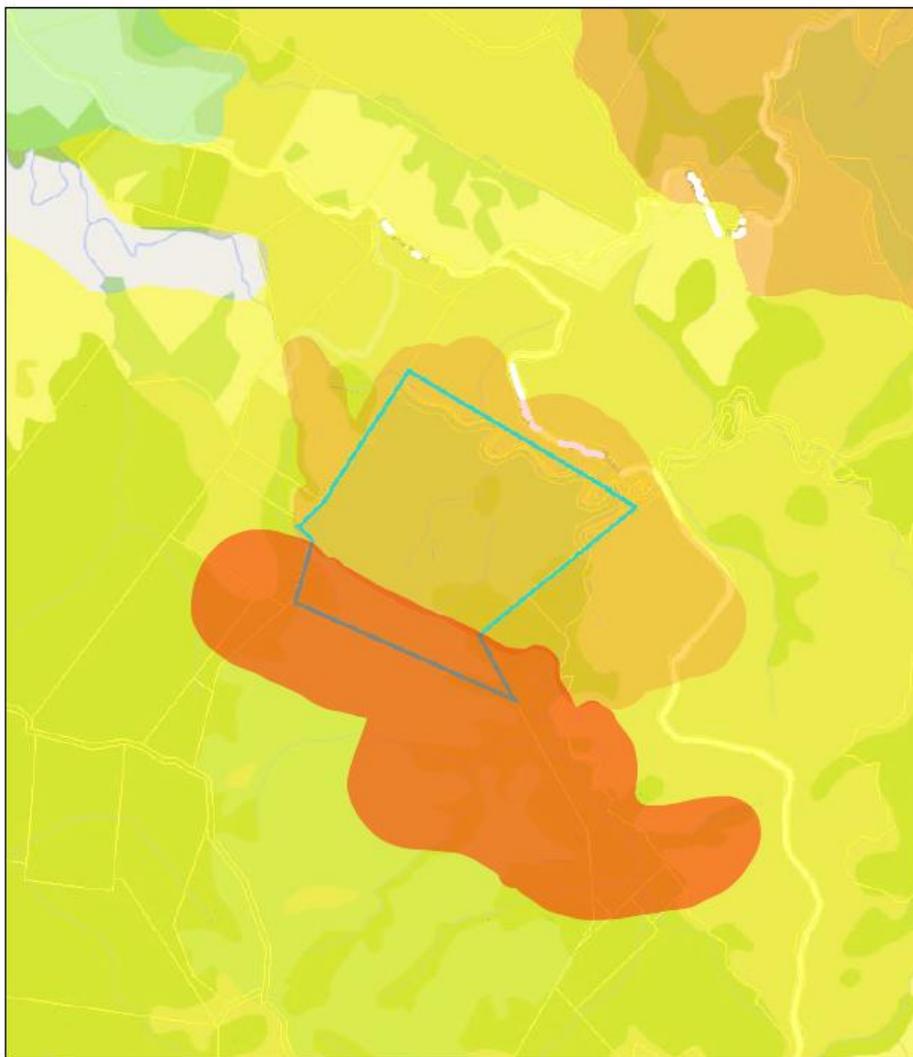
0 205 410 820 Metres

11/04/18

NES-PF Fish Spawning Habitats Report: Modelled Probability of over 50% - Group A

Common Name	Species Name	Sensitivity	Database Source	NZREACH	Spawn From Date	Spawn To Date	Notes
Redfin Bully	Gobiomorphus huttoni	Group A	Modelled	1003443	01 Aug	31 Oct	
Redfin Bully	Gobiomorphus huttoni	Group A	Modelled	1003429	01 Aug	31 Oct	
Redfin Bully	Gobiomorphus huttoni	Group A	Modelled	1003373	01 Aug	31 Oct	
Redfin Bully	Gobiomorphus huttoni	Group A	Modelled	1003379	01 Aug	31 Oct	
Redfin Bully	Gobiomorphus huttoni	Group A	Modelled	1003406	01 Aug	31 Oct	
Redfin Bully	Gobiomorphus huttoni	Group A	Modelled	1003450	01 Aug	31 Oct	

NES-PF Erosion Susceptibility Classification Report



11/04/2018

Legend

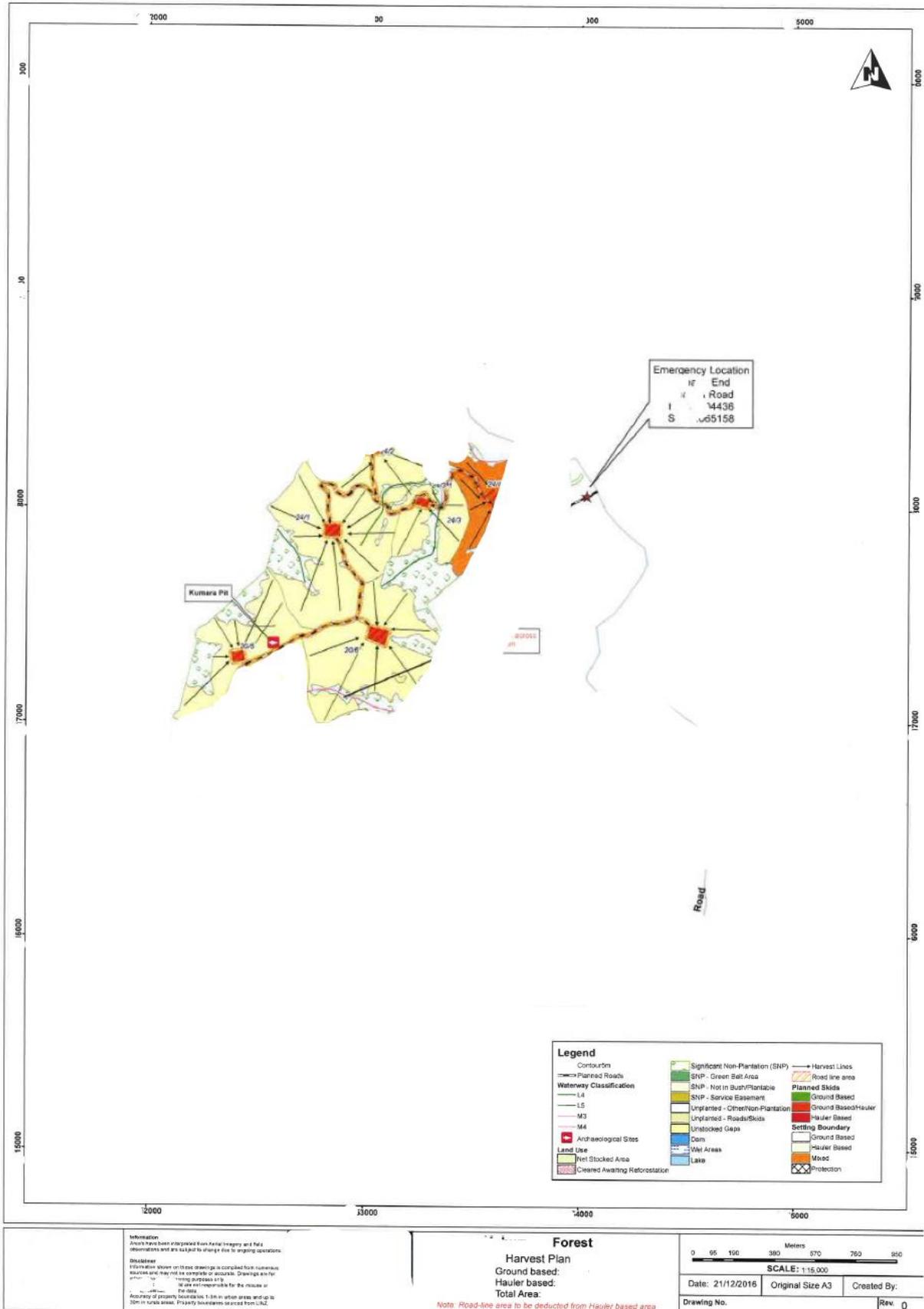
- Erosion Susceptibility Land Parcel
- Other (undefined)
- Low
- Moderate
- High
- Very High

0 205 410 820 Metres



NES-PF Erosion Susceptibility Classification Report

ESC 2017 class	Land Use Capability unit	NZLRI Legend	LUC Class 8e land	Hectares
<i>High</i>	7e 2	01	No	10.02
<i>Very high</i>	8e 2	01	No	53.13
Moderate	8e 2	01	No	1.88
Moderate	8e 2	01	No	4.65
<i>High</i>	7e 2	01	No	10.16
Moderate	8e 2	01	No	0.12
Moderate	8e 2	01	No	0.03
Moderate	8e 2	01	No	0.01



Information
 Areas have been interpreted from Aerial Imagery and field observations and are subject to change in line with ongoing operations.
Disclaimer
 Information shown on this drawing is compiled from numerous sources and may not be complete or accurate. Drawings are for planning purposes only. The user is responsible for the accuracy of the data.
 Accuracy of property boundaries is 1:50 in urban areas and up to 1:200 in rural areas. Property boundaries sourced from LINZ.

Forest
 Harvest Plan
 Ground based:
 Hauler based:
 Total Area:
 Note: Road-line areas to be deducted from Hauler based area

0 65 130 380 670 950		
Meters		
SCALE: 1:15,000		
Date: 21/12/2016	Original Size A3	Created By:
Drawing No.		Rev: 0

NES-PF Workshops 2018 - Scenario 2 – Harvesting - Answers

1. Indigenous vegetation clearance or damage is covered in the Ancillary Activities (regulations 93 and 94). Make sure you are clear about whether you are clearing or damaging, as different parts of the regulations apply. Then check whether you will be able to meet the permitted activity conditions of regulation 93. Section 6.2 of the User Guide should help.
 - a. It is the territorial authority's responsibility – see Regulation 82 and the title for Regulation 93.
 - b. For permitted activity status, any incidental damage to indigenous vegetation must meet the requirements set out in 93(5). If you think you're likely to cause more than minor incidental damage to a SNA (93(5)) you'll need to get a restricted discretionary consent - Regulation 94. The district plan may also have rules relating to SNAs that are more stringent than the NES-PF which you would have to comply with (see Regulation 6).
 - c. Incidental damage caused by logging across a riparian zone is a permitted activity provided the definition of incidental damage is met - Regulation 93(5)(a) and 93(5)(b)). "Riparian zone" is defined in Regulation 3.

2. The harvest plan would need to outline how you will meet the permitted activity requirements in the part of the regulations for Harvesting (Regulation 67: ground disturbance, Regulation 68: disturbance of margins of waterbodies). Meeting these will help ensure you minimise disturbance of fish habitats. Then you need to look at the General Provisions for regulations on disturbance of fish. These are in 97(4) and (5) and cover stream bed disturbance during fish spawning times. Consider how you would fell in the northern cable setting, as it borders the stream. Also be aware that different rules apply to streams under or over 3m wide.

3. There are non-fish spawning streams identified within the cable logging area, where logs would need to be dragged across. Dragging stems across streambeds (e.g. hauling across the riparian areas) is likely to meet the permitted activity requirements of Regulations 67 and 68 because the river is less than 3 m wide and butts can be suspended.

4. Slash traps are covered in the Ancillary Activities in the regulations. There are a number of conditions for their design, placement, construction and maintenance (regulations 83-92), and on fish passage, sediment generation and effects on other structures and users. These are likely to be a significant change to how slash traps were managed pre-NES-PF. Section 6.2 of the User Guide covers slash traps.

5. Regulations on birds are in the General Provisions. Regulation 102 covers indigenous bird nesting for specifically named indigenous bird species. The NES-PF imposes constraints for specific named birds including kiwi, falcon and weka. To comply with these regulations, you need to:
 - a. Have procedures in place that cover what you will do if you confirm the presence of kiwi. This includes documenting what you have done, so that you can show how you have complied with the regulations.
 - b. Make sure the crew know what to look for, including signs of kiwi such as probe holes and feathers, then avoid the nest sites during logging. The NZFOA has some

useful information and procedures to help with the practicalities of how to manage many of these species in a production forest. Look on the [NZFOA](#) site for details.

6. The extent of change to a harvest plan that would meet the definition of ‘material amendment’ is described in Regulation 66(6). A setting boundary change would not be a material amendment under this definition. However, a change from hauler to ground base harvesting would be considered a material amendment as would a significant change in methods to manage environmental effects.
7. The harvesting flow diagram in section 5.6 of the [User Guide](#) is a useful place to start. All sites need to give notice and produce a harvest plan in accordance with Schedule 3, to meet the permitted activity requirements. No consent is required if:
 - the site is green or yellow or orange, or less than 2Ha of red is harvested in any 3 month period (provided it is not LUC 8e)
 - and the other permitted activity regulations are met:
 - Do a harvest plan that meets the Schedule 3 requirements.
 - The harvest plan clearly outlines on-site risks and how they will be managed through targeted measures, and that plan is followed.
 - Employ a competent contractor.
 - If the site has more than 2Ha of red that will be harvested in three months: A consent is required (controlled activity, Regulation 63(2) and 70(3). Although consent is required, consider how many of the other harvesting permitted activity regulations you can comply with, to help streamline the consent. For your application, make sure you cover the aspects council will be interested in as far as matters over which they have control – see regulation 70(4).

To meet the sediment and ground disturbance regulations requires good extraction performance. Because of the fish, special care would be needed when logging the northern boundary. The locations of the skids should make slash management straightforward. Other things to watch out for are the potential for kiwi and timing of harvesting during fish spawning.

8. Start thinking about the harvest plan maps that you will provide and what should be on them. Clause 2 of Schedule 3 sets out specific requirements for maps within a harvest plan. It doesn’t matter whether the map is GIS generated one (see page 5) or hand drawn. It always needs to be easy to read for the contractor, and it needs information that shows all the important things in the operation that the contractor needs to do, or avoid.
 - a. Good things on this one are that it is clear to read, the harvest extent is obvious, there is a map title and legend and a scale. The version number is also useful. This means that if changes are made then it is easy to check which the latest version is.
 - b. Other things to add to the map would be operational specific things, like areas where slash must not be deposited, boundaries that need machine assist felling, fish spawning streams identified. The plan could also do a better job of describing the management practices that will be used to avoid, remedy and mitigate environmental risks on-site.
 - c. For good performance you want the right information on the map that supports the information in the prescription. Words often don’t get distributed beyond the foreman – or read! Maps at 1:5000 provide a much better ability to see detail than at 1:10 000. Maps that are cluttered lose their impact and can be confusing or difficult to follow. In some instances it might be better to have two.

9. Existing use rights for regional plans apply when an **existing activity** is permitted prior to the NES-PF and now requires consent under the NES-PF. In this situation, there is a 6-month window where the activity can be undertaken relying on existing use rights provided:
- a. Effects of activity are similar or the same; and
 - b. Consent is applied for within 6 months of the NES-PF being in force (i.e. 1 November 2018). This does not need to be granted but needs to at least lodge the resource consent application prior to this date.

In this case existing use rights aren't relevant because harvesting hadn't started prior to 1 May 2018. Section 2.3 of the [Consenting and Compliance Guide](#) covers this.