



## Biogas related legislation and regulations

The key focus of legislation and regulations pertaining to biogas in New Zealand largely cover odor and environmental effects (including waste management and pollution prevention) and the generation of renewable energy. Carbon dioxide and equivalent mitigation are more recent issues covered by legislation. Safety is an additional issue.

Key pieces of legislation include:

- [The Resource Management Act 1991](#)
- [The New Zealand Energy Strategy 2007](#).
- [National Policy Statement \(NPS\) for Renewable Electricity Generation 2008 \(proposed\)](#)
- [Draft Climate Change \(Stationary Energy and Industrial Processes\) Regulations 2009](#)

## Government roles and resources

The key Government Ministries involved in the regulation of (or with an interest in) biogas generation in New Zealand are as follows:

### Ministry for the Environment (MfE)

The Ministry for the Environment works to achieve high environmental standards for New Zealand, while sustaining and enhancing social and economic development. Key areas of responsibility include the following: the natural environment; the built environment; Climate Change; Environmental Governance; Resource Efficiency; Managing Environmental Risks and Environmental Reporting. MfE's interests in biogas will include the emissions to air of climate change gases and the regulation of landfills.

### Ministry of Business, Innovation and Employment (MBIE)

MBIE's main interest in biogas is in the generation potential and in the CO<sub>2</sub> emissions from biomass combustion as part of the inventory of Green House Gas (GHG) emissions. Details of the CO<sub>2</sub> emissions from biomass (including wood and biogas [landfill and sewage gas]) are available [here](#) in the ***NZ Energy Greenhouse Gas Emissions 1990 – 2007 Report***.

Core biogas related activities include the following:

- **Sustainable Land Use Adaptation to Climate Change (SLMACC) programme** - The Sustainable Land Management and Climate Change research programme was launched by the government in September 2007. The research programme is aimed at:
  - enhancing and supporting adaptation to climate change;
  - reducing agricultural greenhouse gases;
  - encouraging the establishment of forest sinks; and
  - managing deforestation and capitalise on new business opportunities arising from the world's response to climate change.

### Energy Efficiency and Conservation Authority (EECA)

EECA promotes sustainable energy by changing the way New Zealanders think about, and use energy. EECA works to raise community awareness of energy efficiency and renewable energy issues and provides businesses and individuals with the tools to make changes. EECA develops programmes to meet the needs of specific markets, often working in partnership with other organisations. As part of its Renewable Energy Programme EECA promotes activities on bioenergy

generally and including biofuels in order to encourage uptake. EECA produces a considerable range of information and resources relating to biofuels, their production and use. Further details about EECA's activities in relation to biogas are available [here](#).

### **Ministry for Primary Industries (MPI)**

MPI focuses on growing and protecting New Zealand. This is done by: maximising export opportunities for the primary industries; improving sector productivity; increasing sustainable resource use; and protecting New Zealand from biological risk. MPI is the ministry formed from the merger of the Ministry of Agriculture and Forestry, the Ministry of Fisheries and the New Zealand Food Safety Authority. Core biogas related activities include the following:

- [Sustainable Farming Fund \(SFF\)](#) - The Sustainable Farming Fund (SFF) invests in farmer, grower and forester-led projects that deliver economic, environmental and social benefits to New Zealand's primary industries.

Background information on the SLMACC research programme can be found at

<http://www.maf.govt.nz/environment-natural-resources/climate-change/sustainable-land-management-and-climate-change.asp>

### **Biogas - assessment of environmental effects**

An Assessment of Environmental Effects (AEE) must accompany each application for a resource consent under the Resource Management Act.

The [Ministry for the Environment](#) has prepared a **"Guide to preparing a Basic Assessment of Environmental Effects"** accessible here. This guide is intended to help applicants understand the process and prepare a simple assessment of environmental effects.

[New Zealand Pork \(NZ Pork\)](#) is working in collaboration with the Ministry of Agriculture (MAF) and the Energy Efficiency and Conservation Authority (EECA) to support the assessment and uptake of biogas technology within the NZ pork industry. NZ Pork has prepared a document, the aim of which is to provide information to assist assessment of environmental effects associated with farm biogas systems, particularly in relation to requirements of the Resource Management Act 1991 (RMA).

This document is primarily intended for project developers and local authority policy and consent staff. For further details, contact [E McGruddy, Environment Officer, NZ Pork](#).