

Waikato Plan Change 1

Waikato Region | July 2024

What is Waikato Plan Change 1?

Plan Change 1 (PC1) is a change to the regional plan to implement the National Policy Statement for Freshwater Management 2014 (NPSFM). A key driver for the preparation of PC1 was the advent of Te Ture Whaimana o Te Awa o Waikato/the Vision and Strategy for the Waikato River (Te Ture Whaimana), which is the primary direction-setting document for the Waikato and Waipā Rivers.

The council's proposed approach will result in an extremely difficult consenting framework for expansion of commercial vegetable production (CVP).

Key changes from Plan Change 1 include:

- Introducing short-term and long-term targets for nitrogen, phosphorus, sediment and *E. coli*,
- Rules requiring all commercial vegetable activities to get consent,
- Introducing farm environment plans based on risk-management and Good Management Practice to achieve short-term water quality goals, and
- Requiring a Nitrogen Leaching Loss Rate to be calculated as part of the consent requirement. The loss rate is a benchmark in the farm environment plan.

Following consultation in 2016 and hearings in 2019, a decision was notified April 2020. Relevantly for commercial vegetable production (CVP), the decisions version provided a pathway for CVP to obtain either a controlled activity consent (for existing CVP) or a discretionary activity consent (for CVP expansion).

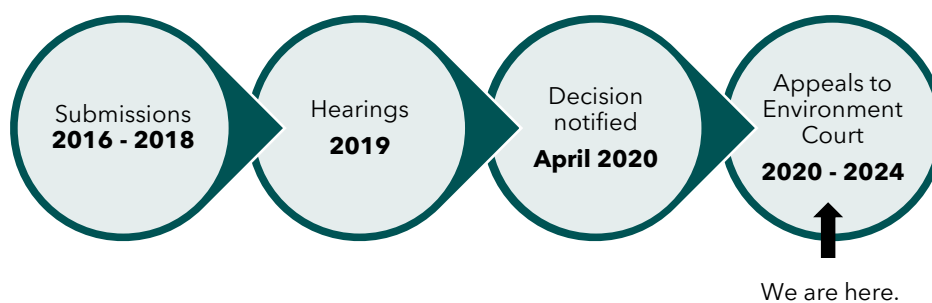
Twenty-four appeals were lodged, containing approximately 1,000 appeal points. Ninety-nine s274 notices were received. HortNZ both appealed and joined other appeals as a s274 interested party.

Parties attended 22 days of court assisted mediation in late 2022/early 2023. There were no consent orders resulting from the mediation process. A number of drafting changes were made to PC1 through Council's evidence in chief and supplementary evidence.

Overseer use was a major issue through mediation and the Environment Court hearing as the decisions version of PC1 uses nitrogen leaching loss rate calculated using Overseer as a proxy for risk. HortNZ produced strong evidence showing that Overseer is not an appropriate proxy for risk for CVP. Appropriately defining a baseline area of existing CVP was also a key issue due to the requirement for CVP to utilise crop rotation. HortNZ sought a risk-based management approach and tools developed for horticultural use specifically (eg. NZGAP and the EMS, risk scorecard) instead of Overseer being used for CVP.

Through the hearing, HortNZ sought that crop rotation for CVP be enabled at a Freshwater Management Unit scale. HortNZ also sought proportional treatment of CVP compared to other resource users as CVP is generally set to receive a more restrictive consenting pathway under PC1 than others (like dairy and sheep and beef farms which can comply with permitted activity standards in some cases).

The Environment Court hearing was held in October and November 2023. A further workshop was held in April 2024, and some further evidence was sought by the Court. The evidence was filed in May 2024, and we are awaiting formal notice that the hearing is closed before a decision is made.



WHERE TO GO FOR MORE INFORMATION

- [Waikato Regional Council website](#)
- Keep an eye on [HortNZ's website](#)
- HortNZ contact - Michelle Sands (michelle.sands@hortnz.co.nz)