Appendix 4: Recommended Amendments to Provisions and Section 32AA Evaluation

This document sets out only the provisions of the notified version of Proposed Plan Change 1 for 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~~.

The section 32AA assessment follows alongside for each of the provisions where amendments have been recommended by the officer.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.103 FS9.340	2 Definitions	~~**Annual stocking rate**~~ FW	~~The average number of **stock units** per hectare carried on a **farm** over a 12 month period.~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for reasons set out in section 3.6 of this report.
S193.103 and others	2 Definitions	~~**Effective hectares**~~ FW	~~The area of land used for grazing **livestock**, cropping or as a **sacrifice paddock**~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for reasons set out in section 3.6 of this report.
	2 Definitions	**Erosion risk treatment plan** FW	A plan prepared in compliance with Schedule 36 (farm environment plan – additional).	**Effectiveness and efficiency** The retention of this definition is effective and efficient because the term is a key part of the response to managing erosion risk. The reasons for this are discussed in relation to Schedule 36

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.023 and others	2 Definitions	~~**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.~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule within which the term is used, and the maps to which it refers, are recommended to be deleted for reasons set out in section 3.9 of this report.
S193.024 and others	2 Definitions	~~**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.~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for reasons set out in section 3.9 of this report
S193.103	2 Definitions	~~**Intensive grazing**~~ FW	~~Has the same meaning as set out in Regulation 3 of Resource Management (Stock Exclusion) Regulations 2020.~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule is not used within PC1.
	2 Definitions	**Low slope land** FW	The area of land shown as low slope land on Map 96A.	**Effectiveness and efficiency** This definition improves the effectiveness and efficiency of the erosion management provisions by allowing clear demarcation of the area where stock exclusion will be mandatory without resource consent.
	2 Definitions	**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.	**Effectiveness and efficiency** The amendment of this definition is effective and efficient because there is no suitable tools that can be used as proposed for quantitative assessment of nitrogen risk.
	2 Definitions	**Potential erosion risk land** FW	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)	**Effectiveness and efficiency** The addition of this definition is efficient and effective because there will be inaccuracies in the mapping of erosion risk provided by GWRC due to methodological limitations associated with mapping at scale. Referring to 'potential' risk better acknowledges the

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
				limitations and accepts that ground truthing is required at the farm scale.
S231.010 S95.004 FS47.168	2 Definitions	**Priority erosion treatment land** FW	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	**Effectiveness and efficiency** The addition of this definition is efficient and effective because amendments are recommended to Schedule 36 that prescribe a process to identify land that should be prioritised for erosion treatment. The definition provides a common way to refer to such identified land.
S193.132	2 Definitions	~~**Recognised Nitrogen Risk Assessment Tool**~~ FW	~~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.~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the provisions within which the term is used are recommended to be deleted or amended such that they do not use this term for the reasons set out in sections 3.5 of this report.
S193.103	2 Definitions	~~**Registration**~~ FW	~~Is the process described in Schedule 35 (farm registration)~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for the reasons set out in section 3.6 of this report.
S193.103	2 Definitions	~~**Sacrifice paddocks**~~ FW	~~Has the meaning given in the section 3 of the *Resource Management (National Environmental Standards for Freshwater) Regulations 2020.*~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because with the deletion of the term "effective hectares" the term "sacrifice paddocks" would not be used as explained in section 3.11 of this report
S193.191	2 Definitions	~~**Small stream riparian programme**~~ FW	~~A programme prepared in compliance with Schedule 36 (farm environment plan – additional).~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because Schedule 36 (which uses the term) is recommended to be amended to remove the requirement for a SSRP for the reasons set out in section 3.6 of this report.

<table>
<tr><th>Submission no.</th><th>Chapter</th><th>Provision</th><th>Text of provisions with any recommended amendments</th><th>Evaluation of amendment (Section 32AA assessment)</th></tr>
<tr><td>S193.103</td><td>2 Definitions</td><td><s>Stocking rate</s>
FW</td><td><s>The highest number of stock units per hectare carried on a farm at any time within a 12-month period.</s></td><td>Effectiveness and efficiency
The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for reasons set out in section 3.6 of this report.</td></tr>
<tr><td>S193.103</td><td>2 Definitions</td><td><s>Stock unit</s>
FW</td><td><s>The metric used to describe livestock of different types and ages classes in terms of their equivalent annual feed requirements. These are as follows:</s>
<s>BEEF CATTLE</s> | <s>STOCK UNITS</s>
<s>Mixed Age Cows</s> | <s>5.5</s>
<s>Heifers 2.5 Yr</s> | <s>5.5</s>
<s>Heifers 1.5 Yr</s> | <s>4.4</s>
<s>Heifers Weaner</s> | <s>3.5</s>
<s>Bulls Weaner</s> | <s>4.5</s>
<s>Steers Weaner</s> | <s>4.5</s>
<s>Steers 1.5 Yr</s> | <s>5.0</s>
<s>Steers 2.5 Yr</s> | <s>5.5</s>
<s>Bull Beef 1.5 Yr+</s> | <s>5.5</s>
<s>Bulls Breeding</s> | <s>5.5</s>
<s>NON-LACTATING DAIRY CATTLE</s> | <s>STOCK UNITS</s>
<s>Non Lactating Dairy Cattle</s> | <s>4.5</s>
<s>DAIRY CATTLE</s> | <s>STOCK UNITS</s>
<s>Jersey Cows</s> | <s>6.5</s>
<s>Friesian Cows</s> | <s>8.5</s>
<s>Other Jersey Stock</s> | <s>3.5</s>
<s>Other Friesian Stock</s> | <s>4.5</s>
<s>Calves</s> | <s>2.0</s></td><td>Effectiveness and efficiency
The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for reasons set out in section 3.6 of this report.</td></tr>
</table>

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			~~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~~	
S193.103	2 Definitions	~~**Winter stocking rate**~~ FW	~~The average number of **stock units** per hectare carried on a **farm** over the months of June, July and August.~~	**Effectiveness and efficiency** The deletion of this definition is efficient and effective because the rule within which the term is used is recommended to be deleted for reasons set out in section 3.6 of this report.
S114.004 S58.006 S196.003SS2 25.055	6 – Other methods	Method 42 FW	~~**6.17 Small farm property registration** Method M42: Small farm property registration within~~	**Effectiveness and efficiency** The deletion of this method is efficient and effective because the requirement for small farm property

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.014 S196.003 S58.006			~~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).~~	registration is recommended by the deleted for the reasons set out in section 3.6 of this report.
S193.054 S9.010 S222.020 S193.054 S9.009	6 – Other methods	Method M44 GWRC COASTAL	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.	**Effectiveness and efficiency** The amendment of this method improves the potential efficiency and effectiveness because: (a) success in achieving outcomes is more likely when working in partnership with the community than not doing so (b) FEPs are more likely to target key issues and be more efficiently produced with good contextual information about the catchment (in the form of CCCVs) (c) While there may not be sufficiently robust information currently available to regulate small (<20ha) holdings, given their location and their large number, there is a *potential* for effects on surface water quality from these properties. Better, more robust information will allow for a more stringent and targeted response in the future. (d) Forestry is recommended (by Mr Watson) to be address in separate methods

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.081 S12.002 FS1.040 S257.075 S95.004 and others	8 Whaitua Te Whanganui-a-Tara 8.2.4 Rural land use and earthworks	Policy WH.P21: ≋FW	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 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 as a **limit** on land use, and (e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) avoid confusion by sediment not being listed in the chapeau despite erosion clearly within the scope of the policy (by virtue of clause (c). (b) avoid limiting landowners to the establishment of woody vegetation as the only acceptable response to erosion risk, despite: (i) revegetation not being a practicable, and therefore effective, option in some areas (see evidence of Mr Peryer); and (ii) Reference to erosion treatment being required on 'priority erosion treatment land' (rather than highest erosion risk land), provides for erosion risk to be assessed at the farm-scale using the mapping as a guide only. This avoids mis-directed effort that would not be effective (for limitations of mapping see the HS2 evidence of Mr Nation). The question of whether this approach will be effective in achieving the objectives/TASs, is addressed in the HS3 Statement and Supplementary Statement of Evidence of Dr Greer. Mr Blyth's HS3 Statement of Evidence also contains results from contaminant load modelling that considers different implementation scenarios. This is reviewed in relation to changes made to Schedule 36.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S12.002 S193.083 S5.008 S204.005	8 Whaitua Te Whanganui-a-Tara 8.2.4 Rural land use and earthworks	Policy WH.P22 FW	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,	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) avoid confusion caused by the reference to "capping" which can be interpreted at suggesting numeric limits to leaching rates which is not what PC1 requires (which, as notified, sought to cap *risk* not the discharge itself). (b) remove the requirement to quantifiably address risk which could lead to regulatory failure if no suitable tool was available in practice (which appears to be the case). (c) maintain the obligation on farmers not to increase the nitrogen loss risk but (with the amended definition of the term 'nitrogen discharge risk') allows risk to be assessed using expert judgement (as applies now in priority catchments). Given that the risk of N loss increase is low, this low-cost approach is appropriate. (d) ensure that risk from properties not captured by this rule is investigated and hence manages the potential that the effectiveness of this rule in avoiding increased N discharges is not undermined by the actions of others. The cost of preparing FEPs is discussed in relation to Schedule 36.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			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.	
S229.010 S224.004 S224.010 S224.012	8 Whaitua Te Whanganui-a-Tara 8.2.4 Rural land use and earthworks	Policy WH.P23 FW	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 Within Part Freshwater Management Units that exceed the target attribute state for visual clarity, or in Part Freshwater Management Units that contribute sediment to Part Freshwater Management Units that exceed the target attribute state for visual clarity, 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**~~	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) remove reference to the High and Highest risk mapping which would have led to inefficiency in terms requiring revegetation in small discrete areas or in area where it was not required or wouldn't be feasible to achieved due to physical conditions as suggested by many submitters and confirmed in the evidence of Mr Byth and Mr Peryer. Allows for farm-scale assessment of erosion risk (informed by mapped 'potential risk land') that should produce more accurate identification of risk. (b) expressly target those Part FMUs where sediment reductions are required to meet the applicable visual clarity TAS, rather than requiring erosion treatment in all Part FMUs (as was required in the policy as notified) (c) require actions to be implemented across all priority treatment land by 2040 rather than

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			~~**(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.**	requiring 50% within 10 years. And the final 50% within 5 years. This allows for more uniform 'spreading' of the cost across the 15 years reducing pressure on council funding assistance in the early years One of the amendments that may appear to reduce effectiveness is the change in mapping approach so that it focuses on the 10th percentile of most at risk pastoral land in the Part FMU (not the 30th percentile as represented by the mapping as notified). This is discussed in detail in relation to Schedule 36. However, in brief, that shift is considered appropriate on the basis that: (a) the 30th percentile imposes a significant cost burden on many land owners and may not be feasible to achieve in practice in the timeframe (b) the 10th percentile more closely aligns with GWRC's ability to support landowners (c) an obligation to manage stream bank erosion is recommended to be expressly included (it was not in the notified provisions) (d) erosion treatment over the 30th percentile may lead to an 'overshoot' in some Part FMUs, particularly when other erosion risk responses are considered. Mākara/Ohariu remains an issue as discussed further below in relation to Policy WH.P26.
S225.086 S238.033	8 Whaitua Te Whanganui-a-Tara	Policy WH.P24 FW	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	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they set a more realistic deadline for the preparation and certification of FEPs based on Mr Peryer's evidence that it will take

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
	8.2.4 Rural land use and earthworks		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.	until mid 2029 to prepare ~130 new FEPs (across both TWT and TAoP) particularly given the current uncertainty about the future of FWFPs required by national regulation. The full completion date is based on Mr Peryer's advice with a further 6 month allowed for certification).
S206.44 S32.008	8 Whaitua Te Whanganui-a-Tara 8.2.4 Rural land use and earthworks	Policy WH.P25 FW	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.	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) confirm that the policy only applies to primary production (farming/horticulture/forestry) land uses not other land uses that may occur in the rural area (hence avoiding any confusion or debate in consenting contexts) (b) increase the threshold of land use change above which land use change is controlled from 4 to 5 ha which will in turn: i. provide for any potential 'rotation' of horticultural crops in the whaitua ii. provide slightly more flexibility for other primary production uses (particularly forestry to pastural farming) without any meaningful increase in risk to water quality iii. align with the threshold for horticultural properties to have a FEP (or FWFP under national regulations).
S224.013 S39.018	8 Whaitua Te Whanganui-a-Tara	Policy WH.P26 FW	Policy WH.P26: Managing livestock access to ~~small~~ rivers in the Mākara Stream catchment	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they:

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.086	8.2.4 Rural land use and earthworks		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 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.	(a) shift the focus from <1m wide streams to streams >1m wide. While this might be considered to *reduce* effectiveness, in my opinion, the focus on <1m streams would not have been effective but would have imposed significant cost in the preparation of SSRPs. A focus on streams >1m wide will effectively address a 'hole' in stock exclusion caused by the disapplication of part of the national stock exclusion regulations (b) remove reference to the Mangaroa catchment on the basis that the NRP already control stock exclusion to >1m streams in the Mangaroa catchment
S213.023 S193.087	8 Whaitua Te Whanganui-a-Tara 8.2.4 Rural land use and earthworks	Policy WH.P27 FW	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	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they acknowledge that riparian planting has multiple benefits and not just stream shading. The reference to supporting acknowledges the existing GWRC programmes and the importance of those programmes.
S32.012 S193.103 S225.110 S120.012 and others	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients	Rule WH.R26 FW	~~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:~~	**Effectiveness and efficiency** The deletion of this rule improves the potential efficiency and effectiveness because: (a) it removes a regulatory obligation on up to (depending on stocking rate and erosion risk land) 757 property owners in the PC1 area

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
	and sediment from pastoral farming		~~(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**.~~	(b) the actual nitrogen loss risk posed by these small properties is not known (c) the rule has little value if there is no RNRAT to simply, accurately and efficiently assess nitrogen loss risk and any change to that risk (d) even if an RNRAT was available, effectiveness of the rule as notified in addressing nitrogen loss risk is likely low due to reliance on self-reported farm input data that is difficult to verify (e) effectiveness of the rule as notified in addressing erosion risk is not assured because undertaking monitoring and compliance of annual and winter stocking rates would be problematic.

S238.020	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients and sediment from pastoral farming	Rule WH.R27 FW	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 the 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	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the rule because they: (a) target requirement for an erosion treatment plan to Part FMUs that need to improve visual clarity to meet TAS; and (b) revise the dates by which FEPs are required to dates that I consider are feasible based on available resourcing.

<table>
<tr><th>Submission no.</th><th>Chapter</th><th>Provision</th><th>Text of provisions with any recommended amendments</th><th>Evaluation of amendment (Section 32AA assessment)</th></tr>
<tr><td>S231.015
S39.007
S193.105</td><td></td><td></td><td>
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).
<u>Table 8.6 – Phase-in of farm environment plans for part Freshwater Management Units</u>
<table>
<tr><th><u>Part Freshwater Management Unit</u></th><th><u>Due Date</u></th></tr>
<tr><td><u>South-west coast rural streams</u>
<u>Korokoro Stream</u></td><td><u>30 December 2027</u></td></tr>
<tr><td><u>Te Awa Kairangi rural streams and rural mainstems</u>
<u>Parangārehu catchment streams</u>
<u>~~and South-west coast rural streams~~</u>
<u>Wainuiomata rural streams</u>
<u>Te Awa Kairangi lower mainstem Ōrongorongo, Te Awa Kairangi and Wainuiomata small forested and Te Awa Kairangi forested mainstems</u></td><td><u>~~30 Dec 2025~~</u>
<u>30 June 2029</u></td></tr>
<tr><td><u>~~Te Awa Kairangi lower mainstem Korokoro Stream~~</u></td><td><u>~~30 Dec 2026~~</u></td></tr>
<tr><td><u>~~Ōrongorongo, Te Awa Kairangi and Wainuiomata small forested and Te Awa Kairangi forested mainstems~~</u></td><td><u>~~30 December 2027~~</u></td></tr>
</table>
</td><td></td></tr>
</table>

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S32.016 S9.028	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients and sediment from pastoral farming	Rule WH.R28 FW	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 ~~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). Note Livestock access to, and exclusion from, a **surface water body** is also subject to: • the *Resource Management (National Environmental Standards for Freshwater) Regulations 2020*,	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they: a) provide a more realistic dates by with stock exclusion requirements must be met (note this is 12 months after the FEP must be prepared b) limit stock exclusion requirements to streams >1m wide c) restricts the rule to Makara/Ohariu catchment where very significant improvement in visual clarity (and *E. coli*) are required Although the notified provisions focused on streams <1m wide, the regulatory obligation to stock exclude those streams (as set out in Part E of Schedule 36) was weak and likely to be ineffective. The amended rule brings Makara into line with most other catchments in the TWT and TAoP whaitua managed under the stock exclusion rules of the NRP. The efficiency of regulation is retained by allowing for some discretion and flexibility through the FEP process as discussed in relation to Schedule 36. Deletion of reference to certification under 217G of the RMA potentially improves effectiveness as it allows PC1 provisions to operate independent of the national FWFP process which has an uncertain future.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			• the *Resource Management (Stock Exclusion) Regulations 2020*, and • Rule R98, Rule R99 and Rule R100.	
S225.113 S193.107	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients and sediment from pastoral farming	Rule WH.R29 FW	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 ~~less~~greater than 1m wide in the Mākara Stream and Mangaroa River catchments, 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.	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they make consequential amendments to align this rule to the requirements of Rule WH.R28.
	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients and sediment from pastoral farming	Rule WH.R30 FW	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, for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant **part Freshwater Management Unit** set	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they make a consequential amendment necessitated by: a) the proposed deletion of Rule WH.R26; and b) a drafting error that needs resolution

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S238.022			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**.	

S12.005	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients and sediment from pastoral farming	Rule WH.R31 FW	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~~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~~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~~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, for the relevant catchment does not exceed the target attribute state at any monitoring site within the relevant **part**	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they increase the area of changed land use that may be carried out without resource consent which aligns with the threshold used in related rules. This will simplify the provisions and potentially allow for any likely crop rotation (as sought by Hort NZ) without significant risk to the environment given the low probability of primary production land use change in the TWT.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			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**.	
	8 Whaitua Te Whanganui-a-Tara 8.3.6 Nutrients and sediment from pastoral farming	Rule WH.R32 FW	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**.	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they make a consequential amendment necessitated by the proposed deletion of Rule WH.R26
S193.131 FS1.063	9 Te Awarua o Porirua Whaitua 9.2.4 Rural Land Uses	Policy P.P20 FW	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:	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) avoid confusion by sediment not being listed in the chapeau despite erosion clearly within the scope of the policy (by virtue of clause (c).

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S257.075 S204.006 and others	and Earthworks		(a) ~~capping,~~ minimising and reducing diffuse discharges from individual rural properties in accordance with Policies P.P21, P.P22 and P.P24, and (b) applying target attributes states 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 as a **limit** on land use, and (e) supporting **good management practice** through Wellington Regional Council's environmental **restoration** programmes.	(b) avoid limiting landowners to the establishment of woody vegetation as the only acceptable response to erosion risk despite: (i) revegetation not being a practicable, and therefore effective, option in some areas (see evidence of Mr Peryer); and (ii) Reference to erosion treatment being required on 'priority erosion treatment land' (rather than 'highest erosion risk land'), provides for erosion risk to be assessed at the farm-scale using the mapping only as a guide. This avoids mis-directed effort that would not be effective (for limitation of mapping see the HS2 evidence of Mr Nation). The question of whether this approach will be effective in achieving the objectives/TASs, is addressed in the HS3 Statement and Supplementary of Evidence of Dr Greer. Mr Blyth's HS3 Statement of Evidence also contains results from contaminant load modelling that considers different implementation scenarios. This is reviewed in relation to changes made to Schedule 36.
S12.006	9 Te Awarua o Porirua Whaitua 9.2.4 Rural Land Uses and Earthworks	Policy P.P21 FW	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~~	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) Avoids confusion caused by the reference to "capping" which can be interpreted at suggesting numeric limits to leaching rates which is not what PC1 requires (which, as notified, sought to cap *risk* not the discharge itself).

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.132 S204.005			~~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.	(b) Removes the requirement to quantifiably address risk which could lead to regulatory failure if no suitable tool was available in practice (which appears to be the case). (c) Maintains the obligation on farmers not to increase the nitrogen loss risk but (with the amended definition of the term 'nitrogen discharge risk') allows risk to be assessed using expert judgement (as applies now in priority catchments). Given that the risk of N loss increase is low, this low-cost approach is appropriate. (d) Ensures that risk from properties not captured by this rule is investigated and hence manages the potential that the effectiveness of this rule in avoiding increased N discharges is not undermined by the actions of others. The cost of preparing FEPs (although included in PC1 as notified) is discussed in relation to Schedule 36.
S5.009	9 Te Awarua o Porirua Whaitua 9.2.4 Rural Land Uses	Policy P.P22 FW	Policy P.P22: Achieving reductions in sediment discharges from farming activities ~~on land with high risk of erosion~~ Within part FMUs that exceed the target attribute state for visual clarity, or in Part FMUs that contribute	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) remove reference to the High and Highest risk mapping which would have led to inefficiency in terms requiring revegetation in small

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S102.001 S204.006 S18.073 S18.075 S193.133	and Earthworks		sediment to Part FMUs that exceed the target attribute state for visual clarity, 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~~	discrete areas or in area where it was not required or wouldn't be feasible to achieved due to physical conditions as suggested by many submitters and confirmed in the evidence of Mr Byth and Mr Peryer. Allows for farm-scale assessment of erosion risk (informed by mapped 'potential risk land') that should produce more accurate identification of risk. (b) expressly target those Part FMUs where sediment reductions are required to meet the applicable visual clarity TAS, rather than requiring erosion treatment in all Part FMUs (as was required in the policy as notified) (c) require actions to be implemented across all priority treatment land by 2040 rather than requiring 50% within 10 years. And the final 50% within 5 years. This allows for more uniform 'spreading' of the cost across the 15 years reducing pressure on council funding assistance in the early years One of the amendments that may appear to reduce effectiveness is the change in mapping approach so that it focuses on the 10th percentile of pastoral land in the Part FMU that is most at risk of erosion (not the 30th percentile as represented by the mapping as notified. This is discussed in detail in relation to Schedule 36. However, in brief, that shift is considered appropriate on the basis that: (a) the 30th percentile imposes a significant cost burden on many landowners and may not be

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			(d) Wellington Regional Council providing support to landowners to implement **erosion risk treatment plans**.	feasible to achieve in practice in the timeframe (b) the 10th percentile more closely aligns with GWRC's ability to support landowners (c) An obligation to manage stream bank erosion is recommended to be expressly included (it was not in the notified provisions) Erosion treatment over the most at-risk 30% of land in each Part FMU, could lead to an 'overshoot' in Part FMUs that only require maintenance of visual clarity (and Harbour loads).
S238.033	9 Te Awarua o Porirua Whaitua 9.2.4 Rural Land Uses and Earthworks	Policy P.P23 FW	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	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they set a more realistic deadline for the preparation and certification of FEPs based on Mr Peryer's evidence that it will take until mid 2029 to prepare ~130 new FEPs (across both TWT and TAoP) particularly given the current uncertainty about the future of FWFPs required by national regulation. The full completion date is based on Mr Peryer's advice with a further 6 month allowed for certification).
S206.072 S12.007	9 Te Awarua o Porirua Whaitua 9.2.4 Rural Land Uses and Earthworks	Policy P.P24 FW	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 ~~45~~ha and associated diffuse discharge where there is a risk the diffuse discharges of nitrogen,	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: (a) confirm that the policy only applies to primary production (farming/horticulture/forestry) land uses not other land uses that may occur in the rural area (hence avoiding any confusion or debate in consenting contexts)

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			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.	(b) increase the threshold of land use change above which land use change is controlled from 4 to 5 ha which will in turn: i. provide for any potential 'rotation' of horticultural crops in the whaitua ii. provide slightly more flexibility for other primary production uses (particularly forestry to pastoral farming) without any meaningful increase in risk to water quality iii. align with the threshold for horticultural properties to have a FEP (or FWFP under national regulations).
S193.136	9 Te Awarua o Porirua Whaitua 9.2.4 Rural Land Uses and Earthworks	Policy P.P25 FW	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.	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they acknowledge that riparian planting has multiple benefits and not just stream shading.
S193.152	9 Te Awarua o Porirua Whaitua 9.2.6 Nutrients and	Rule P.R25 FW	~~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~~**	**Effectiveness and efficiency** The deletion of this rule improves the potential efficiency and effectiveness because: (a) it removes a regulatory obligation on up to (depending on stocking rate and erosion risk land) 757property owners in the PC1 area

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
	sediment from pastoral farming		~~**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	(b) the actual nitrogen loss risk posed by these small properties is not known (c) the rule has little value if there is no RNRAT to simply, accurately and efficiently assess nitrogen loss risk and any change to that risk. (d) even if an RNRAT was available, effectiveness of the rule as notified in addressing nitrogen loss risk is likely low due to reliance on self-reported farm input data that is difficult to verify. (e) effectiveness of the rule as notified in addressing erosion risk is not assured because undertaking monitoring and compliance of annual and winter stocking rates would be problematic.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			~~that land at registration.~~	
S238.032	9 Te Awarua o Porirua Whaitua 9.2.6 Nutrients and sediment from pastoral farming	Rule P.R26 FW	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 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	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the rule because they: (a) target requirement for an erosion treatment plan to Part FMUs that need to improve visual clarity to meet TAS; and (b) revise the dates by which FEPs are required to dates that I consider are feasible based on available resourcing.

<table>
<tr><th>Submission no.</th><th>Chapter</th><th>Provision</th><th>Text of provisions with any recommended amendments</th><th>Evaluation of amendment (Section 32AA assessment)</th></tr>
<tr><td>S39.007
S193.154</td><td></td><td></td><td>(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
<table>
<tr><th>Part Freshwater Management Unit</th><th>Due Date</th></tr>
<tr><td>Takapū
Taupō
Pouewe
Wai-O-Hata</td><td>~~30 Dec 2025~~
30 September 2028</td></tr>
<tr><td>~~Taupō~~
~~Pouewe~~
~~Wai-O-Hata~~</td><td>~~30 Dec 2025~~
~~30 Dec 2026~~</td></tr>
</table></td><td></td></tr>
<tr><td></td><td>9 Te Awarua o Porirua Whaitua

9.2.6 Nutrients and sediment from pastoral farming</td><td>Rule P.R27
FW</td><td>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</td><td>Effectiveness and efficiency
The amendments improve the potential efficiency and effectiveness of the Rule because they make a consequential amendment necessitated by:
a) the proposed deletion of Rule P.R25; and
b) a drafting error that needs resolution</td></tr>
</table>

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S238.034			lodged demonstrates that the concentration of dissolved inorganic nitrogen, dissolved reactive phosphorus, or measure of visual clarity, 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**.	
S12.009	9 Te Awarua o Porirua Whaitua 9.2.6 Nutrients and sediment from pastoral farming	Rule P.R28 FW	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~~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,**	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they increase the area of changed land use that may be carried out without resource consent which aligns with the threshold used in related rules. This will simplify the provisions and potentially allow for any likely crop rotation (as sought by Hort NZ) without significant risk to the environment given the low probability of primary production land use change in TAoP.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			where the change exceeds a cumulative total of ~~45~~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~~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, 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**.	
	9 Te Awarua o Porirua Whaitua 9.2.6 Nutrients	Rule P.R29 FW	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	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the Rule because they make a consequential amendment necessitated by the proposed deletion of Rule P.R25

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
	and sediment from pastoral farming		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**.	
S193.183 S225.124 S276.014 and others	12 Schedules	Schedule 35 ≋FW	~~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:~~	**Effectiveness and efficiency** The deletion of this Schedule is a consequential change resulting from the deletion of Rule WH.26 and P.R25

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			~~(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.~~	

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			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.	
S193.185		Schedule 36 FW	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:	**Effectiveness and efficiency** The amendments improve the potential efficiency and effectiveness of the policy because they: a) ensure that the FEP certification provisions apply independent of any national FWFP certification regime and are not reliant on such a national scheme being in place or applying to farms in TWT or TAoP; b) ensures that the NRP's existing definition of farm environment plan certifier applies in the TWT and TAoP catchments. c) remove the requirement for quantified nitrogen risk assessment, which, in the absence of a suitable tool would not be feasible. Cost to landowners is reduced by the amendments to Part B, C and E because: a) the potential erosion risk land mapping maps only the 10% of land that is the most at risk in the Part FMU;

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S102.003 S193.186 S105.019			(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**	b) discretion is provided in the farm-scale identification of priority erosion treatment land; and c) treatment options other than the establishment of woody vegetation (the most expensive treatment option) are allowed. While this means that the amended wording will potentially mean less land will be treated with potentially less effective options, this needs to be balanced by the an understanding that: a) There can be little confidence that Parts B and E of Schedule 36 as notified would be effectively implemented or have the sedimentation reduction benefit modelled because of: • the high degree of pixelation of mapped land meaning that it would be impractical to plant and retire all the Highest and High erosion risk land identified on the maps • the mapped high and highest risk land included significant areas already in woody vegetation cover and hence would not have needed to been treated (modelling treated these areas as pasture and assumed they would be vegetated). • although Part B of Schedule 36 as notified allowed for High erosion risk land to receive treatment other the retirement and establishment of woody vegetation, that was only possible if the alternative treatment "*would result in the same level of soil loss avoidance*". That is a test that may not have been able to met since retirement and revegetation is generally regarded as the most effective treatment

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.187			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	option. Hence the cost of full implementation would be very high and well beyond what GWRC would support. The Collaborations memo on Annual Contaminant Load Modelling[1] reports that High and Highest erosion risk land on properties >20ha accounts for 17% of pasture across TWT and TAoP - or approximately 4,550ha. The scale and cost of treatment relative to GWRC funding levels as reported by Mr Peryer, seems to cast doubt on whether successful implementation (essentially relying on wholly privately funded treatment over >300ha per year until 2040) would be achieved in practice. b) The amended wording adds a requirement of the treatment of streambank erosion that was not in the notified wording (despite stream bank erosion being a significant source of sediment). For those reasons, I consider that the amended Schedule 36 Parts B, C and E are in practice, likely to be at least as effective and efficient as the notified version. ***Cost and benefits of FEPs*** Mr Peryer's Statement of Evidence states that the average cost for a certifier to prepare and certify an FEP is typically between $3,000 and $4,000, although a FEP for complex farm may could up to $10,000. On

[1] 25 February 2025 [as included in the HS3 statement of evidence of Mr Blyth]

<table>
<tr><th>Submission no.</th><th>Chapter</th><th>Provision</th><th>Text of provisions with any recommended amendments</th><th>Evaluation of amendment (Section 32AA assessment)</th></tr>
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<td>S193.187</td>
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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>
<tr><th colspan="3">Table D1 – Sediment loss and transport risk factors</th></tr>
<tr><td colspan="3">Sediment Generation Risk</td></tr>
<tr><td>Source</td><td>Sediment loss risk factors</td><td>Farm practices and practice changes</td></tr>
<tr><td rowspan="2">Erosion</td><td>Stock</td><td>Stock type, livestock class and weight</td></tr>
<tr><td>Grazing practices</td><td>Grazing density
Stock access to river banks
Bare ground with standing livestock</td></tr>
</table>
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<td>
the other hand, if a landowner prepares their own compliant FEP, the cost would be limited to the cost of certification which is estimated at around $1,000. Based on an average cost per FEP of $3,500, the total cost across the two whaitua would be $420,000.
The benefits of an FEP are difficult to quantify but have been previously accepted at the national level - justifying the FWFP regulations. FEPs focus farmers on freshwater (and other environmental) risks on farm and direct them to respond to/mitigate those risks. This is typically done with an independent adviser rather than in a regulatory context which can have advantages in terms of gaining ‘buy in’ to issues and potential solutions. FEPs also allow for the individuality of farms (both the biophysical conditions and the farm system) to be recognised and taken into account in a way that rules and standards in the regional plan cannot.
From a GWRC perspective, FEPs allow farms to operate as permitted activities without complex rules and or resource consents.

Cost and benefits of erosion risk treatment

I note that some cost information is provided in the Statement of Evidence of Mr Peryer. According to that evidence, planting costs vary from $3000 per hectare (for pines – lower range estimate) to $19,000 per hectare for natives (higher range estimate). Accordingly, over the 1916 hectares in the potential high-risk category across both whaitua, the cost could range from approximately $5.75 million to $36.4 for full revegetation in pines or natives respectively.
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Submission no.	Chapter	Provision	Text of provisions with any recommended amendments			Evaluation of amendment (Section 32AA assessment)
					Grazing over winter Management of critical source areas Retirement from grazing of erosion risk land	This would need to occur over a 15- year period meaning an annual average cost (in 2025 dollars) of $383,000 to $2.4million (with GWRC potentially contributing up to 50% of that cost). This cost would fall across an estimated 130 landowners (though obviously not evenly). Costs for fencing, maintenance and lost production would be additional. The provision does not, however, require full revegetation in natives (or total removal of stock). In practice, some of the potential erosion risk land will be pole planted rather than fully revegetated at a per ha cost of between $2,500 and $10,000 per hectare (based on Mr Peryer's cost estimates). Other land will be managed by modifying grazing practices or use of detention devices Furthermore, in TAoP, an ERTP is only recommended to be required only in the Takapū part FMU rather than the full potential erosion risk area (on the basis that only in that part FMU is improvement in the visual clarity required to meet TAS). Outside of that area erosion treatment at the scale modelled is voluntary (but may be supported by GWRC over the 15-year period). On that basis, those cost estimates will likely overestimate that actual cost. **Part F – Stock exclusion** The amendments to Part F of Schedule 36 improve the efficiency and effectiveness of the stock exclusion provisions because they:
				~~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	

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<table>
<tr><td></td><td></td><td>(including from browsing feral animals)</td></tr>
<tr><td></td><td>Lack of sediment interception</td><td>Construction of sediment detention structures
Wetland/riparian margin construction and restoration</td></tr>
<tr><td>Earthworks</td><td>Mechanical land disturbance</td><td>Access roads, tracks, fence lines to be minimised and use good management practices for construction and maintenance.</td></tr>
<tr><td>Pasture renewal/ Cropping</td><td>Cultivation</td><td>Location/slope of cultivated land
Time in fallow
Area of cultivated ground
Timing of cultivation
Type of tillage
Method of harvest</td></tr>
</table>
</td><td>a) remove the requirement for a SSRP and simplify the requirements so that farms >20Ha must exclude stock from all streams >1wide
b) Reduce the very wide discretion available to FEP certifiers to allow continued stock access to streams via the SSRP.
c) continue to provide for some discretion and flexibility to be exercised through the FEP acknowledging that on steeper land stock exclusion can be challenging to achieve.
d) limit the rule to the Mākara catchment only (where no stock exclusion rules currently apply outside of the Makara estuary and where visual clarity TASs are significantly exceeded).
e) This provision, along with Rule WH.28, will target 42km of stream length (all >1m wide). The notified version would have targeted 27.8km of stream length (all <1m wide). In addition, at the time of PC1 notification 13.48 kms of >1m wide streams on low slope land had to be stock excluded under national regulation (making a total of 41.28km of stock excluded stream across the Mākara catchment). Accordingly, although the provision has been significantly reconfigured, the length of stream targeted for stock exclusion has not materially altered and accordingly I conclude that, in Mākara, the effectiveness of the provision is unchanged from the notified version.</td></tr>
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<tr><td></td><td></td><td></td><td>
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<tr><td></td><td></td><td>Use of ‘catch crops’
Management of critical source areas</td></tr>
<tr><td colspan="3">Sediment Transport Risk</td></tr>
<tr><td colspan="2">Sediment transport risk</td><td>Specific Risk factors</td></tr>
<tr><td colspan="2">Geology</td><td>The hardness and depth of the underlying rocks influences the tendency for erosion and loss of sediment.</td></tr>
<tr><td colspan="2">Topography</td><td>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.</td></tr>
<tr><td colspan="2">Climate</td><td>Rainfall – seasonal amount and intensity.</td></tr>
<tr><td colspan="2">Land use</td><td>Type and extent of vegetation cover.
Land disturbance from livestock and machinery.</td></tr>
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f) The data used above[2] do not take into account stream length that may already be fenced (or otherwise excluded from stock access) and therefore represent a ‘worst case’ assessment from a cost perspective.

Costs and benefits of stock exclusion
The per meter cost of fencing can vary significantly depending on the type of fencing and the terrain on which the fence is to be constructed.
The best data available to me is provided by the 2022 analysis undertaken for amendments to the national stock exclusion regulations low slope mapping. That analysis cited estimated June 2021 fencing costs of $8.18 per meter for flat land and $19.00 for rolling land (this was for a sheep and beef non-electric 8 wire fence).
These estimates would seem appropriate for low slope land but may be an underestimate of any steep land where fencing is required.
Nevertheless, in the absence of other cost estimates, I use those data as follows.
I have adopted the $19 p/m cost and adjusted it using the Reserve Bank inflation calculator to estimate a 2025 cost of $23 p/m.
As noted above, 13.5km of river can be expected to be fenced (if not already) on low slope land.
Assuming both sides require fencing, that would come at a catchment cost of $621,000.
In addition, 28.5km outside of low slope land could require fencing. Again, assuming fencing is
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[2] These are from the HS3 Statement of Evidence of Dr Greer

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			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 treatment. For the avoidance of doubt, areas not mapped as **potential erosion risk land**	required both sides of the river that would cost a further $1.31 million bringing the total cost to $1.93 million (based on $23 p/m fencing cost). Any required earthworks, and costs associated with loss of production are additional. Note, however, that is a 'worst-case' scenario because: a. discretion is provided allowing continued stock access is certain circumstances as discussed above b. some river length will already be fenced. c. some of this land will be located within the potential high erosion risk land that will be revegetated and fence stock exclusion will not be required d. If the farm only runs cattle a permanent 8 wire fence may be unnecessary and a cheaper two wire electric fence may be all that is required e. Permanent fencing is not mandatory and temporary electric fencing is likely to be a preferred solution in some instances (as it is a lower cost solution). Benefits derived have not been quantified but include (on 60% of the catchment's total stream – being the proportion wider than 1m): • reduced streambank erosion (and hence sediment), • removal of potential for direct deposition of animal excreta into freshwater (and hence reduced *E.coli* and nutrients) • removal of bed disturbance and grazing of riparian vegetation and hence adverse effects

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S17.016 S224.010 S231.012 S299.010			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 90A and 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**~~	impacts on h aquatic habitat and ecosystem health. The change to allow for a range of erosion risk treatment option to be used (and not just revegetation) is based on the evidence of Mr Peryer. Table 6 of that evidence describes the effectiveness of various sediment management options as reported by Maanaki Whenua. It illustrates that while revegetation has the highest efficacy (reported at 90%), other treatment options can also have significant positive impact – albeit with lesser reported effectiveness than revegetation (eg. 70% for pole planting, 80% for debris dams in respect of gully erosion). In undertaking this 32AA evaluation there is a trade-off to be considered between the most effective option for sediment reduction (revegetation) and allowing for options that landowners may prefer (for farm management and/or cost reasons) and which are therefore more likely to be implementable in practice. The lower cost of options other than revegetation is relevant to the question of efficiency (since the most efficient option is the option that achieves the objective as least cost). Landowners are best placed to determine the least cost solution and therefore this revised provision is considered more effective and efficient than the notified provision. ***Effectiveness of recommended provisions in achieving TASs*** The HS3 Supplementary Statement of Evidence of Dr Greer reviews the effectiveness of the recommended provisions in meeting the recommended revised TASs.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S105.020 S225.125 S5.017			~~**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.	He concludes that, from a science perspective, at the overview level, the revised provisions will likely have similar effectiveness in meeting the revised TASs to the notified provisions. In reaching that conclusion Dr Greer has taken into account the updated CLM modelling contained in the HS3 Statement of evidence of Mr Blyth. The updated CLM modelling considered a scenario based around a continuation of existing GWRC support to landowners for revegetation/land management as discussed in the HS3 Statement of Evidence of Mr Peryer. An Erosion Treatment Pan (ERTP) is required for most (though not all) of this area[3]. That modelling indicates that significant reductions in sediment load could be achieved in some catchments. For example, a 22% reduction is modelled for the Makara catchment, 17% in Mangaroa and 11% in Pauatahanui stream (all catchments where a ERTP is required because of poor visual clarity) Overall, the updated CLM estimates a lower sediment loss reduction than the notified provisions, but not so different that there would be a greater number of exceedances of the visual clarity TAS than would occur under the notified provisions.

[3] In TAoP, only the Takapū part FMU requires visual clarity improvement to meet TAS. Accordingly, that is the only TAoP part FMU that will require FEPs to contain ERTPs.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S224.011 S224.012			(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 greater than 1m wide at any point on the **farm** by 2030; or	In my opinion, the other factor to consider here is the likelihood that the notified erosion management provisions could be fully implemented in practice due to: • biophysical factors (such as the likely inability to successfully establish vegetation in many of the identified erodible areas); • the fact that the high erosion pasture mapping includes areas that are already vegetated (hence the benefit of revegetation of these areas was 'double-countered' by the modelling to some extent); and • the high cost of of revegetation falling on private landowners who, based on submissions and for reasons of affordability, do not seem committed to the scale of work required at least not without a level of financial support that exceeds likely GWRC funding availability. For all those reasons, I consider the revised provisions to be more effective and efficient than the notified provisions.

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
S193.191 S59.012 and others S225.113			2. In relation to rivers 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~~	

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			~~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.~~	
S17.016 S18.073 S193.195	13 - Maps	Map 90 FW	Map 90: ~~Highest and high~~ Potential erosion risk land ~~(Pasture)~~ – Te Awarua-o-Porirua *Map amended as shown below in* ***Appendix 6***	The amendment of this map and its title improves efficiency and effectiveness of PC1 as it: a) acknowledges that the mapping will be imperfect b) focuses on the 10th percentile rather than the 20th percentile, of at-risk land and therefore improves likelihood of successful implementation (because it better matches potential GWRC funding support)
S17.016 S193.198 S18.075		Map 93 FW	Map 93: ~~Highest and high~~ Potential erosion risk land ~~(Pasture)~~ – Te Whanganui-a-Tara. *Map amended as shown below in* ***Appendix 7***	The amendment of this map and its title improves efficiency and effectiveness of PC1 as it: a) acknowledges that the mapping will be imperfect b) focuses on the 10th percentile rather the 20th percentile of at-risk land and therefore improves likelihood of successful implementation (because it better matches potential GWRC funding support)
		Map 96 FW	Map 96: Mākara catchment *Map retained as notified as shown in* ***Appendix 8***	
S254.023		~~Map 97~~	~~Map 97: Mangaroa catchment –~~ *Map deleted*	The deletion of this map improves efficiency and effectiveness of PC1 as it: a) removes duplication of existing rules (stock exclusion of >1m wide stream already applies in the Mangaroa); and

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
				b) recognises that much of the visual clarity issue in the Mangaroa catchment relates to peat staining rather than sediment caused by stock access.
		Map 90A FW	Map 90A: Stream Bank Erosion Risk - Te Awarua-o-Porirua *Map amended as shown below in **Appendix 9***	The addition of this map improves efficiency and effectiveness of PC1 as it ensures stream bank erosion risk will be considered in farm-scale risk assessment in TAoP
		Map 93A FW	Map 93A: Stream Bank Erosion Risk – Te Whanganui-a-Tara. *Map amended as shown below in **Appendix 10***	The addition of this map improves efficiency and effectiveness of PC1 as it ensures stream bank erosion risk will be considered in farm-scale risk assessment in TWT
		Map 96A FW	Map 96A: Low slope land in the Mākara Catchment *Map amended as shown below in **Appendix 11***	The addition of this map improves efficiency and effectiveness of PC1 as it allows for a focus on streams where stock exclusion can be expected to be practicable.
	Appendix 1	Policy P70: Minimising effects of rural land use activities.	Policy P70: Minimising effects of rural land use activities The adverse effects of rural land use activities, including any associated discharge that may enter water, shall be **minimised** through the use of regulatory and non-regulatory methods that promote, as a minimum, the use of **good management practices** including: (a) rules and methods in the Plan, and (b) development and implementation of **farm environment plans**, and (c) information gathering, monitoring, assessment and reporting, and (d) integrated catchment management within the Wellington Regional Council and with the involvement of	No amendment proposed

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			mana whenua, territorial authorities, water users, farmers, households, industry, environmental groups and technical experts.	
		Policy P71: Managing the discharge of nutrients.	Policy P71: Managing the discharge of nutrients Where one or more of the objectives in Tables 3.1, 3.2 or 3.4-3.8 of Objectives O18 and O19 is/are not met in a catchment or water body, when managing rural land use activities, including any associated discharge of contaminants into water or into or onto land where contaminants may enter water, the Regional Council will: (a) give particular consideration to the role nutrients play in those objectives not being met, and (b) where nutrients do play a significant role, impose conditions on resource consents granted that require phosphorus and nitrogen losses from activities to be managed to contribute to improving outcomes in relation to the objective(s), and (c) manage nutrients including by requiring **farm environment plans** in accordance with Policy P73.	No amendment proposed
		Policy P72: Priority Catchments.	Policy P72: Priority Catchments Identify in Schedule Y **priority catchments** that are:	No amendment proposed

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			(a) surface water catchments identified by Method M10 because of elevated nitrate and/or periphyton levels; and (b) surface water catchments that have water quality that exceeds: (i) the A band for nitrate toxicity, or (ii) the national bottom-line for periphyton as set out in Appendix 2A of the NPS-FM 2020	
		Policy P73: Implementation of farm environment plans in priority catchments.	 Policy P73: Implementation of farm environment plans in priority catchments In **priority catchments** identified in Schedule Y require the development and implementation of **farm environment plans**, and the adoption of **good management practice**, to contribute to the **minimisation** of the potential for nitrogen, phosphorus, sediment and E.coli contamination of **surface water bodies** and the coastal marine area from the following land uses: (a) the use of more than 20 ha of land for **arable land use, pastoral land use** or **low intensity horticultural use**, or (b) the use of more than 5 ha of land for **horticultural land use** that is not a low **intensity horticultural use**.	No amendment proposed

		Policy P74: Avoiding an increase in adverse effects of rural land use activities and associated diffuse discharges of contaminants.	 Policy P74: Avoiding an increase in adverse effects of rural land use activities and associated diffuse discharges of contaminants Any increase in adverse effects on water quality associated with the use of more than 20ha of land for **pastoral land use** or **arable land use** or **low intensity horticultural use** or 5ha for horticultural land use that is not **low intensity horticultural use**, that is: (a) irrigated with **new water**, or (b) in a **priority catchment**, and the associated diffuse discharge of nitrogen, phosphorus, sediment and E.coli shall be avoided and, where reasonably practicable, effects reduced by ensuring that: (c) there is no increase in: (i) contaminant loss risk from the land use, compared with the contaminant loss risk from the land as at 2 September 2020, or (ii) concentrations of contaminants in **surface water bodies** or other receiving environments (including the coastal marine area), compared with the concentrations as at 2 September 2020, and (d) when determining the losses as at 2 September 2020, no allowance shall be made for contaminant loss	No amendment proposed

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			avoidable by the adoption of **good management practice**, and (e) the land use operates in accordance with **good management practice**.	
		Policy P76	 Policy P76: Consent duration for rural land use in priority catchments The duration of any resource consent for rural land use and associated discharge of contaminants into water or into or onto land where contaminants may enter water within **priority catchments** shall not extend beyond 31 December 2032.	No amendment proposed
		Rule R110	 Rule R110: Use of rural land in priority catchments – permitted activity Until 31 December 2028, in the **priority catchments** listed in Schedule Y the use of: (a) 20 ha or more of land for **arable land use, pastoral land use or low intensity horticultural use**, or (b) 5 ha or more of land for **horticultural land use** that is not a **low intensity horticultural use**, is a permitted activity provided the following conditions are met: (c) no later than the applicable date specified in Table 1 a **farm environment plan** in respect of the land and associated land use is supplied to Wellington Regional Council, and (d) a **Farm Environment Plan Certifier** certifies in writing that the **farm environment plan** supplied to the	No amendment proposed

<table>
<tr><th>Submission no.</th><th>Chapter</th><th>Provision</th><th>Text of provisions with any recommended amendments</th><th>Evaluation of amendment (Section 32AA assessment)</th></tr>
<tr><td></td><td></td><td></td><td>Wellington Regional Council has been prepared in accordance with, and meets the requirements of, Schedule Z, and
(e) the land use is undertaken in accordance with the farm environment plan certified under condition (d).
Table 1 – Phase-in of priority catchments listed in Schedule Y<table><tr><th>Location</th><th>Due Date</th></tr><tr><td>Land in the Waitawa and Parkvale catchments</td><td>30 Dec 2023</td></tr><tr><td>Land in the Otukura, Mangatarere, Waipoua catchments</td><td>30 Sep 2024</td></tr><tr><td>Land in the Kōpuaranga, Makakaha and Taueru catchments</td><td>30 June 2025</td></tr></table></td><td></td></tr>
<tr><td></td><td></td><td>Rule R111: Use of rural land in priority catchments – controlled activity.</td><td>Rule R111: Use of rural land in priority catchments – controlled activity
In the priority catchments listed in Schedule Y the use of:
(a) (20 ha or more of land for arable land use, pastoral land use or low intensity horticultural use, or
(b) 5 ha or more of land for horticultural land use that is not a low intensity horticultural use,
and the associated discharge of contaminants into water or into or onto land where contaminants may enter water after</td><td>No amendment proposed</td></tr>
</table>

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			31 December 2028, or that does not meet condition (c) of Rule R110, is a controlled activity provided that the following conditions are met: (c) A **farm environment plan** for the **farm** has been prepared for the land, and (d) A **Farm Environment Plan Certifier** certifies in writing that the **farm environment plan** lodged with the application has been prepared in accordance with, and meets the requirements of, Schedule Z, and (e) The land use is undertaken in accordance with the **farm environment plan** certified under condition (d), and (f) Full electronic access to any software or assessment tool that models or records diffuse contaminant losses or loss risk for the activity authorised by this rule is granted to the Wellington Regional Council, and if requested, any analysis produced by an approved software or assessment tool is provided to the Wellington Regional Council. Matters of control 1. The content of the **farm environment plan** including the actions, management practices and mitigation measures necessary to ensure that the discharge of nitrogen, phosphorus, sediment and E.coli is **minimised** and accords with **good management practice**.	

Submission no.	Chapter	Provision	Text of provisions with any recommended amendments	Evaluation of amendment (Section 32AA assessment)
			2. The monitoring, record keeping, reporting and information provision requirements for the holder of the resource consent (including auditing of information) to demonstrate and/or monitor compliance with the resource consent and **farm environment plan** 3. The time and circumstances under which the resource consent conditions may be reviewed 4. The timing, frequency and requirements for review, audit and amendment of the **farm environment plan** *Notification* In respect of Rule R111, applications are precluded from public and limited notification (unless special circumstances exist)	
		Rule R112: Use of rural land in priority catchments – discretionary activity.	 Rule R112: Use of rural land in priority catchments – discretionary activity From the applicable date in Table 1 of Rule R110, the use of land for **pastoral land use, arable land use**, or **horticultural land use** within a catchment listed in Schedule Y and the associated discharge of contaminants into water or into or onto land where contaminants may enter water that does not meet condition (c), (d) or (e) of Rule R110 or is not controlled by Rule R111, is a discretionary activity.	No amendment proposed