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**FEDERATED
FARMERS**
OF NEW ZEALAND

WELLINGTON
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Level 4, 117 Lambton Quay
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29 April 2024

Hon Andrew Hoggard
Associate Minister for the Environment
PARLIAMENT BUILDINGS

By Email: andrew.hoggard@parliament.govt.nz

Dear Associate Minister

PROPOSED AMENDMENTS TO SS 70 & 107 RMA - DISCHARGES

1. This letter is written on behalf of Beef + Lamb New Zealand Limited (**B+LNZ**), Federated Farmers of New Zealand Incorporated (**FFNZ**) and DairyNZ Limited (jointly, the **Farming Interests**).
2. This letter is to alert you to issues of concern to the Farming Interests that arise from three recent court decisions addressing ss 70 and 107 Resource Management Act 1991, and to propose some changes to ss70 and 107 to address those concerns. Particularly, we are concerned about impact of these decisions on pastoral farmers' ability to farm in an efficient, productive and sustainable fashion. However, the issues addressed in this letter go beyond specific concerns for the Farming Interests and note concerns for other vital sectors, industries and communities in Aotearoa/New Zealand.

Structure

3. This letter is structured as follows:
 - (a) Background.
 - (b) Statement of problem.
 - (c) Industries and activities that may be affected.

- (d) Proposed solutions.

Background

4. Section 70 RMA restricts the ability of a regional council to make a permitted activity rule in a plan for discharges to water, or to land where the discharge may enter water, if the discharge/s will lead, “after reasonable mixing”, to the following effects in the “receiving waters”:
 - (a) The production of conspicuous oil, grease films, scums or foams, or floatable or suspended materials.
 - (b) A conspicuous change in colour or visual clarity.
 - (c) Objectional odours.
 - (d) Freshwater being unsuitable for consumption by farm animals.
 - (e) Significant adverse effects on aquatic life¹.
5. Section 107 RMA is similar, and prohibits the granting of discharge permits if, “after reasonable mixing” the same effects arise in the “receiving waters”.²
6. Since the enactment of the RMA, most parties appear to have accepted that ss 70 and 107 apply to point source discharges only i.e. discharges from an identifiable source, such as a pipe. That ‘conventional approach’ has been how the Farming Interests have approached ss 70 and 107.
7. However, three recent court decisions have moved away from the conventional approach. In summary:
 - (a) *In Aratiatia Livestock Limited v Southland Regional Council*³ the Environment Court held:
 - (i) Where attributes of water bodies are below a national bottom line or minimum acceptable state in the National Policy Statement for Freshwater Management 2020 (**NPSFM**) then discharges would be “highly likely” to have significant adverse effects on aquatic life.⁴
 - (ii) Section 70 applies beyond point source discharges to diffuse discharges of contaminants, such as those from pastoral farming activities.⁵

¹ See s 70(1)(c) - (g).

² See s 107(1)(c) – (g).

³ [2022] NZEnvC 265.

⁴ See [265] – [266].

⁵ See [259].

- (iii) This means that a permitted activity rule for discharges from pastoral farms in Southland⁶ would be unlawful and all farmers would require a resource consent to farm.
 - (b) The application of s 70 to diffuse discharges was appealed to the High Court in *Federated Farmers Southland Incorporated v Southland Regional Council*⁷ (**Section 70 Decision**). The High Court confirmed the Environment Court's decision that s 70 applies to diffuse discharges.⁸
 - (c) In a separate case, the High Court in *Environmental Law Initiative v Canterbury Regional Council*⁹ judicially reviewed the Canterbury Regional Council's decision to grant discharge consent to Ashburton Lyndhurst Irrigation Ltd for the diffuse discharge of nitrogen from the farming activities of its shareholder farmers. The High Court found the Council failed to recognise that the existing cumulative significant adverse effects on aquatic life, including from the proposed diffuse discharge of nitrogen, prevented the granting of consent under s 107(1)(g).
8. The High Court decision regarding s 107 has recently been appealed (by Environment Canterbury and by Ashburton Lyndhurst Irrigation Ltd). There is a possibility that the s 70 Decision will also be appealed. Despite the possibility of further consideration of these sections by the appellate court, our concern is that there is ambiguity in the application of ss 70 and 107 for a wide range of activities and, even if successful, there would still likely be a need to clarify the application of these sections.

Implications of Decisions

- 9. The Farming Interests do not consider it was ever the legislature's intent that ss 70 and 107 would apply to diffuse discharges.
- 10. The Farming Interests also consider the three decisions (referred to in paragraph 8 above) will have a significant impact on the efficient and continued operation of a number of industries and activities. In particular, where waterways (note: not catchments or sub catchments) have one or more attributes below national bottom lines or minimum acceptable states in the NPSFM:
 - (a) A proposed regional plan cannot authorise a diffuse or point source discharge as a permitted activity (note: the High Court interpretation of s 70 is unlikely to affect regional plan permitted activity rules that are operative). This will have wide implications for the drafting of rules in freshwater regional plan changes to implement the NPSFM (either the current version or a future version).

⁶ Given a finding that water was degraded on a regional scale.

⁷ [2024] NZHC 726.

⁸ See [71] – [74].

⁹ [2024] NZHC 612.

- (b) Where a regional plan requires a diffuse or point source discharge to obtain resource consent, the effect of s 107 will be to effectively prohibit the granting of discharge permits.
11. Where waterways have one or more attributes below national bottom lines or minimum acceptable states in the NPSFM, the three decisions will impact:
 - (a) All pastoral farming, arable cropping and horticulture activities (because these all have an associated diffuse discharge of contaminants).¹⁰ This could prevent farming and growing in some catchments, or even regions.
 - (b) Irrigation of dairy shed effluent, water for irrigation, dairy shed and stock yard wash down and the application of fertiliser and agrichemicals. Many regional plans currently have permitted activity rules for these activities if they comply with certain standards and set out thresholds beyond which resource consent is required.
 - (c) Point source discharges from industrial activities, including pulp and paper and dairy processing factories.
 - (d) Stormwater discharges in urban and rural areas. The issue could be particularly acute for discharges into urban waterways, where the presence of human activities can make those waterways more susceptible to being below the standards in the NPSFM.
 - (e) Wastewater treatment plants and discharges of treated wastewater.
 12. Even where waterways are not below national bottom lines or minimum acceptable states, the three decisions will arguably impact pastoral farming, arable cropping, horticulture and other activities that are likely to result in sediment discharges, through to the operation of ss 70(1)(d) and 107(1)(d) (which relate to discharges that are likely to result in a conspicuous change in colour or visual clarity in the receiving waters).
 13. The Farming Interests consider the inability to make permitted activity rules for pastoral farming, cropping and horticulture activities is particularly concerning. Because s 70 relates to effects on “receiving waters”, a single failure to comply with an NPSFM attribute’s bottom line or minimal acceptable state means the additional discharges will contribute to a significant adverse effect on aquatic life and a rule requiring resource consent would be required. Due to the current drafting of attribute states and national bottom lines in the NPSFM, it could be that many rural regions (as well as urban areas) are impacted.
 14. Furthermore, when the nature of plans, which often address regulation on a regional or catchment basis, is considered, the risk that parties would argue it is unsound for *any* permitted activity rules to be made in plans for regions where water quality is considered degraded is real. This would be inefficient and undesirable. This has the greatest effect on farming activities, which are numerous and frequently rely on

¹⁰ For instance, nitrogen (in its various forms), phosphorous, microbial pathogens and sediment.

permitted activity status in plans. Point source discharges typically require authorisation under resource consents and so the application of s 70 tends to be less of an issue for those types of discharges.

15. The prohibition on granting a discharge permit in s 107, which is on the same grounds, then creates a regulatory roadblock that no farm or farmer can pass through. This would lead to the loss of pastoral farming and associated rural communities in parts of Aotearoa/ New Zealand.
16. Across our respective organisations, we work with farmers on ways to improve water quality, and to assist with the achievement of better water quality outcomes over time. The Farming Interests consider that a risk-based approach to the making of regulation should be adopted and farmers should be able, through tools like risk-based farm environment plans, to manage their activities on farm in a way that contributes to the improvement of water quality overall. A risk-based approach, where solutions are targeted to the specific issues on-farm is more effective than blanket rules, providing for better environmental outcomes. Where resource consents are required, the analysis of the impact on water quality from diffuse and other discharges from farming, in light of mitigation measures proposed, should be able to be considered. In other words, the existing processes in the RMA for making plans and granting resource consents can manage the adverse effects from diffuse discharges.
17. Pastoral farming, cropping and horticulture activities contributed an estimated \$49 billion in exports in 2023. Economic costs resulting from a lack of clarity in these matters will not be limited to these activities. It is thought that the problem arising for territorial authorities and the granting of discharge consents under s 107 is just as severe. This is because the bar on granting resource consents under s 107 could require alternative disposal methods to be determined because, notwithstanding the level of treatment of wastewater or stormwater, the assessment of the effects includes cumulative effects of all discharges within the wider catchment.

The Solutions

18. The Farming Interests respectfully suggest that direct engagement with other interested parties, including territorial authorities would have merit.
19. **Attached** is an appendix to this letter are suggested legislative amendments ss 70 and 107, which are intended to clarify the application of these two sections. In particular:
 - (a) New subsections 70(3) and (4) to clarify that s 70 applies to certain point source discharges only:
 - (i) It does not apply to diffuse discharges or to point source discharges *intended* to be disposed of into or onto land.
 - (ii) Address any potential for uncertainty about whether discharges are point source or diffuse by itemising in s 70(4).

- (iii) By way of example, the application of our suggested changes would mean that the application of fertiliser to land would not be captured by s 70 (i.e. it could be authorised as a permitted activity but the discharge of contaminants from a drum of buried DDT could not be authorised as a permitted activity).
- (b) A new s 107(2)(d) to clarify that consent may be granted for discharges where conditions are imposed which require the contribution to cumulative effects to be managed over time:
 - (i) This subsection would apply to any discharge, whether it is point source or diffuse, provided it is not authorised as a permitted activity under s 70.
 - (ii) By way of example, the application of our suggested changes would mean that an application for consent for diffuse discharges of nitrogen from pastoral farms seeking consent as part of an irrigation scheme could be consented subject to conditions requiring reductions in nitrogen discharges over time. Likewise, an application for the disposal of treated wastewater to land could be granted subject to conditions requiring reductions in contaminants over time.
 - (iii) This subsection also ensures there is a pathway for controlled activities for diffuse discharges of agricultural contaminants to be granted, avoiding legal arguments about the suitability of controlled activities for these discharges.

Yours sincerely



Campbell Parker
Chief Executive
DairyNZ



Terry Copeland
Chief Executive
Federated Farmers of New
Zealand




Sam McIvor
Chief Executive
Beef+Lamb New Zealand

cc. Hon Chris Bishop
Minister Responsible for RMA Reform
Parliament Buildings
Email chris.bishop@parliament.govt.nz

Hon Penny Simmonds
Minister for the Environment
Parliament Buildings
Email penny.simmonds@parliament.govt.nz

Hon Todd McClay
Minister for Agriculture
Parliament Buildings
Email todd.mcclay@parliament.govt.nz

The Secretary for the Environment
Ministry for the Environment
Wellington
Attention: James Palmer


APPENDIX 1 – ss 70 & 107 AMENDMENT OPTIONS

Proposed additions to ss 70 and 107 in red.

70 Rules about discharges

- (1) Before a regional council includes in a regional plan a rule that allows as a permitted activity—

- (a) a discharge of a contaminant or water into water; or
- (b) a discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water, —

the regional council shall be satisfied that none of the following effects are likely to arise in the receiving waters, after reasonable mixing, as a result of the discharge of the contaminant (either by itself or in combination with the same, similar, or other contaminants):

- (c) the production of conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
- (d) any conspicuous change in the colour or visual clarity:
- (e) any emission of objectionable odour:
- (f) the rendering of fresh water unsuitable for consumption by farm animals:
- (g) any significant adverse effects on aquatic life.

- (2) Before a regional council includes in a regional plan a rule requiring the adoption of the best practicable option to prevent or minimise any actual or likely adverse effect on the environment of any discharge of a contaminant, the regional council shall be satisfied that, having regard to—

- (a) the nature of the discharge and the receiving environment; and
- (b) other alternatives, including a rule requiring the observance of minimum standards of quality of the environment, —

the inclusion of that rule in the plan is the most efficient and effective means of preventing or minimising those adverse effects on the environment.

- (3) This section shall only apply to a point source discharge.

- (4) For the purposes of this section, point source discharge means a discharge from an identifiable and confined point but excludes:

- (a) any discharge of contaminants intended to be disposed of onto or into land, such as disposal of stormwater to ground, irrigation of effluent or wastewater, or application of fertiliser;
- (b) the discharge of contaminants from or caused by animals.

107 Restriction on grant of certain discharge permits

(1) Except as provided in subsection (2), a consent authority shall not grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 or section 15A allowing—

- (a) the discharge of a contaminant or water into water; or
- (b) a discharge of a contaminant onto or into land in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water; or
- (ba) the dumping in the coastal marine area from any ship, aircraft, or offshore installation of any waste or other matter that is a contaminant, —

if, after reasonable mixing, the contaminant or water discharged (either by itself or in combination with the same, similar, or other contaminants or water), is likely to give rise to all or any of the following effects in the receiving waters:

- (c) the production of any conspicuous oil or grease films, scums or foams, or floatable or suspended materials:
- (d) any conspicuous change in the colour or visual clarity:
- (e) any emission of objectionable odour:
- (f) the rendering of fresh water unsuitable for consumption by farm animals:
- (g) any significant adverse effects on aquatic life.

(2) A consent authority may grant a discharge permit or a coastal permit to do something that would otherwise contravene section 15 or section 15A that may allow any of the effects described in subsection (1) if it is satisfied—

- (a) that exceptional circumstances justify the granting of the permit; or
- (b) that the discharge is of a temporary nature; or
- (c) that the discharge is associated with necessary maintenance work.
- (d) that any of the effects identified in subsection (1) above is only likely to arise because of a cumulative effect of the discharge in combination with other discharges and that the discharge permit includes conditions requiring any contribution of the discharge to that cumulative effect to be managed over time.

and that it is consistent with the purpose of this Act to do so.

(3) In addition to any other conditions imposed under this Act, a discharge permit or coastal permit may include conditions requiring the holder of the permit to undertake such works in such stages throughout the term of the permit as will ensure that upon the expiry of

the permit the holder can meet the requirements of subsection (1) and of any relevant regional rules.

From: [Sam McIvor](#)
To: [Andrew Hoggard](#)
Cc: [Chris Bishop](#); [Penny Simmonds](#); [Hon Todd McClay](#); [s9\(2\)\(a\)](#); [Terry Copeland](#); [Campbell Parker](#)
Subject: COR354 Letter from Beef + Lamb NZ, Federated Farmers and DairyNZ - S70 S107
Date: Monday, 29 April 2024 4:49:38 PM
Attachments: [blnzlogosmallgreentransparent_cdc9e9ce-6737-4c4b-903f-cde3d3d7c328.png](#)
[Letter on S70 S107 from B+L NZ FF DNZ to Minister Hoggard.pdf](#)

Dear Associate Minister,
Please find attached letter from Beef + Lamb NZ, Federated Farmers and DairyNZ regarding S70 S107 – proposed amendments.

Sincerely,



Sam McIvor

Chief Executive Officer



website www.beeflambnz.com

Disclaimer:

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From: [Rowena Hume](#)
Subject: COR602 Independent review highlights significant issues with suspended fine sediment and e.coli freshwater rules
Date: Monday, 29 July 2024 12:29:58 PM

Kia ora,

Late last week Beef + Lamb New Zealand released an independent review by respected water quality expert, Dr Michael Greer, into the national bottom lines for suspended fine sediment, *E. coli* and phosphorous. The report was also peer reviewed.

The report found significant issues in the way the suspended fine sediment and *E. coli* attribute frameworks were determined in the Freshwater NPS 2020 and in their achievability, with significant implications for sheep and beef farmers.

Farmers absolutely recognise that there are sediment and *E. coli* issues that need to be managed and outcomes improved, but the report reinforces the need for a rethink of these particular rules.

Suspended fine sediment

- The suspended fine sediment NBL is based on the impacts to only a small number of indigenous fish species (and brown trout which are highly susceptible to sediment).
- The sediment–fish relationship used to establish the national bottom lines is based on recent modelled sediment data (not measured data) paired with fish abundance surveys beginning in the 1970s – and this relationship model has significant uncertainty.
- The national bottom line does not adequately account for natural variability, as evidenced by the number of rivers with catchments in their natural state that would not meet them.
- **As a result the suspended fine sediment national bottom line is too stringent.**
- Research analysed as part of the report, shows that **even if agriculture is stopped and all catchments returned to their natural pre-human state throughout the country, up to 38 percent of rivers would still not meet the suspended fine sediment NBL.**
- The models being used by Regional Councils to meet the suspended sediment bottom line were applied to 500 sheep and beef farms using GIS maps.
- This found that an estimated **44 percent of all sheep and beef farmland would likely need to be retired if the national bottom lines for fine sediment were enforced, along with other extensive mitigations. Even if these measures were taken, more than 50 percent of catchments that are below the national bottom line would still remain below the national bottom line.**

E.Coli

- **Significant issues were also identified with the 95th percentile statistics that require regional councils to use data collected during heavy rainfall and floods.** Most mitigations are less effective during high flow from heavy rainfall events, so it can be very difficult to meet the requirement to improve from one E. coli attribute state band to the next.
- The minimum required improvement for E. coli applies all year round, including winter months, during storm events and to all waterways including those not suitable for swimming or other contact recreation.
- It was not possible to model the mitigations needed to meet this bottom line, but **some of the rules coming through in regional plans are 10 meter sets backs, the exclusion of sheep from all waterways and the moving of existing fences.**

Urgent action is needed

- Late last year the Government pushed out the last date that regional councils can notify a freshwater plan to implement the National Policy Statement for Freshwater Management 2020 (NPS-FM) and said it will amend the NPS-FM 2020. It asked Regional Councils to pause their planning process.
- However, the NPS-FM 2020 is still in place and a number of regional councils are continuing with their planning processes based on these rules. Greater Wellington, Otago, Tasman, Canterbury, Southland, Taranaki, and Bay of Plenty are still proceeding, having either already notified a plan change, or have notifications scheduled by mid next year. The draft rules coming out of these plans include the retirement of significant areas of land, pole planting, 10 meter sets backs and requirements to refence in some instances, and exclusion of sheep from all water ways.
- **Our report reinforces the need for Regional Councils to pause their regional freshwater planning processes.**
- In lieu of them pausing, **we are calling on the Government to remove the suspended fine sediment attribute and 95th percentile E. coli states from the Freshwater NPS2020 as soon as possible, while work is undertaken on the replacement of the NPS-FM and the development of a more appropriate national framework for managing suspended fine sediment and E. coli.**

For more information please check out the following links:

Media release: [Independent review highlights fundamental flaws in key freshwater targets | Beef + Lamb New Zealand \(beeflambnz.com\)](#)

Summary report: [summary-technical-assessment-impacts-nps-fm-2020-national-bottom-lines.pdf \(beeflambnz.com\)](#)

Full report: [Technical assessment of the impacts of the NPS-FM 2020 national bottom lines on sheep and beef farms \(beeflambnz.com\)](https://www.beeflambnz.com/technical-assessment-of-the-impacts-of-the-nps-fm-2020-national-bottom-lines-on-sheep-and-beef-farms)

We'd welcome an opportunity to take you through the report in more detail with you and any of your colleagues that may be interested.

ngā mihi,

Rowena Hume

Rowena Hume | GM Insight & Communication
Beef + Lamb New Zealand Ltd

website www.beeflambnz.com

From: [Caroline Peach | Beef + Lamb NZ](#)
To: [Caroline Peach | Beef + Lamb NZ](#)
Subject: FARMER TIME FOR SCHOOLS ENCOURAGES TEACHERS TO GET ONBOARD AS SECOND SUCCESSFUL YEAR IS REPORTED
Date: Friday, 3 May 2024 10:02:28 AM
Attachments: [image001.png](#)
[image002.png](#)
[image002.png](#)

**For immediate release
3 May 2024**

FARMER TIME FOR SCHOOLS ENCOURAGES TEACHERS TO GET ONBOARD AS SECOND SUCCESSFUL YEAR IS REPORTED

Farmer Time for Schools proudly announces the successful completion of its second year, connecting New Zealand school students and teachers with farmers nationwide.

Student participation increased by eight percent from 2022, to nearly 1100 students. Despite challenges in 2023, including adverse weather and the impact of Covid19 and teacher strikes, Farmer Time for Schools persevered, introducing more young New Zealanders to rural life and the farmers behind our food.

Farmer Time for Schools National Coordinator, Marie Burke says "Being involved with Farmer Time for Schools and witnessing its growth has been amazing. The overwhelmingly positive feedback from both farmers and teachers reaffirms to me the importance and value of this initiative. I am really proud to be a part of it."

"Our next focus is to recruit more schools and teachers. We have many farmers eager to participate, but currently face a shortage of teachers."

From humble beginnings at the start of 2022 with just eight farmer-teacher pairs forming the pilot group, Farmer Time for Schools has expanded significantly. By the end of 2023, 95 teacher-farmer pairs and 2,115 students had experienced Farmer Time for Schools over the two-year period. The programme has also evolved so it is now open to both urban and rural schools.

Burke says "We received numerous requests from rural schools eager to join the programme. Initially, we underestimated the potential impact on rural schools, assuming they might not benefit as much from Farmer Time for Schools. However, it became clear that even children attending rural schools may lack food production knowledge."

"Because we go through a very thorough matching process we can ensure we match each class with a farm type that best suits them and the programme can be tailored to suit their needs."

In the recent annual survey conducted by Farmer Time for Schools, participants provided positive feedback. Survey results revealed that all teacher respondents found Farmer Time for Schools offered a valuable learning experience for their class, while all farmer respondents expressed enjoyment in connecting with students through the online sessions.

Further key results from the survey include:

- Teacher feedback indicates that Farmer Time for Schools allows for an array of applied learning scenarios, particularly for science and maths.
- All responding teachers felt that Farmer Time for Schools helped students develop a greater awareness of the work food producers do and introduced them to career options in the primary industries.
- All responding farmers believe that introducing Farmer Time for Schools to as many schools as possible would result in a positive impact on the future of farming in New Zealand.

Sandra Howard a teacher at Tamatea Intermediate in Hawkes Bay says of her involvement with Farmer Time for Schools, "I think this programme is extremely beneficial."

Matched with Southland farmers Colin and Dot McDonald, Howard says "by actively participating and connecting with our farmers on a regular basis, my learners acquired a multifaceted education that extended beyond the classroom, fostering a holistic understanding of food production, environmental sustainability, and community engagement."

The McDonald's also speak very highly of their Farmer Time for Schools experience, "We love it and have found it quite therapeutic as the kids are so pro farming and interested in everything!"

Having had the same class for two years the McDonald's have made a big impression. Dot McDonald says "they were asking what sort of jobs they could do in agriculture, one asked how a town girl could become a shepherd."

"These kids have had a tiny taste of what's possible, we need these bright young people in all aspects of farming and if we can give them a look at what's possible, maybe they will choose careers in the primary industries."

Howard concludes, this could well be the case, "some of my learners are now considering a job in farming."

Now in its third year, Farmer Time for Schools aims to broaden its reach, raising awareness and inspiring as many students as possible. A trial is currently underway with Te Kura, formerly The Correspondence School to test the programme's suitability for distance learners. Initial feedback has been positive.

Burke is urging teachers to get onboard with Farmer Time for Schools, noting, "Our survey revealed that all teachers and students who participated thoroughly enjoyed the experience, and we know you and your class will too! To find out more visit www.farmertime.co.nz".

ENDS

About Farmer Time for Schools

Farmer Time for Schools is an educational programme, set up by Beef + Lamb New Zealand Inc, that connects food and fibre producers virtually with New Zealand primary and intermediate school students. It aims to engage, inspire and educate young people about the journey of food from farm to fork in the ever-changing, diverse primary industries.

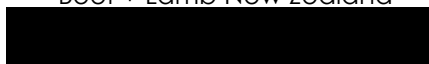
Types of farming involved in 2023 include: Sheep and Beef, Dairy, Vegetable and Grain, Mushroom, Goat, Deer, and Beekeeping.

Primary producers and teachers who want to get involved or find out more can visit: www.farmertime.co.nz.

[Click here](#) to read the 2023 Farmer Time for Schools Impact Report.

For further information, please contact:

Caroline Peach
Beef + Lamb New Zealand





5 March 2024

Hon Andrew Hoggard
Associate Minister for the Environment
Parliament Buildings
WELLINGTON

BY EMAIL TO: andrew.hoggard@parliament.govt.nz

Cc: Hon Penny Simmonds (penny.simmonds@parliament.govt.nz)
Hon Todd McLay (todd.mclay@parliament.govt.nz)
Hon Mark Patterson (mark.patterson@parliament.govt.nz)
Hon Chris Bishop (chris.bishop@parliament.govt.nz)

Dear Minister

FRESHWATER FARM PLANS AND NATIONAL BOTTOM LINES

We understand the Government is currently considering the future of Freshwater Farm Plans (FWFPs) as required under Part 9A of the Resource Management Act 1991. Beef + Lamb New Zealand (B+LNZ) has, alongside others, given a great deal of thought to the role of farm planning as regulatory tool in recent years. We have developed a set of principles that we consider should govern how farm planning is used in this context, and wish to share them with you to assist your policy development process.

We also understand the reform of FWFPs is part of a wider Government process of reviewing freshwater policy instruments – including the National Policy Statement for Freshwater Management 2020 (NPS-FW). As such, we also wanted to share with you concerns we have around the National Bottom Lines set under the NPS-FW.

Before moving into detail, we see that it is necessary as a matter of urgency to address the current situation with regard to Waikato and Southland. Regional Councils in these regions are required to be actively implementing the existing FWFP framework, and **B+LNZ calls for this requirement to be suspended while the future of FWFPs is considered.**

Freshwater Farm Plan Principles

Attached as **Appendix 1** is a set of principles that we consider should guide the development of policy around the role of FWFPs in resource management. While the principles are slightly broader than just FWFPs, the relevance of the principles to FWFPs is undiminished.

On the whole, B+LNZ's strong belief is that FWFPs can play a powerful part in delivering effective and efficient resource management. **To have a FWFP framework succeed, it needs to be anchored to a risk-based approach and not simply a blanket mandatory requirement.** The significance of a risk-based approach is two-fold:

- Firstly, it ensures resources are prioritised towards the management of activities that have the biggest impact on water quality. This applies not just to the resources of

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farmers, but also to the resources of regulators, farm advisors, and all others that play a role in freshwater quality management.

- Secondly, linking the need to manage an activity to an identifiable risk helps farmers to understand 'the why' behind a need to act. Our experience clearly shows that farmers will respond more proactively when they understand 'the why', as compared to when they feel asked to 'tick boxes'.

In addition to the principles in **Appendix 1**, there are several specific ways in which we believe the existing FWFP regime needs to be changed. Key among these are:

- Low intensity, low impact farmers should not be required to have a FWFP because the environmental return does not justify the regulatory burden.
- The existing two-step process requiring certification and auditing of FWFPs should be replaced with a system based on audit alone, with frequency of audit determined by activity and catchment risk (alongside random auditing);
- There needs to be greater provision to recognise plans undertaken as part of industry assurance schemes as equivalent to a FWFP;
- Farmer data needs to be protected, with regulators able to obtain the minimum amount of information about a farmer's business operations necessary to ensure compliance with a FWFP framework. For example, farmers should not have to lodge a FWFP with regulators, and regulators should only retain information about audit performance.

We have begun a process of testing our policy positions based on these principles with sheep and beef farmers through a survey. The results of this survey as at the time of writing are attached as **Appendix 2**, and show strong support for the views we are expressing – both in terms of the views of respondents and the unusually high level of participation,

In line with best practise, the process of testing policy with farmers is an ongoing one and we will continue to test our positions with farmers as reform of the FWFPs and the NPS-FW progresses. We will continue to share the insights from this with you to assist wider policy development.

National Bottom Lines

B+LNZ has undertaken a review of the methodology used to determine current National Bottom Lines for sediment and *E.Coli*. We have significant concerns with the way in which they were set, and their achievability even without any agricultural activity in some catchments. We would like to discuss this work further with yourself and your officials.

In the meantime, **we strongly recommend that all National Bottom Lines – and specifically those for sediment and *E. coli* be reviewed**. Our preference is that they be replaced with a system that sets limits and targets on a catchment-specific basis based on the catchment's physical context.

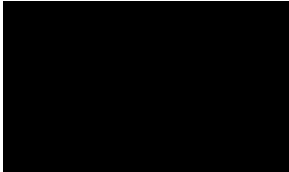
Next Steps

B+LNZ has been working with a number of agricultural organisations and regional councils in an attempt to seek and aligned view to present to government on the future of FWFPs. A key learning from this experience is that while there appears to be broad agreement on the need for a greater emphasis on prioritisation on the basis of risk, there are a range of view of what that looks like as one moves beyond the principle to the specifics.

With this in mind, we encourage the Government to stand up a process to work with industry and the regional council sector as FWFP policy becomes more granular and specific. This would also provide organisations such as B+LNZ a greater opportunity to bring our farmers along with policy development, and with that have a greater chance of securing widespread buy-in. Again, however, the existing requirement to implement FWFPs in Waikato and Southland needs to be withdrawn as a matter of urgency pending such a process.

We would be very pleased to meet with you to discuss this further, and/or to participate in processes with officials to help reshape freshwater policy generally or FWFPs and the NPS-FW more specifically.

Yours sincerely



Kate Acland

Chair

APPENDIX 1

B+LNZ PRINCIPLES FOR FARM PLANNING

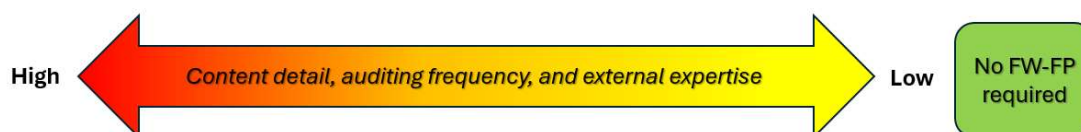
1. B+LNZ supports Farm Planning as a valuable tool that farmers can use to underpin good business and farm management practice.
2. We believe that individual farmer driven farm environmental plans, operating alongside the catchment context, can best achieve the environmental outcomes sought. This is strongly preferred to blanket rules/input standards that don't take actual risks or effects into account, and fail to consider the unique regional and catchment context.
3. **B+LNZ does NOT support a certified and audited Freshwater Farm Plan being required of every farmer.** Rather, we believe that the requirement to have a Freshwater Farm plan should be based on risk.
4. The Freshwater Farm Planning system should be underpinned by the *risk* of a given farming activity based on its the likely level of impact on the receiving environment determined by a particular catchment's context.
5. An assessment of risk should look at:
 - a. The physical catchment context [i.e., climate, geology, topography, baseline state of waterways, specific contaminant influence etc]. This information should be developed by regional councils alongside local communities, so that farmers within a catchment have the same information and the same understanding of risk activities; and
 - b. Whether the farming operation undertakes risky activities, and the scale of those activities
6. This Assessment of risk would place a farm within a risk band, which would determine:
 - a. Whether or not a farm plan is required for freshwater management; and
 - b. Where a farm plan is required, the content within the plan, level of oversight, and frequency of auditing of that farm plan
7. Put another way, an assessment of risk would inform the need for a given farming operation to complete a Freshwater Farm Plan as well as a given Freshwater farm plan's contents. For example, the detail and auditing frequency would be based on the activities being undertaken and the receiving environment as determined by the particular catchment's context.
8. Where a farm plan is necessary due to catchment/activity risk factors, it should be as an alternative to a consent, not in addition to a consent. Farmers should not have to complete a freshwater farm plan AND a resource consent to manage the same type or scale of risk being addressed. This streamlines the administrative burden on farmers and regulators.
9. Any instrument should look to minimise the cost and administrative burden on all players in the system. This should be a requirement set by government on regulators.
10. Legislation should focus on high level principles that ensure consistency in approach across all parts of New Zealand. The current national guidance on the content of farm plans is excessively prescriptive.

11. Duplication of regional farm planning requirements or industry farm planning schemes should be avoided. There should be equivalence granted for existing audited Farm Plans, such as existing regional plans and those through NZFAP+, where the requirements are met.
12. Any farm planning process should be able to be completed by the farmer themselves, with input from farm advisors generally only required for high-risk activities or complex catchment contexts. This is because a farmer-led because a plan developed and owned by a farmer will be most effective in achieving a positive impact.

Figure 1: B+LNZ Risk matrix for FWFP requirements. NB: To be developed further in partnership with wider industry, regional councils, and central government.

		Catchment vulnerability to specific contaminants		
		High	Medium	Low
Activity Risk	<u>High</u>			
	<u>Medium</u>			
	<u>Low</u>			
	<u>Very low</u>			

Figure 2: FWFP requirement overview. NB: To be developed further in partnership with wider industry, regional councils, and central government.



APPENDIX 2 – B+LNZ FRESHWATER FARM PLAN SURVEY RESULTS

On Thursday 29 February 2024, B+LNZ sent a short survey form via e-mail to sheepmeat and beef levy payers to test our initial policy positions. As at 9am 4 March 2024, there were **614** responses, and the content below shows level of agreement with B+LNZ statements. Note that this quantity of responses is one of the highest rates of response that B+LNZ has had in recent years and is statistically significant. Additionally, we intend to consult more widely with our farmers on these, and other, freshwater and climate change policy matters in the coming months.

Questions and Responses

- 95% of respondents either agree or strongly agree that farmers should be able to complete the farm environmental plan themselves without the use of external consultants (especially in lower risk situations). 4% were unsure and 1% either disagreed or strongly disagreed.
- 94% of respondents either agree or strongly agree that Farm plans, where required, should not have a 2-step certification and auditing requirement as currently proposed. To reduce cost and duplication, a single step audit should be sufficient. 5% were unsure and 1% either disagreed or strongly disagreed.
- 94% of respondents either agree or strongly agree that, where appropriate, existing industry plans or regional plans that meet farm environment plan requirements should be recognised as equivalent to avoid duplication. 5% were unsure and 1% either disagreed or strongly disagreed.
- 92% of respondents either agree or strongly agree that if a plan is required, the timeframes, level of detail in the plan, and any auditing requirements should vary depending on the risk. 6% were unsure and 2% either disagreed or strongly disagreed.
- 91% of respondents either agree or strongly agree that using a tailored farm environmental plan to manage a farm's potential impact on freshwater is better than using blanket rules. 7% were unsure and 2% either disagreed or strongly disagreed.
- 89% of respondents either agree or strongly agree that farm plans should only be required based on risk posed by the farm, and the health of the catchment. 7% were unsure and 4% either disagreed or strongly disagreed.
- 87% of respondents either agree or strongly agree that certified and audited plans should not be mandatory. 7% were unsure and 6% either disagreed or strongly disagreed.
- 83% of respondents either agree or strongly agree that farmers should undertake a simple risk assessment to understand the risks associated with their farming operation and determine whether a farm plan is required at all. 14% were unsure and 7% either disagreed or strongly disagreed.
- 78% of respondents either agree or strongly agree that Regional authorities should provide the information and tools needed for farmers to complete a risk assessment. 15% were unsure and 7% either disagreed or strongly disagreed.
- 72% of respondents either agree or strongly agree that farm environmental plans should be used as an alternative to getting a consent from the regional council for some higher risk farming activities. 21% were unsure and 7% either disagreed or strongly disagreed.

From: [Dave Harrison](#)
To: [Andrew Hoggard](#)
Cc: todd.mclay@parliament.govt.nz; [Penny Simmonds](#); [Chris Bishop](#); [Mark Patterson](#); [Kate Acland](#); [Sam McIvor](#); [Vikki Lust](#)
Subject: Freshwater Farm Plans
Date: Tuesday, 5 March 2024 5:24:26 PM
Attachments: [getsitelogo_fec7269c-7aab-4980-9d55-a7e009ccce05.png](#)
[20240305 - Farm Plans - Ltr to Min Hoggard.pdf](#)

Dear Minister,

Please find attached a letter from Kate Acland, Chair of Beef + Lamb New Zealand, regarding principles for freshwater farm plans as a regulatory tool.

Yours sincerely,



Dave Harrison

GM Policy & Advocacy



website www.beeflambnz.com

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From: [Andrew Hoggard \(MIN\)](#)
To: [s9\(2\)\(a\)](#)
Cc: [Andrew Hoggard \(MIN\)](#)
Subject: FW: COR822 - Appointment of Beef + Lamb New Zealand Chief Executive
Date: Monday, 30 September 2024 12:43:47 PM
Attachments: [blnzlogosmallgreentransparent_cdc9e9ce-6737-4c4b-903f-cde3d3d7c328.png](#)
[congratulations-purchasetickets-awards-email-signature-600x140px_2024\(002\)_020c6416-8129-479a-bf9c-d55568e5e6b7.png](#)

Only FYI

Authorised by Hon Andrew Hoggard, Parliament Buildings, Wellington

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From: Kate Acland
Sent: Monday, September 30, 2024 11:03 AM
To: Vikki Lust
Subject: COR822 - Appointment of Beef + Lamb New Zealand Chief Executive

Good morning,
I'm delighted to announce that Alan Thomson will be B+LNZ's new chief executive.

Alan is deeply committed to agriculture and wants to see our farmers thrive, and our sector realise its potential. The Board are confident we've found the right person for the B+LNZ CEO role.

About Alan

Alan is moving to B+LNZ from Hitachi Australia, where he was Director of Agribusiness. He's been focused on agritech and has deep experience in the commercial and agritech space on projects that are aimed at lifting farmers' productivity and profitability in a sustainable way.

He is committed to science and data and has a huge amount of experience in using a strong evidence base to get results. Prior to Hitachi, he was at Ravensdown.

Along with his strong commercial background, Alan has proven experience in building and managing great teams.

Alan is a New Zealander and has a real affinity for rural New Zealand through his lifelong career in the sector. He'll be relocating from Australia for this role.

Further details

Alan's first day at B+LNZ will be Monday 4 November and we are working on a series of meetings for him to get to know key stakeholders.

In the meantime B+LNZ's Chief Operating Officer Cros Spooner will continue to act as CEO.

If you have any questions please contact me.

Best regards,
Kate



Kate Acland

Chair



website www.beeflambnz.com

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From: [Rowena Hume](#)
To: [Andrew Hoggard](#)
Cc: [Kate Acland](#)
Subject: FW: Update on advocacy work from the Chair of B+LNZ
Date: Thursday, 16 November 2023 1:54:06 PM
Attachments: [getsitelogo_fec7269c-7aab-4980-9d55-a7e009ccce05.png](#)

Hi Andrew

Kate Acland asked if I could forward you this email that we sent out yesterday afternoon to farmers.

We discussed many of these issues with the Act party in the lead up to the election many of them were reflected in your election policies which is great.

The policy issue that is top of mind for farmers at the moment is the freshwater rules (which I know you are aware of), following the tsunami of draft regional freshwater plans that are coming out around the country at present.

Given what has been happening we would be very keen to see the new Government ask Regional Councils to pause their processes and for a review to be undertaken of the National Policy Statement for Freshwater.

I am sure you have Kate's number and she'd be happy to chat further.

warm regards, Rowena



Rowena Hume

GM Insight & Communication



website www.beeflambnz.com

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From: B+LNZ Chair Kate Acland [REDACTED]
Sent: Wednesday, November 15, 2023 4:00 PM
To: Rowena Hume [REDACTED]
Subject: Update on advocacy work from the Chair of B+LNZ

[View in browser](#)



Update on advocacy work from the Chair of B+LNZ

While the new Government and incoming ministers are yet to be confirmed, we wanted to update you on urgent issues the incoming Government needs to address in the first 100 days.

We know how tough things are on the farm right now and want to reassure you that we are focused on dealing with these issues.

In the lead up to the election, we engaged extensively with political parties and many of our policy asks were reflected in the election policies of the parties currently in negotiations. We'll continue to advocate for these to be cemented in for urgent action.

We want to see enduring policy solutions on water, climate change, biodiversity and afforestation under the new Government, so that these issues don't become a political football in the future. Solutions that give the right environmental outcomes but still allow our sector to prosper and our rural communities to thrive.

Freshwater

- There are significant issues with the freshwater rules. Recently, we have seen a tsunami of rushed consultation from regional councils as they develop their regional freshwater policy statements and plans ahead of the fast-approaching 31 December 2024 notification deadline.
- The Government needs to direct regional councils to stop the regional planning processes and urgently review the National Policy Statement for Freshwater.
- Other elements of the freshwater rules that also need reviewed are: certified freshwater farm plan triggers and requirements; the slope rule for winter grazing; and stock exclusion exemptions for cattle for extensive farms.

Climate Change

- Pricing of agricultural emissions is not justified for a range of reasons, and we will continue to reinforce this position.
- We'll also be asking the new Government to direct the Climate Change Commission to review the current methane targets based on the warming impact of greenhouse gases.

Biodiversity

- There are major issues with the National Policy Statement for Biodiversity (NPSIB).
- There is a 2028 deadline for district councils to undertake mapping of Significant Natural Areas (SNAs) and start to implement the new rules, but work is likely to kick off well before this to meet this deadline as Councils look to identify potential SNAs.
- We're asking for implementation of the NPSIB to be paused while it is reviewed to ensure it focuses on truly significant biodiversity, and not just red tape compliance.
- We also want the Government to work with the primary sector on ways to support farmers to enhance and maintain the indigenous biodiversity on their farms.

Resource Management Act (RMA)

- In the lead-up to the election, National, ACT and NZ First promised to repeal the Natural Built Environment Act (NBEA) and Spatial Planning Act (SPA).
- We all agree the RMA needs to be reformed, but the NBEA and SPA would have made things worse, not better. It needs to be repealed and work undertaken urgently with relevant stakeholders on a revised version.

Carbon Farming & Recognition of Sequestration on Farms

- The last Government was working on policy changes to reduce the scale and pace of whole farms being sold to convert into forestry for carbon credits. This work needs to be completed urgently.
- We strongly support the integration of trees within farms and believe this is a win-win that that could go a long way to meeting New Zealand's international commitments.
- We must see greater recognition of the sequestration on farms. The measurement of sequestration needs to be updated and mechanisms for farmer payments implemented.

Next steps

There are other policy issues that we have been focusing on such as trade, immigration and R&D. The ones listed above, however, are the most urgent.

We are also coordinating with other industry groups like Federated Farmers, Meat Industry Association and DairyNZ and there is good alignment amongst us.

We want to ensure we reflect farmers' views to guide our discussions over the coming months with new Minister's and MPs. We have developed [this survey](#) to seek feedback and prioritise the policies outlined and hear about any others that you think are important.

Please also feel free to get in touch with me directly.



Kate Acland

Chair

Beef + Lamb New Zealand



www.beeflambnz.com

Wellington Chambers, 154 Featherston Street, Wellington 6011

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Hon Andrew Hoggard

Minister for Biosecurity
Minister for Food Safety
Associate Minister of Agriculture (Animal Welfare, Skills)
Associate Minister for the Environment



MIN24-0323

Sam McIvor
Chief Executive Officer Beef + Lamb New Zealand, Chief Executive Officer New Zealand Meat Board
sam.mcivor@beeflambnz.com

Dear Sam

Congratulations on your recent appointment as Chief Executive Officer at OSPRI New Zealand Limited. I expect the experience you bring with you from your previous roles will stand you in good stead for the opportunities and challenges that lie ahead of you.

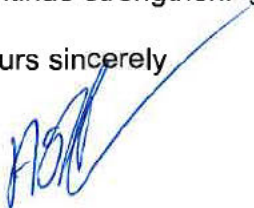
As you know, OSPRI plays a critical part in New Zealand's biosecurity system through the programmes it administers. NAIT Limited manages the traceability of New Zealand's cattle and deer, helping the livestock industry to recover more swiftly if there is an exotic disease incursion. TBfree New Zealand Limited aims to control and then eradicate bovine tuberculosis in New Zealand. OSPRI is also now delivering the operational aspects of the *Mycoplasma bovis* Eradication Programme and will take on management once a National Pest Management Plan is in place.

If these three programmes perform well, I am confident that New Zealand's biosecurity system will be able to handle the management and eradication of livestock diseases moving forward, and that OSPRI will be in a position to provide an essential animal disease management capability.

Section 9B of the National Animal Identification and Tracing Act 2012 enables me to send NAIT Limited a Letter of Expectations, stating the Government's priorities and expectations relating to NAIT Limited's performance of its functions and duties. I am considering drafting such a letter in the near future. With this in mind, I encourage you to reach out to my office to set up a first meeting with you and your Chair, once you have begun in your new role. This would provide us with an opportunity to discuss the Government's priorities and expectations for NAIT Limited, as well as the other programmes OSPRI manages.

As you move into your new position, I encourage you to continue to work collaboratively with OSPRI's Shareholders, Funders and Stakeholders. In addition, I look forward to working with you to continue strengthening New Zealand's biosecurity system.

Yours sincerely



Hon Andrew Hoggard
Minister for Biosecurity

From: [Sam McIvor](#)
To: [Andrew Hoggard \(MIN\)](#)
Subject: RE: Letter from Hon Andrew Hoggard re: Appointment as CEO at OSPRI NZ
Date: Tuesday, 28 May 2024 2:27:09 PM
Attachments: [blnzlogosmallgreentransparent_cdc9e9ce-6737-4c4b-903f-cde3d3d7c328.png](#)

Dear Minister Hoggard

Thanks for your letter.

I share your view on the importance of OSPRI as a key organisation for New Zealand's primary sector and more widely for New Zealand's economy.

I certainly feel like I have got a good appreciation of the needs of farmers, Shareholders and government as a critical stakeholder and funder and will be driving the organisation to deliver on those needs, as well as look to grasp further opportunities to deliver greater value to the sector.

I look forward to working with you in this important endeavour and to meeting with you early in my tenure to gain a clear understanding of your expectations.

Kind Regards

Sam McIvor



Sam McIvor

Chief Executive Officer



website www.beeflambnz.com

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From: Andrew Hoggard (MIN) <A.Hoggard@ministers.govt.nz>

Sent: Wednesday, May 22, 2024 9:44 AM

To: Sam McIvor [REDACTED]

Subject: Letter from Hon Andrew Hoggard re: Appointment as CEO at OSPRI NZ

Dear Sam,

Please find attached a letter from Hon Andrew Hoggard.

Kind Regards,



Authorised by Hon Andrew Hoggard, Parliament Buildings, Wellington

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From: [Jason Krupp](#)
To: [Andrew Hoggard](#)
Subject: Red Meat Report November 2023
Date: Monday, 20 November 2023 3:22:04 PM

Dear Andrew

On behalf of Beef+Lamb New Zealand and the Meat Industry Association we are delighted to share with you the latest edition of the Red Meat Report.

It covers a broad range of pre-and-post farmgate activities that we have undertaken on behalf of sheep and beef farmers, and red meat processors, exporters and marketers over the past six months.

Spanning everything from technical seminars and delegations to market updates, work on policy issues and economic forecasts, the full report can be downloaded [here](#).

For further information on any of the topics covered in this edition of the Red Meat Report, please feel free to contact:

Beef+Lamb New Zealand: [Rowena Hume](#)

Meat Industry Association: [Jason Krupp](#)

30 May 2024

www.dairynz.co.nz

Dear Minister Hoggard,

A.Hoggard@ministers.govt.nz

We write to inform you that the Biosecurity (Response – Milksolids) Levy for the *Mycoplasma bovis* (*M. bovis*) response, which we manage on behalf of our levy payers and pay to the Ministry for Primary Industries, will reduce from 2.4 cents per kilogram of milksolids to 0.8 cents per kilogram of milksolids from 1 July 2024.

This represents a 66 percent reduction in the Government Industry Agreement levy dairy farmers pay and reflects the good progress made in response to *M. bovis*. DairyNZ is a partner in the eradication programme, with the Ministry for Primary Industries and Beef + Lamb NZ.

You will know that the *M. bovis* programme is six years into a 10-year eradication plan and while we may still see a few more cases, there are currently no active confirmed properties. We are now in a surveillance phase and costs have reduced.

We have made this decision with confidence and know it will provide some relief to dairy farmers, ensuring they do not pay more than is required. The programme to eradicate *M. bovis* has been at a huge financial and emotional cost to New Zealand farmers, yet the cost of letting the virus spread would have been much higher.

The Biosecurity (Response – Milksolids) Levy has been invaluable in the response to *M. bovis*. Without the collective effort of dairy farmers, we wouldn't be where we are today with a stronger, more resilient biosecurity system. Government support to initiate and continue the eradication programme is hugely appreciated.

For your awareness, dairy farmers will notice the reduction in levy in their August milk cheque.

We intend to inform processors of the new rate as soon as possible, to give them time to amend their systems. Further, we wish to communicate this levy reduction with our farmers shortly – and will remain in contact with your office to discuss timeframes and / or coordination.

It is our understanding that with Cabinet approval the *M. bovis* programme is intended to transition to a National Pest Management Plan under OSPRI from 1 January 2025.

About the Biosecurity (Response – Milksolids) Levy

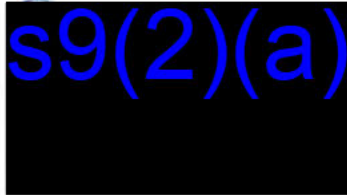
The industry cost share for the *M. bovis* Programme is 32 percent of the total cost, with DairyNZ paying 94 percent and Beef + Lamb NZ paying 6 percent of the industry cost share of eradication. The

Biosecurity (Response – Milksolids) Levy is managed by DairyNZ and paid to MPI. Levy funds can only be spent on response of an incursion, therefore the levy is adjusted to meet the dairy response cost obligations. It is separate from the DairyNZ milksolids levy under the Commodity Levies Act which is invested on farmers' behalf.

Yours sincerely,

A black rectangular redaction box covering the signature of Campbell Parker. The text 's9(2)(a)' is written in blue across the top of the box.

Campbell Parker
Chief Executive

A black rectangular redaction box covering the signature of Jim van der Poel. The text 's9(2)(a)' is written in blue across the top of the box.

Jim van der Poel
Chair

CC: Minister of Agriculture, Todd McClay
Associate Minister of Agriculture, Nicola Grigg
Associate Minister of Agriculture, Mark Patterson

From: [Campbell Parker](#)
To: [Andrew Hoggard](#)
Cc: [Nicola Grigg](#); [Mark Patterson](#); [Hon Todd McClay](#)
Subject: COR421 Letter from DairyNZ
Date: Thursday, 30 May 2024 1:32:15 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[DairyNZ Biosecurity Response Milksolids Levy - letter to Minister 300524.pdf](#)

Dear Minister

On behalf of our Chair Jim van der Poel and Chief Executive Campbell Parker, kindly find attached a letter from DairyNZ.

Regards

Campbell Parker

Campbell Parker

Chief Executive



605 Ruakura Road • Private Bag 3221 • Hamilton 3240, New Zealand

s9(2)(a)



From: [James Watson-Black](#)
To: [Clare Sahayam](#)
Subject: DairyNZ email to farmers
Date: Thursday, 14 December 2023 10:32:03 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Morning Clare

Just wanted to send through the following email that we will be sending out shortly so that the minister and his office are aware of it.

Campbell (CEO) will be emailing DairyNZ levy payers this morning to update them on our recent engagement with the government. Farmers are keen to hear from DairyNZ about the advocacy work that we are doing, so we try to keep them updated where we can.

The update we are sending will cover the meetings that we had this week and how they were positive meetings, it also provides an update on some of the coalition agreements (already public information) and how it aligns with DairyNZ's policy positions, all of which is very positive.

Just wanted to make sure the minister is aware of it so there weren't any surprises.

Cheers

James

James Watson-Black

Senior Manager Strategic Engagement

Wellington

s3(2)(a)

DairyNZ 



14 December 2023

Kia ora

Following the formation of our new government, I wanted to update you on our work advocating on your behalf with our new government.

This week, Jim van der Poel and I had meetings with Todd McClay, Andrew Hoggard and Mark Patterson, who are all ministers in the new government with responsibility for agriculture. These meetings focussed on discussing the key issues we would like to see action on from government to achieve positive outcomes for farmers.

These conversations were encouraging, and while it is clear the government has a busy agenda, agriculture and improving outcomes for farmers are key parts of the Government's plan.

Alongside our engagement with the Government, we continue to work with Beef + Lamb New Zealand and Federated Farmers, seeking to align on the key issues that are critical for the pastoral sector.

Resource Management Act (RMA)

DairyNZ has been advocating for the repeal of the Natural and Built Environment Act and the Spatial Planning Act.

It's good to see a commitment by the Government to replacing this critical piece of legislation. We have reiterated the impact that the RMA has on farmers to ministers and the need to get this legislation right.

We will continue to work with Government on this to make sure the resource management rules are as practical as possible for farmers.

Freshwater

DairyNZ has been advocating for changes to the National Policy Statement (NPS) for Freshwater Management, with emphasis on delaying or removing the requirement for councils to notify new regional freshwater plans by 31 December 2024.

- The coalition Government has committed to replacing the current NPS for freshwater. We are confident that changes the government will make will be a step in the right direction, and that our concerns are understood.

We have highlighted the significant progress made by farmers over the past 20 years to improve our waterways.

We will continue to use our science and research to advocate for farmers on this topic.

Workforce

We are advocating for changes to the median wage requirement for Accredited Employer Work Visas to use the average industry wage instead.

It is promising to see ACT and National's commitment to removing the median wage requirement for Skilled Migrant Visas. In our meetings with ministers, we have emphasised that access to international employees is critical for farmers, and the need for the changes to be made before the next increase.

Climate

DairyNZ has been very clear that Climate Change Response Act needs to be changed to fully remove the ETS back stop.

DairyNZ's concerns are clearly understood by the Government who have committed to:

- Maintaining a split-gas approach to methane and carbon di-oxide.
- Review the methane targets in 2024 with a focus on no additional warming from agriculture methane emissions.

Ministers understand the need to fully remove the ETS backstop, and once the Government has progressed its 100 day plan I am confident this will be addressed.

We look forward to working with government on progressing positive change on issues that matter most to New Zealand dairy farmers, to ensure a thriving future for rural communities, and our sector.

As the Government moves through their 100 day plan, advocating on your behalf with Government for practical solutions will remain a top priority. I will keep you updated on our advocacy activity as we move into the New Year.

Ngā mihi

Campbell

Campbell Parker
Chief Executive
DairyNZ





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[View this email online](#)

From: [REDACTED] on behalf of [Kelly Spring](#)
To: [Andrew Hoggard \(MIN\)](#)
Subject: DAIRYNZ MEDIA RELEASE - Urgent RMA changes welcomed to avoid avalanche of red tape
Date: Friday, 9 August 2024 11:35:38 AM

Media release



August 9, 2024

Urgent RMA changes welcomed to avoid avalanche of red tape

Urgent updates to regulations relating to discharge in the Resource Management Act will be welcomed by councils, industry and primary producers around the country.

DairyNZ, B+LNZ and Federated Farmers [jointly wrote](#) to the Government in April to outline the severe consequences of High Court decisions relating to sections 70 and 107 of the RMA, and included these concerns in a formal submission in June.

“A few stomping feet were about to set off an avalanche of red tape that would have effectively prohibited agriculture and horticulture in New Zealand,” DairyNZ director and Canterbury farmer Cameron Henderson said.

“The change in interpretation of the law threatened to create regulatory roadblocks that no farm or farmer could pass through.

“We strongly believe this was never the intent of the law, given permitted activities and consents come with requirements to manage risks to the environment.

“This isn’t a free pass. Farmers still need to meet national and regional regulations. These amendments simply provide clarity that the regulatory pathways regional councils have spent years and millions of dollars developing will prevail.

“Without these amendments, pastoral farming in Southland, horticultural production in Pukekohe and Horowhenua, and discharges of wastewater and stormwater by a council would have faced impossible regulatory barriers.

“This is why DairyNZ worked with multiple industry organisations to find a solution, including B+LNZ, Federated Farmers, Horticulture NZ and Irrigation NZ.

“This issue has been sparked by the implementation of national freshwater regulations, which were impractical due to a lack of consideration of regional variations, unrealistic national bottom lines, and a focus on numerical limits rather than environmental outcomes.

“For example, B+LNZ’s independent review recently showed that current minimum sediment and E coli water quality standards would be impossible to meet for many catchments, even if all agriculture were removed.

“This issue had become urgent and warranted immediate attention, and we appreciate the Government moving swiftly to ensure diffuse discharges are managed in a practical way.

“We will continue working with the Government to advise on practical and enduring policy, while making progress on healthy waterways with 80% of dairy farmers now managing a Freshwater Farm Plan,” Cameron Henderson says.

Kelly Spring

Corporate Communications and Media Manager

Wellington

Ph 027 548 9741



About DairyNZ

DairyNZ is the sector organisation representing New Zealand's dairy farmers. For more information visit dairynz.co.nz



This email was sent to a.hoggard@ministers.govt.nz
DairyNZ, 605 Ruakura Road, Hamilton, Waikato 3240, New Zealand
[Unsubscribe](#)

From: [James Watson-Black](#)
To: [Andrew Hoggard \(MIN\)](#)
Subject: RE: INV188 Meeting request 20 March DairyNZ Board
Date: Wednesday, 20 March 2024 3:30:28 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
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[image008.png](#)
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[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)
[image014.png](#)

Thanks for this [s9\(2\)\(a\)](#)

I have passed this information onto the Board and they are looking forward to dinner with the Minister tonight.

Cheers

James

From: Andrew Hoggard (MIN) <A.Hoggard@ministers.govt.nz>
Sent: Thursday, March 14, 2024 2:13 PM
To: James Watson-Black [s9\(2\)\(a\)](#)
Subject: RE: INV188 Meeting request 20 March DairyNZ Board

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Hi James,

Can confirm that the Minister is happy for all 10 to be invited to the dinner and I have booked it now. However, we were only able to book a private dining room for 12 and are unable to accommodate anymore people.

On the day, please enter through the main entrance of the Beehive, clear security, and sign in at reception. Please ask for [s9\(2\)\(a\)](#) at reception and if possible ask reception to call her.

If needed I have included [s9\(2\)\(a\)](#) mobile number of [s9\(2\)\(a\)](#) if you have any issues on the day.

Additionally, please note that this meeting will be included in the Ministers Proactive Diary and can you please let me know if you have any issues with this.

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concerned about the release of your information in the meeting disclosure, please contact the sender. You can read more about the proactive release policy at <https://www.dia.govt.nz/Proactive-Releases#MS>

Thanks,

s9(2)(a)

s9(2)(a)

Authorised by Hon Andrew Hoggard, Parliament Buildings, Wellington

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From: James Watson-Black [REDACTED]
Sent: Friday, March 8, 2024 2:40 PM
To: Andrew Hoggard (MIN) <A.Hoggard@ministers.govt.nz>
Subject: RE: INV188 Meeting request 20 March DairyNZ Board

Hi s9(2)(a)

There will 10 from DairyNZ, this will include all of the Board ([link here](#) and posted below) as well Campbell Parker (CEO) and Nick Robinson (GM Corporate Affairs).

I trust this number is ok?

We will naturally pick up the cost of the meal for the Minister and any staff or MPs who attend with him, unless you would rather we didn't. I know Ministers in the past have had different approaches to being hosted for meals.

Any questions let me know

Regards

James

s9(2)(a)

Jim van der Poel

Chairman

Board of Directors

Jacqueline Rowarth

Director - Farmer elected

Board of Directors

Tracy Brown

Director - Farmer elected

Board of Directors

s9(2)(a)

Chris Lewis

Director - Farmer elected

Board of Directors

Cameron Henderson

Director - Farmer elected

Board of Directors

Mary-Anne Macleod

Director - Independent

Board of Directors

s9(2)(a)

Mark Todd

Director - Independent

Board of Directors

Margaret Devlin

Director - Independent

Board of Directors

s9(2)(a)

Campbell Parker

Chief Executive

Nick Robinson

General Manager Corporate
Affairs

From: Andrew Hoggard (MIN) <A.Hoggard@ministers.govt.nz>

Sent: Friday, March 8, 2024 9:16 AM

To: James Watson-Black s9(2)(a)

Subject: RE: INV188 Meeting request 20 March DairyNZ Board

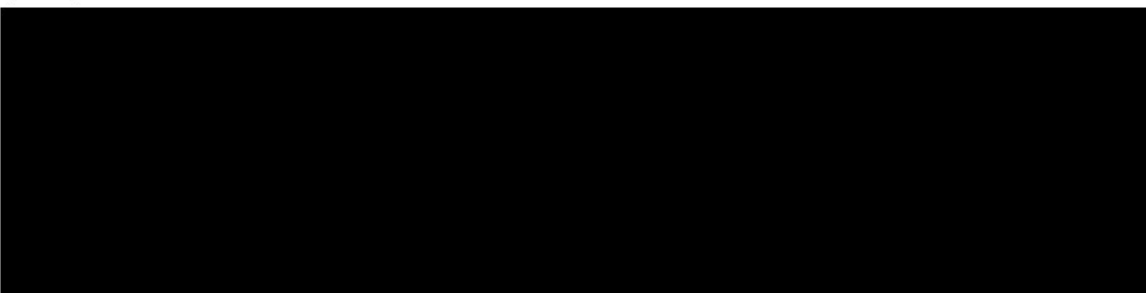
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Hi,

I am just following up on how many people and who the attendees are for the meeting with the Minister at Bellamy's please.

Thanks,

s9(2)(a)



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From: James Watson-Black s9(2)(a)

Sent: Monday, March 4, 2024 10:06 AM

To: Andrew Hoggard (MIN) <A.Hoggard@ministers.govt.nz>; Daniel Hawker

s9(2)(a)

Subject: RE: INV188 Meeting request 20 March DairyNZ Board

Morning s9(2)(a)

Sorry for the delay in the reply.

The board would be delighted if the Minister was able to meet them for Dinner at Bellamys on the 20th of March, does this still work with the minister's schedule?

My assumption is we would schedule the dinner for the dinner break 6-730pm?

If you need any further information let me know.

Ngā mihi

James

James Watson-Black

Principal Advisor Strategic Engagement

Wellington, New Zealand

s9(2)(a)



From: Andrew Hoggard (MIN) <A.Hoggard@ministers.govt.nz>

Sent: Monday, February 26, 2024 2:24 PM

To: James Watson-Black s9(2)(a)

Subject: RE: INV188 Meeting request 20 March DairyNZ Board

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Kia Ora James,

Unfortunately, the Minister is unable to make the morning of the 20th March due to other house and cabinet commitments.

The Minister was wondering if it would be possible to meet in the evening for dinner at Bellamy's or have a meeting at 5pm or later.

Thanks,

s9(2)(a)

s9(2)(a)

s9(2)(a)

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From: James Watson-Black s9(2)(a)
Sent: Friday, February 23, 2024 10:16 AM
To: Andrew Hoggard <Andrew.Hoggard@parliament.govt.nz>
Cc: s9(2)(a)
Subject: INV188 Meeting request 20 March DairyNZ Board

Dear Minister Hoaggard,

On behalf of DairyNZ's Chair, Jim van der Poel, I am writing to see if you would be available to address the [DairyNZ board](#) at its next meeting in Wellington on the 20th of March 2024

DairyNZ is committed to promoting sustainable and responsible dairy farming practices, and our relationship with the Government is vital to farmers. The board are keen to hear from you on the Government's next steps following the implementation of the 100 day, the role agriculture and dairy can play in driving the economy forward, and how DairyNZ can work with the Government to deliver for farmers.

We are hoping that you will be able to meet with our board at our offices at 86/90 Lambton Quay (next to Bowen House) on the morning of Wednesday 20 March 2024.

We are happy to work in with your office on the timing that suits you best.

We hope you will be able to join us on the 20th.

Kind regards
James

James Watson-Black
Senior Advisor Strategic Engagement

Wellington

s9(2)(a)



From: [REDACTED]
To: [REDACTED]
Subject: FW: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown
Date: Tuesday, 15 October 2024 4:54:17 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

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From: [REDACTED]
Sent: Thursday, 18 April 2024 3:27 PM
To: James Watson-Black [REDACTED]
Subject: RE: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown

Hi James

Thanks very much for your email.

Unfortunately, the Event Sheet sent to you was an "old version". Can you please note that Minister Hoggard is [REDACTED]

Minister Hoggard and [REDACTED] are staying at the Sudima, 20 Grant Road, Frankton, Queenstown. I will have a look at their options.

Many thanks.

Kind regards

[REDACTED]



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From: James Watson-Black [REDACTED]

Sent: Thursday, April 18, 2024 3:01 PM

To: [REDACTED]

Subject: RE: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown

Hi [REDACTED]

Please find attached the event sheet.

We do not require the Minister to speak or present at the event, just want him to come along meet some great people and see some of the great work happening in the dairy sector.

The organisers have buses running from the following locations in Queenstown taking people to and from the event.

- Hertiage Queenstown, Fernhill Rd
- Crowne Piazza, Beach St
- Holiday Inn Express Queenstown, corner Stanley and Sydney St.

Would any of these work for the Minister?

We do have to book spots on the bus, so if you let us know we can organise the transfer for the minister. Please be aware that the bus well have other attendees going to the venue as well.

Many thanks

James

James Watson-Black

Principal Advisor Strategic Engagement

Wellington, New Zealand

Ph: [REDACTED]



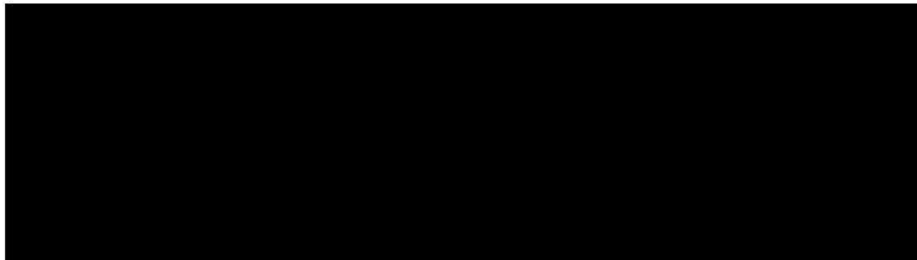
From: [REDACTED]
Sent: Wednesday, April 10, 2024 3:57 PM
To: James Watson-Black <James.Watson-Black@dairynz.co.nz>
Subject: RE: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown

You don't often get email from [REDACTED] [Learn why this is important](#)

Great, many thanks, James.

Kind regards

[REDACTED]



Authorised by Hon Andrew Hoggard, Parliament Buildings, Wellington

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From: James Watson-Black [REDACTED]
Sent: Wednesday, April 10, 2024 3:56 PM
To: [REDACTED]
Subject: RE: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown

Afternoon [REDACTED]

My understanding is that the event organisers are providing transport to and from Coronet Peak. I will confirm this and get back to you and when and where the busses are running from.

I will get to work on the event sheet and get it back to you soon.

Many thanks

James

James Watson-Black

Principal Advisor Strategic Engagement

Wellington, New Zealand

Ph: [REDACTED]



From: [REDACTED]
Sent: Wednesday, April 10, 2024 3:05 PM
To: James Watson-Black [REDACTED]
Subject: FW: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown

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Good Afternoon, James

I understand our office has forwarded an Event Sheet to you for completion.

I am touching base as I am organising the Minister's trip to Queenstown for your Awards evening.

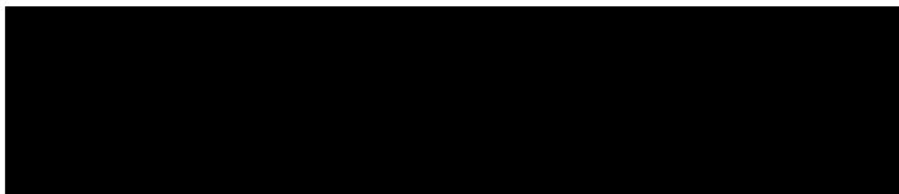
Can you please advise if you are arranging transport up to Coronet Peak (e.g. bus) to get the guests to your event?

Minister Hoggard will be accompanied by a staffer, Rebecca Flannery, for the evening.

Many thanks.

Kind regards

[REDACTED]



[REDACTED]

Authorised by Hon Andrew Hoggard, Parliament Buildings, Wellington

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From: James Watson-Black [REDACTED]
Sent: Tuesday, March 26, 2024 3:59 PM
To: Andrew Hoggard <Andrew.Hoggard@parliament.govt.nz>
Cc: [REDACTED]
[REDACTED]

Subject: INV242 Invitation to New Zealand Dairy Industry Awards in Queenstown

Good afternoon, Minister.

On behalf of DairyNZ Chair, Jim van de Poel, we would like to extend an invitation to you and a guest to join DairyNZ at the upcoming New Zealand Dairy Industry Awards in Queenstown. This event will be held on May 11, 2024, at Coronet Peak, Queenstown.

The New Zealand Dairy Industry Awards is a significant event for the dairy industry in New Zealand, it is an opportunity to recognize and celebrate the hard work and dedication of our farmers, share best practices, and network with other industry professionals.

We would be honoured to have you and your guest join us. You will have the opportunity to meet and connect with other dairy industry professionals, as well as learn about some of the great work individuals in the industry have been doing. Given your roles at Parliament, and on farm still, it would be fantastic to have you join us.

-

Dairy Industry Awards National Awards Dinner

Saturday 11 May 2024

Venue: Coronet Peak

Pre-dinner drinks: 5:30pm

Dinner Seated: 6:00pm

Dress code: Formal

Master of Ceremonies: Scotty Stevenson

Please let us know if you or your guest have any specific dietary requirements, or you have any further questions about the event.

Thank you for considering our invitation, and we hope to hear from you soon.

Kind regards

James Watson-Black

Senior Advisor Strategic Engagement

Wellington



Dairynz 