






## 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~~. Amendments recommended as part of the right of reply are shown in **green text**, underlined or ~~struck through~~ as appropriate.*

### 2.2 Definitions







<del>Annual stocking rate</del> <sup>1</sup> 	<del>The average number of stock units per hectare carried on a farm over a 12 month period.</del>
<del>Effective hectares</del> <sup>2</sup> 	<del>The area of land used for grazing livestock, cropping or as a sacrifice paddock</del>
<u>Erosion risk treatment plan</u> 	<u>A plan prepared in compliance with Schedule 36 (farm environment plan – additional).</u>
<del> Highest erosion risk land (pasture)</del> <sup>3</sup>	<del>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.</del>
<del> High erosion risk land (pasture)</del> <sup>4</sup>	<del>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.</del>

<sup>1</sup> S193.103, FS9.340

<sup>2</sup> S193.103 and others

<sup>3</sup> S193.023 and others

<sup>4</sup> S193.024 and others

<del>Intensive grazing</del> <sup>5</sup> 	<del>Has the same meaning as set out in Regulation 3 of Resource Management (Stock Exclusion) Regulations 2020.</del>
<u>Low slope land</u> <sup>6</sup> 	<u>The area of land shown as low slope land on Map 96A</u>
<u>Nitrogen discharge risk</u> 	<del>The quantitative assessment of nitrogen loss risk as determined using a recognised risk assessment tool</del> <u>diffuse discharge of nitrogen from a farm assessed in accordance with Schedule Z.</u>
<u>Potential erosion risk land</u> <sup>7</sup> 	<u>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)</u>
<u>Priority erosion treatment land</u> <sup>8</sup> 	<u>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</u>
<del>Recognised Nitrogen Risk Assessment Tool</del> <sup>9</sup> 	<del>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.</del>
<del>Registration</del> <sup>10</sup> 	<del>Is the process described in Schedule 35 (farm registration)</del>
<u>Rural production land use</u> <sup>11</sup> 	<u>Pastoral land use, arable land use, horticultural land use or plantation forestry</u>
<del>Sacrifice paddocks</del> <sup>12</sup> 	<del>Has the meaning given in the section 3 of the Resource Management (National Environmental Standards for Freshwater) Regulations 2020.</del>
<del>Small stream riparian programme</del> <sup>13</sup>	<del>A programme prepared in compliance with Schedule 36 (farm environment plan — additional).</del>

<sup>5</sup> S193.103

<sup>6</sup> Consequential

<sup>7</sup> Consequential

<sup>8</sup> S231.010, S95.004, FS47.168




<sup>9</sup> S193.132

<sup>10</sup> S193.103

<sup>11</sup> S206.044


<sup>12</sup> S193.103

<sup>13</sup> S193.191

																																											
<del>Stocking rate<sup>14</sup></del> 	<del>The highest number of stock units per hectare carried on a farm at any time within a 12-month period.</del>																																										
<del>Stock unit<sup>15</sup></del> 	<del>The metric used to describe livestock of different types and ages classes in terms of their equivalent annual feed requirements. These are as follows:-</del> <table> <tr> <th><del>BEEF CATTLE-</del></th><th><del>STOCK UNITS-</del></th></tr> <tr> <td><del>Mixed Age Cows-</del></td><td><del>5.5-</del></td></tr> <tr> <td><del>Heifers 2.5 Yr-</del></td><td><del>5.5-</del></td></tr> <tr> <td><del>Heifers 1.5 Yr-</del></td><td><del>4.4-</del></td></tr> <tr> <td><del>Heifers Weaner-</del></td><td><del>3.5-</del></td></tr> <tr> <td><del>Bulls Weaner-</del></td><td><del>4.5-</del></td></tr> <tr> <td><del>Steers Weaner-</del></td><td><del>4.5-</del></td></tr> <tr> <td><del>Steers 1.5 Yr-</del></td><td><del>5.0-</del></td></tr> <tr> <td><del>Steers 2.5 Yr-</del></td><td><del>5.5-</del></td></tr> <tr> <td><del>Bull Beef 1.5 Yr+-</del></td><td><del>5.5-</del></td></tr> <tr> <td><del>Bulls Breeding-</del></td><td><del>5.5-</del></td></tr> <tr> <th><del>NON-LACTATING DAIRY CATTLE-</del></th><th><del>STOCK UNITS-</del></th></tr> <tr> <td><del>Non Lactating Dairy Cattle-</del></td><td><del>4.5-</del></td></tr> <tr> <th><del>DAIRY CATTLE-</del></th><th><del>STOCK UNITS-</del></th></tr> <tr> <td><del>Jersey Cows-</del></td><td><del>6.5-</del></td></tr> <tr> <td><del>Friesian Cows-</del></td><td><del>8.5-</del></td></tr> <tr> <td><del>Other Jersey Stock-</del></td><td><del>3.5-</del></td></tr> <tr> <td><del>Other Friesian Stock-</del></td><td><del>4.5-</del></td></tr> <tr> <td><del>Calves-</del></td><td><del>2.0-</del></td></tr> <tr> <td><del>Bulls-</del></td><td><del>5.0-</del></td></tr> <tr> <th><del>DEER-</del></th><th><del>STOCK UNITS-</del></th></tr> </table>	<del>BEEF CATTLE-</del>	<del>STOCK UNITS-</del>	<del>Mixed Age Cows-</del>	<del>5.5-</del>	<del>Heifers 2.5 Yr-</del>	<del>5.5-</del>	<del>Heifers 1.5 Yr-</del>	<del>4.4-</del>	<del>Heifers Weaner-</del>	<del>3.5-</del>	<del>Bulls Weaner-</del>	<del>4.5-</del>	<del>Steers Weaner-</del>	<del>4.5-</del>	<del>Steers 1.5 Yr-</del>	<del>5.0-</del>	<del>Steers 2.5 Yr-</del>	<del>5.5-</del>	<del>Bull Beef 1.5 Yr+-</del>	<del>5.5-</del>	<del>Bulls Breeding-</del>	<del>5.5-</del>	<del>NON-LACTATING DAIRY CATTLE-</del>	<del>STOCK UNITS-</del>	<del>Non Lactating Dairy Cattle-</del>	<del>4.5-</del>	<del>DAIRY CATTLE-</del>	<del>STOCK UNITS-</del>	<del>Jersey Cows-</del>	<del>6.5-</del>	<del>Friesian Cows-</del>	<del>8.5-</del>	<del>Other Jersey Stock-</del>	<del>3.5-</del>	<del>Other Friesian Stock-</del>	<del>4.5-</del>	<del>Calves-</del>	<del>2.0-</del>	<del>Bulls-</del>	<del>5.0-</del>	<del>DEER-</del>	<del>STOCK UNITS-</del>
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<sup>14</sup> S193.103

<sup>15</sup> S193.103

	<div> <div>Hinds, breeding-1.9-</div> <div>Hinds, 1.5 year-1.8-</div> <div>Hinds, weaner-1.2-</div> <div>Stags, weaner-1.4-</div> <div>Stags, 1.5 year-1.8-</div> <div>Stags 2.5 year+-2.2-</div> <div>Stags, master-2.2-</div> <div> <div>PUGS-</div> <div>STOCK UNITS-</div> </div> <div>Pig-1.6-</div> <div> <div>HORSES AND PONIES-</div> <div>STOCK UNITS-</div> </div> <div>Horses-6.5-</div> <div>Ponies-2.5-</div> <div> <div>GOATS-</div> <div>STOCK UNITS-</div> </div> <div>Milking Goats-1.5-</div> <div>Dry Goats-0.75-</div> <div> <div>SHEEP-</div> <div>STOCK UNITS-</div> </div> <div>Ewes and Rams-1-</div> <div>Hoggets and Wethers-0.7-</div> </div>
Winter stocking rate <sup>16</sup> 	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~~

<sup>16</sup> S193.103

~~accordance with Schedule 35 (farm registration).<sup>17</sup>~~

## 6.16 Supporting improved water quality outcomes

### Method M44: Supporting the health of rural waterbodies

Wellington Regional Council, working in partnership<sup>18</sup> with primary sector organisations, mana whenua and the community<sup>19</sup>, will undertake a programme(s) to support the health of waterbodies (including rivers, streams and wetlands) and<sup>20</sup> 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<sup>21</sup> land uses, and
- (b) support the effective uptake and implementation of Farm Environment Plans, and, in association with mana whenua, the provision of catchment context, challenges and values (CCCV) statements<sup>22</sup>, and
- (c) promote uptake of good management practice in rural land uses, including for pastoral farming and plantation forestry,<sup>23</sup> and
- (d) investigate the contribution of small (<20 ha) landholdings to water quality issues<sup>24</sup> (including the effect of horses accessing surface water bodies),<sup>25</sup> and, to the extent warranted:
  - develop, and deliver a specific programme of engagement and education with small (<20ha) landowners and/or
  - take such other action (including introducing further rules to this plan) as may be necessary to address risks to freshwater arising from those landholdings and associated activities.<sup>26</sup>

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<sup>17</sup> S114.004, S58.006, s196.003, S25.055, S193.014, S196.003, S58.006

<sup>18</sup> S09.010, S193.054

<sup>19</sup> S09.010

<sup>20</sup> S261.047

<sup>21</sup> Consequential

<sup>22</sup> S193.054, S9.009

<sup>23</sup> Consequential

<sup>24</sup> S9.009, S95.003, S39.011

<sup>25</sup> S51.008, S9.016

<sup>26</sup> S193.103 (Consequential)

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

### 8.2 Policies

Policy<sup>27</sup> WH.P21 Managing diffuse discharges of ~~sediment~~,<sup>28</sup> nutrients and *Escherichia coli* from farming activities

Reduce diffuse discharges of nitrogen, phosphorus, ~~sediment~~<sup>29</sup> and *Escherichia coli* from farming activities by:

- (a) ~~capping~~,<sup>30</sup> 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,~~<sup>31</sup> as **limits** on rural land use change and on the intensification of farming activities, and
- (c) ~~requiring~~ progressively treatment ~~establishing and maintaining woody vegetation on highest erosion risk land (pasture) of priority erosion treatment land~~<sup>32</sup> as a **limit** on land use, and
- (d) excluding stock from water bodies ~~wider than 1m in accordance with Policies P108 and WH.P26~~<sup>33</sup> as a **limit** on land use, and
- (e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.

Policy<sup>34</sup> WH.P22-~~Capping, m~~Minimising<sup>35</sup> 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~~<sup>36</sup>, are ~~capped~~,<sup>37</sup> **minimised** and, ~~on large properties and horticultural~~

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<sup>27</sup> Schedule 1, Clause 16 (2)

<sup>28</sup> S193.081

<sup>29</sup> S193.081

<sup>30</sup> S12.002 (consequential)

<sup>31</sup> Schedule 1, Clause 16(2)

<sup>32</sup> S257.075, S193.190 and others (consequential)

<sup>33</sup> Consequential

<sup>34</sup> Schedule 1, Clause 16(2)

<sup>35</sup> S12.002

<sup>36</sup> S193.082, S225.084, S120.012 and others (consequential)

<sup>37</sup> S12.002

~~properties,~~<sup>38</sup> 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~~<sup>39</sup>

~~(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~~<sup>40</sup> is minimised by the adoption of good management practices, ~~and by the phasing out of any poor management practices,~~<sup>41</sup> 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~~<sup>42</sup> of land on water quality is further investigated and methods applied as necessary to reduce any significant effects identified<sup>43</sup>.

Policy<sup>44</sup> 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<sup>45</sup>

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, ~~Reduce discharges of sediment from farming activities on high erosion risk land and highest erosion risk~~<sup>46</sup> 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~~<sup>47</sup>, and

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<sup>38</sup> S193.082

<sup>39</sup> S193.082 (consequential)

<sup>40</sup> Consequential

<sup>41</sup> S5.008

<sup>42</sup> Schedule 1 Clause 16 (b)

<sup>43</sup> S59.006, S225.110 (consequential), S51.007 (consequential).

<sup>44</sup> Schedule 1 Clause 16 (b)

<sup>45</sup> Schedule 1 Clause 16 (b)

<sup>46</sup> S224.004 (consequential)

<sup>47</sup> S229.010, S224.010

- (b) requiring that **farm environment plans** prepared for farms with **highest potential erosion risk land (pasture) and/or highest erosion risk land (pasture)**<sup>48</sup> 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<sup>49</sup>
- (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~~<sup>50</sup>
- (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~~<sup>51</sup>
- (d) **Wellington Regional Council** providing support to landowners to implement **erosion risk treatment plans**.

#### **Policy**<sup>52</sup> 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**<sup>53</sup>.

#### **Policy**<sup>54</sup> WH.P25 Managing rural ~~primary~~ **production**<sup>55</sup> land use change

Manage the actual and potential adverse effects of changing land use from low to higher intensity **rural ~~primary~~ production land use**<sup>56</sup> by:

- (a) controlling **rural ~~primary~~ production**<sup>57</sup> land use change that is greater than **45**<sup>58</sup>ha and associated diffuse discharge where there is a risk the diffuse discharges of nitrogen, phosphorus, sediment or *Escherichia coli* may increase, and

<sup>48</sup> S229.010, S224.010

<sup>49</sup> S229.012, S224.012

<sup>50</sup> S229.012, S224.012

<sup>51</sup> Consequential

<sup>52</sup> Schedule 1, Clause 16(b)

<sup>53</sup> S225.086 and S238.033

<sup>54</sup> Schedule 1, Clause 16(b)

<sup>55</sup> S206.044

<sup>56</sup> S206.044

<sup>57</sup> S206.044

<sup>58</sup> S12.003



- (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~~<sup>59</sup> **livestock** access to a river with an active bed greater than 1m in width<sup>60</sup> in the Mākara Stream ~~and Mangaroa River~~<sup>61</sup> catchments where the baseline state for the relevant **part Freshwater Management Unit** is below the national bottom line for ~~visual clarity~~ suspended fine sediment<sup>62</sup>.

Policy WH.P27: Promoting ~~stream shading riparian~~ the planting of riparian margins to improve aquatic ecosystem health<sup>63</sup>

Contribute to the achievement of **aquatic ecosystem health** by promoting ~~and supporting~~<sup>64</sup> the planting of riparian ~~planting~~ margins to:

- (a) stabilise stream banks to reduce streambank erosion; and<sup>65</sup>
- (b) ~~the progressively~~ ~~shading of~~ streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states in Table 8.4.

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<sup>59</sup> S39.018

<sup>60</sup> S261.087

<sup>61</sup> S193.086

<sup>62</sup> Schedule 1, Clause 16(b)

<sup>63</sup> S213.023

<sup>64</sup> S193.087

<sup>65</sup> S51.011, S213.023

### 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**.<sup>66</sup>~~

#### 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

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<sup>66</sup>S32.012, S193.103, S225.110, S120.012 and others

- (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)~~<sup>67</sup>, 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,<sup>68</sup> 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**

<b>Part Freshwater Management Unit</b>	<b>Due Date</b>
<u>South-west coast rural streams</u> <u>Korokoro Stream</u>	<u>30 Dec</u> <u>2027</u>
<u>Te Awa Kairangi rural streams and</u> <u>rural mainstems</u> <u>Parangārehu catchment streams and</u> <u>South-west coast rural streams</u> <u>Wainuiomata rural streams</u> <u>Te Awa Kairangi lower mainstem</u> <u>Ōrongorongo, Te Awa Kairangi and</u> <u>Wainuiomata small forested and Te</u> <u>Awa Kairangi forested mainstems.</u>	<u>30-Dec</u> <u>2025</u> <u>30 June</u> <u>2029</u>
<u>Te Awa Kairangi lower mainstem</u> <u>Korokoro Stream</u>	<u>30-Dec</u> <u>2026</u>
<u>Ōrongorongo, Te Awa Kairangi and</u> <u>Wainuiomata small forested and Te</u> <u>Awa Kairangi forested mainstems.</u>	<u>30</u> <u>December</u> <u>2027</u> <sup>69</sup>

<sup>67</sup> Consequential

<sup>68</sup> S238.020

<sup>69</sup> S231.015, S39.007, S193.105

Rule WH.R28: Livestock access to ~~a small river~~s in the Mākara Catchment<sup>70</sup> – permitted activity

From 30 December ~~2025~~2028<sup>71</sup> access by cattle (including **dairy cows**), farmed deer or farmed pigs to a river with an active bed ~~less~~-greater<sup>72</sup> than 1m wide in the Mākara Stream ~~and Mangaroa River~~<sup>73</sup> catchments, as shown on Maps 96~~s~~ and 97<sup>74</sup>, 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<sup>75</sup>~~
- (c) ~~where the farm environment plan is required under Rule WH.R27 certified under section 217G of Part 9A of the RMA<sup>76</sup>; the farm environment plan certifier has certified that the farm environment plan meets the requirements of condition (b) Part EF of Schedule 36 (farm environment plan – additional)<sup>77</sup>.~~

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**,<sup>78</sup>
- (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.<sup>79</sup>

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

From 30 December ~~2025~~2028<sup>80</sup>, access by cattle (including **dairy cows**), farmed deer or farmed pigs

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<sup>70</sup> Consequential

<sup>71</sup> S225.113, S193.106

<sup>72</sup> S261.087

<sup>73</sup> S193.086, S193.106, S273.005, S273.005

<sup>74</sup> Consequential

<sup>75</sup> S9.028

<sup>76</sup> Schedule 1, Clause 16 (b)

<sup>77</sup> Schedule 1, Clause 16 (b)

<sup>78</sup> S287.011, S250.003

<sup>79</sup> S287.011, S250.003

<sup>80</sup> Consequential

to a river ~~with an active bed less~~<sup>81</sup> greater than 1m wide in the Mākara Stream ~~and Mangaroa River~~<sup>82</sup> catchments, as shown on Maps 96 ~~and 97~~<sup>83</sup>, 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~~<sup>84</sup> 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~~<sup>85</sup> 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<sup>86</sup>, 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~~<sup>87</sup> is not ~~to~~<sup>88</sup> **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 ~~45~~<sup>89</sup>ha 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 ~~45~~<sup>90</sup>ha from that which was occurring on the property on 30 October 2023, or

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<sup>81</sup> Consequential

<sup>82</sup> Consequential

<sup>83</sup> Consequential

<sup>84</sup> Consequential

<sup>85</sup> Consequential

<sup>86</sup> Schedule 1, Clause 16(b)

<sup>87</sup> Schedule 1, Clause 16(b)

<sup>88</sup> Schedule 1, Clause 16(b)

<sup>89</sup> S12.005

<sup>90</sup> S12.005

- (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<sup>91</sup>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<sup>92</sup>, 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~~<sup>93</sup> 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.

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<sup>91</sup> 12.005

<sup>92</sup> Schedule 1, Clause 16(b)

<sup>93</sup> Consequential

## 9 Te Awarua-o-Porirua Whaitua

### 9.2 Policies

Policy P.P20: Managing diffuse discharges of sediment,<sup>94</sup> nutrients and *Escherichia coli* from farming activities

Reduce diffuse discharges of nitrogen, phosphorus, sediment<sup>95</sup> and *Escherichia coli* from farming activities by:

- (a) ~~capping~~<sup>96</sup> minimising and reducing diffuse discharges from individual rural properties in accordance with Policies P.P21, P.P22 and P.P24<sup>97</sup>, 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,<sup>98</sup> as limits~~ on rural land use change and on the intensification of farming activities, and
- (c) ~~requiring progressively treatment establishing and maintaining woody vegetation on highest erosion risk land (pasture) of priority erosion treatment land<sup>99</sup> as a limit~~ on land use, and
- (d) ~~excluding stock from water bodies greater than 1m wide in accordance with Policy P108<sup>100</sup> 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<sup>101</sup> 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<sup>102</sup>, are capped,<sup>103</sup> minimised and, on large properties<sup>104</sup>~~ reduced where necessary by ensuring that:

- (a) ~~the risk of diffuse discharge of nitrogen is assessed objectively using a recognised nitrogen risk~~

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<sup>94</sup> S193.131

<sup>95</sup> S193.131

<sup>96</sup> FS1.063

<sup>97</sup> Schedule 1 Clause 16(b)

<sup>98</sup> Schedule 1, Clause 16(2)

<sup>99</sup> S257.075, S204.006, S193.190 and others (consequential)

<sup>100</sup> Consequential

<sup>101</sup> S12.006

<sup>102</sup> S193.132,

<sup>103</sup> S12.006

<sup>104</sup> S193.132, 193.52 (consequential)

- ~~assessment tool to determine the nitrogen discharge risk, and~~<sup>105</sup>
- ~~(b) the nitrogen discharge risk determined for each property in accordance with (a) above, does not increase over time, and~~<sup>106</sup>
- (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~~<sup>107</sup> is **minimised** by the adoption of **good management practices**, ~~and by the phasing out of any poor management practices~~<sup>108</sup>, 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.~~<sup>109</sup>

Policy P.P22: 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 suspended fine sediment<sup>110</sup>

~~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~~Reduce discharges of sediment from farming activities ~~on high erosion risk land and highest erosion risk land~~<sup>111</sup>-by:

- ~~(a) identifying highest erosion risk land (pasture) and high potential erosion risk land (pasture)~~<sup>112</sup> 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)~~<sup>113</sup> include an **erosion risk treatment plan**, and

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<sup>105</sup> S193.132

<sup>106</sup> S193.132

<sup>107</sup> Consequential

<sup>108</sup> S5.008

<sup>109</sup> S193.103 and others (consequential)

<sup>110</sup> S5.009

<sup>111</sup> S5.009, S193.023, S193.024, S193.133

<sup>112</sup> S193.024, S193.133

<sup>113</sup> S193.023, S193.133



- (c) ensuring that erosion risk treatment plans identify priority erosion treatment land in accordance with Part ~~FE~~ of Schedule 36 and include actions to ~~to~~ deliver appropriate erosion risk treatment by 2040.<sup>114</sup>
- (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,~~<sup>115</sup> 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.<sup>116</sup>

#### Policy P.P24: Managing rural ~~primary~~ production<sup>117</sup> land use change

Manage the actual and potential adverse effects of changing land use from low to higher intensity ~~rural land use~~ ~~primary~~ rural production land use<sup>118</sup> by:

- (a) controlling ~~rural primary~~ production<sup>119</sup> land use change that is greater than 45ha<sup>120</sup> 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

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<sup>114</sup> S204.006

<sup>115</sup> S102.001

<sup>116</sup> S193.134

<sup>117</sup> S206.072

<sup>118</sup> S206.072

<sup>119</sup> S206.072

<sup>120</sup> S12.007

intensive activity is demonstrated to be the same or less than the activities being replaced.

Policy P.P25: Promoting ~~stream shading riparian~~ the planting of riparian margins to improve aquatic ecosystem health<sup>121</sup>

Contribute to the achievement of **aquatic ecosystem health** by promoting ~~and supporting~~<sup>122</sup> ~~riparian~~ the planting of riparian margins to:

- (a) stabilise stream banks to reduce streambank erosion; and<sup>123</sup>
- (b) ~~the progressively shadeing of~~ streams where nutrient reductions alone will be insufficient to achieve the periphyton target attribute states in Table 9.2.

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<sup>121</sup> S261.167

<sup>122</sup> S193.136

<sup>123</sup> S261.167

## 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.~~<sup>124</sup>

### 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

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<sup>124</sup> S193.152

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<sup>125</sup> **part FMU Part Freshwater Management Unit** and contains **highest potential erosion risk land (pasture) or high erosion risk land (pasture)**<sup>126</sup>, 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,<sup>127</sup> 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**

<b>Part Freshwater Management Unit</b>	<b>Due Date</b>
<u>Takapū</u>	<u>30 Dec 2025</u>
<u>Taupō</u>	<u>30 September 2028</u> <sup>128</sup>
<u>Pouewe</u>	
<u>Wai-O-Hata</u>	
<u>Taupō</u>	<u>30 Dec 2025</u>
<u>Pouewe</u>	<u>30 Dec 2026</u> <sup>129</sup>
<u>Wai-O-Hata</u>	

#### 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<sup>130</sup> 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<sup>131</sup> Rule P.R26 is

<sup>125</sup> S193.153

<sup>126</sup> S193.023, S193.024 (consequential)

<sup>127</sup> S238.032

<sup>128</sup> S193.154

<sup>129</sup> S193.154

<sup>130</sup> Consequential

<sup>131</sup> Consequential

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<sup>132</sup>, 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 Unit** set out in Table 9.2, the use of land under Rule P.R26 is not ~~changed to~~<sup>133</sup> **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 ~~45~~<sup>134</sup> ha 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 ~~45~~<sup>135</sup> ha 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~~<sup>136</sup> 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<sup>137</sup>, 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

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<sup>132</sup> Schedule 1, Clause 16(b)

<sup>133</sup> Schedule 1, Clause 16(b)

<sup>134</sup> S12.009

<sup>135</sup> S12.009

<sup>136</sup> S12.009

<sup>137</sup> Schedule 1, Clause 16(b)

- (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~~<sup>138</sup> 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**.

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<sup>138</sup> Consequential

## 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 WHI.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 WHI.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.~~<sup>139</sup>

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<sup>139</sup> S193.183, S225.124, S276.014, S59.013



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

### Notes

- (a) A Farm Environment Plan required by the provisions of Chapter 8 or Chapter 9 of this Plan shall comply with the provisions of Schedule Z (which applies to FEPs generally) and with this Schedule 36 (which applies specifically in the Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua).
- (b) The priority contaminant loss risk in Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua is sediment. Nutrient loss unrelated to sediment loss is considered a low risk. Accordingly, the level of risk assessment required under Schedule Z shall be commensurate with that low level of risk. Actions specified in a FEP in respect of nitrogen loss risk shall be limited to actions to ensure risk does not increase relative to the baseline.
- (c) Despite the management objective set out in Part B 2 of Schedule Z, the baseline date for assessing change in nitrogen loss risk in Whaitua Te Whanganui-a-Tara and Te Awarua-o-Porirua Whaitua shall be 1 October 2023.
- (d) For the purpose of this Schedule 36 (and associated provisions in Chapters 8 and 9):
- a farm environment plan means a **Farm Environment Plan** as defined in section 2.2 of this plan except that clause (a) of the definition shall be read as requiring compliance with Schedule Z and this Schedule 36 (including notes (a) to (c) above).
  - 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.<sup>140</sup>

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

- ~~This section applies from the date the Resource Management (Freshwater Farm Plans) Regulations 2023 apply in the relevant **Freshwater Management Unit**.~~<sup>141</sup>
- 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

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<sup>140</sup> S102.003

<sup>141</sup> S193.185

~~shall, in addition to the matters set out in Section 217 of the Act,~~<sup>142</sup> 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.

Notes, 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.<sup>143</sup>

## **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~~

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<sup>142</sup> S193.185

<sup>143</sup> Consequential

~~of the property will result in the same level of soil loss avoidance.~~<sup>144</sup>

**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~~<sup>145</sup>

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<sup>146</sup>, 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~~<sup>147</sup>.

**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~~<sup>148</sup>

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

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<sup>144</sup> S193.186, S105.019

<sup>145</sup> S193.187

<sup>146</sup> S193.186, S105.019

<sup>147</sup> S193.187, S5.017 (consequential)

<sup>148</sup> S193.188

Table D1 – Sediment loss and transport risk factors		
<b>Sediment Generation Risk</b>		
<u>Source</u>	<u>Sediment loss risk factors</u>	<u>Farm practices and practice changes</u>
<u>Erosion</u>	<u>Stock</u>	<u>Stock type, livestock class and weight</u>
	<u>Grazing practices</u>	<u>Grazing density</u> <u>Stock access to river banks</u> <u>Bare ground with standing livestock</u> <u>Grazing over winter</u> <u>Management of critical source areas</u> <u>Retirement from grazing of erosion risk land</u>
	<u>Soil conservation treatment</u> <u>Lack of deep rooting vegetation</u>	<del><u>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.</u></del> <u>Planting of poplar or willow poles on grazing land</u> <u>Protection of existing woody vegetation (including from browsing feral animals)<sup>149</sup></u>
	<u>Lack of sediment interception</u>	<u>Construction of sediment detention structures</u> <u>Wetland/riparian margin construction and restoration<sup>150</sup></u>
<u>Earthworks</u>	<u>Mechanical land disturbance</u>	<u>Access roads, tracks, fence lines to be minimised and use good management practices for construction and maintenance.</u>
<u>Pasture renewal/ Cropping</u>	<u>Cultivation</u>	<u>Location/slope of cultivated land</u> <u>Time in fallow</u> <u>Area of cultivated ground</u> <u>Timing of cultivation</u> <u>Type of tillage</u> <u>Method of harvest</u> <u>Use of 'catch crops'</u> <u>Management of critical source areas</u>
<b>Sediment Transport Risk</b>		

Table D1 – Sediment loss and transport risk factors	
<u>Sediment transport risk</u>	<u>Specific Risk factors</u>
<u>Geology</u>	<u>The hardness and depth of the underlying rocks influences the tendency for erosion and loss of sediment.</u>
<u>Topography</u>	<u>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.</u>
<u>Climate</u>	<u>Rainfall – seasonal amount and intensity.</u>
<u>Land use</u>	<u>Type and extent of vegetation cover.</u> <u>Land disturbance from <b>livestock</b> and machinery.</u>
<u>Soil type</u>	<u>Soil type can be a factor for erosion risk, with soils with silt-sized particles the most prevalent to erosion by water and wind.</u>

#### 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)**<sup>151</sup> 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 treatment; 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**<sup>152</sup>; and<sup>153</sup>

<sup>149</sup> Consequential

<sup>150</sup> Consequential

<sup>151</sup> S193.190

<sup>152</sup> S224.010 (consequential)

<sup>153</sup> Schedule 1, Clause 16(b)

- (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: <sup>154</sup>

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. <sup>155</sup>

3. A programme of mitigations to ensure that the management of sediment loss from **high erosion risk land (pasture) priority erosion treatment land** <sup>156</sup> 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.

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<sup>154</sup> S193.190, S5.017

<sup>155</sup> S5.017

<sup>156</sup> Consequential

(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<sup>157</sup>:~~

- ~~1. Actions and timebound stages to achieve exclusion of cattle (including dairy cows), 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<sup>158</sup> 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 (including dairy cows), 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 (including dairy cows), farmed pigs and deer accessing the river; and<sup>159</sup>~~

~~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~~

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<sup>157</sup> S193.191

<sup>158</sup> S261.087 (consequential)

<sup>159</sup> S32.016, S92.004, S95.008

~~(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.~~<sup>160</sup>

#### 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<sup>161</sup>

## Maps

### Maps 90 and 93

Delete Maps 90, 93<sup>162</sup> and replace with the following

#### Map 90

Potential High Erosion Risk Land – Te Awarua o Porirua

[insert map]

Note: This map identifies land of potential high risk of erosion determined as the 10% of land modelled as the most at risk of surface and landslide erosion by land use category. It is important to note that Map 90 is a guide only and should not be read as suggesting that only the land mapped will be at risk of erosion.

#### Map 93

Potential High Erosion Risk Land – Te Whanganui-a-Tara

[insert map]

Note: This map identifies land of potential high risk of erosion determined as the 10% of land modelled as the most at risk of surface and landslide erosion by land use category. It is important to note that Map 93 is a guide only and should not be read as suggesting that only the land mapped will be at risk of erosion.

### Map 97

Delete Map 97<sup>163</sup>

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<sup>160</sup> S193.191

<sup>161</sup> S261.087 (consequential)

<sup>162</sup> S193.195, S193.198, S257.072, S257.075, S5.018, S18.073, S18.075

<sup>163</sup> S254.023