

Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments

Submission Form

Submission on a publically notified proposed Regional Plan Change 1 prepared under the Resource Management Act 1991.

On: The Waikato Regional Councils proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments

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Trade Competition and Adverse Effects

I am not a trade competitor for the purposes of the submission but the proposed plan has a direct impact on my ability to farm. If changes sought in the plan are adopted they may impact on others but I am not in direct trade competition with them.

Joint Submissions

If other parties make a similar submission to those contained within then we will consider the hearing of these as a joint submission

Heard in Support of Submission

I do not wish to be heard in support of this submission

“The specific provisions of the proposal that this submission relates to and the decisions it seeks from Council are as detailed in the following table. The outcomes sought and the wording used is as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential changes to the plan, including Objectives, Policies, or other rules, or restructuring of the Plan, or parts thereof, to give effect to the relief sought”.

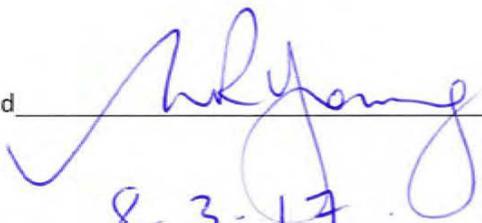
Section Number of Plan Change	Support / Oppose	Submission	Decision Sought
<p>Nitrogen Reference Point and Use of Overseer Rules 3.11.5.2 to - 3.11.5.7(inclusive) Schedule B and all other areas in PC1 which refer to the Nitrogen Reference Point</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • The setting of a nitrogen reference point based on the 2015 and 2016 financial years is in effect grand-parenting which provides no ability to account for the productive capacity of the land and in effect rewards the historically high emitters and penalises the low emitters. • It is accepted that the nitrogen reference point is an attempt to gain some knowledge of current losses however it should not be used to limit losses going forward given that we are trying to create meaningful solutions for the future that should not necessarily be bound by history. • Limiting future land use in perpetuity simply on what has occurred within a system over two years is extremely short sighted and importantly is an even tighter timeframe than the WRC has used in the past (i.e. Lake Taupo – best of three years) • Simply put – this limits further land development and does not encourage catchment based solutions but rather forces individual farm owners to do what is best for them rather than what is best for the catchment and overall river network. 	<ul style="list-style-type: none"> • Consideration needs to be given to long term averaging of nitrogen losses should the use of the Nitrogen Reference Point be continued with. This gives more ability to cope with year on year changes that frequently occur within biological systems. • Further consideration must be given to alternative tools here such as the use of the natural capital approach • The use of tools such as the MENU’s created by WRC previously need to be more widely utilised as part of the solution toolbox as there are a number of mitigations that are relevant to reducing losses from farms that are not captured (accurately) by Overseer. The solution must look wider than this. • Where Overseer is to be used as part of the creation of solutions then the calculations must be used as a guide only and the focus to be on the trends that are used.

		<ul style="list-style-type: none"> • This approach does not take into account the significant biological and climatic variation that exists within a farming system over the course of a year nor does it take into account the significant flexibility that must remain for land based activities to remain viable. • It is accepted that Overseer remains the best tool that the industry has to measure and manage nutrient losses from farming systems however it is imperative that the tool is used within its bounds. The significant margin of error that exists within Overseer needs to be taken into account when implementing policy that incorporates its use so as not to rely solely and completely on the numbers that are produced by this programme. 	
Land Use Change Rule 3.11.5.7	Oppose	<ul style="list-style-type: none"> • The inability to change land use as determined by this plan bears no link to the productive potential of the land or its possible higher and better land use regardless of potentially reduced nutrient losses. • Land based activities have survived to this point by being able to adapt to change in climate, market forces and many other factors outside of the control of land managers. 	<ul style="list-style-type: none"> • It is recognised that the focus must remain on controlling losses from land based activities but this should not be by a broad brush approach of limiting land use change. • It is recommended that any change should be limited by an appropriate means of gauging a best practice approach to managing losses rather than limiting change full stop.
Stock Exclusion Rule 3.11.5.1,3.11.5.2, 3.11.5.3, 3.11.5.4 and Schedule C	Oppose	<ul style="list-style-type: none"> • The currently proposed rules are a broad brush approach and do not take into account the significant issues that are posed by fencing off streams. 	<ul style="list-style-type: none"> • Implications of stock exclusion on steeper and more extensive hill country need to be considered in depth.

		<ul style="list-style-type: none"> • The fencing of streams on steeper hill country is cost prohibitive for many farms and would cause major additional cost with no direct benefit. This is relevant to all land uses. • On steeper hill country fencing of smaller waterways is simply not practical without significant earth disturbance (tracking etc) which just potentially creates a larger potential for sediment loss to the waterway. • If there is a future requirement to change land use, say to trees, then this fencing will be a waste of money and resource. • To add to this there is simply not the labour force that would be able to undertake such a mammoth task. Those working in the industry already have great difficulty in sourcing fencing contractors and this target is likened to setting targets for houses to be built in Auckland with no builders available. • It must be considered that on some of this marginal country the streams provide the only source of water which potentially creates a significant animal welfare issue if these streams are fenced. Consideration must be given to alternative mitigation measures such as providing reticulated water which will significantly reduce the reliance on these streams for water as well as providing productive benefits that assist in paying for further fencing. 	<ul style="list-style-type: none"> • Fencing of stream requirement could be directly linked to land use intensity including an assessment of the potential risk factors and fenced in order of priority. • Consideration to be given to alternative solutions on steep land such as water reticulation installation. • Consideration to be given to matching land use capability rather than directly to slope which is a simplistic measure.
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Farm Environment Plans Rules 3.11.5.1, 3.11.5.2, 3.11.5.3, 3.11.5.4, 3.11.5.5, 3.11.5.6, 3.11.5.7		<ul style="list-style-type: none"> • The current approach of managing losses to waterways by simply creating Farm Environment Plans does not address the issue just because these plans are put on paper. • The construction of these plans adds additional compliance cost to farms already overloaded with such cost. • Clarity needs to be provided as to the direct content of these reports to ensure standardisation across the industry and enable clear and quantifiable gains to the region. • There has been little consideration to how these plans will be monitored and the cost of doing so. If this monitoring is to be undertaken by the regional council in the future then who pays? Importantly does the regional council have the resource to do this and if not where is this capacity to come from? 	<ul style="list-style-type: none"> • Industry wide capability assessment must be undertaken to assess who will complete these plans. • Show land owners and the industry how these are to be constructed and how the gains will be quantified. • Clarity must be provided as to how the monitoring of these plans will be undertaken and who will pay for this before land owners can commit to this.
Council Powers	Oppose	<ul style="list-style-type: none"> • The ability of the Regional council to hold discretion over the matters i to vii put significant power in the hands of the regional body and will 	<ul style="list-style-type: none"> • A unified approach must be taken to timeframes and content of consents issued so as not to create

3.11.5.6 Restricted Discretionary Rule - The use of land for farming activities		have impact that there is the potential for significant differences in the way land can be farmed and the regulation that sits behind it.	significant disparity across the region on land use and block by block restrictions.
Removal of North Eastern Portion of the proposed plan – 3 December 2016	Oppose	<ul style="list-style-type: none"> • The removal of the Hauraki portion of the plan so as to ensure further consultation with Iwi does not create a cohesive plan. • The late withdrawal does little to help create a region wide solution and unity within the region. 	<ul style="list-style-type: none"> • The proposed PC1 process needs to be on hold until such time that all and any part of the catchment implicated by the plan is included. If we are to provide solutions for the greater Waikato as a result of this plan then it is imperative that all that are impacted by and expected to contribute to this plan should be part of the solution.

Signed 

Date 8-3-17