

Draft rules – Q&A

Background

Why do we need new land use rules?

The Regional Council is responsible for managing water quality in the region. A water quality target was set for Lake Rotorua based on community consultation and a desire for the level of water quality enjoyed in the 1960s. This target is expressed as a “TLI” value of 4.2 – TLI stands for Trophic Level Index and is used to assess lake water quality throughout New Zealand.

To meet Lake Rotorua’s TLI water quality target, the proposed Regional Policy Statement set an annual nitrogen limit of 435 tonnes. Legal appeals on this were resolved in April 2013 with an agreement to achieve the nitrogen limit by 2032.

To reach the nitrogen limit of 435 tonnes, the load to the lake must be reduced by 320 tonnes from current levels. Pastoral nitrogen inputs to the lake need to reduce by 270 tonnes which is well beyond what voluntary adoption of good management practices can deliver. The only way such large nitrogen reductions can be achieved is through rules limiting nitrogen loss from pastoral land uses.

What am I being consulted on?

We are consulting on draft nitrogen limiting rules that specify how nitrogen will be allocated to landowners in the Lake Rotorua groundwater catchment.

Some decisions have already been made by the Regional Council through consultation with the community and working with key sector stakeholders. These include:

- The Lake Rotorua catchment nitrogen limit of 435 tonnes and the target date of 2032
- An overall framework to achieve the 270 tonne reduction from pastoral land through a combination of:
 - rules – 140 tonnes
 - incentives – 100 tonnes
 - gorse removal – 30 tonnes.

Why is pastoral land being targeted?

Nutrients enter the lake from a range of activities including agricultural and horticultural activities, urban wastewater, native and exotic forests, and rain. Using all known technology 50 tonnes of nitrogen can be reduced through urban and engineering solutions. That leaves 270 tonnes to be reduced from rural land use which is about half of the current annual pastoral inputs of 526 tonnes.

Science

What if new science or innovations are discovered? Will I still need to make changes?

We do not want landowners to make changes unnecessarily. At this time there is no other way to achieve the lake nitrogen target without major reductions in pastoral nitrogen loss. More fundamentally, the advice we have from New Zealand’s leading lake scientists is that achieving the 435 tonne nitrogen target is key to meeting the 4.2 TLI target on a sustainable long term basis.

We recognise that science may provide new solutions in the future. The Regional Council has committed to five yearly science reviews to ensure the latest knowledge and interventions are used to support the rules.

If new information comes to light as part of the science reviews we will consult with the community and amend the nutrient restrictions accordingly.

What about phosphorus? Why is this not included in the limits?

Lake Rotorua has a phosphorus target load of 37 tonnes per year but this is not the focus of new draft rules. This is because mitigation actions to reduce nitrogen losses from pastoral land will often provide associated phosphorus reductions. Examples of mitigation actions that reduce both nitrogen and phosphorus loss include reduced fodder cropping, lower stocking rates, especially during winter and conversion of some pastoral land to trees.



Isn't the lake at target? Why do we need nitrogen limits?

Lake Rotorua has met its water quality target for the last two years, primarily due to alum dosing in the Puarenga and Utuhina streams. Alum dosing works by locking up the phosphorus in the lake and lake bed.

It has been very effective but is considered a short term intervention and requires resource consent. The current consents expire in 2019.

A large proportion of Lake Rotorua's phosphorus comes from geological sources and it is difficult to treat this source on land. At this stage there are no known ways to manage phosphorus to the same level that alum dosing has.

To maintain water quality improvements in the long term we need to reduce both

nitrogen and phosphorus losses from the wider catchment.

What about nutrients going into the lake from wastewater – what's being done about that?

Everyone living and working in the Lake Rotorua catchment contributes nutrients to the lake. Nutrients from urban wastewater are being tackled through improved sewerage reticulation and wastewater treatment.

Since 1990 \$60 million has been spent on upgrades to Rotorua's wastewater treatment plant and land treatment system. The combined treatment process of plant and land irrigation now removes over 90% of nitrogen from wastewater. This has prevented between 120 and 290 (current) tonnes of nitrogen annually reaching Lake Rotorua and has

contributed to improvements in lake water quality. The treatment system also removes about 97% of the phosphorus in the wastewater. Although the nitrogen discharge has occasionally exceeded the consent limit of 30 tonnes, recent system upgrades have resulted in good compliance since May 2012.

Rotorua District Council will no longer be allowed to discharge treated wastewater into Whakarewarewa forest from 2019, plus the associated resource consent expires in 2021. Therefore a Project Steering Committee consisting of key stakeholders, Council and experts has been formed to identify and select alternative options for treating Rotorua's wastewater. Once the preferred options have been identified, feasibility analysis will commence.

Rules

Will the draft rules impact me?

If your property is over 2 hectares and in the Lake Rotorua groundwater catchment you may be affected by the draft rules when they become "operative". The following advice is based on the draft rules going through the full Resource Management Act process largely unchanged.

Properties between 2 and 40 hectares that have low nitrogen loss (under 10 kgN/ha/yr) will not need a resource consent but landowners will have to provide an annual report detailing land use and stocking rates.

Properties over 40 hectares or with nitrogen losses more than 10 kgN/ha/yr will be allocated a Nitrogen Discharge Allowance (NDA) that needs to be met by 2032. Those landowners will need to prepare a Farm Nutrient Plan and apply for a resource consent. The Farm Nutrient Plans will generally need to show a "managed reduction" towards the 2032 NDA target.

What will I need to do to comply?

If your property is under 2 hectares you do not need to do anything.

If your property is over 40 hectares or your nitrogen losses are greater than 10 kg N/ha/yr you will need to apply for a resource consent by December 2017. An important part of the resource consent will be the Farm Nutrient Plan which will show how, over time, you will meet your Nitrogen Discharge Allowance by 2032.

If your property is between 2-40 hectares and your nitrogen losses are less than 10 kg N/ha/yr you will need to provide an annual report to the Regional Council detailing land use including stocking rates.

How will the rules be monitored?

All landowners with properties over 2 hectares will need to provide information annually to the Regional Council.

Owners of properties with nitrogen losses less than 10 kgN/ha/yr will need to provide land use information including stocking rates. The Regional Council will be required to monitor nitrogen loss from these properties.

For properties over 40 hectares, or with nitrogen losses of more than 10 kgN/ha/yr, landowners will need to provide a report detailing the nitrogen loss and progress against their Farm Nutrient Plan. It is the responsibility of the landowner to show they are meeting their resource consent conditions.

How can I work out if my nitrogen discharge is less than 10kg/ha/yr?

A stocking intensity table is available at www.rotorualakes.co.nz to estimate your nitrogen loss. This is a draft only and is intended to help you understand how the rules might impact you.

Will I need resource consent and when?

All properties larger than 40 hectares or discharging more than 10kg/N/ha/yr will require a resource consent. Landowners will need to apply for a resource consent

by 1 December 2017, assuming the draft rules are adopted and become operative.

Will the rules limit the number of stock I can have on my land?

The rules will allocate a Nitrogen Discharge Allowance (NDA) for each property. It will be up to landowners to implement management practices and land use change to meet their NDA by 2032.

In some cases, meeting the NDA will involve reduced stocking rates if that is a cost-effective option for the farm concerned. However, the draft rules for land uses exceeding 10 kgN/ha/yr do not specify any stock controls.

Will I have to change my current practice?

If your nitrogen loss is higher than your Nitrogen Discharge Allowance you will need to change how you manage and/or use your land.

A Farm Nutrient Plan will help set out the steps you need to take to reach your Nutrient Discharge Allowance. The Farm Nutrient Plans will need to be developed by approved certified nutrient management advisors and will form part of your resource consent.

I lease my land out, who is responsible for meeting these rule requirements?

Although meeting consent conditions could be included in lease arrangements, ultimately it is the property owner's responsibility to meet the rules.

Where is the Lake Rotorua groundwater catchment boundary?

This is an indicative map of the Lake Rotorua groundwater catchment and is not finalised. Identifying the groundwater catchment is complex and we want to make sure the boundary is correct. Work is still in progress to confirm how far the groundwater boundary extends beyond the current Rule 11 boundary.

Once the boundary is confirmed an updated groundwater map will be available online or from Regional Council offices. Landowners between the Rule 11 boundary and the indicative groundwater boundary should contact the Regional Council for more information.



Nutrient Discharge Allowances (NDA)

What is my NDA and how will it be calculated?

Your Nitrogen Discharge Allowance (NDA) sets out the allowable rate of nitrogen loss for your property. This rate must be achieved by 2032. Many options were investigated to determine how to allocate NDAs to properties.

At this stage, the suggested NDA allocation method uses nitrogen loss ranges for the dairy and drystock sectors. The range is based on a combination of previous nitrogen limits (the property's Rule 11 benchmark) and how the land is used (dairy, dry stock or trees).



Sector and definitions	N loss range (kgN/ha/yr)	Average reduction from current N losses
 Dairy: includes the effective pasture area in the milking platform, fodder and effluent but excludes runoff (e.g. dairy support) and forest.	30-40	30%
 Drystock: includes the effective pasture area in sheep, beef, deer, alpacas, horticulture, cropping and dairy support but excludes forest.	10-20	20%
 Forest: includes native bush as well as forestry.	3	Nil

All nitrogen discharge numbers referred to in this document are based on estimates using versions of Overseer[®] 5. The Regional Council is currently in the process of updating all data in the latest Overseer[®] version 6.1.2. It is expected discharge estimates will change accordingly, and the proposed numbers will need to be revised with best available information. We expect that the overall nitrogen loss reduction effort and cost will remain the same, despite the version change.

Potential NDAs for the dairy sector:

Rule 11 Benchmark (kgN/ha/yr)	Potential NDA (kgN/ha/yr)
less than 40	30
42	31.5
44	33
46	34.5
48	36
50	37.5
52	39
More than 54	40

Potential NDAs for the drystock sector:

Rule 11 Benchmark (kgN/ha/yr)	Potential NDA (kgN/ha/yr)
Under 14	10
16	12.0
18	13.5
20	15.0
22	16.5
24	18.0
26	19.5
Over 27	20.0

We recognise that some existing land uses do not fit into the above sectors. The allocation these land uses receive will be worked through on a case by case basis and the landowner will still be expected to reduce nitrogen loss.

Ko te wai te ora o
ngā mea katoa

Water is the life giver of all things

Fact sheets in this series:

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Farm Nutrient Plans

What will the Farm Nutrient Plan include?

The template for the Farm Nutrient Plan is still being developed. The minimum information required is likely to include:

- Current nitrogen losses from the property, supported by an Overseer file where appropriate
- NDA that needs to be met by 2032
- Actions that will be taken to achieve the NDA, supported by an Overseer file where appropriate
- A plan showing managed reductions with stepped targets over time.

How do I get a Farm Nutrient Plan and who pays for it?

All Farm Nutrient Plans will need to be developed by certified nutrient management advisors that have been approved by the Regional Council. This will be part of the resource consent application process and the cost is borne by the applicant.

The Regional Council is working with industry to establish how and what support can be provided to landowners in developing Farm Nutrient Plans. Discussions are underway with DairyNZ and Beef + Lamb on the possible adaptation of their industry farm templates.

A \$5.5 million fund has been set aside to help landowners with business planning to meet their individual NDAs. This fund may cover some consent and Farm Nutrient Plan preparation costs.

Support

What support is available to me?

Support and advice will be available to landowners:

- We will help you understand how you are affected by the rules
- We will provide advice to help landowners reach their NDAs
- Industry initiatives are being developed to help their members.

Contact the Regional Council to access the advice and support.



More information

How do I find out other information?

Go to www.rotorualakes.co.nz and read the supporting material.

Attend one of the information sessions about the rules. A schedule of sessions can be found on www.rotorualakes.co.nz

Call 0800 884 880 to speak to the Regional Council.

How can I have my say on the draft rules?

We want your input in developing the rules. There are several ways you can have your say:

1. Complete the feedback form on the Have your Say brochure and post it to us
2. Go to www.rotorualakes.co.nz and complete the online form
3. Attend an information session and provide feedback to staff directly
4. Call 0800 884 880 and talk to a staff member.

Remember following feedback received from the consultation the draft rules will be revised. Any changes will be worked through with key sector stakeholders. The Regional Council intends to notify the proposed new rules in March 2015. You will then have the opportunity to make formal submissions on the proposed rules.