

PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 WAIKATO AND WAIPĀ RIVER CATCHMENTS



Submission form on publicly notified – Proposed Waikato Regional Plan Change 1 – Waikato and Waipā River Catchments.

Important: Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

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

SubForm	PC12016	COVER SHEET	
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		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

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	healthyivers@waikatoregion.govt.nz <i>Please Note: Submissions received by email must contain full contact details.</i>
Online at	www.waikatoregion.govt.nz/healthyivers

We need to receive your submission by 5pm, 8 March 2017.

YOUR NAME AND CONTACT DETAILS

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 Address for service of person making submission: 1262 KAIHERE ROAD, NCATGA
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TRADE COMPETITION AND ADVERSE EFFECTS

- 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:
- adversely effects the environment, and
 - 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.

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).

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).

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
- Decline the above provision
- If not declined, then amend the above provision as outlined

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

- Yes, I have attached extra sheets. No, I have not attached extra sheets.

SIGNATURE OF SUBMITTER

Signature: 

Date: 2-3-17

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:

Do you support or oppose the provision?

Support

Oppose

Submission

Decision Sought

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.

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Submission for Healthy Rivers Plan

From the outset lets get it clear that writing a submission is not something that I do everyday so you will have to excuse me if things are not set out as you may wish to see them. I would ask that you look past the structure and deal with the issues and the ideas.

Most of the points I make have come from a series of one page handouts. These include Summary of the Proposed Rules, The Process, Nitrogen Reference Points, Farm Environment Plans, Fencing Waterways, Consent Types and Certificate of Compliance, General Questions, Why are we Doing it? and Partial Withdrawal of Plan Change One.

The reason behind this is because the document, Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments, is such a hefty document that trying to read it is like wading through molasses. It has been written by academics for academics and is a real easy way to hide intent through a volume of words. Make the blinkin' thing clear and concise, put it together in laymans terms so that it is easy to understand. My job is to farm, not wade through a mountain of words. This is not a cop out. Think for a moment and put the boot on the other foot. Imagine if you were to suddenly be thrown into the farming sector and expected to just get on with it, how well would you fare?

Right, that's that done, lets get on with it.

My name is Alan Ballantine, and together with my wife Te Aroha we own 208 ha of steep hill country on Mangawhara road near Hoe-O-Tainui. We have purchased this property recently with settlement being 1st June 2016. We are running at present mostly dairy graziers and some young bulls and a handful of MA breeding cows. This property has had little done to it for a sizable number of years. A portion of the property used to support a small dairy herd and was milked through a small shed on the farm. We have 22 paddocks over the 208 ha. Some of the land still has bush on it, about 25ha or so and we have no intention of developing this further as the country is too steep to be worth the effort. There is no power running to the property and from the front of the farm to the highest point it rises 930 ft (310ish metres), then back down again the other side.

Getting the picture?

Te Aroha and I both come from rural backgrounds and we started our careers with what we walked out of our respected homes with, a bag of clothes and a head on our shoulders. We have worked hard and built up our assets to the point where we were able to purchase our farm. It's not the flashiest farm around, but it is ours. So I get a little bit upset when someone starts to tell me what I can and can't do on my land.

We know and understand the limitations of our farm and if we require a bit more technical help, we go and ask. Maybe there is a place here for Council? All our stock drinking water comes from streams, we have no water reticulation system although we have plans to put one in place. So I understand the importance of clean water because it is important to our farming operation. I also understand it's importance to downstream users.

So our farm is near the headwaters of the Mangawhara Stream. All the water in our little valley crosses the Tahuna/Ohinewai road near the Hoe-O-Tainui hall. I believe that there are 65 odd landowners up this valley, some with a house and a section, some small block guys and some larger ones. So here is my thought, because this may ease a lot of minds.

What if we were to test the water from our little valley where it crosses the road. I imagine that there are targets that the water quality would have to meet. Surely. If our water does then meet these targets, why then would we have to do anything further? Anything at all? That would show that in terms of pollutants, it is not coming from our neck of the woods. Then all the palava about

nitrogen reference points and farm environment plans becomes irrelevant. Easy. I dare say a contribution towards monitoring on a long term basis would be acceptable to those within the catchment. Boom, issue resolved, cross us off the list. It would be great for us but it would also be great for the council. Tick those guys off and focus your energy where it is needed. And it is a big job that council are looking at, no two ways about it. Not all catchments will be as easy to deal with perhaps as ours but there would be a lot. At the present the council is trying to hit everyone with the big stick yet everyone is different.

I'll tell you a story. When we were little and one of us kids did something wrong, broke something etc, Dad would line us all up and ask us 'Who did it?' If the guilty party stepped forward he'd get a growling, told to pull his socks up and depending on the severity of the crime, might get a whack on the bum. However if no-one stepped forward, everyone got a whack on the bum. Dad's theory was that he got the right one. I always felt it unfair though if I got whacked for someone else's problem. I still do.

Don't hit everyone with the stick just to get the right one.

If the above logic is not to be, then read on.

The things that concern me with the One Plan are as follows. Nitrogen reference points, fencing of waterways and the farm environment plans and the costs that these are likely to throw in our direction. Further thoughts on these issues follow.

Reference to The Process document

Waikato Regional Council put out a document called The Process.

In it it states 'It's the way we are using our land.' I put it to you that it is not just the way we are using **our** land. This comes across as 'land' being rural. Land that is urban is not mentioned in this document at all and I would ask what is being done in this sector? There is plenty of talk about the effect of farming discharge. Point source like dairy effluent for example that used to and possibly still does get discharged direct into waterways via consent. Fairly easy to pin point and remedy. Then non point source discharge which oversees is a model which is used to pick that up. My question is what of the point source discharge from non farmland and non point source discharge from non farmland? Has this been measured? What impact does this have?

If farmers are to clean up their act then surely the non farmeres should be held accountable also. Are farmers themselves by doing this even going to achieve the results if the non farmers don't come along for the ride? If everyone wants this then everyone, urban and rural, need to come along for the ride. To date, I see nothing that requires urban to do anything.

Therefore I am reluctant to put in huge amounts of effort (effort is another way of saying money) if my urban cousin is still in his lazy boy. Don't get me wrong here, I am not saying that I have no plans to improve my property. I do have plans to do this, because the improvements that I make I will directly benefit from. I will do them as time and budget constraints allow. If downstream users get a benefit from this I am ok with that, but the benefit is first and foremost for me.

'The changes we are looking to introduce are about everyone is playing their part.'

The comment above is also relevant here. Also, however, many farmers have put in some effort to improve water quality. In rolling out this plan, by my understanding, those that have made an effort and those that have not are now subject to the same rules.

In the case of a Farm Environmental Plan, Farmer Joe who is a good boy and made an effort now has this cost to deal with as well as Farmer Jack who has not made an effort, effectively penalising Joe. And we have no idea even what the cost of the Farm Environmental Plan cost is to be. For those that

have been doing well, it is now a case of proving their innocence at a cost. How about the Regional Council proves our guilt at their cost. They levy all landowners in the region anyway and if it is a big bill which gets dispersed amongst **all** ratepayers (urban and rural) there may be a bit of a backlash which may give an indication of how much non farmers like the idea. It's a great concept to achieve, clean rivers, yay, who wouldn't want to have that. Has the question ever been posed, how much are you prepared to pay for it? How much are **all** ratepayers prepared to pay for it?

'The vision and strategy for the Waikato and Waipa rivers.' I imagine that this vision has a goal. I understand that the goal is to have 'swimmable rivers'. What's swimmable? What is the definition of swimmable? Is this a 'smart' goal?

SMART being specific, measurable, achievable, realistic and timely. I have yet to see measurable. How about we define via a measurement exactly what it is that is the goal. If there has been monitoring of water around the Waikato then where do we sit relative to this goal? And if the water in a catchment or subcatchment is meeting this level then surely those in this catchment need not do anything? Surely? Otherwise we will be trying to fix something that is not broken, never a good idea.

Reference to Summary of the Proposed Rules document

'...point source discharges (urban stormwater, municipal wastewater etc.) must propose to adopt the best practicable option to avoid or mitigate adverse effects.'

This sounds very much like, 'guys, you need to try but if it is too hard then I guess it's ok, just do what you can.' The rules proposed to the farming sector seem to be rather more stringent than this with no wiggle room. Doesn't come across as being particularly fair. Overseer is used for non point source on farm and has the ability to smack the farmer around somewhat. Non point source from non farming landowners has been ignored. Hardly fair again. If there is no science available to do this then someone needs to get busy. Overseer has its fair share of holes too and is backed by some science but even it cannot fill in all the gaps. The question then becomes, why are we even using it?

'Nitrogen Leaching Point'

Lets get to it. A nitrogen reference point is gained by using Overseer. Overseer was designed to create 'what if' scenarios. Here it is being used to create a fixed point of reference that defines the way in which we can farm. This is outside what it has been designed for and therefore is not fit for purpose. Don't use it. It is not complete, it cannot handle the variations that a farm can throw at it. It can provide some information which can help Regional Council and farmers alike so does have a use, but not as is proposed. Totally against the use of Overseer as proposed.

So instead of using Overseer to create a fixed point, why can we not use it to see where a farm is at. Once we have that information then say to Farmer Joe, this is where you are at. "It's a bit high" (for arguments sake). "What do you reckon we (farmer and council) can do about it?" Get onside. Farmer Joe might be keen to look at some alternatives. And potentially more receptive. If it is a flat out no maybe we have to live with that for a bit. Don't underestimate the ability of a farmer willing to change. And I reckon you have. Work **alongside**. A dictatorial approach raises hackles. Ask yourself why farmers are self employed to start with. Perhaps because they don't like getting told what to do.

The nitrogen reference point for a farm is based on farming methods. Farmer Joe and Farmer Jack are on different properties, not necessarily side by side, but on the **same soil type**. Joe has a low nrp and Jack a high one. Jack therefore is polluting more than Joe. Joe cannot change his style of

farming given the restriction. Joe is penalised in this situation and Jack is still allowed to do the damage. The nitrogen reference point should be set on the soil type and what it can handle not the farming situation. After all, the nitrogen does go through the soil profile, does it not? In the above scenario, Joe can get a pat on the head for being a good boy, but if he wishes to up his farming operation and increase his nrp to that of Jack, then he should be allowed to do so. If you don't like that idea, then don't let Jack be so high. The application of these rules **needs** to be fair to **all** parties.

The 75 percentile principal is yet another way of awarding the highest polluters. Joe above is a low polluter yet he cannot raise his nitrogen leaching because that lifts the level of the total nitrogen in the catchment. The highest 25% of polluters have to come down to the 75% mark but can then stay there. No one else however can move up. Not a fair situation is it? So we are saying that we are happy to have 'x' amount of nitrogen leaching in a catchment but no more? Does this mean we are heading to a 'nitrogen trading' scenario where a low emitter can trade with a high emitter and as one comes down the other goes up but the total nitrogen in the catchment stays the same?

There is discussion that in the future a new allocation system will be in place. When is this likely to happen? What form will this take? If this is the case the nrp may not be too bad but how long will this be in place? That length of time is relevant to those that are under its rule. I worry that while this is a start the Regional Council are asking farmers to have faith in them that things will change and get better but once the rule is in place it is not going to change in a hurry and as farmers we have no ability to make that change. So, get busy on the long term system and tell us about it. Sorry, I don't want to paint myself into a corner and rely on the Council to then get me out of it. Farmers are people that assess the risks and make decisions accordingly. I don't like the risk here. If the Council are serious about reducing the nitrogen in the short term without the longer term strategy then they may just have to educate and ask nicely. Use overseer to show this but not regulate using it.

Been thinking some more about the nitrogen issue. The bottom line is how much is **actually getting into the water**. Its not about how much is put on the farm, although that does influence things. All farmers should have an allowable amount that reaches the water way. Whether that is a little or a lot needs to be determined by science. So **all** farming should be allocated this amount per ha. The variables are vast. Soil type, rainfall, feed bought in, fert applied, farming system etc. No one should be allowed more than his/her neighbour. Whether at the headwaters or Port Waikato the output to the river per ha should be the same. Thats fair. I can't tell you how to achieve it because I'm only a farmer not a soil scientist, but that would be fair.

In reference to the Fencing Waterways document

For a hill country farmer the idea of fencing off all waterways immense. Costly. Difficult. Huge in terms of time and money. Our 200ha will require 7900m of fencing to comply. We are in a priority 1 catchment. This is unaffordable. We don't have the money to do this in six years.

Stock crossing. 90% of our crossings are via fords. I get why this is needed, I do. But again, constraint in time and money. I want to see my stock crossing via culvert or bridge, and it will happen. I need the resources to do so, ie time and money.

What was the take home pay for a dry stock farmer over the last couple of years? It's about 50K. I'd be willing to bet that a few of the folks reading this document will be on that sort of remuneration and more. Asset rich and cash poor is how you would describe a farmer. And most of the time the bank owns the asset.

'The plan change includes provision for land over 25 degree slope to have alternative measures to stock exclusions specified in farm environment plans.' That's great but what exactly are the alternative measures. If you are meaning that the alternative is to plant trees on these areas then forget it. That is a flat out no. I didn't put in all this effort over all these years to farm trees. Stock on hill country don't seek out creeks to go and stand in. They are actively looking for food, and when they take a break they head to flatter territory which is not the creek bed.

Our stocking rate is way different to that of a flat dairy farm. The dairy farm may be 3.3 cows per ha. If the cow weighs 600kg that's 1980 kgs per ha. We run 3 dairy graziers per ha. They come on at 150 kg each, total 450kg ha and grow to 450 kg each, 1350 kg ha then they leave the farm and we start again. They are at their heaviest during autumn and the ground is still firm and dry. During winter we are at the lowest level again, 450 kg ha. Do you see the difference? The dairy farm is stocked at its highest over the winter period, we are at the lowest.

Another story. A neighbour of mine had a spring up in the bush which supplied water to his house. No stock access. He had the water tested and it came back high in E coli. No stock access. Go figure.

What targets are we required to meet?

Muddy water in the lower reaches of the Waikato river? What impact are Koi Carp having. Our fertiliser consultant has a client with a creek running through his farm. Part way along was a waterfall. Upstream of the waterfall, clear water. Downstream, muddy. Koi carp where in the bottom reaches but couldn't get up past the waterfall. Just saying.

That about wraps it up. I'm not necessarily against the vision but I think it is a poorly made target. I'm not against reducing nitrogen but it has to be a fair system. I'm not necessarily against the farm environment plan where it is necessary but to spend several thousand dollars on it is over the top. I'm not opposed to reducing stock access to waterbodies so long as it is sensible and logical. I do believe that a sub catchment approach is the best way to go. Identify the hot spots and deal with them. If what we as farmers are already doing is fine then let us carry on doing what we are doing.