

PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 WAIKATO AND WAIPĀ RIVER CATCHMENTS



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

Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

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

SubForm	PC12016	COVER SHEET	
FOR OFFICE USE ONLY			
		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

SUBMISSIONS CAN BE

Mailed to	Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240
Delivered to	Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton
Faxed to	(07) 859 0998 <i>Please Note: if you fax your submission, please post or deliver a copy to one of the above addresses</i>
Emailed to	healthyrivers@waikatoregion.govt.nz <i>Please Note: Submissions received by email must contain full contact details.</i>
Online at	www.waikatoregion.govt.nz/healthyrivers

We need to receive your submission by 5pm, 8 March 2017.

YOUR NAME AND CONTACT DETAILS

Full name: George Wilder Moss

Full address: 2794 Old Taupo Road R.D.1, TOKOROA 3491

Email: gsmoss@xtra.co.nz

Phone: 027 2711160 Fax: _____

ADDRESS FOR SERVICE OF SUBMITTER

Full name: George Moss

Address for service of person making submission: 2794 Old Taupo Road, R.D.1, Tokoroa 3491

Email: GSMoss@xtra.co.nz

Phone: 027 2711160 Fax: _____

TRADE COMPETITION AND ADVERSE EFFECTS (select appropriate)

- I could / could not gain an advantage in trade competition through this submission.
- I am / 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 Document

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 document

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
- Decline the above provision
- If not declined, then amend the above provision as outlined

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

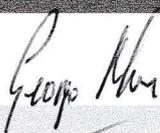
- If others make a similar submission, please tick this box if you will consider presenting a joint case with them at the hearing.

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

Signature: George Moss



Date: 7/04/2017

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.

SUBMISSION BY George Moss

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

I am George Moss a dairy farmer from Tokoroa in the South Waikato District, and I was also a member of the Collaborative Stakeholder Group (CSG) who collectively created the Plan Change (PC1).

I brought a Dairy Industry perspective to the goal of improving water quality, my mandate was simply to improve water quality as much as possible at as least possible “cost(s)” to the wider community.

I am directly affected and negatively impacted by the plan change.

I am on public record for supporting the Plan change within the Collaborative Process.

I still do support the plan change as a farmer, as a citizen and as a member of the CSG.

I do believe that the plan change is good both in terms of effectiveness in improving water quality but also in minimising social and economic disruption.

The plan change, I believe can be improved upon.

I support the aspirations of the guiding document for the plan change which is the **“Vision & Strategy for the Waikato River”** but note that modelling and science would indicate that parts of the catchment probably never ever met the aspirations aspired too.

There is however significant opportunity to improve water quality and we as a community should do that.

Equally, it is vitally important that the plan change does not compromise the economic and social vitality of the many communities that rely on agriculture for their vibrancy.

Accordingly: I support Objectives 1 – 6.

Also support the intent of Policies 1 - 17

Key strengths of Plan Change (PC1) that I support.

1. Achieves significant water quality improvement:

As modelled the number of sites achieving swimmable standard doubles, and the minimum gain in median improvement of any contaminant is 30%

Recommend:

That any changes to PC1 should not lead to a lesser modelled water quality improvement.

2. Staged Approach:

This plan change targets a 10% improvement in water quality in the first ten years with the final objective being achieved in eighty years.

This staged approach is fundamental to:

- Minimising social & economic disruption particularly in communities such as the South Waikato that a strong reliance on the rural economy.
- Providing time to gather more information on both sources, mitigations and relative impacts of contaminants on the values applied to water bodies in differing locations.
- Allows time for the development of innovative and cost effective solutions.

Recommend:

That the current staged approach is retained.

3. Focuses on actions on properties:

It is the actions on properties that will lead to reductions and each properties circumstances and footprint is unique.

As such the PC1 Focuses on requiring land owners to use suitable qualified and experienced farm environment planners to assess the risks of contaminants entering waterway and water bodies both directly and indirectly and requires the development of Farm Environmental Plan to manage the four contaminants.

Each plan is unique to the farm and the farmer and will be tailored to the priority of the sub catchment. Those farm enterprises that are not at **Good Management Practice (GMP)** will be required to achieve GMP over time.

Every farm is in effect allocated their current discharge of the four contaminants and is required to make reductions from that point with the highest quartile Nitrogen emitters required to achieve a defined reduction over the life of the plan change.

The strength is the collective power of everyone, who is not at Good Management Practice getting there. My view many small actions by all will achieve more and at less "cost" than a few large and expensive actions done by a few.

The actions that are likely in Farm Environmental Plans are only what the “leading farmers” are doing already on a voluntary basis.

Farm plans could be improved by recording the mitigations and environmental initiatives already in place or completed as well as those actions needed to be done.

The farms plans should also have a “heat map” for the risks of the four contaminants to water bodies both prior to the actions and subsequent to the mitigations being completed.

The heat maps could then be used to provide information as to the suitability of the land for that activity/land use.

In effect, if the impacts of the activity cannot be managed to the standards required by society then activity is not suitable for that land.

Overseer is and was designed as a management tool and is still only a best estimate of nutrient lost below the surface soil profile. Overseer should be used to identify those mitigations that will reduce nutrient losses, it is the actions rather than the absolute Overseer number that should be the compliance point.

Recommend:

- **That the Farm Environmental Plans record both mitigations already in place or done as well as those actions needing to be completed.**
- **That the actions & timeframes in the Farm Environmental plans be the monitor/compliance point(s),**
- **That clear guidance be given on those contaminants mitigated, but not necessarily captured by Overseer, particularly Nitrogen**
- **That a heat map for all four contaminants be produced for both before and after required mitigations.**
- **The heat maps form part of a data base to inform the “land suitability” question in the future.**

4. Protects Existing Investment and focuses on actions:

There is a massive amount of existing infrastructure both on and off farm for all land uses and with that comes very significant employment – jobs in the 10's of thousands and investment in the billions.

Any actions in the PC1 that undermines that without a very significant transition time would have huge social and economic cost, possibly without any commensurate improvement in water quality.

Implicit in this plan change is the theme of “hold the line” and “reduce” across all four contaminants. An alternative approach would have been to endeavour to “allocate” some or all contaminants at a property level, only two contaminants can this be done for with albeit with extreme inaccuracy.

Given that the catchments are over allocated for all four contaminants and all four are required to be reduced for water quality to improve over time, there can no realistic opportunity for some enterprises to increase discharges. Any increases would have to be offset by similar or greater decrease by another enterprise elsewhere.

The base assumption is that farm businesses will get do “tomorrow” what they are doing “today” with the expectation that they mitigate through GMP and those in highest quartile for Nitrogen loss with reduce to the 75%ile.

Clearly, the fact is that all enterprises are being “allocated” there existing contaminant loss and are required to reduce them is very sensitive issue.

To try to reallocate contaminants based on some other criteria is fraught with significant problems and questions:

- If reallocating one contaminant – why not reallocate all contaminants?
- How does regulator effectively (cost/time & practically) measure each contaminant at a property level?
- Will reallocation achieve better water quality outcomes at less cost and social disruption?
- If reallocation was to occur, what is the trading platform to allow those with “surplus contaminants” to sell to those who cannot continue to operate without and need to increase beyond their “allocation”?
- If trading platform was to exist, then how does one ensure that those best “capitalised” do not “capture” the market leaving those enterprises either too slow or “poor” to try to do the costly mitigations?
- Does one allocate to smaller point source discharges so that they can grow, e.g. Does Tokoroa get the same as Cambridge, Cambridge the same as Hamilton?
- Does one allocate on a per ha or a per enterprise basis – a 1000 ha farm leaching 15kgs N has a three times greater total N loss than a 100-ha farm losing 50 kgs N /ha Ditto sediment – e-coli – Phosphorous?

- Each land use has its “Achilles heel”, rather allocate, is it better to focus on the actions?

Suspected outcomes from any trading or reallocation mechanisms for contaminants would likely be:

- The demise of smaller family farms who do not have expertise to watch and manage the “market”,
- The demise of those enterprises that do not have the capital base to either purchase or mitigate to their “allocation”.
- Significant transfer of wealth between sectors, with forestry land (almost entirely foreign owned) being the main benefactor as they desire to either resell the allocation or sell the allocation with land for conversion to more intensive activities.
- Loss of focus for enterprises to mitigating their discharges.

If any the above were to occur, then significant economic and social disruption would occur.

Recommend:

- **That the current “bundling of all four contaminants” is retained.**
- **That the current focus on actions to mitigate the impacts of contaminants is maintained**

Some comments on some rules and policies.

5. Land Use Change Rule (3.11.5.7)

This is a fundamental and pivotal rule to the whole plan change.

PC1 requires all Land users to mitigate their impacts by moving all their activities to good management practice. Modelling indicates that this will significantly improve water quality.

It is incomprehensible that some enterprises would be allowed to increase their discharges while others, possible at a significant cost are reducing their discharges.

Further there is significant public angst over further land use change with emphasis on forest to pasture and particularly dairy.

However, if land use change can occur **without increases** of contaminants to waterways and **without a reduction** in the values desired or attributed to that waterway, then land use change should be able to occur. It is the impacts that are important not necessarily the activity.

Recommend:

- **That the Land Use Change Rule be retained as a non-complying activity.**

- **Where an enterprise can demonstrate that no increase in contaminants and/or reduction in the values attributed to the water ways is going to occur then guidance should be for a consent to be granted.**

6. Ancestral Land (Policy 16)

I support the intent of the policy (16) relating to Tangata Whenua land and land received back by Iwi Groups as a function of Treaty of Waitangi Settlements. This Land has been severely constrained from its economic potential for the owners because of historical government policies. Owners of land held in freehold title have been able to make their land choices largely unfettered and have done so.

To further constrain the owners of the Land identified in policy 16 would further continue to hold them at significant economic disadvantage relative to the freehold peers.

I strongly support the fact that the collaborative Stake Holder Group was prepared to find common ground on this very sensitive point – it would have been easy to say government problem.

Recommend:

That the intent of policy 16 be retained as is.

7. Livestock Exclusion from Waterways,

This rule requiring the exclusion of Cattle and Deer from Waterways either by fence or natural barrier, is a critical component of the plan change. The removal of stock from waterways and with the associated ripian strip of one meter for land below 15 degree and a five-meter strip for land over 15 degrees and possible alternative mitigation for land over 25-degree slope if not fenced, will deliver some immediate benefits to both water quality and ecosystem health.

The exclusion of both sheep & goats from the rule creates of option for those land owners who do not wish to exclude cattle and deer or who find the cost too prohibitive. They can choose to run sheep and or goats as a alternative.

There is a need to give better clarity on what alternative mitigations to fencing will be acceptable.

There **should not** be a requirement to move existing fences, as many of these fences have been constructed very recently.

The definition of any waterway or waterbody containing water for 365 days catches the all-important minor tributaries, whereas not protecting the minor water courses would undermine the work to protect the larger water bodies as they flow to the sea.

Areas of concern:

- Timelines may prove to be tight in some instances,
- Classification of slope by degrees may not be practical,

Recommend:

- That there should not be any “diluting” of this rule as it is a critical component of the “hold the line” and reduce concept.
- Retain the definition for waterways & waterbodies,
- That there be the ability to request an extension on the timeline component, but any extension be attached to any resource consent.
- That consideration be given for more practical proxy for setbacks than degrees slope.
- Retain the requirement not to have move any existing fences moved until they need to be replaced.

8. Nitrogen Reference Point,

The purpose of the Nitrogen Reference Point (NRP) is give every farming entity a starting point as to an estimate of the properties nutrient loss and to identify those properties that in the highest quartile for nitrogen loss within each Fresh Water Management Unit.

The plan requires those farmers not in the Upper Quartile to stay within the NRP based on a five year “rolling average”.

A “rolling average” is problematic in terms of administration as to how it could be applied in a plan change with a life of ten years with a yet with a to be determined start point. A straight five average from the time the plan becomes operable would be a lot simpler both from a farmer’s perspective and the perspective of the regulator.

Those farms above the 75%ile should be required to have actions in their Farm Environmental plans that will reduce their N loss/ha to or below the 75%ile NRP by 2026 or ten years after the plan becomes operable. The actions/mitigations should be pegged to a fixed version of **Overseer** as potential the “value” of the mitigations could change overtime with **Overseer** version changes.

It is the actions in the Farm Environmental Plans that should be the compliance points rather than an absolute N loss number. Does one abate or prosecute a farmer that gets a 20 kg/ha reduction when the target was 21 kg/ha reduction of N given that Overseer is a “best estimate”.

Recommend:

- That “Rolling Five Year Average” be changed to a straight “five-year average” from date of the plan becoming operable.
- That FEP mitigation actions be the compliance points.

9. Land Suitability and Least "cost" changes,

Modelling work done for the CSG indicated to achieve the aspirations of the **Vision and Strategy for Waikato River**, that a significant proportion of the catchment land would need to change back to lesser impacting activities on water quality.

It is important to note that the modelling could only include currently known science in terms of mitigations and their benefits.

Given that society/communities as a whole benefit from the activities of rural, urban and industrial users and impactors on water quality, it is also appropriate that those communities be encouraged and prepared to look "least cost" community solutions to the negative impacts on water quality.

Their needs to be a significant body of work done in the next ten years looking at the four contaminants and how they relate to values people aspire for in water quality and costs of mitigating them.

"Heat maps" across all four contaminants both before and after mitigations in the farm plans should be used to inform the next plan change. The "heat maps" could be tailored to either Fresh Water Management and/or sub-catchment used to inform where the most cost effective reductions can be made by a community.

The "heat maps" should not only include farming activities but should also include point source discharges as well – so that an entire community focus is formed and most effective decisions made.

Recommend:

- **That the Waikato Regional Council be required over the next ten years to identify that Land or activities that even after mitigations is still has the biggest negative impact on the values that society aspires to water quality.**
- **That the Waikato Regional Council quantifies the economic and social costs of any "reverse land use" change scenarios,**
- **That Waikato Regional Council identify options for "offsetting" "bundles" of all four contaminants so that communities and achieve water quality outcomes at least cost where the contaminants can no longer be mitigated either due to cost or practicality.**

Georgie Men

7/8/17

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Given that society/communities as a whole benefit from the activities of rural, urban and industrial users and impactors on water quality, it is also appropriate that those communities be encouraged and prepared to look “least cost” community solutions to the negative impacts on water quality.

There needs to be a significant body of work done in the next ten years looking at the four contaminants and how they relate to values people aspire for in water quality and costs of mitigating them.

“Heat maps” across all four contaminants both before and after mitigations in the farm plans should be used to inform the next plan change. The “heat maps” could be tailored to either Fresh Water Management and/or sub-catchment used to inform where the most cost effective reductions can be made by a community.

The “heat maps” should not only include farming activities but should also include point source discharges as well – so that an entire community focus is formed and most effective decisions made.

Recommend:

- **That the Waikato Regional Council be required over the next ten years to identify that Land or activities that even after mitigations is still has the biggest negative impact on the values that society aspires to water quality.**
- **That the Waikato Regional Council quantifies the economic and social costs of any “reverse land use” change scenarios,**
- **That Waikato Regional Council identify options for “offsetting” “bundles” of all four contaminants so that communities and achieve water quality outcomes at least cost where the contaminants can no longer be mitigated either due to cost or practicality.**