

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.

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

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. We also request you send us a signed original by post or courier.</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: Tania Dunlop		
Full address: 838 Highway 22, Pukekawa, RD1, TUAKAU 2696		
Email: dunlop@farmside.co.nz	Phone: 092334441, 0272346323	Fax: N/A

ADDRESS FOR SERVICE OF SUBMITTER		
Full name: Tania Dunlop		
Address for service of person making submission: 838 Highway 22, Pukekawa, RD1, TUAKAU 2696		
Email: dunlop@farmside.co.nz	Phone: 092334441, 0272346323	Fax: N/A

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

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 affects 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.

ABOUT US

We own a 101 acre property at Pukekawa which is essentially a large lifestyle block. We both have full time jobs off the farm as an accountant and an agricultural fencer. Our property is a mix of flat cropping land with some rolling and steeper areas. As we have market gardeners for neighbours, 58 acres is leased to them for cropping, with the remainder farmed by us and stocked with beef cattle as well as a few sheep. We have planted a number of trees over the 12 years we have been here as we believe this is important for stock shelter, the environment, ecology and aesthetics. Our dam is fenced with extensive planting around it.

While it we would like to purchase a larger farm, this plan effectively puts paid to that due to cost, uncertainty and the inability to improve a run down farm (which is all we could afford).

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.)*

3.11, Pg 15

Objectives 1, 2, 3

Rules 3.11.5.2 to 3.11.5.5

Achievement of 80 Year Plan

Says:

- Likely to be costly and difficult to achieve
- Based on current understanding will require considerable land use change through reforestation
- Changes may not be seen as water quality improvements in water bodies in the short term

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.)*

- Needs to be realistic and achievable plan.
- Can't expect land owners to bear all the cost, must be affordable and costs need to be spread over entire population.
- If land is expected to be changed from productive farming or cropping land into forestry with no income and considerably reduced land value compensation will have to be made to land owners and a plan needs to be in place for this.
- If we are going to be tested on water quality as part of the changes land owners are going to have to implement, testing needs to be backed up by robust, scientific testing that is going to give meaningful results in real time.
- What is going to happen in 10 years time? Nothing in plan to say if the rules are going to change or not, meaning no planning can realistically be done meaning no one will be willing to commit to spending money on water quality issues, purchasing farm land, borrowing money or any other business related decisions.
- As it is written, it doesn't meet Objective 2, Pg 27 – social, economic and cultural wellbeing. At it is not economic as for the reasons given above and below, this will have a negative impact on communities, and as a result, the social wellbeing of everyone.

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:

- *Plan needs to be rewritten in consultation with land owners and put up for submission again.*
- *There are too many questions about the plan to accept very much of it as it is currently written or to make meaningful alternative suggestions.*
- *Need certainty and specifics in the plan, not have it open to interpretation or simply nothing written at all about certain things.*
- *Plan needs to be achievable, affordable and practical.*
- *Need to state and put a plan in place as to how vision is going to be funded and physically achieved.*
- *Take advice from land owners – drystock farmers, dairy farmers and market gardeners – and have representatives in the Technical Leaders Group. Listen to them, take on board what they say, and incorporate practicalities into the plan.*

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

- | | |
|--|--|
| <input checked="" type="checkbox"/> Yes, I have attached extra sheets. | <input type="checkbox"/> No, I have not attached extra sheets. |
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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 27/2/17
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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
Please refer to title and page numbers used in the plan change document	Indicate whether you support or oppose the provision.	State in summary the nature of your submission and the reasons for it.	State clearly the decision and/or suggested changes you want Council to make on the provision.

<p>Stock Exclusion from Water Bodies 3.11, Pg 15 Policy 1, Pg 30 Rules 3.11.5.1 to 3.11.5.7, Pgs 39 - 45 Schedule C, Pg 50</p>	<p>Support with amendments</p>	<ul style="list-style-type: none"> • Any river or drain that continually contains water to be fenced: <ul style="list-style-type: none"> ○ Is this really necessary where for most of year this could be a mere trickle? ○ Not always practical where subject to regular flooding. ○ Is this really going to solve river water issues given many water ways are a long way from the river and don't directly flow into it? ○ May result in a large loss of land where a waterway is not reasonably straight as not practical to fence all curves. ○ Could be considerable cost over a short period of time. How is cost to be met? Unlikely for landowner to have the cash reserves to meet costs where high and unlikely that bank will lend money for it, and anyway, borrowed money has to be repaid. Meeting costs is going to be made more difficult with cap on stock and production. ○ How is it proposed that regular drain cleaning be carried out if drains are fenced? Or are we not allowed to clean out drains any longer? ○ Presumably, fencing requirement is partly because of perception that stock stand around in water. In my experience, beef cattle, where there is a reticulated water system and they are fed properly, might have a bit of a short play in water, but don't just stand around in it contaminating it. • Slope requirements: <ul style="list-style-type: none"> ○ How much of the land has to be on a slope at the degrees set out? The degrees will vary on the same waterway. ○ What practical cost effective ways are there to measure slope? 	<ul style="list-style-type: none"> • Requirement to fence waterways be decided on a farm by farm basis – may not necessarily be fencing to exclude stock, may be other factors used to minimise stock in waterways such as reticulated water system, plantings, amount of water flowing at certain times of year, number of stock, type of stock. • Have a minimum width & depth for waterways before fencing required so that small waterways are excluded from fencing requirements. • Time frame for fencing to be extended similar to what dairy industry had. • Clarity around slope measurements. • Clarity around the land fenced off in the setback requirements – suggest council subsidised planting or spraying programs. • Stock crossing requirements to be decided on a farm by farm basis. • Where stock crossing is infrequent, no crossing with culvert required. • Plan put in place by council to get rid of carp. • Fencing & associated costs may be considerable and farmers may not have the money to do it or the ability to borrow – what happens then? This should not be an exercise in bankrupting people or forcing them off their farms. Rules must be practical and affordable. • Address drain cleaning issues – must be able to still do this, must have room to get digger in & dispose of cleanings. • Council to pay for fencing & associated costs.
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		<ul style="list-style-type: none"> • Setback requirements: <ul style="list-style-type: none"> ○ How it is expected that the fenced off area is kept free of weeds? This will be another cost to the landowner and weeds will have to be managed or they will creep out into productive land. ○ Is it expected that the fenced off area be planted? If so, how is the cost of this to be met? • Livestock crossings: <ul style="list-style-type: none"> ○ Not practical or necessary where mere trickle of water or subject to regular flooding. ○ Not economic where used once or twice a year. • Carp have not been addressed at all and they cause far more sediment issues than livestock. Until they are removed no amount of stock exclusion from waterways is going to help certain waterways. • Cost of water reticulation where at present stock are drinking out of waterways to be considered in the time frame set out. As for the cost of fencing, this may not be affordable. 	
<p>Farm Environment Plans 3.11, Pg 15 3.11.4.3, Pg 36 Policy 2 & 3, Pg 30 & 31 Rule Policy 2 & 3, Pg 30 & 31 Rule 3.11.5.2 to 3.11.5.7, Pg 40 -45 Schedule 1, Pg 51 - 53</p>	<p>Support with amendments</p>	<ul style="list-style-type: none"> • Must be prepared by a Certified Farm Environment Planner – but there are not suitably qualified people and unlikely to be enough by 2020. • Cost of FEP's – considerable cost to be met by landowner which is going to be very difficult due to production effectively being capped on properties that have a marginal profit or are small (large lifestyle blocks such as ours that don't generate a profit) but for which this rule applies. • FEP is responsibility of land owner. Will cause problems where there is a lease agreement in place as existing lease agreements don't cover this at it was not around when leases written. 	<ul style="list-style-type: none"> • Allow owners to prepare plans. • Extend time frame for when plans are due. • Need a reliable measurement basis for discharge of sediment, N, P and pathogens - separate measurement for each. • Council subsidy for plan costs. • Clarification on penalties for not preparing or not sticking to FEP and how this will be enforced. • May be more appropriate to have FEP's for each land use block rather than one for the entire property where mixed use. • Need alternatives to OVERSEER.

		<ul style="list-style-type: none"> • If assessment of discharge figures must be included, need something better than OVERSEER. OVERSEER has a fairly large margin for error, is a blunt instrument, as any computer modelling tool is, and does not work for cropping land. • Not going to be an easy or inexpensive plan for properties like ours where there is an owner farmed grazing portion and a leased cropping portion. 	
<p>Nitrogen Reference Point 3.11, Pg 15 Objectives 1, 2, 3, Pg 27 Policy 1 – 7, Pg 30 – 32 Rule 3.11.5.2 – 3.11.5.5, Pg 40 -44 Schedule B, Pg 47 - 49</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • Must be calculated by a Certified Farm Nutrient Advisor by 31/3/19 <ul style="list-style-type: none"> ○ Cost unrecoverable from profits and could be considerable. ○ Are there going to be enough suitably qualified people? • NRP to be highest from 14/15 or or 15/16 years for farmers or average 1/7/06 – 30/6/16 for market gardeners: <ul style="list-style-type: none"> ○ If mixed land use, are blocks treated as being separate? ○ If not, which NPR applies – farming or cropping? Likely to be considerably different. ○ If farm has been lightly stock and fertilized and not run to full potential, NRP likely to be low, thus penalising this farm and stopping it from being able to be improved and brought back into full production. This will result in a loss of land value. ○ If farm has been overstock and over fertilized, NRP likely to be high, thus rewarding this farm. ○ If farm has been recently purchased, new owner won't have any historical data. A farm purchase is different to a business purchase in that land and buildings are purchased, not a business, therefore no accounts are provided. 	<ul style="list-style-type: none"> • Remove NPR and consider individual farm issues. • Extend time frame to allow more programs to be developed that have less margin for error and cater better for a multitude of situations if council approved programs must be used, ie need alternative to OVERSEER. • Make sure heavy polluters are not rewarded at the expense of light polluters, ie needs to be an even playing field regardless of what has been done in the past. • Provide clarity on how this is supposed to work in practical terms.

		<ul style="list-style-type: none"> • Must be calculated using OVERSEER or any other model approved by WRC: <ul style="list-style-type: none"> ○ This does not work for cropping land, so what can we use for our marketing gardening block? ○ Has a fairly high margin for error. ○ Has variable results depending on how data is entered. ○ Is a modelling tool <i>only</i> rather than an accurate measure. ○ What else is going to be approved? ○ Is difficult to use. • Who is responsible – owner or lessee? Presumably owner: <ul style="list-style-type: none"> ○ Not covered in existing lease agreement as was not around when agreement written. ○ How is owner supposed to obtain all the relevant information from lessee? ○ If N leaching loss target not met, who is responsible – owner or lessee? • N Leaching targets and audit: <ul style="list-style-type: none"> ○ How are targets going to be checked? ○ How are targets going to be enforced? ○ As availability of livestock invoices are a requirement, presumably audit will be done on actual livestock weights, but OVERSEER uses defaults – not fair as not comparing apples with apples. • Would appear NRP is going to be used as a measure for reduction in P, sediment and pathogens. They should have separate measures. 	
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<p>Land Use Change Restrictions 3.11, Pg 15 – 16 Objective 5, Pg 28 Policy 6, 7 & 16, Pg 32 & 35 Rule 3.11.5.5 - 3.11.5.7, Pg 44, 45</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • Generally land use change from lower intensity to higher intensity will not be allowed with the exception of Maori land – unfair to exclude some land. Should apply to all land. • It is also unfair in that overall throughout the country or the WRC area, while someone in one area may want to change land use to higher intensity, someone somewhere else may want to change land use to lower intensity. Overall this may well balance out meaning no change in total and this should be catered for. • May result in a loss of land value for some land owners, eg where a drystock farmer owns land suitable for dairying next to a dairy farm but now probably won't be able to sell to the dairy farmer. 	<ul style="list-style-type: none"> • Remove Maori land exclusion from land use change. • Look at land use change as a whole over the country rather than by property or owner.
<p>Reduction of Contaminant Losses Objectives 1 & 3, Pg 27 Policy 1, 2, 3, 7, Pg 30 – 32 Also see NRP</p>	<p>Support with amendments</p>	<ul style="list-style-type: none"> • How exactly are reductions going to be measured? • How is reduction, or lack thereof as the case may be, going to attributed to any one farm if water is measured only at certain points throughout a district? • Would appear NRP is going to be used as a measure for all contaminants, but this is not appropriate – need a measurement for each. • Carp cause huge sediment problems but are not mentioned in the plan at all. 	<ul style="list-style-type: none"> • Reliable, easy to use measurement basis required for each contaminant. • Reliable, easy to use measurement basis required for each property. • Council to get rid of carp.
<p>Funding & Implementation Research 3.11.4.6 Pg 31 3.11.4.7 Pg 37 3.11.4.12, Pg 38</p>	<p>Support with amendments</p>	<ul style="list-style-type: none"> • How is plan to be funded for: <ul style="list-style-type: none"> ○ Implementation ○ Monitoring ○ Ongoing research and development • Hard to comment when there is no detail in the plan. • Looks like it will cost a considerable amount to implement, monitor and carry out ongoing research. 	<ul style="list-style-type: none"> • As this affects everyone, not just land owners, funding needs to be through a general rate, not a targeted rate.

<p>Monitoring 3.11.4.3, Pg 36 3.11.4.10, 3.11.4.11, Pg 38</p>	<p>Support with amendments</p>	<ul style="list-style-type: none"> • Third party auditing required for FEP's: <ul style="list-style-type: none"> ○ Who is going to carry this out? ○ Who is going to pay for it? • What robust, scientific tests are there to measure the effects of stock exclusion from waterways on N, P, sediment and pathogen levels, given: <ul style="list-style-type: none"> ○ Stock exclusion may be miles away from the river ○ Nitrogen can take a considerable time to show in water • How can testing attribute contamination to appropriate property? 	<ul style="list-style-type: none"> • Information and clarity required around: <ul style="list-style-type: none"> ○ Funding ○ Testing • Would need to see proposed answer to be able to support or oppose.
<p>Future Allocations 3.11.4.7, 3.11.4.8, Pg 37</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • WRC to set future property discharge limits and land use categories: <ul style="list-style-type: none"> ○ What right of objection if land owner doesn't agree with limits set? ○ What right of objection of land owner doesn't agree with land suitability category? • Information to be used for future plan changes – meaning what? That future plan changes will just happen without any say by anyone other than council staff? 	<ul style="list-style-type: none"> • Landowners must have right to oppose future allocations and an affordable process needs to be put in place to deal with objections. • Changes in future plans need to be put up for submission. • Council needs to involve people that are directly affected in making decisions, not just take advice from so called "experts".
<p>Urban Development 3.11.4.9, Pg 38</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • Land owners are going to be required to make huge changes that are going to have significant negative financial impacts, and very little mention is made of urban contributions to contaminants. • All towns, whether on the river or not, need to have stricter rules for this plan to work. • Sewage and water run-off into the river and water ways needs addressing with urgency. 	<ul style="list-style-type: none"> • Include & enforce directives for urban areas – this plan affects everyone and has come about in part from urban perception, not reality. • Stop sewage being discharged into waterways. • Address urban water runoff.

<p>Capping Production Policy 3, Pg 31 Schedule B, Pg 47 - 49</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • Production is effectively capped. With the growing population in NZ, how is it proposed that they be fed? • Farms that have been lightly stocked and fertilized in the past now can't be brought back up to full production. Consequences of this: <ul style="list-style-type: none"> ○ Loss of value for land owners and subsequent financial hardship. ○ Difficulty selling farm. ○ Difficulty borrowing money to buy farm. ○ Difficulty in making a living off a farm. ○ Difficulty in meeting existing bank covenants for loans if land values drop. 	<ul style="list-style-type: none"> • Food production needs to be assured. • Consideration needs to be given to land ownership – unintended consequence could well be future corporate or overseas farm ownership only with New Zealanders as farm workers. • Consideration needs to be given to possibly bankruptcy issues.
<p>OVERSEER Schedule B, Pg 47 – 49 Schedule 1, Pg 51 - 55</p>	<p>Oppose</p>	<ul style="list-style-type: none"> • While I am an accountant and not trained in the use of OVERSEER, I an experienced computer program user, used to using and figuring out new software, can follow guides and am not an idiot. However, trying to enter data into it is just too difficult. • Eg, guide says to enter number of bales of silage so it can work out weights, but can't find this option. • Then tried the soil description and used PC1 recommendation per Pg 48 – obtain from S-map. S-map search using co-ordinates didn't work, search using Pukekawa showed Pukekawa in a completely different place to where it actually is. Moved over the map to where it is and no soil data available. • Have now given up as the time I have put into this submission and trying out OVERSEER is just ridiculous and a complete waste of time. It is hard enough to make ends meet as it is and the average person works more than full time as it is and simply doesn't have the time to put into something this complicated and difficult to use. 	<ul style="list-style-type: none"> • Need a program that is easy to use and works – ie something land owners should be able to set up and enter data into themselves.

<p>General</p>		<ul style="list-style-type: none"> • Land values will be affected and may well cause financial hardship to some land owners. • No mention of future plan changes but looks likely that there will be further restrictions resulting in <ul style="list-style-type: none"> ○ Loss of land values ○ Inability to make business decisions • Plan is lacking in detail which make it hard to comment on or come up with alternatives. • Plan seems to be open to interpretation and this will cause a lot of extra cost, stress and uncertainty. • Need to consider everyone's views at once and not have Hauraki area submission heard later. • This is a proposed plan so why are parts of it already being enforced, eg land use change? • Plan is a lot tougher than national guidelines – why? 	<ul style="list-style-type: none"> • In its present form the plan does not meet Objective 2 at all. • Take advice from drystock farmers and market gardeners, listen to this advice, take it on board and incorporate it into the plan so the plan works for everyone, not just certain sectors of the community. • Plan needs to be practical. • Plan needs to be affordable. • Certainty needs to be provided. • Don't proceed until Hauraki can be included in submission process. • No enforcement until plan has been through the due process with all areas. • National guidelines seem to be much more lenient and are as such are probably more a workable solution. • Don't be so tough on drystock farmers – they are not the major part of the problem. • Most importantly, make sure whatever is implemented is measureable and actually going to achieve the desired outcome in a sustainable manner.
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