COMMENTS

TELEPHONE 0800 327 646 I **WEBSITE** WWW.FEDFARM.ORG.NZ

FEDERATED FARMERS OF NEW ZEALAND

To: Water New Zealand, The New Zealand Water and Wastes Asscoiation.

c/o Nick Walmsley
Ranchhod House
Level 12, 39 The Terrace
PO Box 1316
Wellington 6140

Comments on: **Water New Zealand Good Practice Guide**
Beneficial Use of Materials on Land
Forth Draft, October 2016.

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Comments by: Federated Farmers of New Zealand

Address for service: **RHEA DASENT**
REGIONAL POLICY ADVISOR
Federated Farmers of New Zealand
PO Box 715, Wellington 6140
P 021 501 817
rdasent@fedfarm.org.nz

Federated Farmers welcomes this chance to comment on the Water New Zealand Good Practice Guide: Beneficial Use of Materials on Land.

1.1.1. Inclusions

It is not clear what "agricultural wastes" are in the bullet point list. If this is intended to include on-farm wastes, Federated Farmers does not agree. The other example given is meat works waste, which originates from an industrial activity. We recommend this is changed to read: *organic wastes from the secondary sector, such as meat works wastes*.

Federated Farmers recommends that dairy shed effluent is removed from in Inclusions section to the Exclusions. Diseased animal waste should also be moved to the Exclusions section. Having both as an exception to the Inclusions is unclear, they are better described as exclusions.

We note that the August 2003 *Guidelines for the Safe Application of Biosolids to Land in New Zealand* specifically includes blended products and excludes radioactive wastes, whereas the proposed Guide is silent.

1.1.2 Exclusions

The common industry term is Farm Dairy Effluent (FDE) as opposed to dairy shed effluent DSE. Farm dairy effluent is collected from feedpads, races and other farm infrastructure, not just from dairy sheds, and these other sources of FDE should not be inadvertently included.

Federated Farmers recommends that FDE is clearly expressed as an exclusion, and there is no need to discuss its activity status in regional plans, as this is not uniform across the nation.

More clarity is required as to what agricultural wastes are excluded as well as FDE. There is no need to include agricultural wastes such as grape marc, chicken manure and compost when FDE is excluded, as they have similar on-farm origin.

Diseased animal wastes are currently expressed as a confusing exception to the Inclusions section, this is better clearly in the Exclusions section.

1.2 Purpose of the Guide

Federated Farmers notes that the aims of the proposed Guide are similar to the 2003 guide, with the exception of aiming for a consistent regulatory approach. The 2003 Guide simply aims to encourage regulatory authorities to be consistent, whereas the proposed Guide aims to provide a consistent regulatory approach.

Federated Farmers recommends that because local government regulatory authorities were not involved in the development of this Guide, a regulatory approach should not be imposed on them. The 2003 Guide even describes as an underlying principle in 1.4.5 that a management framework must be flexible and enabling. Changing this to the imposition of a single regulatory approach that will apply to all regulatory bodies nation-wide will not provide this desirable flexibility. Federated Farmers recommends this is changed to read:

- *Providing a consistent regulatory approach <u>as an option</u> for regulating the application of organic waste materials to land <u>and encourage its uptake</u>.*

Federated Farmers opposes the expansion of the scope to include animal wastes, as there has been no evidence provided that demonstrates the need to include animal wastes. As with our comments above, it is also unclear what animal wastes are intended to be included.

It appears that the purpose of the Guide is twofold: to manage risks; and to recognise benefits.

2.1 Overview of Requirements

Federated Farmers is concerned that nitrogen loading is being used as a proxy for limiting other contaminants to land. Regulatory controls should apply specifically to the contaminant of interest.

Federated Farmers recommends that output controls are more appropriate than input controls, as this links the regulation directly to the adverse effect it is intending to manage.

Activity statuses need to be presented as options only. The proposed Guide cannot override the RMA Schedule 1 process, which allows a community to collectively decide on what status is appropriate when introducing a rule into a District or Regional Plan.

The generic 200kg/ha limit for N is becoming obsolete as regional councils are implementing the National Policy Statement for Freshwater Management and becoming more specific when establishing freshwater objectives and setting limits on a catchment level.

3: Risk Management Issues

Federated Farmers considers that it is of utmost importance that the risks are described accurately and based on scientific evidence.

This is particularly important when it come to Environmental Risks, to avoid prejudicing RMA process. It is up to communities to collectively make value judgements as to what values they hold and what costs and benefits are associated, as they proceed through the RMA Schedule 1 process.

Discussion in Section *3.3.1 Groundwater Quality* about minimising risks goes unnecessarily beyond a description of what the risks are. Likewise the value judgement in Section *3.3.3 Habitat and Biodiversity* that it is inappropriate to apply organic material products to areas with habitat is also inapplicable.

Section 3.3 should be limited to a discussion of what the risks are in an objective and evidence-based manner, leaving the decision as to what is appropriate and inappropriate up to the Schedule 1 process where all people can participate. Impartial and evidence-based information on which to base RMA decisions is greatly needed, and this proposed Guide could be a real asset if it provided this.

3.6 Sensitivity of Receiving Environment

Federated Farmers recommends that the Guide discusses sensitivity of the environment in an objective manner. The proposed wording currently sounds like a rule "should not be applied to…" which is inappropriate.

Regard must be given to the sensitivity of the proposed receiving environment to adverse effects.
~~*Organic material derived products (regardless of grade) should not be applied to land that is:*~~ *Some factors that make a receiving environment more sensitive are:*

- *frozen solid (or <4oC);*
- *waterlogged;*
- *under snow;*
- *sloping steeply (e.g., slopes greater than 15%);*
- *in close proximity (within 20 metres) to any waterbody or drinking water supply source; and*
- *measured as having a pH of less than 5.5.*

3.9 Presence of Sensitive Areas

Federated Farmers recommends that discussion of "sensitive areas" is presented as factors that need to be considered when determining what a sensitive receiving environment is, as these will differ around the country and each district or region should be enabled to determine what factors are important:

~~*Organic materials and derived products, particularly those containing biosolids, should not be applied within, or in the vicinity of sensitive areas such as*~~ *wahi tapu, archaeological sites, wildlife habitats and areas of importance from a biodiversity perspective* *may also be factors when determining sensitive receiving environments.*

Federated Farmers is a not-for-profit primary sector policy and advocacy organisation that represents the majority of farming businesses in New Zealand. Federated Farmers has a long and proud history of representing the interests of New Zealand's farmers.