

- (i) in the case of discharges<sup>9</sup>, the discharge<sup>9</sup> is of a temporary nature or is associated with necessary maintenance<sup>9</sup> work and the discharge<sup>9</sup> cannot practicably be avoided
  - (ii) adverse effects<sup>9</sup> can be fully offset by way of a financial contribution in accordance with Chapter 18
  - (iii) it is appropriate to adopt the best practicable option<sup>9</sup>
  - (iv) other exceptional circumstances apply
- and it is consistent with the purpose of the RMA to do so.

[This policy implements Objective 13-1.](#)

**Policy 6-9 13-7: Point source discharges<sup>9</sup> to land<sup>9</sup>**

Discharges<sup>9</sup> of contaminants<sup>9</sup> onto or into land<sup>9</sup> shall be managed in a manner which:

- (a) ensures that ~~there is no significant degradation of the existing groundwater quality is maintained~~<sup>9</sup>
- (b) does not result in pathogens or other toxic substances accumulating in soil or pasture to levels that would render the soil unsafe for agricultural or domestic use
- (c) recognises and provides for the strategies for surface water<sup>9</sup> quality management set out in Policies 6-3, 6-4 and 6-5, as necessary
- (d) maximises the reuse of nutrients and water<sup>9</sup> contained in the discharge<sup>9</sup> to the extent practicable
- (e) ensures that adverse effects<sup>9</sup> on rare habitats<sup>9</sup>, threatened habitats<sup>9</sup> and at risk habitats<sup>9</sup> are avoided, remedied or mitigated.<sup>9 10</sup>

[This policy implements Objective 13-1.](#)

**Policy 6-40 13-8: Options for discharges<sup>9</sup> to surface water<sup>9</sup> and land<sup>9</sup><sup>12</sup>**

- (a) discharging contaminants<sup>9</sup> onto land<sup>9</sup> in preference to rather than<sup>11</sup> discharging contaminants<sup>9</sup> into water<sup>9</sup>
- (b) withholding from discharging contaminants<sup>9</sup> into surface water<sup>9</sup> at times of low flow

<sup>9</sup> Water officers report – recommendation WTR 31

<sup>10</sup> Policy 13-X has been incorporated in its entirety from Chapter 6

<sup>11</sup> Water officers report – recommendation WTR 32

- (c) adopting different treatment options for discharges<sup>12</sup> to different receiving environments<sup>13</sup> or at different times (including different flow regimes in surface water bodies<sup>14</sup>).

This policy implements Objective 13-1.

**Policy 6-14 13-9: Human sewage discharges<sup>15</sup>**

Notwithstanding targets for water<sup>16</sup> quality and other policies in this chapter:

- (a) all new discharges<sup>17</sup> of treated human sewage shall be applied onto land<sup>18</sup>, or flow overland, or pass through a rock filter or wetland<sup>19</sup> treatment system or alternative system that mitigates the effects<sup>20</sup> on the mauri<sup>21</sup> of the receiving before-entering-a<sup>22</sup> surface water body<sup>23</sup>;
- (b) all existing direct discharges<sup>24</sup> of treated human sewage into a surface water body<sup>25</sup> shall change to a treatment system described under subsection (a) by the year 2020.<sup>26</sup>

This policy implements Objective 13-1.

**Policy 13-810 Circumstances when exceptions to the nitrogen leaching values will be made**

- (a) This Policy applies to the use of land for dairy farming, cropping, commercial vegetable growing and intensive sheep and beef farming in targeted water management sub-zones in circumstances where:
  - (i) The land use cannot meet the nitrogen leaching loss limits set out in table 13.2 (and is therefore assessed as a discretionary activity under rule 13-27) and
  - (ii) The land use was existing at the time the rule becomes operative comes into force and
  - (iii) The rainfall on the property exceeds 1200mm per annum year and
  - (iv) More than 50% of the property is made up of land which is Land Use Capability Class IV (4), V (5), VI (6), VII (7) and VIII (8).
- (b) Consents will generally be granted in circumstances when:
  - (i) All practicable best management practices to avoid and mitigate the loss of nitrogen from the property are implemented and

<sup>12</sup> Policy 13-X has been incorporated in part from Chapter 6 (Policy 6-10)

<sup>13</sup> Water officers report – recommendation WTR 33

<sup>14</sup> Policy 13-X has been incorporated in its entirety from Chapter 6 (Policy 16-11)



- (ii) The projected rate of nitrogen leaching from the property in each year does not exceed the average loss of N/ha/year from the property over the period 1 January 2006 to 31 December 2009

This policy implements Objective 13-1.

**Policy 13-911: Transfer of N-loss entitlement**

- (a) When making decisions on resource consent applications, and setting conditions, on land use relating to the rate of Nitrogen leaching to be allowed from a property; or (b) determining whether the conditions of a permitted activity are being, or can be, met for a particular property, the Regional Council shall take into account Nitrogen leaching avoided from any other rural property in the region provided:
  - (i) the property on which Nitrogen leaching is to be avoided is within the same water management zone as the property in respect of which consent is being considered;
  - (ii) the property on which the Nitrogen leaching is to be avoided is subject to a FARM Strategy and the volume/ or rate of the Nitrogen leaching avoided and the duration of that avoidance is recorded in a resource consent or other legally enforceable agreement with the Regional Council;
  - (iii) the calculation of Nitrogen leaching avoided is based on the difference between the modelled rate of leaching (determined using the methodology of the FARM strategy workbook) and the applicable value from Table 13.2;
  - (iv) the Nitrogen leaching avoided is not being relied on by any other party for the purpose of compliance with permitted activity conditions or conditions of any resource consent.

This policy implements Objective 13-1.

## 13.2 Rules<sup>^</sup>: Agricultural Activities

Table 13.1 sets out the **target specified** Water Management Sub-zones<sup>\*15</sup> where management of intensive farming land<sup>^</sup> uses activities controlled by rule 13-1 will be specifically controlled. The table includes the dates **after** on which the provisions of the One-Plan rule 13-1 that relate to these Water Management Sub-zones<sup>\*15</sup> come into force.

**Table 13.1** Water Management Sub-Zones<sup>\*15</sup>

Catchment	<u>Water Management Sub-Zone</u> <sup>*</sup>	Date the rules <sup>^</sup> of the Plan come into force (Year 1) <sup>16</sup>
Mangapapa	Mana_9b	1 April 2009-2011 <sup>17</sup>
Mowhanau	West_3	4 April 2009
Mangatainoka	Mana_8a Mana_8b Mana_8c Mana_8d Mana_8e	1 April 2010-2011 <sup>17</sup>
Upper Manawatu above Hopelands	Mana_1a Mana_1b Mana_1c Mana_2a Mana_2b Mana_3 Mana_4 Mana_5a Mana_5b Mana_5c Mana_5d Mana_5e	1 April 2011-2012 <sup>17</sup>
Lake Horowhenua	Hoki_1a Hoki_1b	1 April 2012

<sup>15</sup> Consequential change from recommendations and changes to Schedule D including the development of the new Schedule Ba.

<sup>16</sup> Added as a result of panels questions to the reporting officer (12 January 2010)

<sup>17</sup> Water officers report - recommendation WTR 78

Waikawa	<del>West_9</del> <del>West_9a</del> <del>West_9b</del> <sup>15</sup>	1 April 2012
Manawatu above gorge	Mana_6 Mana_9a Mana_9c	1 April 2013
Other south-west catchments (Waitare and Papatonga)	West_7 West_8	1 April 2013
Other coastal lakes	West_4 West_5 West_6	1 April 2013
Coastal Rangitikei	Rang_4a Rang_4b Rang_4c Rang_4d15	1 April 2014
Mangawhero/Makotuku	Whau_3b Whau_3c Whau_3d	1 April 2015
All other catchments-Wholly new uses of land including conversion in all Water Management Zones not specified above		<u>1 April 2011</u>

Maps of the Water Management Zones\* and Water Management Sub-zones\* are contained in Schedule Ba<sup>17</sup>

Table 13.2 sets out the maximum nitrogen leaching run-off rate allowed for land^ within the specified Land^ Use Capability (LUC) classes\* after the specified dates. For new and existing uses of land the use must not result in nitrogen leaching exceeding the cumulative nitrogen leaching maximum. The Year 1 date is the date from Table 13.1 for the particular Water Management Sub-zone\* in which that land^ class is situated. The cumulative nitrogen leaching maximum for each year is specified in table 13.2. The following dates in the table 13.2 are the number of years after the Year 1 date set out in table 13.1.

**Table 13.2** Land Use Capability Classes (LUC)\* Nitrogen Leaching/Run-off Values-Rates

Year when specified N leaching rates apply	LUC I (1)	LUC II (2)	LUC III (3)	LUC IV (4)	LUC V (5)	LUC VI (6)	LUC VII (7)	LUC VIII (8)
Year 1 (when rule <sup>a</sup> comes into force) (kg of N/ ha/year)	32	29	22	16	13	10	6	2
Year 5 (after rule comes into force) (kg of N/ ha/year)	27	25	21	16	13	10	6	2
Year 10 (after rule comes into force) (kg of N/ ha/year)	26	22	19	14	13	10	6	2
Year 20 (after rule comes into force) (kg of N/ ha/year)	25	21	18	13	12	10	6	2



Rule <sup>18</sup>	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p>13-1  <b>Dairy farming<sup>*</sup>, cropping<sup>*</sup>, commercial vegetable growing, market gardening<sup>*</sup> and intensive sheep and beef farming<sup>*</sup>, and together with associated activities</b></p>	<p>This rule applies to the uses of land identified in this Rule where those uses are existing from the dates specified in Table 13.1. Table 13.1 has dates based on the relevant water management sub-zone in which the use occurs. For the purpose of this Rule an identified use is existing if it has occurred on the land since notification of this plan the date the rule comes into force.</p> <p>This Rule applies from the date specified in Table 13.1 to any new land use to which the Rule applies. It applies in all water management sub-zones in the region. For the purpose of this Rule a new use is a wholly new use (including conversion) of a property for activities caught by this Rule that commenced from the date the rule becomes operative the date the rule comes into force.</p> <p>This Rule applies to the following uses of land pursuant to s. 9(2) RMA. This rule applies when more than 50% of the property* on which the land use occurs is within a specified Water Management Sub-zone*.</p>	<p><b>Controlled</b></p>	<p>(a) <del>The use of activity shall provide a completed and approved is undertaken in accordance with a Farmer-Applied Resource Management Strategy (FARM Strategy) (Horizons Regional Council, August 2009) as part of the resource consent application required.</del></p> <p>(b) <del>The FARM Strategy referred to in (a) shall be prepared to meet the requirements set out in The FARM Strategy Workbook (Horizons Regional Council, April 2007).</del></p> <p>(c) <del>The FARM Strategy referred to in (a) shall be submitted to the council as part of the resource consent<sup>18</sup> application required by this rule<sup>18</sup>.</del></p> <p>(ca) <del>The activity must meet When calculating the maximum nitrogen leaching/run-off values allowed for the whole farm and in accordance with preparing a FARM Strategy as required by (b), the values for each Land Use Capability class (LUC)<sup>*</sup> set out in Table 13.2 shall be used: if the activity involves the taking of more than 30 m<sup>2</sup> per day of surface water<sup>18</sup>.</del></p> <p>(d) <del>The taking and use of any surface water<sup>18</sup> shall not be from rivers<sup>18</sup> protected under Rule 15-7</del></p> <p>(e) <del>Water<sup>18</sup> shall only be taken when the river<sup>18</sup> is at or above its minimum flow, as assessed in accordance with Schedule B</del></p> <p>(f) <del>The amount of water<sup>18</sup> taken, when assessed in combination with all other water<sup>18</sup> takes within the same water management zone<sup>*</sup>, shall not exceed the relevant core allocation set out for that water management zone<sup>*</sup> in Schedule B</del></p> <p>(g) <del>The amount of water<sup>18</sup> taken, when assessed in combination with all other water<sup>18</sup> takes within the same catchment, shall not exceed the cumulative allocation for each water management zone<sup>*</sup> in the same catchment.<sup>18</sup></del></p> <p><b>Information Requirement</b></p>	<p>Control is reserved over:</p> <p>(a) <del>the method of calculating the loss of management of nitrogen and phosphorus, faecal contamination and sediment from a farm the activity</del></p> <p>(b) <del>the level of compliance with The FARM Strategy Workbook (Horizons Regional Council, April 2007 August 2009)<sup>18</sup></del></p> <p>(c) <del>effects<sup>18</sup> on rare habitats<sup>*</sup> and threatened habitats<sup>*</sup> and at-risk habitats<sup>*</sup> and management of these effects</del></p> <p>(d) <del>requirements regarding the preparation and implementation of a completed FARM Strategy for the purposes of meeting the requirements of this rule<sup>18</sup> and the as a conditions<sup>18</sup> of consent implementation of management practises identified in the FARM Strategy</del></p> <p>(e) <del>the method, location, volume and rate of water<sup>18</sup> takes<sup>18</sup></del></p> <p>(f) <del>the review period of the FARM Strategy</del></p> <p>(g) <del>the provision of information to the Regional Council to demonstrate compliance with this rule<sup>18</sup> the consent</del></p> <p>(h) <del>duration of consent</del></p> <p>(i) <del>review of consent conditions<sup>18</sup></del></p> <p>(j) <del>compliance monitoring.</del></p> <p>(k) <del>the effect<sup>18</sup> of odour, dust, waste<sup>*</sup> or fertiliser<sup>*</sup> drift or spray drift<sup>18</sup></del></p> <p>Resource consent<sup>18</sup> applications under this rule<sup>18</sup> will not be notified and written approval of affected</p>

<sup>18</sup> Water officers report - recommendation WTR 81

Rule <sup>^</sup>	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>From the dates specified in Table 13.1, the existing use of land<sup>^</sup> pursuant to s9(2) RMA in the <u>Water Management Sub-zones<sup>*</sup></u> specified in Table 13.4 and</p> <p>from the date this rule<sup>^</sup> becomes operative<sup>^</sup>, any wholly<sup>18</sup> new use of land<sup>^</sup> including conversion, in all <u>Water Management Sub-zones<sup>*</sup></u> in the Region for:</p> <p>(a) <u>dairy farming<sup>*</sup></u></p> <p>(b) <u>cropping<sup>*</sup></u></p> <p>(c) <u>Commercial vegetable growing (and market gardening)<sup>*</sup></u><sup>18</sup></p> <p>(d) <u>intensive sheep and beef farming<sup>*</sup></u> including any of the following activities associated with the above uses together with any of the following activities associated with the above uses:</p> <ul style="list-style-type: none"> <li>i. <u>the taking and use of surface water<sup>^</sup></u></li> <li>ii. <u>the taking and use of not more than 50 m<sup>3</sup>/day/property<sup>^</sup> of groundwater<sup>18</sup></u></li> <li>iii. <u>the discharge<sup>^</sup> of fertiliser<sup>*</sup> onto land<sup>^</sup></u></li> </ul>		<p><u>The applicant must:</u></p> <p>(a) <u>Complete an approved Farmer Applied Resource Management Strategy (Farm Strategy);</u></p> <p>(b) <u>Identify the Land Use Capability classes of all land on which the activity to which this rule relates occurs;</u></p> <p>(c) <u>Calculate based on the LUC class of the land and Table 13.2 the total maximum kilograms of nitrogen leaching per hectare per year permissible based on the values and timetable in Table 13.2.</u></p> <p><b>Performance Condition</b></p> <p><u>The activity must not result in nitrogen leaching (from whatever cause including urine and faeces from stock) from the land used for the activity exceeding the cumulative nitrogen leaching maximum.</u></p> <p><u>For the purpose of this Rule the cumulative nitrogen leaching maximum is the sum of the total kilograms of nitrogen per hectare per year for all land on which the use occurs calculated using the values in Table 13.2 and using the timeframes in Table 13.2</u></p>	<p>persons will not be required (notice of applications need not be served on affected persons).</p>



Rule^	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>pursuant to ss15(1), 15(2) or 15(2A) RMA and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</p> <p>iv. the discharge^ of contaminants^ onto land^ pursuant to ss15(1), 15(2) or 15(2A) RMA from</p> <p>a. the preparation, storage, use or transportation of stock feed on production land^, or</p> <p>b. the use of a feed pad and any consequential discharge^ of contaminants^ to air pursuant to ss15(2) or 15(2A) RMA</p> <p>v. the discharge^ of grade A biosolids* and soil conditioners* onto or into production land^ pursuant to ss15(1), 15(2) or 15(2A) RMA, and any consequential discharge^ of</p>			

Rule <sup>^</sup>	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>contaminants<sup>^</sup> to air pursuant to ss15(2) or 15(2A) RMA</p> <p>vi. the discharge of contaminants onto or into production land associated with an offal hole or farm dump, and any consequential discharge of contaminants into air<sup>18</sup></p> <p>vii. any discharge<sup>^</sup> of farm animal effluent* contaminants<sup>^</sup> on to production land<sup>^</sup> pursuant to ss15(1), 15(2) or 15(2A) RMA or water<sup>^</sup> pursuant to s15(1) RMA from farm animals associated with the land<sup>^</sup> use including:<sup>18</sup></p> <ol style="list-style-type: none"> <li>a. effluent from dairy sheds and ancillary feed pads</li> <li>b. effluent from existing piggeries</li> <li>c. sludge from farm effluent ponds</li> <li>d. poultry farm litter and effluent and any consequential</li> </ol>			

Rule <sup>^</sup>	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
<p><b>13-2</b> <b>Fertiliser<sup>*</sup></b></p>	<p>discharge<sup>^</sup> of contaminants<sup>^</sup> into air pursuant to ss15(2) or 15(2A) RMA.</p>	<p>Permitted</p>	<p>(a) There shall be no direct discharge<sup>^</sup> of fertiliser<sup>*</sup> into any water<sup>_</sup>body<sup>^*</sup> including groundwater.</p> <p>(b) There shall be no discharge<sup>^</sup> into any rare habitat<sup>*_1</sup> of threatened habitat<sup>*</sup> or at-risk habitat<sup>*</sup>, except for the purpose of enhancing such habitats.</p> <p>(c) The fertiliser<sup>*</sup> shall be applied in accordance with the Code of Practice for Fertiliser-Use Nutrient Management (New Zealand Fertilisers Manufacturers Research Association, 2002<sup>7</sup>),<sup>19</sup> except where the fertiliser<sup>*</sup> is being applied for domestic purposes, meaning the garden associated with a household.<sup>19</sup></p> <p>(d) Where nitrogen fertiliser<sup>*</sup> in excess of an application rate of 60kg N/ha/year<sup>19</sup> is applied onto land<sup>^</sup> a nutrient budget, which takes into account all other sources of nitrogen and which is designed to minimise nitrogen leaching rates, shall be used to plan and carry out the fertiliser<sup>*</sup> application.</p> <p>(e) The discharge<sup>^</sup> shall not result in any objectionable odour or fertiliser<sup>*</sup> drift to the extent that causes an adverse effect<sup>^</sup> beyond the property<sup>*</sup> boundary.</p>	
<p><b>13-3</b> <b>Stock feed including feed pads</b></p>	<p>The discharge<sup>^</sup> of contaminants<sup>^</sup> onto land<sup>^</sup> pursuant to ss15(1), 15(2) or 15(2A) RMA from:</p>	<p>Permitted</p>	<p>(a) <del>All areas used for storing stock feed, excluding farm silage storage pits that have an area less than an area greater than 500 m<sup>2</sup> per property, or for and feed pads<sup>*</sup>, shall be sealed so as to restrict seepage of effluent. The permeability of the sealing layer shall not</del></p>	

<sup>19</sup> Water officers report - recommendation WTR 82

<sup>20</sup> Water officers report - recommendation WTR 83

<sup>21</sup> Consequential change as a result of the preliminary determinations



Rule <sup>^</sup>	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	<p>(a) the preparation, storage, use or transportation of stock feed on <i>production land</i><sup>^</sup>, or</p> <p>(b) the use of a feed pad and any consequential <i>discharge</i><sup>^</sup> of <i>contaminants</i><sup>^</sup> into air <i>pursuant to ss15(2) or 15(2A) RMA</i>, except where the <i>discharge</i><sup>^</sup> is undertaken in association with a use of <i>land</i><sup>^</sup> controlled by Rule 13-1.</p>		<p><i>exceed 4x10<sup>-9</sup> mg/s. Farm silage storage pits with an area greater than 500m<sup>2</sup> per property and feed pads* shall be sealed so that no animal effluent is discharged to land except through sealing layers not more than 1x10<sup>-9</sup></i></p> <p>(b) All areas used for storing stock feed, for feed pads or for otherwise feeding stock (including feeding silage) shall be located and/or managed in a manner that ensures at all times when such areas are in use:</p> <ul style="list-style-type: none"> <li>(i) run-off from the area into surface <i>water</i><sup>^</sup> is prevented</li> <li>(ii) run-off from the surrounding catchment is prevented from entering the area.</li> </ul> <p>(c) All areas used for storing stock feed, for feed pads or for otherwise feeding stock (including feeding silage) shall comply with the following separation distances:</p> <ul style="list-style-type: none"> <li>(i) 50 m from <i>rare habitats</i><sup>* 21</sup> and <i>threatened habitats</i><sup>*</sup> and <i>at-risk habitats</i><sup>*</sup></li> <li>(ii) 20 m from <i>bores</i><sup>*</sup>, <i>surface water bodies</i><sup>* 20</sup>, including <i>drains</i>,<sup>20</sup> and the <i>Ceoastal Mmarine Area</i><sup>^</sup></li> <li>(iii) 50 m from any <i>archaeological site</i>, <i>waahi tapu</i> or <i>keiwi</i> remains <i>Historic Heritage</i><sup>^</sup> as identified in any <i>District or Regional plan Schedule or database or proposed plan</i><sup>^</sup>, in the <i>New Zealand Archaeological Association's Site-Recording Scheme</i>, or by the <i>Historic Places Trust</i> except where <i>Historic Places Trust approval has been obtained</i>.</li> </ul> <p>(d) All effluent collected from feed pads shall be treated and <i>discharged</i><sup>^</sup> in accordance with Rule 13-6.</p> <p>(e) The <i>discharge</i><sup>^</sup> shall not result in any <i>offensive or objectionable odour, dust or spray drift</i><sup>*</sup> beyond the <i>property</i><sup>*</sup> boundary.</p>	