

AUG 2011

Nitrogen management in the Lake Taupo catchment

**An overview of Waikato
Regional Plan Variation 5
requirements**

Introduction

Regional Plan Variation 5 – Lake Taupo Catchment (RPV5) has been developed over the past decade to establish rules to cap the amount of nitrogen entering Lake Taupo from urban and rural activities.

These rules also required the formation The Lake Taupo Protection Trust (LTPT) to assist in achieving the 20 per cent reduction in nitrogen entering Lake Taupo as required by the objectives and policies of the variation. Please contact the LTPT (details at the back of this guide) for more details on their targets and role.

As RPV5 is near completion, this guide has been developed to assist with understanding these rules and what they mean for landowners within the Lake Taupo catchment. Please note that the guide is not a substitute for the rules which can be found on our website.

RPV5 rules have implications for land that is utilised for existing or proposed: farming operations; forestry operations and undeveloped land; and any changes to these land uses including residential development/subdivision and conversion to/ from forestry/farming.

The rules place controls on the following matters which, due to their complexity are covered in brief below only. If you intend to develop your property from farming/forestry use into either of the following, please contact us so we so we can help with identifying any consent requirements.

Residential development and subdivision – if your land is farmed/forestry and your intention is to redevelop the site via new residential accomodation or via subdivision, consents may be required to ensure sufficient nitrogen is available for the development.

Additional nitrogen for expanding operations – if your land is in forestry or undeveloped and you wish to develop the property (for example, undertake farming activities, develop residential property or subdivide) an increase in nitrogen discharge is likely from these operations. As such, consents may be required to ensure sufficient nitrogen is available for the development.

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Glossary of terms

Throughout this guide, there are a number of terms which may not be familiar to you. The list below provides definitions for you to assist with understanding this guide.

Benchmarking	The processing of your farm data through Overseer™ to establish a Nitrogen Discharge Allowance.
Farming activities	The grazing of animals or the growing of produce, including crops, market gardens and orchard produce but not including planted production forest and ancillary grazing of animals or cropping.
Hectare	An area of land 100m by 100m = 10,000m ² .
NDA	Nitrogen Discharge Allowance – determined for your farm based on your year of highest leaching during the benchmarking period of July 2001-June 2005 and expressed in kilograms of nitrogen per hectare per year (kg of N/ha/yr).
NMP	Nitrogen Management Plan – a plan which details how your farming practices meet your property's NDA. This can be the information from your highest leaching year if your farm system hasn't changed OR it can be a new set of data which alters your onsite farming practices but continues to meet your maximum NDA.
Non-farming activities	Use of land for conservation, forestry, erosion rehabilitation, domestic gardening.
Overseer™	The scientific program prepared by AgResearch and MAF in which your farm information is processed to enable a NDA to be established for your property.
Resource consent	A report and consent with a list of conditions which one will need to meet in order to discharge nitrogen in the Taupo catchment.
TAND	A Total Annual Nitrogen Discharge Allowance – the maximum total in kilograms of nitrogen per year (kg of N/yr) for your property.

Permitted activities: non-farming

If the land is used for erosion rehabilitation:

nitrogen fertiliser used during rehabilitation of these areas may be applied as a **permitted activity**.

If the land is used for domestic gardening (not commercial):

nitrogen fertiliser may be applied to land at a rate no greater than the manufacturers recommendation as a **permitted activity**.

If your land is used for planted production forestry, your operations are a permitted activity provided any grazing of animals or growing of crops is ancillary to the forestry and your nitrogen fertiliser policy meets the following requirements:

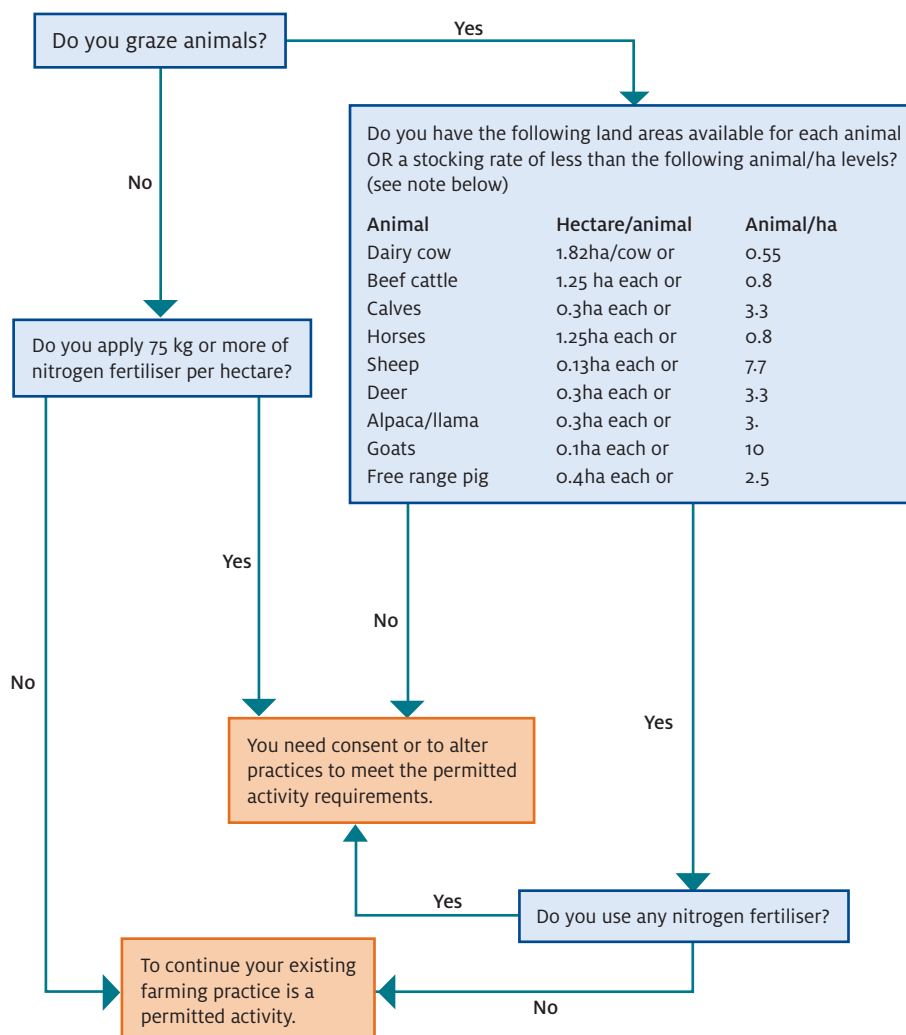
- ≤ 30 grams of nitrogen per tree in spot application
- application of nitrogen fertiliser shall not result in any avoidable direct application of fertiliser to any water body
- application of nitrogen fertiliser shall not occur between 1 June and 31 August or following wet periods
- $\leq 200\text{kg}$ of nitrogen per hectare in broadcast application
- except where plantations are severely deficient (where visual symptoms of nitrogen deficiency are evident) broadcast applications shall be made in conjunction with thinning and pruning operations
- all exposed areas of soil that result from vegetation clearance shall be stabilised by vegetative cover (including grass or scrub) as soon as practical following completion of the activity and no later than six months from the date of disturbance
- nutrient analysis of foliage used to plan fertiliser application and have this information available to provide to the Waikato Regional Council upon request.

You can continue operating as a **permitted activity**, as long as any grazing of animals or growing of crops onsite are ancillary to the forestry activities onsite.

If your activities exceed any of these requirements please contact us to discuss what consents will be required on 0800 800 401 or 07 378 6539.

Permitted activities: farming

If your land is used for farming activities then you will need to check out whether you will need to get consent below.



Note: if you have trouble figuring out whether your stock levels meet these requirements, check out the following, or contact us for help.

Example 1: if you have 10ha of grazing land and 100 goats = $0.1 \times 100 = 10\text{ha}$ you can say "YES".

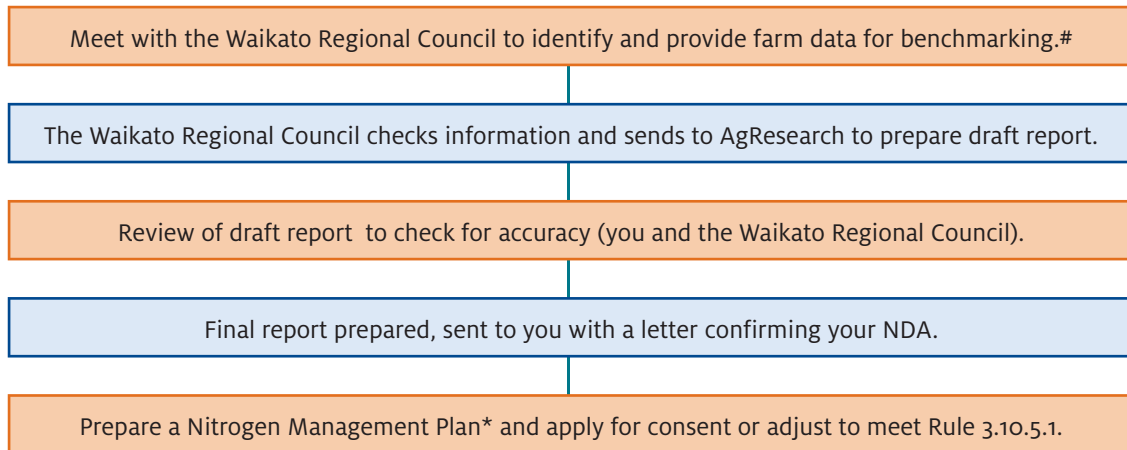
Example 2: if you have 5 pigs, 10 goats and 4 horses, and your property was 7 ha, you would need to say "NO", as your stock requires 8ha of land. ($5 \times 0.4 + 10 \times 0.1 + 4 \times 1.25 = 2 + 1 + 5 = 8\text{ha}$).

The progeny of the above stock may be on farm from birth until the end of the first April after their birth in addition to the numbers permitted above.

If you require consent, please continue reading through this guide.

How to get consent

The easiest way to get consent is described below:



A list of what information is necessary to benchmark is listed below.

* The Waikato Regional Council can provide up to four hours assistance to you (at no cost) to prepare an NMP.

Benchmarking information requirements

The following is a list of the information that you should submit with benchmarking your property to enable an appropriate NDA to be assessed for your farm.

- Annual accounts (you may omit your financial information from these).
- Detailed stock records.
- Total numbers of all classes of stock and stocking rates.
- Number of stock purchased and/or sold, natural increases and deaths.
- Winter management practices.
- Grazing on/off your farm.
- Fertiliser amounts and application rates.
- Supplements brought onto and removed from your farm including amount, destination on or off the farm and block fed out on (if on farm).

For assistance with this, forms are available from our website www.waikatoregion.govt.nz or our Taupo office. These will help with benchmarking your farm system in Overseer™.

Please note that this commercially sensitive information will be kept confidential and will only be viewed by specified Waikato Regional Council staff and contracted benchmarking consultants.

Getting consent

Once you have been benchmarked, you can decide what you can do with your NDA and how to get a consent. The four main options are described below.

If you want to **continue as you are** (your highest year data will form your NMP) you can apply for consent by filling out Forms A and B* and submitting them with a \$500 deposit.

If you want to **alter your onsite practices but retain all of your nitrogen**, you can apply for consent by preparing a NMP that meets your NDA and then filling out Forms A and B* and submitting them with a \$500 deposit.

If you want to **sell nitrogen for permanent removal** from the catchment, you can apply for consent by preparing a NMP that meets your reduced NDA and then filling out Forms A and B* and submitting them with a \$500 deposit (if you want to do this, we suggest you talk to the LTPT).

If you want to **alter your nitrogen levels, either by purchasing or selling nitrogen**, you and the party with whom you are trading both need to apply for consent by preparing NMPs that meets your proposed NDAs and then filling out Forms A and B* and submitting them with a \$500 deposit for each consent.

* Forms A and B are available from our website or Taupo office. Please note that these are not the only types of consent which can be obtained under the rules. As noted on page one of this guide, if you are looking at residential development/subdivision or developing forestry/undeveloped land, then please contact us to explore the opportunities available to you.

Please note: an NMP (see glossary) is required for each property as part of the consent process to ensure that the onsite farming activities will meet the NDA on an annual basis for the term of the consent. This NMP can be prepared by yourself/a farm consultant using Overseer™ or with the help of Waikato Regional Council staff.

Consent application processing

Once consent is with the council, we will review the application and request any additional information required.

Once we're satisfied that the proposal is a controlled activity, we will prepare and finalise the report within 20 working days as required by the Resource Management Act.

After consent approval

You will get a letter in the mail with your consent and a list of conditions you must comply with.

If you disagree with any of the consent conditions, you can object to the decision under Section 357 of the Resource Management Act, which requires we reconsider the decision. Alternatively you can lodge an appeal with the Environment Court.

If we don't hear from you regarding any issues with our decision within 15 working days of receiving your report, your consent will be considered granted and you will be sent a resource consent certificate.

There is an annual consent holder charge of approximately \$400 to cover the cost of administration and monitoring (even if you choose not to carry out the activities). If you surrender your consent, this charge will cease.

Protecting your lake

Contact details

If you have any queries or require assistance in understanding Variation 5 please contact the Taupo Implementation Team at Waikato Regional Council's Taupo office.

Location: Corner of Titiraupenga and Paora Hapi Streets.
Phone: 0800 800 401 or 07 378 6539.
Fax: 07 378 9049.
Website: www.waikatoregion.govt.nz (search 'Lake Taupo').
Email: taupocatchment@waikatoregion.govt.nz.

The Lake Taupo Protection Trust can be contacted on the details below if you are interested in any of the work they do or assistance they can provide.

Location: 8 Beale Street, Hamilton, PO Box 4177
Hamilton East, Hamilton.
Phone: 0800 888 380.

For more information about the rules and their conditions for farming in the Lake Taupo catchment visit www.waikatoregion.govt.nz/laketaupo.

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