

# Update Waikato Regional Plan Change 1: Healthy Rivers

Waikato Region | April 2020



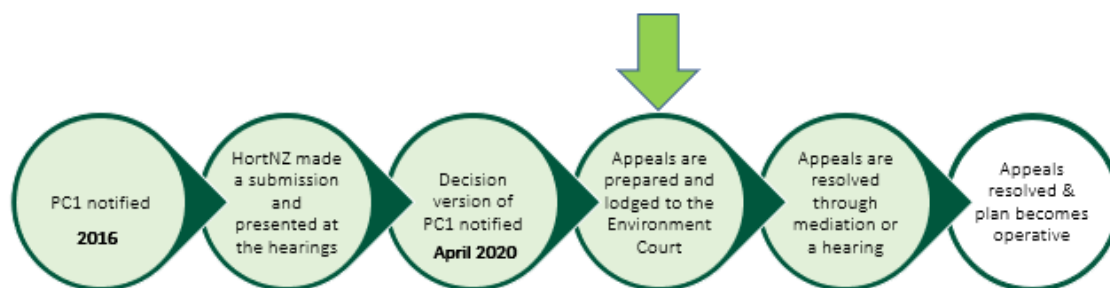
## OVERVIEW OF THE PROCESS

### What is Proposed Plan Change 1: Healthy Rivers (PC1)?

The PC1 is a change to the regional plan to implement the National Policy Statement for Freshwater Management (NPSFM). The NPSFM sets an 80 year vision for improving water quality across New Zealand.

The focus of PC1 is to manage farming land uses to reduce diffuse discharges of *E.Coli*, Phosphorus, Nitrogen and Sediment. These four contaminants have been identified as the biggest issues for water quality now and in the future for the Waipa and Waikato River catchments.

A decision version of PC1 was notified on 22 April 2020. From this date the plan reflected the decisions made by a panel of hearing commissioners, taking into account submissions and hearing evidence. PC1 is now in the appeals stage (see diagram below). Once all appeals are resolved the plan will become fully operative (and replace the corresponding rules in the current operative regional plan).



### HortNZ's involvement in the process

HortNZ has been involved since PC1 was notified – making a submission, further submission and presenting at hearings in 2019. Throughout this process, HortNZ has had some wins including:

- Specific recognition of the positive contribution to people and communities from commercial vegetable production
- Gaining a discretionary pathway for CVP expansion, rather than non-complying
- Changing the focus from Nitrogen as a proxy for intensification to taking an equitable approach to management of all four contaminants
- Gaining a clearer pathway for alternative models to calculate NLR
- Ensuring the NLR is not a fixed number to which farming must be at or below
- Provision for offsetting and compensation
- Gaining a pathway for collective consents

HortNZ has produced a summary of the rules and schedules in a separate document.

HortNZ will seek feedback from relevant product groups and an existing grower working group to understand possible appeal points.

### What does it mean for growers?

Under the Resource Management Act, any rules relating to water have immediate legal effect from the date of notification. All farming activities must now meet the rules notified on 22 April.

- Waikato Regional Council will be enforcing the rules notified 22 April 2020
- If you have a resource consent, you will need to reapply under the new rules

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- There is a grace period for lodging an application if you are undertaking an activity that requires resource consent under PC1 and you are farming in accordance with minimum farming standards stipulated in Schedule C of PC1. The length of the grace period depends on which sub-catchment you are in. Table 3.11-3 outlines the grace periods for each sub-catchment. Note these grace periods are from when PC1 becomes fully operative.

PC1 can be accessed on Waikato Regional Council’s website:

<https://www.waikatoregion.govt.nz/assets/WRC/WRC-2019/Volume-2-Proposed-Waikato-Regional-Plan-Change-1-Decisions-version.pdf>

### Key changes for PC1 as at 22 April 2020

<p><u>Nitrogen leaching loss rates (NLR):</u> When first notified in 2016, PC1 proposed all activities to provide a Nitrogen Reference Point (NRP) at which farming had to operate at, or below. A NRP is no longer required.</p> <p>Instead, activities must identify a Nitrogen Leaching Loss Rate:</p> <ul style="list-style-type: none"> <li>• The primary purpose of the NLR is to determine the activity status.</li> <li>• It is also used to audit FEPs to show progress towards improved practice.</li> <li>• The NLR must be produced in accordance with Schedule B.</li> <li>• All activities require an NLR, except those permitted under Rule 3.11.4.1.</li> </ul>	<p><u>Farm Environment Plans (FEPs):</u> Farm Environment Plans (FEPs) are required by all activities except those permitted under Rule 3.11.4.1. The purpose of the FEPs is to identify actions to assist in managing and reducing contaminants. The plan change specifies the content of FEPs. There are two separate content standards provided:</p> <ul style="list-style-type: none"> <li>• Schedule D1 outlines standards and content for FEPs of activities permitted under Rule 3.11.4.3.</li> <li>• Schedule D2 outlines goals and principles for FEPs of all other activities requiring consent.</li> </ul> <p>FEPs can be put together by any person, but FEPs required under Schedule D2 must be certified by a Certified Farm Environment Planner.</p>
<p><u>Global or Collective consents:</u> Discretionary consents may be sought for sub-catchment collectives. This approach allows multiple farming activities to work together to demonstrate reductions at a sub-catchment scale. All participants must still demonstrate progress to reduce discharges within their own properties.</p>	<p><u>Offsetting and compensation:</u> Offsetting and compensation are recognised and to be provided for where there is an overall reduction in diffuse discharges of relevant contaminants or where the adverse effects of any increase in a contaminant are demonstrably exceeded by the positive benefits of offsetting or compensation. This includes off-site mitigations.</p>
<p><u>A separate pathway for Commercial Vegetable Production (CVP):</u> Existing CVP is provided for as a controlled activity. A baseline is established using the total maximum area of CVP land use in any year within the time period of 1 July 2006 to 30 June 2016. The locations and areas within each sub-catchment must be identified.</p> <p>Capped expansion of CVP is provided for as a discretionary activity within specified sub-catchments.</p>	<p><u>NZGAP and Certified Sector Schemes:</u> PC1 provides that FEPs may be developed and audited by certified sector schemes. Standards for certified sector schemes are set out in Schedule E. HortNZ will appeal parts of the plan to ensure that NZGAP can meet the requirements of a certified sector scheme.</p>