

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

Submission on a publicly notified proposed Regional Plan 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
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Date:	
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Submission

1.1 I have reviewed Waikato Regional Council's Proposed Healthy Rivers/Wai Ora Plan Change 1 (PC1) and oppose the Plan Change in its current form.

2.1 I wish to be heard in support of this submission.

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

 3/3/17
Signature date

Signature date

SIMPSONS FARMS LTD

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My name is Trevor Simpson. My family have been farming in the Rangiriri area for 40 years. I have a lifetime of history with the Waikato River. My mother was born next to the river in Taupiri, I was born next to the river in Huntly. I have been a member of the Mercer Rowing Club for 35 years and the family farm runs next to the Waikato River.

We milk 1250 cows and spend an average of \$15000.0 a year on riparian planting, fencing off waterways and creating wetlands on our property.

If dairy farming became uneconomic in the future the property is suitable for market gardening.

The third generation is now employed on the farm. That generation and future generations have to see a future in agriculture and the family farm. This plan (PCI) does not assure that future.

Hence my opposition,

Trevor Simpson

- 4.1 The following pages of my submission further explain the rationale behind my objection to Waikato Regional Council's Healthy Rivers/Wai Ora Proposed Plan Change 1 (PC1). I have included a letter sent to the Waikato Regional Council and one received from the Waikato Regional Council.
- 4.2 The Waikato River Authority (WRA) are custodians of the Vision and Strategy document for the Waikato River and its catchments. The Vision and Strategy prevails over any inconsistencies in the National Policy Statement for Freshwater Management (NPS-FM).
- 4.3 The whole basis of my opposition to PC1 is to query why all seasons are considered when, quite clearly, the WRA expects the water quality in the Waikato River and its catchments be suitable for swimming in when the river is safe to swim in. Not all seasons as indicated in PC1.
- 4.4 Following is an explanation to the above.
- 4.5 In the PC1 document, on page 60 and 61, the attributes columns for the 95th percentile are used for *E. coli* and Nitrate.
- 4.6 If the 95th percentile ~~being~~ ^{is being} used to calculate the required actions on farms, in order to meet PC1, then a medium percentile figure ~~is~~ ^{should be} used to be in line with the WRA's interpretation of swimmability. PC1 would then equate to a waterbody being in a safe state to swim in were as a 95th percentile figure is flood conditions, which is ridiculous.
- 4.7 On page 15 in the PC1 document, the Waikato Regional Council explains PC1 is "more aspirational than the national bottom lines set out in the NPS-FM because it seeks to meet the higher standards of being safe to swim in and take from over the entire length of the Waikato and Waipa rivers and catchments". It also states the plan is likely to be costly and difficult to achieve.
- 4.8 The Waikato Regional Council quite clearly understands it is putting the region's agricultural communities at risk for a plan that might not work, and so are completely ignoring the objective in the Vision and Strategy which states "for a future where a healthy Waikato River sustains abundant life and prosperous communities", to meet their own ends.
- 4.9 You will see during the submission process the agricultural community has taken five months, since PC1 was publicly notified, to understand the complexities and ramifications on the agricultural sector of PC1.
- 4.10 After various studies were completed, at our cost, the consequences of PC1 on our rural communities was realised. Many, many rural communities will be ruined.
- 4.11 The Vision and Strategy document is currently under review therefore PC1 may not adequately represent the Vision and Strategy. The Vision and Strategy focuses on waterways, communities and overall, the region. The Vision and Strategy document was written so that the health and wellbeing of the regions waterways can be protected and restored, as well as prosperous communities. The WRA are custodians of this document.
- 4.12 The objectives of PC1, as set on page 27, are quite clear. The region and the communities in the region have to be protected and be allowed to prosper as identified in Objective 2, 4 and 5. These objectives are directly aligned with the Vision and Strategy. Proposed PC1 fails these objectives.

- 4.13 This is because the Waikato Regional Council have failed to reflect the Vision and Strategy objectives in PC1 rules and implementation. Waikato Regional Council have stated they have no known means of robustly measuring social, economic or cultural wellbeing.
- 4.14 The Waikato Regional Council cannot make interpretations of the Vision and Strategy documents like they have done.
- 4.15 Waikato Regional Council indicated full consultation with all stakeholders were undertaken all along the PC1 process. They may hold that opinion, but that is not the case. Hauraki Iwi can testify with that.
- 4.16 PC1 is so complex for lay people to understand a brief, poorly advertised local meeting does not cut the mustard as consultation. Many farmers own a \$2 million farm and are expected to spend \$500,000 plus to comply with PC1. The likely hood of a return on that investment is zero, these farmers need to be informed. The Resource Management Act (RMA) indicates all effected parties need to be informed. PC1 is so radical ■ severely affected agricultural sectors should have a one on one consultation with Council long before PC1 was published.
- 4.17 The Waikato Regional Council indicates in their letter, dated 8th February 2017, which is included, the Vision and Strategy does not provide clear guidance to the community on water quality. The WRA does off quite clear guidance on swimmability (see included letter). Did anyone from the Waikato Regional Council bother to ask the WRA to clarify these issues? Obviously not.
- 4.18 The Waikato Regional Council and all groups involved in PC1, did not have the mandate or public permission to make their own interpretation of swimmability or any other objectives in the Vision and Strategy document. The Waikato River Authority are custodians of the Vision and Strategy document and only they can interpret the various clauses.
- 4.19 The Waikato River Authority produced the Vision and Strategy then took a huge leap in faith and gave the job of implementing the Vision and Strategy to the Waikato Regional Council.
- 4.20 The Waikato Regional Council chose a route which involved the Collaborative Stakeholders Group (CSG), the Technical Leaders Group (TLG) and other groups to complete the task of creating PC1. The Waikato Regional Council are responsible for that process and unfortunately it has failed. It failed because under the guidance of the Regional Council all the groups involved thought they had a mandate to make interpretations of the Vision and Strategy document, but they didn't.
- 4.21 To find a solution to this problem the Waikato Regional Council need to show the agricultural sector various options moving forward. For example, the effect of different time frames, 80 to 150 years. The effects of different interpretations of swimmability – the status quo. If improvements continue, under the present rule, like we have seen for the last 50 years where will water quality be in the future?
- 4.22 Also, the Waikato Regional Council must quantify the effects of pest fish, hydro dams and lakes have on water quality so that those facts can be included in PC1 and be included in any mitigation calculations.
- 4.23 I believe the great leap of faith taken by the WRA to give the Waikato Regional Council the task of implementing the Vision and Strategy has proven to be a mistake.

The CSG concept failed in practice and the Waikato Regional Council leadership and political make up could, ^{not} achieve a satisfactory plan for the Vision and Strategy of the region.

- 4.24 I believe the WRA has to take responsibility for its Vision and Strategy and work with a dedicated group from the agricultural sectors to come up with a plan for the future of our region. That plan must fit the Vision and Strategy and the WRA's interpretation. Nobody can do that other than those with skin in the game. Responsibilities lie with the WRA and the agricultural sectors to achieve the desired result.

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2 February 2017

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Waikato Regional Council Healthy Rivers/Wai Ora Plan Change 1

To Vaughan Payne and all Councillors,

Concerned members of the community met with Mr Bob Penter, the Chief Executive of the Waikato River Authority, on the 31 January 2017.

Mr Penter clarified that the Waikato River Authority's definition on swimmability in their Vision and Strategy relates to "when the river is safe to swim in". He also stated that 365 days or, all year round swimmability, was never, and never will, be adopted by the Vision and Strategy.

In light of this, could the Regional Council please confirm that the swimmability and fishability water quality objectives adopted in Plan Change 1 does refer to 365 days?

If the answer is yes, "365 days swimmability is applicable to the objectives", then we require an explanation as to why the CSG adopted a different and less practical or achievable interpretation of the Vision and Strategy (as laid out by the Waikato River Authority), as the impacts of Plan Change 1 are significant. Please explain.

Yours Sincerely,


Sir Michael Friedlander



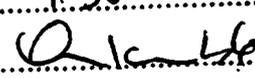
Brendan Balle


Fred Phillips


Kim Robinson

Trevor Simpson



WAIKATO REGIONAL COUNCIL	
DATE RECEIVED:.....	7/2/17
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8 February 2017

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Dear Trevor

Thank-you for your fax of 9 January 2017. I appreciate you keeping me informed with your group's progress in their submissions on the Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments (PC1).

You have raised two primary issues and these relate to elements of Objective 1 (and reference information) in PC1 that is not documented in Te Ture Whaimana o Te Awa o Waikato - The Vision and Strategy for the Waikato River (Te Ture Whaimana/Vision and Strategy) and a concern that the community were not consulted on these. These elements you have identified are:

- The long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit (Objective 1) by 2096, the aspirational 80-year water quality targets.
- PC1 sets out the 80-year timeframe for the rivers and their tributaries to be swimmable and safe for food collection along their entire lengths regardless of seasons ('365 days of the year'). This is also referenced as 'Scenario 1'.

Te Ture Whaimana/Vision and Strategy

Te Ture Whaimana/Vision and Strategy does not provide clear guidance to the community on what the river would look like if Te Ture Whaimana/Vision and Strategy were to be achieved, the timeframe for it to be achieved (there is some guidance regarding a likely intergenerational timeframe) or what the scientific attributes should be to achieve Te Ture Whaimana/Vision and Strategy. Therefore the Collaborative Stakeholder Group (CSG), Technical Leaders Group, Waikato River Authority and Waikato and Waipā River Iwi and Waikato Regional Council worked with the community on formulating 'possible futures' (or future scenario's) such that attributes could be identified that also met other legislative requirements i.e. the National Policy Statement for Freshwater Management 2014 (FMU).

Scenario 1

Under the National Policy Statement for Freshwater Management (2014) identifying Freshwater Management Units (FMU) is a requirement. Each FMU must set (amongst other things) objectives and limits for water quality, identify values, describe current state and anticipated future state. The anticipated future state in PC1 Objective 1 'the long-term restoration and protection of water quality' is also described as Scenario 1 in the PC1 section 32 evaluation report.

Scenario 1 was considered to be the most aspirational scenario from a water quality viewpoint and viewed by the CSG, Waikato and Waipā River Iwi and Waikato Regional Council as the scenario closest to that of the 'protect and restore' requirements of Te Ture Whaimana/Vision and Strategy. The Scenario 1 description includes the narrative that to achieve this scenario the rivers in the Waikato and Waipā river catchments would be swimmable in all seasons for microbes and clarity. The short-term and long-term numerical water quality targets in PC1 (table 3.11-1) do not vary according to seasonal fluctuations. The achievement of these targets will be determined through analysis of 5-yearly monitoring data. It is noted on page 56 of PC1 that *"The variability in water quality (such as due to seasonal and climatic events) and the variable response times of the system to implementation of mitigations may mean the targets are not observed for every attribute at all sites in the short term"*.

Community input into the development of the long-term restoration and protection of water quality and limits and targets for each FMU

Feedback was received by the public during two key engagement periods, one in early 2015 and another in late 2015. The links below (refer attachment 1) has the feedback received from the community collated into two reports.

For the March-April 2015 engagement period, and in relation to the community views on the timeframe, see page 47. The second engagement period ran between October-November 2015 and sought feedback on what timeframes could look like for achieving the limits under different water quality scenarios. In total, over 800 people responded to the question "What do you think of our proposed stages and timeframes, i.e. 10% of the way towards improving water quality to a level that is consistent with the Vision and Strategy in 10 years, 25% of the way in 20% years, 50% of the way in 60 years and 100% of the way in 80 years – here is a link to this feedback (from page 9). Page 13 of the second engagement period also outlines the view on how comfortable those who took the time to participate were about the limits and targets for each FMU.

There are a number of documents that have supported the conversation around swimmability, the Vision and Strategy and Proposed Plan Change 1, (please refer attachment 1).

Thank you again for keeping us informed of the work that the Primary Land Users Group is doing. If there is any further information that you would like Council to provide to assist with your submission preparation please contact us.

Regards



Vaughan Payne
Chief Executive