BEFORE THE INDEPENDENT HEARINGS PANELS APPOINTED TO HEAR AND MAKE RECOMMENDATIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS ON PROPOSED PLAN CHANGE 1 TO THE NATURAL RESOURCES PLAN FOR THE WELLINGTON REGION

UNDER	the Resource Management Act 1991 (the Act)
AND	
IN THE MATTER	of Hearing of Submissions and Further Submissions on Proposed Plan Change 1 to the Natural Resources Plan for the Wellington Region under Schedule 1 of the Act

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STATEMENT OF REBUTTAL EVIDENCE OF GERARD MATTHEW WILLIS ON BEHALF OF GREATER WELLINGTON REGIONAL COUNCIL

HEARING STREAM 3 – RURAL LAND USE

16 MAY 2025

TABLE OF CONTENTS

INTRODUCTION

1 My full name is Gerard Matthew Willis. I am a planning consultant engaged by Greater Wellington Regional Council (**GWRC**) to report on the rural land use provisions of Plan Change 1 (**PC1**) to the Natural Resources Plan for the Wellington Region **(NRP**)**.**

2 I have read the respective technical and planning evidence of:

2.1 Dr Leslie Basher for Wairarapa Federated Farmers;

2.2 Ms Vanessa Alison Rodgers for Porirua City Council; and

2.3 Ms Gabriela Nel for Upper Hutt City Council.

QUALIFICATIONS AND EXPERIENCE

3 My qualifications and experience are set out in paragraphs 17-19 of my section 42A report for this topic, dated 15 April 2025. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

RESPONSES TO EXPERT EVIDENCE

4 This section responds to submitter evidence in relation to the provisions in this topic. The recommended amendments to the Change 1 provisions in my section 42A report are shown as red underlined or ~~struck out~~ and further recommended amendments in this rebuttal evidence are shown as blue underlined or ~~struck out~~. These amendments are shown below where applicable and in full set of revised provisions provided in Appendix 1 of this evidence.

EVIDENCE OF DR LESLIE BASHER (WAIRARAPA FEDERATED FARMERS)

5 Dr Basher's evidence raises a number of questions in relation to the erosion management provisions. I address those below.

Is surficial erosion a significant contributor to sediment?

6 At paragraphs 28-31 of his evidence, Dr Basher makes the point that 74% of land in the PC Whaitua is underlain by unweathered greywacke rock which has a low susceptibility to landslide erosion.

7 I note also that, at paragraph 31 of his evidence, Dr Basher states that the process of rainfall-induced landslides is "*likely to be the dominant sediment producing*

process…" and at his paragraph 43 that "*surface erosion is likely to be a minor source of sediment in the two whaitua*".

8 Whether surficial erosion is a minor or substantive source of sediment is relevant because it effects the appropriateness of the mapping approach adopted (in particular, the use of the Revised Soil Loss Equation (RUSLE) to estimate surficial soil loss).

9 The source of sediment in the Whaitua is a technical question. I rely on the evidence of Mr James Blyth and in particular Table 3 in Appendix A of his HS3 evidence (15 April 2025) on Contaminant Load Modelling and on paragraph 12 of his rebuttal evidence (15 May 2025). This evidence states that calibrated dSedNet modelling identified that surficial erosion averaged 47% of the total sediment loads in the Whaitua. That is consistent with the advice received early in the policy development process on which my understanding was based.

Is the approach to mapping (and therefore managing) erosion risk, flawed?

10 Although the primary and rebuttal evidence of Mr Blyth is that surficial erosion is a significant contributor to sediment, in my opinion, when considering the appropriateness of the mapping the more important issue is whether the approach of focusing on relative erosion risk is valid and appropriate.

11 At paragraph 36 of his evidence, Dr Basher notes that the erosion risk classes applied in the mapping are relative not absolute. I understand this to mean that the classifications do not use some universal threshold of risk that could be consistently applied to allow for regional or national comparison. Rather, the approach has been to consider the relative risk of the erodibility of land within the two Whaitua. In other words, 'High risk' as indicated on the Whaitua mapping means high risk *in the context of the individual PC1 Whaitua*. Compared to risk in other Whaitua, or in other parts of the country, the erosion risk of the mapped high-risk area might not be considered high. That means in the PC1 Whaitua, the plan may seek to manage some land for erosion risk that would not be targeted in another part of the Region (because in those other parts there is land of even greater erosion risk). At paragraph 38 of his evidence, Dr Basher describes the approach as deeply flawed.

12 I generally agree with Dr Basher's characterisation of the way risk has been identified for the purpose of producing erosion risk maps for PC1. However, I do not agree that, at least in planning terms, the approach is 'deeply flawed'.

13 While there is some logic in having a consistent approach to identifying erosion risk across the region and around the country (and focussing management on where that risk threshold is exceeded), that approach is hard to reconcile with the outcomes-focus of the NPSFM. Under the NPSFM, regional councils are required to set limits (as rules) to achieve target attributes states (**TASs**). In terms of sediment, I interpret that to mean calibrating the approach to managing erosion (i.e., the 'limits') so that it adequately responds to the suspended sediment TAS in each part Freshwater Management Unit (**part FMU**).

14 I accept that contrasts with an approach that manages for very high erosion risk assessed at a regional or national scale. However, in my opinion, the approach adopted is consistent with that required by NPSFM.

Are better screening tools available to assess landslide risk?

15 At paragraph 49 of his evidence, Dr Basher states that there are better screening tools now available to assess landslide risk (susceptibility). By that I understand him to mean the Erosion Susceptibility Classification used in the National Environmental Standard Commercial Forestry (**NES-CF**) or the approach adopted in Horizons Region discussed at paragraph 44 of Dr Basher's evidence.

16 Mr Blyth address this point at paragraph 30.4 of his primary HS3 evidence and at paragraph 23.1 of his rebuttal evidence where he points to a recent research paper accepting that landslide science is not advanced enough to predict with certainty where in the landscape a landslide will occur. I understand him to say that, while GWRC could undertake further quantitative modelling to improve mapping, the improvement to be gained would not warrant the time and expense involved, particularly when field assessment is required before any management decisions are taken.

17 Adopting the Erosion Susceptibility Classification used in the NES-CF would be applying a national risk threshold which, as discussed above, is not calibrated to the size of the task to deliver the suspended sediment TAS in the PC1 Whaitua. I understand Mr Nation's rebuttal evidence to say (paragraph 9) that the mapping is

coarser than that used in PC1 and would not necessarily result in a lesser area identified for treatment.

Do the erosion management provisions seek 'natural state'?

18 At paragraph 50 of his evidence, Dr Basher states that "*GWRC appear to have a goal of returning hydrology and erosion to more natural rates by 2024"*. He cites Objective WH.O2(b) and management objective B (b) of Schedule 33, and management objective B (2) of Schedule 34. These provisions are not within scope of my brief to advise on rural land use provisions, but I make the following general comments.

18.1 WH.O2(b) was addressed by Ms O'Callahan in HS2. I note she recommended the that words "reduced to a more natural level" should be deleted.

18.2 Schedules 33 and 34 relate to vegetation clearance and forestry respectively, and I note that Mr Watson (the reporting officer on those topics) recommends both those provisions be deleted.

19 I understand that both these recommendations were made, in part, on the basis that such narrative objectives do not align with the proposed target attribute states that do not universally seek A state targets for deposited or suspended sediment. In fact, in Te Whanganui-a-Tara (**TWT**), at only one site (Hutt River @ Boulcott) is the suspended sediment TAS set at A band when the baseline state is not already A band.

20 In the key rural pFMUs of Te Awa Kairanga rural streams (Mangaroa @ Te Marua), Wainuiomata rural streams (Black Creek @Rowe Parade) and Makara/Ohariu (Makara @ Kennels), the suspended sediment TAS is set at C band (the baseline state at all sites is D band). The NPSFM describes C band for suspended sediment as representing "*moderate to high impact of suspended sediment on instream biota, Sensitive fish species may be lost"*.

21 On that basis while I agree with Dr Basher that seeking to return pastoral farmland to its natural state by 2040 is likely inappropriate, I do not agree that that is what PC1 does. (Although I accept that an A band suspended sediment attribute state for Hutt@ Boulcott is ambitious.)

Overall conclusion on Dr Basher's evidence

22 While I note the points raised by Mr Basher, based on the technical evidence of Mr Blyth and Mr Nation, and on my own understanding of the requirements of the NPSFM and of how the mapping would act as a non-binding guide to the identification of erosion risk on farm, I do not make any changes to the recommendations made in my 42A Report.

EVIDENCE OF VANESSA RODGERS (PORIRUA CITY COUNCIL)

Stock exclusion – width of stream

23 At paragraph 5.5 of her evidence, Ms Rodgers notes the proposal for stock to be excluded from streams "greater than 1m wide" and comments that it is unclear from the proposed wording how the width of the water bodies will be measured.

24 I agree with Ms Rodgers and consider that further amendment is required to ensure the stock exclusion requirement is applied consistently.

25 To achieve this, I propose that the definition of 'active bed' (used in the context of the NNRP's existing stock exclusion requirements) be applied to stock exclusion provisions of PC1. This will allow stream width to be measured by reference to the 'active bed'(as already defined, and described by a diagram, in section 2 of the NRP).

26 Because the definition of 'active bed' in the NRP limits its application to 'Category 2 waterbodies' (another defined term used in the NRP's stock exclusion rules) a note in PC1 is necessary to extend the application of the definition to the Mākara and Ohariu streams (which are not Category 2 water bodies).

27 I also propose a further amendment to rules to clarify that the stock exclusion provisions apply to streams that have an active bed greater than 1 m wide *anywhere on the property*. This will bring the rules into line with the wording of Schedule 36 Part F[1] and provide clarity where a stream width varies within a property. Clearly, it would be ineffective for part of a river in a paddock to be fenced but another part of the same paddock not to be fenced. The approach I propose is consistent with the approach adopted by the *Resource Management (Stock Exclusion) Regulations 2020*.

[1] Although I propose to use the defined term 'property' rather than 'farm' because a farm can be non-contiguous properties farmed as a single unit. That could cause perverse outcomes when applied to stock exclusion.

28 Accordingly, the amendments I propose are as follows:

Policy WH.P26: Managing livestock access to ~~small~~ rivers in the Mākara Stream catchment

In addition to national stock exclusion regulations and the region-wide stock access requirements of Rule R98, Rule R99 or Rule R100 in this Plan, ~~restrict~~ reduce **livestock** access to a river with an active bed greater than 1m in width in the Mākara Stream ~~and Mangaroa River~~ catchment~~s~~ where the baseline state for the relevant **part Freshwater Management Unit** is below the national bottom line for ~~visual clarity~~suspended fine sediment.

Rule WH.R28: Livestock access to ~~a small~~ river~~s~~ in the Mākara Catchment – permitted activity

From 30 December ~~2025~~2028 access by cattle (including **dairy cows**), farmed deer or farmed pigs to a river with an active bed ~~less~~ greater than 1m wide in the Mākara Stream ~~and Mangaroa River~~ catchment~~s~~, as shown on Map~~s~~ 96~~and 97~~, and any associated discharge to a **surface water body**, is a permitted activity provided:

(a) the access is only at a stock crossing point and the cattle (including **dairy cows**), farmed deer or farmed pigs are supervised and actively driven across the **surface water body**, and do not cross the same water body more than twice in any month, or

~~(b) the **farm environment plan** for the **farm** includes a **small stream riparian programme** that meets the requirements of Schedule 36 (farm environment plan - additional), and~~

(~~c~~b) ~~where the farm environment plan is certified under section 217G of Part 9A of the RMA,~~ the farm environment plan certifier has certified that the farm

environment plan meets the requirements of ~~condition (b)~~ Part E of Schedule 36 (farm environment plan – additional).

Notes

(1) Livestock access to, and exclusions from, a **surface water body** is also subject to:

- the *Resource Management (National Environmental Standards for Freshwater) 2020*,
- *the Resource Management (Stock Exclusion Regulations 2020)*, and
- Rule R98, Rule R99 and Rule R100

(2) The definition of **active bed** applies to Rules WHR.28 and WH.R29 as though rivers in the Mākara catchment were **Category 2 surface water bodies**,

(3) For the purpose of Rules WHR.28 and WH.R29 'greater than 1m wide' means greater than 1m wide anywhere in a **property**.

Rule WH.R29: Livestock access ~~to a small river~~ in the Mākara catchment – discretionary activity

From 30 December ~~2025~~2028, access by cattle (including **dairy cows**), farmed deer or farmed pigs to a river with an active bed ~~less~~greater than 1m wide in the Mākara Stream ~~and Mangaroa River~~ catchment~~s~~, as shown on Map~~s~~ 96 ~~and 97~~, and any associated discharge to a **surface water body** that does not meet Rule WH.R28 is a discretionary activity.

Schedule 36

~~FSmall stream riparian~~ Stock exclusion and riparian management

A **farm environment plan** for a **farm** in the Mākara catchment must include: ~~a **small stream riparian programme** that contains the following~~:

1. Actions and timebound stages to achieve exclusion of cattle, farmed pigs and deer from streams on the **farm** that ~~are~~have an **active bed** greater than 1m wide at any point on the ~~**farm**~~ **property** by 2030; or

2. In relation to rivers with an **active bed** greater than 1m wide on land that is not **low slope land,** an assessment that demonstrates that fencing (including

temporary fencing) the river or any part of the river to achieve cattle, farmed pigs and deer exclusion:

(a) is impractical due to flood risk, land slope and/or accessibility limitations; or

(b) is unnecessary because a natural barrier exists that effectively exclude stock from accessing the river; or

(c) would involve earthworks with adverse effects that outweigh the benefits having regard to the risk of cattle, farmed pigs and deer accessing the river; and

For the avoidance of doubt, 2 above does not apply to rivers on **low slope land**.

~~1. An assessment of the:~~

~~(a) Options, and feasibility of those options, for excluding cattle, deer and pigs from small rivers where the risks identified in (1) above are assessed as high, and~~

~~(b) Any adverse effects of establishing permanent fencing and whether these effects outweigh the benefits of permanent fencing.~~

~~2. Where fencing is not practicable, or the adverse effects of fencing outweigh the benefits, the measures to be taken to **minimise** the necessity or propensity for stock to access rivers (including provision of reticulated drinking water and stock shelter/shading).~~

~~3. Where full stock exclusion from rivers is not achievable, a riparian revegetation enhancement programme is to be implemented as an offset measure for unavoidable effects.~~

29 Further consequential amendments are made to Policies WH.P21 and P.P20 as shown from paragraph 37.

Minor drafting error – P.P21(d)

30 At paragraph 5.6 of her evidence Ms Rogers points out that the words "or more" included in the proposed new clause (d) to Policy P.P21 are confusing. I agree. The words have been included in error and should be deleted both in Policy P.P21 and in the corresponding Policy WH.P22 in Chapter 8 as shown below.

Policy P.P21: ~~Capping, m~~Minimising and reducing diffuse discharges of nitrogen from farming activities

.....

(d) The effect of **pastoral land use** or **arable land use** on less than 20 hectares of land, or **horticultural land use** on less than 5 hectares ~~or more~~ of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified.

Policy WH.P22: ~~Capping, m~~Minimising and reducing diffuse discharges of nitrogen from farming activities

.....

(d) The effect of **pastoral land use** or **arable land use** on less than 20 hectares of land, or **horticultural land use** on less than 5 hectares ~~or more~~ of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified.

Date Farm Environment Plans are required

31 At paragraph 5.7 of her evidence Ms Rodgers suggests that there is an inconsistency between the date by which FEPs are required as set out in the body s42A report (at para 363) and that set out in the full provisions included in Appendix 4 of that report.

32 While I understand why Ms Rodgers may have considered an error has been made, in fact both references are correct. The discussion at paragraph 363 refers to the date the last FEPs are required across both TWT and TAoP Whaitua. That is proposed to be 30 June 2029 for various part FMUs in TWT and 30 September 2028 for part FMUs in TAoP. Policy P.P23 refers to FEPs needing to be prepared and certified by 31 March 2029, that is to account for the 30 September preparation timeframe applying in TAoP, plus the six months allowed for certification to be completed.

33 Accordingly, no amendment is required to the proposed provisions.

EVIDENCE OF GABRIELA NES (UPPER HUTT CITY COUNCIL)

Policy WH.P21

34 At paragraphs 24-26 of her evidence, Ms Nes suggests that Clause (b) of Policy WH.P21 should refer specifically to the target attributes states (**TASs**) of Table 8.4 rather than just generically to TASs.

35 I agree in part with that suggestion. While reference to Table 8.4 provides useful clarification, not all of the TASs in that table are applied as limits to land use change. Addressing Ms Nes's point would require specific reference to dissolved inorganic nitrogen (DIN), dissolved reactive phosphorus (DRP), suspended fine sediment and *Escherichia coli* (*E.coli*).

36 I note that, for consistency, this change requires a consequential amendment to Policy P.P20.

37 I propose amendment to Policies WH.P21 and P.P20 as follows.

WH.P21 Managing diffuse discharges of nutrients and *Escherichia coli* from farming activities

Reduce diffuse discharges of nitrogen, phosphorus, sediment and *Escherichia coli* from farming activities by:

(a) ~~capping,~~ minimising and reducing diffuse discharges from individual rural properties in accordance with WH.P22, WH.P23 and WH.P24, and

(b) applying the dissolved inorganic nitrogen, dissolved reactive phosphorus, suspended fine sediment and *Escherichia coli* target attribute~~s~~ states in Table 8.4 as **limits** on rural land use change and on the intensification of farming activities, and

(c) requiring progressive~~ly~~ treatment ~~establishing and maintaining woody vegetation on **highest erosion risk land (pasture)**~~ of **priority erosion treatment land** as a **limit** on land use, and

(d) excluding stock from water bodies ~~wider than 1m~~ in accordance with Policies P108 and WH.P26 as a **limit** on land use, and

(e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.

Policy P.P20: Managing diffuse discharges of nutrients and Escherichia coli from farming activities

Reduce diffuse discharges of nitrogen, phosphorus, sediment and *Escherichia coli* from farming activities by:

(a) ~~capping,~~ minimising and reducing diffuse discharges from individual rural properties in accordance with Policies P.P21, P.P22 and P.P2~~4~~3, and

(b) applying the dissolved inorganic nitrogen, dissolved reactive phosphorus, suspended fine sediment and *Escherichia coli* target attribute~~s~~ states in Table 9.2 as **limits** on rural land use change and on the intensification of farming activities, and

(c) requiring progressive~~ly~~ treatment ~~establishing and maintaining woody vegetation on **highest erosion risk land (pasture)**~~ of priority erosion treatment land as a **limit** on land use, and

(d) excluding stock from water bodies ~~greater than 1m wide~~ in accordance with Policy P108 as a **limit** on land use, and

(e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.

Minor drafting error – Rule WH.R29

38 At paragraph 41 of her evidence, Ms Nes identifies a drafting error in Rule WH.R29 (specifying when stock access is a discretionary activity) where reference to the Mangaroa catchment had not been deleted when it should have been (for the reasons set out in the s42A Report and for consistency with Rule WH.R28).

39 I agree with Ms Nes that this is an oversight, and the correction required is shown in the version of Rule WH.R29 set out above.

Correction to references to 'visual clarity' and other minor corrections

40 In responding to the above submitters, it became apparent that drafting had used the terms 'visual clarity' and 'suspended fine sediment' interchangeably. Suspended fine sediment is measured by visual clarity and hence, in the context used, the terms have the same meaning and effect. The attribute tables (Tables 8.4 and 9.2), however, use the term 'suspended fine sediment' and do not refer to visual clarity at all. Hence, for clarity, I have taken the opportunity to ensure the revised provisions use that term consistently throughout. In my opinion, there is no material effect from his amendment.

41 Several other very minor corrections are shown marked up in Appendix 1. These include replacing the wording "part FMU" with the defined term "**Part freshwater Management Unit**" where it had been erroneously used (for example, in Policy P.P22). One cross reference in P.P20 has also been corrected. None of these minor corrections change the meaning or effect of the provisions.

DATE: 16 MAY 2025

Gerard Matthew Willis

Reporting officer for rural land use provisions (Contractor)

APPENDIX 1: REVISED RURAL LAND USE PROVISIONS

This document sets out the rural land use provisions of the notified version of proposed Plan Change 1 in respect which submissions were specifically received

Provisions as notified are shown in black text. Additions are underlined and deletions are ~~struck through~~.

Section 42A recommended amendments are shown in red text. Additions are underlined and deletions are ~~struck through~~. Recommended amendments from other S42A reports are shown in orange text. Additions are underlined and deletions are ~~struck through.~~ Further recommended amendments resulting from submitter evidence are shown in blue text. Additions are underlined and deletions are ~~struck through~~

2.2 Definitions

~~Annual stocking rate~~ FW	~~The average number of stock units per hectare carried on a farm over a 12 month period.~~
~~Effective hectares~~ FW	~~The area of land used for grazing livestock, cropping or as a sacrifice paddock~~
Erosion risk treatment plan FW	A plan prepared in compliance with Schedule 36 (farm environment plan – additional).
~~Highest erosion risk land (pasture)~~ FW	~~Land with highest erosion risk (pasture) in Te Awarua-o-Porirua Whaitua shown on Map 90 or in Whaitua Te Whanganui-a-Tara shown on Map 93.~~
~~High erosion risk land (pasture)~~ FW	~~Land with high erosion risk (pasture) in Te Awarua-o-Porirua Whaitua shown on Map 90 or in Whaitua Te Whanganui-a-Tara shown on Map 93.~~
~~Intensive grazing~~ FW	~~Has the same meaning as set out in Regulation 3 of Resource Management (Stock Exclusion) Regulations 2020.~~
Low slope land FW	The area of land shown as low slope land on Map 96A
Nitrogen discharge risk FW	The ~~quantitative assessment of nitrogen loss risk as determined using a recognised risk assessment tool~~ diffuse discharge of nitrogen from a farm assessed in accordance with Schedule Z.

<table>
<tr><td>Potential erosion risk land
FW</td><td>Land shown on Map 90 and Map 93 and as potential erosion risk land (Pasture); Potential erosion risk land (Woody Vegetation); or Potential erosion risk land (Forestry)</td></tr>
<tr><td>Priority erosion treatment land
FW</td><td>Land identified through field inspection as part of the farm environment plan preparation process in accordance with the matters set out in Schedule 36 Part F</td></tr>
<tr><td>~~Recognised Nitrogen Risk Assessment Tool~~
FW</td><td>~~The tool that provides a quantitative assessment of risk of diffuse nitrogen discharge from rural land that has been approved for use as a recognised risk assessment tool by the Wellington Regional Council.~~</td></tr>
<tr><td>~~Registration~~
FW</td><td>~~Is the process described in Schedule 35 (farm registration)~~</td></tr>
<tr><td>~~Sacrifice paddocks~~
FW</td><td>~~Has the meaning given in the section 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.~~</td></tr>
<tr><td>~~Small stream riparian programme~~
FW</td><td>~~A programme prepared in compliance with Schedule 36 (farm environment plan – additional).~~</td></tr>
<tr><td>~~Stocking rate~~
FW</td><td>~~The highest number of stock units per hectare carried on a farm at any time within a 12-month period.~~</td></tr>
<tr><td>~~Stock unit~~
FW</td><td>~~The metric used to describe livestock of different types and ages classes in terms of their equivalent annual feed requirements. These are as follows:~~
<table>
<tr><th>~~BEEF CATTLE~~</th><th>~~STOCK UNITS~~</th></tr>
<tr><td>~~Mixed Age Cows~~</td><td>~~5.5~~</td></tr>
<tr><td>~~Heifers 2.5 Yr~~</td><td>~~5.5~~</td></tr>
<tr><td>~~Heifers 1.5 Yr~~</td><td>~~4.4~~</td></tr>
<tr><td>~~Heifers Weaner~~</td><td>~~3.5~~</td></tr>
<tr><td>~~Bulls Weaner~~</td><td>~~4.5~~</td></tr>
<tr><td>~~Steers Weaner~~</td><td>~~4.5~~</td></tr>
<tr><td>~~Steers 1.5 Yr~~</td><td>~~5.0~~</td></tr>
<tr><td>~~Steers 2.5 Yr~~</td><td>~~5.5~~</td></tr>
<tr><td>~~Bull Beef 1.5 Yr+~~</td><td>~~5.5~~</td></tr>
<tr><td>~~Bulls Breeding~~</td><td>~~5.5~~</td></tr>
<tr><th>~~NON-LACTATING DAIRY CATTLE~~</th><th>~~STOCK UNITS~~</th></tr>
</table></td></tr>
</table>

	Non Lactating Dairy Cattle	4.5
	DAIRY CATTLE	STOCK UNITS
	Jersey Cows	6.5
	Friesian Cows	8.5
	Other Jersey Stock	3.5
	Other Friesian Stock	4.5
	Calves	2.0
	Bulls	5.0
	DEER	STOCK UNITS
	Hinds, breeding	1.9
	Hinds, 1.5 year	1.8
	Hinds, weaner	1.2
	Stags, weaner	1.4
	Stags, 1.5 year	1.8
	Stags 2.5 year +	2.2
	Stags, master	2.2
	PIGS	STOCK UNITS
	Pig	1.6
	HORSES AND PONIES	STOCK UNITS
	Horses	6.5
	Ponies	2.5
	GOATS	STOCK UNITS
	Milking Goats	1.5
	Dry Goats	0.75
	SHEEP	STOCK UNITS
	Ewes and Rams	1
	Hoggets and Wethers	0.7
Winter stocking rate ≋FW	The average number of stock units per hectare carried on a farm over the months of June, July and August.	

6.17 Small farm property registration

~~Method 42: Small farm property registration within Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua~~

~~Wellington Regional Council will, by 1 August 2025, provide a fit for purpose system to receive, audit and review the **registration** of small **farms** as required by Rules WH.R26 and P.R25, and in accordance with Schedule 35 (farm registration).~~

6.16 Supporting improved water quality outcomes

Method M44: Supporting the health of rural waterbodies

Wellington Regional Council, working in partnership with primary sector organisations and the community, will undertake a programme(s) to support the health of waterbodies (including rivers, streams and wetlands) and estuaries and harbours, impacted by rural activities, including to:

(a) investigate financial support and rates relief options for accelerating retirement/revegetation of pastoral ~~and **plantation forestry**~~ land uses, and

(b) support the effective uptake and implementation of **Farm Environment Plans**, and the provision of catchment context, challenges and values (CCCV) statements and

(c) promote uptake of **good management practice** in rural land uses, including for pastoral farming ~~and **plantation forestry**~~, and

(d) investigate the contribution of small (<20 ha) landholdings to water quality issues and, to the extent warranted, develop, and deliver a specific programme of engagement and education with small (<20ha) landowners.

8 ~~Wellington Harbour and Hutt Valley~~ Whaitua to Whanganui -a-Tara

8.2 Policies

WH.P21 Managing diffuse discharges of sediment, nutrients and *Escherichia coli* from farming activities

Reduce diffuse discharges of nitrogen, phosphorus, sediment and *Escherichia coli* from farming activities by:

(a) ~~capping,~~ minimising and reducing diffuse discharges from individual rural properties in accordance with WH.P22, WH.P23 and WH.P24, and

(b) applying target attributes states for dissolved inorganic nitrogen, dissolved reactive phosphorus, suspended fine sediment and *Escherichia coli* as set out in Table 8.4, as **limits** on rural land use change and on the intensification of farming activities, and

(c) requiring progressive~~ly~~ treatment ~~establishing and maintaining woody vegetation on **highest erosion risk land (pasture)**~~ of **priority erosion treatment land** as a **limit** on land use, and

(d) excluding stock from water bodies ~~wider than 1m~~ in accordance with Policies P108 and WH.P26 as a **limit** on land use, and

(e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.

WH.P22 ~~Capping, m~~Minimising and reducing diffuse discharges of nitrogen from farming activities

Diffuse nitrogen discharges ~~from large rural properties and from smaller rural properties that are intensively farmed~~, are ~~capped,~~ **minimised** and~~, on large properties and horticultural properties,~~ reduced where necessary by ensuring that:

(a) ~~the risk of diffuse discharge of nitrogen is assessed objectively using a **recognised nitrogen risk assessment tool** to determine the **nitrogen discharge risk,** and~~

~~(b) the **nitrogen discharge risk** determined for each property in accordance with (a) above, does not increase over time, and~~

~~(c)~~ for **pastoral land use** or **arable land use** on 20 hectares or more of land, or **horticultural land use** on 5 hectares or more of land:

(i) **farm environment plans** are prepared and complied with, and

(ii) the **nitrogen discharge risk** does not increase over time and is **minimised** by the adoption of **good management practices**~~, and by the phasing out of any poor management practices,~~ and

(iii) in **part Freshwater Management Units** where Table 8.4 shows that the baseline state of dissolved inorganic nitrogen or nitrate exceeds the target attribute state, the **nitrogen discharge risk** is reduced to the extent reasonably practicable.

(b) The effect of **pastoral land use** or **arable land use** on less than 20 hectares of land, or **horticultural land use** on less than 5 hectares ~~or more~~ of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified.

WH.P23 Achieving reductions in sediment discharges from farming activities on land ~~with high risk of erosion~~ within Part Freshwater Management Units that exceed the target attribute state for ~~visual clarity~~ suspended fine sediment

Within part Freshwater Management Units that exceed the target attribute state for ~~visual clarity~~suspended fine sediment, or in part Freshwater Management Units that contribute sediment to part Freshwater Management Units that exceed the target attribute state for ~~visual clarity~~suspended fine sediment, r~~R~~educe discharges of sediment from farming activities ~~on high erosion risk land and highest erosion risk~~ by:

(a) identifying ~~**highest erosion risk land (pasture)** and **high**~~ **potential erosion risk land** ~~**(pasture)**~~ used for **pastoral farming** in Map 90 and **potential stream bank erosion risk** on Map 90A, and

(b) requiring that **farm environment plans** prepared for **farms** with ~~**highest**~~ **potential erosion risk land** ~~**(pasture)** and/or **highest erosion risk land (pasture)**~~ include an **erosion risk treatment plan**; and

(c) ensuring that **erosion risk treatment plans** identify **priority erosion treatment land** in accordance with Part F of Schedule 36 and include actions to deliver appropriate erosion risk treatment by 2040, and

(i) ~~deliver permanent woody vegetation cover on at least 50% of **highest risk erosion land (pasture)** that is in pasture on a **farm** within 10 years and appropriate erosion control treatment for the remaining **highest risk erosion land (pasture)** and **high erosion risk land (pasture)** that is in pasture on the **farm**, and~~

~~(ii) identify and respond to risks of sediment loss on **high erosion risk land (pasture)** associated with grazing **livestock**, **earthworks** or **vegetation clearance**, by using effective erosion control treatment, and~~

(d) Wellington Regional Council providing support to landowners to implement **erosion risk treatment plans.**

WH.P24 Phasing of farm environment plans

Farm environment plans required in accordance with Policy WH.P22 and Policy WH.P23 shall be provided according to a phased timetable that prioritises those **part Freshwater Management Units** where Table 8.4 shows that suspended fine sediment has a baseline state of D and/or where dissolved inorganic nitrogen is shown as being in need of improvement, and so that, in all cases,

farm environment plans are prepared and certified by ~~30 June 2027~~ 30 December 2029.

WH.P25 Managing ~~rural~~ primary production land use change

Manage the actual and potential adverse effects of changing land use from low to higher intensity ~~rural~~ primary production land use by:

(a) controlling ~~rural~~ primary production land use change that is greater than ~~4~~5ha and associated diffuse discharge where there is a risk the diffuse discharges of nitrogen, phosphorus, sediment or *Escherichia coli* may increase, and

(b) only granting resource consent for such a change in land use when, in accordance with Policy P75, the diffuse discharge of nitrogen, phosphorus, sediment and *Escherichia coli* of the more intensive activity is demonstrated to be the same or less than the activities being replaced

Policy WH.P26: Managing livestock access to ~~small~~ rivers in the Mākara Stream catchment

In addition to national stock exclusion regulations and the region-wide stock access requirements of Rule R98, Rule R99 or Rule R100 in this Plan, ~~restrict~~ reduce **livestock** access to a river with an active bed greater than 1m in width in the Mākara Stream ~~and Mangaroa River~~ catchment~~s~~ where the baseline state for the relevant **part Freshwater Management Unit** is below the national bottom line for ~~visual clarity~~suspended fine sediment.

Policy WH.P27: Promoting ~~stream~~ shading riparian planting to improve aquatic ecosystem health

Contribute to the achievement of **aquatic ecosystem health** by promoting and supporting riparian planting to:

(a) stabilise stream banks to reduce streambank erosion; and

(b) ~~the~~ progressively shad~~eing of~~ streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states in Table 8.4

8.3 Rules

~~Rule WH.R26: Farming activities on a property of between 4 hectares and 20 hectares – permitted activity~~

~~The use of land on a **property** of 4 hectares or more and less than 20 hectares for:~~

~~(a) **pastoral land use** where the **winter stocking rate** is greater than 12 **stock units** per **effective hectare**, and/or~~

~~(b) **pastoral land use** on **highest erosion risk land (pasture)** or **high erosion risk land (pasture)**, and/or~~

~~(c) **arable land use**, and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater is a permitted activity provided the following conditions are met:~~

~~(d) the **property** is registered with the Wellington Regional Council in accordance with Schedule 35 (farm registration) by 1 August 2025, and~~

~~(e) the **nitrogen discharge risk** is assessed annually and provided to the Wellington Regional Council on request, and~~

~~(f) the three-year rolling average of the **nitrogen discharge risk** for the land does not increase above the rate recorded at **registration**, and~~

~~(g) if the property contains **highest erosion risk land (pasture)**, or **high erosion risk land (pasture)**:~~

~~(i) the area and of **pastoral land use** on **highest erosion risk land (pasture)** or **high erosion risk land (pasture)** does not increase above the area recorded at **registration**, and~~

~~(ii) the average **annual stocking rate** and the **winter stocking rate** on the **high erosion risk land (pasture)** or **highest erosion risk land (pasture)** do not increase above the area recorded for that land at **registration**.~~

Rule WH.R27: Farming activities on 20 hectares or more of land – permitted activity

The use of 20 hectares or more of land on a **farm** for **pastoral land use**, **arable land use**, or more than 5 hectares for **horticultural land use**, and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater is a permitted activity provided the following conditions are met:

(a) a **farm environment plan** in respect of the land and associated land use is supplied to Wellington Regional Council by the date set out in Table 8.6 for the **part Freshwater Management Unit** in which the **farm** is located, and

(b) if the **farm** used for **pastoral land use** is within a **Part Freshwater Management Unit** listed in Table 8.6 and contains ~~**highest**~~ **potential erosion risk land (~~pasture) or high erosion risk land (pasture)~~**, the **farm environment plan** includes an **erosion risk treatment plan**, that meets the requirements of Schedule 36 (farm environment plan - additional), and

(c) within six months of the **farm environment plan** being supplied to Wellington Regional Council, a **farm environment plan certifier** certifies in writing that:

(i) the **farm environment plan** supplied to the Wellington Regional Council has been prepared in accordance with, and meets the requirements of Schedule Z (farm environment plan) and Schedule 36 (farm environment plan - additional), or

(ii) where the **farm environment plan** is certified under section 217G of Part 9A of the RMA, that the **farm environment plan** meets the requirements of condition (b), and

(d) the land use is undertaken in accordance with the **farm environment plan** provided under condition (a).

Table 8.6 – Phase-in of farm environment plans for part Freshwater Management Units

Part Freshwater Management Unit	Due Date
South-west coast rural streams Korokoro Stream	30 Dec 2027
Te Awa Kairangi rural streams and rural mainstems Parangārehu catchment streams ~~and South-west coast rural streams~~ Wainuiomata rural streams Te Awa Kairangi lower mainstem Ōrongorongo, Te Awa Kairangi and Wainuiomata small forested and Te Awa Kairangi forested mainstems.	~~30 Dec 2025~~ 30 June 2029
~~Te Awa Kairangi lower mainstem~~ ~~Korokoro Stream~~	~~30 Dec 2026~~
~~Ōrongorongo, Te Awa Kairangi and Wainuiomata small forested and Te Awa Kairangi forested mainstems.~~	~~30 December 2027~~

Rule WH.R28: Livestock access to ~~a small~~ rivers in the Mākara Catchment – permitted activity

From 30 December ~~2025~~2028 access by cattle (including **dairy cows**), farmed deer or farmed pigs to a river with an active bed ~~less~~ greater than 1m wide in the Mākara Stream ~~and Mangaroa River~~ catchment~~s~~, as shown on Map~~s~~ 96~~and 97~~, and any associated discharge to a **surface water body**, is a permitted activity provided:

(a) the access is only at a stock crossing point and the cattle (including **dairy cows**), farmed deer or farmed pigs are supervised and actively driven across the **surface water body**, and do not cross the same water body more than twice in any month, or

~~(b) the **farm environment plan** for the **farm** includes a **small stream riparian programme** that meets the requirements of Schedule 36 (farm environment plan - additional), and~~

(c) ~~where the farm environment plan is certified under section 217G of Part 9A of the RMA,~~ the farm environment plan certifier has certified that the farm environment plan meets the requirements of ~~condition (b)~~ Part E of Schedule 36 (farm environment plan – additional).

Notes

(1) Livestock access to, and exclusions from, a **surface water body** is also subject to:
- the *Resource Management (National Environmental Standards for Freshwater) 2020*,
- *the Resource Management (Stock Exclusion Regulations 2020)*, and
- Rule R98, Rule R99 and Rule R100

(2) The definition of **active bed** applies to Rules WHR.28 and WH.R29 as though rivers in the Mākara catchment were **Category 2 surface water bodies**,

(3) For the purpose of Rules WHR.28 and WH.R29 a 'greater than 1m wide' means greater than 1m wide anywhere in a **property**.

Rule WH.R29: Livestock access to ~~a small river~~ in the Mākara catchment – discretionary activity

From 30 December ~~2025~~2028, access by cattle (including **dairy cows**), farmed deer or farmed pigs to a river with an **active bed** ~~less~~greater than 1m wide in the Mākara Stream ~~and Mangaroa River~~ catchment~~s~~, as shown on Map~~s~~ 96 ~~and 97~~, and any associated discharge to a **surface water body** that does not meet Rule WH.R28 is a discretionary activity.

Rule WH.R30: The use of land for farming activities – discretionary activity

The use of land for the farming activities described ~~in Rule WH.R26 or~~ Rule WH.R27**,** and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater, that does not meet one or more of the conditions of ~~Rule WH.R26 or~~ Rule WH.R27 is a discretionary activity provided the following conditions are met:

(a) the most recent Wellington Regional Council monitoring record at the time the application is lodged demonstrates that the concentration of dissolved inorganic nitrogen, dissolved reactive phosphorus, or measure of ~~visual clarity~~suspended fine sediment, for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 8.4, and

(b) if the most recent Wellington Regional Council monitoring record at the time the application is lodged demonstrates that the concentration of *Escherichia coli*, for the relevant catchment exceeds the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 8.4, the land use ~~change~~ is not to **pastoral land use.**

Rule WH.R31: Change of rural land use – discretionary activity

The following changes in land use on a **property**, and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater are discretionary activities:

(a) the change of land use from **plantation forestry** to **pastoral land use, arable land use**, or **horticultural land use** where the change exceeds a cumulative total of 45ha from that which was occurring on the property on 30 October 2023, or

(b) the change of land use from **plantation forestry**, **arable land use, low intensity horticultural land use** or **pastoral land use** that is not **dairy farming,** to **dairy farming,** where the change exceeds a cumulative total of 45ha from that which was occurring on the property on 30 October 2023, or

(c) the change of land use from **plantation forestry**, **arable land use**, **pastoral land use** or **low intensity horticultural land use** to **horticultural use** that is not **low intensity horticultural use** where the change exceeds a cumulative total of ~~45~~ha from that which was occurring on the property on 30 October 2023,

provided the following conditions are met:

(d) the most recent Wellington Regional Council monitoring record demonstrates that the concentration of dissolved inorganic nitrogen, dissolved reactive phosphorus, or measure of ~~visual clarity~~suspended fine sediment, for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 8.4, and

(e) if the most recent Wellington Regional Council monitoring record demonstrates that the concentration of *Escherichia coli*, for the relevant catchment exceeds the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 8.4, the land use change is not to **pastoral land use**.

Rule WH.R32: Farming activities – non-complying activity

Any:

(a) use of land for the activities described in ~~Rule WH.R26 or~~ Rule WH.R27 and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater, that does not meet one or more of the conditions of Rule WH.R30, or

(b) change in land use described in Rule WH.R31 and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater that does not meet one or more of the conditions of Rule WH.R31

is a **non-complying activity**.

9 Te Awarua-o-Porirua Whaitua

9.2 Policies

Policy P.P20: Managing diffuse discharges of sediment, nutrients and Escherichia coli from farming activities

Reduce diffuse discharges of nitrogen, phosphorus, sediment and *Escherichia coli* from farming activities by:

(a) ~~capping,~~ minimising and reducing diffuse discharges from individual rural properties in accordance with Policies P.P21, P.P22 and P.P2~~4~~3, and

(b) applying target attributes states for dissolved inorganic nitrogen, dissolved reactive phosphorus, suspended fine sediment and *Escherichia coli* as set out in Table 9.2, as **limits** on rural land use change and on the intensification of farming activities, and

(c) requiring progressive~~ly~~ treatment ~~establishing and maintaining woody vegetation on **highest erosion risk land (pasture)**~~ of priority erosion treatment land as a **limit** on land use, and

(d) excluding stock from water bodies ~~greater than 1m wide~~ in accordance with Policy P108 as a **limit** on land use, and

(e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.

Policy P.P21: ~~Capping, m~~Minimising and reducing diffuse discharges of nitrogen from farming activities

Diffuse nitrogen discharges from ~~large rural properties and from smaller rural properties that are intensively farmed~~ pastoral, arable or horticultural land use, are ~~capped,~~ **minimised** and~~, on large properties~~ reduced where necessary by ensuring that:

(a) ~~the risk of diffuse discharge of nitrogen is assessed objectively using a **recognised nitrogen risk assessment tool** to determine the **nitrogen discharge risk**, and~~

~~(b) the **nitrogen discharge risk** determined for each property in accordance with (a) above, does not increase over time, and~~

(c) for **pastoral land use** or **arable land use** on 20 hectares or more of land, or **horticultural land use** on 5 hectares or more of land:

(i) **farm environment plans** are prepared and complied with, and

(ii) the **nitrogen discharge risk** does not increase over time and is **minimised** by the adoption of **good management practices**~~, and by the phasing out of any poor management practices~~, and

(iii) in part Freshwater Management Units where Table 9.2 shows that the baseline state of dissolved inorganic nitrogen or nitrate exceeds the target attribute state, the nitrogen discharge risk is reduced to the extent reasonably practicable.

(d) The effect of **pastoral land use** or **arable land use** on less than 20 hectares of land, or **horticultural land use** on less than 5 hectares ~~or more~~ of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified.

Policy P.P22: Achieving reductions in sediment discharges from farming activities ~~on land with high risk of erosion~~

Within ~~part FMUs~~ **Part Freshwater Management Units** that exceed the target attribute state for ~~visual clarity~~suspended fine sediment, or in ~~part FMUs~~ **Part Freshwater Management Units** that contribute sediment to ~~part FMUs~~ **Part Freshwater Management Units** that exceed the target attribute state for ~~visual clarity~~suspended fine sediment, r~~R~~educe discharges of sediment from farming activities ~~on high erosion risk land and highest erosion risk~~ by:

(a) identifying ~~**highest erosion risk land (pasture)** and~~ **high potential erosion risk land** ~~**(pasture)**~~ used for **pastoral farming in** Map 90 and **potential stream bank erosion risk** on Map 9A, and

(b) requiring that **farm environment plans** prepared for **farms** with ~~**highest**~~ **potential erosion risk land** ~~**(pasture)** and/or **highest erosion risk land (pasture)**~~ include an **erosion risk treatment plan**, and

(c) ensuring that **erosion risk treatment plans** identify **priority erosion treatment land** in accordance with Part F of Schedule 36 and include actions to ~~to~~ deliver **appropriate erosion risk treatment** by 2040.

(i) ~~deliver permanent woody vegetation cover on at least 50% of any **highest erosion risk land (pasture)** that is in pasture on a **farm** within 10 years, and appropriate treatment for the area remaining **highest erosion risk land (pasture)** that is in pasture on the **farm**,~~ and

(ii) ~~identify and respond to risks of sediment loss on **high erosion risk land (pasture)** associated with grazing **livestock, earthworks or vegetation clearance**, by using effective erosion control treatment by 30 June 2040, and~~

(d) Wellington Regional Council providing support to landowners to implement **erosion risk treatment plans**.

Policy P.P23: Phasing of farm environment plans

Farm environment plans required in accordance with Policy P.P21 or Policy P.P22 shall be provided according to a phased timetable that prioritises those **part Freshwater Management Units** where Table 9.2 shows that suspended fine sediment has a baseline state of D and/or where dissolved inorganic nitrogen is shown as being in need of improvement and so that, in all cases, **farm environment plans** are prepared and certified by ~~30 June 2027~~ 31 March 2029

Policy P.P24: Managing ~~rural~~ primary production land use change

Manage the actual and potential adverse effects of changing land use from low to higher intensity ~~rural land use~~ primary production land use by:

(a) controlling ~~rural~~ primary production land use change that is greater than ~~4~~5ha and associated diffuse discharge where there is a risk the diffuse discharges of nitrogen, phosphorus, sediment or *Escherichia coli* may increase, and

(b) only granting resource consent for such a change in land use when, in accordance with Policy P75, the diffuse discharge of nitrogen, phosphorus, sediment and *Escherichia coli* of the more intensive activity is demonstrated to be the same or less than the activities being replaced.

Policy P.P25: Promoting ~~stream shading~~ riparian planting to improve aquatic ecosystem health

Contribute to the achievement of **aquatic ecosystem health** by promoting and supporting riparian planting to:

(a) stabilise stream banks to reduce streambank erosion; and

(b) ~~the~~ progressively ~~shad~~~~eing~~ ~~of~~ streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states in Table 9.2.

9.3 Rules

~~Rule P.R25: Farming activities on properties of between 4 hectares and 20 hectares – permitted activity~~

~~The use of land on a **property** of 4 hectares or more and less than 20 hectares for:~~

~~(a) **pastoral land use** where the **winter stocking rate** is greater than 12 **stock units** per **effective hectare,** and/or~~

~~(b) **pastoral land use** on **highest erosion risk land (pasture)** or **high erosion risk land (pasture),** and/or~~

~~(c) **arable land use**~~

~~and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater is a permitted activity provided the following conditions are met:~~

~~(d) the **property** is registered with the Wellington Regional Council in accordance with Schedule 35 (farm registration) by 1 August 2025, and~~

~~(e) the three-year rolling average of the **nitrogen discharge risk** is assessed annually and provided to the Wellington Regional Council on request, and~~

~~(f) the **nitrogen discharge risk** for the land does not increase above the rate recorded at registration, and~~

~~(g) if the property contains **highest erosion risk land (pasture),** or **high erosion risk land (pasture):**~~

~~(i) the area and of **pastoral land use** on the **highest erosion risk land (pasture)** or **high erosion risk land (pasture)** does not increase above the area recorded at registration, and~~

~~(ii) the **average annual stocking rate** and the **winter stocking rate** on the **high erosion risk land (pasture)** or **highest erosion risk land (pasture)** do not increase above the area recorded for that land at registration.~~

Rule P.R26: Farming activities on 20 hectares or more of land – permitted activity

The use of 20 hectares or more of land on a **farm** for **pastoral land use**, **arable land use**, or more than 5 hectares for **horticultural land use**, and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater is a permitted activity provided the following conditions are met:

(a) a **farm environment plan** in respect of the land and associated land use is supplied to Wellington Regional Council, no later than the date specified in Table 9.5 for the **part Freshwater Management Unit** where the land is located, and

(b) if the **farm** used for **pastoral land use** is within the Takapū ~~**part FMU**~~ **Part Freshwater Management Unit** and contains ~~**highest**~~ **potential erosion risk land (~~pasture)~~ ~~or high erosion risk land (pasture)~~**, the **farm environment plan** includes an **erosion risk treatment plan**, that meets the requirements of Schedule 36 (farm environment plan - additional), and

(c) within six months of the **farm environment plan** being supplied to the council, a **farm environment plan certifier** certifies in writing that:

(i) the **farm environment plan** supplied to the regional council has been prepared in accordance with, and meets the requirements of Schedule Z (farm environment plan) and Schedule 36 (farm environment plan - additional), or

(ii) where the **farm environment plan** is certified under section 217G of Part 9A of the RMA, that the **farm environment plan** meets the requirements of condition (b), and

(d) the land use is undertaken in accordance with the **farm environment plan** provided under condition (a).

Table 9.5 – Phase-in of farm environment plans for Part Freshwater Management Units

Part Freshwater Management Unit	**Due Date**
Takapū Taupō Pouewe Wai-O-Hata	~~30 Dec 2025~~ 30 September 2028
~~Taupō~~ ~~Pouewe~~ ~~Wai-O-Hata~~	~~30 Dec 2025~~ ~~30 Dec 2026~~

Rule P.R27: The use of land for farming activities – discretionary activity

The use of land for the farming activities described in ~~Rule P.R25 or~~ Rule P.R26, and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater, that does not meet one or more of the conditions of ~~Rule P.R25 or~~ Rule P.R26 is a discretionary activity provided the following conditions are met:

(a) the most recent Wellington Regional Council monitoring record at the time the application is lodged demonstrates that the concentration of dissolved inorganic nitrogen, dissolved reactive phosphorus, or measure of ~~visual clarity~~suspended fine sediment, for the relevant catchment

does not exceed the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 9.2, and

(b) if the most recent Wellington Regional Council monitoring record at the time the application is lodged demonstrates that the concentration of *Escherichia coli*, for the relevant catchment exceeds the target attribute state at any monitoring site within the relevant **part Freshwater Management Uni**t set out in Table 9.2, the use of land under Rule P.R26 is not ~~changed to~~ **pastoral land use**.

Rule P.R28: Change of rural land use – discretionary activity

The following changes in land use on a **property**, and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater are discretionary activities:

(a) the change of land use from **plantation forestry** to **pastoral land use, arable land use**, or **horticultural land use** where the change exceeds a cumulative total of ~~4~~5ha from that which was occurring on the property on 30 October 2023, or,

(b) the change of land use from **plantation forestry**, **arable land use, low intensity horticultural land use** or **pastoral land use** that is not **dairy farming,** to **dairy farming,** where the change exceeds a cumulative total of ~~4~~5ha from that which was occurring on the property on 30 October 2023, or

(c) the change of land use from **plantation forestry**, **arable land use**, **pastoral land use** or **low intensity horticultural land use** to **horticultural use** that is not **low intensity horticultural us** where the change exceeds a cumulative total of ~~4~~5ha from that which was occurring on the property on 30 October 2023,

provided the following conditions are met:

(d) the most recent Wellington Regional Council monitoring record demonstrates that the concentration of dissolved inorganic nitrogen, dissolved reactive phosphorus, or measure of ~~visual clarity~~suspended fine sediment, for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 9.2, and

(e) if the most recent Wellington Regional Council monitoring record demonstrates that the concentration of *Escherichia coli*, for the relevant catchment exceeds the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set out in Table 9.2, the land use change is not to **pastoral land use**.

Rule P.R29: Farming activities – non-complying activity

Any:

(a) use of land for the activities described in ~~Rule P.R25 or~~ Rule P.R26**,** and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater, that does not meet one or more of the conditions of Rule P.R27, or

(b) change in land use described in Rule P.R28 and the associated discharge of contaminants into a **surface water body** or into or onto land where a contaminant may enter freshwater that does not meet one or more of the conditions of Rule P.R28

is a **non-complying activity**.

Schedule 35: Small farm registration

Farms of 4 hectares or more but less than 20 hectares, that comprise land used for one of the activities listed in Rule P.R24 or WH.R26, must be registered with the Wellington Regional Council in the following manner:

1. **Registration** information set out in Clause 4, and where relevant in Clause 5, below must be provided.

2. Proof of **registration** must be provided to the Wellington Regional Council within 7 working days of a request by Wellington Regional Council being made.

3. **Registration** information must be updated:

   (a) Where **property** ownership changes, within 30 working days of the new owner taking possession of the **property**, or

   (b) At the request by the Wellington Regional Council.

4. All owners must provide the following information:

   (a) in respect of the **property** owner, and the person responsible for farming the land (if different from the **property** owner):

      (i) Full name, and

      (ii) Trading name (if applicable, where the owner is a company or other entity), and

      (iii) Full postal and email address, and

      (iv) Telephone contact details.

   (b) Legal description and certificate(s) of title references (computer freehold registers) for all the land contained within the **farm**.

   (c) Physical address of the **farm**.

   (d) A description of the land use activity or activities undertaken on the **farm** as at *[1 November 2023]* including the land area of each activity.

   (e) The total land area of the **farm**.

   (f) Where the land is used for grazing, the **average annual stocking rate** and **winter stocking rate** of animals grazed, at the time of **registration** on:

      (i) On the **property**, and

      (ii) If different from (i) above, on any of **highest erosion risk land (pasture)** or **high erosion risk land (pasture)** shown on Map 90 or Map 93.

   (g) If more than one **property** is farmed as part of a group, the addresses and owners of the other properties and the name of that group.

5. **Farms** that graze **livestock** must also provide a map showing the location of:

(a) **Property** boundaries, and

(b) Waterbodies where stock exclusion is required under Rule R98 and Rule WH.R12 or P.R12 within the property boundary and confirm the location of permanent fences adjacent to those waterbodies, and

(c) **Livestock** crossing points over those waterbodies and a description of any **livestock** crossing structures.

Schedule 36: Additional requirements for Farm Environment Plans in Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua

A Certification requirements ~~under the *Resource Management (Freshwater Farm Plans) Regulations 2023*~~

1. ~~This section applies from the date the *Resource Management (Freshwater Farm Plans) Regulations 2023* apply in the relevant **Freshwater Management Unit**.~~

2. When assessing whether the certification requirements are met for any **farm** in **Whaitua** Te Whanganui-a-Tara and Te Awarua-o-Porirua **Whaitua**, the farm environment plan certifier shall~~, in addition to the matters set out in Section 217 of the Act,~~ recognise the requirements of:

   (a) The management objectives of Part B of Schedule Z and Part B of Schedule 36, and

   (b) The required content of the **farm environment plan** set out in Part C of Schedule Z and Part C of Schedule 36 that is additional to the matters set out in the *Resource Management (Freshwater Farm Plans) Regulations 2023*, and

   (c) The risk assessment requirements set out in Part C of Schedule Z and Part D of Schedule 36, and

   (d) The requirements in relation to an **erosion risk treatment plan** set out in Part E of Schedule 36, and

   (e) Any relevant rule in Chapter 8 or Chapter 9 of the Plan, and

   (f) Any other relevant provision of the Plan.

Note, for the purpose of Schedule 36 (and associated provisions in Chapters 8 and 9), a farm environment plan certifier means a Farm Environmental Plan Certifier as defined in section 2.2 of this plan but includes a suitably qualified person approved by the Chief Executive of the Wellington Regional Council for the purpose of ensuring plans are prepared in conformance with this Schedule 36.

B Management objectives

In addition to the management objectives described in Part B of Schedule Z, the **farm environment plan** must demonstrate that the measures adopted to address the identified risks will include appropriate erosion risk treatment for **priority erosion treatment land** phased-in over time so that all **priority erosion treatment land** is subject to treatment by 2040 ~~result in the revegetation of **highest erosion risk land (pasture)**, and treatment to address erosion risks on other land including **high erosion risk land (pasture)**, with at least 50% of **highest erosion risk land (pasture)**, being revegetated by 30 December 2033, and the remaining **highest risk erosion land (pasture)** being revegetated by 30 December 2040, unless this is not reasonably practicable, and a certifier certifies that alternative erosion control treatment over the balance of the **property** will result in the same level of soil loss avoidance.~~

C Content of a farm environment plan

In addition to the matters listed in Part C1 of Schedule Z, the **farm environment plan** shall

contain:

~~1.~~ ~~Evidence of the **nitrogen loss risk** that:~~

~~(a) – was associated with the farming system on the **farm** in the 12 months preceding 1 November 2023, or as an annual average in the five years prior to 1 September 2023, and~~

~~(b) is predicted to occur on the **farm** (as a three-year rolling average) as a result of the implementation of the **good management practices** and mitigation measures specified in the **farm environment plan**, and~~

2. A map of the **farm** at 1:10,000 scale or larger that clearly shows any area of potential **erosion risk land** ~~**(pasture)** or **high erosion risk land (pasture)**~~ and ~~–~~the area of **priority erosion treatment land** identified in accordance with Part E, and

3. An **erosion risk treatment plan** prepared in accordance with Part E below, and

4. Areas where erosion risk is to be treated and the method of treatment ~~of existing and proposed riparian woody vegetation~~.

D Risk assessment and mitigation to address risk

In addition to the **farm** systems risk assessment described in Part C2(a) of Schedule Z:

1. ~~the evidence required by C(4) above shall be provided by using a **recognised risk assessment tool**, and~~

2. the sediment loss risk shall be assessed by considering the risk factors and sediment transport risks set out in Table D1.

Table D1 – Sediment loss and transport risk factors		
Sediment Generation Risk		
Source	**Sediment loss risk factors**	**Farm practices and practice changes**
Erosion	Stock	Stock type, **livestock** class and weight
	Grazing practices	Grazing density Stock access to river banks Bare ground with standing **livestock** Grazing over winter Management of critical source areas Retirement from grazing of erosion risk land
	~~Soil conservation treatment~~ Lack of deep rooting vegetation	Revegetation or regeneration of woody vegetation ~~of highest or high erosion risk land by planting of woody species for permanent forest and/or encouraging natural revegetation by appropriate species and implementing effective control of plant and animal pests.~~ Planting of poplar or willow poles on grazing land Protection of existing woody vegetation (including from browsing feral animals)
	Lack of sediment interception	Construction of sediment detention structures Wetland/riparian margin construction and **restoration**
Earthworks	Mechanical land disturbance	Access roads, tracks, fence lines to be **minimised** and use **good management practices** for construction and maintenance.
Pasture renewal/ Cropping	**Cultivation**	Location/slope of cultivated land Time in fallow Area of cultivated ground Timing of **cultivation** Type of tillage Method of harvest Use of 'catch crops' Management of critical source areas
Sediment Transport Risk		
Sediment transport risk	**Specific Risk factors**	
Geology	The hardness and depth of the underlying rocks influences the tendency for erosion and loss of sediment.	

Table D1 – Sediment loss and transport risk factors	
Topography	Slope and aspect – steep areas with northerly aspects are likely to have more runoff and erosion than shallow slopes with southerly aspects. Steep slopes without woody vegetation are more prone to hillslope and landslide erosion.
Climate	Rainfall – seasonal amount and intensity.
Land use	Type and extent of vegetation cover. Land disturbance from **livestock** and machinery.
Soil type	Soil type can be a factor for erosion risk, with soils with silt-sized particles the most prevalent to erosion by water and wind.

E Erosion Risk Treatment Plan

A **farm environment plan** for a property that contains ~~**highest erosion risk land (pasture) or potential high**~~ **erosion risk land** ~~**(pasture)**~~ must include an **erosion risk treatment plan** that contains the following:

1. A map of the **priority erosion treatment land**. This map shall be prepared having regard to:

   (a) mapped **potential erosion risk land**; and
   (b) on-farm field inspection

   However, on the basis of on-farm field inspection, areas mapped as **potential erosion risk land** may be disregarded where they:

   (c) have existing woody vegetation cover, or
   (d) are small isolated areas that are impracticable to treat for erosion risk, or
   (e) on-site inspection determines they are not at significant risk of mass-movement or surficial erosion having regard to the sediment transport risk factors set out in Table D1 above or are already subject to appropriate erosion treament; and

   For the avoidance of doubt, areas not mapped as **potential erosion risk land** should be considered as **priority erosion treatment land** having regard to the following factors:

   (f) evidence of previous mass-movement erosion on the land, or on land of similar physical characteristics in the vicinity;
   (g) an assessment of stream bank erosion risk with reference to **potential stream bank erosion risk** shown on Map 93A
   (h) guidance on mass-movement, surficial, and stream bank erosion risk as may be issued by the Regional Council.

~~2.~~ A programme to ensure that ~~50% of~~ the total area of any ~~**highest erosion risk land (pasture)**~~ **priority erosion risk treatment land** identified in accordance with 1 above, ~~on the property is in permanent woody vegetation~~ receives appropriate erosion control treatment ~~within 10 years of the **farm environment plan** being certified~~, by 2040. ~~where permanent woody vegetation:~~

~~(a) can reasonably be expected to reach canopy cover of at least 80% per hectare within 10 years of being established, and~~

~~(b) is not **plantation forestry**, and~~

~~(c) subject to meeting (a) and (b) above, may include appropriate planted species or species that may naturally regenerate.~~

2. ~~A programme of mitigations to ensure that the management of sediment loss from **high erosion risk land (pasture)** meets the following management goals:~~

   For the purpose of this Schedule, 'appropriate erosion control treatment' means one or more recognised erosion risk or sediment loss mitigation measures suitable to the characteristics of the farm and farm system, which may include, but need not be limited to ,the measures set out in respect of erosion risk in Table D1, except that grazing management (stock density and wintering) shall not, by itself, be considered appropriate.

3. A programme of mitigations to ensure that the management of sediment loss from ~~**high erosion risk land (pasture)**~~ **priority erosion treatment land** meets the following management goals:

   (a) Goal 1 – The effects of stock grazing on sediment loss are **minimised** by managing grazing density and stock types/weights (particularly during winter months) to reflect the increased risk on **high erosion risk land (pasture)**.

   (b) Goal 2 – The risk of sediment loss from critical source areas is **minimised** through identification of these areas, management of vegetation in and around these areas, stock grazing practices, and location and use of **farm** infrastructure.

   (c) Goal 3 – Land has appropriate soil conservation treatment to provide effective erosion control.

   (d) Goal 4 – The risk of sediment loss as a result of any **earthworks** permitted by the regional plan is **minimised**, including by compliance with Rules WH.R22/P.R20.

   (e) Goal 5 – The risk of sediment loss as a result of any **vegetation clearance** is not increased from associated land surface disturbance, and appropriate vegetation is established on the area as soon as practicable following any **vegetation clearance**.

4. A description of how the benefits of erosion control treatments will be maintained over time including by:

   (a) Restricting stock access to ensure effective establishment and protection of the woody vegetation required by 1 above or mitigations implemented in accordance with 2 above, and

   (b) Implementing an animal and/or plant pest management programme.

~~F Small stream riparian~~ Stock exclusion and riparian management

A **farm environment plan** for a **farm** in the Mākara catchment must include: ~~a **small stream riparian programme** that contains the following~~:

1. Actions and timebound stages to achieve exclusion of cattle, farmed pigs and deer from streams on the **farm** that ~~are~~have an **active bed** greater than 1m wide at any point on the ~~**farm**~~ **property** by 2030; or

2. In relation to rivers with an **active bed** greater than 1m wide on land that is not **low slope land**, an assessment that demonstrates that fencing (including temporary fencing) the river or any part of the river to achieve cattle, farmed pigs and deer exclusion:

   (a) is impractical due to flood risk, land slope and/or accessibility limitations; or

   (b) is unnecessary because a natural barrier exists that effectively exclude stock from accessing the river; or

   (c) would involve earthworks with adverse effects that outweigh the benefits having regard to the risk of cattle, farmed pigs and deer accessing the river; and

For the avoidance of doubt, 2 above does not apply to rivers on **low slope land**.

~~1. An assessment of the:~~

~~(a) Options, and feasibility of those options, for excluding cattle, deer and pigs from small rivers where the risks identified in (1) above are assessed as high, and~~

~~(b) Any adverse effects of establishing permanent fencing and whether these effects outweigh the benefits of permanent fencing.~~

~~2. Where fencing is not practicable, or the adverse effects of fencing outweigh the benefits, the measures to be taken to **minimise** the necessity or propensity for stock to access rivers (including provision of reticulated drinking water and stock shelter/shading).~~

~~3. Where full stock exclusion from rivers is not achievable, a riparian revegetation enhancement programme is to be implemented as an offset measure for unavoidable effects.~~

Note

*The definition of **active bed** applies to Part F of Schedule 36 as though rivers in the Mākara catchment are Category 2 surface water bodies*