
In the matter of: Clause of Schedule 1 – Resource Management Act - Submission on publicly notified plan change – Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments

And: **Hill Country Farmers Group**
Submitter ID 73321

And: **Waikato Regional Council**
Local Authority

Appendix of Amendments Sought for Proposed Plan Change 1

The wording changes indicated in red, used as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential changes to the plan, including Objectives, Policies, or other rules, or restructuring of the Plan, or parts thereof, to give effect to the relief sought.

1. Part A, Section 3.11 “Full achievement of the Vision and Strategy will be intergenerational”, paragraph 1, amendments indicated in red below:

The CSG has chosen an 80-year timeframe to achieve the water quality objectives of the Vision and Strategy. 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 Waipa Rivers and catchment. Based on the information currently available, the CSG has concluded full achievement of the Vision and Strategy 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 **will require a considerable amount of land use moderation within high-risk sub-catchments. Whereas in other sub-catchments it will be more appropriate to focus on applying mitigation methods via conditions, rather than simply preventing land use change.**

2. Objective 1: Long-term **maintenance**, restoration and protection of water quality **as relevant for** each sub-catchment and Freshwater Management Unit/Te Whāinga 1: Te whakaoranga tauroa me te tiakanga tauroa o te kounga wai ki ia riu kōawaawa me te Wae Whakahaere i te Wai Māori

By 2096, the management of discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water result in achievement of the restoration and protection of the 80-year water quality attribute targets in Table 3.11-1.

3. Amend table 3.11-1 to:

- i. Reflect instream nitrogen concentrations that are established consistent with the 95th percentile NOF target.
 - ii. Ensure that the E. Coli numerical parameter is amended so that omits flood/high flow events.
4. Objective 2: Social, economic and cultural wellbeing is **recognised and** maintained in the long term/Te Whāinga 2: Ka whakaūngia te oranga ā-pāpori, ā-ōhanga, ā-ahurea hoki i ngā tauroa

Waikato and Waipa communities and their economy **experience measurable** benefits from the **maintenance**, restoration and/or protection of water quality **as relevant**, in **each sub-catchment of** the Waikato River catchment, which enables the people and communities to continue to provide for their social, economic and cultural wellbeing.

5. Policy 1: Manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens/Te Kaupapa Here 1: Te whakahaere i ngā rukenga roha o te hauota, o te pūtūtae-whetū, o te waiparapara me te tukumate ora poto

Manage and require reductions in sub-catchment-wide discharges of nitrogen, phosphorus, sediment and microbial pathogens, by:

- a. Enabling activities with a low level of contaminant discharge to water bodies provided those discharges do not increase; and
 - b. Requiring farming activities with moderate to high levels of contaminant discharge to water bodies to reduce their discharges; and
 - c. Progressively excluding cattle, horses, deer and pigs from rivers, streams, drains, wetlands and lakes **for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs.**
 - d. **Requiring farming activities on slopes exceeding 15 degrees (where break feeding does not occur) to manage contaminant discharges to water bodies through mitigation actions that specifically target critical source areas.**
6. Policy 2: Tailored approach to **managing and where relevant** reducing diffuse discharges from farming activities/Te Kaupapa Here 2: He huarahi ka āta whakahāngaihia hei whakaiti i ngā rukenga roha i ngā mahinga pāmu

Manage and **where relevant** require reductions in sub-catchment-wide diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens from farming activities on properties and enterprises by:

- a. Taking a tailored, risk based approach to define mitigation actions on the land that will reduce diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, with the mitigation actions to be specified in a Farm Environment Plan either associated with a resource consent, or in specific requirements established by participation in a Certified Industry Scheme; and
- b. Requiring the same level of rigour in developing, monitoring and auditing of mitigation actions on the land that is set out in a Farm Environment Plan,

- whether it is established with a resource consent or through Certified Industry Schemes; and
- c. Establishing a Nitrogen Reference Point for the property or enterprise; and
 - d. Requiring the degree of reduction in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens **where required** to be proportionate to the amount of current discharge (those discharging more are expected to make greater reductions), and proportionate to the scale of water quality improvement required in the sub-catchment; and
 - e. Requiring stock exclusion **for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs** to be completed within 3 years following the dates by which a Farm Environment Plan must be provided to the Council, or in any case no later than 1 July 2026.
7. Policy 4: Enabling activities with lower discharges to continue or to be established **while signalling further change may be required in future**/Te Kaupapa Here 4: Te tuku kia haere tonu, kia whakatūria rānei ngā tūmahi he iti iho ngā rukenga, me te tohu ake ākuanei pea me panoni anō hei ngā tau e heke mai ana

Manage sub-catchment-wide diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, and enable existing and new low discharging activities to continue provided that cumulatively the achievement of Objective 3 is not compromised. Activities and uses currently defined as low dischargers may in the future need to take mitigation actions that will reduce diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens in order for Objective 1 to be met.

~~8. Policy 6: Restricting land use change/Te Kaupapa Here 6: Te here i te panonitanga ā-whakamahinga whenua~~

~~Except as provided for in Policy 16, land use change consent applications that demonstrate an increase in the diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens will generally not be granted.~~

~~Land use change consent applications that demonstrate clear and enduring decreases in existing diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens will generally be granted~~

9. Policy 7: Preparing for allocation **in the future**/Te Kaupapa Here 7: Kia takatū ki ngā tohanga hei ngā tau e heke mai ana

During Stage 1, work collaboratively with relevant stakeholders to develop a sub-catchment management approach to manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens **that will be required by subsequent regional plans, by implementing the policies and methods in this chapter.** To assist this process, collect information and undertake research to support this, including collecting information about current discharges, **developing** appropriate modelling tools to estimate contaminant discharges, and **researching the** spatial variability of land use and contaminant losses and the effect of contaminant discharges in different parts of the catchment that will assist in defining 'land suitability' **for allocation.**

Any future Allocation should consider the following principles:

- a. Land suitability which reflects the biophysical and climate properties, the risk of contaminant discharges from that land, and the sensitivity of the receiving water body, as a starting point (i.e. where the effect on the land and receiving waters will be the same, like land is treated the same for the purposes of allocation); and
- b. Allowance for flexibility of development of tangata whenua ancestral land; and
- c. Minimise social disruption and costs in the transition to the 'land suitability' approach; and
- d. Future allocation decisions should take advantage of new data and knowledge.

10. 3.11.4.4 Lakes and Whangamarino Wetland

Amend methods and targets to also specifically include management of Koi carp.

11. 3.11.4.12 Support research and dissemination of best practice guidelines to reduce diffuse discharges

Amend method to include reference to landowner/occupier education and support in applying best practice guidance.

12. 3.11.5.1 Permitted Activity Rule – Small and Low Intensity farming activities/Te Ture mō ngā Mahi e Whakaaetia ana – Ngā mahi iti, ngā mahi pāiti hoki i runga pāmu

Rule 3.11.5.1 - Permitted Activity Rule – Small and Low Intensity farming activities

The use of land for farming activities (excluding commercial vegetable production) and the associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens 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 property is registered with the Waikato Regional Council in conformance with Schedule A; and
2. Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs; and
Either:
3. The property area is less than or equal to 4.1 hectares; and
4. The farming activities do not form part of an enterprise being undertaken on more than one property; or
Where the property area is greater than 4.1 hectares:
5. For grazed land, the stocking rate of the land is less than 6 stock units per hectare; and
6. No arable cropping occurs; and
7. The farming activities do not form part of an enterprise being undertaken on more than one property.

13. Rule 3.11.5.2 - Permitted Activity Rule – Other farming activities

The use of land for farming activities (excluding commercial vegetable production) and the associated diffuse discharge of nitrogen, phosphorus, sediment and microbial

pathogens onto or into land in circumstances which may result in those contaminants entering water where the property area is greater than 4.1 hectares, and has more than **6 and less than 18 stock units per hectare as at 30 June 2016** or is used for arable cropping, is a permitted activity subject to the following conditions:

1. The property is registered with the Waikato Regional Council in conformance with Schedule A; and
2. Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C **for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs** and Conditions 3(e) and 4(e) of this Rule; and
3. Where the property area is less than or equal to 20 hectares:
 - a. The farming activities do not form part of an enterprise being undertaken on more than one property; and
 - b. Where the land is:
 - i. ~~used for grazing livestock, the stocking rate of the land is no greater than the stocking rate of the land at 22 October 2016; or~~
 - ii. not used for grazing livestock, the land use has the same or lower diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens as the land use at 22 October 2016; and
 - c. Upon request, the landowner shall obtain and provide to the Council independent verification from a Certified Farm Environment Planner that the use of land is compliant with either b)(i) or b)(ii) above; and
 - d. Upon request from the Council, a description of the current land use activities shall be provided to the Council; and
 - e. Where the property or enterprise contains any of the water bodies listed in Schedule C, new fences installed after 22 October 2016 **for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs** must be located to ensure cattle, horses, deer and pigs cannot be within three metres of the bed of the water body (excluding constructed wetlands and drains).
4. Where the property or enterprise area is greater than 20 hectares:
 - a. ~~A Nitrogen Reference Point is produced for the property or enterprise in conformance with Schedule B; and b. The diffuse discharge of nitrogen from the property or enterprise does not exceed either:~~
 - i. ~~the Nitrogen Reference Point; or~~
 - ii. ~~15kg nitrogen/hectare/year; whichever is the lesser, over the whole property or enterprise when assessed in accordance with Schedule B;~~ and
 - c. No part of the property or enterprise over ~~15~~ 25 degrees slope is cultivated or grazed **unless effects of diffuse discharges can be mitigated**; and
 - d. No winter forage crops are grazed in situ; and
 - e. Where the property or enterprise contains any of the water bodies listed in Schedule C:
 - i. There shall be no cultivation within 5 metres of the bed of the water body **unless effects of diffuse discharges can be mitigated**; and
 - ii. New fences installed after 22 October 2016 **for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs** must be located to ensure cattle, horses, deer and pigs cannot be within

three metres of the bed of the water body (excluding constructed wetlands and drains); and

5. For all properties greater than 4.1 hectares, from 31 March 2019, in addition to the requirements of Schedule A, the following information must be provided to the Waikato Regional Council by 1 September each year:
 - a. Annual stock numbers; and
 - b. Annual fertiliser use; and
 - c. Annual brought in animal feed.

14. Rule 3.11.5.3 - Permitted Activity Rule – Farming activities with a Farm Environment Plan under a Certified Industry Scheme

Except as provided for in Rule 3.11.5.1 and Rule 3.11.5.2 the use of land for farming activities (excluding commercial vegetable production) where the land use is registered to a Certified Industry Scheme, and the associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens 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 property is registered with the Waikato Regional Council in conformance with Schedule A; and
2. ~~A Nitrogen Reference Point is produced for the property or enterprise in conformance with Schedule B;~~ and
3. Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C ~~for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs;~~ and
4. The Certified Industry Scheme meets the criteria set out in Schedule 2 and has been approved by the Chief Executive Officer of Waikato Regional Council; and
5. A Farm Environment Plan which has been prepared in accordance with Schedule 1 and has been approved by a Certified Farm Environment Planner ~~or approved landowner,~~ is provided to the Waikato Regional Council ~~as follows:~~
 - a. ~~By 1 July 2020 for properties or enterprises within Priority 1 sub-catchments listed in Table 3.11-2, and properties or enterprises with a Nitrogen Reference Point greater than the 75th percentile nitrogen leaching value;~~
 - b. ~~By 1 July 2023 for properties or enterprises within Priority 2 sub-catchments listed in Table 3.11-2;~~
 - c. ~~By 1 July 2026 for properties or enterprises within Priority 3 sub-catchments listed in Table 3.11-2; and~~
6. The use of land shall be undertaken in accordance with the actions and timeframes specified in the Farm Environment Plan; and
7. The Farm Environment Plan provided under Condition 5 may be amended in accordance with the procedure set out in Schedule 1 and the use of land shall thereafter be undertaken in accordance with the amended plan; and
8. A copy of the Farm Environment Plan amended in accordance with condition (7) shall be provided to the Waikato Regional Council within 30 working days of the date of its amendment.

15. Rule 3.11.5.4 - Controlled Activity Rule – Farming activities with a Farm Environment Plan not under a Certified Industry Scheme

Except as provided for in Rule 3.11.5.1 and Rule 3.11.5.2 the use of land for farming activities (excluding commercial vegetable production) where that land use is not registered to a Certified Industry Scheme, and the associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens onto or into land in circumstances which may result in those contaminants entering water is a permitted activity until:

1. 1 January 2020 for properties or enterprises in Priority 1 sub-catchments listed in Table 3.11-2, ~~and properties or enterprises with a Nitrogen Reference Point greater than the 75th percentile nitrogen leaching value;~~
2. 1 January 2023 for properties or enterprises in Priority 2 sub-catchments listed in Table 3.11-2;
3. 1 January 2026 for properties or enterprises in Priority 3 sub-catchments listed in Table 3.11-2; Subject to the following conditions:
4. The property is registered with the Waikato Regional Council in conformance with Schedule A; and 5. ~~A Nitrogen Reference Point is produced for the property or enterprise in conformance with Schedule B; and After the dates set out in 1), 2) and 3) above the use of land shall be a controlled activity (requiring resource consent), subject to the following standards and terms:~~
 - a. A Farm Environment Plan has been prepared in conformance with Schedule 1 and has been approved by a Certified Farm Environment Planner ~~or approved landowner~~, and is provided to the Waikato Regional Council at the time the resource consent application is lodged by the dates specified in I-III below; and
 - b. The property is registered with the Waikato Regional Council in conformance with Schedule A; and
 - c. ~~A Nitrogen Reference Point is produced for the property or enterprise in conformance with Schedule B and is provided to the Waikato Regional Council at the time the resource consent application is lodged;~~ and
 - d. Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C ~~for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs.~~

~~16. 3.11.5.7 Non-Complying Activity Rule—Land Use Change/Te Ture mō ngā mahi-kāore e whai i ngā ture—Te Panonitanga ā-Whakamahinga Whenua~~

~~Rule 3.11.5.7—Non-Complying Activity Rule—Land Use Change~~

~~Notwithstanding any other rule in this Plan, any of the following changes in the use of land from that which was occurring at 22 October 2016 within a property or enterprise located in the Waikato and Waipa catchments, where prior to 1 July 2026 the change exceeds a total of 4.1 hectares:~~

- ~~1.——Woody vegetation to farming activities; or~~
- ~~2.——Any livestock grazing other than dairy farming to dairy farming; or~~
- ~~3.——Arable cropping to dairy farming; or~~

~~4. Any land use to commercial vegetable production except as provided for under standard and term g. of Rule 3.11.5.5 is a non-complying activity (requiring resource consent) until 1 July 2026.~~

Notification:

~~Consent applications will be considered without notification, and without the need to obtain written approval of affected persons, subject to the Council being satisfied that the loss of contaminants from the proposed land use will be lower than that from the existing land use.~~

17. Schedule A - Registration with Waikato Regional Council/Te Āpitianga A – Te rēhita me te Kaunihera ā-Rohe o Waikato

Properties with an area greater than 2 hectares (excluding urban properties) must be registered with the Waikato Regional Council in the following manner:

1. Registration must occur between 1 September 2018 and 31 March 2019.
2. Registration information set out in clause 5, and where relevant in clause 6, below must be provided.
3. Proof of registration must be provided to the Waikato Regional Council if requested by the Council.
4. Registration information must be updated by the new owner of a property within 30 working days of the new owner taking possession of the property, or otherwise at the request of the Waikato Regional Council.
5. All property owners must provide:
 - a. The following information in respect of the land owner, and the person responsible for using the land (if different from the land 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 of the property as per the certificate(s) of title.
 - c. Physical address of the property.
 - d. A description of the land use activity or activities undertaken on the property as at 22 October 2016, including the land area of each activity.
 - e. The total land area of the property.
 - f. Where the land is used for grazing, the stocking rate of animals grazed on the land.

~~6. Properties that graze livestock must also provide a map showing:~~

~~a. The location of:~~

- ~~i. Property boundaries; and~~
- ~~ii. Water bodies listed in Schedule C for stock exclusion within the property boundary and fences adjacent to those water bodies; and~~
- ~~iii. Livestock crossing points over those water bodies and a description of any livestock crossing structures.~~

18. Delete Schedule B from PC1.

19. Schedule C - Stock exclusion/Te Āpitianga C – Te aukatinga o ngā kararehe

Except as provided by Exclusions I. and II., stock must be excluded from the water bodies listed in i. to iv. below as follows:

1. The water bodies must be fenced to exclude cattle, horses, deer and pigs, unless those animals are prevented from entering the bed of the water body by a stock proof natural barrier formed by topography or vegetation.
2. New fences installed after 22 October 2016 must be located to ensure cattle, horses, deer and pigs cannot be ~~within one metre of the~~ enter the bed of the water body (excluding constructed wetlands) **in accordance with Schedule 1**.
3. Livestock must not be permitted to enter onto or pass across the bed of the water body, except when using a livestock crossing structure **or where stock is moved in one continuous movement and this occurs less frequently than once per week**.
4. For land use authorised under Rules 3.11.5.1 or 3.11.5.2, clauses 1 and 2 must be complied with:
 - a. By 1 July 2023 for properties and enterprises within Priority 1 sub-catchments listed in Table 3.11-2.
 - b. By 1 July 2026 for properties and enterprises within Priority 2 and Priority 3 sub-catchments listed in Table 3.11-2.
5. For land use authorised under Rules 3.11.5.3, 3.11.5.4 or 3.11.5.5, clauses 1 and 2 must be complied with by the date and in the manner specified in the property's or enterprise's Farm Environment Plan, which shall be within 3 years following the dates by which a Farm Environment Plan must be provided to the Council, or in any case no later than 1 July 2026.

Water bodies from which cattle, horses, deer and pigs must be excluded:

- i. Any river that continually contains surface water and exceeds 1m wide at any point and is 30cm deep on average.
- ii. Any drain that continually contains surface water exceeds 1m wide at any point and is 30cm deep on average.
- iii. Any wetland, including a constructed wetland.
- iv. Any lake.

Exclusions:

The following situations are excluded from clauses 1 and 2:

- I. **Areas with slopes exceeding 15 degrees and where no break feeding occurs**
- II. Where the entry onto or passing across the bed of the water body is by horses that are being ridden or led.
- III. Where the entry onto or passing across the bed of the water body is by a feral animal.
- IV. **Areas less than 15 degrees demonstrated to be in high flood zones and where fencing is impractical**

20. Schedule 1 - Requirements for Farm Environment Plans/Te Āpiti hanga 1: Ngā Herenga i ngā Mahere Taiao ā-Pāmu

A Farm Environment Plan shall be prepared in accordance with the requirements of A below. The Farm Environment Plan shall be certified as meeting the requirements of A by a Certified Farm Environment Planner **or an approved landowner**.

The Farm Environment Plan shall identify all sources of sediment, nitrogen, phosphorus and microbial pathogens, and identify actions, and timeframes for those actions to be completed, in order to reduce the diffuse discharges of these contaminants.

The Farm Environment Plan must clearly identify how specified minimum standards will be complied with.

The requirements set out in A apply to all Farm Environment Plans, including those prepared within a Certified Industry Scheme.

This schedule applies to all farming activities, but it is acknowledged that some provisions will not be relevant to every farming activity.

Farm Environment Plans shall contain as a minimum:

1. The property or enterprise details:
 - (a) Full name, address and contact details (including email addresses and telephone numbers) of the person responsible for the property or enterprise.
 - (b) Trading name (if applicable, where the owner is a company or other entity).
 - (c) A list of land parcels which constitute the property or enterprise: the physical address and ownership of each parcel of land (if different from the person responsible for the property or enterprise) and any relevant farm identifiers such as the dairy supply number, Agribase identification number, valuation reference; and
 - (ii) The legal description of each parcel of land.
2. An assessment of the risk of diffuse discharge of sediment, nitrogen, phosphorus and microbial pathogens associated with the farming activities on the property, and the priority of those identified risks, having regard to sub-catchment targets in Table 3.11-1 and the priority of lakes within the sub-catchment. As a minimum, the risk assessment shall include (where relevant to the particular land use):
 - (a) A description of where and how stock shall be excluded from water bodies for stock exclusion including:
 - (i) the provision of fencing and livestock crossing structures to achieve compliance with Schedule C; and
 - (ii) ~~for areas with a slope exceeding 25 o and where stream fencing is impracticable, the provision of alternative mitigation measures.~~
 - (b) A description of setbacks and riparian management, including:
 - (i) The management of water body margins including how damage to the bed and margins of water bodies, and the direct input of contaminants will be avoided, and how riparian margin settling and filtering will be provided for; and
 - (ii) Where practicable the provision of minimum grazing setbacks from water bodies for stock exclusion of 1 metre for land with a slope of less than 15 o and 3 metres for land between 15 o and 25 o ~~where break feeding occurs~~ ; and
 - (iii) The provision of minimum cultivation setbacks of 5 metres ~~unless effects of diffuse discharges can be mitigated.~~

- (c) A description of the critical source areas from which sediment, nitrogen, phosphorus and microbial pathogens are lost, including:
- (i) the identification of intermittent waterways, overland flow paths and areas prone to flooding and ponding, and an assessment of opportunities to minimise losses from these areas through appropriate stocking policy, stock exclusion and/or measures to detain floodwaters and settle out or otherwise remove sediment, nitrogen, phosphorus and microbial pathogens (e.g. detention bunds, sediment traps, natural and constructed wetlands); and
 - (ii) the identification of actively eroding areas, erosion prone areas, and areas of bare soil and appropriate measures for erosion and sediment control and re-vegetation; and
 - (iii) an assessment of the risk of diffuse discharge of sediment, nitrogen, phosphorus and microbial pathogens from tracks and races and livestock crossing structures to waterways, and the identification of appropriate measures to minimise these discharges (e.g. cut-off drains, and shaping); and
 - (iv) the identification of areas where effluent accumulates including yards, races, livestock crossing structures, underpasses, stock camps, and feed-out areas, and appropriate measures to minimise the risk of diffuse discharges of contaminants from these areas to groundwater or surface water; and
 - (v) the identification of other 'hotspots' such as fertiliser, silage, compost, or effluent storage facilities, wash-water facilities, ofal or refuse disposal pits, and feeding or stock holding areas, and the appropriate measures to minimise the risk of diffuse discharges of contaminants from these areas to groundwater or surface water.
- (d) An assessment of appropriate land use and grazing management for specific areas on the farm in order to maintain and improve the physical and biological condition of soils and minimise the diffuse discharge of sediment, nitrogen, phosphorus and microbial pathogens to water bodies, including:
- (i) matching land use to land capability; and
 - (ii) identifying areas not suitable for grazing; and
 - (iv) stocking policy to maintain soil condition and pasture cover; and
 - (v) the appropriate location and management of winter forage crops; and
 - (vi) suitable management practices for strip grazing.
- (e) ~~A description of nutrient management practices including a nutrient budget for the farm enterprise calculated using the model OVERSEER © in accordance with the OVERSEER © use protocols, or using any other model or method approved by the Chief Executive Officer of Waikato Regional Council.~~
- (f) A description of cultivation management, including:
- (i) The identification of slopes over 15 ° and how cultivation on them will be avoided; unless contaminant discharges to water bodies from that cultivation can be **avoided mitigated**; and
 - (ii) How the adverse effects of cultivation on slopes of less than 15 ° will be mitigated through appropriate erosion and sediment controls for each paddock that will be cultivated including by:
 - (a) assessing where overland flows enters and exits the paddock in rainfall events; and
 - (b) assessing where overland flows enters and exits the paddock in rainfall events; and

- (c) identifying appropriate measures to divert overland flows from entering the cultivated paddock; and
- (d) identifying measures to trap sediment leaving the cultivated paddock in overland flows; and
- (e) maintaining appropriate buffers between cultivated areas and water bodies (minimum 5m setback).
- (f) A description of collected animal effluent management including how the risks associated with the operation of effluent systems will be managed to minimise contaminant discharges to groundwater or surface water.
- (g) A description of freshwater irrigation management including how contaminant loss arising from the irrigation system to groundwater or surface water will be minimised.

3. A spatial risk map(s) at a scale that clearly shows:

- (a) The boundaries of the property; and
- (b) The locations of the main land uses that occur on the property; and
- (c) The locations of existing and future mitigation actions to manage contaminant diffuse discharges; and
- (d) Any relevant internal property boundaries that relate to risks and mitigation actions described in this plan; and
- (e) The location of continually flowing rivers, streams, and drains **that exceed 1m wide and 30cm deep on average** and permanent lakes, ponds and wetlands; and
- (f) The location of riparian vegetation and fences adjacent to water bodies; and
- (g) The location of critical source areas for contaminants, as identified in 2 (h) above.

4. A description of the actions that will be undertaken in response to the risks identified in the risk assessment in 2 above (having regard to their relative priority) as well as where the mandatory time-bound actions will be undertaken, and when and to what standard they will be completed.

~~5. A description of the following:~~

- ~~(a) Actions, timeframes and other measures to ensure that the diffuse discharge of nitrogen from the property or enterprise, as measured by the five-year rolling average annual nitrogen loss as determined by the use of the current version of OVERSEER®, does not increase beyond the property or enterprise's Nitrogen Reference Point, unless other suitable mitigations are specified; or~~
- ~~(b) Where the Nitrogen Reference Point exceeds the 75th percentile nitrogen leaching value, actions, timeframes and other measures to ensure the diffuse discharge of nitrogen is reduced so that it does not exceed the 75 th percentile nitrogen leaching value by 1 July 2026, except in the case of Rule 3.11.5.5.~~