

# Sphagnum moss harvesting

## Essential Freshwater Regulations

In 2020, the Government introduced new national regulations for freshwater, including activities in or adjoining natural wetlands. These regulations are called the Resource Management (National Environmental Standards for Freshwater) Regulations 2020. The regulations control many activities that may occur in or alongside natural wetlands including harvesting of sphagnum moss. This sheet provides some information on how a natural wetland is defined and the rules for harvesting sphagnum moss. Clauses 48 and 49 within the regulations relate specifically to sphagnum moss harvesting and can be found here:

<https://www.legislation.govt.nz/regulation/public/2020/0174/latest/LMS364275.html>

The national regulations for natural wetlands are complex and some may change over the next few months. Therefore, people are urged to seek advice on particular activities from the Council or an appropriately qualified resource management professional and to keep up to date with changes through either the Council's or Ministry for the Environment's website.

### What is a 'natural wetland'?

'Natural wetland' is defined in the regulations. A wetland includes intermittent and permanently wet areas, shallow water and land margins that support a natural ecosystem of plants and animals adapted to wet conditions.

A natural wetland is any wetland which is not:

- Constructed by artificial means, unless it was constructed to offset the effects of an activity on a natural wetland;
- A geothermal wetland; or
- An area of improved pasture that is dominated (over 50%) by exotic species and pools in rainwater.

### What are the rules for harvesting sphagnum moss?

Harvesting sphagnum moss from a natural wetland is permitted under the following conditions:

1. The area has been harvested or managed for harvesting at any time from **01 January 2010 to 02 September 2020**.
2. Harvesting is done in accordance with a Sphagnum Moss Harvesting Plan.
3. The Harvesting Plan has been prepared by a suitably qualified and experienced harvest operator and includes all the information set out in Schedule 3 of the regulations (see below).
4. The Harvesting Plan has been submitted to and approved by the Council at least **20 working days** before harvesting.

5. The harvest operator monitors the harvesting operation throughout the harvest.
6. Within 20 working days of completing the harvest, the harvest operator has assessed the wetland by completing the assessment form in Schedule 4 (see below) and provided this form to the Regional Council.

Harvesting sphagnum moss from a natural wetland that was not harvested or managed for harvesting between January 2010 and September 2020 requires a resource consent.

Apply to the Regional Council for a resource consent. A Sphagnum Moss Harvesting Plan must be included with the application which meets the specifications set out in Schedule 3.



## Requirements for a Sphagnum Moss Harvesting Plan

A Sphagnum Moss Harvesting Plan, which meets the requirements of Schedule 3 of the national regulations, must include the following information:

- Physical address of the site
- Names of the site owners and their contact details
- Name of the harvest operator and their contact details
- Legal description of the site (this is found on the Certificate of Title)
- The interest the owner has in the site (e.g. is it estate in fee simple, leasehold)
- Any designation that applies to the site (this will be shown on the Certificate of Title)
- A map of the location and boundaries of the wetland being harvested
- Photos of the area to be harvested
- If the wetland is listed or protected, e.g. a reserve or listed in the district or regional plan or under a QEII covenant

### AND

- An outline of the activities to occur and the timeline for harvesting
- A map showing the operational areas of the harvest
- Confirmation that each of the conditions for harvesting set out in Schedule 4 will be met.

## Assessing natural wetlands after harvest

Within 20 working days after harvesting, the harvest operator must complete a natural wetland assessment form set out in Schedule 4 of the regulations and provide it to the Regional Council.

The form must include the following information:

- The date the form is completed
- Name of the harvesting organisation or company and the name of the harvester
- Name and any identification number of the wetland (if any)
- Address or location of the harvesting site
- A legal description of the site or the land which contains the site, and a map reference for the site
- A map showing the harvested area and existing formed accessways which have been used
- The dates of harvesting.

The form must include the following details about the harvest operation:

- How the harvest was undertaken
- How any vehicle or machinery was modified or supported to prevent damage to the wetland
- Any other relevant information
- Dated photos of the site before, during and after harvest.

## Conditions for Harvesting – Schedule 4

The harvest operator must also complete a checklist of conditions for harvesting sphagnum moss. This checklist is required for both a Sphagnum Moss Harvesting Plan and Assessment of the Natural Wetland after Harvest.

The checklist needs to show/confirm the following:

1. That natural hydrological processes have been maintained because:
  - The post-harvest moss is near but above water level
  - The hydrology of the wetland has not been altered
  - Only existing formed accessways were used (as shown on the site map)
  - Drains and weirs were not used to alter the water level
2. How machinery or vehicles entering the wetland were modified or supported to prevent them from damaging the natural wetland.
3. That any vegetation crushed was only to maintain sphagnum moss dominance and only occurred during harvest or after harvest to rehabilitate the moss in the wetland.
4. Only live moss was removed.
5. All machinery, vehicles and equipment were cleaned before entering the wetland (to stop the spread of pests).
6. No moss or plant was taken from the margins of the wetland.
7. Any refueling of vehicles machinery or equipment within 10m of the wetland boundary was limited to the use of 20L fuel containers.
8. Fertiliser was not spread in the wetland
9. No bird breeding, roosting or nesting sites were disturbed nor threatened bird species.
10. All debris, material and equipment were removed from the site when the harvest was finished.
11. The harvest area and access ways were only disturbed to the extent needed to carry out the harvest.

## Contact us

If you have any questions on sphagnum moss harvesting, or any other aspect of the NES-FM please email our team on [info@wrc.govt.nz](mailto:info@wrc.govt.nz) or call our Consents and Compliance team on 0508 800 118. Our website will also be updated as new information is released.

