

Subdivision proposals that significantly reduce the nutrient loads to the lake may be eligible for incentives. Check with the Regional and District Council for more information on available incentives.

Rotorua District Council refers all subdivision consent applications to Bay of Plenty Regional Council for comment. When submitting an application to subdivide rural land, landowners should identify their preferred nutrient benchmark allocation supported by an Overseer file and maps.

While subdivisions that reduce nutrients are good for lakes, it is only one of many factors that need to be considered by Rotorua District Council and Regional Council before approving a subdivision consent application.

Can I increase my nutrient benchmark?

Trading of nutrient benchmark allowances between land in the same lake catchment is allowed as long as there is no overall net increase of nutrients in the same catchment.

More rules are coming

The current level of nutrients entering Lake Rotorua is too high to meet the community's water quality expectations.

Rules are being developed for the Lake Rotorua catchment to achieve a 270 tonne reduction in nitrogen from land-use change and land-use management. This is around a 50 percent reduction in nutrients from land-use.

A needs analysis for all the other Rotorua Te Arawa Lakes is being completed. This may lead to additional rules for the other Rotorua Lakes.

For more information

www.rotorualakes.co.nz

Bay of Plenty Regional Council
www.boprc.govt.nz
0800 884 880

Rotorua District Council
www.rdc.govt.nz
07 348 4199

OVERSEER
www.overseer.org.nz

Buying or selling rural land?

What you need to know.

Buying, selling or sub-dividing land in the Rotorua district? Bay of Plenty Regional Council's Rule 11 may affect you.

Summary:

- Rule 11 limits the amount of nitrogen and phosphorus that can be discharged from each property over 4,000 m² in five lake catchments
- The Rule 11 discharge limit is called a "nutrient benchmark" and is based on each property's land use between 1 July 2001 and 30 June 2004
- The nutrient benchmark affects how the land is used especially the type and intensity of farming
- Current and subsequent owners of the property must comply with the nutrient benchmark
- If a property is sub-divided then the nutrient benchmark is divided across the new land titles and each new owner is responsible for their individual benchmarks.



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What is Rule 11?

Rule 11 is a series of rules in the Bay of Plenty Regional Council's Water and Land Plan which helps protect water quality in Lakes Rotorua, Rotoiti, Rotoehu, Okaro and Okareka by limiting the amount of nitrogen and phosphorus entering the lakes from land-use.

The rule limits a property's nutrient discharges based on the property's land use between 2001 - 2004. This rule does not improve water quality, but prevents further land intensification increasing the amount of nutrients entering these lakes.

Who does Rule 11 affect?

In most cases non-urban properties greater than one acre (4000m²) are required to be benchmarked for their 2001-2004 land use in the lake catchments Rotorua, Rotoiti, Rotoehu, Okareka and Okaro. In some cases where the land use has been intensive (greater than 10 kilograms of nitrogen per hectare) smaller properties are also required to be benchmarked.

Setting a property's nutrient limit or "benchmark"

The nutrient benchmark is set for each property using information on how the land was being used during the benchmark period of 1 July 2001 to 30 June 2004. This information is put into the OVERSEER® farm nutrient budgeting model to determine an annual average loss of nitrogen and phosphorus.

Has my property been benchmarked?

Most large rural properties have already been benchmarked. Once a property has been allocated a nutrient benchmark a letter is sent to the landowner detailing the nitrogen and phosphorus loss allowed for that property measured in kilograms per year. The benchmark becomes a permitted activity for that property and no resource consent is required if land-use is within the benchmark limit.

Contact the Regional Council's Lakes Restoration Officers to confirm if your property has been benchmarked and to request a copy of the benchmark letter (please allow up to five working days).

Regardless of whether your property has been allocated a nutrient benchmark you are still restricted by the nutrient loss from your land use during the benchmarking period.

Buying or selling a Rule 11 property

If you are selling a Rule 11 property you should provide the real estate agent or prospective purchaser a copy of the nutrient benchmark.

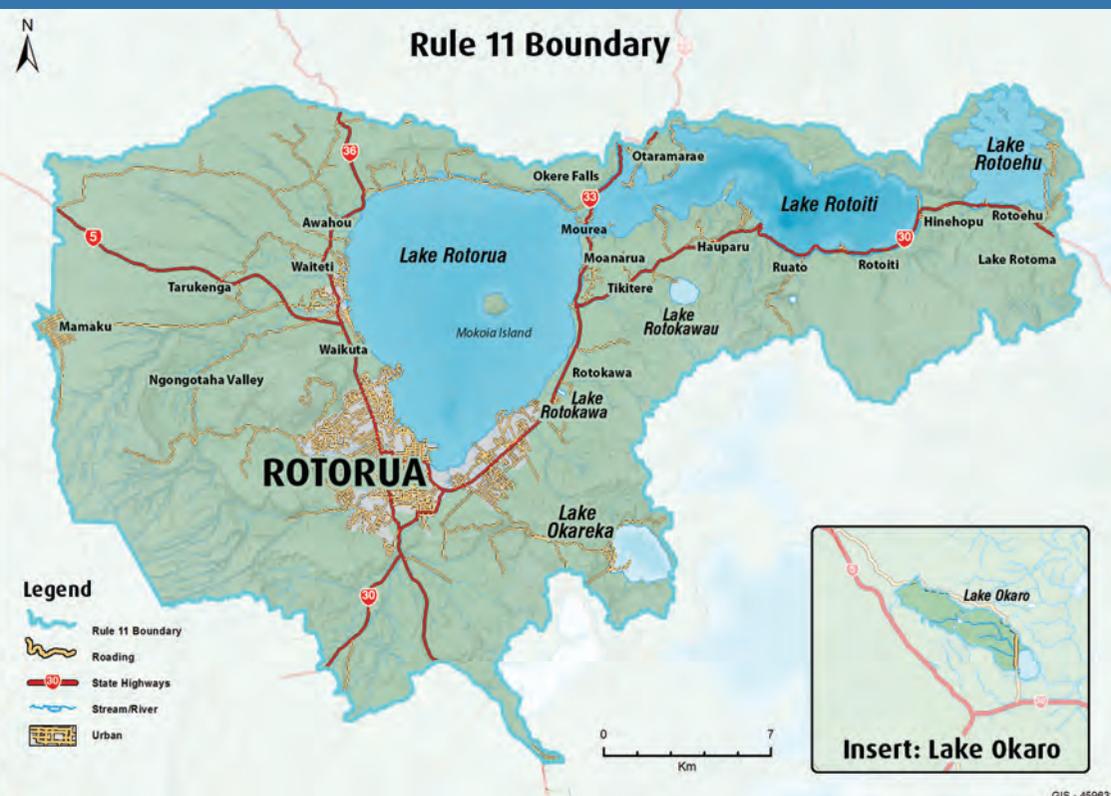
If you are buying a Rule 11 property you need to check that the nutrient benchmark for the property is suitable for your intended land use. Your intended stock type, stocking rate and fertiliser use will have a significant impact on whether your intended land use is compliant with the property's benchmark.

The Regional Council's Lake Restoration Officers can help you understand the significance of the property's benchmark. You may also need independent professional advice from agricultural consultants.

Sub-dividing a Rule 11 property

If a Rule 11 property is subdivided the nutrient benchmark must be divided between the new lots. Different lots in the sub-division may be allocated different levels of the nutrient benchmark dependant on land use.

For example a new lot planted in trees will use less nitrogen and phosphorus than a pastoral lot. The total nutrient amount across all the sub-divided lots cannot be greater than the original property's nutrient benchmark.



Detailed catchment maps are available at www.rotorualakes.co.nz/Rule_11

