

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

Subform	PC12016	Cover sheet	
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Submission form

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

On: The Waikato Regional Council's proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

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[by email]

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As above	
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.	
I wish to speak at the hearing in support of my submissions.	
I would consider a presenting a joint case with others.	

Jocelyn 8/3/17.

Submission on PC1 – JR

Introduction:

My husband and I have farmed our current property for over 35 years. Our property is located in the upper reaches of the Mangakino catchment in PC1. The property was a Land Settlement Ballot farm sold to us by the Crown. At the time stock water was natural streams with limited bore water for the residence and adjoining paddocks. Over the years we extended the water supply and gravity fed from a stream to approximately 30% of the property. We also extended the riparian areas retired from grazing.

We aimed to improve the environment in our property and manage the known adverse effects. We have maintained over 40 culverts and bridges, cared for riparian areas including weed spraying, planting eco-sourced plants and maintaining stock-proof fences. We had a policy of cropping just under 3% of the farm annually, using Fertmark products spread by a Spreadmark operator. In 2013 we installed a new water supply system to the whole farm.

Our's was a drystock, sheep and beef, business until 2015 when we leased the farm to a dairy/drystock business. By the end of the 2014/2015 year we destocked the property completely and in the 2015/2016 season our leasee commenced building up stock numbers again. It is obvious that neither year has a typical carrying rate for the purposes of setting the NRP under PC1.

My expertise is in planning, record keeping, practical farming and social issues.

I am disappointed with the outcome of the CSG's work to develop this plan change. A report on the cost to the community of PC1 was \$7b yet there is no attempt to minimise the impact other than the staged approach to registering the FEP and riparian fencing. I expected to see plans to develop alternative employment or land use options. I expected to see a budget that covers both the WRC and the community economic costs/benefits. During the community workshops some members of the CSG indicated that grandparenting was not on the table, yet this is what we have got with its attendant massive paperwork that gives the WRC control of region's farms.

The outcome of capped, grandparented regulations with no trading or off setting is farm amalgamation and social disruption. New disruptions will come with new regulations in ten years' time. Until the planned 'land suitability' categorisation is known our farm will be on hold because it is particularly suited to dairy or cropping but PC1 holds it in the current activities; by then ownership may be with estate executors.

In my opinion, the proposed Plan Change fails in the Regional Policy Statement goals because the regulations are impactable. My submission aims to reduce costs and retain private control of private business, based on the plan as written. Many rules should be guidelines. The IRD standards should be applied to records and information collected by WRC.

C1 provision	Support/oppose/amend	Reason for my submission	Decision I would like made; <u>add underlined</u> delete strike through
3.11.1.1 and 3.11.1.2 Mana Atua and Mana Tangata Pages 22 - 26	Amend	Most of the intrinsic history values should be in the Mana Tangata section. The Geothermal use values should be in Mana Ātua. Mana Ātua should include reference to ground water and swamps that supply rivers	Re evaluate the Mana Ātua and Mana Tangata to reflect the categories and our multi-cultural values
Objective 3.11.2.1 and Table 3.11-1 Pages 27 and 57 - 67	Support in principle Amend	The long-term values should relate to the Freshwater Management Units (FMUs), not the sub catchments listed in Table 3.11-1. The goals in Table 3.11-1 should be set to ensure social, economic and cultural wellbeing (Objective 2) is achieved.	Amend Objective 3.11.2.1 to: ...water quality attribute targets in Table 3.11-1 <u>for FMUs</u> (Table 3.11-xx)
Objective 3.11.2.2 Page 27	Amend	Social, economic and cultural wellbeing needs to be maintained and enhanced during the transition as well as in the long term.	Amend Objective 2 to: Objective 2: Social, economic and cultural wellbeing is maintained in the long term <u>and short term</u> /Te Whāinga 2...ngā tauroa me ngā tauiti. ...which enables the people and communities to continue to provide for <u>and enhance</u> their social, economic and cultural wellbeing.
Objective 3.11.2.4b Page 27	Oppose in part	Oppose the intention to change the future property level allocation management approach.	b. recognising that further contaminant reductions will be required by subsequent regional plans and signalling anticipated future management approaches that will be needed to meet Objective 1.
Objective 3.11.2.x	Amend	There is no recognition of actions already taken	Add a new objective to recognise actions taken.
Objective 3.11.2x	Amend	There is no protection for non-Māori values such as family farms, vistas for tourism.	Add a new objective to protect non-Māori values or amend Objective 5 to cover these aspects.
Policy 3.11.3.2 Page 30	Oppose	This policy is unworkable because, as the s32 analysis points out, it is not possible to measure the phosphorous, sediment and microbial pathogens satisfactorily at the property level. Outputs from Overseer® also vary between versions in a non-linear way.	Revisit the policy and develop a workable system.

Policy 3.11.3.2b Page 30	Oppose	Outputs from Overseer® vary between versions in a non-linear way. This means that the NRP will only be relevant at the time of the calculation. To use the NRP to calculate the 75-percentile figure WRC should carry out a random survey.	Delete Policy 3.11.3.2b and insert: <u>i) a Nitrogen Reference Point for the property or enterprise to be kept by the land owner (or their representative).</u> <u>ii) WRC to carry out a random survey of no more than ten percent of dairy properties in each FMU in order to establish the 75-percentile figure for that FMU</u>
Policy 3.11.3.2e Page 30	Oppose	The requirement to exclude stock within three years of submitting a FEP will create a boom and bust market for fencing contractors. This contradicts Objective 4 community resilience. This should be part of a best practice guideline.	Delete Policy 3.11.3.2e and replace with <u>WRC to develop best practice guidelines for reducing diffuse discharges from farming activities.</u>
Policy 3.11.3.4 Page 31	Oppose	This policy could be changed to measure actions already taken to lower discharges and reward those actions. This has flexibility targeting a wider range of activities than the current policy and, if well managed, can support the post 2026 plan change land suitability system.	Delete Policy 3.11.3.4 and replace with <u>WRC to identify existing activities that lower discharges and develop a reward system for discharges that have long-term results.</u>
Policy 3.11.3.5 Page 31	Support in part	I support a staged approach to achieving water quality attribute targets, but for the FMUs not sub-catchments.	...water quality attribute targets set out in <u>Table 11-1 for FMUs</u> will need to be staged over 80 years.
Policy 3.11.3.6 Page 32	Oppose	As it is not possible to measure diffuse discharges this policy cannot be effective.	Delete Policy 6
Policy 3.11.3.7 Page 32	Support in part	This policy plans to bring in a new different management and measurement system for the management of diffuse discharges. The disruption caused by the new system means that Policies 1 to 4 and 6 are redundant.	Delete Policies 1 to 4 and 6 and replace with new policies that promote best practice guidelines.
Policy 3.11.3.9 Page 33	Amend	This action needs to happen before the development of the property or enterprise FEP. There is no point in spending time and money on a plan that instantly becomes irrelevant.	Amend Policy 3.11.3.9 to: Take a prioritised and integrated approach to sub-catchment water quality management by undertaking sub-catchment planning <u>to be completed at least four years prior to the date the FEP is due in accordance with sub-catchment priorities.</u> and Use this planning to support actions ...

Policy 3.11.3.16 Page 35	Support in principle.	I support the intent of this policy, however, the volume of land use change needs to be quantified, probably based on the reference point estimate. Another policy should be introduced to cover non-Māori land that is underutilised. Again, this should be quantified. Refer to Rules 3.10.5.4 and 3.10.5.5 of the Regional Plan for an example of this.	Amend Policy 3.11.3.16 to quantify the volume of land use change permitted in the first ten years. Develop another policy to address underutilised non-Māori land.
Implementation Method 3.11.4.1 Page 36	Support with amendment.	Missing in the list of stakeholders are the land owners and managers.	Add land owners and managers to the list of stakeholders.
Implementation Method 3.11.4.3 Page 36	Oppose	This method promotes changes to the commercial structure of agriculture; eg corporatisation at the expense of family farming. Developing and monitoring the Farm Environment Plans (FEP) is costly and time consuming. The FEP should be developed, maintained and retained by the landowner. This would be available for inspection for audit purposes. The parameters and minimum requirements should be in a set of guidelines. Professional organisations are the ones to operate the certification system. They have the right to adjudicate on issues or malpractice.	Change the first paragraph to: WRC will prepare parameters and requirements for the development of a certification process for professionals to develop, certify and monitor FEPs in a consistent approach across the region. A FEP will be prepared by a certified person as per the requirements outlined in Schedule 4, and <u>The landowner will prepare, maintain and retain at all times a FEP in accordance with WRC guidelines. The FEP will assess the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens and specify actions to reduce those risks</u>
Implementation Method 3.11.4.5 Page 37	Amend	This needs to happen before properties or enterprises do their FEP, otherwise the FEP becomes irrelevant. Research should be carried out to address weed and pest control in wetlands and riparian areas. This should precede the development of sub-catchment scale plans. Waterway fencing should be in WRC guidelines.	Change the first paragraph to: <u>Four years prior to the FEP priority date</u> WRC will work with... Develop a new implementation method to address all research matters relating to PC1. Delete Implementation Method 3.11.4.3e and move fencing waterways requirements to WRC guidelines.

Implementation Method 3.11.4.6 Page 37	Support with amendment	There is no guarantee that WRC will fund implementation. WRC should be sourcing outside funding when appropriate.	Change Implementation Method 3.11.4.6b to: b. Seek to <u>Secure</u> funding ... Add Implementation Method 3.11.4.6c <u>Seek to secure funding for the implementation of Chapter 3.11 through third party sources.</u>
Implementation Method 3.11.4.7 and Implementation Method 3.11.4.8 Pages 37 and 38	Support in principal Amend.	WRC should be using or advocating for a national framework rather than developing another framework	Add to Implementation Method 3.11.4.7: <u>advocate for a national framework for allocation of diffuse discharge rates at a property level.</u> Add to Implementation Method 3.11.4.8: <u>WRC will review Chapter 3.11</u> WRC will: a. Develop discharge allocation frameworks <u>based on a national framework</u> for individual properties and enterprises...
Implementation Method 3.11.4.10 Page 38	Oppose	The intent of this method is supported but the diffuse discharges accounting system should remain with the land owner and business manager rather than WRC. Section 'd' should make this clear.	Delete Implementation Method 3.11.4.10d and insert <u>d. Enterprise and property scale information and accounting for diffuse discharges remain the responsibility of the enterprise or property owner. WRC will monitor and report on a random sample of no more than 10% of properties. Information available publicly will be collective and not property specific.</u>
Implementation Method 3.11.4.11 Page 38	Support in principle Amend	Section 'b' should be covered in Implementation Method 3.11.4.8. There is no value in developing measurement methods for the remainder of the first ten years and then changing to another method. The FEP, their planned actions, the NRP and data pertaining to these documents should be retained by the property or enterprise owner. For monitoring purposes WRC should be able to access basic facts from the documents. For audit purposes WRC should have access to more detail. Monitoring would be on a random basis. Risk would be the basis for auditing, although there will be a need to incorporate a random selection also.	Delete section 'b' or move it to Implementation Method 3.11.4.8. Change section 'd' to d. Collate data on the number of land use resource consents issued under this chapter. <u>Report the total reductions made in the discharge of contaminants estimated from monitoring made on a random basis. Auditing will be on a risk basis and limited to a maximum of 5% of properties annually.</u>

<p>Implementation Method 3.11.4.12 Page 38</p>	<p>Support and amend</p>	<p>Research is needed particularly for drystock systems. WRC should be instigating this research not merely supporting it. Please add research into methods to control weeds and pests in riparian areas. WRC should have a dedicated research fund with an established list of topic priorities.</p>	<p>Change section 'b' to b. <u>Research and support research methods...</u> Add: c. <u>Research and support research methods to control weeds and pests in riparian areas.</u> d. <u>WRC will establish a dedicated research fund, establish research topic priorities, and promote funding partnerships for research into reducing diffuse discharges and controlling weeds and pests in retired areas.</u></p>
<p>Permitted Activity Rule 3.11.5.2 Page 40</p>	<p>Amend</p>	<p>There is very little value in providing the details in Schedule A for a Permitted Activity when the information is already contained in WRC records; stock units and livestock crossing points being the only information not available in WRC records. The fencing and cultivation requirements should be a guideline. A FEP would be better than the NRP. It should be maintained by the property or enterprise owner. Schedule B is for a consented property; a permitted activity should have less onerous requirements and a basic FEP would do that.</p>	<p>Delete conditions 1, 2, 3e, 4b, 4c, 4d and 4e. Change condition 4a to; a. <u>A FEP is kept by the property or enterprise owner and available for inspection by WRC on request. In conformance with Schedule B, and</u></p>
<p>Permitted Activity Rule 3.11.5.3 Page 41</p>	<p>Support in principle, Amend</p>	<p>It would be far more practical for the Certified Industry body to approve the FEP than a Farm Environment Planner. The Certified Industry body should be responsible for the managing amendments to the FEP. The Certified Industry body controls and is responsible for the process and should provide monitoring summaries to WRC, otherwise there is too much duplication of paper work.</p>	<p>Change condition 5 to 5. A FEP which has been prepared in accordance with Schedule 1<u>guidelines</u> and has been approved by a Certified Farm Environment Planner <u>the Certified Industry body, is provided to the WRC developed in accordance with the priority as follows:...</u> Change condition 8 to: 8. <u>The Certified Industry body will provide monitoring updates on the group's total FEP.</u></p>

<p>Controlled Activity Rule 3.11.5.4 Page 42</p>	<p>Amend</p>	<p>The NRP should be established and kept by the enterprise or property owner. A random survey is sufficient for WRC purposes to develop the 'land suitability' criteria. Condition 5b repeats condition 4 and condition 5c is covered in the first paragraph of condition 5. Condition 5d should be included in guidelines.</p>	<p>Change condition 5 to: 5. A NRP is produced <u>maintained</u> for the property or enterprise... Change 5a to: 5a. A FEP has been prepared in conformance with Schedule 1 <u>guidelines</u> and has been approved by a Certified Farm Environment Planner, and is provided to the WRC at the time the resource consent is lodged and is <u>maintained by the owner from the dates specified in 1-3 above, and</u> Delete conditions 5b, 5c and 5d.</p>
<p>Controlled Activity Rule 3.11.5.4 Matters of control Page 43</p>	<p>Oppose</p>	<p>Control i] This means WRC overrides the Farm Environment Planner. Control ii] Actions and timeframes need to be managed by the enterprise or property owner. Control iii] this is contradictory – a five-year rolling average allows the NRP to be exceeded from time to time. Control v] The term of the resource consent needs to be known. It needs to be at least 35 years to cater for the cost of any improvements made under the consent. Controls vi, vii & viii] records for monitoring should be substantially fewer than those required for auditing. This is not reflected in these matters. I envision the enterprise or property owner will maintain records and provide a summary to WRC for monitoring purposes. The full records would have to be available for the audit. The notification clause is supported.</p>	<p>Change the matters to; i. <u>The guidelines for the FEP.</u> ii. <u>The term of the resource consent will be 35 years.</u> iii. <u>The annual monitoring information to be provided.</u> iv. <u>The records to be available for audit purposes.</u> v. <u>The timeframes and circumstances under which the consent conditions may be reviewed.</u></p>
<p>Restricted Discretionary Activity rules</p>	<p>Add two rules</p>	<p>Add a rule to cover tangata whenua land that has not been developed and another to cover non-Māori land that is underutilised.</p>	<p>Add Māori development restricted discretionary activity rules and non-Māori development restricted discretionary activity rules.</p>
<p>Non-Complying Activity Rule 3.11.5.7 Page 45</p>	<p>Oppose</p>	<p>This rule holds all farms at the current activities. In effect, even vegetable production rules are overridden. At the extreme it prevents cropping to renew pasture species. The Restricted Discretionary Rule is sufficient to cover land use changes.</p>	<p>Delete Non-Complying Activity Rule 3.11.5.7.</p>

Schedule A Page 46	Oppose	There is very little value in providing the details in Schedule A when the information is already contained in WRC record. A question in conjunction with the rates assessment notice would suffice to check WRC records. The fencing and cultivation requirements should be in a guideline.	Delete Schedule A.
Schedule B Pages 47 - 49	Oppose	Using a Certified Farm Nutrient Adviser and a Certified Farm Environment Planner to do the NRP and FEP is overkill. The property or enterprise owner should be obtaining and storing all this data, rather than WRC. WRC just needs the final number/value. Overseer® outputs change regularly with the change in versions; so, the NRP will quickly become obsolete This submission suggests a random survey to reduce workload and costs so the need to register the NRP by the dates is unnecessary, but a requirement to have the NRP, or similar, can be included, Table 1 should be in a guideline rather than PC1.	Change clause a to: a. The NRP must be calculated by a certified Farm Nutrient Adviser to determine the... Change clause e to: e. The NRP and the NRP data must be provided... Incorporate Table 1 into a farm environment planning guideline to develop the NRP and FEP.
Schedule C Page 50	Oppose	This should be a guideline. The timelines should be deleted because they promote a boom and bust situation for fencers and fencing materials. Prices will hike, materials and fencers will be in short supply so deadlines will be missed.	Delete the conditions 4 and 5. Incorporate the schedule into a farm environment planning guideline.
Schedule 1 Pages 51 - 55	Oppose	This should be a guideline.	Incorporate the schedule into a farm environment planning guideline.
Glossary Pages 79 and 82	Amend	The terms best management practice and good management practices appear to overlap.	Combine best management practice with good management practices.

<p>Glossary Pages 79 and 80</p>	<p>amend</p>	<p>Expecting farmers to use both a Certified Farm Environment Planner and a Certified Farm Nutrient Advisor for their NRP and FEP is too much. The existing industry certification systems should be used for the NRP and FEP. The list on their website can be used. WRC can advocate for improvements if necessary.</p>	<p>Use an agreed term for Certified Farm Environment Planner and Certified Farm Nutrient Advisor after consultation with existing industry certification schemes. Use existing professional organisation certification lists.</p>
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