

Freshwater Planning

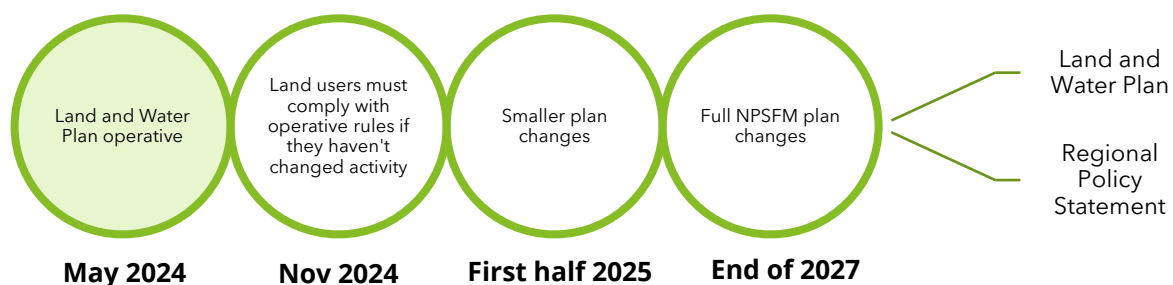
Southland | September 2024

What is the freshwater planning work programme?

All regional councils are required to implement the National Policy Statement for Freshwater Management (NPSFM) 2020 through their regional plans and policy statements. The NPSFM requires them to develop objectives, targets and limits for the state of freshwater in the region and rules to achieve those objectives.

Environment Southland have announced that they will be fully implementing the NPSFM through plan changes to the Water and Land Plan and Regional Policy Statement before the end of 2027. There will be smaller plan changes in the first half of 2025 to “set long-term goals, address minor issues and enable improved environmental practice”.

It is important for growers to be a part of the freshwater consultation because this will influence the limits and rules that you will have to comply with. If you have any thoughts or opinions on freshwater planning, please get in touch with the HortNZ Environmental Policy Team.



What do growers need to do?

While Central Government recently announced a pause to the freshwater farm plan roll-out, Environment Southland still requires farm environment plans under the Southland Water and Land Plan. Their message to farmers and growers is to start pulling together information for your farm plan now.

The 2027 plan changes will include environmental limits. To prepare for those rules, the Council is telling landowners to record information from the last 10 years on land use area and type, stock types and numbers, fertiliser use, and actions adopted on farm.

What is the Southland Water and Land Plan?

The Southland Water and Land Plan manages resource use in the region and includes rules for activities like land use intensification, horticulture wash-water discharges and intensive winter grazing.

The plan became operative this year, on 27 May 2024, although some parts are still under appeal. The Council has fact sheets on the plan, including about cultivation, [on their website](#). You can read the full plan on their website as well.

If your activity was permitted and now requires a consent, you must lodge a consent application with Environment Southland before 27 November 2024. If the activity is still permitted but has new conditions, you must comply with those conditions before that date. The activity can continue, provided that there are no changes to the scale, scope or intensity of the activity. Any new or changed activities will need to comply with the rules immediately.

Contact the Environment Southland consents team or engage a professional for advice on the rules, existing use rights and what is required if you need to apply for consent. Read more on the Council website: [Plan Q & A - Environment Southland \(es.govt.nz\)](#).

Summary of Land and Water Plan Decision

Notified Provisions	Summary of provision
Rule 14 - Discharge of fertiliser	<p>Discharge of fertiliser onto or into land is a permitted activity with conditions:</p> <ol style="list-style-type: none"> 1. No direct discharge of fertiliser into a lake, river, artificial watercourse, modified watercourse, natural wetland or into groundwater; 2. No fertiliser discharges when soil moisture exceeds field capacity; 3. No fertiliser discharges into or within 3 metres of the boundary of any significant indigenous biodiversity site (from a district plan) that includes surface water; 4. Where there are riparian plantings next to a lake, river, artificial watercourse, modified watercourse or wetland: <ol style="list-style-type: none"> a. Fertiliser may be discharged up to the paddock-side edge of the riparian planting but not onto the planting (except when establishing it); 5. Where there are not riparian plantings next to those waterbodies: <ol style="list-style-type: none"> a. No fertiliser discharges into or within 3 metres of the bed or wetland.
Rule 25 - Cultivation	<p>Cultivation is a permitted activity with conditions:</p> <ol style="list-style-type: none"> 1. Cultivation does not take place within the bed of a lake, river, artificial watercourse, modified watercourse or natural wetland; 2. There is a 5 metre setback from the outer edge of a waterbody on land with less than a 10 degree slope;

	<ol style="list-style-type: none"> 3. There is a 10 metre setback from the outer edge of a waterbody on land with a slope between 10-20 degrees; 4. Cultivation does not occur at an altitude above 800 metres above sea level; 5. Cultivation does not occur on land with a slope greater than 20 degrees; 6. You need a Farm Environmental Management Plan prepared, certified and audited in line with the Land and Water Plan, including erosion and sediment control measures. 7. Critical source areas are identified in the Farm Environmental Management Plan. <p>(See the plan for more details)</p>
Rule 36 - Horticulture wash-water (for vegetable growers)	Discharge of water from vegetable or bulb washing to land where contaminants may enter water is a permitted activity, with conditions. These conditions can be met through compliance with Section 2 "Good Practices" of the Horticulture NZ Washwater Discharge Code of Practice 2017 .
Rule 49 - Abstraction, diversion and use of surface water	<p>Taking less than 2,000 litres per day (plus 250 litres per hectare to day up to a max of 40 cubic metres per landholding per day) is a permitted activity with conditions:</p> <ol style="list-style-type: none"> 1. The rate of take does not exceed 2 litres per second. 2. Fish are prevented from entering the reticulation system (more details in Appendix R of the Land and Water Plan) 3. The Regional Council can request information about farming type, point of abstraction, what the water was used for and maximum instantaneous rate of take. 4. You must use a water metre that records rate of take and daily volume of take if you take more than 20,000 litres per day. In this case, you must record water take data daily and provide it to the Regional Council on request. <p>(See the plan for more details)</p> <p>If you are taking more than the permitted activity amount or not meeting all of the conditions, you will need a resource consent.</p>
Rule 54 - Abstraction and use of groundwater	This rule is under appeal, so existing rules from the Regional Water Plan remain operative.
Rule 59A - On-farm sediment traps	Constructing, excavating, modifying or maintaining an on-farm sediment trap is a permitted activity with conditions:

	<ol style="list-style-type: none">1. These actions are taken solely for sediment control purposes;2. These actions do not destabilise any structure;3. Any build-up of sediment within the sediment trap which may have an adverse effect on flood risk, drainage capacity or bed/bank stability is removed as soon as practical to do so. <p>(See the plan for more details)</p>
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WHERE TO GO FOR MORE INFORMATION

- [Environment Southland website](#)
- Recent Council media releases:
 - [Farm plans](#)
 - [Freshwater planning approach](#)
- Keep an eye on [HortNZ's website](#)
- Contact Emily Levenson, HortNZ Environmental Policy Advisor at Emily.levenson@hortnz.co.nz