

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

Submission form on publicly notified – Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

SubForm	PC12016	COVER SHEET	
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		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

FORM 5 Clause 6 of First Schedule, Resource Management Act 1991

SUBMISSIONS CAN BE	
Mailed to	Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240
Delivered to	Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton
Faxed to	(07) 859 0998 <i>Please Note: if you fax your submission, please post or deliver a copy to one of the above addresses</i>
Emailed to	healthyrivers@waikatoregion.govt.nz <i>Please Note: Submissions received my email must contain full contact details. We also request you send us a signed original by post or courier.</i>
Online at	www.waikatoregion.govt.nz/healthyrivers
We need to receive your submission by 5pm, 8 March 2017.	

Full name: Martin Lindsay Wallace		
Full address: 241 Harbottle Road, RD2, Morrinsville 3372		
Email: martin.wallace@clear.net.nz	Phone : 07 889 7910	Cell: 021 122 1769

ADDRESS FOR SERVICE OF SUBMITTER

Full name: Martin Lindsay Wallace		
Address for service of person making submission: 241 Harbottle Road, RD2, Morrinsville 3372		
Email: martin.wallace@clear.net.nz	Phone: 07 889 7910	Cell: 021 122 1769

I am not a trade competitor for the purpose of this submission. 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.

If others make a similar submission, please tick this box if you will consider presenting a joint case with them at the hearing.

Signature: Martin Wallace	Date: 8 March 2017
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Submission is includes an Excel File attached

WRC Proposed PC1 Submission - M L Wallace

Submission Point No.	Section number of the Plan Change	Support (S)/Oppose (O) or Support/Oppose with Amendments (SA, OA)	Submission	Decision Sought
1	Entire Plan Change	O	The plan change fails to give adequate effect to section 6 of the RMA, does not achieve the Vision and Strategy for the Waikato (and Waipa) River and is inconsistent with the NPS FM and the NZ Coastal Policy Statement and the Waikato Regional Policy Statement. The provisions are inadequately identified and targeted, fail to identify the long term targets and are inefficient and inequitable in addressing the issues.	Decline the plan in its entirety unless amendments sought in the following submissions are accepted
2			Allocation approaches should be equitable, ensure efficient resource use, be future proofed, promote sustainable management, not reward current or historic poor practice, i.e. not reward polluters and penalise low leaching land uses or early mitigation adopters	Include allocation approaches that are equitable, ensure efficient resource use, be future proofed, promote sustainable management, not reward current or historic poor practice, i.e. not reward polluters and penalise low leaching land uses or early mitigation adopters.
3			I do not support grandparenting and seeking reductions to pollutants from grandparenting.	Reject all forms of grandparenting from the plan and target reductions in order from the highest polluters first until water characteristics targets are met.

4	3.11.2 Objective 1	OA	This should be extended by including water quality attribute targets for ecosystem health not solely the identified contaminants.	Amend Objective 1 to include Water quality targets to establish freshwater objectives and set freshwater limits for all freshwater management units to give effect to the water quality objectives in the NPS FM especially ecosystem processes and indigenous species including their freshwater ecosystems.
5	3.11.2 Objective 3	OA	The Objective should refer to ecosystem health attributes in accordance with the suggested modifications to Objective 1, but the rate of improvement for the ten year time frame is too slow and should be increased to 20% of the change required by the 80 year time frame.	Delete Objective 3 and amend to include a 20% change and a corresponding change in table 3.11.1
6	3.11.2 Objective 4	OA	Objective 4 a) provides for consideration of values and uses but fails to mention fairness or equity as a factor in considering the staged approach planned.	Amend Objective 4 by adding a new a) that gives priority to equity as a priority in formulating the staged approach with attention focussed on the activities with the highest levels of effect on the water quality. Reword existing a) as b) so that it is clearly subservient to a).
7			The objective should recognise the potential inequity of impeding development of land that is currently underdeveloped and which may have potential to be developed with low environmental footprint and within sustainable limits for the assimilative capacity of land and water.	Add a new subclause to become d) 'new impediments to the flexibility of the use of lands with low level discharges and effects are minimised'

8	3.11.2 New Objective		A new objective should be developed to follow Objective 4 that requires property level allocation of discharges, prescribing that grandparenting or similar allocation methods will not be used, that fairly relates to the assimilative capacity of the land and water and the attributes and not to historical practice.	Insert new Objective accordingly.
9	3.11.2 Reasons for adopting	OA	The reasons fo adopting the objectives will need to be amended to reflect the changes sought above.	Amend accordingly
	3.11.3 Policies	OA	Reference in the Policies need to be amended to reflect the changes sought in the Objecives to include for example, references to new attributes for ecosystem health	Amend accordingly
			The Policy should be to implement a land suitability allocation method <u>in this plan</u> based on the matters in footnote 5. The policy as it stands seems to be a cop out and a justification for deferring the proper decision.	Delete and sustitute a policy to require use of land suitability allocation now.
10	3.11.3 Policy 1	OA	I agree that sub-catchment-wide reductions in contaminant discharges should be reduced, but that reductions should be required from those with the highest levels of discharge and effect and not by requiring all discharges to be reduced irrespective of the level. Reductions should be made by those whose dischrge are above a level attributed as sustainable from the property and its contribution to the problem .	Modify P1 a. and b. to read: a. Enabling activities with a low level of contaminant discharge to water bodies, and b. Requiring farming activities with moderate to high levels of contaminant discharge to water bodies to reduce thier discharges in order, from highest to least.

11	3.11.3 Policy 2	OA	<p>The establishment of a NRP as required in c) is supported only as an addition to the sum of knowledge about nitrogen losses as measured by Overseer but any use of that to enable grantparenting or trading is opposed. It is inequitable and inefficient to require in d) that reductions in discharges be proportionate to the amount of current discharge where those discharges are already below the level that can be attributed as sustainable to the property. The clear solution to meeting the water quality improvement required in the subcatchment is to require those with high discharges to reduce to their level so that all land can be operated within the level considered sustainable.</p>	<p>Delete c), or, if retained, amend to make clear that the sole purpose of the information is for the purpose of monitoring/testing Overseer as a tool. Amend 3.11.3.2.d. to read: Require reduction in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens (and other ecosystem health parameters) by the dischargers (progressively from the highest to the least) to the extent necessary to meet the scale of water quality improvement required in the sub-catchment [Reductions will be required from the highest dischargers until the water quality target is met];</p>
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12	3.11.3 Policy 3	OA	As above for Policy 2. and that the policy in d) should refer to 20% in accordance with submission #3 above	Amend 3.11.3.3.g. to read: Require reduction in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens (and other ecosystem health parameters) by the dischargers (progressively from the highest to the least) to the extent necessary to meet the scale of water quality improvement required in the sub-catchment [Reductions will be required from the highest dischargers until the water quality target is met];
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13	3.11.3 Policy 6	OA	This provision as it stands, reinforces the inequity by requiring reductions in discharges irrespective of whether the activity is already within a sustainable and appropriate level. It reinforces the grandparenting approach and should be rejected. Rewording the provision will exclude those activities that have been performing well and are already using good practice or are undeveloped. Further the rewording brings the non-Maori undeveloped land As reworded, this provides a similar and consistent approach undeveloped non-Maori as well as Maori land.	Amend Policy 6 Para 1 to read: Except as provided for in Policy 1 and 2 (for low level discharges) and Policy 16, land use change consent applications that demonstrate an increase in the diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens above the sustainable property level will generally not be granted. Amend Para 2 to refer to a the general granting of consents to only apply where the discharges are and will be below the sustainable property level for the sub catchment target.
14	3.11.3 Policy 7	O	This Policy refers to what should be in this Plan, not a future plan. be what is	
15	3.11.3 Policy 8	O	In the event that the decision is to retain the NRP and the use of its values to determine priorities, the 75th percentile should be reduced to account for potential minor increases in discharges for un- and underdeveloped land.	Amend downwards the percentile level to ensure it is the polluters, not those with a low footprint who take action.
16	3.11.3 Policy 9	OA	Subclause d) is opposed because it seems to be a formula to allow offsetting by protected, over intensified operations to continue the high footprint practices.	Delete d)

17	3.11.3 Policy 10	O	This appears to emphasise a let-out for so-called regionally significant infrastructure when it may result in protection of the 'old and dirty' and present a barrier to new and innovative options. The RMA will allow argument to be made for continued operation in certain circumstances but the policy should not protect poor quality operations.	Delete
18	3.11.3 Policy 17	O	The plan should give effect to the Vision and Strategy and if done properly should not need a 'wide context' consideration which commonly can lead to perverse outcomes.	Delete
19	Policy 8 and Rules 3.11.5.4.1. and Matters of Control ii, iii, and iv.	O	The prioritisation of implementation provides for dischargers above the 75th percentile nitrogen leaching value to be included irrespective of their being in a priority catchment. This may be too lenient a level when providing for minor increases in discharges from low level discharging activities and to achieve a faster reduction. The 50th percentile point may be more appropriate or alternatively the trigger point for prioritisation and nitrogen discharge reduction should be evaluated against a nitrogen discharge limit established for the relevant property based on the reduction targets of Objective 3 for the sub-catchment.	Amend references to the 75th percentile, to provide for a lower (say 50th) percentile nitrogen leaching value to be prioritised for Farm Environment Plans and in Matters of Control in consideration of resource consents; or alternatively, amend the reference to the 75th percentile to 'any nitrogen leaching value that exceeds the Nitrogen Discharge Limit applicable to the relevant property.

20				Amend Matter of Control ii. to read: The actions and timeframes for undertaking mitigation actions, <u>where required</u> , that maintain or reduce the diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens to water or to land where they may enter water.
21				Amend Matter of Control iii. to read: The actions and timeframes and other measures to ensure that the diffuse discharge of nitrogen from the property or enterprise, as measured by the annual nitrogen loss as determined by the use of the current version of OVERSEER [®] , does not increase beyond the property or enterprise's Nitrogen Discharge Limit.
22				If the option of a Nitrogen Discharge Limit is adopted delete Matter of Control iv.

23	New Definition		An alternative to reference to historical nitrogen discharges as triggers for maintaining and reducing levels has been suggested that would calculate the Nitrogen Discharge Limit for the property or enterprise. If adopted this would need to be defined.	Nitrogen Discharge Limit shall be determined for each property within a sub-catchment such that the nitrogen discharge targets of Objective 3 for the sub-catchment are met, with the highest discharges required to be reduced first.
24	Schedule 1: Paragraph 2	O	To be consistent with the foregoing submissions that activities with low level discharges of contaminants will not be required to adhere to a low nitrogen reference point or to reduce even below that low level, amendment needs to be made to the corresponding clauses in Schedule 1	Amend paragraph 2 to add the words 'where required' after the word 'reduce'
25	Schedule 1: 5 a. and b.	O	To be consistent with the foregoing submissions that activities with low level discharges of contaminants will not be required to adhere to a low nitrogen reference point or to reduce even below that low level, amendment needs to be made to the corresponding clauses in Schedule 1	Amend 5 a. to read: Actions and timeframes and other measures to ensure that discharges do not exceed the Sustainable Nitrogen Discharge Limit
26				Amend 5 b. to refer to the 50th percentile in place of the 75th percentile in lines 1 and 2. or if the Nitrogen Discharge Limit is adopted - delete