

Essential Freshwater

*Limiting intensification
and nitrogen use*

Webinar 4
Ministry for the Environment, 11 Nov 2020





Mana Atua – Mana Tangata – Mana Whenua

Te Mana o te Wai

The health of our Wai: The health of our Nation

Incorporated into Policy



1

The first is to the water, to protect its health and its mauri

2

The second is providing for essential human health needs such as drinking water

3

The third is for other consumption provided that such use does not adversely impact the mauri of freshwater



PRINCIPLES

Mana whakahaere

Kaitiakitanga

Manaakitanga

Governance

Stewardship

Care, respect



LEADERSHIP

Iwi/Hapū/Māori Landowners/Whānau/Hapori

Crown / Central & local governance

Community

NGĀ RITENGA

Te Tiriti o Waitangi te tāhuhu o te Kaupapa o te wai

Te Mana o te wai – Te Mauri o te wai

Te Mana Motuhake o ia wai o ia iwi o ia hapū ki te wai

Te Kaitiakitanga o ngā hapū me ngā iwi ki te wai

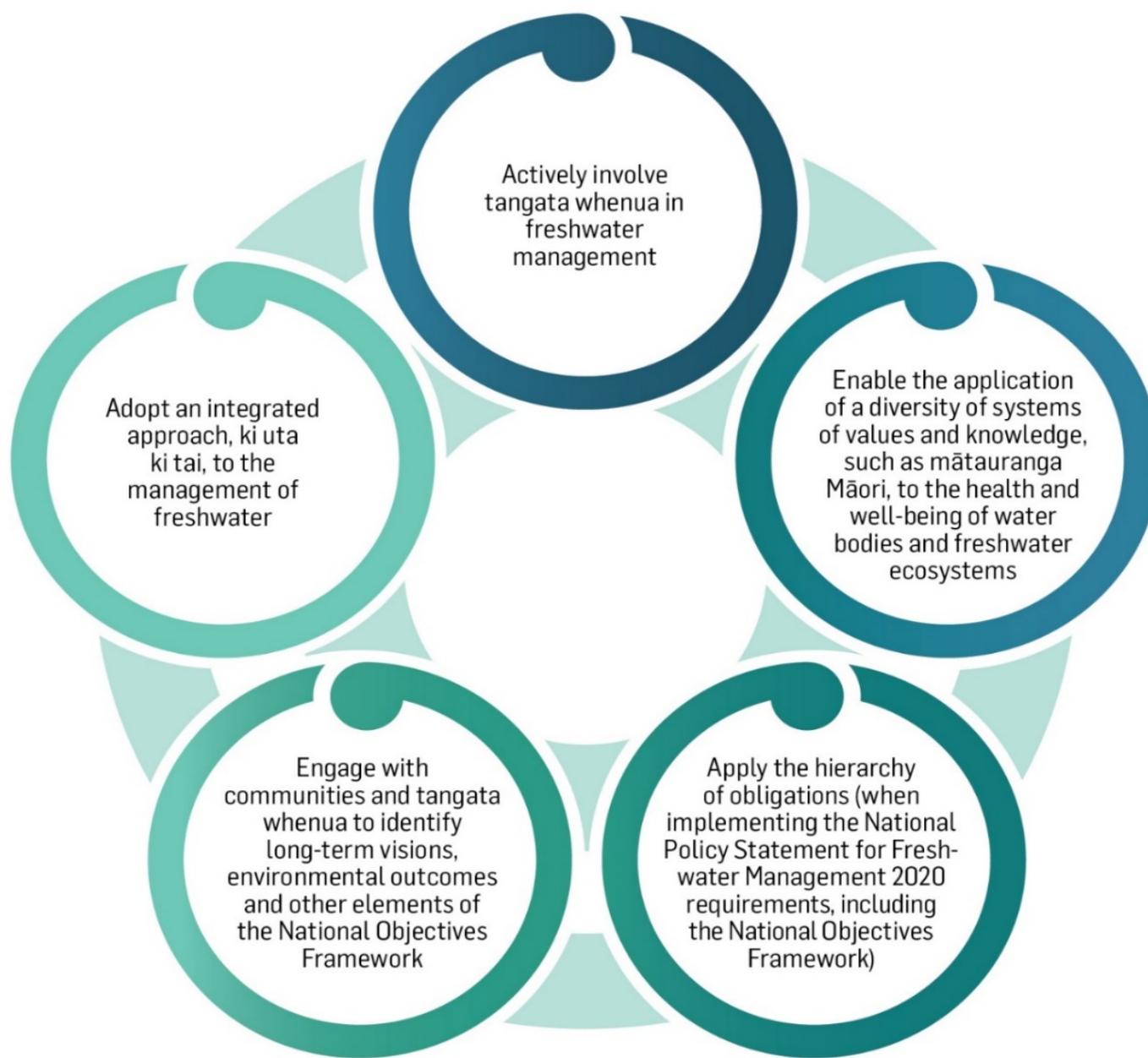
Te Mana Whakahaere o ngā hapū me ngā iwi ki te wai



Ministry for the Environment
Manatū Mo Te Taiao



Making Aotearoa New Zealand
the most liveable place in the world
Aotearoa – he whenua mana koura mā te tangata



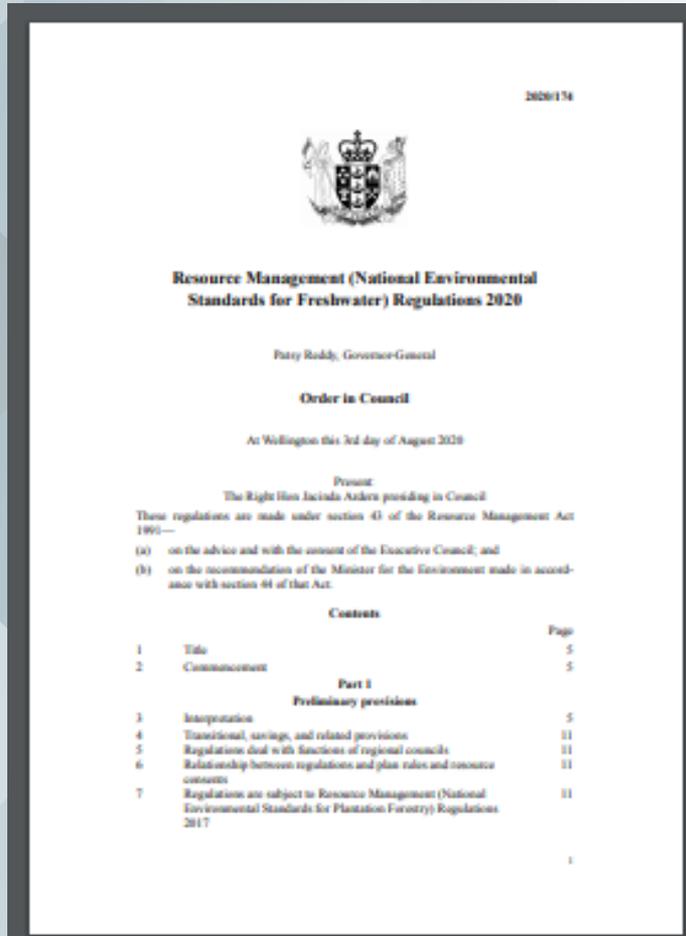


Policy objectives



- Stop further degradation
- Show material improvements within five years
- Reverse past damage within a generation so all New Zealand's waterways are in a healthy state

NES for Freshwater



Rules to protect wetlands from draining, earthworks, and vegetation clearance

Restrictions on reclaiming rivers

Rules to enable fish passage

Rules for high risk farming activities

- Intensive winter grazing
- Feedlots
- Stock holding areas
- High risk land use change
- Nitrogen fertiliser cap

Synthetic Nitrogen Fertiliser Cap

What the regulation applies to:

- The nitrogen cap applies to contiguous parcels of land which are in **pastoral land use** (which is defined in the NES).
- The definition of pastoral land use encompasses two types of land:
 - Where stock graze pasture (i.e, areas where mainly grass is grazed)
 - other pastoral land (i.e, areas where crops and/or other non-grass plants are grazed in situ).
- There are two limits to be aware of:
 - A limit of 190 kg per hectare per year on the application rate **averaged over the whole of the land in pastoral land use** on the farm; and
 - An absolute limit of 190 kg per year **on any one hectare of pasture.**



Reporting and monitoring on fertiliser use

No later than 31 July each year (first year due 2022)

The information that needs to be provided includes:

- The area of land in pasture and in other pastoral land uses, and the area in non-pastoral use
- The type of synthetic nitrogen fertiliser applied to the land as well as the receipts of their purchase
- The rate of synthetic nitrogen fertiliser applied per hectare of each contiguous land parcel broken down by land use; and
- The dates on which the synthetic nitrogen fertiliser was applied (see rule 36 of the NES for details).

What are the conditions for obtaining resource consent?

To receive a resource consent for a non-complying activity, the applicant will need to satisfy section 104D of the Resource Management Act 1991 (RMA), meaning that either:

- the adverse effects of the activity must be minor, or
- the activity will not be contrary to the objectives and policies of the relevant regional plan.

Additionally an applicant must also satisfy one of the two following options:

- **Option 1: Create a synthetic nitrogen reduction plan**
- **Option 2: Obtain reports from a qualified expert.**

Questions

- Will there be a central tool developed to aid RCs in the recording and reporting of synthetic N use on dairy farms (ECan)
- How would the N-Cap work on an area that is used for maize silage for 6 months of the year (ungrazed), and a winter forage crop? (fertiliser company)
- What tools or reporting systems are considered to be acceptable for recording nitrogen use? (consultancy)
- How is this helping our nation treat what we are using it for and why are there no regulations nor legislations surrounding this act (trust)

Agricultural intensification

The following activities require a **resource consent** as a **discretionary activity**:

- the conversion of land from plantation forestry to pastoral land use above 10ha
- the conversion of land on a farm to dairy farm land above 10ha
- expanding the area of dairy farm land that is irrigated above historic levels
- expanding the area of land on a farm used as dairy support land beyond above historic levels
- expanding the area on a farm in intensive winter grazing above historic levels



The activities are **permitted** if they are below the 10ha threshold. Consents can only be granted if the activity does not increase contaminant loads and concentrations, and for a term which ends before 1 January 2031.

The regulations are temporary - either until 31 December 2024, or earlier if a regional council notifies its freshwater plan.

Questions

- Interested in understanding how we both identify and track dairy support when it is such a moveable feast (BOPRC)
- What on farm information are farmers going to need to record? (Dairy NZ)
- How will this impact on drinking water standards in places like Canterbury? (CCC)

Potential Future Guidance

New Zealand Government

National Policy Statement
for Freshwater Management 2020
August 2020

- N-Cap - Guidance on synthetic nitrogen use
- Stock holding/intensification on further guidance