

**To:** Waikato Regional Council  
Private Bag 3038  
Waikato Mail Centre  
Hamilton 3240

**Submission on:** Proposed Waikato Regional Plan Change 1: Waikato and Waipa River Catchments

**Date:** 7 March 2017

**Submission by:** Colm and Gaynor Tierney

139a Onion Rd  
RD8  
Hamilton 3288  
Phone: 07 8299052  
Mobile 021 125 0334  
Email [gaynortierney@hotmail.com](mailto:gaynortierney@hotmail.com)

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## **1. Background**

My husband and I are Dairy Farmer farming two properties across two different catchments. One being the Waipa at Waingaro bridge and the other being in the Priority 1 catchment at Horotiu

We aim to run a farm business that is sustainable, resilient and will enable us to pass on our farm and land to our children in the future. With this in mind our philosophies are very much focused around the environment and the impact we have on it and we want to be able to achieve a balance that allows us to farm sustainably whilst being profitable

All waterways on our farms have been fenced off and stock has been excluded from them. With that in mind we still have areas that are wet in the winter and our plans are to continue fencing to allow us to slowly retire these out of the effective area. We are conscious of the impact of pugging on some of our

soils during the winter and have built a wintering barn/stand off area to accommodate the stock to ensure we are mitigating the risks on our land and soils during rain events.

We have good storage on both farms to allow us to store effluent for up to 3 months in the winter and use a travelling irrigator on over 20% of the farm to ensure we are getting the most from this resource. We regularly soil test and manage our soil fertility to ensure we are getting the best from our pastures. We do not use Nitrogen in the Winter Months and sporadically use it during the course of the year when we feel that uptake will be greatest and leaching is minimised.

We have completed two sustainable milk plans in conjunction with DairyNZ and this has given us an excellent understanding of how we can minimise the effects of farming by being proactive with all aspects of land and water management to ensure we minimise environmental impacts.

We have 5 children who all enjoy swimming and fishing in our rivers and we want to ensure they can continue to do this with their children so we are very much focused around sustainability and want to ensure that our regional plan and legacy is for a brighter farming future where they can prosper and not one where they can no longer farm.

## Plan Change 1 -Waipa and Waikato River Catchments

### 2. Submission Summary

We support the overall intent of PC 1 as an important first step in achieving the Vision and Strategy.

### 3. DairyNZ submission

We support the DairyNZ submission and allow the undertaking of that submission subject to the additional submissions we have made below.

### 4. Personal Submission as follows:

Note: Where deletions are suggested the original text has been crossed out e.g. ~~crossed out~~. Where new text is inserted this has been underlined.

Section of Plan Change	Provision and Page Number	Support or Oppose	Decision Sought	Reason For Submission
Policies	3.11.3 Policy 1 Page 30	Support	Retain	It is important to recognise that Nitrogen, Phosphorus, sediment and microbial pathogens all effect water quality. Plans for improvement or maintenance of water quality should encompass all four of these contaminants to

				achieve waterways that are swimmable and safe for food collection.
Policies	3.11.3 Policy 2 a Page 30	Support subject to amendments	Retain with the added requirement to establish the current situation (management, infrastructure, actions) in the Farm Environment Plan.	<p>A tailored approach to managing diffuse discharges from farming activities will enable recognition of the opportunities and challenges unique to each farm and ensure optimum outcomes for reduction in contaminants.</p> <p>Farm Environment Plans should also detail the the current situation to recognise a farm businesses prior achievements in reducing contaminant discharges to show where the business has come from, currently undertaking and the direction of travel..</p>
Policies	3.11.3 Policy 2 b Page 30	Support	Retain	Farm Environment Plans, whether developed through consents or Certified Industry Schemes must be equally rigorous to avoid a lowering of standards and a resultant lowering of achievements in reducing contaminants.
Policies	3.11.3 Policy 2 c and d Page 30	Support subject to making amendments	<p>Retain c. Establishing a Nitrogen Reference Point for the property or enterprise; and</p> <p>Add: <u>Provide guidelines within the Farm Environment Plan to ensure that</u></p> <p>I. <u>Farms with Nitrogen losses lower than the 75<sup>th</sup> percentile plan and implement good practice</u></p>	Establishment of a Nitrogen Reference point is important in identifying the highest Nitrogen loss farms. It is essentially the best place to start the process. We have the relevant information already in our possession and can work forward from there with other industries.

			<p>ii. <u>Farms above the 75<sup>th</sup> percentile for Nitrogen losses plan and implement methods to reduce to below that value</u></p> <p>iii. Delete d and change to the suggestion made by DairyNZ for d. <del>d. Requiring the degree of reduction in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens to be proportionate to the amount of current discharge (those discharging more are expected to make greater reductions), and proportionate to the scale of water quality improvement required in the sub-catchment; and</del></p>	
Policies	3.11.3 Policy 2 e Page 30	Support	Retain	Stock exclusion is one of the most beneficial ways of reducing contaminants to water.
Policies	6 page 32	Support	Retain	Preventing further changes in land use whilst going through the PC1 next 10- years will allow for us to assess how far we have come in reducing contaminants in our waterways with no further intensification
Implementation	3.11.4.2 Page 36	Support	Retain	All industry schemes must all adhere to equal

Methods				standards and all persons completing them must be certified and consistent.
Rules	Rule 3.11.5.3 page 41	Support subject to making amendments	<p>e. Where the property or enterprise contains any of the water bodies listed in Schedule C: i. <del>There shall be no cultivation within 5 metres of the bed of the water body; and</del> The FEP will assess cultivatable land and recommend where cultivation can occur in regards to distance from waterways</p> <p>ii. New fences installed after 22 October 2016 must be located to ensure cattle, horses, deer and pigs cannot be within three metres of the bed of the water body (excluding constructed wetlands and drains); and</p>	All land is not the same in soil type or contour and what works well with cultivation in one area may not work well in another area. This needs to be assessed through the FEP process and each farmer than adhere to the outcome of the report regarding cultivation around waterways.
Rules	Rule 3.11.5.7	Oppose	Notwithstanding any other rule in this Plan, any of the following changes in the use of land from that which was occurring at 22 October 2016 within a property or enterprise located in the Waikato and Waipa catchments, where prior to 1 July 2026 the change exceeds a total of 4.1 hectares: 1. Woody vegetation to farming activities; or 2. Any livestock grazing other than dairy farming to dairy farming; or 3. Arable cropping to dairy	Whilst agreeing with the overall policy around land use change after 22 October 2016, this should allow for flexibility between farm systems who may be growing an arable crop and want to bring that said land into dairy farming and can show that all risks with contaminant loss have been mitigated and are no worse than when the land was under arable tenure. This can be shown in a FEP and modelled using Overseer.

			farming; or 4. Any land use to commercial vegetable production except as provided for under standard and term g. of Rule 3.11.5.5 is a non-complying activity (requiring resource consent) until 1 July 2026.	
Schedules	Schedule C Page 50, part 1	Oppose	1. The water bodies must be fenced to exclude cattle, horses, deer and pigs, unless those animals are prevented from entering the bed of the water body by a stock proof natural barrier formed by topography or vegetation.	Whilst the dairy industry has worked hard on this over the past 5 years and has achieved excellent results nationally around stock exclusion on Dairy Farms it has been achieved in part due to the nature of our farms, vicinity to water and topography for grazing dairy cows. However, for large hill country and lowly stocked drystock farms the timeframe needs to be greatly pushed out passed the Priority 1,2 timeframes and allowance made within their FEP to show that they can mitigate the effects of stock in the water without having to build fences at huge and potentially debilitating costs. This needs to be looked at in much more detail for this part of our agricultural industry. Notwithstanding that the schedule is acceptable for the dairy Industry.
Schedules And replicated in Matters of Control	Schedule 1 Page 53 Requirements of Farm Environment Plans 5 a, b  And the replicated requirements from page 43 "Matters	Support subject to making amendments	5. A description of the following: (a) Actions, timeframes and other measures to <del>ensure that</del> <u>manage</u> the diffuse discharge of nitrogen from the property or enterprise, as measured by the five-year <del>rolling</del> average annual	Change from a 5-year rolling average to a 5-year average would avoid the possibility of a sinking lid effect.  We agree that the highest Nitrogen losers should be required to reduce below the 75 <sup>th</sup> percentile and then continue with good practice.

	<p>of Control” iii and iv.</p>		<p>nitrogen loss as determined by the use of the current version of OVERSEER<sup>®</sup>, <del>does not increase beyond the property or enterprise’s Nitrogen Reference Point, unless other suitable mitigations are specified; or</del> <u>constitute good management practice.</u></p> <p>Retain  (b) Where the Nitrogen Reference Point exceeds the 75<sup>th</sup> percentile nitrogen leaching value, actions, timeframes and other measures to ensure the diffuse discharge of nitrogen is reduced so that it does not exceed the 75<sup>th</sup> percentile nitrogen leaching value by 1 July 2026, except in the case of Rule 3.11.5.5.</p> <p><u>(c) Where the Nitrogen Reference point falls between the 50<sup>th</sup> and 75<sup>th</sup> percentile; identify and implement actions required to work towards industry good management practice by 1 July 2026. Nitrogen leaching must not exceed Nitrogen reference point over 5-year average.</u></p>	<p>In its current form this plan offers grandparenting of N leaching and does not encourage improvement from anyone who is below the 75<sup>th</sup> percentile. It only addresses behaviour of enterprises with the highest diffuse discharges. Also, in its current form, the requirement penalises those farmers who have made the effort to reduce their discharges already, without legislation, leaving them with limited ability to alter their systems. Changing from a requirement to “not increase” discharges beyond an enterprise’s current Nitrogen Reference Point to a requirement to carry out good practice to manage discharges will achieve behavioural change with an overall reduction in Nitrogen discharges.</p> <p>We suggested a stepped approach as indicated by the inserted points (c), (d) and (e) to encourage more effort to reduce Nitrogen losses by those farmers in the 50<sup>th</sup> to 75<sup>th</sup> percentile and to avoid unfairly penalising the lower Nitrogen losers.</p>
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			<p><u>(d) Where the Nitrogen Reference point falls between the 25<sup>th</sup> and 50<sup>th</sup> percentile; continue with use of good management practice to hold at or below the Nitrogen Reference Point over a 5-year average.</u></p> <p><u>(e) Where the Nitrogen Reference point falls under the 25th percentile continue with use of good management practice with the flexibility of 10% variation from the reference point over a 5-year average.</u></p>	

**I do not wish to speak at the hearing**

Signed: \_\_\_\_\_ Gaynor Louise Tierney \_\_\_\_\_

Date: 7 March 2017