




Resource Consent

RESOURCE MANAGEMENT ACT 1991

Summary of decision

Consent No.	WAR230127	
Consent ID(s)	[38665] Land use: to undertake forestry harvesting of more than 2ha of commercial plantation trees in a red zone, including any associated discharge and to replant more than 2ha in a red zone in a calendar year.	
	[38674] Land use: to occupy a stream bed with a slash catcher	
	[38673] Discharge permit: to undertake earthworks where sediment laden stormwater may enter water, for the construction of roads/landings	
Name	Wairarapa Estate Limited	
Address	5 Papawai Place, Masterton	
Decision made under	Sections 104C, 105, 107 and 108 of the Resource Management Act 1991	
Duration of consent	Granted: 8 December 2022	Expires: 8 December 2026
Purpose for which consent(s) is granted	Works associated with plantation forestry activities of 190ha of forest, including disturbance of land and discharge of sediment laden storm water to land or water from earthworks, stream works and harvesting.	
Location	4594-4552 Masterton-Castlepoint Road, Masterton at or about map reference NZTM 1861787.5473128	
	Slash catcher: NZTM 1861754.5472456	
Legal description of land	Lot 2 DP 76519, Part Lot 2 DP 2817 & Part Section 790 Whareama DIST VNZ 17970 100 00, 17970 101 01	
Conditions	See below	

Decision recommended by:	Josh Pepperell	Resource Advisor, Environmental Regulation	
Decision peer reviewed by:	Dayna Calkin	Resource Advisor, Environmental Regulation	
Decision approved by:	Nicola Arnesen	Team Leader, Environmental Regulation	

Processing timeframes:

Application lodged:	07/11/22	Application officially received:	08/11/22
Application stopped (s95):	30/11/22	Application started (s95):	01/12/22
Applicant to be notified of decision by:	08/12/22	Applicant notified of decision on:	08/12/22
Time taken to process application:	20 working days		

Consent conditions

General conditions

1. The location, design, implementation and operation of the activity shall be in general accordance with the consent application and its associated plans and documents lodged with the Wellington Regional Council on the 7th of November 2022 and further information provided on 15th November 2022.

This includes the following:

- Forestry Earthworks Management Plan and Harvest Plan

Where there may be contradiction or inconsistencies between the application and information provided by the applicant, the most recent information applies. In addition, where there may be inconsistencies between information provided by the applicant and conditions of the consent, the conditions apply.

Note: Any change from the location, design concepts and parameters, implementation and/or operation may require a new resource consent or a change of consent conditions pursuant to section 127 of the Resource Management Act 1991.

2. The consent holder shall provide a copy of this consent and any documents and plans referred to in this consent to each operator or contractor undertaking works authorised by this consent, prior to the works commencing. In addition to this, a copy of this consent and all documents and plans referred to in this consent, are kept on site during the works and presented to any Wellington Regional Council officer on request.

Note: It is recommended that the contractors be verbally briefed on the requirements of the conditions of this consent prior to works commencing.

3. The consent holder shall adhere to the best management practices as described in the *New Zealand Forest Owners' Association Road Engineering Manual* and *New Zealand Environmental Code of Practice for Plantation Forestry* and any subsequent reviews.

Note: Where there may be contradiction or inconsistencies between practices described in these two documents and conditions of consent, the conditions apply.

4. The consent holder shall ensure that:
 - a) All machinery is thoroughly cleaned of vegetation (eg, weeds), seeds or contaminants at least 10 metres away from any watercourse, water flow channel or stormwater system, prior to entering the site
 - b) All machinery shall be regularly maintained in such a manner to ensure no contaminants (including but not limited to oil, petrol, diesel, hydraulic fluid) shall be released into water, or to land where it may enter water, from equipment being used for the works
 - c) All contaminant storage or re-fuelling areas are bunded or contained in such a manner so as to prevent the discharge of contaminants to water or to land where it may enter water
 - d) No machinery is cleaned, stored or refuelled within 10 metres of any waterbody, water flow channel or stormwater system

5. The consent holder shall remedy any disturbance to any stream banks or river/stream beds due to the works. All works affecting the waterways within the harvest area, including removing any unused material and tidying up on completion of the works, shall be completed to the certification of the Manager, Environmental Regulation, Wellington Regional Council.
6. The consent holder shall maintain a permanent record of any complaints received alleging adverse effects from or related to the works. This record shall include:
 - The name and address of the complainant (if provided)
 - The date and time that the complaint was received
 - Details of the alleged event
 - Weather conditions at the time of the complaint, and
 - Any measures taken to mitigate/remedy the cause of the complaint

This record shall be made available to the Manager, Environmental Regulation, Wellington Regional Council, on request.

Earthworks

7. The consent holder shall take all practicable steps to ensure that, after a reasonable mixing zone, stormwater and/or sediment laden run-off discharged will not give rise to any of the following effects in the receiving waters:
 - Any conspicuous change in the colour or visual clarity, or
 - The rendering of fresh water unsuitable for consumption by farm animals, or
 - Any significant adverse effects on aquatic life.

The mixing zone shall be a distance equal to seven times the width of the wetted channel, but no less than 50m downstream of where each discharge enters a watercourse.

All practicable steps shall include, but not be limited to:

- Installing, operating and maintaining the control and treatment measures in the plan provided in the application, or any subsequent approved amendments.
- Maintaining all erosion control and sediment treatment measures to the certification of the Manager, Environmental Regulation, Wellington Regional Council.
- Dispersing the flow from the discharge points away from gullies wherever practicable.
- Adding any additional erosion control and sediment treatment measures that will ensure this condition is complied with.

Note: In determining compliance with this condition, the Manager, Environmental Regulation, Wellington Regional Council will consider the design specification of any and all sediment treatment measures as specified in the Erosion and Sediment Control Guidelines for the Wellington Region, September 2002 (reprinted 2006) and any subsequent updates.

8. The consent holder shall take all practicable steps to prevent material which is side-cast during track, road and skid site and/or pad construction, from entering any watercourses within the site. This may require, but not be limited to, the following measures:
 - Compacting side cast material so that it is stable
 - Securing slash material downslope to retain side cast material above it
 - Hydroseeding or grassing of downslope batter; and
 - End hauling material in areas which are not stable or in the vicinity of watercourses

9. On all earthworks sites where entrained sediment may enter a watercourse, appropriate erosion and sediment controls are to be in place **before** earthworks commence. Controls shall only be removed after the site has been fully stabilised to protect it from erosion. Sediment erosion management on site shall be undertaken specifically in accordance with the Wellington Regional Council publication '*Erosion and Sediment Control Guidelines for the Wellington Region*' September 2002 (reprinted June 2006), and any subsequent updates, for the term of this consent.
10. The consent holder, where practicable, shall control all catchment runoff upslope from roading, tracking and landing construction activities, diverting clean water around or safely through areas of land disturbance.
11. The consent holder shall ensure that water tables, culverts, flumes, cut-offs and other appropriate measures are installed and maintained in order to mitigate the adverse effects of erosion and land instability.
12. Any failure of cut and fill batters that occur as a result of roading and soil disturbance activities under this resource consent shall be remedied or mitigated as soon as practicable, and to the certification of the Manager, Environmental Regulation, Wellington Regional Council.

Harvesting

13. If any changes are proposed to the Harvest Plan (including notice of alternative roading networks), the consent holder shall provide a final plan that has been prepared in consultation with the contractor undertaking the works, to the Manager, Environmental Regulation, Wellington Regional Council prior to the works commencing. No works shall commence until the consent holder has received written notification that the final Harvest Plan is to the certification of the Manager, Environmental Regulation, Wellington Regional Council.

Note: The final Harvest Plan can be emailed to notifications@gw.govt.nz. Please include the consent reference [WAR230127].

14. Harvest systems must achieve butt suspension wherever practicable.
15. The consent holder shall take all practicable steps to minimise sedimentation and increased turbidity in the Tinui River (and its tributaries) during harvesting, including but not limited to:
 - Completing all works in the minimum time practicable
 - The number of sites (or stream reach) that are disturbed as a result of hauling trees should be minimised where practical.
 - Any area of an ephemeral, intermittent or permanent water body that is identified as a key habitat (such as intact riparian margins) should be avoided as far as practical.
 - The appropriate equipment and technique should be utilised to maximise lift over the riparian zone as far as practical; and
 - Poned areas along ephemeral or intermittently flowing streams should be avoided where practical.
16. The consent holder shall take all practicable measures to minimise damage and/or interference to waterways and riparian margins of waterways, but only insofar as this does not compromise the safety of workers. This shall include:
 - Removing all logs away from watercourses wherever possible
 - Removing slash deposited into a waterbody
 - Undertaking directional felling of commercial plantation trees away from these areas

17. All slash material that remains after processing at the skid site shall be stored on the processing skid site, a stable bench and/or gently sloped land in a stable manner and be sited wherever possible to ensure that any unexpected failure of this material will not cause damage to the property of persons other than the consent holder or become deposited in waterways.

Note: In determining compliance with this condition, the use of a stable bench shall be proven by either photographic evidence at the time of skid site construction or by being clearly visible at the time of inspection.

18. Upon the completion of harvesting, as much slash as practicable shall be pulled back onto skid sites and/or gently sloped land to ensure ongoing stability of this material and skid sites.

Slash trap

19. If the proposed structures are found to have failed then a new design created by the consent holder shall be approved to the satisfaction of the Manager, Environmental Regulation, Wellington Regional Council.
20. The consent holder shall ensure that there is machine access to the slash traps for clearing and maintenance at all times.
21. The consent holder shall inspect the slash trap at least once every two months. The slash trap shall be inspected within five days following a rainfall event likely to mobilise debris in the above catchment. Any build-up of debris which has the potential to adversely affect fish passage, stream flow or the structural integrity of the slash trap, shall be removed by the consent holder within 20 working days of the inspection.
22. The consent holder shall ensure that the slash trap is maintained so that it provides for fish passage during and after construction.
23. If the slash trap is no longer required, and/or the structure is not being maintained in accordance with condition 22 of this consent, or it sustains irreparable damage, then the structure shall be removed, within a timeframe that is to the satisfaction of the Manager, Environmental Regulation.

Monitoring

24. The consent holder shall ensure that monitoring of the harvesting and earthworks is in accordance with the details set out in the *report submitted with the application*. Remedial action shall be undertaken by the consent holder as required to the certification of the Manager Environmental Regulation, Wellington Regional Council.
25. The works shall remain the responsibility of the consent holder and shall be maintained to the certification of the Manager, Environmental Regulation, Wellington Regional Council so that any erosion, scour or instability that is attributable to the works carried out as part of this consent is remedied by the consent holder.

Review of conditions

26. The Wellington Regional Council may review any or all conditions of this permit by giving notice of its intention to do so pursuant to section 128 of the Resource Management Act 1991, at any time within three months of the date of commencement of this consent for the following purposes:
 - Dealing with any adverse effects on the environment which may arise from the exercise of this consent, and which is appropriate to deal with at a later stage; and/or

- To review the adequacy of any plans and/or alter any monitoring requirements prepared for this consent so as to incorporate into the consent any modification which may become necessary to clarify or deal with any adverse effect on the environment of arising from this activity; and/or
- To enable consistency with any relevant Regional Plans or any National Environmental Standards or Regulations.

The review of conditions shall allow for the deletion or amendment of conditions of this consent; and the addition of such new conditions as are shown to be necessary to avoid, remedy or mitigate any significant adverse effects on the environment.

Notes:

1. If koiwi, taonga, waahi tapu or other archaeological material is discovered in any area during the works, work shall immediately cease and the consent holder shall notify Greater Wellington Regional Council, *Rangitane o Wairarapa*, *Kahungunu ki Wairarapa* and Heritage New Zealand as soon as possible but within 24 hours. If human remains are found, the New Zealand Police shall also be contacted. The consent holder shall allow the above parties to inspect the site and in consultation with them, identify what needs to occur before work can resume.

Notification must be emailed to:

- Greater Wellington Regional Council, notifications@gw.govt.nz
- Heritage New Zealand, information@heritage.org.nz
- Rangitane o Wairarapa, horipo@rangitane.iwi.nz
- Kahungunu ki Wairarapa, ra@kahungunuwairarapa.iwi.nz

Heritage New Zealand must also be contacted by phone on 04 472 4341 (National Office).

No works may resume on site until the consent holder has received written notification that consultation with the parties identified above has been undertaken to the certification of the Manager, Environmental Regulation, Wellington Regional Council.

Note: Evidence of archaeological material may include burnt stones, charcoal, rubbish heaps, shell, bone, old building foundations, artefacts and human burials.

*Note: Records can be emailed to Please include the consent reference **WAR230127** and a contact name and phone number of the person responsible for the gravel extraction.*

2. A resource management charge, set in accordance with section 36(2) of the Resource Management Act 1991 (the Act) shall be paid to the Regional Council for the carrying out of its functions in relation to the administration, monitoring, and supervision of resource consents and for the carrying out of its functions under section 35 (duty to gather information, monitor and keep records) of the Act.
3. The Wellington Regional Council shall be entitled to recover from the consent holder the costs of the conduct of any review, calculated in accordance with and limited to that Council's scale of charge in force and applicable at that time pursuant to section 36 of the Resource Management Act 1991.
4. If you require a replacement consent upon the expiry date of this consent, any new application should be lodged at least 6 months prior to the expiry date of this consent. Applying at least 6 months before the expiry date may enable you to continue to exercise this consent under section 124 of the Resource Management Act 1991 until a decision is made on the replacement application.

Reasons for decision report

1. Background and proposal

The applicant (Wairarapa Estate Limited) has applied for two land use consents and a discharge permit to undertake earthworks and harvesting within red zone Erosion Susceptibility Classification (ESC) land, as well as to occupy the bed of a stream with a slash catcher. Forest Enterprises Growth Limited (FEG) are acting on behalf of Wairarapa Estate Limited and will be the forest company undertaking the proposed work. The application will be assessed under the National Environmental Standards for Plantation Forestry (NES-PF). Tinui Forest is located 48km north-east of Masterton (Figure 1).

The proposal is to:

- Undertake earthworks for the construction and maintenance of tracks/landings and forestry harvesting
- Harvest trees in a red (ESC) zone
- Occupy the bed of an unnamed tributary of the Tinui River with a slash catcher

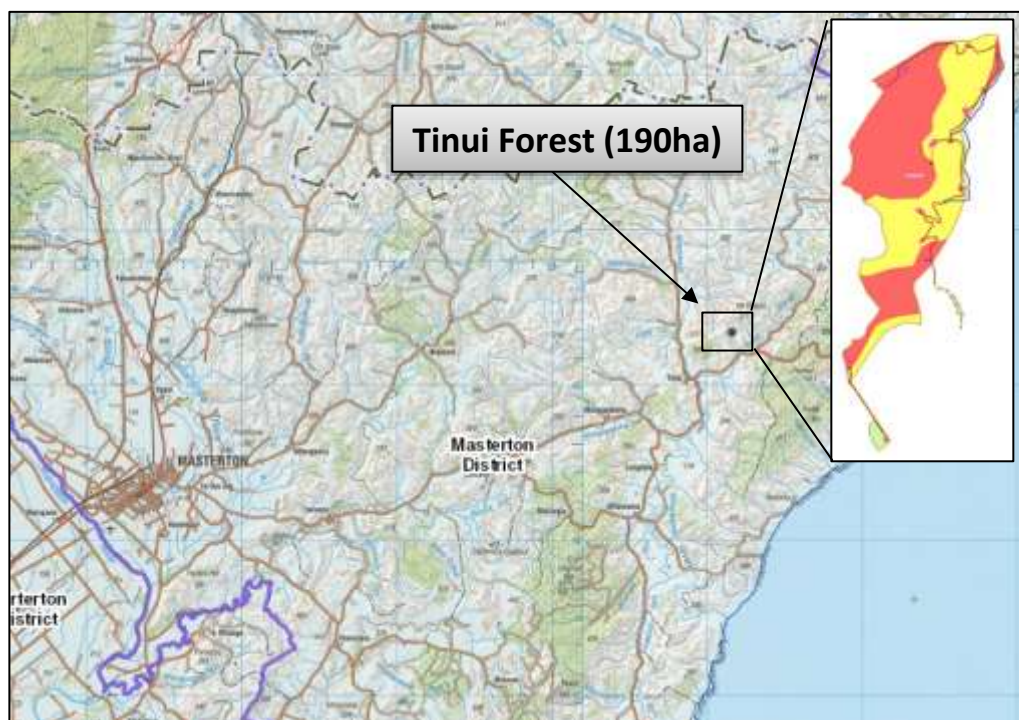


Figure 1 - Location of Tinui Forest

The proposed activity is located within a red and yellow zone as depicted above in Figure 1.

The applicant has submitted the following management plan and/or supporting documents:

- Harvesting and Earthworks Management Plan

1.1 Sensitive Receiving Environment

A number of the watercourses within the forest block are tributaries of Tinui River and the Whareama River. The Tinui River is identified as a migratory and threatened or at-risk fish habitat in Schedule F1 of the Proposed Natural Resources Plan (PNRP). Based on the information in Schedule F1, there are three indigenous fish species within the Whareama River catchment which are at-risk-declining. The giant kokopu, inanga and longfin eel have all been recorded within the Whareama River and its tributaries. The Common bully, Cran's bully and Shortfin eel have also been recorded within the catchment, however, are currently not considered at risk.

1.2 Earthworks Methodology

There is 4.8km of new road planned within the existing forest block. FEGL have also provided information on an alternative planned road which is 2.4km long and follows the crest of a nearby ridge across an adjacent property. This road is the preferred option as the required volume of earthworks is significantly less. Nine skids (approximately 3,500m²) are planned. Three temporary skids are also planned.

Track construction in areas of ground-based extraction will be at a density of approximately 100m/ha. In these areas (total of 8.4km of track), tracks will be 3-6m wide. The specific location of the tracks will be decided at the time of harvest so that their location can consider soil stability and underfoot conditions; minimising track length and density by location, tracks in the most efficient locations for harvesting access; locating tracks on gentler sloping ground and/or terraces.

1.3 Harvesting Description

Harvesting will be undertaken by ground-based (84ha) and hauler methods (34ha). Harvesting will start in early 2023 and is expected to take 2 years. Harvesting is proposed to be undertaken in general accordance with best practice guidelines (Forest Practice Guides).

1.4 Slash Trap Design

A slash catcher is planned where the main tributary leaves the forest to avoid mobilised slash from leaving the forest and damaging infrastructure. The catchment area is 214ha. As shown in Figures 2 & 3 the catcher will be constructed with railway irons set out in an arch across the flow path of the stream. Irons will be driven >1.5m into the ground and secured by wire rope running through the eyes in the top of the irons and the rope secured on both sides of each eye with rope clamps. The top of all irons will be level. The rope will be anchored at each end to dead men. The catcher will be located to allow an overflow path around the catcher if it was ever to be filled with slash to avoid the catcher being overwhelmed and failing.

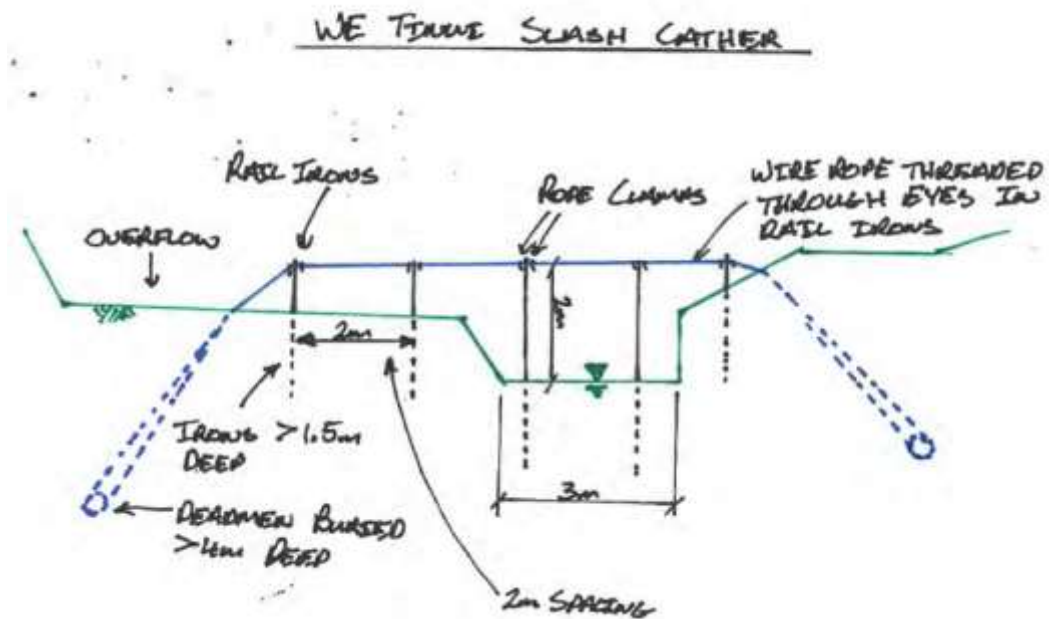


Figure 2 - Proposed slash trap design drawing



Figure 3 - Proposed slash trap

2. Reasons for resource consent

The National Environmental Standards for Plantation Forestry (NES-PF) came into effect on 1 May 2018. All regulations in NES-PF prevail over Regional Plans in accordance with section 43B of the Act, unless the activity is in an area outlined in Regulation 6 of NES-PF (of which this activity is not).

RMA section	Activity	Regulation	Status	Comments
9, 15	Earthworks	24-33	Permitted	<p>The proposed earthworks are to be undertaken in the red zone and, in any 3-month period comprise of:</p> <ul style="list-style-type: none"> - The deposition of more than 100m³ of spoil or fill; and - Side cutting of more than 2m deep over a continuous length of more than 50m. <p>As such, regulation 24(2)(d) cannot be met. Therefore, earthworks and the discharge of sediment laden storm water to land, is a restricted discretionary activity under Regulation 35.</p>
		35	Restricted discretionary	
9	Harvesting	63-69	Permitted	<p>Harvesting activities are in a red and yellow zone:</p> <ul style="list-style-type: none"> - Where slash from harvesting will deposited onto land that would be covered by water during a 5% AEP event; and <p>Therefore, the proposed harvesting activities must be assessed as a controlled activity under regulation 70(3)(a).</p>
		70	Controlled	
13	Ancillary activities	83-91	Permitted	<p>Constructing, installing, using, maintaining, or removing a slash trap in the bed of a river or on land is a permitted activity if regulations 84-91 are complied with. The proposed slash trap has a catchment area upstream that is greater than 20 ha and will be located within the bank full channel width of the river.</p>
		92	Restricted discretionary	

RMA section	Activity	Regulation	Status	Comments
				It can therefore not comply with regulation 85(1). The proposed slash trap must therefore be assessed as a restricted discretionary activity under regulation 92.
9, 13, 15	General provisions	97(1)	Permitted	The discharge of sediment into water or to land where it may enter water associated with the proposal is permitted provided it complies with regulation 97(1)(b), (c), (e) and (g). As the proposal does not meet all of the permitted activity regulations for earthworks, harvesting and slash traps, consent is required under regulation 97(7) as the same activity status applies if the conditions of the associated plantation forestry activity are not complied with.
		97(7)	Various	

2.1 Overall activity status

The works undertaken under WAR230127 have been bundled together due to the interconnected nature of the various activities. As a result, the more restrictive activity status applies. Therefore, the works undertaken under WAR230127 as a whole have been assessed as a **restricted discretionary** activity under the NES-PF.

3. Consultation

Iwi authority	Comments
Rangitāne o Wairarapa	RoW provided comment on the application and sought clarification on the management of slash near the waterways and whether there were any stream crossings. Further correspondence was had, no further concerns were raised. See link - WAR230127-523029577-16
Kahungunu ki Wairarapa	No comment provided; therefore it is assumed they have no concerns.

Other parties or persons	Comments
James Flanagan (GWRC Flood Protection) – River Engineer	Mr Flanagan was consulted to provide advice on a proposed slash trap as part of the application. He raised no concerns with the proposal. His comments are provided below in Section 5.
Paul Schofield (Landowner)	An alternative road planned for the forest block is proposed to cross into an adjacent property owned by Mr Schofield. I considered him to be an affected party under section 95E. Written approval was provided by Mr Schofield on 1 December 2022. See link - WAR230127-523029577-17

4. Notification decision

A decision was made to process the application on a non-notified basis on 5 December 2022. Further information on the notification decision is provided in document # [WAR230127-523029577-4](#).

5. Environmental effects

This section provides an assessment of the effects of the proposed activity on the environment. Information has been drawn from the application provided by the applicant and other information sourced during the processing of the application.

5.1 Harvesting

Harvesting has the potential for adverse environmental effects if not properly managed, particularly in difficult terrain and when it takes place near sensitive receiving environments. Potential adverse effects from harvesting include:

- Slash from harvesting reaching water leading to changes in water chemistry or damming and diverting of water, possibly damaging downstream infrastructure.
- Soil disturbance from harvesting, including harvesting machinery, leading to sedimentation of waterbodies and adversely affecting water quality and instream habitats.
- Riparian vegetation disturbance and potential effects on indigenous flora and fauna.
- Soil erosion post-harvest, as the harvested tree rot and the slopes lose stability.

The applicant has proposed the following mitigation measures:

- Identifying no-slash zones for skids or specific slash storage areas. Slash will be stored on stable ground, such as on the skid surface, on stable ground at the head of a gully, on a natural terrace or constructed bench.
- Directional felling will be used where this is practicable and safe, to minimise the amount of woody debris deposited in streams.
- As much woody debris will be removed from streams as is practicable during and immediately after harvesting. Where permissible and practicable, mobile machines will be used to clear excessive amounts of slash from streams.
- As much as practical damage to indigenous vegetation is minimised. Forest Enterprises has identified reserve areas – these areas are protected to different degrees according to Forest Enterprises’ Reserve Management Policy.

Slash management below the 5% AEP flood level will be guided by the Forest Practice Guides. As a minimum, unless unsafe, all merchantable material (>3m long and 10cm Small End Diameter (SED)) will be removed from these areas during harvesting. However, it is not practicable to remove all slash, therefore the Forest Practice Guide’s risk management approach of developing a slash management plan will be used, which:

- Assesses the terrain, river type, values, and risk associated with inputs of slash.
- Undertakes a water body risk assessment to identify the likelihood and severity of effects if slash did move off site.
- Decides how to manage slash after the risk assessment has been completed; and
- Develops a risk mitigation strategy. Slash management plans will be developed for each Harvest Area, specific to the area and the contractor undertaking the work. The plan will be included in the prescription for that Harvest Area.

With the proposed mitigation measures and recommended consent conditions listed above, it is considered that the effects from harvesting will be no more than minor.

5.2 Earthworks

If earthworks associated with plantation forestry are not appropriately planned and managed, especially on weaker soils, they can result in the following adverse environmental effects:

- Accelerated erosion due to slope instability and bare soils exposure; and
- Excessive sediment discharges to waterways, which can affect aquatic ecosystems.

The applicant has proposed the following mitigation measures:

- 6-9m road formation, with the exception of corners and passing bays and 0.5m deep water tables.
- Water runoff will be directed away from fill, flumed over fill or armouring of fill to avoid scouring as well as be directed onto stable virgin ground, through a silt trap, silt fence or slash to retain sediment.
- Stabilisation of fill will initially be by surface compaction (bucket tapping) or slashing of fill where practical and later by grass seeding critical batters in the following spring or autumn whichever comes first. Otherwise, provisions will be made to retain sediment generated from fill by constructing a silt trap, silt fence or slash bund.
- End haul will be employed where necessary to avoid deposition of spoil into waterways.
- Post-harvest water controls will be installed on haul tracks in the form of cut-outs or slashing of tracks.
- Landings will have drainage installed to avoid ponding and direct run off away from fill and slash storage areas.

With the proposed mitigation measures and recommended consent conditions listed above, it is considered that the effects of earthworks associated with the construction of roads and landings will be no more than minor.

5.3 Slash catcher effects

The main catchment of the forest is highly erodible; it is continually moving, and pines have struggled to get established. It is likely that slash and other debris left on the lower slopes of the catchment could be dragged into the watercourse by the slumping slopes and pose a risk of being mobilised downstream.

While the applicant has proposed various mitigation measures to manage slash during the harvesting process, they also intend to install a slash catcher as an extra measure to ensure that no slash flows freely downstream.

The slash trap is designed to capture slash of all shapes and sizes, but the accumulated debris provides little resistance to the streams flow, with water flowing freely under the accumulated material. Consequently, there is provision for fish passage even when the structure has a slash loading.

The proposal to leave the slash trap in place has the potential to result in erosion of the stream bed and bank, in particular when there is accumulated debris behind the structure. The applicant has sent in sketches of the design and provided they are constructed in accordance with these plans, as well as the proposed inspections, I consider these measures to be appropriate to ensure that any effects on riverbed and bank stability are managed accordingly.

Mr Flanagan from GWRC's Flood Protection Department was provided a copy of the consent application to review the proposed slash catcher. His overall assessment of the proposal was that it appears to be robust enough to be effective and is not at risk of being destroyed from debris. He recommended that another lateral wire rope be considered above the banks of the stream. He also recommended that the applicant inspect the debris arrestor on a regular basis and in particular after every significant rainfall. A condition of consent will require the applicant to inspect the slash trap within five days following a rainfall event likely to mobilise debris in the above catchment.

With the proposed mitigation measures and recommended consent conditions listed above, it is considered that the effects from slash catcher will be no more than minor.

5.4 Monitoring

During harvesting and construction operations, contractors are on site daily to monitor works. FEGL as manager will visit the site to inspect the operations every 1-2 weeks with visits recorded. The visits, among other things, will look for non-compliance and maintenance requirements, and allocate resources to remedy these accordingly.

FEGL is constantly monitoring a network of local weather stations. If a rainfall event of >50mm in a 24hr period is recorded at a weather station, any forests nearest to that station will trigger a prompt to inspect it. Depending on the stability of the site (time since harvest, erosion susceptibility, prevalence of sensitive infrastructure etc.), this will result in an inspection of the forest where any remedial works can be identified, and resources assigned.

Post-operation audits will be completed for every setting. If there is non-compliance, corrective actions are issued to the contractor(s) through the audit. Only when the site is compliant can the audit be signed off as complete.

5.5 Summary of effects

Given the assessment above, it is considered that the proposed activity will not result in any more than minor effects when undertaken in accordance with the recommended consent conditions.

6. Statutory assessment

6.1 Part 2

Consideration of an application under section 104 of the Act is 'subject to Part 2' (sections 5, 6, 7 and 8) of the Act. Part 2 sets out the purpose and principles of the Act. I acknowledge the caselaw direction in R J Davidson Family Trust v Marlborough District Council [2018] NZCA 316 that the statutory language in section 104 plainly contemplates direct consideration of Part 2 matters, when it is appropriate to do so. Further, the Court considered that where a plan has been competently prepared under the RMA it may be that in many cases there will be no need for the Council to refer to Part 2 because it would not add

anything to the evaluative exercise. However, if there is doubt that a plan has been “competently prepared” under the RMA, then it will be appropriate and necessary to have regard to Part 2.

In my view, the relevant Operative and Proposed Regional Plans are competently prepared, and I do not consider there is a need to refer to Part 2.

6.2 Matters to be considered – Section 104-108AA

Section 104-108AA of the Act provides a statutory framework in which to consider resource consent applications. All relevant matters to be considered for this application are summarised in the table below:

RMA section	Matter to consider	Comment
104(1)(a)	Actual or potential effects on environment	See Section 5 of this report.
104(1)(ab)	Measures to offset or compensate for adverse effects on the environment	See Section 5 of this report.
104(1)(b)(i)	National Environmental Standard (NES) for Plantation Forestry 2017	The NESPF came into force on 1 May 2018 and is a document which provides regulation for forestry activities. This application has been assessed in accordance with the NESPF.
104(1)(b)(iii)	National Policy Statement for Freshwater Management 2014	The NPSFM is given effect to through Policy 5.2.10A of the RFP and Policy 66 of the PNRP. I note here that the NPS-FM 2014 has been superseded by the NPS-FM 2020 (see below).
104(1)(b)(iii)	National Policy Statement for Freshwater Management 2020	This national policy statement provides a National Objectives Framework to assist regional council and communities to more consistently and transparently plan for freshwater objectives.
	<i>Objective/Policy</i>	<i>Comment</i>
	Policies 1, 2 and 3	Te Mana o te Wai is an integral part of the framework that forms the platform for tangata whenua and community discussions about the desired state of freshwater relative to the current state. In considering this proposal, I have considered the effects of the use of the land for forestry activities and consider it meets this policy as it has been

RMA section	Matter to consider	Comment
		<p>demonstrated how the activity will be managed in a way that will mitigate the impacts on the receiving environment.</p> <p>The application was also sent to Rangitane o Wairarapa and Kahungunu ki Wairarapa under the contractual agreement they have with GWRC for resource consents in the Wellington Region, in order to get an indication of any concerns they may have with regards to the proposal and to determine if they are affected parties or not, thereby providing opportunity for input at the individual resource consent decision making level.</p> <p>The proposal is therefore consistent with these policies.</p>
	Policies 9, 10	I consider these policies are met as mitigation measures will ensure the earthworks, harvesting and stream works are managed appropriately and that the health and well-being of water bodies and freshwater ecosystems is maintained.
104(1)(b)(v)	Regional Policy Statement	I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with the RPS.
	<i>Objective/Policy</i>	<i>Comment</i>
	Policy 40	There will be less than minor effects on aquatic ecosystem health as long as conditions of consent are put into effect.
	Policy 41	Silt and sediment run-off will be minimised by erosion/sediment controls.
	Policy 43	The aquatic ecological function of waterbodies will be protected through adherence to conditions.
	Policy 47	The effects on indigenous ecosystems will be less than minor.
	Policy 49	Tangata whenua values will be protected.
104(1)(b)(vi)	Operative Regional Freshwater Plan	I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with the Regional Freshwater Plan.

RMA section	Matter to consider	Comment
	<i>Objective/Policy</i>	<i>Comment</i>
	Policies 4.2.9, 4.2.11, 4.2.12	There will be less than minor adverse effects on natural character and values and aquatic habitats and freshwater ecosystems will be maintained in the long term through adherence to conditions of consent.
	Policies, 5.2.6, 5.2.10, 5.2.12	The proposal will have adequate mitigation techniques to ensure the water quality of the watercourses is maintained for aquatic ecosystem purposes. Furthermore, the discharges to water (if any) will be of a temporary nature as sediment and erosion control measures will ensure the stormwater will be discharged to land.
	Policy 5.2.10A	I consider the application to be consistent with the objectives and policies of the NPSFM.
	Policy 7.2.1	The crossings are required to ensure vehicles can pass through the stream with minimal disturbance. As stated above, there are considered to be less than minor adverse effects.
	Policy 7.2.2	There will be no significant adverse effects resulting from the activity if conditions of consent are followed.
	Policy 7.2.10	All structures across watercourses shall be adequately maintained so the structure is safe and visual amenity will not be adversely affected due to the size/scale of the structure.
	Operative Regional Soil Plan	I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with the Regional Soil Plan.
	<i>Objective/Policy</i>	<i>Comment</i>
	Policy 4.2.15	Soil disturbance activities will not have significant adverse effects provided consent conditions are adhered to.
	Policy 4.2.16	Erosion control and land rehabilitation techniques are adopted.
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RMA section	Matter to consider	Comment
	<i>Objective/Policy</i>	<i>Comment</i>
	O1, O2, O4, O7, O12, O14, O17, O18, O19, O21, O23, O28, O33, O34, O35, O36, O37	I consider that, with the application of the recommended conditions of consent, the proposed activity is consistent with these relevant objectives in the PNRP.
	Policy P9, P18 and P20	The mauri of freshwater and cultural relationship of Māori with water has been recognised.
	Policy P30, P31 and P42	Biodiversity, aquatic ecosystem health and mahinga kai will be maintained or restored.
	Policy P32	Barriers to fish passage have been avoided.
	Policy P77	The proposal has been considered with regard to improving water quality for contact recreation. Provided consent conditions are adhered to, I consider the proposal will not have any noticeable effects on water quality.
	Policy P65	I consider this application is consistent with the NPSFM for discharge consents.
	Policy P66	The proposal seeks to minimise the discharge.
	Policy P68	I consider this application is consistent with the requirements of this policy for discharges to land.
	Policy P107	The proposed activity has appropriate measures (including consent conditions) to minimise risk of accelerated soil erosion, control silt and sediment runoff, and ensures the site is stabilised.
	Policy P109	The management of riparian margins through consent conditions will ensure water quality and ecosystem health is maintained or restored.
104(1)(c)	Any other matter	There are no other matters relevant to this application.
105(1)	Matters relevant to discharge permits	The proposed discharge of sediment laden stormwater will be discharged to land but has the potential to enter water. The discharge to land is an alternative

RMA section	Matter to consider	Comment
		method of discharge and as such, it is considered acceptable under section 105.
107	Restrictions on grant of certain discharge permits	If the discharge to land then enters water, it is noted that this would only be a temporary discharge and would therefore be acceptable under section 107.
108 – 108AA	Conditions on resource consents	Standard conditions of consent for this activity type are recommended. All standard conditions of consent meet s108AA. Any additional conditions are outlined in Section 5 of this report.

6.3 Weighting of the Proposed Natural Resources Plan

As the conclusion reached under the operative Regional Freshwater Plan and Regional Soil Plan assessment is consistent with that reached under the Proposed Natural Resources Plan there is no need to undertake a weighting exercise between the two Plans.

7. Main findings

In conclusion:

1. The proposed activity is consistent with the Purposes and Principles of the Resource Management Act 1991.
2. The proposed activity is consistent with the relevant objectives and policies of the Regional Policy Statement and the Operative Regional Freshwater Plan, Regional Soil Plan, and the Proposed Natural Resources Plan (Final appeals version 2022).
3. The actual or potential adverse effects of the proposed activity on the environment will be or are likely to be no more than minor.
4. Conditions of the consent(s) will ensure that the effects of the activity on the environment will be appropriately avoided, remedied or mitigated.
5. The proposal incorporates appropriate mitigation measures, to ensure the adverse effects are or are likely to be no more than minor.

8. Duration of consent

A 4-year consent period for roads, landings, and forestry to be undertaken is considered acceptable for a block of this size and to allow for unforeseen circumstances such as weather possibly delaying the activity and continued maintenance.

9. Monitoring

9.1 Monitoring schedule

The following compliance monitoring programme will be undertaken during the consent term:

Monitoring assessment:	<input checked="" type="checkbox"/> Annual	<input type="checkbox"/> Three-yearly	<input type="checkbox"/> Other:
Monitoring input:	<input type="checkbox"/> Audit	<input checked="" type="checkbox"/> Site inspection	<input type="checkbox"/> Other:
Other notes			
Compliance group		Forestry	

9.2 Monitoring charges

Consent monitoring charges apply for the consent(s) approved. Charges are normally invoiced on an annual basis. Your consent monitoring charge is made up of three components:

1. **Customer service charge** – every consent incurs an annual charge of \$40. This covers costs associated with the administration of your consent.
2. **Compliance monitoring charge** – the cost associated with our staff monitoring the compliance of your consent.
3. **State of the environment (SOE) charge** – a proportion of our science monitoring is paid by consent holders.

An estimate of your annual consent monitoring charge is provided below:

		Amount	Charge code(s)
Customer service charge	3 consent(s)	\$210	
Monitoring charge	Variable	\$-*	LU1 & DL1
SOE charge	Yes	\$915	5.3.5.1
Further notes (if applicable)			

- * Variable charges will alter from year to year and are based on the actual and reasonable amount of time required to monitor your consent.

The GWRC Resource Management Charging Policy is reviewed on an annual basis and may alter these charges.