



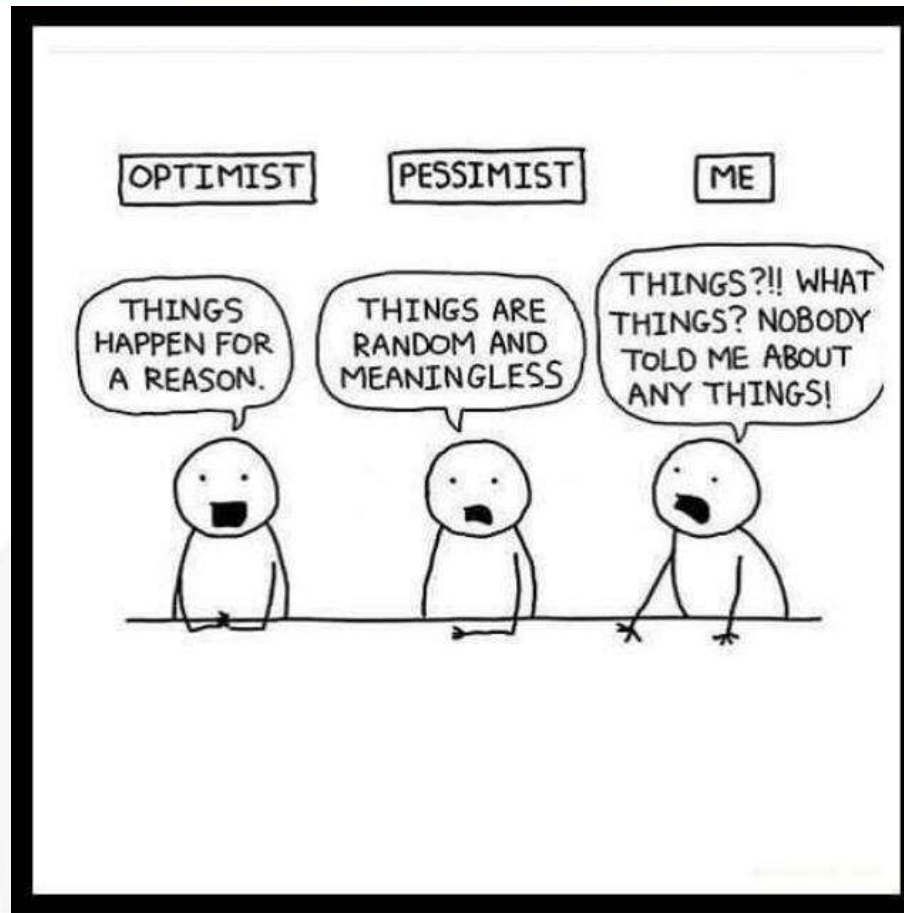
Policy and You

2019 & 2020



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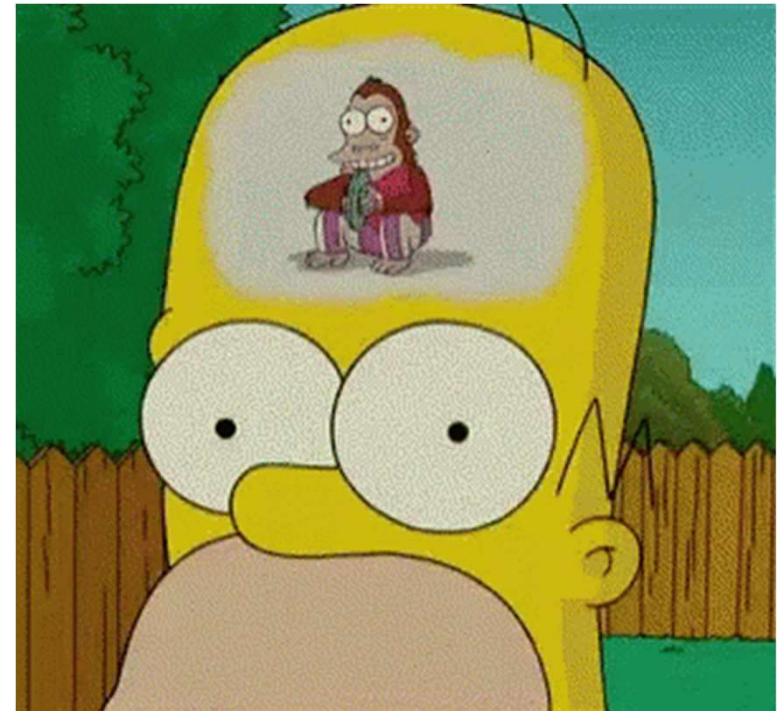
Why is this happening to me?



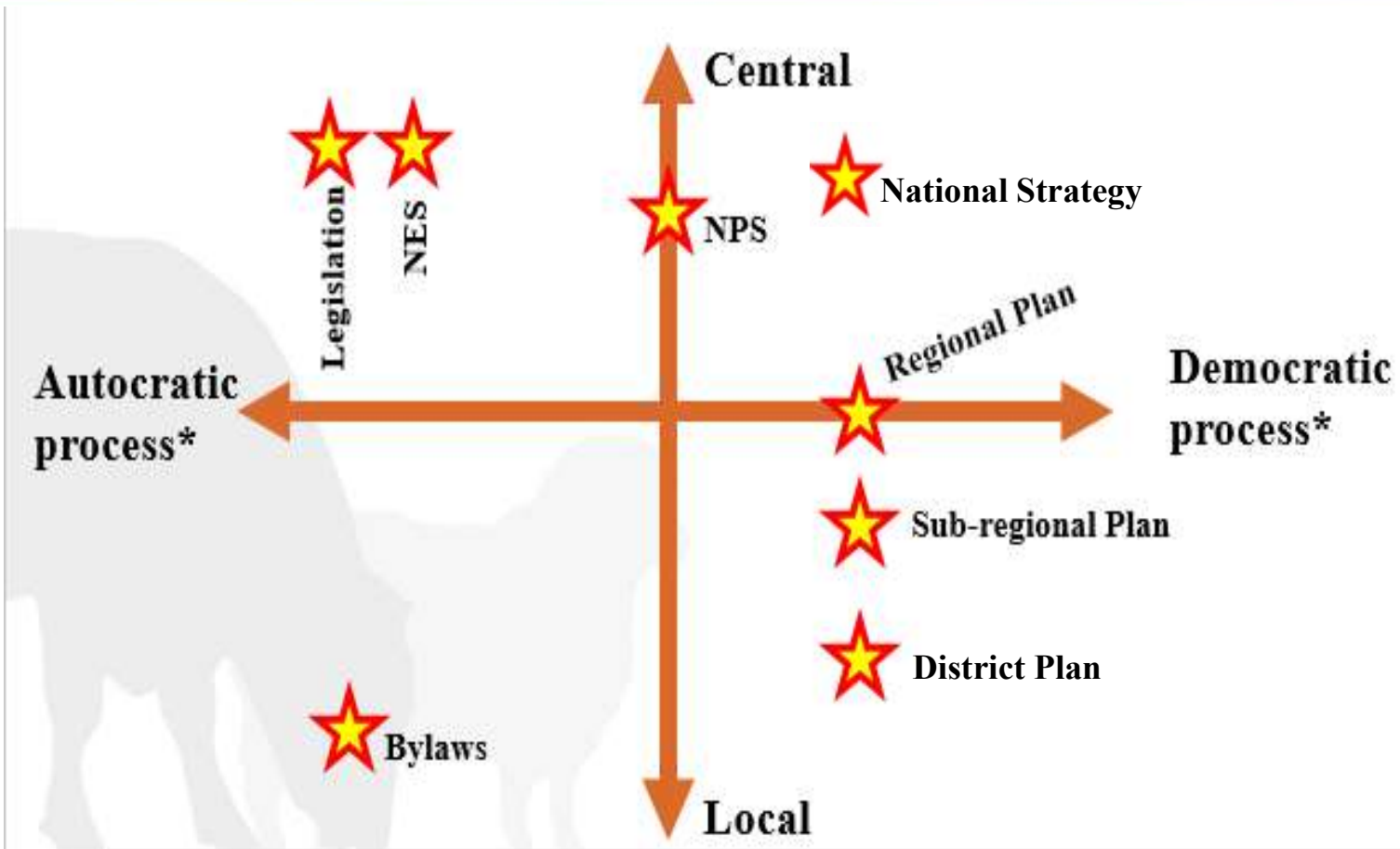
The Line-Up



1. General overview
2. Activity Status
3. Specific Policy Instruments
 1. Legislation
 2. NES
 3. NPS
 4. Strategies
 5. Plans
4. Fishhooks



Where it all fits in



*Terms democratic and autocratic used loosely and without any positive or negative connotations intended. E.g. Switzerland's dairy herd.



Activity Status

Resource Consents are granted/denied by Councils



Permitted Activity – YES you can do it if you meet the conditions.

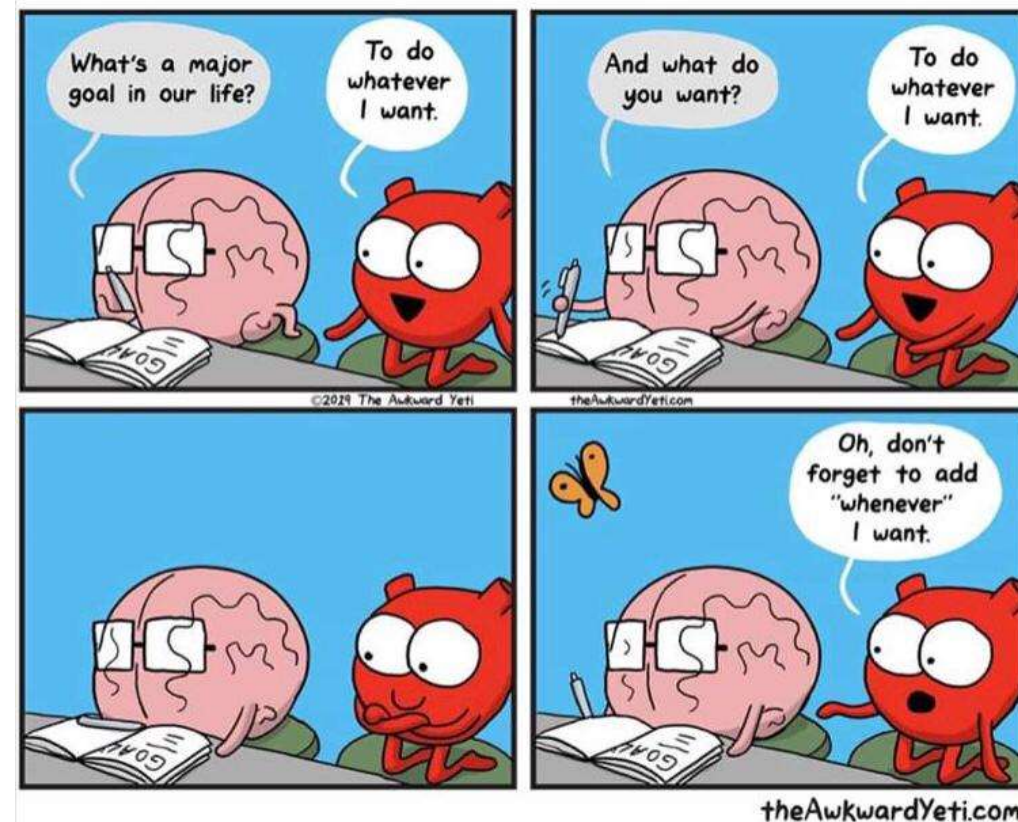
Controlled Activity – you need a consent. Meet the conditions? Consent is a sure thing.

Restricted Discretionary Activity – you need a consent. The council can look at specific things to decide if you get the consent. Not guaranteed, but not too hard.

Discretionary Activity – you need a consent. Council can look at whatever they want. Consent isn't a sure thing.

Non-Complying Activity – you shouldn't be doing that... You need a consent. High risk of a No. It might be notified. It might be expensive

Prohibited Activity – NO. You can't do that. No consent.

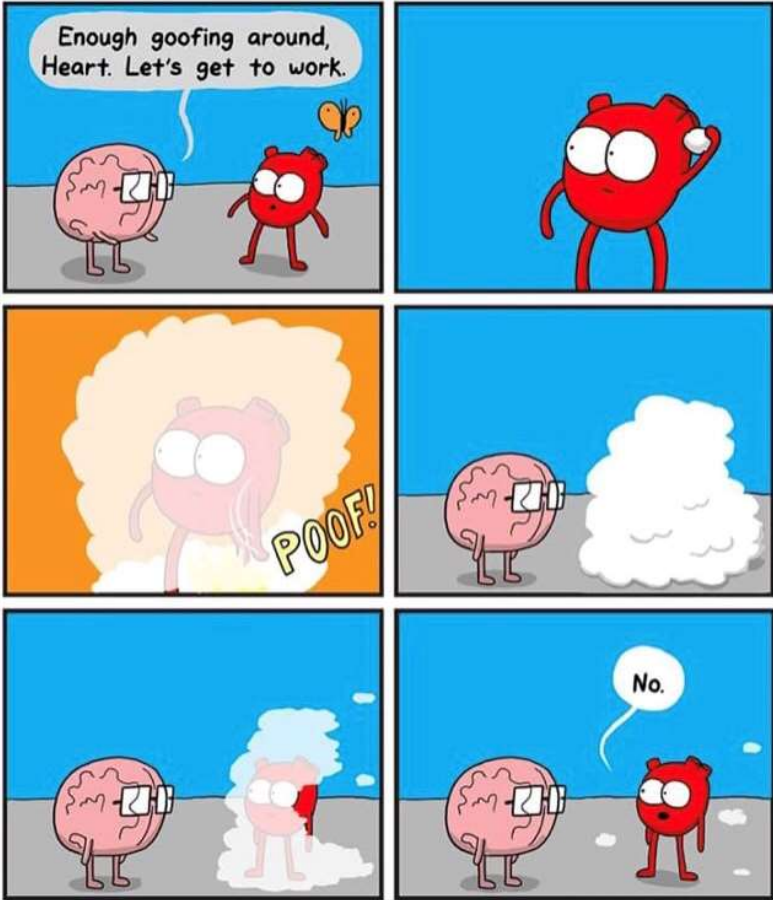


Wait – so what is a Deemed Permit?

A 'deemed permit' is a mining privilege that was granted under legislation prior to the Resource Management Act (RMA) coming into force. These mining privileges were deemed to be water permits (like a resource consent) when the RMA became law.

All deemed permits expire on 1 October 2021.

Questions so far...



theAwkwardYeti.com

Legislation

This is The Law.



E.g. Resource Management Act 1991

- Written by Govt
- You can usually put in a submission
- Can stick around for hundreds of years
- Implemented through national and local policy instruments
- Enforced by councils, govt departments, police etc.

Reprint as at 29 October 2019



Resource Management Act 1991

Public Act 1991 No 69

Date of assent 22 July 1991

Commencement see section 1(2)

Note

Changes authorised by [subpart 2](#) of Part 2 of the Legislation Act 2012 have been made in this official reprint.

Note 4 at the end of this reprint provides a list of the amendments incorporated.

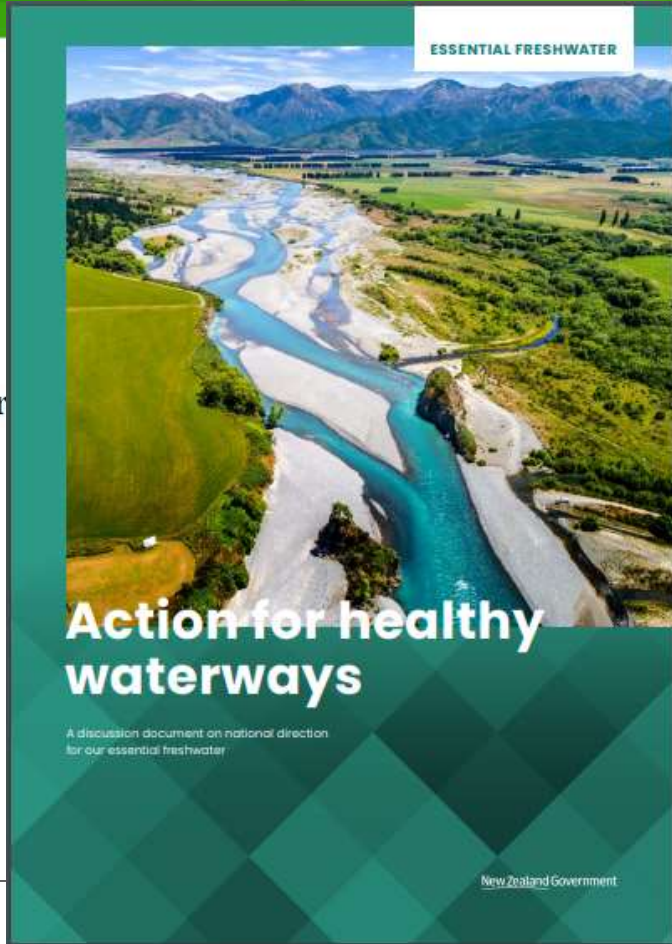
This Act is administered by the Ministry for the Environment.

National Environmental Standards

Hard 'n Fast Rules



Resour



Standards for
17

E.g. National Environmental Standards for Plantation Forestry

- Written by Govt: e.g. MfE, DoC, MPI
- These are regulations – similar to laws
- They are instant rules
- Get to put in submissions before they're finalised
- Enforced by councils
- Councils issue consents under these regulations

National Policy Statement

Thoughts and feelings



E.g. The NPS for Freshwater Management

- Written by Government: e.g. MfE, DoC, MPI
- High level goals, targets, and policies but not rules
- Public consultation prior to writing, submissions allowed once notified.
- Councils have to change their plans to implement the NPS
- Plan change process undertaken before this becomes rules



Strategies

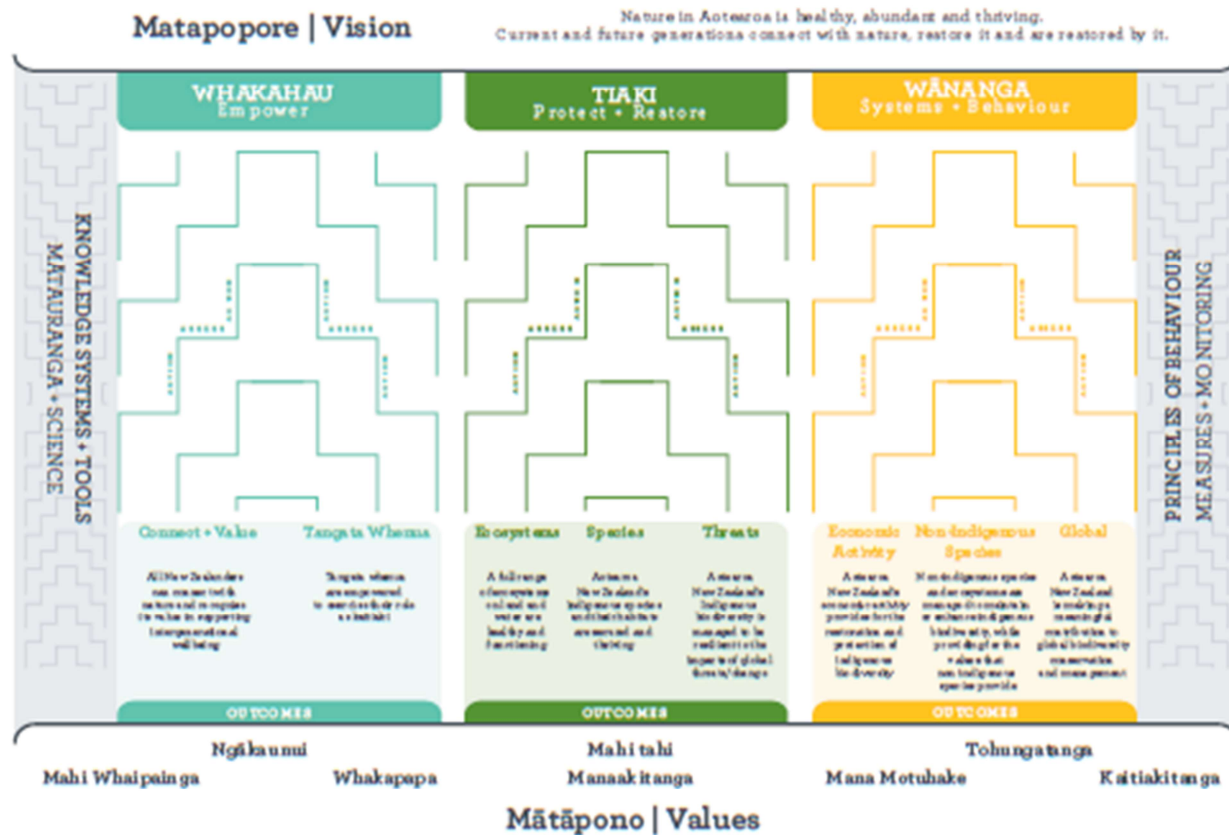
I had a dream...



The proposed strategy framework

E.g. NZ B
Canterbu
Strategy

- Writer
- Consu
- Implem
- Other align



Q WHAT DO YOU THINK ABOUT THE BIODIVERSITY STRATEGY FRAMEWORK?

Q WHAT DO YOU THINK ABOUT THESE LONG-TERM OUTCOMES?

Q ARE THESE THE RIGHT VALUES TO GUIDE THE WAY WE WORK?



Plans

Regional, sub-regional, district



Canterbury Land and Water Regional Plan Volume 1



Facilitating sustainable development in the Canterbury region



Mackenzie District Plan RURAL RULES (MACKENZIE BASIN SUBZONE)

The Operative Mackenzie District Plan 2004 is the primary instrument through which the Mackenzie District Council carries out its functions under the Resource Management Act 1991.

Disclaimer: This fact sheet summarises provisions that are common to both the Mackenzie Basin. For a full list of provisions refer to the operative Mackenzie District Plan.

BACKGROUND

The Operative Mackenzie District Plan 2004 (The Plan) controls land use in the part of the Mackenzie Basin covered by Mackenzie District Council.

This part of the Basin is identified as the "Mackenzie Basin Subzone" in the Operative District Plan (see Figure). The relevant objectives, policies and rules are contained in the Rural Chapter (Chapter 7) of the Plan.

Stage 1 of the District Plan Review has begun (incorporating plan changes 18 and 19). These plan changes focus on indigenous biodiversity and activities and within waterbodies. They are at various stages of review.

Significant changes have been made to objectives, policies and rules for the Mackenzie Subzone as a result of Plan Change 19. The Plan Change 19 process started in 2009 and focused on landscape within the Mackenzie Basin subzone. It resulted in a number of Environment and High Court hearings and decisions. The last decision was released in December 2018.



Made by the regional, district, or unitary council.

Must align with national policies, local strategies, other plans (e.g. Canterbury Regional Coastal Environment Plan).

Monitored and enforced by the council that makes it.

Creates:

Objectives – what they want to achieve

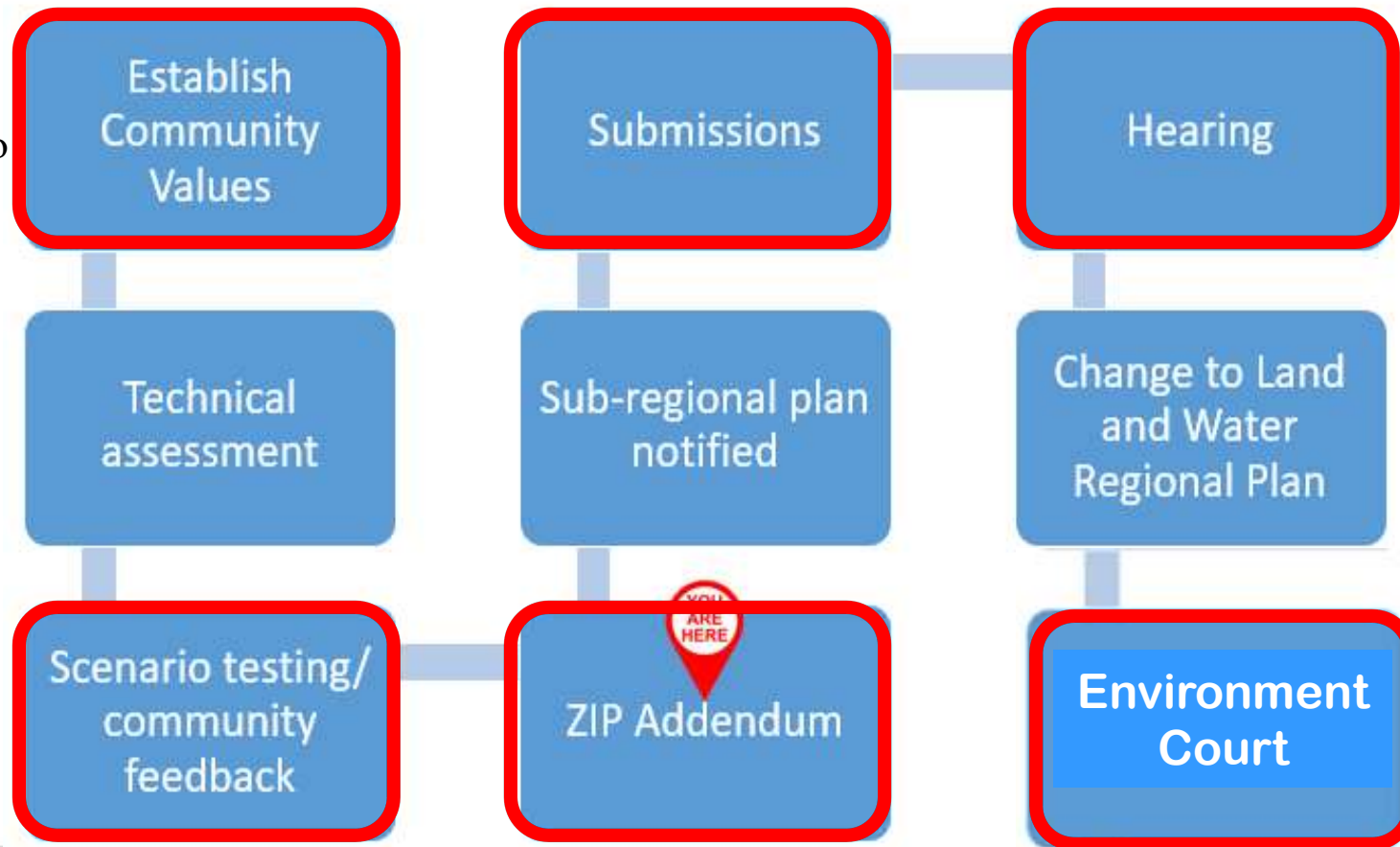
Policies – general philosophies to assess things against and help with interpretation

Rules – for permitted, consented, and prohibited activities

Plan Process



Ecan uses Zone Committees who write ZIPAs. Other councils likely to use this model in the South Island. Environment Southland is using the Regional Forum instead



Red outline indicates where you get a chance to give input

Things to watch out for



‘Meaningless Fluff’

It’s never meaningless...

E.g:
Hold the line = Lock it down = Grandparenting.

Aotearoa New Zealand’s indigenous species and their habitats are secured and thriving. (Draft NZ Biodiversity Strategy)

Habitats are secured = SNA = lock it down
Prefer: future is secured

Read Documents Together

They will interact.
The people who wrote them might not have realised that.

E.g: NPS Soils vs PC7 LWRP vs Freshwater Package for vegetable growers



Think Big Picture

Short term gain vs long term gain
Private benefit vs community/sector benefit
Wider implications

Discussion Document

Where are the crunchy bits? The limits, targets, rules?
E.g: NZ Biodiversity Strategy. NPS Highly Versatile Soils

Consultation

Engage. This is YOUR future.
Offer solutions
You do not have to choose between only chocolate and vanilla

For Example



NOT GOVERNMENT POLICY – CONSULTATION DRAFT

Draft Stock Exclusion Section 360 Regulations

The following proposals will be considered for drafting as a regulation after consultation, taking into account the feedback received during consultation and the decisions of Ministers. The description and tables below set out what obligations are proposed to apply to what activities. For more explanation about the proposals, see the Regulatory Impact Statement and pages 73–76 of the discussion document Action for Healthy Waterways.

Information notes

1. These proposals will not apply to rivers less than one metre wide.
2. On land that is not “low-slope”, these regulations would apply only to high-risk pastoral activities (feeding stock on irrigated pasture or fodder crops) or land with a base carrying capacity of the stated stocking rates. The base carrying capacity is a proxy for the stock the land could carry in an unimproved state.
3. On land that is not “low-slope”, stock would only be excluded from rivers and lakes where the regulation is triggered, for example, where the carrying capacity is high. We are seeking feedback on the appropriate methodology for calculating the base carrying capacity.
4. We are seeking feedback on appropriate criteria for allowing exemptions from the regulations, for example, a river cannot feasibly be fenced.

General stock exclusion requirements

- a) Dairy and beef cattle, and pigs, are not permitted to cross water bodies except by a dedicated culverted or bridged cross point (unless that crossing is no more than twice per month).

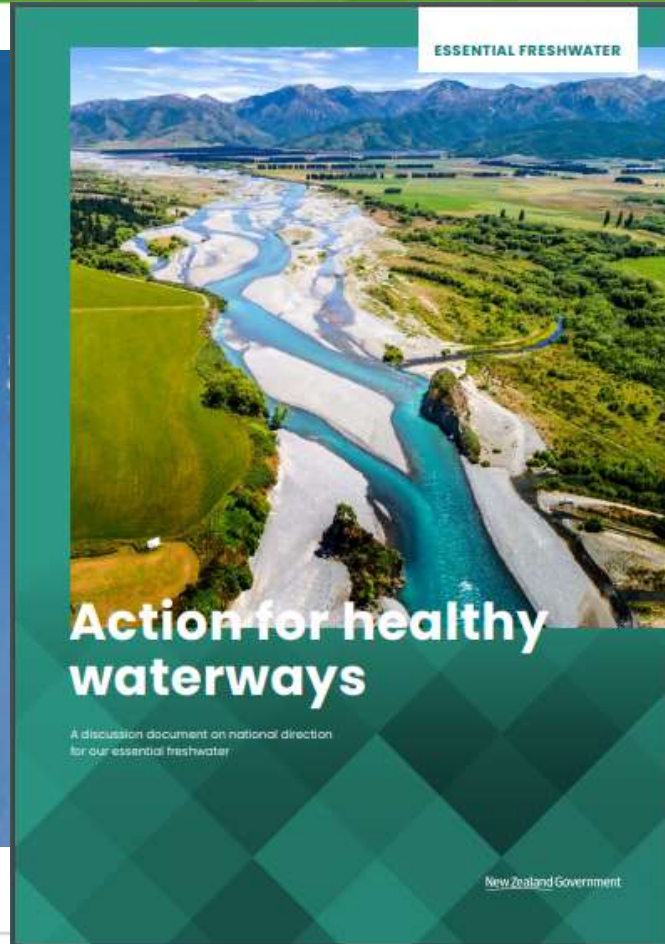
NOT GOVERNMENT POLICY – CONSULTATION DRAFT

Proposed National Environmental Standards for Freshwater

Proposals for consultation September 2019

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NOT GOVERNMENT POLICY – CONSULTATION DRAFT

Draft National Policy Statement for Freshwater Management

Proposals for consultation September 2019

Authority

This National Policy Statement is issued by the Minister for the Environment under section 54 of the Resource Management Act 1991.

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Subpart 3 - Freshwater module of farm plans

37 Who must have FW-FP?

- (1) Within 2 years after the commencement date, the following farms that do not already have a certified FW-FP must have a certified FW-FP:
 - a) farms used for commercial vegetable production;
 - b) farms in the catchments and subcatchments identified in Schedule 1;
 - c) farms in the Kaipara catchment that are on highly erodible land.
- (2) By 31 December 2025, every other farm to which this Standard applies must have a certified FW-FP.

38 Content of FW-FP

- (1) Every FW-FP must include at least the following:
 - a) the physical address of the farm;
 - b) the land description of the land.



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