

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	
FOR OFFICE USE ONLY			
		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	healthyivers@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/healthyivers
We need to receive your submission by 5pm, 8 March 2017.	

YOUR NAME AND CONTACT DETAILS		
Full name: Matamata-Piako District Council		
Full address: PO Box 266, Te Aroha 3342		
Email:	Phone: 07 884 0060	Fax: 07 884 8865

ADDRESS FOR SERVICE OF SUBMITTER		
Full name: Matamata-Piako District Council – attention: Mark Hamilton		
Address for service of person making submission: As above		
Email: mhamilton@mpdc.govt.nz	Phone: As above	Fax: As above

TRADE COMPETITION AND ADVERSE EFFECTS <i>(select appropriate)</i>
<input type="checkbox"/> I could / <input checked="" type="checkbox"/> could not gain an advantage in trade competition through this submission.
<input type="checkbox"/> I am / <input checked="" type="checkbox"/> am not directly affected by an effect of the subject matter of the submission that:
(a) adversely effects the environment, and
(b) does not relate to the trade competition or the effects of trade competition.
Delete entire paragraph if you could not gain an advantage in trade competition through this submission.

THE SPECIFIC PROVISIONS OF PROPOSED PLAN CHANGE 1 THAT MY SUBMISSION RELATES TO

*Please state the provision, map or page number e.g. Objective 4 or Rule 3.11.5.1
(continue on separate sheet(s) if necessary.)*

Refer to Matamata-Piako District Council Submission that includes Appendix 1: Specific Provisions that Council Submission relates to.

I SUPPORT OR OPPOSE THE ABOVE PROVISION/S

(select as appropriate and continue on separate sheet(s) if necessary.)

Refer to Matamata-Piako District Council Submission that includes Appendix 1: Specific Provisions that Council Submission relates to.

MY SUBMISSION IS THAT

*Tell us the reasons why you support or oppose or wish to have the specific provisions amended.
(Please continue on separate sheet(s) if necessary.)*

Refer to Matamata-Piako District Council Submission that includes Appendix 1: Specific Provisions that Council Submission relates to.

I SEEK THE FOLLOWING DECISION BY COUNCIL

(select as appropriate and continue on separate sheet(s) if necessary.)

Refer to Matamata-Piako District Council Submission that includes Appendix 1: Specific Provisions that Council Submission relates to.

Amend as follows:

PLEASE INDICATE BY TICKING THE RELEVANT BOX WHETHER YOU WISH TO BE HEARD IN SUPPORT OF YOUR SUBMISSION

I wish to speak at the hearing in support of my submissions.

I do not wish to speak at the hearing in support of my submissions.

JOINT SUBMISSIONS

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

IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

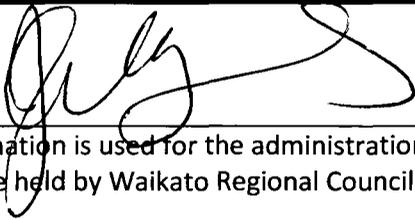
Yes, I have attached extra sheets.

SIGNATURE OF SUBMITTER

(or person authorised to sign on behalf of submitter)

A signature is not required if you make your submission by electronic means.

Signature



Date 08 March 2017

Personal information is used for the administration of the submission process and will be made public. All information collected will be held by Waikato Regional Council, with submitters having the right to access and correct personal information.

PLEASE CHECK that you have provided all of the information requested and if you are having trouble filling out this form, phone Waikato Regional Council on 0800 800 401 for help.

Additional sheet to assist in making a submission

Section number of the Plan Change	Support /Oppose	Submission	Decision sought
Please refer to title and page numbers used in the plan change document	Indicate whether you support or oppose the provision.	State in summary the nature of your submission and the reasons for it.	State clearly the decision and/or suggested changes you want Council to make on the provision.

SUBMISSION BY THE MATAMATA - PIAKO DISTRICT COUNCIL

**PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 - WAIKATO & WAIPA
RIVER CATCHMENTS**



The MATAMATA - PIAKO District Council:

1. **Supports the Proposed Waikato Regional Plan Change 1 Waikato & Waipa River Catchments (PRPC1) in parts, as it aims to achieve the Vision and Strategy for the Waikato and Waipa Rivers, for which Matamata-Piako District lies partly therein; and**
2. **Opposes the Regional Plan Change in other parts, given the potential adverse economic and social costs to the community that will result from its implementation.**
3. **Supports the principle of sustainable management as defined under section 5 of the Resource Management Act 1991 (RMA 1991), and on this basis, the Regional Plan Change:**
 - **Does not provide certainty and clarity to land owners and land managers in the District relating to the interpretation and administration of its provisions;**
 - **Does not provide for methods of implementation that are affordable to the community; and**
 - **Does not incentivise land owners and land managers to achieve sustainable environmental outcomes in the district;**
4. **And, on this basis, the District Council:**
 - **Requests amendments to parts of the Regional Plan Change 1 to satisfy section 32 RMA 1991 to provide provisions that are understandable, practicable, cost-effective and fair with their implementation to achieve an effects based resource management framework; and**
 - **Requests effects based rules to regulate land use practices and activities that are in proportion to the conditions or scale of the environmental effects being addressed; and**
 - **Requests that further time be provided to enable a collaborative and targeted approach to amend policy and rules, and adopt alternative methods of implementation, to establish sustainable community and sub-catchment solutions with the expectation that the Regional Council will notify a variation to amend Regional Plan Change 1.**

INTRODUCTION

This **Introductory Statement** is to be read in conjunction with **Appendix 1** that sets out the detailed relief sought in relation to the specific provisions of the Proposed Regional Plan Change.

To provide context to the District Council submission it is important to understand the key characteristics of the district and the **reasons** why Council has chosen to submit on this Plan Change.

The Council had two internal workshops and contacted and met with the following groups in our community as part of preparing this submission: representatives of Federated Farmers and vegetable growers, Ngati Haa and Ngati Hinerangi.

Council wish to be heard in support of this submission.

Our District – The Matamata-Piako District

Matamata-Piako District is one of eight full and four part districts that comprise the Waikato Region. Of the 175,000 hectares that comprise the Matamata-Piako District approximately 1189 hectares are directly affected by the provisions of Regional Plan Change 1. While this is a very small portion of the district (being approximately 0.7%), there will be noticeable adverse impacts on the primary production sector, the manufacturing processing sector and the urban and rural communities in the district, and therefore on all ratepayers.

As with other districts in the Region, Matamata-Piako District has a well-established dairy industry with over 80% of the land area in grassland for dairying as well as supporting other enterprises such as cattle, sheep, deer, pigs and goat farming. It is an economy sustained by these primary production activities. 66% of the district consists of high quality soils (defined as being Class 1, 2 and 3 of the New Zealand Land Inventory Worksheets) growing vegetables. These soils support between 3-4,000 hectares of crops such as potatoes, onions, carrots, asparagus, sweetcorn, and maize.

The district has a population of 33,000 people, and over 56% live in one of the three major service towns – Matamata (7,089), Morrinsville (6,999) or Te Aroha (3,906). The population has been relatively stable over the past three decades and is predicted to grow slightly over the period 2011-2031. As is also common with other rural districts, the population is ageing and this is being accelerated by sustained net migration loss of young adults (20-39 years).

The district has a Gross Domestic Product per capita of almost \$51,000, and is the second highest in the region behind Hamilton City. The major employment sectors are dominated by agriculture, forestry and farming followed by manufacturing. It is the manufacturing sector that provides the highest proportion of total economic output for the district (22% GDP) compared with its employment share (15%). In summary, the economy is based around a vibrant and diverse primary production sector and processing/manufacturing sector.

This primary production focus is reflected in the Sustainable Management Strategy set out in section 2 of the Operative District Plan. At a policy level the focus is on protecting this rural land resource for rural production, ensuring the productive capability of rural land is not compromised and safeguarding the life-supporting capacity of the district's high quality soils. This approach is to support and give effect to the purpose of sustainable management set out in the Act.

Reasons

The criteria adopted by Council to test the merits of the Regional Plan Change are:

- Are the implementation methods capable of achieving the Vision and Strategy?
- Are the implementation methods affordable to the community and particularly, the primary production owners and managers in Matamata-Piako District?
- Are the implementation methods affordable to the community given that the district is rural and its towns support rural activities?

- Are the proposed changes based on proven and robust information and data?

The Council's key 'high-level' submission points are:

- 1 Complete a fully integrated section 32 evaluation that assesses whether this level of regulation is justified when measured alongside other reasonably practicable options (s32(1)(b)(i)) in terms of their effectiveness and efficiency to achieve the Vision and Strategy.
- 2 Replace the Permitted Activity rules under Rule 3.11.5.1. and 3.11.5.2 with alternative rules that incorporate performance standards for those currently listed permitted primary production activities.
- 3 Rule 3.11.5.4 and the wider application of rules applying the Nitrogen Reference Point is perverse and unfair or inequitable and should be deleted and in its place should be an allocation approach with rules and performance standards to manage nutrient discharges and water quality based on landuse classes, for example.
- 4 Provide the section 32 evaluation that justifies Rule 3.11.5.5 – existing commercial vegetable production, as the current approach is contrary to an effects based resource management regime.
- 5 Rule 3.11.5.5 – existing commercial vegetable production, be reviewed in a collaborative manner with representatives of the vegetable growers (including Horticulture New Zealand) and local authorities whose district plans support these elite soils, to refine the regulatory and non-regulatory framework at both a regional and district planning level.
- 6 Reliance on Overseer is not an appropriate management tool when assessing the environmental footprint for commercial vegetable growing. Amend the rule to be able to adopt other resource management tools acceptable to the horticultural sector.
- 7 The activity status for Rule 3.11.5.7 – Land Use Change, be amended to at least (meaning, being no more restrictive than) Discretionary activity to provide an equitable basis upon which to consider innovation and best practice approaches, and to consider diversified and integrated primary production activities.
- 8 Rule 3.11.5.7 – Land Use Change, is perverse and unfair in its application to land management and should be deleted. An allocation approach with rules and performance standards to manage nutrient discharges and water quality is recommended.
- 9 The management, maintenance and upgrade to 3 Waters infrastructure and rules relate to the 30-year infrastructure programme required under the Local Government Act and recognise that burdensome funding costs faced by communities should be accommodated for through staged upgrades to plants to achieve the targeted environmental outcomes.
- 10 An extensive period for further submissions or a further variation to the Plan Change is considered, once amendments are available to accommodate those matters raised by Hauraki iwi.

- 11 The Plan Change is put on hold to enable the notification for further submissions to occur all together.

Supporting Commentaries

Achieving the Vision and Strategy

The Vision and Strategy for the river catchments focuses on measures to redress the degradation of water quality sufficient to make it safe for swimming and to take food over its entire length. This is an inter-generational goal. It also is an aspirational statement.

While the Vision and Strategy for the Waikato and Waipa River Catchments is supported it is the suite of methods (objectives, policies, rules, Schedules and non-statutory implementation methods) that are not supported. Council questions whether the goal as set out in the Vision and Strategy of rivers that are safe for swimming and to take food from over their entire length is achievable under the present provisions, and if so, is it achievable in the 80-year timeframe now set out in the Plan Change. Is the Plan Change going too far, too fast, and with too greater cost to communities?

The Council submission is that this Plan Change, based on the supplied evidence, is uncertain to deliver on the goal and not likely to be affordable for the community.

Council's understanding from reviewing the extensive literature supporting this Plan Change is that there is a science and technology 'gap' to be closed before sustained environmental improvements can be achieved beyond the first ten-year period, to achieve the above goal.

There are increasing and significant compliance costs being imposed on landowners and it is unclear whether this extensive monitoring and reporting will demonstrably provide benefits to the operation of primary production activities and to our communities and therefore whether the overall benefits compared to costs can be justified in the short or long term.

So the immediate and direct economic and social/community costs of this Plan Change must be considered against future yet-to-be realised (intangible) benefits to the two catchments of achieving a swimmable river and a river that provides a sustainable food source along its whole length.

The Council submission is that the section 32 evaluation must demonstrate that the elements of the Regional Plan Change do provide a 'fit for purpose' approach to achieving the Vision and Strategy for the two catchments.

Council also suggests that there are learnings from the approaches already adopted or being considered by other Regional Councils to tackle similar issues; for example, to evaluate:

- Land management that is related to land use capability, sub-catchment planning and greater community/land owner participation;
- Sub-catchments being classified in terms of their current environmental profile and in relation to their proposed water quality targets;
- The retention of Farm Management Plans as a property based approach to achieving improved and sustained environmental performance;
- The adoption of various 'caps' for all contaminant discharges based on land use classification classes;
- 'Dairy conversion' being considered in a more flexible manner depending on land use classification;

- Higher area thresholds for properties required to provide annual monitoring and compliance reporting for example, adopting a 10 hectare threshold; and
- Farming and cultivation practises including riparian management on steeper lands being refined to achieve practicable solutions that achieve cost effective environmental outcomes.

Council requests that a comparative evaluation is completed of these alternative methods as part of the section 32 evaluation to affirm that these are reasonably practicable options to substitute for the current approach.

Rule Administration and Costs: Providing certainty, clarity and affordability

By way of overview, the rule framework is set up to:

- ‘cascade’ so any non-compliance with standards under Rules 3.11.5.1 and 3.11.5.2 (Permitted Activity Rules) defaults to Rule 3.11.5.6 Restricted Discretionary Rule – The use of land for farming;
- provide for on-farm management relying on the Farm Environment Plan under a certified industry scheme (Rule 3.11.5.3) as a permitted activity or customised Farm Environment Plan outside the ambit of a certified industry scheme (under Rule 3.11.5.4) as a controlled activity;
- provide a customised rule for a specific production activity (commercial vegetable production) under Rule 3.11.5.5 Controlled Activity; and
- Rule 3.11.5.7 Non-Complying Activity – Land Use Change.

The key rules of concern to the District Council are:

- Rules 1 and 2 – Permitted Activities;
- Rule 4 – Controlled Activity Rule;
- Rule 5 – Controlled Activity - Existing commercial vegetable production; and
- Rule 7 – Non-Complying Activity Rule - Land Use Change.

Each of these provisions are discussed separately below.

At a general level, Council supports the adoption of Farm Environment Plans as being a hands-on, property-specific framework for land managers to bring together their local knowledge, farm management expertise and the applied sciences to find localised and implementable ‘solutions’ to achieve sustainable management.

However, the establishment and administration of all these rules that ‘wrap around’ Farm Environment Plans and in establishing Nitrogen Reference Points requires substantial and ongoing/periodic collection and reporting of data from landowners, and the assembly of reports on a property basis. These reports have to be prepared by certified technical experts. A ‘tidal wave’ of technical analyses can be expected in a comparatively narrow and emerging field of science. How readily available are/will be appropriately qualified professionals to provide this advice in a timely manner to the regulator and to landowners? This Council’s concern is that the consenting process will become overloaded with applications and frustrate their processing. There will also be a staff skills resourcing and cost burden on the administrator (WRC) and a direct cost and compliance burden on landowners.

Council requests that this information gathering and consent administration burden that underpins these rules be reviewed as part of a fully integrated section 32 evaluation to assess whether this level of regulation is justified when measured alongside other reasonably practicable options (s32(1)(b)(i)) in terms of their effectiveness and efficiency to achieve the Vision and Strategy.

Rule Interpretation: Rule 3.11.5.1 Permitted Activity Rule – Small and Low Intensity Farming Activities, and Rule 3.11.5.2 Permitted Activity Rule – Other farming activities

Being permitted activities reflects an assessment that such activities provide low and acceptable adverse environmental risk.

Council seeks replacement of both these Permitted Activity rules with the adoption of alternative rules that incorporate performance standards for those currently listed permitted primary production activities.

This alternative approach would avoid the onerous obligations placed on land managers to continually monitor, report and update Farm Environment Plans (and compliance reporting under the Schedules) potentially through consenting processes as required under the proposed regime.

The review should also include the rule approach for management on land over 15 degrees, whether the land is cultivated or grazed and how effective the stock exclusion rules will be. Their simplification should aim for workable and more affordable provisions for the land owner. This alternative approach will encourage land owners and managers to self-regulate their business activities and their environmental footprint in a more cost effective and tailored manner.

Application of Nitrogen Reference Points to the administration of Rules 3.11.5.2-3.11.5.7

Nitrogen Reference Points (NRPs) are required to be provided under Schedule B, clause f) and are to be set or benchmarked against one of two pre-selected years. NRPs then apply, by way of cross-referencing to the administration of Rules 2-6 and also underpin the considerations for Rule 7.

However, it is Rule 4 that creates the 'grandparenting' of nitrogen leaching based on leaching 'performance' above or below the 75% cap when read in conjunction with Schedule B, clause f). This creates a perverse environmental outcome; the adoption of 'grandparenting' nitrogen leaching where the allocation of a future resource right to discharge nitrogen will be based on the existing recorded level of nitrogen leaching. Effectively, this means the right to pollute is retained by the biggest polluters.

Council suggest that Rule 3.11.5.4 and the wider application of rules applying the Nitrogen Reference Point is perverse and unfair or inequitable and should be deleted. In its place should be an allocation approach with rules and performance standards to manage nutrient discharges and water quality based on land use classes, for example.

Rule Interpretation: Rule 3.11.5.5 Controlled Activity – Existing commercial vegetable production

Rule 3.11.5.5 Controlled Activity – Existing commercial vegetable production, promotes an 'exclusive' and 'capped' land management regime for these activities.

Council seeks the section 32 justification for this rule as the current approach is contrary to an effects based resource management regime.

With between 3-4,000 hectares currently under commercial vegetable production in the Matamata-Piako District, then food production must be viewed as an essential industry not only for this district but also the country as a whole. This is because the sector provides a diverse and high quality range of vegetables for export and for the domestic market. Restrictions to areas that grow food will automatically restrict food production for a growing national population.

From discussions with grower representatives, crop rotation is an essential tool to sustainably manage these soils, so 'ring fencing' production areas is counter-intuitive to the sustainable management purpose of the Act. Further, any proposal to expand production activities beyond the 'cap' requires resource consent as a Non-Complying activity under Rule 7, and is an onerous 'statutory test' to meet. Therefore, the current approach is not enabling of land use development or to promoting of diversity in production activities through land use change.

The Council requests that the current land use controls be reviewed in a collaborative manner with representatives of the vegetable growers (including Horticulture New Zealand) and local authorities whose district plans support these elite soils, to refine the regulatory and non-regulatory framework at both a regional and district planning level.

Grower representatives are also concerned about nitrogen discharges being the sole contaminant proposed to be regulated.

Reliance on Overseer is not to be an appropriate management tool when assessing the environmental footprint for commercial vegetable growing. Council requests the rule and or method of implementation enable other resource management tools to be adopted that are acceptable to the horticultural sector.

Rule Interpretation: Rule 3.11.5.7 Non-Complying Activity Rule - Land Use Change

This rule, which has immediate effect, places a moratorium on land intensification. This deliberately constrains land managers from responding to market changes and where necessary introducing new farming practices without first gaining resource consent. The proposed non-complying activity status attached to this rule requires all land managers pursuing 'intensification' and diversification to satisfy the stated 'gateway tests' under section 104D of the RMA 1991 – the adverse environmental effects will be minor and / or the activity will not be contrary to the objectives and policies of the Plan Change. This is a high threshold to satisfy.

This is a blunt response to promote sustainability and is inflexible and not enabling of innovative approaches and sub-catchment management responses being adopted by land managers. This rule should be revisited to demonstrate that the section 32 'tests' can be satisfied and or, that alternative methods or a package of alternative methods can equally achieve the objectives of the PRPC 1.

The Council seeks that the activity status should be amended to at least (meaning, being no more restrictive than) Discretionary activity to provide an equitable basis upon which to consider innovation and best practice approaches, and to consider diversified and integrated primary production activities.

This rule also creates a perverse environmental outcome; the adoption of 'grandparenting' land use. Under the rule, the past or current use of land will govern its future use and this is contrary to the purpose of sustainable resource management.

The Council submits that this rule is perverse and unfair in its application to land management and should be deleted. An allocation approach with rules and performance standards to manage nutrient discharges and water quality based on landuse classes, for example, is recommended.

Management of Point Source Discharges

As is the case with all territorial authorities, the District Council is an asset manager operating infrastructure services, and in this case, to comparatively small urban communities. These facilities are managed by long term regional resource consents (for point source discharges) that will also be affected by the Plan Change.

These assets include:

- Matamata (services Matamata, Waharoa & Raungaiti) – upgraded 2010-11; population serviced 8100.
- Morrinsville (services Morrinsville, Rukumoana and several major industrial plants) – upgraded 2011-12; population serviced 7600 plus very significant industrial load.
- Te Aroha – upgraded 2011; population serviced 4200.
- Tahuna new 2010; population serviced 85.
- Waihou – upgraded 2012; population serviced 300.

Council also uses rivers and their tributaries as a source of drinking water in most of its communities and thus have an interest that their discharges do not make the downstream water untreatable.

Over the 30-year period required for long term planning under the Local Government Act the total cost of increasing the performance of the plants to a standard that partially meets the 80-year vision guidelines could be significant to ratepayers.

These community assets are managed in the context of a district population that is expected to grow only slowly and is likely to become a more aged population on fixed incomes, so the district rating base has less capacity to fund upgrades.

Accepting that not all the spend on infrastructure upgrades may be directly associated with the regional plan change, they will be a contributing cost to meeting higher quality discharge standards and the ability of the communities to fund such costs and remains a significant community issue. A sizeable economic cost carried by district ratepayers may in the end result in only marginal and sustained environmental improvements compared to the contaminant load in the catchments.

The Council seeks that management, maintenance and upgrade to 3 Waters infrastructure and rules must relate to the 30-year infrastructure programme required under the Local Government Act and recognise that burdensome funding costs faced by communities should be provided for through staged upgrades to plants to achieve targeted environmental outcomes.

Judicial Review

The partial withdrawal of the Proposed Plan Change on 3 December 2016 to undertake consultation with Hauraki iwi authorities affects a sub-catchment in the District and adds uncertainty and confusion to the statutory process for our community. This is because:

- It now is unclear whether an additional period for submissions will be required to enable all communities to consider any amendments to the notified Plan Change that arise from this consultation;
- It will impose additional District Council staff time and cost considering and responding with an additional submission;
- It undermines the integrated resource management framework promoted in the notified Plan Change; and
- It may result in different rules that seek the same outcome in this sub catchment.

Council requests that an extensive period for further submissions or a further variation to the Plan Change is considered, once amendments are available to accommodate those matters raised by Hauraki iwi.

Council also requests that the Plan Change is put on hold to enable the notification for further submissions under both statutory processes to occur all together.

CONCLUSION

The submissions on specific Plan Change provisions is attached as **Appendix 1** and reinforces these general and specific concerns by addressing:

3.11.2 Objectives;

3.11.3 Policies;

3.11.4 Methods of Implementation;

Schedule A – Registration with Waikato Regional Council;

Schedule B – Nitrogen Reference Point;

Schedule C – Stock Exclusion;

Schedule 1 – Farm Environment Plans; and

3.11.5 Rules.

Signature:



Jan Barnes - Mayor: Matamata-Piako District Council

Date: 8 March 2017

MATAMATA-PIAKO DISTRICT COUNCIL SUBMISSION: WAIKATO REGIONAL PLAN CHANGE 1 – WAIKATO & WAIPA RIVER CATCHMENTS

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO OBJECTIVES (3.11.2)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Objectives 1-6	Oppose in part Objectives seek the achievement of the restoration and protection of the 80-year water quality ‘targets’ when the science indicates that this outcome may not be able to be achieved based on the adoption of current technologies and land management practices. This is acknowledged in Principal Reasons, and noted in relation to Objective 2.	Review and set realistic objectives that acknowledge the intergenerational time period will likely be at least 80 years. This timeframe is conditional on the development of the supporting sciences, modelling and changing land management practices and their impacts on communities in the two catchments.
Objective 2: Social, economic and cultural wellbeing is maintained in the long term	Support. Mirrors part of the section 5 sustainability purpose of the Act. This acknowledges that sustainability encompasses consideration of social, economic and cultural well-being and health and safety parameters in decision.	Retain this objective
Objective 3: Short term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	Oppose in part. Amend to clarify that it may not be possible to actually demonstrate attaining the short-term targets set out in Table 3.11-1 by 2026, and that this may occur sometime after this date recognising the ‘lag’ period for nutrient flows already in the system.	Amend objective to read: <i>Changes to water management and land use are implemented by 2026 that achieve 10% of the required change between current water quality and the 80-year water quality attribute targets in Table 3.11.1 whilst recognising the ‘lag’ period for nutrient flows already in the system.</i>
Objective 4: People and community resilience	Oppose in part. Unclear what this objective intends when applying the	Redraft objective to read: <i>A staged approach to land use change is managed to minimise the impacts of transition on the social, economic</i>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO OBJECTIVES (3.11.2)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	<p>qualifications set out in sub clauses a. and b. that cross references to Objective 1.</p> <p>Reasons do not reflect what the objective currently says – intention is to manage impacts during the transition while ensuring that the overall costs to people and communities can be sustained.</p>	<p><i>and cultural wellbeing of communities in the short term.</i></p> <p>Amend the Reasons accordingly.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Policies: 1-17	Oppose in part General lack of clarity in the drafting of the policies leads to uncertainty about their application when processing resource consent applications.	Review, redraft to improve clarity, meaning and certainty of the policies for their application in decision making on resource consents.
Policy 1: Manage diffuse discharges of nitrogen, phosphorous, sediment and microbial pathogens	Support in part. Meaning of the terms referred to in 'a.' and 'b.' respectively – 'low level of contaminant discharge' and 'moderate to high levels of contaminant discharge.'	Amend to incorporate an agreed, measurable and enforceable baseline for each of the four diffuse discharges from which these general terms can then be measured or benchmarked.
Policy 2: Tailored approach to reducing diffuse discharges from farming activities	Support in part. Support reference to Farm Environment Plan as a management mechanism. Sub-clause 'c.' should inform on the means to provide for a Nitrogen Reference Point. Sub-clause 'e.' sets a blanket timeframe of 1 July 2026 for stock exclusion that may not be realistic to adopt on a property or enterprise basis and should be reviewed.	Amend 'c.' to read: <i>c... Establishing a Nitrogen Reference Point for a property or enterprise based on using industry or sector group accepted models or similar.</i> Amend 'e.' to read: <i>e. Requiring stock exclusion to be completed within the timeframes set out in a Farm Environment Plan.</i>
Policy 4: Enabling activities with lower discharges to continue or be established while signalling further change may be required	Support in part. Clarify meaning of the term 'new low discharging activities'. Clarify meaning of the phrase '.. provided that cumulatively the achievement of Objective 3 is not compromised.' Explain why reference is made solely to Objective 3, and not Objectives 2 and 4 to accord with the overall broad judgment approach reflected in section 5 RMA.	Redraft as per the relief set out under Policy 1 to provide for agreed, measurable and enforceable base lines for each of the four diffuse discharges that are required to be monitored on a case by case basis. Alternatively, delete reference to Objective 3. Amend to read: <i>Policy 4 Enable activities with discharges of low volumes and concentrations of contaminants to continue or to establish</i>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
		<i>while signalling further contaminant reductions may be required.</i>
Policy 5: Staged approach	Support in part. Add the words to reflect that an intergenerational time period is at least 80 years and not just 80 years Add '...to minimise social disruption <u>on a sub catchment or catchment basis...</u> '	Amend to read: '...targets set out in Table 11-1 will need to be staged over <u>at least 80 years..</u> ' Amend to read: '...to minimise social disruption <u>on a sub catchment or catchment basis...</u> '
Policy 6: Restricting land use change	Oppose in part. This policy contains two statements. Delete the first sentence as it does not inform decision makers when considering resource consent applications. Amend second sentence to clarify what is meant by '...demonstrate clear and enduring decreases in existing diffuse discharges...'	Delete the first sentence and re-draft the remaining sentence to improve clarity and interpretation.
Policy 7: Preparing for allocation in the future	Oppose in part. Delete first paragraph as this provides an explanation of the broad range of methods proposed to contribute to an allocation model for nutrient management. Retain the description of the principles to be adopted when	Redraft to: Delete first paragraph; and Amend the sentence commencing "Any future allocation should consider..." to incorporate the footnote. Retain clause 'c' that reads: <i>Minimise social disruption and costs in the transition to the</i>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	<p>determining future allocation.</p> <p>It is inappropriate to provide the footnote; and if the criteria are appropriate then they should form part of the policy or a further policy be drafted on the allocation principles.</p> <p>Retain clause 'c'.</p>	<p><i>'land suitability' approach.</i></p>
<p>Policy 8: Prioritised implementation:</p>	<p>Oppose in part.</p> <p>Clarify the basis for the determining the '75th percentile nitrogen leaching value dischargers'.</p> <p>Is it based on the number of property owners above the 75th percentile or the total land area under production above the 75th percentile at a specific date?</p>	<p>Redraft rule to remove the uncertainty over interpretation and application of its provisions.</p>
<p>Policy 9: Sub-catchment mitigation planning, co-ordination and funding</p>	<p>Support in part.</p> <p>Include reference to local authorities as part of sub-catchment planning in sub-clause a. as Councils are a recognised voice for their local communities.</p>	<p>Amend 'a' to read: <i>"Engaging early with <u>local authorities</u>, tangata whenua and with land owners, communities..."</i></p>
<p>Policy 10: Provide for point source discharges of regional significance</p>	<p>Support in part.</p> <p>Allows consented water users to continue for the duration of the term of their consent.</p> <p>Provide certainty for significant investment in publicly managed network infrastructure services such as water, stormwater and wastewater (3 Waters) by defining and including the term 'regionally significant infrastructure' in Plan Change, as sourced from Regional Policy Statement.</p> <p>Define and include the term 'regionally significant industry'</p>	<p>Retain with amendments that define:</p> <p><i>Regionally significant infrastructure means 'municipal wastewater treatment plants, water supply treatment plants and bulk water supply, wastewater conveyance and storage systems, municipal supply dams and ancillary infrastructure.'</i></p> <p><i>Regionally significant industry means 'an economic activity based on use of natural and physical resources in the region which have benefits that are significant at a regional or</i></p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	in the Plan Change as sourced and further amended from Regional Policy Statement to provide clarity as to what this term means.	national scale. These may include social, economic or cultural benefits or a combination thereof. Regional significant industry includes: a) Dairy manufacturing sites; b) Meat processing plants; and c) Pulp and paper processing plants.
Policy 11: Application of Best Practicable Option and mitigation or offset of effects to point source discharges	Support the requirement to adopt the 'Best Practicable Option'. Oppose in part: Clarify that the principle of the point source discharger being able to implement offset measures: <ul style="list-style-type: none"> • as part of measures to avoid, remedy or mitigate adverse effects; • to be in alternative locations and or sub-catchments; • that are available for more than one type of contaminant; and • can be staged over the period of the resource consent. 	Amend policy to reflect these proposed changes.
Policy 12: Additional considerations for point source discharges in relation to water quality targets	Oppose in part. Amend the open-ended nature of the policy to state that the 'additional considerations' will be taken account at the time consent applications for point source discharges are being considered.	Amend to add the following text: <i><u>'When considering consent applications for point source discharges, consider the contribution made....'</u></i>
Policy 13: Point sources consent duration	Oppose in part. The rationale for adopting the reference to 25 years in clause a. is unclear. Replace the reference with '30' years to be consistent with the planning framework of 30 years required for infrastructure strategies prepared under the	Amend the policy to refer to 30 years in clause a. and to read as follows: <i>'When determining an appropriate duration for any consent granted consider the following matters:</i>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO POLICIES (3.11.3)	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	<p>Local Government Act.</p> <p>Provide for the staged investment and staged implementation of contaminant reduction measures to take account of a community's ability to fund the necessary measures.</p>	<p>a. <i>A consent term exceeding 30 years, where.....'</i> Amend the policy in clause b. as follows:</p> <p>b. <i>The magnitude and significance of the investment made or proposed to be made in contaminant reduction measures and any resultant improvements in the receiving water quality <u>while taking into account the timing and cost to the communities associated with implementing such measures</u></i></p>
<p>Policy 16: Flexibility for development of land returned under Te Tiriti o Waitangi settlements and multiple owned Maori land.</p>	<p>Support in part.</p> <p>While this provides a specific and qualified exemption for Maori land, the matters listed under i-iii should also be consistent with and be reflected in Policy 7.</p>	<p>Redraft to make the intention and scope of the policy clear.</p>
<p>Policy 17: Considering the wider context of the Vision and Strategy</p>	<p>Oppose.</p> <p>This is a wide ranging, pro-active 'catch all' policy which could, if adopted, provide unreserved scope to influence decisions on resource consents.</p> <p>Therefore, if adopting measures that also achieve environmental outcomes noted in clauses a. and b. then these measures should be recognised and the policy amended to reflect this.</p>	<p>Redraft to make the intention and scope of the policy clear.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO 3.11.4 IMPLEMENTATION METHODS	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
3.11.4.1 Working with others	Support. Acknowledges that territorial authorities are an important stakeholder in the process of developing and implementing the provisions of this Plan Change.	Retain
3.11.4.6 Funding and Implementation	Support in part. Acknowledge that there are opportunities to consider: <ul style="list-style-type: none"> • the deferment or staged implementation of environmental standards for upgrades to 3 Waters infrastructure services; and • cost sharing associated with the review of the District Plan to ensure its provisions are not inconsistent with operative regional policy. 	Add two new clauses as follows: <ul style="list-style-type: none"> c. <i>Work with territorial authorities to examine options for and to implement contaminant reduction measures associated with point source discharge consents for infrastructure services that are affordable to local communities.</i> d. <i>Provide financial support for the reviews of District Plans that aim to achieve the alignment of district and regional planning provisions that give effect to the Vision and Strategy.</i>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE A	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
All Schedules (Schedules 1, 2, A, B, and C)	<p>Oppose in part.</p> <p>The section 32 evaluation has not demonstrated that the methods, limits/standards/conditions have been robustly set, can be understood and applied by the landowner/manager and are able to be enforced by the regulator.</p>	<p>Review provisions and amend as appropriate, as set out below.</p> <p>Support amendments with an updated s32 evaluation.</p>
Schedule A-Registration with Waikato Regional Council	<p>Point 1: Oppose provision for all properties with an area greater than 2 hectares must be registered.</p> <p>What is the rationale and section 32 justification for the 2 ha threshold?</p>	<p>Delete the 2-hectare threshold and replace with a higher minimum property area threshold for reporting purposes, such as 10 hectares</p>
	<p>Point 5d. Oppose.</p> <p>A description of land use activity as at 22 October 2016.</p> <p>It is not clear or certain what level of detail is required, and whether owners can reasonably be expected to have records on the pattern of land use and or stock or production activities being undertaken on that date.</p> <p>Clarify the intention of this information requirement.</p>	<p>Provide clarity regarding the type and level of information required; is it those activities actually occurring on the property on the nominated day or seasonally based or based on the profile during the month of October for example?</p>
	<p>Point 5f: Oppose.</p> <p><i>Where the land is grazed, the stocking rate of the animals grazed on the land.</i></p> <p>The terms <i>grazed land</i> and <i>stocking rate</i> are unclear in their interpretation, will result in confusion in their understanding, application and the reporting required.</p>	<p>Provide guidance on the interpretation of this standard to assist landowners to understand and meet these standards.</p> <p>Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt to achieve the objectives of the Vision and Strategy.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE A	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	Is this to be read literally, as at 22 October 2016?	
	Point 6. Oppose. Clarify the information required to provide consistent quality mapping for reporting purposes.	Provide guidance on mapping requirements to assist landowners to understand and meet these standards.

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE B	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Schedule B-Nitrogen Reference Point	Oppose: The adoption of 'grandparenting' nitrogen leaching. This right to pollute is retained by the biggest polluters. The Council questions the fairness of this approach and reiterates the community's desire to promote alternative approaches to address sustainable land and water management.	Review to provide an effects based approach to contaminant management including nitrogen leaching. Review to provide an effects based approach to address the other targeted contaminants – phosphorous, sediment and microbial pathogens.
	Opening sentence Support in part. Delete the brackets as they are unnecessary and unhelpful to the interpretation of the provisions.	Amend provision to read: <i>A property or enterprise with a cumulative area greater than 10 hectares (or any property or enterprise used for commercial vegetable production) must have a nitrogen Reference Point calculated as follows...</i>
	Point a. Support in part. Are there skilled, experienced and technically competent people capable of advising the Council and landowners on these provisions in a timely and efficient manner?	Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt and there are appropriately qualified and experienced professionals able to provide this information, as a contributing basis to achieve the objectives of the Vision and Strategy.
	Table 1 Support in part. Question the appropriateness/suitability of reliance on Overseer modelling to establish the Nitrogen Reference Point in any given situation. Question its appropriateness to be applied as a regulatory	Provide evidence that the section 32 evaluation confirms that Overseer is the preferred method and rule for monitoring and setting consent conditions for nitrogen leaching for all primary production activities.

	tool to set standards for compliance from the derived data.	
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SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE C	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Schedule C- Stock exclusion	<p>Oppose in part.</p> <p>Imposes immediate, short term and medium term costs and onerous reporting requirements on landowners.</p>	<p>Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt regarding the efficiency and effectiveness of this method and rule.</p> <p>Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.</p>
	<p>Point 2</p> <p>Oppose.</p> <p><i>New fences installed after 22 October 2016 must be located to ensure cattle, horses, deer and pigs cannot be within one metre of the bed of a water body (excluding constructed wetlands).</i></p> <p>The inconsistency of administration of the Plan Change when this rule is applied alongside the Rules in Schedule 1.2.</p> <p>It is not clear how the regulator can confirm compliance on a property by property basis and whether the rule itself is able to be enforced.</p>	<p>Delete provision.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO SCHEDULE 1	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Schedule 1-Requirements for Farm Environment Plans	<p>Oppose in part.</p> <p>Imposes immediate, short term and medium term costs and onerous reporting requirements on landowners.</p>	<p>Provide evidence that the section 32 evaluation confirms this is the preferred approach to adopt regarding the efficiency and effectiveness of this method and rule.</p> <p>Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.</p>
	<p>Completion of a Farm Environment Plan by a Certified Farm Environment Planner.</p> <p>The costs associated with landowner reporting underpinned by the need for and cost associated with commissioning expert advice is onerous.</p> <p>Are there skilled, experienced and technically competent people capable of advising the Council and landowners on these provisions in a timely and efficient manner?</p>	<p>Review the extent, complexity and information requirements for Farm Environment Plans to reduce potential consultancy, compliance and audit costs to the landowner and regulator.</p>
	<p>Point 2(b) A description of setbacks and riparian management.</p> <p>The practicality of these provisions applying on a property basis; namely grazing setbacks of 1 metre achieved through fencing for land less than 15 degrees, and 3 metres for land between 15-25 degrees.</p> <p>The rationale for the minimum cultivation setback of 5 metres.</p>	<p>Review to simplify the extent, complexity and information requirements.</p> <p>Justify the current approach in terms of the effectiveness and efficiency tests under section 32.</p> <p>Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Rule 3.11.5 (comprising Rules 3.11.5.1-3.11.5.7)	<p>Oppose in part.</p> <p>There is an onerous and annual obligation on every landowner running a primary production enterprise to comply with these rules and conditions/standards.</p> <p>Proof of compliance may be at one point in time during the farming year and these rules do not take into account the dynamic nature of these farming enterprises.</p> <p>The costs associated with landowner reporting underpinned by the need for and cost associated with commissioning expert advice is onerous.</p> <p>It has not been adequately demonstrated that the s32 effectiveness and efficiency 'tests' support the adoption of all these rules and thresholds and how these rules will and can be enforced to assure their compliance.</p>	<p>Review the suite of rules to ensure they are understandable, robustly formulated, practical and able to be implemented by land owners and managers to achieve compliance and are enforceable by the regulator.</p> <p>Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.</p> <p>Examine alternative approaches that incorporate the use of performance standards for the range of primary production activities that are able to establish as 'small and low intensity farming activities' (currently defined under Rules 3.11.5.1 and 3.11.5.2) throughout the region.</p>
Rule 3.11.5.1 Permitted Activity Rule-Small & Low Intensity farming activities	<p>Point 4.</p> <p>Support in part.</p> <p>4. Amend the provision: <i>The farming activities do not form part of an enterprise being undertaken on more than one property to make the provision specific to the two catchments only in the Plan Change area.</i></p>	<p>Point 4 is amended to read:</p> <p><i>4. The farming activities do not form part of an enterprise being undertaken on more than one property <u>within the Waikato River and or Waipa River catchments.</u></i></p>
	<p>Point 5.</p> <p>Support in part.</p> <p>The term "grazed land" is not defined or described. It is</p>	<p>Point 5 is amended to clarify the meaning of the term 'grazed land' to mean <i>land that is fenced and in pasture throughout most or all of the year?</i></p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	necessary to define this term to improve the understanding and administration of this clause.	
	<p>Point 5:</p> <p>Oppose.</p> <p>Clarify how this threshold of '6 stock units per hectare' was determined.</p> <p>Provide a realistic standard.</p>	<p>Evidence that the section 32 rationale confirms this is the preferred approach to adopt to achieve the objectives of the Vision and Strategy.</p> <p>Work with sector groups to determine a realistic threshold to apply as a performance standard for a permitted activity.</p>
	<p>Point 6</p> <p>Support in part.</p> <p><i>No arable cropping occurs</i></p> <p>Clarify when and how this performance standard is to be applied by the landowner and the regulator.</p> <p>Clarification of why this performance standard was adopted considering section 32 effectiveness and efficiency tests.</p> <p>Farming is a dynamic land use and varies in response to a variety of pressures annually and seasonally. Stock carrying capacity and land under arable cropping varies throughout the year and from year to year.</p>	<p>Work with sector groups to determine a realistic threshold to apply as a performance standard as a permitted activity.</p> <p>Confirm that the preferred approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>
	<p>Point 7.</p> <p>Support in part.</p> <p><i>7. The farming activities do not form part of an enterprise</i></p>	<p>Point 7 is amended to read:</p> <p><i>7. The farming activities do not form part of an enterprise being undertaken on more than one property <u>within the</u></i></p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	<i>being undertaken on more than one property.</i>	<u>Waikato River and or Waipa River catchments.</u>
Rule 3.11.5.2 Permitted Activity Rule-Other farming activities	<p>Introductory sentence</p> <p>Support in part.</p> <p>Clarify how this threshold of '6 stock units per hectare' was determined for a permitted activity; and</p> <p>Clarify what the phrase "...is used for arable cropping" means and how this provision will be applied.</p>	<p>Work with sector groups to determine a realistic threshold to apply as a performance standard as a permitted activity.</p> <p>Review the reasons for the adoption of these performance standards.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>
	<p>Point 3a.</p> <p>Support in part</p> <p>Amend the provision: <i>The farming activities do not form part of an enterprise being undertaken on more than one property</i> to make the provision specific to the two catchments only in the Plan Change area.</p>	<p>Add the words (underlined):</p> <p><i>The farming activities do not form part of an enterprise being undertaken on more than one property <u>within the Waikato River and Waipa River catchments.</u></i>"</p>
	<p>Point 3b.i and ii.</p> <p>Oppose the adoption of the term 'at 22 October 2016".</p> <p>What does this actually mean for determining compliance and enforcement.</p>	<p>Review the reasons for the adoption of these performance standards.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>
	<p>Point 4a.</p> <p>Oppose.</p> <p>What is the Nitrogen Reference Point and is it to be applied as a standard requiring compliance or is it to be treated as a</p>	<p>Review the reasons for the adoption of this performance standard as a condition for a permitted activity.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
	guideline?	
	<p>Point 4c.</p> <p>Oppose</p> <p><i>No part of the property or enterprise over 15 degrees slope is cultivated or grazed.</i></p> <p>What does this provision actually mean for determining compliance by the landowner and enforcement by the regulator?</p>	<p>Work with sector groups to determine a realistic threshold to apply as a performance standard as a permitted activity.</p> <p>Review the reasons for the adoption of this performance standard as a permitted activity.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>
	<p>Point 4e.i and ii.</p> <p>Oppose.</p> <p>The 5 metre and 3 metre separation distances from nominated water bodies.</p>	<p>Work with the sector groups to review the reasons for the adoption of these performance standards as a permitted activity.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>
	<p>Point 4d. Oppose.</p> <p><i>No winter forage crops are grazed in situ.</i></p> <p>What is the rationale and s32 justification for this intervention?</p>	<p>Work with the sector groups to review the reasons for the adoption of this performance condition as a permitted activity.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>
	<p>Point 5a.-c. Oppose.</p> <p>Annual reporting.</p> <p>What is the rationale and s32 justification for this intervention?</p>	<p>Review the reasons for the adoption of this performance condition for a permitted activity.</p> <p>Confirm that the approach meets the section 32 efficiency and effectiveness tests, otherwise delete the standard.</p>

SPECIFIC PROVISIONS THAT COUNCIL SUBMISSION RELATES TO RULES	COUNCIL SUBMISSION Support/Oppose and with reasons	DECISION THAT MATAMATA-PIAKO DISTRICT COUNCIL WOULD LIKE THE WAIKATO REGIONAL COUNCIL TO MAKE
Rule 3.11.5.4 Controlled Activity-Farming Activities with a Farm Environment Plan not under a Certified Industry Scheme	<p>Oppose in part.</p> <p>The adoption of 'grandparenting' nitrogen leaching when read in relation to Schedule C. This means the right to pollute is retained by the biggest polluters. The Council questions the fairness of this approach and re-iterates the desire to promote alternative approaches to address sustainable land and water management. There is insufficient justification in terms of section 32 to support this.</p>	<p>An allocation approach with rules and performance standards to manage nutrient discharges and water quality.</p> <p>Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.</p>
Rule 3.11.5.5 Controlled Activity – Existing commercial vegetable production	<p>Oppose in part.</p> <p>The rationale for the onerous data gathering and reporting required for a Controlled activity from 2020, relating to:</p> <ul style="list-style-type: none"> a. Schedule A; b. Schedule B; c. Schedule C; e. 2006-2016 maximum land area under production; f. the imposition of a 'cap' for future vegetable production; g. the resulting 'trading' regime from the imposition of a 'cap' on vegetable production. <p>New commercial vegetable production activities establishing outside these parameters default to Non-Complying under Rule 7.</p>	<p>Work with the sector groups to review the reasons for the adoption of this set of reporting performance conditions and standards as a controlled activity.</p> <p>Alternatively, confirm that the current approach meets the section 32 efficiency and effectiveness tests.</p>
Rule 3.11.5.7 Non-Complying Activity Rule-Land Use Change	Oppose.	Review the reasons for the adoption of this approach and

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	<p>The Plan Change establishes the 'existing environment' to 22 October 2016 being the date of public notification of the Change. This in turn establishes the permitted baseline but is either a landowner or the regulator confident of this benchmark being established and agreed through the passage of the ten-year planning horizon.</p> <p>The rule effectively places a moratorium on land use change during the first ten-year planning horizon.</p> <p>There is insufficient justification in terms of section 32 to support this 'high' activity status of Non-Complying.</p> <p>The adoption of 'grandparenting' land use means the past or current use of land will govern its future use and this is contrary to the purpose of sustainable resource management.</p> <p>The Council questions the fairness of this approach and reiterates the community's desire to promote alternative approaches to address sustainable land and water management.</p>	<p>the justification under section 32 regarding the efficiency and effectiveness of this method and rule.</p> <p>Provide for the Land Use Change Rule to be at least (meaning no more restrictive than) Discretionary Activity.</p> <p>Work with landowners, sector groups and communities to provide alternative practicable measures to achieve the same environmental outcomes.</p>