

WAIKATO REGIONAL COUNCIL PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 WAIKATO AND WAIPA RIVER CATCHMENTS

Thank you for the opportunity to submit on the Waikato Regional Councils proposed Plan Change 1.

We are sheep & beef farmers in the Ngaroma district – Northern King Country. Located 50min south-east of Te Awamutu. The district is a mix of dairy, sheep & beef, forestry, dairy grazing, bull fattening farming systems. We are the second generation and have been farming this property for 30 years.

Our property is located in the Waipa River Freshwater Management Unit. This property is located in the Puniu at Wharepapa sub-catchment. A Priority 3 area for implementation of Farm Environment Plans. ID no. 40, 50 or 112 – waiting on clarification of ID no. and monitoring results for this sub-catchment.

Physical Summary –

- 440Ha comprising two blocks and a lease block
- Soils – predominantly free draining maeroa ash. Drainage class by REC unit. – 4-5 [Derived from the LRI Fundamental Soil Layer.]
- Contour – rolling to steep. [Approx 45-50% > 25* slope.]
- Areas of native bush have been fenced to exclude stock.
- Mean annual rainfall: 2334mm. Range 1787mm – 3122mm
- Continual flowing water-ways - Majority (95%) are narrow creeks. Less than 1M wide and 30cm deep.
- Wild deer, pigs and bird life are common.
- 95% of property reliant on natural water. Stock crossings present where required.
- One block adjoins the Waikato at Karapiro sub-catchment in the Upper Waikato River Freshwater Management Unit.

Summary of farming system –

- Extensive Hill Country – Sheep & Beef farming [Breeding and fattening]
- Sheep:Beef – 60:40
- Winter SU/Ha – Sheep: 5.5 Cattle: 3.6 [SU as per PC1]
- Summer SU/Ha – Sheep 8.02 Cattle: 5.1
- Low levels of 'contaminants' – low SU, well drained soils, extensively farmed, farming practices limit P and sediment loss.

We support the vision & strategy in principle for a future where a healthy Waikato River sustains abundant life and prosperous communities.

We oppose in part this plan as it

- Relies on a 'blanket approach' with little consideration for climate, soil type, and contour, farming systems and farming practices.
- Relies on Overseer as a regulatory tool.
- Doesn't provide certainty for our future.

The specific provisions of the proposal that this submission relates to and the decisions it seeks from Council are as detailed in the following table. 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.

**WAIKATO REGIONAL COUNCIL PROPOSED WAIKATO REGIONAL PLAN CHANGE 1
WAIKATO AND WAIPA RIVER CATCHMENTS**

Submission Form

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

On: The Waikato Regional Councils proposed Waikato Regional Plan Change 1 - Waikato and Waipa River Catchments

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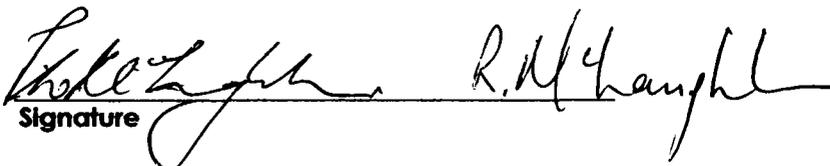
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We are not a trade competitor for the purposes of the submission but the proposed plan has a direct impact on our ability to farm. If changes sought in the plan are adopted they may impact on others but we are not in direct trade competition with them.

We wish to be heard in support of this submission. - YES


Signature

Date: 6 March 2017

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<p>The specific provisions my submission relates to are:</p>	<p>My submission is that:</p>	<p>The decision I would like the Waikato Regional Council to make is:</p>
<p>Objective 1</p>	<p>We support the Vision & Strategy in principle.</p> <ul style="list-style-type: none"> • E coli concentrations well above minimum acceptable state in sub-catchments that consist primarily of forest [Report No. HR/TLG/2016-2017/4.3 – Prediction of Water Quality] • Need to account for 'naturalized' or background E. coli populations within natural environments – Eg. Wetlands due to wild life deposition. [NIWA - Dr Rebecca Stott], wild pigs/deer. • Requirement of industry and urban to meet acceptable contaminant discharge limits. • Adopt Clean Water Report [Feb 2017] recommendations – [E.coli, stock exclusion, definition of water way] 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Review E.coli levels and the requirement for 365 days. Acknowledge effect of 'weather events' and their contribution to E Coli levels in water ways. • E coli is only a faecal indicator – there is a need to recognize and mitigate farming systems/practices that contribute harmful pathogens to water ways • Measure invertebrates as an indicator of water health • Essential that the Plan Change recognizes different farming and industry systems, soil types, topography, climate etc that contribute to contaminate loads.
<p>Policy 1</p>	<p>We support in part the management of contaminants</p>	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • (a) Allow flexibility within a range for contaminate levels for low level activities. [Eg. N levels < 25kg/Ha] Acknowledge the need for high N loss systems to reduce but placing the same restrictions on low N loss systems is disproportionate and ineffective in reducing contaminate loads. • (c) Account for the costs and the net effect gained from excluding cattle from water ways. [Extensive hill country sheep and beef Little benefit for cost of exclusion of cattle]

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<p>Policy 2</p>	<p>We support in part a tailored approach to reducing diffuse discharges from farming activities.</p> <ul style="list-style-type: none"> • (a) Reduce diffuse discharges of contaminants where and if required. • (c) Establishing a Nitrogen reference "range" for a property • (e) Stock exclusion 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Assess potential contaminate levels of farming system/practice and whether or not a FEP is required. • Overseer to be used as an indicator of N loss and not a regulatory tool. • Stock exclusion to be completed if it is beneficial in significantly reducing contaminants. Consideration of mitigation actions.
<p>Policy 4</p>	<p>We support enabling activities with lower discharges to continue</p>	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Activities with lower discharges need flexibility and security that further changes will not be required unless there would be a significant reduction in discharge of contaminants.
<p>Policy 6</p>	<p>We oppose the restriction of land use change</p>	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • If the farming system proposed is on suitable land and within acceptable contaminant levels for that industry, land use change should be accepted. Unsuitable farming systems/practices with high contaminate levels should not be able to 'bank' and capitalize their levels and need to adjust their system/practices accordingly. • Give security and flexibility in planning for the future for lower discharge farming systems

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<p>Policy 9</p>	<p>We support a prioritized and integrated approach to sub-catchment water quality management</p>	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Low contamination contributors are not required to reduce their levels if there would not be a significant change to the over-all water quality of the sub-catchment.
<p>Policy 16</p>	<p>We support flexibility for the development of land.</p>	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Retained as proposed with the condition that any farming system that is developed is appropriate given the physical constraints of the land taking into account climate, soil type, and contour. Contaminant losses must fall within acceptable ranges for the system developed. • The issue is contaminants, not ownership.
<p>Rule 3.11.5.1</p>	<p>We oppose the requirement for cattle, horses, deer and pigs are excluded from water bodies</p> <ul style="list-style-type: none"> • Bring definition of water-ways in line with the Clean Water Report [Feb 2017] 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Accept that migratory options will lessen access of cattle to water-ways. [Eg. Water reticulation system, stock crossings] • Recognize fencing of water-ways is sometimes impractical and not cost effective in achieving a reduction in levels of contaminants. [Eg. Hill country where contour within a paddock can vary between low, medium and high.]

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<p>Rule 3.11.4.3</p>	<p>We support in part Farm Environment Plans [FEP]</p> <ul style="list-style-type: none"> • Questions re Overseer accuracy – [Dairy Exporter Ron Pellow] [*Statement of Evidence Dr Samuel James Dennis 22 July 2016] Overseer designed as a tool for farming systems and not a regulatory model. Difficult and possibly inappropriate to use the model to definitively pinpoint what a farm's N loss is. • Overseer can only estimate nitrogen losses • WRC plan requires Overseer 5.4.3 be used. Taranaki regional Council has issues with Overseer. It argues that the science behind Overseer is uncertain and fails to take into account the uniqueness of each farm. The uncertain science means Overseer fails several policy tests, including relevance, necessity, effectiveness and efficiency [*Briefing on Overseer Report of the Primary Production Committee Dec 2015] • Questions re accuracy of Overseer to estimate nitrogen losses of hill country. Low (0-12*) and medium (13-25*) slopes leached more nitrate – N than high (>25*) slopes irrespective of whether the area had received 0, 60, and 120kg N/Ha in late winter – [*N-Leaching in Hill Country – A.N. Crofoot] 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Overseer is used only as a tool to indicate estimated nitrogen losses. Identify farming systems/practices, soil types, climate, topography that contribute to high N losses. Selection of farm specific data or default data can have a large bearing on the N loss result. [* Dairy Exporter – Ron Pellow] • Overseer is not required in a FEP where N loss is estimated to be <25N/Ha. N losses are likely to be greater than actual using Overseer for Hill Country sheep and beef farms as topography is not able to be accounted for in the program. • Design a template to identify farming systems that contribute significantly to contaminate levels and these farms/systems are required to fill in a more comprehensive FEP.
<p>Rule 3.11.5.2/3</p>	<p>We oppose in part the permitted activity rule</p> <ul style="list-style-type: none"> • Cost, time, lack of flexibility and lack of environmental benefits for some farming systems • Allows for 'grandparenting' of N loss. 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • (2) Determine potential contamination loads of cattle and review options. Eg water reticulation • (4a) Nitrogen Reference Point is a guide and fits within a range. A Nitrogen reference Point without flexibility amounts to 'Grandparenting'. • (4bii) Doesn't allow for flexibility for farming systems and the ability to adjust systems to markets. Doesn't recognize N losses will fluctuate between years. Overseer was not designed as a regulatory tool and question ability of program to accurately determine N loss on hill country. • (4c) Determine the contaminate risk of cultivating or grazing slopes >15*. [Eg. Winter/summer/soil type] • (4e) No advantage of setback of new fences from water-ways as 'buffer' is lost due to grazing from sheep.

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<p>Schedule A</p>	<p>We oppose in part</p> <ul style="list-style-type: none"> • Significant reduction of potential contaminants must be achieved. 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • (6a(i)) The location of water bodies – [Determine whether fencing will achieve a significant decrease in contaminants and if the environmental cost benefit is limited]
<p>Schedule B</p>	<p>We oppose the establishment of a Nitrogen Referencing Point</p> <ul style="list-style-type: none"> • Allows 'grandparenting' of N losses. 	<p>We seek that the provision is deleted in its entirety</p> <ul style="list-style-type: none"> • Replace with a 'range' for N loss to allow for inaccuracies. Difficult and possibly inappropriate to use the model to definitively pinpoint what a farm's N loss is. Ability to 'manipulate N loss through input data [*Dairy Exporter – Ron Pellow] • Determine low N loss systems – no need for Overseer if N loss <25 N/Ha. • Determine high N loss systems/practices and adjust farming system/practices to lower N losses
<p>Schedule C</p>	<p>We oppose in part</p> <ul style="list-style-type: none"> • Determine if fencing of water-ways will result in a significant loss or decrease of contaminants. • Assess if other mitigation factors are more cost effective. • <u>Studies in the 'best dairying catchments' of Waikura and Toenepe over 10 years have shown stock exclusion and effluent management have not yet achieved contact recreation standards</u> 	<p>We seek that the provision is amended as set out below</p> <ul style="list-style-type: none"> • Recognize fencing of water-ways is sometimes impractical and not cost effective in achieving a reduction in levels of contaminants. [Eg. Hill country where contour within a paddock can vary between low, medium and high.] Well located stock crossing points and reticulated water systems minimize contaminate loss in high country sheep and beef farming systems. 1. <u>Nitrogen</u> • Fencing of water-ways would not significantly alter N loss on an extensive Hill country sheep and beef farm. Nitrogen loss on Hill – sheep & beef has decreased 1972 – 2012. [*Review of Historical Land Use - Report No. HR/TLG/2015-2016/1.4] Overseer N loss < 25kg/Ha

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		<p>2. Phosphorus/Sediment</p> <ul style="list-style-type: none">• Phosphorus/sediment – total P losses in hill environments are strongly linked to sediment. Losses mainly occur in high rainfall events, more commonly in winter when break-feeding cattle and pasture cover is low. Fencing of water-ways will not prevent this. Farm management practices limit losses. [Eg. Use supplementary feed to maintain pasture cover, break-feed cattle on flat paddocks, and leave a buffer by water-ways. Shift stock more frequently during periods of high rainfall] Low stocking rate ensures minimal disturbance to creek banks. Supported by lack of change to edges/banks in 60 years. Sheep have access so limited 'buffer' in high rainfall events <p>3. Microbial Pathogens</p> <ul style="list-style-type: none">• Microbial Pathogens – E. coli is a faecal indicator. Campylobacter is the animal-sourced pathogen most likely to cause human waterborne illness in recreational freshwater users. 13.6% of cases of campylobacteriosis is reported to come from recreational water contact. While E. coli can readily survive and even grow in the environment, Campylobacter cells die off relatively rapidly in water (Sinton et al. 2007a) and in faecal pats of a range of species. Detection of Campylobacter demonstrates recent faecal inputs. Highest median E. coli concentrations are associated with the most intensive dairy farming in the Waikato region• Beef cattle direct deposition into water is less than dairy cows. 1% is widely accepted for modelling faecal loads in New Zealand, as an estimate of the proportion of total daily faecal material deposited directly into streams where beef cattle have direct access. Direct deposition into a typical stream would not produce a measurable change in the concentration of Campylobacter.
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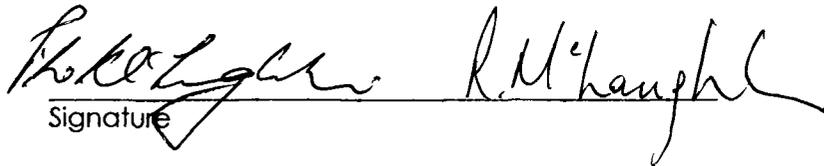
		<ul style="list-style-type: none">• Irrigation of liquid effluent can be a particularly important source of contamination. Storm flows have been estimated to contribute 95% of the total faecal pollution loads to water-ways• Dairy calves/feedlot cattle have been shown to be high shedders of <i>Campylobacter</i> – [Stanley et al. 1998] High stocking density and moisture are risk factors
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In summary –

- Bring 'parameters' within the Plan into line with NPS – Clean Water Report Feb 2017
- Identify the farming systems and practices that significantly contribute to contamination levels. This Plan does not account for topography, climate, soil structure, farming practices and systems. It would still allow unsuitable systems to continue.
- An awareness and monitoring of 'other' potential contaminants is required – herbicide & pesticide residues.
- Need evidence to support that stock exclusion and effluent management are effective in reducing N loss from high intensity dairy farming operations.
- The establishment of N reference points for properties, ie. "Grandparenting" is inequitable, ineffective in reducing contaminants and will not achieve the vision.
- 'Overseer' is not suitable as a regulatory tool.

Yours sincerely

Peter & Robyn McLaughlin



Signature

Date: 6 March 2017