

17 Schedule of rules applying to plantation forestry in Otago

The Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017 (NES-PF) came into effect on 1 May 2018. The regulation set out rules for core plantation forestry activities and apply to any forest larger than one hectare, planted specifically for commercial activities and harvest. In general, the standards prevail over rules in regional and district plans, however, in some cases stricter rules in this Plan may apply.

The standards are online here:

<http://www.legislation.govt.nz/regulation/public/2017/0174/latest/whole.html>¹

In this Plan, stricter rules apply that give effect to Objective A1 of the National Policy Statement for Freshwater Management: *To safeguard the life-supporting capacity, ecosystem processes and indigenous species including their associated ecosystems of fresh water, in sustainably managing the use and development of land, and of discharges of contaminants.*

Stricter Water Plan rules are applied:

- In accordance with Regulation 6 of the NES-PF;
- To achieve Objective 7.A.2 in the Water Plan, in accordance with Policy 7.B.2 in the Water Plan; and
- In particular, to protect indigenous non-migratory fish such as galaxiid species, which are classified as threatened and are particularly vulnerable to habitat disturbance and sedimentation.

For this reason, some rules in sections 12.C and 13.5 of this Plan prevail over the NES-PF in accordance with Section 43A(1) of the RMA.

A summary of the rules that apply to plantation forestry in Otago is in Table 17.1 below.

¹ Link to *Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017*, retrieved 29 March 2018.

SCHEDULE 17: RULES APPLYING TO PLANTATION FORESTRY IN OTAGO

Table 17.1 Rules for Plantation Forestry in Otago

National Environmental Standards for Plantation Forestry (Part 2)	Regional Plan: Water for Otago
<p>Subpart 1 – Afforestation All regulations apply</p>	<p>Not applicable.</p>
<p>Subpart 8 – Replanting All regulations apply</p>	
<p>Subpart 2 – Pruning and thinning to waste All regulations apply</p>	<p>Chapter 12: Rules Water Take, Use & Management</p> <p>12.C Other discharges</p> <p>12.C.1 Permitted activities: No resource consent required</p> <p>12.C.1.1 (d) (e) (f), excluding (iii)</p> <p>12.C.2 Restricted discretionary activities: Resource consent required</p> <p>12.C.2.1</p> <p>12.C.2.2</p> <p>12.C.2.4</p> <p>12.C.3 Discretionary activities: Resource consent required</p> <p>12.C.3.2</p>
<p>Subpart 3 – Earthworks All regulations apply, except 26 replaced (see opposite and 13.5 rules below in relation to ephemeral rivers)</p>	
<p>Subpart 5 – Forest quarrying All regulations apply, except 56 (1) replaced (see opposite)</p>	
<p>Subpart 6 – Harvesting All regulations apply, except 65 replaced (see opposite).</p>	
<p>Subpart 7 – Mechanical land preparation All regulations apply, except 74 (6) replaced (see opposite)</p>	
<p>Subpart 9 – Ancillary activities All regulations apply, except 90 replaced (see opposite)</p>	

Table continues next page.

SCHEDULE 17: RULES APPLYING TO PLANTATION
FORESTRY IN OTAGO

Table 17.1 Rules for Plantation Forestry in Otago *continued*

National Environmental Standards for Plantation Forestry (Part 2)	Regional Plan: Water for Otago
<p>Subpart 3 – Earthworks</p> <p>All regulations apply (except 26 replaced, see above). In addition to 28(2), 13.5.3.1 rule opposite also applies for ephemeral flow paths.</p>	<p style="text-align: center;">Chapter 13: Rules: Land Use on Lake or River Beds or Regionally Significant Wetlands</p> <p>13.5 Alteration of the bed of a lake or river, or of a Regionally Significant Wetland</p> <p style="padding-left: 40px;">13.5.1 Permitted activities: No resource consent required.</p> <p style="padding-left: 40px;">13.5.1.1 (g)</p> <p style="padding-left: 40px;">13.5.3 Discretionary activities: Resource consent required</p> <p style="padding-left: 40px;">13.5.3.1</p>
<p>Subpart 4 – River Crossings</p> <p>All regulations apply. In addition to 44, 13.5.1.1(g) rule opposite applies, if this rule cannot be met then 13.5.3.1 applies.</p>	
<p>Subpart 6 – Harvesting</p> <p>All regulations apply. In addition to 68(3), rule 13.5.3.1 opposite applies if logs are to be dragged through streams less than 3 metres wide.</p>	
<p>Subpart 9 – Ancillary activities</p> <p>All regulations apply. In addition to 89, 13.5.1.1(g) rule opposite applies, if this rule cannot be met then 13.5.3.1 applies.</p>	
<p>Subpart 10 – General provisions</p> <p>All regulations apply. In addition to 97, rule 13.5.3.1 opposite also applies to any bed disturbance outside fish spawning seasons as defined by the Fish Spawning Indicator.²</p>	

² This is an online mapping tool developed by the Ministry for Primary Industries, which can be found on its website: <https://www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/fish-spawning-indicator/>

