

Submission on a publically notified proposed Regional Plan prepared under the Resource management Act 1991

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

To: Waikato Regional Council
401 Gray Street
Hamilton East
Private bag 3038
Waikato Mail Centre
Hamilton 3240

From: Huirimu Farms Ltd Directors:- Alistair, Judy & Robbie Sherriff
(07) 8723766
0274 930845
625 Huirimu Road
RD 7
Te Awamutu
3877
judy@sherriff.co.nz

We are not trade competitors for the purposes of the submission but the proposed plan has a direct impact on our ability to farm. If Changes sought in the plan are adopted they may impact on others but we are not in direct trade competition with them.

We wish to be heard in support of this submission

Introduction

We thank you for the opportunity to submit on the Waikato Regional Plan Change 1.

Huirimu Farms Ltd Vision statement

We are making Huirimu Farms a profitable leader in sustainable farming. We deliver the best product by using innovative practices and technologies whilst caring for the shareholders, staff, livestock and environment. We will continually review our processes and explore future opportunities. (2010)

We have been farming at Arohena, South East of Te Awamutu since June 2002. Huirimu Farms consists of 827ha with approximately 763 effective hectares. The farm is located between Waipapa Road and Huirimu Road, with approximately 4 kms of Waikato river frontage which is all fenced. With the assistance of Environment Waikato, we have fenced the majority of the streams running through our land to the Waikato River. All of these fenced areas have been planted with natives (12,000 approx). We have 8 open space covenants with the QE trust totalling 55.67ha

In 2007 we converted 300ha of our land from sheep and beef to dairy. At present we run dairy cows, dairy replacements, sheep and cattle. We have a resource Consent with Waikato regional Council to take groundwater for our dairy shed, stock and the seven houses on the property.

We enjoy spending time on the river and are all keen on our water sports. We are in agreement that all waterways in New Zealand (including our beaches) should be protected for our future generations. We welcome the National Government's new freshwater standards and support the principle of stock exclusion. However we consider that the practicalities of fencing hill country is underestimated and in some cases may create adverse effects. We also feel that a blanket solution using NRP and Overseer is not the correct solution. Individual Farm Environment Plans (FEP) will ensure each farm is correctly assessed.

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.

The specific Provisions my submission relates to are:	My submission is that:	Why / Reason	Relief Sought
Vision and Strategy. A healthy river sustains life and prosperous communities	Support	This is a very clear goal that that we all want to achieve. It brings together all people and communities to work together towards a common goal.	Retain.
Objective 2: Social, economic and cultural wellbeing is maintained in the long term.	Support	This is a good objective and one well worth encouraging and supporting However there must be consideration given to the cost of implication so that it does not cripple the farmers and small rural communities.	Retain
Objective 1: Long term restoration and protection of water Quality for each sub-catchment and freshwater management unit.	Support in part	We all want health rivers and the ability for ourselves and future generations to swim and fish in. We question whether there will be a rise in E. coli as more bush area is retired. Some of the modelling data that is currently coming out is saying that E. coli increases when waterways are retired and planted.	We ask that allowance must be made for weather conditions which can change the monitoring data results.
Objective 4: People and community resilience	Support in Part	Objective 4a and b are conflicting. 4b states that further contaminant reductions will be required but it is not quantified. How do we know if we can achieve this?	Remove Part 4b.
Objective 5: Mana Tangata – protecting and restoring tangata whenua values. Section b – new impediments to the flexibility of the use of tangata whenua ancestral lands are minimized	Oppose section b	This is about protecting the water quality for everyone. It should not matter who owns the land. The same rules should apply irrespective of race and cultural beliefs and should be based on contaminant impact from the activity	Remove section b

Policy 1: Manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens	Support in part	Managing and reducing discharges of specific contaminants is required, and the best way to do this will be by focusing on sub catchments, working out what is needed, and where. How and when is this measured	All aspects of the plan should come under the Farm Environment Plans (FEP). They should be developed using a sub catchment approach.
Policy 2: Tailored approach to reducing diffuse discharges from Farming activities	Support in part	We agree that we all need to reduce our impact on the waterways. Using sub catchments and FEPs is a very good way of achieving this. Nitrogen Reference Points and discharge reductions may reward the big polluters.	Remove (c) and (d) of policy 2. Make better use of the FEPs. Use this tool to develop individual plans for individual farms. Allow credit for mitigation
Policy 4: Enabling activities with lower discharges to continue or to be established while signalling further Change may be required in future	Oppose	This is very difficult to quantify. What constitutes a low discharge? How long in the future	Remove.
Policy 5: Staged Approach	Support	A long term approach is definitely required, as this is a very complex issue.	Retain
Policy 6: Restricting Land Use Change	Oppose	This policy does not allow the flexibility of Market conditions and predictions, age of the farmer, climatic conditions, stage in farming career, and future opportunities It will also have the unintended consequence of reducing the value of a farm.	We understand the concern about dairy conversions but feel that a more tailored approach needs to be taken. Land use change should be included in the FEPs and linked to land classification units and on a sub catchment basis.
Policy 7: Preparing for allocation in the future.	Support in part	We support the principle of this policy as we feel that science will help to solve the river problems. We don't support (b) as we feel that we all should be working towards healthy rivers regardless of our ethnicity.	Remove policy 7 (b)
Policy 8: Prioritised Implementation	Support	Good idea, we trust that the scientific data is correct	Retain

Policy 9: Sub-catchment mitigation, co-ordination.	Support	Sub-catchment planning and working with communities seems to be the logical method to use.	Retain
Policy 10: Provide for point source discharges of regional significance	Oppose	Agriculture is a regional significant industry. Why is it treated differently to the power stations and town discharges? We are aware that urban water infrastructure, like ageing wastewater systems (Tokoroa in particular) and a deficit of storm water infrastructure impacts dramatically on our water quality	We ask that all industry/infrastructure is treated equally regardless of the industry and all consents are reviewed immediately.
Policy 11: Application of Best Practicable Option and mitigation or offset of effects to point source discharges	Oppose	We oppose this as we consider that this is only moving the problem. This could penalise dischargers in the sub catchment when the water quality targets aren't met.	We ask that this clause is amended so that it does not benefit potential polluters
Policy 12: Additional considerations for point source discharges in relation to water quality	Oppose	This needs to apply to diffuse discharges not just point source discharges Any contaminant entering the river must be treated equally. The rules should not be different for other sectors of the community	We ask that the rules for point source discharges be equal to those of diffuse discharges. All industry/infrastructure discharges must be treated and meet the same criteria and targets as diffuse discharges.
Policy 13: Point sources consent duration.	Oppose	We question why there are longer periods of duration for point source discharges than diffuse discharges. Both have investment costs so therefore should be on an equal basis.	We ask that the consents be shortened in duration to allow for technology advances to be recognised. The timeframe of the short term water quality goals should coincide.
Policy 16: Flexibility for development of land returned under Te Tiriti O Waitangi settlements and multiple owned Maori land	Oppose	This plan is about creating healthy rivers, irrespective of race.	Remove
Policy 17: Considering the wider context of the Vision and Strategy	Support	We support a healthy river accessible to all.	

3.11.4 Implementation methods 3.11.4.1, 3.11.4.2, 3.11.4.3, 3.11.4.4, 3.11.4.5, 3.11.4.6, 3.11.4.7, 3.11.4.8, 3.11.4.9, 3.11.4.10, 3.11.4.11, 3.11.4.12	Support in part	It is unreasonable to lump the entire cost of this plan onto the rural population. The urban population need to pay their part also. This is outlined in the vision and strategy.	Implement a funding plan for all to contribute to, making sure the funds go back to help with mitigation controls and works, not into enforcement and policy making.
Rule 3.11.5.1 Permitted Activity Rule	Support in Part	We support a permitted activity rule for small and low intensity farming activities but consider the stocking rate is too low. It is also unrealistic to have all water ways fenced regardless of slope.	Raise the stocking rate to 10 stock units per hectare. Remove clause 2 and replace with best practicable options.
Rule 3.11.5.2 Permitted Activity Rule- Other farming activities	Support in part	We don't like the Nitrogen cap, as these farms will already have very low Nitrogen reference points. Complete stock exclusion is unrealistic and could in fact be detrimental to the environment. Clause 4 (c) this is unrealistic if you consider the slope of most sheep farms.	Having a blanket NRP is just rewarding high emitters and penalising low emitters. Properties should be looked at on a sub catchment level using the FEP. Change 4(a) to use a FEP not nitrogen reference points. Remove clause 2 and replace with best practice. Remove the word grazed in clause 4 (c). Change stock exclusion to best practice
Rule 3.11.5.3 Permitted Activity Rule- Farming activities with a farm environment plan under a certified industry scheme	Support in part	There are no certified Industry Schemes as of yet, and although we support the concept, we can't comment on how these will be administered. We support the need to work out the NRP for the catchments but consider the use of FEP a far better way of controlling N leeching	Complete stock exclusion is not supported and should be amended. The NRP needs to be removed.
Rule 3.11.5.4 Controlled Activity Rule- Farming activities with a Farm Environment Plan not under a Certified Industry Scheme	Support in part	We support the use of controlled activity consents. We worry about the initial and ongoing costs to implement this. We do not agree with the use of the nitrogen reference points or the complete stock exclusion clause but consider better use of the FEP with consideration as to mitigation opportunities.	Remove all reference to the Nitrogen reference point and stock exclusion. Relate the consent back to the Farm environment Plan, which can cover all of those issues, on sub catchment by sub catchment, farm by farm basis.

Schedule A: Registration	Support in part	<p>We agree that all farms need to be registered We require clarification around 5(f) Stocking rates vary as animals are born & sold. Also clause 6 (a) (ii and iii)) identifying each and every water body on the farm may be impossible to achieve within the timeframe. We understand it is streams that flow continually for 365days but how do we prove this? We consider it should be major waterways</p>	<p>Set a date for stock numbers. Remove 6 (a) ii and iii. Or Relate back to the Farm environment Plan. Or Change to any major waterway.</p>
Schedule B: Nitrogen Reference Point (NRP)	Oppose	<p>We strongly oppose the use of Nitrogen reference points. Having farmed on the Western Bays (Taupo) for 25 years, we saw firsthand how Grand parenting of Nitrogen could be manipulated. There was an opportunity to protect Lake Taupo, instead many low emitting small sheep and beef farmers exited the industry and the number of dairy cows actually increased in the catchment area.</p>	<p>Remove Schedule B. Concentrate on the diversity of each sub catchment and use the FEP and land use capabilities of each farm. We need to take account of the different soil types and realise that a blanket one rule for all will not and cannot work with regards to Nitrogen caps and grand parenting. The better approach is to show a Nutrient plan to reduce N loadings. Overseer should not be used as a regulatory tool as the margin of error changes between Overseers versions</p>
Schedule C: Stock Exclusion Rule 3.11.5.2, Schedule 1	Oppose	<p>We support stock exclusion from main waterways. We started fencing and planting our waterways in 1978 in the Western Bays and have continued to do so on our Arohena farm. However we are confused as Rule 3.11.5.2 says 3 meter setback. Schedule C says 1m and Schedule 1 says 1m and 3m. The definition of a waterway is too broad and hard to prove that waterways may not have water in them 365 days</p> <p>We realise that a lot of sheep/beef farmers have been tardy with their fencing and water reticulation but consider that expecting this work to be completed by 2023 is completely unreasonable and unachievable. It is far better to work with the rural landowners than back them into a corner.</p>	<p>We consider that a better way to do this would be through the FEP, with reference back to the sub catchment and what has been identified as the problems for that catchment. Each farm has different requirements and different grazing patterns and this should be taken into account</p> <p>Remove the fencing requirement of land over 15 degrees. Use schedule C only as a guide when developing the FEPs.</p>

<p>Schedule 1: Farm Environment Plans</p>	<p>Support in part</p>	<p>We have recently had a FEP completed for our farm. We have also had Overseer reports done by our fertiliser company and Fonterra. You would be amazed at the differences that Overseer has calculated depending on who inputted the data and the version of Overseer used.</p> <p>Clause 5: We question the accuracy of Overseer especially when updated versions are used.</p>	<p>Remove Clause 5.</p> <p>The Farm Environment Plans should become the most important method of ensuring a farm's compliance.</p> <p>Each sub catchment should document the important Issues with their catchment. Farmers within this sub catchment should develop their farm plans following the sub-catchment issues. This will necessitate in some farmers having to undertake remedial work to get up to the required sub catchment expectations. If there is flexibility, open communication and assistance, a better outcome will be achieved. No farmer will relate well to heavy handedness.</p>
<p>Schedule 2: Certification of Industry Schemes. and any consequential amendments arising from this submission point</p>	<p>Support</p>	<p>We endorse the Certification of Industry Schemes</p>	