

CON501E: RULE ASSESSMENT FORM

ENVIRONMENT CANTERBURY EQUIVALENT PATHWAY

LAND AND WATER REGIONAL PLAN - RULE ASSESSMENT

The Resource Management Act requires you to provide an assessment of your application against the relevant planning provisions of the Land and Water Regional Plan.

Please choose the relevant rule applicable to the farming land use application and demonstrate compliance.

Land Use Consent (s9 of the RMA 1991) in accordance with **Rule 5.42A** of the Land & Water Regional Plan.

Rule 5.42A: Despite Rules 5.43 to 5.59, the use of land for a farming activity on a property greater than 10 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
- b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER® and where the OVERSEER® Best Practice Data Input Standard does not recommend an alternative; or
- c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
 - i. both the region-wide section of this Plan and rules in a sub-region section of this Plan; or
 - ii. more than one sub-region section of this Plan; or
 - iii. a single sub-region section of this Plan where that section contains nutrient management rules introduced by separate plan change processes; or
 - iv. this Plan and nutrient management rules in another regional plan;

is a **discretionary activity** provided the following conditions are met:

Condition	Compliance	Comment
1. The nitrogen loss calculation for any part of the property within a Lake Zone, Red Nutrient Allocation Zone or Orange Nutrient Allocation Zone does not exceed the nitrogen baseline; and	<input type="checkbox"/> Yes <input type="checkbox"/> No If no, please refer to rule 5.42C as a prohibited activity.	
2. The nitrogen loss calculation for any part of the property within a Green or Light Blue Nutrient Allocation Zone does not exceed a total of 5kg/ha/yr above the nitrogen baseline; and	<input type="checkbox"/> Yes <input type="checkbox"/> No If no, please refer to rule 5.42C as a prohibited activity.	
3. An Accredited Farm Consultant has prepared a Farm Environment Plan and nutrient budgets for the property in accordance with Part A of Schedule 7 and they are submitted with the application for resource consent; and	<input type="checkbox"/> Yes <input type="checkbox"/> No If no, please refer to rule 5.42B as a non-complying activity.	
4. The application for resource consent includes a calculation of the Equivalent Baseline GMP Loss Rate and Equivalent Good Management Practice Loss Rate for the farming activity, and the	<input type="checkbox"/> Yes <input type="checkbox"/> No If no, please refer to rule 5.42C as a prohibited activity.	

methodology used to derive those numbers.		
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Land Use Consent (s9 of the RMA 1991) in accordance with **Rule 5.42B** of the Land & Water Regional Plan.

Rule 5.42B: The use of land for a farming activity on a property greater than 10 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
- b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER® and where the OVERSEER® Best Practice Data Input Standard does not recommend an alternative; or
- c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
 - i. both the region-wide section of this Plan and rules in a sub-region section of this Plan; or
 - ii. more than one sub-region section of this Plan; or
 - iii. a single sub-region section of this Plan where that section contains nutrient management rules introduced by separate plan change processes; or
 - iv. this Plan and nutrient management rules in another regional plan;

that does not meet condition 3 of Rule 5.42A is a **non-complying activity**.

Condition and Rule		Comment
Condition	of Rule	

Land Use Consent (s9 of the RMA 1991) in accordance with **Rule 5.42C** of the Land & Water Regional Plan.

Rule 5.42C: The use of land for a farming activity on a property greater than 10 hectares where:

- a. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate or the number generated is demonstrated to be erroneous; or
- b. more than 25% of the property is used to produce, farm, or rear a crop or animal type that is not able to be selected as an option in OVERSEER® and where the OVERSEER® Best Practice Data Input Standard does not recommend an alternative; or
- c. the Farm Portal is unable to generate a Baseline GMP Loss Rate or Good Management Practice Loss Rate that is representative for the property as a consequence of that property being subject to nutrient management rules in:
 - i. both the region-wide section of this Plan and rules in a sub-region section of this Plan; or
 - ii. more than one sub-region section of this Plan; or
 - iii. a single sub-region section of this Plan where that section contains nutrient management rules introduced by separate plan change processes; or
 - iv. this Plan and nutrient management rules in another regional plan;

that does not meet one or more of conditions 1, 2 or 4 of Rule 5.42A is a **prohibited activity**.

Condition and Rule		Comment
Condition	of Rule	
Condition	of Rule	
Condition	of Rule	