

Regional Council Rules Guidance

DRAIN NUTRIENT SOLUTION MANAGEMENT

Version 2.0 | JUNE 2026



Regional Council Rules Guidance for Drain Nutrient Solution Management

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Regulatory context

Overview

Applying drain nutrient solution to land needs to meet *Resource Management Act 1991* (RMA) and regional council requirements for discharges to land. This section is intended to assist growers to understand the context and how the requirements can be met.

Each regional plan gives effect to the RMA and how access to natural resources (air, land and water) are governed in that region. At time of publication of the Drain Nutrient Solution Management Code of Practice 2026, which this document supports, the RMA is undergoing reform. This means in future there may be new replacement Acts that govern how resources are managed, implemented through national direction or new plans. Until a new plan is operative, the current RMA rule framework will apply.

The RMA is relevant to the management of drain nutrient solution. The solution is considered a 'contaminant' and its application or irrigation to land is a 'discharge' under the Act. The RMA defines contaminant and includes a substance that is likely to change the physical, chemical or biological condition of land, air or water into which it is discharged¹. While nutrient solution has worth as a source of nutrients for plants, it is classified as a contaminant under the RMA because of the potential to change the condition of the land to which it is applied. The RMA also defines discharge: 'includes emit, deposit and allow to escape.' Therefore, the application or irrigation of nutrient solution to land is a discharge under the RMA.

The Act requires regional councils to manage the discharge of contaminants to air, land or water to ensure that effects of the discharge do not cause adverse effects. Therefore, the discharge rules in a regional plan need to be complied with for the management of nutrient solution, which may be either a permitted activity or requiring resource consent.

Drain nutrient solution can be used as a fertiliser when applied to land. The application of fertiliser is also regarded as a discharge of a contaminant so all regional plans have rules to manage the effects of applying fertiliser, usually as a permitted activity.

Nutrient solution is made from dissolving solid fertiliser into a liquid as the means of transporting the nutrients to plants. Therefore, the solution is essentially a liquid form of fertiliser. The concentrated solution is diluted in the mixing tank to meet requirements of the plants. When there is nutrient solution that needs to be removed from the hydroponic growing operation, in some regions, this solution may be classed as a fertiliser, and therefore could be managed under a regional plan's fertiliser rules. However, growers should contact their relevant regulatory authority to confirm whether fertiliser rules might apply.

If a grower wishes to discharge directly to water, then other rules will apply and the relevant plan should be accessed in full to determine the relevant rules and conditions and planning advice sought.

There is variation between regional councils as to how discharges to land are managed. Requirements are dependent on the rule framework in the relevant plan. The next section includes an analysis of the

¹ Refer to the RMA for full definition.

relevant rules in regional plans for discharge of nutrient solution to land. This analysis is predicated on compliance with the Drain Nutrient Solution Management Code of Practice, in particular:

- The discharge of drain nutrient solution is in lieu of fertiliser application to land
- The composition of the discharge is known, particularly the N content.

The rules that apply to the discharge of drain nutrient solution to land may fall into four different categories, depending on the council.

1. Specific rules for nutrient solution

Some councils have a set of rules that specifically apply to nutrient solution applications to land (e.g. Auckland, Northland Gisborne). In these regions, the specific activity rules will apply.

2. Fertiliser rules

Drain nutrient solution application to land may be classed as a fertiliser application by some councils, if the nutrient solution meets the fertiliser definition, rules, and conditions of application. The definition for fertiliser varies between plans. In some cases, nutrient solution will meet the definition of fertiliser, in other cases it won't. Under the Drain Nutrient Solution Management Code of Practice, if nutrient solution is applied as a fertiliser, it must be applied so that it does not exceed fertiliser requirements for the land.

3. Specific rules for land use activities

Some councils have specific rules for land use activities like commercial vegetable growing (Horizons) or farming activities (Canterbury). In these regions, growers will need to comply with the land use rules which will include the management of drain nutrient solution when applied to land.

4. General discharge rules

If there are no specific rules for nutrient solution discharge or land use activity, and the solution does not meet the council's definition of a fertiliser, then the general discharge rules will apply. These rules may require resource consent.

Activity status of rules

The rules in regional plans have a specific activity status which will determine whether the activity is permitted or requires resource consent, and what conditions or standards apply to the activity. Other considerations to be aware of in regional plans are specific terms that are defined and requirements to adhere to external standards like codes of practice.

Permitted

Some regional plans include permitted activity rules with conditions. If those conditions can be met, then the activity is permitted and means that no resource consent is required. However, the standards or conditions of the rule need to be met, with evidence to demonstrate compliance if requested. Examples of conditions could include setbacks from waterbodies, minimising ponding and runoff, or compliance with an industry or other code of practice.

Resource consent required

If the permitted conditions cannot be met or there is no permitted activity rule, a resource consent for the discharge is required. The next section includes information for each council and the relevant rule where the conditions for a permitted activity cannot be met.

If a resource consent is required, the activity status for the consent will be stated in the plan and will be either controlled, restricted discretionary, discretionary, or non-complying. The requirements for the consent are set out in the plan and include matters that will be considered in an assessment of the application for consent. A resource consent application must address these requirements. For example, the Auckland rule for greenhouses over one hectare is a controlled activity and lists matters of control and assessment criteria.

Definitions

A number of terms in the rules may be defined in the definition section of a regional plan. Such definitions are important in terms of clarifying how a rule may be applied. For example, a rule requiring a setback from a waterbody relies on the plan's definition of a waterbody, therefore affecting how the rule is applied and complied with. Where there are specific rules for greenhouse nutrient solution discharge, there may be related definitions that determine what is included in the rules.

Complying with a code of practice

A condition of a rule may require an activity to comply with a specific code of practice. A grower will need to be able to show how the activity meets the requirements of that code. Such a rule will refer to a specific version of the code of practice and that is the version that is applicable for assessing compliance with a rule, even if a more recent version is available. For example: the Northland Regional Plan Rule C.6.3.2 has: the discharge of greenhouse nutrient solution is undertaken in accordance with the *Code of Practice for the Management of Greenhouse Nutrient Discharges 2007*.

In this rule, the 2007 version of the code of practice will remain until the plan is changed to refer to a later dated version.

Table of regional council rules

The following tables set out the relevant regional council rules in respect of applying drain nutrient solution to land. These are provided to guide growers on what rules and conditions may apply. The full requirements in the plan should be used to determine compliance with the provisions. As this documents supports the Drain Nutrient Solution Management Code of Practice, which is designed for application of drain nutrient solution to land, the rules listed in the tables are for discharges onto or into land where it may enter water or for application of fertiliser, where appropriate. If a grower wishes to discharge directly to water, other rules will apply and the relevant plan should be accessed to determine the rules and conditions which will apply and planning advice sought.

It is recommended that you check with your regional council if you think your operation may trigger a rule in a regional plan. You may also choose to engage a suitably qualified and experienced consultant planner to determine this for you.

Regional Council rules tables

Northland

Plan	Regional Plan for Northland Proposed Regional Plan for Northland February 2024
Rule #	C.6.3.2
Status	Permitted
Activity	Horticulture wastewater discharges to land - permitted activity
Definitions	Horticulture wastewater - Wastewater from vegetable washing and greenhouses which may include sediment and residues from the activity but does not include animal effluent or animal products. Other relevant definitions - refer to the plan: Intermittently flowing river, artificial watercourse, natural wetland, bore
Activity standards	The discharge of horticulture wastewater onto or into land is a permitted activity, provided: <ol style="list-style-type: none"> 1) there is no discharge onto or into land within: <ol style="list-style-type: none"> a) 20 metres of a stream, continually or intermittently flowing river, artificial watercourse, lake, natural wetland, or the coastal marine area, or b) 20 metres of a neighbouring property owned or occupied by another person, or c) 50 metres of any dwelling owned or occupied by another person, or d) 20 metres of the head of any drinking water supply bore, and 2) the discharge does not result in ponding on the land for longer than three hours, and 3) the discharge of vegetable washwater is undertaken in accordance with <i>Section 2 of Horticulture New Zealand's Vegetable Washwater Discharge Code of Practice 2017</i>, and 4) the discharge of greenhouse nutrient solution is undertaken in accordance with the <i>Code of Practice for the Management of Greenhouse Nutrient Discharges 2007</i>, and 5) upon written request by the Regional Council, the person doing the activity keeps a written record of the following information and provides it to the Regional Council's Compliance Manager in the form and frequency specified in the request: <ol style="list-style-type: none"> a) dates and time of the discharge, and b) land application area, and c) application rates. <p>For the avoidance of doubt this rule covers the following RMA activities:</p> <ul style="list-style-type: none"> • Discharge of horticulture wastewater onto or into land (s15(1) and s15(2A)).
Activity status if permitted conditions not met	C.6.3.6 Wastewater discharges to land - discretionary activity The discharge, onto or into land, of <i>farm wastewater, horticulture wastewater</i> , contaminants associated with the making or storage of silage, contaminants associated with the disposal of dead stock or offal, or milk, and any associated discharge of odour to air, that are not permitted, restricted discretionary, noncomplying activity, or prohibited activities in C.6.3 Production land charges of this Plan, are discretionary activities. For the avoidance of doubt this rule covers the following RMA activities: <ul style="list-style-type: none"> • Discharge of <i>farm wastewater, horticulture wastewater</i>, contaminants associated with the making or storage of silage, contaminants associated with the disposal of dead stock or offal, or milk onto or into land where it may enter water (s15(1)). • Discharge of <i>farm wastewater, horticulture wastewater</i>, contaminants associated with the making or storage of silage, contaminants associated with the disposal of dead stock or offal, or milk onto or into land, and any associated discharge of odour to air (s15(2A)).

Auckland

The Auckland Unitary Plan has two specific rules for greenhouse nutrient solution linked to the size of the greenhouse - up to 1 hectare or greater than 1 hectare.

Table E35.4.1 Activity table

Activity	Activity status
(A10) The discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is up to 1 hectare and that complies with Standard E35.6.1.1 and Standard E35.6.1.6	Permitted
(A11) The discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is greater than 1 hectare and that complies with Standard E35.6.2.1	Controlled

Total greenhouse floor area ≤ 1 ha

Plan	Auckland Unitary Plan Unitary Plan – E35 Rural production discharges
Rule #	E35.4.1 (A10) and permitted activity standards E35.6.1.1. (General) and E35.6.1.6 (Greenhouse nutrient solution)
Status	Permitted
Activity	Discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is up to 1 hectare
Definitions	Greenhouse nutrient solution: The liquid that provides plants in a soil-less growing system with water and nutrients. Other definitions (refer to plan): Greenhouse, intermittent streams, artificial watercourses, surface water
Activity standards	All permitted activities in Table E35.4.1 Activity table must comply with the following general and activity specific standards. E35.6.1.1. General standards for all permitted activities (1) There must be no direct discharge or runoff to surface water, intermittent streams or artificial watercourses that connect to surface water. (2) Discharges must not result in surface ponding of more than three hours in duration. (3) The application rate of nitrogen from any combination of dairy effluent (excluding urine from grazing animals), nitrogenous fertiliser and other nitrogen discharges from the other rural production activities must not: <ul style="list-style-type: none"> a) exceed 150 kg nitrogen/hectare/year and 30 kg nitrogen/hectare/31 days onto grazed pasture underlain by sandy and volcanic soils; or b) exceed 200 kg nitrogen/hectare/year and 50 kg nitrogen/hectare/31 days onto grazed pasture underlain by soils other than those listed above; or c) exceed the reasonable nitrogen requirements of the crop being grown on ground other than grazed pasture. E35.6.1.6. Discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is up to 1 hectare (1) The discharge of greenhouse nutrient solution must be in accordance with the A Code of Practice for The Management of Greenhouse Nutrient Discharges (June 2007).
Activity status if permitted conditions not met	E35.4.1 (A14) Rural production discharges that do not meet the permitted activity standards or controlled activity standards - Discretionary

Total greenhouse floor area > 1 ha

Plan	Auckland Unitary Plan Unitary Plan - E35 Rural production discharges
Rule #	E35.4.1 (A11) and controlled activity standards E35.6.2.1
Status	Controlled
Activity	The discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is greater than 1 hectare and that complies with Standard E35.6.2.1
Definitions	Greenhouse nutrient solution: The liquid that provides plants in a soil-less growing system with water and nutrients. Other definitions (Refer to plan): Greenhouse, intermittent streams, artificial watercourses, surface water, natural stream management area
Activity standards	<p>All activities listed as a controlled activity in Table E35.4.1 Activity table must comply with the following controlled activity standards.</p> <p>E35.6.2.1. The discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is greater than 1 hectare and that complies with Standard E35.6.2.1.</p> <p>(1) The nutrient solution must be discharged to a defined disposal area. (2) The discharge system must incorporate secure storage.</p> <p>E35.7. Assessment - controlled activities</p> <p>E35.7.1. Matters of control</p> <p>The Council will reserve its control to all of the following matters when assessing a controlled activity resource consent application:</p> <p>(1) for the discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is greater than 1 hectare and that complies with Standard E35.6.2.1:</p> <ol style="list-style-type: none"> a) the effects on the environment as a result of all of the following: <ol style="list-style-type: none"> i. the disposal area; ii. the collection treatment and disposal equipment; iii. the storage system; and iv. monitoring requirements. <p>E35.7.2. Assessment criteria</p> <p>The Council will consider the relevant assessment criteria for controlled activities from the list below:</p> <p>(1) for the discharge of greenhouse nutrient solution onto or into land where the total floor area of the greenhouse is greater than 1 hectare and that complies with Standard E35.6.2.1:</p> <ol style="list-style-type: none"> a) whether the disposal area is suitable, including consideration of adjacent water bodies and land uses; b) whether the equipment for the collection, treatment and disposal of any discharge is adequate; and c) whether the capacity and security of the storage is suitable taking into account all of the following: <ol style="list-style-type: none"> i. the design and construction methods and materials used; ii. the potential for adverse effects on any adjacent natural resource overlay areas including the Wetland Management Areas Overlay, the Water Supply Management Areas Overlay, the Natural Stream Management Areas Overlay, the High-use Stream Management Areas Overlay, the Natural Lake Management Areas Overlay and the Quality-sensitive Aquifer Management Areas Overlay ; and iii. the measures to avoid, remedy or mitigate more than minor adverse effects on surface and groundwater water bodies.
Activity status if controlled conditions not met	E35.4.1 (A14) Rural production discharges that do not meet the permitted activity standards or controlled activity standards - Discretionary

Waikato

The Waikato Regional Plan provides for the application of fertiliser in a rule that includes application of nutrient solution (refer to the definition of fertiliser) subject to conditions. If the conditions cannot be met then the general discretionary rule applies.

Section 3.10 of the Waikato Regional Plan sets out specific provisions for the Land Taupo catchment. Growers in this catchment should refer to the specific provisions in the Plan.

Note that the plan may change when the provisions in PC1 (currently with the Environment Court) are settled and the relevant provisions may change.

Plan	Waikato Regional Plan Waikato Regional Plan - 3 Water module
Rule #	3.9.4.11 Permitted Activity Rule - Fertiliser Application
Status	Permitted
Definition of fertiliser	Any substance or mix of substances, that is not a biosolid or liquid or sludge derived from an activated wastewater treatment process and which is described as, or held to be for, or suitable for, sustaining or increasing the growth, productivity or quality of plants (or animals indirectly) through the application to plants and soils of the following nutrients: nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride, sodium, as "major nutrients" or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium as "minor nutrients"; non-nutrient attributes of the materials used in the fertiliser and fertiliser additives.
Activity	The discharge of fertiliser into air and onto or into land outside the Lake Taupo Catchment is a permitted activity subject to the following conditions
Activity standards	<ol style="list-style-type: none"> The discharge shall not result in any objectionable odour or particulate matter beyond the subject property boundary. The discharge does not result in any avoidable direct application of fertiliser to any water body. Where the fertiliser is being used in other than domestic gardening situations the fertiliser must be applied in accordance with the NZ Fertiliser Manufacturers Research Association, 1998 (updated 2002): Code of Practice for Fertiliser Use. A nutrient management plan of the type specified in Table 3-10 must be used to plan fertiliser application where nitrogen fertiliser is being applied at rates greater than 60 kg/N/ha/year. The contents of the nutrient management plan required by condition d) must be made available to the Waikato Regional Council upon request. A nutrient management plan shall be provided to Waikato Regional Council on request in accordance with condition d) where fertiliser is to be applied to an area of land that has also had farm animal effluent applied to it within the preceding 12 months. <p>NOTE: Refer to the regional plan Table 3-10 for the nutrient management plan</p>
Activity status if permitted conditions not met	<p>3.5.4.5 Discretionary Activity Rule - Discharges - General Rule</p> <p>Any discharge of a contaminant into water, or onto or into land, in circumstances which may result in that contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water, that is not specifically provided for by any rule, or does not meet the conditions of a permitted or a controlled activity rule in this Plan, is a discretionary activity (requiring resource consent).</p> <p>Information requirements to enable the assessment of any application under this Rule are set out in Section 8.1.2.2 of this Plan. In addition, assessment shall also take into account the matters identified in the policies in Section 3.5.3 of this Plan.</p>

Bay of Plenty

The Bay of Plenty Regional Plan provides for the application of fertiliser in a rule that includes application of nutrient solution (refer to the definition of fertiliser) subject to standards/ conditions. If the conditions cannot be met then the general discretionary rule applies. Note: Refer to the note below the table regarding Lake Rotorua catchment where other rules will apply.

Plan	Bay of Plenty Regional Plan https://atlas.boprc.govt.nz/api/v1/edms/document/A4378103/content
Rule #	DW R11 (Rule 20) Permitted - Application of Fertiliser to Land
Status	Permitted
Definition of fertiliser	Any substance which is described as or held out to be for, or suitable for sustaining or increasing the growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soils: nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride, sodium, as major nutrients or manganese, iron, zinc, copper, boron, cobalt, molybdenum, selenium, as minor nutrients or additives, and any other product which is considered to meet identified soil or plant nutrient deficiencies and is applied with this as the principle objective. Products discharged or applied as part of a waste treatment process require resource consents and are not covered by this code. This definition is from The Code of Practices for Fertiliser Use 1998.
Activity	The discharge of fertiliser to land where the contaminant or its by-products may enter water, where the fertiliser is applied using ground-based operations, is a permitted activity subject to the following conditions
Activity standards	<ol style="list-style-type: none"> a) There shall be no direct discharge of fertiliser to groundwater, streams, rivers, lakes or wetlands. b) All practicable measures shall be taken to avoid the runoff of fertiliser to streams, rivers, lakes or wetlands. c) The fertiliser shall be applied at an appropriate time, rate and volume that avoids leaching of nutrients to groundwater. d) Fertiliser must be stored and used in a manner that complies with (a) to (c) above. e) Where the discharge of fertiliser is within 10 metres of a lake, river, stream or wetland, all reasonable steps shall be taken to apply the fertiliser accurately, and confine the fertiliser to the application site. <p>This activity is also subject to the requirements of the rules in the Rotorua Lakes section.</p>
Activity status if permitted conditions not met	<p>DW R8 (Rule 37) Discretionary - Discharges to Water or Land</p> <p>Any:</p> <ol style="list-style-type: none"> 1) Discharge of a contaminant to water. 2) Discharge of water to water. 3) Discharge of a contaminant onto or into land in circumstances which may result in the contaminant (or any other contaminant emanating as a result of natural processes from that contaminant) entering water. 4) Discharge of a contaminant from any industrial or trade premises onto or into land. <p>That is not:</p> <ol style="list-style-type: none"> a) Permitted by a rule in this regional plan. b) Permitted by a rule in any other Bay of Plenty regional plan. c) Prohibited by a rule in this regional plan. d) Restricted discretionary status by a rule in this regional plan. e) Controlled status by a rule in this regional plan. <p>There are no activity standards for the discretionary rule but the plan lists a range of objectives, policies and methods that will be considered when assessing resource consent applications under Rule DW R8. The provisions cover a range of matters and the assessment will be against those relevant to the nature of the discharge.</p>

This activity is also subject to the requirements of the rules in the RL Rotorua Lakes section of this regional plan. The activity will also be subject to the LR Lake Rotorua Nutrient Management rules if the discharge activity is within the Lake Rotorua groundwater catchment (see Map LR 1). All discharges to surface water that are discretionary under this rule will be assessed against the Water Quality Classification of the receiving water body (refer to Schedule 9 and the Water Classification map).

Resource consent applicants who seek to exceed the relevant Water Quality Classification standards must provide evidence in their application to demonstrate how the adverse effects of the proposed activity will be avoided, remedied or mitigated to be consistent with IM O3.

Gisborne

The Tairāwhiti Resource Management Plan has a rule for discharge of greenhouse nutrient solution.

Plan	Tairāwhiti Resource Management Plan Tairāwhiti Resource Management Plan - Part C (C5-C8)
Rule #	6.2.9 (6)
Status	Permitted
Activity	Diffuse discharges from the discharge of greenhouse nutrient solution to land.
Activity standards	<ul style="list-style-type: none"> a) The discharge is in accordance with the Code of Practice for Management of Greenhouse Nutrient Discharges (2007); and b) The application rate of nitrogen does not exceed: <ul style="list-style-type: none"> i. 150 kg N/year and 30 kg N/ha/31 days onto grazed pasture underlain by sandy and pumice soils; ii. 200 kg N/year and 50 kg N/31 day onto grazed pasture underlain by soils other than those listed above; iii. Exceed the reasonable nitrogen requirements of the crop or vegetation being grown on ground other than grazed pasture. c) The application rate of phosphate does not exceed 100 kg P/ha/31 days.
Activity status if permitted conditions not met	<p>6.2.9(8) - Discretionary</p> <p>Diffuse discharges that do not meet the permitted activity standards for the rules in section C6.2 or is not provided for by another rule in this Plan.</p> <p>There are no activity standards for Rule 6.2.9 (8) but policy 6.2.8 is relevant for assessment and may require a Farm Environment Plan.</p>

Hawke's Bay

The Hawkes Bay Regional Plan has a definition of fertiliser that would include nutrient solution as a fertiliser and a permitted activity rule for its application and usage. If resource consent is required, there are specific provisions for Tukituki, Tūtaekurī, Ahuriri, Ngaruroro and Karamū catchments which would need to be considered. (Refer to the plan for details)

Plan	Hawkes Bay Regional Resource Management Plan Hawke's Bay Regional Resource Management Plan - Chapter 6
Rule #	6.4.2 Rule 11 Fertiliser use
Status	Permitted
Definition of fertiliser	Any substance which is described as or held out to be suitable for sustaining or increasing growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soil, whether in solid or fluid form: <ul style="list-style-type: none"> • nitrogen, phosphorous, potassium, sulphur, magnesium, calcium, chlorine, sodium as major nutrients, or • manganese, iron, copper, boron, cobalt, molybdenum, selenium as minor nutrients or additives and any other product which is considered to meet identified soil or plant nutrient deficiencies and is applied with this principal objective.
Activity	The discharge of contaminants into air, or into or onto land, arising from the storage, transfer or use of fertiliser
Activity standards	a. The discharge shall not cause any effects which are noxious, offensive or objectionable. Note: The HBRC will accept, as one means of compliance with condition (a), any discharge of fertiliser undertaken in accordance with the Code of Practice for Fertiliser Use (New Zealand Fertiliser Manufacturers' Research Association, 1998). NOTE Rule 11 does not encompass the use of biosolids, soil conditioners or animal effluent.
Activity status if permitted conditions not met	Rule 52 Discharges that do not comply with rules 9-14, 16, 31-51 - Discretionary Activity The discharge of: <ul style="list-style-type: none"> • contaminants onto or into land, or into water, or • water into water which does not comply with any condition on a permitted activity rule, or any standard or term on a controlled activity rule within this Plan, but which is not expressly classified as a discretionary, noncomplying or prohibited activity. Refer POL 14, 16, 17, 19, 22, 47, 48, 49, 71, 79 for matters to be assessed.

Taranaki

There is no specific rule for discharge of nutrient solution in the Taranaki Freshwater Plan. The fertiliser rules requires that a fertiliser is approved under the Fertiliser Act or the ACVM Act. It is unlikely that mixed nutrient solution would meet this definition, so the fertiliser rule is not applicable.

Rule 30 provides for discharge of 'on-farm waste material'. There is no definition for on-farm waste material but the rule provides for discharges that occur onto or into production land, which includes horticultural land, so is the most appropriate rule in the Taranaki Plan.

Plan	Regional Freshwater Plan for Taranaki TRC - Discharges of contaminants to land and water (excluding discharges to water in the Hangatahua (Stony) River catchment)
Rule #	30
Status	Permitted
Activity	Discharge of offal, farm rubbish, leachate from silage pits and feedlots and other on-farm waste material into or onto land excluding those materials covered by Rules 22 and 35-39
Activity standards	<ul style="list-style-type: none"> • Discharge occurs onto or into production land; • Only waste generated on the subject property shall be discharged; • Discharge shall not occur within 50 m of any bore, well or spring used for water supply purposes; • Discharge shall not occur within 25 m of any surface water body; • Discharge shall not lead or be liable to lead to any contaminants entering surface water; (other standards relating to agrichemical solution and offal pits excluded).
Activity status if permitted conditions not met	<p>Discretionary - Rule 44</p> <p>Rule 44 includes discharges of contaminants to land which are provided for in Rules 21-42 but which does not meet the standards, terms or conditions of those rule.</p> <p>The rule lists relevant policies that will be considered in an assessment under the rule.</p>

Manawatu - Whanganui - Horizons

The relevant rules for covered cropping and management of nutrient solution in the Horizons One Plan are determined by the crop, the size of the operation and whether it is an existing or a new operation.

The One Plan defines commercial vegetable growing as: using an area of land greater than 4 ha for producing vegetable crops for human consumption. It includes the whole rotational cycle, being the period of time that is required for the full sequence of crops, including any pasture phase in the rotation. Fruit crops, vegetables that are perennial, dry field peas or beans are not included.

Commercial vegetable growing is classed as a 'intensive farming land use' activity and specific rules apply where the activity is over 4ha and will vary depending on whether it is an existing or a new activity. The application of drain nutrient solution to land will be considered as part of the resource consent process.

Any operation growing vegetables in soilless media over 4ha will be classed as a commercial vegetable growing operation and require resource consent as a controlled activity under LF-LW-R14 Existing intensive farming land use activities or LF-LW-R15 New intensive land use activities. If the conditions of the rules are not met then existing operations will require a restricted discretionary consent under Rule LF-LW-R17 and for new operations a restricted discretionary consent under Rule LF-LW-R18. Note that the rules are designed for a range of farming land use activities so there are conditions that will not be relevant to vegetable growing operations.

For an operation growing vegetables under 4ha the permitted activity fertiliser rule LF-LW-R9 would apply to the application of nutrient solution to land. If conditions cannot be met then a discretionary activity consent under Rule LF-LW-R38 will be required.

For operations growing fruit or berries, regardless of size, the permitted activity fertiliser rule LF-LW-R9 would apply to the application of nutrient solution to land. If conditions cannot be met then a discretionary activity consent under Rule LF-LW-R38 would be required.

The One Plan has permitted, controlled and restricted discretionary activity rules for a range of agricultural discharges (LF-LW-R9 - LF-LW-R19) but lists specific discharges which do not include nutrient solution. Therefore the discharge of nutrient solution is not specifically provided for and the rules relating to commercial vegetable growing or fertiliser will apply.

The tables below set out the relevant provisions dependent on the size of the operation:

- Existing vegetable growing operations over 4ha
- New vegetable growing operations over 4ha
- Vegetable growing operations 4ha or less and fruit or berry operations (any size).

NOTE: PC2 which is currently before the Environment Court includes provisions for commercial vegetable growing - as defined above. It is unclear whether greenhouse growing and discharge of nutrient solution will be covered by new provisions in PC2.

Existing vegetable growing operations (including covered and hydroponics) over 4ha

Plan	Horizons One Plan for Manawatu - Whanganui Region One Plan Chapter 14: Discharges to Land and Water
Rule #	LF-LW-R14 Existing intensive farming land use activities
Status	Controlled
Definition of commercial vegetable growing	Means using an area of land greater than 4 ha for producing vegetable crops for human consumption. It includes the whole rotational cycle, being the period of time that is required for the full sequence of crops, including any pasture phase in the rotation. Fruit crops, vegetables that are perennial, dry field peas or beans are not included.
Activity	<p>The use of land pursuant to s9(2) RMA for any of the following types of intensive farming:</p> <ol style="list-style-type: none"> 1. dairy farming 2. commercial vegetable growing 3. cropping 4. intensive sheep and beef farming <p>that was existing in the Water Management Sub-areas listed in and from the dates specified in Table 11 and any of the following discharge pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming:</p> <ol style="list-style-type: none"> 1. the discharge of fertiliser onto or into land 2. the discharge of contaminants onto or into land from <ol style="list-style-type: none"> a. the preparation, storage, use or transportation of stock feed on production land b. the use of a feedpad 3. the discharge of grade Aa biosolids or compost onto or into production land 4. the discharge of poultry farm litter onto or into production land 5. the discharge of farm animal effluent onto or into production land (or upon expiry or surrender of any existing consent for that discharge) including: <ol style="list-style-type: none"> a. effluent from dairy sheds and feedpads b. effluent received from piggeries c. sludge from farm effluent ponds d. poultry farm effluent <p>and, as an ancillary activity, any discharge of contaminants into air pursuant to ss15(1) or 15(2A) RMA.</p> <p>Where the existing intensive farming land use is located partly on land within one or more of the water management sub-areas listed in Table 11 and partly on other land, this rule only applies:</p> <ol style="list-style-type: none"> 1. if at least 20% of the existing intensive farming land use is located on land within the listed water management sub-areas; and 2. to the portion of the existing intensive farming land use that is located within the listed water management sub-areas.
Conditions	<ol style="list-style-type: none"> 1. A nutrient management plan must be prepared for the land, and provided annually to the Regional Council. 2. The activity must be undertaken in accordance with the nutrient management plan prepared under (1). 3. The nutrient management plan prepared under (1) must demonstrate that the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching maximum specified in Table 12. 4. Cattle must be excluded from: <ol style="list-style-type: none"> a. Wetlands and lakes that are a rare habitat or threatened habitat, and b. the beds of rivers that are permanently flowing or have an active bed width greater than 1 m. 5. Rivers that are permanently flowing or have an active bed width greater than 1 m, that are crossed by cattle must be bridged or culverted, and the cattle must cross via that bridge or culvert, and run-off originating from the carriageway of the bridge or culvert must be discharged onto or into land. 6. The discharge of fertiliser onto or into land and, as an ancillary activity, any discharge of contaminants into air must comply with the conditions of RP-LF-W-R9 (Refer to rule below) 7. The discharge of contaminants onto or into land from: a. the preparation, storage, use or transportation of stock feed on production land, or b. the use of a feedpad and, as an

	<p>ancillary activity, any discharge of contaminants into air must comply with the conditions of RP-LF-LW-R10.</p> <p>8. The discharge of grade Aa biosolids or compost onto or into production land and any ancillary discharge of contaminants into air must comply with the conditions of RP-LF-LW-R11.</p> <p>9. The discharge of poultry farm litter onto or into production land and any ancillary discharge of contaminants into air must comply with the conditions of RP-LF-LW-R12.</p> <p>10. The discharge of farm animal effluent onto or into production land including:</p> <ul style="list-style-type: none"> a. effluent from dairy sheds and feedpads b. effluent received from piggeries c. sludge from farm effluent ponds d. poultry farm effluent <p>and, as an ancillary activity, any discharge of contaminants into air must comply with the conditions, standards and terms of RP-LF-LW-R16</p>
Matters of control	<p>Control is reserved over:</p> <ol style="list-style-type: none"> 1. the implementation of the nutrient management plan 2. compliance with the cumulative nitrogen leaching maximum specified in Table 12 3. the matters of control in RP-LF-LW-R19 4. avoiding, remedying or mitigating the effects of odour, dust, fertiliser drift, or effluent drift 5. provision of information including the nutrient management plan 6. duration of consent 7. review of consent conditions 8. compliance monitoring 9. the matters in RP-LF-LW-P12. <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>
Activity status if controlled activity conditions not met	<p>LF-LW-R17 Existing intensive farming land use activities not complying with LF-LW-R14</p> <p>Restricted discretionary activity (Refer to plan for details)</p>
Other defined terms or parts of plan refer to the plan	<p>Nutrient management plan</p> <p>Fertiliser</p> <p>Table 11 Water Management Sub-areas</p> <p>Table 12 Cumulative nitrogen leaching maximum by Land use capability class</p>

New vegetable growing operations (including covered and hydroponics) over 4ha

Plan	Horizons One Plan for Manawatu - Whanganui Region One Plan Chapter 14: Discharges to Land and Water
Rule #	LF-LW-R15 New intensive farming land use activities
Status	Controlled
Definition of commercial vegetable growing	Means using an area of land greater than 4 ha for producing vegetable crops for human consumption. It includes the whole rotational cycle, being the period of time that is required for the full sequence of crops, including any pasture phase in the rotation. Fruit crops, vegetables that are perennial, dry field peas or beans are not included.
Activity	The use of land pursuant to s9(2) RMA for any of the following types of intensive farming: <ol style="list-style-type: none"> 1. dairy farming 2. commercial vegetable growing 3. cropping 4. intensive sheep and beef farming that occurs from the date this rule has legal effect anywhere within the Region and any of the following discharges pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming: <ol style="list-style-type: none"> 1. the discharge of fertiliser onto or into land 2. the discharge of contaminants onto or into land from <ol style="list-style-type: none"> a. the preparation, storage, use or transportation of stock feed on production land b. the use of a feedpad 3. the discharge of grade Aa biosolids or compost onto or into production land 4. the discharge of poultry farm litter onto or into production land 5. the discharge of farm animal effluent onto or into production land including: <ol style="list-style-type: none"> a. effluent from dairy sheds and feedpads b. effluent received from piggeries c. sludge from farm effluent ponds d. poultry farm effluent and, as an ancillary activity, any discharge of contaminants into air pursuant to ss15(1) or 15(2A) RMA.
Conditions	<ol style="list-style-type: none"> 1. A nutrient management plan must be prepared for the land, and provided annually to the Regional Council. 2. The activity must be undertaken in accordance with the nutrient management plan prepared under (1). 3. The nutrient management plan prepared under (1) must demonstrate that the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching maximum specified in Table 12. 4. Cattle must be excluded from: <ol style="list-style-type: none"> a. Wetlands and lakes that are a rare habitat or threatened habitat, and b. the beds of rivers that are permanently flowing or have an active bed width greater than 1 m. 5. Rivers that are permanently flowing or have an active bed width greater than 1 m, that are crossed by cattle must be bridged or culverted, and the cattle must cross via that bridge or culvert, and run-off originating from the carriageway of the bridge or culvert must be discharged onto or into land. 6. The discharge of fertiliser onto or into land and, as an ancillary activity, any discharge of contaminants into air must comply with the conditions of RP-LF-W-R9 (Refer to rule in table below) 7. The discharge of contaminants onto or into land from: <ol style="list-style-type: none"> a. the preparation, storage, use or transportation of stock feed on production land, or b. the use of a feedpad and, as an ancillary activity, any discharge of contaminants into air must comply with the conditions of RP-LF-LW-R10. 8. The discharge of grade Aa biosolids or compost onto or into production land and any ancillary discharge of contaminants into air must comply with the conditions of RP-LF-LW-R11. 9. The discharge of poultry farm litter onto or into production land and any ancillary discharge of contaminants into air must comply with the conditions of RP-LF-LW-R12. 10. The discharge of farm animal effluent onto or into production land including:

	<p>a. effluent from dairy sheds and feedpads b. effluent received from piggeries c. sludge from farm effluent ponds d. poultry farm effluent and, as an ancillary activity, any discharge of contaminants into air must comply with the conditions, standards and terms of RP-LF-LW-R16</p>
Matters of control	<p>Control is reserved over:</p> <ol style="list-style-type: none"> 1. the implementation of the nutrient management plan 2. compliance with the cumulative nitrogen leaching maximum specified in Table 12 3. the matters of control in RP-LF-LW-R19 4. avoiding, remedying or mitigating the effects of odour, dust, fertiliser drift, or effluent drift 5. provision of information including the nutrient management plan 6. duration of consent 7. review of consent conditions 8. compliance monitoring 9. the matters in RP-LF-LW-P12. <p>Resource consent applications under this rule will not be notified and written approval of affected persons will not be required (notice of applications need not be served on affected persons).</p>
Activity status if controlled activity conditions not met	<p>LF-LW-R18 New intensive farming land use activities not complying with LF-LW-R15 Restricted discretionary activity (Refer to plan for details)</p>
Other defined terms or parts of plan-refer to the plan	<p>Nutrient management plan Fertiliser Table 12 Cumulative nitrogen leaching maximum by Land use capability class</p>

Vegetable growing operations 4ha or less (existing or new) and all fruit or berry growing operations

Plan	Horizons One Plan for Manawatu - Whanganui Region One Plan Chapter 14: Discharges to Land and Water
Rule #	LF-LW-R9 Fertiliser use
Status	Permitted
Definition of fertiliser	Fertiliser means any substance or mix of substances that is described as or held to be suitable for sustaining or increasing the growth, productivity or quality of plants (or animals indirectly) through the application to plants and soils of: <ul style="list-style-type: none"> (a) the following major nutrients: nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride and sodium (b) the following minor nutrients: manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine and selenium (c) non-nutrient attributes of the materials used in fertiliser (d) fertiliser additives but does not include biosolids or dead animal matter.
Activity	The discharge of fertiliser onto or into land pursuant to ss15(1) or 15(2A) RMA and, as an ancillary activity, any discharge of contaminants into air pursuant to ss15(1) or 15(2A) RMA, except where the discharge is undertaken in association with a use of land controlled by RP-LF-LW-R14, RP-LF-LW-R15, RPLF-LW-R17 and RP-LF-LW-R18.
Activity standards	<ol style="list-style-type: none"> 1. There must be no direct discharge of fertiliser, into any surface waterbody or its bed or artificial watercourse other than as provided for under 2. 2. All reasonable measures must be taken to prevent: <ol style="list-style-type: none"> a. any discharge of fertiliser, within the bed of a river that is permanently flowing or has an active bed width greater than 2 m, or any lake or wetland that has an area of 1 ha or more b. any discharge into any rare habitat, threatened habitat or at-risk habitat, except for the purpose of enhancing such habitats. Under condition (2) "reasonable measures" includes the use of GPS technology. 3. For production land the fertiliser, must be discharged in accordance with the Code of Practice for Nutrient Management (New Zealand Fertiliser Manufacturers' Research Association, 2007). 4. Where nitrogen fertiliser is discharged onto land in excess of 60 kgN/ha/year averaged across the whole farm area or in excess of an average rate of 150 kgN/ha/year on any application area a nutrient budget undertaken using the OVERSEER® model, which takes into account all other sources of nitrogen, and covers and identifies the whole farm area including details of individual blocks and which is designed to minimise nitrogen leaching rates, must be used to plan and carry out the fertiliser discharge and be made available to the Regional Council upon request. If a nutrient management plan is required under RP-LF-LW-R14, RP-LF-LWR15, RP-LF-LW-R17 and RP-LF-LW-R18, then the nutrient budget required by this condition^ must be consistent with it and the activity must be carried out in accordance with it. 5. The discharge must not result in any offensive or objectionable odour or fertiliser drift beyond the property boundary.
Activity status if permitted conditions not met	LF-LW-R38 Discharges of water or contaminants to land or water not covered by other rules in this Plan or chapter The discharge of water or contaminants into surface water pursuant to s15(1)(a) RMA or discharge of contaminants onto or into land pursuant to ss15(1)(b), 15(1)(d) or 15(2A) RMA which are not regulated by other rules in this Plan, or which do not comply with the permitted activity, controlled activity or restricted discretionary activity rules in this chapter.
Assessment matters	Policy LF-LW-P5 sets out consent decision making for discharges to land and lists the matters the council must have regard to. Policy LF-LW-P6 Industry based standards provides for the use of industry based standards, including guidelines and codes of practice which represent best practice, and may accept compliance with those standards as being adequate to avoid remedy or mitigate adverse effects in relation to matters set out in LF-LW-P5. NOTE: This policy would provide for the Drain Nutrient Solution Management COP to be used as part of a resource consent application.

Greater Wellington

Greater Wellington has a definition of fertiliser that would include nutrient solution as a fertiliser so the fertiliser rule R72 will apply.

There are rules for specific areas - called Whaitua - Ruamahanga, Wellington Harbour and Hutt Valley, Te Awarua-o-Porirua, Kapiti, and Wairarapa Coast. Refer to the plan for specific Whaitua provisions, which are in addition to Rule 72.

Plan	Natural Resources Plan for the Wellington Region GW - Natural Resource Plan Operative Version 2023
Rule #	5.2.9 Rule R72 Fertiliser
Status	Permitted
Definition of fertiliser	<p>(a) A substance or biological compound, or mix of substances or biological compounds that is described as, or held out to be for, or suitable for, sustaining or increasing the growth, productivity, or quality of plants or, indirectly animals through the application to plants or soil of</p> <p>(i) Nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients, or</p> <p>(ii) Manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients, and</p> <p>(iii) Fertiliser additives, and</p> <p>(b) Includes non-nutrient attributes of the materials used in fertiliser, but</p> <p>(c) does not include; substances that are plant growth regulators that modify the physiological functions of plants, animal effluent, biosolids, compost, or solid animal waste.</p>
Activity	Rule R72: Discharge of fertiliser from ground-based or aerial discharge - permitted activity The discharge of fertiliser onto or into land where a contaminant may enter water, or into air is a permitted activity, provided the following conditions are met:
Activity standards	<p>(a) the discharge from ground-based application is not directly onto or into a surface water body, and</p> <p>(b) all reasonably practicable steps must be taken to prevent the discharge by a commercial operator undertaking aerial application onto or into a river with an active bed, lake, natural wetland, water race or an estuary outside the coastal marine area, and</p> <p>(c) the discharge does not cause an offensive or objectionable effect beyond the boundary of the property, and</p> <p>(d) the discharge by a commercial operator is in accordance with the Fertiliser Quality Council's Code of Practice for the Placement of Fertiliser in New Zealand 2018, and</p> <p>(e) the discharge by a non-commercial operator using groundspreading equipment, is in accordance with the Fertiliser Association of New Zealand's Code of Practice for Nutrient Management (With Emphasis on Fertiliser Use) 2013.</p>
Activity status if permitted conditions not met	<p>Rule R94: All other discharges - discretionary activity</p> <p>The discharge of water or contaminants into water, or onto or into land where it may enter water, that is not:</p> <p>(a) in a site or habitat identified in Schedule A (outstanding water bodies), Schedule C (mana whenua), Schedule F1 (rivers/lakes), Schedule F3 (identified natural wetlands), Schedule F4 (coastal sites) or Schedule H1 (contact recreation), and</p> <p>(b) a permitted, controlled, restricted discretionary, or non-complying activity under any other rule in the Plan, or a discretionary activity under Rules R55, R56, R58, R65, R83 or R90, is a discretionary activity.</p>

Tasman

The Tasman Resource Management Plan has a definition and rule for fertiliser that would enable nutrient solution to be applied to land as a fertiliser. As nutrient solution has nutrient value as a fertiliser it is not considered to be part of a waste treatment or disposal process.

Plan	Tasman Resource Management Plan https://eplan.tasman.govt.nz/eplan/rules/0/221/0/16071/0/30
Rule #	36.5.2.1 Discharge of Fertiliser
Status	Permitted Activities
Definition of fertiliser	means a substance which is described as or held out to be for sustaining or increasing the growth, productivity or quality of plants or animals through application of essential nutrients to plants or the soil , but it does not include materials discharged or applied as part of a waste treatment or disposal process.
Activity	The discharge of fertiliser into the air or onto land is a permitted activity that may be undertaken without a resource consent , if it complies with the following conditions :
Activity standards	<p>a) The discharge must be undertaken in such a way that fertiliser drift does not move over any adjoining property that is any:</p> <ol style="list-style-type: none"> i. property registered or certified by the New Zealand Biological Producers & Consumers Society Incorporated or the Biodynamic Farming and Garden Association as an organically farmed property, provided that this registration or certification was established before any discharge activity is commenced; or ii. dwelling or any area within 30 metres of a dwelling; or iii. fruit on any horticultural planting; provided that this does not apply where there is a mutual agreement to this effect between the person who discharges or causes the discharge of any fertiliser, and any occupier of the adjoining property.
	<p>36.5.2.2 Controlled Activities (Discharge of Fertiliser) The discharge of fertiliser to land or into the air that does not comply with the conditions of rule 36.5.2.1 is a controlled activity. A resource consent is required and may include conditions on the following matters over which the Council has reserved control:</p> <ol style="list-style-type: none"> 1. Provision of fertiliser application programmes for or notification of potentially affected people. 2. Method of application. 3. Type of fertiliser applied. 4. Record-keeping. 5. Methods to avoid or mitigate movement of fertiliser onto adjoining properties. 6. Establishment of buffer zones. 7. The duration of the consent (Section 123 of the Act) and the timing of reviews of conditions and purpose of reviews (Section 128). 8. Bonds, and covenants in respect of the performance of conditions, and administrative charges (Section 108).

Nelson

The Nelson Resource Management Plan has a definition and a rule for fertiliser that could include application of nutrient solution, except that the permitted activity rule condition requires that the fertiliser is registered in NZ under the ACVM Act. As nutrient solution would be unlikely to meet this requirement, a grower could apply for a Restricted Discretionary Activity consent under the fertiliser rule or a discretionary consent under the General discharge to land rule (FWR.25). Nutrient solution is not listed as a permitted activity in FWR.25 so a discretionary consent would be required. Both options are set out below.

Plan	Nelson Resource Management Plan https://nelson.isoplan.co.nz/operative/rules/0/81/0/29435/0/149
Rule #	FWR.24.3 Fertiliser discharges to land and air where it may enter water
Status	Restricted discretionary
Definition of fertiliser	means any substance which is held out by its manufacturer, distributor, or vendor to be, or is in fact suitable for, sustaining or increasing the growth, productivity, or quality of plants by its application to those plants or the soil in which they grow or will grow; and includes a substance imported, manufactured, or being manufactured, with the intention that it be so held out.
Activity	Any discharge of fertiliser onto land that contravenes a permitted activity condition is a restricted discretionary activity
Matters of discretion	Discretion restricted to: <ul style="list-style-type: none"> a. type and volume of fertiliser, and b. nature and sensitivity of receiving environment, and c. cumulative effects of fertiliser use.
Assessment matters	FWR.24.4 <ul style="list-style-type: none"> a. type and volume of fertilizer. b. nature and sensitivity of receiving environment c. current levels of phosphate and nitrate in the receiving water body as recorded in the Council's water monitoring programme.

Plan	Nelson Resource Management Plan https://nelson.isoplan.co.nz/operative/rules/0/81/0/29435/0/149
Rule #	FWR.25.3 General discharges to land where it may enter water
Status	Discretionary
Activity	Any discharge that contravenes a permitted activity, and is not listed as a non-complying or prohibited activity is discretionary.
Assessment matters	FWR.25.4 <ul style="list-style-type: none"> a. location and area of discharge. b. risk of contamination of surface or groundwater. c. the degree to which any discharge of stormwater to Council stormwater infrastructure does not comply with the NCC Stormwater Bylaw 2006 or section 9.3 of the NCC Land Development Manual 2010. A site assessment will have to be supplied when an application is made for a discretionary activity to discharge stormwater into the Council's stormwater infrastructure. <p>This assessment must include:</p> <ul style="list-style-type: none"> i. detail of how and why the stormwater discharge contravenes the permitted conditions, and ii. a plan of the site layout that identifies all actual and potential sources of stormwater pollution, and iii. identification of best practicable options to ensure that actual and potential contamination of stormwater is minimised at source.

Marlborough

The Marlborough Environment Plan is a Unitary Plan and includes both regional and district rules. The Rural Environment Chapter has a definition for fertiliser that would include nutrient solution so the permitted activity fertiliser rule 3.1.25 and standards 3.3.25 would apply when applying nutrient solution to land.

Plan	Marlborough Environment Plan Marlborough Environment Plan (MEP) Volume 2 Ch 3 Rural Environment Operative in Part
Rule #	3.1.25 Storage and application (involving a discharge) of fertiliser or lime into or onto land.
Status	Permitted
Definition of fertiliser	means any substance (whether in solid or liquid form) that is described as or held out to be for, or suitable for sustaining or increasing the growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soils; nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride, sodium as major nutrients, or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium as minor nutrients or fertiliser additives, and includes non-nutrient attributes of materials used in fertiliser, but does not include substances that are plant growth regulators that modify physiological functions of plants. For the purposes of the Plan, fertiliser excludes compost.
Activity	Storage and application (involving a discharge) of fertiliser or lime into or onto land. Activity standards 3.3.25 Storage and application (involving a discharge) of fertiliser or lime into or onto land.
Activity standards	3.3.25.1. The application of fertiliser must not be applied to a Soil Sensitive Area identified as free-draining soils. 3.3.25.2. Fertiliser must be stored on an impermeable, bunded surface and covered at all times, except when fertiliser is being applied. 3.3.25.3. Total cumulative nitrogen (N) loading on the areal extent of land used for the application must not exceed 200kg N/ha/year (excluding N from direct animal inputs). 3.3.25.4. The application must not occur when the soil moisture exceeds field capacity. 3.3.25.5. All reasonable care must be exercised with the application of fertiliser, including compliance with Sections 5.2 and 5.3 of the Fertiliser Association of New Zealand's Code of Practice for Nutrient Management 2013, to ensure that the fertiliser does not pass beyond the legal boundary of the area of land on which the fertiliser is being applied. 3.3.25.6. All reasonable care must be exercised with the application of lime so as to ensure that the lime does not pass beyond the legal boundary of the area of land on which the lime is being applied.
Activity status if permitted conditions not met	Restricted discretionary activity 3.5.3. The application of fertiliser (involving a discharge) into or onto land for arable land use or horticultural land use that does not comply with Standard 3.3.25.3 (exceeding a total cumulative nitrogen (N) loading of 200kg N/ha/year). Matters over which the Council has restricted its discretion: 3.5.3.1. The reasonable crop demand for N. 3.5.3.2. The total cumulative Nitrogen (N) loading on the area extent of land used for the application. 3.5.3.3. The effects on community drinking water supply, the freshwater values of Marlborough's tangata whenua iwi, (including mahinga kai), water quality and aquatic ecosystems. Discretionary activity 3.6.1. Any activity provided for as a Permitted Activity, Controlled Activity or Restricted Discretionary Activity that does not meet the applicable standards is a discretionary activity 3.6.12. Any discharge of contaminants into or onto land, or to air, not provided for as a Permitted Activity or limited as a Prohibited Activity.
Definition	Soil Sensitive Area - as mapped on the Soil Sensitive Area Overlay (Refer maps)

Environment Canterbury

The Canterbury Regional Land and Water Plan has a complex suite of rules for farming activities that vary depending on nutrient allocation zone, sub-region, size and activity.

The Plan has specific rules for commercial vegetable growing (5.42CA - 5.42CC) but the definition excludes crops grown under cover:

Commercial vegetable growing activity is a sub-set of 'farming activity' and means the growing, for the purpose of commercial gain, of vegetable crops for human consumption, on one or more parcels of land held in single or multiple ownership (whether or not held in common ownership) that constitutes a single operating unit, and may include crop-rotation across different parcels of land over time, but excludes vegetable crops grown under cover.

Therefore the specific commercial vegetable growing rules do not apply to covered crops and the management of nutrient solution.

Vegetable, fruit and berry crops grown under cover are included as a farming activity so the rules relating to farming activities in the various nutrient allocation zones will apply. The farming activity will include all aspects of the covered cropping operation including nutrient solution management through its life cycle. The relevant rules are determined by area and location.

Red Nutrient allocation Zone:

- Rule 5.43 Permitted if less than 10 ha -no conditions
- Rule 5.44 Permitted if over 10ha and meets conditions
- Rules 5.44A - 5.48 if permitted activity conditions not met- requiring resource consent

Orange Nutrient allocation Zone

- Rule 5.54A Permitted if less than 10ha - no conditions
- Rule 5.54 Permitted if over 10ha and meets conditions
- Rules 5.54A - 5.56A if permitted activity conditions not met - requiring resource consent

Green or light blue allocation Zone -

- Rule 5.57 Permitted if less than 10 ha- no conditions
- Rule 5.57A Permitted if greater than 10 ha and meets conditions
- Rules 5.57B- 5.59 if permitted activity conditions not met - requiring resource consent

Rule 5.63 provides for incidental nutrient discharge where the land use activity is authorised in Rules 5.43 -5.59 - which includes the rules listed above.

The Canterbury plan also has specific sub-region rules. Growers need to check the appropriate sub-region for any relevant specific rules.

Red Nutrient allocation Zone

Plan	Canterbury Land and Water Regional Plan Canterbury Land and Water Regional Plan
Rules #	5.42 and 5.44
Status	Permitted
Activity 10 ha or less	Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity.
Activity greater than 10ha	<p>Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area is a permitted activity provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The property is registered in the Farm Portal by 1 July 2019 and information about the farming activity and the property is reviewed and updated by the property owner or their agent every 36 months thereafter, or whenever a material change in the land use associated with the farming activity occurs, or whenever any boundary of the property is changed; and 2. The area of the property authorised to be irrigated with water is less than 50 hectares; and 3. For any property where, as at 13 February 2016, the area of the property authorised to be irrigated with water is less than 50 hectares, any increase in the area of the property that is irrigated is limited to 10 hectares above that which was irrigated at 13 February 2016; and 4. The area of the property used for winter grazing is less than: <ol style="list-style-type: none"> (a) 10 hectares, for any property less than 100 hectares in area; or (b) 10% of the area of the property, for any property between 100 hectares and 1000 hectares in area; or (c) 100 hectares, for any property greater than 1000 hectares in area; and 5. A Management Plan has been prepared in accordance with Schedule 7A and is implemented within 12 months of the rule being made operative and supplied to the Canterbury Regional Council on request.
Default if permitted activity conditions not met	<p>Refer to the Plan to determine which rule will apply:</p> <ul style="list-style-type: none"> 5.44A - controlled activity 5.45 - restricted discretionary 5.46 Discretionary - farming enterprise 5.47 - non-complying 5.48 Prohibited activity
Incidental discharge rule	<p>5.63 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met:</p> <ol style="list-style-type: none"> 1. The land use activity associated with the discharge is authorised under Rules 5.41 to 5.42C or Rules 5.43 to 5.59; or 2. The land use activity associated with the discharge is authorised under rules in Section 3.3: Cumulative Effects of Land Use on Water Quality of the Hurunui-Waiiau River Regional Plan.

Orange Nutrient Allocation Zone

Plan	Canterbury Land and Water Regional Plan Canterbury Land and Water Regional Plan
Rules #	5.53 and 5.54
Status	Permitted
Activity 10 ha or less	Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity.
Activity greater than 10ha	Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area is a permitted activity provided the following conditions are met:

	<p>1. The property is registered in the Farm Portal by 1 July 2019 and information about the farming activity and the property is reviewed and updated by the property owner or their agent every 36 months thereafter, or whenever a material change in the land use associated with the farming activity occurs, or whenever any boundary of the property is changed; and</p> <p>2. The area of the property irrigated with water is less than 50 hectares; and</p> <p>3. The area of the property used for winter grazing is less than:</p> <p>(a) 10 hectares, for any property less than 100 hectares in area; or</p> <p>(b) 10% of the area of the property, for any property between 100 hectares and 1000 hectares in area; or</p> <p>(c) 100 hectares, for any property greater than 1000 hectares in area; and</p> <p>4. A Management Plan has been prepared in accordance with Schedule 7A and is implemented within 12 months of the rule being made operative and supplied to the Canterbury Regional Council on request.</p>
Default if permitted activity conditions not met	<p>Refer to the Plan to determine which rule will apply:</p> <p>Rule 5.54A - controlled activity</p> <p>Rule 5.55 - restricted discretionary activity</p> <p>Rule 5.56 - discretionary - farming enterprise</p> <p>Rule 5.56A - non-complying</p>
Incidental discharge rule	<p>5.63 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met:</p> <p>1. The land use activity associated with the discharge is authorised under Rules 5.41 to 5.42C or Rules 5.43 to 5.59; or</p> <p>2. The land use activity associated with the discharge is authorised under rules in Section 3.3: Cumulative Effects of Land Use on Water Quality of the Hurunui-Waiaru Regional Plan.</p>

Green or Light Blue Nutrient Allocation Zone

Plan	<p>Canterbury Land and Water Regional Plan</p> <p>Canterbury Land and Water Regional Plan</p>
Rules #	5.57 and 5.57A
Status	Permitted
Activity 10 ha or less	<p>Within the Green or Light Blue Nutrient Allocation Zone, the use of land for a farming activity on a property 10 hectares or less in area is a permitted activity.</p>
Activity greater than 10ha	<p>5.57A Within the Green or Light Blue Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area is a permitted activity provided the following conditions are met:</p> <p>1. The property is registered in the Farm Portal by 1 January 2020 and information about the farming activity and the property is reviewed and updated by the property owner or their agent every 36 months thereafter or whenever a material change in the land use associated with the farming activity occurs or whenever any boundary of the property is changed; and</p> <p>2. The area of the property irrigated with water is less than 50 hectares; and</p> <p>3. The area of the property used for winter grazing is less than:</p> <p>(a) 10 hectares, for any property less than 100 hectares in area; or</p> <p>(b) 10% of the area of the property, for any property between 100 hectares and 1000 hectares in area; or</p> <p>(c) 100 hectares, for any property greater than 1000 hectares in area; and</p> <p>4. A Management Plan has been prepared in accordance with Schedule 7A and is implemented within 12 months of the rule being made operative and supplied to the Canterbury Regional Council on request.</p>

Default if permitted activity conditions not met	Refer to the Plan to determine which rule will apply: 5.457B – controlled activity 5.58 – restricted discretionary 5.58B Discretionary – farming enterprise 5.49 – non-complying
Incidental discharge rule	5.63 The discharge of nutrients onto or into land in circumstances that may result in a contaminant entering water that would otherwise contravene s15(1) of the RMA is a permitted activity, provided the following conditions are met: 1. The land use activity associated with the discharge is authorised under Rules 5.41 to 5.42C or Rules 5.43 to 5.59; or 2. The land use activity associated with the discharge is authorised under rules in Section 3.3: Cumulative Effects of Land Use on Water Quality of the Hurunui-Waiiau River Regional Plan.

West Coast

The definition of fertiliser would enable nutrient solution to be applied as a fertiliser. The permitted activity rule will apply, except there is a limitation of phosphorus in the Lake Brunner catchment.

Plan	West Coast Regional Land and Water Plan https://www.wcrc.govt.nz/publications/regional-plans/regional-land-and-water-plan
Rule #	Rule 74 Application of fertiliser
Status	Permitted
Definition of fertiliser	means any proprietary substance specifically manufactured for use in increasing the nutrient status of land.
Activity	Except where Rule 15 applies the discharge of fertiliser into or onto land is a permitted activity provided that all of the following conditions are met:
Activity standards	(a) There is no discernible contamination of water; and (b) Any drift derived from the discharge is not noxious, dangerous, offensive or objectionable beyond the target area to such an extent that it has or is likely to have an adverse effect on the environment; and In the Lake Brunner catchment: (c) Phosphorus fertiliser shall not be discharged to land that is developed under Rule 15 unless it has a water solubility of less than 10%.

Otago

The Regional Water Plan for Otago has a definition for fertiliser that includes:

Any proprietary substance specifically manufactured for use in increasing the nutrient status of land.

Excludes compost, effluent or seaweed.

The fertiliser rule requires that the application is carried out in accordance with the manufacturer's directions. It is considered that nutrient solution would be unlikely to meet this definition or rule as it is may not meet manufacturer's directions for application.

Therefore the general discharge rule would apply as a permitted activity, or a restricted discretionary activity if the conditions of the permitted activity cannot be met.

Plan	Regional Plan: Water for Otago https://www.orc.govt.nz/your-council/plans-and-strategies/water-plans-and-policies/regional-plan-water-for-otago/
Rule #	12.C.1.1
Status	Permitted
Activity	12.C.1.1 The discharge of water or any contaminant to water, or onto or into land in circumstances which may result in a contaminant entering water, is a permitted activity, providing:
Activity standards	<p>(a) The discharge does not result in flooding, erosion, land instability or property damage; and</p> <p>(b) There is no discharge of water from one catchment to water in another catchment; and</p> <p>(c) The discharge does not change the water level range or hydrological function of any Regionally Significant Wetland; and</p> <p>(d) When the discharge, including any discharge from a drain or water race, enters water in any lake, river, wetland or the coastal marine area; the discharge:</p> <ul style="list-style-type: none"> (i) Does not result in: <ul style="list-style-type: none"> (1) A conspicuous change in colour or visual clarity; or (2) A noticeable increase in local sedimentation, in the receiving water (refer to Figure 5); and (ii) Does not have floatable or suspended organic materials; and (iii) Does not have an odour, oil or grease film, scum or foam; and <p>(e) When the discharge enters water in any drain that goes to a lake, river, wetland, or the coastal marine area, the discharge:</p> <ul style="list-style-type: none"> (i) Does not result in: <ul style="list-style-type: none"> (1) A conspicuous change in colour or visual clarity; or (2) A noticeable increase in local sedimentation, in the lake river, wetland or the coastal marine area (refer to Figure 6); and (ii) Does not result in the production of conspicuous floatable or suspended organic materials in the drain at the first of: <ul style="list-style-type: none"> (1) The downstream boundary of the landholding where the discharge occurs; <p>or</p> <ul style="list-style-type: none"> (2) Immediately before the drain enters a river, lake, wetland or the coastal marine area; and (iii) Does not have an odour, oil or grease film, scum or foam; and <p>(f) When the discharge enters water in any water race that goes to a lake, river, wetland, or the coastal marine area, the discharge:</p> <ul style="list-style-type: none"> (i) Does not result in: <ul style="list-style-type: none"> (1) A conspicuous change in colour or visual clarity; or (2) A noticeable increase in local sedimentation, in the water race (refer to Figure 7); and (ii) Does not result in the production of conspicuous floatable or suspended organic materials in the race at the first of: <ul style="list-style-type: none"> (1) The downstream boundary of the landholding where the discharge occurs; <p>or</p> <ul style="list-style-type: none"> (2) Immediately before the race enters a river, lake, wetland or the coastal marine area; and (iii) Does not have an odour, oil or grease film, scum or foam.

<p>Activity status if permitted conditions not met</p>	<p>12.C.2 Restricted discretionary activities: Resource consent required</p> <p>12.C.2.1 The discharge of water or any contaminant:</p> <ul style="list-style-type: none"> (i) To water; or (ii) Onto or into land in circumstances which may result in a contaminant entering water, for a period up to five years, is a restricted discretionary activity, unless the discharge: <ul style="list-style-type: none"> (a) Is prohibited by a rule in 12.C.0; or (b) Is permitted by Rules 12.C.1.1, 12.C.1.1A or 12.C.1.2; or (c) Will result in flooding, erosion, land instability or property damage; or (d) Is of water from one catchment to water in another catchment; or (e) Will change the water level range or hydrological function of any Regionally Significant Wetland; or (f) Has previously been authorised by resource consent granted under this rule. <p>The matters to which the Council has restricted the exercise of its discretion are set out in Rule 12.C.2.4. The Consent Authority is precluded from giving public notification of an application for a resource consent under this rule.</p>
<p>Matters of discretion</p>	<p>12C.2.4 Restricted discretionary activity - Matters of discretions:</p> <p>In considering any resource consent in terms of Rules 12.C.2.1 to 12.C.2.3, the Council will restrict the exercise of its discretion to:</p> <ul style="list-style-type: none"> a) The nature, type, volume, frequency and location of the discharge; and b) The concentration and loading of contaminants in the discharge; and c) In the case of an application under Rules 12.C.2.1 and 12.C.2.3, the staged timeframe for achieving the permitted activity conditions in Rule 12.C.1.1; and d) In the case of an application under 12.C.2.2, the staged timeframe to address adverse effects on water quality; and e) In the case of an application previously consented under Rule 12.C.2.2, compliance with conditions of the previous resource consent; and f) Any change to infrastructure and the staging of implementation of those changes; and g) Any adverse effect on water quality, including cumulative effects, and consideration of trends in the quality of the receiving water; and h) Any adverse effect of the discharge on any natural or human use value, including Kāi Tahu values and use of the coastal marine area for contact recreation and seafood gathering; and i) The need for and extent of any mixing zone; and j) Any co-ordination of discharges across multiple landholdings; and k) The extent to which the contaminant results from the activities of the applicant; and l) Any effect on any Regionally Significant Wetland or on any regionally significant wetland value; and m) Any erosion, land instability, sedimentation or property damage resulting from the discharge; and n) Any financial contribution for any Regionally Significant Wetland or on any regionally significant wetland value; and o) The information and monitoring requirements; and p) The duration of the resource consent; and q) The review of conditions of the resource consent.

Southland

The Southland Land and Water Plan has a range of rules for discharges of agricultural discharges and horticultural washwater but these do not apply to discharges of nutrient solution.

The plan has a definition of fertiliser that would include nutrient solution so the application of fertiliser rule will apply.

The Plan divides the region into a number of physiographic zones which represents areas of the landscape with common attributes that influence water quality, such as climate, topography, geology and soil type. Zones differ in the way sediment, microbes and nutrients such as nitrogen and phosphorus accumulate and are transferred through the soil, aquifers and into water bodies. There are policies for each physiographic zone which would need to be considered if resource consent is required.

Plan	Southland Water and Land Plan (Operative in part) https://www.es.govt.nz/repository/libraries/id:26gi9ayo517q9stt81sd/hierarchy/about-us/plans-and-strategies/regional-plans/proposed-southland-water-and-land-plan/documents/pSWLP%20-%20Clean%20version%20following%209th%20Interim%20Decision%20PDF%20CURRENT.pdf
Rule #	Rule 14 Discharges of fertiliser
Status	Permitted
Definition of fertiliser	Means a substance or biological compound or mix of substances or biological compounds that is described as or held out to be for, or suitable for sustaining or increasing the growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soils: nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride, sodium as major nutrients; or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium as minor nutrients or fertiliser additives, and includes non- nutrient attributes of the materials used in fertiliser; but does not include substances that are plant growth regulators that modify the physiological functions of plants.
Activity	The discharge of fertiliser onto or into land in circumstances where contaminants may enter water is a permitted activity provided the following conditions are met:
Activity standards	(i) other than for incidental discharges of windblown fertiliser dust, there is no direct discharge of fertiliser into a lake, river artificial watercourse, modified watercourse, or natural wetland or into groundwater; (ii) there is no fertiliser discharged when the soil moisture exceeds field capacity; (iii) there is no fertiliser discharged directly into or within 3 metres of the boundary of any significant indigenous biodiversity site identified in a district plan that includes surface water; and (iv) where a lake, river artificial watercourse, modified watercourse or wetland: (1) has riparian planting from which stock is excluded, fertiliser may be discharged up to the paddock-side edge of the riparian planting but not onto the riparian planting, except for fertiliser required to establish the planting; or (2) does not have riparian planting from which stock is excluded, fertiliser is not discharged directly into or within 3 metres of the bed or within 3 metres of a wetland. b)The discharge of fertiliser onto or into land in circumstances where the fertiliser may enter water that does not meet the conditions of Rule 14(a) is a non-complying activity. Note: Where the discharge of fertiliser includes synthetic nitrogen fertilizer, the discharge activity is managed by Regulations 33 or 34 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020, in addition to Rule 14.
Activity status if Permitted conditions not met	Non complying The discharge of fertiliser onto or into land in circumstances where the fertiliser may enter water that does not meet the conditions of Rule 14(a) is a non-complying activity.
Assessment matters	Policy 16 Policies 39, 39A, 40 and 41.