Standard Forestry Consent Conditions

<table>
<tr><th>Conditions</th><th>When to apply condition/note</th></tr>
<tr><td>1. All activities authorised by this consent must be carried out in accordance with the information and plans submitted in support of application number N#-####-#####-##, including the application officially received by the Council on [date] and further information received under Section 92 of the Resource Management Act 1991 on [Further Information received on date] or subsequent versions of the Approved Plans certified by Gisborne District Council. This condition applies except as amended by the conditions below. Copies of the following approved plans are attached:
<table>
<tr><th>Document</th><th>Prepared by</th><th>Reference No.</th><th>Date</th></tr>
<tr><td><u>e.g. Forestry Earthworks Management Plan (FEMP), which must include an Erosion and Sediment Control Plan (ESCP);</u></td><td></td><td></td><td></td></tr>
<tr><td><u>e.g. Harvesting and Slash Management Plan (HSMP); and</u></td><td></td><td></td><td></td></tr>
<tr><td><u>e.g. Post Harvest Stability Plan (PHSP).]</u></td><td></td><td></td><td></td></tr>
<tr><td><u>e.g. Afforestation Management Plan</u></td><td></td><td></td><td></td></tr>
<tr><td><u>e.g. Quarry Erosion and Sediment Control Plan</u></td><td></td><td></td><td></td></tr>
<tr><td><u>e.g. Replanting Management Plan</u></td><td></td><td></td><td></td></tr>
</table>
</td><td>Always

List the specific approved plans that are critical – in particular this should include approved copies of the following documents; examples have been provided in the table.

Note that the preferred approach is for all documentation to be provided upfront and as part of the resource consent application and/or requested through a s92 request so that this information can be received and properly assessed by Council as part of the consenting process.

An ‘approved’ ESCP is provided with the application, assessed, and approved as a plan. This is the preferred approach in order to ensure that these matters are appropriately assessed as part of the resource consent application.

A ‘certified’ ESCP is provided after grant of consent and is assessed and certified by GDC as an appropriate plan.

The consent authority will have discretion to allow for minor deviations as the principle of de-minimus would still apply, provided the effects were still the same.</td></tr>
<tr><td>2. The consent holder must notify the Gisborne District Council Compliance, Monitoring and Enforcement Manager at Compliance.Admin@gdc.govt.nz or PO Box 747, Gisborne 4040 in writing two weeks prior to the commencement of activities associated with this consent. This notification must include the consent number/s N#-####-#####-##.</td><td>Always
Notification is for monitoring purposes so ask Compliance if a shorter period is requested by applicant.</td></tr>
</table>

3. The purpose of this consent is to authorise the harvesting of approximately [xx]ha of Pinus Radiata in [location] using [method e.g. cable hauler] within ESC [xx zone] land, subject to conditions to provide for monitoring of the effects of the activity and for the avoidance, mitigation or remediation of any adverse effects of the activity. [*Further description e.g. multiple locations, roads, etc*]. The proposal also includes [*detail as appropriate, e.g.]*: *a) Extracting trees over the [xx Streams]* *b) Full replant of P. radiata.* *c) The formation of approximately [xx km] of new road & realign existing roading to create a truck turn-around.* *d) The building of one skid and one linear-dam*	**Always** **This is a 'template' standard consent condition for when consent to harvest is required. However, this condition should be modified to capture the scope of the consent being processed.**
4. The objective of the conditions is to take a precautionary, integrated management and responsive approach to the management of forestry activities authorised by this consent, recognising the particular characteristics and inherent risks associated with each site, and ensuring that the conditions are avoid, remedy or mitigate the adverse effects from erosion, slope failure, sedimentation and forestry slash impacts on watercourses within the forest and outside of the site on downstream properties and downstream river, lake, estuary and coastal environments. The exercise of this consent and implementation of all consent conditions must be undertaken by the consent holder in strict accordance with this objective.	**Always**
Certification of Erosion and Sediment Control Plans	
5. The Erosion and Sediment Control Plan ('ESCP') and associated maps submitted for certification must be prepared by a SQEP experienced in designing erosion and sediment control and stormwater controls on ESC [xx] zone land. For the purposes of this condition, a SQEP means a person who holds a bachelor's degree in the relevant qualification, including forestry, engineering, geotechnical or soil sciences and is experienced and skilled in the relevant field at a senior level with five (5) years' minimum experience.	**Always** **Again, preferred approach is for all this information to be provided by the applicant as part of the RC application so that it can be properly assessed as part of the consenting process.** **See Dr Chris Phillips and Jack McConchie's advice on WoV.** **Abstract from Ecological Engineering 206 (2024) 107300, C Phillips et al.** **Note that water controls are critical to managing risk on steep slopes – it is critical that all roading infrastructure and skid site design incorporates appropriate water controls, designed by a SQEP who has a good understanding of hydrological principles**
Fuel, Refuelling and Spill Management	
6. Refuelling and maintenance of all machinery and vehicles must be carried out at least 20 metres from any waterbody. Contaminants	**If applicant is applying under reg 105 of the NES-CF.**

(such as oil, diesel and petrol) must not enter any waterbody or be discharged onto or into land in circumstances that may result in the contaminant entering water.	**Include advice note if not.**
7. Storage of fuel and oil must be placed at least 20 metres from any stream or waterbody and in a location where an accidental spill cannot enter a waterbody and collision damage from passing machinery is avoided.	**If applicant is applying under reg 105 of the NES-CF.** **Include advice note if not.**
Resource Management Charges	
8. The consent holder must pay to the Gisborne District Council any administration, inspection or monitoring charges payable in respect of this consent. Any such charges must be either fixed or additional charges set in accordance with section 36 of the Resource Management Act 1991 and section 150 of the Local Government Act 2002.	**Always**
Term of Consent	
9. This resource consent expires on <insert date>.	**Always**
Review of Consent Conditions	
10. The Consents Manager of the Gisborne District Council may, after the granting of this consent, give notice of intention to review the conditions of this consent pursuant to Section 128 of the Resource Management Act 1991. The time period for reviewing the consent may be at one (1) month intervals for the first twelve (12) months after work commences and then at twelve (12) months intervals, with written notice to be given at least 20 working days ahead of the review date of the consent conditions for all or any of the following purposes: a. To require the consent holder to adopt the best practical option to avoid, remedy or mitigate an adverse effect on the environment; or b. To deal with any adverse effects on the environment on which the exercise of the consent may have an influence in relation to: *[insert matters relating to the type of consent]*	**Always**
11. The Consent Manager of the Gisborne District Council may, upon completion of any impact, environmental investigation or compliance report carried out by the Council, or any report or monitoring carried out by the Consent Holder pursuant to this consent, that shows there is an adverse effect on the environment as a result of the exercise of this consent, serve notice on the consent holder under s. 128(1)(a)(i) and/or (iii) of the Resource Management Act 1991 (or its successor) of its intention to review the conditions of this consent. The purpose of the review is to identify mitigation measures that may be necessary and any need for monitoring to address an effect that is appropriate to deal with at a later stage.	**Always**
Review under s128	

12. The Consent Manager of the Gisborne District Council may, in the case of this consent, review the conditions of consent under s128(b) of the Resource Management Act 1991 if: a. A regional plan contains a rule that relates to minimum standards of water quality, and the rule has become operative, and council considered that it is appropriate to review the conditions of consent in order to enable the standards set by the rule to be met; or b. Relevant national environmental standards or national planning standards have been made; or c. A relevant regional rule has been made; or d. If the information made available to the consent authority by the applicant for consent for the purposes of the application contained inaccuracies which materially influenced the decision made on the application and the effects of the exercise of the consent are such that it is necessary to apply more appropriate conditions.	**Consider which sections apply depending on application and tailor accordingly (i.e. regional or district land use, discharge etc).** **a - coastal, water, or discharge permit, or a regional land use consent** **b - coastal, water, or discharge permit, or a regional land use consent** **c – land use consent** **d – any type of consent**
13. If any material amendments are required to the approved and/or certified FEMP or ESCP (whichever is the latest version), they must be submitted to the Council in writing for certification, and no amended works or construction must be undertaken until the amended FEMP is certified by Council. **Advice Note:** This condition does not avoid the need for a variation of consent under Section 127 of the RMA where required. If additional controls are needed to manage erosion and sedimentation, this is not a material amendment.	**Always** **Additional controls may be required. It may not be appropriate to delay when it is necessary to address an adverse effect or take opportunities for improvement or to change the plan to have a lessor impact.**
14. Where there is inconsistency between the NZ Forest Road Engineering Manual 2020 (or subsequent versions) or the Forest Owners Association Forest practice guides (or subsequent versions), and a specific consent condition, the consent condition will prevail.	**Always when relevant** **Careful consideration should be given to the reasons for departure from FOA guidelines / Road Engineering Manual and the appropriateness of that course of action.**
Earthworks Conditions	**See non-standard consent conditions if applicant has not provided any/part of FEMP and ESCP (if required). The FEMP and ESCP are required upfront. Only condition for these Management Plans post grant of consent in rare circumstances (with the Consents Managers Approval).**
Forestry Earthworks and Construction Management	
15. The Forest Earthworks Management Plan ('FEMP') and associated maps submitted for certification must be prepared by a suitably qualified and experienced person ('SQEP') experienced in designing earthworks and structures on ESC xx zone land. All roading infrastructure must be designed and certified by a suitably qualified and experienced Forest Engineer/Civil Engineer/Geotechnical Engineer/Engineering Geologist.	**Always** **Preferred approach is for all this information to be provided by the applicant as part of the RC application so that it can be properly**

For the purposes of this condition, a SQEP means a person who holds a bachelor's degree in the relevant qualification (set out above in the condition) and is experienced and skilled in the relevant field at a senior level with five (5) years' minimum experience. **Advice Note:** Earthworks may benefit from contractors holding the appropriate Unit Standard; for example, a NZ Certificate in Infrastructure Unit Standard 3782 Forestry Earthworks (Level 4).	**assessed as part of the consenting process.** **Note that water controls are critical to managing risk on steep slopes – it is critical that all roading infrastructure and skid site design incorporates appropriate water controls, designed by a SQEP who has a good understanding of hydrological principles.**
16. Roads, tracks, and landings and other earthworks must be constructed in accordance with the NZ Forest Road Engineering Manual 2020 or subsequent versions of the manual, and sections 1 and 2 of the NZ Forest Owners Association ('FOA') Forest Practice Guides 2020 or subsequent versions of the guide. **Advice Note:** The Manual should be read in conjunction with the Practice Guide. Other earthworks include erosion, sediment, and slash control structures. Note that fire ponds/breaks are covered by the manual.	**Always, unless the application has suitable alternative.**
Erosion and Sediment Controls	
17. Prior to (or as soon as practical on) commencement of earthworks activities on NES-CF ESC Orange Zone Slopes >25°/Red Zone Slopes, erosion and sediment controls must be installed in accordance with the best practices of the NZ Forest Road Engineering Manual 2020 (NZ Forest Owners Association) and New Zealand Forest Owners Association (FOA) Forest Practice Guide for Erosion and Sediment Control Measures and any subsequent versions. **Advice Note:** The Manual should be read in conjunction with the Practice Guide. General Condition 5 applies to any certified ESC plan.	**Always, unless the applicant has given specific sections, then refer to the specific sections.** **Where the applicant is proposing to depart from the Road Engineering Manual and/or FOA Guides, then that should be detailed in the application and the alternative proposed.**
18. Erosion and sediment controls and associated erosion protection devices must be fit for purpose and maintained in an effective capacity. Erosion and sediment controls must remain in place until the area of earthworks that they service is stabilised.	**Always**
19. Sediment removed from a sediment control device must be managed to minimise re-entry to the sediment control device or entry to any waterbody.	**Always**
20. Earthworks must be undertaken during suitable weather conditions when soils are not waterlogged and are dry enough to maintain the structure of the soil.	**Always**
21. All disturbed soil must be stabilised and contained in accordance with the approved and/or certified ESCP (whichever is the latest version), to minimise sediment entering into any water and: a. ensure that, after reasonable mixing, it does not give rise to any of the following effects on receiving waters:	**Always** **Scheduled waterbodies, wetlands, estuaries or lakes, may have a 'reasonable mixing' zone determined on a**

i. any conspicuous change in colour or visual clarity: ii. the rendering of fresh water unsuitable for consumption by farm animals: iii. any significant adverse effect on aquatic life, and b. ensure that it does not result in: i. the diversion or damming of any water body; or ii. damage to downstream infrastructure, property, or receiving environments including river, lake, estuary and coastal environments. Reasonable mixing (zone) is to be measured downstream of the discharge point at a distance of seven times the width of the stream/river (wetted edge to wetted edge) up to a maximum distance 100 metres.	**case-by-case basis. Seek technical advice.**
Locations clear of flood flows	
22. All landings and hauler pads must be located so they are clear of riverbank erosion and flood flows of a minimum 2% (50 year) annual exceedance probability (AEP).	**Always, unless landings are required to be built in these areas as there is no alternative. Check with Tech if location is appropriate.**
Road widening or alignment	
23. Where earthworks associated with forest road widening or alignment is undertaken on a slope of more than 25 degrees, cut and fill road construction must: a. construct a forestry road heading on the same grade as the road, but below the road formation height, to provide a bench below a forestry road to contain and stabilise the fill slope road and create a stable base; and b. key and compact the fill to the bench; and c. spoil material is end-hauled to a safe containment area in any circumstance where— (i) earthworks will be undertaken on a slope of more than 35 degrees; or (ii) spoil cannot be benched in a manner that retains stability.	**If undertaking forest road widening or realignment**
Stormwater	
24. The minimum stormwater culvert internal diameter for any forestry road or forestry track must be 450mm and constructed in accordance with the FOA New Zealand Forest Road Engineering Manual 2020 or latest version.	**Always, unless culvert protection devices are installed to prevent the culverts getting fully blocked. Then 375 may be suitable. Check with technical advisor.**
25. Roads, tracks, and landings must be designed, constructed, managed, aligned and maintained to divert water run-off and disperse water flows to stable ground and away from constructed fill and to minimise disturbance to earthflows and gullies.	**Always**
26. Stormwater and run-off control measures at all skids/landings and on all tracks and roads must be installed and maintained in accordance with the approved and/or certified ESCP and	**Always** **An 'approved' ESCP is provided with the application,**

eliminate or minimise concentration of runoff, erosion, scour, skid site collapse, track collapse or road collapse.	**assessed and approved as a plan.** **A certified ESCP is provided after grant of consent and is assessed and certified by GDC as an appropriate plan.** **Water controls should be:** **- appropriately designed by a SQEP** **- accord with hydrological principles and guidelines (see GDC list)** **- prevent ponding except in specified areas e.g. sedimentation traps** **- discharge runoff via diffuse/dispersed methods wherever possible** **- Direct water to solid/stable ground and generally planar or convex slopes** **- have discharges that are 'flumed', ideally with socks or hard pipe flumes, with appropriately erosion control at both the break in slope and point of discharge** **- direct water away from fill** **- direct water away from skid sites/landings** **- direct water away from edges of skid sites/landings** **- manage accumulation of runoff so it doesn't exceed capacity and erosion resistance of drains and water tables** **- include adequate number of appropriately sized and spaced culverts and cutoffs on track/roads in accordance with Road Engineering Manual** **- include secondary flow paths for situations where capacity of any drain or water table may be exceeded** **-constructed in accordance with the approved design** **- maintained appropriately on an ongoing basis**
Stabilisation	
27. Batters, side cast, and cut and fill must be constructed and stabilised to maintain stability.	**Always**

28. Exposed areas of soil must be stabilised as soon as practicable after completion of the earthworks, but no later than the last day of autumn or spring, whichever is sooner. **Advice Note:** It is expected that to meet this condition the soil shall be compacted where necessary and at least 80% equal cover of grass is established over the relevant area.	**Always** Unless there are specific requirements for specific high risk areas, stabilisation may need to be strictly in accordance with the approved and/or certified ESCP. Re-phrase as required.
29. On slopes greater than 25 degrees, fill used in construction of road and landings or sidecast to waste shall be held in place by benching, compaction, armouring, or a combination of these, so that it does not directly or indirectly enter a watercourse.	**Always**
30. Roads and landing edges must be benched, and fill compacted or armoured so that fill, spoil and / or soil does not progressively slump down slope.	**Always** **Consider stabilisation techniques as appropriate.**
31. Spoil must be located on a suitable site as identified on the approved plan and/or certified plan (whichever is the latest version). The material must be isolated and stabilised to minimise surface erosion and sedimentation.	**Always**
32. Spoil must not be deposited: a. where it may cause failure of the deposited material or the underlying land; or b. over slash or woody vegetation; or c. into a water body, coastal water, adjoining property or significant natural area; or d. onto land in circumstances that may result in the spoil or sediment entering water; or e. where it can progressively slump down slope.	**Always** **This condition also relates to spoil dump sites.**
33. Spoil must be end hauled to a safe containment area as identified on the approved plan and/or certified plan (whichever is the latest version), in any circumstances where the spoil cannot be benched in a manner that retains stability. Material must be drained and compacted to prevent slumping and lateral movement.	**Always**
34. Fill must contain no more than 5% (by volume) of vegetation and wood.	**Always**
35. Soil disturbance in ephemeral flow paths must avoid accelerating erosion, obstruction or diversion of water flow.	**Always**
Heavy Rainfall Inspection	
36. If the site is subject to heavy rainfall and/or the consent holder is made aware of a failure of any stabilised earthworks features, inspection of earthworks features must occur within 72 hours of the heavy rainfall event or failure occurring, unless this timeframe is not practicable due to access issues.	**Always** **Heavy rainfall of 100mm in 24 hours is the standard.**

Where access is impeded, the consent holder must immediately notify the GDC Compliance Monitoring and Enforcement Manager in writing. The notification must include: a. Forest name; and b. Harvest/setting area that is affected if this detail is known; and c. Location of where the access is impeded and why it is impeded; and d. State the concern if known and why inspection is required; and e. The estimated timeframe to gain access; and f. The inspection must be undertaken as soon as practicable. For the purposes of the conditions of this consent, heavy rainfall means rainfall greater than 100mm in 24 hours or 15mm per hour.	**Seek technical advice on appropriate 'heavy rainfall' definition and whether 15mm/hr (for duration and intensity) is required.** **15mm per hour may need a rain gauge installed. May be an option to use GDC rain gauges.** **(This condition in relation to structures is repeated in the River Crossings section)**
37. Earthworks features that have destabilised because of a weather event must be managed as soon as practicable to minimise effects of sediment entering waterbodies, coastal environment, and adjoining properties, and prevent accelerating erosion.	**Always**
Earthworked material tracked on to public road	
38. The consent holder shall ensure that vehicles and machinery exiting the site onto XX Road do not carry or cause earthworked material to be deposited (including tracked) onto the roading network to an extent that it causes a hazard or a nuisance. In the event such deposition occurs, the consent holder shall clean the XX Road so that it is restored to its previous condition. Any damage to xx Road caused by the deposition or removal of material from xx Road shall be remediated. **Advice Note**: This condition includes light and heavy vehicles. For the purposes of this condition 'earthworked material' includes all detritus material, soil, wood chip or rock.	**If building any new roads/ entrances/skids where earthworks will potentially cause soil or material to reach public roads.** **The Roading Controlling Authority has overall control of roading space and manages the Corridor Access Requests.**
39. In the event that remediation to xxx Road is required in accordance with condition 38 xx the consent holder shall notify Council's Road Controlling Authority of the damage as soon as practicable after the damage has occurred and shall consult with the Road Controlling Authority about the proposed remediation. **Advice Note:** Contact details are at GDC.Trafficmanager@gdc.govt.nz	**If condition above applies.** **The Roading Controlling Authority has overall control of roading space and manages the Corridor Access Requests.**
Upgrading/Constructing an Entrance off a Public Road	
40. The consent holder shall upgrade/construct the existing northern/southern/western/eastern vehicle crossing located on xxxxx Road to meet Gisborne District Council's Engineering Code of Practice for a heavy-duty commercial crossing. **Advice Note:** All work and discharge to, or associated with entrance construction/upgrading within the road reserve requires a Corridor Access Request (CAR). This includes any upgrades to vehicle crossings and the installation of infrastructure, services. A Corridor Access Request (CAR) can be made via the BeforeUDig web site or directly to Gisborne District Council. A Traffic Management Plan for the works should be submitted with the CAR.	**If an upgrade or construction of vehicle entrance to a public road is applied for.** **The standard and location and any foliage or embankment removal to improve safety at the entrance can be captured in the CAR (Corridor Access Request) process.**

	See GDC Development Engineer for comment if required.
Verification of Construction	
41. Within four (4) weeks of completion of construction of the roads and landings, the consent holder must forward to the Gisborne District Council written verification from a suitably qualified and experienced practitioner ('SQEP') (forest engineer/civil engineer/ geotechnical engineer/engineering geologist) that the roads and landings have been constructed in accordance with the NZ Forest Road Engineering Manual 2020 or subsequent versions of the manual, and sections 1 and 2 of the NZ Forestry Owners Association ('FOA') Forest Practice Guides 2020 or subsequent versions of the guide (as required by Condition 16). For the purposes of this condition, a SQEP means a person who holds a bachelor's degree in the relevant qualification (set out above in the condition) and is skilled at a senior level with five (5) years' minimum experience in road and landing construction. **Advice Note:** The manual should be read in conjunction with the practice guide.	**Always** **A civil engineering degree is the base qualification in NZ for engineers outside of the forest degree.**
Certification of Stability	
42. On completion of harvesting operations of each setting, all roads and landings must be inspected by a suitably qualified and experienced practitioner ('SQEP') (forest engineer/civil engineer /geotechnical engineer/engineering geologist) and certified that they are in a stable condition. Certification by the SQEP must: a. be forwarded to Gisborne District Council within 4 weeks of completion of forestry operations all harvesting, and b. contain details of the certifier's name, qualification, and experience, and c. Include date(s) of inspections and date of certification. For the purposes of this condition, a SQEP means a person who holds a bachelor's degree in the relevant qualification (set out above in the condition) and is skilled at a senior level with five (5) years' minimum experience in road and landing construction.	**Always** **A civil engineering degree is the base qualification in NZ for engineers outside of the forest degree.**
River Crossings	**Check <u>all</u> exceptions with technical advisor**
43. Construction must occur during low flow stream conditions.	**Always, unless construction is timed to avoid spawning time. An exception is construction to occur during 'at or about low or median flow.'** **Specific timing may be required– discuss with technical advisor (Science) if unsure about effects.** **See the MPI fish spawning calculator for relevant timing of species.**

	See TRMP Schedules G15 for Aquatic Ecosystem Waterbodies, G7B Rare and Threatened Species, G18 Outstanding waterbodies, and G21 Protected Watercourses. Note that Protected Watercourses relate to specific consents.
44. Prior to or as soon as practical on commencement of earthworks activities on NES-CF Orange Zone slopes >25° and Red Zone slopes, erosion and sediment controls must be installed in accordance with the relevant best practices of the New Zealand Forest Owners Association (FOA) Forest Practice Guides for Erosion and Sediment Control Measures, and any subsequent versions.	**Always**
45. Erosion and sediment controls and associated erosion protection devices must be fit for purpose and maintained in an effective capacity until the area of earthworks is stabilised.	**Always**
46. Sediment removed from a sediment retention device must be placed where it cannot re-renter a device or enter any waterbody.	**Always**
Construction General	
47. Approaches to and abutments of river crossings must be stabilised to avoid erosion and sedimentation.	**Always**
48. Surface run-off from roads must be diverted away from water bodies within 10 metres of the river crossing.	**Always**
49. Culvert approaches and fill must be constructed using successively compacted layers of clean fill that is free of organic matter.	**Always**
50. All machinery must be kept out of flowing or standing water, except where machinery must cross the bed of a water body for the purpose of river crossing construction, maintenance, or removal.	**Always**
51. Elevated sediment levels resulting from the construction, maintenance, or removal of a river crossing must not occur for longer than 8 consecutive hours.	**Always**
Fish Passage	
52. River crossings must provide for and be maintained to allow for the upstream and downstream passage of fish.	**Always, unless there are exceptions, for example, no fish present (need eDNA or fish surveys as evidence) or there is a man-made or natural barrier downstream that is outside control of applicant that prevents fish passage, and unless certain fish passage should be restricted.**

53. River crossings must provide for fish passage by maintaining river-bed material in any structure that would be in place of the riverbed.	**Always (unless certain fish passage should be restricted – seek technical advice if required)**
Erecting, maintaining or removing stream crossings.	
54. The presence of the river crossing must not cause or induce erosion of the bed, or erosion or instability of the banks of the water body or create sedimentation.	**Always**
55. The river crossing must be maintained to avoid aggradation or erosion of the bed of the water body.	**Always**
56. River crossing(s) must be maintained to ensure it is fit for purpose and retains structural integrity.	**Always**
57. The structure must be maintained to ensure that blockages are removed. Material removed from clearing the structure must not be left where it is likely to re-enter the waterbody.	**Always**
Contaminant discharges and depositing organic matter	
58. If a river crossing is being constructed, maintained, or removed: the activity must not discharge contaminants into water; and all practicable steps must be taken to— a. avoid depositing organic matter or discharging sediment into a water body, and onto land in circumstances that may result in it entering water; and b. minimise the disturbance of the bed of the river and of wetlands.	**Always**
59. The consent holder must avoid cement, or wet concrete, or wet concrete ingredients coming into contact with flowing or standing water.	**When using concrete for the river crossing structure.** **Cement is formed from a mixture of substances and water to form concrete. The condition is aimed at avoiding the substances, in either form, including air borne, from entering water. The alkalinity from the wet ingredients is toxic to fish.**
Effects on river, other structures and users	
60. A river crossing must not have any of the following effects — a. compromise the structural integrity or use of any other lawfully established structure or activity in the bed of the river or lake; or, b. dam or divert water in a way that causes flooding or ponding on any property owned or occupied by a person other than the owner of the commercial forest.	**Always**
Design Standards	**Use if unclear from design that it meets these standards, unless the non-compliance is reason why consent is**

	required. In this case, consider mitigation measures instead.
61. The culvert inlet (entry point) and outlet (exit point) and approaches must be protected from erosion.	**Always**
62. At installation, the culvert invert must be located so that at least 25% of the culvert's diameter is below the river bed level.	**Where this can be practically achieved –not appropriate where the bed is hard rock.** **May also be impractical in steep catchments. Alternative is to use mitigating measures which are outlined in the fish passage guidelines.** **Check NES-CF regulation 46(1)(f) to ensure consent not required.**
63. River crossings must be designed, installed and maintained to avoid: a. Alteration of the natural alignment or gradient of the river; and b. Erosion of the bed, or erosion or instability of the banks of the water body, or the creation of sedimentation.	**Always**
Single and Double Culverts	
64. The calculated 5% AEP storm flow from the catchment above the river crossing point must be no greater than 5.5m^3 per second.	**Always, unless applied for in the consent application**
65. The culvert must pass a 5% AEP flood event without heading up.	**Always, unless applied for in the consent application**
66. The culvert diameter must be (xx) m.	**On a case-by-case basis. Seek technical advice. NES-CF permitted activity standard requires that the culvert diameter must be at least 450 mm.**
67. The highest point of the crossing, measured at the inlet end, must be no greater than 3.5m above the river bed.	**Always, unless applied for in the consent application.**
68. Where the bank full channel width is 3 m or more, the bed invert gradient, must be no greater than 6%, measured 50 m upstream and downstream of the river crossing.	**Always, unless applied for in the consent application.** **May be impractical in special circumstances eg solid rock bed, steep hill country where stream gradient is >6%, areas where waterfalls on either side of the crossing. If so, consider applicant's options, mitigation measures, and or offsetting.**
Battery Culverts	

69. The maximum height of the battery culvert crossing measured from the riverbed must not exceed 800mm.	**Always, unless applied for in the consent application.**
70. The diameter of each culvert must be at least 600mm but not exceed 800mm, except that the culvert that carries base flow must be at least 600mm but not exceed 1200mm.	**Always, unless applied for in the consent application.**
71. The culvert must be sized to pass annual average flow and must be constructed to allow greater flows to pass over it without structural failure.	**Always, unless applied for in the consent application.**
Drift Decks	**The NES-CF refers to drift decks as different from culverts. In TRMP there is no specific reference. Prior to 2017 we applied culvert rule. They are structures in any case.**
72. Where the bankfull channel width is 3 m or more, the bed invert gradient, measured 50 m upstream and downstream of the river crossing is greater than 6%, two (2) discrete footings must be used to embed the drift deck into the substrate, to maintain the natural bed material under the structure.	**Always, unless applied for in the consent application.**
Fords	
73. Water from the forestry road or track surface must be intercepted and passed through a sediment treatment structure positioned as close as practicable to the waterbody, above the annual flood flow level.	**Always, unless applied for in the consent application.**
74. Use of the ford must not cause a conspicuous change in colour or visual clarity beyond a 100m mixing zone downstream of the ford for more than 30 consecutive minutes after use of the ford.	**Always, unless applied for in the consent application.**
Bridges – Single Span	
75. There must be at least 1m clearance of the bridge soffit above the design flood level, from a 2% AEP event.	**Always, unless applied for in the consent application.**
76. The abutments or foundations must be constructed parallel to the channel.	**Always, unless applied for in the consent application.**
77. The bridge must not impede continued navigability on a navigable water body.	**Always, unless applied for in the consent application.**
Temporary Crossing	
78. Excavation of the banks or bed of the river must not exceed 200m^2.	**Always, unless applied for in the consent application.**
79. If logs are placed in the bed of a river, a culvert of at least 300mm in diameter must be placed in the bed first.	**Always, unless applied for in the consent application.**
Temporary single-span bridges	

80. Bridges must be constructed to pass the flood flow from a 5% AEP event under the bridge soffit.	**Always, unless applied for in the consent application.**
81. Bridges must be constructed to enable the passage of bed material.	**Always**
Heavy Rainfall	
82. If the site is subject to heavy rainfall and/or the consent holder is made aware of a failure of any structures/river crossings, inspection of structures must occur within 72 hours of the heavy rainfall event or failure occurring, unless this timeframe is not practicable due to access issues. Where access is impeded, the consent holder must immediately notify the GDC Compliance Monitoring and Enforcement Manager in writing. The notification must include: a. Forest name; and b. Harvest/setting area that is affected if this detail is known; and c. Location of where the access is impeded and why it is impeded; and d. State the concern if known and why inspection is required; and e. The estimated timeframe to gain access; and f. The inspection must be undertaken as soon as practicable. For the purposes of the conditions of this consent, heavy rainfall means rainfall greater than 100mm in 24 hours or 15mm per hour.	**Always** **Heavy rainfall of 100mm in 24 hours is the standard. It may not always be appropriate. Seek technical advice on appropriate 'heavy rainfall' definition and whether 15mm/hr (for duration and intensity) is required.** **15mm per hour may need a rain gauge installed. May be an option to use GDC rain gauges.** **(This condition in relation to earthwork features is repeated in the River Earthworks section)**
83. Structures/river crossings that have been damaged or destabilised because of a weather event must be managed as soon as practicable to minimise effects of sediment entering waterbodies, coastal environment, and adjoining properties, prevent accelerating erosion, and prevent further destabilisation of the structure.	**Always**
Post Construction	
84. All excess materials and equipment must be removed from the bed of the water body within 5 working days of the completion of the river crossing construction or maintenance, or removal.	**Always**
85. Within 4 weeks of completion of construction of each crossing the consent holder must forward to the Gisborne District Council written certification from a forest engineer/civil engineer/forest manager or other suitably qualified and experienced practitioner ('SQEP') that the crossing has been constructed in accordance with the design specifications set out in the Application. a. The Certification by the SQEP must include: (i) the location of the crossing, and (ii) details of the certifier's name, qualification, and experience, and (iii) date(s) of inspections and date of certification. b. For the purposes of this condition a SQEP must have a bachelor's degree in forestry, or engineering, or other relevant field, and is skilled at a senior level with five (5) years' minimum experience in the design or construction of river crossings.	**Always, unless it's a temporary crossing in place less than 6 months.** **Discuss with GDC Rivers, Land, & Coastal Operations Engineer about protocols**

Advice Note: e and s.	
Harvest Conditions	**The Harvest Slash Management Plan ('HSMP') is <u>always required upfront</u>.** **The HSMP should guide applicants to think about and plan for slash up front.** **Only condition for provision of a HSMP post grant of consent to be provided and certified by council, if it is absolutely necessary. Must have Consents Managers Approval.**
86. Any Plans or Maps submitted for certification under these consent conditions must be prepared as follows: a. The Harvest and Slash Management Plan ('HSMP') and associated maps must be prepared by a suitably qualified and experienced practitioner ('SQEP') experienced in managing harvesting activities and slash on ESC zone [xx] land; and b. The Post Harvest Stability Plan ('PHSP') and associated maps must be prepared by a SQEP experienced in managing erosion and site control and stability in a post-harvest environment, particularly during the 'Window of Vulnerability'. For the purpose of the conditions of this consent 'Window of Vulnerability' means the period from harvesting of a block to [xx] years post-harvest of that particular block. For the purposes of this condition, a SQEP means a person who holds a bachelor's degree in forestry or related field and is skilled in forestry harvesting and slash management at a senior level with five (5) years minimum experience.	**Always** **Preferred approach is for all this information to be provided by the applicant as part of the RC application so that it can be properly assessed as part of the consenting process.** **The years following harvesting are when forests are more susceptible to erosion; and this has been termed the 'window of vulnerability' (WoV).** **Ask ICM for Window of Vulnerability. Likely to be between 0-7 years for P. Radiata to P. Radiata. WoV differs for different species and change in replant species. Requires careful consideration and is very dependent on the area of land we are dealing with.** **See Dr Chris Phillips and Jack McConchie's advice on WoV.** **Abstract from <u>Ecological Engineering 206</u> (2024) 107300, C Phillips et al.** **Note that water controls are critical to managing risk on steep slopes – it is critical that all roading infrastructure and skid site design incorporates appropriate water controls, designed by a SQEP who has a good understanding of hydrological principles.**

87. For the avoidance of doubt, this consent does not authorise; a. The deposit of any sediment, slash, or logs or other harvest material in waterways, or onto land in circumstances where it may enter water, and b. any sediment, slash, logs or other harvest material to migrate or move beyond the forest's boundary. **Advice Note**: Consents applied for relate to land use rather than a discharge under Section 15 of the RMA. For the purposes of this condition, 'other harvest material' is windthrow mobilised by harvesting.	**Always, unless consent has applied to do this.** **- for example, installing crossings will inevitably result in a discharge.** **Consider whether the applicant needs to obtain an associated discharge consent.** **Careful consideration will need to be given to any associated discharge applications (i.e what is actually being sought by the applicant and what are the associated effects on the environment? consent should not be sought for large scale discharge of debris/sediment.**
88. The consent holder shall provide an updated Harvest Slash Management Plan ('HSMP') annually along with a schedule of changes, to Gisborne District Council for certification. The updated HSMP must include written verification that slash management has been undertaken in accordance with the approved/certified HSMP (whichever is the latest version), and a map and details showing: a. areas (in hectares) that have been harvested and b. areas (in hectares) that will be harvested the following year, and c. areas where slash cannot be removed in accordance with condition xx (90). unless there are no material changes to the HSMP, in which case, the consent holder must state that there are no changes and may omit provision of updated maps. **Advice Note:** The anniversary for the updated HSMP to be provided annually is within twelve months from the date that the HSMP was certified.	**Always, unless the harvest will not occur over a period longer than 12 months. Most woodlots will not need an annual plan as the harvest would be completed in one year.** **This condition is for monitoring purposes.**
89. Harvesting activities must be undertaken strictly in accordance with the approved or certified HSMP (whichever is the latest version). If any material amendments are required to the approved or certified HSMP, they must be submitted to the Council in writing for certification, and no further harvesting in the defined area must be undertaken until the amended HSMP is certified by Council. **Advice Note:** Certification by council may take more than a week though effort will be made to avoid unreasonable delay.	**Always.** **Planner to also consider which provisions in the HSMP are critical elements that should form stand-alone conditions.** **Planner to produce GIS Map and identify location in a polygon (defined area)**
Harvest and Slash management	
90. Slash, logs and/or debris from harvesting that is at risk of mobilisation into waterbodies, public infrastructure, adjoining property, riparian margins, and flood plains must be removed from all harvested land. **Advice Note:** Slash means windthrow mobilised by harvesting and any tree waste left behind after commercial forestry activities that is logging slash, log ends, tree heads and other waste logging	**Always** **Where applicants have specific areas where this is likely to be unachievable, then a full risk assessment**

material other than tree needles, twigs, pinecones, and detached branches less than 50mm in diameter.	**must be provided with the application as part of the HSMP for review and assessment by Councils Forestry Technical Advisor.** **The HSMP and risk assessment would need to provide (as a minimum):** - **identification of the risks associated with slash management in the forest, taking into account the particular soil characteristics, topography, flowpaths and areas previously affected by rainfall events;** - **identification of no-slash zones in high risk areas;** - **reasons why areas of slash need to remain;** - **location and description of slash to be managed (including by reference to a map);** - **full description of the management procedures and practices that will be employed to minimise any risks; as well as provisions for mitigation measures, monitoring and contingency measures. In particular, mitigation measures must (as a minimum) identify how slash is to be managed to ensure it does not enter any waterbodies or migrate beyond the forest boundary.** **Examples of mitigation measures could include:** - **dedicated slash storage zones on flat land away from**

	waterbodies that has a very low risk of mobilisation - **high stumps with retaining walls (logs);** - **at replant larger setbacks** - **coppicing species** - **hold settings;** - **burning of slash** - **slash traps/ live catchers.**
91. If the consent holder cannot meet the requirements of condition 90 xx above), notice shall be provided to Gisborne District Council Compliance Monitoring and Enforcement Manager outlining the: a. Details of slash including a map showing the location(s) of slash that is at risk of mobilisation; and b. Details of the risk of mobilisation and actual and potential adverse effects from leaving the slash in that location, and c. Options considered for removal and reasons why these have not been undertaken.	**Always**
Staging Harvest	
92. No more than (xx) hectares in the ESC red zone can be harvested in any five year period.	**On technical advice.** **May need to reflect distinct areas of the application area.**
93. Staging of works areas must be undertaken in accordance with the approved/certified HSMP (whichever is the latest version). Each stage of works must be stabilised in accordance with the approved PHSP, prior to works commencing on the next stage.	**Always** **May need to reflect distinct areas of the application area.**
Felling	
94. Fell to waste is prohibited. **Advice Note**: Waste is slash from harvesting, not waste from thinning and pruning to waste.	**Where area is particularly vulnerable, determined by planners s104 assessment and ICM comments.** **There may be exceptions, but the applicant will need to provide a plan demonstrating that the slash will not be at risk of mobilisation into a waterway or beyond the property boundary.** **Exceptions may include:** - **Trees felled to protect rivers;** - **Trees felled to protect archaeological features where hauling may cause damage.**

	Thinning and pruning to waste is covered by regulations 19-21 of NES-CF.
95. Trees must be directionally felled away from any water body, riparian margin, and area of indigenous forest, except where it is unsafe to do so, to minimise disturbance to the margins of water bodies. If the exception applies, trees must be felled directly across the water body for full-length extraction before de-limbing or heading.	**Always, where relevant features are present**
96. Trees must be directionally felled away from public infrastructure unless it is unsafe to do so.	**If relevant infrastructure exists** **Consider effects (not use) on private infrastructure eg water pipelines, bridges, that is not in same ownership as forest. Consider amendment where there is private infrastructure.**
97. Full suspension tree harvesting in a manner that lifts the entire tree above the ground must be achieved across rivers of 3 m or more in width.	**Always, unless exception is applied for under rule 6.3.2(14) – contact with the bed of a waterway.**
98. Harvest systems must be planned and located to achieve butt suspension wherever practicable.	**Always**
99. Harvesting machinery must not be operated: a. within 5 m of (i) a perennial river with a bankfull channel width less than 3 m; or (ii) a wetland larger than 0.25 ha; or b. within 10 m of (i) a perennial river with a bankfull channel width of 3 m or more; or (ii) a lake larger than 0.25 ha; or (iii) an outstanding freshwater body; or (iv) a water body subject to a water conservation order; or (v) within 30 m of the coastal marine area.	**Always, unless exception applied for in the application. See regulations 68(1) and 68(5) for exceptions and conditions above and below.**
100. Harvesting machinery may be operated in the setbacks required by condition xx (99) only if a. any disturbance to the water body from the machinery is minimised; and b. the harvest machinery is being operated— (i) at water body crossing points; or (ii) where slash removal is necessary; or (iii) where essential for directional felling in a chosen direction or extraction of trees from within the setbacks in condition xx (99).	**Always**

101. When harvesting occurs within or across a riparian zone, all disturbed vegetation, soil, or debris must be deposited on the safe containment and deposition areas identified in the approved plans/maps, to avoid it entering into water and to avoid: diversion or damming of any water body or coastal water: degradation of any aquatic habitat or riparian zone: damage to downstream infrastructure or property.	**Always**
102. Any parts of exposed soil in the Riparian Management Area at the completion of harvesting each setting, that are unlikely to naturally revegetate within 12 months shall be stabilised by grass cover, or active space planting of conservation trees (poplars and willows) or native riparian species. **Advice Note** y.	**Always, if activity is within the riparian management area.**
Sediment	
103. Sediment originating from the harvesting activity must be managed to ensure that after reasonable mixing it does not give rise to any of the following effects in the receiving waters: a. any conspicuous change in colour or visual clarity: b. the rendering of fresh water unsuitable for consumption by farm animals: c. any significant adverse effect on aquatic life. Reasonable mixing (zone) is measured downstream of the discharge point at a distance of seven times the width of the stream/river (wetted edge to wetted edge) up to a maximum distance 100 metres.	**Always** **The reasonable mixing zone may be subject to change as recommended by technical advice.**
104. Disturbed soil must be stabilised or contained to minimise sediment entering into any water and resulting in – a. the diversion or damming of any water body; or b. degradation of the aquatic habitat, riparian zone, freshwater body, or coastal environment; or c. damage to downstream infrastructure and properties.	**Always**
Ephemeral Channels	
105. Harvesting and deposition of slash around ephemeral flow paths must avoid causing accelerated erosion, obstruction, or diversion of water flow.	**Always**
106. Ephemeral flowpaths must be kept open and free flowing, and free from slash, debris and other materials which may inhibit flow.	
Disturbance of margins of water bodies and coastal marine areas	
107. Trees must not be dragged or hauled along the bed of a waterbody. **Advice Note:** This doesn't include hauling across the bed.	**Always, unless applied for in application.** **For example, topography can mean it is not possible to achieve. If applicant advises that this will occur (and condition cannot be met), ask for maps and length of where this hauling will take place. Assess effects. Planner must include approved plan**

	showing the location of any exception and amend condition. **For example, 'Trees must not be dragged or hauled along the bed of a waterbody except in the location shown by the orange polygon in the approved plan titled XXX.**
108. Logs, slash and other harvest material must not be left near the edge of landings, or where it is at risk of mobilisation into a waterbody, ephemeral flow-path, or coastal marine area and/or are at risk of mobilisation into these areas.	**Always**
109. Slash from harvesting including slash generated at landings must be placed onto stable ground where it is not at risk of mobilisation.	**Always (along with any other required conditions) where HSMP seeks consent to leave slash in dedicated areas.**
110. Slash from harvesting and logs that is on the edge of landing sites must be pulled back and managed to avoid the slumping, collapse, or partial collapse of slash piles and/or landings.	**Always, unless slash is to be burned**
111. Slash from harvesting must not be deposited into a water body, a floodplain, or onto land where it may enter water. **Advice Note**: See condition below.	**Always** **Circulate to GDC Rivers Land & Coastal Operations if doubt about being in a floodplain.**
112.If condition xx 111 is not complied with, slash from harvesting must be removed.	**Always**
Tracking	
113. Tracking must minimise channelling, changing overland flows and sediment discharge to water or onto land where it may enter water. **Advice Note:** Tracking refers to constructing/using forestry tracks.	**Always**
114.Tracking must be limited to arterial tracks and removal of occasional obstructions as defined by a density no more than 5% in total of the ground-based areas of each harvest setting, as indicated on the Approved Plan titled xx.	**Only for ground-based harvesting**
Rutting	
115. If machinery causes rutting of 20cm in depth and for a length of 10m or more on slopes greater than 25 degrees, the indentation must be reduced and remediated so that water does not channel and cause erosion and/or slope instability. **Advice Note:** Remediation may include cutoffs and pulling slash across. See other related conditions to avoid conflict. This condition applies even if the machine is on a track.	**Always** **Check if there is potential conflict (with other conditions) using slash to reduce rutting and adjust where appropriate.**
Post Harvest Stability Plan ('PHSP')	**See non-standard consent conditions if applicant has not provided part of PHSP. The PHSP is always required**

	upfront as part of the application, so that it can be assessed by Council and approved. See non-standard conditions for what is expected to be covered by PHSP. Only condition in rare circumstances or where specific areas require a particular methodology.
116. All works set out in the approved/certified PHSP (whichever is the latest version) must be undertaken by the Consent Holder within [xx] months of the completion of harvesting of the stated area.	**Always** **Review the PHSP and include any strict requirements as stand-alone conditions e.g. any post-harvest monitoring and contingency measures should form stand-alone conditions.**
117. If any amendments are required to the approved/certified PHSP (whichever is the latest version), they must be submitted to the Council in writing for certification, and no activities must be undertaken until the amended PHSP is certified by Council.	**Always** **This might be information included as part of a harvest plan, in this case this condition will not be required.**
118. During and on completion of the harvest of each individual setting, the consent holder must ensure that all harvested logs, slash, or wind throw mobilised by harvesting is removed from slopes over 20 degrees.	**Not always** - **Case by case basis, Assess if windthrow is in scope** - **Assess if any double up with removal of slash condition (currently condition 91).** - **Assess whether logs need to be removed. Once logs mobilise off the landing they are 'slash'.** **Ask ICM and/or Forestry Expert to advise on what must be removed and on slope angle.**
Monitoring and Contingency Measures	
119. All monitoring and contingency measures must be undertaken in strict accordance with the approved or certified PHSP (whichever is the latest version), unless a contingency determination is made as per condition 121. Then monitoring and contingency measures must be undertaken in strict accordance with the contingency determination as per condition 123.	**Always** **If no PHSP has been provided with application, request it prior to grant of consent.** **The purpose of the PHSP is to ensure stability of site post harvest, particularly during the Window of Vulnerability (WOV); and in particular to ensure slope stability, management of erosion or slope failure at harvesting sites, and the protection of waterbodies.** **The PHSP should include monitoring & inspection**

	regimes, mitigation measures, and thresholds for response or contingency measures or actions.
Response Report	
120. Where monitoring is undertaken in accordance with the approved / certified PHSP (latest version) that indicates there is an adverse effect on the environment that requires minimising or remediation and there is no contingency measure stipulated in the approved/certified PHSP, the consent holder must produce a written report for submission to the Gisborne District Council Compliance Monitoring and Enforcement Manager outlining: a. The monitoring results and identification of the adverse effect including the time, date and location of the monitoring, and the name and qualifications of the person(s) who undertook the monitoring; b. Records of the physical state of the affected area, including provisions of photographs, video or drone footage; c. The issues identified including erosion, slippage, slope failure or material in watercourses, and a full description of the nature of the issue; d. The proposed action/s including any additional or modified monitoring requirements to address the environmental effects. Include timing of actions. **Advice Note**: e	**Always** **The consent holder is to produce a Response Report setting out their preferred course of action and the likely timeframe. Council then assesses that proposed course of action and makes a Contingency Determination (condition below) telling them what to do.**
Contingency Determination	
121. Where the Council receives a report from the Consent Holder under condition xx (120), Council must within 30 working days (subject to consideration of condition below) provide the consent holder with a determination in respect of the proposed actions (Contingency Determination). In making its Contingency Determination, the Council may assess the adequacy of the Response Report and any proposed response or contingency actions required and: a. Approve the Consent Holder's proposed course of action, with or without additional conditions to manage any potential environmental effects; and/or b. Identify any alternative or additional response, contingency actions, or offset measures, if in the view of the Council, the measures proposed by the Consent Holder are inadequate; and/or c. Engage the assistance of any independent expert. **Advice Notes:** Please state if an urgent contingency determination is required because of significant adverse effects.	**Always**
122. The Consent Holder must implement, as soon as reasonably practicable, the course of action required by the Contingency Determination resulting under condition 121.	**Always**
Practicability	
123. Where any response and/or contingency measures under conditions 120, 121, 122 requires consideration of the practicability of any	**Always**

action, practicability must be considered taking into account (but not being limited to) the following matters: a. Any risk to human health and safety or of adverse effects, including ecological effects, that may be caused by the implementation of the response or contingency actions; b. The accessibility of the response site; c. Whether the risks and/or adverse effects, including ecological effects, of implementing the response or contingency actions, are proportionate to the risks and/or effects sought to be avoided and/or the benefit likely to be achieved; d. Any impact on the rights or interests of other persons, including downstream property and infrastructure owners.	
Completion Reporting	
124. On the completion of any response or contingency action, or offset mitigation measure, under any of these conditions of consent, the Consent Holder must provide a written report to the Council recording the circumstances and actions undertaken. Such report must be provided to Council within 10 working days of completion of the measures.	**Always**
Replanting	
125. Harvested areas that are subject to a 'Very High Risk' (ESC Red) classification within the National Environmental Standard for Commercial Forestry Erosion Susceptibility Classification must be replanted with trees at a minimum of xxx evenly distributed trees per hectare within 18 months of harvesting, except where conditions [126, 127, and 128 xxx] apply.	**Where there is only pine replant. Ask technical advisor if the stocking rate applied for is appropriate.** **Could be either seedlings or cuttings so just use the word trees.**
Setbacks	
126. No replanting of perennial river(s) with commercial forest species must occur within xx horizontal metres either side of the bed of the xx/, as indicated on the Approved Plan(s), or from the edge of the bed to the incised banks of the watercourses, whichever is the greater.	**Always** **Seek technical advice for appropriate setbacks.** **Planner to check matters of control and/or discretion. See regulations 80 and 81.** **This condition doesn't exclude the use of exotic conservation trees e.g. willows and poplars.** **Pine, eucalypt, redwood etc can be used as live slash catchers, so re-phrase condition if necessary.**

127. No replanting with exotic commercial forest species must occur between the existing stump line and Significant Natural Areas or Protection Management Areas.	**Always where there is existing SNA's and PMA's, or significant indigenous vegetation that is identified by ecological report.** **Note, some PMAs can be waterbodies.**
128. Replant activities in Compartments [xx] must be staggered so that only one compartment in this sub-catchment is replanted each year.	**On technical advice.** **Potentially where there are unstable areas (eg earthflows, large gullies) high value natural environments.**
Information Monitoring	
129. The consent holder must document the dates and locations of all replant activities carried out under this consent. This information is to be made available to the Gisborne District Council upon request. This information must include details of setbacks from all Protection Management Areas and waterbodies, as well as confirmation of location and species type planted in each area.	**Always**
Alternative species and retired land	
130. Harvested areas that are subject to a 'Very High Risk' (ESC Red) classification within the National Environmental Standard for Commercial Forestry Erosion Susceptibility Classification and located in the areas shown by xx on approved/certified plan titled xx must be replanted with trees at a minimum of [xx] evenly distributed trees per hectare within 18 months of harvesting.	**Where applicable (not pine)** **Forestry Technical Advisor to advise the correct stems per hectare and whether the species is suitable.** **Exceptions may include 'Very High Risk' (ESC Red) land deemed unsuitable to be replanted in *Pinus Radiata* and alternative species are recommended.**
131. If alternative species are to be planted, or the area is to be retired from commercial forestry, the consent holder must provide a Replant Management Plan ('RMP') to Gisborne District Council Integrated Catchments Manager for certification within 12 months and no later than 30 days prior to planting. This RMP must include, but not be limited to, the following: a. Detailed plan at 1:10,000 scale showing where harvesting has occurred and the area where alternative species are proposed to be planted, or the area is retired from commercial forestry; b. Details of affected areas in hectares;	**Not always – ask for a plan upfront. Only condition post grant of consent if special circumstances.**

c. Details of how the proposed planting or retirement will mitigate the risk of active erosion, landslip and achieve effective tree cover and address the 'window of vulnerability'; d. Details of alternative species to be planted: i. The type of species, ii. Location including density of trees to be planted (stems per hectare) and timing of planting, and iii. setbacks from waterbodies, Protection Management Areas, Significant Natural Areas, QEII, and any relevant infrastructure. iv. details of any conservation trees (eg, poplar/willow); e. Where reversion to indigenous vegetation is proposed, details of the seed source, pest control, and regeneration/wilding pine management; and Implementation of the certified RMP must commence within 18 months of harvest. **Advice Note**: y.	

GENERAL ADVICE NOTES: – ONLY USE EACH NOTE WHERE RELEVANT TO THE CONSENT

a) The Consent Holder is advised that non-compliance with consent conditions may result in enforcement action against the Consent Holder and/or their contractors and any landowner.

b) Council will periodically monitor compliance with these consent conditions, but it is the responsibility of the consent holder to document and prove compliance with the conditions and make this information available if requested by a Council monitoring officer.

c) The Consent Holder is advised that this consent does not in itself give any authority to enter or carry out work on private land nor does it imply any exclusive right to operate over the area allotted to the holder. It also does not excuse the holder from obtaining all other legal and statutory requirements for instance the legal access through private land and the Health and Safety at Work Act 2015.

d) The consent holder is responsible for ensuring that prior to any person(s) commencing works under this consent, the consent holder must make that person(s) aware of the relevant consent conditions and plans.

Notification and Reporting to Council

e) Reporting, notification, and submission of records required by conditions of this consent should be directed in writing to the Gisborne District Council Compliance, Monitoring and Enforcement Manager, at Compliance.Admin@gdc.govt.nz or PO Box 747, Gisborne 4040. The notification should include the consent number/s.

Variations

f) Variations to specific conditions may be applied to under Section 127 (1) (b) of the Resource Management Act 1991. In this circumstance Section 127 (3) of the Resource Management Act 1991 is also relevant.

Consents and Property Ownership/Transfers

g) The Consent Holder is advised that under Section 134 of the Resource Management Act 1991, land use consents are attached to the land to which the consent relates. Therefore, if the property is sold, the land use consent stays with the property. However, the existing

Consent Holder should notify the Gisborne District Council that the consent is to be transferred, otherwise any future monitoring charges and enforcement action if necessary, will continue to be addressed to the original Consent Holder. Contact the Gisborne District Council for a transfer of consent form.

Archaeological sites

h) No archaeological sites whether recorded or unrecorded under Subpart 2 of the Heritage New Zealand Pouhere Taonga Act 2014 can be destroyed, damaged or modified without the consent of Heritage New Zealand. In the event that an archaeological site(s) and/or koiwi are unearthed, the Consent Holder is advised to immediately stop work on the part of the site that the archaeological site(s) is located and contact Heritage New Zealand and all relevant iwi/hapu for advice. Heritage New Zealand contact details: email infolowernorthern@heritage.org.nz
phone - 07 577 4530. The Gisborne District Council can provide contact details for the relevant iwi and hapu in this area.

Energy Assets

i) Overhead energy assets are located within the Consent Boundary, please contact Eastland Network Limited before activities commences in areas adjacent to these assets.

Machinery

j) All machinery and equipment used in the river should be cleaned according to Biosecurity NZ Check Clean and Dry protocols (prior to and after use) to prevent the spread of aquatic pests. http://www.mpi.govt.nz/travel-and-recreation/outdoor-activities/check-clean-dry/

k) Spill kits should be available on site to respond to an emergency spill. Please check machinery and vehicles for fuel and oil leaks. Where leaks are present and not able to be fixed immediately, containers/drip trays can be used to collect leakage.

Corridor Access Request

l) All work or discharge to or within the road reserve requires a Corridor Access Request (CAR). This includes any upgrades to vehicle crossings and the installation of infrastructure, services. A CAR can be made via the BeforeUDig web site or directly to Gisborne District Council.

Traffic Management Plan

m) The Consent Holder is advised that a Traffic Management Plan will be required when felling within two tree lengths of any public road.

Aerial Spraying

n) Aerial spraying, spot spraying, and any other forms of spraying, are subject to General Standards C1.5.4.1 in the Air Management Section and the Permitted Activity Standards in Rule C6.2.15(1) of the Freshwater Management Chapter of the Tairāwhiti Resource Management Plan. These standards include notification, record keeping and spray operator certification requirements.

Stabilisation

o) Suitable measures for stabilisation include seeding, vegetative cover, mulch, or slash cover, compacting, draining, roughening, or armouring by the placement of rock or the use of other rigid materials.

Earthflow

q) Earthflow in relation to earthworks means rapid flowing of soil and underlying weathered material on slopes of between 10 and 20 degrees that is characterised by:
   a. an overthrust bulging dome at the toe, a depressed, fissured, and disrupted centre upslope, and slipping or slumping at the head; and
   b. prominent transverse cracks, particularly in the upper region of the movement.

Refuelling and or/Oil changing

r) This consent does not authorise fuel storage, refuelling and/or oil changing associated with a plantation forestry activity. If these activities are to be undertaken, then they will either need to comply with the permitted activity conditions in the National Environmental Standard for Commercial Forestry or consent will need to be applied for.

Suitably Qualified and Experienced Practitioner ('SQEP')

s) For the purposes of these conditions, a SQEP means a person who holds a bachelor's degree in the relevant qualification (set out in the condition) and is experienced and skilled in the relevant field at a senior level with five (5) years' minimum experience.

ADVICE NOTES FOR CROSSINGS:

Bridges

t) A Building Consent might be required for constructing and using a bridge, or it might be exempt. See Building Code or GDC Building Inspector.

Discharge

u) Where the construction may result in a discharge (eg, concrete is occurring in the wet part of the bed) then additional consents may be required.

Diversion

v) If a forestry culvert is a permitted activity under the NES-CF and rule 6.3.2(5) of the TRMP, no consent for diversion is required under the TRMP (and rule 6.3.13(4)). A 'global' type of marginal non-compliance certificate was granted 17 August 2020 to address this scenario. (Ask GDC for a copy of Memo A1887108).

Biosecurity

w) All machinery and equipment used in the river should be cleaned according to Biosecurity NZ Check Clean and Dry protocols (prior to and after use) to prevent the spread of aquatic pests. http://www.mpi.govt.nz/travel-and-recreation/outdoor-activities/check-clean-dry/.

SPECIFIC ADVICE NOTES FOR HARVESTING

Burning

x) Any burning of slash should comply with the General Standards C1.5.4.1 of the Air Chapter of the Tairawhiti Resource Management Plan and also requires an approved fire plan and permit issued by Fire and Emergency New Zealand. Burning on landings should ensure the slash is clean, on top of the fill, the area is oversown with a quick growing grass/legume post fire and timing is ideal for optimum grass growth.

Planting

y) The final plant species, orientation and spacing of the plantings can be determined by using assistance from the Gisborne District Council Integrated Catchments team.

Non-Standard Conditions

Bond

1. By [date] the Consent Holder must provide and maintain a Bond in favour of the Gisborne District Council of [$xx] for the purposes set out in condition [xx] to be maintained for the duration of these consents, and subject to any review, amendment, or discharge in accordance with conditions [xx].
   a. The Bond must be for the following purposes:
      (i) To ensure compliance with the conditions of these consents and the Management Plans and remedying any situations arising due to non-compliance;

      (ii) To enable the monitoring of the harvest site following the expiry of these consents at a minimum of [xx] yearly intervals and following any Significant Storm Event to determine whether there are, or are likely to be, ongoing effects on the environment arising from the exercise of these consents;

      (iii) To ensure that contingency measures (including additional monitoring) required in order to address environmental effects are undertaken where necessary;

      (iv) To remedy any unforeseen effects on the environment arising from the exercise of these consents and which become apparent for a period of up to ten (10) years after the expiry of these consents on [date].

Review

2. The amount of the Bond may be reviewed every [two] years for the duration of the Bond. If, on review, the amount of the Bond to be provided by the Consent Holder is greater than the sum secured by the existing Bond, then within 30 days of the Consent Holder being given written notice of the new amount to be secured by the Bond, the Consent Holder must execute and lodge with the Council a variation of the existing Bond or a new Bond for the amount fixed on review by the Council.

3. The Consent Holder may apply to have the Bond amended or discharged at any time, in which case the Council must advise the Consent Holder of its decision on the application within 60 days of receiving the application. An application by the Consent Holder to amend the amount of the bond should be supported by a risk assessment.

Bond Agreement

4. The Bond must be in favour of the Council as a cash bond with a bank approved by the Regional Council and carrying on business in New Zealand. The Bond must be in a form approved in advance by the Council and, subject only to the conditions of these consents, be on the terms and conditions required by the Council (the "Bond Agreement").
   a. The Consent Holder may not exercise these consents until the Council approves the form, terms and conditions of the Bond Agreement and the Bond is in place.
   b. The Consent Holder must forward evidence to the Council, at the end of each twelve month period thereafter, that the Bond remains in place.

5. The Bond Agreement must provide that:
   a. The Bond must be an irrevocable and unconditional bond maintained in favour of the Council, on terms and conditions acceptable to the Council, for the purposes and period set out in conditions [xx];

   b. The Consent Holder and the surety remain liable under the Bond for compliance with the conditions of these consents and for the remedy of any significant adverse effects on the environment arising from the exercise of these consents and which become apparent for a period up to ten (10) years after the expiry of these consents on [date].

   c. In the event that it is necessary for the Consent Holder to remedy significant adverse effects, these are to be remedied to the satisfaction of the Council;

   d. The Bond may be used by the Council for the purposes set out in condition [xx] being to carry out any works or actions required under the conditions of these consents or to carry out any response or contingency measures necessary to remedy any significant adverse effects on the environment arising from the exercise of these consents. The funds secured by the Bond

must not be called upon and utilised for that purpose during the term of these consents unless, at the Council's discretion, the Consent Holder has first been given the opportunity to carry out such work within a reasonable time and failed to do so;

e. The Bond must enable multiple calls upon the Bond by the Council at any time for such sums as the Council must certify as being reasonably necessary to enable it to complete any of the bonded obligations;

f. The Bond must require payment to Council upon demand and without condition or proof. The Bond must require payment to Council of the full amount demanded without any set-off, deduction or withholding on any account;

g. The Consent Holder is to pay the Council's reasonable costs associated with such approval and execution of the Bond;

h. The Consent Holder's liability is not limited to the amount of the Bond; and

i. The Consent Holder is to pay the Council's reasonable costs associated with investigation under, and implementation of, the Bond. For the avoidance of doubt, these costs include the Council's costs to monitor and investigate whether any significant adverse effects on the environment are arising from the exercise of these consents for a period of up to ten (10) years after the expiry of these consents on [date] in accordance with condition [xxx].

Release

6. The Council must release the Bond if it is satisfied at its discretion that:
   a. The Consent Holder has complied with all the conditions of these consents; and
   b. There are no ongoing significant adverse effects on the environment; and
   c. If ongoing significant adverse effects have been identified, that these effects have been remedied.

7. The Consent Holder must not transfer these consents to any person unless prior to the transfer, the transferee enters into and thereafter maintains a Bond in favour of the Council on the same terms and conditions required under the conditions of these consents and any Bond Agreement.