

Submission: Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PC1)

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
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Submission

7 March 2017

1. I have reviewed Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PC1) and oppose the Plan Change in its current form.
2. I wish to be heard in support of this submission.

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.

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Signature date

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3. Thank you for the opportunity to submit on the Waikato Regional Council's Proposed Plan Change 1 (PC1).

Our names are Dave and Lisa Munro and we own 26.6 hectares on Bright Road in Waiuku since 2013. The farm is located in the Awaroa Waiuku sub-catchment, and therefore in priority area 3. I (Dave) am a stock agent for PGG Wrightson, and my wife (Lisa) is a designer.

For the past 3 seasons, we have grown maize over the summer to provide supplement feed, in the form of maize silage, to the local dairy farmers. During the winter, we re-grass and, in combination, graze dairy heifers and cut silage, again to supply supplement feed to the local dairy farmers. For approximately 6 months of the year we have 4.1 1-year-old heifers per hectare on the farm, so 20.7 stock units per hectare. These figures do change from year to year based on the dairy farmer's requirements, but the stated values are the highest value to date.

Due to the downturn in dairy price, dairy farmers had to cut back on expenses. Therefore, in the 2016/2017 season we did not grow maize because it was not economically viable to do so - there was no market. However, when the market returns it is our aspiration to grow and sell maize again. This is our goal because, due to the relatively small area, this method enables our business to be viable.

On the farm, there is approximately 2 hectares of native bush, which is protected by the QEII covenants. When we took over the farm, the bush was infested with weeds and laden with rubbish/scrap metal. We have worked over the last 4 years to clean up the bush, and replant native juvenile plants to aid in the regeneration of the bush.

We have no streams, drains, dams, wetlands or lakes on the farm i.e. no surface water bodies.

4. 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 |
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| 3.11.2 Objectives | | | | |
| 4.1 | Objective 1 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"> Does not consider all contaminant sources holistically Does not take into consideration the variability associated with sub-catchments i.e. climate and soil type | 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. Address contaminants on a sub-catchment basis, to enable targeting of the highest omitting sub-catchments. |
| 4.2 | Objective 2 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"> Outcomes from PC1 will highly alter my business and Otaua/Aka Aka community because they will be undermined through unsustainable and unjustified compliance and mitigation costs, farm devaluation and Nitrogen Reference Point (NRP). | Retain the maintenance of long-term social, economic and cultural wellbeing in the Waikato and Waipa catchment communities. Amend rules in PC1 to remove NRP to align with intentions of Objective 2. 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. |

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| | | | <ul style="list-style-type: none"> Waikato Regional Council (WRC) have stated they currently have no known means of robustly measuring social, economic or cultural wellbeing. | <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 | <p>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</p> | 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 this objective. For example, PC1 incentives high emitters - to maintain flexibility on my farm, and therefore my land value, we will need to keep our NRP as high as possible.</p> <p>To us, 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 | <p>Objective 4 People and community resilience</p> | 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 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 farms in the Otaua/Aka Aka communities is unsustainable. We have viewed the Federated Farmers case study and are aware from attendance at various meetings.</p> | <p>Retain the staged approach.</p> <p>Amend rules in PC1 to remove NRP and land use change restriction.</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> |

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| | | | 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. | |
| 3.11.3 Policy | | | | |
| 4.7 | Policy 1 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 improved water quality.</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>Even though we have no waterbodies to exclude stock from on our farm, we 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. This will directly affect many of my clients and therefore jeopardise my job security</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>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> |

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| | | | at PGG Wrightson. | |
| 4.8 | Policy 2 Tailored approach to reducing diffuse discharges from farming activities | 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 our land management and land value based upon nitrogen only. Our FEP will provide transparency and confidence to Waikato Regional Council, and the wider community, that my property is reducing, or maintaining where applicable, its diffuse discharges relative to all four contaminants.</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 and 9 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> |
| 4.11 | Policy 6 Restricting land use change | Oppose | <p>Oppose restricting land use change based on the type of land use, as it is a blunt tool.</p> <p>This Policy, and related rule (3.11.5.7), will inhibit growth and innovation within the Waikato region, and nationally because land owners are unable to adapt to market demands and changes. If Rule 3.11.5.7 continues to be operative we are unable to convert back to arable cropping to provide local farmers supplement feed because we were not cropping on the 22 of October 2016, due to the economic downturn.</p> <p>Land use flexibility is key to running</p> | <p>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.</p> <p>Amend PC1 to adopt a sub-catchment management approach to ensure collaborative and fair management of resources within each 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> |

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| | | | <p>sustainable business operations. Therefore, Policy 6 conflicts with Objective 2 and 4.</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. This water quality should be tested annually to ensure no deterioration occurs.</p> | |
| 4.14 | Policy 9 Sub-catchment (including edge of field) mitigation planning, co-ordination and funding | Support with amendments | <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 | Policy 10/11/12/13 | Support with amendments | <p>Support the consideration of point source discharges in the restoration and protection of the health and wellbeing of the Waikato River and its catchments.</p> <p>However, Policies 10, 11, 12 and 13 allow point source discharges to be:</p> <ul style="list-style-type: none"> • Considered in terms of regional significance • Recognised to apply Best Practicable Options • Able to spread mitigation costs over time to allow for a return in investment, and the magnitude of the investment is considered. <p>These points should also be extrapolated to</p> | <p>Retain the consideration of point source discharges in the restoration and protection of the health and wellbeing of the Waikato River and its catchments.</p> <p>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.</p> |

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| | | | include all land users and owners. | |
| 3.11.5 Rules | | | | |
| 4.33 | 3.11.5.2 Permitted Activity Rule – Other farming activities | Support with amendments | <p>Support low intensity land uses to be under a Permitted Activity status.</p> <p>Support stock exclusion, however only where it is practical to do so, and is relative to water quality gains.</p> <p>Oppose a NRP because there should not a number that controls my ability to manage our land to its best sustainable potential, which is only based on nitrogen. My FEP will provide a risk based mitigation plan to reduce all my diffuse discharges. Additionally, the 2014/2015 and 2015/2016 financial years occur when the payout was low; therefore, we had to reduce the maize crop area to compensate the low payout. This economic impact has affected us in the next financial year also (2016/2017). This is not a true representation of the past use on our land.</p> <p>Opposed 3.11.5.2-3b(i), we should not be limited to my stocking rate on my land at 22 October 2016. This is not a true representation of our farming activity and it severely limits our growth and innovation. It also hinders our economic viability for the business and for our Otatau/Aka Aka community. In turn, this will generate an additional load of stress on ourselves, our family, and our community. Overall this clause undermines Objective 2, and 4.</p> <p>By adding a maximum of 18 stock units per</p> | <p>Retain Permitted Activity status for low intensity land uses.</p> <p>Amend rules in PC1 to remove NRP.</p> <p>Address contaminants on a sub-catchment basis, to enable targeting of the highest omitting sub-catchments.</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 3.11.5.2 introduction to: The use of land for farming activities (excluding commercial vegetable production) and the associated diffuse discharge of nitrogen, phosphorous, sediment and microbial pathogens onto or into land in circumstances which may result in those contaminants entering water where the property area is greater than 4.1 hectares, and has more than 6 stock units per hectare but less than 18 stock units per hectare at the 30 June 2016, or is used for arable cropping, is a permitted activity subject to the following conditions:</p> <p>Amend rule in PC1 to remove 3.11.2-3b(i).</p> <p>Amend rule in PC1 to: No part of the property or enterprise over 15 25° slope is cultivated or grazed unless effects of diffuse discharges can be mitigated</p> |

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| | | | <p>hectare, at 30 June 2016 would indicate the optimal winter carrying capacity of the land, aligning with good management practices.</p> <p>Oppose 3.11.5.4 c, "or grazed" should not be included and cultivation should be allowed up to 25° where diffuse discharges can be mitigated. Again, it severely limits our growth and ability to respond to market demands. It also hinders our economic viability for the business and for our community. If, under PC1, we are unable to cultivate or graze over 15°, this would remove approximately 6 hectares of productive land, leaving me with approximately 18.6 effective hectares (with the removal of native bush area). There are no waterbodies on my land, and all runoff enters road drains. Therefore, this clause is not acceptable as there is minimal risk of water quality degradation from the practices on my land. Additionally, with the decreased effective hectares, I am unable to produce the quantity of supplement feed required by local farmers. Therefore, this is also affecting our community's businesses economically and socially. In turn, this will generate an additional load of stress on ourselves and our community for undetermined benefits to the restoration and protection of the health and wellbeing of the Waikato River and its catchments.</p> <p>Overall this undermines Objective 2 and 4.</p> | |
| 4.36 | 3.11.5.7 Non-Complying Activity Rule – Land | Oppose | <p>Oppose non-complying activity status because:</p> <ul style="list-style-type: none"> • Unaffordable to land owners wanting to increase their land area, rather than | Address contaminants on a sub-catchment basis, to enable targeting of the highest omitting sub-catchments. |

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| | Use Change | | <p>intensify</p> <ul style="list-style-type: none"> • Eventually end up costing the consumer due to limited food availability • Limits flexibility, therefore growth and innovation, and reduces land value • Jeopardises my business, family and community success and growth • Transfers wealth based on high emissions and/or high NRP i.e. a dairy farm with a high NRP will have a higher land value compared to a dairy farm with a low NRP • Removes, to a degree, property rights • Adds stress to my life, my family's life, and my community's life • What is considered dairy? If we are grazing dairy heifers for a few months of the year, is this considered dairy? If this is the case, are we unable to rotationally arable crop in the farm system because the cropping area is over 4.1 ha. Therefore, we cannot convert the cropped area back into pasture when wintering dairy heifers without a non-complying consent. This will eliminate us from growing supplement feed and wintering dairy heifers, meaning we lose out on proving a service to our community. • Overall this rule will largely affect the local, regional and national economy. <p>Overall this rule undermines Objective 2, 4 and Policy 1, 2, and 9.</p> | <p>Reduce activity status to Restricted Discretionary for high priority sub-catchments, in relation to water quality, and limit discretion to the management of the diffuse discharges of the four contaminants.</p> <p>Reduce activity status to Permitted for low priority sub-catchments, in relation to water quality.</p> <p>Enable appropriate mitigation strategies to be adopted in the context of water quality gains to be made, through a tailored FEP.</p> |
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