

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

To: Chief Executive
Waikato Regional Council
401 Grey Street
Hamilton East
Private Bag 3038
Waikato Mail Center
HAMILTON 3240

healthyrivers@wiakatoregion.govt.nz

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

Full Name(s): Mark McGovern of Waipapa Farms Ltd and Carlyle Holdings Ltd

Phone (hm): 021 981 732

Phone (wk): 021 981 732

Postal Address: 68 Bungard Road, Papakura, Auckland

Phone (cell): 021 981 732

Postcode: 2580

Email: mcgovern.mark50@gmail.com

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

I will not gain a trade competition advantage through this submission

I **am 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.

I wish to be heard in support of this submission.

If others make similar submissions, I will consider presenting a joint case with them at the hearing.

I confirm that I am authorised on behalf of Waipapa Farms Ltd and Carlyle Holdings Ltd to make this submission.

Signature

date



Signature

6th MAR 2017
date

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

Introduction

My family has a rich history in farming within the Waikato Region. We have been dairy, sheep and beef farming in the Waipa and Waikato Catchments for over 110 years.

More recently we have operated a 312ha dairy farm in the Upper Waikato Region since 1999. For a period of time, we operated two family farms including one in Pukeatua from 1958 – 2008.

We take farming and environmental management seriously. On our present farm, all water ways as defined by Fonterra directive have been fenced for approximately the last 15 years. It is important to us that the farm operates in a manner that provides for not only for economic prosperity but also in an environmentally sustainable manner which provides for future generations.

The mid to upper reaches of the Mangare Stream flow through our farm and as a protection measure we fenced this off and planted it circa 2002 – 2003 in conjunction with advice from Waipa District Council. We have also contributed to the regeneration of areas of bush on the farm to improve ecological corridors and amenity. The Mangare stream is currently monitored annually by WRC staff wading the stream and measuring temp/quality of water and fish life.

As a business we look carefully at continuous improvement in terms of cost savings and environmental protection. Such measures have resulted in significant capital expenditure investment on the property to improve the technology used, as well as farm management practices. We welcome the opportunity to submit on Proposed Plan Change 1.

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

The specific provisions of Proposed Plan Change 1 that this submission relates to, and the decisions it seeks from Council are as detailed in the following table. It is recognised that 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.

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
	SUPPORT / OPPOSE	REASON	DECISION SOUGHT
Entire plan change	Oppose	<ol style="list-style-type: none"> 1. The plan change as drafted contains unclear and confusing provisions. 2. Contains terms that need to be defined. 3. Lacks a robust evidential basis. 4. The plan change is not in accordance with the purpose of the RMA. It does not provide the ability for people and communities to provide for their social, economic, and cultural well-being as set out in the purpose of the RMA. The Waikato is one of the key areas of primary production / food production for not only the local community, but also nationally and international exports. The RMA requires consideration of the social, economic and cultural well-being alongside that of the environment. This plan change prioritises the environmental aspect with little to no robust consideration of the other aspects. 5. The Waikato soils are a significant natural and physical resource and Section 5 of the RMA, which 	<p>Amend the plan change to:</p> <ol style="list-style-type: none"> 1. Amend the overly restrictive objectives, policies and rules so that they provide a balanced approach to enabling rural land owners to provide for their economic wellbeing, and recognise the value of primary production to the Waikato community and national economy. 2. Amend the plan provisions so they are balanced to recognise the other components of the purpose of the RMA, and not just environmental considerations. 3. Correct errors (e.g. typographical, grammatical, numbering errors etc). 4. Improve the usability of the document, particularly the rules which are unnecessarily complex and confusing. 5. Be more user friendly for farmers and

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>enables their use and development.</p> <ol style="list-style-type: none"> 6. The provisions have not taken into consideration the practical management of stock and therefore the impacts of nitrogen, phosphorous, sediment or microbial pathogens. 7. The plan change has not considered the ability of crops such as lucerne, clovers, lupins, peas to fix nitrogen. 8. The Plan change inappropriately uses stock units as a proxy for nitrogen inputs and uses stock units contrary to those already embedded and used within industry with no robust justification for any deviation. 9. Does not gives effect to the Regional Policy Statement Objectives and Policies which support primary production, such as Objective 3.1(d), Objective 3.2(a), Objective 3.10, Objective 3.25, Objectives 3.26 and Policy 4.4 (amongst others). 10. The focus is on agriculture and horticulture and does not recognise that there are many other contributors of nitrogen, phosphorus, sediment and microbial pathogens. E.g. Housing subdivision, earthworks and urban landuses. 11. The document is dense and impenetrable for lay users of the plan (particularly the rules) and would benefit from redrafting following further research 	<p>plan implementers.</p> <ol style="list-style-type: none"> 6. Allow use of all rural land for primary production rather than 'locking up' resources in perpetuity. 7. Other relief as would address concerns and such consequential relief including changes to objectives, policies and rules and definitions.

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>and consultation.</p> <p>12. The objectives and policies should replace prohibitive terms such as avoid, protect and requirements to enable a fair consideration of resource consents and take into consideration the cost implications of these matters.</p> <p>13. The plan change does not address the change in rural character such as the amenity and character of the rural environment has a value for the whole region (and in fact nationally).</p> <p>14. The plan change is not cognisant of the RMA Section 85 tests against the unreasonable imposition of restrictions on private property. Importantly, the s85 tests cannot be answered in the general, or for the “average” or “representative”: they must be answered in the specific case.</p>	
Section 32	Oppose	<p>There are specific Section 32 requirements of the RMA, but the assessment as notified, does not fulfil the Section 32 requirements. In particular, Section 32(2)(a) and Section 32(2)(b). These sections require the benefits <u>and costs</u> of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions to be identified and assessed. An assessment of the economic and employment growth or reduction must be quantified.</p> <p>The economic implications of the Proposed Plan Change 1</p>	<p>Undertake a comprehensive and extensive assessment and quantification of the costs and benefits of the plan change in accordance with Section 32(2)(a) and Section 32(2)(b) of the RMA.</p> <p>Review the provisions of Proposed Plan Change 1 as notified, based on this reassessment.</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>rules on some farms are likely to be devastating, not only to farmers personally, but their wider family, investors, the region and the country. Their economic implications simply have not been adequately justified.</p>	
<p>Definitions "Certified Industry Scheme"</p>	<p>Oppose</p>	<p>Whilst the definition of Certified Industry Scheme lists criteria to be met to be a "Certified Industry Scheme" the Proposed Plan Change 1 provides no policy direction, examples or otherwise, to demonstrate what the intent of a Certified Industry Scheme is, in practice.</p> <p>Furthermore, there is a risk that the market will not come to the Council on this provision seeking certification with so much ambiguity around it.</p>	<p>Remove the definition of Certified Industry Scheme and any Objectives, Policies and Rules linked to it, until further assessment and consultation is undertaken to really understand the intent, scope and application of a Certified Industry Scheme.</p>
<p>Definitions "Certified Farm Environment Planner"</p>	<p>Support in Part</p>	<p>Whilst the submission supports the requirement for a person/s involved with preparing any potential Environment Plans is a certified Farm Advisor, and acknowledges that the definition lists criteria to be met to be a "Certified Farm Environment Planner", there are no current Certified Farm Environment Planners on the Council website.</p> <p>However, as for the Certified Industry Scheme there is a risk that the market will not take up this certified position and that there will not be a sufficient pool of person/s to meet the requirement and be available to the farming market.</p> <p>Proposed Plan Change 1 should reflect that certified persons will be added once Proposed Plan Change 1 is operative.</p>	<p>Amend the definition such that the definition provides utmost clarity and allows for a sufficient pool of certified persons to be available to the market.</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
<p>Definitions "Certified Farm Nutrient Advisor"</p>	<p>Support in Part</p>	<p>Whilst the submission supports the intent, the definition lists criteria to be met to be a "Certified Farm Nutrient Advisor" "there are no current Certified Farm Nutrient Advisors on the Council website. Proposed Plan Change 1 should reflect that certified persons will be added once Proposed Plan Change 1 is operative.</p> <p>The current definition does not define what intermediate level training is. It is open to interpretation and therefore vague.</p> <p>As for Certified Industry Scheme there is a risk that the market will not take up this certified position to ensure that there is a sufficient pool of certified nutrient advisors and certified farm environment planners to be available to meet the deadlines.</p> <p>There is a different skill set in nitrogen management than for the other three contaminants. Nitrogen is the only contaminant which will require a modelled limit in the Plan Change. This makes consistency in establishing and managing nitrogen very important. If an inexperienced person establishes the NRP, there is a risk that the farmer is tied into that NRP and the mitigations to be undertaken in the Farm Environment Plan for the life of their consent under Rule 3.11.5.4.</p>	<p>Amend the definition such that the definition provides utmost clarity and allows for a sufficient pool of certified persons to be available to the market.</p>
<p>Definitions – Enterprise</p>	<p>Oppose</p>	<p>This is a unclear definition. Rural properties are often interdependent for example forage grown on one property, fed to animals on another. Would this be considered to be an enterprise on multiple properties despite the properties</p>	<p>Amend the definition to only apply to properties in the same ownership and have an operational dependency on each other.</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>being in different ownership?</p> <p>Properties in the same ownership may be operating independently but may inappropriately be captured by this definition.</p>	
Definitions – forage crop	Oppose	It is not clear whether grass grown for the purposes of hay or silage is included in the definition of a forage crop.	Amend the definition to explicitly exclude the growing of grass for the purposes of hay or silage.
Definition – stock units	Oppose	<p>I oppose the stock units for dairy cows being 10.4.</p> <p>The evidential basis to support the assumptions underlying the stocking units definition is not substantiated.</p>	<p>Revise the stock units, and include categories for housed animals where the animals are not grazed or accommodated on uncovered pasture 24 hours a day. This is particular the case for replacement calves that are accommodated in undercover facilities.</p> <p>Revise to reflect other management approaches.</p>
Definition - offset	Oppose	Oppose the definition of offsets. The proposed definition does not acknowledge that the compensation measures may result in environmental benefits in other areas.	Amend to acknowledge that compensation measures may result in environmental benefits in other areas (i.e. not necessarily for the same contaminant).
75 th Percentile Nitrogen Leaching Value	Support in Part	<p>Whilst the intent of the 75th percentile value is supported the addition of a date when will be available from the Council will give more certainty to farmers. By the time the NRP is due to be submitted to the Council, all farmers will know their NRP, but will not know where this sits in relation to others in their Freshwater Management Unit, and therefore whether the requirement impacts them to reduce nitrogen leaching and submit their Farm Environment Plans</p>	<p>Add the following to the end of the definition <i>as determined by the Chief Executive of the Waikato Regional Council and published on the Waikato Regional Council website on or before 30 June 2019.</i></p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		by the deadlines in Rules 3.11.5.3 and 3.11.5.4.	
Rule 3.11.1.2 Use values - Primary production	Support in part	<p>I support the recognition of the role the rivers play in primary production. I support the recognition of the significant contribution of primary production industries to regional and national GDP, exports, food production and employment.</p> <p>However, there should also be recognition that the contribution of rivers to primary production, also achieves economic well-being as well as environmental, social and cultural wellbeing of local communities, regionally and nationally.</p>	Retain with amendments to recognise the contribution of rivers to primary production to achieve not just economic well-being but also environmental, social and cultural wellbeing of local communities, regionally and nationally.
3.11.2 Objective 1: Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	Support	Support the intention of Objective 1	
3.11.2 Objective 1: Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	Oppose	<p>Oppose the 80-year water quality attribute targets in Table 3.11-1.</p> <p>The Nitrogen reduction target is overly ambitious and achieving it is a whole-of-community challenge, which the Plan change as written does not recognise. All sectors of the community are expected to implement reasonable, practicable and affordable measures to avoid, remedy or mitigate nutrient losses.</p>	Amend to remove references to Table 3.11-1.

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
<p>3.11.2 Objective 2: Social, economic and cultural wellbeing is maintained in the long term</p>	<p>Oppose</p>	<p>Objective 2 only considers one component of the economic well-being of the Waikato and Waipa communities. Whilst there may be limited economic benefits from the restoration and protection of water quality in the Waikato River catchment, the objective fails to recognise the significant economic costs of implementing this plan change.</p> <p>The economic costs to individual land owners and indeed the community, the region and the country have not been adequately considered as part of the Section 32 analysis.</p> <p>The explanation to Objective 2 states that it is important to minimise social disruption during the transition period. This Objective is critical as there will be considerable social, economic and cultural disruption and costs, should the plan change proceed in its current form. However, the Section 32 assessment does not identify and assess the benefits and costs of the environmental, economic, social, and cultural effects that are anticipated from the implementation of the provisions, including the opportunities for economic growth that are anticipated to be provided or reduced; and the effect on employment and quantification of those benefits and costs in accordance with section 32(2)(b).</p>	<p>Amend Objective 2 to recognise the importance of primary production activities to Waikato’s economy and the need for an appropriate regime to sustainably manage natural and physical resources.</p> <p>Undertake a comprehensive and extensive assessment and quantification of the costs and benefits of the plan change in accordance with Section 32(2)(a) and Section 32(2)(b) of the RMA.</p> <p>Review the provisions based on this assessment.</p>
<p>3.11.2 Objective 3: Short-term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit</p>	<p>Oppose</p>	<p>There is not sufficient evidential basis to demonstrate that the plan change will achieve the 10% goal without detrimental effects to primary production in the region. Plan change 1 is effectively using a blanket approach to address a complex issue.</p>	<p>Amend Objective 3 to establish a more realistic goal, recognising that there are historic land uses affecting water quality that will continue to increase the nitrogen, phosphorous, sediment and microbial pathogens.</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
3.11.2 Objective 5: Mana Tangata – protecting and restoring tangata whenua values	Oppose	<p>Whilst the principle of enabling stewardship and kaitiakitanga as outlined in Section 7(a) and 7(aa) of the RMA as a matter to have particular regard to, is supported, I consider that all responsible landowners should also have the same ability to manage their land and resources.</p> <p>Impediments to the flexibility of the use of all lands should be minimised.</p>	<p>Amend to reflect the principle of enabling stewardship and kaitiakitanga as outlined in Section 7(a) and 7(aa) of the RMA for all landowners.</p> <p>Amend to remove impediments to the flexibility of the use of all lands.</p>
New objective		The Plan Change needs a new objective that provides a balanced approach to enabling rural land owners to provide for their economic wellbeing, and recognise the value of primary production to the Waikato community and national economy. This would give effect to the objectives and policies in the RPS recognising the value and long term benefits of primary production activities.	Insert a new objective
New objective		The Plan change needs to acknowledge in the Objectives, that an improvement in water quality is tempered by historical land uses and the effect of some contaminants (particularly nitrogen) discharged from land, which has not yet been seen in the water as it is a lag indicator of water quality.	Insert a new objective or amend existing objectives to recognise this.
Policy 2	Oppose	<p>Whilst the intent of Policy 2 is supported, there are failures with the following clauses</p> <p>Farming is unfairly targeted as the only source of discharges of nitrogen, phosphorus, sediment and microbial pathogens and the policy does not recognise that there are other contributing land uses.</p>	<p>Amend Policy 2 to recognise other land uses contribute to high levels of contaminant discharge to water bodies and outline methods to address this.</p> <p>Amend Policy 2 to provide additional clarity.</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>Clause a) is unclear and contains jargon and provides no clarity as to what constitutes a risk based approach.</p> <p>This policy is very much focused on the environmental wellbeing and fails to recognise the ability for people and communities to provide for their social, economic, and cultural well-being as set out in the purpose of the RMA.</p> <p>Clause c) Nitrogen Reference Points do not allow flexibility of species or seasonal increases / decreases in stock, or flexibility in stocking rates in response to climatic conditions. Farming activities must be given sufficient flexibility and agility to respond to seasonal and climatic circumstances.</p> <p>Clause d) is inappropriately drafted as an absolute reference to the current discharge. The policy is on a per site basis and does not recognise the size of the site, nor the distance from key streams or waterways. It is an inappropriately blunt instrument.</p> <p>Clause e) fails to:</p> <ul style="list-style-type: none"> • recognise the potential significant costs associated with the fencing of waterways to achieve stock exclusion from waterbodies; • apply a risk based approach allowing landowners to risk assess water bodies within their properties and prioritise the stock exclusion in terms of water body sensitivity, to enable the overall policy for stock exclusion to be met; and • allow other mitigation measures where fencing of 	<p>Amend Policy 2 to address the concerns with Policy 2 as outlined.</p> <p>Amend clause (e) as follows, or words to the same affect, (<u>new text in underline and deletions in strikeout</u>).</p> <p>(e) Requiring <u>a risk based approach to stock exclusion from waterbodies within a property to be completed within 3 years, or the timeframe agreed to by Council through acceptance of the Farm Environment Plan following the dates by which a Farm Environment Plan must be provided to the Council, or in any case no later than 1 July 2026.</u></p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>water ways is impracticable (i.e. alignment with Schedule 1 of Proposed Plan Change 1).</p> <p>Such an approach is consistent with the priority approach of Policy 9 around prioritisation, and Policy 12 which allows for the ability to stage future mitigation actions to allow investment costs to be spread over time.</p>	
Policy 5	Support in Part	<p>Whilst the intent of Policy 5 is supported, the references to “signalling further change” are not appropriate in a policy.</p> <p>It is recognised that there may be future plan changes, but that is not the scope of this plan change and terms such as this create uncertainty. The purpose of a policy is to outline a means to give effect to the Objectives. References to future processes or requirements are not appropriate nor provide any clarity to users of the plan.</p> <p>The wording “preparing for further reductions” is not appropriate as a policy. This is not an appropriate means for achieving the objectives and does not provide any clarity or certainty for users of the plan. In addition, this is an impossible and inappropriate policy against which resource consent applications will be assessed.</p> <p>Policy 5 fails to make any mention of the economic disruption as a result of implementation and compliance with Proposed Plan Change 1 which are unplanned expenses to the farming community.</p>	Amend Policy 5 to recognise the economic and trade implications of Proposed Plan Change 1.

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
Policy 8	Support in Part	Whilst the intent of Policy 8 is supported, it currently uses vague wording and needs to be made clear. In particular, Clause (a) which fails to identify what is considered a "greater gap".	Amend Policy 8 (a) to define what a 'greater gap' is in terms of a percentage difference, or in some manner which provides clarity.
Policy 10	Support in Part	The intent of Policy 10 is supported. However, Regionally Significant Infrastructure and Regionally Significant Industry are not defined within Proposed Plan Change 1 or the Operational Waikato Regional Council Regional Plan and therefore this Policy is vague.	Amend Policy 10 to define Regionally Significant Infrastructure and Regionally Significant Industry.
Policy 14: Lakes Freshwater Management Units	Oppose	There is no clarity as to what is considered an appropriate level for restoration. Is it pre-human occupation levels or some other defined point in time? There is no clarity as to the meaning of this policy. Protect is a prohibitive term and is not compatible with the use and development of Waikato soils as a natural and physical resource for primary production.	Amend the policy to provide additional clarity Amend the policy to be more balanced and recognise the value and long term benefits of primary production activities.
Schedule 2	Oppose	Schedule 2 outlines the criteria against which applications to approve an industry scheme will be assessed. The criteria as worded does not provide clarity as to what a certified industry scheme is. It is unclear whether one single farm/property can apply to be its own Certified Industry Scheme, or if the intent is for an industry body or a	The submission seeks the rewording of Schedule 2 such that the intent and purpose of a Certified Industry Scheme is outlined, rather than just listing criteria which must be met to become certified, and amend general typographical and grammatical errors.

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>company or cooperation such as Fonterra can apply to be a Certified Industry Scheme, given that the criteria lists membership to the scheme.</p> <p>The vague nature of the Certified Industry Scheme, makes determining which rules are relevant to a property and its land use activities difficult.</p>	
New policy		<p>The purpose of policies is to outline the means by which the objectives will be achieved. The plan change would benefit from the addition of a policy that identifies non regulatory methods available for achieving the objectives, such as funding and incentives for fencing and planting of waterbodies.</p>	<p>Insert a new policy which identifies the non regulatory methods for achieving the objectives such as funding and incentives for fencing and planting of waterbodies</p>
Rule 3.11.5.2 - Permitted Activity Rule – Other farming activities	Oppose	<p>I support the plan change containing a permitted activity status.</p> <p>I oppose the conditions for a permitted activity status in the following ways:</p> <p>Condition 1: The requirement for registration is onerous and unnecessary;</p> <p>Condition 2: waterbodies are not adequately defined. For instance does it include ephemeral ponding? It also fails to acknowledge that not all drains lead to water courses.</p> <p>Condition 3: This is an inappropriate size limit not based on</p>	<p>Delete Condition 1.</p> <p>Retain Condition 2 but provide additional clarity.</p> <p>Amend Condition 3 to apply to properties sized between 10ha and 40ha.</p> <p>Clarify Condition 3(a) and improve the definition of enterprise.</p> <p>Retain the grandfather rule allowing existing uses in Condition (3)(b)(i) and increase the stock unit limit.</p>

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

The specific provisions this submission relates to are:	The submission is that:	The decision I would like the Waikato Regional Council to make is:
	<p>science or effects. The size limit should be considerably larger. There is also an overlap between Rule 3.11.5.2(3) and Rule 3.11.5.1(3). It would increase clarity if Rule 3.11.5.2 applied to properties sized between 10ha and 40ha</p> <p>Condition 3 (a): This is a nonsensical rule as rural properties are often interdependent. E.G. forage grown on one property can be fed to animals on another. Would this considered to be an enterprise on multiple properties despite the properties being in different ownership?</p> <p>Condition 3(b) (i) The stocking limit is completely inappropriate. It does not reflect housing and management of animals, soil types, property characteristics, distance from waterways and good framing practice or the value in primary production.</p> <p>I support the grand parenting rules effectively allowing continuing use.</p> <p>Condition 3(b)(i): I consider the grandfather rule should be applied all to properties greater than 20ha. There is no justification for this size of property being the limit.</p> <p>Condition 3(c) is not appropriate as a standard but could be included as an advice note.</p> <p>Condition 3(e) I support the requirement to fence rivers and streams within 1m of the bed (to be consistent with Schedule C) of the water body so long as there is financial assistance available from Council and this is identified as a method to achieve the objectives.</p> <p>I support the certainty provided by 3(e) with references to</p>	<p>Amend Condition 3(b)(i) to apply to properties sized between 10ha and 40ha.</p> <p>Convert Condition 3(c) to an advice note. Retain Condition 3(e)</p> <p>Amend Condition 4 to apply to properties sized between 10ha and 40ha.</p> <p>Delete Condition 5.</p> <p>Amend Condition 5 to apply to properties sized between 10ha and 40ha.</p> <p>Delete Condition 5(c).</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
		<p>specifically identified waterbodies.</p> <p>Condition 4: I oppose the 20ha limit and consider that it should be increased.</p> <p>Condition 5: I oppose Condition 5 as this creates an unnecessary administrative burden on council and farmers.</p>	
Temporary increases		<p>Dairy farms have a seasonal short term increase in stocking numbers and this scenario is not reflected in the rule cascade or policy cascade.</p> <p>This happens with calving and short term temporary increases in stocking numbers associated with births for all species.</p>	<p>Recognition as a permitted activity that there will be temporary increases in stocking numbers.</p> <p>Policy recognition that there will be temporary increases in stocking rates due to breeding cycles, which are critical to farms.</p>
The activity status	Oppose	<p>The cascade of rules is not clear or understandable, and how the rules differ between permitted and controlled activity. It would benefit considerably from outlining clearly as the start of each rule (and in particular the permitted rules) what size properties the rule pertains to. The rules are currently not clear and overlap in terms of the way the rules are drafted with respect to property sizes e.g. the overlap between Rule 3.11.5.2(3) and Rule 3.11.5.1(3).</p>	<p>Amend the rule cascade to be clear and understandable for lay users of the plan.</p>
Default activity status	Oppose	<p>The plan change would benefit from the inclusion of a clearly defined default restricted discretionary rule for any change in land use not listed in the non-complying activity rule.</p>	<p>Amend the rule cascade to include a clear default discretionary rule for change in land use not listed in the non complying activity rule</p>
Schedule A	Oppose	<p>There is a lack of consistency between the 4.1ha standards outlined in Rule 3.11.5.1 and the reporting requirements in Schedule A of 2ha.</p>	<p>The standards for Schedule A and Rule 3.11.5.1 should be consistent.</p> <p>The land area should be increased to 10ha.</p>

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
Schedule A	Oppose	<p>It is not clear what the purpose of registration is and what this means – is the responsibility on land owners? Or occupiers?</p> <p>Requirement 3 is superfluous given that Council holds the registration and data. There is no need for the properties to prove to Council they have registered when Council holds the data.</p>	Amend to address points raised in submission.
Schedule B	Oppose	<p>Clauses c) and d) references to OVERSEER are too vague and subject to change. This is essentially a reference to an external programme / document and should be referenced in the same way references to external documents are within a regional plan.</p>	Include precise references to OVERSEER including version number.
Schedule B	Oppose	<p>Clause f) the reference period being the two financial years covering 2014/2015 and 2015/2016 for agriculture and 2006- 2016 for commercial vegetable crops are inappropriate as they are in the past and leaching should not be retrospectively modelled. The reference period should be the 24 months following the plan change being made operative.</p>	Amend Clause f) reference period to be the 24 months following the plan change being made operative.
Schedule B	Oppose	<p>Clause g) the information requirements are inappropriate and far in excess of what is practical or reasonable.</p>	Delete Clause g)
Schedule C	Oppose	<p>Requirement 2 should be consistent with the exclusion distance in Rules 3.11.5.1 and 3.11.5.2. I support the 1m exclusion for stock from rivers and streams.</p>	Amend to read 1m exclusion for stock from rivers and streams
Schedule C	Oppose	<p>Waterbodies needs to be more clearly defined than the advice notes contained in Schedule C. Constructed wetlands and drains should be excluded from this requirement. Terms defined in the RMA should be used where possible.</p> <p>Exclusion II is not necessary as there is no way to control feral animals from crossing waterbodies.</p>	Amend to address points raised in submission.

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

The specific provisions this submission relates to are:	The submission is that:		The decision I would like the Waikato Regional Council to make is:
Schedule 1	Oppose	The information requirements and assessments are far too detailed and complex. There is also a high level of subjectivity in the information to be provided.	Amend to address points raised in submission.
Schedule 2	Oppose	There is no transparency about what constitutes a Certified Industry Scheme System	Amend to address points raised in submission.
3.11.6 Maps	Oppose	I support the acknowledgement that the effect of some contaminants (particularly nitrogen) discharged from land has not yet been seen in the water and there is a lag. I do not support that, because of this, further reductions will be required to address the load to come that will contribute to nitrogen loads in the water. In terms of effects, it is illogical to consider that an extreme decrease in nitrogen now will offset steadily increasing levels due to historical practices. A far more moderate, pragmatic approach is appropriate.	Retain the acknowledgement that the effect of some contaminants (particularly nitrogen) discharged from land has not yet been seen in the water and there is a lag. Amend provisions of the plan change to reflect this.