

## Introduction of requirements for Freshwater Farm Plans

### New requirements for farm operators to protect freshwater bodies

On 6 June 2023 the Governor General promulgated the Resource Management (Applications of Part 9A – Freshwater Farm Plans) Order 2023 and Resource Management (Freshwater Farm Plans) Regulations 2023 as part of the Government's 'Essential Freshwater Package' came into effect on 3 September 2020. More information on the Freshwater Reforms can be found [here](#).

Freshwater Farm Plans will be phased in region by region starting with Waikato and Southland.

#### Background

Geographic areas and catchments in Waikato (**Figure 1**) and Southland (**Figure 2**) have been allocated dates Freshwater Farm Plan requirements will kick in from 1 August 2023 – 1 July 2025 for the Waikato region and 1 August 2023 – 1 July 2024 for the Southland region. Farms in each regionally identified Freshwater Management Unit (**FMU**). Farms will have 18 months to submit a freshwater farm plan for certification from that FMU's implementation date.

In the Waikato region the 18 months starts from the following dates:

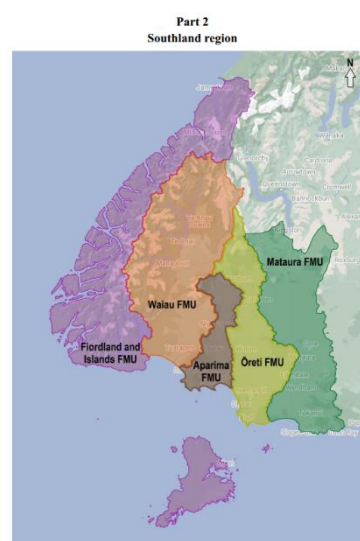
- 1 August 2023 for Waipa FMU.
- 1 January 2024 for Upper Waikato FMU; Middle Waikato FMU; and West Coast-South.
- 1 July 2024 for the Lower Waikato FMU.
- 1 January 2025 for the Hauraki FMU.
- 1 July 2025 for Lake Taupo FMU; Coromandel FMU; and West Coast North.

In Southland the 18 months starts from the following dates:

- 1 August 2023 for Aparima FMU 1 and Fiordland and Islands FMU.
- 1 February 2024 for Oreti FMU and Waiau FMU.
- 1 July 2024 for Mataura FMU.



**Figure 1: Waikato Region**



**Figure 2: Southland Region**

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A farm plan is required if a farm has:

- 20 hectares or more in arable or pastoral use.
- 5 hectares or more in horticultural use.
- 20 hectares or more of combined use.

Freshwater Farm Plans are intended to provide a practical way to identify, manage and reduce the impact of farming on waterways. Helping farmers identify practical actions on-farm to improve local waterways. Freshwater Farm Plans place responsibility on farm operators mandating specific actions and timeframes, ongoing monitoring and compliance obligations with regular certification, recertification and audits. More information on Freshwater Farm Plans can be found [here](#).

### Freshwater Farm Plans Content

Freshwater plans must include:

- Identification of adverse effects of farming activities on freshwater or freshwater ecosystems. A farm operator must identify and map risks for each farm unit and each land unit's inherent vulnerabilities.
- Plans must identify existing and/or new actions to avoid, remedy or mitigate identified risks of adverse effects on freshwater and set a time frame for actions to avoid, remedy or mitigate adverse effects.
- An action plan for each of the identified adverse effects, including whether the action required is existing or new (intended to be undertaken within 5 years), how each action relates to the identified risks, a description of the land units, and the timeframe within which the action must be implemented.
- Farm operators when drafting plans must have regard to catchment challenges and values in

the local area and the impacts of farming on the receiving environment.

- Plans must include maps identifying features related to inherent vulnerabilities (i.e. surface of water bodies, drainage systems, irrigation and frost protection, farm boundaries etc.); features related to farming (i.e. fencing to exclude stock from water bodies, soil erosion control plantings, effluent systems, freshwater crossings, points of discharge, water take bores and surface water abstraction points or intakes including fish screens etc.); features related to the catchment context, catchment challenges and values and any new physical works.

Once Freshwater Farm Plans are certified farms are required to recertify their plans every 5 years. Farms must recertify plans sooner if the farm significantly changes farming activities; changes farm operator and the current freshwater plan is not followed; inherent vulnerabilities in the farm are discovered; or the farm acquires additional land in a different catchment. The onus is on the farmer to amend and submit a new plan no later than 12 months after one of the activities listed.

Audits of Freshwater Farm Plans must be undertaken within 12 months after initial certification unless their audit grade requires reassessment sooner, after receiving a final audit report farms with a high grade will require another audit within 3 years and varies on the level of compliance (serious non-compliances will be re-audited within 6 months).

Non-compliance with the Freshwater Farm Plans Regulations can result in a fine of up to \$1,500.00.

### Want to know more?

If you have any questions about the introduction of requirements for Freshwater Farm Plans please contact our specialist [Environment, Planning and Natural Resources team](#).