

Section 32 Evaluation Report

Proposed Waikato Regional Plan Change 2: Taupō Overseer Version

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Part A Overview and the Planning Issue to be addressed

A.1 Introduction and Background

This report responds to the Resource Management Act (RMA) Section 32 requirements for the Taupō Overseer Version Plan Change.

Chapter 3.10 of the Waikato Regional Plan is the result of Variation 5 – Lake Taupō Catchment, to the regional plan. In the late 1990s and early 2000's, monitoring of Lake Taupō indicated that water quality was starting to deteriorate. At the same time, land use intensification was occurring in and around the Lake Taupō catchment, resulting in increasing potential for lake water deterioration. The Variation 5 process was initiated to respond.

The issue was primarily that nitrogen was increasing in the lake, which would increasingly feed algae and lead to reduction in water clarity. The main source of nitrogen was pastoral farming although a small contribution also came from wastewater. The decision was made to put in place processes to ensure the water quality at 2001 was maintained. This involved capping the amount of nitrogen from farming and wastewater, and reducing the nitrogen load to the lake by 20%, to counter the load to come of nitrogen from past land use practices, where the nitrogen had yet to arrive at the lake through the soil. Chapter 3.10 allocated to farmers a right to leach nitrogen, equivalent to the highest leaching year during the benchmark period of July 2001 to June 2005. The allocation is called the Nitrogen Discharge Allowance (NDA). Overseer v5.4.3 (v5.4.3) was required to be used to establish each farm's nitrogen cap and to determine the farm activities that could be undertaken that would not increase nitrogen leaching. Each consented farm has a Nitrogen Management Plan (NMP), which identifies farm inputs that would be consistent with the farm's NDA.

Waikato Regional Council (WRC) is undertaking a review of Chapter 3.10 of the WRP as part of the Healthy Environments regional plan review project. During this review, it has become apparent that the review of Chapter 3.10 needs to proceed in two stages: the first stage to allow the use of updated versions of the Overseer farming model in Taupō land use consents and nitrogen trading contracts, and the second stage to address other Chapter 3.10 matters. **This Section 32 report supports Waikato Regional Plan Change 2: Taupō Overseer, which is a plan change for the first stage only, to allow the use of updated versions of the Overseer model.**

While this report responds to the RMA Section 32 requirements in relation to the plan change, WRC Document [14540442](#) describes in detail the changes to be made to Chapter 3.10 by Plan Change 2, and the reasons for these changes.

A.2 The Resource Management Issue to be addressed

Overseer v5.4.3 was determined as the only version that could be used in the Taupō regional plan provisions, during the Environment Court process for Regional Plan Variation 5 (RPV5) that finalised Chapter 3.10. The Environment Court considered that a single Overseer version needed to be used so that the total catchment load of nitrogen, and the 20 percent reduction of that load, could be determined. It would not have been possible to determine when 20 percent of the catchment nitrogen had been removed if different Overseer versions were used at different times. Additionally, using one version of Overseer enabled certainty for farmers to facilitate business planning going forward, and also established a level playing field to allow for equitable nitrogen trading to occur.

Overseer v5.4.3 is used in Chapter 3.10 of the regional plan in the following ways:

- 1 As the basis for permitted activity animal numbers in rule 3.10.5.1.
- 2 To establish a farm's initial nitrogen allocation (NDA), which is specified in the land use consent pursuant to Controlled Activity Rule 3.10.5.3 as a limit that must be complied with.
- 3 To describe farm activities that when modelled would not be anticipated to leach greater than the farm's NDA (farm inputs are described in the NMP)
- 4 To allow farmers to change farm activities provided that the changed farm activities are modelled to leach no more than the farm's NDA
- 5 To know when the total additional nitrogen that can be allocated under rules 3.10.5.4 and 3.10.5.5 for forested and undeveloped land has been allocated.
- 6 To allocate nitrogen when properties are subdivided (Rule 3.10.5.6)
- 7 To account for nitrogen trading pursuant to rules 3.10.5.7 and 3.10.5.8
- 8 Rule 3.10.5.12 states nitrogen leaching rates for various purposes based on Overseer v5.4.3.

Overseer v5.4.3 expires in December 2020. After this date Taupō farm NDAs become meaningless because the version is needed to translate NDAs into allowable farm activities. After expiry of v5.4.3, if the regional plan isn't changed to allow new Overseer versions to be used, the above listed activities could effectively not occur. That is:

- It would not be possible to know if a farm is complying with its NDA
- Farms could not change farming activities as the new activities could not be modelled and compared to the NDA
- It would not be possible to know if farm activities are consistent with requirements in existing nitrogen trading contracts
- New consents to farm could not be granted
- Nitrogen trading and allocation of nitrogen to subdivided land could not occur

The planning issue is therefore that the Taupō provisions in the Waikato Regional Plan that require the use of Overseer v5.4.3 need to be changed to allow updated versions of Overseer to be used.

Part B Statutory/Non-Statutory Framework

Appendix E1 summarises the statutory and non-statutory framework relevant to the plan change. It includes a brief description of relevant legislation, National Policy Statements and regional policy (including the Regional Policy Statement, Vision and Strategy for the Waikato River and Iwi Management Plans).

With respect to RMA Section 32(4), there are no National Environmental Standards that are relevant.

Plan Change 2 – Taupō Overseer Version has one purpose, and that is to change the regional plan rules to allow updated versions of Overseer, in a way that is consistent with the policy framework in Chapter 3.10. The plan change does not include any changes to the Issues, Objectives, Policies or Non-regulatory Methods in Chapter 3.10, apart from the addition of one policy. The opportunity has however been taken to remove some obsolete material from the rules and to fix some errors.

The plan change will not change the way that land use is managed in the catchment in any significant way. It will not change the impacts of land use on Lake Taupō. On the contrary, the plan change aims to ensure land use continues to be managed in the way it has been since the Chapter 3.10 rules were established. Social costs of the plan change will be no more than minor. For these reasons, the plan change is consistent with the relevant provisions in the statutory/non-statutory framework described in Appendix 1.

Part C Record of Development of Provisions

C.1 Process for review

The identification of the Overseer issue as an urgent matter to be resolved arose through the initial scoping and research stage of the review of Chapter 3.10. This first stage of the review was completed when an Issues and Options paper was produced for the Taupō review ([11742677](#)). This stage involved initial exploratory consultation ([11299975](#)), a literature review ([11308513](#)), an assessment of the effectiveness and efficiency of the Chapter 3.10 provisions (in the Issues and Options paper), identification of issues that need to be addressed by the review and a broad identification of options for addressing the issues. The draft Issues and Options paper was discussed with key interested parties.

A more detailed analysis of the Overseer issue was then undertaken. This was intended as the first of a series of more detailed analyses of the issues determined with respect to Chapter 3.10. However as the urgency of dealing with the Overseer issue became more apparent, the focus remained on addressing this matter.

Key documents relating to the specific analysis of the Overseer issue and the need for an urgent plan change to allow for updated Overseer versions to be used are:

- Consideration of options for changing Overseer versions in Taupō and tasks to be undertaken ([14362312](#))
- Further Planning for review of Taupō Chapter 3.10 of Waikato Regional Plan ([14053959](#))
- Proposed Waikato Regional Plan Change 2 detailed technical explanation of changes ([14540442](#))
- Memo to PSG - Change request - Healthy Environment's Taupō review - July 2019 ([14683679](#))
- Memo to PSG - Change request - Healthy Environment's Taupō review - 12 August 2019 ([14834786](#))
- Taupō Plan Review - Overseer Analysis and Methodologies ([14054687](#)) Taupō Plan Review
- Application for request to use a Streamlined Planning Process (SPP) - Taupō Overseer WRC ([14480904](#))
- Report to RPRC - Proposal to use Streamlined Planning Process for Lake Taupō Overseer Plan Change - 17 September 2019 ([14461871](#))
- Open Agenda Package Council 26 September 2019 ([15141822](#))
- Council minutes for 26 September 2019 - approval to use SPP for Taupō PC2 ([15436202](#))

C.1.1 Consultation undertaken

As noted above, initial exploratory consultation for the Taupō review is described in Doc [11299975](#). This consultation focused on identifying the main issues that need to be addressed through the Taupō review. One of those issues was the need to change the provisions to allow the use of new Overseer versions.

Appendix E2 summarises the more specific consultation undertaken with respect to the Overseer issue being addressed by Plan Change 2.

C.1.2 Summary of Stakeholder and community feedback

Following are key messages from the initial general consultation relevant to this plan change, and later specific consultation about changing to later versions of Overseer:

- Overseer is the best model we have for managing nitrogen leaching
- Farmers are making the Taupō rules work, but its not easy. Farmers are trying new ways to make a profit under the nitrogen cap

- Farmers need more information about how they can farm successfully within the cap
- Some farmers were concerned that because they are not using their full nitrogen allocation, they may lose it in a future plan change
- Foresters remain concerned about the initial grandparenting approach to nitrogen allocation
- Farmers feel they are doing their best to farm sustainably but don't feel they get recognition for this
- There is concern that long term, farming will not be viable under the nitrogen cap
- Nitrogen trading is useful in providing greater flexibility for farmers, but it doesn't counter the restrictions of the nitrogen cap
- Farmers were concerned about the potential impacts of changing to OverseerFM (the most recent version of Overseer at the time of the plan change). They were concerned that they may need to apply for a new consent each time the version is updated. A number of methods were discussed for how to change to OverseerFM at a Taupō Lake Care meeting. In particular, a method similar to that proposed for this plan change was suggested: that farmers current land use be entered into Overseer as the new 'benchmark', but with appropriate alterations to ensure farmers could continue to farm up to their initial allocation of nitrogen if they are currently operating below it
- The nitrogen cap has succeeded in preventing further intensification of farming in the catchment
- Farmers have learned to live with the Taupō farming provisions and ask that any change to the provisions (to what farmers can or need to do) is minimised.
- There are now less animals generally in the Taupō catchment. Beef cattle in particular have been removed and replaced by dairy grazing (this is actually a trend happening throughout NZ as it is more profitable for farmers). Taupō has slightly larger dairy herds than when the rules were developed. There is more heifer grazing and more deer. Some farmers have dairy farms outside the catchment and use the Taupō catchment land for nursery purposes. Sheep milking has expanded (farmed in sheds and fed lucerne etc). There are also a couple of bull feedlot operations (1500-2000 animals fed hay, silage and fodder beet). More land has been retired (particularly where nitrogen has been sold to the Lake Taupō Protection Trust) and a lot of land has been subdivided for residential purposes.
- The Lake Taupō Protection Trust stated that the change to allow the use of new Overseer versions must not undermine the nitrogen trading contracts that have taken 170 tonnes of nitrogen out of the catchment. The \$80m investment must be protected. The Trust also expressed the view that the change process should not result in 'winners and losers' (some farmers being able to increase their farming inputs and some being required to reduce inputs)
- Any change to the Overseer version must ensure there is a clear process for nitrogen accounting during trades, and subdivision or buying of land.
- The need to change to updated versions of Overseer is understood and some farmers would like to use the increased functionality of OverseerFM (such as modelling the effect of wetlands on nitrogen leaching, and modelling different crops).

C.1.3 Iwi Feedback

A number of the above key messages were also reported by Iwi farm managers. Key messages specific to iwi interests include:

- Te Kotahitanga o Ngāti Tūwharetoa representatives stated that they were comfortable with a Streamlined Planning Process for the Overseer plan change, but want the ability to apply for additional nitrogen for forested and undeveloped land reinstated during the second stage plan change to address other Chapter 3.10 matters.
- Need to ensure in developing the process to change to updated Overseer versions, that there are no unforeseen consequences for iwi.
- It is important that the changes continue to protect Lake Taupō
- Iwi have aspirations to develop their land

- WRC should recognise the decisions Tūwharetoa has made over the years to ensure land use in the Lake catchment does not adversely affect the water bodies, by prioritising forestry development over farm development, ensuring significant riparian margins have been established and retiring large amounts of land. They want to make sure this recognition is built into the discussion about the larger second stage Chapter 3.10 review, and in particular to ensure the additional allocation of Nitrogen for foresters and owners of undeveloped land is back on the table. They considered that this additional allocation went some way to recognising the kaitiakitanga role undertaken by Tūwharetoa, although it does not recognise the full range of ecosystem services that the role has maintained.
- Changes to the Taupō rules must not affect Mahinga Kai and Matauranga Maori
- A number of comments have been made to the effect that iwi are comfortable with the Streamlined Planning Process being used for the plan change to address the Overseer Issue, but expect a full Schedule 1 process for the larger review of the Taupō provisions.

Part D Section 32 Analysis

D.1 The Overseer Model

The Overseer model is a computer model developed to help farmers understand farm nutrient losses and greenhouse gas emissions. The model helps farmers to manage the farm's nutrient budget, so that they can control nutrients going into and out of the farm system. This includes modelling how much nutrient leaching occurs on the farm.

The Overseer model estimates nutrient flows in a farming system. Although it models seven nutrients, as well as greenhouse gas emissions, the key nutrient output for the purpose of the Taupō provisions is nitrogen. Input information for the model includes a range of physical attributes such as topography, soil types and climate, as well as farm system information such as farm animals, crops, fertiliser use and imported feed. The model estimates how much nitrogen leaches from a modelled farm operation.

The Overseer model is regularly updated based on improved science and understanding of nutrient flows. The change from version 5 to version 6 for example added new sub-models for cut and carry operations and dairy goats, upgraded sub-models for fertiliser inputs, irrigation, effluent application, feed supplements and fodder crops. The later versions model a wider range of crop types and nitrogen mitigation (such as wetlands), which provide greater flexibility for farmers in terms of land use options that can be modelled. Significant changes to OverseerFM can occur a couple of times per year. Each time the model is updated, it could produce different outputs (such as nitrogen leaching rates) compared to earlier versions.

OverseerFM will generally model farms' nitrogen leaching as higher than v5.4.3 for the same inputs. The differences are non-linear however and will depend on farm specific matters such as mix of animals, crops, fertiliser regime, soil type and so on. But for example, a farm that is modelled to leach 8 kgN/ha/yr using v5.4.3 may be modelled by OverseerFM to leach 12 kgN/ha/yr.

While the Taupō rules require a single version of Overseer to be used, the concept of a single nitrogen allocation for a farm can be used as the basis for farm planning, nitrogen trading and so on. When the rules change to allow the use of updated Overseer versions, the concept of a single nitrogen allocation becomes meaningless. This is because, as described above, different versions can estimate nitrogen leaching differently for the same inputs, so one number as a nitrogen allocation will not work. The way that this matter is addressed through the plan change is explained in section D.4.2.1 of this report.

OverseerFM is a web based platform that is only available for use through an annual subscription. In the past, Overseer versions could be downloaded and stored on computers. That version could then be used for as long as it functions. OverseerFM however will regularly change and cannot be downloaded so that a single version can be used. Another important difference in the way Overseer is now used is that older versions allowed input and output files to be downloaded (such as by regional councils). This can no longer occur. For councils to access input and output information, the farmer (with the Overseer subscription) needs to 'publish' the information to the council.

D.2 The use of the Overseer Model in Taupō

Chapter 3.10 of the Waikato Regional Plan addressed the issue that increases in nitrogen discharges in the catchment were threatening Lake Taupō water quality. Lake Taupō is a taonga of Ngati Tūwharetoa. The lake is valued very highly by local, regional and national communities and has been identified as an outstanding waterbody in the Waikato Regional Policy Statement. It is an iconic feature of the New Zealand landscape and an important tourism resource.

The WRP water quality objective for Lake Taupō is:

Objective 1: Maintenance of the current water quality of Lake Taupō

The effects of nutrient discharges in the catchment are mitigated such that by 2080 the water quality of Lake Taupō is restored to its 2001 levels as indicated by:

<i>Water Quality Characteristic</i>	<i>Mean</i>	<i>Standard Deviation</i>
<i>Total Nitrogen (mg/m³)</i>	<i>70.3</i>	<i>19.1</i>
<i>Total Phosphorus (mg/m³)</i>	<i>5.57</i>	<i>1.4</i>
<i>Chlorophyll a (mg/m³)</i>	<i>1.18</i>	<i>0.6</i>
<i>Secchi depth (m)</i>	<i>14.6</i>	<i>2.7</i>

This objective, along with the other relevant Waikato Regional Plan objectives are not changing and can be regarded as the most appropriate way to achieve the purpose of the RMA. Accordingly, an assessment under section 32(1)(a) is not required.

The primary means of achieving the objective was to cap nitrogen discharges in the catchment. At the time the provisions were developed, it was understood that Lake Taupō was nitrogen limited. Increasing nitrogen in the lake would therefore increase algae (tracked by the Chlorophyll *a* indicator) and therefore decrease water clarity (tracked by the secchi depth indicator).

The primary manageable source of nitrogen to the lake was farming. The RPV5 Section 32 report noted:

Scientific measurement and modelling indicate that pastoral farm land contributes most (93 per cent) of the human-generated (and therefore manageable) nitrogen entering the Lake, with urban stormwater and wastewater being a localised nitrogen source (7 per cent).

Management of nitrogen relies on the use of the Overseer model.

Currently farms in the Taupō catchment have land use consents to authorise the farming activity, pursuant to Rule 3.10.5.3. Each farm has a Nitrogen Discharge Allowance, which is a

nitrogen discharge limit for the property expressed as kilograms of nitrogen per hectare per year and a Total Annual Nitrogen Discharge (TAND) for the whole property. The NDA was determined by modelling the farm system using the Overseer version set in the Taupō rules (v5.4.3) for the benchmark years of July 2001 to June 2005, and choosing the ‘best year’ (highest nitrogen discharging year) for the NDA.

Nitrogen trading can occur in the catchment. When nitrogen is bought and sold (or leased) farm consents are altered so that the purchasing farm increases its NDA and the selling farm reduces its NDA, by the amount of nitrogen traded. The trades are also legally anchored through nitrogen trading contracts.

Nitrogen trading was the method by which the Lake Taupō Protection Trust bought out the rights of landowners to discharge nitrogen, to achieve the 20 per cent reduction of nitrogen in the catchment. Nitrogen trading contracts need to be maintained to ensure the Taupō water quality objective is achieved.

All nitrogen limitations rely on Overseer v5.4.3. The limitations are only effective while this version can be used. Farmers are required to have a Nitrogen Management Plan for the property. The main component of the NMP is the farm Overseer inputs used to model nitrogen leaching. A farmer can change the farm’s NMP, but only if the change, when modelled through Overseer v5.4.3, shows that modelled nitrogen leaching will be no greater than the NDA and TAND.

As stated earlier, V5.4.3 of Overseer expires in December 2020. To ensure nitrogen limitations in the Taupō catchment are maintained, all consents and nitrogen trading contracts need to be updated so that the limitations are expressed using updated versions of Overseer. After December 2020, if a change to updated Overseer versions has not been made, there could only be certainty that a farmer is not exceeding the farm nitrogen cap if no changes are made to the farm system. This would be a severe limitation to farming in the Taupō catchment. On the other hand, if farmers were to be allowed to make changes to the farm system, there would be no certainty that the water quality objective could be achieved because the changes could not be modelled to see if they would result in greater leaching. For these reasons, the plan change is required to enable the use of updated Overseer versions.

D.3 Alternative options for addressing the issue

Section 32(1)(b)(i) of the RMA requires the identification of “reasonably practicable options for achieving the objectives” and subsection (1)(b)(ii) requires an assessment of their “efficiency and effectiveness” for achieving the objectives. The following table describes and briefly discusses methods considered as ways to achieve the WRP objectives and address the problem that the Overseer version required to be used by the Taupō provisions expires in December 2020.

Option	Comment
Seek that Overseer Ltd extends the functionality of Overseer v5.4.3 beyond December 2020	Overseer Ltd has indicated that they no longer have the source code for the version and cannot change the version to extend its life. Note too that v5.4.3 is becoming increasingly unstable with updated Windows operating systems. The risk of software failure is therefore increasing. Also, v5.4.3 is based on outdated science and provides more limited options for farmers. It therefore needs to be replaced for these reasons.

Option	Comment
	Option not considered further as it would not achieve the WRP objectives.
Retain a copy of Overseer V5.4.3 on WRC computers with the computer operating date being put back a year or two.	The computers using the system would need to be kept offline. Farmers and farm advisors wishing to use Overseer would need to also keep versions on backdated computers. For the reasons given above (increasing instability, outdated modelling assumptions and more limited land use options) this option would not achieve the WRP objectives and is not considered further.
Full review of Chapter 3.10 then proceed with a Schedule 1 process	It would not be possible to prepare a plan change that addresses all Chapter 3.10 issues in time to address the Overseer issue. Also, it makes sense to delay the full review until the Freshwater Programme of Action NPS and NES are finalised as the Taupō provisions will likely need to be changed to reflect these national directions. This option would not achieve the WRP objectives and is not considered further.
Undertake a focused plan change specifically to change the Taupō provisions so that updated versions of Overseer can be used, and require reviews of existing consents so that they refer to updated Overseer versions.	This is a viable option that would potentially achieve the WRP objectives, and will be considered further in this Section 32 report.
Encourage Taupō farmers with land use consents to apply for new consents under non-complying activity rule 3.10.5.9 that would allow them to use updated Overseer versions.	<p>Taupō farmers could surrender their current consents and apply for a consent that is based on another version of Overseer using the non-complying activity rule. This would be an additional cost to farmers. Legal advice was sought on this option in 2013 when some farmers were wanting to use Version 6 rather than v5.4.3. The legal advice noted that there is case law that holds that an RMA plan should only be changed by a Schedule 1 statutory process, and not indirectly by some other process. The advice stated that it is legally possible to use the non-complying rule, but that applicants may “face considerable difficulties in gaining consent” using this method because version 6 would produce different NDAs than the original v5.4.3. Some farmers may be advantaged by this more than others, so equity becomes an issue with this option.</p> <p>Policy 8 informs decisions for non-complying applications, and states that the activity needs to avoid any long-term increase in the volume of nitrogen entering the Lake. Making</p>

Option	Comment
	<p>changes to some consents on a case by case basis, so that some farmers are using one version and others another, may increase doubt about whether the nitrogen cap remains intact, and whether there is consistent regulatory control of farming in the catchment. Some farmers would be able to use different nitrogen mitigations under OverseerFM (such as different crops) to those still using v5.4.3. Nitrogen trading (including leasing) could only occur between properties using the same Overseer version. The system would therefore become more difficult to manage and monitor.</p> <p>Note that this option would not deal with issues around nitrogen trading.</p> <p>Overall, for these reasons this option would not achieve the WRP objectives and is not considered further.</p>
<p>Encourage existing consent holders to seek a change to consent conditions under s127 of the RMA, so that updated versions can be used.</p>	<p>Legal advice has noted that this is probably an easier path than use of the non-complying activity rule, because a review under s127 would be treated as an application for a discretionary activity, and the legal tests are not as rigorous with respect to policy. Legal advice still considered that a plan change is the more accepted approach to 'fixing' a problem with plan rules.</p> <p>This is however a viable option that would potentially achieve the WRP objectives, and will be considered further in this Section 32 report.</p>
<p>Do nothing</p>	<p>The 'do nothing' option will be considered further in this Section 32 report.</p>

Based on the above assessment, the options that will be evaluated in more detail are:

Option 1 – Encouraging individual existing consent holders to apply for section 127 reviews of consent conditions to allow consents to be changed to refer to updated Overseer versions

Option 2 – Focused plan change to allow updated versions of Overseer to be used, then section 128 consent reviews to change conditions of consent to refer to updated Overseer versions

Option 3 – Do nothing

D.4 Evaluation of Options

The following section evaluates the two favoured options from the above assessment as well as the 'do nothing' option. In terms of RMA s32(1)(b)(ii), efficiency and effectiveness are assessed in terms of relevance, feasibility, acceptability, costs and benefits. Relevance, feasibility and acceptability are particularly important in assessing how effective the option is likely to be, while costs and benefits are particularly important in terms of assessing efficiency.

D.4.1 Option 1: Encourage s127 changes to consent

Option 1 for addressing the 'Overseer issue' is to encourage existing consent holders to apply for RMA s127 changes to their consents to allow updated Overseer versions to be used. Under s127, a consent holder may apply to a consent authority for a change to a condition of consent. An application for a change to consent is to be processed as though it were a discretionary activity. Sections 88-121 of the RMA apply to the application (sections about consent applications, further information, notification, submissions, hearings, decisions and appeals).

Consent holders can therefore apply to change their consent to allow updated versions of Overseer to be used. This could include changes that would allow updated versions to be used for development of the Nitrogen Management Plan.

The following table evaluates the option:

Relevance	<p>This option only partially addresses the issue. Council cannot ensure all farmers seek s127 changes. So for a time some farmers will be using v5.4.3 and others OverseerFM, resulting in the issues noted above in relation to non-complying activity consents. That is, it may increase doubt about whether the nitrogen cap remains intact, and whether there is consistent regulatory control of farming in the catchment. Some farmers would be able to use different nitrogen mitigations under OverseerFM (such as different crops) to those still using v5.4.3. Nitrogen trading (including leasing) could only occur between properties using the same Overseer version. It may appear to change relativity between farmers when some have an allocation based on v5.4.3 and others based on OverseerFM (the latter usually results in higher leaching estimates than v5.4.3 for the same input data). The system would therefore become more difficult to manage and monitor.</p> <p>Under this option only those farmers using the same Overseer version could trade nitrogen. The option would also make it very difficult (if not impossible) to change the nitrogen trading contracts to use updated Overseer versions. Changing those contracts would be very difficult without a plan change that clearly states that updated versions of Overseer should be used in the trading contracts. Once v5.4.3 expires, those trading contracts would become meaningless as they would refer to an unuseable Overseer version.</p>
Feasibility	<p>The option is feasible although there are risks with this option. Consent holders could apply to change conditions of their land use consent granted under rule 3.10.5.3. There</p>

	<p>could be some legal difficulties in granting the change when the rules specifically state that only Overseer v5.4.3 can be used. As noted above there could be difficulties managing a system where different farmers are using different Overseer versions. Comparing allocations using different models would be like comparing apples with oranges.</p> <p>The option is not feasible in terms of allowing nitrogen trading contracts to be changed to use updated Overseer versions.</p>
Acceptability	<p>Farmers using OverseerFM may appear to have a greater nitrogen allocation than those using v5.4.3 because OverseerFM generally models leaching higher than does 5.4.3.</p> <p>If a farmer applied to change consent to refer to OverseerFM rather than 5.4.3, if the change was granted, there would need to be a way of ensuring the nitrogen allocation does not change as Overseer versions change. The farmer could not just be given a NDA that does not change. A different system of allocation will be needed that relates to farm input data rather than a nitrogen leaching number. There may be less acceptance of this method, where different farmers are using different systems for determining their nitrogen cap. The option will certainly be less acceptable in terms of the inability to change the nitrogen trading contracts.</p>
Costs	<p>Whether or not some farmers apply for s127 changes, WRC will need to go through a process of preparing <u>all</u> farmers to move to OverseerFM, because this can only be done before v5.4.3 expires. After the version expires there would be no way of ensuring farmers could use all their nitrogen that was initially allocated using v5.4.3. The cost of this process may be approximately \$45,000.</p> <p>Farmers who seek a s127 consent will need to subscribe to OverseerFM at a cost of \$230 per year.</p> <p>Farmers who choose to change their consent through a s127 change will need pay the costs of the s127 process. This may be in the order of \$1500 (the cost would be slightly higher than the cost of consent reviews as described in the next option, because a single consent review process could make use of a more standardised processing approach).</p> <p>Nitrogen trading contracts could not be changed to use updated Overseer versions. Those farmers with contracts effectively would be locked into their current land use because they would not have a model to determine if a change in land use would be consistent with the nitrogen allocation stated in their contract.</p>

	<p>Management of consents, where some farmers use one version of Overseer and other farmers another, could be more complex and time consuming.</p> <p>The reduced ability to trade nitrogen (ie between farmers using different Overseer versions) increases the search costs to farmers, and the smaller markets can affect price.</p>
Benefits	<p>The initial benefit of the s127 option is that a plan change is not needed. However this is just delaying a cost because a plan change would eventually need to occur given that the plan would be based on the expired Overseer version.</p>

Based on the above table, although the option is to some extent feasible, overall it is not an effective way of addressing the planning issue.

D.4.2 Option 2: Focused plan change to allow updated versions of Overseer to be used

This option is to change the Chapter 3.10 provisions so that they allow updated versions of Overseer to be used. In order to understand this option, it is important to describe how the move from Overseer v5.4.3 to updated versions will occur under the proposed plan change. The following sections explain this.

Four alternative approaches to moving from Overseer v5.4.3 to updated versions were considered. These are described in the following table.

Alternative	Description of alternative approach
<p><u>Alternative a)</u> Retain each farmer's current NDA number that has been specified in their consent as the farm's nitrogen leaching limit, but use updated Overseer versions to determine if it is complied with.</p>	<p>This would not be a fair and equitable approach. Firstly, because later Overseer versions generally model farm inputs as leaching more than v5.4.3, most farmers would need to reduce farming intensity to meet their current NDA. Also different farms, with different geophysical characteristics and different farm systems, would need to reduce intensity at different amounts to meet their NDA. This option was therefore rejected.</p>
<p><u>Alternative b)</u> Model farms' initial benchmark data in the latest version of Overseer to determine an NDA that must be complied with.</p>	<p>On the surface, this is an attractive option as the initial benchmark data for each farm would continue to be the basis on which comparisons of further changes to farm systems are made. However, there are a number of problems with this method:</p> <ul style="list-style-type: none"> • The initial benchmark data was developed specifically to be used in v5.4.3. A number of defaults for data were determined (such as one soil type for the catchment). The defaults could be modelled in OverseerFM, but this would not give a very accurate output and would not make use of the improved features and flexibility of OverseerFM. The problem would be compounded each time Overseer is updated into the future. • Because of the differences between v5.4.3 and OverseerFM, the models produce very different results and these differences vary depending on

Alternative	Description of alternative approach
	<p>the mix of inputs. For some farms the difference can be very large and for others minor. So Farm A and B when modelled by v5.4.3 could both have a leaching rate of 20 kgN/ha/yr. But when modelled by OverseerFM, Farm A may have a leaching rate of say 22 while Farm B may have a leaching rate of 30. This method therefore results in ‘winners and losers’ where some farmers would end up with much more nitrogen than others relative to their initial v5.4.3 benchmark (that is, it would appear that some farmer’s nitrogen allocation would increase more than others). Note that an investigation of 10 Taupō farms showed that when comparing modelling of initial reference data by v5.4.3 and OverseerFM, the lowest increase (when modelled by Overseer v6, a precursor to OverseerFM) was 27 per cent while the highest was 74 percent. This option would therefore not be a fair and equitable option.</p> <ul style="list-style-type: none"> • Since initial benchmarking, many farms have changed hands, have been subdivided, and have sold some of their nitrogen allocation. The initial benchmark data therefore does not reflect the current properties or nitrogen allocations.
<p><u>Alternative c)</u> Model existing farm operations, as they would be if the full NDA is being used, in OverseerFM (Overseer Reference Dataset Approach)</p>	<p>Existing farm operations should be occurring in a way that is within each farm’s NDA as required by the farm’s consent. Note that the NDA and NMP would have been updated in response to any subsequent subdivision, amalgamation or nitrogen trading. Under this option, in consultation with the farmer, the farm system is described in a way that can be accurately modelled in OverseerFM. To ensure the farm carries forward its full nitrogen allocation, if the farm is currently operating under its NDA, farm inputs will be altered as though it was using its full allocation. The resulting OverseerFM inputs will be referred to as the Overseer Reference Dataset (ORD) and is given a unique reference number and locked into the OverseerFM model. The ORD effectively replaces the NDA as the ‘expression’ of the farm’s nitrogen cap. All changes to farming (including subdivision and nitrogen trading) will need to ensure that there is no greater nitrogen leaching than when the ORD is modelled with the most recent version of the Overseer Model (this is described in more detail below).</p>
<p><u>Alternative d)</u> Allocate each farm a percentage of the total nitrogen allocation for the catchment and allow farm changes provided they do not increase the percentage of nitrogen used</p>	<p>Under this option, all consented farms NDA’s are summed, and each farm is given a percentage of the total as their nitrogen allocation. The idea is that each farm retains its percentage of the total nitrogen allocation, as Overseer versions are updated. To use this option, when a new version is released, the total consented land area would need to be modelled by the new version to establish the total, so that farmers could</p>

Alternative	Description of alternative approach
	<p>determine how much nitrogen is equivalent to their percentage of the total. This would be a huge task that would need to occur regularly. Also, not all of the allocated nitrogen would be being used, so in effect the total reduces over time. The alternative is to model each farm's operation in the latest version then add them up to arrive at the total. But again some farms won't be using their full allocation so the total would reduce over time. Also, different farms with different farm systems would be affected differently by updated Overseer versions. A farm that is modelled with the latest version as leaching more than under the earlier version, may even lose some of its nitrogen to farms that are not impacted. The percentage allocation option is therefore overly complicated, perhaps in fact unworkable, and possibly inequitable, and is therefore not considered further.</p>

Out of these four possible approaches, the most viable is the third approach: the Overseer Reference Dataset approach. This is described in more detail in the next section.

D.4.2.1 More detailed description of the Overseer Reference Dataset approach

As stated in the previous section, the Overseer Reference Dataset approach involves creating an OverseerFM dataset that describes existing farming operations as they would be if the full NDA is being used. The following steps would occur:

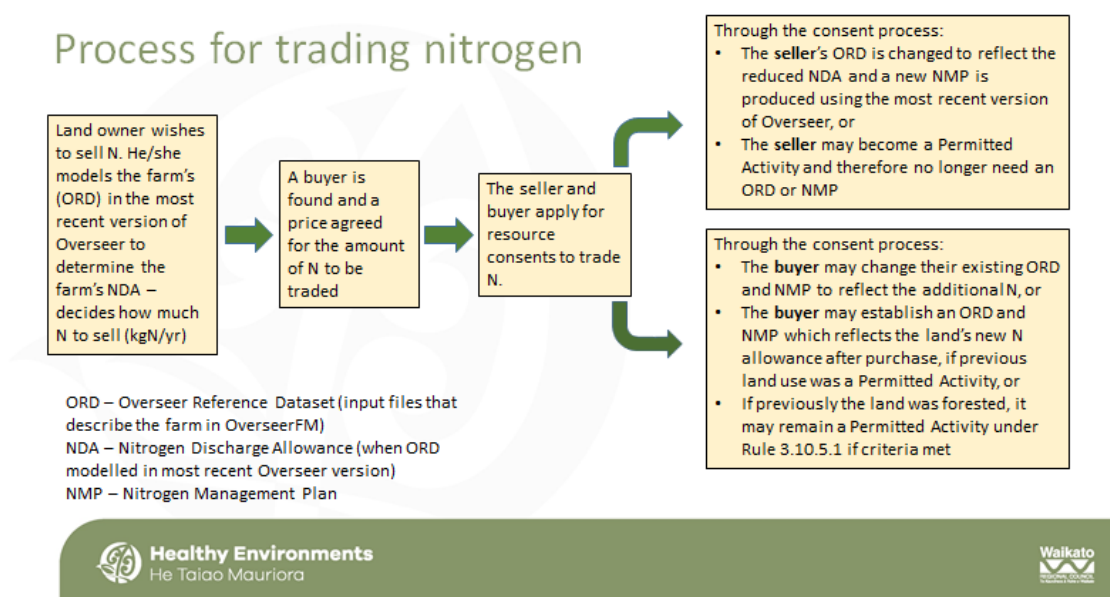
- a) A consent and file review is completed for each property to ensure that each property's NMP (farm system inputs to Overseer v5.4.3) is consistent with the property's NDA.
- b) In consultation with the farmer, an Overseer v5.4.3 scenario is drafted for the property, based on the current farm land use, but with adjusted farm system inputs (where necessary) so that the scenario uses all of the farm's available NDA. The intention is to upscale existing farm inputs such as animal numbers and area cropped, so that the full NDA is used.
- c) The farmer then subscribes to OverseerFM, and the agreed farm system inputs used in v5.4.3 are then modelled. In consultation with the farmer, additional inputs for OverseerFM (description of farm blocks, timing of stock movements) are agreed, again based on current farm practices. OverseerFM modelling will be in accordance with the OverseerFM User Guide and WRC's Nitrogen Reference Point Development Guidelines. The resulting Overseer scenario becomes the new *Overseer Reference Dataset* for the farm and effectively is also the NMP.
- d) The *Overseer Reference Dataset* is given a unique reference data identifier, and becomes the reference dataset against which all future farm management changes are compared. The new "benchmark" is now no longer a specified nitrogen leaching number, but the Reference Dataset.
- e) The farm's consent is reviewed pursuant to s128 of the RMA and the consent is changed to refer to the most recent version of Overseer. The consent states that the property is to be managed, such that when it is modelled with the most recent version of Overseer, does not result in greater nitrogen leaching than when the farm's Overseer Reference Dataset is modelled with the same version of Overseer.
- f) A farmer may then continue to update their Nitrogen Management Plan and undertake nitrogen trading and leasing using this new method – by always comparing the modelled

nitrogen losses of the planned farming activities with that of the Reference Dataset

Nitrogen trading will be able to occur using the Overseer Reference Dataset approach as follows:

- a) If a land owner wishes to sell nitrogen, they would first model the property's Overseer Reference Dataset in the most recent version of Overseer to establish a temporary property NDA. Note that the definition of NDA is to be changed to read 'the modelled nitrogen leaching when the property's Overseer Reference Dataset is modelled in the most recent version of Overseer. The land owner decides how much nitrogen to sell.
- b) A buyer is found and a price agreed for the amount of nitrogen to be traded.
- c) The seller and buyer apply for resource consents to trade nitrogen.
- d) Through the consent process, the seller's Overseer Reference Dataset is changed to reflect the reduced NDA following the sale.
- e) Through the consent process, the buyer's Overseer Reference Dataset is changed to reflect the increased NDA following the sale. If the buyer's land use was previously permitted, and they did not have a previous Overseer Reference Dataset, they would need to create one through the consent process.

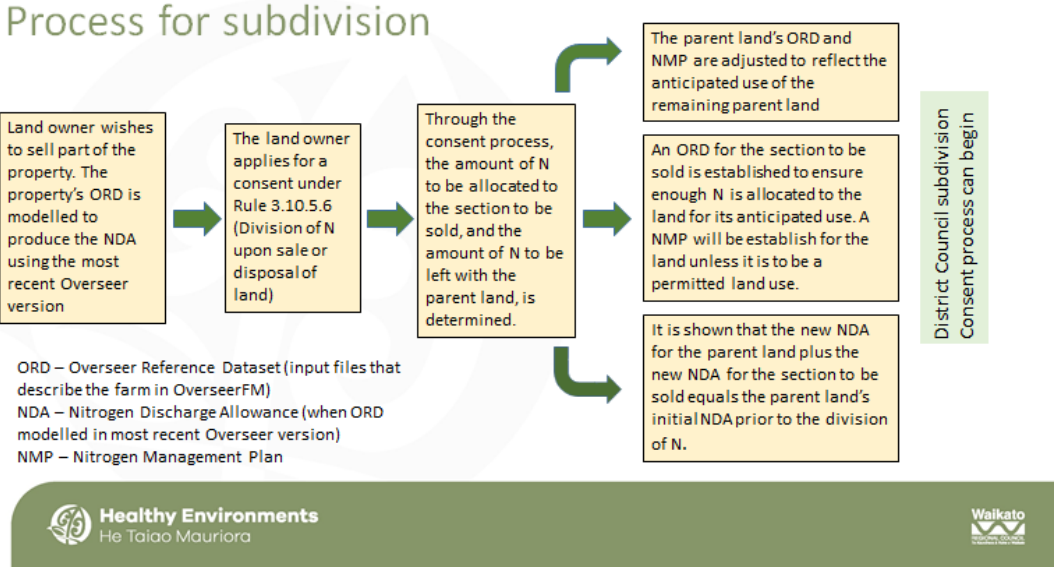
The following diagram summarises this process:



The following process will be used when a property is subdivided, to ensure that nitrogen is appropriately allocated:

- a) When a property owner wishes to subdivide the property, they would first model the property's Overseer Reference Dataset in the most recent version of Overseer to establish a temporary property NDA.
- b) The property owner applies for a consent under Rule 3.10.5.6 (Division of Nitrogen Discharge Allowance upon sale or disposal of land).
- c) Through the consent process, the amount of nitrogen (proportion of the NDA) to be allocated to the part of the property to be sold, and the amount of nitrogen to be left with the remaining parent land, is determined. The parent land's Overseer Reference Dataset is adjusted to reflect the anticipated use of the remaining parent land. An Overseer Reference Dataset is established for the part of the property to be sold, which is sufficient for the anticipated use of that land. It needs to be shown that the new NDA for the remaining parent land, plus the new NDA for the part of the property to be sold, must equal the parent land's initial NDA.
- d) The land owner can then continue with the district council process to subdivide the land.

The following diagram summarises this process:



D.4.2.2 Evaluation of Option 2: Focused plan change to allow updated versions of Overseer to be used

The following table evaluates the option:

Relevance	The plan change option as described above will address the planning issue by allowing future versions of Overseer to be used. It will allow the continued use of Overseer modelling, beyond the expiry of v5.4.3, to manage nitrogen in the catchment. It will change the Taupō rules to allow the use of updated versions of Overseer and will result in existing Taupō land use consents to be changed so that they no longer refer to v5.4.3, which expires in December 2020. The plan change will also provide a strong basis for changing the nitrogen trading contracts. After the plan change, farmers will be able to trade nitrogen and subdivide land using updated Overseer versions to allocate nitrogen. Farmers will be able to use updated Overseer versions to enable changes to their farm practices. The plan change is therefore an effective and relevant way of addressing the planning issue.
Feasibility	The plan change is within the scope of Council’s powers and responsibilities, and can be resourced by Council. The option provides certainty that the planning issue will be fully addressed. The option is considered practicable and will result in plan provisions that are able to be implemented, monitored and enforced. It is therefore a feasible option.
Acceptability	This plan change option has been discussed in detail with Iwi representatives, farmers, Tūwharetoa farm managers, farm consultants, the Lake Taupō Protection Trust and others. There is general acceptance that the option provides a reasonable solution. Under this option, all consented farmers would follow the same process for updating the

	Overseer versions used, and the change will happen at the same time. Farmers will therefore all be treated equitably.
Costs	<p>Council has applied to the Minister for the Environment to use the RMA’s Streamlined Planning Process to undertake this plan change.</p> <p>It has been estimated that using this process, the plan change may cost the council in the order of \$50,000. Most of this cost would be internal staff costs.</p> <p>The cost to the council of working with farmers to develop their Overseer Reference Datasets is expected to be approximately \$45,000.</p> <p>Consented land owners will need to subscribe to OverseerFM at a cost of \$207 per year. Currently there are 83 consents so the total subscription cost would be \$17,181 per year.</p> <p>Consent reviews, and changes to consents to enable the use of updated Overseer versions may be about \$71,000. A decision has yet to be made as to whether this cost should fall on consent holders or the regional council.</p>
Benefits	<p>The benefits of the plan change option include that farmers will be able to carry on operating largely as they are now, within their nitrogen cap. They will be able to model proposed farm changes, and change farming operations if the changes are found not to exceed the farm’s NDA. Nitrogen trading and subdivision of farms can occur after v5.4.3 expires. A basis will be provided that allows existing nitrogen trading contracts to be updated to refer to updated Overseer versions. Land owners with such contracts will therefore be able to continue to change land use. Farmers will all be using the same (most recent) Overseer version, and therefore will have the same opportunities for mitigation of nitrogen leaching. Future upgrades to the Overseer model will not require changes to the plan. With this plan change farming can continue to be managed to achieve the objectives of Chapter 3.10 for Taupō water quality.</p>

This is a feasible option that fully addresses the planning issue. It is therefore an effective option. There are some costs, but these are outweighed by the significant benefits of addressing the planning issue through the proposed plan change.

D.4.3 Option 3: Do nothing

The following table evaluates the option:

Relevance	The ‘do nothing’ option will not address the planning issue. The Taupō provisions will therefore have objectives and policies, but no useable rules to achieve them.
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Feasibility	This option carries a large risk to both the council and land owners. The version of Overseer expires in December 2020, after which there will be no mechanism to achieve the objectives as well as no way for land owners to modify farming practices or trade nitrogen allowances. This option is not feasible.
Acceptability	This option would not be acceptable to any of the key parties as it would not address the planning issue.
Costs	There would be significant costs in terms of not addressing the planning issue. Farmers would not be able to change their farming practices, could not subdivide land and could not trade nitrogen.
Benefits	An immediate benefit of council resources being used elsewhere, rather than in a plan change, will be very short term.

This option is not effective or efficient.

D.4.4 Adequacy of information and risks of not acting

An evaluation must take into account the risk of acting or not acting where there is uncertain or insufficient information. It is considered that there is sufficient information on which to base the proposed provisions, so such an evaluation is unnecessary.

D.4.5 Summary of Evaluation

This evaluation assessed three options for addressing the planning issue:

Option 1 – Encouraging individual consent holders to apply for section 127 reviews of consent conditions to allow consents to be changed to refer to updated Overseer versions

Option 2 – Focused plan change to allow updated versions of Overseer to be used, then section 128 consent reviews to change conditions of consent to refer to updated Overseer versions

Option 3 – Do nothing

The evaluation shows that Option 2 is the only option that effectively addresses the planning issue.

D.5 Description of proposed plan changes

The changes to Chapter 3.10, and the reasons for those changes, are described in detail in the report “Proposed Waikato Regional Plan Change 2 detailed technical explanation of changes” ([14540442](#)).

Following is a summary of the key proposed changes and reasons for them.

D.5.1 Additional Policy 3A

It is recommended that a new Policy be added that states that existing consents under Rule 3.10.5.3 are to be reviewed so that they refer to the most recent versions of Overseer, that an

Overseer Reference Dataset and NMP are developed for each consented property, that the property is managed so that leaching is no more than when the Dataset is modelled by the most recent version of Overseer, and that WRC access to property Overseer data is enabled. The policy sets up the key elements of the plan change. The following is recommended:

Policy 3A Review of consents and change to use the most recent OVERSEER™ version

Notwithstanding Policy 3(c)(ii) Waikato Regional Council will review consents granted under Rule 3.10.5.3, 3.10.5.4, 3.10.5.5, 3.10.5.6, 3.10.5.7, 3.10.5.8 and 3.10.5.9, to enable changes to those consents so that they refer to the most recent versions of the OVERSEER™ Model and so that:

- a) An Overseer Reference Dataset is developed for each property, that describes existing farm operations as they would be if all the current Nitrogen Discharge Allowance as modelled by OVERSEER™ v5.4.3 is being used.*
- b) The Overseer Reference Dataset is modelled by the most recent version of OVERSEER™ to establish a new Nitrogen Management Plan for the property.*
- c) The property is managed thereafter in accordance with the new Nitrogen Management Plan or any authorised future changes to it. Any future changes to property management and the Nitrogen Management Plan, shall be such that, when modelled with the most recent version of OVERSEER™, do not result in greater modelled nitrogen leaching than when the farm's Overseer Reference Dataset is modelled with the same version of OVERSEER™.*
- d) WRC access to the property's published OVERSEER™ analysis is enabled.*

Changes are made to the Explanation and Principle Reasons section for the policies, to note that the plan change ensures the original policy directions are maintained, and to provide an explanation for the new Policy 3A.

D.5.2 Change to Farming Activities paragraph

Section 3.10.5 of the Waikato Regional Plan has a paragraph that describes how farming activities are to be managed by the Taupō provisions. The paragraph is mostly about how the original benchmarking process was to occur and the timetable for consenting farming activities. The paragraph needs to be updated to explain that farm's NDA's are to be replaced by Overseer Reference Datasets to allow the use of updated Overseer versions, and that consents are to be reviewed so that they refer to the use of updated versions.

D.5.3 Change to Permitted Activity Rule 3.10.5.1

Permitted Activity Rule 3.10.5.1 in effect allowed animal numbers as permitted activities, provided the number of animals per hectare did not leach greater than 8 kgN/ha/yr, as modelled by Overseer v5.4.3. The rule has a table (Table 3.10.5.1) that identifies allowable stock numbers for common animal types. When Chapter 3.10 is changed to allow the use of updated Overseer versions, the rule can no longer refer to a limit as modelled by v5.4.3. Note too that the table has been strongly criticised because in some cases, it in fact does not provide animal numbers that would normally equate to about 8 kgN/ha/yr when modelled by Overseer 5.4.3. Numbers in the table have been changed to more accurately reflect 8kgN/ha/yr as modelled by Overseer 5.4.3. More detail on these changes are provided in Doc 14540442.

Note that changing Rule 3.10.5.1 so that it does not rely on equivalence to 8 kgN/ha/yr under Overseer 5.4.3 has proved a difficult matter. This is explained in detail in Doc 14540442. The most appropriate solution is to update the table so that it better reflects 8 kgN/ha/yr under Overseer 5.4.3. This is to maintain the table (and permitted animal numbers) as much as possible to ensure a consistent approach, while 'fixing' the more inaccurate numbers. The table will no longer though be referred to as being equivalent to a particular leaching rate if modelled by a particular version of Overseer.

However, when a farmer wishes to buy nitrogen and move from permitted status under Rule 3.10.5.1 to consented status under Rule 3.10.5.8, or wishes to sell nitrogen and move from consented status to being permitted under Rule 3.10.5.1, there needs to be a way of estimating a nitrogen allowance for permitted animal levels. Two main options for doing this are discussed in Doc 14540442. The favoured option was chosen because it was most practical and easy to implement. This was to say that 12 kgN/ha/yr, under OverseerFM or any future version of Overseer, should be used as a proxy for the modelled nitrogen leaching of farm activities permitted by Rule 3.10.5.1. Note that this is not to say that when a particular farm, with particular permitted stocking numbers, is modelled by a version of Overseer, modelled leaching would be 12 kgN/ha/yr. This is purely a proxy for convenience sake.

During consultation for the plan change a request was made to define a ‘calf’ in the Permitted Activity Table. This is now defined in the table as an animal up to 12 months of age.

To ensure sufficient nitrogen is available for the permitted land use under the rule when a consent is being surrendered, the following condition is added to the rule: *For the purpose of 1(ii) and 2 above, whether or not there is sufficient nitrogen allowance for permitted activity animal numbers and wastewater, will be determined through the process for surrendering the consent.*

D.5.4 Changes to other rules

Rule 3.10.5.2	This rule does not refer to Overseer versions so does not need to be changed.
Rule 3.10.5.3	<p>This is the main rule under which Taupō farmers have land use consents. The rule was to ensure the initial nitrogen benchmarking was carried out, and farmers gained consents that stated the NDA that needed to be complied with. Note that the rule may not in fact need to be used again until those consents expire and new consents are applied for.</p> <p>The rule has just one condition, and this describes how the original nitrogen benchmarking was to be done. It is no longer needed and can be deleted. In its place, it is recommended that three new conditions are added to require that when farms are re-consented:</p> <ul style="list-style-type: none"> • An Overseer Reference Dataset is maintained • The farm continues to have a NMP • The property continues to be managed in accordance with its NMP • WRC access to property Overseer information is provided for <p>Changes to the Matters of Control are needed to reflect that consents no longer will have a set NDA and v5.4.3 is no longer to be used. A change to the clause describing circumstances when consent conditions may be reviewed is recommended, as the current wording is too restrictive as is shown by the need for this plan change before existing consents can be reviewed. An additional Matter of Control is added so that in the very rare occurrence that a land owner has not benchmarked the property and still wishes to, information requirements to benchmark the property could be established through the consent process.</p> <p>A number of other changes are needed to advisory notes (refer to Doc 14540442 for more detail on changes and reasons). The key changes are:</p> <ul style="list-style-type: none"> • A new definition for NDA. Although a set NDA using v5.4.3 will no longer be possible, the idea of a NDA is still used for trading N and for redistributing nitrogen when a farm is subdivided. The new definition is: “Nitrogen Discharge Allowance means the modelled nitrogen leaching

	<p>when the property's Overseer Reference Dataset is modelled by the most recent version of Overseer".</p> <ul style="list-style-type: none"> • The definition of NMP, and the times when it will need to be updated needs to be changed so that it relates to the Overseer Reference Dataset concept. • The process for offsetting nitrogen needs to be redrafted so that it relates to the Overseer Reference Dataset concept.
Rule 3.10.5.4	<p>This rule provides an additional allocation of nitrogen (11,000 kgN/yr, but no more than 2 additional kgN/ha/yr) for undeveloped and forested Tūwharetoa land. Changes to this rule will need to be considered during the wider review of Chapter 3.10. There could be considerable debate over this rule because 11,000 kg under OverseerFM will allow very different amounts of farming intensity than under v5.4.3. There are more substantive allocation issues at stake in this case, so it is not appropriate to do this through a plan change that is focused on changing the Overseer version used in the rules. However a note is to be added to the rule stating: <i>Once Overseer Version 5.4.3 expires, this rule can no longer be used because the additional nitrogen allowance provided for in this rule only has relevance in terms of Version 5.4.3. The rule will be reviewed in full during the Healthy Environments regional plan review.</i></p>
Rule 3.10.5.5	<p>Similarly to Rule 3.10.5.4, this rule allocates an additional 3,100 kgN/yr to non-Tūwharetoa forestry and undeveloped land. For the same reasons as described for Rule 3.10.5.4 above, review of this rule will be left to the later wider review of Chapter 3.10. As above, a note is to be added to the rule stating: <i>Once Overseer Version 5.4.3 expires, this rule can no longer be used because the additional nitrogen allowance provided for in this rule only has relevance in terms of Version 5.4.3. The rule will be reviewed in full during the Healthy Environments regional plan review.</i></p>
Rule 3.10.5.6	<p>Rule 3.10.5.6 provides a consent process for allocating nitrogen when part of a property is to be sold or subdivided.</p> <p>The key changes to this rule are as follows:</p> <ul style="list-style-type: none"> • The first condition needs to be changed to describe the process for allocating nitrogen using the Overseer Reference Dataset. • The third condition needs to be changed so that NMPs relate to Overseer Reference Datasets. • Similar changes are made to the Matters of Control as to those described above in relation to Rule 3.10.5.3.
Rule 3.10.5.7	<p>Rule 3.10.5.7 provides a consent process for trading nitrogen. This rule is to be used when consented farms are trading nitrogen (as opposed to a property operating under permitted activity rules).</p> <p>The key changes to this rule are as follows:</p> <ul style="list-style-type: none"> • The first condition needs to be changed to describe the process for using the Overseer Reference Dataset to secure the nitrogen trade. • The second condition needs to be changed so that NMPs relate to Overseer Reference Datasets. • Similar changes are made to the Matters of Control as to those described above in relation to Rule 3.10.5.3. • An additional advisory note is added to describe the process for temporary nitrogen leasing using an Overseer Reference Dataset.

Rule 3.10.5.8	<p>Rule 3.10.5.8 provides a consent process for trading nitrogen for properties that are currently operating under permitted activity rules 3.10.5.1 and 3.10.5.2.</p> <p>The key changes to this rule are as follows:</p> <ul style="list-style-type: none"> • The first condition needs to be changed to describe the process for using the Overseer Reference Dataset to secure the nitrogen trade. • The NMP condition needs to be changed so that NMPs relate to Overseer Reference Datasets. • Similar changes are made to the Matters of Control as to those described above in relation to Rule 3.10.5.3. • Advisory notes are changed to update the definition of Nitrogen Discharge Allowance, to delete the description of the Overseer model, which is no longer accurate, and to update the description of the nitrogen trading process (offsetting nitrogen). An additional advisory note is added to describe the process for temporary nitrogen leasing using an Overseer Reference Dataset.
Rule 3.10.5.9	This non-complying activity rule does not need to be changed.
Rule 3.10.5.10	This rule permits the discharge of nitrogen, effluent, and fertiliser onto or into land arising from the land use activities authorised under rules 3.10.5.1 to 3.10.5.9. It does not refer to Overseer and does not need to be changed.
Rule 3.10.5.11	This rule permits the discharge of contaminants into air arising from the land use activities authorised under rules 3.10.5.1 to 3.10.5.9, and does not need to be changed.
Rule 3.10.5.12	<p>This rule determines nitrogen leaching amounts under Rules 3.10.5.1 to 3.10.5.9.</p> <ul style="list-style-type: none"> • Clause a), which states that discharges under 3.10.5.1 leach 8 kgN/ha/yr is to be deleted as it is no longer considered an accurate statement. • Clause c) is changed so that it refers to the most recent version of the Overseer model rather than v5.4.3.

D.5.5 Replace Taupō Catchment Map

The map in Section 3.10.9 of the regional plan is labelled 'Map of Lake Taupō Catchment'. However, the map does not have the catchment boundary. This matter is addressed by adding an equivalent map with the appropriate catchment boundary.

D.5.6 New definition in Glossary for Overseer Reference Dataset

The Overseer Reference Dataset is a new concept. There are two ways in which the Dataset is developed. The initial dataset is established after the plan change when consents are changed to refer to updated Overseer versions. The process is described in new Policy 3A. However Overseer Reference Datasets can also be established or changed through a trading or subdivision process. The following definition is therefore recommended to be added to the Waikato Regional Plan Glossary:

An Overseer Reference Dataset for the purpose of Section 3.10.3 Policy 3A, and Rules 3.10.5.1, 3.10.5.3, 3.10.5.6, 3.10.5.7 and 3.10.5.12 is:

- i. An OverseerFM input dataset established for the property when the change from v5.4.3 to OverseerFM occurs, that describes farm operations for the property based on its land*

use within the 12 months prior to notification of Plan Change 2, but using all the property's Nitrogen Discharge Allowance as modelled by Overseer v5.4.3,; or

- ii. An input dataset for the most recent version of Overseer, which describes anticipated farm operations for a property, if the Overseer Reference Dataset is to be changed, or if an Overseer Reference Dataset is to be established for land where land use was previously a Permitted Activity, through a consent process under Rule 3.10.5.6, 3.10.5.7, 3.10.5.8 or 3.10.5.9.*

D.5.7 Conclusion about changes

This plan change is a targeted plan change to fix a technical issue. The purpose of the plan change is to allow updated Overseer versions because the Overseer version currently required by the Waikato Regional Plan Chapter 3.10 will shortly cease to function. The Objectives and overall policy framework of Chapter 3.10 are not being changed. The intention in fact is to make changes to the plan in order to maintain the existing policy directions which have been developed to achieve the objectives and thereby continue to achieve the purpose of the Act. Based on the above analysis, the package of changes to Chapter 3.10 are considered the most efficient and effective way to address the Overseer issue, while maintaining the existing policy directions.

D.6 Summary of Advice received from Iwi Authorities

Advice received	Response
<p>There have been two types of discussions with Iwi representatives during the pre-notification consultation phase:</p> <ul style="list-style-type: none"> • General discussions about management of Lake Taupō as a Taonga of Tūwharetoa • Discussions about the potential impacts of the changes to the Overseer provisions on Iwi farmers. 	<p>Responses to the two bullet points are below.</p>
<p>Representatives understood that Plan Change 2: Taupō Overseer Version was largely a technical plan change to fix an issue with the current provisions which required the use of an Overseer version which is soon to expire. They understood that the plan change does not change the overall objectives and policies directions for management of Lake Taupō. However general concerns, about matters such as the need to recognise the way Tūwharetoa has looked after its land, including by setting aside large areas of reserve land and prioritising forestry over farming, have been expressed. The need for Tūwharetoa to be able to undertake its Kaitiaki responsibilities with respect to the Taupō Catchment has been expressed. There was some mention about the need for additional nitrogen</p>	<p>It was discussed with iwi representatives that Plan Change 2: Taupō Overseer Version is to fix a technical issue with the rules. The 'fix' needed to occur as quickly as possible so that farming consents and nitrogen trading contracts could be updated before Overseer version 5.4.3 expires in December 2020. The plan change therefore needed to focus on this one issue. Iwi representatives supported this process as they could see that the matter was urgent, and that tackling broader issues through this plan change would slow the process unacceptably.</p> <p>However, these broader matters do need to be addressed and Council staff stated that they will be considered during the broader review of the Regional Plan Chapter 3.10 (Lake Taupō Catchment) which is to occur as part of the complete regional plan review currently underway (Healthy Environments Project).</p>

Advice received	Response
<p>for undeveloped and forested land. Representatives noted that the allocation of additional nitrogen in Rules 3.10.5.4 and 3.10.5.5 could not be used after Overseer version 5.4.3 expires.</p>	<p>Staff are aware that the additional allocation of nitrogen for undeveloped and forested land in rule 3.10.5.4 and 3.10.5.5 is a matter that needs to be carefully considered. There is no clearly practical way of changing the current allocations (which only have relevance in terms of Overseer version 5.4.3) into allocations that relate to updated Overseer versions. Also, a lot of work is currently under way to improve Overseer modelling of commercial forest operations (which may impact the default values of nitrogen leaching for these operations). Changing rules 3.10.5.4 and 3.10.5.5 therefore will be a complex task which will necessarily involve complex discussions about nitrogen allocation, much like the original RPV5 process. Time will be needed for such discussions. Such a task could not be undertaken as part of this targeted Plan Change 2.</p> <p>The same issue arises about matters such as how Tūwharetoa can better be empowered to undertake their Kaitiaki responsibilities towards Lake Taupō. Such matters are too complex to tack onto this targeted plan change. Iwi representatives consulted during development of the plan change understand and accept this.</p>
<p>Tūwharetoa farm managers have fully engaged with Council staff with respect to the impact of the plan change on their farming operations. These managers are very supportive of the need to farm in a way that protects Lake Taupō. Meetings with them have been well attended and many detailed questions have been asked by Iwi representatives. The main concern is that farmers can carry on farming as they are, and that the Plan Change will not result in a decreased ability to use their land or considerably increase regulatory costs.</p>	<p>As is clear in Appendix E2 (Summary of Consultation) there has been considerable consultation with farmers generally, and with Tūwharetoa farmers in particular, during development of the plan change. Council staff have responded to this consultation by attempting to draft changes to the Chapter 3.10 farming provisions that will minimise impacts on farmers. Staff are already working with consented farmers on a one to one basis to help farmers move from using Overseer version 5.4.3 to using OverseerFM. This is at no cost to the farmers (apart from the need to get an Overseer subscription as noted earlier). Farmers will effectively retain their initial nitrogen allocation, although it will be translated into an Overseer Reference Dataset. This means that they will be able to continue to farm as they are now. Tūwharetoa farmers understand that OverseerFM allows a greater range of farm systems (animals and crops) to be modelled as well as nitrogen mitigations such as the use of wetlands. They understand the benefits of this. Although considerable changes are needed to the wording of the rules, the rules will continue to apply very similarly to how they are now. This was a direct response to requests not to change the current system any more than necessary.</p>

Advice received	Response
	All efforts have been made to undertake the plan change with minimal impact on farmers. No significant concerns with the rules have been raised by Tūwharetoa iwi representatives about the changes. The main questions that arose during recent discussions were about the process for temporary leasing of nitrogen. The process has been explained and an additional Advisory Note added to the trading rules (3.10.5.7 and 3.10.5.8) to ensure the leasing process is clear.

Part E Appendices

E.1 Statutory/Non-Statutory Framework

E.1.1 National Level

This section briefly describes key legislation relevant to the proposed plan change. Key guiding aspects could be summarised as:

- Sustainable management as defined in the Resource Management Act
- To restore, protect, and enhance the environmental, cultural, and spiritual health and well-being of the Taupō Catchment

E.1.1.1 Resource Management Act 1991

The Resource Management Act 1991 (the Act) seeks to promote the sustainable management of natural and physical resources. In the Act, sustainable management means:

Managing the use, development and protection of natural and physical resources in a way and at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while –

- (a) sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and*
- (b) safeguarding the life-supporting capacity of air, water, soil and ecosystems; and*
- (c) avoiding, remedying or mitigating any adverse effects of activities on the environment.*

The purpose of the Act is only achieved when the matters in (a) to (c) have been adequately provided for within a Regional Plan. Council has a duty under Section 32 to examine whether the objectives of the plan and its provisions are the most appropriate way to achieve the purpose of the Act.

E.1.1.2 Ngāti Tūwharetoa Claims Settlement Act 2018

The Ngāti Tūwharetoa Claims Settlement Act 2018 gives effect to certain provisions of the deed of settlement that settles the historical claims of Ngāti Tūwharetoa.

The Act states that Ngāti Tūwharetoa's vision is for "a healthy Taupō Catchment that is capable of sustaining the whole community and that is managed in a manner that reflects Ngāti Tūwharetoa tikanga". The Act establishes Te Kōpua Kānapanapa, a permanent joint committee of WRC and Taupō District Council.

The purpose of Te Kōpua Kānapanapa is to:

- a. to restore, protect, and enhance the environmental, cultural, and spiritual health and well-being of the Taupō Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō Catchment (including future generations); and*
- b. to provide strategic leadership on the sustainable and integrated management of the Taupō Catchment for the benefit of Ngāti Tūwharetoa and all people in the Taupō Catchment (including future generations); and*
- c. to enable Ngāti Tūwharetoa to exercise mana and kaitiakitanga over the Taupō Catchment, in partnership with the local authorities; and*
- d. to give effect to the vision in Te Kaupapa Kaitiaki.*

E.1.1.3 Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010

This Act gives effect to the Treaty settlement, which has the purpose of restoring and protecting the health and wellbeing of the Waikato River for future generations. The Act states that the Vision and Strategy for the Waikato River is intended by Parliament to be the primary direction-

setting document for the river, and activities affecting the river, and deems the Vision and strategy to be part of the Waikato Regional Policy Statement. Regional plans must give effect to the Vision and Strategy. This is a matter that must be given consideration during review of Chapter 3.10 of the regional plan, given that management of Lake Taupō will determine its impact on the Waikato River.

E.1.1.4 Ngāti Tūwharetoa, Raukawa, and Te Arawa River Iwi Waikato River Act 2010

The overarching purpose of this Act is to restore and protect the health and wellbeing of the Waikato River for present and future generations. The Act recognises the Vision and Strategy for the Waikato River. This Act also states that the Vision and Strategy for the Waikato River is the primary direction-setting document for the Waikato River, and that regional plans need to give effect to the Vision and Strategy.

E.1.1.5 Deed between Her Majesty the Queen and Tūwharetoa Maori Trust Board 2007

This Deed vested the ownership of the Lake Taupō Lake bed (among other things) with Ngāti Tūwharetoa.

E.1.1.6 National Policy Statement for Freshwater Management

The RMA provides for Government to prepare National Policy Statements, which are to state objectives and policies for matters of national significance that are relevant to achieving the purpose of the Act. Regional plans must give effect to any National Policy Statement (s67(3)(a) and (b) RMA).

The National Policy Statement for Freshwater Management (NPSFW) was released in 2014 and revised in 2017. The NPSFW recognises that the “management of fresh water through a framework that considers and recognises Te Mana o te Wai as an integral part of freshwater management is a matter of national significance. The NPS sets objectives and policies for the management of freshwater. Te Mana o te Wai requires “that in using water you must also provide for Te Hauora o te Taiao (the health of the environment), Te Hauora o te Wai (the health of the waterbody) and Te Hauora o te Tangata (the health of the people)”.

E.1.2 Regional Policy Context

This section briefly discusses:

- The Vision and Strategy for the Waikato River
- Waikato Regional Policy Statement
- Operative Waikato Regional Plan
- Ngāti Tūwharetoa Iwi Management Plan
- Waikato Freshwater Strategy
- 2020 Taupō-nui-a-Tia Action Plan
- Waikato Regional Council Lake Taupō Zone Plan (Draft)

E.1.2.1 Vision and Strategy for the Waikato River

In 2007, the Crown and Waikato-Tainui reached an Agreement in Principle regarding the outstanding claim to the Waikato River. This agreement included the formation of the Guardians Establishment Committee to develop a Vision and Strategy for the Waikato River. Although the area that the Vision and Strategy applies to is the Waikato River from Huka Falls down, Lake Taupō is at the head of the Waikato River and therefore management of Lake Taupō can impact on the river. The overarching Vision of the Vision and Strategy “is for a future where a healthy Waikato river sustains abundant life and prosperous communities who, in turn, are all responsible for restoring and protecting the health and wellbeing of the Waikato River, and all it embraces, for generations to come”. Objective e) is “The integrated, holistic and coordinated approach to management of the natural, physical, cultural and historic resources of the Waikato River”.

E.1.2.2 Waikato Regional Policy Statement

Following is a brief discussion of the key Regional Policy Statement (RPS) provisions that relate to Chapter 3.10. The relevant provisions are those that relate to the management of Lake Taupō water quality.

- There are a number of general objectives relevant to the management of Lake Taupō including:
 - 3.1 Integrated Management (identifies a range of environmental, social, economic and cultural matters that need to be integrated)
 - 3.2 Resource Use and Development (management that enables people and communities to provide for their economic, social and cultural wellbeing)
 - 3.3 Decision making (and matters that need to be considered during decision making)
 - 3.10 Sustainable and efficient use of resources
- The objectives more specifically relevant to the management of Lake Taupō water quality are:
 - 3.4 Health and wellbeing of the Waikato River
 - 3.8 Ecosystem services (The range of ecosystem services associated with natural resources are recognised and maintained or enhanced ...)
 - 3.9 Relationship of tāngata whenua with the environment
 - 3.14 Mauri and values of fresh water bodies
 - 3.16 Riparian areas and wetlands
 - 3.19 Ecological integrity and indigenous biodiversity
 - 3.20 Outstanding natural features and landscapes
 - 3.21 Amenity
 - 3.22 Natural character
 - 3.23 Public access
- Many RPS policies have relevance in terms of Chapter 3.10. Some of the key ones are:
 - Policy 4.3 Tāngata Whenua (Tāngata whenua are provided appropriate opportunities to express, maintain and enhance the relationship with their rohe through resource management and other local authority processes)
 - Policy 8.1 Approach to identifying fresh water body values and managing fresh water bodies (approach aligns with the NPSFW and includes determining any outstanding fresh water bodies)
 - Policy 8.2 Outstanding fresh water bodies and significant values of wetlands (includes ensuring that the values that result in a water body being identified as outstanding are protected and where appropriate enhanced).
 - Policy 8.3 All fresh water bodies (a general approach which includes reducing sediment, microbial and nutrient contamination, protecting riparian and wetland habitat and indigenous biodiversity)
 - Policy 8.5 Waikato River catchment (which includes recognising the Vision and Strategy for the Waikato River as the primary direction-setting document for the Waikato River)
 - Note that Section 8B: Freshwater bodies and wetlands that have high water quality identifies Lake Taupō as the 'highest ranking' of lakes that have highest condition and high vulnerability
 - Policy 12.2 Preserve natural character
 - Policy 12.3 Maintain and enhance areas of amenity value
 - Section 12A 'Outstanding natural features and landscapes' (ONFL), identifies Lake Taupō as an ONFL for the following reasons: "Expansive area of water, memorable and vivid, natural character. Forms the foreground to Tongariro National Park viewed from the north. Significance to tāngata whenua. Recreational values including trout fishing, water skiing and boating".

E.1.2.3 Ngāti Tūwharetoa Iwi Management Plan

Under Section 66 of the RMA 1991, regional councils must take into account Iwi Management Plans when preparing or changing a regional plan. The key Iwi Management Plan with respect

to Lake Taupō is the Ngāti Tūwharetoa Environmental Iwi Management Plan 2004, although it must be recognised that other Waikato River iwi also have management plans that are relevant.

Ngāti Tūwharetoa Iwi Management Plan is a comprehensive document which identifies issues, goals, policies and methods with respect to water, land, sacred places, fisheries, minerals, geothermal, air space and flora and fauna (refer full document: [https://www.waikatoregion.govt.nz/assets/PageFiles/21886/Ngati Tūwharetoa Iwi Environmental Management Plan 2003.pdf](https://www.waikatoregion.govt.nz/assets/PageFiles/21886/Ngati_Tuwharetoa_Iwi_Environmental_Management_Plan_2003.pdf))

Key themes include:

- Tūwharetoa’s responsibility to exercise Kaitiakitanga within their rohe
- Promote and protect the mātauranga
- Recognise Ngāti Tūwharetoa ownership of resources
- Recognise and provide for the principles of the Treaty of Waitangi, including active participation in the form of partnerships, for in all resource management decisions and actions for Lake Taupō-nui-ā-Tia and the catchment
- Ngāti Tūwharetoa assert and exercise rangatiratanga and kaitiakitanga over waters within the Tūwharetoa rohe
- Protect and enhance the mauri for future generations
- Issues in terms of water are:
 - Adverse effect on mauri through the mixing of waters from other catchments.
 - Discharge of human sewage into water bodies e.g. Turangi Sewage.
 - The unnatural control of lake levels.
 - Lack of partnership between regional council and Ngāti Tūwharetoa regarding the management of natural disasters.
 - Inadequate protection of puna.
 - Discharge of storm water into water ways.
 - Increase in water weed in Lake Taupō- nui-ā-Tia.
 - Confusion in roles, responsibilities and lack of partnership in the management of water.
- Assert and exercise tino rangatiratanga and kaitia- kitanga over wāhi tapu and other sites of significance in accordance with ngā hapū o Ngāti Tūwharetoa tikanga and kawa
- Protection of customary and traditional fishing rights and practices, including the need for rehabilitation of indigenous species at sites where feasible
- The need to promote and protect land and aquatic biodiversity for the benefit of current and future generations.

E.1.2.4 He Mahere Pūtahitanga – A pan-tribal Iwi Planning Document on behalf of the Central North Island Forests Iwi Collective 2018

The planning document sets out the aspirations, principles, challenges, objectives, policies and engagement requirements of the Iwi Collective. The first of the stated aspirations is to collectively have the right to develop the Collective’s Treaty Settlement lands in a manner consistent with principles of kaitiakitanga. One of the principles is to seek opportunities for land use that reflects the capability of the land for use. The challenges section notes that other land owners who have been able to develop their land have a higher nutrient discharge allowance.

E.1.2.5 Waikato Freshwater Strategy

The Waikato Regional Council Freshwater Strategy overarching goal is to achieve the best use of fresh water through time via better allocation systems using new methods based on better information. Allocation not only involves taking fresh water out of a water body but also using fresh water within a water body to reduce the concentration of contaminants. Allocation can be considered to include allocation of the contaminant capacity of a water body. The Strategy seeks better advocacy, smarter methods and better information with respect to freshwater management.

E.1.2.6 2020 Taupō-nui-a-Tia Action Plan

2020 Taupō-nui-a-Tia was a three-year project initiated by the Lakes and Waterways Action Group, Ngāti Tūwharetoa and the wider Taupō community to protect Lake Taupō. The Action Plan identifies 14 values for Lake Taupō, some of which were identified in Chapter 3.10 as the values to be protected by the provisions in the chapter. The development of Chapter 3.10 was itself one of the actions identified in the Action Plan.

E.2 Summary of consultation undertaken with respect to the Overseer issue addressed by Plan Change 2

Date	Consultation undertaken
6 March 2018	Presentation to the Ngāti Tūwharetoa Trust Board on the issues identified with the Taupō provisions. The Overseer issue was raised initially at this meeting.
11 June 2019	Phone discussion with the solicitor who drafted and oversaw the Taupō nitrogen trading contracts.
12 June 2019	Meeting with a Tūwharetoa Environmental Advisor to update her on the review of the Chapter 3.10 provisions
5 July 2019	Taupō Lake Care Committee who represent farmers in the Taupō catchment – discussion of the need for a plan change and suggested way of changing from Overseer 5.4.3 to later versions.
5 August 2019	Lake Taupō Protection Trust – All Trustees present, as well as the Trust Manager and the Trust’s legal advisor. Discussion was had about the plan change and particularly the need to update the Nitrogen Trading Contracts.
10 September 2019	Tūwharetoa Farm Trust Managers. This meeting discussed how the Taupō provisions will likely need to change (plan change content). Use of the RMA’s Streamlined Planning Process to undertake the plan change was also discussed. Representatives were comfortable with the likely plan change content and the proposal to use the SPP to change the plan to allow updated versions of Overseer to be used.
11 September 2019	Email sent to Iwi Authorities: Tūwharetoa Māori Trust Board Mokai Marae Reserve/Tuaropaki A Trust Ngāti Turangitukua Charitable Trust Raukawa Settlement Trust Te kotahitanga o Ngāti The email briefly described the need to change the regional plan to allow updated versions of Overseer to be used, and the suggested SPP process. Recipients were asked if they would like to meet with Council staff to discuss these matters. No specific response from the Trust Board or Te Kotahitanga, but other detailed discussions are being had with these parties. Raukawa have said they want to be kept informed of the Overseer plan change but have no immediate concerns.
20 September 2019	Lake Taupō Protection Project Joint Committee, with representatives present from Tūwharetoa Trust Board, Taupō District Council, Waikato Regional Council, Ministry for Primary Industries, with Ministry for Environment attending by phone.

Date	Consultation undertaken
	This meeting was attended by a Co-Chair of Tūwharetoa Maori Trust Board, and the Trust Board's Natural Resources Manager. A detailed presentation was given about the changes needed to the Taupō farming rules and the proposal to use the SPP process. All committee members appeared to be comfortable with the proposals.
23 September 2019	Te Kotahitanga o Ngāti Tūwharetoa – A meeting was held with G Asher and W Rauhina of Te Kotahitanga where the plan change content and the proposal to use the SPP process were discussed in detail. The two representatives have had a long history of involvement with the Taupō rules. Both were comfortable with the proposals.
4 October 2019	Email to a Beef and Lamb representative, with a brief description of the plan change and offering to meet to discuss the plan change in more detail
10 October 2019	Email to Department of Conservation, Taupō, outlining the plan change and asking if they would like to meet to discuss it in more detail.
17 October 2019	Presentation to Taupō Lakes and Waterways Action Group on the plan change
23 October 2019	Two public meetings were held, one in the afternoon and one in the evening. Twenty-six people attended the first session and 18 the second. Attendees included local farmers, farm consultants, a DoC representative, a DairyNZ representative, Miraka Ltd (Dairy Company), a LIC representative and a fertiliser company representative. Note that the invitation went out to all Taupō farm consent holders and many rural professionals. The invitation included considerable information about the Taupō Overseer version plan change and the Streamlined Planning Process.
1 November 2019	Phone discussion and detailed email to Ngati Turangitukua Trust representative, describing the plan change, the SPP process and consultation to date with iwi, and again offering to meet
1 November 2019	Phone discussion and detailed email to Tuaropaki A Trust representative, describing the plan change, the SPP process and consultation to date with iwi, and again offering to meet
6 November 2019	In October 2019 He Mahere Pūtahitanga, a pan-tribal Iwi Planning Document prepared by the Central North Island Forest Iwi Collective (CNIFIC) was lodged with the Council. The CNIFIC regard themselves as an Iwi Authority in respect of their Treaty Settlement lands comprising forestry in the Central North Island. Some of this is in the Waikato Region. Phone discussion and detailed email to Manager of CNI Forests Iwi Collective, describing the plan change, the SPP process and consultation to date with iwi, and offering to meet to discuss further
22 November 2019	Meeting with Te Kotahitanga representatives where the three draft plan change documents were discussed.
27 November 2019	Received an email from CNIFIC saying they did not need to be involved in the plan change process
5 December 2019	Presentation to the Lake Taupō Protection Project Joint Committee (Tūwharetoa Trust Board, Waikato Regional Council, Taupō District Council, Ministry for the Environment and Department of Primary Industries). The presentation updated the Committee on the plan change process
9 December 2019	Emailed the draft plan change documents to Tūwharetoa Trust Board for comment. Offered to meet in person to discuss the documents.
10 December 2019	Meeting with Taupō Lake Care Committee (representing local farmers). Talked in detail about the three draft consultation documents and left copies with the Committee.
18 December 2019	Phone conversation with a Resource Officer from Tuaropaki Trust and emailed the draft consultation documents to him for comment.

Date	Consultation undertaken
18 December 2019	Emailed draft plan change documents to Lake Taupō Protection Trust
18 December 2019	Emailed draft plan change documents to Te Kotahitanga who forwarded them to the representatives spoken to on 22 November
19-20 December 2019	Emailed Taupō District Council Planning Manager and asked if they wanted copies of the draft plan change documents. The reply email stated that Taupō District Council were comfortable with the changes being made to the Overseer rules.
14 January 2020	Emailed Tūwharetoa Trust Board offering to meet with them to discuss the draft plan change documents
14 January 2020	Emailed draft plan change documents to Tūwharetoa Farm Collective and offered to meet again to talk the documents through
4 February 2020	Meeting with Tuaropaki Trust staff. They said they want to be notified of the plan change but at this stage have no concerns.
2 March 2020	Phone call from a representative of Turangitukua Charitable Trust asking that I send the draft documents (a number of emails and phone attempts were made to contact the Trust since November 2019). Documents were sent. Met briefly with the representative on 4 th March who said the Trust will discuss the plan change on 11 March.
4 March 2020	Meeting with Tūwharetoa Farm Collective – detailed presentations over 2 hours about the three draft plan change documents and the differences between Overseer 5.4.3 and OverseerFM.