



Resource Management (Stock Exclusion) Amendment Regulations 2023

Cindy Kiro, Governor-General

Order in Council

At Wellington this 4th day of September 2023

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 360 of the Resource Management Act 1991 on the advice and with the consent of the Executive Council.

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Schedule

4

New Part 2 inserted into Schedule 1

Regulations

1 Title

These regulations are the Resource Management (Stock Exclusion) Amendment Regulations 2023.

2 Commencement

These regulations come into force on 5 October 2023.

3 Principal regulations

These regulations amend the Resource Management (Stock Exclusion) Regulations 2020.

4 New regulation 3A inserted (Geographic application)

After regulation 3, insert:

3A Geographic application

Regulations 14 to 18 do not apply in relation to the Upper Taieri Scroll Plain.

5 Regulation 4 amended (Interpretation)

- (1) In regulation 4, replace the definition of **low slope land** with:

low slope land means the land identified as low slope land in <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/stock-exclusion>, but does not include any land—

- (a) where the slope of the land exceeds 10 degrees measured over any 20-metre distance of the land; or
- (b) that is subject to 1 or more of the following arrangements (or a renewal of that arrangement), if that arrangement or those arrangements limit the number of stock that can be used for grazing that land:
 - (i) a concession granted under Part 3B of the Conservation Act 1987;
 - (ii) a pastoral lease, occupation licence, or special lease as defined in section 2 of the Crown Pastoral Land Act 1998;
 - (iii) a discretionary pastoral activity as defined in section 2 of the Crown Pastoral Land Act 1998;
 - (iv) an exemption granted or varied by the Commissioner under the Crown Pastoral Land Act 1998 from any stock limitation

- (2) In regulation 4, insert in their appropriate alphabetical order:

Commissioner has the meaning given in section 2 of the Crown Pastoral Land Act 1998

stock limitation has the meaning given in section 2 of the Crown Pastoral Land Act 1998

Upper Taieri Scroll Plain means the land identified as the Upper Taieri Scroll Plain in <https://www.mfe.govt.nz/fresh-water/freshwater-acts-and-regulations/stock-exclusion>

6 Schedule 1 amended

In Schedule 1,—

- (a) insert the Part set out in the Schedule of these regulations as the last Part; and
- (b) make all necessary consequential amendments.

Schedule

New Part 2 inserted into Schedule 1

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Part 2

Provision relating to Resource Management (Stock Exclusion) Amendment Regulations 2023

2 Application of 3-metre setback rule on and from 5 October 2023 to lakes and wide rivers with existing permanent fencing or riparian vegetation on that date

Regulation 8(1) does not apply in relation to all or part of a lake or wide river if there is, on 5 October 2023, an existing permanent fence or riparian vegetation that effectively excludes stock from the bed—

- (a) of the lake or wide river; or
- (b) of that part of the lake or wide river.

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 5 October 2023, amend the Resource Management (Stock Exclusion) Regulations 2020 (the **principal regulations**).

The amendments modify the definition of low slope land to exclude—

- land that exceeds 10 degrees in slope, despite the land being marked as low slope land on the map incorporated by reference in the definition; and
- Crown land administered under the Conservation Act 1987 or the Crown Pastoral Land Act 1998 that is used under lease or licence for grazing of stock, where a limit on the number of stock that can be grazed on that land is in place.

The amendments also provide an exemption from the application of regulations 14 to 18 in respect of the Upper Taieri Scroll Plain. The effect is that the rules about beef cattle and deer on low slope land and exclusion of stock from natural wetlands will not apply to the Upper Taieri Scroll Plain.

A *new Part 2* is inserted in Schedule 1. *New Part 2* provides an exemption from regulation 8(1) if a permanent fence or riparian vegetation that effectively excludes stock from the bed of the lake or wide river is in place on 5 October 2023. The definition of

permanent fence in Part 1 of Schedule 1 does not apply in respect of permanent fences referred to in *new Part 2*.

Regulatory impact statement

The Ministry for the Environment produced a regulatory impact statement on 24 August 2023 to help inform the decisions taken by the Government relating to the contents of this instrument.

A copy of this regulatory impact statement can be found at—

- <https://environment.govt.nz/what-government-is-doing/cabinet-papers-and-regulatory-impact-statements/options-to-amend-stock-exclusion-regulations-to-enable-more-flexibility-for-lower-intensity-farms/>
- <https://treasury.govt.nz/publications/informationreleases/ris>

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 7 September 2023.

These regulations are administered by the Ministry for the Environment.