



PROACTIVE RELEASE COVERSHEET

Minister	Hon Todd McClay Hon Nicola Grigg Hon Andrew Hoggard	Portfolio	Minister of Agriculture Minister for the Environment Associate Environment
Name of package	Resetting freshwater farm plans for Southland	Date to be published	30/06/2026

List of documents that have been proactively released

Date	Title	Author
4 April 2026	Cabinet paper: Resetting freshwater farm plans for Southland	Ministry for the Environment Ministry for Primary Industries
18 May 2026	Cabinet paper: Resource Management (Freshwater Farm Plans) Amendment Regulations 2026	Ministry for the Environment Ministry for Primary Industries
1 April 2026	ECO-25-MIN-0045: Cabinet Economic Policy Committee Minute of Decision	Cabinet Office
14 May 2026	LEG-26-0089: Cabinet Legislation Committee Minute of Decision	Cabinet Office
23 February 2026	Regulatory Impact Statement: Annex to Regulatory Impact Statement Addendum Application of Resource Management (Freshwater Farm Plan) Regulations 2023	Ministry for the Environment Ministry for Primary Industries

Information redacted **YES**

Information has been withheld for the following reasons and under the following sections of the Official Information Act 1982 as listed below:

- Section 9(2)(a): withheld to protect the privacy of natural persons
- Section 9(2)(ba)(i): withheld to maintain confidentiality
- Section 9(2)(f)(iv): withheld as it is under active consideration
- Section 9(2)(g)(i): withheld as it contains free and frank advice

In Confidence

Office of the Minister of Agriculture

Office of the Acting Minister for the Environment

Office of the Associate Minister for the Environment

Cabinet Economic Policy Committee

Resetting freshwater farm plans for Southland

Proposal

- 1 The Southland Land and Water Regional plan (the Regional Plan) requires farmers to prepare either a regional farm environmental management plan (FEMP), or if the national freshwater farm plan (FW-FP) system applies to the region, a FW-FP under the national Resource Management (Freshwater Farm Plans) Regulations 2023 (the Regulations). A requirement for those farmers to submit a certified FW-FP will come into force on 27 May 2026.
- 2 The national FW-FP system is being improved. To avoid farmers in Southland being disadvantaged by those changes, we propose that the FW-FP timeline for the Southland region be extended before 27 May 2026 to give Southland farmers until 27 November 2027 to submit their FW-FP for certification. Doing this will mean farmers in Southland will be able to benefit from upcoming changes to the FW-FP system.
- 3 This paper seeks Cabinet agreement to authorise the Acting Minister for the Environment (with the Minister of Agriculture and the Associate Minister for the Environment) to instruct the Parliamentary Counsel Office (PCO) to extend the due date for certification of plans in Southland from 27 May 2026 to 27 November 2027.

Relation to Government priorities

- 4 The National-Act Coalition Agreement signalled the Government's intention to "improve farm environment plans so they are more cost-effective and pragmatic for farmers." The National Party Manifesto also stated that "National will consider whether a risk-based approach for FW-FPs is practical and whether the current deadline is achievable."
- 5 In April 2024, Cabinet agreed to review the FW-FP system to make it more practical and cost effective [CBC-24-MIN-0014].

Background

- 6 Part 9A of the Resource Management Act 1991 (RMA) established FW-FPs as a regulatory tool that supports farmers and growers to manage on-farm risks to freshwater, in a way that is tailored to their individual conditions and

catchment needs. We are currently progressing work to improve the FW-FP system to make it more cost effective and practical for farmers.

- 7 The Southland Water and Land Plan (the Regional Plan), which became operative on 27 May 2024, sets out farm planning requirements to manage the impacts of farming activities on the environment. Southland farmers may meet their regional plan requirements either with regionally defined FEMP or, if the national FW-FP system applies to the region, FW-FP.
- 8 In October 2024, the national rollout of FW-FPs was paused while improvements are made to the system. However, to avoid unnecessary cost or duplication of effort for Southland farmers the timeline for FW-FP was restarted on 27 November 2024 via the Resource Management (Application of Part 9A - Freshwater Farm Plans: Southland) Order 2024¹ (the Order).
- 9 Regulation 17 of the regulations requires certification of FW-FPs no later than 18 months after the Order in Council applying Part 9A is made. This means farmers in Southland who require a FW-FP would need to submit a FW-FP for certification by 27 May 2026.
- 10 The improved FW-FP system is now expected to be finalised later in 2026. Ministers are still making decisions on when certification will be required under the new FW-FP system.
- 11 There is an estimated 3 to 4 months between the requirements coming into force in Southland, and when the national FW-FP system is finalised. This leaves an estimated 2,500 Southland farmers at risk of becoming non-compliant with both regional and national regulations and would prevent them from benefitting from changes to the system.
- 12 9(2)(ba)(i)

Analysis

Resetting the timeline of FW-FPs in Southland

- 13 To avoid unnecessary cost or duplication of effort for Southland farmers, we see it necessary to extend the current 27 May 2026 due date for certification of FW-FP in Southland to 27 November 2027.
- 14 Hon Penny Simmonds, as the Minister for the Environment has delegated the statutory functions for FW-FPs to Hon Todd McClay to make decisions as the Acting Minister for the Environment.
- 15 We consider that extending the timeline in Southland is necessary, as it will provide more time for farmers to develop and certify farm plans that are practical and fit-for-purpose.

¹ <https://www.legislation.govt.nz/secondary-legislation/pco-drafted/2024/238/en/latest/#LMS1005260>

- 16 This will also mean they are not disadvantaged by any changes made to the national FW-FP system, which are now expected to be finalised in late 2026. We anticipate the majority of farmers will be able to develop one farm plan which meets both the Regional Plan and FW-FP requirements. This will help build farmer buy-in of farm planning as a regulatory tool to improve freshwater outcomes and will support longer-term improvements to freshwater quality.
- 17 Most dairy farmers in the Southland region already have an industry farm environment plan. These plans can form the basis of a FW-FP once improvements to the FW-FP system are finalised.
- 18 Officials understand Environment Southland has received a small number (approximately 17) of certified FW-FPs. We intend to transition any certified FW-FPs into the new national system as part of the wider regulatory changes.

Implementation

- 19 We intend to return to Cabinet to seek agreement to extend the current certification timeframe for Southland from 27 May 2026 to 27 November 2027 and request a waiver to the 28-day rule.
- 20 Officials will continue to engage with Environment Southland and support them with effective implementation of the regulations and national FW-FP system.
- 21 We are seeking to finalise improvements to the national FW-FP system, with the intent to begin implementation of the new system by late-2026. 9(2)(f)

(iv)

Cost-of-living Implications

- 22 There are no cost-of-living implications of the proposal.

Financial Implications

- 23 The proposed reset of the FW-FP system in Southland will delay the costs of developing a FWFP for farmers in Southland.

Legislative Implications

- 24 The proposals in this paper will require an Order in Council to be drafted and submitted to the Executive Council.

Impact Analysis

Regulatory Impact Statement

- 25 A Regulatory Impact Statement has been completed and is attached at **Appendix One**.
- 26 The Ministry for Primary Industries' Regulatory Impact Analysis Panel has reviewed the *Annex to Regulatory Impact Statement: Addendum: Application of Resource Management (Freshwater Farm Plan) Regulations 2023* and considers that it partially meets the Quality Assurance criteria. Though time constraints limited consultation, the Annex is clear, concise and provides a convincing analysis.

Climate Implications of Policy Assessment

- 27 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met.

Population Implications

- 28 Due to the nature of this policy, it would disproportionately affect the primary sector as the main users of FW-FPs. This impact is expected to have positive outcomes for primary sector users of the FW-FP system. It creates greater clarity around their regulatory obligations and supports the transition to the new RM system.

Consultation

- 29 Officials have been in regular contact with Southland Regional Council regarding FW-FP timeframes.

30 9(2)(ba)(i)

- 31 MFE advised Ngāi Tahu of the proposal to reset the FW-FP timeframe in Southland on 12 February and invited their feedback. 9(2)(ba)(i)

- 32 The Treasury, Department of Conservation, Land Information New Zealand, Te Puni Kōkiri, Ministry for Regulation, and the Department of the Prime Minister and Cabinet were consulted on this paper.

Communications

- 33 The Minister of Agriculture and the Associate Minister for the Environment are jointly responsible for publicly communicating the Governments views on FW-FPs [CBC-24-MIN-0014 refers].
- 34 We intend to put out a press release as soon as possible outlining our intention to extend the timeline in Southland. This will provide clarity to farmers on what they are required to do under the Regional Plan and the FW-FP system.

Proactive Release

- 35 Following Cabinet consideration, we propose to release this paper at a time that is appropriate, subject to redactions appropriate under the Official Information Act 1982.

Recommendations

The Minister of Agriculture, the Acting Minister for the Environment, and the Associate Minister for the Environment recommend that the Committee:

- 1 **Note** that in October 2024, the timeline of the national Freshwater Farm Plan (FW-FP) system was paused while work is underway to improve the FW-FP system and reduce regulatory burden for farmers;
- 2 **Note** that on 27 November 2024, the timeline of the national FW-FP system was restarted via the Resource Management (Application of Part 9A – Freshwater Farm Plans: Southland) Order 2024;
- 3 **Note** the certification deadline in Regulation 17 of the Resource Management (Freshwater Farm Plans) Regulations 2023 requires farmers in Southland to have FW-FPs prepared and certified by 27 May 2026;
- 4 **Agree** to extend the deadline for certification of FW-FPs in Southland by no later than 27 May 2026, allowing Southland farmers a further 18 months until 27 November 2027, to ensure they are able to benefit from the planned changes to the national FW-FP system.
- 5 **Note** further changes for Southland may be needed to align Southland with the rest of the FW-FP rollout and support the transition to the new resource management system. We will return to Cabinet with further advice on this if required;
- 6 **Agree** to authorise the Acting Minister for the Environment to issue drafting instructions to Parliamentary Counsel Office (PCO) to extend the timeframe for FW-FP certification in Southland from 27 May 2026 to 27 November 2027;
- 7 **Agree** to authorise the Acting Minister for the Environment to make other minor and technical changes required by the PCO for drafting purposes;

Authorised for lodgement

Hon Todd McClay

Minister of Agriculture

Acting Minister for the Environment

Hon Andrew Hoggard

Associate Minister for the Environment

IN C O N F I D E N C E

Office of the Minister of Agriculture

Office of the Minister for the Environment

Office of the Associate Minister for the Environment

Cabinet Legislation Committee

Resetting freshwater farm plans for Southland

Purpose

- 1 This paper seeks agreement from the Legislation Committee to submit to the Executive Council an amendment to the Resource Management (Freshwater Farm Plans) Regulations 2023 (the Regulations) to extend the deadline for submitting a freshwater farm plan for certification in Southland from 27 May 2026 to 27 November 2027.

Proposal

- 2 On 7 April 2026, Cabinet agreed to extend the period within which freshwater farm plans (FW-FPs) must be submitted for certification in Southland [CAB-26-MIN-0110]. We recommend this occur as soon as possible, and that the extension commence on 26 May 2026.
- 3 This paper seeks authority to submit to the Executive Council an amendment to the Regulations. This amendment will give effect to Cabinet's decision to extend the FW-FP certification deadline in Southland.

Background

- 4 Part 9A of the Resource Management Act 1991 (RMA) established FW-FPs as a regulatory tool that supports farmers and growers to manage on-farm risks to freshwater in a way that is tailored to their individual circumstance and catchment needs.
- 5 The Regulations were made under section 217M of the RMA by Order in Council on the recommendation of the Minister for the Environment after consulting with the Minister of Agriculture. The Regulations provide detailed requirements in relation to FW-FPs, including the operation of the FW-FP system on a regional basis.
- 6 The Southland Water and Land Plan, which became operative on 27 May 2024, sets out farm planning requirements to manage the impacts of farming activities in the Southland region. Those requirements may be met either through compliance with regionally specified farm environmental management plan requirements (FEMPs), or where Part 9A applies, through a FW-FP prepared under the Regulations.
- 7 The FW-FP system is currently under review, with amendments to the Regulations under development. Cabinet will consider these amendments in coming months.
- 8 The national rollout of FW-FPs was paused in October 2024, through the suspension of the application of Part 9A, to allow changes to be made to the Regulations to make the FW-FP system more risk-based and aligned to farming activities. As a result, FW-FPs were not available as a compliance pathway for Southland farmers.

- 9 On 27 November 2024, Part 9A was reapplied in the Southland region through the Resource Management (Application of Part 9A - Freshwater Farm Plans: Southland) Order 2024¹ (the Order).
- 10 On 26 March 2025, Cabinet authorised the Minister of Agriculture and the Associate Minister for the Environment to take detailed policy decisions and issue drafting instructions to amend the freshwater farm plan Regulations to give effect to the changes to Part 9A [ECO-25-MIN-0029].
- 11 Regulation 17 sets out the timeframe for when a farm operator must submit a FW-FP to a certifier. FW-FPs must be submitted for certification within 18 months of Part 9A applying to a region by Order in Council. This means farmers in Southland who are required to have a FW-FP certified would need to submit a FW-FP for certification by 27 May 2026.
- 12 The changes to the FW-FP system are now expected to be finalised later in 2026. There is an estimated gap of 3 to 6 months between the certification requirements coming into force in Southland, and when the amendments to the national FW-FP system are made/finalised. This would leave an estimated 2,500 Southland farmers at risk of becoming non-compliant with the Regulations, before further amendments to the FW-FP system are finalised.
- 13 9(2)(g)(i)

Amendment to extend the certification timeframe in Southland

- 14 The proposed amendment to the Regulations will insert a Southland-specific provision to extend the timeframe for farmers in Southland to submit a FW-FP for certification from 18 months to 36 months. As a result, the certification deadline for Southland farmers will move from 27 May 2026 to 27 November 2027.
- 15 9(2)(f)(iv)

Impact Analysis

Regulatory Impact Statement

- 16 A Regulatory Impact Statement accompanied the Cabinet policy decision. The Ministry for Primary Industries' Regulatory Impact Analysis Panel assessed the analysis as partially meeting quality assurance criteria due to time constraints.

¹ <https://www.legislation.govt.nz/secondary-legislation/pco-drafted/2024/238/en/latest/#LMS1005260>

Climate Implications of Policy Assessment

- 17 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to this policy proposal, as the threshold for significance is not met.

Compliance

- 18 No specific Treaty obligations have been identified regarding extending the freshwater farm plan timeframes in Southland. Consultation with Ngāi Tahu was undertaken by the council on the earlier OIC process in 2024, and Ngāi Tahu were invited to provide feedback on this proposal in February 2026.
- 19 The Amendment Paper complies with:
- 19.1 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 (NZ BORA) and the Human Rights Act 1993;
 - 19.2 the principles and guidelines set out in the Privacy Act 2020;
 - 19.3 the Legislation Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 20 No international standards and obligations relevant to extending of the FW-FP rollout in Southland have been identified.

Consultation

- 21 Officials have been in regular contact with Southland Regional Council regarding FW-FP timeframes.
- 22 9(2)(ba)(i) [REDACTED]
- 23 The Ministry for the Environment advised Ngāi Tahu of the proposal to reset the FW-FP timeframe in Southland on 12 February and invited their feedback. 9(2)(ba)(i) [REDACTED]
[REDACTED]
[REDACTED]

Agency Consultation

- 24 This paper was prepared jointly by the Ministry for the Environment and the Ministry for Primary Industries. The Treasury, Department of Conservation, Land Information New Zealand, Te Puni Kōkiri, Ministry for Regulation, and the Department of the Prime Minister and Cabinet were consulted on this paper.

Timing and 28-day rule

- 25 We seek Cabinet's agreement to a waiver of the 28-day rule, so that the Regulations can be amended as soon as possible. Waiving this rule will ensure this amendment is made in time to prevent farmers in Southland being non-compliant with their regional plan requirements.

- 26 Subject to Cabinet and Executive Council, the extension of the period for certification of FW-FPs will come into effect in Southland shortly after the amended regulation is gazetted.

Regulations Review Committee

- 27 We do not consider there are any grounds for the Regulations Review Committee to draw the amendment to the Regulations to the attention of the House of Representatives as a Standing Order requirement.

Certification by Parliamentary Counsel

- 28 The proposed amendment to the Regulations has been certified by the Parliamentary Counsel Office as being in order for submission to Cabinet.

Communications

- 29 The Minister of Agriculture, the Minister for the Environment and the Associate Minister for the Environment are jointly responsible for publicly communicating the Governments views on freshwater farm plans [CBC-24-MIN-0014 refers].
- 30 We intend to put out a press release as soon as possible outlining our intention to extend the timeline in Southland. This will provide clarity to farmers on what they are required to do under their regional plan and the freshwater farm plan system.

Proactive Release

- 31 Following Cabinet consideration, we propose to release this paper at a time that is appropriate, subject to redactions appropriate under the Official Information Act 1982.

Recommendations

The Minister of Agriculture, the Minister for the Environment, and the Associate Minister for the Environment recommend that the Committee:

- 1 note that on 27 November 2024, Part 9A of the RMA was reapplied to the Southland region (triggering the operation of the Resource Management (Freshwater Farm Plans) Regulations 2023) through the Resource Management (Application of Part 9A – Freshwater Farm Plans: Southland) Order 2024;
- 2 note the operation of Regulation 17 of the Resource Management (Freshwater Farm Plans) Regulations 2023 results in the requirement for FW-FPs for farms in Southland to be submitted for certification by 27 May 2026;
- 3 note that in April 2026, the Cabinet Economic Policy Committee agreed to extend the deadline for submission of freshwater farm plans in Southland until 27 November 2027 [ECO-26-MIN-0045];
- 4 authorise the submission to the Executive Council of the amendment to the Resource Management (Freshwater Farm Plans) Regulations 2023;
- 5 note that a waiver of the 28-day rule is sought so that the amendment can come into force as soon as possible to prevent farmers in Southland being non-compliant with their regional plan requirements for an extended period of time;

I N C O N F I D E N C E

6 agree to waive the 28-day rule so that the regulations can come into force on 26 May 2026.

Authorised for lodgement

Hon Todd McClay

Minister of Agriculture

Hon Nicola Grigg

Minister for the Environment

Hon Andrew Hoggard

Associate Minister for the Environment



Cabinet Economic Policy Committee

Minute of Decision

This document contains information for the New Zealand Cabinet. It must be treated in confidence and handled in accordance with any security classification, or other endorsement. The information can only be released, including under the Official Information Act 1982, by persons with the appropriate authority.

Resetting Freshwater Farm Plans for Southland

Portfolio **Agriculture / Environment (Acting) / Associate Environment**

On 1 April 2026, the Cabinet Economic Policy Committee:

- 1 **noted** that in October 2024, the timeline of the national Freshwater Farm Plan (FW-FP) system was paused while work is underway to improve the FW-FP system and reduce regulatory burden for farmers [ECO-24-MIN-0140];
- 2 **noted** that on 27 November 2024, the timeline of the national FW-FP system was restarted via the Resource Management (Application of Part 9A – Freshwater Farm Plans: Southland) Order 2024 [LEG-24-MIN-0230];
- 3 **noted** that the certification deadline in Regulation 17 of the Resource Management (Freshwater Farm Plans) Regulations 2023 requires farmers in Southland to have FW-FPs prepared and certified by 27 May 2026;
- 4 **agreed** to extend the deadline for certification of FW-FPs in Southland for a further 18 months until 27 November 2027, to ensure Southland farmers are able to benefit from the planned changes to the national FW-FP system;
- 5 **noted** that:
 - 5.1 the above deadline for certification must be extended by no later than 27 May 2026;
 - 5.2 further changes may be needed to align Southland with the rest of the FW-FP rollout and to support the transition to the new resource management system, and that responsible Ministers will return to Cabinet with further advice on this, if required;
- 6 **invited** the Acting Minister for the Environment to issue drafting instructions to the Parliamentary Counsel Office (PCO) for an Order in Council to extend the timeframe for FW-FP certification in Southland from 27 May 2026 to 27 November 2027;
- 7 **authorised** the Acting Minister for the Environment to make decisions on other minor and technical changes required by the PCO for drafting purposes.

Rachel Clarke
Committee Secretary

Present: (see over)

Present:

Hon David Seymour
Rt Hon Winston Peters
Hon Nicola Willis (Chair)
Hon Brooke van Velden
Hon Shane Jones
Hon Simeon Brown
Hon Erica Stanford
Hon Paul Goldsmith
Hon Louise Upston
Hon Todd McClay
Hon Tama Potaka
Hon Simon Watts
Hon Chris Penk
Hon Andrew Hoggard
Hon Nicola Grigg
Hon Mark Patterson
Hon James Meager
Hon Scott Simpson
Simon Court MP

Officials present from:

Office of Hon James Meager
Officials Committee for ECO



Cabinet Legislation Committee

Minute of Decision

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Resource Management (Freshwater Farm Plans) Amendment Regulations 2026

Portfolio **Agriculture / Environment / Associate Agriculture (Hon Andrew Hoggard)**

On 14 May 2026, the Cabinet Legislation Committee:

- 1 **noted** that on 27 November 2024, Part 9A of the Resource Management Act 1991 was reapplied to the Southland region (triggering the operation of the Resource Management (Freshwater Farm Plans) Regulations 2023) through the Resource Management (Application of Part 9A—Freshwater Farm Plans: Southland) Order 2024 [LEG-24-MIN-0230];
- 2 **noted** that the operation of Regulation 17 of the Resource Management (Freshwater Farm Plans) Regulations 2023 requires freshwater farm plans for farms in Southland to be submitted for certification by 27 May 2026;
- 3 **noted** that in April 2026, the Cabinet Economic Policy Committee agreed to extend the deadline for submission of freshwater farm plans in Southland until 27 November 2027 [ECO-26-MIN-0045];
- 4 **authorised** the submission to the Executive Council of the Resource Management (Freshwater Farm Plans) Amendment Regulations 2026 [PCO 28969/4.0] (the Regulations);
- 5 **noted** that a waiver of the 28-day rule is sought so that the Regulations can come into force as soon as possible to prevent farmers in Southland being non-compliant with their regional plan requirements for an extended period of time;
- 6 **agreed** to waive the 28-day rule so that the Regulations can come into force on 26 May 2026.

Sam Moffett
Committee Secretary

Present:

Rt Hon Winston Peters
Hon Louise Upston (Chair)
Hon Todd McClay
Hon Tama Potaka
Hon Brooke van Velden
Hon Nicole McKee
Hon James Meager
Hon Scott Simpson
Hon Mike Butterick
Stuart Smith MP
Todd Stephenson MP
Jamie Arbuckle MP

Officials present from:

Officials Committee for LEG

Annex to Regulatory Impact Statement: Addendum: Application of Resource Management (Freshwater Farm Plan) Regulations 2023

Decision sought	<i>Cabinet agreement to cease and recommence the rollout of freshwater farm plans in the Southland region by Order in Council under section 217C of the Resource Management Act 1991 (RMA).</i>
Agency responsible	<i>Ministry for the Environment, Ministry for Primary Industries</i>
Proposing Ministers	<i>Minister for the Environment, Minister of Agriculture, Associate Minister for the Environment</i>
Date finalised	<i>23 February 2026</i>

This is an Annex to *the Regulatory Impact Statement: Addendum: Application of Resource Management (Freshwater Farm Plan) Regulations 2023*.¹

The Addendum considered options for supporting Environment Southland to implement their Regional Plan farm environment plan requirements.

Limitations and Constraints on Analysis

- **Previous Cabinet decisions and Ministerial direction:** The Government has committed to exploring potential changes to the Freshwater Farm Plan (FW-FP) system. Cabinet has agreed to pause the rollout of FW-FPs while this review is in progress. This has influenced how the policies, problems and options of this RIS have been developed, and has limited the analysis as it is uncertain what the future FW-FP system will look like.
- **Pace of reform:** These changes need to be made urgently (before 27 May 2026) to provide clarity to Southland farmers and Environment Southland, the Regional Council. This timeframe has limited meaningful engagement with Environment Southland, Treaty partners and stakeholders ahead of policy decisions being taken by Ministers and Cabinet.
- **Limited data on costs and benefits of proposed options:** Officials have limited information on the costs and benefits of the options, as the FW-FP system is currently under review.

¹ [Supporting Southland with Freshwater Farm Planning](#)

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:

9(2)(a)

Ali McHugh
Manager System Tools (MfE)
23 February 2026

9(2)(a)

Responsible Manager(s) signature:
Claire McClintock
Manager Freshwater and Adaptive
Farming (MPI)
23 February 2026

Quality Assurance Statement <i>[Note this isn't included in the four-page limit]</i>	
Reviewing Agency: MPI	QA rating: partially meets
Panel Comment: The Ministry for Primary Industries' Regulatory Impact Analysis Panel has reviewed the <i>Annex to Regulatory Impact Statement: Addendum: Application of Resource Management (Freshwater Farm Plan) Regulations 2023</i> and considers that it partially meets the Quality Assurance criteria. Though time constraints limited consultation, the Annex is clear, concise and provides a convincing analysis.	

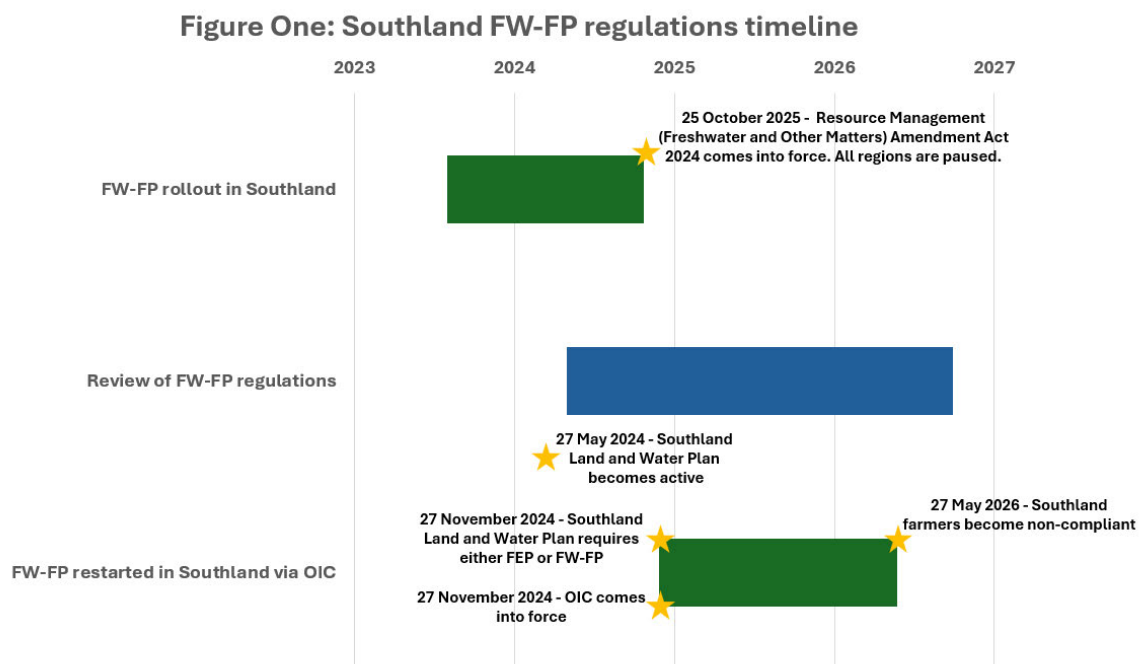
Section 1: Diagnosing the policy problem

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

1. Part 9A of the Resource Management Act 1991 (RMA) established Freshwater Farm Plans (FW-FPs) as a regulatory tool that supports farmers and growers to manage on-farm risks to freshwater, in a way that is tailored to their individual conditions and catchment needs.
2. The Government is reviewing the FW-FP system, with objectives to make it more cost effective and practical for farmers. While this is underway, the Government paused the rollout of FW-FPs (which was happening across several regions, including Southland) via the Resource Management (Freshwater and Other Matters) Amendment Act 2024.

The impacts of pausing the rollout were assessed in the *Regulatory Impact Statement: Options for pausing the implementation of the freshwater farm plan system*.²

3. The Southland Land and Water Plan (the Regional Plan) requires farmers to prepare either a regional farm environment plan or, if Part 9A has been applied to the Southland region via Order in council, a FW-FP. If the FW-FP system is live in the Southland region, farm environment plan requirements can be met through a FW-FP, meaning the farmer would only be required to prepare and submit one plan to meet both the national FW-FP requirements, and the regional plan requirements.
4. On 27 November 2024, the rollout of FW-FPs was restarted in Southland, providing farmers 18 months to prepare a FW-FP in accordance with the FW-FP regulations (rather than the six-month timeframe under the Regional Plan). This was done via the Resource Management (Application of Part 9A – Freshwater Farm Plans: Southland) Order 2024 (the Order), in anticipation that the FW-FP review would be completed by May 2026.³
5. Southland farmers are required to submit their FW-FP for certification before 27 May 2026. As of February 2026, officials understand Environment Southland have received a small number of certified farm plans (approximately 9). The review of FW-FPs is still underway and will not be concluded before the deadline for FW-FPs in Southland. Figure One below outlines this timeline.



What is the policy problem or opportunity?

² [Pausing-the-rollout-of-freshwater-farm-plans-MFE.pdf](#)

³ [Resource Management \(Application of Part 9A—Freshwater Farm Plans: Southland\) Order 2024 \(SL 2024/238\) – New Zealand Legislation](#)

6. The review of the FW-FP system has taken longer than anticipated and will not be completed before 27 May 2026. FW-FP system changes are currently being finalised and are expected to come into force later in 2026. The amended regulations are expected to alter the structure and content of farm plans and the certification process.
7. If Southland farmers are required to certify FW-FP plans by 27 May 2026, they will not benefit from changes to the FW-FP regulations and may face additional costs and duplication of effort to comply with regulations introduced late in 2026.

What objectives are sought in relation to the policy problem?

8. The objective of this proposal is to enable Southland farmers to benefit from future changes to the FW-FP system, avoid additional costs and duplication of effort, and to provide sufficient time to develop practical and effective farm plans (18 months after the Order in Council per current FW-FP regulations⁴) that meet the requirements of both the Regional Plan's farm environment plan system and the FW-FP system.

What consultation has been undertaken?

9. We have spoken with Environment Southland who understand the need to reset the timeline. Environment Southland have indicated they will continue to provide implementation support for farmers to help them develop robust farm plans.
10. MFE advised Ngāi Tahu of the proposed OIC solution to reset the FW-FP timeframe in Southland on 12 February and invited their feedback. 9(2)(ba)(i)

Section 2: Assessing options to address the policy problem

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

11. The criteria in Table 2 were used to assess whether the option will achieve the policy objective.

Criteria	Explanation
Effective	Does the option avoid Southland farmers being required to submit a FW-FP for certification ahead of the FW-FP system changes being finalised?
Practical	Does the option reduce regulatory burden in terms of cost, time and resources needed for farmers in Southland, Environment Southland, and the supporting workforce (certifiers and auditors)?
Credible	Does the option deliver confidence in the future of the FW-FP system for regulated parties, regional councils, and the supporting workforce?
Integrated	Does the option integrate with and support the proposed changes to the broader FW-FP system?
Equitable	Does the option give affected parties an appropriate amount of time to modify practices and transition to the new system?

⁴ The 18-month timeframe is likely to change as part of changes to the FW-FP regulations.

What scope will options be considered within?

12. The scope of options in this Regulatory Impact Statement is limited to options that can be delivered before 27 May 2026 and within the current scope of Part 9A of the RMA.
13. We considered whether we could cease the application of Part 9A in Southland, and not reapply it. This option would not address the problem, as then the FW-FP pathway would not be available and farmers would immediately be required to get a farm environment plan under the Regional Plan or become non-compliant. Environment Southland have indicated that while they will continue to take an educative approach and support farmers in developing farm plans, they will still need to implement their regional plan under the required timeframe.

What options are being considered?

Option One – [Status Quo / Counterfactual]

14. Under the status quo, farmers in Southland are required to submit a FW-FP for certification before 27 May 2026, or risk being deemed non-compliant. This FW-FP will be used to meet their farm environment plan requirements under the Regional Plan.

Option Two – Reset the timeline for FW-FPs in Southland

15. This option would:
 - Cease the application of the Order so that the current timeframes for farmers needing to submit a FW-FP for certification no longer apply.
 - Reapply Part 9A of the RMA to Southland via Order in Council, meaning the timeframe for when FW-FPs are required in the region will be reset and farmers will not be required to submit their FW-FP until a later date (18 months after the Order in Council per current FW-FP regulations⁵);
 - Make these changes simultaneously, and no later than 27 May 2026.
16. Farmers will not be required to prepare a farm environment plan under the Regional Plan during this time, as the FW-FP system being live overrides this requirement.

⁵ The 18-month timeframe is likely to change as part of changes to the FW-FP regulations

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

	Option One – Status Quo / Counterfactual	Option Two – Resetting the timeline for FW-FP in Southland
Effective	0 Farmers will be required to submit a FW-FP for certification by 27 May 2026, before changes to the FW-FP system are finalised.	++ Resetting the timeframe will mean FW-FPs will not be required until changes to the FW-FP system are finalised. This means farmers will be able to benefit from changes made to the FW-FP system.
Practical	0 Requiring a FW-FP before changes to the FW-FP system are finalised means farmers will be unable to benefit from the changes to the system and may incur additional costs and duplication of effort. Environment Southland may also incur additional costs and duplication of effort, as they will need to implement the current FW-FP system, and then update their implementation material to align with the new system. A certifier and auditor workforce will also need to be appointed under the current requirements, meaning they also may experience additional costs.	+ Resetting the timeframe for a FW-FP in Southland will reduce unnecessary investment and effort while changes are made to the FW-FP system. Environment Southland will reduce implementation costs and effort, by developing a single implementation process aligned with the updated FW-FP system. Enables applying certifiers and auditors to benefit from anticipated streamlining of the application requirements as part of the wider FW-FP system changes, as this workforce will not be needed before the system changes are finalised.
Credible	0 Requiring farmers to submit a FW-FP for certification while the system is under review could reduce their confidence in FW-FPs, and their willingness to engage in the system. The certifier and auditor workforce may also choose to wait to become certifiers until the FW-FP review is finalised, further risking its credibility.	+ This option encourages farmer buy-in of the system, as they will be able to meet their regional farm planning requirements through the updated FW-FP system. This will support engagement with the FW-FP system, and support the use of regulated FW-FPs as a tool to manage risks to freshwater.
Integrated	0 Requiring farmers to submit a FW-FP for certification before changes to the final system are made does not align well with the review of the FW-FP system. It also means Southland will be	++ This option will integrate well with the wider review of the FW-FP system, as it means farmers will be able to wait to submit a FW-FP for certification until the changes are finalised. It also means that

	running on a significantly different timeframe to the rest of the country.	Environment Southland's implementation of FW-FP can be better aligned with the rollout across the rest of the country.
Equitable	0 Southland farmers and the regional council will be unable to transition to the new system, as these changes are yet to be finalised. This means they will be required to submit a FW-FP for certification under the current system, potentially creating additional duplication and cost.	+ Provides farmers in Southland, and Environment Southland with time to transition to the new FW-FP system. They will be able to develop their FW-FP and implementation material to align with this.
Overall assessment	0 This option is unlikely to achieve the policy objectives, and will likely result in duplication and additional cost for farmers, as they will need to submit a FW-FP for certification under the current regulations. This will create duplication and cost and does not integrate well with the new FW-FP system.	++ This option will achieve the policy objectives, and will enable farmers in Southland to develop and have their FW-FP certified under the new FW-FP system. This will reduce cost for farmers and cost and duplication for Environment Southland, compared to the status quo, and will also have benefits for the certifier and auditor workforce.

Key for qualitative assessment:

- ++ much better than doing nothing/the status quo/counterfactual
- + better than doing nothing/the status quo/counterfactual
- 0 about the same as doing nothing/the status quo/counterfactual
- worse than doing nothing/the status quo/counterfactual
- much worse than doing nothing/the status quo/counterfactual

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

17. We consider Option 2: Resetting the timeline for FW-FPs in Southland best addresses the problem and meets the policy objectives, as:

- Southland farmers will not be required to submit a FW-FP for certification before the changes to the FW-FP system are finalised;
- Farmers will have more certainty of their regulatory requirements in the short term and support the transition to the new FW-FP system;
- Farmer buy-in of FW-FP system to manage risks to freshwater is encouraged.
- Environment Southland's implementation of FW-FP will be better aligned with the rollout across the rest of the country.

18. 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 (identify)	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 costs identified	Low	Medium
Regulators	Minor costs to Environment Southland associated with updating their implementation plan and material to account for the new timeframes for when certification is required	Low	Medium
Supporting workforce	Minor costs associated with rural advisers going through certifier training and appointment process, and not having FW-FPs to certify and audit due to the later timeframes for when certification is required.	Low	Medium
Environment	Minor costs associated with extending the timeframes for when certification is required meaning there is a longer period before FW-FPs are fully implemented in the region.	Low	Medium

Total monetised costs	Minor	Low	Medium
Non-monetised costs	Minor	Low	Medium
Additional benefits of the preferred option compared to taking no action			
Regulated groups	Extend the timeframes for when a FW-FP is required to be submitted for certification, reducing unnecessary investment while changes are made to the wider FW-FP system.	Medium	Medium
Regulators	Ability to streamline implementation costs	Low	Medium
Supporting workforce	Enables applying certifiers and auditors to benefit from changes made to the application requirements as part of the wider FW-FP system changes, as this workforce will not be needed before the system changes are finalised.	Low	Medium
Environment	Supports the delivery of a nationally consistent FW-FP system, which is designed to better manage the adverse effects of farming on freshwater and freshwater ecosystems through the use of FW-FPs.	Low	Medium
Total monetised benefits	Minor	Low/ Medium	Medium
Non-monetised benefits	Minor	Low/ Medium	Medium

Section 3: Delivering an option

How will the proposal be implemented?

19. If agreed by Cabinet, an Order in Council to cease the application of the Order and reapply Part 9A of the RMA will be gazetted prior to 27 May 2026. This will only affect the Southland region.
20. We anticipate the changes to the FW-FP system will be finalised mid-2026, meaning there will be time for these changes to be incorporated into the rollout of the system in Southland. We will continue to work with Environment Southland, so they have adequate support in delivering the FW-FP system. This will include as much clarity as

possible over proposed changes, to support the effective implementation of the system.

21. A key risk associated with Part 9A being disapplied and then immediately reapplied is that it may create confusion regarding farm planning requirements. To manage this risk, MPI and MfE will work with Environment Southland and MPI's On Farm Support team so farmers receive clear messaging on their obligations. This will include making sure farmers are supported through the changes, and receive clear messaging on what the changes mean for them.
22. We understand Environment Southland have received a small number (approximately 9) of certified farm plans. As part of the wider changes to the FW-FP regulations, we will look to transition these plans into the new national system.

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

23. Environment Southland will be responsible for monitoring and evaluation of FW-FPs in its region. Part 9A sets out data and reporting requirements for certifiers, auditors, and regional councils (e.g., the certifier must notify the regional council when a FW-FP has been certified).
24. As the system is currently under review, we cannot be certain as to what the monitoring, evaluations and review of the FW-FP system will be. This will be assessed as part of the wider review of FW-FPs.