ACTION FOR HEALTHY WATERWAYS

Understanding the impact of new freshwater regulations on farms and farm management

Wetland protections and standards for intensive winter grazing are among the first of the new freshwater regulations to take effect. We've developed this short paper to provide an overview of all the freshwater regulations, and to outline what farms will need to address to comply and the timeline for compliance.

The Central Government's new freshwater regulations have been developed to address New Zealand's declining freshwater quality and while some of the regulations take effect from September 2020, farmers will have up to five years or longer to adopt and comply with other standards, such as reporting on water usage.

The aim of the new regulations is to "stop further degradation of New Zealand's freshwater resources and improve water quality within five years" and "reverse past damage and bring New Zealand's freshwater resources, waterways and ecosystems to a healthy state within a generation".

To help achieve those changes Government has introduced an updated National Policy Statement for Freshwater Management and new National Environmental Standards for Freshwater.

TIMELINE FOR COMPLIANCE

The first area of compliance that will impact farms is wetland protection. From September 2020 onwards all farmers need to keep stock out of natural wetlands that are identified in council plans. For new farms these same regulations will extend to any natural wetland that is 0.05ha or more, and wetlands that support threatened species - and these requirements will be phased in for existing farms by mid 2025.

Over time farms will need to focus more broadly on stock exclusion. Dairy cattle and pigs must be excluded from lakes and rivers more than a metre wide (bank-to-bank) by mid 2023, regardless of land slope, and dairy support cattle by mid 2025.

Significant progress in this area has already been made under the industry-driven Sustainable Dairy: Water Accord with over 98% of the waterways identified in the accord (greater than one metre wide and more than 30cm deep) being fenced off to dairy cattle and bridges and culverts being installed on 100% of (the identified) stock crossing points used by dairy cows.

New standards for intensive winter grazing are one of the other freshwater regulations that will come into effect in the shorter term. From May 2021 intensive winter grazing (IWG) will require a consent in some cases, where it occurs over 50ha or 10 per cent of the property, and where it occurs on slopes of 10 degrees or steeper. Farmers will need to consider these new thresholds when sowing crops in spring 2020.

Ministry for the Environment has developed a ranges of resources to help farmers navigate the changes including a checklist covering short, medium and long-term actions required for compliance.

www.pandfglobal.com
0800 99 77 33 helpdesk@pandfglobal.com
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WHAT YOU NEED TO DO FROM NOW TO 2025

- Make sure all cattle, pigs and deer are kept out of waterways more than a metre wide in low-slope areas, and from waterways on all land used for fodder-cropping, break-feeding, or grazing on irrigated pasture, including on hill country, from July 2025 at the latest.
- Obtain a resource consent before intensifying land use, for example converting land to dairy. This requirement applies from mid-2020, when the regulations come into force, until the end of 2024.
- Protect wetlands and streams on your land. This means you cannot drain or develop them, except in very limited circumstances, starting from mid-2020 when the regulations come into force.
- Apply best practice to winter grazing on forage crops. From May 2021, you need to have obtained resource consent if you want to graze forage crops on more than 50 ha or 10 per cent of your farm (whichever is the greater), or on paddocks with more than a 10-degree slope. Crops sown in spring 2020 should be planted with these requirements in mind, to ensure compliance when they are grazed from May 2021. This practice is most common in the South Island.
- Keep synthetic nitrogen fertiliser use at appropriate levels.
- Meet minimum standards or have obtained a resource consent for stock-holding areas of cattle from July 2021 and feedlots from mid-2020 when the regulations come into force. This does not include stockyards.
- If you have an existing resource consent to take a lot of water (more than five litres/second of water), report on your water usage electronically (phased in over six years, depending on how much you take).

WHAT YOU NEED TO DO MEDIUM-TERM

- Have a freshwater module in a farm plan. This is not required immediately, but over the next 12+ months, the Government will work with primary sector representatives, iwi/Māori, regional councils and other interested groups to develop new regulations which will set out the exact requirements for mandatory freshwater modules of farm plans. It is the intention to build on existing industry body or agribusiness farm plans. We will prioritise this work in catchments most in need of improvement or protection.

WHAT YOU NEED TO DO LONG-TERM

- Over decades, meet any **specific regional requirements** to achieve national bottom lines and community freshwater objectives. For example, some regional councils already require farmers to have a farm plan to meet regional targets. These will continue and requirements may be strengthened.

The team at P&F Global can provide expert advice on culverts and pipes to help move water, protect streams and stop stock entering waterways.

FUNDING THE CHANGES

Government consulted on the changes before bringing them into effect and received more than 17,500 submissions. As a result of the submissions - and in light of the impact of Covid-19 - some concessions were made around fencing and stock exclusion, and nitrogen levels.

The concessions are estimated to have lowered the cost of compliance by more than $3 billion. Examples of these cost-saving adjustments to the regulations include reduced setback requirements for stock exclusions (set at 3m rather than the 5m first proposed) and no new 'national bottom line' set for Dissolved Inorganic Nitrogen or dissolved reactive phosphorus attribute in the short-term.

There are still significant upfront costs though and Government has committed $700 million to help farmers - and iwi/Māori, local government and communities - implement the reform measures.

Sustainable Food & Fibre Futures from MPI is a source of co-investment for small or large one-off agricultural projects that can boost environment outcomes and The One Billion Trees Fund - or 1BT - is available to help landowners with the costs of planting trees, reverting land back to native forest or catchment restoration.

Download the MFE's "Support and advice available to farmers and communities" for details on how to apply for this funding and co-investment:

https://www.mfe.govt.nz/sites/default/files/media/Fresh%20water/action-for-healthy-waterways-support-advice-available-to-farmers-communities.pdf

CENTRAL GOVERNMENT VS REGIONAL COUNCIL REGULATIONS

In some parts of New Zealand the freshwater regulations set out by Central Government require a lower standard for compliance than existing regulations set by the regional council. For areas where the regional council standards are higher than the new regulations, farming properties in the region will need to comply with council rules. For example, 'farm plans' - which will need to include risk assessments of specific farming activities and actions to address identified risks - are listed as a long-term requirement in the Government's new freshwater regulations but some regional councils, including Waikato, Gisborne and Hawke's Bay, already require farm plans.

RECOMMENDED RESOURCES

https://www.mfe.govt.nz/essential-freshwater-new-rules-and-regulations

https://www.mfe.govt.nz/publications/fresh-water/action-healthy-waterways-support-and-advice-farmers-and-communities

https://www.orc.govt.nz/managing-our-environment/water/new-water-rules

For a quick overview of how the changes will impact your farm and farming practices, these downloadable resources from DairyNZ are very useful:

https://www.dairynz.co.nz/media/5793504/summary-of-action-for-healthy-waterways-outcomes-v2.pdf

https://www.dairynz.co.nz/media/5793503/what-farmers-have-to-do-under-action-for-healthy-waterways-timeline-2020.pdf

https://www.dairynz.co.nz/environment/environment-policy-and-leadership/national-freshwater-regulations/

WHY ARE THESE FRESHWATER REGULATIONS NECESSARY?

Research has shown New Zealand's freshwater quality is declining, due to human impacts and pollutants entering waterways from cities and farms.

New Zealand has more than 50,000 lakes and of the 4000 lakes that are larger than 1 hectare, almost half have been categorised by computer modelling as being in poor or very poor ecological health. New Zealand also has 70 major river systems that run for more than 425,000 kilometres and 43% of this river length is in catchments modified by agriculture.

- Ninety-four percent of urban and 82 percent of pastoral rivers are unsuitable for swimming at some point of the year.
- In 2017, 76 percent of New Zealand's native freshwater fish (39 of 51 species) were either threatened with or at risk of extinction.
- Concentrations of pollutants (nutrients, chemicals, pathogens, and sediment) in freshwater are higher in urban, farming, and forestry areas than in natural conditions – sometimes many times higher.
- The area of irrigated agricultural land in New Zealand almost doubled between 2002 and 2017 (from 384,000 hectares to 747,000 hectares), with irrigated land in Canterbury rising from 241,000 to 478,000 hectares.

WHAT FARMERS HAVE TO DO UNDER *ACTION FOR HEALTHY WATERWAYS*

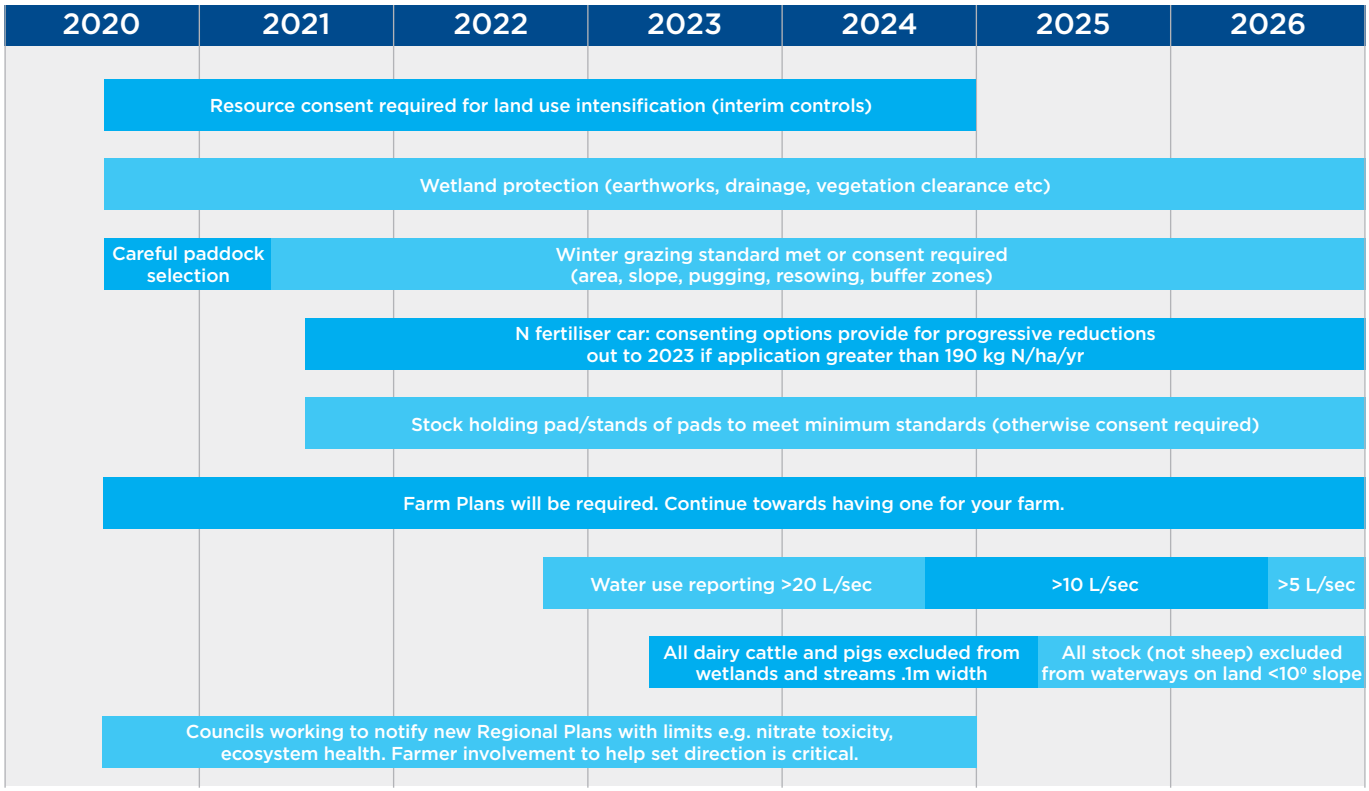

Image Source: DairyNZ https://www.dairynz.co.nz/media/5793503/what-farmershave-to-do-under-action-for-healthy-waterwaystimeline-2020.pdf