

**BEFORE THE HEARINGS PANEL  
FOR THE CANTERBURY REGIONAL COUNCIL**

**IN THE MATTER** of the Resource  
Management Act 1991

**AND**

**IN THE MATTER** of Plan Change 5 to the  
Canterbury Land and  
Water Regional Plan

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**REBUTTAL EVIDENCE OF TREENA LEE DAVIDSON  
ON BEHALF OF NGĀ RŪNANGA (TE RŪNANGA O KAIKŌURA, TE NGĀI  
TŪĀHURIRI RŪNANGA, TE HAPŪ O NGĀTI WHEKE, TE RŪNANGA O  
KOUKOURĀRATA, ŌNUKU RŪNANGA, WAIREWA RŪNANGA, TE TAUMUTU  
RŪNANGA, TE RŪNANGA O AROWHENUA, TE RŪNANGA O WAIHAO AND TE  
RŪNANGA O MOERAKI), NGĀI TAHU FARMING LIMITED, AND TE RŪNANGA O  
NGĀI TAHU (TE RŪNANGA)**

**5 August 2016**

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## 1. INTRODUCTION

1.1 My name is Treena Lee Davidson. My experience and qualifications are set out in my evidence in chief dated 22 July 2016.

1.2 I am familiar with the Code of Conduct for Expert Witnesses in the Environment Court Practice Note (updated 1 December 2014) and confirm that I have complied with it in preparing this evidence. In particular, I confirm that my evidence is within my area of expertise and the opinions I have expressed are my own except where I have stated that I have relied on the evidence of other people. I have not omitted any facts known to me that may be material in influencing my evidence.

## 2. SCOPE OF REBUTTAL EVIDENCE

2.1 My rebuttal evidence is provided in response to the evidence in chief filed by Mr Gerard Willis on behalf of Fonterra Co-operative Limited (**Fonterra**).

2.2 In its further submission on proposed Plan Change 5 (**PC5**) to the Land and Water Regional Plan (**LWP**), Ngā Rūnanga agreed with DairyNZ Limited (**DairyNZ**) that:

*... there is merit to an additional formal process for reviewing and moderating random portal results that is developed and agreed with stakeholders and that this is to be used where Environment Canterbury has an indication that the Baseline Good Management Practice Loss Rate calculated is inaccurate or the consent applicant considers this to be the case.<sup>1</sup>*

2.3 DairyNZ has provided technical evidence in support of an additional formal process,<sup>2</sup> but not evidence of a planning nature. Instead Mr Tony Fransen confirms that DairyNZ supports the expert evidence being presented by Fonterra, regarding the need to introduce an alternative pathway, to have their Nitrogen loss limits defined by a means other than the Farm Portal, in those circumstances where there

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<sup>1</sup> Original reference PC5WRP-263 4.41B.

<sup>2</sup> Statements of evidence from Dr Bryce Thorrold, Dr Glen Treweek, Mr Justin Kitto, Mr Mark Neal, Dr Stewart Ledgard and Mr Tony Fransen

is demonstrable evidence that the Portal has produced erroneous results.<sup>3</sup>

2.4 I therefore respond to Mr Willis' planning evidence filed on behalf of Fonterra, in this rebuttal statement.

2.5 I have read all statements filed by both DairyNZ and Fonterra.

### 3. EVIDENCE OF GERARD WILLIS FOR FONTERRA CO-OPERATIVE LIMITED

3.1 Mr Willis' planning evidence on behalf of Fonterra<sup>4</sup> seeks the introduction of an alternative pathway that would enable farmers to have their Nitrogen loss limits defined by a means other than the Farm Portal.

3.2 My rebuttal evidence focuses specifically on the proposed amendments to PC5 that Mr Willis recommends, with regard to the development of an alternative consenting pathway to the use of the Portal, as well as his recommendations to address the "sinking lid" approach to nitrogen limits. At the outset, I note that Mr Willis appears to accept in principle the "sinking lid" policy approach, but proposes a policy exception to that approach to deal with specific circumstances.

3.3 The Ngā Rūnanga submission focused on the *outcomes* that any mechanism in PC5 delivered. I would summarise these outcomes as:

- (a) water quality is at the least maintained;
- (b) mahinga kai is effectively provided for in Farm Environment Plans and the effects of farming activities on mahinga kai is audited appropriately;
- (c) an overall cumulative reduction in nutrient loss, particularly within over-allocated catchments;
- (d) Nitrogen loss should be based on what is an acceptable rate of nitrogen loss given the state of the receiving environment, not what people are doing now;
- (e) continuous improvement in Good Management Practice;

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<sup>3</sup> Evidence of Mr Tony Mark Fransen for DairyNZ Limited at paragraph 5.3.

<sup>4</sup> Mr Mathew Cullen and Ms Susan Ruston have also filed evidence on behalf of Fonterra.

- (f) the approach introduced in PC5 does not undermine the approaches developed in Plan Changes 1 – 3 to the LWP or future plan changes; and
- (g) Farm Management Plans and management plans are fully implemented with records of how these have been implemented.

**3.4** Effectively, the outcomes that Ngā Rūnanga seek are consistent with a "sinking lid" approach to nutrient losses across the region.

**3.5** My preference is that all Farm Environment Plans are assessed through and entered into the Portal. I acknowledge however Mr Willis<sup>5</sup> and other submitters' concerns about the reliability of the Portal to generate fair and reasonable GMP limits for all farming systems. For that reason, I accept that PC5 should provide an opportunity for any farmer that cannot meet the Portal-generated Good Management Practice limit to apply for a resource consent to test whether the limit accurately represents a farming activity operating at GMP.

**3.6** In saying that however, I have two key concerns with the possible consequences of Mr Willis' proposal:

- (a) how (and whether) the provisions Mr Willis proposes in fact address Good Management Practice; and
- (b) whether the effect of removing certain provisions undermines a "sinking lid" approach.

#### **4. Good Management Practice**

**4.1** Mr Willis proposes the addition of wording to provisions in PC5 that require, in a Farm Environment Plan, a statement from an Accredited Farm Consultant that all applicable Good Management Practices have been adopted by the farm or farming enterprise.

**4.2** It is my understanding that the assessment of whether or not Good Management Practices have been adopted is carried out by a Certified Farm Environment Plan Auditor (**Auditor**), not by an Accredited Farm

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<sup>5</sup> Mr Willis' evidence at paragraph 8.12.

Consultant (**Consultant**). This is reflected in the differentiation of the different roles and requirements of the Auditor and the Consultant within PC5.

- 4.3** The importance of the auditing role is established in Schedule 7 of the LWP and includes a requirement that Auditors be trained in the use of the Canterbury Certified Farm Environment Plan Auditor Manual. A key point is also that an Auditor is independent of the farm being audited. The section 32 report further identifies that the role of auditing of Farm Environment Plans is the principal means of verifying that Good Management Practice is being implemented by farmers, and providing a pathway for corrective action to be undertaken if they are not.
- 4.4** An Accredited Farm Consultant does not fulfil the same role in that they prepare and review a Farm Environment Plan. Mr Willis' proposed approach of using an Accredited Farm Consultant to assess that all practicable Good Management Practices have been adopted, raises a concern that until a resource consent is renewed, Good Management Practices within a Farm Environment Plan are intended to be static and not improved upon.
- 4.5** Good Management Practice remaining static would not, in my opinion, meet the concerns of Ngā Rūnanga who seek it to be regularly reviewed and updated accordingly. It is also counter to the approach endorsed by Environment Canterbury that auditing is on-going with the timeframe being dependent upon the audit grade awarded to a Farmer at the time of his or her previous audit. More frequent auditing occurs if there is a change in management or significant change in farm systems.<sup>6</sup>
- 4.6** I would therefore suggest that the approach by Mr Willis to the new Rules he proposes in Part A and Part B of PC5 would be more appropriately drafted as follows:

*The Farm Environment Plan and nutrient budget submitted with the application for a resource consent has been prepared and reviewed by an Accredited Farm Consultant ~~and contain a~~*

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<sup>6</sup> <http://ecan.govt.nz/our-responsibilities/regional-plans/lwrp/Pages/environment-plan.aspx>

~~statement from that person that all applicable Good Management Practices have been adopted on the property.~~

- 4.7 I would further recommend the amendment of the proposed new Policy 4.38BA clause (d) to read:

~~The Farm Environment Plan demonstrates: the adoption of all applicable Good Management Practice~~

- (i) ~~the specific on-farm actions that will be undertaken (and the timeframe within which these actions will be undertaken) to implement the Good Management Practices;~~
- (ii) ~~how these on-farm actions will ensure progress towards the attainment of the management objectives and targets in Schedule 7 of this plan; and~~
- (iii) ~~how continued improvement in nitrogen to below the Assessed Baseline GMP Loss Rate will be achieved.~~

- 4.8 I recognise that this approach does require consideration of how, in the absence of information entering the Portal, Good Management Practice will be audited and if this should be undertaken by a Certified Farm Environment Plan Auditor. I am therefore mindful that the change I support would require Environment Canterbury to determine, through consent conditions, the nature and extent of the auditing undertaken and who would undertake the audit. I would suggest therefore that the application should include information to show the applicant will:

- (a) report estimated nutrient losses to Environment Canterbury;
- (b) undertake auditing of the Farm Environment Plan;
- (c) stipulate the frequency of how auditing is to occur; and
- (d) stipulate how any non-compliance will be addressed.

- 4.9 I therefore suggest that the new policy Mr Willis proposes contain the following requirement:

The applicant demonstrates how estimated nutrient losses will be reported to Environment Canterbury and how the Farm Environment Plan will be independently audited on an annual basis and non-compliance with the audit occurs.

4.10 These changes are set out in full in **Appendix 1**.

## 5. SINKING LID APPROACH

5.1 In its submission Ngā Rūnanga sought a clear pathway that showed a percentage reduction over time of nutrient losses across the region, and sought clear policy recognition of this approach<sup>7</sup>. The section 42A report provided some assurances that the approach taken in PC5 would achieve the same percentage reduction in nitrogen losses over time as sought in the Ngā Rūnanga submission (and potentially greater reductions). In the absence of evidence to the contrary, Ngā Rūnanga has relied on that assurance.

5.2 Mr Willis approaches nitrogen loss over time as a "sinking lid". As noted earlier, he appears to accept that the approach is appropriate in principle, albeit that he considers that the approach in PC5 is inflexible. Mr Willis proposes a policy that would provide guidance as to whether Good Management Practice loss rates (**GMPLR**) should be applied for atypical conditions over the most recent four years.<sup>8</sup> Mr Willis then concludes however that the policy is workable but challenging to implement, and instead his preferred planning approach is to remove the sinking lid approach entirely.

5.3 For the reasons expressed earlier, I strongly support the "sinking lid" approach. As a matter of preference I would seek a policy that addressed exceptional circumstances as to why the GMPLR should not be imposed, rather than the removal of all provisions which seek a reduction in nitrogen losses over time. Mr Willis' preferred relief with regard to what he terms "sinking lids" will in my view remove any assurances in PC5 for the reduction in nitrogen loss that Ngā Rūnanga seeks. In my opinion, it would also run the risk of removing or inappropriately diluting the clear policy approach that has been adopted in PC5 and the environmental outcomes that are intended.

5.4 The examples of exceptional circumstances provided in the evidence of Ms Ruston for Fonterra range from what I would consider to generally

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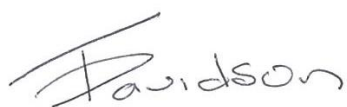
<sup>7</sup> See the outcomes sought by Ngā Rūnanga at paragraph 3.3 of this statement.  
<sup>8</sup> Mr Willis, at paragraph 11,12.



be likely to affect a number of farms (eg. drought, changes in market, a tuberculosis or foot and mouth outbreak) to farm specific (eg. farmer ill health or death, or required removal of stock). I agree that the scope for what is exceptional to justify moving away from GMPLR could lead to considerable debate about what the specific/special circumstances are, and for how long they need to apply. As such, I am concerned at the potential for uncertainty, and the risk that Mr Willis' proposed policy will be relied upon for a far broader range of circumstances than it should be.

**5.5** I consider however, that Mr Willis' policy could be redrafted so that it:

- (a) is clearly subservient or lower in the hierarchy to the primary policies relating to Good Management Practice;
- (b) provides Environment Canterbury with discretion to apply the policy; but
- (c) prescribes clearly what the exceptions or atypical conditions are so as not to be open ended.



**Treena Lee Davidson**

**5 August 2016**

## APPENDIX 1

### FURTHER AMENDMENTS SOUGHT TO MR WILLIS' REDRAFTED PROVISIONS

Text in blue font is that proposed in the Section 42A Report

Text in red font is that proposed by Gerard Willis on behalf of Fonterra.

Text in Red with grey box is further changes proposed by Treena Davidson on behalf of Ngā Rūnanga, over Mr Willis' evidence.

Note, I have not included matters raised in Mr Willis' evidence that I do not propose be amended.

I also continue to support the other changes set out in my Evidence in Chief, Appendix 4.

#### Proposed amendments to Part A

4.37 ~~Prevent any increase in the loss of nutrients from farming activities in areas where region-wide water quality outcomes are not being met, that are shown by a Red colouring on the Series A Planning Maps and in Lake Zones as shown on the Series A Planning Maps. Freshwater quality is improved within the Lake Zone and Red Nutrient Allocation Zone by:~~

- (a) avoiding the granting of any resource consent that will allow the nitrogen losses from a farming activity to exceed the Baseline GMP Loss Rate, except where Policy 4.38A or Policy 4.38BA applies; and;
- (b) including on any resource consent granted for the use of land for a farming activity, conditions that:
  - (i) limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate or where Policy 4.38BA applies, the Assessed Baseline GMP Loss Rate; and
  - (ii) require farming activities to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
- (c) requiring a Farm Environment Plan as part of any application for resource consent to use land for a farming activity, and requiring that Farm Environment Plan to:
  - (i) describe the specific on-farm actions that will be undertaken (and the timeframe within which these actions will be undertaken) to implement the Good Management Practices; and
  - (ii) provide an explanation of how these on-farm actions will ensure progress towards the attainment of the management objectives and targets in Schedule 7 of this plan.
  - (iii) show how continued improvement in nitrogen to below Baseline GMP loss Rate or the Good Management Practice Loss Rate (whichever is the lesser) will be achieved.

4.38 ~~Require the adoption of the best practicable options to minimise the loss of nutrients from farming activities in areas where region-wide water quality outcomes are at risk of not being met, that are shown by an Orange colouring on the Series A Planning Map. Freshwater quality is maintained within the Orange Nutrient Allocation Zone by:~~

- (a) restricting nitrogen losses from farming activities to the lesser of the Baseline GMP Loss Rate or the Good Management Practice Loss Rate, except where Policy 4.38A or Policy 4.38BA applies; and
- (b) including on any resource consent granted for the use of land for a farming activity, conditions that:
  - (i) limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate or where Policy 4.38BA applies, the Assessed Baseline GMP Loss Rate.; and
  - (ii) require farming activities to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
- (c) requiring a Farm Environment Plan as part of any application for resource consent to use land for a farming activity, and requiring that Farm Environment Plan to:
  - (i) describe the specific on-farm actions that will be undertaken (and the timeframe within which these actions will be undertaken) to implement the Good Management Practices; and
  - (ii) provide an explanation of how these on-farm actions will ensure progress towards the attainment of the management objectives and targets in Schedule 7 of this plan.
  - (iii) show how continued improvement in nitrogen to below Baseline GMP loss Rate or the Good Management Practice Loss Rate (whichever is the lesser) will be achieved.

4.38AA Freshwater quality is maintained within the Green and Light Blue Nutrient Allocation Zones by:

- (a) restricting increases in nitrogen loss from farming activities to no more than a total of 5kg/ha/yr above the Baseline GMP Loss Rate; and
- (b) including on any resource consent granted for the use of land for a farming activity, conditions that:
  - (i) limit the nitrogen loss calculation for the farming activity to a rate not exceeding a total of 5kg/ha/yr above either, the Baseline GMP Loss Rate, or where Policy 4.38BA applies, the Assessed Baseline GMP Loss Rate; and
  - (ii) require farming activities to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than 5kg/ha/yr above the Baseline GMP Loss Rate; and
- (c) not granting any resource consent to exceed the Baseline GMP Loss Rate or where Policy 4.38BA applies, the Assessed Baseline GMP Loss Rate unless the application for resource consent demonstrates that water quality will be maintained; and
- (d) requiring a Farm Environment Plan as part of any application for resource consent to use land for a farming activity, and requiring that Farm Environment Plan to:
  - (i) describe the specific on-farm actions that will be undertaken (and the timeframe within which these actions will be undertaken), to implement the Good Management Practices; and

- (i) provide an explanation of how these on-farm actions will ensure progress towards the attainment of the management objectives and targets in Schedule 7 of this Plan.

4.38A Within the Red, Orange, Green or Light Blue Nutrient Allocation Zones, only consider the granting of an application for resource consent to exceed the nitrogen baseline where:

- (a) the nitrogen baseline has been lawfully exceeded prior to 13 February 2016 and the application contains evidence that the exceedance was lawful; and
- (b) the nitrogen loss calculation remains below the lesser of the Good Management Practice Loss Rate or the nitrogen loss calculation that occurred in the four years prior to 13 February 2016.

4.38BA Within the Red, Orange, Green, Light Blue of Lakes Nutrient Allocation Zones, only consider the granting of an application for a resource consent to exceed the Baseline GMP Loss Rate after 1 June 2020 where:

- (a) the Baseline GMP Loss Rate is less than the Assessed Baseline GMP Loss Rate; and
- (b) the reason for (a) is because of any of the following factors:
  - i. the limitations of the Farm Portal due to the modelling rules not reflecting actual farming Good Management Practices; or
  - ii. the limitations of the OVERSEER® model to measure nitrogen loss rates from the farm system; and
- (c) conditions of consent are imposed in accordance with Policies 4.37, 4.38 and 4.38AA; and
- (d) the Farm Environment Plan demonstrates the adoption of all applicable Good Management Practices;
  - (i) the specific on-farm actions that will be undertaken (and the timeframe within which these actions will be undertaken) to implement the Good Management Practices;
  - (ii) how these on-farm actions will ensure progress towards the attainment of the management objectives and targets in Schedule 7 of this plan; and
  - (iii) how continued improvement in nitrogen to below the Assessed Baseline GMP Loss Rate will be achieved.
- (e) The applicant demonstrates how estimated nutrient losses will be reported to Environment Canterbury and how the Farm Environment Plan will be independently audited on an annual basis and non-compliance with the audit occurs.

provided that any resource consent granted shall:

- (f e) not authorise a nitrogen loss rate that exceeds the Assessed Baseline GMP Loss Rate; and
- (g f) only authorise a nitrogen loss rate that exceeds the nitrogen baseline if Policy 4.38A applies.

4.41A The contribution that the preparation of accurate nutrient budgets and Farm Environment Plans make to the attainment of the water quality outcomes is recognised by:

- (a) requiring the preparation of nutrient budgets in accordance with the OVERSEER® Best Practice Input Standards; and

- (b) applying to any nutrient budget that forms part of an application for resource consent a level of scrutiny that is proportional to the qualifications, experience and performance of the person who prepared the budget; and
- (c) providing a controlled activity consent pathway for resource consent applications that have been prepared or reviewed by an Accredited Farm Consultant; and
- (d) providing a discretionary activity consent pathway for resource consent applications to exceed the Baseline GMP Loss Rate only if this is done in accordance with Policy 4.38BA.

4.41C Maintain water quality in Orange, Green and Light Blue Nutrient Allocation Zones, and improve water quality in Red Nutrient Allocation Zones and Lake Zones by requiring:

- (a) any application for resource consent for the discharge of nutrients submitted by an irrigation scheme or principal water supplier to describe the methods that will be used to implement the Good Management Practices on any land that will be supplied with water from the scheme or principal water supplier; and
- (a) discharge permits granted to irrigation schemes or principal water suppliers to be subject to conditions that restrict the total nitrogen loss to a limit not exceeding:
  - (i) the limits specified in Policy 4.37 and 4.38 the Baseline GMP Loss Rate for any land within the Red, Lake or Orange Nutrient Allocation Zones; and
  - (ii) the limits specified in Policy 4.38AA a total of 5kg/ha/yr above the Baseline GMP loss rate for any land within the Green or Light Blue Allocation Zones.

Region-wide rules

Red zone

5.44B Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 5.44A is a controlled activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

The CRC reserves control over the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and

4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
5. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
6. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
8. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

5.45A Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 or 3 of Rule 5.44B is a restricted discretionary activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Red Nutrient Allocation Zone does not exceed the nitrogen baseline, and from 1 July 2020 does not exceed the Baseline GMP Loss Rate; unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful.

The exercise of discretion is restricted to the following matters:

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The actual or potential adverse effects of the activity on surface and groundwater quality and sources of drinking water and how these will be avoided or mitigated; and
4. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
5. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
6. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
7. Methods to address any non-compliances identified as a result of a Farm Environment Plan audit; including the timing of subsequent audits; and
8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. The consistency of the proposal with Policy 4.38A; and
10. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

5.46AA Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 5.45A is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent.
2. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant and contain a statement from that person that all applicable Good Management Practices have been adopted on the property.
3. The nitrogen loss calculation for that part of the property within the Red Nutrient Allocation Zone does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016.

5.46A Within the Red Nutrient Allocation Zone, the use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the farming enterprise in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the farming enterprise does not exceed the nitrogen baseline; and
3. ~~and, f~~From 1 July 2020 the nitrogen loss calculation for the farming enterprise:
  - i. does not exceed the Good Management Practice Loss Rate; ~~and/or~~
  - ii. does exceed the Good Management Practice Loss Rate but:
    - A. the Farm Environment Plan submitted in accordance with condition 1 has been prepared by an Accredited Farm Consultant and contains a statement from that person that all applicable Good Management Practices have been adopted by the farming enterprise; and
    - B. it does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016; and
34. The properties comprising the farming enterprise are in the same surface water catchment and Nutrient Allocation Zone, as shown on the Planning Maps.

5.47A Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 1 of Rule 5.44B, ~~or condition 1 of Rule 5.45A~~, or condition 1 of Rule 5.46AA or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 1 or ~~3 4~~ of Rule 5.46A, is a non-complying activity.

5.48A Within the Red Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 ~~or 3~~ of Rule ~~5.45A~~5.46AA, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 2 or 3 of Rule 5.46A is a prohibited activity.

Lakes zone

5.50A Within the Lake Zone, the use of land for a farming activity on a property greater than 10 hectares in area is a restricted discretionary activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Lake Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate.

The exercise of discretion is restricted to the following matters:

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The actual or potential adverse effects of the activity on surface and groundwater quality and sources of drinking water and how these will be avoided or mitigated; and
4. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
5. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
6. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

~~5.51 The use of land for a farming activity that does not comply with condition 3 of Rule 5.49 or condition 3 of Rule 5.50 is a non-complying activity.~~

5.51 Within the Lakes Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 5.50A is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent.
2. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant and contains a statement from that person that all applicable Good Management Practices have been adopted on the property.
3. The nitrogen loss calculation for that part of the property within the Red Nutrient Allocation Zone does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful.



5.52A Within the Lake Zone, the use of land for a farming activity on a property greater than 10 hectares that does not comply with condition 2 or 3 of Rule 5.50A 5.51 is a prohibited activity.

Orange zone

5.54B Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 5.54A is a controlled activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

The CRC reserves control over the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
5. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
6. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits;
8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

5.55A Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area, that does not comply with condition 2 or 3 of Rule 5.54B, is a restricted discretionary activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Orange Nutrient Allocation Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate, unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the

application for resource consent demonstrates that the exceedance was lawful.

*The exercise of discretion is restricted to the following matters:*

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The actual or potential adverse effects of the proposal on surface and groundwater quality and sources of drinking water and how these will be avoided or mitigated; and
4. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
5. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
6. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
7. Methods to address any non-compliances that are identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. The consistency of the proposal with Policy 4.38A; and
10. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

5.55AA Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 5.55A is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent.
2. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant and contains a statement from that person that all applicable Good Management Practices have been adopted on the property.
3. The nitrogen loss calculation for that part of the property within the Red Nutrient Allocation Zone does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful.

5.56AA Within the Orange Nutrient Allocation Zone, the use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the farming enterprise in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020 the nitrogen loss calculation for the farming enterprise does not exceed the nitrogen baseline;

3. ~~and, f~~From 1 July 2020 the nitrogen loss calculation for the farming enterprise:
  - i. ~~does not exceed~~ the Good Management Practice Loss Rate; ~~and/or~~
  - ii. ~~does exceed the Good Management Practice Loss Rate but:~~
    - A. ~~the Farm Environment Plan submitted in accordance with condition 1 has been prepared by an Accredited Farm Consultant and contains a statement from that person that all applicable Good Management Practices have been adopted by the farming enterprise; and~~
    - B. ~~it does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016; and 34. The properties comprising the farming enterprise are in the same surface water catchment and Nutrient Allocation Zone, as shown on the Planning Maps.~~

5.56AB Within the Orange Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 1 of Rule 5.54B, ~~or one or more of the~~ conditions 1 of Rule 5.55A, ~~or one or more of the conditions of Rule 5.55AA~~ or the use of land for a farming activity as part of a farming enterprise that does not comply with one or more of the conditions of Rule 5.56AA is a non-complying activity.

#### *Green and Light Blue Nutrient Allocation Zones*

5.57C Within the Green or Light Blue Nutrient Allocation Zone the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 5.57B is a controlled activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Green or Light Blue Nutrient Allocation Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

#### *The CRC reserves control over the following matters:*

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
5. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
6. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and

7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

5.58A Within the Green or Light Blue Nutrient Allocation Zone the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 or 3 of Rule 5.57C is a restricted discretionary activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Green or Light Blue Nutrient Allocation Zone does not exceed a total of 5kg/ha/yr above the nitrogen baseline, and from 1 July 2020 a total of 5kg/ha/yr above the Baseline GMP Loss Rate; unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful.

*The exercise of discretion is restricted to the following matters:*

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The content quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The actual or potential adverse effects of the proposal on surface and groundwater quality and sources of drinking water [and how these will be avoided or mitigated](#); and
4. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
5. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding a total of 5kg/ha/yr above the Baseline GMP Loss Rate; and
6. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
7. Methods to address any non-compliances that are identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. The consistency of the proposal with Policy 4.38A; and
10. Methods to prevent an exceedance of any relevant nutrient load limit set out in Sections 6 to 15 of the Plan.

5.58AA Within the Green or Light Blue Nutrient Allocation Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 5.58A is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent.

2. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant and contain a statement from that person that all applicable Good Management Practices have been adopted on the property.
3. The nitrogen loss calculation for that part of the property within the Red Nutrient Allocation Zone does not exceed a total of 5kgs/ha/yr above the nitrogen baseline unless the nitrogen baseline was lawfully exceeded by more than 5kgs/ha/year prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful.

5.58B Within the Green or Light Blue Nutrient Allocation Zone the use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the farming enterprise does not exceed a total of 5kgs/ha/yr above the nitrogen baseline;
3. and, from 1 July 2020 the nitrogen loss calculation for the farming enterprise:
  - i. does not exceed the Good Management Practice Loss Rate; and/or
  - ii. does exceed the Good Management Practice Loss Rate but:
    - A. the Farm Environment Plan submitted in accordance with condition 1 has been prepared by an Accredited Farm Consultant and contains a statement from that person that all applicable Good Management Practices have been adopted by the farming enterprise; and
    - B. it does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016; and
34. The properties comprising the farming enterprise are in the same surface water catchment and Nutrient Allocation Zone, as shown on the Planning Maps.

5.59A Within the Green or Light Blue Nutrient Allocation Zone the use of land for a farming activity on a property greater than 10 hectares in area, that does not comply with condition 1 of Rule 5.57C, or one or more of the conditions 1 of Rule 5.58A, or conditions one or more of the conditions of Rule 5.58AA, or the use of land for a farming activity as part of a farming enterprise that does not comply with one or more of the conditions of Rule 5.58B, is a non-complying activity.

## **Proposed amendments to Part B Waitaki Sub-Region**

15B.4.10 Water Quality outcomes in the Waitaki Sub-region are achieved by:

- (a) all farming activities minimising nutrient losses through implementation of good practice; and
- (b) all permitted farming activities on properties greater than 10 hectares preparing and implementing a Management Plan in accordance with Schedule 7A; and
- (c) farming activities with the potential for more-significant nutrient losses being subject to a resource consent process which will be subject to conditions that

[ensure compliance with the water quality limits in Tables 15B\(c\), 15B\(d\) and 15\(e\).](#)

- (d) [Where a Farm Environment Plan is required as a part of any application for a resource consent to use land for farming the Farm Environment Plan will show how continued improvement in nitrogen to below Baseline GMP loss rate or Good Management Practice Loss Rate \(whichever is the lesser\) will be achieved.](#)

#### Consenting Considerations

15B.4.13 Within the Waitaki Sub-region, consider granting applications for resource consent to exceed the nitrogen baseline where:

- (a) the nitrogen baseline has been lawfully exceeded prior to 13 February 2016 and the application contains evidence that the exceedance was lawful; and  
(b) the nitrogen loss calculation remains at or below the lesser of the Good Management Practice Loss Rate or, the nitrogen loss that occurred in the four years prior to 13 February 2016. nitrogen loss rate consistent with that required by Policies 15B.4.14 to 15B.4.27.

15B.4.14 Within the Hakataramea Freshwater Management Unit, the Northern Fan Freshwater Management Unit and the Valley and Tributaries Freshwater Management Unit, consider granting applications for resource consent to exceed the nitrogen baseline where:

- (a) the land is subject to a water permit granted between 1 November 2009 and 31 August 2010 and that permit authorises the use of water for irrigation; and  
(b) the nitrogen losses from the farming activity remain below the Good Management Practice Loss Rate, or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate for the farming activity proposed at the time the water permit was granted.

15B.4.15 Within the Hakataramea Flat Zone or Greater Waikāhahi Zone, consider granting applications for resource consent to exceed the nitrogen baseline where:

- (a) the application contains evidence that demonstrates that the nitrogen baseline has been lawfully exceeded and the increased portion of exceeded nitrogen loss is the result of irrigation or winter grazing that has been undertaken as a permitted activity; and  
(b) the farming activity will be managed so that the nitrogen loss calculation remains below the Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate.

15B.4.15A Within the Waitaki Sub-Region, only consider the granting of an application for a resource consent to exceed the Baseline GMP Loss Rate after 1 June 2020 where:

- (a) the Farm Portal generates a Baseline GMP Loss Rate that is less than the Assessed Baseline GMP Loss Rate; and  
(b) the reason for (a) is because of any of the following factors:  
i. the limitations of the Farm Portal due to the modelling rules not reflecting actual farming Good Management Practices; or  
ii. the limitations of the OVERSEER® model to measure nitrogen loss rates from the farm system; and  
(c) conditions of consent are imposed on resource consents in accordance with Policies 15B.4.20, 15B.4.24, 15B.4. 25 and 15B.4.27;  
(d) the Farm Environment Plan demonstrates the adoption of all applicable Good Management Practices,

- (i) the specific on-farm actions that will be undertaken (and the timeframe within which these actions will be undertaken) to implement the Good Management Practices;
- (ii) how these on-farm actions will ensure progress towards the attainment of the management objectives and targets in Schedule 7 of this plan; and
- (iii) how continued improvement in nitrogen to below the Assessed Baseline GMP Loss Rate will be achieved.
- (e) The applicant demonstrates how estimated nutrient losses will be reported to Environment Canterbury and how the Farm Environment Plan will be independently audited on an annual basis and non-compliance with the audit occurs.

provided that any resource consent shall:

- (e)(f) not authorise a nitrogen loss rate that exceeds the Assessed Baseline GMP or the nitrogen baseline except in accordance with Policies 15B.4.13, 15B.4.14 or 15B.4.15.

15B.4.x Within the Waitaki Sub-region only consider the granting of an application for a resource consent to exceed the Good Management Practice Loss Rate where:

- (a) the Good Management Practice Loss Rate is less than the Assessed Baseline GMP Loss Rate; and
- (b) the reason for (a) is because of any of the following factors:
  - i. the limitations of the Farm Portal due to the modelling rules not reflecting actual farming Good Management Practices; or
  - ii. the limitations of the OVERSEER® model to measure nitrogen loss rates from the farm system; and
- (c) conditions of consent are imposed on resource consents in accordance with Policies 15B.4.20, 15B.4.24, 15B.4. 25 and 15B.4.27;
- (d) the Farm Environment Plan demonstrates the adoption of all applicable Good Management Practices,  
provided that any resource consent granted shall:
- (e) not authorise a nitrogen loss rate that exceeds the Assessed Good Management Practice Loss Rate or the nitrogen baseline unless Policy 15B.4.13, 15B.4.14 or 15B.4.15 apply.

#### Irrigation Schemes

15B.4.18 Within the Waitaki Sub-region, water quality is maintained by requiring:

- (a) any application for resource consent for the discharge of nutrients, submitted by an irrigation scheme or principal water supplier, to describe the methods that will be used to implement the Good Management Practices on any land that will be supplied with water by the scheme or principal water supplier; and
- (b) any discharge permit for the discharge of nutrients granted to an irrigation scheme or principal water supplier to be subject to conditions that restrict the total nitrogen loss from properties that are partially or fully supplied with water from a scheme to a limit not exceeding:
  - (i) the Upper Waitaki Nitrogen Headroom applicable to those properties supplied with water from the scheme and that are located in the Haldon Zone or Mid-Catchment Zone;

- (ii) the nitrogen load limit specified in Table 15B(f) and the local in-stream and groundwater quality limits set out in Tables 15B(c) and 15B(e) for the Valley and Tributaries Zone or Whitneys Creek Zone;
- (iii) 90% of the Good Management Practice Loss Rate [or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate](#) for the part of the property within the Greater Waikākahi Zone that is irrigated or used for winter grazing;
- (iv) 90% of the Good Management Practice Loss Rate [or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate](#) for the part of the property within the Hakataramea River Zone that is irrigated or used for winter grazing;
- (v) the Baseline GMP Loss Rate for any area not specified above.

Upper Waitaki Freshwater Management Unit

15B.4.20 Freshwater quality is maintained in the Upper Waitaki Freshwater Management

Unit by:

- (a) restricting increases in nitrogen losses from farming activities in the Haldon Zone or Mid Catchment Zone [to areas of non-irrigated land](#) and a limit not exceeding the Upper Waitaki Nitrogen Headroom; and
- (b) avoiding the granting of any resource consent that will allow nitrogen losses from farming activities in the Ahuriri Zone or Upper Waitaki Hill Zone to exceed the Baseline GMP Loss Rate, except where Policy 15B.4.13 [or Policy 15B.4.15A](#) applies; and
- (c) including, on any resource consent granted for the use of land for a farming activity, conditions that require farming activities to operate at or below the [Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than either the Baseline GMP Loss Rate or the](#) Upper Waitaki Nitrogen Headroom Limit where that Upper Waitaki Nitrogen Headroom Limit is less than the Baseline GMP Loss Rate; and
- (d) applying to any resource consent granted for the use of land for a farming activity, or any permit granted for a discharge associated with an aquaculture operation or community wastewater activity, adaptive management conditions [which accords with the water quality limits set out in Tables 15B\(c\), 15B\(d\) and 15B\(e\) and relates specifically to the effects caused by the activity.](#)

15B.4.21 Maintain water quality in the Upper Waitaki Freshwater Management Unit by

restricting the sharing of nitrogen losses between properties and requiring that:

- (a) the property is part of a Nutrient User Group; and
- (b) all of the properties forming the Nutrient User Group are located within the Ahuriri Zone, and, the combined nitrogen loss calculation from those properties does not exceed [either](#) their combined Baseline GMP Loss Rate, [or where Policy 15B.4.15A applies, their combined Assessed Baseline GMP Loss Rate](#); or
- (c) all of the properties forming the Nutrient User Group are located within the Mid Catchment or Haldon Zone, and the combined nitrogen loss calculation from those properties does not exceed the sum of the Upper Waitaki Nitrogen Headroom associated with those properties; or
- (d) where properties are located within the Haldon Zone or Lake Zone:
  - (i) the sharing of nitrogen only occurs from the Lake Zone to the Haldon Zone, or occurs entirely within either zone; and



- (ii) the nitrogen loss calculation does not exceed the aggregated consented nitrogen loss rate of all the properties forming the Nutrient User Group; and
- (iii) the amount of nitrogen shared by properties within the Lake Zone is not more than the Upper Waitaki Headroom associated with the area of the property within the Lake Zone.
- (e) properties forming the NUG are not members of an irrigation Scheme or part of a farming enterprise

#### Hakataramea Freshwater Management Unit

15B.4.24 Freshwater quality is maintained within the Hakataramea Freshwater Management Unit by:

- (a) avoiding the granting of any resource consent that will allow nitrogen losses from farming activities in the Hakataramea Freshwater Management Unit to exceed the Baseline GMP Loss Rate, except where Policy 15B.4.13 and 15B.4.15 or 15B.4.15A apply; and
- (b) restricting, in the Hakataramea River Zone, nitrogen losses for the portion of the property irrigated or used for winter grazing to 90% or less of the Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate .
- (c) requiring, in the Hakataramea Hill Zone and the Hakataramea Flat Zone, farming activities to operate at the the Good Management Practice Loss Rate, where that loss rate is less than the Baseline GMP Loss rate;

#### Valley and Tributaries Freshwater Management Unit

15B.4.25 Freshwater quality is maintained within the Valley and Tributaries Freshwater Management Unit by:

- (a) avoiding increases in nitrogen loss from farming activities that would cause the Valley and Tributaries agricultural nitrogen load limit calculated in accordance with Schedule 27 to be exceeded; and
- (b) only granting a resource consent for a farming activity to exceed the nitrogen baseline where the application demonstrates that the local in-stream and groundwater quality limits in Table 15B(c) and 15B(e) will not be exceeded; and
- (c) including on any resource consent granted for the use of land for a farming activity, conditions that require farming activities to operate at or below the ~~nitrogen loss rate that ensures that the Valley and Tributaries nitrogen load limit as calculated in accordance with Schedule 27 is not exceeded.~~ the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than either the Baseline GMP Loss Rate or the agricultural nitrogen load limit as calculated in accordance with Schedule 27.

#### Northern Fan Freshwater Management Unit

15B.4.26 Freshwater quality is maintained within the Greater Waikāhahi Zone by:

- (a) avoiding the granting of a resource consent that will allow the nitrogen loss calculation from a farming activity in the Greater Waikāhahi Zone to exceed the Baseline GMP Loss Rate, except where Policies 15B.4.13, and 15B.4.15 or 15B.4.15A apply; and
- (a) restricting nitrogen losses from the part of the property in the Greater Waikāhahi Zone that is irrigated or used for winter grazing, to no more than

90% of the Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate.

15B.4.27 Freshwater quality is maintained within the Whitneys Creek Zone by:

- (a) avoiding increases in nitrogen loss from farming activities that would cause the Whitneys Creek Zone nitrogen load limit, calculated in accordance with Schedule 27, to be exceeded; and
- (b) only granting resource consents for a farming activity to exceed the nitrogen baseline where the application demonstrates that the local in-stream and groundwater quality limits in Table 15B(c) and 15B(e) will not be exceeded; and
- (c) including on any resource consent granted for the use of land for a farming activity, conditions that require farming activities to operate at or below ~~the nitrogen loss rate that ensures that the Whitney's Creek nitrogen load limit as calculated in accordance with Schedule 27 is not exceeded.~~ at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate or the agricultural nitrogen load limit as calculated in accordance with Schedule 27.

Part B Rules

15B.5.10 The use of land for a farming activity on a property that forms part of a Nutrient User Group is a discretionary activity, provided the following conditions are met:

1. A management plan is submitted with the application for resource consent, which sets out:
  - (a) the properties forming the Nutrient User Group; and
  - (b) a map showing the location of all properties forming part of the Nutrient User Group; and
  - (c) the legal description of all properties and the legal names of the property owners forming part of the Nutrient User Group; and
  - (d) the method by which nitrogen losses will be managed and accounted for within the Nutrient User Group; and
  - (e) the method by which nitrogen losses will be redistributed upon any property or any part of any property withdrawing from the Nutrient User Group; and
2. A Farm Environment Plan has been prepared for each property in the Nutrient User Group in accordance with Schedule 7 and is submitted with the application for resource consent; and
3. The nitrogen loss calculation for the Nutrient User Group does not cause the relevant limits set out in Tables 15B(c), 15B(d), 15B(e) and 15B(f) to be exceeded; and
4. The aggregated nitrogen loss calculation for properties located within the Ahuriri Zone does not exceed the aggregate of the Baseline GMP Loss Rate for those properties; and
5. The aggregated nitrogen loss calculation for properties located within the Haldon or Mid-Catchment Zone does not exceed the aggregate of the Upper Waitaki Headroom available for those properties; and
6. For any property within a Lake Zone, the nitrogen loss calculation for the property does not exceed the lesser of the nitrogen baseline the Baseline GMP Loss Rate; and

7. No property within the Nutrient User Group is part of a farming enterprise or [an irrigation scheme](#).

15B.5.15 Within the Ahuriri Zone or Upper Waitaki Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 15B.5.14 is a controlled activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Ahuriri Zone or Upper Waitaki Hill Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

The CRC reserves control over the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budgets provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
5. ~~Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and~~
6. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of subsequent audits; and
8. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. The consistency of the proposal with Policy 15B.4.13.

15B.5.16A Within the Ahuriri Zone or Upper Waitaki Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 15B.5.16 is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent.
2. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant ~~and contains a statement from that person that all applicable Good Management Practices have been adopted on the property.~~

3. The nitrogen loss calculation for that part of the property within the Ahuriri Zone or Upper Waitaki Hill Zone does not exceed the nitrogen baseline unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful.

15B.5.17 Within the Ahuriri Zone or Upper Waitaki Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 1 of Rule 15B.5.15 or condition 1 of Rule 15B.5.16A, or condition 1 of Rule 15B.5.16A, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 1 or 34 of Rule 5.46A, is a non-complying activity.

15B.5.18 Within the Ahuriri Zone or Upper Waitaki Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 15B.5.15, or condition 2 or 3 of Rule 15B.5.16A, or the use of land for a farming activity as part of a farming enterprise that does not comply with condition 2 or 3 of Rule 5.46A, is a prohibited activity.

15B.5.19 Within the Haldon Zone or Mid Catchment Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 5.54A is a controlled activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Haldon Zone or Mid Catchment Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

The CRC reserves control over the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
5. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
6. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of subsequent audits; and

8. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. The consistency of the proposal with Policy 15B.4.13.

15B.5.20 Within the Haldon Zone or Mid Catchment Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with condition 2 of Rule 15B.5.19 is a restricted discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. The nitrogen loss calculation for the property does not exceed the Upper Waitaki Nitrogen Headroom available to the property; and
3. Except where areas of significant indigenous biodiversity have been identified and maintained in accordance with the provisions of any relevant district plan notified after 13 February 2016, the application for resource consent is accompanied by an assessment, undertaken by a suitably qualified ecologist, which identifies any areas of significant indigenous biodiversity located on the application area, and proposes methods to avoid or mitigate any adverse effects on significant indigenous biodiversity.

The exercise of discretion is restricted to the following matters:

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The content quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The potential adverse effects of the activity on mahinga kai; and
4. The potential adverse effects of the activity on wāhi tapu or wāhi taonga ~~identified in an iwi management plan~~; and
5. The actual or potential adverse effects of the proposal on surface and groundwater quality and sources of drinking water; and
6. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
7. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Upper Waitaki Headroom; and
8. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Upper Waitaki Headroom available for the property; and
9. Methods to address any non-compliances that are identified as a result of a Farm Environment Plan audit, including the timing of any subsequent audits; and
10. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
11. Until biodiversity provisions in a district plan are notified post 13 February 2016, the extent to which the proposal avoids or mitigates any adverse effects on any areas of significant indigenous biodiversity.

15B.5.25 Within the [Greater Waikakahi and Hakataramea Freshwater Management Unit River Zone or Hakataramea Hill Zone](#), the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 15B.5.24 or [Rule xx.xx.xx](#) is a controlled activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. The nitrogen loss calculation for the part of the property within the Hakataramea River Zone or Hakataramea Hill Zone does not exceed:
  - (a) Until 30 June 2020, the nitrogen baseline, unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016; and the application for resource consent demonstrates that the exceedance was lawful; and
  - (b) From 1 July 2020:
    - (i) either the Baseline GMP Loss Rate or the Good Management Practice Loss Rate for the activity that occurred in the four years prior to 1 July 2020; and
    - (ii) for that portion of the property in the Hakataramea River Zone and that was used for winter grazing or irrigation in the four years prior to 1 July 2020, 90% of that Good Management Practice Loss Rate figure; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

The CRC reserves control over the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate and, which require the farming activity to operate at below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
5. Within the Greater Waikāhahi Zone and Hakataramea River Zone, ~~M~~methods that restrict the nitrogen loss calculation for that portion of the property used for winter grazing or irrigation in the Hakataramea River Zone to 90% of the Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate figure; and
6. Methods to exclude intensively farmed stock within 12m of the bed of the Hakataramea River and within 5m of the bed of all tributaries; and
7. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
8. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of subsequent audits; and
9. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
10. The consistency of the proposal with Policy 15B.4.13 and Policy 15B.4.15; and
11. Within the Hakataramea Flat Zone, methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate or, where Policy 15B.4.15A applies, the Assessed Baseline GMP Loss Rate; and
12. Methods to restrict any area of the property within the Greater Waikāhahi Zone and Hakataramea River Zone to either the Baseline GMP Loss rate or

the Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate for the activity that occurred in the four years prior to 1 July 2020.

15B.5.26 Within the Greater Waikāhahi Zone and Hakataramea Freshwater Management Unit River Zone or Hakataramea Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 3 of Rule 15B.5.25, or one or more of the conditions of Rule 15B.5.7, is a restricted discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. The nitrogen loss calculation for the part of the property within the Hakataramea River Zone or Hakataramea Hill Zone does not exceed:
  - (a) Until 30 June 2020, the nitrogen baseline, unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016; and the application for resource consent demonstrates that the exceedance was lawful; and
  - (b) From 1 July 2020:
    - (i) either the Baseline GMP Loss Rate or the Good Management Practice Loss Rate for the activity that occurred in the four years prior to 1 July 2020; and
    - (ii) for that portion of the property in the Hakataramea River Zone and that was used for winter grazing or irrigation in the four years prior to 1 July 2020, 90% of that Good Management Practice Loss Rate figure.

The exercise of discretion is restricted to the following matters:

1. The content of, compliance with, and auditing of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The potential adverse effects of the activity on mahinga kai; and
4. The potential adverse effects of the activity on wāhi tapu or wāhi taonga identified in an iwi management plan; and
5. The actual or potential adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
6. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
7. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate {except where Policy 15B.4.15A applies}, and, which require the farming activity to operate at below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
8. Within the Greater Waikāhahi Zone and Hakataramea River Zone Methods that restrict the nitrogen loss calculation for that portion of the property used for winter grazing or irrigation in the Hakataramea River Zone to 90% of the Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate figure; and
9. Methods to exclude intensively farmed stock within 12m of the bed of the Hakataramea River and within 5m of the bed of all tributaries; and

10. Methods to address any non-compliances identified as a result of a Farm Environment Plan audit; and including the timing of subsequent audits; and
11. Reporting of nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
12. The consistency of the proposal with Policy 15B.4.13 and Policy 15B.4.15; and
13. Within the Hakataramea Flat Zone, methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate (except where Policy 15B.4.15A applies); and
14. Methods to restrict any area of the property within the Greater Waikāhahi Zone and Hakataramea River Zone to either the Baseline GMP Loss Rate (or where Policy 15B.4.15A applies, the Assessed Baseline GMP Loss Rate) or the Good Management Practice Loss Rate (or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate) for the activity that occurred in the four years prior to 1 July 2020.

15B.5.27 Within the Greater Waikāhahi Zone and Hakataramea Freshwater Management Unit River Zone or Hakataramea Hill Zone use of land for a farming activity as part of a farming enterprise is a discretionary activity, provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the farming enterprise in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. The nitrogen loss calculation for the farming enterprise does not exceed:
  - (a) Until 30 June 2020, the nitrogen baseline; and
  - (b) From 1 July 2020 the nitrogen loss calculation:
    - (i) does not exceed either the Baseline GMP Loss Rate or the Good Management Practice Loss Rate for the activity that occurred in the four years prior to 1 July 2020; and/or
    - (ii) it does exceed the the Baseline GMP Loss Rate and/or Good Management Practice Loss Rate but the Farm Environment Plan submitted in accordance with condition 1 has been prepared by an Accredited Farm Consultant and contains a statement from that person that all applicable Good Management Practices have been adopted by the farming enterprise; and
    - (iii) for that portion of those properties in the Greater Waikāhahi Zone and Hakataramea River Zone and that was used for winter grazing or irrigation in the four years prior to 1 July 2020, does not exceed 90% of the ~~eat~~ Good Management Practice Loss Rate or where Policy 15B.4.x applies, the Assessed Good Management Practice Loss Rate figure.
3. The properties comprising the farming enterprise are solely within Hakataramea River Zone or Hakataramea Hill Zone, as shown on the Planning Maps.

15B.5.29 Within the Greater Waikāhahi Zone and Hakataramea Freshwater Management Unit River Zone or Hakataramea Hill Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 of Rule 15B.5.25, or conditions 2, 3 or 4 of Rule 15B.5.26A, or the use of land for a farming activity as part of a farming enterprise that does not comply with conditions 2 or 3 of Rule 15B.5.27, is a prohibited activity.



15B.5.34 Within the Valley and Tributaries Zone and Whitneys Creek Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not comply with one or more of the conditions of Rule 5.57B is a controlled activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent; and
2. Until 30 June 2020, the nitrogen loss calculation for the part of the property within the Valley and Tributaries Zone and Whitneys Creek Zone does not exceed the nitrogen baseline, and from 1 July 2020 the Baseline GMP Loss Rate; unless the nitrogen baseline was lawfully exceeded prior to 13 February 2016, and the application for resource consent demonstrates that the exceedance was lawful; and
3. The Farm Environment Plan and nutrient budget submitted with the application for resource consent has been prepared or reviewed by an Accredited Farm Consultant.

The CRC reserves control over the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the nitrogen loss calculation for the farming activity to a rate not exceeding the Baseline GMP Loss Rate; and
5. Methods that require the farming activity to operate at or below the Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than the Baseline GMP Loss Rate; and
6. Methods to avoid or mitigate adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of subsequent audits; and
8. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. The consistency of the proposal with Policy 15B.4.13; and
10. Within the Whitney's Creek Zone, methods to ensure compliance with the Good Management Practice Loss Rates, or where Policy 15B.4.x applies the Assessed Good Management Practice Loss Rates, for the farming activity, inclusive where relevant, of any nitrogen received from any industrial discharge.

15B.5.35 Within the Valley and Tributaries Zone and Whitneys Creek Zone, the use of land for a farming activity on a property greater than 10 hectares in area that does not meet condition 2 or 3 of Rule 15B.5.34, or one or more of the conditions of Rule 15B.5.7, is a restricted discretionary activity provided the following conditions are met:

1. A Farm Environment Plan has been prepared for the property in accordance with Part A of Schedule 7 and is submitted with the application for resource consent.
2. The nitrogen loss from the farming activity does not cause the Valley and Tributaries Zone and the Whitneys Creek Zone agricultural nitrogen load limit calculated in accordance with Schedule 27 to be exceeded.

The exercise of discretion is restricted to the following matters:

1. The commencement date for the first audit of the Farm Environment Plan; and
2. The content, quality and accuracy of the OVERSEER® budget provided with the application for resource consent; and
3. The timing of any actions or good management practices proposed to achieve the objectives and targets described in Schedule 7; and
4. Methods that limit the [maximum amount of nitrogen that can be leached from the ~~loss calculation for the~~ farming activity](#) to a rate not exceeding the agricultural nitrogen load limit, calculated in accordance with Schedule 27 [for the relevant zone that the property is located in](#); and
5. Methods that require the farming activity to operate at or below the [Good Management Practice Loss Rate, in any circumstance where that Good Management Practice Loss Rate is less than ~~the rate required to ensure Condition 2 of this rule can be met~~](#) agricultural nitrogen load limit, calculated in accordance with Schedule 27; and
6. ~~Methods to avoid or mitigate~~ [The actual or potential](#) adverse effects of the activity on surface and groundwater quality and sources of drinking water; and
7. Methods to address any non-compliance identified as a result of a Farm Environment Plan audit, including the timing of subsequent audits; and
8. Reporting of estimated nutrient losses and audit results of the Farm Environment Plan to the Canterbury Regional Council; and
9. Methods to ensure compliance with the in-stream and groundwater concentration limits in Tables 15B(c) and 15B(e) for the applicable node.
10. [Within the Whitneys Creek Zone, the potential adverse effects of the activity on mahinga kai; and](#)
11. [Within the Whitneys Creek Zone, the potential adverse effects of the activity on wāhi tapu or wāhi taonga identified in an iwi management plan; and](#)
12. [Within the Whitneys Creek Zone, methods to ensure compliance with the \[Good Management Practice Loss Rates\]\(#\) or where \[Policy 15B.4.x\]\(#\) applies the \[Assessed Good Management Practice Loss Rates\]\(#\), for the farming activity, inclusive where relevant, of any nitrogen received from any industrial discharge.](#)