



Important update for growers: Government freshwater announcements

The Government has announced changes affecting Waikato Regional Council Plan Change 1, Horizons Regional Council Plan Change 2, and freshwater farm plans, as well as signalling further amendments to the Planning Bill and Natural Environment Bill.

We know many growers have been looking for clarity on what these changes mean in practice, particularly while the wider resource management reforms are underway.

You can find more information on the changes [here](#) and [here](#). At a high level, the announcements appear to provide a more practical transition for affected growers, so these are generally positive developments.

However, we are still waiting to see the exact legislative wording and implementation details, so some aspects may need to be confirmed or clarified as the changes progress.

Waikato Plan Change 1

For Waikato growers, the Government intends to defer the farm environment plan and consent requirements that would otherwise be triggered when PC1 becomes operative until 31 December 2032.

Growers who are currently operating lawfully as permitted activities under PC1 should be able to continue operating on that basis during the transition period, without needing to prepare and implement a PC1 farm environment plan or obtain a PC1 resource consent.

This includes existing commercial vegetable production activities that have lawfully expanded as permitted activities.

Future expansions of commercial vegetable production will still require consent, and existing controls on land-use change and intensification remain in place.

For many Waikato growers, this should allow business-as-usual operations to continue through the transition period.

HortNZ is seeking further clarity on how “existing” activity and “expansion” will be defined in practice, and we will update growers once that detail is available.

Horizons Plan Change 2

For growers in the Horizons region, the Government has announced that the quantified nitrogen reduction requirements and associated OVERSEER modelling introduced through PC2 will no longer apply under the new controlled activity pathway.

Existing farmers and growers who do not already hold a consent will still need to apply for a consent within one year of PC2 becoming operative.

However, under the controlled activity pathway, those consents must be granted but may be subject to conditions.

Growers will still need to prepare a Nutrient Management Plan showing how Good Management Practices will be implemented to manage and reduce nutrient losses, however we anticipate that this requirement will be able to be met through industry assurance plans such as the NZGAP EMS add-on.

For commercial vegetable growers, the removal of the 35 per cent nitrogen reduction requirement is a significant improvement.

It should provide a more certain and lower-cost consenting pathway, while retaining requirements to demonstrate good management practice.

Freshwater farm plans

The Government has also released information on further changes to freshwater farm plans.

The changes mean that only higher risk farms will need to be certified and audited. Commercial Vegetable Production is considered to be a higher risk activity.

The changes announced also increase the threshold of who qualifies for having a freshwater farm plan, including for orcharding where the threshold for needing a plan will be 50ha. For all other horticultural land uses, the threshold for needing a plan will be 5ha.

Industry pathways are also confirmed, meaning that industry organisations will be able to provide certification and audit services for members through existing farm planning programmes, such as the NZGAP EMS.

We are reviewing the detail, including how any risk thresholds or activity categories may apply to horticulture, and will provide further advice once we have worked through the implications for growers.

Further amendments to the Bills

The Government has also announced further amendments to the Planning Bill and the Environment Bill.

Changes include simplifying the Natural Environment Bill's environmental limits framework by removing resource cap provisions and simplifying action plan provisions.

The Government will also expand what counts as an existing use to better account for seasonal activities.

Existing uses will now include lawfully established activities carried out in the past 12 months, up from six months.

The definition of long-lived infrastructure will also be amended to include water storage and distribution, meaning a minimum 35-year duration will apply to permits for water infrastructure. This will apply to building the relevant infrastructure, not the taking of water.

Importantly, the proposed changes will include amendments to sections 70 and 107 of the Resource Management Act.

These changes will enable councils to permit, or grant consent for, activities in the transition period where adverse effects are already occurring, as long as the permitted activity or consent includes requirements to reduce those effects over time.

These changes reflect many of the key issues we have been advocating for on behalf of growers over the past few months.

What happens next

The proposed changes are expected to be progressed through an Amendment Paper at the next stage of the Planning and Natural Environment Bills.

We will review the legislative wording when it is available and provide more detailed guidance for affected growers.

In the meantime, the announcements appear to provide a more practical transition and reduce some of the most significant compliance pressures that would otherwise have applied to growers under PC1 and PC2.

We will keep growers updated as more detail becomes available.

If you have questions, please email Monique Andrew, HortNZ General Manager Policy and Advocacy monique.andrew@hortnz.co.nz