

## Submission: Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PPC1)

Submission on a publicly notified proposed Regional Plan prepared under the Resource Management Act 1991.

**Submitting On:** The Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PC1)

**Submitting To:** Waikato Regional Council  
401 Grey Street  
Hamilton East  
Private bag 3038  
Waikato Mail Center  
HAMILTON 3240

Date:	5 March 2017
Full Name:	Murray Ian & Robyn Joy Twining
Phone (home):	09 2326796
Phone (mobile/work):	021 966 252
Postal Address:	696 Koheroa Road, R D 2 Mercer, North Waikato 2474
Email Address:	696mrtwin@gmail.com

### Submission

7 March 2017

1. I have reviewed Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PPC1) and oppose the Plan Change in its current form.

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.

 7/3/17  
Signature date

 7/3/17  
Signature date

Thank you for the opportunity to submit on the Waikato Regional Council's Proposed Plan Change 1 (PPC1).

We , Murray & Robyn Twining are beef and maize farmers, and we are landowners or land users in the Motukaraka Drainage catchment. My family and I have been productively developing this property for 30years,

The following is a brief summary of what we do and what we have.

- 220ha Beef and Maize farming. Previously Dairy Farming
- Farming in the catchment: Motukaraka Drainage area, Franklin County.
- We have 72 ha of maize and 148 ha of beef animals.
- The property has been owned and farmed by us for 30 years.

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

No.	Section number of the Proposed Plan Change 1	Support/ Oppose	Submission	Decision sought
<b>3.11.2 Objectives</b>				
4.1	<b>Objective 1</b> Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	Support with amendments	Support the intention of Objective 1.  Oppose the attribute targets set in Table 3.11-1. The attribute targets are too prescriptive and should align with the National Policy Statement for Freshwater Management (NPS-FM) and Waikato River Authority's (WRA) Vision and Strategy. Objective 1: <ul style="list-style-type: none"> <li>• Does not consider all contaminant sources holistically</li> <li>• Includes flood/high flow conditions in water quality target data which are considered outliers</li> <li>• Does not take into consideration the variability associated with sub-catchments i.e. climate and soil type</li> </ul>	Retain the long-term restoration and protection of water quality for the Waikato and Waipa rivers.  Amend PC1 to be holistic and include all sources influencing the health and wellbeing of the Waikato River and its catchments, for example Koi Carp, point source discharges, and hydro-dams.  Remove flood/high flow conditions from water quality target data.  Address contaminants on a sub-catchment basis, to enable targeting of the highest omitting sub-catchments.
4.2	<b>Objective 2</b> Social, economic and cultural wellbeing is maintained in the long term	Support with amendments	Support maintaining the long term social, economic and cultural wellbeing; this must be a foundation objective in PC1.  However, PC1 is not achieving Objective 2 because: <ul style="list-style-type: none"> <li>• The section 32 analysis is incomplete due to the withdrawal of the Hauraki iwi area.</li> <li>• Inadequate social modelling conducted</li> </ul>	Retain the maintenance of long-term social, economic and cultural wellbeing in the Waikato and Waipa catchment communities.  Withdraw PC1 until the Hauraki Iwi area and the WRA's Vision and Strategy has been amended. Then conduct a section 32 analysis to investigate the revised impact PC1 could have on society and economy.

			<ul style="list-style-type: none"> <li>• Compliance costs alone are likely to cost my business</li> <li>• Outcomes from PC1 will highly alter my Mercer business and community because they will be undermined through unsustainable and unjustified compliance and mitigation costs, farm devaluation and Nitrogen Reference Point (NRP).</li> <li>• Waikato Regional Council (WRC) have stated they currently have no known means of robustly measuring social, economic or cultural wellbeing.</li> </ul>	<p>Amend rules in PC1 to remove NRP to align with intention of Objective 2.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored Farm Environment Plan (FEP) to align with intention of Objective 2.</p> <p>Address contaminants on a sub-catchment basis, to enable targeting of the highest omitting sub-catchments to align with intention of Objective 2.</p> <p>Develop robust indicators to measure social, economic and cultural wellbeing.</p>
4.3	<b>Objective 3</b> 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	Support with amendments	<p>Support reducing the diffuse discharges in the short-term by 10%, of the overall long-term 80-year water quality targets.</p> <p>However, there is a lack of scientific data to support PC1 to achieve Objective 3. For example, PC1 incentives high emitters - to maintain flexibility on my farm, and therefore my land value, I will need to keep my NRP as high as possible.</p> <p>To me, this is the opposite effect of what PC1 should achieve to improve the health and wellbeing of the Waikato and Waipa rivers.</p>	<p>Retain a 10% achievement of the long-term water quality targets set out in PC1 by 2026.</p> <p>Amend rules in PC1 to remove NRP.</p> <p>Adopt a sub-catchment management approach to ensure collaborative and fair management of resources within each sub-catchment.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p>
4.4	<b>Objective 4</b> People and community resilience	Support with amendments	<p>Support people and community resilience – it must be a cornerstone objective in PC1.</p> <p>However, currently PC1 does not meet the requirements of Objective 4. The proposed rules undermine community resilience in the rural communities of the Waikato and Waipa</p>	<p>Retain the staged approach.</p> <p>Amend rules in PC1 to remove NRP and land use change restriction.</p>

			<p>catchments and will adversely impact on social and economic wellbeing in both the short term and long term. The NRP, associated farm devaluation and loss of flexibility, coupled with substantial compliance and mitigation costs on many farms is unsustainable, as evidenced by case studies.</p> <p>Water quality already meets attribute targets in the majority of these sub-catchments. Despite this, no benefit is awarded to low emitters who may be forced off their land through unsustainable financial impacts imposed by PC1. This will in turn undermine the rural communities of the Waikato and Waipa catchments, as detailed in Objective 2.</p>	<p>Adopt a sub-catchment management approach to ensure collaborative and fair management of resources within each sub-catchment.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p>
4.5	<b>Objective 5</b> Mana Tangata – protecting and restoring tangata whenua values	Support	<p>Support protecting and restoring Tangata whenua values. Mana Tangata is important to New Zealand’s culture, but it also needs the support of industries, markets, and communities (primary production). The Waikato region is an integrated community therefore co-management is the key, not run all primary sectors into the ground.</p>	<p>Revise PC1 to acknowledge primary production as a core value to reflect Mana Tangata.</p>
4.6	<b>Objective 6</b> Whangamarino Wetland	Support	<p>The Whangamarino Wetland should be restored.</p>	<p>Retain as proposed</p>
<b>3.11.3 Policy</b>				
4.7	<b>Policy 1</b> Manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens	Support with amendments	<p>Support managing water quality on a sub-catchment basis because it considers soil suitability and climate conditions.</p> <p>Support stock exclusion, however only where it is practical to do so, and is relative to water quality benefit gains.</p>	<p>Retain managing diffuse discharges and water quality on a sub-catchment basis.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p> <p>Amend rules in PC1 to reflect Policy 1 and 9.</p>

			<p>Support enabling low intensity land uses.</p> <p>Support moderate to high levels of contaminant discharges to reduce their discharges by appropriate mitigation strategies through a tailored FEP.</p> <p>However, the rules in PC1 do not reflect Policy 1 and 9.</p> <p>Oppose mandatory fencing in areas where slopes are over 15°. This requirement is unjustified, does not align with proposed amendments to the NPS-FM, and is financially unsustainable for the majority. It is considered that the increased erosion risk and sediment loading in waterbodies from constructing fences over 15°.</p>	<p>Amend Policy 1 in PC1 to state (changes are red):</p> <p>c. Progressively excluding cattle, horses, deer and pigs from rivers, streams, drains, wetlands and lakes for areas with a slope less than 15 degrees and on those slopes exceeding 15 degrees where break feeding occurs.</p> <p>d. Requiring farming activities on slopes exceeding 15 degrees (where break feeding does not occur) to manage contaminant discharges to water bodies through mitigation actions that specifically target critical source areas.</p> <p>Require clarification on how slope is measured given the ranges of topography experienced within each paddock and adjoining watercourses.</p>
4.8	<p><b>Policy 2</b> Tailored approach to reducing diffuse discharges from farming activities</p>	Support with amendments	<p>Support a tailored, risk based FEP, allowing appropriate and tailored mitigations to reduce diffuse discharges.</p> <p>Support the reduction of diffuse discharges throughout all sub-catchments, however only where applicable i.e. if the sub-catchment is well below all attribute targets then maintenance would be appropriate.</p> <p>Oppose a NRP because there should not an uncertain, estimated number that governs land management based upon nitrogen only. My FEP will provide transparency and confidence to Waikato Regional Council, and the wider community, that my property is reducing, or</p>	<p>Retain appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p> <p>Amend PC1 to reflect Policy 1 in adopting a sub-catchment management approach to ensure collaborative and fair management of resources within each sub-catchment.</p> <p>Amend rules in PC1 to remove NRP.</p>

			maintaining where applicable, its diffuse discharges relative to all four contaminants.	
4.9	<b>Policy 4</b> Enabling activities with lower discharges to continue or to be established while signalling further change may be required in future	Support	Support enabling low intensity land uses.  However, I consider the uncertainty surrounding 'future mitigation actions' to be unacceptable. The level of capital expenditure required to meet the 10-year plan without assurance of future compliance for hill country farmers is prohibitive and counterproductive. If best practice is being adopted, then future certainty should be provided.	Retain provisions allowing for low intensity land uses to continue and establish.  Remove any signalling of future mitigation action requirements from Policy 4 in PC1
4.10	<b>Policy 5</b> Stage approach	Support with amendments	Support an 80-year staged approach to achieve the long-term water quality targets.  However, Policy 5 does not support Objective 2, 4 and 5. Because it does not: <ul style="list-style-type: none"> <li>• Minimise social disruption</li> <li>• Allow for innovation and new practices to develop</li> <li>• Support prosperous communities</li> </ul> There is little scientific evidence that PC1 will reduce diffuse discharges to achieve the long-term water quality targets.	Retain the staged approach.  Amend rules in PC1 to remove NRP.  Adopt a sub-catchment management approach to ensure collaborative and fair management of resources within each sub-catchment.  Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.
4.11	<b>Policy 6</b> Restricting land use change	Oppose	Oppose restricting land use change based on the type of land use, as it is a blunt tool. This Policy, and related rule (3.11.5.7), will inhibit growth and innovation within the Waikato region, and nationally because I am unable to adapt to market demands/changes. Land use flexibility is key to running sustainable business operations. Therefore,	Amend PC1 to state high priority sub-catchments, in relation to water quality, have a Restricted Discretionary activity status. And low priority sub-catchments to have a Permitted activity status.  Amend PC1 to adopt a sub-catchment management approach to ensure collaborative and fair management of resources within each

			<p>Policy 6 conflicts with Objective 2, 4, 5 and Policy 5.</p> <p>Where a sub-catchment is of high priority (in terms of water quality), land use change should be a restricted discretionary activity status. However, where a sub-catchment is of low priority, land use change should be a permitted activity.</p>	<p>sub-catchment. Then enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP</p>
4.12	<p><b>Policy 7</b> Preparing for allocation in the future</p>	<p>Support with amendments</p>	<p>Support as it takes into account land suitability regarding diffuse discharge reductions.</p> <p>However, PC1 is severely restricting growth and innovation on my farm and in my community in order to give more time to gain scientific data to appropriately implement this Policy in the future.</p> <p>WRC needs to work collaboratively with stakeholder groups to develop sub-catchment management approach, and enable appropriate mitigation strategies through a tailored FEP.</p>	<p>Retain reducing diffuse discharges while considering land suitability.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p> <p>WRC to work collaboratively with stakeholder groups to develop sub-catchment management approach.</p>
4.13	<p><b>Policy 8</b> Prioritised implementation</p>	<p>Support</p>	<p>Support prioritising sub-catchments and implementing at different stages.</p>	<p>Retain as proposed.</p>
4.14	<p><b>Policy 9</b> Sub-catchment (including edge of field) mitigation planning, co-ordination and funding</p>	<p>Support with amendments</p>	<p>Support managing water quality at a sub-catchment level.</p> <p>However, the rules in PC1 should give effect to this Policy and enable appropriate mitigation strategies through a tailored FEP.</p>	<p>Retain managing water quality on a sub-catchment level.</p> <p>Amend the rules in PC1 to reflect Policy 1 and 9.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p>

4.15	<b>Policy 10</b> Provide for point source discharges of regional significance	Support with amendments	Support considering the regional significance of infrastructure and industry because there are certain point source discharges that are vital to human health and wellbeing.  However, point source discharges should be taken into consideration for achieving the short and long term water quality targets, through a sub-catchment approach.	Retain the consideration of regional significance of point source discharges infrastructure and industry.  Amend PC1 to be holistic and include all sources influencing the health and wellbeing of the Waikato River and its catchments, including Koi Carp, point sources, and hydro-dams.  Adopt a sub-catchment management approach to ensure collaborative and fair management of resources within each sub-catchment.
4.16	<b>Policy 11</b> Application of Best Practicable Options and mitigation or offset of effects to point source discharges	Support with amendments	Support applying Best Practicable Options.  However, there is not applicable to all stakeholders, and there are no specific rules to reflect this Policy in PC1.	Retain applying Best Practicable Options but amend to include all stakeholders e.g. through FEP.  Provide clarification for what is a “significant toxic adverse effect”.  Amend rules to reflect Policy 11.
4.17	<b>Policy 12</b> Additional considerations for point source discharges in relation to water quality targets.	Support with amendments	Support considering past technology upgrades and costs associated with upgrading.  However, this consideration is not consistent with land owners. Point source discharges can stage future mitigations to spread innovation costs over time to allow for a return in investment. This is not the case for me as a land owner. There is also no regard to cumulative effects from point source discharges.	Retain considering past technology upgrades and costs associated with upgrading.  Adopt a sub-catchment management approach to ensure collaborative and fair management of resources within the region.  Amend PC1 to allow these considerations to occur across all sources influencing the health and wellbeing of the Waikato and Waipa rivers. This could be achieved by enabling appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.

4.18	<b>Policy 13</b> Point sources consent duration	Support with amendments	Support considering the magnitude and significance of the investment made.  However, land owners should be provided the same consideration when applying for consent under rule 3.11.5.4, 3.11.5.5, 3.11.5.6 and 3.11.5.7 in PC1.	Retain consideration of the consent duration in relation to the magnitude and significance of the investment made.  Adopt to include all property owners and enterprises within the Waikato and Waipa Catchments.
4.19	<b>Policy 14</b> Lakes Freshwater Management Units	Support	Support restoring and protecting lakes in 80 years through tailored plans.	Retain as proposed.
4.20	<b>Policy 15</b> Whangamarino Wetland	Support with amendments	Support restoring the Whangamarino Wetland.  However, I believe that all sources influencing the water quality of the wetland should be considered and remediated in collaboration, not just one source.	Retain restoring the Whangamarino Wetland.  Amend Policy 15 to be holistic and include all sources influencing the health and wellbeing of the Waikato River and its catchments especially pest fish species, in relation to sub-catchment management.
4.21	<b>Policy 16</b> Flexibility for development of land returned under Te Tiriti o Waitangi settlements and multiple owned Māori land	Support with amendments	Support flexibility for development of Māori land. However, there is no rule in PC1 to reflect this Policy (16).  Additionally, under PC1 all property owners and enterprises have restricted flexibility. This in turn reduces the social, economic and cultural benefits for everybody because the surrounding rural communities are compromised.	Retain flexibility for development of Māori land.  Amend PC1 to include a rule to reflect Policy 16.  Consider a similar flexibility for all property owners and enterprises.
4.22	<b>Policy 17</b> Considering the wider context of the Vision and Strategy	Support with amendments	Support applying policies and methods based on the Vision and Strategy.  However, the WRA's Vision and Strategy is currently under review, therefore PC1 may end up inadequately reflecting the Vision and Strategy.	Retain applying policies and methods based on the Vision and Strategy.  Withdraw PC1 until the Hauraki Iwi area and the WRA's Vision and Strategy has been amended.
<b>3.11.4 Implementation Methods</b>				

4.23	3.11.4.1 Working with others	Support	Support working with stakeholders to ensure PC1 is implemented effectively.	Retain as proposed.
4.24	3.11.4.2 Certified Industry Scheme	Support	Support that I can opt into a Certified Industry Scheme .	Retain as proposed.
4.25	3.11.4.3 Farm Environment Plans	Support with amendments	<p>Support a tailored, risk based FEP for my business to improve, or maintain where applicable, my environmental standard in a desired time-frame negotiated between my Farm Environmental Planner and myself.</p> <p>However, I understand there could be a shortage of Certified Farm Environment Planners. As an alternative, I suggest that land users who have adequate experience and capabilities should be able to work with an approved industry or scheme, run by WRC, to be accredited to develop their own FEP based upon a common template.</p>	<p>Retain a tailored, risk based FEP.</p> <p>Enable land users who have adequate experience and capabilities should be able to work with an approved industry or scheme, run by WRC, to be accredited to develop their own FEP based upon a common template.</p>
4.26	3.11.4.4 Lakes and Whangamarino Wetland	Support with amendments	<p>Support WRC working with others to gain knowledge and information around lakes and the Whangamarino wetland.</p> <p>Support 3.11.4.4 (d) “work towards managing the presence of pest weeds and fish in the shallow lakes and connected lowland rivers area, including Whangamarino Wetland”.</p> <p>However, there are no policies, objectives or rules in PC1 that recognise this point. It should also be extended to the Waikato and Waipa</p>	<p>Retain working with others in relation to lakes and Whangamarino Wetland.</p> <p>Retain managing pest weeds and fish.</p> <p>Amend PC1 to include the management of pest weeds and fish in the policies, objectives and rules in the Waikato and Waipa Catchments.</p>

			rivers and their catchments, not just shallow lakes and connected lowland rivers area.	
<b>4.27</b>	<b>3.11.4.5</b> Sub-catchment scale planning	Support with amendments	Fully support managing diffuse discharges and water quality on a sub-catchment level.  However, this method is not reflected in the rules of PC1.	Retain managing diffuse discharges and water quality on a sub-catchment level.  Amend PC1 to reflect this method in the rules.
<b>4.28</b>	<b>3.11.4.6</b> Funding and implementation	Support	Support WRC providing resources and leadership to implement PC1.  Support securing funding for implementation of PC1.	Retain as proposed.
<b>4.29</b>	<b>3.11.4.7/8</b> Information needs to support any future allocation/Reviewing Chapter 3.11 and developing an allocation framework for the next Regional Plan	Support with amendments	Support gaining data.  Support allocation on a sub-catchment basis.  Oppose future allocation.	Retain gaining data.  Amend PC1 to enable the management of diffuse discharges on a sub-catchment basis.
<b>4.30</b>	<b>3.11.4.9</b> Managing the effects of urban development	Support	Support managing the effects of urban development.	Retain as proposed

4.31	3.11.4.12 Support research and dissemination of best practice guidelines to reduce diffuse discharges	Support	Support implementing best practice guideline to reduce diffuse discharges.	Retain as proposed.