

**IN THE ENVIRONMENT COURT
WELLINGTON REGISTRY**

**I TE KŌTI TAIAO O AOTEAROA
TE WHANGANUI-A-TARA ROHE**

UNDER	the Resource Management Act 1991
IN THE MATTER	of appeals under sch 1, cl 14(1) against the decision of Manawatū-Whanganui Regional Council on Plan Change 2 to the One Plan
BETWEEN	TE RUNANGA O RAUKAWA ENV-2021-WLG-20 NGĀTI TURANGA ENV-2021-WLG-21 ANDREW DAY ENV-2021-WLG-22 WELLINGTON FISH AND GAME COUNCIL ENV-2021-WLG-23 Appellants
AND	MANAWATŪ-WHANGANUI REGIONAL COUNCIL Respondent

**STATEMENT OF REPLY EVIDENCE OF ELIZABETH EMMA DALY ON BEHALF OF
MANAWATŪ-WHANGANUI REGIONAL COUNCIL**

STRATEGIC BACKGROUND

Dated: 13 November 2023



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REPLY EVIDENCE OF ELIZABETH EMMA DALY**A. INTRODUCTION**

- [1] My full name is Elizabeth Emma Daly.
- [2] I prepared a statement of evidence dated 6 October 2023 (**Evidence**), giving a strategic overview of Proposed Plan Change 2 to the One Plan (**PC2**) on behalf of the Manawatū-Whanganui Regional Council (**Horizons**).
- [3] My experience and qualifications are set out in my Evidence.
- [4] While I confirmed by commitment to abide with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note 2023 in my Evidence, I wish to acknowledge that my Evidence and this reply is provided in my role as Group Manager, and is not technical nor opinion based.

B. SCOPE

- [5] This reply evidence responds to points regarding the adequacy of pre-notification consultation for PC2 and the Oranga Wai (freshwater planning instrument) process made in evidence by:
- (a) Hayden Turoa on behalf of Ngāti Turanga; and
 - (b) Greg Carlyon on behalf of Fish and Game and Ngāti Turanga.

C. CONSULTATION

- [6] Horizons is conscious of its vital relationship with tangata whenua. It also appreciates that its relationships with iwi and hapū from across the region can always be improved. In reviewing the background to PC2, I accept that some aspects of the process could have been improved.
- [7] However, there is a difference between acknowledging room for improvement and the suggestion that Horizons has failed to meet its statutory obligations in relation to Ngāti Turanga, as Mr Turoa and Mr

Carlyon do in evidence.¹ I do not consider that Horizons has failed to meet its statutory consultation obligations.

- [8] Horizons' relevant consultation obligations when notifying a plan change are outlined in clauses 3, 3B, and 4A of the Schedule 1 of the RMA. Clause 3 requires that it must consult with the tangata whenua of the area affected, through their iwi authorities. Clause 3B specifies the manner in which Horizons must engage with iwi authorities. Clause 4A requires that Horizons must provide a copy of the proposed plan provisions to iwi authorities prior to notification, allow adequate time and opportunity for them to consider the provisions, and have particular regard to their responses.
- [9] Ngāti Turanga are a hapū of Ngāti Raukawa ki te Tonga (**Ngāti Raukawa**). At the time of the pre-notification consultation for PC2, the mandated iwi authority for Ngāti Raukawa was Te Rūnanga o Raukawa Incorporated.² Engagement with Te Rūnanga o Raukawa Incorporated (which occurred as described below) constituted consultation with tangata whenua affected by the plan change, per cl 3 of Schedule 1 of the RMA.
- [10] As I outlined in my Evidence, representatives from Te Rūnanga o Raukawa were kept informed as to the development of the PC2 provisions.³ In my Evidence, I elected to omit some of the correspondence attached to the summary of consultation from Dr Peet's s 42A report for brevity. However, I now consider that they provide necessary context. Prior to notification:
- (a) 3 August 2018: A letter was sent to all Manawatū River Iwi (including Ngāti Raukawa) informing them of the intention to revise the One Plan intensive farming rules by way of a technical update to Table 14.2. Reference was made to a hui planned for 10 August 2018. It does not appear that a response from Ngāti Raukawa was received,

¹ Statement of Evidence of Hayden Turoa (6 November 2023) at 3.8–3.9; and Statement of Evidence of Gregory Carlyon (6 November 2023) at 7.12–7.13 and 7.23.

² I note that the hapū of Ngāti Raukawa now engage via Te Tūmatakahuki, either collectively or on a hapū basis. See the Statement of Evidence of Mr Hayden Turoa (6 November 2023) at 1.2.

³ Statement of Evidence of Elizabeth Daly (6 October 2023) at Appendix B.

and nor does it appear that any representatives from Ngāti Raukawa attended the hui.

- (b) 28 August 2018: A reminder was sent to Ngāti Raukawa (along with the other Manawatū River Iwi) in relation to a hui scheduled for 5 September 2018 to discuss the plan change. Ngāti Raukawa responded that it was engaging with group managers, but does not seem to have attended the hui on 5 September 2018.
- (c) 18 December 2018: A Ngāti Raukawa-specific hui was held with representatives with Horizons to discuss a wide range of matters, including One Plan intensive land use provisions.
- (d) 15 February 2019: A follow-up email to the 18 December 2019 hui was sent, advising that Horizons would be looking to progress an interim plan change addressing the intensive land use provisions. A response was received on 18 February 2019 confirming receipt and stating that Ngāti Raukawa would be in contact to confirm a work plan.
- (e) 29 March 2019: A follow-up letter to previous consultation on the plan change proposal was sent to all iwi,⁴ attaching a summary of the proposed policy changes.⁵ Ngāti Raukawa responded on 23 April 2019 by letter advising that they would be taking an active role.
- (f) 17 April 2019: A follow up to the letter of 29 March 2019 was sent stating that Horizons was committed to ensuring that iwi have the required understanding of the plan change proposal and that staff were open to discussions if these were desired.⁶
- (g) 24 April 2019: An email was sent to all iwi authorities, advising that Horizons was making progress with its planned changes, including recalibrating table 14.2 and making changes in policies and objectives to provide a pathway for intensive land users to apply for

⁴ An example of one of the letters is attached as **Attachment A**.

⁵ As attached in **Attachment B**.

⁶ An example of one of the emails is attached as **Attachment C**.

consent if they could not meet Table 14.2.⁷ Invitations were sent for small group workshops with Horizons officers to discuss the changes and provide feedback. A reminder was sent on 7 May 2019, to which Ngāti Raukawa responded advising they would try to attend.

- (h) 15 May 2019: A half-day workshop was held, road-testing the draft plan change provisions. The attendees worked through consenting example farms under the proposed provisions, providing feedback throughout the exercise.⁸ This feedback was considered by officers moving forward in refining the provisions. Peter Taylor, from the Catalyst Group, attended on behalf of Ngāti Raukawa. The feedback from Ngāti Raukawa was recorded as expressing discomfort with the draft provisions and wording changes, in part because it was too early to tell what the environmental effects might be.
- (i) 18 June 2019: A further update to the 29 March 2019 letter was sent,⁹ summarising the proposed PC2, and which provided the draft provisions as an attachment.¹⁰ Iwi were informed that PC2 would be notified on 11 July 2019 and feedback was requested by 11 July 2019.
- (j) 16 July 2019: An email reminder is sent informing iwi, among other things, that PC2 will be notified on 22 July 2019.¹¹

[11] I also disagree with Mr Turoa's suggestion at paragraph 3.6 that iwi only had 1 week to provide feedback on the PC2 provisions. On 25 June 2019, Council did resolve to notify PC2. However, the actual notification date was set down for 22 July 2019. This apparently intentional lag time between the Council resolution and the notification date provided time for any final feedback to be received. In fact, Dr Peet's letter of 18 June 2019 to iwi outlines this proposed notification date, and asks for any feedback by 11 July 2019. No feedback was received from Ngāti Raukawa. Dr Peet recorded in his s 42A

⁷ An example of one of the emails is attached as **Attachment D**.

⁸ As attached in **Attachment E**.

⁹ An example of one of the letters is attached as **Attachment F**.

¹⁰ As attached in **Attachment G**.

¹¹ An example of one of the emails is attached as **Attachment H**.

report that if issues had been raised matters would have been raised with the Chief Executive, and in turn, the elected members.

[12] I also note that the s 32 report presented to Council records that:¹²

Consultation with Iwi in the development is on-going and it is anticipated that further discussions will occur regarding the proposed provisions and supporting analysis prior to notification.

[13] Further, Ngāti Raukawa were provided the PC2 provisions on a number of occasions, and were given time to provide their views on them. They were provided with a draft of the plan provisions at the 15 May 2019 workshop, which had the features of the final notified provisions.¹³ Ngāti Raukawa provided feedback at that time, and were able to provide feedback after that date.

[14] Finally, the responses that had been received by 18 June 2019 were incorporated into the overall consideration of PC2 outlined in the s 32 report, to which Council explicitly had particular regard. That report quite clearly articulates the wishes of iwi which had been expressed during consultation – being that the water quality objectives of the regional policy statement ought not to change, and that the freshwater planning process was a key focus for iwi given the opportunities it presented to review any concerns iwi had about the One Plan, including the management of freshwater quality as a whole.¹⁴ In my view, this does not evidence any “*lack of meaningful or detailed communication of the consultation with iwi*” or “*absence of clear identification of iwi concerns*”.¹⁵ Rather, it reflects what Horizons was told.

[15] As I note above, Horizons appreciates engagement and consultation with iwi and hapū is an exercise in ongoing and sustained relationship building. Inevitably, opportunities to improve will be identified. However, given the

¹² Manawatū-Whanganui Regional Council *Proposed Plan Change 2 – Section 32 Report* (July 2019) at page 15.

¹³ See **Attachment G**.

¹⁴ Manawatū-Whanganui Regional Council *Proposed Plan Change 2 – Section 32 Report* (July 2019) at page 15.

¹⁵ Statement of Evidence of Hayden Turoa (6 November 2023) at 3.7.

consultation process outlined in my Evidence and above, I consider that Horizons' statutory obligations were adequately met in this instance.

D. IMPLEMENTATION

[16] Mr Carlyon expresses concern that implementation of PC2 could prove to be highly problematic, as there is an absence of a secured implementation framework, and publicly declared Council commitment to transparent implementation.¹⁶ He also states that he has *"reviewed Horizons Long Term Plan 2021–2031 and have found no acknowledgement of the PC2 process or funding to support outcomes required to implement it"*.¹⁷ I would clarify that the LTP I referenced at paragraph [97] of my Evidence was the one currently under development – that is, the 2024–2034 LTP.

[17] Further resourcing is currently being sought through the LTP 2024-2034 process and the current budget iteration includes 18 additional regulatory (consents and consents monitoring) staff over the first three years of the LTP. Of the 18 FTEs requested, five are in year one of the LTP. It should be noted that regulatory staff, particularly in consents, work across consent types and this resourcing is reflective of the increase to the regulatory team as a whole and not specifically to PC2 implementation. However, this additional resourcing will be directed to where it is required, including to PC2 implementation. This additional resourcing is still to be confirmed through Council in the LTP process, and will not be confirmed until the LTP is adopted mid-2024.

[18] Otherwise, as I have already signalled, Horizons is aware of the need to implement the PC2 provisions. It has invested significantly in the plan change process to date, and remains committed to its implementation.

E. ORANGA WAI

[19] In relation to the Oranga Wai process, Mr Turoa states that *"[t]he prospect of future processes provides no substitute for addressing [Ngāti Turanga's]*

¹⁶ Statement of Evidence of Gregory Carlyon (6 November 2023) at 12.5.

¹⁷ Statement of Evidence of Gregory Carlyon (6 November 2023) at 12.6

rights and interests within PC2".¹⁸ I consider that it is important to explicitly note that Horizons is not relying on Oranga Wai to somehow 'justify' PC2 or its processes, if that is what is being suggested. PC2 is a narrow plan change, justified on its own terms by a body of information and process.

[20] The reason I took the time to outline the Oranga Wai process in my Evidence is because it is the forum in which the concerns and objections raised by the appellants to PC2 can be dealt with in a holistic way. My intention was to point out that Horizons will, at the latest by December 2024, be dealing with (among many other things):

- (a) issues about which catchments are 'targeted' (if such an approach is deemed to be appropriate on review);
- (b) making time-bound plans to achieve the water quality targets in the NPSFM;
- (c) setting interim targets for achieving long-term goals; and
- (d) providing for Māori freshwater values.

F. ONGOING DISCUSSIONS

[21] Mr Turoa appears to suggest in parts of his evidence¹⁹ that Horizons has not looked to engage further on PC2 with Ngāti Turanga since the PC2 decision and that "*...this is the next time around and it is no better*".

[22] I wish to reiterate the continued willingness of Horizons to engage with Ngāti Turanga across the many projects and mahi it is involved with throughout the region, including freshwater planning.

[23] In terms of PC2, I am aware of one-on-one, regular meetings and correspondence between Dr Peet and Mr Turoa regarding the plan change and related projects since the decision, and before that. This is in addition to the meetings with experts and counsel for Fish and Game and Ngāti Turanga regarding PC2, and improvements to the provisions, including through the

¹⁸ Statement of Evidence of Hayden Turoa (6 November 2023) at 6.3.

¹⁹ See, for example, Statement of Evidence of Hayden Turoa (6 November 2023) at 3.4.

expert conferencing process. I have also met with Mr Turoa since commencing in my role, and while the meeting was not specifically in relation to PC2, the plan change and continuing process was discussed.

[24] I remain committed to the ongoing work with the iwi and hapū appellants, around freshwater in the impacted catchments, and the region generally.

13 November 2023

Elizabeth Emma Daly



29 March 2019

Dennis Emery
Ngāti Kauwhata

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Dennis, tēnā koe
I roto i ngā piki me ngā heke o te wā.

PLAN CHANGE UPDATE

Last year we informed you that we have issues that need fixing within the nutrient management framework provisions of the One Plan. We advised you on the proposal to update Table 14.2 in the Plan, this is a technical update to the nitrogen leaching targets that will align the Plan with the most up-to-date science. Figures in the Table do not match the latest OVERSEER model, meaning that the One Plan does not achieve what was intended —better water quality within the means of most farms.

We have since engaged with the Minister for the Environment and his officials, they advised us to make policy changes beyond the updating of Table 14.2. We have taken this on board and are looking to draft some tightly scoped amendments. The focus remains on ensuring that the Plan meets its original intent. A 'Policy Intent' document is attached to this letter to explain this thinking.

We are working towards formally proposing a plan change mid this year to update Table 14.2 and make the policy changes. It will most likely follow a standard 'Schedule 1' plan-change process. On that matter, we want to know whether you consider it appropriate to appoint a commissioner to the panel who understands toking Māori and the perspectives of local iwi or hapū.

We propose to engage with you as we progress this work, so that it is more of an ongoing conversation. Our proposal is as follows:

- firstly engage on the policy intent of the plan change;
- followed swiftly with engagement on the specific wording we think gives effect to the policy intent, beyond the changes to Table 14.2; and
- invite you to participate or observe the testing of the proposed provisions, to see if the proposed changes provide a fix.

Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

We would appreciate feedback on the proposal and how you would like us to continue engaging with you, whether it be kanohi ki te kanohi or via some other means.

Waiho i te toipoto kaua i te toiroa.

Noho ora mai rā



Nic Peet
Group Manager, Strategy and Regulation

What is the intent of the One Plan and its water quality provisions to manage nutrients?

In respect of surface water quality, the intent of the One Plan was to balance productive farming with the quality and health of water resources.

In consultation with the community, surface water quality was identified as one of four keystone issues for the region. The One Plan recognises that farming and primary production play a major role in our regional economy and in the makeup of our community. The Plan also sets out that intensive land use, and any increased intensification (whether through greater existing use, expansion or establishment of new farms/conversions) increases pressure on the quality of water resources in the region.

The One Plan establishes strategies to maintain and improve water quality. This includes imposing controls on intensive land use, such as establishing nitrogen limits.

The One Plan provides an integrated framework for maintaining and enhancing water quality, including regulating urban/point-source discharges, establishing nitrogen limits, requiring stock exclusion from waterways, and activities to prevent erosion. Cumulatively, these activities work towards achieving the schedule E targets.

The relationship between elevated nutrient concentrations, degraded surface water quality, and intensive land use has been well established. The policy intent is reflected in Policy 5-8 (a)(i)(A)-(E), which requires cumulative nitrogen limit maximums (through Table 14.2) to be established in the plan that meet key criteria around on-farm practice and catchment capacity. The limits are one of the mechanisms to both achieve the strategies for water quality enhancement and recognise the productive capability of land.

The original intent of the Plan was not every farm would get through under these limits.

The limits were intended to be set at a level that was achievable on most farms using good management practices. Where large changes are required, there was intended to be an appropriate timeframe provided for those limits to be achieved.

What is the intent of Plan Change 2?

To reflect the intent of the One Plan that the nutrient management framework supports optimal land use within defined environmental limits.

Efforts to implement the One Plan (and the declaration in March 2017) make it clear that the nutrient management framework requires attention. The policy intent set out in the plan – particularly around the nutrient limits – is not achieved by the detailed Plan provisions and therefore the provisions in the plan need to be adapted.

Further, an over emphasis has been placed on the nitrogen table as a mechanism to manage surface water quality. This is compounded by the table itself (Table 14.2) being out of step with the latest science and knowledge, and not meeting the aim of being achievable for most farms over time.

The intent of this plan change is to clarify and amend the nutrient management framework so that it effectively functions to work towards achieving the strategies for surface water quality as set out in the One Plan.

In particular, work is needed to:

Ensure policies and rules effectively deliver on the One Plan objectives for Surface Water Quality

- Restore the balance between the elements in Policy 5-8(a), so that nitrogen management is suitably addressed, and that Cumulative Nitrogen Limit Maximums are used as an indicator appropriately within the framework
- Provide appropriate consenting pathways according to the intensive land use effects that need to be managed within priority catchments
- Clear and practicable criteria to determine whether a consent can be issued; including direction on when a consent cannot be granted (i.e. on the basis of overall environmental impact)
- Ensure Table 14.2 reflects the latest science and knowledge to effectively deliver on plan objectives
- Ensure policy wording reflects the expectation of the Plan directing effort towards the Schedule E targets
- Evidence and information required to support an application for consent must be reasonably available, and at an appropriate cost

Methods to ensure that science maintains currency; and support for transition and transformation

- Ensure provisions are up to date with latest science and thinking including Overseer updates, codes of practice
- Other methods that provide support to implement the intent of the plan.

From: [Jerald Twomey](#)
To: [Aiden Gilbert](#); [Anne-Marie Broughton](#); [Barbara Ball](#); rketu@icloud.com; [Nga Kaitiaki O Ngati Kauwhata Inc.](#); [Danielle](#); [Di Rump](#); [Edwin Ashford](#); [Hayden Hape](#); [Eugene Topine](#); [Ken Mair](#); [Moirā Raukawa](#); [Rawiri T](#); [Larry Parr](#); holden.hohaia@xtra.co.nz; [Oriana Paewai](#); [Yvette G](#); [Jordan W](#); [Thomas C](#); [Pahia Turia](#); raymondwi97@gmail.com; [Tame Tuwhangai](#); [Holly Molesworth](#); [Jessica Kereama](#); [Chris Shenton](#); ["Gannin Ormsby"](#); [Morry Black](#); [Gerrard Albert](#); [Kahureremoa](#); [Kate Proctor](#)
Subject: Ref22 One Plan Change
Date: Wednesday, 17 April 2019 4:04:49 PM

Kei ngā manutaki, kei ngā manu kōrero o te māra a Tāne, tēnā koutou,

This is a follow up email to the letter sent on 29 March 2019 regarding the changes that Horizons is considering for the One Plan. Briefly, our nutrient management part of the Plan has a table that requires updating to the latest version, and then some of the policy requires updating to support the table change.

This will bring the Plan back to the intended outcome of improved water quality within the means of most farms. This will allow the last catchments of Manawatū, Horowhenua and lower Rangitīkei to enter the regulating framework.

Just to reiterate that we are committed to ensuring that you have the required understanding.

Please do not hesitate to let us know if you would like to discuss the matter - we are more than happy to meet 'kanohi ki te kanohi.

We remain interested in whether you consider it appropriate to appoint a commissioner to the panel who understands tikanga Māori and the perspectives of local iwi or hapū.

We will keep you informed as we continue.

Noho ora mai rā

Jerald

Jerald Twomey

Horizons

Kaitātari Kaupapa (Iwi)

Nama Waea: 06 9522984

Waea Pūkoro: 021-2277464

From: [Jerald Twomey](#)
To: [Nic Peet](#)
Cc: [Kate Proctor](#); [Jerald Twomey](#)
Subject: Ref24 Horizons One Plan Changes - update on work ahead
Date: Wednesday, 24 April 2019 2:29:32 PM

Kei ngā manu tūtei, kei ngā manu puiaki o te wao, tēnā koutou katoa

Please accept this email as an update to the One Plan Changes

Nutrient management plan change

We are making good progress towards our first set of changes to the nutrient management framework. This is a discrete set of proposed changes, that includes:

- Recalibrating table 14.2 for Nitrogen loss to take into account the latest science (including the eight updates of Overseer since the table was developed).
- Changes in policies and objectives to provide a viable pathway for intensive land users to apply for consent if they cannot meet the table values.

How to get involved

If you have an interest in the nutrient management framework (intensive land use) draft plan changes, we have several opportunities for you to engage with this work.

1. We are looking to hold small group sessions within the region in the week of 6-10 May 2019. At these sessions, the proposed intent of the plan change will be discussed, and you will be invited to share your views and provide feedback.
2. Horizons is developing practical testing of the draft changes – through three scenario intensive land uses (using real data) from the period 29 April-10 May. This includes developing the application and assessing the application against the consenting provisions. We have limited opportunities to add observers to these scenario teams.
3. Findings of the practical testing (scenarios) will be presented at a workshop on 15 May.

Further information about the draft plan change is available on the Horizons website here:

<https://www.horizons.govt.nz/managing-natural-resources/intensive-land-use-information>

If you would like to participate in one of the small group sessions, join a scenario as an observer, and/or attend the workshop of our findings, please let our project manager Kate Proctor know via email kate.proctor@horizons.govt.nz

If you have any other enquiries, about the draft plan change or our Environmental Policy work programme, please contact Rebecca Tayler on 06 952 2825 or Rebecca.tayler@horizons.govt.nz

We remain interested in whether you consider it appropriate to appoint a commissioner to the panel who understands tikanga Māori and the perspectives of local iwi or hapū – and as always are more than happy to meet ‘kanohi ki te kanohi.

Nāku noa, nā

Nic Peet

Objective/Policy	One Plan policies comprising the water management framework
RPS Objective 5-1 and Policy 5-1	Objective 5-1: <i>Water</i>[^] management Values Surface <i>water bodies</i>[^] and their <i>beds</i>[^] are managed in a manner which safe guards their life supporting capacity and recognises and provides for the Values in Schedule B¹. Objective 5-2: <i>Water</i>[^] quality (a) Surface <i>water</i>[^] quality is managed to ensure that: (i) <i>water</i>[^] quality is maintained in those <i>rivers</i>[^] and <i>lakes</i>[^] where the existing <i>water</i>[^] quality is at a level sufficient to support the Values in Schedule B (ii) <i>water</i>[^] quality is enhanced in those <i>rivers</i>[^] and <i>lakes</i>[^] where the existing <i>water</i>[^] quality is not at a level sufficient to support the Values in Schedule B (iii) accelerated eutrophication and sedimentation of <i>lakes</i>[^] in the Region is prevented or minimised (iv) the special values of <i>rivers</i>[^] protected by <i>water conservation orders</i>[^] are maintained. (b) Groundwater quality is managed to ensure that existing groundwater quality is maintained or where it is degraded/over allocated as a result of human activity, groundwater quality is enhanced. Policy 5-1: <i>Water Management Zones</i>[*] and Values For the purposes of managing <i>water</i>[^] quality, <i>water</i>[^] quantity, and activities in the <i>beds</i>[^] of <i>rivers</i>[^] and <i>lakes</i>[^], the catchments in the Region have been divided into <i>Water Management Zones</i>[*] and <i>Water Management Sub-zones</i>[*] in Schedule A.² Groundwater has been divided into <i>Groundwater Management Zones</i>[*] in Schedule D.³ The <i>rivers</i>[^] and <i>lakes</i>[^] and their <i>beds</i>[^] must be managed in a manner which safeguards their life supporting capacity and recognises and provides for the Schedule B Values when decisions are made on avoiding, remedying or mitigating the adverse <i>effects</i>[^] of activities or in relation to any other function under the Resource Management Act 1991 exercised by the Regional Council or Territorial Authorities. The individual Values and their associated management objectives are set out in the Schedule B Surface <i>Water</i>[^] Management Values Key and repeated in Table 5.2.

¹ Schedule B is not a component of Part I - the Regional Policy Statement. It is a component of Part II - the Regional Plan.

² Schedule A is not a component of Part I - the Regional Policy Statement. It is a component of Part II - the Regional Plan.

³ Schedule D is not a component of Part I - the Regional Policy Statement. It is a component of Part II - the Regional Plan.

RPS Policies 5-2, 5-3, 5-4 5-5 and 5-6 <i>These policies combine to form the <u>Strategy for surface and ground water quality</u></i> <i>The strategy is part of a water management framework (nutrients) also comprised of</i> · Schedules A, B, D and E · Policies 5-7, 5-8, 14-5 and 14-6	Policy 5-2: <i>Water quality targets*</i> In Schedule E⁴, <i>water quality targets*</i> relating to the Schedule B Values (repeated in Table 5.2) are identified for each <i>Water Management Sub-Zone*</i>. Other than where they are incorporated into <i>permitted activity</i>[^] rules as <i>conditions</i>[^] to be met, the <i>water quality targets*</i> in Schedule E must be used to inform the management of surface <i>water</i>[^] quality in the manner set out in Policies 5-3, 5-4 and 5-5. Policy 5-3: Ongoing compliance where <i>water quality targets*</i> are met (a) Where the existing <i>water</i>[^] quality meets the relevant Schedule E <i>water quality targets*</i> within a <i>Water Management Sub-zone*</i>, <i>water</i>[^] quality must be managed in a manner which ensures that the <i>water quality targets*</i> continue to be met beyond the zone of reasonable mixing (where mixing is applicable). (b) For the avoidance of doubt: (i) in circumstances where the existing <i>water</i>[^] quality of a <i>Water Management Sub-zone*</i> meets all of the <i>water quality targets*</i> for the <i>Sub-zone*</i> (a) applies to every <i>water quality target*</i> for the <i>Sub-zone*</i> (ii) in circumstances where the existing <i>water</i>[^] quality of a <i>Water Management Sub-zone*</i> meets some of the <i>water quality targets*</i> for the <i>Sub-zone*</i> (a) applies only to those <i>water quality targets*</i> that are met (iii) for the purpose of (a) reasonable mixing is only applicable to a <i>discharge</i>[^] from an identifiable location. Policy 5-4: Enhancement where <i>water quality targets*</i> are not met (a) Where the existing <i>water</i>[^] quality does not meet the relevant Schedule E <i>water quality targets*</i> within a <i>Water Management Sub-zone*</i>, <i>water</i>[^] quality within that sub-zone must be managed in a manner that enhances existing <i>water</i>[^] quality in order to meet: (i) the <i>water quality target*</i> for the <i>Water Management Zone*</i> in Schedule E, and/or (ii) the relevant Schedule B Values and management objectives that the <i>water quality target*</i> is designed to safeguard. (b) For the avoidance of doubt: (i) in circumstances where the existing <i>water</i>[^] quality of a <i>Water Management Sub-zone*</i> does not meet all of the <i>water quality targets*</i> for the <i>Sub-zone*</i>, (a) applies to every <i>water quality target*</i> for the <i>Sub-zone*</i> (ii) in circumstances where the existing <i>water</i>[^] quality of a <i>Water Management Sub-zone*</i> does not meet some of the <i>water quality targets*</i> for the <i>Sub-zone*</i>, (a) applies only to those <i>water quality-targets*</i> not met.
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	Policy 5-5: Management of <i>water</i>[^] quality in areas where existing <i>water</i>[^] quality is unknown (a) Where there is insufficient data to enable a comparison of the existing <i>water</i>[^] quality with the relevant Schedule E <i>water quality targets</i>[*], <i>water</i>[^] quality within the <i>Water Management Sub-Zone</i>[^] must be managed in a manner which, beyond the zone of reasonable mixing (where reasonable mixing is applicable): (i) maintains or enhances the existing <i>water</i>[^] quality (ii) has regard to the likely effect of the activity on the relevant Schedule B Values that the <i>water quality target</i>[*] is designed to safeguard (iii) has regard to relevant information about the existing <i>water</i>[^] quality in upstream or downstream <i>Water Management Sub-zones</i>[*], where such information exists. Policy 5-6: Maintenance of groundwater quality (a) <i>Discharges</i>[^] and <i>land</i>[^] use activities must be managed in a manner which maintains the existing groundwater quality, or where groundwater quality is degraded/over allocated as a result of human activity, it is enhanced. (b) An exception may be made under (a) where a <i>discharge</i>[^] onto or into <i>land</i>[^] better meets the purpose of the RMA than a <i>discharge</i>[^] to <i>water</i>[^], provided that the best practicable <i>option</i>[^] is adopted for the treatment and <i>discharge</i>[^] system. (c) Groundwater takes in the vicinity of the coast must be managed in a manner which avoids saltwater intrusion.
Policy 5-7 <i>Policy 5-7 s outlines the structure of the approach to managing activities that discharge contaminants</i> • WMS • IFLU'S • Rules (5-8)	Policy 5-7: <i>Land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality The management of <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] must give effect to the strategy for surface <i>water</i>[^] quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6, by managing diffuse <i>discharges</i>[^] of contaminants in the following manner: (a) identifying in the regional plan targeted <i>Water Management Sub-zones</i>[*]. Targeted <i>Water Management Sub-zones</i>[*] are those subzones where, collectively, <i>land</i>[^] use activities are significant contributors to elevated contaminant levels in groundwater or surface <i>water</i>[^] (b) identifying in the regional plan intensive farming <i>land</i>[^] use activities. Intensive farming <i>land</i>[^] use activities are rural <i>land</i>[^] use activities that (either individually or collectively) make a significant contribution to elevated contaminant levels in the targeted <i>Water Management Sub-zones</i>[*] identified in (a) above (c) actively managing the intensive farming <i>land</i>[^] use activities identified in (b) including through regulation in the regional plan, in the manner specified in Policy 5-8

Policy 5-8 <i>Policy 5-8 sets out the regulatory and non-regulatory methods to “actively manage” diffuse discharges from (existing and new) IFLU'S</i> · Reg - CNLMs · Reg - Stock exclusion · Non-reg -SLUI/WCS	Policy 5-8: Regulation of intensive farming <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality <u>In order to give effect to Policy 5-7, intensive farming <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality must be managed to reduce contaminant levels in the following manner:</u> (a) Nutrients Nitrogen leaching (i) Nitrogen leaching maximums must be established in the regional plan which: (A) take into account all the non-point sources of nitrogen in the catchment (B) will achieve the strategies for surface <i>water</i>[^] quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6 (C) recognise the productive capability of <i>land</i>[^] in the <i>Water Management Sub-zone</i>[*] (D) are achievable on most farms using good management practices. (E) provide for appropriate timeframes for achievement where large changes to management practices or high levels of investment are required to achieve the nitrogen leaching maximums. (ii) Existing intensive farming <i>land</i>[^] use activities must be regulated in targeted <i>Water Management Sub-zones</i>[*] to achieve the nitrogen leaching maximums specified in (i), except as provided for in (iia) below. <u>(iia) Transitional provisions must be established in the regional plan to provide exceptions to (ii), where:</u> <u>(A) high levels of investment are required to achieve the nitrogen leaching maximums in (i); or</u> <u>(B) persons wish to convert to an alternative non-intensive farming <i>land</i>[^] use and require appropriate timeframes to achieve this.</u> (iii) New intensive farming <i>land</i>[^] use activities must be regulated throughout the Region to achieve the nitrogen leaching maximums specified in (i). (b) Faecal contamination (i) Those persons carrying out existing intensive farming <i>land</i>[^] use activities in the targeted <i>Water Management Sub-zones</i>[*] listed in Table 14.1 or new conversions to intensive farming <i>land</i>[^] use activities anywhere in the Region must be required, amongst other things, to: (A) prevent cattle access to some surface <i>water bodies</i>[^] and their <i>beds</i>[^] (B) mitigate faecal contamination of surface <i>water</i>[^] from other entry points (eg., race run-off) (C) establish programmes for implementing any required changes. (c) Sediment (i) In those <i>Water Management Sub-zones</i>[*] where agricultural <i>land</i>[^] use activities are the predominant cause of elevated sediment levels in surface <i>water</i>[^], the Regional Council will promote the preparation of voluntary management plans under the Council's Sustainable Land Use Initiative or Whanganui Catchment Strategy for the purpose of reducing the risk of <i>accelerated erosion</i>[*], as described in Chapter 4.
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Method 5-XX	<u>Method 5-XX</u>	<u>Innovative land use Research</u>
	<u>Description</u>	The aim of this method is to support initiatives to develop new options for sustainable land use in the Region. Although directed across the Region, work in <i>Water Management Sub-zones*</i> where nitrogen leaching is an issue is a priority because this work will result in viable options for intensive farming land users that find it difficult to obtain resource consent for their current activities (refer Table 14.1). The Regional Council may lead initiatives, but it is preferred that such initiatives be led by the communities of interest with support from the Regional Council.
	<u>Who</u>	<u>The Regional Council, Territorial Authorities and any agency whose work contributes to this method.</u>
	<u>Links to Policy</u>	<u>This method implements Policies 5-7 and 5-8.</u>
	<u>Target</u>	<u>Advice and assistance is available for landowners in the Region.</u>

Objective 14-1	Objective 14-1: Management of <i>discharges</i>[^] to <i>land</i>[^] and <i>water</i>[^] and <i>land</i>[^] uses affecting groundwater and surface water quality The management of <i>discharges</i>[^] onto or into <i>land</i>[^] (including those that enter <i>water</i>[^]) or directly into <i>water</i>[^] and <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality in a manner that: (a) safeguards the life supporting capacity of water and recognises and provides for the Values and management objectives in Schedule B, (b) provides for the objectives and policies of Chapter 5 as they relate to surface <i>water</i>[^] and groundwater quality, and (c) where a <i>discharge</i>[^] is onto or into <i>land</i>[^], avoids, remedies or mitigates adverse <i>effects</i>[^] on surface <i>water</i>[^] or groundwater.
Policy 14-1	Policy 14-1: Consent decision-making for <i>discharges</i>[^] to <i>water</i>[^] When making decisions on <i>resource consent</i>[^] applications, and setting consent <i>conditions</i>[^], for <i>discharges</i>[^] of <i>water</i>[^] or <i>contaminants</i>[^] into <i>water</i>[^], the Regional Council must specifically consider: (a) the objectives and Policies 5-1 to 5-5 and 5-9 of Chapter 5, and have regard to: (b) avoiding <i>discharges</i>[^] which contain any persistent <i>contaminants</i>[^] that are likely to accumulate in a <i>water body</i>[^] or its <i>bed</i>[^], (c) the appropriateness of adopting the <i>best practicable option</i>[^] to prevent or minimise adverse <i>effects</i>[^] in circumstances where: (i) it is difficult to establish <i>discharge</i>[^] parameters for a particular <i>discharge</i>[^] that give effect to the management approaches for <i>water</i>[^] quality and <i>discharges</i>[^] set out in Chapter 5, or (ii) the potential adverse <i>effects</i>[^] are likely to be minor, and the costs associated with adopting the <i>best practicable option</i>[^] are small in comparison to the costs of investigating the likely <i>effects</i>[^] on <i>land</i>[^] and <i>water</i>[^], and (d) the objectives and policies of Chapters 2, 3, 6, 9 and 12 to the extent that they are relevant to the <i>discharge</i>[^].
Policy 14-2	Policy 14-2: Consent decision-making for <i>discharges</i>[^] to <i>land</i>[^] When making decisions on <i>resource consent</i>[^] applications, and setting consent <i>conditions</i>[^], for <i>discharges</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] the Regional Council must have regard to: (a) the objectives and policies of Chapter 5 regarding the management of groundwater quality and <i>discharges</i>[^], (b) where the <i>discharge</i>[^] may enter surface <i>water</i>[^] or have an adverse <i>effect</i>[^] on surface <i>water</i>[^] quality, the degree of compliance with the approach for managing surface <i>water</i>[^] quality set out in Chapter 5, (c) avoiding as far as reasonably practicable any adverse <i>effects</i>[^] on any sensitive receiving <i>environment</i>[^] or potentially incompatible <i>land</i>[^] uses, in particular any residential buildings, educational facilities, churches, marae, public areas,

	<i>infrastructure</i>^ and other physical resources of regional or national importance identified in Policy 3-1, <i>wetlands</i>^, surface <i>water bodies</i>^ and the <i>coastal marine area</i>^, (d) the appropriateness of adopting the <i>best practicable option</i>^ to prevent or minimise adverse <i>effects</i>^ in circumstances where: (i) it is difficult to establish <i>discharge</i>^ parameters for a particular <i>discharge</i>^ that give effect to the management approaches for <i>water</i>^ quality and <i>discharges</i>^ set out in Chapter 5, (ii) the potential adverse <i>effects</i>^ are likely to be minor, and the costs associated with adopting the <i>best practicable option</i>^ are small in comparison to the costs of investigating the likely <i>effects</i>^ on <i>land</i>^ and <i>water</i>^, (e) avoiding <i>discharges</i>^ which contain any persistent <i>contaminants</i>^ that are likely to accumulate in the soil or groundwater, and (f) the objectives and policies of Chapters 2, 3, 6, 9 and 12 to the extent that they are relevant to the <i>discharge</i>^.
Policy 14-3	Policy 14-3: Industry-based standards The Regional Council will examine on an on-going basis relevant industry-based standards (including guidelines and codes of practice), recognising that such industry based standards generally represent current best practice, and may accept compliance with those standards as being adequate to avoid, remedy or mitigate adverse <i>effects</i>^ to the extent that those standards address the matters in Policies 14-1, 14-2, 14-4, and 14-5 <u>and 14-6</u>.

Policy 14-5 <i>This section defines how IFLU'S are to be managed</i> • Which IFLU'S • Existing in (Targeted WMS) and new (all WMS) • Role of the CNLMs • Stock exclusion	Policy 14-5: Management of intensive farming <i>land</i>[^] uses In order to give effect to Policy 5-7 and Policy 5-8, intensive farming <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality must be managed in the following manner: (a) The following land uses have been identified as intensive farming <i>land</i>[^] uses: (i) <i>Dairy farming</i>[*] (ii) <i>Commercial vegetable growing</i>[*] (iii) <i>Cropping</i>[*] (iv) <i>Intensive sheep and beef</i>[*] (b) The intensive farming <i>land</i>[^] uses identified in (a) must be regulated where: (i) They are existing intensive farming <i>land</i>[^] uses, in the targeted <i>Water Management Sub-zones</i>[*] identified in Table 14.1. (ii) They are new (i.e. established after the Plan has legal effect⁵) intensive farming <i>land</i>[^] uses, in all <i>Water Management Sub-zones</i>[*] in the Region. (c) Nitrogen leaching maximums have been established in Table 14.2. <u>Changes resulting from the introduction of new versions of OVERSEER that could alter the cumulative nitrogen leaching maximum* values contained in Table 14.2 will be considered when assessing applications in relation to Table 14.2 cumulative nitrogen leaching maximums*.</u> (d) Existing intensive farming <i>land</i>[^] uses regulated in accordance with (b)(i) must be managed to achieve-ensure that the leaching of nitrogen from those land^ uses does not exceed the cumulative nitrogen leaching maximum* values for each year contained in Table 14.2 <u>and the matters in (f) and (g)</u>, unless the circumstances in Policy 14-6 apply. (e) New intensive farming <i>land</i>[^] uses regulated in accordance with (b)(ii) must be managed to ensure that the leaching of nitrogen from those <i>land</i>[^] uses does not exceed the cumulative nitrogen leaching maximum* values for each year contained in Table 14.2. (f) Intensive farming <i>land</i>[^] uses regulated in accordance with (b) must exclude cattle from: (i) A <i>wetland</i>[^] or <i>lake</i>[^] that is a <i>rare habitat</i>[*], <i>threatened habitat</i>[*] or <i>at-risk habitat</i>[*]. (ii) Any <i>river</i>[^] that is permanently flowing or has an <i>active bed</i>[*] width greater than 1 metre. (f) All places where cattle cross a river that is permanently flowing or has an <i>active bed</i>[*] width greater than 1 metre must be culverted or bridged and those culverts or bridges must be used by cattle whenever they cross the river.
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⁵ The Plan has legal effect in the case of *dairy farming*^{*} from 24 August 2010 and for *commercial vegetable growing*^{*}, *cropping*^{*} and *intensive sheep and beef farming*^{*} it has legal effect from 9 May 2013.

Policy 14-6 <i>Policy 14-6 guides decision making and condition setting for controlled and restricted discretionary intensive farming land use activities</i>	Policy 14-6: Resource consent decision-making for intensive farming <i>land^</i> uses When making decisions on <i>resource consent^</i> applications, and setting consent <i>conditions^</i>, for intensive farming <i>land^</i> uses the Regional Council must: (a) Ensure the nitrogen leaching from the land is managed in accordance with Policy 14-5. (b) An exception may be made to (a) for existing intensive farming <i>land^</i> uses in the following circumstances: (i) where the existing intensive farming <i>land^</i> use occurs on land that has 50% or higher of LUC Classes IV to VIII and has an average annual rainfall of 1500 mm or greater; or (ii) where the existing intensive farming <i>land^</i> use cannot meet year 1 cumulative nitrogen leaching maximums* in year 1, they shall be managed through conditions on their resource consent to ensure year 1 cumulative nitrogen leaching maximums* are met within 4 years. <u>(ba) Enable exceptions to (a) for existing intensive farming <i>land^</i> uses that exceed the cumulative nitrogen leaching maximum* where:</u> <u>(i) good management practices to minimise the loss of nitrogen, phosphorus, faecal contamination and sediment have been implemented as far as reasonably practicable; and</u> <u>(ii) either:</u> <u>(A) high levels of investment are required to achieve the cumulative nitrogen leaching maximum*; or</u> <u>(B) the applicant wishes to convert to an alternative non-intensive farming <i>land^</i> use and requires appropriate timeframes to achieve this.</u> <u>(bb) When determining whether to make an exception under (ba), have regard to the following additional matters:</u> <u>(i) the extent of non-compliance with the cumulative nitrogen leaching maximum*</u> <u>(ii) whether the level of investment required to meet the cumulative nitrogen leaching maximum* is economically and environmentally efficient</u> <u>(iii) changes resulting from the introduction of new versions of OVERSEER that could alter the cumulative nitrogen leaching maximum* values contained in Table 14.2</u> <u>(iv) the contribution of the activity to the improvement of water^ quality within that Sub-zone*.</u> (c) Where an exception is made to the cumulative nitrogen leaching maximum* the existing intensive farming <i>land^</i> uses must be managed by consent conditions to ensure: (i) Good management practices to minimise the loss of nitrogen, phosphorus, faecal contamination and sediment are implemented <u>as far as reasonably practicable</u>. (ii) Any losses of nitrogen, which cannot be minimised, are remedied or mitigated, including by other works or environmental compensation. Mitigation works may include but are not limited to, creation of wetland and riparian planted zones. (d) Ensure that cattle are excluded from surface water in accordance with Policy 14-5 (f) and (g) except where landscape or geographical constraints make stock exclusion impractical and the effects of cattle stock movements are avoided, remedied or mitigated. In all cases any unavoidable losses of nitrogen, phosphorus, faecal contamination and sediment are remedied or mitigated by other works or environmental compensation. Mitigation works may include (but are not limited to) creation of wetland and riparian planted zones.
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Table 14.1

Table 14.1 sets out the target Water Management Sub-zones where management of existing intensive farming land^ use activities must be specifically controlled.*

Catchment	Water Management Sub-zone*	Date the Rules of the Plan have legal effect ⁶ in relation to Rule 14-1
Mangapapa	Mangapapa Mana_9b	1 July 2014
Waikawa	Waikawa West_9a Manakau West_9b	1 July 2014
Other south-west catchments (Papaitonga)	Lake Papaitonga West_8	1 July 2014
Mangatainoka	Upper Mangatainoka Mana_8a Middle Mangatainoka Mana_8b Lower Mangatainoka Mana_8c Makakahi Mana_8d	1 July 2015
Other coastal lakes	Northern Manawatu Lakes West_6 Kaitoke Lakes West_4 Southern Wanganui Lakes West_5	1 July 2015
Coastal Rangitikei	Coastal Rangitikei Rang_4	1 July 2015
Lake Horowhenua	Lake Horowhenua Hoki_1a Hokio Hoki_1b	1 July 2015
Upper Manawatu above Hopelands	Upper Manawatu Mana_1a Mangatewainui Mana_1b Mangatoro Mana_1c Weber-Tamaki Mana_2a Mangatera Mana_2b Upper Tamaki Mana_3 Upper Kumeti Mana_4 Tamaki-Hopelands Mana_5a Lower Tamaki Mana_5b Lower Kumeti Mana_5c Oruakeretaki Mana_5d Raparapawai Mana_5e	1 July 2016
Manawatu above gorge	Hopelands-Tiraumea Mana_6 Upper Gorge Mana_9a Mangaatua Mana_9c	1 July 2016

Table 14.2

Table 14.2 sets out the cumulative nitrogen leaching maximum* for the land^ used for intensive farming land^ use activities within each specified land use capability class*.

Table 14.2 Cumulative nitrogen leaching maximum* by Land Use Capability Class*

Period (from the year that the rule has legal effect ⁷)	LUC* I	LUC* II	LUC* III	LUC* IV	LUC* V	LUC* VI	LUC* VII	LUC* VIII
Year 1	51 30	45 27	40 24	29 18	25 16	24 15	11 8	3 2
Year 5	46 27	42 25	35 21	25 16	22 13	16 10	8 6	3 2
Year 10	44 26	37 22	32 19	23 14	20 13	16 10	8 6	3 2
Year 20	43 25	35 21	30 18	21 13	19 12	16 10	8 6	3 2

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
14-1 Existing intensive farming land^ use activities	The use of land^ pursuant to s9(2) RMA for any of the following types of intensive farming: (i) <i>dairy farming*</i> (ii) <i>commercial vegetable growing*</i> (iii) <i>cropping*</i> (iv) <i>intensive sheep and beef farming*</i> that was existing in the <i>Water Management Sub-zones*</i> listed in and from the dates specified in Table 14.1 and any of the following <i>discharges^</i> pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming: (a) the <i>discharge^</i> of <i>fertiliser*</i> onto or into land^ (b) the <i>discharge^</i> of <i>contaminants^</i> onto or into land^ from	Controlled	(a) A <i>nutrient management plan*</i> must be prepared for the land^, and provided annually to the Regional Council. (b) The activity must be undertaken in accordance with the <i>nutrient management plan*</i> prepared under (a). (c) The <i>nutrient management plan*</i> prepared under (a) must demonstrate that the nitrogen leaching loss from the activity will not exceed the <i>cumulative nitrogen leaching maximum*</i> specified in Table 14.2. (d) Cattle must be excluded from: (i) <i>wetlands^</i> and <i>lakes^</i> that are a <i>rare habitat*</i> or <i>threatened habitat*</i>, and (ii) the <i>beds^</i> of <i>rivers^</i> that are permanently flowing or have an <i>active bed*</i> width greater than 1 m. (e) <i>Rivers^</i> that are permanently flowing or have an <i>active bed*</i> 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	Control is reserved over: (a) the implementation of the <i>nutrient management plan*</i> (b) compliance with the <i>cumulative nitrogen leaching maximum*</i> specified in Table 14.2 (taking into account changes resulting from the introduction of new versions of OVERSEER) (c) the matters of control in Rule 14-11 (d) avoiding, remedying or mitigating the effects of odour, dust, <i>fertiliser*</i> drift or effluent drift (e) provision of information including the <i>nutrient management plan*</i> (f) duration of consent (g) review of consent <i>conditions^</i> (h) compliance monitoring

⁷ The Plan has legal effect in the case of *dairy farming** from 24 August 2010 and for *commercial vegetable growing**, *cropping** and *intensive sheep and beef** it has legal effect from 9 May 2013.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	(i) the preparation, storage, use or transportation of stock feed on <i>production land</i>[^] (ii) the use of a <i>feedpad</i>[*] (c) the <i>discharge</i>[^] of <i>grade Aa biosolids</i>[*] or <i>compost</i>[*] onto or into <i>production land</i>[^] (d) the <i>discharge</i>[^] of <i>poultry farm litter</i>[*] onto or into <i>production land</i>[^] (e) the <i>discharge</i>[^] of <i>farm animal effluent</i>[*] onto or into <i>production land</i>[^] (or upon expiry or surrender of any existing consent for that <i>discharge</i>[^]) including: (i) effluent from dairy sheds and <i>feedpads</i>[*] (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air pursuant to ss15(1) or 15(2A) RMA. Where the existing intensive farming <i>land</i>[^] use is located partly on land within one or more of the <i>water management sub-zones</i>[*] listed in Table 14.1 and partly on other land, this rule only applies: (a) if at least 20% of the existing intensive farming <i>land</i>[^] use is located on land within the listed <i>water management sub-zones</i>[*]; and (b) to the portion of the existing intensive farming <i>land</i>[^] use that		- the carriageway of the bridge or culvert must be <i>discharged</i>[^] onto or into <i>land</i>[^]. (f) The <i>discharge</i>[^] of <i>fertiliser</i>[*] onto or into <i>land</i>[^] and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air must comply with the <i>conditions</i>[^] of Rule 14-5. (g) The <i>discharge</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] from: (i) the preparation, storage, use or transportation of stock feed on <i>production land</i>[^], or (ii) the use of a <i>feedpad</i>[*] - and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air must comply with the <i>conditions</i>[^] of Rule 14-6. (h) The <i>discharge</i>[^] of <i>grade Aa biosolids</i>[*] or <i>compost</i>[*] onto or into <i>production land</i>[^] and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air must comply with the <i>conditions</i>[^] of Rule 14-7. (i) The <i>discharge</i>[^] of <i>poultry farm litter</i>[*] onto or into <i>production land</i>[^] and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air must comply with the <i>conditions</i>[^] of Rule 14-9. (j) The <i>discharge</i>[^] of <i>farm animal effluent</i>[*] onto or into <i>production land</i>[^] including: (i) effluent from dairy sheds and <i>feedpads</i>[*] (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent - and any ancillary <i>discharge</i>[^] of <i>contaminants</i>[^] into air must comply with the <i>conditions</i>[^], standards and terms of Rule 14-11.	(i) the matters in Policy Policies 14-5, 14-6 and 14-9. <i>Resource consent</i>[^] applications under this <i>rule</i>[^] will not be notified and written approval of affected persons will not be required (notice of applications need not be <i>served</i>[^] on affected persons).

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	is located within the listed <i>water management sub-zones</i> *.			
14-2 Existing intensive farming <i>land</i>[^] use activities not complying with Rule 14-1	The use of <i>land</i>[^] pursuant to s9(2) RMA for any of the following intensive farming: (i) <i>dairy farming</i>* (ii) <i>commercial vegetable growing</i>* (iii) <i>cropping</i>* (iv) <i>intensive sheep and beef farming</i>* that was existing in the <i>Water Management Sub-zones</i>* listed in and from the dates specified in Table 14.1, and any of the following <i>discharges</i>[^] pursuant to ss15(1) or 15(2A) RMA associated with intensive farming, that do not comply with one or more of the <i>conditions</i>[^], standards and terms of Rule 14-1: (a) the <i>discharge</i>[^] of <i>fertiliser</i>* onto or into <i>land</i>[^] (b) the <i>discharge</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] from (i) the preparation, storage, use or transportation of stock feed on <i>production land</i>[^] (ii) the use of a <i>feedpad</i>* (c) the <i>discharge</i>[^] of <i>grade Aa biosolids</i>* or <i>compost</i>* onto or into <i>production land</i>[^] (d) the <i>discharge</i>[^] of <i>poultry farm litter</i>* onto or into <i>production land</i>[^] (e) the <i>discharge</i>[^] of <i>farm animal effluent</i>* onto or into <i>production land</i>[^] (or upon expiry or surrender of any existing	Restricted Discretionary	(a) <u>A <i>nutrient management plan</i>* must be prepared for the <i>land</i>[^], and provided annually to the Regional Council.</u> (b) <u>The activity must be undertaken in accordance with the <i>nutrient management plan</i>* prepared under (a).</u> (c) <u>The <i>nutrient management plan</i>* prepared under (a) must demonstrate that the nitrogen leaching loss from the activity will not exceed the <i>cumulative nitrogen leaching maximum</i>* for year 20 specified in Table 14.2, within 20 years of the date Rule 14-1 has legal effect.</u>	Discretion is restricted to: (a) preparation of and compliance with a <i>nutrient management plan</i>* for the <i>land</i>[^] (b) the extent of non-compliance with the <i>cumulative nitrogen leaching maximum</i>* specified in Table 14.2 <u>(taking into account changes resulting from the introduction of new versions of OVERSEER)</u> (c) measures good management practices to avoid, remedy or mitigate nutrient leaching, faecal contamination and sediment losses from the <i>land</i>[^] (d) measures to exclude cattle from <i>wetlands</i>[^] and <i>lakes</i>[^] that are a <i>rare habitat</i>* or <i>threatened habitat</i>*, and <i>rivers</i>[^] that are permanently flowing or have an <i>active bed</i>* width greater than 1 m (e) the bridging or culverting of <i>rivers</i>[^] that are permanently flowing or have an <i>active bed</i>* width greater than 1 m that are crossed by cattle (f) the matters referred to in the <i>conditions</i>[^] of Rules 14-5, 14-6, 14-7, and 14-9 (g) the matters referred to in the <i>conditions</i>[^] of Rule 14-11 and the matters of control in Rule 14-11 (h) avoiding, remedying or mitigating the effects of odour, dust, <i>fertiliser</i>* drift or effluent drift

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	consent for that <i>discharge</i> [^] including: (i) effluent from dairy sheds and <i>feedpads</i> * (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary <i>discharge</i> [^] of <i>contaminants</i> [^] into air pursuant to ss15(1) or 15(2A) RMA.			(i) provision of information including the annual <i>nutrient management plan</i> * (j) duration of consent (k) review of consent <i>conditions</i> [^] (l) compliance monitoring (m) the matters in Policy Policies 14-5, 14-6 and 14-9.
<u>14-2A Existing intensive farming land[^] use activities not complying with Rule 14-2</u>	<u>The use of land[^] pursuant to s9(2) RMA for any of the following intensive farming:</u> (i) <u>dairy farming*</u> (ii) <u>commercial vegetable growing*</u> (iii) <u>cropping*</u> (iv) <u>intensive sheep and beef farming*</u> <u>that was existing in the Water Management Sub-zones* listed in and from the dates specified in Table 14.1.</u>	<u>Discretionary</u>		

Rule Guide:

The location of archaeological sites when defined by a single co-ordinate is unlikely to define the true extent of subsurface archaeological evidence. The 50 metre rule should apply from the outer perimeter of the site.

Some activities in *rare habitats**, *threatened habitats** and *at-risk habitats** are regulated by Rules 13-8 and 13-9. Discharges from agricultural activities at other locations are regulated as follows:

- (a) **Discharges not covered by rules** - Agricultural discharges pursuant to ss15(1) RMA that are not covered by the rules above are a **discretionary activity** under Rule 14-30.
- ~~(b) **Activities that do not comply** - Except for Rule 14-3, activities pursuant to ss15(1) or 15(2A) RMA that do not comply with the permitted or controlled activity rules above are a **discretionary activity** under general Rule 14-30.~~

Glossary	Nutrient management plan means a plan prepared annually in accordance with the Code of Practice for Nutrient Management (NZ Fertiliser Manufacturers’ Glossary One Plan – 2014, amended by PA 1 2018 Glossary-11 Research Association 2007) which records (including copies of the OVERSEER[®] input and output files <u>of a recognised nutrient management model</u> used to prepare the plan) and takes into account all sources of nutrients for intensive farming and identifies all relevant nutrient management practices and mitigations, and which is prepared by a person who has a Certificate of Completion in Advanced Sustainable Nutrient Management from Massey University.
	<u>Good management practices</u> means good practices established in industry-based standards in accordance with Policy 14-3 to minimise the loss of nitrogen, phosphorus, faecal contamination and sediment. Good management practices are to be detailed in a nutrient management plan prepared for the land^ and provided annually to the Regional Council.

18 June 2019

 Dennis Emery
 Ngāti Kauwhata

 File ref: OMS 10 23
 NP:JT
By email: db.emery@xtra.co.nz
 Dennis, tēnā koe
 I roto i ngā mihi o te wā.

PLAN CHANGE UPDATE

In recent months we wrote to you advising that we were working towards 'fixing' the nutrient management framework provisions of the One Plan, and we are now formally notifying you we intend to notify a plan change late next month. This plan change is the first step in the evolution of the One Plan, and will be followed by subsequent Plan Changes including the Freshwater Futures Catchment reviews.

Summary of Changes

- The Nitrogen loss table in the Plan (14.2) has had its values updated to reflect the latest version of OVERSEER to ensure greater accuracy.
- A pathway outside of this Nitrogen loss table has been created for applicants **to apply for** consent when their Nitrogen losses exceed the table. This pathway gives applicants a choice to apply for either a short term consent if they wish to transition to a non-intensive land use, or a longer term consent if they use Good Management Practice plus alternative mitigations and demonstrate the best practicable option for environmental improvement.

Consultation and Engagement to date

We've provided a range of opportunities to engage with us on this plan change, including:

- Small group sessions to discuss the policy intent with iwi and stakeholders
- Observers at the practical testing workshop, working through scenarios for two dairy farms and a horticultural operation, running them through a mock consenting process, using real data to test our draft provisions
- Meetings with individual iwi, as requested
- Discussion with iwi on the plan changes as part of our regular engagement.

Based on feedback we've received, we will take a recommendation to Council to appoint a commissioner to the hearing panel who understands tikanga Māori and the perspectives of local iwi or hapū.

Through this engagement we have also received queries about catchment and sub-catchment modelling. This is being worked on as part of *Our Freshwater Futures* programme, and we are looking forward to strong input from iwi, guided through the co-governance arrangement (between iwi and Council). Work has

Kairanga

Marton

Palmerston North

Taihape

Taumarunui

Wanganui

Woodville

begun in this area for the Manawatu catchment, with all areas in the region planned to follow suit.

Next Steps

Please find attached a final draft of our proposed wording changes. We would appreciate feedback on the proposed changes within the scope of what we are trying to achieve.

We can also provide you with a copy of the Section 32 report; please let us know if you would like a copy.

As we have said in earlier correspondence we are under tight timeframes for the notification of this plan change. We ask for your feedback you may have by 11 July 2019.

If you would like to discuss these proposals with us, please do not hesitate to get in touch.

Ka whati te tai ka pao te torea.

Noho ora mai rā



Nic Peet
GROUP MANAGER, STRATEGY AND REGULATION

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Objective/Policy	One Plan policies comprising the water management framework
RPS Objectives 5-1, 5-2 and Policy 5-1 <i>These objectives and policies direct that surface water is managed to recognise and provide for the Schedule B values.</i> <i>To achieve this, catchments are divided into water management zones (Schedule A) and Groundwater Management Zones (Schedule D).</i>	Objective 5-1: <i>Water</i>[^] management Values Surface <i>water bodies</i>[^] and their <i>beds</i>[^] are managed in a manner which safe guards their life supporting capacity and recognises and provides for the Values in Schedule B¹. Objective 5-2: <i>Water</i>[^] quality (a) Surface <i>water</i>[^] quality is managed to ensure that: (i) <i>water</i>[^] quality is maintained in those <i>rivers</i>[^] and <i>lakes</i>[^] where the existing <i>water</i>[^] quality is at a level sufficient to support the Values in Schedule B (ii) <i>water</i>[^] quality is enhanced in those <i>rivers</i>[^] and <i>lakes</i>[^] where the existing <i>water</i>[^] quality is not at a level sufficient to support the Values in Schedule B (iii) accelerated eutrophication and sedimentation of <i>lakes</i>[^] in the Region is prevented or minimised (iv) the special values of <i>rivers</i>[^] protected by <i>water conservation orders</i>[^] are maintained. (b) Groundwater quality is managed to ensure that existing groundwater quality is maintained or where it is degraded/over allocated as a result of human activity, groundwater quality is enhanced. Policy 5-1: <i>Water Management Zones</i>[*] and Values For the purposes of managing <i>water</i>[^] quality, <i>water</i>[^] quantity, and activities in the <i>beds</i>[^] of <i>rivers</i>[^] and <i>lakes</i>[^], the catchments in the Region have been divided into <i>Water Management Zones</i>[*] and <i>Water Management Sub-zones</i>[*] in Schedule A.² Groundwater has been divided into <i>Groundwater Management Zones</i>[*] in Schedule D.³ The <i>rivers</i>[^] and <i>lakes</i>[^] and their <i>beds</i>[^] must be managed in a manner which safeguards their life supporting capacity and recognises and provides for the Schedule B Values when decisions are made on avoiding, remedying or mitigating the adverse <i>effects</i>[^] of activities or in relation to any other function under the Resource Management Act 1991 exercised by the Regional Council or Territorial Authorities. The individual Values and their associated management objectives are set out in the Schedule B Surface <i>Water</i>[^] Management Values Key and repeated in Table 5.2.

¹ Schedule B is not a component of Part I - the Regional Policy Statement. It is a component of Part II - the Regional Plan.

² Schedule A is not a component of Part I - the Regional Policy Statement. It is a component of Part II - the Regional Plan.

³ Schedule D is not a component of Part I - the Regional Policy Statement. It is a component of Part II - the Regional Plan.

RPS Policies 5-2, 5-3, 5-4, 5-5 and 5-6

These policies combine to form the strategy for surface water and ground water quality

The strategy is part of a water management framework (nutrients) also comprised of

- *Schedules A, B, D and E*
- *Policies 5-7, 5-8, 14-5 and 14-6*

Chiefly, the Strategy directs that water quality targets (Schedule E), relating to Schedule B values, are identified in water management zones and must be used to inform the management of surface water quality. Land uses must be managed to work towards Schedule E targets.

Policy 5-2: Water quality targets*

In Schedule E⁴, *water quality targets** relating to the Schedule B Values (repeated in Table 5.2) are identified for each *Water Management Sub-Zone**. Other than where they are incorporated into *permitted activity*[^] rules as *conditions*[^] to be met, the *water quality targets** in Schedule E must be used to inform the management of surface *water*[^] quality in the manner set out in Policies 5-3, 5-4 and 5-5.

Policy 5-3: Ongoing compliance where *water quality targets are met**

- (a) Where the existing *water*[^] quality meets the relevant Schedule E *water quality targets** within a *Water Management Sub-zone**, *water*[^] quality must be managed in a manner which ensures that the *water quality targets** continue to be met beyond the zone of reasonable mixing (where mixing is applicable).
- (b) For the avoidance of doubt:
 - (i) in circumstances where the existing *water*[^] quality of a *Water Management Sub-zone** meets all of the *water quality targets** for the *Sub-zone** (a) applies to every *water quality target** for the *Sub-zone**
 - (ii) in circumstances where the existing *water*[^] quality of a *Water Management Sub-zone** meets some of the *water quality targets** for the *Sub-zone** (a) applies only to those *water quality targets** that are met
 - (iii) for the purpose of (a) reasonable mixing is only applicable to a *discharge*[^] from an identifiable location.

Policy 5-4: Enhancement where *water quality targets are not met**

- (a) Where the existing *water*[^] quality does not meet the relevant Schedule E *water quality targets** within a *Water Management Sub-zone**, *water*[^] quality within that sub-zone must be managed in a manner that enhances existing *water*[^] quality in order to meet:
 - (i) the *water quality target** for the *Water Management Zone** in Schedule E, and/or
 - (ii) the relevant Schedule B Values and management objectives that the *water quality target** is designed to safeguard.
- (b) For the avoidance of doubt:
 - (i) in circumstances where the existing *water*[^] quality of a *Water Management Sub-zone** does not meet all of the *water quality targets** for the *Sub-zone**, (a) applies to every *water quality target** for the *Sub-zone**
 - (ii) in circumstances where the existing *water*[^] quality of a *Water Management Sub-zone** does not meet some of the *water quality targets** for the *Sub-zone**, (a) applies only to those *water quality targets** not met.

	Policy 5-5: Management of <i>water</i>[^] quality in areas where existing <i>water</i>[^] quality is unknown (a) Where there is insufficient data to enable a comparison of the existing <i>water</i>[^] quality with the relevant Schedule E <i>water quality targets</i>[*], <i>water</i>[^] quality within the <i>Water Management Sub-Zone</i>[^] must be managed in a manner which, beyond the zone of reasonable mixing (where reasonable mixing is applicable): (i) maintains or enhances the existing <i>water</i>[^] quality (ii) has regard to the likely effect of the activity on the relevant Schedule B Values that the <i>water quality target</i>[*] is designed to safeguard (iii) has regard to relevant information about the existing <i>water</i>[^] quality in upstream or downstream <i>Water Management Sub-zones</i>[*], where such information exists. Policy 5-6: Maintenance of groundwater quality (a) <i>Discharges</i>[^] and <i>land</i>[^] use activities must be managed in a manner which maintains the existing groundwater quality, or where groundwater quality is degraded/over allocated as a result of human activity, it is enhanced. (b) An exception may be made under (a) where a <i>discharge</i>[^] onto or into <i>land</i>[^] better meets the purpose of the RMA than a <i>discharge</i>[^] to <i>water</i>[^], provided that the best practicable <i>option</i>[^] is adopted for the treatment and <i>discharge</i>[^] system. (c) Groundwater takes in the vicinity of the coast must be managed in a manner which avoids saltwater intrusion.
Policy 5-7 <i>Policy 5-7 s outlines the structure of the approach to managing activities that discharge contaminants</i> • <i>WMS</i> • <i>IFLU'S</i> • <i>Rules (5-8)</i>	Policy 5-7: <i>Land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality The management of <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] must give effect to the strategy for surface <i>water</i>[^] quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6, by managing diffuse <i>discharges</i>[^] of contaminants in the following manner: (a) identifying in the regional plan targeted <i>Water Management Sub-zones</i>[*]. Targeted <i>Water Management Sub-zones</i>[*] are those subzones where, collectively, <i>land</i>[^] use activities are significant contributors to elevated contaminant levels in groundwater or surface <i>water</i>[^] (b) identifying in the regional plan intensive farming <i>land</i>[^] use activities. Intensive farming <i>land</i>[^] use activities are rural <i>land</i>[^] use activities that (either individually or collectively) make a significant contribution to elevated contaminant levels in the targeted <i>Water Management Sub-zones</i>[*] identified in (a) above (c) actively managing the intensive farming <i>land</i>[^] use activities identified in (b) including through regulation in the regional plan, in the manner specified in Policy 5-8

Policy 5-8

Policy 5-8 sets out the regulatory and non-regulatory methods to “actively manage” diffuse discharges from (existing and new) IFLU’S

- *Reg - CNLMs*
- *Reg - Stock exclusion*
- *Non-reg - SLUI/WCS*

Policy 5-8: ~~Regulation~~ Management and regulation of intensive farming land^ use activities affecting groundwater and surface water^ quality

The effects of intensive farming land^ use activities on groundwater and surface water^ quality must be managed in the following manner:

(a) Nutrients

(i) Nitrogen leaching maximums must be established in the regional plan which:

(A) take into account all the non-point sources of nitrogen in the catchment

~~(B) will achieve the strategies for surface water^ quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6~~

~~(C)~~ (B) recognise the productive capability of land^ in the Water Management Sub-zone*

~~(C)~~ are achievable on most farms using good management practices

~~(D) provide for appropriate timeframes for achievement~~

~~(E) provide for appropriate timeframes for achievement where large changes to management practices or high levels of investment are required to achieve the nitrogen leaching maximums.~~

(ii) Existing intensive farming land^ use activities must be regulated in targeted Water Management Sub-zones* to achieve the nitrogen leaching maximums specified in (i), except as provided for in (iia) and (iiaa) below.

(iia) Existing intensive land use activities which do not comply with (ii) must be regulated to reduce nitrogen leaching which is in excess of the nitrogen leaching maximums established under (a) by implementing good management practice, and additional measures to minimise the degree of non-compliance, having regard to:

(A) the feasibility, practicality, and cost of achieving the nitrogen leaching maximums specified in (i); and

(B) the strategy for surface water^ quality set out in Policies 5-2, 5-3, 5-4 and 5-5, and the strategy for groundwater quality in Policy 5-6.

(iiaa) Existing land use activities which do not comply with (ii) but are intended to transition to an alternative non-intensive farming land use must be regulated to ensure that they are -able to continue for a limited period of time in order to enable that transition and only where there is no increase in the exceedance of the nitrogen leaching maximums established under (a).

(iii) New intensive farming land^ use activities must be regulated throughout the Region to achieve the nitrogen leaching maximums specified in (i).

(b) Faecal contamination

	(i) Those persons carrying out existing intensive farming <i>land</i>[^] use activities in the targeted <i>Water Management Sub-zones</i>[*] listed in Table 14.1 or new conversions to intensive farming <i>land</i>[^] use activities anywhere in the Region must be required, amongst other things, to: (A) prevent cattle access to some surface <i>water bodies</i>[^] and their <i>beds</i>[^] (B) mitigate faecal contamination of surface <i>water</i>[^] from other entry points (eg., race run-off) (C) establish programmes for implementing any required changes. (c) Sediment <u>(i)</u> In those <i>Water Management Sub-zones</i>[*] where agricultural <i>land</i>[^] use activities are the predominant cause of elevated sediment levels in surface <i>water</i>[^], the Regional Council will promote the preparation of voluntary management plans under the Council's Sustainable Land Use Initiative or Whanganui Catchment Strategy for the purpose of reducing the risk of <i>accelerated erosion</i>[*], as described in Chapter 4. <u>(d) Good Management Practices</u> (i) <u>All intensive farming land use activities must be regulated to manage nutrient leaching and run-off, faecal contamination, and sediment losses in accordance with good management practices.</u>
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Method 5-XX

A new method is proposed to provide support for the transition and transformation of intensive farming land uses to less intensive land uses.

<u>Method 5-XX</u> <u>Innovative land use Research</u>	
<u>Description</u>	Support initiatives by local communities, sector groups or tangata whenua which develop options for sustainable land use in the Region. Support for work in <u>Water Management Sub-zones*</u> where nitrogen leaching is an issue will be a priority in order to find viable options for intensive farming land users that will have difficulty in achieving the cumulative nitrogen leaching maximums (refer Table 14.1). Horizons will provide assistance through providing data and information that will assist in the identification and evaluation of innovative land use options and participating in any evaluative work as appropriate.
<u>Who</u>	Local communities, rural and other sector groups, Territorial Authorities, Regional Council
<u>Links to Policy</u>	This method implements Policies 5-7 and 5-8.
<u>Target</u>	Advice and assistance is available for landowners in the Region regarding land use management practices.

Method 5-XY

A new method is proposed to support the provision of information regarding changes in science and technology relevant to the regulatory framework in the One Plan.

<u>Method 5-XY</u>	<u>Provision of information</u>
<u>Description</u>	<u>Horizons will collate and publish information regarding Overseer version changes and the identification and evaluation of nutrient management models other than Overseer that may be more appropriate for calculation of on-farm nutrient losses.:</u>
<u>Who</u>	<u>Regional Council, rural sector groups, and nutrient management model providers.</u>
<u>Links to Policy</u>	<u>This method implements Policy 5-8.</u>
<u>Target</u>	<u>• Horizons will consider whether it needs to respond to changes in Overseer through a plan change process.</u> <u>• A list of nutrient management models appropriate for use in intensive farming land is maintained on Horizons' website.</u>

Objective 14-1	Objective 14-1: Management of <i>discharges</i>[^] to <i>land</i>[^] and <i>water</i>[^] and <i>land</i>[^] uses affecting groundwater and surface water quality The management of <i>discharges</i>[^] onto or into <i>land</i>[^] (including those that enter <i>water</i>[^]) or directly into <i>water</i>[^] and <i>land</i>[^] use activities affecting groundwater and surface <i>water</i>[^] quality in a manner that: (a) safeguards the life supporting capacity of water and recognises and provides for the Values and management objectives in Schedule B, (b) provides for the objectives and policies of Chapter 5 as they relate to surface <i>water</i>[^] and groundwater quality, and (c) where a <i>discharge</i>[^] is onto or into <i>land</i>[^], avoids, remedies or mitigates adverse <i>effects</i>[^] on surface <i>water</i>[^] or groundwater.
Policy 14-1	Policy 14-1: Consent decision-making for <i>discharges</i>[^] to <i>water</i>[^] When making decisions on <i>resource consent</i>[^] applications, and setting consent <i>conditions</i>[^], for <i>discharges</i>[^] of <i>water</i>[^] or <i>contaminants</i>[^] into <i>water</i>[^], the Regional Council must specifically consider: (a) the objectives and Policies 5-1 to 5-5 and 5-9 of Chapter 5, and have regard to: (b) avoiding <i>discharges</i>[^] which contain any persistent <i>contaminants</i>[^] that are likely to accumulate in a <i>water body</i>[^] or its <i>bed</i>[^], (c) the appropriateness of adopting the <i>best practicable option</i>[^] to prevent or minimise adverse <i>effects</i>[^] in circumstances where: (i) it is difficult to establish <i>discharge</i>[^] parameters for a particular <i>discharge</i>[^] that give effect to the management approaches for <i>water</i>[^] quality and <i>discharges</i>[^] set out in Chapter 5, or (ii) the potential adverse <i>effects</i>[^] are likely to be minor, and the costs associated with adopting the <i>best practicable option</i>[^] are small in comparison to the costs of investigating the likely <i>effects</i>[^] on <i>land</i>[^] and <i>water</i>[^], and (d) the objectives and policies of Chapters 2, 3, 6, 9 and 12 to the extent that they are relevant to the <i>discharge</i>[^].
Policy 14-2	Policy 14-2: Consent decision-making for <i>discharges</i>[^] to <i>land</i>[^] When making decisions on <i>resource consent</i>[^] applications, and setting consent <i>conditions</i>[^], for <i>discharges</i>[^] of <i>contaminants</i>[^] onto or into <i>land</i>[^] the Regional Council must have regard to: (a) the objectives and policies of Chapter 5 regarding the management of groundwater quality and <i>discharges</i>[^], (b) where the <i>discharge</i>[^] may enter surface <i>water</i>[^] or have an adverse <i>effect</i>[^] on surface <i>water</i>[^] quality, the degree of compliance with the approach for managing surface <i>water</i>[^] quality set out in Chapter 5, (c) avoiding as far as reasonably practicable any adverse <i>effects</i>[^] on any sensitive receiving <i>environment</i>[^] or potentially incompatible <i>land</i>[^] uses, in particular any residential buildings, educational facilities, churches, marae, public areas,

	<i>infrastructure</i>^ and other physical resources of regional or national importance identified in Policy 3-1, <i>wetlands</i>^, surface <i>water bodies</i>^ and the <i>coastal marine area</i>^, (d) the appropriateness of adopting the <i>best practicable option</i>^ to prevent or minimise adverse <i>effects</i>^ in circumstances where: (i) it is difficult to establish <i>discharge</i>^ parameters for a particular <i>discharge</i>^ that give effect to the management approaches for <i>water</i>^ quality and <i>discharges</i>^ set out in Chapter 5, (ii) the potential adverse <i>effects</i>^ are likely to be minor, and the costs associated with adopting the <i>best practicable option</i>^ are small in comparison to the costs of investigating the likely <i>effects</i>^ on <i>land</i>^ and <i>water</i>^, (e) avoiding <i>discharges</i>^ which contain any persistent <i>contaminants</i>^ that are likely to accumulate in the soil or groundwater, and (f) the objectives and policies of Chapters 2, 3, 6, 9 and 12 to the extent that they are relevant to the <i>discharge</i>^.
Policy 14-3	Policy 14-3: Industry-based standards <u>Good Management Practices</u> The Regional Council will examine on an on-going basis When making decisions on resource consent applications, and setting consent conditions, for discharges of contaminants onto or into land, the Regional Council must have regard to good management practices relevant industry-based standards (including guidelines and codes of practice), recognising that such industry based standards generally represent current best practice, and may accept compliance with those standards as being adequate to avoid, remedy or mitigate adverse effects^ to the extent that those standards address those good management practices address the e-matters in Policies 14-1, 14-2, 14-4, and 14-5 and 14-6.
Policy 14-4	Policy 14-4 Options for <i>discharges</i>^ to surface <i>water</i>^ and <i>land</i>^ When applying for consents and making decisions on consent applications for <i>discharges</i>^ of <i>contaminants</i>^ into <i>water</i>^ or onto or into <i>land</i>^, the opportunity to utilise alternative <i>discharge</i>^ options, or a mix of <i>discharge</i>^ regimes, for the purpose of mitigating adverse <i>effects</i>^, applying the best practicable option, must be considered, including but not limited to: (a) discharging <i>contaminants</i>^ onto or into <i>land</i>^ as an alternative to discharging <i>contaminants</i>^ into <i>water</i>^, (b) withholding from discharging <i>contaminants</i>^ into surface <i>water</i>^ at times of low flow, and (c) adopting different treatment and <i>discharge</i>^ options for different receiving <i>environments</i>^ or at different times (including different flow regimes or levels in surface <i>water bodies</i>^).
Policy 14-5 <i>This section defines how IFLU'S are to be managed</i> • <i>Which IFLU'S</i>	Policy 14-5: Management of intensive farming <i>land</i>^ uses In order to give effect to Policy 5-7 and Policy 5-8, intensive farming <i>land</i>^ use activities affecting groundwater and surface <i>water</i>^ quality must be managed in the following manner: (a) The following land uses have been identified as intensive farming <i>land</i>^ uses:

- Existing in (Targeted WMS) and new (all WMS) - Role of the CNLMs - Stock exclusion	(i) Dairy farming* (ii) Commercial vegetable growing* (iii) Cropping* (iv) Intensive sheep and beef* (b) The intensive farming <i>land</i>[^] uses identified in (a) must be regulated where: (i) They are existing <i>intensive farming land</i>[^] uses⁵ in the targeted <i>Water Management Sub-zones</i>⁵ identified in Table 14.1. (ii) They are new (i.e. established after the Plan has legal effect⁶) intensive farming <i>land</i>[^] uses, in all <i>Water Management Sub-zones</i>[*] in the Region. (c) Nitrogen leaching maximums have been established in Table 14.2. (d) Except as provided for in Policy 14-6(d) Existing <u>existing (i.e. established prior to the Plan having legal effect⁷)</u> intensive farming <i>land</i>[^] uses regulated in accordance with (b)(i) must be managed to ensure that the leaching of nitrogen from those <i>land</i>[^] uses does not exceed the <i>cumulative nitrogen leaching maximum</i>[*] values for each year contained in Table 14.2, unless the circumstances in Policy 14-6 apply. (e) New intensive farming <i>land</i>[^] uses regulated in accordance with (b)(ii) must be managed to ensure that the leaching of nitrogen from those <i>land</i>[^] uses does not exceed the <i>cumulative nitrogen leaching maximum</i>[*] values for each year contained in Table 14.2. (f) Intensive farming <i>land</i>[^] uses regulated in accordance with (b) must exclude cattle from: (i) A <i>wetland</i>[^] or <i>lake</i>[^] that is a <i>rare habitat</i>[*], <i>threatened habitat</i>[*] or <i>at-risk habitat</i>[*]. (ii) Any <i>river</i>[^] that is permanently flowing or has an <i>active bed</i>[*] width greater than 1 metre. (g) All places where cattle cross a river that is permanently flowing or has an <i>active bed</i>[*] width greater than 1 metre must be culverted or bridged and those culverts or bridges must be used by cattle whenever they cross the river.
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⁵ The plan has legal effect in the case of existing intensive farming land uses in these zones from the dates identified in Table 14.1.

⁶ The Plan has legal effect in the case of *dairy farming*^{*} from 24 August 2010 and for *commercial vegetable growing*^{*}, *cropping*^{*} and *intensive sheep and beef farming*^{*} it has legal effect from 9 May 2013.

⁷ The Plan has legal effect in the case of *dairy farming*^{*} from 24 August 2010 and for *commercial vegetable growing*^{*}, *cropping*^{*} and *intensive sheep and beef farming*^{*} it has legal effect from 9 May 2013.

Policy 14-6 <i>Policy 14-6 guides decision making and condition setting for intensive farming land use activities that meet the table (controlled) that exceed the table (discretionary), or that fail to meet other standards around stock crossings and stock exclusion from water bodies (restricted discretionary)</i>	Policy 14-6: Resource consent decision-making for intensive farming land^ uses When making decisions on <i>resource consent</i>^ applications, and setting consent <i>conditions</i>^, for intensive farming <i>land</i>^ uses the Regional Council must: (a) Ensure the nitrogen leaching from the land is managed in accordance with Policy 14-5. (b) An exception may be made to (a) for existing intensive farming land^ uses in the following circumstances: (i) where the existing intensive farming land^ use occurs on land that has 50% or higher of LUC Classes IV to VIII and has an average annual rainfall of 1500 mm or greater; or (ii) where the existing intensive farming land^ use cannot meet year 1 cumulative nitrogen leaching maximums* in year 1, they shall be managed through conditions on their resource consent to ensure year 1 cumulative nitrogen leaching maximums* are met within 4 years. (c) Ensure implementation of good management practices to manage nutrient leaching and run-off, faecal contamination and sediment loss, as part of any intensive farming land use. Where an exception is made to the cumulative nitrogen leaching maximum* the existing intensive farming land^ uses must be managed by consent conditions to ensure: (d) Good management practices to minimise the loss of nitrogen, phosphorus, faecal contamination and sediment are implemented. (e)(b) Any losses of nitrogen, which cannot be minimised, are remedied or mitigated, including by other works or environmental compensation. Mitigation works may include but are not limited to, creation of wetland and riparian planted zones. <u>(c) Ensure that cattle are excluded from surface water in accordance with Policy 14-5 (f) and (g) except where landscape or geographical constraints make stock exclusion impractical and the effects of cattle stock movements are avoided, remedied or mitigated. In all cases any unavoidable losses of nitrogen, phosphorus, faecal contamination and sediment are must be remedied or mitigated by other works or environmental compensation. Mitigation works may include (but are not limited to) creation of wetland and riparian planted zones.</u> <u>(d) Provide for exceptions to (a) for existing intensive farming land^ uses that exceed the cumulative nitrogen leaching maximum* where:</u> <u>(i) good management practices are implemented in accordance with a Nutrient Management Plan, along with additional innovations and measures to further reduce nutrient leaching and run-off, faecal contamination and sediment losses from the land progressively over time; or</u> <u>(ii) the existing intensive farming land use is to continue for no longer than five years in order to enable the transition to an alternative non-intensive farming land^ use without an increase in nutrient leaching and run-off, faecal contamination and sediment losses from the land over that period of time.</u> <u>(da) When determining whether to enable an existing intensive farming land use to continue under (d)(i), have regard to:</u> <u>(i) whether the proposed innovations and measures represent the Best Practicable Option to minimise nutrient leaching and run-off, faecal contamination and sediment losses from the land, having particular regard to:</u>
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	<u>(A) the extent of the exceedance of the cumulative nitrogen leaching maximum in Table 14.2;</u> <u>(B) the rate of reduction of nitrogen loss towards the cumulative nitrogen leaching maximum for any given year in Table 14.2;</u> <u>(C) whether further reductions are currently possible for the intensive farming land use based on existing technologies.</u> <u>(ii) the extent to which the non-compliance with the cumulative nitrogen leaching maximum specified in Table 14.2 is attributable to updates in versions of OVERSEER;</u> <u>(iii) the nature and characteristics of the land having regard to physical characteristics of the soil including in terms of attenuation capacity, climatic conditions, and topography of the property;</u> <u>(iv) the contribution of the progressive reduction in nutrient leaching and run-off, faecal contamination and sediment losses from the land, over time, to the improvement of water^ quality within that Sub-zone*.</u> <u>(v) The strategy for surface water quality set out in Policies 5.2, 5.3, 5.4 and 5.5, and the strategy for groundwater quality in Policy 5.6.</u> <u>the strategy (daa) When determining whether to enable an existing intensive farming land use to continue under (d)(ii), have regard to:</u> <u>(i) Measures are implemented in accordance with a Nutrient Management Plan to ensure that nutrient leaching and run-off, faecal contamination and sediment losses from the land does not increase over the duration of the resource consent;</u> <u>(ii) good management practices proposed to avoid, remedy or mitigate nutrient leaching and run-off, faecal contamination and sediment losses from the land.</u> <u>(iii) the nature, sequencing, measurability and enforceability of any steps proposed to transition out of the intensive farming land use by the expiry of the resource consent.</u>
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Policy 14-9: Consent decision making requirements from the National Policy Statement for Freshwater Management

(a) This policy applies to any application for the following *discharges*[^] (including a diffuse *discharge*[^] by any person or animal):

- (i) a new *discharge*[^]; or
- (ii) a change or increase in any *discharge*[^] –

of any *contaminant*[^] into fresh *water*[^], or onto or into *land*[^] in circumstances that may result in that *contaminant*[^] (or, as a result of any natural process from the *discharge*[^] of that *contaminant*[^], any other *contaminant*[^]) entering fresh *water*[^].

(b) When considering any application for a *discharge*[^] the Regional Council must have regard to the following matters:

- (i) the extent to which the *discharge*[^] would avoid contamination that will have an adverse effect on the life-supporting capacity of fresh *water*[^] including on any ecosystem associated with fresh *water*[^]; and
- (ii) the extent to which it is feasible and dependable that any more than minor adverse effect on fresh *water*[^], and on any ecosystem associated with fresh *water*[^], resulting from the *discharge*[^] would be avoided.

This clause of the policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2011 took effect on 1 July 2011.

(c) When considering any application for a *discharge*[^] the Regional Council must have regard to the following matters:

- (i) the extent to which the *discharge*[^] would avoid contamination that will have an adverse effect on the health of people and communities as affected by their secondary contact with fresh *water*[^]; and
- (ii) the extent to which it is feasible and dependable that any more than minor adverse effect on the health of people and communities as affected by their secondary contact with fresh *water*[^] resulting from the *discharge*[^] would be avoided.

This clause of the policy does not apply to any application for consent first lodged before the National Policy Statement for Freshwater Management 2014 took effect on 4 July 2014.

Table 14.1

Table 14.1 sets out the target Water Management Sub-zones where management of existing intensive farming land^ use activities must be specifically controlled.*

Catchment	Water Management Sub-zone*	Date the Rules of the Plan have legal effect ⁸ in relation to Rule 14-1
Mangapapa	Mangapapa Mana_9b	1 July 2014
Waikawa	Waikawa West_9a Manakau West_9b	1 July 2014
Other south-west catchments (Papaitonga)	Lake Papaitonga West_8	1 July 2014
Mangatainoka	Upper Mangatainoka Mana_8a Middle Mangatainoka Mana_8b Lower Mangatainoka Mana_8c Makakahi Mana_8d	1 July 2015
Other coastal lakes	Northern Manawatu Lakes West_6 Kaitoke Lakes West_4 Southern Wanganui Lakes West_5	1 July 2015
Coastal Rangitikei	Coastal Rangitikei Rang_4	1 July 2015
Lake Horowhenua	Lake Horowhenua Hoki_1a Hokio Hoki_1b	1 July 2015
Upper Manawatu above Hopelands	Upper Manawatu Mana_1a Mangatewainui Mana_1b Mangatoro Mana_1c Weber-Tamaki Mana_2a Mangatera Mana_2b Upper Tamaki Mana_3 Upper Kumeti Mana_4 Tamaki-Hopelands Mana_5a Lower Tamaki Mana_5b Lower Kumeti Mana_5c Oruakeretaki Mana_5d Raparapawai Mana_5e	1 July 2016
Manawatu above gorge	Hopelands-Tiraumea Mana_6 Upper Gorge Mana_9a Mangaatua Mana_9c	1 July 2016

Table 14.2

Table 14.2 sets out the cumulative nitrogen leaching maximum* for the land^ used for intensive farming land^ use activities within each specified land use capability class*.

Table 14.2 Cumulative nitrogen leaching maximum* by Land Use Capability Class*

Period (from the year that the rule has legal effect ⁹)	LUC* I	LUC* II	LUC* III	LUC* IV	LUC* V	LUC* VI	LUC* VII	LUC* VIII
Year 1	51 30	45 27	40 24	29 18	25 16	24 15	11 8	3 2
Year 5	46 27	42 25	35 24	26 16	20 13	16 10	8 6	3 2
Year 10	44 26	37 22	32 19	23 14	20 13	16 10	8 6	3 2
Year 20	43 25	35 24	30 18	21 13	19 12	16 10	8 6	3 2

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
14-1 Existing intensive farming land^ use activities	The use of land^ pursuant to s9(2) RMA for any of the following types of intensive farming: (i) dairy farming* (ii) commercial vegetable growing* (iii) cropping* (iv) intensive sheep and beef farming* that was existing in the Water Management Sub-zones* listed in and from the dates specified in Table 14.1 and any of the following discharges^ pursuant to ss15(1) or 15(2A) RMA associated with that intensive farming: (a) the discharge^ of fertiliser* onto or into land^ (b) the discharge^ of contaminants^ onto or into land^ from (i) the preparation, storage, use or transportation of stock feed on production land^	Controlled	(a) A nutrient management plan* must be prepared for the land^, and provided annually to the Regional Council. (b) The activity must be undertaken in accordance with the nutrient management plan* prepared under (a). (c) The nutrient management plan* prepared under (a) must demonstrate that the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching maximum* specified in Table 14.2. (d) Cattle must be excluded from: (i) wetlands^ and lakes^ that are a rare habitat* or threatened habitat*, and (ii) the beds^ of rivers^ that are permanently flowing or have an active bed* width greater than 1 m. (e) 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	Control is reserved over: (a) the implementation of the nutrient management plan* (b) compliance with the cumulative nitrogen leaching maximum* specified in Table 14.2. good management practices to avoid, remedy or mitigate nutrient leaching and runoff, faecal contamination and sediment losses from the land^ (c) the matters of control in Rule 14-11 (d) avoiding, remedying or mitigating the effects of odour, dust, fertiliser* drift or effluent drift (e) provision of information including the nutrient management plan* (f) duration of consent (g) review of consent conditions^ (h) compliance monitoring

⁹ The Plan has legal effect in the case of dairy farming* from 24 August 2010 and for commercial vegetable growing*, cropping* and intensive sheep and beef* it has legal effect from 9 May 2013.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	(ii) the use of a <i>feedpad</i>* (c) the <i>discharge</i>^ of <i>grade Aa biosolids</i>* or <i>compost</i>* onto or into <i>production land</i>^ (d) the <i>discharge</i>^ of <i>poultry farm litter</i>* onto or into <i>production land</i>^ (e) the <i>discharge</i>^ of <i>farm animal effluent</i>* onto or into <i>production land</i>^ (or upon expiry or surrender of any existing consent for that <i>discharge</i>^) including: (i) effluent from dairy sheds and <i>feedpads</i>* (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary <i>discharge</i>^ of <i>contaminants</i>^ into air pursuant to ss15(1) or 15(2A) RMA. Where the existing intensive farming <i>land</i>^ use is located partly on land within one or more of the <i>water management sub-zones</i>* listed in Table 14.1 and partly on other land, this rule only applies: (a) if at least 20% of the existing intensive farming <i>land</i>^ use is located on land within the listed <i>water management sub-zones</i>*; and (b) to the portion of the existing intensive farming <i>land</i>^ use that is located within the listed <i>water management sub-zones</i>*.		the carriageway of the bridge or culvert must be <i>discharged</i>^ onto or into <i>land</i>^. (f) The <i>discharge</i>^ of <i>fertiliser</i>* onto or into <i>land</i>^ and any ancillary <i>discharge</i>^ of <i>contaminants</i>^ into air must comply with the <i>conditions</i>^ of Rule 14-5. (g) The <i>discharge</i>^ of <i>contaminants</i>^ onto or into <i>land</i>^ from: (i) the preparation, storage, use or transportation of stock feed on <i>production land</i>^, or (ii) the use of a <i>feedpad</i>* and any ancillary <i>discharge</i>^ of <i>contaminants</i>^ into air must comply with the <i>conditions</i>^ of Rule 14-6. (h) The <i>discharge</i>^ of <i>grade Aa biosolids</i>* or <i>compost</i>* onto or into <i>production land</i>^ and any ancillary <i>discharge</i>^ of <i>contaminants</i>^ into air must comply with the <i>conditions</i>^ of Rule 14-7. (i) The <i>discharge</i>^ of <i>poultry farm litter</i>* onto or into <i>production land</i>^ and any ancillary <i>discharge</i>^ of <i>contaminants</i>^ into air must comply with the <i>conditions</i>^ of Rule 14-9. (j) The <i>discharge</i>^ of <i>farm animal effluent</i>* onto or into <i>production land</i>^ including: (i) effluent from dairy sheds and <i>feedpads</i>* (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary <i>discharge</i>^ of <i>contaminants</i>^ into air must comply with the <i>conditions</i>^, standards and terms of Rule 14-11.	(i) the matters in Policy <u>Policies 14-5, 14-6 and</u> 14-9. <i>Resource consent</i>^ applications under this <i>rule</i>^ will not be notified and written approval of affected persons will not be required (notice of applications need not be <i>served</i>^ on affected persons).

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
14-2 Existing intensive farming land[^] use activities not complying with <u>any of conditions, standards, and terms (a), (b) and (d) to (i) of -Rule 14-1</u>	The use of <i>land[^]</i> pursuant to s9(2) RMA for any of the following intensive farming: (i) <i>dairy farming*</i> (ii) <i>commercial vegetable growing*</i> (iii) <i>cropping*</i> (iv) <i>intensive sheep and beef farming*</i> that was existing in the <i>Water Management Sub-zones*</i> listed in and from the dates specified in Table 14.1, and any of the following <i>discharges[^]</i> pursuant to ss15(1) or 15(2A) RMA associated with intensive farming, that do not comply with one or more of the <i>conditions[^]</i>, standards and terms of Rule 14-1 <u>(except for (c))</u>: (a) the <i>discharge[^]</i> of <i>fertiliser*</i> onto or into <i>land[^]</i> (b) the <i>discharge[^]</i> of <i>contaminants[^]</i> onto or into <i>land[^]</i> from (i) the preparation, storage, use or transportation of stock feed on <i>production land[^]</i> (ii) the use of a <i>feedpad*</i> (c) the <i>discharge[^]</i> of <i>grade Aa biosolids*</i> or <i>compost*</i> onto or into <i>production land[^]</i> (d) the <i>discharge[^]</i> of <i>poultry farm litter*</i> onto or into <i>production land[^]</i> (e) the <i>discharge[^]</i> of <i>farm animal effluent*</i> onto or into <i>production land[^]</i> (or upon expiry or surrender of any existing consent for that <i>discharge[^]</i>) including:	Restricted Discretionary	<u>(a) A nutrient management plan* must be prepared for the land[^], and provided annually to the Regional Council.</u> <u>(b) The activity must be undertaken in accordance with the nutrient management plan* prepared under (a).</u> <u>(e) The nutrient management plan* prepared under (a) must demonstrate that the nitrogen leaching loss from the activity will not exceed the cumulative nitrogen leaching maximum* for any year in Table 14-2.</u>	Discretion is restricted to: (a) preparation of and compliance with a <i>nutrient management plan*</i> for the <i>land[^]</i> (b) the extent of non-compliance with the cumulative nitrogen leaching maximum* specified in Table 14-2 (e)(b) <u>measures good management practices</u> to avoid, remedy or mitigate nutrient leaching <u>and runoff</u>, faecal contamination and sediment losses from the <i>land[^]</i> (d)(c) <u>measures</u> to exclude cattle from <i>wetlands[^]</i> and <i>lakes[^]</i> that are a <i>rare habitat*</i> or <i>threatened habitat*</i>, and <i>rivers[^]</i> that are permanently flowing or have an <i>active bed*</i> width greater than 1 m (e)(d) <u>the bridging or culverting of rivers[^]</u> that are permanently flowing or have an <i>active bed*</i> width greater than 1 m that are crossed by cattle (f)(e) the matters referred to in the <i>conditions[^]</i> of Rules 14-5, 14-6, 14-7, and 14-9 (g)(f) the matters referred to in the <i>conditions[^]</i> of Rule 14-11 and the matters of control in Rule 14-11 (h)(g) <u>avoiding, remedying or mitigating the effects of odour, dust, fertiliser* drift or effluent drift</u> (i)(h) <u>provision of information including the annual nutrient management plan*</u> (j)(i) <u>duration of consent</u> (k)(j) <u>review of consent conditions[^]</u> (l)(k) <u>compliance monitoring</u>

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	(i) effluent from dairy sheds and <i>feedpads</i>* (ii) effluent received from piggeries (iii) sludge from farm effluent ponds (iv) poultry farm effluent and any ancillary <i>discharge</i> ^ of <i>contaminants</i> ^ into air pursuant to ss15(1) or 15(2A) RMA.			(m) (l) the matters in Policy <u>Policies 14-5, 14-6 and 14-9</u> .
<u>14-2A Existing intensive farming land use activities not complying with condition, standard, term (c) of Rule 14-1 and or Rule 14-2.</u>	<u>The use of <i>land</i>^ pursuant to s9(2) RMA for any of the following intensive farming:</u> (i) <u><i>dairy farming</i>*</u> (ii) <u><i>commercial vegetable growing</i>*</u> (iii) <u><i>cropping</i>*</u> (iv) <u><i>intensive sheep and beef farming</i>*</u> <u>that was existing in the <i>Water Management Sub-zones</i>* listed in and from the dates specified in Table 14.1, and any of the following <i>discharges</i>^ pursuant to ss15(1) or 15(2A) RMA associated with intensive farming, that do not comply with conditions, standards and term (c) of Rule 14.1 or one or more of the <i>conditions</i>^, standards and terms of Rule 14-2:</u> (f) <u><i>the discharge</i>^ of <i>fertiliser</i>* onto or into <i>land</i>^</u> (g) <u><i>the discharge</i>^ of <i>contaminants</i>^ onto or into <i>land</i>^ from</u> (i) <u><i>the preparation, storage, use or transportation of stock feed on production land</i>^</u> (ii) <u><i>the use of a feedpad</i>*</u>	Discretionary		

Draft for discussion purposes only – not Horizons Regional Council policy.

Rule	Activity	Classification	Conditions/Standards/Terms	Control/Discretion Non-Notification
	(h) <u>the discharge^ of grade Aa biosolids* or compost* onto or into production land^</u> (i) <u>the discharge^ of poultry farm litter* onto or into production land^</u> (j) <u>the discharge^ of farm animal effluent* onto or into production land^ (or upon expiry or surrender of any existing consent for that discharge^)</u> including: (i) <u>effluent from dairy sheds and feedpads*</u> (ii) <u>effluent received from piggeries</u> (iii) <u>sludge from farm effluent ponds</u> (iv) <u>poultry farm effluent and any ancillary discharge^ of contaminants^ into air pursuant to ss15(1) or 15(2A) RMA.</u>			

Rule Guide:

The location of archaeological sites when defined by a single co-ordinate is unlikely to define the true extent of subsurface archaeological evidence. The 50 metre rule should apply from the outer perimeter of the site.

Some activities in *rare habitats**, *threatened habitats** and *at-risk habitats** are regulated by Rules 13-8 and 13-9. Discharges from agricultural activities at other locations are regulated as follows:

- (a) **Discharges not covered by rules** - Agricultural discharges pursuant to ss15(1) RMA that are not covered by the rules above are a **discretionary activity** under Rule 14-30.
- ~~(b) **Activities that do not comply** - Except for Rule 14-3, activities pursuant to ss15(1) or 15(2A) RMA that do not comply with the permitted or controlled activity rules above are a **discretionary activity** under general Rule 14-30.~~

Glossary	Nutrient management plan means a plan prepared annually in accordance with the Code of Practice for Nutrient Management (NZ Fertiliser Manufacturers’ Glossary One Plan – 2014, amended by PA 1 2018 Glossary-11 Research Association 2007) which records (including copies of the OVERSEER® input and output files <u>of a recognised nutrient management model</u> used to prepare the plan) and takes into account all sources of nutrients for intensive farming and identifies all <u>current and</u> relevant nutrient management practices and mitigations, and which is prepared by a person who has a Certificate of Completion in Advanced Sustainable Nutrient Management from Massey University.
	Good management practices —means-refers to evolving good practices<u>practical measures and methods, including those established in industry-based standards in accordance with Policy 14-3, which are used at a sector or community level to minimise nutrient leaching and run-off, faecal contamination and sediment losses to land and water. Good management practices are to be detailed in a nutrient management plan prepared for the land^Δ and provided annually to the Regional Council.</u>

From: [Jerald Twomey](#)
To: [Jerald Twomey](#)
Subject: Ngā kōrero o te wā
Date: Tuesday, 16 July 2019 10:59:41
Attachments: [207954HorizonsRMATrainingA4Poster.pdf](#)
[AuthorisationsbyIwiExampleJul19.xlsx](#)

Kei ngā kahu waero, kei ngā mahiti, tēnā koutou

Tēnā koutou e ārai atu ana i ngā tao me ngā hau o te wā, otirā tēnā anō koutou i roto i ngā mihi.

I just wanted to touch base with iwi to provide a reminder of some of the things that we have offered previously and an update.

Resource Consent Application: Essentially a list of consent applications lodged in the previous 30 days, that provides a summary of each application, including the activity class if assessed at the time of the report. We have a number of iwi receiving a weekly report. A partial example is pasted/shown below; it keeps you informed on what is going on in your area of interest.

Authorised Consents in Iwi Area of Interest: We can provide an excel spreadsheet with a list of all current consents in the iwi area of interest. Some have requested these in the past so that they can plan for when consents are nearing their expiry date. That allows them to plan for early engagement with the relevant consent holder. An abridged example is attached in the Excel spreadsheet.

RMA training for Iwi: We continue to offer workshops that are designed to help iwi members with their understanding of the Resource Management Act. They are delivered in a relaxed, supportive way and will be delivered at a time and place that works for iwi. If iwi can provide the venue and participants, Horizons will provide the kai and people to run the course. If your iwi or hapū would like to invite Horizons to conduct the training, then we will work with you to deliver. Together we can plan dates that suit everyone. A pānui with more info is attached

Plan Change 2: We have been trying to keep iwi abreast of our intention to change the One Plan to get the nutrient management going again as it was intended. We will be notifying the Plan Change this Monday, 22 of July 2019. Submissions will close on 21 of October 2019. We remain open to discussing the changes in person, or however you choose. We are working towards having a 'friend of the submitter,' an independent agent to advise people how to submit. The agent will advise about process not content.

Recruiting: Just to let you know that we hope to go to the market soon to recruit for another worker in the iwi space.

That's all I have for now, always happy to come and have a chat about any of these matters, or any concerns that you may have.

Noho ora mai rā i raro i ngā manaakitanga
Jerald

Jerald Twomey
Horizons
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Waea Pūkoro: 021-2277464

