



For **now** &
our future

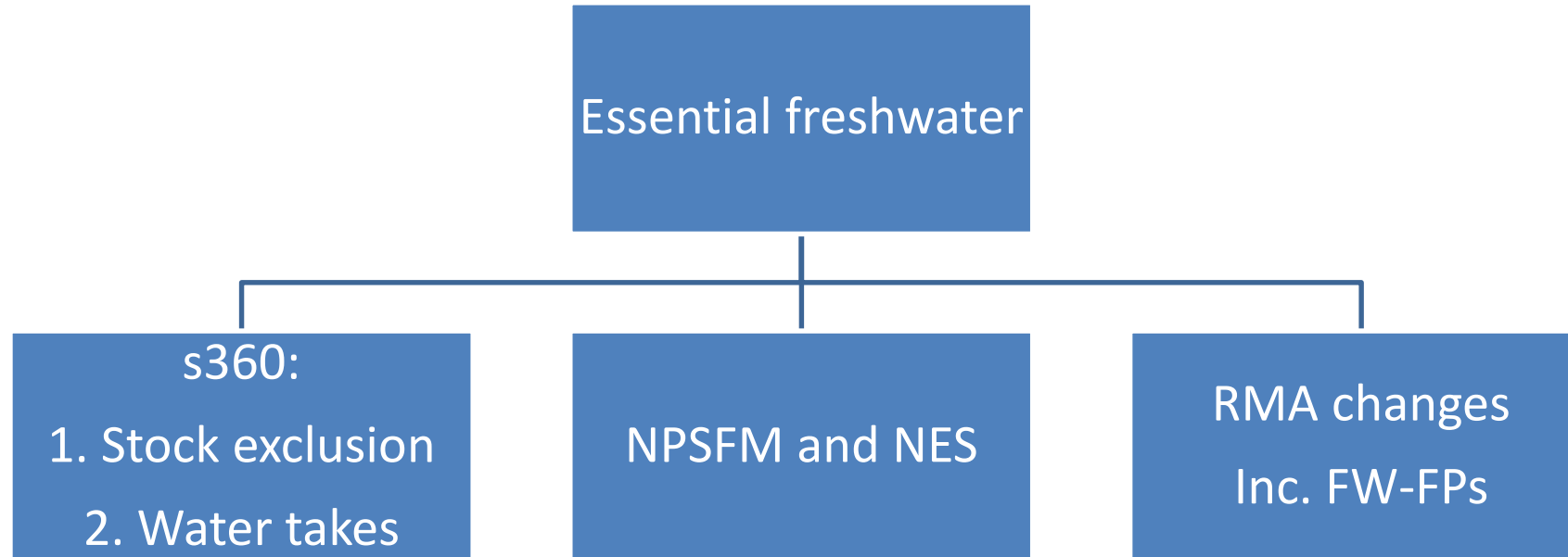
Essential Freshwater Package

Webinar 24 September 2020

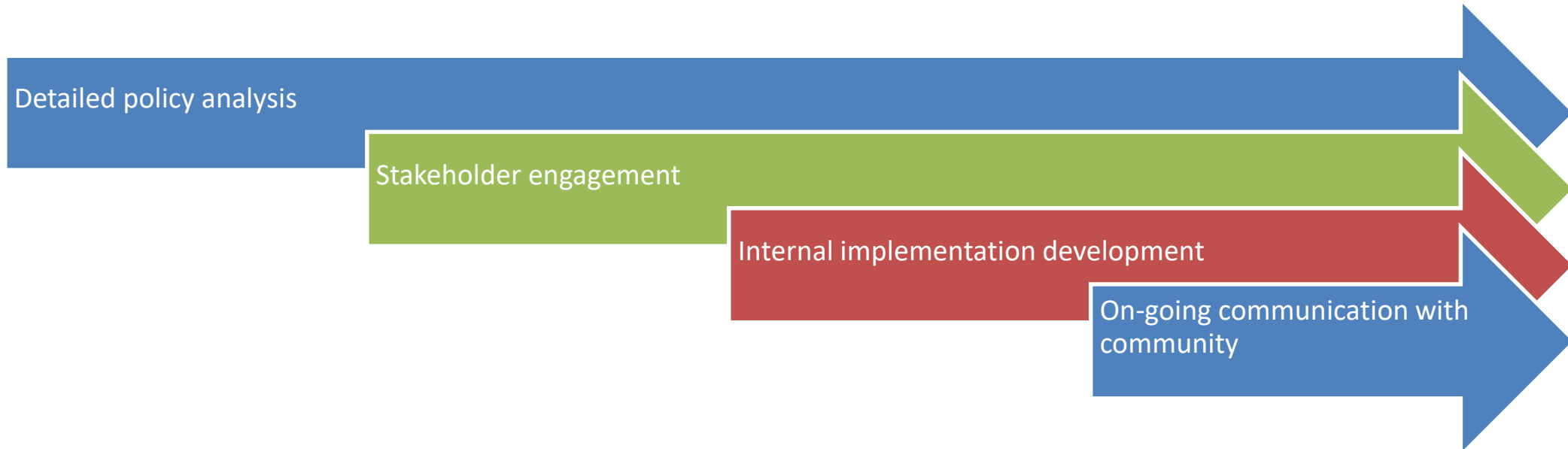
Agenda

- Introduction
 - Tonight's session
 - The package
- Regulations – high level overview
 - Intensive Winter Grazing
 - Stock exclusion
 - Other Land-use NES elements
- Implementation
- Future considerations
 - FW-FPs
 - NPSFM 20
 - SWLP limit setting Plan change

The Package



ES approach



UNDERSTANDING THE RULES FOR FRESHWATER

Check out our website for more details on these rules

PROPOSED SOUTHLAND WATER AND LAND PLAN RULES

2020	2021	2022	2023	2024	2025	2026	2030
<p>1 MAY Farm Environmental Management Plans are required for all activities under Rule 20</p> <p>1 JULY Stock exclusion for dairy cattle required under Rule 70 Stock must not disturb bird nesting sites, bed of regionally significant wetlands or sensitive waterways</p>	<p>1 MAY Intensive winter grazing standards apply</p> <p>1 JULY Stockholding (other than feedlots) standards apply</p>	<p>1 JULY Stock exclusion rules for dairy support apply</p> <p>3 SEPTEMBER Water measuring changes apply for takes over 20lt/sec</p>	<p>1 JULY Stock exclusion regulations apply for dairy cattle and pigs, and intensively-grazed beef cattle and deer</p>	<p>3 SEPTEMBER Water measuring changes apply for takes 5lt/sec - 10lt/sec</p> <p>31 DECEMBER All Regional Councils must have notified a plan change to give effect to the National Policy Statement for Freshwater</p>	<p>1 JULY Stock exclusion rules for beef cattle and deer on flat land apply</p> <p>1 JULY Dairy support cattle, beef cattle and deer on low slope must be excluded from lakes and wide rivers</p>	<p>1 JULY Stock exclusion rules for beef cattle and deer on all slopes apply</p> <p>3 SEPTEMBER Water measuring changes apply for takes 5lt/sec - 10lt/sec</p>	
<p>3 SEPTEMBER Temporary agriculture intensification standards apply Feedlot standards apply Wetland standards apply River reclamation standards apply Fish passage standards and information requirements apply Stock exclusion regulations apply to new pastoral farms All stock must be excluded from wetlands identified in a regional plan All stock must be excluded from natural wetlands on low slope or those supporting threatened species</p>							

ESSENTIAL FRESHWATER RULES

Intensive Winter Grazing

IWG can be undertaken under both the pSWLP and the NES-FW **without a consent:**

Farmers will need to meet all of the permitted activity conditions in both the NES-FW and the pSWLP in order to undertake intensive winter grazing without a consent.

Criteria for intensive winter grazing

- ✓ The area intensive winter grazed is no greater than 50 ha or 10% of the farm, whichever is greater.
- ✓ A Farm Environmental Management Plan is prepared and implemented in accordance with Appendix N of the proposed Southland Water and Land Plan.
- ✓ **EITHER** a 20 metre vegetated and stock excluded strip is maintained from the outer edge of the bed of a lake, river, artificial watercourse, modified watercourse, or natural wetland; **OR** the following practices are implemented:
 - break-feeding from top to bottom of a slope, or 20m last bite strip is left
 - back-fencing cattle when break-feeding
 - transportable water troughs in or near area being grazed
 - portable feeders if supplementary feed is being used
 - no more than 120 cattle/250 deer in a herd
 - critical source areas are grazed last.
- ✓ Stock are excluded with a vegetated strip of at least five metres from the bed of a lake, river, artificial watercourse, modified watercourse, or natural wetland regardless of whether there is any water in it.

- ✓ Stock must be kept at least five metres away from any other type of wetland, drain (including subsurface drainage), or ephemeral river (regardless of whether there is any water in it).
- ✓ Intensive winter grazing does not occur within 20m of a regionally significant wetland, sensitive water body, estuary or the coastal marine area (see the proposed plan for a list of these).
- ✓ Mean slope of the paddock is 10 degrees or less.
- ✓ Pugging (hoof penetration of soil to a depth of 5cm or more) is no deeper than 20cm at any one point (other than within 10m of an entrance gate or a fixed water trough) and any pugging must not be more than 50% of the paddock.
- ✓ Paddocks are replanted as soon as practicable, or by 1 November.
- ✓ Land on the farm must have been used for intensive winter grazing between 1 July 2014 - 30 June 2019, with no more than the maximum area of that grazing being used on the farm for future intensive winter grazing.

Depending on the condition(s) that cannot be met, the consent required could be under the National Environmental Standard, the proposed Southland Water and Land Plan, or both.

Stock exclusion

All stock must be excluded from natural wetlands that are:

- In an operative regional/district plan, or regional policy statement
- Supports a threatened species population
- > 0.05ha and identified in the low slope land map

Timeframes to implement for wetlands, lakes and rivers:

- from 1/9/2020 for new pastoral conversions
- for existing farms, deadlines range from 1/7/2023 to 1/7/2025 depending on the situation.

Agricultural intensification

- Conversions to dairy farm will function like Rule 17A in the Regional Water Plan = controls the act of conversion but not the ongoing use of land.
- Consent required under both NESF for conversion and under Rule 20 of the pSWLP for the ongoing land use.

Other parts of NES

- Wetlands –
 - Apply to activities AROUND natural wetlands, to a distance of:
 - 10m for vegetation clearance and earthworks; and
 - 100m for taking, use, damming, diversion, or discharge of water.
- Fish passage and culverts –
 - Specific design criteria to ensure fish passage is not impeded;
 - Specific info must be submitted to Council <20 working days after install.
- Nitrogen cap –
 - From July 2021 if nitrogen fertiliser on pastoral land exceeds 190 kg/ha/year then a non-complying consent will be required. This cap does not apply to arable or horticultural land use.
 - These are additional to PA standards in pSWLP = any discharge of fertiliser needs to meet conditions in Rule 14.

Regional sector latest

IWG

- Minister O'Connor stated tweaks might be made to make regulations more workable.
- ES establishing an advisory group, to make recommendations for these changes.

Farm Plans

- Work underway on policy, implementation & regulatory framework for FW-FPs.
- Team from RCs & industry with farm plan expertise is being put together;
- First task = stocktake of current state of play regarding farm plans across RCs.

Implementation

Existing use rights:

- Does s20A apply? Not something farmers can decide for themselves.
- Consents team give farm-specific advice for Rule 20 of pSWLP.
- In some cases it can be determined over the phone, but might need more information before it could be agreed that s20A applies.

We will show people how to be a permitted activity, if don't meet those = talk to Consents about their application and s20A rights

NPSFM 2020

- NPSFM 2020 rewrite but similar = ‘evolution not revolution’
- New regulations are part of the puzzle
- These are a step in process towards achieving the objectives

Freshwater values and objectives work + a policy assessment = formal staff recommendation

NPSFM 2020

Topic	Commentary
Timeframe = fully implemented (via notified plan change) <u>everywhere</u> by the end 2024	Working toward our previously outlined timeframe of end of 2023 to notify the Limit-setting Plan change to pSWLP
Vision setting	Multiple visions are to be included in RPS as objectives
Mapping and monitoring wetlands and fish passage obstacles	
Maori involvement - must collaborate with, and enable tangata whenua to identify Māori freshwater values	Aligns well with PWLP approach
New compulsory values	Including mahinga kai and 5 elements of ecosystem health

RMA changes

- NPSFM deadline 2024 for plan change
- New Freshwater Planning process – streamlined, panel and hearing process
- Mandatory Farm Plans – could be implemented via future NES

The Future

- Elements still to come...
 - Fresh Water - Farm Plans
 - Resolution of the pSWLP appeals
- NPSFM 20 implementation
 - SWLP Limit-setting Plan Change (end 2023)

