

# 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	
<b>FOR OFFICE USE ONLY</b>			
		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

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

SUBMISSIONS CAN BE	
<b>Mailed to</b>	Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240
<b>Delivered to</b>	Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton
<b>Faxed to</b>	(07) 859 0998 <i>Please Note: if you fax your submission, please post or deliver a copy to one of the above addresses</i>
<b>Emailed to</b>	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>
<b>Online at</b>	www.waikatoregion.govt.nz/healthyivers
<b>We need to receive your submission by 5pm, 8 March 2017.</b>	

YOUR NAME AND CONTACT DETAILS		
Full name: Dr Glen Treweek		
Full address: c/o 124 Henry Watson Rd, RD2, Matamata		
Email: treweekg@gmail.com	Phone: 021 928877	Fax: n/a

ADDRESS FOR SERVICE OF SUBMITTER		
Full name: Dr Glen Treweek		
Address for service of person making submission: c/o 124 Henry Watson Rd, RD2, Matamata		
Email: treweekg@gmail.com	Phone: 021 928877	Fax: n/a

TRADE COMPETITION AND ADVERSE EFFECTS (select appropriate)
<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.)*

See attached sheets

**I SUPPORT OR OPPOSE THE ABOVE PROVISION/S**

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

- Support the above provisions
- Support the above provision with amendments
- Oppose the above provisions

**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.)*

See attached sheets

**I SEEK THE FOLLOWING DECISION BY COUNCIL**

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

- Accept the above provision
- Accept the above provision with amendments as outlined below
- Decline the above provision
- If not declined, then amend the above provision as outlined below

*Amend as follows:*

*See attached sheets*

**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.

No, I have not 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 5<sup>th</sup> 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
Objective 1 pg 27	Support	I support the 80 year target for achieving outcomes.	Retain
Objective 2 pg 27	Support	I support the recognition of social, cultural, and economic wellbeing of people of the Waikato.	Retain
Objective 3 pg 27	Support in part	I support the intent of the objective, to make improvements to water quality in the short term. However, the timeframe for measuring these improvements (2026) is too short to have confidence that improvements will be made. The planning process - submissions, decisions, appeals, decisions, could take several years, and then implementation of the Plan could take several years after that.	Amend Objective 3 to the effect of:  <i>“Actions put in place and implemented <b>by 2016 10 years from the Plan becoming operative</b> to reduce discharges of nitrogen, phosphorus, sediment and microbial pathogens, are sufficient to achieve ten percent of the required change between current water quality and the 80-year water quality attribute targets in Table 3.11-1. A ten percent change towards the long term water quality improvements is indicated by the short term water quality targets in Table 3.11-1.”</i>
Objective 4 pg 27	Support	I support the staged approach to implementation of the 80 year targets.	Retain

<p>Policy 1 pg 30</p>	<p>Support in part</p>	<p>I support the intent to manage diffuse discharges in sub catchments. However, there may be scope to increase the discharge of some diffuse contaminants at the farm or sub-catchment scale in some circumstances.</p> <p>For some farming activities to remain viable while striving to meet water quality targets, it may be necessary to increase discharges of some contaminants (e.g nitrogen) in order to reduce other contaminants (e.g. phosphorus, sediment, and microbial contaminants).</p> <p>It may be possible to permit small increases in diffuse discharges from activities with low-level contaminant discharge, if reductions in diffuse discharge have been made by activities with moderate to high discharges in the same sub-catchment. Similarly, it may be possible to permit increases in some diffuse discharges in some sub-catchments if reductions have been made in other sub-catchments and overall will result in reductions being made at the catchment scale.</p> <p>Exclusion of stock from all waterways may not be practical or economically possible, and allowance should be made if these activities are deemed to be low risk.</p>	<p>Amend policy 1 to the effect of:</p> <p><i>“Policy 1: Manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens/Te reo translation</i></p> <p><i>Manage <del>and require reductions in</del> sub-catchment wide discharges of nitrogen, phosphorus, sediment and microbial pathogens by:</i></p> <ol style="list-style-type: none"> <li><i>a. Enabling activities with a low level of contaminant discharge to water bodies <del>provided those discharges do not increase</del>; and</i></li> <li><i>b. Requiring farming activities with moderate to high levels of contaminant discharge to waterbodies to reduce their discharges; and</i></li> <li><i>c. Progressively excluding cattle, horses, deer and pigs from rivers, streams, drains, wetlands and lakes, <b>where practical to do so.</b></i></li> </ol>
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I support the tailored approach to reducing diffuse discharges from farming activities using a risk-based analysis.

However, requiring reductions in nitrogen, phosphorus, sediment and microbial pathogens, may not be required from all farms in all sub-catchments. Some sub-catchments or catchments may have scope to see increases in certain contaminants if other contaminants are of primary concern. In addition, it may be possible to permit small increases in diffuse discharges from activities with low-level contaminant discharge, if reductions in diffuse discharge have been made by activities with moderate to high discharges in the same sub-catchment.

Part a.

I support the intent of part a. of the Policy, where risks are managed through farm environment plans, via resource consents or certified industry schemes. Allowance should be made for instances where increases in diffuse discharges have been deemed appropriate. Focus should be on appropriate *management*, rather than blanket requirements for reductions.

Part b.

Support.

Part c.

I oppose the requirement for a nitrogen reference point.

Overseer is too immature to be used for the purpose of creating Nitrogen Reference Points, to which farm activities shall be held. There are numerous

Amend policy 2 to the effect of:

*“Policy 2: Tailored approach to ~~reducing~~ **managing** diffuse discharges from farming activities/translation*

*Manage ~~and require reduction in~~ sub-catchment-wide diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens from farming activities on properties and enterprises by:*

- a. Taking a tailored, risk based approach to define mitigation actions on the land that will ~~reduce~~ **manage** diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, with the mitigation actions to be specified in a Farm Environment Plan either associated with a resource consent, or in specific requirements established by participation in a Certified Industry Scheme; and*
- b. Requiring the same level of rigour in developing, monitoring and auditing of mitigation actions on the land that is set out in a Farm Environment Plan, whether it is established with a resource consent or through Certified Industry Schemes; and*
- c. Establishing a ~~Nitrogen Reference Point~~ **Reference Land-use Description** for the property or enterprise; and*
- d. Requiring the degree of reduction **(if any)** in diffuse discharges of nitrogen phosphorus, sediment and microbial pathogens to be proportionate to the amount of ~~current~~ discharge **during the Reference Land-use Description period** (those discharging more are expected to make greater reductions), and proportionate to the scale of the water quality improvement **(if any)** required in the sub-catchment; and*

		<p>reasons why Overseer is not yet suitable for use in environmental compliance as has been proposed in the plan, including; 1) Many farming systems are not reliably modelled in Overseer; 2) the variability in output between users has not been adequately controlled; 3) Overseer does not adequately model runoff from flat land; 4) industry capability is not available to provide the necessary service; 5) Overseer budgets are expensive, and the farmer's money would be better used towards mitigation measures; 6) Overseer model outputs do not consider contaminant attenuation factors that may exist between the farm boundary or root-zone and the receiving water body.</p> <p>In lieu of a Nitrogen Reference Point, I propose a <i>Reference Land-use Description</i>.</p> <p>A Reference Land-use Description would summarise the farming activity at a given point in time. Farm Environment Plan audits would determine if the farm had deviated from the Reference Land-use Description. Only if an audit determine that a farm had deviated substantially from the Reference Land-use description would comparative Overseer nutrient budgets be used to determine if the farming activity had intensified or not.</p> <p>A Reference Land-use Description would provide a mechanism for control of intensification, and would allow time for Overseer to become sufficiently robust to be used in subsequent plan changes.</p>	<p>e. <u>Requiring <b>a plan for</b> stock exclusion to be <b>implemented completed within 3 years following the dates by which a Farm Environment Plan must be provided to the Council, or in any case no later than 1 July 2026 in accordance with the risk based assessment made during the Farm Environment Plan process.</b></u></p> <p>f. <u>Requiring all farms to implement <b>Good Management Practices.</b></u></p>
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		<p>Focus should instead be placed on Good Management Practices, which will have a greater impact on water quality than Overseer modelling (new Part f. of policy).</p> <p>Part d. I support the intent of part d. and would like to see allowance made for increases in some diffuse contaminants if deemed appropriate for given activities, or sub-catchments.</p> <p>Part e. It will not be practical or economically feasible to exclude all stock from all waterways by 2026, as written in the proposed plan. The proposed timeframes are too short, and should reflect the risk-based assessment made in the farm environment plan. The timeframes for exclusion should also acknowledge the 80-year targets proposed in the Plan.</p>	
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<p>Policy 3 pg 31</p>	<p>Oppose</p>	<p>Policy 3 is overly restrictive at both the farm and regional scale.</p> <p>I support the intent of Policy 3, to manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens from commercial vegetable growers, however, the requirements for commercial vegetable growers could be accommodated under Policy 2, diffuse discharges from farming activities.</p> <p>Part a. I support the intent of part a., to provide flexibility in crop rotations.</p> <p>Part b. I oppose the capping of commercial vegetable growing area.</p> <p>Part b. directly contradicts part a. of Policy 3.</p> <p>Area farmed does not necessarily equate to impact on the environment.</p> <p>Commercial vegetable growing provides substantial employment and economic benefits for the region. Restricting the area available will restrict the economic potential of the region.</p> <p>Restricting land available for commercial vegetable production will restrict the amount of fresh food that may be grown in the region. Restricting the area available will also restrict the ability of farmers to respond to market conditions, or respond to a growing population.</p>	<p>Delete Policy 3 in it's entirety</p>
<p>Doc # 9150077</p>		<p>Page 9</p>	

Part c.  
Overseer is too immature to prepare Nitrogen Reference Points for commercial vegetable operations. Vegetable crops are one of the least developed components in Overseer. My decision sought for Policy 2 (farming activities) requiring a Reference Land-use description, and implementation of Good Management Practices, will provide a mechanism for managing diffuse contaminants from commercial vegetable operations.

Part d.  
Overseer is not sufficiently developed to assess a 10% reduction in nitrogen discharge from any farming operation. No mechanism exists to reliably assess any reduction in phosphorus, sediment, or microbial contaminant.

I support the adoption of **Good** Management Practices, as is covered in my decisions sought to Policy 2 (farming activities). Requiring **Best** management practices are likely to be un-achievable for many growers in the timeframe that this Plan will remain operative. Adoption of **Best** management practices can be explored in future plan changes, if deemed necessary.

Part e.  
I support the implementation of a Farm Environment Plan, however commercial vegetable growers can be covered by the requirements for farming activities under Policy 2.

		<p>Part f. I support the intent of part f, however no reliable mechanism exists to assess the reduction of these diffuse contaminants.</p> <p>Part g. Part g of Policy 3 will be covered in my decisions sought for Policy 2.</p>	
Policy 4 pg 31	Support in part	The timeframes in Objective 3 will not be possible to implement once the Plan becomes operative.	Amend Objective 3 as per my decision sought.
Policy 5 pg 31	Support	I support the staged approach to improving water quality. The 80 year timeframe is realistic.	

Support in part

Discharges in some contaminants may be acceptable, depending on the sensitivity of the receiving water body.

Amend Policy 6 to the effect of:

*"Policy 6: Restricting land use change/translation*

**With regard to the sensitivity of the receiving water body to each of the diffuse contaminants, nitrogen, phosphorus, sediment or microbial pathogens, and**  
**Except as provided in Policy 16, land use change consent applications that demonstrate an increase in the diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens will generally not be granted.**

*Land use change consent applications that demonstrate clear and enduring decreases in existing diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens will generally be granted.*

**Land use change consent applications that demonstrate an increase in a particular diffuse contaminant (nitrogen, phosphorus, sediment or microbial pathogens), will generally be granted if the receiving water body has capacity to accept that contaminant, or if the proposed land use change application is for a low-level contaminant discharge activity and substantial headroom has been created by reductions made by moderate to high discharge contaminant activities in the same sub-catchment or catchment.**

<p>3.11.4.3 pg 36</p>	<p>Support in part</p>	<p>I support the Farm Environment Plan process.</p> <p>Farm Environment Plans (FEP) do not need to be prepared by a certified person to be effective. Many farmers prepare effective FEPs, as it is the farmer who has the most intimate knowledge of their farm.</p> <p>There is insufficient capacity in the market to train, certify, and hire sufficient people to prepare all the FEPs that will be required in New Zealand.</p> <p>The strength of FEPs comes through the continuous improvement process brought on through FEP audits and the subsequent FEP reviews, not through the competence of the person who prepared the plan. Certified Industry Schemes are a vital component of providing the support to farmers to enable the continuous improvement cycle.</p> <p>Development of the FEP over time helps to engage the farmer by getting their input throughout the process. Staging the growth of the FEP also helps soften the blow that farmers will face, making the process more likely to succeed.</p>	<p>Amend section 3.11.4.3 to the effect of:</p> <p><i>" 3.11.4.3 Farm Environment Plans/Ngā Mahere Taiao ā-Pāmu</i></p> <p><i>Waikato Regional Council will prepare parameters and minimum requirements for the development of a certification process for professionals to <del>develop, certify and monitor</del> <b>audit</b> Farm Environment Plans in a consistent approach across the region. A Farm Environment Plan <del>will be prepared by a certified person as per the requirements outlined in Schedule 1,</del> <b>and</b> will assess the risk of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens and specify actions to reduce those risks in order to bring about reductions in the discharges of those contaminants. Waikato Regional Council will develop guidance for risk assessments, auditing and compiling Farm Environment Plans.</i></p> <p><i>Waikato Regional Council will take a risk based approach to monitoring Farm Environment Plans, starting with more frequent monitoring and then moving to monitoring based on risk assessment. Robust third party audit (independent of the farmer and Certified Farm Environment Planner) and monitoring will be required.</i></p>
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<p>Rule 3.11.5.1 pg 39</p>	<p>Support in part</p>	<p>I support the intent of rule 3.11.5.1, to permit small scale farming activities. However, rule 3.11.5.1 is more prescriptive than is necessary at this stage in the 80 year water quality improvement process.</p> <p>Small-scale farms, and I suggest pastoral and arable farms less than 40 hectares, and commercial vegetable farms less than 10 hectares, should at this stage be considered permitted activities. Focus should be on larger farms that will be having a greater effect on water quality. Smaller farms can be targeted in subsequent Regional Plans.</p> <p>Personal resourcing will not be available in the timeframe that this Plan will be operative to dedicate to small farms. There will not be sufficient resourcing available to process the amount of annual reporting required by the proposed rule 3.11.5.2. In the early stages of the 80-year target for improving water quality, all available resourcing should be dedicated to large farms, prioritising sensitive catchments.</p> <p>Simple rules, like 10-40 (greater than 10 hectares vegetable growing, greater than 40 hectares all other farms) will make enforcement and uptake easier.</p>	<p>Amend rule 3.11.5.1 to the effect of:</p> <p><i>“ Rule 3.11.5.1 - Permitted Activity Rule – Small and Low Intensity farming activities</i></p> <p><i>The use of land for farming activities (excluding commercial vegetable production) and the associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens onto or into land in circumstances which may result in those contaminants entering water is a permitted activity subject to the following conditions:</i></p> <p><b><del>1. The property is registered with the Waikato Regional Council in conformance with Schedule A; and</del></b></p> <p><b><del>2. Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C; and</del></b></p> <p><b><del>Either:</del></b></p> <p><b><del>3-1. The property area is less than or equal to 4.1 10 hectares for commercial vegetable production, or less than or equal to 40 hectares for all other farming operations.; and</del></b></p> <p><b><del>4. The farming activities do not form part of an enterprise being undertaken on more than one property; or Where the property area is greater than 4.1 hectares;</del></b></p> <p><b><del>5. For grazed land, the stocking rate of the land is less than 6 stock units per hectare; and</del></b></p> <p><b><del>6. No arable cropping occurs; and</del></b></p> <p><b><del>7. The farming activities do not form part of an enterprise being undertaken on more than one property.”</del></b></p>
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			<p><b><del>5. 2.</del> For all properties greater than <del>4-1</del> 20 hectares, but less than 40 hectares (excluding commercial vegetable production), from 31 March 2019, in addition to the requirements of Schedule A, the following information must be provided to the Waikato Regional Council by 1 September each year recorded:</b></p> <ul style="list-style-type: none"> <li>a. Annual stock numbers; and</li> <li>b. Annual fertiliser use; and</li> <li>c. Annual brought in animal feed.</li> </ul>
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<p>Rule 3.11.5.2 pg 40</p>	<p>Support in part</p>	<p>High-risk activities need to be targeted first. The initial focus must be on large farms, and intensive farms in sensitive catchments.</p> <p>During the initial stages of the water quality improvement plan, the 4.1 hectare cut-off is farm too small and will capture more farms than either the Industry or Waikato Regional Council can cope with.</p> <p>If high-risk farms are prioritised (i.e. large farms, or intensive activities in sensitive catchments) then there will be no need for permitted activity status for those properties. I suggest removing the permitted activity status for any commercial vegetable operation greater than 10 ha, and any other farming operation greater than 40 ha.</p> <p>The timeframes for adherence to rules need to be extended to take into consideration the length of time it will take to make the Plan operative.</p> <p>The Nitrogen Reference Point should be replaced with a <i>Reference Land-use Description</i>.</p> <p>Farm Environment Plans do not need to be prepared or approved by a Certified Farm Environment Planner, but they do need to be Audited by a Certified Farm Environment Plan Auditor.</p>	<p>Amend rule 3.11.5.2 to the effect:</p> <p><i>Rule 3.11.5.2 - <del>Permitted</del> <b>Discretionary</b> Activity Rule – Other farming activities</i></p> <p><i>The use of land for farming activities (<del>excluding commercial vegetable production</del>) and the associated diffuse discharge of nitrogen, phosphorus, 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 <del>4.1</del> <b>10</b> hectares <del>for commercial vegetable activities, or greater than 40 hectares for all other farming activities, and has more than 6 stock units per hectare or is used for arable cropping</del>, is a <b>permitted discretionary</b> activity subject to the following conditions:</i></p> <ol style="list-style-type: none"> <li><i>1. The property is registered with the Waikato Regional Council in conformance with Schedule A; and</i></li> <li><i>2. <b>A Farm Environment Plan has been prepared for the property in accordance with Schedule 1; and</b></i></li> <li><i>2. Cattle, horses, deer and pigs are excluded from water bodies in conformance with <del>Schedule C and Conditions 3(e) and 4(e) of this Rule</del> <b>the risk based assessment and subsequent targets contained in the Farm Environment Plan; and</b></i></li> <li><i><del>3. Where the property area is less than or equal to 20 hectares:</del></i> <ol style="list-style-type: none"> <li><i><del>a. The farming activities do not form part of an enterprise being undertaken on more than one property; and</del></i></li> <li><i><del>b. Where the land is:</del></i> <ol style="list-style-type: none"> <li><i><del>i. used for grazing livestock, the stocking rate of the land is no greater than the stocking rate of the land at <del>22 October 2016</del>; or</del></i></li> <li><i><del>ii. not used for grazing livestock, the land use has the same or lower diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens as the land use at <del>22 October 2016</del>; and</del></i></li> </ol> </li> </ol> </li> </ol>
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		<p>Stock exclusion from waterways need to be implemented as part of the Farm Environment Plan, and recognise the 80-year targets set in the Regional Plan.</p>	<p><del>c. Upon request, the landowner shall obtain and provide to the Council independent verification from a Certified Farm Environment Planner that the use of land is compliant with either b)(i) or b)(ii) above; and</del></p> <p><del>d. Upon request from the Council, a description of the current land use activities shall be provided to the Council; and</del></p> <p><del>e. Where the property or enterprise contains any of the water bodies listed in Schedule C, new fences installed after 22 October 2016 must be located to ensure cattle, horses, deer and pigs cannot be within three metres of the bed of the water body (excluding constructed wetlands and drains).</del></p> <p><del>4. Where the property or enterprise area is greater than 20 hectares:</del></p> <p><del>a. A <u>Nitrogen Reference Point Reference Land-use description</u> is produced for the property or enterprise in conformance with Schedule B; and</del></p> <p><del>b. The diffuse discharge of nitrogen from the property or enterprise does not exceed either:</del></p> <p><del>i. the Nitrogen Reference Point; or</del></p> <p><del>ii. 15kg nitrogen/hectare/year;</del></p> <p><del>whichever is the lesser, over the whole property or enterprise when assessed in accordance with Schedule B; and <u>Farming activities have not deviated substantially from those described in the Reference Land-use description, as assessed by a certified Farm Environment Plan Auditor; and</u></del></p> <p><del>c. No part of the property or enterprise over 15 degrees slope is cultivated <del>or grazed</del>; and</del></p> <p><del>d. No winter forage crops <u>greater than 20 ha in area</u> are grazed in situ; and</del></p>
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			<p>e. Where the property or enterprise contains any of the water bodies listed in Schedule C:</p> <p>i. There shall be no cultivation within 5 metres of the bed of the water body; and</p> <p>ii. New fences installed after <del>22 October 2016</del> <b>this plan is made operative</b> must be located to ensure cattle, horses, deer and pigs cannot be within three metres of the bed of the water body (excluding constructed wetlands and drains); and</p> <p>Resource consent has been granted with the specified timeframes:</p> <p>1. <del>1 January 2020</del> <b>Three years after this Plan is made operative</b> for properties or enterprises in Priority 1 sub-catchments listed in Table 3.11-2, and properties or enterprises with a Nitrogen Reference Point greater than the 75th percentile nitrogen leaching value;</p> <p>2. <del>1 January 2023</del> <b>Five years after this plan is made operative</b> for properties or enterprises in Priority 2 sub-catchments listed in Table 3.11-2;</p> <p>3. <del>1 January 2026</del> <b>Eight years after this plan is made operative</b> for properties or enterprises in Priority 3 sub-catchments listed in Table 3.11-2; Subject to the following conditions:</p>
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<p>Rule 3.11.5.3 pg 41</p>	<p>Support, subject to amendments</p>	<p>I support the concept of Certified Industry Schemes (CIS).</p> <p>An integral part of the CIS will be the Environmental Management Strategy (EMS) employed by the CIS to manage farms within the CIS.</p> <p>The strength of the CIS lies in the ability of the CIS to manage farms without intervention from Regional Councils. Non-performing farms will be ejected from the CIS and will come to the attention of the Regional Council, at which time, a resource consent will need to be obtained for the farm. Allowing CIS's to manage farms without Council intervention allows Council resources to be dedicated to those farms who need the most support to improve practice.</p> <p>The matters addressed in rule 3.1.5.3 will be covered by the EMS as approved during the certification process for that industry scheme, and are not required.</p>	<p>Amend Rule 3.11.5.3. to the effect of:</p> <p><i>"Rule 3.11.5.3 - Permitted Activity Rule – Farming activities with a Farm Environment Plan under a Certified Industry Scheme</i>  <i>Except as provided for in Rule 3.11.5.1 and Rule 3.11.5.2 the use of land for farming activities (excluding commercial vegetable production) where the land use is registered to a Certified Industry Scheme, and the associated diffuse discharge of nitrogen, phosphorus, sediment and microbial pathogens onto or into land in circumstances which may result in those contaminants entering water is a permitted activity</i><del>subject to the following conditions:</del></p>
<p>Rule 3.11.5.4</p>	<p>Oppose in part</p>	<p>I support the intent for farms to seek resource consent to manage diffuse discharges. The amendments I have sought to rules 3.11.5.1, 3.11.5.2, and 3.11.5.3 will negate the need for rule 3.11.5.4 and it should be deleted.</p>	<p>Delete rule 3.11.5.4</p>
<p>Rule 3.11.5.5 pg 44</p>	<p>Oppose</p>	<p>Matters relevant to commercial vegetable operations can be adequately managed under provisions in the amendments I have sought for rules 3.11.5.1-3.11.4.3 for all farming activities.</p>	<p>Delete rule 3.11.5.5</p>

<p>Rule 3.11.5.6 pg 45</p>	<p>Support</p>		
<p>Rule 3.11.5.7 pg 45</p>	<p>Support, subject to amendments</p>	<p>I support the intent that activities considered to be a change in land use should have those changes assessed to determine the effect of those land use changes.</p> <p>The Reference Land-use Description I have proposed for rule 3.11.5.2 and 3.11.5.3 will form the basis by which a Certified Farm Environment Plan Auditor will assess land use change. The specific criteria that the FEP Auditor will use to assess land use change can be included as an additional schedule to this plan, or as part of the certification process for FEP auditors.</p> <p>A land use change application is the appropriate place for Overseer modelling to be implemented.</p>	<p>Amend rule 3.11.5.7 to accommodate the changes I have sought for rules 3.11.5.1-3.11.5.4.</p>

<p>Schedule A pg 46</p>	<p>Support, subject to amendments</p>	<p>Registration of properties greater than 2 hectares is not necessary at this stage of the 80 year plan. Properties smaller than 10 hectares used for commercial vegetable growing, or 40 hectares for all other farming activities, should at this stage be considered permitted activities, to be picked up at a later stage in the Regional Planning process, once larger farms have been addressed.</p> <p>Resourcing is not and will not be available within the specified timeframes (7 months between 1<sup>st</sup> September 2018 and 31<sup>st</sup> March 2019) for the proposed actions to be implemented. A longer timeframe for properties to register should be inserted.</p>	<p>Replace reference to areas greater than 2 hectares with reference to areas greater than 10 hectares used for commercial vegetable growing, or 40 hectares for all other farming activities.</p> <p>Replace reference to the timeframes that registration must occur between 1<sup>st</sup> September 2018 and 31 March 2019 with <b><u>within two years of this plan being made operative.</u></b></p>
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<p>Schedule B pg 47</p>	<p>Oppose</p>	<p>I oppose the use of a nitrogen reference point as a method for managing diffuse contaminant discharges.</p> <p>A Reference Land-use Description would summarise the farming activity at a given point in time. Farm Environment Plan audits would determine if the farm had deviated from the Reference Land-use Description. Only if an audit determine that a farm had deviated substantially from the Reference Land-use description would comparative Overseer nutrient budgets be used to determine if the farming activity had intensified or not.</p> <p>A Reference Land-use Description would provide a mechanism for control of intensification, and would allow time for Overseer to become sufficiently robust to be used in subsequent plan changes.</p> <p>Focus should instead be placed on Good Management Practices, which will have a greater impact on water quality than Overseer modelling.</p>	<p>The schedule should be deleted in its entirety and replaced with a schedule describing the requirements of a Reference Land-use Description.</p>
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<p>Schedule C pg 50</p>	<p>Support, subject to amendments</p>	<p>Sufficient time needs to be given for farms to exclude stock from waterways. The Farm Environment Plan (FEP) is the appropriate place to address stock exclusion, based on the potential risk of stock access to water bodies.</p> <p>The 80-year timeframe and staged approach to improving water quality should not require all stock to be excluded in such short timeframes (by 2026). Through the FEP process, stock exclusion from the most sensitive water bodies can be targeted, as and when the farm can afford it.</p> <p>Through the certified FEP Auditor programme, Auditors can assess whether sufficient progress has been made towards improvements in stock exclusion.</p>	<p>Amend Schedule C to provide for a long-term staged approach to stock exclusion, using the Farm Environment Plan and Audit process. The most sensitive water bodies should be targeted first.</p>
<p>Schedule 1 pg 51</p>	<p>Support, subject to amendments</p>	<p>Section (e) and section 5 of Schedule 2 should be removed.</p> <p>Overseer is not yet ready for environmental compliance in the manner proposed.</p> <p>Considerable cross-sector work has already been undertaken by industry to determine good management practice. Schedule 1 should make reference to the Industry-agreed Good Management Practices relating to water quality (September 2015).</p>	<p>Delete reference to Overseer nutrient budgets.</p> <p>Reference should be added, and amendments made, where appropriate, to accommodate the Industry-agreed Good Management Practices relating to water quality (September 2015).</p>

<p>Schedule 2 pg 54</p>	<p>Support in part</p>	<p>I support the provision for Certified Industry Schemes.</p> <p>I support the requirement Farm Environment Plan (FEP) Auditors to be suitably qualified. I suggest amendments to ensure that all FEP Auditors are certified under a suitable scheme.</p> <p>I oppose the requirement for FEP to be generated by a suitably qualified person. The power of the Certified Industry Scheme, is in the continuous improvement cycle generated by the Auditing of the Farm Environment Plans, and subsequent follow up and review of the FEP.</p>	<p>Amend Schedule 2 to delete the requirement for Farm Environment Plans to be completed by a suitably qualified person. Add provision for FEP Auditor certification.</p>
<p>Definitions pg 79</p>	<p>Support in part</p>	<p>A definition for a Reference Land-use Description needs to be added to replace the definition of a Nitrogen Reference Point.</p>	<p>Replace definition for a Nitrogen Reference Point with a definition for a Reference Land-use Description.</p>