

Recommended amendments to Nutrient Management Rules 15.5.2-15.5.5, as per the s42A Reply Report (no tracked changes)

Individual farming activities in Waihao-Wainono Plains Area

15.5.2 The use of land for an individual farming activity in the Waihao-Wainono Plains Area is a permitted activity provided:

1. The nitrogen loss calculation does not exceed the greater of:
 - (a) the nitrogen baseline; or
 - (b) a flexibility cap of 15 kg N/ha/yr; or
 - (c) from 1 January 2025, and provided the water quality outcomes in Tables 15(a) and 15(b) are met, a flexibility cap of 17 kg N/ha/yr; and
2. The nitrogen loss calculation does not exceed the following maximum cap loss rates:
 - (a)
 - (i) 35 kg N/ha/yr for land shown on the planning maps as comprising extremely light and light soils;
 - (ii) 25 kg N/ha/yr for land shown on the planning maps as comprising medium soils;
 - (iii) 20 kg N/ha/yr for land shown on the planning maps as comprising poorly drained soils; or
 - (b) the soil area-weighted average of the maximum cap loss rates set out in condition 2(a) for that property if the land comprises more than one soil type shown on the planning maps; and
3. The good management practices in Schedule 24b are being implemented and the information required is recorded in accordance with Schedule 24b, and supplied to Canterbury Regional Council on request.

Individual farming activities in Waihao-Wainono Hill Area

15.5.2A The use of land for an individual farming activity in the Waihao-Wainono Hills Area is a permitted activity provided:

1. The nitrogen calculation does not exceed the greater of either:
 - (a) nitrogen baseline; or
 - (b) a flexibility cap of 5 kg N/ha/yr; or
2. The good management practices in Schedule 24b are being implemented and the information required is recorded in accordance with Schedule 24b, and supplied to Canterbury Regional Council on request.

Individual farming activities in Northern Streams Plains Area

15.5.2B The use of land for an individual farming activity in the Northern Streams Plains Area is a permitted activity provided:

1. The nitrogen loss calculation does not exceed the greater of:
 - (a) the nitrogen baseline; or
 - (b) a flexibility cap of 15 kg N/ha/yr; or
 - (c) from 1 January 2025, and provided the water quality outcomes in Tables 15(a) and 5(b) are met, a flexibility cap of 17 kg N/ha/yr; and
2. The nitrogen loss calculation does not exceed the following maximum cap loss rates:
 - (a)
 - (i) 35 kg N/ha/yr for land shown on the planning maps as comprising extremely light and light soils;

- (ii) 25 kg N/ha/yr for land shown on the planning maps as comprising medium soils;
 - (iii) 20 kg N/ha/yr for land shown on the planning maps as comprising poorly drained soils; or
 - (b) the soil area-weighted average of the maximum cap loss rates set out in condition 2(a) for that property if the land comprises more than one soil type shown on the planning maps; and
3. The good management practices in Schedule 24b are being implemented and the information required is recorded in accordance with Schedule 24b, and supplied to Canterbury Regional Council on request.

Individual farming activities in Northern Streams Hills Area

15.5.2C The use of land for an individual farming activity in the Northern Streams Hills Area is a permitted activity provided:

- 1. The nitrogen calculation does not exceed the greater of either:
 - (a) nitrogen baseline; or
 - (b) a flexibility cap of 5 kg N/ha/yr; and
- 2. The good management practices in Schedule 24b are being implemented and the information required is recorded in accordance with Schedule 24b, and supplied to Canterbury Regional Council on request.

Individual farming activities in Morven-Sinclairs Area

15.5.2D The use of land for an individual farming activity in the Morven-Sinclairs Area is a permitted activity provided:

- 1. The nitrogen loss calculation for any part of the property within the Morven-Sinclairs Area does not exceed the nitrogen baseline; and
- 2. The good management practices in Schedule 24b are being implemented and the information required is recorded in accordance with Schedule 24b, and supplied to Canterbury Regional Council on request.

15.5.2E The use of land for an individual farming activity that does not meet Conditions 1 and 2 of Rules 15.5.2 or 15.5.2B or Condition 1 of Rules 15.5.2A or 15.5.2C is a controlled activity provided the following conditions are met:

- 1. The nitrogen loss calculation does not exceed the greater of either:
 - (a) the updated flexibility cap for the relevant area; or
 - (b) the nitrogen baseline; and
- 2. The nitrogen loss calculation does not exceed the updated maximum cap; and
- 3. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and is submitted with the application for resource consent

The CRC reserves control over the following matters:

- 1. The nitrogen loss rates to be applied to the property; and

2. The quality of, compliance with and auditing of the Farm Environment Plan; and
3. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorus, sediment and microbiological contaminants to water from the use of land.

15.5.3 The use of land for an individual farming activity in the:

- (i) **Waihao-Wainono Plains Area, after 1 January 2025, that does not meet condition 3 of Rule 15.5.2 or any condition of Rule 15.5.2E;**
- (ii) **Waihao-Wainono Hills Area that does not meet condition 2 of Rule 15.5.2A;**
- (iii) **Northern Streams Plains Area that does not meet condition 3 of Rule 15.5.2B or any condition of Rule 15.5.2E;**
- (iv) **Northern Streams Hills Area that does not meet condition 2 of Rule 15.5.2C; or**
- (v) **Morven Sinclairs Area that does not meet the conditions of Rule 15.5.2D is a restricted discretionary activity provided the following conditions are met:**
 1. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and is submitted with the application for resource consent; and
 2. If the use of land is a new farming activity, the nitrogen loss calculation does not exceed the updated maximum cap.

The exercise of discretion is restricted to the following matters:

1. Whether the nitrogen loss from the farming activity will result in the total catchment load limits as per Table 15(p) or the updated flexibility caps being exceeded; and
 - 1A. The nitrogen loss rates to be applied to the property and rate at which they should reduce to achieve the updated maximum cap; and
2. The quality of, compliance with and auditing of the Farm Environment Plan; and
3. The proposed management practices to avoid or minimise the discharge of nitrogen, phosphorous, sediment and microbiological contaminants to water from the use of land; and
4. The potential effects of the land use on surface and groundwater quality and sources of drinking-water; and

5. The appropriateness of the actions and time frames described in the Farm Environment Plan in achieving the nitrogen baseline, updated flexibility caps or updated maximum cap; and
 6. The soil type having regard to the quality and appropriateness of any soil mapping carried out for the property; and
 7. The potential adverse effects of the activity on Ngāi Tahu cultural values; and
- 7A. The matters set out in Policy 15.4.5

15.5.3A The use of land for an individual farming activity in the Waihao-Wainono Plains Area prior to 1 January 2025, or an individual farming activity in the Waihao-Wainono Hills Area or the Northern Streams Hills Area that does not meet condition 1 of Rule 15.5.2E is a discretionary activity provided the following conditions are met:

1. The use of land is for an existing farming activity and the nitrogen loss calculation for the property lawfully exceeded the nitrogen loss rate authorised in accordance with condition 1 of Rule 15.5.2E prior to 24 April 2015; and
2. A Farm Environment Plan has been prepared in accordance with Schedule 7 Part A, and is submitted with the application for resource consent.

15.5.4 The use of land for an individual farming activity that does not meet condition 1 of Rule 15.5.3 or condition 2 of Rule 15.5.3A is a non-complying activity.

15.5.5 The use of land for an individual farming activity, that does not meet condition 2 of Rule 15.5.3 or condition 1 of Rule 15.5.3A, is a prohibited activity.