IN THE ENVIRONMENT COURT
AT AUCKLAND

I TE KŌTI TAIAO O AOTEAROA
KI TĀMAKI MAKAURAU

Decision [2026] NZEnvC 275

IN THE MATTER OF	appeals under Clause 14 of Schedule 1 of the Resource Management Act 1991 against the decision of the Waikato Regional Council on Proposed Plan Change 1 to the Waikato Regional Plan
BETWEEN	OJI FIBRE SOLUTIONS (NZ) LIMITED (ENV-2020-AKL-000083)
	FONTERRA CO-OPERATIVE GROUP LIMITED
	(ENV-2020-AKL-000084)
	WAIPĀ DISTRICT COUNCIL
	(ENV-2020-AKL-000085)
	TAUPO DISTRICT COUNCIL
	(ENV-2020-AKL-000086)
	HORTICULTURE NEW ZEALAND
	(ENV-2020-AKL-000087)
	IWI OF HAURAKI
	(ENV-2020-AKL-000088)
	WAIKATO RIVER AUTHORITY
	(ENV-2020-AKL-000090)
	HAMILTON CITY COUNCIL
	(ENV-2020-AKL-000091)
	SOUTH WAIKATO DISTRICT COUNCIL
	(ENV-2020-AKL-000092)
	ROYAL FOREST AND BIRD PROTECTION SOCIETY OF NEW ZEALAND INCORPORATED
	(ENV-2020-AKL-000094)
	DIRECTOR-GENERAL OF CONSERVATION
	(ENV-2020-AKL-000096)

DAIRY NZ LIMITED

(ENV-2020-AKL-000097)

WAIRAKEI PASTORAL LIMITED

(ENV-2020-AKL-000098)

BEEF + LAMB NEW ZEALAND LIMITED

(ENV-2020-AKL-000099)

WAIKATO AND WAIPĀ RIVER IWI

(ENV-2020-AKL-000100)

AUCKLAND/WAIKATO AND EASTERN FISH AND GAME COUNCILS

(ENV-2020-AKL-000101)

FEDERATED FARMERS OF NEW ZEALAND

(ENV-2020-AKL-000102)

CNI IWI LAND MANAGEMENT LIMITED

(ENV-2020-AKL-000103)

LANDCORP FARMING LIMITED

(ENV-2020-AKL-000147)

PUKEKOHE VEGETABLE GROWERS ASSOCIATION

(ENV-2020-AKL-000148)

LOCHIEL FARMLANDS LIMITED

(ENV-2020-AKL-000149)

Appellants

AND WAIKATO REGIONAL COUNCIL

Respondent

Court: Chief Environment Court Judge David Kirkpatrick
Alternate Environment Judge Te Kani Williams
Environment Commissioner Mark Mabin
Mr Jim Hodges (Special Advisor)

Last case event: 12 October 2026

Counsel:	M Conway and O Wilson for Waikato Regional Council M Hooper and D van Mierlo for the Director-General of Conservation S Ongley for Auckland/Waikato and Eastern Fish and Game Councils P Anderson and E Toleman for the Royal Forest and Bird Protection Society of New Zealand Incorporated D Minhinnick, K Gunnell, and A Gilbert for Dairy NZ Limited and Fonterra Co-operative Group Limited B Matheson for Federated Farmers of New Zealand C Thomsen and N Edwards for Beef + Lamb New Zealand Limited P Majurey for Iwi of Hauraki J Leckie and M Turner for Bathurst Resources Limited and BT Mining Limited Farmers For Positive Change (F4PC) for themselves G Gleeson for himself J Caldwell and M Gribben for Miraka Limited N Buxeda for Deer Industry of New Zealand J Ferguson and A Houisa-Ashwell for CNI Iwi Land Management Limited and Waikato and Waipā River Iwi G Chappell for OJI Fibre Solutions (NZ) Limited T Mijatov, N Buxeda, and T Hoby for Horticulture New Zealand and Pukekohe Vegetable Growers Association C Muggeridge and A Irvine for Lochiel Farmlands Limited A McMechan for Landcorp Farming Limited B Carruthers for Wairakei Pastoral Limited G Pinnell for himself T Ryan, P Beverley, and C Bulow for Waikato River Authority M Mackintosh for Ōtorohanga District Council A Green, D Ria, and T Cassidy for Matamata Piako District Council C Malone and S Berry for Waipā District Council N Garvan and R Te Rito for Genesis Energy Limited S Hickman for Timberlands Limited L Muldowney, S Thomas, M Mackintosh, and W Embling for Hamilton City Council L Muldowney, S Thomas, and N McAdie Taupō District Council M Mackintosh and W Embling for South Waikato District Council C Pidduck and K Ridling for Waikato District Council
Date of Decision:	14 October 2026
Date of Issue:	14 October 2026

DECISION OF THE ENVIRONMENT COURT
CONFIRMING FINAL VERSION OF PLAN CHANGE 1

A: The appeals are allowed in part. The amended provisions of the final version of PC1 as **attached** as Appendix 1 to this decision satisfy the directions made by the Court and are confirmed.

B: Costs are reserved but applications are not encouraged.

REASONS

Introduction

[1] The Court issued its First Interim Decision[1] on 28 May 2025, its Second Interim Decision[2] on 27 February 2026, followed by its Final Decision[3] on 8 June 2026.

[2] Several versions of Plan Change 1 to the Waikato Regional Plan (**PC1**) have since been submitted by Waikato Regional Council (**WRC**), with amendments made in response to the Final Decision and to the Court's minutes which were issued on 12 August 2026 and 5 October 2026.

[3] The latest version of PC1 was submitted by WRC on 12 October 2026. This final version of PC1 complies appropriately with all of the directions made by the Court.

Outcome

[4] The Court is satisfied with the consequential amendments proposed and confirms the final version of PC1 as **attached** as Appendix 1 to this decision.

Costs

[5] The Court reserves the question of costs. As set out in the Court's Practice Note at section 10.7:

> (d) The Court will not normally award costs against a public body whose decision is the subject of the appeal unless it has failed to perform its

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1 *Oji Fibre Solutions (NZ) Limited v Waikato Regional Council* 2025 NZEnvC 170.
2 *Oji Fibre Solutions (NZ) Limited v Waikato Regional Council* 2026 NZEnvC 033.
3 *Oji Fibre Solutions (NZ) Limited v Waikato Regional Council* 2026 NZEnvC 130.

duties properly or has acted unreasonably.

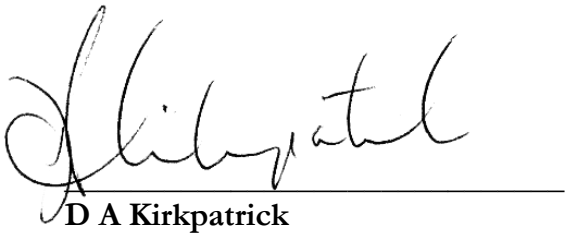
…

(f) Where an appeal against a decision on a submission on a statutory planning document under Schedule 1 to the Act has proceeded to a hearing, costs will normally not be awarded to any party in recognition of the participatory nature of making such statutory planning documents.

[6] The Court accordingly does not encourage any application for costs.

[7] If any party seeks costs against another party and cannot resolve that issue directly with the other party, then any application for costs is to be filed and served within 14 days of the date of this decision., with any response to be filed within seven days thereafter and the applicant's reply (if any) to be filed within a further seven days after that.

For the Court:



D A Kirkpatrick
Chief Environment Court Judge | Kaiwhakawā Matua o te Kōti Taiao

Appendix 1 – Final version of PC 1

Waikato Regional Council Policy Series 2020/02

Proposed Waikato Regional Plan Change 1: Waikato and Waipā River Catchments

Te Panonitanga 1 i te Mahere Ā-Rohe a Waikato e Marohitia Nei: Ngā Riu o Ngā Awa o Waikato me Waipā

Contents

PART A **6**

3.11 Waikato and Waipā River Catchments/Ngā Riu o ngā Awa o Waikato me Waipā 7

3.11.1 Objectives/Ngā Whāinga 14

3.11.2 Policies/Ngā Kaupapa Here 15

3.11.3 Implementation methods/Ngā tikanga whakatinana 23

3.11.4 Rules/Ngā Ture 27

3.11.5 Schedules/Ngā Whakaritenga 35

3.11.6 List of tables and maps/Te rārangi o ngā ripanga me ngā mahere 59

PART B **78**

Additions to Glossary of Terms/Ngā Āpitihanga ki te Rārangi Kupu 79

PART C **84**

Consequential amendments to Waikato Regional Plan/Ngā whakatikahanga ka hua ake mō roto i te Mahereā-Rohe a Waikato 85

Disclaimer

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Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments

PART A

3.11 Waikato and Waipā River Catchments/Ngā Riu o ngā Awa o Waikato me Waipā

Area covered by Chapter 3.11/Ngā Riu o ngā Awa o Waikato me Waipā

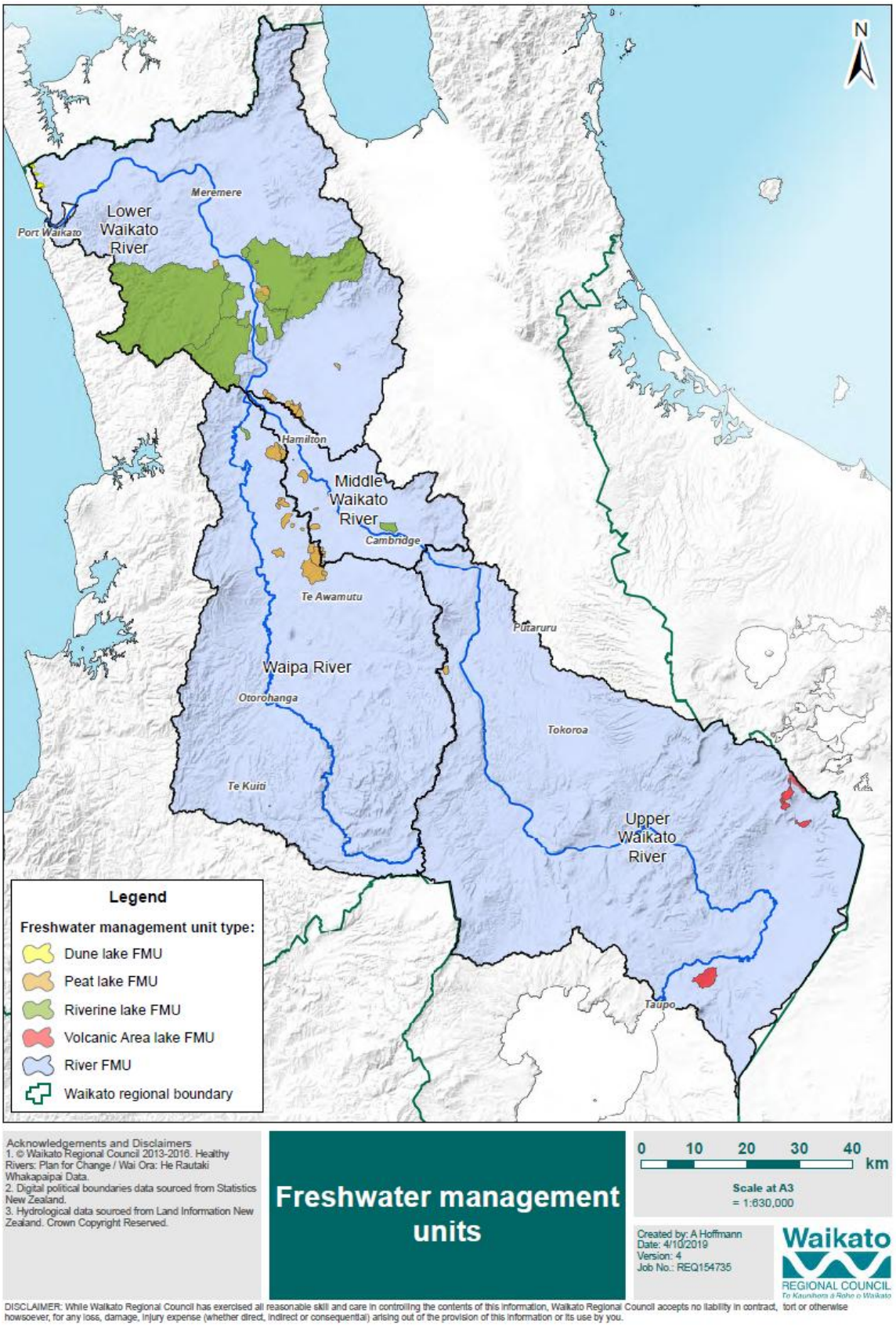
This Chapter 3.11 applies to the Waikato and Waipā River catchments. The map shown in Map 3.11-1 shows the general catchment boundary. This Chapter is additional to all other parts of the Waikato Regional Plan. Where there are any inconsistencies, Chapter 3.11 prevails.

Map 3.11-1 shows the general catchment boundary and includes the boundaries of each Freshwater Management Unit (FMU): The FMUs are:

- Upper Waikato River (UW)
- Middle Waikato River (MW)
- Lower Waikato River (LW)
- Waipā River (WA)
- Peat Lakes
- Riverine Lakes
- Dune Lakes
- Volcanic Lakes

FMUs are required by central government's National Policy Statement for Freshwater Management 2014. FMUs enable monitoring of progress towards meeting targets and limits.

The Plan maps of the Waikato and Waipā River catchments are available electronically or for viewing at Waikato Regional Council offices on request.



Map 3.11-1: Map of the Waikato and Waipā River catchments, showing Freshwater Management Units/ Te Mahere 3.11-1: Te mahere o ngā riu o ngā awa o Waikato me Waipā e whakaatu ana i ngā Wae Whakahaere Wai Māori

Background and explanation

Co-management of the Waikato and Waipā Rivers

There are three River Acts that establish co-governance arrangements for the Waikato and Waipā Rivers and catchment. These are Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, Ngati Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010 and Nga Wai o Maniapoto (Waipa River) Act 2012.

The iwi partners in the development of Chapter 3.11 are Ngāti Maniapoto, Raukawa, Ngāti Tūwharetoa, Te Arawa River Iwi and Waikato-Tainui. The processes for preparing, reviewing, changing or varying the regional plan, in terms of iwi involvement in the process, is set out in the legislation. This includes a requirement for Council to establish a Joint Working Party with each of the iwi partners, the purposes of which include making joint recommendations to the Council regarding the plan change.

The three River Acts established the Vision and Strategy for the Waikato River/Te Ture Whaimana o Te Awa o Waikato as the primary direction setting document for the Waikato and Waipā Rivers. Te Ture Whaimana o Te Awa o Waikato prevails over any inconsistencies in a national policy statement or New Zealand coastal policy statement, and is deemed to be part of the Waikato Regional Policy Statement.

Te Ture Whaimana o Te Awa o Waikato states that the Waikato and Waipā Rivers are degraded and require, amongst other things, restoration and protection. One objective has been given particular focus for this chapter: The restoration of water quality within the Waikato River so that it is safe for people to swim in and take food from over its entire length. Te Ture Whaimana o Te Awa o Waikato is being given effect to in Chapter 3.11 by:

- Reducing nitrogen, phosphorus, sediment and microbial pathogen losses from land;
- Ongoing management of diffuse and point source discharges of nitrogen, phosphorus, sediment and microbial pathogens;
- Giving people and communities time to adapt to the requirements of Chapter 3.11 and supporting actions to achieve short-term objectives while being clear that further reductions in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens from land will be required in subsequent regional plans;
- Ensuring that Waikato Regional Council continues to facilitate ongoing research, monitoring and tracking of changes on the land and in the water to provide for the application of mātauranga Māori and the latest scientific methods, as they become available;
- Preparing for future requirements on what can be undertaken on the land.

Water quality and National Policy Statement for Freshwater Management

The National Policy Statement for Freshwater Management 2014 (NPS - FM) requires regional councils to formulate freshwater objectives and set limits or targets (a target is a limit to be achieved within a specified timeframe). Regional councils must ensure over-allocation of the water resource is avoided, or addressed where that has already occurred.

Current water quality monitoring results show that while there is variability across the Waikato and Waipā River catchments, there are adverse effects on water bodies associated with discharges of nitrogen, phosphorus, sediment and microbial pathogens. Water bodies in the Waikato and Waipā River catchments are not able to assimilate further discharges of nitrogen, phosphorus, sediment and microbial pathogens, without adversely affecting community-held values. Achieving the numeric, long-term freshwater objectives in Chapter 3.11 will require reductions in diffuse and point source contaminants.

The NPS - FM directs the Waikato Regional Council to establish freshwater objectives that give effect to the objectives of the NPS - FM and describe the state that Waikato regional communities want for fresh water in the future.

The NPS - FM process followed in developing Chapter 3.11, included identifying FMUs and the values for each, and then choosing relevant water quality attributes and attribute states (based on the best information available at the time) that can be monitored over time. Freshwater objectives and limits or targets set out what is required to achieve the attribute states. Under the NPS - FM, a limit is the maximum amount of resource use available, which allows a freshwater objective to be met.

Full achievement of Te Ture Whaimana o Te Awa o Waikato will be intergenerational

The Plan has specified an 80-year timeframe to achieve the water quality objectives of Te Ture Whaimana o Te Awa o Waikato. The timeframe is intergenerational and more aspirational than the national bottom lines set out in the NPS - FM because it seeks to meet the higher standards of being safe to swim in and take food from over the entire length of the

Waikato and Waipā Rivers and catchment. Based on the information currently available, full achievement of Te Ture Whaimana o Te Awa o Waikato by 2096 is likely to be costly and difficult. The 80-year timeframe recognises the 'innovation gap' that means full achievement of water quality requires technologies or practices that are not yet available or economically feasible. In addition, the current understanding is that achieving water quality restoration requires a considerable amount of land to be changed from land uses with moderate and high intensity of discharges to land use with lower discharges.

Because of the extent of change required to restore and protect water quality in the 80-year timeframe, this Plan Change has adopted a staged approach. This approach breaks the required improvements into a number of steps, the first of which is to put in place and implement the range of actions in a 10-year period from when Chapter 3.11 is operative, that will be required to achieve 20 percent of the required change between current water quality and the long-term water quality in 2096. The staged approach recognises that immediate large-scale land use change may be socially disruptive, and there is considerable effort and cost for resource users, industry and Waikato Regional Council to set up the change process in the first stage. New implementation processes, expertise and engagement are needed to support the first stage. The staged approach also allows time for the innovation in technology and practices that will need to be developed to meet the targets and limits in subsequent regional plans.

The approach to reducing contaminant losses from pastoral farm land implemented by Chapter 3.11 requires:

- Stock exclusion from water bodies as a priority mitigation action;
- Farm Environment Plans (including those for commercial vegetable producers) that ensure industry-specific improvement in farming practice, with monitoring and auditing to ensure outcomes are being achieved;
- An accreditation system to be set up for people, and/or sector schemes, who will assist farmers to prepare their Farm Environment Plan;
- Waikato Regional Council to develop approaches outside the rule framework that allow contaminant loss risk factors to be assessed at a sub-catchment level, and implement mitigations that look beyond individual farm boundaries to identify the most cost-effective solutions.

There are a number of existing provisions, including rules, in the Waikato Regional Plan that will continue to apply for point source discharges.

Municipal and industrial point source dischargers will also be required to revise their discharges in light of Chapter 3.11.

Land use change from woody vegetation to animal grazing, or any farming, other than dairy farming to dairy farming, or any land use to commercial vegetable production, will be required to obtain resource consent either as a Discretionary or Non-Complying Activity. Provision has been made for some flexibility of land use for Māori land that has not been able to develop due to historic and legal impediments. As these impediments have had an impact on the relationship between tangata whenua and their ancestral lands, with associated cultural and economic effects, Chapter 3.11 seeks to recognise and provide for these relationships consistent with Te Ture Whaimana o Te Awa o Waikato.

Reviewing progress toward achieving Te Ture Whaimana o Te Awa o Waikato

The overall intent of Chapter 3.11 is to require resource users to make a start on reducing discharges of contaminants as the first stage of achieving Te Ture Whaimana o Te Awa o Waikato, with on-farm actions carried out and point source discharges reviewed. The staged approach gives people and communities time to adapt, while being clear that further reductions will be required by subsequent regional plans.

Te Ture Whaimana o Te Awa o Waikato contained in each of the three River Acts is required to be reviewed periodically by the Waikato River Authority, which may make changes to insert targets and methods.

The Resource Management Act requires that regional councils commence reviews of their regional plans 10 years after those plans are operative.

During the life of this Plan, Waikato Regional Council will track the progress of actions undertaken on the land towards achieving Te Ture Whaimana o Te Awa o Waikato.

Te Horopaki me ngā Whakamārama

Te whakahaere ngātahi i ngā awa o Waikato me Waipā

E toru ngā Ture mō ngā Awa e whakatū ana i ngā whakaritenga whakahaere ngātahi mō ngā awa o Waikato me Waipā, me ngā riu o aua awa. Ko ngā ture ēnei, ko te Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010, ko Ngati Tuwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010, me Nga Wai o Maniapoto (Waipa River) Act 2012.

Ko ngā āpiti ā-iwi i whai wāhi ki te whanaketanga o te Upoko 3.11, ko ngā iwi o Ngāti Maniapoto, o Raukawa, o Ngāti Tūwharetoa, o Te Arawa ki ngā tahataha o te awa, me Waikato-Tainui. Kei roto i te ture e takoto ana ngā tukanga e pā ana ki te whakarite, ki te arotake, ki te panoni rānei i te mahere ā-rohe mō te taha ki te whai wāhitanga o ngā iwi ki te tukanga. Kei reira anō hoki te here kia whakatū te Kaunihera i tētehi Ohu Mahi Ngātahi i te taha o ngā āpiti ā-iwi, ko tētehi o ōna aronga, ko te whakatakoto ngātahi i ngā tūtohunga ki te Kaunihera mō te panonitanga o te mahere.

I whakatūria Te Ture Whaimana o Te Awa o Waikato e ngā ture e toru mō ngā awa hei pukapuka matua e whakatau ana i te ahu whakamuatanga mō ngā awa o Waikato me Waipā. Mehemea ka kitea he taupatupatutanga i tētehi tauākī kaupapa here ā-motu, i te tauākī kaupapa here a Aotearoa rānei mō ngā takutai moana, mātua rā, ko Te Ture Whaimana o Te Awa o Waikato, waihoki he wāhanga tēnei nō Te Tauākī Kaupapa Here ā-Rohe a Waikato.

Hei tā te Ture Whaimana o Te Awa o Waikato, kua whakakinongia ngā awa o Waikato me Waipā, ā, me whakaora mai, me tiaki anō hoki ka tika, heoi he mahi anō me mahi i tua atu i ērā. E kaha arotahingia ana tētehi whāinga i tēnei upoko, arā ko te whakaoranga o te kounga o te wai o roto i te awa o Waikato kia pai ai tā te tangata kaukau ki roto, kia pai ai hoki tā te tangata kohi kai i ngā wāhi katoa o te awa, mai i te mātāpuna ki te pūaha. E whakatinanahia ana te Ture Whaimana o Te Awa o Waikato i te Upoko 3.11 mā te:

- whakaiti i te rerenga o te hauota, o te pūtūtae-whetū, o te waiparapara me te tukumate moroiti i te one ki te wai
- whakahaere tonu i te rukenga roha me te rukenga i ngā pū tuwha anō hoki o te hauota, o te pūtūtae-whetū, o te waiparapara, o te tukumate moroiti
- tuku i te tangata me ngā hapori kia taunga haere rātou ki ngā here o te Upoko 3.11 me te tautoko i ngā tūmahi hei whakatutuki i ngā whāinga pae tata, i runga anō i te mārama me whai wāhi tonu ki ngā mahere ā-rohe ka whai ake, te whakaitinga o ngā rukenga roha o te hauota, o te pūtūtae-whetū, o te waiparapara me te tukumate moroiti i te whenua
- whakaū kia whakahaere tonu te Kaunihera ā-Rohe o Waikato i ngā rangahau, i te aroturuki me te mātai i ngā rerekētanga i runga i te whenua, i roto anō hoki i te wai kia āhei ai te whai i te mātauranga Māori me ngā tikanga pūtaiao hou tonu, ka puta mai ana aua tikanga
- whakarite i ngā herenga o anamata mō ngā mahi e āhei ana i runga i te whenua

Te Kounga o te wai me te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori

Kua herea ngā kaunihera ā-rohe e te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori 2014 (NPS FM) ki te whakarite whāinga wai māori me te whakatakoto tāpuitanga, paetae rānei (he tāpuitanga te paetae me whakatutuki i roto i te wā i tohua ai). Me mātua whakaū e ngā kaunihera ā-rohe te kauparenga o te nui rawa o te tohanga o te rawa wai, me whakatika rānei e rātou tērā tohanga mehemea kua whērā kē

E whakaaturia mai ana i ngā hua o te aroturuki ā-kounga wai o nāianei, ahakoa ngā rerekētanga i ngā wāhi katoa o ngā riu o ngā awa o Waikato me Waipā, he kino tonu ngā pānga ki ngā hōpua wai nā ngā rukenga ā-hauota, ā-pūtūtae-whetū, ā-waiparapara, ā-tukumate moroiti anō hoki. Kāore e taea e ngā hōpua wai o ngā riu o ngā awa o Waikato me Waipā te whakawhenumi ētehi atu rukenga ā-hauota, ā-pūtūtae-whetū, ā-waiparapara, ā-tukumate moroiti anō hoki, me te kore o ngā uara o te hapori e pā kinongia. Me mātua whakaiti ngā tāhawahawatanga roha me ngā tāhawahawatanga i ngā pū tuwha e tutuki ai ngā whāinga ā-tau me ngā whāinga tauroa mō te wai māori kei roto i te Upoko 3.11.

Ka tohutohu te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori i te Kaunihera ā-Rohe o Waikato ki te whakarite whāinga wai māori e whakamana ana i ngā whāinga o te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori, e whakamārama ana anō hoki i te āhua o te wai māori e hiahiatia ana e ngā hapori ā-rohe o Waikato hei ngā tau e heke mai ana.

Ko tētehi wāhanga o te tukanga o te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori i whāia ai hei whakawhanake i te Upoko 3.11, ko te tautuhi i ngā wae whakahaere wai māori me ngā uara mō ia wae, kātahi ka kōwhiria ngā āhuatanga o te kounga wai e hāngai ana me ngā āhuatanga ka taea te aroturuki i roto i te wā. Mā ngā whāinga wai māori me ngā tāpuitanga, ngā paetae rānei e whakatau ngā here e tutuki ai ngā āhuatanga. I raro i te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori, ko te tāpuitanga te taumata o te whakamahinga o ngā rawa e wātea ana, mā reira e āhei ai te whakatutukitanga o tētehi whāinga wai māori.

Ka pā ki ngā whakatupuranga maha te whakatutukitanga o ngā wāhanga katoa o Te Ture Whaimana o Te Awa o Waikato

Kua tohua e te Mahere te 80 tau hei pae wā e tutuki ai ngā whāinga kounga wai o Te Ture Whaimana o Te Awa o Waikato. Ka pā te pae wā nei ki ngā whakatupuranga maha, ā, he nui ake hoki ngā tūmanako kei roto, tēnā i ngā paeraro ā-motu kua whakatakotoria i te Tauākī Kaupapa Here ā-Motu mō te Whakahaere Wai Māori, nā te mea ko tā te pae wā nei, he whai kia tutuki ngā paerewa teitei ake o te wai ora ka kauria e te tangata, e kohia ai hoki he kai i ngā wāhi katoa o ngā awa me ngā riu o Waikato me Waipā, mai i ngā mātāpuna ki ngā pūaha. E ai ki ngā pārongo e wātea ana ināianei, ka nui te utu, ka uaua hoki te whakatutukitanga o ngā wāhanga katoa o Te Ture Whaimana o Te Awa o Waikato i mua i te tau 2096. E whakaarotia ana te 'āputa auahatanga' i te pae wā o te 80 tau, arā, e whakatutuki katoatia ai te kounga wai me whai hangarau rawa, me whai tikanga rawa rānei kāore anō kia hua ake, kāore anō rānei e taea i ngā āhuatanga ā-ōhanga. Hei āpiti atu, e mōhiotia ana ināianei, e tutuki ai te whakaoranga o te kounga wai me whakarerekē te whakamahinga o te nui tonu o ngā whenua, he āhua nui, he tino nui rānei ngā rukenga ka puta i ērā whenua ki ngā momo whakamahinga e iti iho ai ngā rukenga ka puta.

Nā te whānuitanga o ngā panonitanga me mātua whai hei whakaora mai anō, hei tiaki hoki i te kounga wai i te roanga o te pae wā o te 80 tau, kua whai te panonitanga ā-mahere nei i tētehi huarahi whai tūāoma. I tēnei huarahi ka wehea ngā whakapainga me mātua puta ki ētehi tūāoma, ko tā te tuatahi, he whakarite, he whakatinana anō hoki i te whānuitanga o ngā tūmahi i roto i te tekau tau ka whai i muri i te kōkiritanga o te Upoko 3.11, e tutuki ai te rua tekau ōrau o ngā panonitanga me mātua puta, i te kounga wai ināianei ki te kounga tauroa o te wai hei te tau 2096. E mārama ana, i tēnei huarahi whai tūāoma he raru pea ka pā ki te pāpori i te nui me te wawe o ngā panonitanga ā-whakamahinga whenua, ā, he nui te mahi, he nui hoki te utu hei pīkau mā te hunga whakamahi rawa, mā te ahumahi, mā te Kaunihera ā-Rohe o Waikato hoki ki te whakarite i te tukanga panonitanga i te tūāoma tuatahi. Me mātua whai tukanga whakatinana e hou ana, me whai tohungatanga, me pāhekoheko hoki hei taunaki i te tūāoma tuatahi. Mā te huarahi whai tūāoma e whai wā ai kia puta mai ngā hangarau me ngā tikanga auaha me mātua whakawhanake hei whakatutuki i ngā paetae me ngā tāpuitanga i roto i ngā mahere ā-rohe ka whai ake.

I te huarahi hei whakaiti i te tāhawahawatanga o te wai e ngā pāmu kararehe e whakatinanahia ana e te Upoko 3.11, me:

- aukati ngā kararehe i ngā hōpua wai hei tūmahi mātāmua e iti iho ai te pānga o te kino
- whai Mahere Taiao ā-Pāmu (tae atu ki ngā mahere mā ngā kaiwhakatupu huawhenua ā-arumoni) e whakaū ana i te whakapainga ake o ngā tikanga whakahaere pāmu e hāngai ana ki te ahumahi, ka aroturukihia, ka tātarihia hoki e tutuki ai ngā putanga
- whakarite tētehi pūnaha whakamanatanga mā te hunga, mō ngā kaupapa ā-rāngai hoki/rānei ka āwhina i ngā kaipāmu ki te whakarite i ā rātou Mahere Taiao ā-Pāmu
- whakawhanake te Kaunihera ā-Rohe o Waikato i ētehi huarahi kāore e herea ana ki te anga ā-ture kia āhei ai te arotake i ngā tūraru e pā ana ki te tāhawahawatanga o ngā wai i ngā riu o ngā kautawa, ka whakatinana hoki i ngā mahi whakaiti iho i te pānga o te kino ka titiro ki tua o ngā rohenga o ia pāmu, hei tautuhi i ngā rongoā e whai hua katoa ana i runga i te utu pai.

He nui ngā whakatau kua mana kē tae atu ki ngā ture kei roto i te Mahere ā-Rohe mō Waikato, ka hāngai tonu ki ngā rukenga i ngā pū tuwha.

Me panoni rawa ngā kairuke i ngā pū tuwha nō ngā whakahaere ā-rohe, nō ngā ahumahi anō hoki i ā rātou rukenga i runga i tā te Upoko 3.11.

Me mātua whai whakaaetanga ā-rawa taiao ngā panonitanga ā-whakamahinga whenua e huri ai te uru rākau hei pātītī whāngai kararehe, e huri ai rānei te pāmu i tua atu i te pāmu miraka kau hei pāmu miraka kau, e rerekē ai rānei te whakamahinga o te whenua hei whenua whakatupu huawhenua ā-arumoni, hei Tūmahi e hāngai ana ki tā te kaiwhakamahi e hiahia ai, hei Tūmahi rānei kāore e whai ana i te ture. Kua whakaritea kia āhua ngāwari ake ngā here mō te whakamahinga o ngā whenua Māori kāore i taea te whakawhanake nā ngā whakararutanga o mua me ngā whakararutanga ā-ture nei. Nā te mea kua pā ēnei whakararutanga ki te hononga o te tangata whenua ki ō rātou whenua tūpuna, me ngā pānga ā-ahurea, ā-ōhanga hoki i puta rā i ērā, e whai ana te Upoko 3.11 ki te whai whakaaro ki aua hononga, ki te whakapakari hoki i aua hononga, kia hāngai ai ki tā Te Ture Whaimana o Te Awa o Waikato.

Te arotake i te kokenga ki te whakatutuki i Te Ture Whaimana o Te Awa o Waikato

Ko tā te whāinga matua o te Upoko 3.11, he here i ngā kaiwhakamahi rawa taiao kia tīmata rātou ki te whakaiti i ngā rukenga tāhawahawatanga hei tūāoma tuatahi e tutuki ai Te Ture Whaimana o Te Awa o Waikato, e whakahaerehia ai ētehi tūmahi i runga pāmu, e arotakehia anō hoki ai ngā rukenga i ngā pū tuwha. Mā te huarahi whai tūāoma e whai wā ai te tangata me ngā hapori ki te panoni, i runga i te mārama he whakaitinga atu anō me mātua tutuki, i ngā mahere ā-rohe ka whai ake.

Me mātua arotake pokapoka Te Ture Whaimana o Te Awa o Waikato kei roto i ngā Ture e toru mō ngā Awa e Te Manatū Whakahaere i Te Awa o Waikato, ākuanei pea māna e panoni aua ture kia whakaurua atu ai he paetae, he tikanga anō hoki.

E here ana Te Ture Penapena Rawa i ngā kaunihera ā-rohe kia tīmata tā rātou arotake i ā rātou mahere ā-rohe kia pau te tekau tau e whakahaerehia ana aua mahere.

I te roanga o tēnei Mahere, ka mātai te Kaunihera ā-Rohe o Waikato i te kokenga o ngā tūmahi e kawea ana i runga i te whenua hei whakatutuki i Te Ture Whaimana o Te Awa o Waikato.

3.11.1 Objectives/Ngā Whāinga

Objective 1/Te Whāinga 1:

In relation to the effects of nitrogen, phosphorus, sediment and microbial pathogens on water quality, the health and wellbeing of the Waikato and Waipā Rivers, including all tributaries, springs, lakes and wetlands, other than treatment wetlands, within their catchments, are both restored over time and protected, with the result that in particular, they are safe for people to swim in and take food from, and the 80-year target attribute states in Table 3.11-1 are achieved, at the latest by 2096.

Objective 2/ Te Whāinga 2:

Progress is made over the life of this Plan towards the restoration and protection of the health and wellbeing of the Waikato and Waipā River catchments in relation to nitrogen, phosphorus, sediment and microbial pathogens by the interim target attribute states in Table 3.11-1 being met no later than 10 years after Chapter 3.11 of this Plan is operative.

Objective 3/Te Whāinga 3:

Contribute to the social, economic, spiritual and cultural wellbeing of Waikato and Waipā communities through staging the reduction of the discharges of nitrogen, phosphorus, sediment and microbial pathogens necessary to restore and protect the health and wellbeing of the Waikato and Waipā River catchments, and by encouraging collective community action for that purpose.

Objective 4/Te Whāinga 4:

Tangata whenua values are integrated into the management of the rivers and other water bodies within the Waikato and Waipā River catchments such that:

a. Tangata whenua have the ability to:
    i. manage their own lands and resources including tangata whenua ancestral lands, by exercising mana or mana whakahaere, for the benefit of their people; and
    ii. actively sustain a relationship with ancestral land and with the rivers and other water bodies in the catchments; and
b. Impediments to the flexibility of the use of tangata whenua ancestral lands are minimised; and
c. Improvement in the rivers' water quality and the exercise of kaitiakitanga increase the spiritual and physical wellbeing of iwi and their tribal and cultural identity.

Objective 5/Te Whāinga 5:

Restoration and protection of the health and wellbeing of the Whangamarino Wetland, over time and in relation to nitrogen, phosphorus, sediment and microbial pathogens at the latest by 2096, consistent with its status as an outstanding waterbody with significant values, including habitat for threatened species and sensitive raised bog ecosystems.

3.11.2 Policies/Ngā Kaupapa Here

Diffuse discharges/ Ngā rukenga roha

Policy 1/Te Kaupapa Here 1:

Manage farming to reduce diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, by:

a. Requiring a general improvement in farming practice, including through the timely implementation of FEPs; and
b. Prioritising actions that reduce those contaminant(s) of most concern in the sub-catchment and of highest risk of diffuse discharge from the farming activity; and
c. Categorising farms according to whether they have very low, low, or more than low risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water and managing them in accordance with Policy 2; and
d. Ensuring the activity status for farming relates to the risk of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens to water bodies; and
e. Ensuring that records are kept to demonstrate that the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water bodies is reduced to be as low as practicable within a period which shall generally not exceed 10 years of Chapter 3.11 becoming operative; and
f. Recognising the particular vulnerability of lakes, in the lake FMUs identified on Map 3.11-1, to adverse effects from the diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens from farming that are discharged into the sub-catchments of those lakes, through the use of FEPs or resource consents, in accordance with Policy 15.

Policy 2/Te Kaupapa Here 2:

A) Enabling, as permitted activities, small and very low risk farming and requiring those activities to comply with the minimum farming standards in Schedule C; and

B) Managing other farming, other than commercial vegetable production, as follows:

   a. Enabling, as permitted activities, farming with a low risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water, and requiring those activities to:
      i. comply with minimum farming standards in Schedule C; and
      ii. demonstrate through an FEP, in accordance with Policy 5, that either the risk of diffuse discharges to water is already as low as practicable given the current land use or will be reduced to be as low as practicable within 10 years of Chapter 3.11 becoming operative; and

   b. Requiring farming, other than dairy farming, with more than a low risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water to obtain a resource consent, and to demonstrate through the FEP, in accordance with Policy 5, that:
      i. either the risk of diffuse discharges to water is already as low as practicable, given the current land use, or will be reduced to be as low as practicable over an appropriate specified period; and
      ii. generally requiring that either farming is carried out in accordance with good management practices for the current land use or good management practices will be introduced over an appropriate specified period. In determining appropriate good management practices, regard should be had to the guidance provided by the goals and principles in Schedule D2, Part D, and relevant industry-developed guidelines on good management practices for farming in New Zealand that are relevant to the Waikato and Waipā River catchments; and

   c. Requiring dairy farming with more than a low risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water to obtain a resource consent and to prepare and implement an FEP in accordance with Policy 5, as follows:
      i. Generally requiring that either farming is carried out in accordance with good management practices for the current land use or good management practices will be introduced over an appropriate specified period. In determining appropriate good management practices, regard should be had to the guidance provided by the goals and principles in Schedule D2, Part D, and relevant industry developed guidelines on good management practices for farming in New Zealand that are relevant to the Waikato and Waipā River catchments; and
      ii. Taking a tailored, risk-based approach to define any additional actions and mitigations required on the land to reduce the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to be as low as practicable within 10 years; and
      iii. Requiring the degree of reduction in the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to be proportionate to the current risk (those with a higher risk are expected to make greater reductions), and proportionate to the scale of water quality improvement required in the sub-catchment; and

iv. Where in accordance with (iii) greater reductions in the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens are required, regard is to be had to the extent to which good management practices will achieve the reductions required; and
v. When determining the appropriate additional actions and mitigations required to reflect the scale of water quality improvement required in the sub-catchment, consideration must be given to:
    1. whether the farming activity is within any sub-catchments draining to the Whangamarino Wetland as shown by Map 3.11-3 or in a sub-catchment draining to lakes named in Table 3.11.-3 or in a sub-catchment draining to wetlands listed in Table 3.7.7 of the Waikato Regional Plan; and
    2. the extent to which any sub-catchment is over-allocated for nitrogen in particular based on information to be provided by the Waikato Regional Council on catchment context; and
    3. generally requiring the additional actions and mitigations in these sub-catchments to be greater than in sub-catchments where the long-term water quality targets in Table 3.11.1 are met; and
vi. When determining the appropriate additional actions and mitigations required, consideration must be given to any increased risks of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens resulting from:
    1. soil characteristics that could contribute to higher than average nitrogen leaching risk for the sub-catchment; and
    2. annual rainfall above average for the Waikato and Waipā River catchments or the sub-catchment; and
    3. slope; and
    4. high erosion potential; and
    5. the extent and intensity of irrigation; and
    6. proximity of lakes and wetlands; and

    generally requiring the additional actions and mitigations to reflect the increase in risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens arising under the above headings; and
vii. Requiring good management practices and mitigation measures to be recorded in the action plan of FEPs and implemented as soon as practicable and prioritised so that those predicted to be most effective in reducing the risk of diffuse discharges are set out as a condition of consent and completed within the first five years after the commencement date of the consent, with steady progress over time; and
viii. Requiring a general indication of further actions and mitigation measures needed to ensure the discharges are reduced to be as low as practicable within an appropriate specified period to be set out in the consent and in no case more than 10 years from the commencement date of the consent; and
ix. Recognising that further actions and mitigation measures may or will be required for restoration purposes by future plan changes, which should be considered in longer-term farm planning; and

d. For the purposes of (b) and (c), any relevant resource consent and FEP should have regard to the following when assessing the risk of the farming activity:
    i. The output of any decision support tool used to support determination of risk; and
    ii. The ability of any decision support tool used to support the determination of risk to capture the benefits of existing contaminant mitigation steps that have been put in place; and
    iii. The land that is most at risk of generating diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens to water, as established by a Certified Farm Environment Planner, considering:
        1. The rainfall, topography and soil characteristics of the farm; and
        2. The sensitivity of the receiving environment including the presence of lakes and wetlands and the likelihood of run-off to surface waterways; and
        3. Subject to data availability, the depth of groundwater under the land, the chemical characteristics of that groundwater, the speed that groundwater transmits contaminants to surface waterways and the likely attenuation of nitrate nitrogen between the root zone and any surface waterway; and
    iv. Whether the farming, when compared to most farms in the sub-catchment, is making a significant or disproportionate contribution to contaminant loading in the sub-catchment(s) within which the land is located and/or downstream catchments; and
    v. How it is proposed to reduce the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water, including how quickly and to what extent it will be reduced; and

e. Subject to Policy 18, not granting land use consent applications for changes in land use that involve a material increase in the risk of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens to water compared to the land uses as at 22 October 2016, unless it can be demonstrated that the risk will be reduced at an alternative location in accordance with Policy 6; and

f. Progressively excluding farmed cattle, horses, deer and pigs from rivers, streams, artificial watercourses, wetlands, lakes and springs to:
    i. Prevent or minimise the direct deposition of animal excreta to water bodies; and
    ii. Reduce sediment loss from the disturbance of beds and banks of water bodies; and

iii. Reduce damage to bank and waterbody habitat; and

g. Where farmed cattle, horses, deer and pigs are not excluded from rivers, streams, artificial watercourses, wetlands, lakes and springs in accordance with Schedule C:
   i. Ensuring adverse effects of stock on waterbodies are minimised, including by the identification and management of land that is most at risk of generating diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, which for the purposes of Chapter 3.11 includes critical source areas, and ensuring that access of stock to waterbodies does not cause conspicuous pugging and exacerbated erosion; and
   ii. Ensuring that FEPs and consent conditions contain appropriate measures to avoid or mitigate the risk of damage to aquatic habitat and discharge of nitrogen, phosphorus, sediment and microbial pathogens resulting from stock access to those waterbodies; and to achieve, to the extent practicable, Policy 2(B)(f)(i)-(iii); and

h. Encouraging creation of riparian buffers where practicable (with appropriate riparian vegetation) adjacent to rivers, streams, artificial watercourses, wetlands, lakes and springs to reduce overland flow of nitrogen, phosphorus, sediment and microbial pathogens and improve freshwater habitat quality.

Advice note: *Decision support tools approved through the resource consent application process in accordance with Schedule B(B2) must be the most appropriate for the application and may include some or all of Overseer, a commercial vegetable production or drystock nitrogen risk scorecard approved for use in Chapter 3.11 by the Chief Executive of the Waikato Regional Council or other alternative approved by the Chief Executive of the Waikato Regional Council in accordance with Schedule B(C).*

Policy 3/Te Kaupapa Here 3:

Manage commercial vegetable production, including the flexibility to undertake crop rotations on multiple and/or changing properties, as follows:

a. Enabling, as controlled activities, existing commercial vegetable production as identified in Rule 3.11.4.5(2) and (3); and

b. Consent applications must demonstrate through the FEP and using tools that help describe and manage the risk of contaminant losses, how the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water from the commercial vegetable production operation is being appropriately managed, monitored and tracked over time. Information certainty must be proportional to the scale of the activity and risk of losses, and must include:
   i A description of the good management practices (particularly those in the HortNZ Code of Practice for Nutrient Management and the Erosion and Sediment Control Code of Practice) to be adopted and prioritised, and how these will be managed, monitored and tracked over time; and
   ii Reporting on the risk of contaminant losses, including through the use of a tool approved through the resource consent application process; and
   iii Reference to actions and mitigations in the FEP that will reduce identified risks of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water bodies; and
   iv Details of how the Sustainable Vegetable Systems (SVS) tool is used to support decisions to optimise nitrogen fertiliser use for commercial vegetable production operation; and

c. Subject to Policy 18, provide for the expansion of commercial vegetable production where:
   i. Any expansion of commercial vegetable production is only on land classified as LUC 1 and 2 using the Land Use Capability (LUC) Survey Handbook, or on LUC 3 land where the increased potential for diffuse discharges of sediment and phosphorus due to land slope can be appropriately mitigated; and
   ii. The expansion of commercial vegetable production:
      1. is not into the Whangamarino Wetland catchment as shown by Map 3.11-3; and
      2. is not into a lake FMU; and
      3. is not into a sub-catchment that is breaching or near breaching (within 10 percent of) the National Bottom Lines for nitrate and ammonia toxicity; and
      4. does not exceed the maximum allowable cumulative increase in commercial vegetable production land stated in Rule 3.11.4.8(5)(d); and
   iii. There is no material increase in the risk of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens associated with the existing and expanded commercial vegetable production (in combination) relative to what would have occurred on the land under the land use to be displaced by new commercial vegetable production; or
   iv. Where Policy 3(c)(iii) cannot be met, the risk of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens will be reduced at an alternative location in accordance with Policy 6; and

d. A FEP is prepared and implemented for the commercial vegetable production activity in accordance with Policy 5, and:
   i. The FEP demonstrates that the risk of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens to water is as low as practicable or will be reduced to be as low as practicable over an appropriate specified period; and
   ii. The FEP demonstrates that the HortNZ Code of Practice for Nutrient Management is used to guide nutrient management; and
e. Sector-based initiatives and other mitigation measures are adopted to progressively reduce losses of nitrogen, phosphorus, sediment and microbial pathogens.

Advice note: *Decision support tools approved through the resource consent application process in accordance with Schedule B(B2) must be the most appropriate for the application and may include some or all of Overseer, a commercial vegetable production or drystock nitrogen risk scorecard approved for use in Chapter 3.11 by the Chief Executive of the Waikato Regional Council or other alternative approved by the Chief Executive of the Waikato Regional Council in accordance with Schedule B(C).*

Policy 4/Te Kaupapa Here 4:

a. When determining the extent to which the land used for farming has reduced, or will reduce, the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water to as low as practicable, the following matters should be considered:
   i. Whether there are obvious sources of discharge of contaminants to water from the farming activities ~~on the farm~~ that have not been remedied or mitigated; and
   ii. Whether there are actions and mitigations suggested by the farming standards in Schedule D1 (Part D), the goals and principles in Schedule D2 (Part D) or industry developed guidelines on good management practices for farming in New Zealand that are relevant to the Waikato and Waipā River catchments, that could be undertaken to further reduce risk; and
   iii. Whether the actions and mitigations are reasonably available, reasonably feasible and reasonably achievable within 10 years of Chapter 3.11 becoming operative and within the context of the land used for farming; and
   iv. Whether there is reasonable certainty that the actions and mitigations will be effective in reducing risk of contaminant discharges; and
   v. Whether the costs and efforts of the actions and mitigations are reasonable and proportionate to the expected benefits in terms of reductions in risk of contaminant discharges.
b. When determining the appropriate specified period, the following matters should be considered:
   i. The intention to achieve the interim target attribute states in Table 3.11-1 within 10 years of Chapter 3.11 becoming operative; and
   ii. what actions and mitigations are reasonably practicable to implement, relative to the nature and scale of the land used for farming; and
   iii. the effect of contaminant loss on waterbodies within the land used for farming and sub-catchment, and the risk and effect of deferring contaminant loss reduction; and
   iv. the scale of any past investment by the farmer in contaminant loss actions and mitigations; and
   v. where appropriate specified period is being considered in the context of specific actions and mitigations, prioritising those actions and mitigations in a way that seeks to optimise environmental benefits.

Policy 5/Te Kaupapa Here 5:

Where a FEP is required, it shall be prepared and implemented as follows:

a. Provide an assessment of the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to waterbodies, including the impact on any wetlands, other than treatment wetlands, and lakes in the sub-catchment; and
b. Identify land that is most at risk of generating diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, including critical source areas; and
c. Take a risk-based approach to managing land use to reduce the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens; and
d. Identify suitable actions and mitigations appropriate to the land, its use, the rainfall, topography, soil and erosion and clean water irrigation characteristics of the farm or land used for commercial vegetable production, available water management contextual information relevant to the sub-catchment (referred to in Method 3.11.3.6), risk assessment and the short-term numeric water quality values specified in Table 3.11-1 for the sub-catchment(s) within which the land is located and downstream catchments; and

e. Prioritise actions and mitigations and timing of the actions and mitigations in accordance with Policy 1(b) and 1(f), having regard to any relevant sub-catchment or collective management plan in terms of those priority actions and mitigations; and
f. Take account of any mitigation(s) occurring outside of the farm or land being used for commercial vegetable production within the sub-catchment (e.g. from a sub-catchment collective approach or other FEP) and the effects of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens; and
g. Set out clear, specific and time bound actions and mitigations; and
h. Enable FEPs to be updated so that continuous improvement, new technologies and new actions and mitigations can be adopted, such that where necessary, the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens can be further reduced to assist in meeting the objectives of this Chapter.

Policy 6/Te Kaupapa Here 6:

Where land use change would otherwise result in a material increase in the risk of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens to water compared to the land uses as at 22 October 2016, provide for a reduction in that risk at an alternative location that better achieves the objectives of Te Ture Whaimana o Te Awa o Waikato where:

a. There is an overall reduction in the relevant sub-catchment(s) of the risk of diffuse discharge of each of nitrogen, phosphorus, sediment and microbial pathogens from the farming activity; or
b. Any increase in the risk of diffuse discharge of one or more of nitrogen, phosphorus, sediment or microbial pathogens from the farming activity~~)~~ is addressed by a reduction in the risk of diffuse discharge of those contaminants that are not increasing, so that on balance, there is a clear net benefit to the restoration and protection of the health and wellbeing of the Waikato and Waipā River catchments; and
c. There are no increases of a contaminant of most concern in the sub-catchment as identified in contextual information provided in accordance with Method 3.11.3.6 (Contextual information for FEPs).

Policy 7/Te Kaupapa Here 7:

Encourage sector schemes, industry bodies and farmer groups to promote continuous improvement in good management practices, and to enable greater efficiency in the preparation, implementation and monitoring of FEPs through the provision of education, information, coordination, technical and professional assistance for farm owners and farm operators, and for sector schemes to undertake monitoring, auditing and reviewing of the FEP, so as to better achieve the objectives of this Chapter.

Policy 8/Te Kaupapa Here 8:

Notwithstanding Section 1.2.4 Policy 6 of the Waikato Regional Plan:

a. Farming in sub-catchments where the interim target attribute states in Table 3.11-1 are exceeded, including those draining to the Whangamarino Wetland as shown by Map 3.11-3 or in a sub-catchment draining to lakes named in Table 3.11~~.~~-3 or in a sub-catchment draining to wetlands listed in Table 3.7.7 of the Waikato Regional Plan, will generally not be granted consent for a duration exceeding 10 years and in no case for a duration exceeding 12 years; and
b. Farming in all other sub-catchments may be granted consent for a duration of up to 15 years and ending not later than 31 December 2041; and
c. The duration of consent may be reduced where insufficient actions and mitigations are proposed to be implemented to ensure the risk of diffuse discharges are reduced to be as low as practicable within 10 years of Chapter 3.11 becoming operative.

Policy 9/Te Kaupapa Here 9:

a. People and communities will need to collectively change practices and activities so as to contribute to achieving the interim target attribute states in Table 3.11-1 for the catchments as a whole; and
b. Recognise that the changes will need to continue more than 10 years after Chapter 3.11 of this Plan is operative while minimising the adverse impacts on people and communities, enabling innovation and new practices to develop, and responding to the reasonably foreseeable effects of climate change.

Policy 10/Te Kaupapa Here 10:

Encourage collective groups of farmers and other stakeholders to work together on measures to improve water quality in their sub-catchment, thereby contributing positively to Objective 1 by providing opportunities to manage diffuse discharges from multiple farms more efficiently, including through enabling proposals that ensure:

a. Overall there is a reduction in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to at least the same extent that would be required if all the farms were managed individually; and

b. Resource consent applications respond to the water quality improvements required in each sub-catchment; and
c. Where the farms are in separate ownership, conditions are imposed or a legally binding instrument is in place between the consent holders and each farm, to ensure (a) above is achieved; and
d. Review conditions are imposed to enable ongoing management of adverse effects.

Policy 11/Te Kaupapa Here 11:

Prepare for further diffuse discharge reductions and any future management regime (including potentially the allocation of diffuse discharges of contaminants) in subsequent regional plans by collecting information and undertaking research including, but not limited to, collecting information about current discharges, developing appropriate modelling and other tools to estimate contaminant discharges, and researching the spatial variability of land use, biophysical risk factors, contaminant losses and the effect of contaminant discharges in different parts of the catchment including sensitive receiving environments, to assist in the design of any future management regime. This preparation should include the following:

a. Undertaking the measurement and collection of baseline data on nitrogen, phosphorus, periphyton, dissolved oxygen, planktonic cyanobacteria, Macroinvertebrate Community Index, deposited sediment, temperature and macrophyte cover in accordance with the NPS - FM 2020, in preparation for any future management regime; and
b. Using the data collected in Policy 11(a) to support the establishment of target attribute states and to determine the nutrient outcomes needed to achieve the target attribute states, including for sensitive receiving environments, in preparation for any future management regime.

Point source discharges/Ngā rukenga i ngā pū tuwha

Policy 12/Te Kaupapa Here 12:

Subject to Policy 13, provide for the continued operation and development of regionally significant infrastructure and regionally significant industry.

Policy 13/Te Kaupapa Here 13:

When considering resource consent applications for point source discharges of nitrogen, phosphorus, sediment or microbial pathogens to water or onto or into land in the Waikato or Waipā River catchments:

a. The method (including the discharge location) proposed to prevent or minimise the adverse effects on the environment of the discharge must:
    i. be demonstrated to be the best practicable option; and
    ii. address adverse effects on the relationship tangata whenua as Kaitiaki have with water and in particular their taonga such as waahi tapu and sources of mahinga kai identified in the locality of the point of discharge; and
b. Where, despite the adoption of the best practicable option, there remain residual adverse effects of nitrogen, phosphorus, sediment or microbial pathogens, measures should be proposed for the purpose of ensuring an overall net positive benefit for the environment, in the following manner:
    i. where the load of any or all of nitrogen, phosphorus, sediment or microbial pathogens does not provide for the reduction in residual adverse effects at the discharge location consistent with achieving the interim target attribute states or steady progression towards the 80-year target attribute states in Table 3.11-1, then a greater reduction in load of the offending contaminant(s) must be offered at an alternative location; and
    ii the alternative location must be upstream within the same sub-catchment in which the primary discharge occurs, and if this is not practicable, then upstream within the same FMU or a FMU located upstream, or where locating the measure upstream of the point of discharge is demonstrated to not be practicable, the load reduction may be downstream of the point of discharge, but must be as close as practicable to it, and may require additional load reductions to account for adverse effects of the discharge between the discharge point and the alternative downstream location that would not have occurred if the alternative location was upstream; and
    iii. the reduction in load must remain in place for at least the duration of the discharge and be secured by consent condition or another legally binding mechanism for that duration; and
c. For the purpose of establishing if a discharge will have a residual adverse effect relating to the load of nitrogen, phosphorus, sediment or microbial pathogens, the principal considerations are:
    i. for a replacement discharge permit for an existing lawfully established activity, whether the replacement permit's contribution to the reduction in the load of nitrogen, phosphorus, sediment and/or microbial pathogens is in proportion with the load reduction required to achieve the interim target attribute states in Table 3.11-1 or the load reduction required to achieve steady progression towards the 80-year target attribute states in Table 3.11-1, including at downstream monitoring sites; and
    ii. for a new discharge permit, whether it will increase the loads of nitrogen, phosphorus, sediment and/or microbial pathogens to either the Waikato River or Waipā River catchments; and

iii. in respect of c)i and c)ii, where the discharge is associated with the damming or diversion of water, whether the discharge will increase the loads of nitrogen, phosphorus, sediment or microbial pathogens beyond those which would otherwise have occurred without the damming or diversion, and if so, the extent of such increase; and

d. To the extent relevant, the following must be taken into account:
   i. The potentially diminishing return on investment in treatment plant upgrades in respect of any resultant reduction in nitrogen, phosphorus, sediment or microbial pathogens when treatment plant processes are already achieving a high level of contaminant reduction through the application of the Best Practicable Option and the nature of any reductions in loads at an alternative location that have been proposed by the applicant in accordance with Policy 13b; and
   ii. The extent to which it may be appropriate to stage future actions and mitigations, or Policy 13.b measures; and
   iii. Where existing point source discharge locations are being amalgamated, the combined effects on water quality when comparing the effects of the proposed amalgamated discharge/s to the existing discharges; and
   iv. The influence of seasonal climatic conditions and other natural processes that affect the assimilative capacity of waterbodies and resultant ability to achieve the objectives; and
   v. Any beneficial social, cultural and economic effects of the point source discharge; and
   vi. Any statutory obligation for the provision of regionally significant infrastructure, including provision for:
      1. the social, cultural, economic and environmental wellbeing of the community; and
      2. sufficient development capacity to meet demand for housing and business land; and
   vii. Any provision for reasonable mixing shall be assessed in accordance with Section 3.2.3 Policy 8, and include consideration of Implementation Methods 2.3.4.18 and 2.3.4.19. In addition, when considering the best practicable option to prevent or minimise adverse effects of discharges of nitrogen, phosphorus, sediment or microbial pathogens outside the mixing zone, consideration should be given to whether the mixing zone:
      1. should apply for the term of the consent; or
      2. be subject to periodic review; and
   viii. Whether the discharge is related to an activity that solely transports flows from upstream across or through a dam or control structure without adding to nitrogen, phosphorus, sediment or microbial pathogens loads in the flow or exacerbating effects of those contaminants, and the practical ability to reduce contaminants in the flow; and
   ix. Any practicable alternative to the location of the discharge so that the adverse effects of discharges of nitrogen, phosphorus, sediment or microbial pathogens on the relationship that tangata whenua as Kaitiaki have with water and their taonga (such as waahi tapu and sources of mahinga kai identified in the locality of the point source discharge) can be:
      1. Avoided, or
      2. Where that is not practicable, remedied or mitigated to the extent reasonably practicable.

Policy 14/Te Kaupapa Here 14:

In addition to having regard to the matters set out in Section 1.2.4 Policy 6, when determining an appropriate duration for any consent granted for a point source discharge have regard to the following matters:

a. The matters set out in Policy 13; and
b. The magnitude and significance of the investment made or proposed to be made in contaminant reduction measures and any resultant or predicted improvement in the water quality of the receiving environment; and
c. The desirability of providing certainty of investment where contaminant reduction measures are proposed (including investment in treatment plant upgrades or land-based application technology); and
d. The need not to compromise a steady improvement in water quality consistent with achievement of Objective 1; and
e. Whether the provision of regionally significant infrastructure that produces point source discharges arises from a statutory obligation and is a long term strategic investment that provides for:
   i. the social, cultural, economic and environmental wellbeing of the community; and
   ii. sufficient development capacity to meet demand for housing and business land.

Diffuse and point source discharges/Ngā rukenga roha me ngā rukenga i ngā pū tuwha

Policy 15/ Te Kaupapa Here 15:

Contribute to restoration and protection of lakes by:

a. The reduction of both diffuse and point source discharges of nitrogen, phosphorus, sediment and microbial pathogens entering the catchments of lakes consistent with achievement of the target attribute states for lake FMUs in Table 3.11-1(d); and
b. The implementation of a tailored lake-by-lake approach, guided by existing data and information and any existing Lake Catchment Plans as well as Lake Catchment Plans prepared over the next 10 years, which will include collecting and using data and information to support improving the management of land use activities within the lake FMUs.

Policy 16/Te Kaupapa Here 16:

Reduce diffuse and point source discharges of nitrogen, phosphorus, sediment or microbial pathogens entering the Whangamarino Wetland system, to assist with:

a. achieving interim and 80-year target attribute states in Table 3.11-1 for Whangamarino Wetland Catchment area sub-catchments shown in Map 3.11-3; and
b. protecting and restoring the values and ecosystem health of the wetland system; and
c. avoiding further loss of the extent or decline in condition of bog wetland habitat; and
d. increasing the availability of mahinga kai;

while taking account of the hydrological drivers that affect water quality.

Policy 17/Te Kaupapa Here 17:

Contribute to restoration and protection of the values and uses of wetlands other than Whangamarino and treatment wetlands, and their ecosystems by maintaining, and where degraded, improving their values by reducing point source and diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens.

Policy 18/Te Kaupapa Here 18:

Notwithstanding Policy 6, provide for changes in land use that enable the development of some tangata whenua ancestral land in order to:

a. Recognise the historical and contemporary barriers and legal impediments to the development of tangata whenua ancestral lands; and
b. Recognise and provide for:
    i. The relationship of tangata whenua with their ancestral lands and with the Waikato and Waipā Rivers; and
    ii. The exercise of kaitiakitanga; and
    iii. The creation of positive economic, social and cultural benefits for tangata whenua now and into the future, in a way that is consistent with Te Ture Whaimana o Te Awa o Waikato.

Policy 19/Te Kaupapa Here 19:

When managing resource consent applications related to the discharge of nitrogen, phosphorus, sediment and microbial pathogens, seek opportunities to advance achievement of the objectives in Te Ture Whaimana o Te Awa o Waikato for the Waikato and Waipā River catchments, including, but not limited to:

a. Opportunities to enhance biodiversity and the functioning of ecosystems; and
b. Opportunities to enhance access and recreational values associated with the rivers.

3.11.3 Implementation methods/Ngā tikanga whakatinana

3.11.3.1 Lakes and Wetlands/Ngā Roto me ngā Repo

Waikato Regional Council, working with others, will:

a. Build on the Shallow Lakes Management Plan and existing information, data and Lake Catchment Plans by developing Lake Catchment Plans and investigating lake-specific options to improve water quality and ecosystem health, and manage pest species. In many instances, this may require an adaptive management approach.
b. Prepare and implement Lake Catchment Plans, where catchment plans do not already exist, with relevant stakeholders (including community involvement).
c. Continue to implement actions and mitigations in existing lake and wetland management plans, including the Lake Waikare and Whangamarino Wetland Catchment Management Plan, as appropriate.
d. Develop and undertake a wetland monitoring programme that will determine state and trends in wetland condition in accordance with the NPS - FM 2020, and
e. Investigate options and develop methods to restore and protect the uses and values of wetlands.

3.11.3.2 Sub-catchment scale planning/Te whakamāherehere mō te whānuitanga o ngā riu kautawa

Waikato Regional Council will work with relevant stakeholders to develop and implement sub-catchment scale plans (where a catchment plan does not already exist) where it has been shown to be required. When considering whether a sub-catchment plan is required, Waikato Regional Council will take into account matters including water quality in the sub-catchment, the extent to which the sub-catchment is contributing to poor water quality in downstream water bodies, and the sensitivity of receiving water bodies including presence of lakes and wetlands. Sub-catchment scale planning will:

a. Identify water quality issues and the causes of current water quality decline, identify cost-effective measures to bring about reductions in contaminant discharges, and coordinate actions and mitigations required at a farm and sub-catchment scale (including recommendations for funding where there is a public benefit identified).
b. Investigate the relative impacts of diffuse discharges, point source discharges, pests and natural sources affecting water quality, and appropriate methods to reduce their impact.
c. Further develop adaptive management and mitigation approaches (including the use and development of Decision Support Tools) to estimate total diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens associated with farming; the spatial variability of land use and diffuse losses of nitrogen, phosphorus, sediment and microbial pathogens; and the effect of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens throughout the sub-catchment.
d. Align works and services to reduce nitrogen, phosphorus, sediment and microbial pathogen discharges including pest control, riparian management, targeted reforestation, constructed wetlands, sediment traps and sediment detention bunds.
e. Assess and determine effective and efficient placement of mitigations such as constructed wetlands at a sub-catchment scale to improve water quality.
f. Support research that addresses the management of wetlands, including development of techniques to monitor ecological change and forecasting evolution of wetland characteristics resulting from existing land use in the wetland catchments.
g. Integrate the regulatory requirements to fence waterways with the requirements for effective drainage scheme management.
h. Coordinate funding of mitigation work by those contributing to water quality degradation, in proportion to that contribution.
i. Utilise public funds to support edge of field mitigations where those mitigations provide significant public benefit.

3.11.3.3 Accounting system and monitoring/Te pūnaha kaute me te aroturuki

Waikato Regional Council will establish and operate a publicly available accounting system and monitoring in each FMU and sub-catchment, including:

a. Collecting information on nitrogen, phosphorus, sediment and microbial pathogen levels in the respective fresh water bodies in each FMU from:
    i. Council's existing river monitoring network; and
    ii. Sub-catchments that are currently unrepresented in the existing monitoring network; and
    iii. Lake FMUs.
b. Using the best available information to establish the baseline data for compiling a monitoring plan, to support establishment of new target attribute states and to determine nutrient outcomes needed to achieve target attribute states, and to assess progress towards achieving the interim and 80-year target attribute states in Table 3.11-1; and
c. Using state of the environment monitoring data including biological monitoring tools such as the Macroinvertebrate Community Index to provide the basis for identifying and reporting on long-term trends; and
d. An information and accounting system for the diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens from farming activities that;

i. to the extent practicable, allows for consistent and comparable reporting across farming sectors, and which supports the management of nitrogen, phosphorus, sediment and microbial pathogens diffuse discharges at a farm scale; and
ii. allows for catchment specific progress to be monitored and information made available to land managers showing progress toward achieving the interim target attribute states in sub-catchments and at lower Waikato River sites.

3.11.3.4 Monitoring and evaluation of the implementation of Chapter 3.11/Te aroturuki me te arotake i te whakatinanatanga o te Upoko 3.11

Waikato Regional Council will:

a. Review and report on the progress towards and achievement of the 80-year numerical water quality values of Chapter 3.11, and giving effect to Te Ture Whaimana o Te Awa o Waikato (to the extent provided for in Chapter 3.11).
b. Research and identify methods to measure actions and mitigations at a sub-catchment and farm level, and their contribution to reductions in the discharge of contaminants including how it will marry its Regional Ecological Monitoring of Streams (REMS) programme with the Waikato and Waipā River catchments' sub-catchment water quality monitoring programme.
c. Work with landowners and sub-catchment/collective groups to establish complementary monitoring programmes that are relevant to their operations and sub-catchments.
d. Collate data on the number of land use resource consents issued under the rules of this chapter, the number of FEPs prepared, compliance with the actions and mitigations listed in FEPs, and risks of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens for farms.
e. Work with industry to collate information on the functioning and success of any sector scheme.
f. Address any additional matters required by clause 3.30(2) of the NPS – FM 2020.
g. Assess the impact of point source discharges of nitrogen, phosphorus, sediment and microbial pathogens on the achievement of the target attribute states in Table 3.11-1.

3.11.3.5 Support research and dissemination of best practice guidelines to reduce diffuse discharges/Te taunaki i te rangahau me te tuaritanga o ngā aratohu mō ngā mahi tino whai take hei whakaiti i ngā rukenga roha

Waikato Regional Council will:

a. In consultation with industry and stakeholders, develop and disseminate guidelines for reducing the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, and provide guidance on the use of relevant industry developed guidelines on good management practices for farming in New Zealand that are relevant to the Waikato and Waipā River catchments; and
b. Support research into methods for reducing the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water; and
c. Collate farm-scale biophysical and nitrogen budget data provided by farmers to support research which improves understanding of the relationship between changes in nitrogen leaching risk and both predicted and observed catchment water quality outcomes, and to better enable testing of the suitability of nitrogen leaching risk tools for use in future plan change processes.

3.11.3.6 Contextual information for Farm Environment Plans/Ngā mōhiohio horopaki mō ngā Mahere Taiao ā-Pāmu

Waikato Regional Council will collate, make available, and keep updated water management contextual information to support the preparation and review of FEPs, including the following:

a. Any relevant information, including maps, on the location and spatial extent of streams, lakes and wetlands.
b. Current attribute states, interim target attribute states, long-term 80-year target attribute states, reduction required to meet interim target attribute states and long-term 80-year target attribute states, and contaminants of most concern in each sub-catchment.
c. Sub-catchment contaminant loads, land uses and location of significant point source discharges.
d. The details of any catchment management plans, catchment management groups or sub-catchment scale planning for which the Council has records, and any action plans developed in accordance with the NPS – FM 2020.
e. Existing information on landforms, soil data, climate data, freshwater data, freshwater bodies, contaminants, sites that are significant to the community, and significant species or ecosystems.
f. Identified cultural matters of importance to tangata whenua, including:
    i. the cultural significance of the local area; and
    ii. the traditional names of freshwater bodies in the local area; and
    iii. sites and species in the local area that are significant to tangata whenua.
g. Any information required by national regulations.
h. Pest management plans or strategies.
i. Any relevant information, including maps, on rainfall, topography and soil and erosion characteristics.

Advice note: The information on currently anticipated reductions required to meet long-term 80-year target attribute states is indicative only, based on the best information currently available, and may be refined in subsequent plan changes. The information is provided to inform farmers and growers about the longer-term direction of travel. The information is relevant when considering farming activities occurring within lake FMU catchments and Whangamarino Wetland area sub-catchments (as required by Policy 15 and Policy 16) but will not be considered outside of these areas when processing resource consent applications for farming or certifying farm environment plans under Chapter 3.11.

3.11.3.7 Koi carp and Canada geese/Te kāpa koi me te kuihi

Waikato Regional Council will:

a. Continue to work with, provide support to, and strongly encourage the relevant agencies (such as Department of Conservation, Fish & Game and the Ministry for Primary Industries), as well as the community and landowners, to take a coordinated approach to the management, surveillance, control and eradication, of pest species including: Koi carp, brown bullhead catfish and gambusia; and any new pest species; and to control, as far as practicable, advisory animals including Canada geese. In the context of Chapter 3.11 a focus should be placed on Koi carp and Canada geese; and
b. Through the implementation of the Regional Pest Management Plan (which describes why and how various plant and animal pests and advisory plants and animals will be controlled in the Waikato region), set out the priorities for pest fish management and advisory animals in the Region, and ensure that adequate funding is allocated for this function via the Waikato Regional Council's Long Term Plan.

3.11.3.8 Certified Farm Environment Planner and Auditor processes/Ngā tukanga mō ngā Kaitāhuhu Mahere Taiao ā-Pāmu me ngā Kaitātari kua whakamanahia

Waikato Regional Council will:

a. Keep and maintain a list of Certified Farm Environment Planners and Auditors who have been appointed. The list will be published on an Internet site administered by or on behalf of Waikato Regional Council.
b. Keep and maintain information in a digitised system in relation to each farm as follows:
    i. The following information:
        i) whether the farm has a certified FEP.
        ii) the date the plan was last certified.
        iii) the date the farm was last audited for compliance with the plan.
        iv) any other information required by Schedule D3
    ii. the information required under clause 1 of Part C and clause 2 of Part E, Schedule D1 or clause 1 of Part C and clause 2 of Part E, Schedule D2.
    iii. the action plan.
    iv. certification decisions.
    v. Audit reports.
    vi. Conflict of interest declarations.
    vii. A map of the spatial extent of the farm at the time of certification.
    viii. Any additional information as may be required by any national regulations relating to the requirement for freshwater farm plans that apply in the Waikato and Waipā River catchments
c. Keep and maintain the following information:
    i. records of any complaints made about a Certified Farm Environment Planner or an Auditor, or about the certification or audit process.
    ii. details of any actions taken as a result of the complaints.
    iii. contact information for Certified Farm Environment Planners and Auditors appointed.
    iv. documentation in relation to the appointment process of applicants seeking to be Certified Farm Environment Planners and Auditors.
    v. training records of Certified Farm Environment Planners and auditors appointed.
    vi. dates and outcomes of performance reviews of Certified Farm Environment Planners and auditors appointed.
    vii. Any additional information as may be required by any national regulations relating to the requirement for freshwater farm plans that apply in the Waikato and Waipā River catchments.
d. Engage with tangata whenua in the delivery of training resources for Certified Farm Environment Planners and Auditors.
e. Prepare a Farm Environment Plan Scheme for the purposes of meeting the requirements of Chapter 3.11 of the Waikato Regional Plan that includes requirements associated with:
    i. any Certified Farm Environment Planner, as described in clauses 1 to 9 of Part B of Schedule D3
    ii. any Auditor, as described in clauses 1 to 5 of Part C of Schedule D3
    iii. both Certified Farm Environment Planners and Auditors, as described in clauses 4 and 5 of Part D of Schedule D3
    iv. appointment of Certified Farm Environment Planners and Auditors in accordance with Schedule D4

3.11.3.9 Overseer reporting/ Te pūrongo a Overseer

The Waikato Regional Council will work with Overseer Limited to seek to establish agreements with respect to access to summary statistics concerning Overseer assessments in the Waikato and Waipā River catchments, required to support policy effectiveness assessments, to support management of the Whangamarino Wetland and other identified water bodies, and to inform future plan changes.

3.11.4 Rules/Ngā Ture

Note:
Where the use of land for farming involves different types of farming activities on a farm (as defined in the Glossary) or a commercial vegetable production operation:

a) Where a FEP is to be prepared, it may be prepared for a single farm (as defined in the Glossary) or a commercial vegetable production operation; and

b) For mixed dairy and drystock farms: For the calculation of winter stocking rate, cattle winter stocking rate, and the Nitrogen Risk Scorecard value, the farm must be apportioned so that it is clear how much land is used for dry stock and how much is used for dairy. The area of the farm apportioned to dry stock farming and the area apportioned to dairy farming must equal the total grazed area of the farm. The grazed hectares used to calculate the winter stocking rate and cattle only winter stocking rate will be that land apportioned to drystock farming, and stock management information used in the calculation of the Nitrogen Risk Scorecard value will be derived from the land used for dairy farming.

Rule 3.11.4.1 Permitted Activity Rule – Small and very low risk farming/Te Ture mō te Tūmahi ka Whakaaetia – Ngā pāmu iti me ngā pāmu mōrea iti rawa

The use of land for farming, which is not commercial vegetable production, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water is a permitted activity subject to the following conditions:

1. The farm is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
2. Farming is undertaken in conformance with the minimum farming standards in Schedule C; and
3. No sacrifice paddocks are used; and
4. No more than 5% of the land is used for arable cropping, including crops for intensive winter grazing; and
5. Except for horse (equine) farming, the winter stocking rate is less than 12 stock units per ha; and
6. No stock above 400kg are grazed on land with a slope of 25 degrees or greater; and
7. No dairy farming occurs; and
8. Upon request, the landowner must obtain and provide to the Waikato Regional Council independent verification from an Auditor, that the use of land is in accordance with the conditions of this Rule within 20 working days of the request (unless otherwise agreed in writing by the Waikato Regional Council); and
9. For farms greater than 20 ha:
    i. For at least 9 months in any 12 month period, more than 75% of the stock units are horses; or
    ii. The farm is used only for free range poultry.

Rule 3.11.4.2 Permitted Activity Rule – Farming with a low risk of diffuse discharges /Te Ture mō te Tūmahi ka Whakaaetia – Te mahi pāmu he mōrea iti o ngā rukenga roha

Unless permitted by Rule 3.11.4.1 or regulated by Rule 3.11.4.6:

A The use of land for farming, which is not commercial vegetable production, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, where:
    i. For drystock farming, the winter stocking rate is equal to or less than 17 stock units per ha and the cattle winter stocking rate is equal to or less than 13 stock units per ha;
    ii. For dairy farming, the Nitrogen Risk Scorecard value, determined in conformance with Schedule B, is:
        a. equal to or less than 111 in the Upper Waikato River FMU; or
        b. equal to or less than 123 in any other FMU;
    iii. for arable cropping, the crop is grown on and consumed by stock within a dairy or drystock farm included in (i) or (ii) above;
    iv. the farming is horticulture, other than commercial vegetable production.

    OR

B The use of land for farming, which is not commercial vegetable production, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, where all of the conditions of Rule 3.11.4.1 are met except for either or both of conditions 3 and 4 of Rule 3.11.4.1;

is a permitted activity. A and B are subject to the following conditions:

1. The farm is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
2. The minimum farming standards in Schedule C are met; and
3. For dairy farms, a Nitrogen Risk Scorecard value is produced for the farm, and provided to Waikato Regional Council upon request, and records are kept, in conformance with Schedule B that would demonstrate that the Nitrogen Risk Scorecard value does not exceed the relevant threshold in clause A(ii); and
4. For drystock farms, the winter stocking rate and cattle winter stocking rates are calculated for the farm and each year records are kept to demonstrate that the stocking rate does not exceed the relevant threshold in clause A(i); and
5. No part of the farm is in the Whangamarino Wetland catchment area shown on Map 3.11-3; and
6. A FEP:
    a. is prepared and implemented in conformance with Schedule D1; and
    b. is submitted for certification to a Certified Farm Environment Planner, by the Relevant Date in Table 3.11-2, and is certified within a further 6 months, or a longer timeframe if this is agreed in writing by Waikato Regional Council where it can be established that a Certified Farm Environment Planner is unavailable or has not yet completed certification, in accordance with Schedule D3 as demonstrating compliance with conditions 6(a) of this rule; and
    c. the certified FEP is provided to the Waikato Regional Council within 20 working days of a request by Waikato Regional council being made (unless otherwise agreed in writing by the Waikato Regional Council); and
7. Full electronic access to any software or system that models or records the risks or losses of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens for the farming authorised by this rule is granted to the Waikato Regional Council, and if requested, any analysis produced by an approved software or system is provided to the Waikato Regional Council; and
8. The farm operator complies with all relevant requirements in Schedule D3.

Rule 3.11.4.3 Interim Permitted Activity Rule – Farming prior to obtaining consent/Te Ture mō te Tūmahi ka Whakaaetia mō tētehi Wā – Te mahi pāmu i mua i te whai whakaaetanga

Except as permitted by Rule 3.11.4.1 or 3.11.4.2, or as regulated by Rule 3.11.4.8, 3.11.4.9 or 3.11.4.10, the use of land for farming, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water is a permitted activity until the Relevant Date specified in Table 3.11-2, and where an application is lodged, until that application has been decided upon, subject to the following condition:

1. Farming is undertaken in conformance with the minimum farming standards in Schedule C.

Note: Failure to comply with Schedule C will result in the farm requiring consent immediately (and not as specified in Table 3.11-2).

Rule 3.11.4.4 Controlled Activity Rule – Farming with more than a low risk of diffuse discharges and low risk farming where stock exclusion requirements cannot be met /Te Ture mō te Tūmahi e āta Whakahaeretia ana – Te mahi pāmu he nui ake i te mōrea iti ngā rukenga roha, he mahi pāmu mōrea iti kāore e taea te whakatutuki i ngā here aukati kararehe

Unless permitted by Rules 3.11.4.1 or 3.11.4.2 or regulated by Rule 3.11.4.6:

A The use of land for farming, which is not commercial vegetable production, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water where:
    i. For drystock farming the winter stocking rate is greater than 17 stock units per ha or the cattle winter stocking rate is greater than 13 stock units per ha;
    ii. For dairy farming the Nitrogen Risk Scorecard value is greater than 123, or greater than 111 in the Upper Waikato River FMU, determined in conformance with Schedule B;
    iii. For horticulture other than commercial vegetable production, and arable cropping where the requirements of Rule 3.11.4.1 or Rule 3.11.4.2 are not satisfied;

    OR

B The use of land for farming, which is not commercial vegetable production, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, where:

i. For drystock farming the winter stocking rate is equal to or less than 17 stock units per ha or the cattle winter stocking rate is equal to or less than 13 stock units per ha;
ii. For dairy farming the Nitrogen Risk Scorecard value is equal to or less than 123, or less than 111 in the Upper Waikato River FMU in conformance with Schedule B;

but which cannot meet the stock exclusion standards in Clauses 1-8 of Schedule C and/or one or more of the standards in Part D of Schedule D1;

OR

C The use of land for farming, which is not commercial vegetable production, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, where:
i. All conditions of Rule 3.11.4.2 are met, except for the timeframe in Schedule C(9)(a);

is a controlled activity. A and B are subject to the following conditions:

1. The farm is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
2. Farming is undertaken in conformance with the minimum farming standards in Schedule C except in the case of stock exclusion where a tailored solution may be approved as part of a Farm Environment Plan lodged with the resource consent application; and
3. Where 4A(ii) or 4B(ii) apply, a Nitrogen Risk Scorecard assessment is undertaken for the farm, and records are kept, in conformance with Schedule B, and in all cases, a nitrogen leaching risk analysis is undertaken, and records are kept, in conformance with Schedule B; and
4. A nitrogen leaching risk analysis must be undertaken in conformance with Schedule B every five years from the date of the first consent, and published to the Waikato Regional Council. This requirement applies to all farms subject to this rule, except in the case of drystock farms, where it applies to drystock farms with a winter stocking rate greater than 17 stock units per ha or a cattle winter stocking rate greater than 13 stock units per ha; and
5. The use of land for farming occurs on one farm, the extent of which is identified in the application; and
6. A FEP:
   a. is prepared in conformance with Schedule D2; and
   b. has been certified in accordance with Schedule D3, by a Certified Farm Environment Planner, as being in conformance with Schedule D2; and
7. The application and FEP are provided to the Waikato Regional Council by the Relevant Date specified in Table 3.11-2; and
8. Full electronic access to any software or system that models or records the risks or losses of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens for the farming authorised by this rule is granted to the Waikato Regional Council, and if requested, any analysis produced by an approved software or system is provided to the Waikato Regional Council; and
9. No part of the farm is in the Whangamarino Wetland catchment area shown on Map 3.11-3.

Waikato Regional Council reserves control over the following matters for A and B:

i. The content, certification, implementation and audit of the FEP.
ii. The actions and mitigations and timeframes which demonstrate how the farming activity will achieve the goals and principles set out in Part D of Schedule D2.
iii The method and timeframes by which the stock exclusion requirements in Schedule C, or approved solution provided as part of the FEP, are achieved.
iv. Measures, including measures to address the effects of rainfall, topography, soil and erosion characteristics and/or clean water irrigation, to ensure that the risks of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens will be reduced to be as low as practicable over an appropriate specified period, which generally shall not exceed 10 years of Chapter 3.11 becoming operative, as determined in accordance with Policy 2.
v. In the case of the use of land for farming where the farm is wholly or partly in a lake FMU, the effects of the activity on lake water quality and the changes needed in the subcatchment in order to meet the target attribute states in Table 3.11-1(d).
vi. Measures to address any adverse effects on downstream drinking water supplies.
vii. The duration of the resource consent.
viii. The monitoring, record keeping, reporting and information provision requirements, including any nitrogen leaching risk analyses and relevant input files, for the holder of the resource consent to demonstrate and/or monitor compliance with the resource consent and FEP.
ix. The timeframe and circumstances under which the resource consent conditions may be reviewed.
x. Procedures for reviewing, amending and re-approving the FEP.
xi. The achievement of the policies and objectives of Chapter 3.11 to the extent that they are relevant to the matters in i – x above.

Waikato Regional Council reserves control over the following matters for C:

i. The method and timeframes by which stock exclusion requirements in Schedule C are achieved, and actions and mitigations to reduce effects to be implemented prior to stock exclusion being completed.
ii. Compliance with the conditions of Rule 3.11.4.2.
iii. The duration of the resource consent.
iv. The monitoring, record keeping, reporting and information provision requirements.
v. The timeframe and circumstances under which the resource consent conditions may be reviewed.

Notification:
Consent applications will be considered without notification, and without the need to obtain written approval of affected persons.

Rule 3.11.4.5 Controlled Activity Rule – Existing commercial vegetable production/Te Ture mō te Tūmahi e āta Whakahaerehia ana – Te whakatupu huawhenua ā-arumoni kua tīmata kē

The use of land for commercial vegetable production including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, is a controlled activity subject to the following conditions:

1. The land used for commercial vegetable production, is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
2. The following information, relating to the land used by the applicant for commercial vegetable production in the period 1 July 2006 to 30 June 2016, is provided to the Waikato Regional Council at the time of the resource consent application:
    a. The total, maximum area (hectares) of land used for commercial vegetable production for any full year; and
    b. The maximum areas (hectares) of land used for commercial vegetable production (including fallow land actively part of a crop rotation cycle) and their locations, per sub-catchment [refer to Map 3.11-2] for any full year; and
3. Where ownership of the land used for commercial vegetable production has changed following the expiry of the reference period and the new owner has no established record of their use of the land during the reference period, the new owner must satisfy condition 2 using documented records of the use of the land for commercial vegetable production activities during the reference period to the maximum extent practicable; and
4. The total area of land for which consent is sought for commercial vegetable production, must not exceed the maximum areas as identified in condition 2(a) and (b) of this rule; and
5. The land identified under 3 must not have previously been relied on to establish eligibility under Rule 3.11.4.5 for another resource consent; and
6. The land used for commercial vegetable production is not in the Whangamarino Wetland catchment area shown on Map 3.11-3; and
7. A FEP is prepared for the commercial vegetable production operation, including existing areas of commercial vegetable production and, as far as practicable, areas anticipated for commercial vegetable production crop rotations during the term of the consent (subject to condition 2 area limits); and:
    a. is prepared in conformance with Schedule D2; and
    b. is updated as necessary to record all land being used for crop rotations; and
    c. has been certified in accordance with Schedule D3, by a Certified Farm Environment Planner, as being in conformance with Schedule D2; and
8. The application and FEP are provided to the Waikato Regional Council by the Relevant Date specified in Table 3.11-2; and
9. Full electronic access to any software or system that models or records the risks or losses of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens for the commercial vegetable production authorised by this rule is granted to the Waikato Regional Council, and if requested, any analysis produced by an approved software or system is provided to the Waikato Regional Council.

Waikato Regional Council reserves control over the following matters:

i. The achievement of the policies and objectives of Chapter 3.11 to the extent that they are relevant to the matters in ii-xi below.
ii. The content, certification, implementation and audit of the FEP.
iii. The maximum total and per-sub-catchment area of land to be used for commercial vegetable production.
iv. The actions, mitigations and timeframes which demonstrate how the commercial vegetable production activity will achieve the goals and principles set out in Part D of Schedule D2.
v. Measures, including measures to address the effects of rainfall, topography, soil and erosion characteristics and/or clean water irrigation, to ensure that the risks of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens are as low as practicable or will be reduced to be as low as practicable over an appropriate specified period in accordance with Policy 4.

vi. Measures to address the adverse effects on downstream drinking water supplies.
vii. The duration of the resource consent.
viii. The monitoring, record keeping, reporting, contaminant accounting and information provision requirements for the holder of the resource consent to demonstrate and/or monitor compliance with the resource consent and FEP.
ix. The timeframe and circumstances under which the resource consent conditions may be reviewed.
x. Procedures for reviewing, amending and re-approving the FEP.
xi. The procedures and limitations to be applied to land prior to it ceasing to be used for commercial vegetable growing activities.

Notification:
Consent applications will be considered without notification, and without the need to obtain written approval of affected persons.

Rule 3.11.4.6 Restricted Discretionary Activity Rule – Farming in Whangamarino Wetland catchment/Te Ture 3.11.4.6 Te Ture mō te Tūmahi e Hāngai ana ki tā te Kaiwhakamahi e Hiahia ai, kua Rāhuitia – Te mahi pāmu i te riu o ngā repo o Whangamarino

Unless permitted by Rule 3.11.4.1, the use of land for farming in the Whangamarino Wetland Catchment area shown on Map 3.11-3, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, is a restricted discretionary activity subject to the following conditions:

1. The farm, or land used for commercial vegetable production, is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
2. Farming is undertaken in conformance with the minimum farming standards in Schedule C except in the case of stock exclusion where a tailored solution may be approved as part of a Farm Environment Plan lodged with the resource consent application; and
3. A nitrogen leaching risk analysis is produced for the farm, or land used for commercial vegetable production, and records are kept, in conformance with Schedule B; and
4. A nitrogen leaching risk analysis must be undertaken in conformance with Schedule B every five years from the date of the first consent, and published to the Waikato Regional Council. This requirement applies to all farms subject to this rule, except in the case of drystock farms, where it applies to drystock farms with a winter stocking rate greater than 17 stock units per ha or a cattle winter stocking rate greater than 13 stock units per ha; and
5. The use of land for farming (not including commercial vegetable production) occurs within a single farm; and
6. A FEP:
   a. is prepared in conformance with Schedule D2; and
   b. has been certified in accordance with Schedule D3, by a Certified Farm Environment Planner, as being÷ in conformance with Schedule D2; and
7. The application and FEP are provided to the Waikato Regional Council by the Relevant Date specified in Table 3.11-2; and
8. Full electronic access to any software or system that models or records the risks or losses of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens for the farming authorised by this rule is granted to the Waikato Regional Council, and if requested, any analysis produced by an approved software or system is provided to the Waikato Regional Council; and
9. For commercial vegetable production, in addition to the matters above, conditions 2, 3, 4, 5 and 7 of Rule 3.11.4.5.

Waikato Regional Council restricts its discretion to the following matters:
i. The effects of the diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens on the water quality of the Whangamarino Wetland and Lake Waikare where applicable.
ii. The content, certification, implementation and audit of the FEP.
iii. The method and timeframes by which the stock exclusion requirements in Schedule C, or approved solution provided as part of the FEP are achieved.
iv. The actions, mitigations and timeframes which demonstrate how the farming activity will achieve the goals and principles set out in Part D of Schedule D2.
v. Measures, including measures to address the effects of rainfall, topography, soil and erosion characteristics and/or clean water irrigation, to ensure that the risks of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens will be reduced to be as low as practicable over an appropriate specified period, which generally shall not exceed 10 years of Chapter 3.11 becoming operative, as determined in accordance with Policy 2, or for commercial vegetable production in accordance with Policy 4.
vi. Measures to address any adverse effects on downstream drinking water supplies.
vii. The duration of the resource consent.

viii. The monitoring, record keeping, reporting and information provision requirements, including any nitrogen leaching risk analyses and relevant input files, for the holder of the resource consent to demonstrate and/or monitor compliance with the resource consent and FEP.
ix. The timeframe and circumstances under which the resource consent conditions may be reviewed.
x. Procedures for reviewing, amending and re-approving the FEP.
xi. For commercial vegetable production, in addition to the matters above, the matters of control in Rule 3.11.4.5.
xii. The achievement of the policies and objectives of Chapter 3.11 to the extent that they are relevant to the matters in i – xi above.

Rule 3.11.4.7 Discretionary Activity Rule – Farming not otherwise regulated by any other Chapter 3.11 rule/Te Ture 3.11.4.7 Te Ture mō te Tūmahi e Hāngai ana ki tā te Kaiwhakamahi e Hiahia ai – Te mahi pāmu kāore i raro i ētahi atu ture o te Upoko 3.11

The use of land for farming including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water is a discretionary activity where the farming is not regulated by any other Chapter 3.11 rule, or fails to meet the conditions of any other Chapter 3.11 rule.

Rule 3.11.4.8 Discretionary Activity Rule – Commercial vegetable production expansion/ Te Ture 3.11.4.8 Te Ture mō te Tūmahi e Hāngai ana ki tā te Kaiwhakamahi e Hiahia ai – Te whakawhānuitanga o te whakatupu huawhenua ā-arumoni

The use of land for commercial vegetable production on land which is additional to that regulated by Rule 3.11.4.5, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water, is a discretionary activity subject to the following conditions:

1. The land used for commercial vegetable production is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
2. A FEP is prepared for the commercial vegetable production operation, including existing areas of commercial vegetable production and areas anticipated for commercial vegetable production through crop rotations during the term of the consent; and:
   a. is prepared in conformance with Schedule D2; and
   b. is updated as necessary to record all land being used for crop rotations; and
   c. has been certified in accordance with Schedule D3, by a Certified Farm Environment Planner, as being in conformance with Schedule D2; and
3. Full electronic access to any software or system that models or records the risks or losses of diffuse contaminants for the commercial vegetable production authorised by this rule is granted to the Waikato Regional Council, and if requested, any analysis produced by an approved software or system is provided to the Waikato Regional Council; and
4. The land for which consent is sought must:
   a) not be in the Whangamarino Wetland catchment area shown on Map 3.11-3 or in a lake FMU; and
   b) not be in the sub-catchments in the following table:

FMU	Sub-catchment (sub-catchment number)
Upper Waikato River	Kawaunui (62)
	Mangamingi (48)
	Waiotapu at Campbell (58)
Middle Waikato River	Mangaone (31)
	Waitawhiriwhiri (28)
Lower Waikato River	Komakorau (22)
	Mangawara (17)
	Whakapipi (3)

   c) be entirely located on LUC 1, 2 and/or 3 land; and
   d) not cause the exceedance of the maximum allowable cumulative increase in commercial vegetable production land in the following table:

FMU	Maximum allowable cumulative increase in commercial vegetable production land

Lower Waikato River	1,241 ha
Waipā River	254 ha
Middle Waikato River	212 ha
Upper Waikato River	170 ha
Total	**1,877 ha**

Advice note: Land Use Capability (LUC) land is that mapped by the New Zealand Land Resource Inventory, or using the Land Use Capability Survey Handbook

Rule 3.11.4.9 Non-Complying Activity Rule – Land use change/Te Ture 3.11.4.9 Te Ture mō te Tūmahi Kāore e Whai ana i te Ture - Te panonitanga o te whakamahinga whenua

Apart from land use change on tangata whenua ancestral lands that meets the conditions of Rule 3.11.4.10, the following changes in the use of land are non-complying activities:

1. Any change in the use of land to commercial vegetable production that, either itself or in combination with any extant resource consents, is not regulated by Rule 3.11.4.5 or 3.11.4.6, and does not meet the conditions of Rule 3.11.4.8.
2. Any of the following changes in land use within a property, where the change exceeds a cumulative net total of 4.1 ha from that which was occurring at 22 October 2016:
    a. woody vegetation to farming; or
    b. any land use to dairy farming.

Rule 3.11.4.10 Restricted Discretionary Activity Rule – Land use change and farming on tangata whenua ancestral lands/Te Ture 3.11.4.10 Te Ture mō te Tūmahi e Hāngai ana ki tā te Kaiwhakamahi e Hiahia ai, kua Rāhuitia – Te panonitanga o te whakamahinga whenua me te mahi pāmu i runga i ngā whenua tuku iho o te tangata whenua

Notwithstanding any other rule in this Plan, the following changes to the use of land, and subsequent use of that land for farming, including any associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens into water or onto or into land in circumstances which may result in those contaminants entering water:

1. woody vegetation to farming, where the change in land use within a farm exceeds a cumulative net total of 4.1 ha from that which was occurring at 22 October 2016; or
2. any land use to dairy farming, where the change in land use within a farm exceeds a cumulative net total of 4.1 ha from that which was occurring at 22 October 2016; or
3. any land use to commercial vegetable production that, either itself or in combination with any extant resource consents, is not regulated by Rule 3.11.4.5 or 3.11.4.6 and does not meet the conditions of Rule 3.11.4.8;

is a restricted discretionary activity subject to the following conditions:

1. All of the land subject to the application is on tangata whenua ancestral lands; and
2. The cumulative change in land use authorised by resource consents granted under this rule does not exceed 3067 Ha; and
3. Conditions 4-8 of this rule do not apply where the farm complies with:
    a. all of the conditions in Rule 3.11.4.1; or
    b. the conditions in Rule 3.11.4.2 except:
        i. condition 6(b), provided that a FEP has been certified in accordance with Schedule D3 by a Certified Farm Environment Planner as demonstrating compliance with condition 6(a); and
        ii. the timeframe in Schedule C(9)(a); and
4. The farm, or land used for commercial vegetable production, is registered with the Waikato Regional Council if required by and in conformance with Schedule A; and
5. Farming is undertaken in conformance with the minimum farming standards in Schedule C except in the case of stock exclusion where a tailored solution may be approved as part of a Farm Environment Plan lodged with the resource consent application; and
6. For farming other than commercial vegetable production:
    a. a nitrogen leaching risk analysis is undertaken, and records are kept, in conformance with Schedule B; and

b. a nitrogen leaching risk analysis must be undertaken in conformance with Schedule B every five years from the consent commencement date, and published to the Waikato Regional Council. This requirement applies to all farms subject to this condition, except drystock farms with a winter stocking rate equal to or less than 17 stock units per hectare or a cattle winter stocking rate equal to or less than 13 stock units per hectare; and
c. the use of land for farming occurs on one farm, the extent of which is identified in the application; and

7. A FEP:
   a. is prepared and implemented in conformance with Schedule D2; and
   b. for commercial vegetable production, is updated as necessary to record all land being used for crop rotations; and
   c. is certified in accordance with Schedule D3, by a Certified Farm Environment Planner, as being in conformance with Schedule D2; and
8. Full electronic access to any software or system that models or records the risks or losses of diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens for the farming authorised by this rule is granted to the Waikato Regional Council, and if requested, any analysis produced by an approved software or system is provided to the Waikato Regional Council.

Waikato Regional Council restricts its discretion to the following matters where conditions 1, 2 and 3(a) applies:

i. Compliance with the conditions of Rule 3.11.4.1.
ii. The duration of the resource consent.
iii. The monitoring, record keeping, reporting and information provision requirements.
iv. The timeframe and circumstances under which the resource consent conditions may be reviewed.

Waikato Regional Council restricts its discretion to the following matters where condition 1, 2 and 3(b) applies:

i. Compliance with the conditions of Rule 3.11.4.2.
ii. The duration of the resource consent.
iii. The monitoring, record keeping, reporting and information provision requirements.
iv. The timeframe and circumstances under which the resource consent conditions may be reviewed.
v. Where condition 3(b)(ii) applies, the method and timeframes by which stock exclusion requirements in Schedule C are achieved, and actions and mitigations to reduce effects to be implemented prior to stock exclusion being completed.

Waikato Regional Council restricts its discretion to the following matters where conditions 1, 2 and 4-8 apply:

i. The content, certification, implementation and audit of the FEP.
ii. The actions, mitigations and timeframes which demonstrate how the farm will achieve the goals and principles set out in Part D of Schedule D2.
iii. The method and timeframes by which the stock exclusion requirements in Schedule C, or approved solution provided as part of the FEP, are achieved.
iv. Measures, including measures to address the effects of rainfall, topography, soil and erosion characteristics and/or clean water irrigation, to ensure that the risks of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens will be reduced to be as low as practicable over an appropriate specified period, which generally shall not exceed 10 years of Chapter 3.11 becoming operative, as determined in accordance with Policy 2 or, for commercial vegetable production, in accordance with Policy 4.
v. In the case of the use of land for farming where the farm is wholly or partly in a lake FMU, the effects of the activity on lake water quality and the changes needed in the subcatchment in order to meet the target attribute states in Table 3.11-1(d).
vi. Measures to address any adverse effects on downstream drinking water supplies.
vii. The duration of the resource consent.
viii. The monitoring, record keeping, reporting and information provision requirements, including any nitrogen leaching risk analyses and relevant input files, for the holder of the resource consent to demonstrate and/or monitor compliance with the resource consent and FEP.
ix. The timeframe and circumstances under which the resource consent conditions may be reviewed.
x. Procedures for reviewing, amending and re-approving the FEP.
xi. In the case of the use of land for farming where the farm is wholly or partly in the Whangamarino Wetland Catchment area shown on Map 3.11-3, the effects of the diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens on the water quality of the Whangamarino Wetland and Lake Waikare where applicable.
xii. For commercial vegetable production, in addition to the matters above, the matters of control in Rule 3.11.4.5.
xiii. The achievement of the policies and objectives of Chapter 3.11 to the extent that they are relevant to the matters in i – xii above.

3.11.5 Schedules/Ngā Whakaritenga

Schedule A - Registration with Waikato Regional Council/Te Whakaritenga A – Te rēhita ki te Kaunihera ā-Rohe o Waikato

Farms and land used for commercial vegetable production with an area greater than 4.1 ha must be registered with the Waikato Regional Council in the following manner:

1. Registration information set out in Clause 4, and where relevant in Clause 5 below must be provided.
2. Proof of registration must be provided to the Waikato Regional Council within 7 working days of a request by Waikato Regional Council being made.
3. Registration information must be updated:
    a. Where the land used for farming changes ownership, within 30 working days of the new owner taking possession of the farm, or
    b. At the request of the Waikato Regional Council.
4. All owners, or the person(s) responsible for using land for the farming (if different from the farm owner), must provide the following information:
    a. in respect of the farm owner, and the person responsible for using the land (if different from the farm owner):
        i. Full name.
        ii. Trading name (if applicable, where the owner is a company or other entity).
        iii. Full postal and email address.
        iv. Telephone contact details.
    b. Legal description and record(s) of title references (computer freehold registers) for all the land in the farm.
    c. Physical address of the farm.
    d. A description of the type of land use activity or activities undertaken on the farm as at 22 October 2016, and at the time of registration, including the land area of each activity.
    e. The total land area of the farm, and any changes since 22 October 2016.
    f. Where the land is used for drystock farming, the winter stocking rates and cattle winter stocking rate of animals grazed on the land at the time of registration.
    g. If the land is farmed with other farms by a management entity, the addresses and owners of the other farms and the name of the management entity.
5. Farms that graze livestock must also provide a map showing the location of:
    a. Farm boundaries; and
    b. Water bodies listed in Schedule C for stock exclusion within the farm boundary and fences adjacent to those water bodies; and
    c. Livestock crossing points over those water bodies and a description of any livestock crossing structures.

Schedule B – Nitrogen Risk Scorecard and nitrogen leaching risk analysis /Te Whakaritenga B – Te Pukapāpātanga o te Rerenga Hauota me ngā tātaritanga o te rerenga o te hauota i te one ki te wai

A. Nitrogen Risk Scorecard Assessment for dairy farms

A Nitrogen Risk Scorecard assessment shall be undertaken, and records kept, where required by a rule in Chapter 3.11 as follows:

1. Using the Nitrogen Risk Scorecard available on the Waikato Regional Council website, and the methodology described in *Nitrogen Risk Scorecard – Manual, Fonterra May 2023*, and in accordance with the explanations and definitions provided, assign points for the following practices on the farm:
   a. Stock management;
   b. Nitrogen fertiliser;
   c. Imported feed;
   d. Cropping and cultivation;
   e. Irrigation practices;
   f. Effluent management; and

2. Sum the points for all six practices to provide the aggregate score that is the farm's Nitrogen Risk Scorecard value.

3. The Nitrogen Risk Scorecard assessment is to be for the full farm year, 1 July to 30 June, immediately prior to the date determined by Table 3.11-2.

4. For farms that require consent under Rule 3.11.4.10, for the purpose of the consent application, the Nitrogen Risk Scorecard assessment is to be for the farm as if the proposal for which consent is sought was fully implemented.

5. The following records substantiating the assessment of the inputs and practices described in 1. above must be retained for the life of the Regional Plan and/or relevant consent, whichever is longer, and provided to Waikato Regional Council at its request:
   a. Records of stock numbers and stock classes, births and deaths, replacement rates, stock movements on and off the farm, grazing records and transport records;
   b. Total annual milk solids as stated in the milk supply statement;
   c. Records of fertiliser type and amount for pasture and crops, including annual accounts, and any records of fertiliser timing and application rates and placement;
   d. Use of feedpads, standoff pads, loafing pads and winter housing including days per month used, average hours per day, average percentage of herd using the facilities;
   e. Records of effluent management including application system type, application depth, application area, effluent solids application, effluent exported details (quantity and type);
   f. Quantity and type of feed supplements purchased or produced on the farm, and supplements used on the farm or exported;
   g. Water use records for irrigation (to be averaged over 3 years or longer) in order to determine irrigation application rates (mm/ha/month per irrigated block) and areas irrigated;
   h. Crops grown on the farm (area and yield), cultivation method and timing, quantities of each crop consumed on the farm (by animal, by month and hours per day), and quantities sold off farm; and
   i. A map which shows farm boundaries, retired/non-productive areas and areas used for effluent irrigation.

   Advice note: *For the avoidance of doubt, financial information contained within the above records may be redacted (blacked out) prior to it being provided to Waikato Regional Council.*

B. Nitrogen leaching risk analysis

A nitrogen leaching risk analysis shall be undertaken where required by a rule in Chapter 3.11, using one or more of

(a) Overseer as described in Schedule B(B1); or

(b) in the case of drystock farming or commercial vegetable production that requires resource consent under Rule 3.11.4.4, 3.11.4.5, 3.11.4.6, 3.11.4.7 or 3.11.4.8, a FEP method as described in Schedule B(B2); or

(c) an alternative model as described in Schedule B(C).

B1 Where Overseer is to be used, the analysis shall be undertaken and records kept as follows:

1. The nitrogen leaching risk analysis shall be undertaken by a Certified Farm Nutrient Advisor for the full farm year, 1 July to 30 June, immediately prior to the date when the consent is required, as determined by Table 3.11-2, and as specified in a resource consent. For farms that require consent under Rule 3.11.4.10, for the purpose of the consent application,

the nitrogen leaching risk analysis is to be for the farm as if the proposal for which consent is sought was fully implemented.

2. The nitrogen leaching risk analysis data shall include the data used in the Overseer analysis.

3. The nitrogen leaching risk analysis must be published to Waikato Regional Council:
   a. at the time a resource consent application is lodged; and
   b. as specified in a resource consent; and
   c. within 30 days of a written request made by the Waikato Regional Council.

4. The following records (where relevant to the calculation and auditing of the nitrogen leaching risk analysis must be retained for the life of the Regional Plan and/or relevant consent, whichever is longer, and provided to Waikato Regional Council at its request:
   a. Records of stock numbers and stock classes, births and deaths, stock movements on and off the farm(s), grazing records and transport records;
   b. Total annual milk solids as stated in the milk supply statement;
   c. Records of fertiliser type and amount, including annual accounts, and any records of fertiliser application rates and placement;
   d. Quantity and type of feed supplements purchased and used on the farm(s);
   e. Water use records for irrigation (to be averaged over 3 years or longer) in order to determine irrigation application rates (mm/ha/month per irrigated block) and areas irrigated;
   f. Crops grown on the farm(s) (area and yield), quantities of each crop consumed on the farm(s), and quantities sold off farm; and
   g. Horticulture crop diaries and New Zealand Good Agricultural Practice (NZGAP) records; and
   h. The nitrogen leaching risk analysis data as defined in Clause 2. above; and
   i. Soil test data – including anion storage capacity; and
   j. A map which shows farm boundaries, block management areas, retired/non-productive areas and areas used for effluent irrigation.

Advice note 1*: For the avoidance of doubt, financial information contained within the above records may be redacted (blacked out) prior to it being provided to Waikato Regional Council*.
Advice note 2*: The Waikato Regional Council provides an Overseer User Guide, including guidelines for Overseer analyses, on the Council website.*

B2 Where a FEP has been approved for use for farming in Chapter 3.11 in accordance with the relevant plan provisions, the nitrogen leaching risk analysis shall be undertaken and records kept as follows:

1. The nitrogen leaching risk analysis shall be undertaken by a Certified Farm Environment Planner for the full farm year, 1 July to 30 June, immediately prior to the date when the consent is required, as determined by Table 3.11-2, and for subsequent years as specified in a resource consent. Where Overseer is used as a decision support tool in accordance with clause 4(a), the Overseer assessment must be prepared by a Certified Farm Nutrient Advisor.

2. Based on the information in 4 and 5 below, the Certified Farm Environment Planner must certify that the risk of nitrogen losses from the farm, over time, is:
   a. becoming greater; or
   b. unchanged; or
   c. decreasing; or
   d. not able to be ascertained, in which case this Schedule B(B2) method of nitrogen leaching risk analysis cannot be used and Schedule B(B1) or B(C) must be used.

3. The nitrogen leaching risk analysis must be provided to Waikato Regional Council:
   a. at the time a resource consent application is lodged; and
   b. as specified in a resource consent; and
   c. within 30 days of a written request made by the Waikato Regional Council.

4. One or more of the following decision support tools must be stated in the resource consent and the same tool must be consistently used for future assessments:
   a. Overseer; or
   b. a nitrogen risk scorecard, provided its use for anything other than for dairy farms with a low risk of diffuse discharges has been approved for the intended use by the Chief Executive of the Waikato Regional Council in accordance with Schedule B(C); or

c. any other tool specified in the resource consent, provided the tool has been approved for the intended use by the Chief Executive of the Waikato Regional Council in accordance with Schedule B(C).

Advice note 1*: Except in exceptional circumstances, the choice of tool to use is at the discretion of the farmer, provided it has been approved for use in Chapter 3.11 in accordance with Schedule B(C).*

5. The following records (where relevant to the calculation and auditing of the nitrogen leaching risk analysis) must be retained for the life of the Regional Plan and/or relevant consent, whichever is longer, and provided to Waikato Regional Council at its request:
   a. Copies of the Certified Farm Environment Plan and audit reports; and
   aa. Identification of key risk factors, taking into account climate, topography and soil leaching risk; and
   b. Records of the actions and mitigations, including the good management practices to be prioritised and adopted each year, to reduce identified risks; and
   c. Outputs from decision-support-tools listed in 4 above; and
   d. Records of stock numbers and stock classes, births and deaths, stock movements on and off the farm, grazing records and transport records; and
   e. Records of fertiliser type and amount, including annual accounts, and any records of fertiliser application rates and placement on identified management blocks of the farm; and
   f. Quantity and type of feed supplements purchased and used on the farm and where on the farm the feed was utilised; and
   g. Water use records for irrigation (to be averaged over 3 years or longer) in order to determine irrigation application rates (mm/ha/month per irrigated block) and areas irrigated; and
   h. Crops grown on the farm (area and yield), quantities of each crop consumed on the farm, and quantities sold off farm; and
   i. Soil test data – including anion storage capacity; and
   j. A map which shows farm boundaries, block management areas, retired/non-productive areas and areas used for effluent irrigation.

Advice note 2*: For the avoidance of doubt, financial information contained within the above records may be redacted (blacked out) prior to it being provided to Waikato Regional Council*.

C. A nitrogen leaching risk analysis established via an alternative, approved model.

1. Alternative models may be used provided a suitably qualified and experienced nutrient loss modeller can demonstrate and has certified to Waikato Regional Council that the model:
   a. has been developed through a robust review and quality control process;
   b. has appropriate supporting documentation, user guides and input standards.
   c. can appropriately assess the nitrogen leaching risk from the farm.

2. If a nitrogen risk scorecard, for use with commercial vegetable production or drystock farms, is being considered as an alternative model, clause 1 shall not apply and approval of such a model requires the Chief Executive of the Waikato Regional Council to be satisfied that:
   i. a single template, as approved by HortNZ, is used for all commercial vegetable production activities;
   ii. a single template, as approved by relevant industry bodies, is used for all drystock activities;
   iii. at least two suitably qualified experts with relevant and extensive sector experience have certified that they are objectively satisfied that the templates in i or ii above are able to appropriately assess the risk of nitrogen losses from the farm are becoming greater, unchanged or decreasing; and
   iv each template is independently audited by a suitably qualified and experienced nutrient loss modeller with relevant sector experience and approved as such by the Chief Executive of WRC, with the audit findings reported to the Chief Executive.

3. Prior to the use of any alternative model, documentation of its suitability in accordance with (1 or 2) must be provided to the Waikato Regional Council.

4. The nitrogen leaching risk analysis must be undertaken by a suitably qualified and experienced expert in the particular alternate nitrogen leaching risk model approved by the Chief Executive of the Waikato Regional Council.

5. The nitrogen leaching risk analysis must be conducted for the full farm year, 1 July to 30 June, immediately prior to the date when the consent is required, as determined by Table 3.11-2, and as specified in a resource consent. For farms that require consent under Rule 3.11.4.10, for the purpose of the consent application, the nitrogen leaching risk analysis is to be for the farm as if the proposal for which consent is sought was fully implemented.

6. The nitrogen leaching risk analysis data shall comprise the data used in any approved model for the analysis and will conform to the data input standards that form part of the approved model.

7. The analysis (inputs and outputs) must be published to Waikato Regional Council:
   a. at the time a resource consent application is lodged; and
   b. within 30 days of a written request made by the Waikato Regional Council; and
   c. as specified in a resource consent.

8. Records relevant to the calculation and compliance auditing of the nitrogen leaching risk analysis, including the nitrogen leaching risk analysis data, must be retained for the life of the Regional Plan and/or relevant consent, whichever is longer, and provided to Waikato Regional Council at its request.

Advice note: For the avoidance of doubt, financial information contained within the above records may be redacted (blacked out) prior to it being provided to Waikato Regional Council.

Advice note: The auditor that undertakes the audit in 2(iv) above does not need to be an "auditor" as defined in this Plan

Schedule C - Minimum farming standards/Te Whakaritenga C – Te Pae Raro o Ngā Taumata Mahi Pāmu

Stock exclusion

Advice note 1: *The stock exclusion provisions below must be read and applied as a whole. The clauses are inter-related and follow a basic framework of:*

- *What water bodies need to have stock excluded?*
- *What types of fences are used?*
- *What types of animals need to be excluded?*
- *On what land?*
- *What to do if there's something in the way?*
- *Minimum setback distances*
- *Timeframes for completion*

Notwithstanding any other requirements of this Plan, stock must be excluded from water bodies in accordance with Clauses 1-11 below:

1. Water bodies from which stock must be excluded:
   a. Any permanently or intermittently flowing river (including any spring, stream and modified river or stream) and permanently or intermittently flowing artificial watercourse; and
   b. Any lake; and
   c. Any natural wetland that supports a population of threatened species and wetlands listed in Table 3.7.7 of the Waikato Regional Plan.
2. The following waterbodies and activities are exempted from Clause 1:
   a. any ephemeral watercourses or ephemeral springs;
   b. stock that are using a livestock crossing structure, including a bridge or culvert, to cross any water bodies;
   c. stock that are supervised and actively driven in one continuous movement across the bed of any permanently or intermittently flowing river (including any spring, stream and modified river or stream) or artificial watercourse;
   d. horses being ridden or led across the bed of any water bodies; and
   e. deer or pig wallows in constructed ponds or constructed wetlands that are located at least 10 metres away from the bed of a surface water body and where that surface water body is protected from discharges from the wallows.

   Advice note 2: *Clause 2b does not authorise the construction of livestock crossing structures in the bed of a river or lake, or in a wetland.*

3. Where stock are required to be excluded from a water body under this schedule, this must be achieved with a temporary, permanent or virtual fence, unless a stock proof natural or constructed barrier formed by topography or vegetation prevents stock from entering the bed of the water body.

   Advice note 3: *Clause 3 does not authorise the construction of fences or other barriers in the bed of a river or lake, or in a wetland.*

4. For the purposes of stock exclusion in Chapter 3.11, including this Schedule, "stock" means farmed cattle, horses, deer and pigs.

5. The water bodies must be fenced:
   a. where any paddock adjoining the waterbody is used for:
      i. break feeding[1]; or
      ii. sacrifice paddocks and intensive winter grazing; or
      iii. grazing on pasture that has been irrigated with water in the previous 12 months; and

[1] break feeding means the feeding of stock within an area of pasture or crop—
(a) within a paddock in which the fence is moved regularly to allow the stock to graze another area of pasture or crop within the paddock; or
(b) within a paddock—
   (i) that is subdivided into cells or grids using temporary fencing; and
   (ii) where the stock are moved regularly

b. in any paddock with a slope up to and including 15 degrees, unless a certified FEP for the farm has identified areas where fencing is impracticable and included an alternative to fencing for those areas in accordance with clause 7 below; and

6. For the purposes of clause 5b, slope is to be assessed over each paddock, and where more than half of the paddock has a slope of 15 degrees or less, the paddock as a whole is considered to have a slope of 15 degrees or less.

7. If a paddock is under consideration as being impracticable to fence:
   a. In assessing the practicability to physically fence, a 10m wide corridor, starting at the edge of the bed of the watercourse, or at the minimum setback distance where a 10m setback is required, shall be assessed to determine if there are any physical barriers to the route of a fence or any areas in which there is a high risk of damage to fencing due to flooding, including:
      i. The likelihood of flooding causing damage to fencing, the frequency of flooding and the severity of damage likely to be caused, and the ability to use a flood-resistant fencing design or location; or
      ii. Whether there are physical barriers or steep slopes that make it unsafe for tractor access and a small proportion of hand-dug fence posts is not practicable; and
      iii. Whether it is practicable to extend the corridor width to avoid a physical barrier or areas with the highest risk of damage to fencing caused by flooding, for only the length necessary; and
   b. In any situation where a Certified Farm Environment Planner considers that it is impracticable to fence (both physically and virtually) within the corridor alongside the watercourse, alternatives to fencing must be included in the FEP that will:
      i. Prevent or minimise the direct deposition of animal excreta to water bodies; and
      ii. Reduce sediment loss from the disturbance of beds and banks of water bodies; and
      iii. Reduce damage to bank and stream habitat.
   c. The reasoning behind the assessment and conclusions of the Certified Farm Environment Planner with respect to clauses (7)(a) and (b) must be retained by the Certified Farm Environment Planner and provided to the Waikato Regional Council on request.

Advice note 4: *For the purpose of determining slope, the Waikato Regional Council website map provided for slope identification for the purpose of Chapter 3.11 is to be used unless another, more accurate, measurement of slope over any 20 metre distance of land has been undertaken.*

8. New temporary, permanent or virtual fences installed after this chapter becomes operative must be located at a distance of not less than:
   a. 10 metres from the edge of any wetlands listed in Table 3.7.7 of the Waikato Regional Plan; and
   b. 10 metres from the outer edge of the bed of the lakes named in Table 3.11-3; and
   c. 1 metre from the edge of an artificial watercourse, except for artificial watercourses where the bank-to-bank width is less than 2 metres in which case no setback from the edge of the artificial watercourse is required; and
   d. 1 metre from the edge of the bed of an intermittently flowing river; and
   e. 3 metres from the outer edge of the bed for any other waterbodies unless a certified Farm Environment Plan has specified particular locations where 3 metres is not practicable, in which case the distance must be as close as practicable to 3 metres.

9. The timeframe for achieving stock exclusion is:
   a. For farming that is permitted under Rules 3.11.4.1, 3.11.4.2 and 3.11.4.3, stock exclusion must be complied with as soon as practicable, and in all cases no later than [insert date, being 10 years after Chapter 3.11 becomes operative].
   b. For farming that requires consent under Rules 3.11.4.4, 3.11.4.5, 3.11.4.6, 3.11.4.7, 3.11.4.8 and 3.11.4.10, stock exclusion must be completed as soon as practicable and in all cases within an appropriate specified period set out as a condition of consent.
   c. The programme of fencing works (showing both steady progress and prioritisation of highest benefit/lowest cost works) for stock exclusion is to be provided in the Farm Environment Plan.

Advice note 5: *For example, prioritisation is likely to lead to fencing perennially flowing rivers, or waterbodies in critical source areas, in easy country first, with more difficult and intermittent waterbodies being lower in priority.*

10. For the purposes of Clause 1., and Chapter 3.11 generally, an intermittently flowing river or intermittently flowing artificial watercourse is one which is not permanently flowing, is not an ephemeral watercourse or an ephemeral spring, and meets at least three of the following criteria:
    a. it has natural pools;
    b. it has a well-defined channel, such that the bed and banks can be distinguished;
    c. it contains surface water more than 48 hours after a rain event which results in stream flow;

d. rooted terrestrial vegetation is not established across the entire cross-sectional width of the channel;
e. organic debris resulting from flood can be seen on the floodplain; or
f. there is evidence of substrate sorting process, including scour and deposition.

11. For the purposes of Clause 2., and Chapter 3.11 generally, an ephemeral watercourse is a watercourse that:
    a. has a bed that is predominantly vegetated; and
    b. only conveys or temporarily retains water during or immediately following rainfall events; and
    c. does not convey or retain water at other times; and
    d. is not a wetland.

Fertiliser Application

12. Nitrogenous fertiliser application rates to pasture are no greater than 40kgN/ha per dressing as an average spreading rate over the fertilised area, unless a higher rate (but no more than 50kgN/ha per dressing in any situation) is demonstrated to be necessary through a certified Farm Environment Plan.

13. No nitrogenous fertiliser is applied during the months of June and July in any year unless the temperature is tested and found to be greater than 8 degrees Celsius at a depth of 10cm below the soil surface.

Sacrifice paddocks and intensive winter grazing

14. When any land adjacent to a Clause 1 waterbody is being utilised as a sacrifice paddock or for intensive winter grazing, an un-grazed vegetated buffer at least 10 metres in width measured from: the edge of the bed of any river or lake, and the edge for any other waterbody, shall be maintained.

Cultivation

15. No cultivation shall occur within 5 metres of the edge of the bed of any river or lake, and the edge for any other waterbody described in Clause 1.

Advice note 6: *Except for Clause 15, the minimum standards in Schedule C do not apply to commercial vegetable production.*

Schedule D1 - Requirements for Farm Environment Plans for farming under Rule 3.11.4.2 or 3.11.4.4(C)/Te Whakaritenga D1 – Ngā here mō ngā Mahere Taiao ā-Pāmu mō te mahi pāmu i raro i te Ture 3.11.4.2, 3.11.4.4(C)

The FEP must be prepared and implemented in accordance with Parts A, B, C, D, and E below. For the avoidance of doubt, to the extent that any national regulations requiring freshwater farm plans (FWFPs) apply in the Waikato and Waipā catchments, FEPs shall be considered to be FWFPs and the two sets of requirements shall be integrated into a single farm planning document. To achieve that:

a. the matters set out Parts A-E below shall apply in addition to the requirements of any national regulation; and
b. in order to demonstrate compliance with the national regulations, the FEP may adopt wording or terminology used in any national regulations instead of wording or terminology used in this schedule provided that there is no substantive difference in the requirements for FEPs listed in this Schedule.
c. Schedule D3 (as referenced in this Schedule) provides for certification and audit of FEPs to occur in accordance with Chapter 3.11 requirements for FEPs, or national regulations, where such regulations apply in the Waikato and Waipā River catchments.

***Notes**:*
An FEP may be prepared by the farm operator, or by any other person on behalf of the farm operator, including via a certified sector scheme.

An FEP under this schedule must be certified in accordance with Schedule D3 by the Relevant Date in Table 3.11-2, unless another date is set in accordance with Rule 3.11.4.2, Rule 3.11.4.4(C) or Rule 3.11.4.10.

PART A – PROVISION OF FARM ENVIRONMENT PLAN
An FEP must be submitted to Waikato Regional Council using either:

1. A council digital FEP tool that includes the matters set out in Part C below to the extent relevant; OR
2. An industry digital FEP tool, capable of recording information consistent with the council data exchange specifications that includes the matters set out in Part C below to the extent relevant.

The Waikato Regional Council data exchange specifications will set out the standards and detail of the data exchange process to be used by external industry parties in the provision of FEPs.

PART B – FARM ENVIRONMENT PLAN PURPOSE
The purpose of an FEP is to:

a. demonstrate general improvement in farming practice to reduce the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens except where such discharges are already as low as practicable, to contribute to the achievement of the target attribute states in Table 3.11-1, and to require five yearly reporting to demonstrate that progress has been made; and

b. prioritise actions in accordance with Policy 1(b) and 1(f); and

c. demonstrate compliance with the minimum standards set out in Part D below, including the identification and recording of any specific, time bound actions and mitigations necessary.

PART C – FARM ENVIRONMENT PLAN CONTENT
The FEP must contain as a minimum:

1. The following details for the farm:
   a. Full name, postal and physical address and contact details (including email address and telephone number) of the person responsible for the farm (the farm operator);
   b. Legal description of the farm which is the subject of the FEP
      i. The ownership of each parcel of land if different from the farm operator;
      ii. The legal description of each parcel of land.
   c. Any relevant farm identifiers such as dairy supply number, Agribase identification number, and valuation reference.
   d. Identification of the sub-catchment(s) within which the land is being farmed.

2. Description of whole farm management practices and general requirements:

a. Identification and description of the key characteristics of the farm system including those inputs, outputs and management practices relevant to the management of the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens.

3. A map(s) or aerial photo at a scale that clearly shows:
   a. The farm boundaries of the farm; and
   b. The sub-catchment(s) that the farm is/are within, and their location in the sub-catchment; and
   c. The boundaries of the main land management units or land uses on the farm; and
   d. The location (and for named waterbodies, the names) of the following waterbodies on the farm:
      i. all permanently flowing rivers, streams, springs and artificial watercourses;
      ii. any lake;
      iii. any natural wetland that supports a population of threatened species and any wetland listed in Table 3.7.7 of the Waikato Regional Plan; and
      iv. any intermittently flowing river or intermittently flowing artificial watercourse from which stock are already excluded or where actions to exclude stock under Schedule C are included in the action plan.
   e. The location of identified cultural matters of importance to tangata whenua that will be addressed through farm actions; and
   f. The location of riparian vegetation and fences (or other stock proof barriers adjacent to any of the waterbodies that meet the criteria for stock exclusion in Schedule C); and
   g. The location of any stock crossing points or structures on any of the waterbodies that meet the criteria for stock exclusion in Schedule C where stock have access; and
   h. The location of critical source areas for which mitigation measures will be implemented within 10 years of Chapter 3.11 becoming operative, and any major areas of actively eroding soil; and
   i. The location(s) of described actions and mitigations to be undertaken.

4. Confirmation that each of the following minimum standards in Part D is met, including the identification and recording of any specific, time bound actions and mitigations necessary and described in the action plan attached to the FEP.

5. For dairy farming, the evidence to demonstrate the Nitrogen Risk Scorecard value for the farm in conformance with Schedule B.

6. For drystock farming, the winter stocking rate and cattle winter stocking rate; and

7. For arable cropping, the annual tonnes and type of nitrogen fertiliser applied; and

8. A programme to undertake and complete the stock exclusion requirements (including fencing) in Schedule C.

PART D – STANDARDS

1. Nutrient management

a. Monitor soil phosphorus (P) levels and maintain them at agronomic optimum as set out in the Code of Practice for Nutrient Management and the relevant sector specific on-farm practice booklet. *The Code of Practice for Fertiliser Nutrient Management can be found here: https://www.fertiliser.org.nz/site/code-of-practice/*
Note: For the purpose of this schedule, the Code of Practice for Nutrient Management means:
i. Code of Practice for Fertiliser Nutrient Management, Fertiliser Association of New Zealand, 2023. It can be found at Code of Practice (digital).pdf.
ii. The sector specific on-farm booklets are: Fertiliser Use on New Zealand Sheep and Beef Farms, Fertiliser Associate of New Zealand, 2018; Fertiliser Use on New Zealand Dairy Farms, Fertiliser Association of New Zealand 2016; Managing Soil Fertility on Cropping Farms, New Zealand Fertiliser Manufacturers' Research Association (NZFMRA) 2012. They can be found at http://www.fertiliser.org.nz/Site/resources/booklets.aspx.
iii. Horticulture New Zealand's Code of Practice for Nutrient Management. The COP can be found here:]https://www.hortnz.co.nz/assets/Compliance/Code-of-Practice-for-Nutrient-Management-v-1-0-29-Aug-2014.pdf

b. Where soil P levels are above optimum there will be a managed reduction plan to reach the optimum levels as set out in the relevant Code of Practice for Nutrient Management sector specific on-farm practice booklet (see reference above).

c. Nitrogenous fertiliser application rates to pasture are no greater than 40kg of nitrogen per ha mean application rate per dressing unless a future feed deficit is identified using a formal and auditable feed budgeting tool that demonstrates a higher dressing rate is needed, in which case the maximum allowable mean application rate per dressing is 50 kg of N per ha.

d. Nitrogen fertiliser is applied to crops in accordance with the Code of Practice for Nutrient Management. Where a relevant industry crop model is used to support the decision-making process, the practice will be consistent with

the guidance of the Code of Practice for Nutrient Management and the decision process will be documented with records retained for 3 years.

e. No nitrogenous fertiliser is applied during the months of June and July in any year unless the temperature is tested and found to be greater than 8 degrees Celsius at a depth of 10cm below the soil surface.
f. Stored fertiliser is covered or roofed with impermeable material. The storage area will be walled or bunded so no contaminated runoff or leaching from the storage site occurs.
g. Equipment for spreading fertiliser is calibrated in conformance with manufacturers' recommendations or in the absence of any manufacturers' recommendation, in accordance with any industry best practice and a record kept of that calibration process.
h. Contractors used for fertiliser spreading are Spreadmark accredited.
Note: *Spreadmark accreditation is an industry quality assurance mechanism. Details can be found at https://fertqual.co.nz/understanding-the-marks/spreadmark/*

2. Diffuse discharge risk requirements

a. Demonstrate at each 5 yearly recertification of the FEP that the risk of nitrogen, phosphorus, sediment and microbial pathogen discharges to waterbodies is reducing over time or is already as low as practicable, by producing an assessment of the risk of diffuse discharges for the farming operation, through documentation of risks and mitigations using an appropriate risk assessment or quantification tool if one is available.
b. Annual purchased N surplus shall not exceed 150kg N/ha/yr.
Note: 'purchased N surplus' is calculated as the difference between the N brought onto a farm in fertiliser and imported animal feed, less the amount of N exported from the farm in product. It is to be calculated within a year of the development of the FEP and annually thereafter, using the online calculator located on the Waikato Regional Council website or, alternatively, it is an automated output of the Fonterra Nitrogen Risk Scorecard which can be found here: https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/Nitrogen-Risk-Scorecard-Manual.pdf .

3. Waterbodies management

a. Stock access to waterbodies is managed in conformance with Schedule C, unless a longer timeframe is set under a resource consent granted under Rule 3.11.4.4(C), in order to:
    - Prevent or minimise the direct deposition of animal excreta to water bodies; and
    - Reduce sediment loss from the disturbance of beds and banks of water bodies; and
    - Reduce damage to bank and stream habitat.
b. Actions to ensure stock exclusion in clause 3(a) above are achieved, including fencing and non-fencing actions.

4. Land and soil

a. Actions to minimise sediment loss from critical source areas are undertaken as soon as possible in accordance with a plan which prioritises those which are near Schedule C waterbodies.
b. On land with a slope greater than 20 degrees, no cattle older than 2 years or greater than 400kg live weight are grazed from 1 May to 30 September.
c. Farm scale erosion risks (type of erosion occurring / areas of the farm at risk / specific location of major erosion sites) are identified, and areas mapped where measures are required to prevent exacerbation of erosion (including areas where cattle need to be excluded or managed, areas of planting and areas to be retired).
d. Identify opportunities to modify or retire drainage channels to reduce the transport of nitrogen, phosphorus, sediment or microbial pathogens into sensitive waterbodies in the sub-catchment including any lakes and wetlands

5. Sacrifice paddocks and intensive winter grazing

a. When any land adjacent to a Schedule C Clause 1 waterbody is being utilised for intensive winter grazing or as a sacrifice paddock, an un-grazed vegetated buffer at least 10 metres from the edge of the waterbody shall be maintained.
b. Break feeding of sacrifice paddocks and intensive winter grazing is managed so grazing occurs progressively towards critical source areas or receiving water bodies.
c. Ephemeral watercourses that are not permanently fenced that have water in them during intensive winter grazing and grazing of sacrifice paddocks are temporarily fenced to exclude stock.
d. No more than five ha of intensive winter grazing on a farm occurs on land over 10° slope, and no intensive winter grazing occurs on land over 20° slope.

Advice note: for Intensive Winter Grazing, in addition to the above, farm plan actions are expected to meet or exceed industry guidance, such as:
https://beeflambnz.com/knowledge-hub/winter-grazing
https://www.dairynz.co.nz/environment/winter-grazing/

6. Races, laneways, bridges and other infrastructure

a. New races, laneways, culvert crossings and bridges must be designed (including, in the case of races and laneways, through surface contouring and surface drainage channels) and maintained to prevent ponding and to direct runoff to vegetated areas. Runoff should be directed away from permanent or intermittently flowing rivers or water courses.
Note: direct runoff occurs where there is no filtering effect as a result of contact with vegetation.

b. Existing races, laneways, culvert crossings and bridges which were established before Chapter 3.11 became operative shall be re-located, re-designed or managed to meet standard 6(a) as soon as practicable, generally no later than 5 years, and in all cases no later than 10 years after this chapter becomes operative.

c. New gateways, water troughs, self-feeding areas, wallows and other sources of nitrogen, phosphorus, sediment and microbial pathogen loss are located so that these contaminants are directed away from waterbodies.

d. Existing gateways, water troughs, self-feeding areas, wallows and other sources of nitrogen, phosphorus, sediment and microbial pathogen loss are re-located, re-designed or managed to minimise the risks to surface water quality as soon as practicable, generally no later than 5 years, and in all cases no later than 10 years after this chapter becomes operative.

7. Cultivation

a. No cultivation of any land where slope exceeds 20 degrees.

b. Cultivation does not occur within any critical source areas.

8. Effluent management

a. Dairy effluent storage consistent with a 90% (or greater) conformance with the Dairy Effluent Storage Calculator (DESC) is in place at the date that the FEP is required.
A guide to using the Dairy Effluent Storage Calculator (DESC); Step by step instructions on how to calculate storage requirements, DairyNZ 2015.
https://www.dairynz.co.nz/media/lzkfwpco/using_the_dairy_effluent_storage_calculator_dnz40_114.pdf

b. Effluent ponds are managed to ensure there is a minimum of 75% working volume available by 1 May each year, to provide capacity for the wet winter period.

c. The effluent block is sized to ensure nitrogen applications from applied effluent are less than 150kgN/ha/year.

d. The effluent system is designed and operated to ensure that the conditions of Rule 3.5.5.1 and Rule 3.5.5.2 are met at all times, unless a specific consent has been sought under Rules 3.5.5.3 to 3.5.5.5 to depart from the standards in Rule 3.5.5.1 and Rule 3.5.5.2 in which case the conditions of that consent shall be met at all times.

e. Yard areas (drystock and dairy) to be managed to ensure runoff of untreated farm animal effluent to water does not occur. Where dairy yards are sealed and washed down effluent must be collected into an effluent system and managed as set out in a) to d) above.

f. Major incident risks (e.g. spillages or other unauthorised discharges) are identified and emergency procedures are in place.

g. Effluent system maintenance and monitoring is carried out on a regular basis.

h. All effluent applications are recorded – location, duration, application rate, and where relevant identity of contract spreader.

9. Water irrigation

a. Irrigation scheduling – soil moisture tapes, soil moisture probes and/or a soil moisture budget are used to inform irrigation decisions.

b. A deficit irrigation system is operated. Fixed depth and return irrigation systems must be replaced with a deficit irrigation approach within 3 years of the date that the FEP is required.

c. An assessment of the irrigation system must be undertaken every second year to determine application depths and uniformity. Where test results fall outside of manufacturers' specifications for the system an action must be included to address this within 12 months.

10. Record Keeping

a. Accurate and auditable records of annual farm inputs, outputs and management practices, as well as the Nitrogen Risk Scorecard value (for dairy farms), and winter stocking rate and cattle winter stocking rate (for drystock farms) are maintained.

b. Information described in a) above is provided to the Waikato Regional Council on request.

Advice note: For the avoidance of doubt, financial information contained within the above records may be redacted (blacked out) prior to them being provided to Waikato Regional Council.

PART E – CERTIFICATION OF A FARM ENVIRONMENT PLAN

1. Certification (including recertification) of the FEP shall occur in accordance with Schedule D3, and shall recognise the requirements of:

a. The FEP purpose in Part B of Schedule D1;
b. FEP content in Part C of Schedule D1;
c. The standards in Part D of Schedule D1;
d. Any relevant policy or rule in Chapter 3.11;
e. Any other relevant Waikato Regional Plan provision.
f. Any applicable national regulation.

2. At each recertification of the FEP in accordance with Schedule D3, there shall be an account in the FEP of the actions completed on the farm, to reduce the risk of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens, including:
    a. Metres of stock exclusion fencing constructed;
    b. Area of land retired from grazing;
    c. Reductions in nitrogen and phosphorus inputs to the farm system;
    d. Surface contouring and drainage works to direct runoff away from water bodies;
    e. Erosion and sediment control works such as pole planting and construction of sediment ponds;
    f. Constructed treatment wetlands;
    g. Area of riparian planting;
    h. Construction of herd homes and hard stand areas;
    i. Any other relevant action.

3. The FEP must be kept fit for purpose, by amending the plan as necessary to:
    a. Reflect any changes in the farm; and
    b. Comply with this Schedule; and
    c. Comply with any applicable national regulation; and
    d. Adopt new technologies and mitigation practices where appropriate.

Schedule D2 - Requirements for Farm Environment Plans for farming that requires consent/Te Whakaritenga D2 – Ngā here mō ngā Mahere Taiao ā-Pāmu mō te mahi pāmu me mātua whai whakaaetanga

The FEP must be prepared and implemented in accordance with Parts A, B, C, D, and E below.

For the avoidance of doubt, to the extent that any national regulations requiring freshwater farm plans (FWFPs) apply in the Waikato and Waipā River catchments, FEPs shall be considered to be FWFPs and the two sets of requirements shall be integrated into a single farm planning document. To achieve that:

a. the matters set out in Parts A-E below shall apply in addition to the requirements of any national regulation; and

b. in order to demonstrate compliance with national regulations, the FEP may adopt wording or terminology used in any national regulations instead of wording or terminology used in this Schedule provided that there is no substantive difference in the requirements for FEPs listed in this Schedule.

c. Schedule D3 (as referenced in this Schedule) provides for certification and audit of FEPs to occur in accordance with Chapter 3.11 requirements for FEPs, or national regulations, where such regulations apply in the Waikato and Waipā River catchments.

Notes:
An FEP may be prepared by the farm operator, or by any other person on behalf of the farm operator, including via a certified sector scheme.

An FEP under this schedule must be certified in accordance with Schedule D3.

PART A – PROVISION OF FARM ENVIRONMENT PLAN

A certified FEP must be submitted to Waikato Regional Council using either:

1. A council digital FEP tool including the matters set out in Part C below to the extent relevant, with maps and data provided as spatial GIS layers; OR
2. An industry digital FEP tool that:
    a. complies with the council's data exchange specifications; and
    b. includes all the matters set out in part C - E below to the extent relevant; and
    c. includes maps and data provided as spatial GIS layers; and
    d. has been approved by the Chief Executive of the Waikato Regional Council as meeting the criteria in (a) – (c) above.

The Waikato Regional Council data exchange specifications will set out the standards and detail of the data exchange process to be used by external industry parties in the provision of FEPs.

PART B – FARM ENVIRONMENT PLAN PURPOSE

The purpose of an FEP is:

1. To assess and record whether current farming activities are consistent with the goals and principles set out in Part D of this Schedule; and
2. To identify and record the specific, time bound actions and mitigations that will be adopted to:
    a. demonstrate general improvement in farming practice to reduce the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to contribute to the achievement of the target attribute states in Table 3.11-1;
    b. prioritise actions in accordance with Policy 1(b) and 1(f); and
    c. demonstrate that the farming activities are consistent with the goals and principles set out in Part D of this schedule; and
    d. ensure that the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens are as low as practicable for the farming activity or will be reduced to as low as practicable over an appropriate specified period;

PART C – FARM ENVIRONMENT PLAN CONTENT

The FEP must contain as a minimum:

1. The following details for the land being farmed:
    a. Full name, postal and physical address and contact details (including email address and telephone number) of the person responsible for the farm (the 'farm operator');
    b. Legal description of the land being farmed which is the subject of the FEP
        i. The ownership of each parcel of land if different from the farm operator;

ii. The legal description of each parcel of land;
c. Any relevant farm identifiers such as dairy supply number, Agribase identification number, and valuation reference.
d. Identification of the sub-catchment within which the land is being farmed.

2. A map(s) or aerial photo at a scale that clearly shows:
   a. The boundaries of the farm;
   b. The sub-catchment(s) that the farm is/are within, and their location in the sub-catchment;
   c. The boundaries of the main land management units or land uses on the farm;
   d. The location (and for named waterbodies, the names) of the following waterbodies on the farm:
      i. all permanently flowing rivers, streams, springs and artificial watercourses;
      ii. any lake;
      iii. any natural wetland that supports a population of threatened species and any wetland listed in Table 3.7.7 of the Waikato Regional Plan; and
      iv. any intermittently flowing river or intermittently flowing artificial watercourse from which stock are already excluded or where actions to exclude stock under Schedule C are included in the action plan;
   e. The location of identified cultural matters of importance to tangata whenua that will be addressed through farm actions.
   f. The location of riparian vegetation and fences (or other stock proof barriers) adjacent to any of the waterbodies that meet the criteria for stock exclusion in Schedule C; and
   g. The location of any stock crossing points or structures on any of the waterbodies that meet the criteria for stock exclusion in Schedule C where stock have access.
   h. The location of critical source areas for which mitigation measures will be implemented within 10 years of Chapter 3.11 becoming operative, and any major areas of actively eroding soil; and
   i. The location(s) of described actions and mitigations to be undertaken; and

3. The FEP must include:
   a. An assessment, in sufficient detail to reflect the scale of environmental risk, of whether farming practices are consistent with each goal and principle in Part D below; and
   b. A defined and auditable description in the action plan attached to the FEP of those farming practices that will continue to be undertaken in a manner consistent with the goals and principles;
   c. A description of those farming practices that are not consistent with the goals or principles, and a defined and auditable description in the action plan attached to the FEP of the specific, time-bound actions and practices that will be adopted to ensure the farming activities are consistent with the goals and principles;
   d. For dairy farming, the evidence to demonstrate the Nitrogen Risk Scorecard value for the farm in conformance with Schedule B, including:
      i. Evidence to demonstrate the nitrogen leaching risk analysis for the farm in conformance with Schedule B; and
      ii. Evidence to demonstrate general improvement in farming practice to reduce the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, and that either the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to water is already as low as practicable given the current land use or will be reduced to be as low as practicable over an appropriate specified period;
      iii. For farming in the Whangamarino Wetland catchment area shown on Map 3.11-3, evidence that the significance and sensitivity of the Whangamarino Wetland has been considered in development of the Farm Environment Plan; and
   e. The records and evidence that must be kept that demonstrate performance and the achievement of a goal or principle listed in Part D; and
   f. Where there are particular risks related to the rainfall, topography and soil characteristics of the farm or land used for commercial vegetable production, actions and mitigations to address the effects of those characteristics on the discharge of nitrogen, phosphorus, sediment and microbial pathogens.
   g. A programme to undertake and complete the stock exclusion requirements (including fencing) in Schedule C.

   Note: For b) and c), identified actions and practices may include adherence to any specific and relevant industry codes of practice.

Advice note: For the avoidance of doubt, financial information contained within the above records may be redacted (blacked out) prior to them being provided to Waikato Regional Council

PART D – Goals and Principles
Goal 1 – Whole Farm
To manage farming in a way that minimises losses of nitrogen, phosphorus, sediment and microbial pathogens that potentially affect water quality.

Principles

1. Identify the characteristics of the farm system, the risks that the farm system poses to water quality, and the farming practices that minimise the losses of nitrogen, phosphorus, sediment and microbial pathogens.
2. Maintain accurate and auditable records of annual farm inputs, outputs and management practices.
3. Manage farming operations to minimise losses of nitrogen, phosphorus, sediment and microbial pathogens to water and, where agronomically appropriate, maintain or enhance soil structure.
4. In managing loss of nitrogen, phosphorus, sediment and microbial pathogens to water, recognise and provide for the most sensitive waterbodies in the sub-catchment including any lakes and wetlands.

Goal 2 – Nutrient Management

To minimise losses of nitrogen and phosphorus to water and avoid inefficient use of those nutrients.

Principles

5. Monitor soil phosphorus levels and maintain them at or below the agronomic optimum for the farm system.
6. Manage the amount and timing of nutrient inputs, taking account of all sources of nitrogen and phosphorus, to match plant requirements and minimise risk of losses to water.
7. Store and load nutrients to minimise risk of spillage, leaching and loss into waterbodies.
8. Ensure equipment for spreading nutrients is well maintained and calibrated.
9. Store, transport and distribute feed to minimise wastage, leachate and soil damage.

Goal 3 – Contaminant Loss Reduction

To farm in accordance with the nitrogen, phosphorus, sediment and microbial pathogen management requirements of Chapter 3.11 or any requirement specified in a resource consent.

Principle

10. a. Where land is used for farming (except for commercial vegetable production) to farm in a manner that achieves the reductions in the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens required in Policy 2 of Chapter 3.11; or
    b. Where land is used for commercial vegetable production, to farm in a manner that achieves the reductions in the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens required in Policy 3 of Chapter 3.11.

Goal 4 – Waterways

To minimise losses of nitrogen, phosphorus, sediment and microbial pathogens to waterways.

Principles

11. Identify risk of overland flow of nitrogen, phosphorus, sediment and microbial pathogens on the farm or land used for commercial vegetable production and implement actions and mitigations to minimise transport of these to waterbodies.
12. Locate and/or manage farm tracks, gateways, water troughs, self-feeding areas, stock camps, wallows and other critical source areas to minimise risks to water quality.
13. Identify opportunities to modify or retire drainage channels to reduce the transport of nitrogen, phosphorus, sediment or microbial pathogens into sensitive waterbodies in the sub-catchment including any lakes and wetlands

Goal 5 – Stock exclusion

To exclude stock from the waterbodies that meet the criteria for stock exclusion in Schedule C and minimise stock damage to the beds and margins of wetlands and riparian areas.

Principles

14. Exclude stock in a manner consistent with the requirements in Schedule C; or
15. Until stock exclusion is completed, or if an alternative is approved through a resource consent,
    - Prevent or minimise the direct deposition of animal excreta to water bodies; and
    - Reduce sediment loss from the disturbance of beds and banks of water bodies; and
    - Reduce damage to bank and stream habitat.

Goal 6 – Land and Soil

To minimise losses of nitrogen, phosphorus, sediment and microbial pathogens to waterways from soil disturbance and erosion.

Principles

16. Minimise periods of exposed soil between crops/pasture and adopt measures to minimise erosion, overland flow and leaching.

17. Minimise soil losses by identifying erosion risks (type of erosion occurring / areas of the farm or land used for commercial vegetable production at risk / specific location of major erosion sites), and identifying measures to manage those risks, such as retiring steep erosion prone land, managing stock on steep land or by adopting appropriate soil conservation measures and practices.
18. Select areas for growing crops and intensive grazing which minimise possible nitrogen, phosphorus, sediment and microbial pathogen loss from critical source areas and avoid exacerbating erosion.
19. Manage grazing and crops to minimise losses from critical source areas.
20. Manage the physical and biological condition of soils in order to minimise the movement of nitrogen, phosphorus, sediment and microbial pathogens into waterways.

Goal 7 – Effluent

To minimise losses of nitrogen, phosphorus, sediment and microbial pathogens to waterways from farm animal effluent systems.

Principles

21. Ensure the effluent system meets the industry-specific Code of Practice or equivalent standard. *The COP can be found here: https://www.dairynz.co.nz/media/xomlwdav/fde-design-standards-and-cop-2015.pdf*
22. Have sufficient storage available for farm animal effluent and wastewater and actively manage effluent storage levels to ensure no discharge of effluent to waterways at all times.
23. Ensure equipment for spreading effluent and other organic manures is well maintained and calibrated.
24. Apply effluent to pasture and crops at depths, rates and times to match plant requirements and soil water holding capacity without pooling or running off.

Goal 8 – Water and Irrigation

To operate irrigation systems in a way that minimises losses of nitrogen, phosphorus, sediment and microbial pathogens to surface water or groundwater.

Principle

25. Manage the amount and timing of irrigation inputs to meet plant demands and minimise risk of leaching and runoff.

PART E – CERTIFICATION OF A FARM ENVIRONMENT PLAN

1. Unless restricted by resource consent, certification (including recertification) of the FEP shall occur in accordance with Schedule D3, and shall recognise the requirements of:
   a. The FEP purpose in Part B of Schedule D2;
   b. FEP content in Part C of Schedule D2;
   c. The goals and principles in Part D of Schedule D2;
   d. Any relevant policy or rule in Chapter 3.11;
   e. Any other relevant Waikato Regional Plan provision.
   f. Any relevant national regulation.

2. At each review or recertification of the FEP, there shall be an account in the FEP of the actions completed on the farm to reduce the risk of diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens, including:
   a. Metres of stock exclusion fencing constructed;
   b. Area of land retired from grazing;
   c. Reductions in nitrogen and phosphorus inputs to the farm system;
   d. Surface contouring and drainage works to direct runoff away from water bodies;
   e. Erosion and sediment control works such as pole planting and construction of sediment ponds;
   f. Constructed treatment wetlands;
   g. Area of riparian planting;
   h. Construction of herd homes and hard stand areas;
   i. Any other relevant action.

3. The FEP must be kept fit for purpose by amending the plan as necessary to:
   a. Reflect any changes in the farm; and
   b. Comply with this Schedule; and
   c. Comply with any applicable national regulation; and
   d. Adopt new technologies and mitigation practices where appropriate.

Schedule D3 - Farm Environment Plan Certification and Audit Process/Te Whakaritenga D3 – Te Tukanga Whakamanatanga me te Arotake mō Ngā Mahere Taiao ā-Pāmu

If national regulations requiring farm plans apply in the Waikato and Waipā River catchments and those regulations, contain certification and auditing obligations, then the certification and audit provisions of those national regulations shall apply to all farms requiring an FEP under this plan as if references to 'freshwater farm plans' were references to 'farm environment plans'. If no such regulations apply, certification and audit process shall be as described in Part A to D below.

PART A – CERTIFICATION AND AUDIT OF FARM ENVIRONMENT PLAN

1. **Choosing and paying Certified Farm Environment Planner or Auditor**
   a. A farm operator must choose a Certified Farm Environment Planner or Auditor appointed by the Waikato Regional Council.
   b. The farm operator must engage and pay for the services of the Certified Farm Environment Planner or Auditor directly according to the terms agreed between the operator and the Certified Farm Environment Planner or Auditor.

PART B – CERTIFICATION (INCLUDING RECERTIFICATION) OF FARM ENVIRONMENT PLAN

1. **Certified Farm Environment Planner's assessment**
   a. To certify a FEP, a Certified Farm Environment Planner must complete an assessment report including a draft decision whether the plan meets or does not meet the requirements of Schedule D1 or Schedule D2, whichever is relevant, including the reasons for that conclusion.
   b. The Certified Farm Environment Planner must, in undertaking this assessment, conduct a site visit of the farm unless it is a recertification of a FEP that, through its amended action plan, does not propose to implement any new actions to address a requirement in Schedule D1 or Schedule D2, whichever is relevant.
   c. The Certified Farm Environment Planner may request further information from the farm operator to determine whether the requirements of Schedule D1 or Schedule D2, whichever is relevant, have been met.

2. **Certified Farm Environment Planner provides draft decision and assessment report to farm operator**
   a. The Certified Farm Environment Planner must provide their draft decision and assessment report to the farm operator within 30 working days after the farm operator has submitted their plan to the Certified Farm Environment Planner for certification.
   b. The Certified Farm Environment Planner's draft decision must indicate whether:
      i. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have been met and the FEP can be certified; or
      ii. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have not been met and the FEP needs to be amended in order to achieve certification.
   c. The Waikato Regional Council may, in its discretion, extend the time frame under subclause (a).

3. **If farm operator disagrees with Certified Farm Environment Planner's draft decision or assessment report**
   a. If the farm operator disagrees with any aspect of the draft decision or assessment report, or both, the operator must provide comments in writing to the Certified Farm Environment Planner within 10 working days after receiving the draft decision and assessment report.
   b. The Certified Farm Environment Planner must, within 5 working days after receiving the comments:
      i. consider the operator's comments; and
      ii. provide to the operator a preliminary decision and assessment report.
   c. The Certified Farm Environment Planner's preliminary decision must indicate that:
      i. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have been met and the FEP can be certified; or
      ii. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have not been met and the FEP needs to be amended in order to achieve certification.
   d. The farm operator must notify the Certified Farm Environment Planner, within 10 working days after receiving the preliminary decision, if the operator:
      i. disagrees with any aspect of the preliminary decision or preliminary assessment report or both;
      ii. engages a second Certified Farm Environment Planner under clause 5 below.

4. **If farm operator accepts the Certified Farm Environment Planner's draft decision or assessment report or preliminary decision or assessment report**
    a. If the farm operator does not provide comments in writing under clause 3(a) of Part B of Schedule D3, the draft decision and assessment report become the final decision and assessment report.
    b. If the farm operator does not notify the Certified Farm Environment Planner under clause 3(d) of Part B of Schedule D3, the preliminary decision and assessment report become the final decision and assessment report.
    c. If subclause (a) or (b) applies, the Certified Farm Environment Planner must, as soon as practicable, notify the farm operator and the Waikato Regional Council of the Certified Farm Environment Planner's final decision that:
        i. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have been met and the FEP is certified; or
        ii. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have not been met and the FEP needs to be amended in order to achieve certification.
    d. The Certified Farm Environment Planner must indicate in their decision that it was made by the first Certified Farm Environment Planner.

5. **Farm operator may engage second Certified Farm Environment Planner**
    a. A farm operator who disagrees with any aspect of the Certified Farm Environment Planner's preliminary decision or assessment report, or both, may, within 10 working days after receiving the preliminary decision and assessment report, engage a second Certified Farm Environment Planner to carry out the certification and notify the first Certified Farm Environment Planner that a second Certified Farm Environment Planner has been engaged.
    b. Clause 1 of Part A of this Schedule and clause 1 of Part B of Schedule D3, apply to the second Certified Farm Environment Planner in the same way they applied to the first Certified Farm Environment Planner
    c. The farm operator must provide to the second Certified Farm Environment Planner:
        i. all of the information that the operator provided to the first Certified Farm Environment Planner; and
        ii. the draft and preliminary decisions and assessment reports that the first Certified Farm Environment Planner provided to the operator.
    d. The second Certified Farm Environment Planner may choose to adopt any, all, or none of the first Certified Farm Environment Planner's decisions and assessment reports.
    e. The farm operator may seek a second certification only once in relation to each preliminary decision and assessment report.

6. **First Certified Farm Environment Planner must notify Waikato Regional Council if second Certified Farm Environment Planner engaged**
    If the first Certified Farm Environment Planner is notified that a second Certified Farm Environment Planner has been engaged under clause 5 of Part B of Schedule D3, the first Certified Farm Environment Planner must notify Waikato Regional Council within 5 working days that they are no longer the Certified Farm Environment Planner of the operator's FEP.

7. **Second Certified Farm Environment Planner's draft decision and assessment report**
    a. The second Certified Farm Environment Planner must provide their draft decision and assessment report to the farm operator within 30 working days after being engaged by the farm operator
    b. The second Certified Farm Environment Planner's draft decision must indicate whether:
        i. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have been met and the FEP can be certified; or
        ii. the requirements of Schedule D1 or Schedule D2, whichever is relevant, have not been met and the FEP needs to be amended in order to achieve certification.
    c. Waikato Regional Council may, in its discretion, extend the time frame under subclause (a).

8. **Second Certified Farm Environment Planner's final decision and assessment report**
    a. If the farm operator disagrees with any aspect of the second Certified Farm Environment Planner's draft decision or assessment report, or both, the operator must provide comments in writing to the second Certified Farm Environment Planner within 10 working days after receiving the draft decision and assessment report
    b. If the farm operator provides comments in writing, the second Certified Farm Environment Planner must, within 5 working days after receiving the comments:
        i. Consider the comments; and
        ii. Produce a final assessment report; and
        iii. Make a final decision.
    c. The second Certified Farm Environment Planner must, as soon as practicable, notify the farm operator and Waikato Regional Council of the second Certified Farm Environment Planner's final decision that:
        i. The requirements of Schedule D1 or Schedule D2, whichever is relevant, have been met and the FEP is certified; or

ii. The requirements of Schedule D1 or Schedule D2, whichever is relevant, have not been met and the FEP needs to be amended in order to achieve certification.

d. The second Certified Farm Environment Planner must indicate in their decision that it was made by the second Certified Farm Environment Planner.

9. Recertification

Five-yearly requirement

a. A farm operator must amend their certified FEP and submit it to a Certified Farm Environment Planner for recertification not later than 5 years after the plan was last certified unless otherwise specified in a resource consent

Twelve-month requirement following specified events

b. Unless otherwise specified in a resource consent, a farm operator must amend and submit their certified FEP, or part of their plan, to a Certified Farm Environment Planner for recertification not later than 12 months after any of the following events occur:
   i. the farm has new significant changes in risk to freshwater and freshwater ecosystems arising from changes to the geophysical (including hydrological) features of the land;
   ii. the farm acquires additional land in a different sub-catchment within the Waikato and Waipā River catchments;
   iii. the farm operator undertakes significant changes in farming activities;
   iv. the farm changes farm operator and the new farm operator does not adopt the existing certified FEP.

Flexibility to submit plan at any other time

c. In addition to the requirements under subclauses (a) and (b), a farm operator may amend and submit their certified FEP, or part of their plan, to a Certified Farm Environment Planner for recertification at any other time.

Submission of part of farm environment plan under subclause (b) or (c)

d. For the purposes of subclause (b) or (c), a farm operator may only submit the relevant part of the certified FEP that has been amended if the recertification under subclause (b) or (c) relates to:
   i. A part of the farm; or
   ii. A part of the farming activity.

e. If a farm operator submits only a part of a plan under subclause (b) or (c), the operator must continue to comply with
   i. the time frame that was set out in the most recent certification of the entire FEP for submitting the entire FEP for recertification under subclause (a); and
   ii. the time frame that was set out in the most recent audit of the farm for arranging the next audit of the farm.

Circumstances in which subclause (b) does not apply

f. A farm operator is not required to seek recertification under subclause (b) if—
   i. an event under subclause (b)(i), (ii), or (iii) occurs; but
   ii. the farm operator adopts all of an existing certified FEP that addresses the event.

PART C – AUDIT OF CERTIFIED FARM ENVIRONMENT PLAN

Responsibilities of farm operator

1. Farm operator must implement actions within required time frames

The farm operator must implement the actions specified in the action plan contained in the certified FEP within the time frames required under the action plan.

2. Audits

a. Unless otherwise specified in a resource consent, a farm operator must, not later than 12 months after the initial certification of their FEP, arrange for an auditor to audit the farm against Schedule C requirements and those actions specified in the action plan contained in the certified FEP as needing to be completed within the first 12 months of certification of the FEP.

b. Unless otherwise specified in a resource consent, a farm operator must also arrange for a subsequent audit of the farm against the actions specified in the action plan within three years of the previous audit, or a longer timeframe if this is agreed in writing by Waikato Regional Council in accordance with subclause (c) or (d), and if a resource consent specifies no audit is required by sub-clause (a), within three years of initial certification of their FEP.

c. Where two consecutive audits of FEPs for permitted activities demonstrate full adherence with the action plan in the FEP, Waikato Regional Council will extend the timeframe for audit in subclause (b) by 2 years.

d. Where two consecutive audits of FEPs for consented activities demonstrate full adherence with the action plan in the Farm Environment Plan, Waikato Regional Council will extend the timeframe for audit in subclause (b) by 1 year and may extend it by a further year where implementation timelines have been demonstrably reduced compared to those set out in the action plan.

Advice note: it is expected that the auditor will initiate the audit process as soon as practicable after being engaged by the farm operator, and generally within one month of initial arrangement

Auditor's reports

3. Audit of farm in accordance with certified farm environment plan

a. A farm operator must, unless otherwise specified in a resource consent:
   i. arrange, within the prescribed time frame, for an auditor to audit the farm against the actions specified in the action plan contained in the certified FEP; and
   ii. arrange for further audits to be carried out at the frequency required by this schedule
b. The audit must be completed in the manner prescribed in this schedule.
c. The farm operator must provide the auditor with:
   i. an up-to-date copy of the certified FEP and any relevant information; and
   ii. any evidence of circumstances beyond the control of the farmer that have prevented the full compliance with the action plan and/or any evidence of reasonable attempts to comply; and
   iii. any further information that the auditor reasonably requests for the purpose of the audit; and
   iv. reasonable access to the farm (or any part of it) for the purpose of any audit inspection.
d. After completing the audit, the auditor must:
   i. provide the farm operator with a report of the auditor's findings on whether the farm operates in accordance with the actions specified in the action plan contained in the certified FEP; and
   ii. if the auditor finds that the farm is operating in accordance with the action plan contained in the certified FEP, provide that report to the Waikato Regional Council.
e. If the auditor finds that the farm is not operating in accordance with the action plan contained in the certified FEP:
   i. The auditor's report
      1. must include reasons for this finding; and
      2. specify reasonable time frames by which the actions specified in the action plan must be achieved; and
      3. may include recommendations on how the actions specified in the action plan may be achieved; and
   ii. the auditor must give the farm operator a reasonable opportunity to respond to the report; and
   iii. the auditor must, after the prescribed period has expired, provide the farm operator and the Waikato Regional Council with a final report:
      1. setting out the auditor's findings (including the findings of the first report); and
      2. stating whether the actions specified in the action plan were achieved; and
      3. including any recommendations from the auditor.

4. Auditor's report

a. A report of the auditor's findings on whether the farm is operating in accordance with the action plan contained within the certified FEP must, in addition to the requirements in clause 3 of Part C of Schedule D3:
   i. assess whether individual actions in the action plan have been implemented within the time frames required under the action plan; and
   ii. Specify the latest date by which a future audit must be arranged by the farm operator in accordance with clause 2 of Part C of Schedule D3 or any resource consent; and
   iii. record any response provided by the farm operator under clause 3(e)(ii) of Part C of Schedule D3, if applicable.

5. Time frames for first and final audit reports

First audit report

a. An auditor must provide a copy of the first audit report to the farm operator as required by clause 3(d) within 20 working days after being engaged by the operator.

Final audit report

b. For the purposes of clause 3(e)(iii) of Part C of this Schedule, the prescribed period is 15 working days after the auditor provides the farm operator with a copy of the first audit report.
c. Waikato Regional Council may, in its discretion, extend the time frames under subclause (a) and (b).

PART D – INFORMATION REQUIREMENTS

Farm operator to provide information to Waikato Regional Council

1. Farm operator to provide Waikato Regional Council with report or decision

a. Waikato Regional Council may require a farm operator to provide the council with a Certified Farm Environment Planner's draft, preliminary, or final assessment report or Certified Farm Environment Planner's draft or preliminary decision in relation to the farm operator's FEP.

b. The farm operator must provide the report or decision within 20 working days after receiving the council's request.

c. The council may only make this request for the purposes of the Waikato Regional Council's functions under a provision in Chapter 3.11 or a resource consent granted under Chapter 3.11.

2. Farm operator to provide certified farm environment plan to Waikato Regional Council

a. This clause applies if the Waikato Regional Council requires a farm operator to produce a certified FEP for inspection under a provision in Chapter 3.11 or a resource consent granted under Chapter 3.11

b. The farm operator must provide the certified FEP within 20 working days after receiving the council's request.

3. Farm operator must provide information for purpose of monitoring compliance

A farm operator must provide any information reasonably required by a Waikato Regional Council Enforcement Officer for the purpose of monitoring compliance with a rule in Chapter 3.11 or a condition of a resource consent granted under Chapter 3.11.

Certified Farm Environment Planners and auditors to provide information to Waikato Regional Council

4. Certified Farm Environment Planners and auditors must provide information to Waikato Regional Council

a. A Certified Farm Environment Planner must provide the following to the Waikato Regional Council within 5 working days after notifying the council of a decision under clause 4(c)(i) or clause 8(C)(i) of Part B of Schedule D3:

   i. the information required under clause 1 of Part C and clause 2 of Part E, Schedule D1 or clause 1 of Part C and clause 1 of Part E, Schedule D2;

   ii. the action plan;

   iii. a conflict of interest declaration

   iv. statement as to whether the farm operator intends to use the FEP to meet another regulatory requirement in a specified instrument.

   v. a map of the spatial extent of the farm at the time of certification.

b. An auditor must provide the following to the Waikato Regional Council within 5 working days after completing an audit:

   i. the information required under clause 1 of Part C, Schedule D1 or clause 1 of Part C, Schedule D2;

   ii. the final audit report;

   iii. a conflict of interest declaration

Requirements for keeping information

5. Information that Certified Farm Environment Planners and auditors must keep

a. Certified Farm Environment Planners must keep information received and prepared in relation to the certification of a FEP for 7 years;

b. The information under subclause (a) includes, without limitation, the following:

   i. comments received from the farm operator on the draft decision or assessment report;

   ii. any draft, preliminary, and final assessment reports and draft and preliminary decisions;

   iii. the information required under clause 1 of Part C, Schedule D1 or clause 1 of Part C, Schedule D2 (administrative information in FEP)

c. Auditors must keep all of their audit reports for 7 years.

Schedule D4 - Appointment process and criteria for Certified Farm Environment Planners and Auditors/Te Whakaritenga D4 - Te Tukanga whakatū me ngā paearu mō ngā Kaitāhuhu Mahere Taiao ā-Pāmu me ngā Kaitātari kua Whakamanahia

1. The Waikato Regional Council will publish, and keep up to date, operating procedures on the appointment process for Certified Farm Environment Planners and Auditors.

2. Appointments (and terminations of appointments) shall be made consistent with those operating procedures unless a national regulation requiring freshwater farm plans applies in the Waikato and Waipā River catchments which includes specific appointment requirements. In that case, the provisions of those national regulations shall prevail over the Regional Council's operating procedures, except that, in all cases:

3. Certified Farm Environment Planners who certify FEPs in the Waikato and Waipā River catchments must:
   a. Demonstrate an understanding of, or have successfully completed training in, the competencies for Certified Farm Environment Planners and Auditors; and
   b. Have a qualification in natural resource management or farm system management, or
   c. Have at least 3 years' experience in a field related to the competencies for Certified Farm Environment Planners.

4. Auditors who audit FEPs in the Waikato and Waipā River catchments must:
   a. Demonstrate an understanding of, or have successfully completed training in, the competencies for Certified Farm Environment Planners and Auditors; and
   b. Be a member of a professional audit body; or
   c. Have at least 3 years' experience in a field related to the competencies for Auditors.

5. The competencies for Certified Farm Environment Planners and Auditors are the following matters as relevant to the Waikato and Waipā River catchments:
   a. Te Ture Whaimana o Te Awa o Waikato and any relevant freshwater matters in planning documents that are recognised by iwi authorities and lodged with the Waikato Regional Council; and
   b. The Waikato Regional Plan and Waikato Regional Policy Statement provisions, and in particular the Chapter 3.11 provisions relating to farming; and
   c. The impacts of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens from farming on water bodies, and actions appropriate to manage those impacts.

Schedule E - Certification of sector schemes/Te Whakaritenga E – Te Whakamananga o ngā Kaupapa ā-Rāngai

The purpose of this schedule is to set out the minimum standards for certified sector schemes to provide certification or audit services (or both) for FEPs to its members.

Applications for approval as a certified sector scheme shall be lodged with the Waikato Regional Council, and shall include information that demonstrates how the following standards are met. The Waikato Regional Council may request further information or clarification on the application as it sees fit.

Approval or revocation of approval will be at the discretion of the Chief Executive of the Waikato Regional Council subject to being satisfied that the scheme achieves the standards set out in sections A-D below.

A. Governance and management

Applications must include:

1. A description of the governance arrangements of the scheme;
2. The contractual arrangements between the scheme and its members;
3. A description of the process for gaining and ceasing membership;
4. A description of the scheme area, including land uses, key environmental issues, farm boundaries and ownership details of members' farms;
5. A procedure for keeping records of the matters in (4) above and advising Waikato Regional Council of changes;
6. A draft contractual agreement with the Waikato Regional Council that will require the scheme, on certification, to meet and maintain the standards outlined in Section B to D below.

B. Preparation and certification of Farm Environment Plans

Applications must include:

1. A statement of the scheme's capability and capacity for preparing and certifying FEPs (in accordance with Schedule D3), that meet the requirements of Schedule D1 or D2, including the qualifications and experience of any personnel employed by or otherwise contracted to the scheme to prepare or certify FEPs;
2. An outline of timeframes for developing FEPs for its members.

C. Implementation and audit of Farm Environment Plans

Applications must include:

1. A statement of the scheme's capability and capacity for monitoring and assessing the implementation of FEPs, including the audit of certified FEPs (in accordance with Schedule D3), and the qualifications and experience of any personnel employed by or otherwise contracted to the scheme to audit certified FEPs, having reference to Schedule D4, Clauses 4 and 5;
2. A description of the expectations and agreements around landowner and farm record-keeping;
3. A strategy for identifying and managing poor performance in implementing FEPs.

D. Scheme Audit

Applications must include a description of an annual scheme audit process to be conducted by an independent body, including:

1. A process for assessing the performance of the scheme and any personnel employed by or otherwise contracted to the scheme to prepare, certify, and audit the implementation of FEPs;
2. A statement of how audit results will be shared with the scheme's members and the wider community;

A summary audit report must be submitted to the Waikato Regional Council annually.

3.11.6 List of tables and maps/Te rārangi o ngā ripanga me ngā mahere

Table 3.11-1: Interim target attribute states and 80-year attribute states for the Waikato and Waipā River catchments/Te Ripanga 3.11-1: Ngā āhuatanga ā-kounga wai o ngā riu o ngā awa o Waikato me Waipā i ngā taupoto, i ngā tau e 80 anō hoki
Table 3.11-1(a) – *E. coli* and Clarity Attribute States
Addendum to Table 3.11-1 (a) Sub-catchments monitored from late 2018
Table 3.11-1(b) – Dissolved Nitrogen and Phosphorus Attribute States
Addendum to Table 3.11-1 (b) Sub-catchments monitored from late 2018
Table 3.11-1(c) – Chlorophyll, Total Nitrogen and Total Phosphorus Attribute States
Addendum to Table 3.11-1 (c) Sub-catchments monitored from late 2018
Table 3.11-1(d) – Dune, Riverine, Volcanic and Peat Lakes Freshwater Management Units

Table 3.11-2: Sub-catchment Relevant Date/Te Ripanga 3.11-2: Te Rā Tono o te riu kautawa

Table 3.11-3: Named lakes for the purpose of Schedule C(2)(b)

Map 3.11-1: Map of the Waikato and Waipā River catchments, showing Freshwater Management Units/Te Mahere 3.11-1: Te mahere o ngā riu o ngā awa o Waikato me Waipā e whakaatu ana i ngā Wae Whakahaere Wai Māori.

Map 3.11-2: Map of the Waikato and Waipā River catchments, showing sub-catchments/Te Mahere 3.11-2: Te mahere o ngā riu o ngā awa o Waikato me Waipā e whakaatu ana i ngā riu kautawa.

Map 3.11-3: Map of Whangamarino Wetland Catchment/Te Mahere 3.11-3: Te mahere o te Riu o ngā Repo o Whangamarino.

Table 3.11-1: Interim target attribute states and 80-year target attribute states for the Waikato and Waipā River catchments/ Te Ripanga 3.11-1: Ngā āhuatanga ā-kounga wai o ngā riu o ngā awa o Waikato me Waipā i ngā taupoto, i ngā tau e 80 anō hoki.

Tables 3.11-1(a), (b), (c) and (d) set out interim target attribute states and 80-year target attribute states for the Waikato and Waipā River catchments based on the best information available at the time.

Within the Waikato and Waipā River catchments, these desired water quality states are used in decision-making processes guided by the objectives in Chapter 3.11 and for future monitoring of changes in the state of water quality within the catchments. With regard to consent applications for diffuse discharges or point source discharges of nitrogen, phosphorus, sediment and microbial pathogens, it is not intended, nor is it in the nature of attribute states, that they be used directly as receiving water compliance limits/standards. Reference should also be made to Method 3.2.4.1.

Explanatory note to Table 3.11-1

The tables set out the concentrations (all attributes except clarity) or visibility distance (clarity attribute) to be maintained or achieved by actions taken in the interim and over 80-years for rivers and tributaries, and at 80-years for lakes FMUs. Where water quality is currently high (based on 2010-2014 monitoring data), the interim attribute states and 80-year attribute states will be the same as the current state and there is to be no decline in quality (that is, no increase in attribute concentration or decrease in clarity). Where water quality needs to improve, the attribute states to be achieved at a site indicate an interim and long-term reduction in concentration or increase in clarity compared to the current state. The interim target attribute states represent 20% of the improvement required to meet the long-term target attribute states.

Where water quality is to be maintained, baseline, interim and 80-year attribute states in Tables 3.11-1(a) - (d) are the same. Where water quality is to be improved from the baseline state, the interim attribute state is represented as 20% of the improvement from baseline state required to achieve the 80-year attribute state. Note that the requirements to maintain in a sub-catchment does not equate to an exemption from contaminant reductions to meet downstream targets requiring an improvement.

For example, at Otamakokore Stream, Upper Waikato River FMU:

- the current state value for median nitrate is 0.740 mg NO_3-N/L. The interim attribute state and 80-year attribute state are set at 0.740 mg NO_3-N/L to reflect that there is to be no decline in water quality
- the current state value for one of the four measures of *E. coli*, namely the 95th percentile, is 696 *E. coli*/100ml. The 80-year attribute state is set at 540 *E. coli/*100ml and the interim attribute state is set at 20% of the difference between the current state value and the 80 year attribute state (i.e. 665 *E. coli*/100ml).

While Objectives 1 and 2 state the requirements for restoration and protection of water quality to achieve the target attribute states in Table 3.11-1, it is acknowledged that some of the variability in water quality (such as due to seasonal and climatic events) and the variable nature of response times of the system to implementation of mitigations may mean that the states cannot be achieved for every attribute, at all sites, at all times.

The effect of some contaminants (particularly nitrogen) discharged from land may not yet have been seen in the surface water monitoring of some sub-catchments. The lag time for contaminants to reach surface water will vary depending on the mechanism of contaminant transport (i.e. overland flow vs. subsurface drainage and leaching). There may be lags in nitrogen entering surface water via diffuse subsurface discharge of nitrogen through the soil profile and groundwater. In addition, the time taken for implemented mitigations to be effective (e.g. growth of vegetation for erosion control or establishment of riparian buffers) may vary.

"Current" in the tables below refers to the water quality statistics for the 2010-2014 period (except for *E. coli*, where the period is 2009-2014).

Table 3.11-1(a) – *E. coli* and Clarity Attribute States

Sub-Catchment[2] (identifying number)	Median *E. coli* (cfu/100 mL)			95th%ile *E. coli* (cfu/100 mL)			*E. coli*>540cfu/100 mL (%exceedances)			*E. coli*>260cfu/100 mL (%exceedances)			10th%ile clarity (m)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current[3]	Interim	80-year
Upper Waikato FMU															
Waikato at Ohaaki (73)	14	14	14	80	80	80	0	0	0	0	0	0	2.66 (A)	2.67	2.7
Waikato at Ohakuri (66)	2	2	2	16	16	16	0	0	0	0	0	0	1.30 (C)	1.48	2.2
Waikato at Whakamaru (67)	8	8	8	60	60	60	0	0	0	2	2	2	1.16 (C)	1.37	2.2
Waikato at Waipāpa (64)	8	8	8	140	140	140	0	0	0	2	2	2	1.16 (C)	1.37	2.2
Pueto (74)	21	21	21	92	92	92	0	0	0	0	0	0	0.91 (D)	0.93	1.0
Torepatutahi (72)	54	54	54	215	215	215	0	0	0	4	4	4			
Waiotapu at Homestead (65)	110	110	110	280	280	280	0	0	0	9	9	9			
Mangakara (69)	140	138	130	1700	1468	540	13	11	5	26	25	20	0.52 (D)	0.62	1.0
Kawaunui (62)	200	186	130	2535	2136	540	18	15	5	33	30	20	0.67 (D)	0.74	1.0
Waiotapu at Campbell (58)	2	2	2	18	18	18	0	0	0	0	0	0	0.92 (D)	0.94	1.0
Otamakokore (59)	220	202	130	696	665	540	8	7	5	31	29	20	0.76 (D)	0.81	1.0
Whirinaki (56)	16	16	16	98	98	98	0	0	0	0	0	0			
Tahunaatara (54)	110	110	110	810	756	540	10	9	5	13	13	13	0.81 (D)	0.85	1.0
Mangaharakeke (57)	170	162	130	700	668	540	10	9	5	26	25	20	0.76 (D)	0.81	1.0
Waipāpa (70)	100	100	100	1215	1080	540	5	5	5	10	10	10	0.68 (D)	0.74	1.0
Mangakino (71)	40	40	40	250	250	251	0	0	0	4	4	4	0.83 (D)	0.86	1.0
Whakauru (49)	480	410	130	2280	1932	540	42	35	5	87	74	20	0.51 (D)	0.61	1.0
Mangamingi (48)	580	490	130	2330	1972	540	51	42	5	79	67	20	0.51 (D)	0.61	1.0
Pokaiwhenua (45)	150	146	130	1455	1272	540	13	11	5	23	22	20	0.72 (D)	0.78	1.0
Little Waipā (44)	110	110	110	1470	1284	540	8	7	5	21	21	20	0.80 (D)	0.84	1.0
Middle Waikato FMU															
Waikato at Narrows (33)	39	39	39	265	265	265	2	2	2	5	5	5	0.96 (D)	1.09	1.6
Waikato at Horotiu (25)	90	90	90	650	628	540	5	5	5	10	10	10	0.85 (D)	1.00	1.6
Karapiro (32)	295	262	130	4960	4076	540	26	22	5	53	46	20	0.33 (E)	0.46	1.0
Mangawhero (35)	590	498	130	3185	2656	540	51	42	5	89	75	20	0.15 (E)	0.32	1.0

[2] See Map 3.11-2 for the location and extent of each sub-catchment

[3] Current State Attribute Bands for water clarity: A ≥ 2.2 m, B ≥ 1.6 - <2.2 m, C ≥1.0 - <1.6 m, D ≥0.5 - <1.0 m, E <0.5 m

Sub-Catchment[2] (identifying number)	Median *E. coli* (cfu/100 mL)			95th%ile *E. coli* (cfu/100 mL)			*E. coli*>540cfu/100 mL (%exceedances)			*E. coli*>260cfu/100 mL (%exceedances)			10th%ile clarity (m)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current[3]	Interim	80-year
Mangaonua (29)	1500	1226	130	7020	5724	540	87	71	5	97	82	20	0.46 (E)	0.57	1.0
Mangaone (31)	800	666	130	2220	1884	540	71	58	5	92	78	20	0.54 (D)	0.63	1.0
Mangakotukutuku (30)	500	426	130	13025	10528	540	46	38	5	95	80	20	0.23 (E)	0.38	1.0
Waitawhiriwhiri (28)	605	510	130	6520	5324	540	55	45	5	87	74	20	0.24 (E)	0.39	1.0
Kirikiriroa (23)	570	482	130	3620	3004	540	53	43	5	87	74	20	0.23 (E)	0.38	1.0
Lower Waikato FMU															
Waikato at Huntly-Tainui Br (20)	125	125	125	2000	1708	540	13	11	5	27	26	20	0.38 (E)	0.50	1.0
Waikato at Mercer Br (9)	80	80	80	1550	1348	540	12	11	5	20	20	20			
Waikato at Tuakau Br (4)	80	80	80	1600	1388	540	12	11	5	18	18	18	0.35 (E)	0.48	1.0
Komakorau (22)	1100	906	130	3800	3148	540	85	69	5	92	78	20	0.09 (E)	0.27	1.0
Mangawara (17)	1000	826	130	5445	4464	540	70	57	5	91	77	20	0.17 (E)	0.34	1.0
Awaroa (Rotowaro) at Sansons Br (19)	290	258	130	1940	1660	540	18	15	5	62	54	20	0.31 (E)	0.45	1.0
Matahuru (14)	600	506	130	6770	5524	540	65	53	5	87	74	20	0.21 (E)	0.37	1.0
Whangape (16)	220	202	130	588	578	540	9	8	5	43	38	20	0.09 (E)	0.27	1.0
Waerenga (12)	500	426	130	5605	4592	540	38	31	5	82	70	20	0.44 (E)	0.55	1.0
Whangamarino at Jefferies Rd Br (8)	600	506	130	5175	4248	540	57	47	5	87	74	20	0.24 (E)	0.39	1.0
Mangatangi (2)	380	330	130	6125	5008	540	30	25	5	83	70	20	0.29 (E)	0.43	1.0
Mangatāwhiri (1)	190	178	130	5615	4600	540	13	11	5	30	28	20	0.33 (E)	0.46	1.0
Whangamarino at Island Block Rd (10)	180	170	130	667	642	540	17	15	5	39	35	20	0.12 (E)	0.30	1.0
Whakapipi (3)	320	282	130	1910	1636	540	35	29	5	74	63	20	0.43 (E)	0.54	1.0
Ohaeroa (7)	300	266	130	5125	4208	540	30	25	5	52	46	20	0.44 (E)	0.55	1.0
Opuatia (11)	390	338	130	3160	2636	540	34	28	5	68	58	20	0.31 (E)	0.45	1.0
Awaroa (Waiuku) (5)	240	218	130	1070	964	540	17	15	5	43	38	20	0.18 (E)	0.34	1.0
Waipā River FMU															
Waipā at Mangaokewa Rd (68)	210	194	130	2625	2208	540	22	19	5	35	32	20	0.58 (D)	0.78	1.6
Waipā at Otewa (60)	236	215	130	2203	1870	540	22	19	5	43	38	20	0.32 (E)	0.58	1.6
Waipā at Otorohanga (51)	180	170	130	3595	2984	540	18	15	5	36	33	20	0.38 (E)	0.50	1.0
Waipā at Pirongia-Ngutunui Rd Br (43)	300	266	130	4875	4008	540	36	30	5	56	49	20	0.29 (E)	0.43	1.0

Sub-Catchment[2] (identifying number)	Median *E. coli* (cfu/100 mL)			95th%ile *E. coli* (cfu/100 mL)			*E. coli*>540cfu/100 mL (%exceedances)			*E. coli*>260cfu/100 mL (%exceedances)			10th%ile clarity (m)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current[3]	Interim	80-year
Waipā at SH23 Br Whatawhata (34)	392	340	130	4003	3310	540	38	31	5	57	50	20	0.32 (E)	0.46	1.0
Ohote (26)	275	246	130	2320	1964	540	16	14	5	50	44	20	0.35 (E)	0.48	1.0
Kaniwhaniwha (36)	250	226	130	2070	1764	540	26	22	5	43	38	20	0.45 (E)	0.56	1.0
Mangapiko (38)	325	286	130	7800	6348	540	27	23	5	59	51	20	0.34 (E)	0.47	1.0
Mangaohoi (39)	70	70	70	987	898	540	8	7	5	18	18	18	0.84 (D)	0.87	1.0
Mangauika (37)	33	33	33	1060	956	540	8	7	5	13	13	13	1.93 (B)	1.98	2.2
Puniu at Bartons Corner Rd Br (40)	140	138	130	3040	2540	540	23	19	5	27	26	20	0.58 (D)	0.66	1.0
Mangatutu (47)	160	154	130	760	716	540	11	10	5	24	23	20	0.67 (D)	0.74	1.0
Waitomo at SH31 Otorohanga (46)	310	274	130	1555	1352	540	31	26	5	59	51	20	0.25 (E)	0.40	1.0
Mangapu (53)	480	410	130	4700	3868	540	47	39	5	66	57	20	0.27 (E)	0.42	1.0
Waitomo at Tumutumu Rd (52)	180	170	130	2430	2052	540	21	18	5	38	34	20	0.34 (E)	0.47	1.0
Mangaokewa (63)	490	418	130	6855	5592	540	43	35	5	83	70	20	0.43 (E)	0.54	1.0

Addendum to Table 3.11-1 (a) – *E. coli* and Clarity Attribute States - Sub-catchments monitored from late 2018 ***Note: 'ID' = insufficient data***

	Median E. coli (/100 mL)			95%ile *E. coli* (/100 mL)			*E. coli* >540 (%)			*E. coli* >260 (%)			10th%ile clarity (m)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Upper Waikato FMU															
Waikato at Karapiro (41)	10	10	10	390	390	390	0	0	0	6	6	6	1.28	1.46	2.2
Middle Waikato FMU															
Lower Waikato FMU															
Waikato at Rangiriri (15)	175	166	130	1400	1228	540	18	15	5	32	30	20	0.48	0.58	1.0
Waahi Stm Te Ohaki Rd (18)	50	50	50	1000	908	540	6	5.8	5	8	8	8	0.11	0.29	1.0
Waikare (13)	50	50	50	1220	1084	540	9	8	5	11	11	11	0.05	0.24	1.0
Waipā River FMU															
Waipā River at Ngaruawahia(24)	200			2000	1708		20	17	5	32	30	20	0.29	0.43	1.0

		186	130			540									
Firewood at Waingaro Rd Br (21)	300	266	130	1300	1148	540	24	20	5	58	50	20	0.55	0.64	1.0
Moakurarua (42)	315	278	130	11600	9388	540	30	25	5	63	54	20	0.21	0.37	1.0
Puniu at Wharepapa (50)	215	198	130	3730	3092	540	23	19	5	42	38	20	0.56	0.65	1.0
Mangarama (61)	700	586	130	4300	3548	540	66	54	5	87	74	20	ID	-	-
Mangarapa (55)	485	414	130	4230	3492	540	46	38	5	72	62	20	0.22	0.37	1.0

Table 3.11-1(b) – Dissolved Nitrogen and Phosphorus Attribute States

Sub-Catchment[4] (identifying number)	Median nitrate (mg/L)			95th%ile nitrate (mg/L)			Median ammonia[5] (mg/L)			Maximum ammonia[6] (mg/L)			Median dissolved reactive phosphorus (mg/L)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Upper Waikato FMU															
Waikato at Ohaaki (73)	0.039	0.039	0.039	0.076	0.076	0.076	0.002	0.002	0.002	0.013	0.013	0.013	0.006	0.006	0.006
Waikato at Ohakuri (66)	0.086	0.086	0.086	0.177	0.177	0.177	0.003	0.003	0.003	0.017	0.017	0.017	0.009	0.009	0.009
Waikato at Whakamaru (67)	0.101	0.101	0.101	0.251	0.251	0.251	0.003	0.003	0.003	0.010	0.010	0.010	0.008	0.008	0.008
Waikato at Waipāpa (64)	0.164	0.164	0.164	0.320	0.320	0.320	0.007	0.007	0.007	0.016	0.016	0.016	0.016	0.016	0.016
Pueto (74)	0.450	0.450	0.450	0.536	0.536	0.536	0.003	0.003	0.003	0.009	0.009	0.009	0.074	0.074	0.074
Torepatutahi (72)	0.500	0.500	0.500	0.825	0.825	0.825	0.002	0.002	0.002	0.011	0.011	0.011	0.082	0.082	0.082
Waiotapu at Homestead (65)	1.285	1.228	1.000	1.665	1.632	1.500	0.121	0.103	0.030	0.190	0.162	0.050	0.034	0.034	0.034
Mangakara (69)	1.300	1.240	1.000	1.675	1.640	1.500	0.008	0.008	0.008	0.063	0.060	0.050	0.048	0.048	0.048
Kawaunui (62)	2.600	2.560	2.400	3.100	3.100	3.100	0.006	0.006	0.006	0.083	0.076	0.050	0.054	0.054	0.054
Waiotapu at Campbell (58)	0.915	0.915	0.915	1.135	1.135	1.135	0.301	0.289	0.240	0.349	0.349	0.349	0.002	0.002	0.002
Otamakokore (59)	0.740	0.740	0.740	1.360	1.360	1.360	0.006	0.006	0.006	0.025	0.025	0.025	0.153	0.153	0.153
Whirinaki (56)	0.770	0.770	0.770	0.885	0.885	0.885	0.002	0.002	0.002	0.013	0.013	0.013	0.061	0.061	0.061
Tahunaatara (54)	0.555	0.555	0.555	0.845	0.845	0.845	0.003	0.003	0.003	0.015	0.015	0.015	0.031	0.031	0.031
Mangaharakeke (57)	0.525	0.525	0.525	0.795	0.795	0.795	0.003	0.003	0.003	0.015	0.015	0.015	0.031	0.031	0.031
Waipāpa (70)	1.210	1.168	1.000	1.555	1.544	1.500	0.003	0.003	0.003	0.005	0.005	0.005	0.086	0.086	0.086
Mangakino (71)	0.650	0.650	0.650	0.875	0.875	0.875	0.003	0.003	0.003	0.012	0.012	0.012	0.039	0.039	0.039
Whakauru (49)	0.260	0.260	0.260	0.461	0.461	0.461	0.003	0.003	0.003	0.033	0.033	0.033	0.019	0.019	0.019
Mangamingi (48)	2.800	2.720	2.400	3.400	3.400	3.400	0.098	0.084	0.030	0.323	0.268	0.050	0.290	0.290	0.290
Pokaiwhenua (45)	1.755	1.604	1.000	2.200	2.060	1.500	0.002	0.002	0.002	0.020	0.020	0.020	0.087	0.087	0.087

[4] See Map 3.11-2 for the location and extent of each sub-catchment

[5] The annual median and annual maximum ammonia have been adjusted for pH as per NPSFM (2014/2017) requirements.

Sub-Catchment[4] (identifying number)	Median nitrate (mg/L)			95th%ile nitrate (mg/L)			Median ammonia[5] (mg/L)			Maximum ammonia[6] (mg/L)			Median dissolved reactive phosphorus (mg/L)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Little Waipā (44)	1.580	1.464	1.000	2.150	2.020	1.500	0.002	0.002	0.002	0.089	0.081	0.050	0.051	0.051	0.051
Middle Waikato FMU															
Waikato at Narrows (33)	0.235	0.235	0.235	0.545	0.545	0.545	0.010	0.010	0.010	0.018	0.018	0.018	0.015	0.015	0.015
Waikato at Horotiu (25)	0.260	0.260	0.260	0.550	0.550	0.550	0.007	0.007	0.007	0.029	0.029	0.029	0.019	0.019	0.019
Karapiro (32)	0.520	0.520	0.520	1.760	1.708	1.500	0.008	0.008	0.008	0.031	0.031	0.031	0.042	0.042	0.042
Mangawhero (35)	2.100	1.880	1.000	2.720	2.476	1.500	0.042	0.040	0.030	0.074	0.069	0.050	0.040	0.040	0.040
Mangaonua (29)	1.505	1.404	1.000	2.100	1.980	1.500	0.037	0.036	0.030	0.051	0.051	0.050	0.012	0.012	0.012
Mangaone (31)	2.600	2.560	2.400	3.200	3.200	3.200	0.009	0.009	0.009	0.020	0.020	0.020	0.063	0.063	0.063
Mangakotukutuku (30)	0.800	0.800	0.800	2.350	2.180	1.500	0.082	0.072	0.030	0.141	0.123	0.050	0.213	0.213	0.213
Waitawhiriwhiri (28)	0.880	0.880	0.880	1.265	1.265	1.265	0.258	0.254	0.240	0.346	0.346	0.346	0.031	0.031	0.031
Kirikiriroa (23)	0.815	0.815	0.815	1.975	1.880	1.500	0.104	0.089	0.030	0.198	0.168	0.050	0.014	0.014	0.014
Lower Waikato FMU															
Waikato at Huntly-Tainui Br (20)	0.365	0.365	0.365	1.010	1.010	1.010	0.005	0.005	0.005	0.015	0.015	0.015	0.020	0.020	0.020
Waikato at Mercer Br (9)	0.365	0.365	0.365	0.895	0.895	0.895	0.003	0.003	0.003	0.011	0.011	0.011	0.016	0.016	0.016
Waikato at Tuakau Br (4)	0.325	0.325	0.325	0.890	0.890	0.890	0.003	0.003	0.003	0.008	0.008	0.008	0.014	0.014	0.014
Komakorau (22)	1.310	1.310	1.310	5.300	4.940	3.500	0.251	0.249	0.240	0.421	0.417	0.400	0.010	0.010	0.010
Mangawara (17)	0.765	0.765	0.765	3.350	2.980	1.500	0.111	0.095	0.030	0.185	0.158	0.050	0.047	0.047	0.047
Awaroa (Rotowaro) at Sansons Br (19)	0.700	0.700	0.700	1.390	1.390	1.390	0.024	0.024	0.024	0.093	0.084	0.050	0.002	0.002	0.002
Matahuru (14)	0.715	0.715	0.715	1.905	1.824	1.500	0.017	0.017	0.017	0.060	0.058	0.050	0.023	0.023	0.023
Whangape (16)	0.004	0.004	0.004	0.795	0.795	0.795	0.008	0.008	0.008	0.143	0.124	0.050	0.002	0.002	0.002
Waerenga (12)	0.820	0.820	0.820	1.420	1.420	1.420	0.005	0.005	0.005	0.023	0.023	0.023	0.019	0.019	0.019
Whangamarino at Jefferies Rd Br (8)	0.625	0.625	0.625	2.500	2.300	1.500	0.011	0.011	0.011	0.055	0.054	0.050	0.030	0.030	0.030
Mangatangi (2)	0.110	0.110	0.110	1.290	1.290	1.290	0.006	0.006	0.006	0.038	0.038	0.038	0.021	0.021	0.021
Mangatāwhiri (1)	0.013	0.013	0.013	0.400	0.400	0.400	0.003	0.003	0.003	0.011	0.011	0.011	0.011	0.011	0.011

Sub-Catchment[4] (identifying number)	Median nitrate (mg/L)			95th%ile nitrate (mg/L)			Median ammonia[5] (mg/L)			Maximum ammonia[6] (mg/L)			Median dissolved reactive phosphorus (mg/L)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Whangamarino at Island Block Rd (10)	0.075	0.075	0.075	0.865	0.865	0.865	0.013	0.013	0.013	0.158	0.136	0.050	0.006	0.006	0.006
Whakapipi (3)	3.500	3.280	2.400	5.350	4.980	3.500	0.006	0.006	0.006	0.084	0.077	0.050	0.022	0.022	0.022
Ohaeroa (7)	1.525	1.420	1.000	1.915	1.832	1.500	0.003	0.003	0.003	0.015	0.015	0.015	0.008	0.008	0.008
Opuatia (11)	0.740	0.740	0.740	1.081	1.081	1.081	0.005	0.005	0.005	0.016	0.016	0.016	0.006	0.006	0.006
Awaroa (Waiuku) (5)	1.410	1.328	1.000	2.500	2.300	1.500	0.022	0.022	0.022	0.144	0.125	0.050	0.004	0.004	0.004
Waipā River FMU															
Waipā at Mangaokewa Rd (68)	0.380	0.380	0.380	0.710	0.710	0.710	0.003	0.003	0.003	0.017	0.017	0.017	0.005	0.005	0.005
Waipā at Otewa (60)	0.228	0.228	0.228	0.504	0.504	0.504	0.003	0.003	0.003	0.008	0.008	0.008	0.008	0.008	0.008
Waipā at Otorohanga (51)	0.370	0.370	0.370	1.150	1.150	1.150	0.004	0.004	0.004	0.020	0.020	0.020	0.008	0.008	0.008
Waipā at Pirongia-Ngutunui Rd Br (43)	0.565	0.565	0.565	1.535	1.528	1.500	0.008	0.008	0.008	0.023	0.023	0.023	0.014	0.014	0.014
Waipā at SH23 Br Whatawhata (34)	0.673	0.673	0.673	1.587	1.570	1.500	0.009	0.009	0.009	0.026	0.026	0.026	0.018	0.018	0.018
Ohote (26)	0.495	0.495	0.495	1.385	1.385	1.385	0.023	0.023	0.023	0.052	0.052	0.050	0.020	0.020	0.020
Kaniwhaniwha (36)	0.350	0.350	0.350	0.995	0.995	0.995	0.007	0.007	0.007	0.022	0.022	0.022	0.007	0.007	0.007
Mangapiko (38)	1.410	1.328	1.000	2.650	2.420	1.500	0.022	0.022	0.022	0.078	0.072	0.050	0.115	0.115	0.115
Mangaohoi (39)	0.230	0.230	0.230	0.415	0.415	0.415	0.003	0.003	0.003	0.008	0.008	0.008	0.043	0.043	0.043
Mangauika (37)	0.210	0.210	0.210	0.286	0.286	0.286	0.002	0.002	0.002	0.003	0.003	0.003	0.002	0.002	0.002
Puniu at Bartons Corner Rd Br (40)	0.650	0.650	0.650	1.305	1.305	1.305	0.007	0.007	0.007	0.029	0.029	0.029	0.022	0.022	0.022
Mangatutu (47)	0.380	0.380	0.380	0.908	0.908	0.908	0.003	0.003	0.003	0.012	0.012	0.012	0.009	0.009	0.009
Waitomo at SH31 Otorohanga (46)	0.520	0.520	0.520	0.925	0.925	0.925	0.008	0.008	0.008	0.026	0.026	0.026	0.006	0.006	0.006
Mangapu (53)	0.860	0.860	0.860	1.428	1.428	1.428	0.016	0.016	0.016	0.064	0.061	0.050	0.023	0.023	0.023
Waitomo at Tumutumu Rd (52)	0.630	0.630	0.630	0.825	0.825	0.825	0.004	0.004	0.004	0.013	0.013	0.013	0.010	0.010	0.010
Mangaokewa (63)	0.525	0.525	0.525	1.060	1.060	1.060	0.005	0.005	0.005	0.014	0.014	0.014	0.014	0.014	0.014

Addendum to Table 3.11-1 (b) – Dissolved Nitrogen and Phosphorus Attribute States - Sub-catchments monitored from late 2018

	Med nitrate (mg/L)			95%ile nitrate (mg/L)			Med ammonia (mg/L)			Max ammonia (mg/L)			Med DRP (mg/L)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Upper Waikato FMU															
Waikato at Karapiro (41)	0.295	0.295	0.295	0.474	0.474	0.474	0.011	0.011	0.011	0.028	0.028	0.028	0.012	0.012	0.012
Middle Waikato FMU															
Lower Waikato FMU															
Waikato at Rangiriri (15)	0.435	0.435	0.435	0.808	0.808	0.808	0.004	0.004	0.004	0.016	0.016	0.016	0.017	0.017	0.017
Waahi Stm Te Ohaki Rd (18)	0.010	0.010	0.010	0.878	0.878	0.878	0.009	0.009	0.009	0.080	0.074	0.050	0.002	0.002	0.002
Waikare (13)	0.003	0.003	0.003	0.546	0.546	0.546	0.015	0.015	0.015	0.121	0.107	0.050	0.002	0.002	0.002
Waipā River FMU															
Waipā River at Waingaro Rd Br (24)	0.665	0.665	0.665	1.402	1.402	1.402	0.010	0.010	0.010	0.025	0.025	0.025	0.014	0.014	0.014
Firewood (21)	0.405	0.405	0.405	1.010	1.010	1.010	0.006	0.006	0.006	0.009	0.009	0.009	0.005	0.005	0.005
Moakurarua (42)	0.410	0.410	0.410	0.812	0.812	0.812	0.003	0.003	0.003	0.013	0.013	0.013	0.008	0.008	0.008
Puniu at Wharepapa (50)	0.530	0.530	0.530	0.899	0.899	0.899	0.003	0.003	0.003	0.020	0.020	0.020	0.024	0.024	0.024
Mangarama (61)	0.980	0.980	0.980	1.882	1.806	1.500	0.014	0.014	0.014	0.151	0.131	0.050	0.010	0.010	0.010
Mangarapa (55)	0.910	0.910	0.910	2.260	2.108	1.500	0.012	0.012	0.012	0.162	0.140	0.050	0.009	0.009	0.009

Table 3.11-1(c) – Chlorophyll, Total Nitrogen and Total Phosphorus Attribute States

Sub-Catchment[7] (identifying number)	Median Chlorophyll-*a* (mg/m³)			Maximum Chlorophyll-*a* (mg/m³)			Median Total Nitrogen (mg/m³)			Median Total Phosphorus (mg/m³)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Upper Waikato FMU												
Waikato at Ohaaki (73)	1.5	1.5	1.5	13	13	13	134	134	134	10	10	10
Waikato at Ohakuri (66)	3.1	3.1	3.1	11	11	11	216	216	216	17	17	17
Waikato at Whakamaru (67)		5.0	5.0		25	25	271	271	271	20	20	20
Waikato at Waipāpa (64)	4.0	4.0	4.0	25	25	25	336	329	300	25	25	25
Pueto (74)							540			93		
Torepatutahi (72)							625			96		
Waiotapu at Homestead (65)							1860			100		
Mangakara (69)							1580			74		
Kawaunui (62)							2990			82		
Waiotapu at Campbell (58)							1955			72		
Otamakokore (59)							990			144		
Whirinaki (56)							810			62		
Tahunaatara (54)							780			44		
Mangaharakeke (57)							685			48		
Waipāpa (70)							1355			95		
Mangakino (71)							760			47		
Whakauru (49)							470			42		
Mangamingi (48)							3495			325		
Pokaiwhenua (45)							2010			106		
Little Waipā (44)							1780			68		
Middle Waikato FMU												
Waikato at Narrows (33)	5.5	5.4	5.0	23	23	23	410	410	410	28	27	25
Waikato at Horotiu (25)	6.0	5.8	5.0	23	23	23	441	441	441	36	35	31
Karapiro (32)							860			86		
Mangawhero (35)							2930			163		
Mangaonua (29)							1905			52		

[7] See Map 3.11-2 for the location and extent of each sub-catchment

Sub-Catchment[7] (identifying number)	Median Chlorophyll-*a* (mg/m³)			Maximum Chlorophyll-*a* (mg/m³)			Median Total Nitrogen (mg/m³)			Median Total Phosphorus (mg/m³)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Mangaone (31)							3060			118		
Mangakotukutuku (30)							1875			415		
Waitawhiriwhiri (28)							2110			91		
Kirikiriroa (23)							1490			63		
Lower Waikato FMU												
Waikato at Huntly-Tainui Br (20)	6.0	5.8	5.0	19	19	19	585	568	500	45	42	31
Waikato at Mercer Br (9)	10.5	9.4	5.0	30	29	25	662	630	500	52	49	38
Waikato at Tuakau Br (4)	12.0	10.6	5.0	38	35	25	595	576	500	52	49	38
Komakorau (22)							2900			90		
Mangawara (17)							1890			210		
Awaroa (Rotowaro) at Sansons Br (19)							990			12		
Matahuru (14)							1310			98		
Whangape (16)							2116			122		
Waerenga (12)							1115			46		
Whangamarino at Jefferies Rd Br (8)							1085			88		
Mangatangi (2)							493			72		
Mangatāwhiri (1)							181			23		
Whangamarino at Island Block Rd (10)[8]							1831	1625	800	152	132	50
Whakapipi (3)							3875			51		
Ohaeroa (7)							1825			26		
Opuatia (11)							1070			31		
Awaroa (Waiuku) (5)							2095			46		
Waipā River FMU												
Waipā at Mangaokewa Rd (68)							585			16		
Waipā at Otewa (60)							366			20		
Waipā at Otorohanga (51)							600			22		
Waipā at Pirongia-Ngutunui Rd Br (43)							860			48		
Waipā at SH23 Br Whatawhata (34)							912			70		
Ohote (26)							1320			76		

[8] The Whangamarino at Island Block Road water quality monitoring site is representative of the surface water across Whangamarino Wetland. This is because the Whangamarino River and the wetland are hydrologically connected.

Sub-Catchment[7] (identifying number)	Median Chlorophyll-*a* (mg/m³)			Maximum Chlorophyll-*a* (mg/m³)			Median Total Nitrogen (mg/m³)			Median Total Phosphorus (mg/m³)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Kaniwhaniwha (36)							590			29		
Mangapiko (38)							2095			240		
Mangaohoi (39)							365			52		
Mangauika (37)							275			8		
Puniu at Bartons Corner Rd Br (40)							910			48		
Mangatutu (47)							510			20		
Waitomo at SH31 Otorohanga (46)							755			30		
Mangapu (53)							1240			60		
Waitomo at Tumutumu Rd (52)							765			22		
Mangaokewa (63)							775			36		

Addendum to Table 3.11-1 (c) – Chlorophyll, Total Nitrogen and Total Phosphorus Attribute States - Sub-catchments monitored from late 2018

	Med Chla (mg/m³)			Max Chla (mg/m³)			Med total N (mg/m³)			Med total P (mg/m³)		
	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year	Current	Interim	80-year
Upper Waikato FMU												
Waikato at Karapiro (41)	4.0	4.0	4.0	18	18	18	470	436	300	28	27	25
Middle Waikato FMU												
Lower Waikato FMU												
Waikato at Rangiriri (15)	4.5	4.5	4.5	26	25	25	615	592	500	44	41	31
Waahi Stm Te Ohaki Rd (18)							1050			52		
Waikare (13)							4625			173		
Waipā River FMU												
Waipā River at Waingaro Rd Br (24)							915			47		
Firewood (21)							590			24		
Moakurarua (42)							616			23		
Puniu at Wharepapa (50)							740			49		
Mangarama (61)							1330			36		
Mangarapa (55)							1270			34		

Table 3.11-1(d) – Dune, Riverine, Volcanic and Peat Lakes Freshwater Management Units

Lake FMU	Attributes								
	Annual Median Chlorophyll-*a* (mg/m^3)	**Annual Maximum Chlorophyll-*a* (mg/m^3)**	**Annual Median Ammonia[9] (mg NH_4-N/L)**	**Annual Maximum Ammonia[11] (mg NH_4-N/L)**	**Annual Median Total Nitrogen (mg/m^3)**	**Annual Median Total Phosphorus (mg/m^3)**	**95th percentile *E. coli* (*E. coli*/100mL)**	**80th percentile Cyanobacteria (biovolume mm^3/L)**	**Clarity[10] (m)**
	80 year*	**80 year***	**80 year***	**80 year***	**80 year***	**80 year***	**80 year***	**80 year***	**80 year***
Dune	12	60	0.24	0.40	750	50	540	1.8†	1
Riverine	12	60	0.24	0.40	800	50	540	1.8†	1
Volcanic Zone	12	60	0.24	0.40	750	50	540	1.8†	1
Peat	12	60	0.24	0.40[11]	750	50	540	1.8†	1

*unless a lake is already of better water quality, in which case the water quality is to not decline

†1.8mm^3/L biovolume equivalent of potentially toxic cyanobacteria or 10mm^3/L total biovolume of all cyanobacteria

[9] The annual median and annual maximum ammonia have been adjusted for pH as per NPSFM (2014/2017) requirements

[10] Median black disc horizontal sighting range under baseflow conditions

Table 3.11-2 – Sub-catchment Relevant Date/Te Ripanga 3.11-2: Te rā tono o te riu kautawa

For the purpose of this table, a farm is considered to be within the sub-catchment where the greatest proportion of the farm is located.

The "Relevant Date" for the purposes of the Rules is the date Plan Change 1 is made operative, plus the number of years and months in the "year" column below. If a farmer wishes to apply for consent for more than one farm, the applicable Relevant Date is the earliest year category of any of the farms.

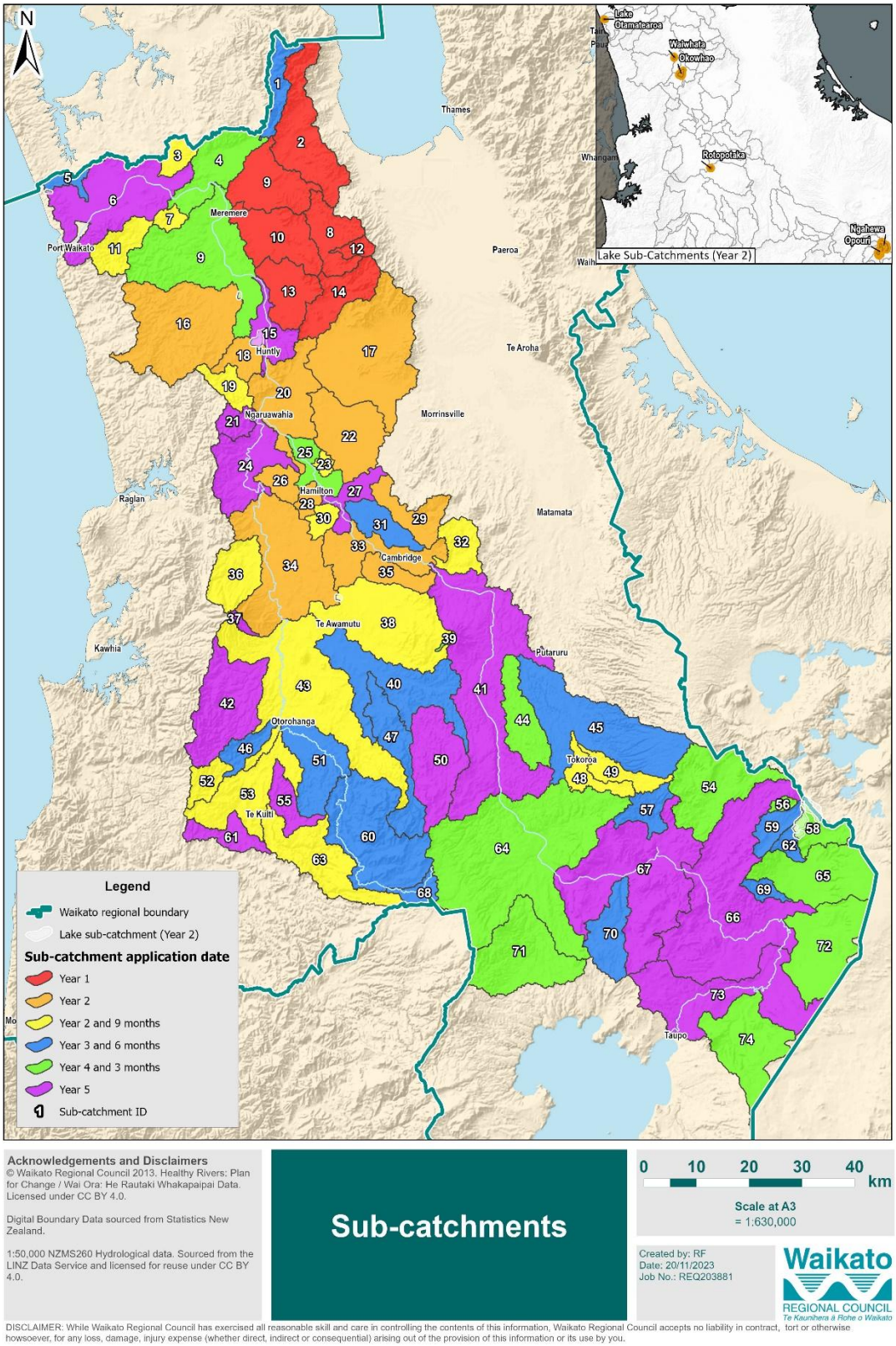
YEAR	SUB-CATCHMENT IDENTIFIER	FMU[12]	SUB-CATCHMENT #[13]
1	Mangatangi	LW	2
1	Whangamarino at Jefferies Rd Br	LW	8
1	Whangamarino at Island Block Rd	LW	10
1	Waerenga	LW	12
1	Waikare	LW	13
1	Matahuru	LW	14
2	Waahi Stm Te Ohaki Rd	LW	18
2	Whangape	LW	16
2	Waipā at SH23 Br Whatawhata	WA	34
2	Waitawhiriwhiri	MW	28
2	Ohote	WA	26
2	Komakorau	LW	22
2	Mangawara	LW	17
2	Mangaonua	MW	29
2	Mangawhero	MW	35
2	Waikato at Huntly-Tainui Br	LW	20
1	Waikato at Mercer Br	LW	9[14]
2	Waikato at Narrows	MW	33
2	Lake catchments of Otamatearoa, Tutaeinanga, Ngahewa, Opouri Rotopaeōtaka, Waiwhata and Okowhao		
2 and 9 months	Mangamingi	UW	48
2 and 9 months	Kirikiriroa	MW	23
2 and 9 months	Mangakotukutuku	MW	30
2 and 9 months	Mangaokewa	WA	63
2 and 9 months	Whakauru	UW	49
2 and 9 months	Mangapu	WA	53
2 and 9 months	Opuatia	LW	11
2 and 9 months	Mangapiko	WA	38
2 and 9 months	Whakapipi	LW	3
2 and 9 months	Waitomo at Tumutumu Rd	WA	52
2 and 9 months	Ohaeroa	LW	7
2 and 9 months	Waipā at Pirongia-Ngutunui Rd Br	WA	43
2 and 9 months	Karapiro	MW	32

12 See Map 3.11-1
13 See Map 3.11-2
14 Note - That the part of sub-catchment 9 that is in the Whangamarino catchment as per Map 3.11-3 is year 1, with the 'remainder' in year 4

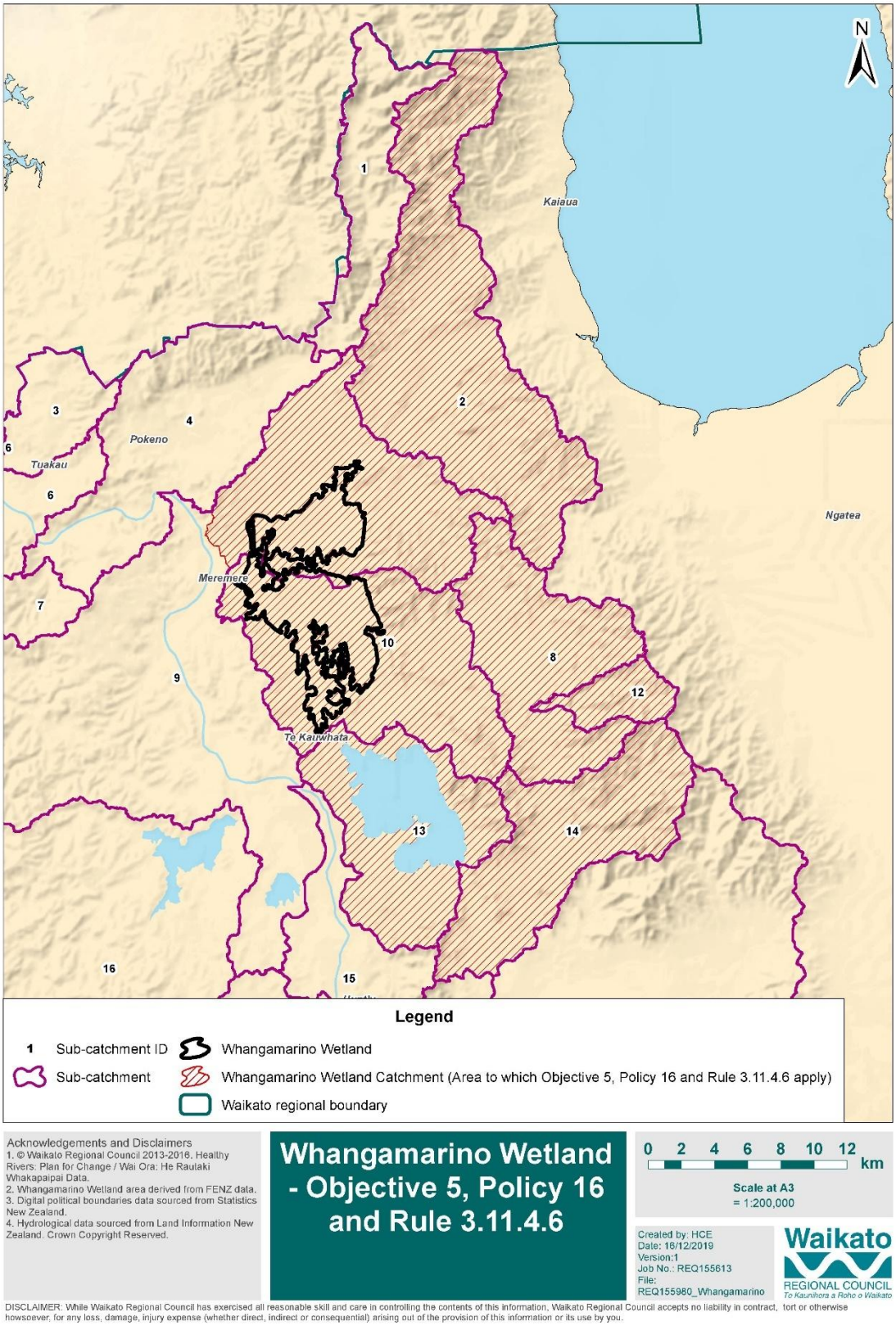
YEAR	SUB-CATCHMENT IDENTIFIER	FMU[12]	SUB-CATCHMENT #[13]
2 and 9 months	Awaroa (Rotowaro) at Sansons Br	LW	19
2 and 9 months	Kaniwhaniwha	WA	36
3 and 6 months	Awaroa (Waiuku)	LW	5
3 and 6 months	Waipā at Otewa	WA	60
3 and 6 months	Waipā at Mangaokewa Rd	WA	68
3 and 6 months	Kawaunui	UW	62
3 and 6 months	Mangatāwhiri	LW	1
3 and 6 months	Waipā at Ōtorohanga	WA	51
3 and 6 months	Mangaharakeke	UW	57
3 and 6 months	Mangatutu	WA	47
3 and 6 months	Pokaiwhenua	UW	45
3 and 6 months	Mangakara	UW	69
3 and 6 months	Puniu at Bartons Corner Rd Br	WA	40
3 and 6 months	Mangaone	MW	31
3 and 6 months	Waitomo at SH31 Ōtorohanga	WA	46
3 and 6 months	Otamakokore	UW	59
3 and 6 months	Waipapa	UW	70
4 and 3 months	Little Waipā	UW	44
4 and 3 months	Waikato at Tuakau Br	LW	4
4 and 3 months	Waiotapu at Homestead	UW	65
4 and 3 months	Waikato at Horotiu Br	MW	25
4 and 3 months	Tahunaatara	UW	54
4 and 3 months	Waikato at Mercer Br	LW	9[18]
4 and 3 months	Torepatutahi	UW	72
4 and 3 months	Waiotapu at Campbell	UW	58
4 and 3 months	Mangakino	UW	71
4 and 3 months	Waikato at Waipapa	UW	64
4 and 3 months	Mangaohoi	WA	39
4 and 3 months	Whirinaki	UW	56
4 and 3 months	Pueto	UW	74
5	Waikato at Ohaaki	UW	73
5	Waikato at Ohakuri	UW	66
5	Waikato at Bridge St Br	MW	27
5	Waikato at Port Waikato	LW	6
5	Waikato at Rangiriri	LW	15
5	Waikato at Whakamaru	UW	67
5	Waikato at Karapiro	UW	41
5	Firewood	LW	21
5	Puniu at Wharepapa	WA	50
5	Waipā at Waingaro Rd Br	WA	24
5	Mangarapa	WA	55
5	Mangarama	WA	61
5	Moakurarua	WA	42
5	Mangauika	WA	37

Table 3.11-3 – Named lakes for the purpose of Schedule C(2)(b)

Name	Alternative name	River FMU
Otamatearoa		Lower Waikato
Parkinsons	Kohahuake/Kokohuaki Lake	Lower Waikato
Puketi		Lower Waikato
Rotoiti	Little Lake	Lower Waikato
Areare		Lower Waikato
Cameron	Lake Kareaotahi	Middle Waikato
Henderson Pond	Henderson's Lake	Waipa
Horseshoe Lake	Waiwhakareke	Waipa
Hotoananga	Munition Lake	Lower Waikato
Kainui	Lake Dor Lake Rotoaira	Lower Waikato
Kaituna	Lake B	Lower Waikato
Komakorau (sic. Komakarau)	Lake C	Lower Waikato
Koromatua		Waipa
Mangahia	Lake N	Waipa
Mangakaware		Waipa
Maratoto		Middle Waikato
Milicich	Lake Millichich	Waipa
Ngaroto		Waipa
Ngarotoiti		Waipa
Opuatia	Unnamed 9	Lower Waikato
Pataka		Waipa
Pikopiko		Lower Waikato
Posa	Lake Pataka South	Waipa
Rotokaeo (sic. Rotokaio)	Forest Lake	Middle Waikato
Rotokauri		Waipa
Rotokawau	Black Lake	Lower Waikato
Rotokotuku	Kotukutuku	Waipa
Rotomanuka North		Middle Waikato
Rotomanuka South	Lake Gin	Middle Waikato
Rotongata		Upper Waikato
Rotopataka	Rotopotaka	Waipa
Rotopiko	Lake Serpentine	Middle Waikato
Rotoroa	Hamilton Lake	Middle Waikato
Ruatuna		Waipa
Tunawhakaheke	Lake E, Hurrells Lake, Lake Tunawhakapeka	Lower Waikato
Whakatangi	Lake A	Lower Waikato
Hakanoa		Lower Waikato
Kimihia		Lower Waikato
Kopuera	Lake Rangiriri	Lower Waikato
Ohinewai		Lower Waikato
Okowhao	Lake Okawhao	Lower Waikato
Penewaka	Penewaka Lagoon	Lower Waikato
Rotongaro		Lower Waikato
Rotongaroiti		Lower Waikato
Te Kapa		Lower Waikato
Te Koutu	Lake Te Ko Utu	Middle Waikato
Te Otamanui Lagoon		Waipa
Waahi		Lower Waikato
Waikare		Lower Waikato
Waiwhata		Lower Waikato
Whangape	Whangapae	Lower Waikato
Ngahewa		Upper Waikato
Ngakoro		Upper Waikato
Opouri	Ngapouri	Upper Waikato
Orotu		Upper Waikato
Rotokawa	Rotokaua or RotoKawhau or Bitter Lake	Upper Waikato
Tutaeinanga		Upper Waikato
Whangioterangi	Lake Echo or Echo Lake	Upper Waikato



Map 3.11-2: Map of the Waikato and Waipā River Catchments, showing sub-catchments/ Te Mahere 3.11-2: Te mahere o ngā riu o ngā awa o Waikato me Waipā e whakaatu ana i ngā riu kautawa



Map 3.11-3: Map of Whangamarino Wetland Catchment/Te Mahere 3.11-3: Te mahere o te Riu o ngā Repo o Whangamarino

PART B

Insert the following terms into the Glossary in alphabetical order.

Additions to Glossary of Terms/Ngā Āpitihanga ki te Rārangi Kupu

Arable cropping: means the following arable crops:
a. grain cereal, legume, and pulse grain crops
b. herbage seed crops
c. oilseeds
d. crops grown for seed multiplication for use in New Zealand or overseas
e. hybrid and open pollinated vegetable and flower seeds
and includes maize grain, maize silage, cereal silage, and mangels.

Auditor: is a person who has been approved by either of the following to provide auditing services in one or more of pastoral, horticultural or arable cropping farm systems:
a. the Chief Executive of the Waikato Regional Council, as meeting the requirements described in Schedule D4; or
b. a Sector Scheme in accordance with Schedule E.

Cattle winter stocking rate: means, for the land used for drystock farming, the average cattle stock unit count for the period 1 June to 31 August divided by the grazed Ha, and is expressed as cwsu/ha. Where animals are grazed on a farm for part of a month, the stock unit count is prorated for the period those animals are on the farm.

Certified Farm Environment Planner: is a person who has been approved by the Chief Executive of the Waikato Regional Council, as meeting the requirements described in Schedule D4, to provide certification services (including recertification) for FEPs in one or more of pastoral, horticultural or arable cropping farm systems.

Note: Auditors and Certified Farm Environment Planners will be listed on the Waikato Regional Council's website.

Certified Farm Nutrient Advisor: is a person who has been approved by the Chief Executive of the Waikato Regional Council to provide nutrient management advice and produce a nitrogen leaching risk analysis in accordance with Schedule B. The person shall:
a. be certified as a Nutrient Management Adviser under a national nutrient management adviser certification programme (or an equivalent certification programme approved by the Chief Executive of the Waikato Regional Council); and
b. have agreed to Waikato Regional Council's terms of agreement for operating as a Certified Farm Nutrient Advisor.

Note: Certified Farm Nutrient Advisors will be listed on the Waikato Regional Council's website.

Commercial vegetable production: means the commercial growing of vegetables in New Zealand intended for human consumption and includes crop rotation practices associated with vegetable growing. Vegetables include those in the following list:
a. artichokes, Asian vegetables, beetroot, boxthorn, broccoflower, broccoli, broccolini, Brussels sprouts, burdock, cabbage, capsicums, carrots, cauliflower, celeriac, celery, chilli peppers, chokos, courgettes, cucumbers, eggplant, Florence fennel, garland chrysanthemum, garlic, gherkins, herbs, Indian vegetables, kohlrabi, kumara, leeks, lettuces, marrows, melons, okra, onions, parsnips, potatoes, puha, pumpkin, purslane, radishes, rakkyo, rhubarb, salad leaves, salsify, scallopini, scorzonera, shallots, silverbeet, spinach, spring onions, sprouted beans and seeds, squash, swedes, sweetcorn, taro, tomatoes, turnips, ulluco, watercress, witloof, yakon, yams, zucchinis; and
b. the hybrids of the vegetables listed in subparagraph i.

For the avoidance of doubt, the following are not commercial vegetable production**:** the production of apples, asparagus, avocados, babacos, beans, berry crops, casanas, cherimoyas, citrus, feijoas, figs, guavas, kiwifruit, kiwiberries, loquats, passionfruit, pears, peas, persimmons, quinces, sapotes, summerfruit (including apricots, cherries, nectarines, peaches, and plums), and tamarillos, tree leaf crops (including tea); and any hybrids of these crops.

Critical source areas: For the purposes of Chapter 3.11, means a landscape feature on farm such as a gully, swale or depression, or infrastructure feature such as a silage pit, fertiliser storage area, gateway, race, stock camp or water trough that –

a. accumulates surface runoff comprising nitrogen, phosphorus, sediment or microbial pathogens from adjacent land and where the contribution of those contaminants is disproportionately high compared to that typical for the farm due to the farming activity at that location; and
b. is linked to downstream surface waterbodies through ephemeral flow paths.

Advice note. A guide to the identification of critical source areas will be made available on the Council website and may be updated from time to time.

Crop rotation: is the practice of systematic planting of different vegetable and arable crops in sequence, or in combination, over multiple years within the same farm, and/or on changing farm, where commercial vegetable growing is the usual land use which can and often does include pasture and/or arable cropping phases and fallow periods, and can involve grazing of animals. The purpose of this practice is to help reduce soil erosion, maintain soil structure and nutrients in the soil, reduce plant diseases and pests, improve biodiversity and to maintain productive vegetable yields.

Cultivation: For the purposes of Chapter 3.11, means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock) for the purpose of sowing, growing or harvesting of pasture or crops, but excludes:
a. direct drilling of seed or fertiliser.
b. no-tillage practices (including single pass strip tillage where seed rows are back rolled).
c. tree planting.

Dairy Cattle:
a. means cattle farmed for producing milk; and
b. includes—
    i. any bull on the farm whose purpose is mating with those cattle; and
    ii. unweaned calves of those cattle; but
c. does not include dairy support cattle.

Dairy Farming: means farming of dairy cattle.

Dairy support cattle means cattle that—
a. are farmed for producing milk, but are not being milked (for example, because they are heifers or have been dried off); and
b. are grazed on land that is not grazed by dairy cattle.

Diffuse discharge/s: For the purposes of Chapter 3.11, means the discharge of nitrogen, phosphorus, sediment and microbial pathogens that results from land use activities including cropping and the grazing of livestock and excludes point source discharges.

Drystock Farming: means grazing beef cattle, dairy support cattle, other dairy animals, sheep, goats, and deer for meat, fibre, or velvet production.

***Escherichia coli* (*E. coli*):** is a bacterium used as an indicator that faecal contamination of the water has almost certainly occurred, so pathogens may be present in the water (Pathogen: an organism capable of causing an illness in humans).

Farm: means the land used for farming, including on non-adjacent land, and including leased land, and is managed as a single integrated unit within the same business entity. For the avoidance of doubt, this includes, but is not limited to:
a. A dairy farm and supporting parcels of land used for the purpose of growing feed for the dairy cattle and/or grazing of dairy support cattle;
b. A drystock farm where stock, irrespective of type and/or class, are grazed across parcels;
c. Arable cropping
but does not include:
d. commercial vegetable production; or
e. dairy farm land comprising of more than one milking platform, where a milking platform is the land dedicated to the grazing or growing of feed for those dairy cattle serviced by a milking shed.

Farm Environment Plan/s (FEP): For the purposes of Chapter 3.11, means a plan developed in accordance with Schedule D1 or D2.

Farm Environment Plan Scheme: means a scheme established by the Waikato Regional Council that sets out the appointment process and criteria for Certified Farm Environment Planners and Auditors, and that describes the certification and audit process of FEPs.

Farm Operator: For the purposes of Chapter 3.11, has the meaning given in section 217B of the Resource Management Act 1991.

Farming: For the purposes of Chapter 3.11, means the grazing of animals or the growing of produce, including grass, crops, commercial vegetable production, orchard produce, and free range poultry, but not does not include:

a. planted production forest; or
b. the growing of crops on land irrigated by municipal wastewater discharges; or
c. hydrologically self-contained growing of produce undertaken entirely within a building; or
d. growing of produce for consumption by the occupier of the land, including their family; or
e. intensive indoor farming.

Grazed hectares: means the area in hectares that:

a. is in pasture and used for stock grazing; and
b. is in crops that are entirely grazed in-situ; and
c. is used as sacrifice paddocks; and
d. includes, for a period of 10 years from the date the land is retired, any land previously used for grazing that has been retired from all farming activities.

Intensive winter grazing: has the meaning in section 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.

Livestock crossing structure: means a lawfully established structure that enables livestock to cross a water body such that the livestock do not enter or have access to the bed of the water body.

Mahinga kai: means the customary and contemporary gathering and use of naturally occurring and cultivated foods (also known as Hauanga kai).

Microbial pathogen/s: A microorganism capable of inducing illness in humans.

Minimise: for the purposes of Chapter 3.11, means reduce to the lowest amount practicable.

Nitrogen Leaching Risk Analysis: A nitrogen leaching risk analysis established in conformance with Schedule B.

Point Source Discharge: Discharges from a stationary or fixed facility.

Property: For the purposes of Chapter 3.11, means, to the extent that the land is within the Waikato and Waipā River catchments shown in Map 3.11-1, one or more allotments contained in single Computer Freehold Register (record of title), and also includes all adjacent land that is in common ownership but contained in separate records of title, including records of title separated only by a road, river or utility corridor.

Regionally Significant Industry: means an economic activity based on the use of natural and physical resources in the region, which is demonstrated to have social, economic or cultural benefits that are significant at a regional or national scale.

Regionally Significant Infrastructure: is as defined in the Operative Waikato Regional Policy Statement 2016.

Sacrifice Paddock: means an area of land on which

a. cattle are repeatedly but temporarily, contained (typically during extended periods of wet weather); and
b. the resulting damage caused to the soil by pugging is so severe as to require resowing with pasture species.

Sector scheme/s: is a scheme group or organisation responsible for preparing and assisting with the implementation of Farm Environment Plans that has been certified by the Chief Executive of the Waikato Regional Council and listed on the Waikato Regional Council website as meeting the standards, assessment criteria and requirements set out in Schedule E of Chapter 3.11.

Slope: means the steepness of the land surface. For the purposes of Chapter 3.11, unless otherwise stated, slope shall be determined by measuring the slope over any 20 m distance of the land. Slope is measured in degrees and to an accuracy no less than that achieved by a handheld inclinometer or Abney level.

Specified instrument: For the purposes of Chapter 3.11, has the meaning given in section 217B of the Resource Management Act 1991.

Stock unit: means the number assigned for an animal represented in the following stocking rate table.

Stock class as from 1 June	Number of Stock Units per animal	Definition
MA Dairy bull	6.1	Any dairy breed bull that as of 1 June will turn 3 years or older in the following 12-month period
MA Dairy cow	10.4	Any dairy breed heifer that as of 1 June will turn 2 years or older in the following 12-month period
R1 Dairy heifer 1-2 years age	5.1	Any dairy breed heifer that as of 1 June will turn 1 year in the following six-month period (i.e. before 1 Dec)
Dairy heifer calf (< 6 months, weaned)	1.6	Any dairy breed heifer calf that is less than six months old at 1 June (i.e. born before 1 Dec)
MA Beef bull	6	Any beef breed bull that as of 1 June will turn 3 years or older in the following 12-month period
MA Beef cow	7.5	Any beef breed heifer that as of 1 June will turn 2 years or older in the following 12-month period
R1/R2 Bull	6.8	Any dairy or beef breed bull that as of 1 June will turn either 1 or 2 years old in the following six-month period (i.e. before 1 Dec)
R1/R2 Steer	5.8	Any dairy or beef breed steer that as of 1 June will turn either 1 or 2 years old in the following six-month period (i.e. before 1 Dec)
R1/R2 Heifer	5.7	Any beef breed heifer that as of 1 June will turn 1 or 2 years old in the following six-month period (i.e. before 1 Dec)
Steer calf (<6 months, weaned)	2.7	Any dairy or beef breed steer calf that is less than six months old at 1 June (i.e. born after 1 Dec)
Bull calf (<6 months, weaned)	2.7	Any dairy or beef breed bull calf that is less than six months old at 1 June (i.e. born after 1 Dec)
Beef Heifer calf (<6 months, weaned)	1.6	Any beef breed heifer calf that is less than six months old at 1 June (i.e. born after 1 Dec)
MA Ram	1	Any ram that as of 1 June will turn 2 years or older in the following 12-month period
MA ewe	1.01	Any ewe that as of 1 June will turn 2 years or older in the following 12-month period
Hogget	0.9	Any sheep that as of 1 June will turn 1 year or older in the following 12-month period
Lamb (weaned)	0.5	Any sheep that is less than six months old at 1 June (i.e. born after 1 Dec)
Kid (weaned)	0.5	Any goat that is less than six months old at 1 June (i.e. born after 1 Dec)
MA Angora doe	1.1	Any Angora doe that as of 1 June will turn 1 year or older in the following 12-month period
MA Feral doe	0.9	Any feral doe that as of 1 June will turn 1 year or older in the following 12-month period
Feral bucks & wethers	0.5	Any feral buck that as of 1 June will turn 1 year or older in the following 12-month period
MA Stag	2.4	Any stag that as of 1 June will turn 2 years or older in the following 12-month period
MA Breeding hind	2.5	Any hind that as of 1 June will turn 2 years or older in the following 12-month period
R1 Hind	1.2	Any hind that as of 1 June will turn 1 year old in the following 12-month period
Hind fawn (weaned)	1	Any hind that is less than six months old at 1 June (i.e. born before 1 Dec)
R1 Stag	2.3	Any stag that as of 1 June will turn 1 year old in the following 12-month period
Stag fawn (weaned)	1.1	Any stag that is less than six months old at 1 June (i.e. born before 1 Dec)
Alpaca	0.8	

Stock class as from 1 June	Number of Stock Units per animal	Definition
Llama	1.6	
Pony	6	
Pony brood mare w/foal	8	
Small hack	8	
Small hack broodmare w/foal	10	
Large hack	12	
Thoroughbred	12	
Large hack broodmare w/foal	14	
Milking ewe	0.9	Any milking ewe that as of 1 June will turn 2 years or older in the following 12-month period
Milking goat	1.8	Any milking goat that as of 1 June will turn 2 years or older in the following 12-month period

Sub-catchment: For the purposes of Chapter 3.11, means one of the 74 separate areas of land within the Waikato or Waipā River catchments shown on Map 3.11-2.

Tangata whenua ancestral lands: means land that:

a. has been returned to, or acquired by, tangata whenua through Treaty settlement processes or mechanisms; or
b. is Māori freehold land within the meaning of Te Ture Whenua Maori Act 1993.
c. is general land owned by Māori who are tangata whenua, as defined in the RA (or the majority of whom are Māori who are tangata whenua); or
d. land held in the name of Pootatau te Wherowhero pursuant to section 19 of the Waikato Raupatu Claims Settlement Act 1995.

Threatened species: Threatened species means: any indigenous species of flora or fauna that:

a. relies on water bodies for at least part of its life cycle; and
b. meets the criteria for nationally critical, nationally endangered, or nationally vulnerable species in the New Zealand Threat Classification System Manual.

Treatment wetland: means a wetland that is deliberately constructed to treat stormwater or wastewater before it is discharged to land or water, but is not a wetland constructed to offset impacts on, or to restore, an existing or former natural inland wetland.

Winter stocking rate: means, for the land used for drystock farming, the average stock unit count for the period 1 June to 31 August divided by the grazed hectares, and is expressed as wsu/ha. Where animals are grazed for part of a month, the stock unit count is prorated for the period those animals are on the farm.

Woody vegetation: means indigenous vegetation, plantation forest, and any other non-pastoral vegetation (excluding weed species).

PART C

Consequential amendments to Waikato Regional Plan/Ngā whakatikahanga ka hua ake mō roto i te Mahereā-Rohe a Waikato

Formatting used:

- Note that for the following text the new wording underlined and deleted wording has ~~strikethrough~~
- Blue "filling" marks different chapters/sections of the WRP and is inserted for ease of reference only

Operative Plan Provision	*Proposed Change*
Readers Guide	
Introduction	*Add to end second para*: Plan Change1 - Waikato and Waipā River catchments (made operative on [*date*])
Abbreviations and Symbols	*Add the following alphabetically:* NPS - FM National Policy Statement Freshwater Management FEP - Farm Environment Plan ha - hectare FMU - Freshwater Management Unit N - Nitrogen P - Phosphorus *E. coli - Escherichia coli*
2. Matters of Significance to Maori	
2.1.1 General	*Add a new section at the end of 2.1.1:* Legislation passed in 2010 and 2012* introduced a new era of co-management for the Waikato and Waipā River catchments. Co-management provides ways for iwi to manage the rivers together with central and local government. Waikato and Waipā River Iwi – Ngāti Maniapoto, Raukawa, Ngāti Tūwharetoa, Te Arawa River Iwi and Waikato-Tainui – and Waikato Regional Council have been partners in developing the *Healthy Rivers: Plan for Change/ Wai Ora: He Rautaki Whakapaipai* project. This project was set up to assist in achieving the *Vision and Strategy for the Waikato River/ Te Ture Whaimana o Te Awa o Waikato*. *Te Ture Whaimana o Te Awa o Waikato* is the primary direction-setting document for the Waikato and Waipā Rivers and focuses on restoring and protecting the health and well-being of the rivers for current and future generations. Chapter 3.11 has arisen from the above co-management project together with the Government's National Policy Statement for Freshwater Management 2014, and specifically addresses the Waikato and Waipā River catchments.

	* Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010; Ngati Tūwharetoa, Raukawa and Te Arawa River Iwi Waikato River Act 2010 and Nga Wai o Maniapoto (Waipā River) Act 2012.
3.1 Water Resources	
3.1 Background and Explanation	*Add to end of para 4:* Chapter 3.11 sets out more stringent provisions within the Waipā and Waikato River catchments to address the trend of degrading water quality. *Add new sentence as second para in section "Tangata Whenua":* The Waikato and Waipā River catchments are co-managed by the Waikato and Waipā River iwi – Ngāti Maniapoto, Raukawa, Ngāti Tūwharetoa, Te Arawa River Iwi and Waikato-Tainui – and Waikato Regional Council. The *Vision and Strategy for the Waikato River/ Te Ture Whaimana o Te Awa o Waikato* is the primary direction-setting document for the Waikato and Waipā Rivers and focuses on restoring and protecting the health and well-being of the rivers for current and future generations. (Refer also to CH 3.11) *Amend last sentence under "Issue and Objective":* ….the objectives are found in Chapter 3.2 – ~~3.9~~3.11 of this Plan…..
3.2 Management of Water Resources	
3.2 Water Management Classes	*Add as a new last paragraph:* **Freshwater Management Units** In Chapter 3.11, Fresh Water Management Units and associated numerical water quality values have been established for the Waikato and Waipā River catchments. Within the Waikato and Waipā River catchments, these targets are used in decision-making processes guided by the objectives in Chapter 3.11 and for future monitoring of changes in the state of water quality within the catchments. With regard to consent applications for diffuse discharges or point source discharges of nitrogen, phosphorus, sediment and microbial pathogens it is not intended, nor is it in the nature of water quality targets, that they be used directly as receiving water compliance limits/standards.
3.2.4.1 Water Management Classes	*Amend 3.2.4.1(e):* …. apply to a water body as well as policies in Section 3.11.2 for waterbodies in the Waikato and Waipā River catchments, when making decisions …. the same issue and are inconsistent particular regard….
3.3.3 Water Takes - *Policies*	
Policy 1 (c) *(Establish Allocation and Minimum Flows for Surface Water)*	*Amend Policy 1(c):* ….in accordance with the policies in Chapters 3.2 and 3.11 of this Plan.

Policy 4 (f) (Establish Sustainable Yields from Groundwater)	*Amend Policy 4(f):* ….in accordance with the policies in Chapters 3.2 and 3.11 of this Plan.
Standard 3.3.4.28 (How riparian planting and stock exclusion fencing shall apply)	*Add a new advisory note:* Within the Waikato and Waipā River catchments, additional requirements for riparian planting and stock exclusion fencing are outlined in Chapter 3.11.
3.4.5 Implementation methods – The Use of Water	
Rule 3.4.5.6 Permitted Activity Rule - Use of Water for Crop and Pasture Irrigation	*Add a new advisory note:* Subject to compliance with any specified requirements, reporting through a Farm Environment Plan is a valid means of describing how irrigation water balances will be calculated and managed.
Rule 3.4.5.7 Controlled Activity Rule - Use of Water for Crop and Pasture Irrigation	*Add a new advisory note:* Subject to compliance with any specified requirements, reporting through a Farm Environment Plan is a valid means of describing how irrigation water balances will be calculated and managed.
3.5 Discharges	
Background and Explanation	*Insert new section at end of the Background and Explanation section:* **Discharges associated with Farming Land Use** Chapter 3.11 addresses the use of land for farming in the Waikato and Waipā River catchments including associated diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens.
Objective 3.5.2	*Amend Objective 3.5.2 by adding a new clause c) as follows (and consequential renumbering):* c) does not have adverse effects that are inconsistent with the objectives for the Waikato and Waipā River catchments in Section 3.11.1.
3.5.3 Policy 2(a) *Managing Discharges to Water with More than Minor Adverse Effects)*	*Amend 3.5.3 Policy 2(a):* … with the policies in Sections 3.2.3 and 3.11.2 of this Plan….
3.5.3 Policy 4 Discharges to	*Add a new advisory note:* In the Waikato and Waipā River catchments, refer also to Chapter 3.11.

Land: Advisory Note	
3.5.3 Policy 5(b)	*Amend 3.5.3 Policy 5(b):*
Ground Water	… with the policies in Sections 3.2.3 and 3.11.2 of this Plan ….
Explanation and Principal Reasons for Adopting the Policies	*Add at the end of Policy 2 para:* The cross reference to Section 3.11.2 recognises the specific water quality objectives sought to be achieved for the Waikato and Waipā River catchments through Chapter 3.11. *Add at the end of Policy 6 para.:* Chapter 3.11 addresses how water quality aspects of Te Ture Whaimana o Te Awa o Waikato will be given effect to in the Waikato and Waipā River catchments.
Rule 3.5.5.1	*Amend opening of rule:*
Permitted Activity Rule - Discharge of Farm Animal Effluent onto Land	The point source discharge of contaminants onto land …
Advisory Notes to Rule 3.5.5.1 Permitted Activity Rule - Discharge of Farm Animal Effluent onto Land	*Add new bullet point:* Diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens associated with use of land for farming in the Waikato and Waipā River catchments are addressed in Chapter 3.11.
Rule 3.5.5.2	*Amend opening of rule:*
Permitted Activity Rule - Discharge of Feed Pad and Stand-Off Pad Effluent onto Land	The point source discharge of feed pad …
Advisory Notes to Rule 3.5.5.2 Permitted Activity Rule - Discharge of Feed Pad and Stand-Off Pad Effluent onto Land	*Add new bullet point:* Diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens associated with use of land for farming in the Waikato and Waipā River catchments are addressed in Chapter 3.11.
Rule 3.5.5.3	*Amend opening of rule:*
Controlled Activity Rule - Existing Discharge(s) of Effluent from Pig Farms onto Land	The point source discharge of contaminants …

Advisory Notes to Rule 3.5.5.3 Controlled Activity Rule - Existing Discharge(s) of Effluent from Pig Farms onto Land	*Add new bullet point:* *Diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens associated with use of land for farming in the Waikato and Waipā River catchments are addressed in Chapter 3.11.*
Rule 3.5.5.4 Discretionary Activity Rule - Discharge of Effluent onto Land	*Amend opening of rule:* The point source discharge of farm …
Advisory Notes to Rule 3.5.5.4 Discretionary Activity Rule - Discharge of Effluent onto Land	*Add new bullet point:* Diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens associated with use of land for farming in the Waikato and Waipā River catchments are addressed in Chapter 3.11.
Rule 3.5.5.5 Discretionary Activity Rule - Discharge of Treated Effluent to Water	*Amend opening of rule:* Except as provided for by Rule 3.5.4.6, the point source discharge of treated…
Advisory Notes to Rule 3.5.5.5 Discretionary Activity Rule - Discharge of Treated Effluent to Water	*Add new bullet point:* Diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens associated with use of land for farming in the Waikato and Waipā River catchments are addressed in Chapter 3.11.
Rule 3.5.5.6 Prohibited Activity Rule - Discharge of Untreated Animal Effluent	*Amend opening of rule:* The point source discharge of untreated …
Explanation and Principal reasons for adopting methods 3.5.5.1 to 3.5.5.6	*Add a new sentence at the end of first para:* Additional policies, rules and methods are provided in Chapter 3.11 to manage diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens associated with use of land for farming within the Waikato and Waipā River catchments.
Rule 3.5.10.2 Controlled Activity Rule - Take, Diversion and Discharge of Water Pumped from	*Add new clause (v) to Rule 3.5.10.2:* (v) In the case of the Waikato and Waipā River catchments, measures that recognise and provide for the objectives in Chapter 3.11.

Existing Drainage and Flood Control Schemes	
3.6 Damming & Diverting	
Objective 3.6.2 (a)	*Amend Objective 3.6.2:* (a)….in Sections 3.1.2 and 3.11.1
Principal Reasons for Adopting the Objectives	*Amend first sentence:* … in Sections 3.1.2 and 3.11.1 and for….
3.7 Wetlands	
Objective 3.7.2	Amend the wording: Refer to Objectives 3.31.2 and 3.11.1 Objective 5
Policies 3.7.3 Explanation and Principal Reasons	*Add a sentence at end of Explanation and Principal Reasons:* For Whangamarino Wetland refer also to Section 3.11.1 Objective 5 and Section 3.11.2 Policy 16.
Rule 3.7.4.6 *Advisory note* *Discretionary Activity Rule - Creation of New Drains and Deepening of Drain Invert Levels*	*Amend advisory note first bullet:* *….Policy 1 of Section 3.7.3 and for Whangamarino Wetland, Section 3.11.1 Objective 5 and Section 3.11.2 Policy 16.*
Rule 3.7.4.7 Discretionary Activity Rule – *Drainage of Wetlands*	*Amend advisory note first bullet:* *…Policy 1 of Section 3.7.3 and for Whangamarino Wetland, Section 3.11.1 Objective 5* and *Section 3.11.2 Policy 16.*
Explanation and Principal Reasons for Adopting Methods 3.7.4.1 to 3.7.4.7	*Amend first para:* *…to achieve Objectives 3.1.2 and 3.11.1 Objective 5…..Other methods in Chapters 3.4, 3.5, 3.6, 3.11…..*
3.8 Drilling	
3.8.2 Objective	*Amend Objective 3.8.2 (a):* a) … in sections 3.1.2 and 3.11.1

3.9 Non-Point Source Discharges	
New section proposed	*Add a new para after the Background and Explanation section:* **The Relationship between Chapter 3.9 and Chapter 3.11** With regard to the Waikato and Waipā River catchments, the objectives, policies, and methods (including rules) in this chapter should be read in conjunction with the provisions of Chapter 3.11. Where there is any inconsistency between this Chapter and Chapter 3.11, the provisions of Chapter 3.11 prevail.
Objective 3.9.2	*Amend Objective 3.9.2:* *….Objectives 3.1.2 and 3.11.1*
Explanation and Principal Reasons for Adopting the Policies	*Amend last sentence of last para under Policy 2:* *… Lake Taupo and Waikato/Waipā River catchments….as detailed in Sections 3.10 and 3.11 respectively.*
Rule 3.9.4.11 *Permitted Activity Rule - Fertiliser Application*	*Add opening words:* *Except as otherwise provided for, or restricted by an approved Farm Environment Plan, in accordance with the provisions and requirements of Chapter 3.11, (which applies in the Waikato and Waipā River catchments) the discharge of fertiliser…*
Explanation and Principal Reasons for Adopting Methods	*Add to end of first para:* *For the Waikato and Waipā River catchments – refer also to provisions in Chapter 3.11.* *Add to end of Method 3.9.4.7:* *Refer to Chapter 3.11 for stock exclusion rules that apply in the Waikato and Waipā River catchments.* *Add to middle of Method 3.9.4.10:* *Apart from within the Lake Taupo Catchment and Waikato and Waipā River catchments, Waikato Regional ……*
4.2 River and Lake bed structures	
4.2.2 Objective	*Amend Objective 4.2.2 (b):* ….Objectives 3.1.2 and 3.11.2.
4.2.3 Policy 2 (Management of Structures) *Rule 4.2.8.2* *Controlled Activity Rule - Bridges*	*Amend 4.2.3 Policy 2 (b):* …in Sections 3.2.3 and 3.11.2… *Amend Rule 4.2.8.2 matter (vii):* …Water Management Class in this Plan and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.
Rule 4.2.8.3	*Amend Rule 4.2.8.3 matter (xi*):

Restricted Discretionary Activity Rule - Bridges	…Water Management Class in this Plan and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.
Rule 4.2.9.3	*Amend Rule 4.2.9.3 matter (xii):*
Controlled Activity Rule - Culverts for Catchment Areas Not Exceeding 500 Hectares	*…Water Management Class in this Plan and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.*
Rule 4.2.10.1	*Amend Rule 4.2.10.1 condition (n):*
Permitted Activity Rule - Discharge and Intake structures	*…Water Management Classes in Section 3.2.4 of this Plan and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.*
Rule 4.2.11.2	*Amend Rule 4.2.11.2 matter xi):*
Restricted Discretionary Activity Rule - Fords	*…Water Management Classes in this Plan and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.*
Rule 4.2.16.1	*Amend Rule 4.2.16.1 matter (xi):*
Controlled Activity Rule - Channel Training Structures	*…Water Management Classes and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.*
Rule 4.2.20.3	*Amend Rule 4.2.20.3 matter (x):*
Controlled Activity Rule - Removal or Demolition of Structures	*…Water Management Classes in Section 3.2.4 of this Plan and in the case of the Waikato and Waipā River catchments, the relevant water quality objectives in Chapter 3.11.*
4.3 River and Lake Bed Disturbances	
4.3.1 Issue 4	*Amend 4.3.1 Issue 4 (c):* ….inconsistent with Chapters 3.1 and 3.11
4.3.2 Objective	*Amend Objective 4.3.2 (b):* …with objectives in Chapters 3.1 and 3.11 *Amend Objective 4.3.2 (l):* …with objectives in Chapters 3.1 and 3.11

4.3.3. Policy 1 (Bed and Bank Alterations and Extraction of Sand, Gravel and Other Bed Material)	*Amend 4.3.3. Policy 1 (b):* …in Section 3.2.3 and the objectives in Section 3.11.1, or….
4.3.3 Policy 3 (Clearance of Vegetation)	*Amend 4.3.3 Policy 3 (a):* …in Chapters 3.2 and 3.11
Explanation and Principal Reasons for Adopting the Policies	*Add to the end of the paragraph relating to Policy 4:* For the Waikato and Waipā River catchments, regulatory provisions are set out in Chapter 3.11.
Method 4.3.5.3 *Livestock access*	*Add a new first sentence:* The Waikato and Waipā River catchments are excluded from this method and are addressed in Chapter 3.11.
Rule 4.3.5.4 *Permitted Activity Rule - Livestock on the Beds and Banks of Priority One Water Bodies*	*Amend opening words of Rule 4.3.5.4:* …any water body within the Waikato and Waipā River catchments or any water body mapped in the …..
Rule 4.3.5.4 *Advisory Note*	*Add a new first bullet point:* • Controls on livestock in the Waikato and Waipā River catchments are set out in Chapter 3.11.
Rule 4.3.5.5 *Discretionary Activity Rule - Livestock on the Beds and Banks of Priority One water Bodies*	*Amend opening words to rule 4.3.5.5:* … Livestock Exclusion Area where that Livestock Exclusion Area is outside the Waikato and Waipā River catchments:
Rule 4.3.5.5 *Advisory Note*	*Add a new first bullet point:* • Controls on livestock access to water bodies in the Waikato and Waipā River catchments are set out in Chapter 3.11.
4.3.5.6 *Non-Complying Activity - Livestock on the Beds and Banks of Rivers and Lakes*	*Amend opening words to Rule 4.3.5.6:* Except as provided for in Rules 4.3.5.4 and 4.3.5.5 or within the Waikato and Waipā River catchments, the rules set out in Chapter 3.11, …

Rule 4.3.5.6 Advisory Note	*Add a new first bullet point:* • Controls on livestock in the Waikato and Waipā River catchments are set out in Chapter 3.11.
Explanation and Principal Reasons for Adopting Methods	*Add a new first sentence:* The access of stock to waterbodies in the Waikato and Waipā River catchments are addressed in Chapter 3.11.
Rule 4.3.6.2 *Controlled Activity Rule - Extraction of Bed Material and Disturbance of River and Lake Beds associated with Lawfully Established Structures*	*Amend 4.3.6.2 matter xiii):* … Water Management Classes in this Plan and in the case of the Waikato and Waipā River catchments, the water quality objectives in Chapter 3.11.
5.1 Accelerated Erosion	
Background and Explanation	*Add a new paragraph after the paragraph entitled Background and Explanation:* **Relationship between Chapter 5.1 and Chapter 3.11**. Within the Waikato and Waipā River catchments, the diffuse discharge of sediment to water as a result of the use of land for farming is regulated by Chapter 3.11. Those requirements are separate to and distinct from the matters regulated in Chapter 5.1. The requirements of Chapter 5.1 and 3.11 must, therefore, be read together.
5.1.2 Objective	*Amend 5.1.2(b):* …Objectives 3.1.2 and 3.11.2
5.1.4.11 *Permitted Activity Rule - Soil Disturbance, Roading and Tracking and Vegetation Clearance*	*Add new advisory note:* With regard to the clearance of vegetation or planted production forest in the Waikato and Waipā River catchments, note that land use change may be regulated by Rule 3.11.4.9 or Rule 3.11.4.10.
5.1.4.12 *Permitted Activity Rule - Soil Cultivation Adjacent to water Bodies*	*Amend opening statement:* Except as controlled by rules 7.2.6.1 and 7.2.6.2, or in the Waikato and Waipā River catchments, as required by Schedule C of Chapter 3.11, or by an approved Farm Environment Plan developed under the provisions of Chapter 3.11, soil cultivation not less than…
5.1.4.13	*Add to the beginning of Clause 2:*

Discretionary Activity Rule - Soil Disturbance, Roading and Tracking and Vegetation Clearance	Except as allowed by an approved Farm Environment Plan developed under the provisions of Chapter 3.11 ~~S~~soil cultivation… *Add new advisory note:* With regard to the clearance of vegetation or planted production forest in the Waikato and Waipā River catchments, note that land use change may be regulated by Rule 3.11.4.9 or Rule 3.11.4.10.
5.1.4.14 *Controlled Activity Rule - Soil Disturbance, Roading and Tracking and Vegetation Clearance, Riparian Vegetation Clearance in High Risk Erosion Areas*	*Add an advisory note:* *With regard to the clearance of vegetation or planted production forest in the Waikato and Waipā River catchments, note that land use change may be regulated by Rule 3.11.4.9 or Rule 3.11.4.10.*
5.1.4.15 *Discretionary Activity Rule - Soil Disturbance, Roading and Tracking and Vegetation Clearance, Riparian Vegetation Clearance in High Risk Erosion Areas*	*Add an advisory note:* *With regard to the clearance of vegetation or planted production forest in the Waikato and Waipā River catchments, note that land use change may be regulated by Rule 3.11.4.9 or Rule 3.11.4.10.*
Explanation and Principal Reasons for Adopting Methods	*Add to end of para that deals with Method 5.1.4.5:* *Within the Waikato and Waipā River catchments, there are policy and regulatory provisions that require the development of Farm Environment Plans for some land uses (refer Chapter 3.11).* *Add to end of para that deals with Method 5.1.4.9:* *A regulatory approach has been introduced for the Waikato and Waipā River catchments in Chapter 3.11.*
5.2 Discharges onto or into land	
Integration with Water and Air Management	*Add to para 3:* …discussed in Chapters 3.5 and 3.11.
5.2.2 Objective	*Amend clause b):*

	…in Section 3.1.2 or the objectives for the Waikato and Waipā River catchments in Section 3.11.1.
5.2.3 Policy 2 Other Discharges Onto or Into Land	*Amend 5.2.3 Policy 2(b):* *…in Sections 5.1.3 and 3.11.2* *Amend 5.2.3 Policy 2(c):* *… in Section 3.2.3 3 or in the Waikato and Waipā River catchments, the water quality objectives in Section 3.11.1*
Explanation and Principal Reasons for adopting Methods 5.2.5.1 to 5.2.5.8	*Add as a last sentence to the opening paragraph:* *For activities in the Waikato and Waipā River catchments, refer also to the objectives and policies in Chapter 3.11.*
5.3 Contaminated Land	
Objective 5.3.2	*Amend clause b):* …in Sections 3.1.2 and 3.11.1
Principal Reasons for adopting the Objective	*Amend 3rd para:* ….in Chapters 3.1, 3.11 and 6.1.