



THE SURVEYING COMPANY
Specialist Surveyors, Planners & Engineers

The Surveying Company LTD
17 Hall Street
PO Box 466
Pukekohe 2340
Phone 09 238 9991
Fax 09 238 9307
email: info@subdivision.co.nz
web: www.subdivision.co.nz

Submission: Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PPC1)

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

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

Submitting To: Waikato Regional Council
401 Grey Street
Hamilton East
Private bag 3038
Waikato Mail Center
HAMILTON 3240

General Statement

We support improvement of water quality in the Waikato/Waipā Catchments.

Our main area of concern with the PC1 is that it uses inappropriate and blunt tools to restrict farming activities that have greater potential for contaminant discharge rather than an approach which promotes best practice measures to reduce discharge to waterways while maintaining the social and economic benefits of rural production. We support the requirement of Farm Environment Plans and oppose the use of a Nitrogen Reference Point for a property/enterprise. Our reasons for opposing PC1 include:

- Will disenable the farming community to provide for their social and economic wellbeing and will restrict innovation through restrictive measures such as Nitrogen Reference Points and capping cropping area;
- May result in the underutilisation (due to the consenting costs of changing farming type, and uncertainty of outcome) of production land this may increase the demand for residential subdivision as an economic tool by landowners, this may result in fragmentation and loss of valuable production land long term and for future generations; and

- Fails to recognise the national significance of high versatile soils (Class I, II, IIIe) the suitability of these soils for productive use, and the limited locations in New Zealand in which this farming type can occur. Requires closer consideration at a sub-catchment level and the gains that can be made through implementing site specific best practice measures (through Farm Environment Plan) as the preferred option for reducing contaminant discharge, rather than capping cropping areas and imposing restrictive Nitrogen Reference Points.

Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments

Objectives – 3.11.2

Objective 1 – Support in Part

Targets set in Table 3.11-1 are too prescriptive and should be consistent with the National Policy Statement for Freshwater Management and the Vision and Strategy.

Objectives 2- 6 - Neutral

Policies - 3.11.3

Policy 1a, b – Neutral

Policy 1c – Support in part

Progressively exclude livestock. Change sought - Where practical to do so and a measureable gain to water quality will be achieved. Propose an element of discretion for fencing through the Farm Environment Plan process.

Policy 2a, b – Support

Support the use of Farm Environment Plans as a method for reducing contaminant discharge.

Policy 2c – Oppose

We oppose the establishment of a Nitrogen Reference Point for a property or enterprise for the following reasons:

- The use of a Nitrogen Reference Point assumes that property/enterprises are fixed areas and does not account for land to be acquired or disposed from the farming operation, including land that is subdivided from, amalgamated to, leased or retired from a farming activity (through construction of a dwelling). This detail could form part of the Farm Environment Plan which would be a 'living' document for the property/enterprise and could be updated as the enterprise evolves.
- It is not clear whether the Nitrogen Reference Point would be attached to the land or the enterprise. For instance if additional land was cropped and the equivalent area was retired, would the retired land have no Nitrogen Reference Point? Thereby rendering the retired land unable to be farmed? What about the land brought into an enterprise, would this land carry a nominal Nitrogen Reference Point?
- Nitrogen Reference Points will have a significant market effect also as the reference point will determine what the land can be used for.

Policy 2d, e - Neutral

Policy 3a- Support

Policy 3b – Strongly Oppose

We strongly oppose capping the area of cropping enterprises.

We seek that the policy be removed.

Part 5 of the act provides for sustainable management through managing the use, development, and protection of natural and physical resources in way, or at a rates, which enables people and communities to provide for their social, economic and cultural well-being. This policy will not achieve the purpose of the Resource Management Act. Capping the area of a cropping enterprise is a blunt tool which prevents farmers from utilising the land resource for their social economic well-being, and restricts any opportunity for the industry to grow, innovate and thrive.

This policy also overlooks that soils of Class I, II, IIIe are scarce in New Zealand, and the versatile, volcanic soils and the temperate climate particularly around the Franklin area (including Tuakau, Onewhero and Te Kohanga) mean this is a food producing area of national significance. We suggest a sub-catchment specific approach be taken to consider the farming types prevalent in that area.

Cropping enterprises within the wider Franklin area often occur over multiple small (5-30ha) titles. There is capacity and latent potential for residential development of these titles under the District Plans (Waikato Section and Franklin Section of the Waikato District Plan) which generally allow for a dwelling to be constructed on each separate Certificate of Title. Restricting the conversion of these high-value titles to intensive farming such as cropping will potentially result in an increase of residential development and uneconomic (hobby) farming in these Rural Zones. The proliferation of housing in rural areas has implications for infrastructure, servicing and planning and is ultimately an unsustainable use of versatile land.

This policy also does not follow-on from Objectives 2 and 4 which seek to enable short and long term social and economic wellbeing for the vegetable production industry.

Policy 3c – Strongly Oppose

We oppose the use of a Nitrogen Reference Point for reasons discussed above.

Suggested change to remove completely.

Policy 3d – Neutral

Policy 3e – Neutral

Policy 3f – Support

It is not clear how commercial vegetable production enterprises that implement best practice measure to reduce discharge will be enabled in any way by PC 1.

Policy 3g - Neutral

Policy 4 – Neutral

Policy 5 - Neutral

Policy 6 – Oppose

Restricting Landuse “Land use change consent applications that demonstrate an increase in the discharge of nitrogen, phosphorous, sediment or microbial pathogens will generally not be granted”. This appears to pre-empt the outcome of an application for resource consent and we question whether this statement is lawful.

Policy 7 – 17, inclusive – Neutral

3.11.4 - Implementation Methods

Neutral

3.11.5 – Rules

Rule 3.11.5.1 – Neutral

Rule 3.11.5.2 – Neutral

Rule 3.11.5.3 – Neutral

Rule 3.11.5.4 – Neutral

Rule 3.11.5.5 a, c, d, e, h – Neutral

Rule 3.11.5.5 b, f, g – Strongly Oppose

Oppose the use of a Nitrogen Reference Point and capping of the area that may be cropped. Support the use of Farm Environment Plans and implementation of best practice to reduce discharge from this farming type while allowing this sector to thrive and innovate.

Rule 3.11.5.6 – Neutral

Rule 3.11.5.7 – Oppose

We oppose this rule for the following reasons:

- Does not factor in global market trends, consumer demand and the effects this may have on production and the economic need for conversion.
- Will result in an overall decline in production and impact New Zealand exports.
- Will result in less food for a growing population.
- Will restrict the implementation of farm management practices that create environmental and economic benefit such as planting a paddock or two in maize for winter feed, break cropping for soil structure, crop rotation etc.

We seek that:

- Where the contaminant discharge will be the same or lower from the conversion, irrespective of farming type, then the conversion should be permitted subject to the provision/update of a Farm Environment Plan.
- Conversion to farming activities with a higher discharge should be a Controlled Activity/Restricted Discretionary Activity. With control/discretion restricted to implementation of best practice measures and the provision/update of a Farm Environment Plan.

Statements

*We have reviewed Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PPC1) and **oppose** the Plan Change in its current form.*

The Surveying Company could not gain a competitive advantage through this submission.

We do wish to speak in support of this submission.

If others make a similar submission we will consider presenting a joint case with them at the hearing.

A handwritten signature in black ink, appearing to read 'Anna McLellan'. The signature is written in a cursive, flowing style.

Anna McLellan

Resource Management Planner – on behalf of The Surveying Company