



1 Overview of the NES-PF

The NES-PF provides a nationally consistent set of provisions to manage the environmental effects of *plantation forestry activities* under the Resource Management Act 1991 (RMA).

The policy objective of the NES-PF is to:

‘Maintain or improve the environmental outcomes associated with plantation forestry activities nationally; and

Increase the efficiency and certainty in the management of plantation forestry activities under the RMA’.

The NES-PF provides a nationally consistent set of provisions to manage:

- Eight core *plantation forestry activities* that cover the full forestry lifecycle (Part 2, Subparts 1-8);
- Three ancillary forestry activities (Part 2, Subpart 9); and
- General provisions that apply to all *plantation forestry activities* (Part 2, Subpart 10).

The NES-PF identifies whether the regional council and/or territorial authority has functions in relation to each regulation in the NES-PF. This is set out in the first regulation of each subpart of Part 2, titled *‘Functions for this subpart’*. This reflects the respective functions of regional councils and territorial authorities under sections 30 and 31 of the RMA and will help to avoid confusion and potential duplication in administration of the regulations.

Table 1 provides a high-level overview of which local authority has functions under the NES-PF for each of the core regulated *plantation forestry activities*, the ancillary activities and general provisions. Most functions in the NES-PF relate to regional council functions, but territorial authorities have some functions in relation to certain *plantation forestry activities*.

Table 1: Summary of regional council and territorial functions under the NES-PF.

NES-PF provision	Local authority with functions for regulated activity and conditions
Plantation forestry activities – afforestation, forestry quarry, harvesting ¹ and replanting	Regional council and territorial authority
Plantation forestry activities – pruning and thinning-to-waste, earthworks, river crossings and mechanical land preparation	Regional council
Ancillary activity – slash traps	Regional council
Ancillary activity – indigenous vegetation clearance	Territorial authority
Ancillary activity – non-indigenous vegetation clearance	Regional council and territorial authority
General provisions – discharges, disturbances and diversions, fuel storage and refuelling	Regional council
General provisions – noise and vibration	Territorial authority
General provisions – dust, bird nesting	Regional council and territorial authority

¹ The only harvesting condition in relation to territorial authority functions relates to notice of harvesting – all other harvesting conditions are regional council functions.



The permitted activity conditions in the NES-PF include:

- **Conditions** to avoid, remedy, or mitigate adverse environmental effects from *plantation forestry activities* (e.g. setback requirements, implementation of erosion and sediment control measures)
- Requirements to prepare, and comply with, **management plans** for *earthworks, forestry quarrying* and *harvesting* to enable site specific environmental risks to be identified and managed up-front
- Requirements to give **notice to regional councils and territorial authorities** of the commencement of certain *plantation forestry activities* (*afforestation, earthworks, river crossings, forest quarrying, harvesting*) to enable risk-based compliance monitoring to be undertaken where appropriate
- **Risk assessment tools** that are incorporated by reference into the NES-PF (the *Erosion Susceptibility Classification, Wilding Tree Risk Calculator*, and Fish Spawning Indicator), which enable location specific assessments of risk to be undertaken in relation to erosion, wilding conifer spread, and *fish spawning*.

The NES-PF generally takes precedence over rules in regional and district plans. However, Regulation 6 of the NES-PF allows more stringent plan rules to prevail over the NES-PF in certain circumstances. These circumstances are limited to when plan rules:

- (a) Give effect to an objective developed to give effect to the National Policy Statement for Freshwater Management (NPSFM) and any of policies 11, 13, 15 and 22 of the New Zealand Coastal Policy Statement 2010 (NZCPS)
- (b) Recognise and provide the protection of *outstanding natural landscapes and features* and *significant natural areas* and matters of national importance under section 6(b) and 6(c) of the RMA
- (c) Manage specific unique and sensitive environments identified in a regional policy statement, regional plan, or district plan (*geothermal areas, karst geology*, and areas with separation point granite soils) and certain protect sources of human drinking water supply².

There are also certain activities and effects related to *plantation forestry* that are not regulated under the NES-PF and continue to be managed under the relevant regional or district plan (e.g. effects on cultural and historic heritage, effects of logging trucks on public roads). The [NES-PF Plan Alignment Guide](#) provides more detailed information on where plan rules may be more stringent than the NES-PF, and activities and effects that are not regulated under the NES-PF.

² If the rule manages activities conducted within 1 km upstream of the abstraction point of a drinking water supply for more than 25 people where the water take is from a water body or *forestry quarrying* activities conducted over a shallow water table (less than 30 m below ground level) that is above an aquifer used for a human drinking water supply.



2 Overview of Regulations

2.1 THE DEFINITION OF PLANTATION FORESTRY

Regulation 3 (interpretation) defines *plantation forest* and *plantation forestry* as follows:

‘plantation forest or plantation forestry means a forest deliberately established for commercial purposes, being -

(a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and

(b) includes all associated forestry infrastructure; but

(c) does not include -

(i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or

(ii) forest species in urban areas; or

(iii) nurseries and seed orchards; or

(iv) trees grown for fruit or nuts; or

(v) long-term ecological restoration planting of forest species; or

(vi) willows and poplars space planted for soil conservation purposes’

A *plantation forest* includes associated *forestry infrastructure*, which are all structures and facilities required for the operation of the *plantation forest*³.

The key requirements in the definition of *plantation forestry* is that the *plantation forest*:

- **Is at least 1ha of continuous area** – so small areas of isolated trees that cumulatively reach 1ha do not meet this definition
- **Is a forestry species** – defined in the NES-PF as a ‘tree species capable of reaching at least 5 m in height at maturity where it is located’
- **Was deliberately established for commercial purposes**
- **Will be harvested or replanted.**

The NES-PF is therefore intended to apply to *plantation forests* that were deliberately established with an intent to harvest for commercial gain not forests established for alternative purposes (e.g. manuka forests for honey production).

2.2 PLANTATION FORESTRY ACTIVITIES REGULATED UNDER NES-PF

Regulation 5(1) sets out the activities regulated under the NES-PF. Regulation 5(2) makes it clear that in addition to the regulations for each plantation forestry activity, foresters must also comply with the general provisions in subpart 10 of Part 2 where relevant to be permitted. *Plantation forestry activity* is defined in the NES-PF as follows:

“plantation forestry activity means any activity regulated under subparts 1 to 9 of Part 2 of these regulations that is conducted in plantation forestry”

³ Forestry infrastructure is defined in the NES-PF as ***‘forestry infrastructure means structures and facilities that are required for the operation of the forest, including forestry roads, forestry tracks, river crossings, landings, fire breaks, storm water and sediment control structures, and water run-off controls’***.



The eight core *plantation forestry activities* regulated under the NES-PF are all defined in Regulation 3 (Interpretation) and these definitions are outlined in Table 2. It is important to understand the scope of each *plantation forestry activity* as defined in the NES-PF and what it includes and excludes. Section 5 of the [NES-PF User Guide](#) provides more detailed information on each of these *plantation forestry activities*.

Table 2: Definition of eight core plantation forestry activities regulated under the NES-PF.

Regulated plantation forestry activity	Definition in the NES-PF
Afforestation (regulations 8 - 17)	(a) means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years; but (b) does not include vegetation clearance from the land before planting
Pruning and thinning to waste (regulations 18 - 21)	means pruning plantation forest trees and thinning to waste involving the selective felling of plantation forest trees within a stand where the felled trees remain on site
Earthworks⁴ (regulations 22 - 35)	(a) means disturbance of the surface of the land by the movement, deposition, or removal of earth (or any other matter constituting the land, such as soil, clay, sand, or rock) in relation to plantation forestry; and (b) includes the construction of forestry roads, forestry tracks, landings and river crossing approaches, cut and fill operations, maintenance and upgrade of existing earthworks, and forestry road widening and realignment; but (c) does not include soil disturbance by machinery passes, forestry quarrying, or mechanical land preparation.
River crossings (regulations 36 - 49) ⁵	(a) means a structure that is required for the operation of a plantation forest and provides for vehicles or machinery to cross over a water body; and (b) includes an apron and other structures and materials necessary to complete a river crossing; but (c) does not include a stormwater culvert or a culvert under a forestry road or forestry track.
Forestry quarrying (regulations 50 - 61)	(a) means the extraction of rock, sand, or gravel for the formation of forestry roads and construction of other plantation forestry infrastructure, including landings, river crossing approaches, abutments, and forestry tracks,— i. within a plantation forest; or ii. required for the operation of a plantation forest on adjacent land owned or managed by the owner of the plantation forest; and (b) includes the extraction of alluvial gravels outside the bed of a river, extraction of minerals from borrow pits, and the processing and stockpiling of material at the forest quarry site; but (c) does not include earthworks, mechanical land preparation, or gravel extraction from the bed of a river, lake, or other water body.

⁴ Note Regulation 3 also provides definitions for *forestry roads, forestry tracks, landings and maintenance and upgrade of existing earthworks* which are relevant to this definition.

⁵ Note Regulation 3 also provides definitions for a number of types of *river crossings*, including *apron, battery culvert, culvert, drift deck, ford, single culvert* and *temporary river crossing*. A separate definition for *existing river crossings* is also provided in the NES-PF as these are subject to different requirements in the NES-PF.



Regulated <i>plantation forestry activity</i>	Definition in the NES-PF
<p>Harvesting (regulations 62 - 71)</p>	<p>(a) means felling trees, extracting trees, thinning tree stems and extraction for sale or use (production thinning), processing trees into logs, or loading logs onto trucks for delivery to processing plants; but</p> <p>(b) does not include -</p> <ul style="list-style-type: none"> i. milling activities or processing of timber; or ii. vegetation clearance of vegetation that is not plantation forest trees.
<p>Mechanical land preparation⁶ (regulations 72 - 75)</p>	<p>(a) means using machinery to prepare land for replanting trees, including root-raking, discing, ripping, roller crushing, clearing slash, and mounding the soil into raised areas; but</p> <p>(b) does not include -</p> <ul style="list-style-type: none"> i. the creation of alternating drains and planting mounds using a V-shaped blade attached to the front of a bulldozer; or ii. earthworks or forestry quarrying.
<p>Replanting (regulations 76 - 81)</p>	<p>means the planting and growing of plantation forestry trees on land less than 5 years after plantation forestry harvesting has occurred.</p>

2.3 THE BOUNDARY OF THE PLANTATION FOREST

Although the NES-PF primarily manages *plantation forestry activities* occurring within the boundaries of the *plantation forest*, there are some exceptions where *plantation forestry activities* and *forestry infrastructure* will be located outside the boundary of the *plantation forest*. The *plantation forestry activity* definitions and Regulation 5 of the NES-PF clarify the situations where this may occur. The key message is that the activity **must be in relation to *plantation forestry* or required for the operation of a *plantation forestry*** for it to be located outside the boundary of a *plantation forest* but still regulated under NES-PF.

Two common scenarios where *plantation forestry activities* and *forestry infrastructure* may be located outside *plantation forest* are:

- **Earthworks for a forestry road or forestry track:** Regulation 5(c) and the definition of *earthworks* makes it clear the NES-PF applies to earthworks in relation to *plantation forestry*, and this includes *earthworks* for construction of *forestry roads* and *forestry tracks*. Provided the purpose of the *earthworks* is specifically related to *plantation forestry* and the *forestry track* or *forestry road* meet the NES-PF definitions, then the NES-PF will apply. This includes *forestry roads* constructed between public roads and a *plantation forest* where the specific purpose of the road is to access the *plantation forest*.
- **River crossings:** Regulation 5(d) and the definition of *river crossings* makes it clear the NES-PF applies to *river crossings* required for operation of the *plantation forest*. This applies to *river crossings* outside the boundary of the *plantation forest* provided that the *river crossing* is required for the operation of the *plantation forest* (i.e. for vehicles to access the *plantation forest*). It would not extend to *river crossings* that were established to provide access other areas of a farm that may contain a woodlot.

⁶ Note Regulation 3 also provides definitions for a number of the methods referred to in the definition of mechanical land preparation including *discing*, *ripping*, and *roller crushing*.



2.4 ANCILLARY ACTIVITIES AND GENERAL PROVISIONS

2.4.1 Ancillary activities

Part 2, subpart 9 of the NES-PF regulates three activities that are ancillary to the eight core *plantation forestry activities*. These ancillary activities are all defined or understood by the definitions in Regulation 3 (Interpretation), as summarised in Table 3. Section 6 of the [NES-PF User Guide](#) provides guidance on the ancillary activities.

Table 3: Ancillary activities regulated under the NES-PF.

Regulated ancillary activity	Explanation and relevant definitions
Slash traps (regulations 83 - 92)	slash trap means a structure set in a river, on the bed of a river, or on land to trap slash mobilised by water Definition also of relevance: slash means any tree waste left behind after plantation forestry activities
Indigenous vegetation clearance (regulations 93 - 94)	'Indigenous vegetation clearance' is not a defined term, the concept is understood by a combination of the following definitions: indigenous vegetation means vegetation that is predominantly vegetation that occurs naturally in New Zealand or that arrived in New Zealand without human assistance vegetation clearance - (a) means the disturbance, cutting, burning, clearing, damaging, destruction, or removal of vegetation that is not a plantation forest tree; but (b) does not include any activity undertaken in relation to a plantation forest tree
Non-indigenous vegetation clearance (Regulation 95)	'Non-indigenous vegetation clearance' is not a defined term in the NES-PF. It is ' vegetation clearance ' (as defined above) which does not involve the clearance of ' indigenous vegetation ' or the clearance of <i>plantation forest trees</i> (which is <i>harvesting</i> under the NES-PF).

2.4.2 General provisions

The NES-PF also contains general provisions that apply to all *plantation forestry activities* regulated under the NES-PF where relevant. These general provisions are found in subpart 10 of Part 2 as follows:

- Discharges, disturbances, and diversion (Regulation 97).
- *Noise and vibration* (regulations 98 - 99).
- Dust (regulations 100 - 101).
- Indigenous bird nesting (regulations 102 - 103).
- *Fuel* storage and refuelling (regulations 104 - 105).

Section 7 of the [NES-PF User Guide](#) provides guidance on the general provisions in the NES-PF.



3 How the regulations work

3.1 A RISK-BASED PERMITTED ACTIVITY APPROACH

The NES-PF incorporates established good forestry management practices through permitted activity conditions. *Plantation forestry activities* will generally be permitted where the permitted activity conditions are complied with, unless the activity is in a high risk area – as determined by the risk management tools incorporated by reference in the NES-PF⁷.

Management plans must be prepared for *earthworks* and *forestry quarrying* (above specified thresholds) and *harvesting* in accordance with the specifications in Schedules 3 and 4 of the NES-PF. The activity must be carried out in accordance with the management plan. This approach requires foresters to take a proactive approach to identifying site-specific environmental risks and developing appropriate management responses when planning and undertaking their *plantation forestry activities*.

Foresters will need to obtain resource consent where NES-PF permitted activity conditions cannot be complied with and/or where the risk of adverse environmental effects indicates the need for site-specific oversight based on the risk management tools. Depending on the level of risk, resource consent will be required as either (section 87A of the RMA):

- (a) **A controlled activity** – consent must be granted and any consent conditions imposed by the consent authority are limited to matters that control is reserved over, as specified in the NES-PF
- (b) **A restricted discretionary activity** – where consent can be granted or declined. The powers of the consent authority in considering the application and imposing any consent conditions are restricted to the matters over which discretion is restricted, as specified in the NES-PF
- (c) **A discretionary activity** – where consent may be granted with conditions or declined based on an assessment of all relevant matters under the RMA. This activity status only applies under the NES-PF to *river crossings* not listed in Regulation 49 or when conditions relating to the disturbance of a bed of a lake or river, or disturbance of a *wetland* are not complied with (regulations 97(8) and (9)).

Figure 1 illustrates the risk-based approach taken under the NES-PF and how the risk management tools determine whether resource consent is required.

⁷ The three tools are the *Erosion Susceptibility Classification* (ESC), the *Wilding Tree Risk Calculator* and the Fish Spawning Indicator. Discussed in more detail in Section 2.5 of the [NES-PF User Guide](#).

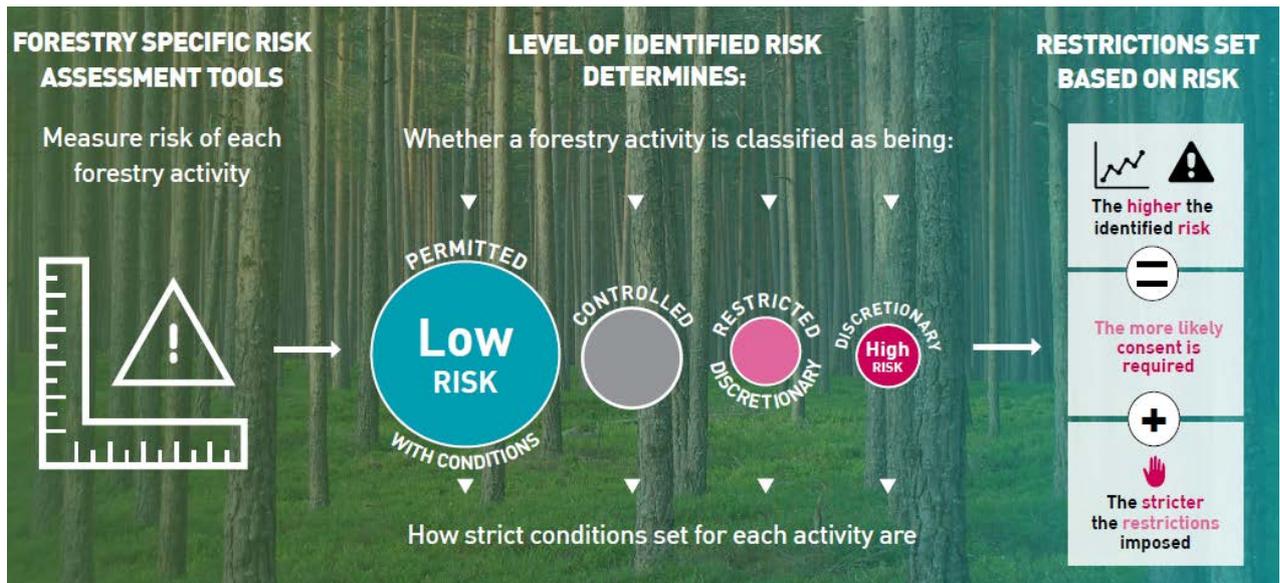


Figure 1: Application of NES-PF risk management tools to determine activity status.

3.2 UNDERSTANDING HOW THE REGULATIONS WORK

The provisions of the NES-PF that apply to *plantation forestry* operations will depend on the nature of the *plantation forestry activity*, where the activity is located, and how many activities are involved. The NES-PF specifies what local authority has functions in relation to each NES-PF regulation to provide certainty and avoid potential duplication in implementation of the NES-PF. The functions of each council are set out in the first regulation of each subpart of Part 2, titled '*Functions for this subpart*'.

In certain circumstances, the relevant plan provisions will also apply to *plantation forestry activities*. This will generally be where a more stringent plan rule applies to the activity and that rule meets the requirements of Regulation 6 (plan rules may be more stringent).

For example, where the activity is located within an *outstanding natural feature or landscape* and there are rules restricting *plantation forestry activities* (such as *afforestation or earthworks*) within that feature or landscape. In some situations, the *plantation forestry activity* may also have effects that are not dealt with in the NES-PF (e.g. adverse effects on a heritage site) and these effects will continue to be managed through the relevant plan⁸.

The main steps to determine the provisions in the NES-PF that apply to a *plantation forestry activity* and whether the activity is permitted or requires a resource consent are summarised in Figure 2. Section 5 of the [NES-PF User Guide](#) also provides flow diagrams specific to each *plantation forestry activity* to determine whether a resource consent is required.

⁸ Section 43A(5)(b) of the RMA enables plan rules to deal with effects of an activity that are different to those dealt with in the terms and conditions in NES.

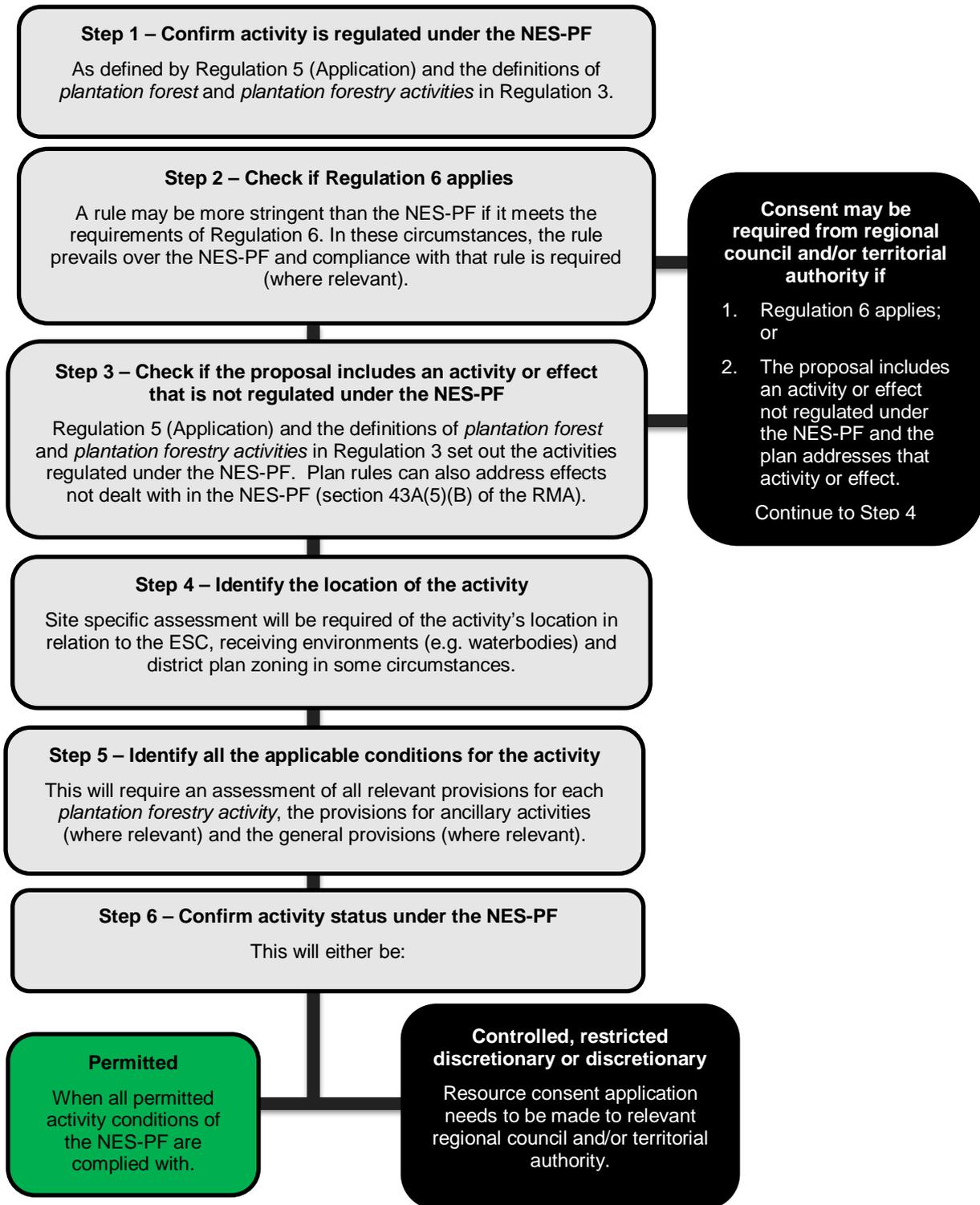


Figure 2: Steps to determine whether a plantation forestry activity complies with the NES-PF or requires a resource consent.



3.3 MANAGEMENT PLANS

The NES-PF requires management plans to be prepared for *earthworks and forestry quarrying* (above specified thresholds) and *harvesting* to ensure site-specific environmental risks are identified and managed upfront. There are three types of management plans required under the NES-PF:

- Forestry *earthworks* management plan (Regulation 27 – Schedule 3);
- Quarry erosion and sediment management plan (Regulation 59 – Schedule 4); and
- Harvest plan (Regulation 66 – Schedule 3).

The *earthworks, forestry quarrying* and *harvesting* activity must be undertaken in accordance with the management plan and the plan must be in place before the activity begins.

Schedules 3 and 4 of the NES-PF set out specifications (information requirements) for the management plans which are based on established industry management practices. Where *harvesting* is proposed on *orange zone* or *red zone* land, it must be accompanied by a forestry *earthworks* management plan or a combined *earthworks* and harvest plan can be prepared where appropriate to reduce administrative effort (Regulation 66(4)).

The level of detail provided in each management plan should be proportionate to the nature of the *plantation forestry* operations, the site-specific risks present, and potential adverse environmental effects. While management plans need to be tailored to the site and activity, the standard information requirements in the NES-PF schedules will assist both foresters and councils to focus on the likely environmental risks and how to manage these appropriately.

Section 3.1.6 of the [NES-PF User Guide](#) provides general information on the responsibilities for NES-PF management plans. Section 5.3 of the [NES-PF Consenting and Compliance Guide](#) provides more detailed guidance on preparing, requesting and reviewing management plans, and making *material amendments* to management plans.

3.4 RISK ASSESSMENT TOOLS

The NES-PF includes three risk assessment tools that are incorporated by reference⁹ into Schedule 2 of the NES-PF:

- *Erosion Susceptibility Classification (ESC)*
- *Wilding Tree Risk Calculator*
- Fish Spawning Indicator.

These tools are spatial databases and guidelines that enable site-specific assessments of risk to be undertaken for erosion, *wilding conifer* spread, and *fish spawning*. This provides a site-specific approach to manage the potential adverse effects of *plantation forestry activities*, including requiring a resource consent to be obtained where risks exceed acceptable thresholds.

3.4.1 *Erosion Susceptibility Classification*

A key component of the NES-PF is the ESC¹⁰. To develop the ESC, all land in New Zealand was assessed to determine its erosion risk for *plantation forestry* as a basis for applying

⁹ Schedule 1AA of the RMA enables written material to be incorporated into a national environmental standard in whole or in part and this material has legal effect as part of the standard.

¹⁰ Defined in the NES-PF as '*erosion susceptibility classification means the system that determines the risk of erosion on land across New Zealand based on environmental characteristics, including rock type and slope, and that—(a) classifies land into the following 4 categories of erosion susceptibility according to level of risk: low (green), moderate (yellow), high (orange), and very high (red); and (b) is provided in the electronic tool referred to in item 1 of Schedule 2 (<http://www.mpi.govt.nz/growing-and-producing/forestry/overview/national-environmental-standards-for-plantation-forestry/erosion-susceptibility-classification/>).*'



appropriate levels of control, including requiring resource consent to be obtained for certain *plantation forestry activities* on high or very high-risk ESC land.

All land in mainland New Zealand (excluding areas that have been severely modified – e.g. urban towns, quarries) have been classified as one of four ESC zones, and each zone is defined in Regulation 3 (Interpretation). Land zoned green (low) and yellow (moderate) has lower erosion risk and *plantation forestry activities* are permitted on this land, provided other relevant conditions are complied with. Land zoned *orange zone* (high) and *red zone* (very high) has higher levels of erosion risk.

Table 4 below shows the erosion risk rating for each zone and identifies where the ESC introduces a requirement for resource consent under the NES-PF.

Table 4: ESC zones and resource consent requirements under the NES-PF.

ESC Zone	Green zone	Yellow zone	Orange zone	Red zone
Risk rating	Low risk	Moderate risk	High risk	Very high risk
Consent requirement	N/A	N/A	<p><i>Earthworks</i> (on a slope of 25 degrees or more and that exceed the thresholds in Regulation 24(2)(c))</p> <p><i>Forestry quarrying</i> (in <i>earthflow terrain</i>)</p> <p><i>Mechanical land preparation</i> (where the land slope is 25 degrees or more, the subsoil is affected, and the area covered by the mechanical land preparation activity is greater than 2 ha in a calendar year)¹¹</p>	<p><i>Afforestation</i> (where the land proposed for <i>afforestation</i> is greater than 2 ha in any calendar year)</p> <p><i>Earthworks</i> (that exceed the thresholds in Regulation 24(2)(d))¹²</p> <p><i>Forestry quarrying</i></p> <p><i>Harvesting</i> (where the land is <i>Land Use Capability Class 8e</i> and it involves more than 2ha of <i>harvesting</i> in any 3-month period)</p> <p><i>Mechanical land preparation</i> (where the land slope is 25 degrees or more, the subsoil is affected, and the area covered by the mechanical land preparation activity is greater than 2 ha in a calendar year)</p> <p><i>Replanting</i> (where the land proposed for <i>replanting</i> is greater than 2 ha in any calendar year)</p>

The ESC webpage¹³ provides more detailed information on the ESC and how to access the ESC database.

¹¹ The land slope must be 25 degrees or more, the land must be subsoil affected, and the preparation area greater than 2 ha in a calendar year. Otherwise the activity will be permitted (if all other permitted activity conditions are met).

¹² The *earthworks* must be either in: 1) *Orange zone* with side cutting over 3m or side cutting over 100m continuous length and deposition of 100m³ or more of spoil/fill in any 3-month period; or 2) *Red zone* with side cutting over 2m or side cutting over 50m continuous length and deposition of 100m³ or more of spoil/fill in any 3-month period.

¹³ Refer: <https://www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/erosion-susceptibility-classification/>



3.4.2 Wilding Tree Risk Calculator

The *Wilding Tree Risk Calculator* is defined in Regulation 3¹⁴ and referenced in the permitted activity conditions for *afforestation* and *replanting*. The purpose of the calculator is to identify and manage the risk of *wilding conifer* spread before planting is carried out. The *Wilding Tree Risk Calculator* is available at www.wildingconifers.org.nz, and is incorporated by reference into the NES-PF (item 2, Schedule 2). The *Wilding Tree Risk Calculator* sets out the factors to be considered when calculating the risk of *wilding conifer* spread as follows:

- The type of species being planted.
- How palatable the species is to grazing animals.
- Where the trees are in relation to the prevailing wind.
- Downwind land use.
- Proximity to existing forests.

The *Wilding Tree Risk Calculator* takes these factors into account to produce an overall score. Any score of 12 or higher means that resource consent is required for *afforestation* as a restricted discretionary activity. *Replanting* will also require resource consent as a restricted discretionary activity where *replanting*:

- Is a different *conifer species* from the trees most recently harvested on the land.
- Has a *Wilding Tree Risk Calculator* score of 12 or higher.
- Has a score higher than the score of the trees most recently harvested on the same land proposed for *replanting*.

The calculator must be used in accordance with the *wilding tree risk guidelines* by a *suitably competent person*. A *suitably competent person*' for the purpose of using the *Wilding Tree Risk Calculator* is defined in the NES-PF and explained further in section 5.1 of the [NES-PF User Guide](#) – *afforestation*. The calculator score must be completed no more than six months before notice is given for *afforestation* or no more than six months before *replanting* is carried out.

3.4.3 Fish Spawning Indicator

The Fish Spawning Indicator is used to manage the timing of *plantation forestry activities* that involve disturbance of the bed of a river or a lake, or a *wetland* in *fish spawning* locations. Spawning periods vary depending on the fish species and its location. The Fish Spawning Indicator is a tool to help councils and foresters plan forestry operations by showing where and when fish that are sensitive to bed disturbance are spawning.

The Fish Spawning Indicator forms a key part of the permitted activity conditions for Regulation 97 – discharges, disturbances and diversions. It is to be used in all situations where a *plantation forestry activity* will involve the disturbance of the bed (or vegetation in the bed) of a *perennial river* or lake, or disturbance of a *wetland*. The Fish Spawning Indicator was specifically designed to be used with Regulation 97 of the NES-PF. Its application for purposes other than the NES-PF needs to be carefully considered and may not be appropriate.

The Fish Spawning Indicator groups fish species and their spawning periods into two sensitivity classes:

¹⁴ Defined as "*Wilding Tree Risk Calculator means the document DSS 1, "Calculating Wilding Spread Risk From New Plantings" in Appendix One of the document referred to in item 2 of [Schedule 2](#) (Guidelines for the use of the Decision Support System "Calculating Wilding Spread Risk From New Plantings"), as used in conjunction with those guidelines*".



- **Group A** – salmonids or species with a conservation status of ‘threatened’ or ‘at risk’;
- **Group B** – species with a higher sensitivity to disturbance.

The Fish Spawning Indicator must be used by a ‘*suitably competent person*’, which is defined in Regulation 97(6) of the NES-PF. The ‘*suitably competent person*’ can determine whether the fish species identified in the Fish Spawning Indicator are actually present where the disturbance will occur.

The Fish Spawning Indicator webpage¹⁵ on the MPI website provides more information on how to use the indicator.

¹⁵ Refer: <https://www.mpi.govt.nz/growing-and-harvesting/forestry/national-environmental-standards-for-plantation-forestry/fish-spawning-indicator/>