

# Management of plantation forestry in Southland

## New plantation forestry regulations



From 1 May 2018, the National Environmental Standards for Plantation Forestry (NES) apply to plantation forestry over one hectare across New Zealand.

The NES regulates all plantation forestry activities including planting, pruning and thinning to waste, harvesting, and mechanical land preparation, as well as ancillary activities such as slash traps.

A key aspect of the NES is the requirement for people intending to undertake plantation forestry activities to give Environment Southland at least 20 days written notice of:

- afforestation (new plantations);
- earthworks and forestry quarrying;
- river crossings;
- harvesting; and
- slash traps.

A written notice template is available from Environment Southland's website: [www.es.govt.nz/environment/forestry/](http://www.es.govt.nz/environment/forestry/)

User guidance on the NES is available at [www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/nes-pf-guidance/](http://www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/nes-pf-guidance/)

The NES manages erosion risk in accordance with the Erosion Susceptibility Classification tool. The tool is available from the Ministry for Primary Industries website: [www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/erosion-susceptibility-classification/](http://www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/erosion-susceptibility-classification/)

In addition to the NES, regional plans need to be considered when plantation forestry activities are undertaken. Rules in a regional plan can prevail over the NES where a more stringent rule in a plan gives effect to the National Policy Statement for Freshwater Management.

## ► Proposed Southland Water and Land Plan

The proposed Southland Water and Land Plan (pSWLP) applies to plantation forestry activities including:

- planting in the beds or margins of a waterbody;
- cultivation (the pSWLP definition of cultivation covers mechanical land tillage under the NES-PF);
- the discharge of sediment;
- use of land within a wetland;
- the discharge of stormwater;

- disturbing a waterbody (for example, through altering a river channel or constructing, using, and maintaining a bridge or culvert).

All of the pSWLP gives effect to the National Policy Statement for Freshwater Management so the rules in the pSWLP that are more stringent than the NES, automatically prevail.

Guidance on the pSWLP is available on our website: [www.es.govt.nz/water and land](http://www.es.govt.nz/water-and-land)

The table below gives some examples of forestry activities that are managed by both the NES and the pSWLP.

ACTIVITY	SITUATION	NES PROVISION	PSWLP RULE	OUTCOME
<b>Afforestation (new plantations)</b>	The area to be planted includes a wetland	Disturbing a wetland is permitted subject to certain conditions (regulation 97(2))	Non-complying to plant plantation forestry in a wetland (rule 74(c))	The pSWLP is more stringent. Afforestation in a wetland would require a consent from Environment Southland
<b>Mechanical land preparation</b>	A hillside in a yellow zone, with an average slope of 25 degrees, needs to be prepared for planting	Mechanical land preparation is permitted in green and yellow zones (regulation 73(2))	Cultivation on land with a slope greater than 20 degrees is a restricted discretionary activity (rule 25)	The pSWLP is more stringent. Cultivation over 20 degrees would require a consent from Environment Southland
<b>Culverts</b>	A road in a plantation forest requires a new culvert	Constructing a culvert is permitted subject to certain conditions (regulation 37)	Constructing a culvert is permitted subject to certain conditions (rule 59)	In some situations, rule 59 will be more stringent than regulation 37. For example, if the culvert will be more than 1.2m in diameter. Both sets of provisions need to be reviewed
<b>Harvesting</b>	A pine plantation in a farm gully needs to be harvested	Harvesting is a permitted activity subject to certain conditions (regulation 63(2) and (3))	Discharges and disturbance of the beds of waterbodies as a resulting of harvesting are controlled by the pSWLP. For example, the discharge of sediment where it may enter water is a discretionary or non-complying activity (rules 5 and 6)	In some situations, the pSWLP will be more stringent than the regulations and harvesting may require a consent from Environment Southland

## ► How do I know which rules to follow?

You will need to be familiar with both the NES and the pSWLP in order to understand which rules apply to plantation forestry activities.

*Note: The NES and the pSWLP apply to plantation forests over one hectare. For plantation forestry less than one hectare, only the pSWLP applies.*

Environment Southland has prepared a comprehensive table that compares the NES and the pSWLP to help people undertaking plantation forestry activities understand which rules to follow. This is available at [www.es.govt.nz/environment/forestry](http://www.es.govt.nz/environment/forestry)

## Frequently asked questions

**Q.** *How do I know if the forestry activity I want to undertake is controlled by the NES or pSWLP?*

**A.** A rule in the pSWLP will prevail over the NES if it is more stringent than the provision in the NES. Environment Southland has developed a comparison table to illustrate where pSWLP provisions prevail over the NES. For forestry activities under one hectare, only the pSWLP applies.

**Q.** *I have looked at the table, and it says that the rule in the pSWLP will be more stringent in certain circumstances – how do I know if that applies to my situation?*

**A.** Please contact the Land Sustainability Team for activities that are permitted under the NES or the pSWLP. If you think you may need a consent for the activity, please contact the Consents Team.

**Q.** *I want to harvest trees near a waterway – is that permitted?*

**A.** It depends whether you can meet the permitted activity conditions related to harvesting in the NES (which contain set-backs from waterways), and any applicable conditions in the pSWLP. The pSWLP does not have 'harvesting rules', but it does have rules around vegetative waste and sedimentation. For example, you cannot discharge sediment into water (or onto land where it may enter water) as a permitted activity.

**Q.** *Can I plant a pine plantation on undeveloped land directly beside a stream without consent?*

**A.** No. Although NES permits plantation forestry beside waterways with set-backs, under the pSWLP planting production forestry in the beds or margins of a waterbody is a discretionary activity. The pSWLP rule is more stringent and therefore prevails over the NES provision.



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