

Appendix 2 – Assessment of advantages and disadvantages of different activity status’

Approach	Summary	Advantages	Disadvantages
<p>More restrictive permitted activity standards than the NES-PF/CF and where not met consent required</p>	<p>A potential permitted activity approach has been provided in Appendix 3. In addition to meeting the requirements of the NES-CF, this approach includes, a certification process for forestry management plans (as defined), prescribed permitted activity standards with specific setbacks from surface waterbodies and timeframes for stabilisation or replanting post-harvest.</p>	<ul style="list-style-type: none"> • More restrictive than the NES-CF • Provides an opportunity for landowners and forest managers to demonstrate an activity can be undertaken in accordance with current best practice guidance documents to avoid consent costs • Ability to decline consent if permitted activity standards not met (if default to RDA or DA) 	<ul style="list-style-type: none"> • Certification of a management plan requires a level of certainty about whether or not standards or specific criteria are (or are not) met. • May require Council to develop process to recoup costs of certification or assessing compliance with permitted activity standards as would fall outside of the NES-CF permitted activity monitoring framework • Relies on Council having appropriate in-house expertise and capacity to review and push back on whether a forestry management plan meets the standards (certification) or an alternative independent certification process (see right of reply statement) • Does not require consideration of policy direction (WH.P28 and P.P26) • No ability to impose conditions of consent to manage effects if standards can be met • Limited technical evidence or support for what appropriate restrictions (setbacks, replanting timeframes etc) might be – arbitrary position that anything more

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			<p>restrictive than the NES-CF should achieve a better environmental outcome</p> <ul style="list-style-type: none"> • Improvement on current situation but may not get ‘all the way’ in terms of appropriate management of adverse effects - requiring certification that controls will be consistent with best practice does not address the bigger risk in terms of the appropriateness of the earthworks or harvest method and things like the location of skid sites, landings etc which require more discretionary consideration and approval processes. Proposed certification criteria may work but would need to be tested further with legal advisors as to whether or not criteria related to the appropriateness of a management method or methodology provide enough certainty for a certification process. • May not give effect to RPS Change 1 direction as activities that meet standards could still cause significant adverse effects during earthworks and harvest if not appropriately managed • No opportunity for mana whenua involvement if standards met
Controlled activity status	Controlled activity status in the NES-CF generally only applies where a notification or management plan requirement is not met. Any non-compliance	<ul style="list-style-type: none"> • Provides certainty for forestry sector that consents will be obtained as it alleviates concerns about investment certainty and ETS 	<ul style="list-style-type: none"> • Additional costs for resource users having to go through a consenting process • Potentially confusing from an implementation perspective as there could

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	<p>with activity specific standards (volumes, dimensions, setbacks etc) requires consent as a restricted discretionary activity. However, afforestation requires a controlled activity consent where standards are not met and harvesting requires at worst a controlled activity consent unless on Red zoned or undefined land under the Erosion Susceptibility Classification.</p>	<p>liabilities if trees cannot be harvested or replanted post-harvest</p> <ul style="list-style-type: none"> • Enables Council to withhold approval for the activity to commence until satisfied that effects can be appropriately managed • Enables consideration of policy direction (WH.P28 and P.P26) • Council can impose conditions of consent to respond to any specific site constraints or values • Opportunity for mana whenua involvement as part of consent process 	<p>be situations where this approach is less restrictive than the NES-CF where permitted activity regulations are not met</p> <ul style="list-style-type: none"> • Does not support RPS Change 1 policy direction of travel • No ability to manage effects by declining consent
<p>PC1 as per recommendations (RDA) in Appendix 1 of right of reply</p>	<p>All listed commercial forestry (afforestation, earthworks, mechanical land preparation, harvesting and vegetation clearance (commercial forestry) activities require consent in Part Freshwater Management Units where suspended fine sediment TAS (including any TAS downstream of the commercial forestry activity) is not met.</p> <p>Matters of discretion are restricted to managing impacts of sediment on water quality.</p>	<ul style="list-style-type: none"> • Allows more fulsome consideration of the management measures and methods for undertaking an activity with the ability to decline consent if not appropriate • Ability to decline consent supports direction of travel of RPS Change 1 • Allows Council to withhold approval for the activity to commence until satisfied that effects can be appropriately managed • Enables consideration of policy direction (WH.P28 and P.P26) 	<ul style="list-style-type: none"> • Additional costs for resource users having to go through a consenting process • Requires all listed forestry activities to obtain consent where TAS are not met regardless of scale • Uncertainty about ability to obtain consent could disincentivise afforestation and replanting which could lead to activities which generate greater sediment loads or other environmental effects (GHG emissions) being a more attractive land use

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	<p>This includes appropriateness of management methods and measures outlined in forestry management plans, adverse effects on water quality, cultural impacts and impacts on aquatic ecosystems and natural character) and the monitoring and management regime.</p>	<ul style="list-style-type: none">• Council can impose conditions of consent to respond to any specific site constraints or values which require consideration• Opportunity for mana whenua involvement as part of consent process	
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