

Horizons Plan Change 2 Decision Summary

Manawatū-Whanganui region | April 2021



The Plan Change 2 (PC2) decision was released by Horizons Regional Council on 13 April 2021 – this provides a summary of the key aspects of the decision.

The decision report (setting out the decision of the Hearing Panel and their reasons) can be accessed on Horizons Regional Council's website [here](#).

Plan Change 2 (PC2) was notified by Horizons Regional Council in July 2019 – the intent of the plan change is to resolve implementation issues with provisions of the plan for **existing intensive farming land uses in target water management subzones**, as the rules are unworkable (leaving many vegetable growers and farmers unable to get consents under the plan).

Previous summaries of the process can be found on HortNZ's website [here](#).

Summary of the PC2 decision

The Cumulative Nitrogen Leaching Maximums (in Table 14.2) that apply to intensive farming land uses have been updated in response to updates in Overseer – this was one of the key purposes of PC2. The decision also includes (in Method 5-13) a clearer process for Horizons Regional Council to keep this current more easily in the future.

Policy clarifies that all intensive farming land uses must, at a minimum, be regulated to implement good management practices.

A new Controlled Activity pathway for CVG (existing in Target water management sub-zones) - the Panel recognised the need for a tailored approach to consenting commercial vegetable growing (CVG). There are now three Controlled Activity pathways (refer to flowchart of the rules on page 3), either:

- You can meet the Table 14.2 cumulative nitrogen leaching maximums; or
- Your nitrogen leaching loss does not exceed the lesser of:
 - 80% of the nitrogen baseline (by 31 December 2022), or
 - the 75th percentile leaching rate by target WMZS (in Table 14.2A); and
 - consent must be lodged by 31 December 2022.
- A tailored pathway for CVG that requires:
 - no increase in the growing area relative to a baseline growing period; and
 - implementation of GMP and BMP, to achieve a minimum N leaching loss of 35% relative to the baseline growing period, within three years of lodging consent; and
 - consent must be lodged by 31 December 2022.

Changes to policy for assessing Discretionary Activities – including recognition of food security and crop rotations

If a Controlled Activity pathway cannot be achieved, consent will be assessed as a Discretionary Activity. Policy amendments have been made to enable an assessment of consent applications (by removing the previously insurmountable policy test if Table 14.2 leaching maximums could not be met).

Other things to note include:

- The policy requires that reductions in leaching are achieved to the *'maximum reasonable practical extent as soon as reasonably feasible'*
- The policy includes the need to have particular regard to a number of matters, but significant additions include operational **crop rotation** requirements, the importance of maintaining **food**

security for New Zealanders and the potential benefits of off-site mitigation measures (to address effects on water quality in the surface water management sub-zone).

- Consents will be granted for a duration of up to 10 years (lesser if progressive reductions of N leaching are not planned through the use of best management practices) – this is so that consents granted now do not frustrate the NPSFM 2020 limit setting process and subsequent plan change.

Changes to the definition of Nutrient Management Plan to:

- Update the reference to the Code of Practice for Nutrient Management to the 2013 version
- Include reference to sediment and pathogens, in addition to nutrients.
- Removes specific reference to OVERSEER and instead refers to a 'recognised nutrient management model'
- Recognises a certified freshwater farm plan prepared for the purpose of Part A of the RMA

Definitions relating to CVG have been added:

- The **Baseline Commercial Growing Area** and the **Baseline Growing Period** – refer to the 2012/2013 growing season, this is when the One Plan rules started to apply for CVG.
 - This is relevant to the 'tests' in the Controlled Activity rule relating to growing area and reductions required in nitrogen leaching - it means that those that have invested are not disadvantaged, and neither are those that could not invest in the GMP and BMP, due to the uncertainty created for CVG due to weaknesses in the design of the One Plan provisions.
- A definition for **crop rotation** has been added.
- A definition for **enterprise** (which represents different ownership situations e.g. owned and leased land) has been added).

What next?

HortNZ will be reviewing the decision in greater detail. Parties have a period of 30 working days to lodge an appeal on the decision with the Environment Court. If the decision is not appealed by any party, the provisions will become 'operative' and replace the current One Plan wording – until then both the One Plan and the PC2 decision wording have legal effect (i.e they both apply).

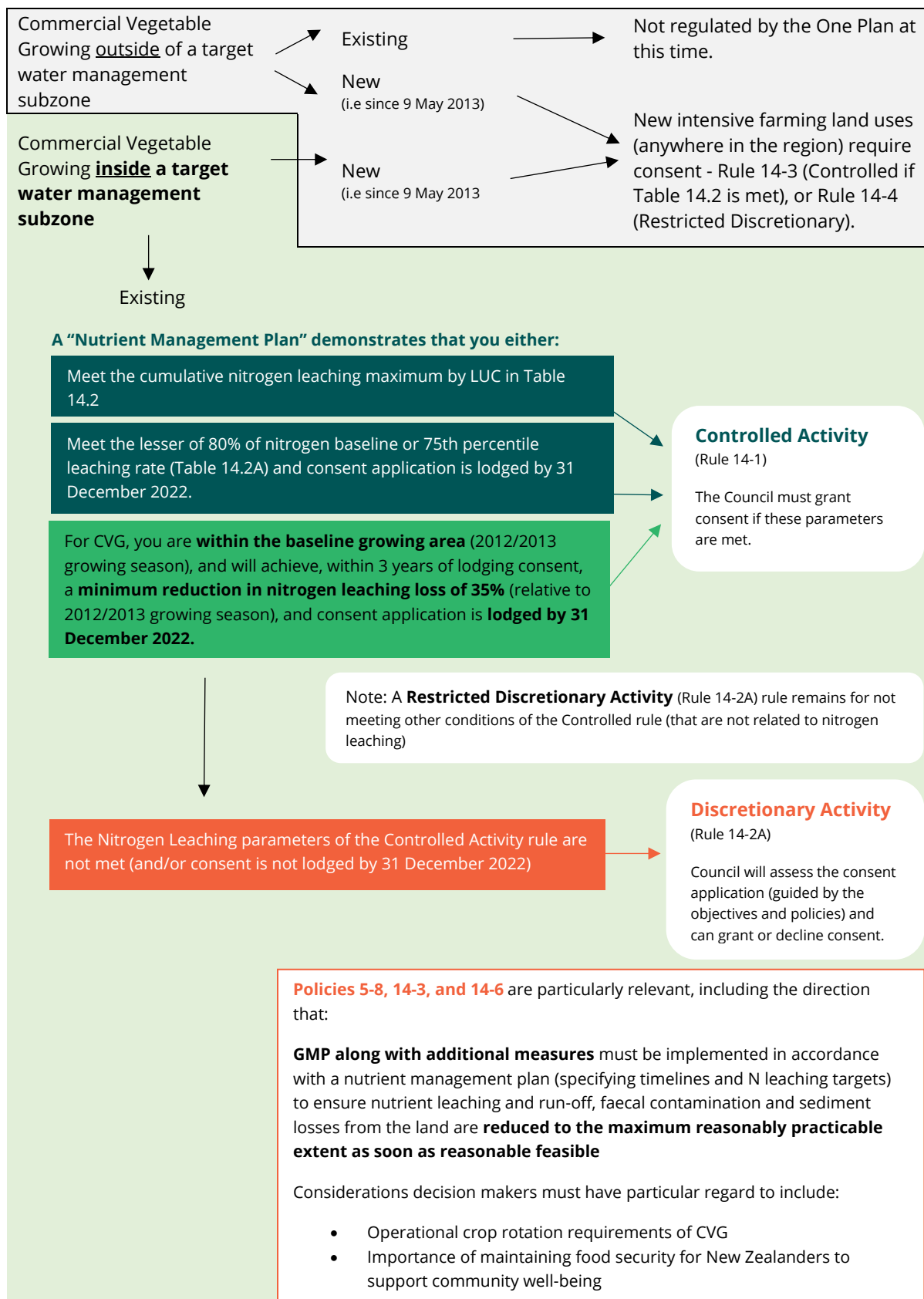
PC2 remains an 'interim fix' – a plan change/new plan that complies with the requirements of the NPSFM 2020 must still be notified by the end of 2024.

WHERE TO GO FOR MORE INFORMATION

- The PC2 page on Horizon's website
- Keep an eye on HortNZ's website
- Or you can contact Michelle Sands who is leading HortNZ's involvement in PC2 (michelle.sands@hortnz.co.nz)

Flow chart summary of PC2 decision (April 2021)

(NB: the green shading indicates the scope of PC2, the grey areas are existing provisions not changed by PC2)



Note: Target water management sub-zones are listed in Table 14.1 of the One Plan.