



PROACTIVE RELEASE COVERSHEET

Minister	Minister Bishop	Portfolio	RMA Reform
Name of package	Phase 2 National Direction	Date to be published	10 April 2026

List of documents that have been proactively released

Date	Title	Author
12 March 2026	Regulatory Impact Statement: Amendments to Regulation 17 of the Stock Exclusion Regulations (2020)	Ministry for the Environment Ministry for Primary Industries

Information redacted **NO**

Any information redacted in this document is redacted in accordance with the Ministry for the Environment's policy on proactive release and is labelled with the reason for redaction. This may include information that would be redacted if this information was requested under Official Information Act 1982. Where this is the case, the reasons for withholding information are listed below. Where information has been withheld, no public interest has been identified that would outweigh the reasons for withholding it.

Summary of reasons for redaction

N/A



[IN-CONFIDENCE]

Ministry for Primary Industries
Manatū Ahu Matua



Regulatory Impact Statement: Amendments to Regulation 17 of the Stock Exclusion Regulations (2020)

Decision sought	<i>Final Cabinet decision to amend the Resource Management (Stock Exclusion) Regulations 2020</i>
Agency responsible	<i>Ministry for the Environment (MfE) Ministry for Primary Industries (MPI)</i>
Proposing Ministers	<i>Minister Responsible for RMA Reform Minister of Agriculture Associate Minister for the Environment</i>
Date finalised	<i>12/03/2026</i>

Briefly describe the Minister's regulatory proposal

The proposal is to amend Regulation 17 of the Stock Exclusion Regulations, which currently requires all stock to be excluded from natural wetlands supporting a population of threatened species¹, so it would only apply to dairy cattle, dairy support cattle, pigs and intensively grazed beef cattle and deer.²

This Regulatory Impact Statement builds from the Interim Impact Statement: Options to amend to amend regulations for farming activities (section 1), issued on 11 June 2025. Public consultation on the proposal was carried out between 2023 and 2025. This version has been updated in light of the submissions received and subsequent decisions by Ministers.

¹ As described in the compulsory value for threatened species in the National Policy Statement for Freshwater Management 2020.

That is, threatened species means any indigenous species of flora or fauna that:

- (a) relies on water bodies for at least part of its life cycle; and
- (b) meets the criteria for nationally critical, nationally endangered, or nationally vulnerable species in the New Zealand Threat Classification System Manual (see clause 1.8).

² Regulation 4: Stock –

- (a) Means beef cattle, dairy cattle, dairy support cattle, deer, or pigs; and
- (b) To avoid doubt, does not include any feral animal.

Summary: Problem definition and options

What is the policy problem?

Regulation 17 of the Resource Management (Stock Exclusion) Regulations 2020 requires all stock to be excluded from wetlands that support threatened species, regardless of the size of the wetland, or the intensity of the farming system. Regulation 17 is inflexible and is unable to be adapted to individual circumstances, meaning in some areas (eg, along the West Coast and the South Island High Country) there is the potential that the benefits of excluding stock from these wetlands are disproportionate to the cost.

What is the policy objective?

The Government's overall objectives for Phase 2 of the resource management reform work programme [ECO-24-MIN-0022 refers] which are relevant to this proposal include:

- Making it easier to get things done by:
 - Enabling primary sector growth and development (including aquaculture, forestry, pastoral, horticulture and mining)
- While also:
 - Safeguarding the environment and human health
 - Improving regulatory quality in the resource management system
 - Upholding Treaty of Waitangi settlements and other related arrangements.

In addition, the coalition agreements include National's 100 point economic plan which references 19 actions (outlined in the National Party's Getting Back to Farming) to cut red tape and replace one-size-fits-all rules with local decision making.³

Therefore, the objectives sought in relation to the specific proposals in this RIS are to:

- Simplify existing regulations to remove unnecessary costs, complexity and rigidity;
- Provide more flexibility for local decision-making at a regional and catchment scale; and
- Safeguard the environment

What policy options have been considered, including any alternatives to regulation?

The five options considered in this RIS include:

Option One – Status quo - the natural wetland requirements remain unchanged

Farmers would still be required to exclude stock from wetlands which support a population of threatened species, from 1 July 2025.

Option Two – Repealing regulation 17

Under this option, regulation 17 would be repealed. This means that there would no longer be a national rule requiring stock to be excluded from natural wetlands supporting a population of threatened species.

³ Point 36 – New Zealand National Party 100-point economic plan (adopted by the New Zealand National Party and ACT New Zealand Coalition Agreement and the New Zealand National Party and New Zealand First Party Coalition Agreement). The 19 actions referred to in Point 36 are from the New Zealand National Party Getting Back to Farming manifesto document.

Option Three – Only apply regulation 17 to dairy cattle, dairy support cattle, pigs, and intensively grazed beef cattle and deer

Under this option, regulation 17 would be refined to only apply to dairy cattle, dairy support cattle, pigs, and intensively grazed⁴ beef cattle and deer (ie, that are break feeding, grazing on annual forage crops or grazing on pasture that has been irrigated within the last 12 months). This means that non-intensively grazed beef cattle and deer would not be required to be excluded from wetlands supporting a population of threatened species.

Option Four – developing an exception from regulation 17 for DOC- and LINZ-administered leased land

Under this option, an exception from regulation 17 would be provided to farms on land administered and leased by the Department of Conservation (DOC) or Land Information New Zealand (LINZ). This recognises that stocking rates on these properties are often lower in intensity and are already actively managed through lease conditions to mitigate the environmental impacts of grazing. This option would primarily benefit specific regions, such as the West Coast and the South Island High Country, where the environmental benefits of excluding stock can be disproportionate to the associated costs.

Option Five – Extending compliance timeframes

Under this option, regulation 17 would remain in place, however, its commencement date for existing pastoral systems would be extended (currently 1 July 2025). This would provide more time to farmers to invest in stock exclusion measures, and spread costs (eg, the cost of fencing) over time.

Option three best meets the policy objectives and is the preferred option for consultation.

What consultation has been undertaken?

The Stock Exclusion Regulations have been consulted on multiple times (in 2023, 2024 and 2025) since its introduction in 2020.

Is the preferred option in the Cabinet paper the same as preferred option in the RIS?

Yes

Summary: Minister’s preferred option in the Cabinet paper

Costs (Core information)

Costs:

- The preferred option may be inappropriate in some circumstances (eg, where particularly sensitive wetlands are present), meaning environmental impacts could arise due to potential increases in contaminants in these wetlands.
- Compared to the status quo, this option removes national rules for non-intensive farming systems, which poses more potential to result in detrimental effects on the environment.
- The preferred option could increase the likelihood of stock access to wetlands that are of significance to Māori.

⁴ Regulation 4 of the Resource Management (Stock Exclusion) Regulations 2020 defines ‘intensively grazing’ as:

Break feeding; or

Grazing on annual forage crops; or

Grazing on pasture that has been irrigated with water in the previous 12 months.

Benefits (Core information)

Benefits:

- Regulated groups: Cost saving to farmers who would have had to make the necessary investments (financial and time) to comply with regulation 17 by 1 July 2025.
- Regulators: Lower cost to Regional Councils regarding compliance monitoring and enforcement.
- Others (eg, wider govt, consumers, etc.): Many natural wetlands captured by regulation 17 are located on DOC or LINZ pastoral lease land, which is often associated with lower intensity farming. Those pastoral leases already have restrictions in place (including on the number of stock that can graze the land) to address the risks of stock accessing natural wetlands. The preferred option reduces duplication in requirements.

Balance of benefits and costs (Core information)

The benefits of this option outweigh the costs. The preferred option provides more flexibility for local decision making by shifting the management of wetlands under regulation 17 from a nationally prescribed rule, which applies regardless of circumstances, to local rules or other mechanisms for farms where implementation costs outweigh the benefits. These mechanisms include regional plans, Freshwater Farm Plans (FWFPs) and industry initiatives.

Implementation

The new arrangements will be progressed as part of the National Direction Reform package. Local authorities with resource management responsibilities under section 30 of the RMA (eg, regional councils and unitary authorities) will have the principal role for managing and enforcing any amendments made to the stock exclusion and NES-F regulations. When introduced, the Ministry for the Environment will support regional councils (including any unitary authority) and the primary sector to implement the new regulations through the publication of updated guidance documents and advisory notes.

Limitations and Constraints on Analysis

Scope

The scope of this RIS is narrow and focused on delivering on the Government commitment in 2026 as part of the package of national direction under the Resource Management Act 1991 (RMA). Options are limited to those which can be delivered through RMA instruments (eg, national direction).

The high-level objectives and criteria (including how to assess and weigh criteria) for this RIS are consistent with the national direction work programme. There is no scope to tailor them for this specific policy area.

Limited evidence base for wetlands

Officials have extremely limited information on the number of wetlands which are captured by regulation 17 of the Stock Exclusion Regulations 2020, or the cost and benefits of this regulation. The initial RIS assessing the stock exclusion regulations had minimal analysis on the impacts of the regulations regarding wetlands, due to the availability of information. Because of this, and because regulation 17 has only recently come into force as of July 2025, the effects of changing the regulations are unclear.

Concurrent policy changes affecting the status quo

This analysis considers the status quo as the legislation that is currently in place. However, the Government is reforming the resource management system and has introduced RMA replacement legislation. This will change the status quo for freshwater management, once passed. This includes, but is not limited to, the replacement of the RMA itself, the review and

replacement of freshwater national direction (such as the Stock Exclusion Regulations), amendments to the freshwater farm plan (FWFP) system, and amendments to other (or new) national direction instruments.



We note that, subject to future decisions in relation to the replacement of the RMA, Stock Exclusion Regulations (including any amendment to regulation 17) could be carried over into the new resource management system (ie, once RMA replacement legislation is enacted). This could be either as regulations or in different instruments (eg, national standards), consistent with the system architecture of the new system.

Interaction with other national direction proposals

This proposal is part of a suite of national directions proposals included in the national direction work programme. The cumulative impact of the full suite of proposals has not been assessed.

I have read the Regulatory Impact Statement and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager(s) signature:

<p>Nik Andic Freshwater Policy</p>	
<p>12/03/2026</p>	
<p>Claire McClintock Water Policy and Adaptive Farming, Ministry for Primary Industries</p>	
<p>12/03/2026</p>	

<p>Quality Assurance Statement <i>[Note this isn't included in the four-page limit]</i></p>	
<p>Reviewing Agency: Ministry for the Environment and Ministry for Primary Industries</p>	<p>QA rating: Meets</p>
<p>Panel Comment:</p> <p>The Panel consider that the information and impact analysis summarised in the RIS meets the Quality Assurance criteria.</p> <p>There are some areas where we consider improvements to the analysis could be made:</p> <p>The Panel notes that the RIS highlights limitations in data available to support the analysis particularly around the extent of the impact of this change both in terms of number of wetlands, number of farmers and impact on them, and potential environment costs. While the assumptions are reasonable for the impact in terms of reduced costs to farmers from the change in regulation, the deficiencies in environmental costs (or benefits from maintaining the status quo) reduces the robustness of the overall analysis.</p>	

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

1. The Stock Exclusion Regulations were gazetted in 2020 and took immediate effect for new pastoral systems, with compliance for existing farms required by mid-2023 or mid-2025 depending on stock type and practices.
2. The regulations require certain types of stock to be excluded from waterways and apply to any person who owns or controls stock.⁵ Appendix A provides an overview of the regulations for existing farm systems, by type of stock, waterbody, and commencement date.

Exclusion of stock from natural wetlands

3. Regulations 16 and 17 require stock to be excluded from any natural wetland:
 - identified in a regional or district plan or a regional policy statement that is operative on the commencement date (regulation 16)
 - that supports a population of threatened species as described in the compulsory value for threatened species in the NPS-FM⁶ (including those identified in a regional plan that becomes operative after the commencement date (regulation 17)).
4. There is an exception to the natural wetland requirements for the geographical area of the Upper Taieri Scroll Plain located in Otago (regulation 3A).
5. Draining wetlands for agricultural and urban development over the past 150 years has led to significant wetland loss and deterioration. Wetlands support high levels of biodiversity, provide habitats, improve water quality and resilience to flooding, and have strong cultural and spiritual importance for Māori.⁷
6. Allowing stock to graze in a wetland can have negative environmental outcomes on water quality and biodiversity by increasing sediment runoff, nutrient load and habitat damage, especially where stock are intensively grazing.^{8,9} The impacts of stock entering natural wetlands can be higher as they tend to be particularly sensitive water bodies.
7. However, excluding stock from wetlands in lower intensity farms may also result in adverse outcomes, because when farming at low stocking rates, farmers are more likely

⁵ Regulation 4: Stock –

Means beef cattle, dairy cattle, dairy support cattle, deer, or pigs; and

To avoid doubt, does not include any feral animal.

⁶ Threatened species means any indigenous species of flora or fauna that:

(a) relies on water bodies for at least part of its life cycle; and

(b) meets the criteria for nationally critical, nationally endangered, or nationally vulnerable species in the New Zealand Threat Classification System Manual (see clause 1.8).

⁷ [Wetland area: Data to 2023 | Stats NZ](#)

⁸ McKergow, L.A., Rutherford, J.C., & Timpany, G.C. (2012). Livestock-Generated Nitrogen Exports from a Pastoral Wetland. *Journal of Environmental Quality*, 41(5), 1681-1689.

⁹ McKergow, L.A., Tanner, C.C., Monaghan, R.M., & Anderson, G. (2007). Stocktake of diffuse pollution attenuation tools for New Zealand pastoral farming systems. NIWA Client Report: HAM2007-161. <https://niwa.co.nz/sites/default/files/import/attachments/stocktake-v10.pdf>

to destock and/or operate more intensively on smaller areas that can be fenced efficiently, which may lead to:

- reduced weed management of the wetland area and a negative outcome to wetlands (eg, relatively impenetrable thatches of pasture grasses to the detriment of smaller, low growing and threatened indigenous plants)
 - adverse effects on water quality where farmers choose to operate more intensively on smaller areas of land.
8. Whether light grazing is beneficial for wetlands or not is highly dependent on the wetland and its conditions. Some wetlands such as peat bogs, or those where native vegetation is dominant (or strong seed banks exist), are best left un-grazed to encourage native regeneration and avoid the introduction of pest plants.
 9. When undertaken with care, grazing can be a pragmatic way to control introduced grass swards over large areas. Some rare plant communities can benefit from very light grazing to control introduced grasses; others are best left un-grazed.
 10. Where a wide range of exotic species are well established throughout the wetland, grazing may be justified. Without management, these species can invade the ephemeral wetland zone and result in loss of native wetland plant species. Introduced plants can also become a hindrance for public access and enjoyment of waterways.
 11. Public consultation feedback in 2023 highlighted that requiring all stock to be excluded from wetlands is a particular issue for the Upper Taieri Scroll Plain in Otago, pastoral lease land in the South Island high country and along the West Coast. In these areas, the cost of fencing may be disproportionate to the benefits, or stock exclusion may lead to unintended ecological outcomes, such as reduced weed control where wetlands benefit from light grazing. Feedback from the primary sector during targeted engagement in November-December 2024 reiterated this issue. Feedback from public consultation in 2025 also highlighted this as an issue for the South Island high country.

What is the policy problem or opportunity?

12. Regulation 17 of the Stock Exclusion regulations require all stock to be excluded from wetlands that support a population of threatened species, regardless of the size of the wetland or the intensity of the farming system. Regulation 17 is inflexible and unable to be adapted to individual circumstances, meaning in some areas (eg, along the West Coast and the South Island high country) there is the potential that the benefits of excluding stock from these wetlands is disproportionate to the cost.
13. Some stakeholders – mostly from the primary sector – have reported difficulties in meeting the requirements of the Regulation 17, including:
 - The cost of excluding stock from all wetlands which support a population of threatened species is high, particularly in hill country areas where there are multiple, small and scattered areas of wetland on extensive farms;
 - The cost of identifying whether a wetland supports a population of threatened species (eg, the cost of hiring an ecologist), to determine whether the regulations applies to them; and
 - The potential benefits light grazing could pose to the wetland (ie, pest and weed management).

What objectives are sought in relation to the policy problem?

14. The Government's overall objectives for Phase 2 of the resource management reform work programme [ECO-24-MIN-0022 refers] are:

Making it easier to get things done by:

- enabling primary sector growth and development (including aquaculture, forestry, pastoral, horticulture and mining)

15. While also:

- safeguarding the environment and human health
- improving regulatory quality in the resource management system
- upholding Treaty of Waitangi settlements and other related arrangements.

16. In addition, the coalition agreements include National's 100 point economic plan which references 19 actions (outlined in the National Party's Getting Back to Farming) to cut red tape and replace one-size-fits-all rules with local decision making.⁵

17. The objectives sought in relation to the specific proposals in this interim RIS are to:

- simplify existing regulations to remove unnecessary costs, complexity and rigidity;
- provide more flexibility for local decision-making at a regional and catchment scale; and
- safeguard the environment.

What consultation has been undertaken?

2025 public consultation

18. In 2025 the public was consulted on whether there should be an amendment to allow exceptions for non-intensively grazed beef cattle and deer and whether the current costs of excluding all stock types from wetlands supporting a population of threatened species outweighed the benefits.

19. Primary sector submitters generally supported the proposed amendment and agreed that the cost of excluding stock from wetlands supporting a population of threatened species sometimes outweighed the benefits – particularly in areas with extensive pastoral leases such as those in South Island high country.

20. Regulation 17 was identified by primary sector stakeholders as not having the flexibility to be adapted to local circumstances where the costs of excluding stock from wetlands supporting a population threatened species outweighed the benefits. This was a theme in consultation from 2023, 2024 and 2025.

21. The costs and challenges associated with identifying wetlands that supported a population of threatened species was also brought up as a challenge by primary sector submitters, particularly in more extensive systems or where the biodiversity value of the wetlands was perceived as being low (eg, having a high volume of non-indigenous vegetation species).

22. Most other submitters generally opposed the amendment and generally disagreed that the benefits of excluding stock from wetlands were outweighed by the costs. The majority of submitters were concerned that the proposed amendment would allow for continued degradation of wetlands and biodiversity loss.

- 23. Most council submitters were not in favour of blanket repeal or loosening of regulation 17, however, some council submitters did acknowledge that in some areas the costs associated with excluding stock may outweigh the potential benefits.
- 24. Iwi/Māori submitters similarly argued that this amendment would impact the Mauri of wetlands which are treasured taonga for many Iwi and hapū. It was also noted that allowing for further degradation of wetlands could be seen as the crown failing to uphold its commitments to Iwi/Māori from the Wai-2358 inquiry¹⁰.

Targeted engagement (2024)

- 25. Feedback from the primary sector during targeted engagement from November 2024 reiterated the challenge of excluding stock from natural wetlands in extensive farming systems, and that the majority of these wetlands are those specified in regulation 17.
- 26. Targeted engagement feedback also highlighted the cost of identifying whether a wetland supports a population of threatened species (eg, the cost of hiring an ecologist) and determining whether regulation 17 applies to that wetland, in addition to the cost of excluding the stock from that area.

2023 Public Consultation

- 27. Consultation in 2023 sought feedback on addressing the unintended outcomes of excluding stock from natural wetlands where they are part of a lower intensity farming system (eg, by developing an exception to stock exclusion requirements).¹⁵
- 28. While most submissions did not support applying a broad exception to wetlands for lower intensity farms, there were two areas where this was identified as an issue¹⁶ in the Upper Taieri Scroll Plain and DOC or LINZ pastoral lease land in the South Island high country and along the West Coast. In these areas the cost of fencing may be disproportionate to the benefits, or stock exclusion may lead to unintended ecological outcomes such as reduced weed control where wetlands benefit from light grazing.
- 29. Following the 2023 consultation, changes were made to exempt the geographic area of the Upper Taieri Scroll Plain from regulations 14 and 15 (beef cattle and deer on low slope land) and regulations 16 to 18 (exclusion of stock from natural wetlands)^{21, 22}
- 30. However, no changes were made to exempt the geographic area of the South Island high country, as this option went beyond the scope of creating an exception for lower intensity farms. This exception would apply to all farms in the area, regardless of intensity or lease arrangements.
- 31. The analysis of options in this RIS focuses on regulation 17, as this has been where the majority of remaining issues with the stock exclusion regulations have been identified.

Section 2: Assessing options to address the policy problem

What criteria will be used to compare options to the status quo?

- 32. This RIS, in alignment with the wider national direction work programme, will use the following criteria:

Criteria	Description
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¹⁰ [National Freshwater and Geothermal Resources | Waitangi Tribunal.](#)

Effectiveness	<ul style="list-style-type: none"> • Does the option achieve the objectives? • Does it provide a solution to the identified problem?
Efficiency	<ul style="list-style-type: none"> • Is it providing enough flexibility to allow local circumstances to be adequately taken into account/addressed at the local level? • Is it cost-effective?
Alignment	<ul style="list-style-type: none"> • Does the option integrate well with other proposals and the wider statutory framework?
Implementation	<ul style="list-style-type: none"> • Is the option clear about what is required for implementation by local government/others and easily implemented?
Treaty of Waitangi	<ul style="list-style-type: none"> • The extent to which the option is consistent or gives effects to Treaty settlements and te Tiriti principles.

What scope will options be considered within?

33. The scope of this RIS is narrow and focused on delivering on the Government commitment in 2026 as part of the package of national direction under the RMA.
34. The Government committed to “cut red tape and replace one-size-fits-all rules with local decision making” to support growing the primary sector. On this basis, the options in scope for this RIS are those that involve simplifying the stock exclusion regulations (i.e., removing unnecessary costs, complexity and rigidity) and providing more flexibility for local decision-making.
35. Amendments to the regulations in October 2024 to repeal the map of low slope land and associated requirements have likely addressed the majority of concerns regarding the regulations, including issues identified in manifesto commitments.^{11, 12} The scope of this RIS will be focused on residual concerns with the stock exclusion regulations that officials are aware of (i.e., regulation 17), but will not be looking at the following areas of the stock exclusion regulations:
- exclusion of stock from lakes or wide rivers (regulations 8-13)
 - exclusion of stock from natural wetlands identified in regional or district plan (regulation 16).
36. We did consider the option of developing an exception to regulation 17 based on a stocking rate threshold (eg, for extensive farming systems). However, consultation feedback in 2023 and 2025 on using stocking rates highlighted difficulties in defining a stocking rate that reflects an acceptable level of intensity (because the distribution of

¹¹ Changes progressed through the [Resource Management \(Freshwater and Other Matters\) Amendment Act 2024](#)

¹² The New Zealand National Party Getting Back to Farming manifesto document includes the following commitments:

- “Uniform setback rules can carve off unnecessarily large areas around small water bodies or threaten farm viability - Tie stock exclusion rules to local conditions to limit unintended consequences”, and
- “Make stock exclusion rules more practical to protect critical source areas while avoiding unintended consequences like unnecessarily large exclusion zones for small water bodies”.

stocking rates varies widely across the country and any stocking rate threshold would be arbitrary), inability to account for situations where stock exclusion is needed to provide for values (eg, sensitive waterbodies; cultural sites) and it would be difficult to monitor and enforce for regional councils.¹³

37. We also considered the option of creating an exception on the basis of a farm having a certified FWFP. However, previous analysis identified that the regulation-making powers under section 360(1)(hn) of the RMA regarding stock exclusion are limited and are unable to delegate authority to a third party (eg, for regional plans or FWFPs certifiers to determine whether or not the regulations should apply to a lower intensity farm).¹⁴ This limits changes that can be made to the Stock Exclusion Regulations to address the identified issues, as the legislation would not allow for an exception based on a farm having a certified FWFP that meets the same or better outcomes.
38. We did not consider using a wetland size threshold. Even in large, established natural inland wetlands, the water level changes frequently. This can make it difficult to robustly identify where the 'edge' is, leaving landowners and councils open to legal risk. Further, threatened species can occur in wetlands of any size.
39. For these reasons, these options were not retained for the purposes of this analysis.

What options are being considered?

Option One – [Status Quo / Counterfactual]

40. Under Option One, regulation 17 would remain unchanged. Farmers would still be required to exclude stock from wetlands which support a population of threatened species as of 1 July 2025 for existing pastoral systems.
41. This could mean that stock will be required to be excluded from wetlands even if the cost of doing so is disproportionate to the benefits, or where there are potentially advantages of lightly grazing the wetland. The exact impacts of this are unknown, but we have heard through previous submissions and targeted engagement that this could affect farmers in certain areas (eg, the West Coast or the South Island High Country).
42. In wetlands where stock exclusion is beneficial, the regulations would continue to support this, therefore safeguarding the environment. In wetlands where light grazing may be beneficial, these benefits would be removed. The number of wetlands falling into either category is unknown.
43. The Survey of Rural Decision-makers (2021) reports that dairy farmers are fencing many wetlands on their properties, especially in Taranaki, Southland, and Northland (where 95% or more of the extent of wetlands on farms is now fenced) and stock are excluded from most of the extent of wetlands on commercial sheep and beef properties.¹⁵ For these farms, the cost impact of the status quo is likely to be low.
44. It is unclear to what extent stock have been excluded from natural wetlands on other farm types (eg, extensive sheep and beef farms). Regulation 17 has been in effect since

¹³ [ris-options-to-amend-stock-exclusion-regulations-to-enable-more-flexibility-for-lower-intensity-farms.pdf](#) (environment.govt.nz)

¹⁴ [ris-options-to-amend-stock-exclusion-regulations-to-enable-more-flexibility-for-lower-intensity-farms.pdf](#)

¹⁵ [Information sheet: Restricting stock from waterways » Manaaki Whenua \(landcareresearch.co.nz\)](#) – Note: no information is included on what constitutes a wetland in this survey, meaning officials have not been able to determine whether it matches the definition of natural wetland in the Stock Exclusion Regulations.

July 2025 for existing farming systems and it is unclear to what extent it is currently driving investments (eg, fencing).

Option Two – Repeal Regulation 17

45. Under this option, regulation 17 would be repealed. This means that there would no longer be a national rule requiring stock to be excluded from natural wetlands supporting a population of threatened species. Instead, this would be managed by individual farmers (good practice and voluntary actions), regional plan rules (where they exist), and FWFPs (once rolled out in a region).
46. This would provide more flexibility, as the management of these wetlands will be left to local rules (eg, regional plans) or other mechanisms (industry initiatives, FWFPs).
47. The timeframes for rolling out the FWFP system and updating regional plan rules¹⁶ (where they do not already exist) could mean effective stock exclusion measures will be in place later than July 2025 (when regulation 17 came into effect for existing pastoral systems). Further degradation of freshwater due to stock entering natural wetlands could continue until FWFPs or updated regional plans are implemented.
48. This option is broader in scope than addressing the issue presented for excluding stock from natural wetlands in extensive farming systems as it would repeal requirements that apply to *all stock* (eg, dairy cattle and intensively grazed beef). This option would also result in the least protection for wetlands, and would not meet the objective to safeguard the environment and human health (as the benefits of excluding intensively grazed stock are widely supported).¹⁷

Option Three - Only applying regulation 17 to dairy cattle, dairy support cattle, pigs, and intensively grazed beef cattle and deer (preferred option)

49. Under this option, regulation 17 would be refined to only apply to dairy, dairy support cattle, pigs, and intensively grazed beef cattle and deer. This would rely on the definition for intensively-grazed as outlined in the Stock Exclusion regulations (see regulation 4), this means that there would no longer be a national requirement to exclude non-intensively grazed beef cattle and deer from natural wetlands supporting a population of threatened species.¹⁸
50. This option aligns with changes to the regulations progressed by the Government in October 2024 to address concerns relating to these stock types specifically, in relation

¹⁶ Note the Resource Management (Freshwater and Other Matters) Amendment Act 2024 amended the RMA to restrict councils' ability to notify new freshwater plans until the gazettal of the replacement National Policy Statement for Freshwater Management (NPS-FM). New freshwater plans giving effect to the NPS-FM must be publicly notified by December 2027. In addition, new legislation replacing the RMA has been introduced in December 2025, which will further delay the notification of freshwater plans.

¹⁷ McKergow, L.A., Tanner, C.C., Monaghan, R.M., & Anderson, G. (2007). Stocktake of diffuse pollution attenuation tools for New Zealand pastoral farming systems. NIWA Client Report: HAM2007-161.
<https://niwa.co.nz/sites/default/files/import/attachments/stocktake-v10.pdf>

¹⁸ Regulation 4 of the Resource Management (Stock Exclusion) Regulations 2020 defines 'intensively grazing' as:

Break feeding; or

Grazing on annual forage crops; or

Grazing on pasture that has been irrigated with water in the previous 12 months.

to lakes and rivers.¹⁹ The management of these wetlands will be left to local rules (eg, regional plans) or other mechanisms (industry initiatives, FWFPs).

51. This addresses stakeholder concerns with the regulations and means that for lower intensity farms where, in some cases, it is not cost effective to exclude stock, or in cases where light grazing may support wetland health, stock will be allowed to graze in these wetlands. We note, however, that regional plan rules may still require stock exclusion from these wetlands.
52. It is difficult to estimate the area of farmland that would be covered by this exception, but it is anticipated to be very large. For example, approximately 2.7 million hectares of land is used for beef and deer.²⁰ About 127,000 hectares of land is irrigated for non-dairy livestock.²¹ The proportion of the non-irrigated area used for break feeding or forage crops is likely to be minor. This suggests over 2.5 million hectares of land used for grazing cattle or deer may be exempt from the natural wetland requirements.
53. However, the exact number of wetlands covered by regulation 17 on this land is unknown, and the impacts of this would depend on nuances around whether land is used for multiple stock types, what stock use the irrigated land area, and how much land is used for break feeding and forage crops.
54. As this option would remove large areas of land from the regulations, we estimate this option would provide less safeguards for the environment compared to the status quo.

Option Four - developing an exception from regulation 17 for DOC- and LINZ-administered leased land

55. Under this option, an exception from regulation 17 would be provided to farms on land administered and leased by the Department of Conservation (DOC) or Land Information New Zealand (LINZ).
56. This option was considered in 2023.²² This was on the basis that stocking rates are actively managed as part of these licences or leases, to manage the impacts grazing has on the environment.
57. This option was not recommended at the time due to a lack of evidence that lower intensity grazing for weed control would not impact freshwater quality.
58. Based on feedback received in 2023 and targeted engagement from November 2024, we note that such an exception would likely benefit specific regions or areas. For instance:
 - **West Coast region:** stakeholders raised that most lease arrangements for DOC-administered land are located on the West Coast region (43 in 2023), which have stocking rate limits in place to manage environmental outcomes.²³

¹⁹ The Government amended the stock exclusion regulations through the Resource Management (Freshwater and Other Matters) Amendment Act, to address concerns that the map of low slope land and associated requirements would have imposed significant costs on lower intensity beef and deer farms for limited environmental benefits [ECO-24-MIN-0051 refers].

²⁰ [Agricultural and horticultural land use | Stats NZ](#)

²¹ [Irrigated land – published April 2021 | Stats NZ](#)

²² [ris-options-to-amend-stock-exclusion-regulations-to-enable-more-flexibility-for-lower-intensity-farms.pdf \(environment.govt.nz\)](#)

²³ We also heard that the West Coast region is predominantly rural and public conservation land. The Conservation Estate comprises 84.17 percent of the West Coast land area, with an additional 1.55 percent administered by LINZ. This leaves 14.28 percent of land in private ownership.

- **Pastoral lease land in the high country:** the submission from the High Country Accord indicated that there were approximately 160 remaining pastoral or special leases of pastoral land covering about 1.3 million hectares. However, this is only half of the South Island high country, meaning there are likely still to be areas where the regulations still present an issue.

59. As this option does remove some areas of land from the regulations, we anticipate that this option provides less safeguards for the environment compared to the status quo. However, these risks are limited, and mitigated due to existing licencing or lease arrangements.

Option Five – Extending compliance timeframes

60. Under this option, regulation 17 would remain in place, however, its commencement date for existing pastoral systems would be extended (currently 1 July 2025).²⁴ This would provide more time to farmers to invest in stock exclusion measures, and spread costs (eg, the cost of fencing) over time.
61. However, it is unclear if farmers will continue to invest over time or will instead choose to pause investments (eg, because re-prioritising investments or due to uncertainty related to potential further changes to the Stock Exclusion Regulations – noting that the regulations have already been amended three times since their enactment in 2020). This option would not change the total cost of complying with the regulations (eg, the total cost of fencing waterbodies on a property).
62. In any case, alternatives to fencing may be developed such as collar technologies (i.e., virtual fencing). However, these can be relatively expensive as collar technologies range from about \$40 to \$197/cow/year, depending on the benefits available and whether technologies are leased or owned (and often require investment capital up front).²⁵ It is possible that they are made more accessible over time. This means that extending compliance timeframes may provide an opportunity to adopt alternative approaches to excluding stock.²⁶ However, this does risk the potential for stock to not be excluded from these wetlands in the interim, potentially resulting in declining wetland quality in some cases.

²⁴ Regulation 17 started to apply from 3 September 2020 (ie, the commencement date of the Stock Exclusion Regulations) in relation to new pastoral systems.

²⁵ [Evaluation of Cow Collar Technology - Research report for Our Land and Water National Science Challenge. Rural Professionals Fund](#) (January 2024)

²⁶ Nothing in the regulations requires a barrier to be erected around or along an entire lake, river, or natural wetland.

How do the options compare to the status quo/counterfactual?

	Option One Status quo (regulation 17 remains unchanged)	Option Two Repeal regulation 17	Option Three (preferred option) Only applying regulation 17 to dairy cattle, dairy support cattle, pigs, and intensively grazed beef cattle and deer	Option Four Exception from regulation 17 for DOC- and LINZ-administered land	Option Five Extending compliance time frame of regulation 17
Effectiveness <ul style="list-style-type: none"> Does the option achieve the objectives? Does it provide a solution to the identified problem? 	Objective 1: removing unnecessary costs, complexity and rigidity. 0	<p>This option means that farmers, FWFPs, and regional plan rules will manage stock exclusion from natural wetlands specified in regulation 17.</p> <p>Objective 1: removing unnecessary costs, complexity and rigidity. ++</p> <p><u>Costs:</u> There will be no national requirement for stock to be excluded from these wetlands, therefore potentially removing the cost for these farmers. Other mechanisms may be used for managing stock access to wetlands (eg, regional plans/FWFPs). These will be able to take local circumstances and risks into consideration (including situations where excluding stock from a particular wetland is not required). Overall, it is anticipated that this option would incur less costs compared to the status quo.</p> <p><u>Complexity:</u> this option would remove complexity compared to the status quo (i.e., wetland delineation is very complex) and would rely on regional rules (which can be locally tailored) to manage the impacts.</p> <p><u>Rigidity:</u> this option removes rigidity compared to the status quo.</p>	<p>Objective 1: removing unnecessary costs, complexity and rigidity. ++</p> <p><u>Costs:</u> most natural wetlands within non-intensive beef cattle and deer systems will no longer be required to have stock excluded (under national regulations).</p> <p>Overall, this option will remove costs compared to the status quo for farms that can benefit from the exception.</p> <p><u>Complexity:</u> in terms of complexity, this option is considered better than the status quo, for farms that can benefit from an exception.</p> <p><u>Rigidity:</u> this option removes rigidity compared to the status quo, by providing an exception for some farming systems.</p>	<p>Objective: removing unnecessary costs, complexity and rigidity. +</p> <p><u>Costs:</u> most natural wetlands on DOC- and LINZ-administered land will no longer be required to have stock excluded (under national regulations). Overall, this option will remove costs compared to the status quo for farms that can benefit from the exception.</p> <p><u>Complexity:</u> in terms of complexity, this option is considered better than the status quo, for farms that can benefit from an exception.</p> <p><u>Rigidity:</u> this option removes rigidity compared to the status quo, by providing an exception for some farming systems.</p> <p>Note that this option means not all extensive farming systems can benefit from an exception from regulation 17 (i.e., only those on DOC- and LINZ-administered land can).</p>	<p>Objective 1: removing unnecessary costs, complexity and rigidity. 0</p> <p><u>Costs:</u> this option extends timeframes and allows farmers to spread stock exclusion costs over time (or adopt alternative approaches as they become more available – eg, smart collars), however it does not remove the total cost of complying with regulation 17.</p> <p><u>Complexity:</u> in terms of complexity, this option is considered equivalent to the status quo.</p> <p><u>Rigidity:</u> in terms of rigidity, this option is considered equivalent to the status quo.</p>
	Objective 2: providing more flexibility for local decision-making. 0	<p>Objective 2: providing more flexibility for local decision-making. ++</p> <p>This option provides more flexibility for local decision-making (eg, voluntary actions, FWFPs, or regional plan rules).</p>	<p>Objective 2: providing more flexibility for local decision-making. +</p> <p>Compared to the status quo, this option provides more flexibility for local decision-making for farms that can benefit from the exception (eg, voluntary actions, FWFPs or regional plan rules).</p>	<p>Objective 2: providing more flexibility for local decision-making. +</p> <p>Compared to the status quo, this option provides more flexibility for local decision-making for farms that can benefit from the exception (eg, voluntary actions, FWFPs or regional plan rules).</p>	<p>Objective 2: providing more flexibility for local decision-making. 0</p> <p>This option is the same as the status quo.</p>
	Objective 3: safeguarding the environment. 0	<p>Objective 3: safeguarding the environment. --</p> <p>This option is broad in scope. It would repeal a regulation that applies to <i>all stock</i> (eg, dairy cattle and intensively grazed beef cattle). Compared to the status quo, this option poses greater risks to natural wetlands (as specified in Regulation 17).</p> <p>The timing of other mechanisms (eg, FWFPs, notification of regional plans) are likely to occur later, meaning any investment in stock exclusion could be delayed.</p>	<p>Objective 3: safeguarding the environment. -</p> <p>An exception may be inappropriate in some circumstances (eg, where particularly sensitive wetlands are present). Compared to the status quo, this option poses more risks to natural wetlands (as specified in Regulation 17).</p>	<p>Objective 3: safeguarding the environment. -</p> <p>An exception may be inappropriate in some circumstances (eg, where particularly sensitive wetlands are present). However, stocking rates are actively managed as part of DOC/LINZ licenses or leases, to manage the impacts grazing has on the environment.</p> <p>Compared to the status quo, this option may pose more, but limited, risks to natural wetlands (as specified in Regulation 17).</p>	<p>Objective 3: safeguarding the environment. -</p> <p>This option is worse than the status quo. That is, providing more time for farmers to exclude stock from natural wetlands (as specified in Regulation 17) could delay environmental improvements.</p>
Efficiency <ul style="list-style-type: none"> Is it providing enough flexibility to allow local circumstances to be adequately taken into 	0	<p>++</p> <p>This option removes a nationally applicable requirement and therefore provides more flexibility for local decision-making than the status quo.</p> <p>This option is more cost effective than the status quo, as it provides for the consideration of local and individual circumstances to determine whether</p>	<p>++</p> <p>This option removes a nationally applicable requirement for non-intensive beef and deer farms and therefore provides more flexibility for local decision-making for these farms.</p> <p>This option is more cost effective than the status quo, as it provides for the consideration of local and</p>	<p>0/+</p> <p>This option removes a nationally applicable for farms located on DOC- and LINZ-administered land.</p> <p>This option is more cost-effective than the status quo. That is, FWFPs, plan rules or farmers will decide where to exclude stock from natural wetlands on these farms, based on risks.</p>	<p>0</p> <p>The efficiency of this option is about the same as the status quo. We note, however, that alternative stock exclusion measures may become more affordable over time (eg, smart collar technology).</p>

APPENDIX 4

<p>account/addressed at the local level?</p> <ul style="list-style-type: none"> Is it cost-effective? 		<p>exclusion of stock from wetlands specified in Regulation 17 is warranted.</p>	<p>individual circumstances to determine whether exclusion of stock from wetlands specified in Regulation 17 is warranted.</p>	<p>However, not all extensive farming systems are on DOC- or LINZ-administered land, meaning flexibility will not be provided to all areas where it may be needed.</p>	
<p>Alignment</p> <ul style="list-style-type: none"> Does the option integrate well with other proposals and the wider statutory framework? 	<p>0</p>	<p>+</p> <p>This option aligns with previous changes to the stock exclusion regulations to replace one-size-fits-all regulations and better enable local decision making.²⁷</p>	<p>+</p> <p>This option aligns with previous changes to the stock exclusion regulations to remove requirements applying to non-intensively grazed beef cattle and deer in relation to lakes, wide rivers and some specified natural wetlands.</p>	<p>0/+</p> <p>This option aligns with previous changes to the Stock Exclusion Regulations to replace one-size- fits-all regulations and better enable local decision-making. However, it does this partially because not all extensive farming systems are on DOC- or LINZ- administered land.</p>	<p>0</p> <p>This option is about the same as the status quo in terms of alignment with other proposals.</p>
<p>Implementation</p> <ul style="list-style-type: none"> Is the option clear as to what is required for implementation by local government/other and easily implemented? 	<p>0</p>	<p>+</p> <p>This option makes it clear to regional councils that they are responsible for managing stock access to wetlands.</p>	<p>+</p> <p>This option is more easily implemented than the status quo for non-intensive beef and deer farms. It makes it clear that regional councils are responsible for managing stock access to wetlands for non-intensively grazed beef and deer farms.</p>	<p>0/+</p> <p>This option is slightly better than the status quo. Instead of regulation 17, it would rely on existing DOC/LINZ lease arrangements (which contain restrictions, including on the number of stock that can graze the land) to address the risks of stock accessing natural wetlands supporting a population of threatened species. It reduces duplication in requirements for these farms.</p>	<p>0/-</p> <p>This option is worse than the status quo. It isn't clear if farmers will continue to invest over time or choose to pause investments. This option would also not change the total cost of complying to the regulations.</p>
<p>Treaty of Waitangi</p> <ul style="list-style-type: none"> The extent to which the option is consistent or gives effects to Treaty settlements and te Tiriti principles. 	<p>0</p>	<p>--</p> <p>Allowing stock into wetlands is unlikely to protect the mauri of freshwater or acknowledge its customary significance.</p> <p>Officials have not identified any specific impacts of this option on treaty settlement legislation.</p>	<p>-</p> <p>Allowing stock into wetlands is unlikely to protect the mauri of freshwater or acknowledge its customary significance.</p> <p>Officials have not identified any specific impacts of the proposal on treaty settlement legislation.</p>	<p>-</p> <p>Allowing stock into wetlands is unlikely to protect the mauri of freshwater or acknowledge its customary significance.</p> <p>Officials have not identified any specific impacts of the proposal on treaty settlement legislation.</p>	<p>0/-</p> <p>Extending compliance timeframes is unlikely protect the mauri of freshwater or acknowledge its customary significance in the short-/mid-term.</p> <p>Officials have not identified any specific impacts of the proposal on treaty settlement legislation.</p>
<p>Overall assessment</p>	<p>0</p>	<p>+</p>	<p>+</p>	<p>0/+</p>	<p>0</p>
<p>Key for qualitative judgements</p>	<p>++ much better than doing nothing / the status quo / counterfactual</p>	<p>+ better than doing nothing / the status quo / counterfactual</p>	<p>0 about the same as doing nothing / the status quo / counterfactual</p>	<p>- worse than doing nothing / the status quo / counterfactual</p>	<p>-- much worse than doing nothing / the status quo / counterfactual</p>

²⁷ Changes progressed through the Resource Management (Freshwater and Other Matters) Amendment Act.

Treaty Impact Analysis

63. There was widespread concern from most Iwi/Māori and some other submitters that the proposal would impact wetlands of significant ecological and cultural value and diminish the mauri of these taonga. A few submitters, including Raukawa, also noted that claimants in the Wai 2358 inquiry²⁸ identified stock exclusion as essential to upholding the Crown's environmental obligations to Māori and, therefore, the proposal could be seen as a breach of the Crown's obligations to Māori.
64. Some submitters noted a lack of mechanisms to enable iwi and hapū to exercise kaitiakitanga over, and incorporate Te ao Māori into the management of, important wetlands and taonga species. A few also highlighted that there are currently no cultural impact assessments, monitoring arrangements, adequate processes for participation, or notification processes in place to inform iwi where threatened or taonga species or wetlands of significance are present.
65. A few submitters noted that the costs of implementing current Regulation 17 are particularly challenging for Māori landowners.
66. Officials have not identified any specific impacts of the proposal on treaty settlement legislation.
67. Allowing stock into wetlands is unlikely to protect the mauri of freshwater or acknowledge its customary significance. The proposal consulted on would result in stock exclusion from wetlands being determined by farming intensity rather than cultural or ecological considerations. This could increase the likelihood of stock access to wetlands that are significant to Māori.
68. Where needed, local authorities and tāngata whenua could still develop local rules to protect Māori freshwater values, and these can prevail over regulation 17 (or any other provision in the Stock Exclusion Regulations).²⁹ Note the Resource Management (Freshwater and Other Matters) Amendment Act 2024 amended the RMA to restrict councils' ability to notify new freshwater plans until the gazettal of the replacement National Policy Statement for Freshwater Management (NPS-FM). New freshwater plans giving effect to the NPS-FM must be publicly notified by December 2027. In addition, new legislation replacing the RMA has been introduced in December 2025, which will further delay the notification of freshwater plans.

What option is likely to best address the problem, meet the policy objectives, and deliver the highest net benefits?

69. Only applying regulation 17 to dairy cattle, dairy support cattle, pigs, and intensively grazed beef cattle and deer (Option Three) overall scores better than the status quo. While this option may be inappropriate in some circumstances (eg, where particularly sensitive wetlands are present), we note that FWFPs (once rolled out), regional plan rules (where relevant), and farmers' voluntary actions can provide stock exclusion. This option also balances the risk of reduced weed management or that farmers may choose to operate more intensively on smaller areas of land, if the status quo is retained. For these reasons, Option Three is favoured.

²⁸ [National Freshwater and Geothermal Resources | Waitangi Tribunal](#)

²⁹ Regulation 19 of the Stock Exclusion Regulations - More stringent regional rule prevails over provision in these regulations.

Analysis of other options:

70. The points raised above along with Government direction suggests that Option One is not favoured.
71. Repealing regulation 17 (Option Two) provides for costs savings and more flexibility for local decision-making, meaning it is more efficient than the status quo. However, this option is broader in scope (i.e., it would remove requirements to exclude any stock, irrespective of stocking rates), and poses greater risks to natural wetlands.
72. Developing an exception from regulation 17 for DOC- and LINZ-administered land (Option Four) overall scores slightly better than the status quo. However, regulation 17 will continue to apply to extensive farms that are not on DOC- or LINZ- administered land and therefore partially addresses the issue.
73. We consider that extending the compliance timeframes (Option Five) would be about the same as the status quo in relation to the total cost of excluding stock and inability to provide more flexibility for local decision-making. It would likely continue to be economically inefficient for extensive farming systems.

Is the Minister's preferred option in the Cabinet paper the same as the agency's preferred option in the RIS?

74. The Minister's preferred option in the Cabinet paper is the same as the agency's preferred option in the RIS.

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

Affected groups <i>(identify)</i>	Comment <i>nature of cost or benefit (eg, ongoing, one-off), evidence and assumption (eg, compliance rates), risks.</i>	Impact <i>\$m present value where appropriate, for monetised impacts; high, medium or low for non-monetised impacts.</i>	Evidence Certainty <i>High, medium, or low, and explain reasoning in comment column.</i>
Additional costs of the preferred option compared to taking no action			
Regulated groups	No additional costs to regulated groups above the status quo.	Low	Medium
Regulators	No additional costs have been identified for regulators above the status quo.	Low	Low
Others (eg, wider govt, consumers, etc.) <i>For fiscal costs, both increased costs and loss of revenue could be relevant</i>	N/A	N/A	N/A
Total monetised costs	N/A	N/A	N/A
Non-monetised costs	The preferred option may be inappropriate in some circumstances (eg, where particularly sensitive wetlands are present), meaning environmental impacts could arise due to potential increases in contaminants in these wetlands. Compared to the status quo, this option poses more risks to natural wetlands.	Low – there may be costs for wetlands specified under regulation 17 as allowing stock to enter these wetlands may be inappropriate in some circumstances.	Low
Additional benefits of the preferred option compared to taking no action			
Regulated groups	Cost saving to farmers who would have had to make the necessary investments (financial and	High	Low

	time) to comply with regulation 17 by 1 July 2025.		
Regulators	Lower cost to Regional Councils regarding compliance monitoring and enforcement.	Low	Low
Others (eg, wider govt, consumers, etc.)	Many natural wetlands captured by regulation 17 are located on DOC or LINZ pastoral lease land, which is often associated with lower intensity farming. Those pastoral leases already have restrictions in place (including on the number of stock that can graze the land) to address the risks of stock accessing natural wetlands. The preferred option reduces duplication in requirements.	Low	High
Total monetised benefits	Alleviate immediate cost pressures for non-intensive farms.	N/A	N/A
Non-monetised benefits	Not available	Medium	Low

Section 3: Delivering an option

How will the proposal be implemented?

75. The new arrangements will be progressed as part of the National Direction Reform package.
76. Local authorities with resource management responsibilities under section 30 of the RMA (eg, regional councils and unitary authorities) will have the principal role for managing and enforcing any amendments made to the stock exclusion.
77. We note that the Resource Management (Freshwater and Other Matters) Amendment Act 2024 amended the RMA to restrict councils' ability to notify new freshwater plans until the replacement NPS-FM is gazetted. New freshwater plans giving effect to the NPS-FM must be publicly notified by December 2027. In addition, new legislation to replace the RMA was introduced in December 2025, which will further delay the notification of freshwater plans. These timing constraints will affect how the exclusion of non-intensively grazed cattle from wetlands specified in regulation 17 is managed in the short to medium term (that is, until new regional plans can be notified).
78. When introduced, the Ministry for the Environment will support regional councils (including any unitary authority) and the industry sectors to implement the new regulations through the publication of updated guidance documents and advisory notes.

How will the proposal be monitored, evaluated, and reviewed?

79. Regional councils have monitoring requirements for freshwater outcomes, including the monitoring and reporting on the state of the environment required under section 35 of the Resource Management Act 1991, reporting under the Environmental Reporting Act 2015, and specific reporting requirements under the National Policy Statement for Freshwater Management 2020. In 2026, reports on the state of New Zealand's freshwater will also be prepared under the Environmental Reporting Act 2015. Note this will impact how the exclusion of stock in extensive farming systems from wetlands specified in Regulation 17 is managed in the short or mid-term. (ie until new regional plans can be implemented or FWFPs are rolled out).
80. The Government has committed to reviewing and replacing the RMA, with the intention to "narrow the scope of the resource management system to focus on managing actual effects on the environment".³⁰ The changes could influence the monitoring and evaluation of the changes proposed.
81. While monitoring can provide information on freshwater outcomes and quality, it would be difficult to attribute any changes in freshwater outcomes to the changes outlined in this RIS. This is due to the complexities of freshwater management, and the wider context for freshwater management in which these changes are occurring.

³⁰ [Replacement for the Resource Management Act takes shape | Beehive.govt.nz](https://www.beehive.govt.nz/news/replacement-for-the-resource-management-act-takes-shape).

Appendix A: Overview of the exclusion regulations (excluding requirements for new farm systems)

Note: Highlighting indicates a regulation repealed by the Resource Management (Freshwater and Other Matters) Amendment Act 2024.		
	Applies from 1 July 2023	Applies from 1 July 2025
Requirements to exclude stock from lakes and wide rivers*	Dairy cattle on any terrain (regulation 9)	
	Pigs on any terrain (regulation 10)	
		Dairy support cattle on any terrain (regulation 11)
	Beef cattle intensively grazing on any terrain (regulation 12)	
	Deer intensively grazing on any terrain (regulation 13)	
		Beef cattle on low slope land (regulation 14)
		Deer on low slope land (regulation 15)
Requirements to exclude stock from natural wetlands	Exclusion of all stock from natural wetlands identified in regional or district plan operative on commencement date (regulation 16)	
		Exclusion of all stock from natural wetlands that support a population of threatened species described in National Policy Statement for Freshwater Management 2020 (regulation 17)
		Exclusion of all stock from natural wetlands more than 500 m ² on low slope land (regulation 18)

* The 3-metre setback rule (i.e., regulation 8) and stock crossing requirements (i.e., regulations 9(b), 10(b), 11(b) and 12(b)) apply.

Note

Until 25 October 2024, a map of low slope land was incorporated by reference in the regulations. It showed areas of low slope where beef cattle and deer had to be excluded from lakes and rivers over one metre wide, and where all stock had to be excluded from natural wetlands with an area more than 500 square metres.

The Resource Management (Freshwater and Other Matters) Amendment Bill, introduced as part of “phase two”, repealed the map of low slope land and associated requirements to

exclude stock.³¹ It addressed the Government's concern that these requirements would have imposed significant costs on lower intensity beef and deer farms for limited environmental benefits [ECO-24-MIN-0051 refers].

³¹ This Bill was passed into law on 25 October 2024.