

# Definitions of Property and Enterprise

- Miraka's preference is for both definitions to be retained.
- Amendments are proposed to the definition of property should 'Enterprise' be removed.
- The proposed amendments enable a holistic assessment (under a farm management structure) regardless of the underlying land tenure, incentivising and enabling good farm practices.

## Definition of Property:

For the purposes of Chapters 3.3, ~~and 3.4~~ and 3.11 means one or more allotments contained in a single certificate of title, and also includes all adjacent land that is under the same management structure OR in the same ownership, but contained in separate certificates of title. For the purpose of Rule [3.11.5.3 and] and 3.11.5.4, a property is considered to be within a sub-catchment if more than 50% of that property is within the sub-catchment.'

- Land tenure/management structure could comprise:
  - a. One certificate of title.
  - b. Multiple certificates of title;
  - c. Non-contiguous allotments;
  - d. Leasehold land;
  - e. An overarching land management structure; and/or
  - f. Any combination of the above.
- Providing for this range of land tenure and management practices ensures that greater restrictions are not placed on farming activities that operate under a less traditional management structure.

# How the Miraka amendments would work in practice

- The CSS regime is retained.
- All farms within a CSS that comply with the standards in the PA rule 3.11.5.3 including the preparation of a FEP are permitted activities.
- The opportunity to obtain permitted activity status under a CSS is the primary incentive for joining a CSS.

## **The benefits of this approach are that**

- It replaces the officer's recommended starting point that the majority of farming activities will require resource consent and provides a pathway for farms to be considered permitted activities provided they operate under a CSS with a well prepared FEP.
- The CSS pro-actively monitors and ensures standards are maintained so that CSS status is not lost.
- CEFP ensures his/her plans are robust so certification is not lost.
- Farmers are incentivised to meet FEP commitments so Permitted Activity status is not lost.

# Methods

- Support methods as key plan implementation tool.
- Suggested amendments to ensure independent auditing is undertaken (method 3.11.4.10); and maintenance of annual monitoring records; and updated annually and made publicly available.
- Proposed deletion of method 3.11.4.7 (a) related to diffuse discharge limits.

# Farm Environment Plans

- I have worked with Ms Addenbrooke to review FEP in Schedule 1 and develop revised schedules that would work alongside the Miraka proposed permitted activity framework:
  - Dragten Schedule 1 (Principles based); and
  - Willis Schedule 1A (Standards based).
- Amended Schedule 1 is preferred if the permitted activity rule is accepted. It provides the appropriate level of certainty and flexibility.
- Schedule 1 A is proposed as an alternative if the level of discretion in Schedule 1 does not sit comfortably in the permitted activity status.