

**BEFORE THE ENVIRONMENT COURT
I MUA I TE KOOTI TAIAO O AOTEAROA
IN AUCKLAND**

ENV-2020-AKL-

IN THE MATTER of the Resource
Management Act 1991
(RMA)

AND

IN THE MATTER of an appeal under clause
14 of Schedule 1 of the
RMA

BETWEEN **WAIKATO REGIONAL
COUNCIL (as Submitter)**

Appellant

AND **WAIKATO REGIONAL
COUNCIL**

Respondent

**NOTICE OF APPEAL TO THE ENVIRONMENT COURT IN RESPECT OF DECISIONS
ON THE PROPOSED WAIKATO REGIONAL PLAN CHANGE 1: WAIKATO AND WAIPĀ
RIVER CATCHMENTS**

7 July 2020

To the Registrar
Environment Court
Auckland

1. Waikato Regional Council (**the Appellant**) appeals against part of a decision of Waikato Regional Council on the Proposed Waikato Regional Plan Change 1: Waikato and Waipā River Catchments (**Proposed Plan**). The Appellant is appealing the Proposed Plan in its capacity as submitter to the Proposed Plan (as distinct from its role as Respondent).
2. The Appellant made a submission on the Proposed Plan (Submitter ID: 72890).
3. The Appellant is not a trade competitor for the purposes of section 308D of the Resource Management Act 1991.
4. The Appellant received notice of the decision (**the Decision**) on 22 April 2020.
5. The Decision was made by Waikato Regional Council.
6. The specific parts of the Decision that the Appellant is appealing are as follows and are set out in full in **Appendix A**:
 - (a) Policy 2;
 - (b) Rule 3.11.4.1;
 - (c) Rule 3.11.4.2;
 - (d) Rule 3.11.4.3;
 - (e) Rule 3.11.4.6;
 - (f) Rule 3.11.4.8;
 - (g) Schedule B;
 - (h) Schedule C;
 - (i) Schedule D1;
 - (j) Schedule D2;
 - (k) Glossary (generally) and:
 - (i) Drystock;
 - (ii) Farming;
 - (iii) Feedlot;
 - (iv) Stock unit; and

Reasons for the Appeal

7. The Proposed Plan establishes water quality objectives, policies and rules for giving effect to the Te Ture Whaimana o Te Awa o Waikato – the Vision and Strategy for the Waikato River (**Vision and Strategy**) and the National Policy Statement for Freshwater Management 2014 (**NPS-FM**). The Appellant is, in general terms, responsible for the implementation of the Proposed Plan – including ensuring

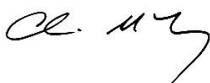
compliance with permitted activity rules and processing resource consents. While generally supporting the Decision, the Appellant believes that technical amendments can be made to improve the practical effectiveness and enforceability of the Proposed Plan.

8. The proposed amendments do not materially affect the Proposed Plan's policy intent or direction, or the methods for achieving them. In general, the proposed amendments are intended to:
 - (a) improve interpretation and practical implementation of the Proposed Plan for the Council and others affected by the Proposed Plan, particularly farmers;
 - (b) better achieve the objectives of the Proposed Plan, the Vision and Strategy and the NPS-FM; and
 - (c) assist the Council to carry out its functions in order to achieve the purpose of the RMA.
9. Without limiting the generality of the above, further reasons for the appeal are set out in Appendix A and as follows:

Relief

10. The Appellant seeks:
 - (a) the relief set out in Appendix A, or alternative wording to like effect; and
 - (b) any consequential amendments to the Proposed Plan to give effect to the relief sought, as set out in Appendix A.
11. In accordance with the Environment Court decision in *Re Wairakei Pastoral Limited* [2020] NZEnvC 063, this Notice of Appeal has been filed with the Environment Court and served on Waikato Regional Council electronically. In addition, the Court has waived the requirements to:
 - (a) serve a hard copy of the Notice of Appeal on every person who made a submission on the provision or matter to which the appeal relates;
 - (b) provide copies of the Appellant's submissions and/or further submissions on the Proposed Plan when it is lodged with the Environment Court;
 - (c) provide copies of the Decision when it is lodged with the Environment Court; and
 - (d) provide the Registrar of the Environment Court with a list of the name and address of each person required to be served with the Notice of Appeal, and the date of service on each such person.

DATED this 7th of July 2020.



Signature of appellant

Address for service of appellant: Private Bag 3038, Waikato Mail Centre, Hamilton 3240
Telephone: 07 859 0999
Fax/email: 07) 859 0998
Contact person: Chris McLay, Director – Resource Use

Advice to recipients of this notice of appeal

1. You may become a party to this appeal if you made a submission or further submission on the matter of this appeal, by lodging a notice (form 33) in accordance with section 274 of the RMA.
2. The Appellant notes that the Court's decision (described above) also waives the normal requirements for parties that may wish to join this Appeal under section 274 of the RMA, including an extension of the time period in which the notice must be lodged with the Court.
3. Your right to be a party to the proceedings in the court may be limited by the trade competition provisions in section 274(1) and Part 11A of the Resource Management Act 1991.
4. You may apply to the Environment Court under section 281 of the Resource Management Act 1991 for a waiver of the above timing or service requirements (see *form 38*).
5. If you have any questions about this notice, contact the Environment Court in Auckland.

Appendix A: Points of appeal, reasons and relief sought

	Proposed Plan reference	Description of issue / reasons for appeal	Relief sought (or alternative wording to like effect)
	Policy 2 (a)&(b)	<p>Policy 2 is to provide for farming activities that require a resource consent other than commercial vegetable production (CVP) with a Farm Environment Plan. The Policy requires farming to be undertaken with reference to a Nitrogen Leaching Loss Rate (NLLR).</p> <p>Paragraph 579 (second bullet) of the Hearing Panel’s recommendation (which was accepted in the Decision) clearly sets out its intention with regard to the function of the NLLR, namely: “the nitrogen leaching numbers form activity status triggers (permitted activity or requiring a consent) rather than fixing the level at or below which farming must occur.”</p> <p>Despite this intention, Policy 2 a and b both strongly infer use of the NLLR as a “cap” within which farming must be undertaken. This creates a fundamental ambiguity as to how the NLLR is to be applied in practice and creates significant potential difficulties for implementation of the Plan. The policy should refer to "nitrogen loss" more generally.</p>	<p>Amend Policy 2(a) and (b) as follows:</p> <ul style="list-style-type: none"> a. Requiring farming activities with a Nitrogen Leaching Loss Rate within the Moderate Nitrogen Leaching Loss range set out in Schedule B Table 1 to obtain a resource consent, and to demonstrate that either the <u>nitrogen loss</u> Nitrogen Leaching Loss Rate is already as low as practicable given the current land use or that the <u>nitrogen loss</u> Nitrogen Leaching Loss Rate will reduce to the lowest practicable level over an appropriate specified period; and b. Requiring farming activities with a High Nitrogen Leaching Loss Rate as set out in Schedule B Table 1 to: <ul style="list-style-type: none"> i. Make significant reductions to their nitrogen loss; or ii. Demonstrate why significant reductions to their <u>nitrogen loss</u> Nitrogen Leaching Loss Rate should either not be required; or iii. Demonstrate why significant reductions to their <u>nitrogen loss</u> Nitrogen Leaching Loss Rate should only be required over an extended timeframe to provide an appropriate transition period for conversion to lower nitrogen leaching land use(s); <p>having regard to:</p>

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			<ul style="list-style-type: none"> • The accuracy of the modelled nitrogen loss<u>Nitrogen Leaching Loss Rate</u>, including whether it captures the benefits of existing contaminant mitigation steps that have been put in place; • The relative vulnerability of the land to nitrogen leaching, as established by an expert analysis of, among other considerations: • The rainfall, topography and soil characteristics of the property(s); and • The distance of the property(s) to surface waterways within the same groundwater sub-catchment; and • Subject to data availability, the depth of groundwater under the land, the chemical characteristics of that groundwater, the speed that groundwater transmits nitrate nitrogen leached below the rootzone to surface waterways and the likely attenuation of nitrate nitrogen between the rootzone and any surface waterway; • Whether the farming activities are making a significant or disproportionate contribution to nitrogen loading in the sub-catchment(s) within which the land is located and/or downstream catchments; and:

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			<ul style="list-style-type: none"> How it is proposed to reduce <u>nitrogen loss</u> the Nitrogen Leaching Loss Rate, including how quickly and to what extent it will be reduced;
2.	Policy 2 (c)	<p>Policy 2(c) states as follows:</p> <p>Generally not granting land use consent applications for changes in land use that involve a material increase in the intensity of the use of land compared to the land uses as at 22 October 2016, unless it can be demonstrated that this would result in a positive contribution to the health and wellbeing of the Waikato and Waipā river catchments in accordance with Policy 5; and</p> <p>The meaning of "material increase" is ambiguous, and potentially inconsistent with policy signals elsewhere in Policy 2, that reinforce the need for reductions in losses of contaminants.</p>	<p>Amend Policy 2(c) to read as follows:</p> <p>Generally not granting land use consent applications for changes in land use that increase the loss of contaminants from the land compared with the losses as at 22 October 2016, unless it can be demonstrated that this would result in a positive contribution to the health and wellbeing of the Waikato and Waipā river catchments in accordance with Policy 5;</p>
3.	Rule 3.11.4.1	<p>Rule 3.11.4.1 permits the use of land for small and very low intensity farming and associated discharges, subject to conditions. Condition 10 is designed to help the Council to determine compliance with the rule. However, the condition only applies to properties over 20 hectares, and does not apply to properties under 20 ha (which will be the vast majority of properties subject to this rule). There seems no sound reason for enabling Council to require independent verification of compliance, where appropriate, on larger properties but not smaller properties. It seems likely that this is an oversight/error in the drafting. The ability for the Council to require a person to provide an independent confirmation of their compliance with the rule would greatly assist the Council's ability to enforce it.</p>	<p>Amend Rule 3.11.4.1 (4th line) as follows:</p> <p>...Conditions 1-910 below if the use of land for farming on a property is less than or equal to 20ha.</p>

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4.	Rule 3.11.4.2	<p>Rule 3.11.4.2 permits the use of land for farming and associated discharges on an interim basis – until certain activities require resource consent at specified dates following the Plan becoming operative.</p> <p>The activities include those regulated by rules 3.11.4.4, 3.11.4.5, 3.11.4.6 and 3.11.4.7. It omits rule 3.11.4.8. however. The rule states that "except as permitted by PA rules 3.11.4. 1 and 3.11.4.3, or as regulated by 3.11.3.9 (land use change), the use of land for farming...is a permitted activity until the relevant Application Date specified in Table 3.11-3..."</p> <p>The omission of reference to rule 3.11.4.8 means that the land use regulated by rule 3.11.4.8 - expansion of CVP into new areas - is one of the "protected" activities i.e. a permitted activity until the dates for the various SCs to which that rule applies. This is an error in that it was clearly not the Panel's intent to permit CVP expansion, even on an interim basis, except by way of discretionary activity rule 3.11.4.8.</p>	<p>Amend Rule 3.11.4.2 as follows:</p> <p>Except as permitted by Rule 3.11.4. 1 or 3.11.4.3, or as regulated by Rule <u>3.11.4.8</u> or 3.11.3.9...</p>
5.	Rule 3.11.4.2	<p>Currently this permitted activity rule does not include any requirement for those relying on the rule, to register their land use with the Council. Including this requirement would greatly aid the Council to understand what is happening on the land, which will better enable it to ensure compliance with the rule framework and forecasting its resources.</p>	<p>Include a further condition in Rule 3.11.4.2 as follows:</p> <p>The property is registered with the Waikato Regional Council if required by and in accordance with Schedule A.</p>

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6.	Rule 3.11.4.3	Rule 3.11.4.3 permits the use of land for low intensity farming and associated diffuse discharges subject to conditions. It is inherently difficult to enforce for the Council, including simply knowing which properties are relying on the rule. The ability for the Council to require a person to provide an independent confirmation of their compliance with the rule (in the same way as enabled in Rule 3.11.4.1) would greatly assist the Council's ability to enforce it.	Add the following condition to Rule 3.11.4.3: Upon written request, the landowner shall obtain and provide to the Waikato Regional Council independent verification from a Certified Farm Environment Planner that the use of land is compliant with the conditions of this Rule within 20 working days of the request (unless otherwise agreed in writing by the Waikato Regional Council).
7.	Rule 3.11.4.6	Rule 3.11.4.6 provides for farming and associated diffuse discharges within the Whangamarino wetland catchment, subject to conditions. Condition 4 requires that the activity be on one property. However, CVP is recognised elsewhere as not being constrained in this way (eg see Policy 3).	Amend Rule 3.11.4.6(4) as follows: The use of land for farming (<u>except for commercial vegetable production</u>) occurs on one property...
8.	Rule 3.11.4.6	Rules 3.11.4.5 and 3.11.4.8, which provide for CVP do not reference Schedule C (which is appropriate). However, Rule 3.11.4. 6 which restricts farming, including CVP, in the Whangamarino Wetland Catchment, does. This is inconsistent.	Amend Rule 3.11.4.6(2) as follows: Farming (<u>except for commercial vegetable production</u>) is undertaken in conformance with the minimum farming standards in Schedule C...
9.	Rule 3.11.4.8	Rule 3.11.4.8 provides for the expansion of CVP as a discretionary activity, subject to conditions. Condition 7 and Table 1 of the rule are intended to set areal limits on the total amount of land which can be granted under this rule for "expansion" of current CVP. However, Table 1, as currently drafted, does not make it entirely clear whether the areas in the Table are the total or "additional" areas. It should be clarified that they are totals. Furthermore, condition 7 of rule 3.11.4.8 cross-refers to the Table and specifies that "The total area of land for which consent is sought must not, in combination with any extant resource consents, exceed the maximum sub-catchment areal limits specified in Table 1 below." The problem with condition 7 is that CVP is occurring lawfully now in these catchments without a resource	Amend the heading of the third column of Table 1 at Rule 3.11.4.8 as follows: <u>Additional</u> areal limits of land for CVP use per sub-catchment (hectares). Amend condition 7 as follows: The total area of land for which consent is sought must not, in combination with any extant resource consents <u>commercial vegetable production that is authorised by extant resource consents or otherwise lawfully established</u> , exceed the maximum sub-catchment areal limits specified in Table 1 below.

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		consent and, while all CVP will require consent under the Plan eventually, it cannot be assumed (as condition 7 currently does) that this will have occurred before any “additional CVP” applications under rule 3.11.4.8, are made.	
10.	Schedule B A3(a)	<p>Clause A3(a) reads as follows:</p> <p>Alternative models may be used provided a suitably qualified and experienced nutrient loss modeller can demonstrate and has certified to WRC that the model:</p> <ul style="list-style-type: none"> • has been developed through a robust review and quality control process; • has appropriate supporting documentation, user guides and input standards; and • can produce comparable modelling outputs to those of Overseer. <p>There is no clarity as to what "suitably qualified and experienced" means. This opens the door for a myriad of individuals to propose alternative models and risk inconsistent farm data across the region.</p>	<p>Amend Schedule B, clause A 3(a) to read:</p> <p>Alternative models may be used provided a suitably qualified and experienced modeller can demonstrate and has certified to WRC that the model:</p> <ul style="list-style-type: none"> • has been developed through a robust review and quality control process; • has appropriate supporting documentation, user guides and input standards; and • can produce comparable modelling outputs to those of Overseer. <p>For the purposes of this provision the “suitably qualified and experienced modeller” must be a person with relevant qualifications and extensive experience relating to the modelling of nutrient loss from farming activities of the type undertaken in the Waikato Region. The qualifications and experience must relate to the application of Overseer and the alternative model.</p>
11.	Schedule B Table 1	Table 1: Nitrogen Leaching Loss Levels specifies values for the 4 river FMUs, cross-referring to Map 3.11-1. Lake FMUs are not referred to in Table 1 which potentially implies there are no NLLR levels for those FMUs.	<p>Add a Note under Schedule B Table 1 as follows:</p> <p>For the avoidance of doubt, the NLLR level for a property within a lake FMU is that which applies to the relevant riverine FMU within which the lake FMUs is located.</p>

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12.	Schedule C 1(b)	<p>Schedule C Clauses 1-5, set out stock exclusion requirements.</p> <p>Clause 1(b) applies a maximum grazing intensity of 18 stock units per hectare based on a slope criterion (greater than 15 degrees) to be applied on an “any paddock” basis. This threshold is very low given current mob stocking practice and is therefore disproportionately restrictive and likely to be impracticable for many drystock farmers to comply with.</p>	<p>Amend Schedule C, clause 1(b) to read as follows:</p> <p>“...with a slope over 15 degrees where the number of stock units exceeds 18 per grazed hectare at any time, measured on a whole farm basis.”</p>
13.	Schedule C (6)	<p>Schedule C, Clause (6) requires that: “Nitrogenous fertiliser is not applied at rates greater than 30kgN/ha per dressing”. It appears that the words "to pasture" have been omitted from the provision. In this regard, at paragraph 1697 of its recommendation the Hearing Panel said: "This standard has been adopted from Fonterra's evidence which states “Nitrogen fertiliser application rates to <u>pasture</u> are no greater than 30 units of N per dressing”. This omission means that if the standard is applied to arable farming it is difficult, if not impossible, to meet and would result in many farms requiring consent that may have otherwise been permitted.</p> <p>The provision is also missing reference to excluding animal effluent from the 30 kgN/ha. This may mean that the restriction (loading rate and soil temperature) applies to animal effluent also.</p>	<p>Amend Schedule C 6 as follows:</p> <p>...Nitrogenous fertiliser is not applied at rates <u>to pasture</u> greater than 30kgN/ha per dressing, <u>excluding farm animal effluent</u>.</p>

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14.	Schedule C (9), Schedule D1 Part D 4(b)and Schedule D1 Part D (5)(a)	<p>These three provisions are very similar and set minimum standards for farming which restrict stock of “older than 2 years” or “greater than 400 kg lwt” from grazing (including winter grazing) steep land from June to September each year.</p> <p>The use of cattle age and weight as thresholds for determining compliance with this standard, raises practical difficulties for the Council with regard to monitoring and enforcing. If faced with having to determine compliance with the standard, the Council cannot readily determine the age or weight of cattle, without voluntarily supplied information from the land user. It will generally not be practicably possible for the Council to enforce compliance with this standard.</p>	<p>Amend each provision as follows:</p> <p>Schedule C (9) No cattle older than 2 years or greater than 400kg lwt are grazed on forage crops on LUC class 6e, 7 or 8 from 1 June to 1 September.</p> <p>Schedule D1, Part D (4)(b) On LUC class 6e, 7 or 8 no cattle older than 2 years or greater than 400kg lwt are grazed from 1 June to 1 September.</p> <p>Schedule D1, Part D (5)(a) No cattle older than 2 years or greater than 400kg lwt are grazed on forage crops on LUC class 6e, 7 or 8 from 1 June to 1 September.</p>
15.	Schedule C (9) and Schedule D1 Part C (3)(b), Part D (4)(b), (5)(a) & (b), and (7)(a) Schedule D2 Part C(2)(b)	<p>The use of standards referencing LUC classes is not practicable because current LUC mapping is at a scale (1:50,000) that does not enable practicable application at the farm/paddock scale. If the provision is intended to require LUC mapping on all farms, this requirement will be expensive and onerous for farmers. It is questionable if the resourcing would be available to do this as LUC mapping at a property scale is a skill held by a limited pool of experts.</p>	<p>Remove reference to LUC and replace with slope-based criteria by amending the provisions as follows (and incorporating proposed amendments from appeal issue 14 above):</p> <p>Schedule C (9) No cattle are grazed on forage crops on land with a slope above 25 degrees from 1 June to 1 September.</p> <p>Schedule D1, Part C (3)(b) Delete this provision.</p> <p>Schedule D1 Part D (4)(b) On land with a slope greater than 25 degrees no cattle are grazed from 1 June to 1 September.</p> <p>Schedule D1, Part D (5)(a) & (b)</p>

	Proposed Plan reference	Description of issue / reasons for appeal	Relief sought (or alternative wording to like effect)
			<p>a. No cattle are grazed on forage crops on land with a slope greater than 25 degrees from 1 June to 1 September.</p> <p>b. No winter grazing of forage crops occurs on land with a slope greater than 25 degrees from 1 June to 1 September where the number of cattle grazed exceeds 30 in an individually-fenced area.</p> <p>Schedule D1, Part D (7) (a)</p> <p>No cultivation of any land where slope exceeds 20 degrees.</p> <p>Schedule D2, Part C (2) (b)</p> <p>Delete this provision.</p>
16.	Schedule D1 - Part D (5)(e)	Clause D(5)(e) requires that “ephemeral waterbodies that are not permanently fenced that have water in them during grazing are temporarily fenced to exclude stock”. The reference to “ephemeral” waterbodies is inconsistent with, and arguably more stringent than, the stock exclusion provisions of Schedule C (which is limited to watercourses which are “permanently or intermittently flowing”). Standardising the terminology between Schedules C and D would assist understanding of, and compliance with, the Plan. A further amendment clarifies that this requirement only applies where permanent fencing is not otherwise required.	<p>Amend Schedule D1 Part D 5(e) as follows:</p> <p>Ephemeral waterbodies that are not <u>otherwise required to be</u> permanently fenced that have water in them during grazing are temporarily fenced to exclude stock.</p>
17.	Schedule D1 - Part D 8(d)	This clause requires compliance with various rules in the operative plan (and conditions). While this is not strictly necessary in that those legal requirements stand alone, it is appropriate to signal the need for ongoing compliance with all other aspects of the Regional Plan. However, the regional plan is currently undergoing review and will be required to conform with the National Planning Standards, therefore these rule references are likely to be out of date in the short to	<p>Amend 8 (d) as follows:</p> <p>The effluent system is designed and operated to ensure <u>compliance with all relevant rules and requirements in the Regional Plan.</u> that the conditions of Rule 3.5.5.1 are met at all times, unless a specific consent has been sought under Rules 3.5.5.2 to 3.5.5.5 to depart from the standards in Rule 3.5.5.1 in</p>

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		medium term. The standard also erroneously refers to consent being required under rule 3.5.5.2 (which is a permitted activity rule).	which case the conditions of that consent shall be met at all times."
18.	Schedule D1 - Part D (9)	This clause sets out irrigation standards. But it is not clear if they apply to effluent irrigation – which they should.	Amend the Schedule D1 Part D 9 heading as follows: <u>Irrigation (including effluent irrigation)</u>
19.	Schedule D1 - Part E (a)	This Part of the Schedule provides for reviews of FEPs 12 months following the rule being operative, at a minimum of 3 yearly intervals thereafter, and when there is a "material increase in the intensity of farming" (despite that appearing to be potentially contrary to the requirement in Part D 2(a) to demonstrate that Nitrogen loss risk ratings "have not increased over the previous year"). There is no ability for the Council to require a review at an earlier date in response to a previous review which indicates poor compliance or non-compliance.	Amend Schedule D1 Part E (a) as follows: <u>...and thereafter at intervals of no more than 3 years or at any earlier date specified by the WRC in response to non-compliance with these standards...</u>
20.	Glossary generally	There is a significant risk that some definitions in the Proposed Plan will be inconsistent with definitions that come through in the Government's Essential Freshwater Programme. Such inconsistencies may create ambiguities which may impact on parties who are affected by both PC1 and the Essential Freshwater programme.	Amend the Proposed Plan definitions as necessary to align with definitions that are established though the Essential Freshwater programme.
21.	Glossary of Terms –Drystock Farming	The distinction between an arable and drystock farm is unclear. Rule 3.11.4.3 Condition 3A i) excludes drystock farming from providing an NLLR (but the definition of drystock farming does not include arable). Condition 3A ii. states that all "other farming" needs an NLLR (this includes any Dairy farming). However, there is the option under 3B where an NLLR is not required, and the farms that qualify would be farms that comply with rule 3.11.4.1 (except for feedlot/sacrifice paddocks or those farms with	Amend the Drystock Farming definition as follows: <u>...means pasture grazing beef cattle, dairy cattle grazed off a milking platform, arable cropping on farms less than or equal to 5% of farm area, other dairy animals, sheep, goats, and deer for meat, fibre, or velvet production.</u>

	Proposed Plan reference	Description of issue / reasons for appeal	Relief sought (or alternative wording to like effect)
		greater than 5% arable), and under 20ha (or greater where they comprise more than 75% horse stock units). Therefore, arable farms greater than 20ha would need an NLLR, but not those under 20ha. However, most arable properties contain some animals hence the overlap of these definitions.	
22.	Glossary of Terms -Feedlot	<p>"Feedlot" is defined as:</p> <p style="padding-left: 40px;">an area of land on which livestock are contained, where there is no forage available for grazing, and feed is brought to the livestock within the area of containment, but does not include horses stabled in yards.</p> <p>The definition is broad, and potentially overlaps with existing Regional Plan definitions for "feed pad", "standoff pads" and "intensive indoor farming".</p>	<p>Replace the definition with the definition provided in the s42A report as follows:</p> <p style="padding-left: 40px;">Feedlot: An area of land on which livestock are contained, where there is no forage available for grazing, and feed is brought to the livestock within the area of containment, but does not include horses stabled or in yards. means the containment and feeding of livestock, covered or uncovered, for the purpose of finishing for meat production, and the activity precludes the maintenance of vegetative groundcover.</p>
23.	Glossary of Terms - Stock Unit	<p>"Stock unit" is defined with reference to a Table, setting out stock rate figures that were developed specifically for Rotorua Lakes catchment farms. The definition notes that the stock types and values in the Table, are "illustrative". For these reasons, it is not clear whether the values in the Table are intended to be strictly applied when implementing the Plan or not. The Table and the definition should be amended to clarify that the values are indicative only and that farmers are able to make a case for utilising different numbers where the circumstances warrant that.</p>	<p>Amend the definition as follows:</p> <p style="padding-left: 40px;">...means an animal that eats 6000 megajoules of metabolisable energy per year and for the stock listed, is illustrated by the following; stocking rate table. <u>Note: the Table below provides indicative stock unit values for various livestock.</u></p>

