

30 June 2024

Primary Production Committee  
Parliament Buildings  
**Wellington**

via EMAIL: [pp@parliament.govt.nz](mailto:pp@parliament.govt.nz)

Dear Committee Chair

## **Submission on Resource Management (Freshwater and Other Matters) Amendment Bill**

Otago Regional Council (ORC) welcomes the opportunity to provide feedback on the Resource Management (Freshwater and Other Matters) Amendment Bill (the Bill).

ORC staff have contributed to Te Uru Kahika Regional Sector's submission on the Bill. We have not repeated points made in that submission, but have included points where we consider there are implications for the Otago region and our communities.

### **Removing the hierarchy of obligations from consent decision-making**

ORC considers that the removal of the hierarchy of obligations for consent decision-making only is potentially confusing for the public and consent applicants, as it is still required to be implemented in regional policy statements, regional plans and district plans.

We consider that any changes to Te Mana o te Wai framework should be considered as a cohesive package as part of the foreshadowed changes to the National Policy Statement for Freshwater Management, rather than making this single change.

This change does not have a large impact for ORC or consent applicants in Otago as the hierarchy of obligations is included in the proposed Otago Regional Policy Statement. Therefore, it would still need to be considered where relevant to consent decisions.

[placeholder for mana whenua position, if appropriate]

## **Changes to intensive winter grazing and stock exclusion regulations**

ORC supports the freshwater changes, as they provide the ability for regional councils to adapt the requirements for stock exclusion and intensive winter grazing to suit our local conditions. We consider that regional, rather than national, approaches are better able to manage farm activities through regional rules and delivery of freshwater farm plans.

ORC has been very active raising awareness of the intensive winter grazing requirements and providing resources to farmers. There has been a proactive and education-based approach across ORC, including in our compliance program. This resulted in a noticeable improvement in practice.

Otago's current Regional Plan: Water does not regulate intensive winter grazing or stock exclusion activities. However, the draft Land and Water Plan, which is expected to be notified by 31 October 2024, will include rules to manage these activities.

We recommend the committee considers a transitional arrangement for these activities so that, if a region does not yet have them included in a regional plan, they can choose to continue to rely on the provisions as a "default" until their regional plans are updated and the Freshwater Farm Plan system is implemented.

## **Changes to process for making national direction**

ORC supports the ability for the process for creating or updating national direction to be streamlined, but consider that the decision-making considerations should consider the full range of costs and benefits under section 32 of the RMA. It is not appropriate for policy direction with national impacts to only consider environment and economy, and not consider social and cultural implications.

We recommend that any changes to streamline the process for national direction should also be made for the processes for regional and district plans, as it seems incongruent that a greater level of scrutiny would be required for lower level plans.

## **Conclusion**

ORC supports Te Uru Kahika's submission points on the Bill's changes to the consent pathway for coal mining and timeframes for implementing significant natural areas.

If there is an opportunity, we would like to speak to our submission.

Yours sincerely

Gretchen Robertson

**Chairperson**