

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

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

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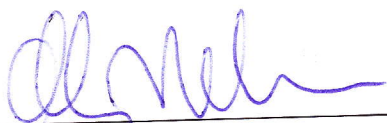
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I am not a trade competitor for the purposes of the submission but the proposed plan has a direct impact on my ability to farm. If changes sought in the plan are adopted they may impact on others but I am not in direct trade competition with them.

I wish to be heard in support of this submission.

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

Signed on behalf of Nelson Farms Partnership



Signature

6/3/2017

date

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Introduction

Thank you for the opportunity to submit on the Waikato Regional Councils proposed Plan Change 1. We acknowledge the significant and innovative work undertaken by the Waikato Regional Council (WRC) and stakeholders through the Collaborative Stakeholder Group (CSG) to develop this Plan Change.

We are a family farming operation based in Aria in the King Country adjacent to the Mokau river.

We farm 1100ha with sheep and beef in a roughly 50:50 split. We have high performance breeding ewes and cows and also a finishing operation on the easier country. We utilise a significant cropping program to grow quality feed and are very aware of managing the environmental impacts around this. We winter approximately 11000 SU.

The property is well developed with significant areas of fenced off mature and regenerating native bush. Large sections of waterways have been fenced and riparian planted. We have utilised space planting of poplars and willows for many years to help stabilise our steeper country. All paddocks except five (out of 180) have reticulated water from gravity systems backed up by pump water from the Mokau River.

Whilst we are not farming in the Waikato – Waipa catchments we believe that Plan Change One and the amendments to it as a result of this submission process will directly impact on us. Firstly, as rolled out for the West Coast catchments in the next implementation phase and secondly as the indirect effects on our wider Waikato community – rural community health and well-being; we all need vibrant, thriving, confident, collaborative rural communities and the proposed Plan as it stands threatens that.

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The specific provisions of the proposal that this submission relates to and the decisions it seeks from Council are as detailed in the following table. The outcomes sought and the wording used is as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. 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 my submission relates to are:	My submission is that:		The decision I would like the Waikato Regional Council to make is:
	SUPPORT / OPPOSE	REASON	RELIEF SOUGHT
<p>Objective 4</p> <p>People and community Resilience</p>	<p>Support with amendments</p>	<p>We support objective 4 in relation to providing for People and community resilience, however as currently proposed the objective fails to provide for this outcome because it recognises that as currently proposed PC1 will not achieve its objectives and further plan changes including increasing stringency of land use controls will be required (Objective 4b).</p> <p>The outcome is a plan which fails to provide communities and individual's certainty about what will be required of them in the future, and which fails to ensure people and community resilience.</p> <p>The plan fails to provide a pathway for individual and communities to work together to achieve the V&S.</p>	<p>Amend the objective so that it provides for People and Community resilience over the life of the plan.</p> <p>The plan should clearly set out how it intends to achieve the 80 year outcomes now to provide certainty for people and communities.</p>

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The specific provisions my submission relates to are:	My submission is that:		The decision I would like the Waikato Regional Council to make is:
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<p>Stock exclusion</p> <p>Policy 3, Policy 4, Rule 3.11.5.1, 3.11.5.2, 3.11.5.3, 3.11.5.4 and Schedule C</p>	<p>Support with amendments</p>	<p>The governments recently released Clean Water document (February 2017) includes recommendations for national stock exclusion, which is much more sensible and makes much of the plans more achievable. The national waterway accord recommends that slopes up to 15° be fenced, this should also be applied to healthy rivers.</p> <p>There are areas of water on our farm that would require fencing under these rules that seem nonsensical. Fencing them would be a health and safety issue, financially significant, and environmentally destructive. The fenced off land would harbour noxious weeds such as tutsan, convolvulus, gorse and blackberry which would no longer be controlled by the stock. Weed control of the buffer area would be harmful to the waterways due to the chemical intervention that would be required and could also cause a fire risk. Both the fencing and the weeds would limit recreational access for swimming, fishing and kai gathering by ourselves and the local whanau.</p> <p>Our farm has comprehensive water reticulation systems, and tailored critical source area management.</p> <p>At the time of writing there is no clear understanding of how a slope will be classed.</p>	<p>Amend the stock exclusion requirements so that they are consistent with the Governments Clean Water Report (February 2017). Apply national stock exclusion requirements which relate to exclusion of cattle, deer, and pigs, from permanently flowing waterbodies, through fencing (temporary and permanent or natural barrier, or other technologies) on flat land and rolling land, but not hill country</p> <p>Change the slope requirements to no greater than 15° as per the Clean Water Report. For cattle and deer on land between 3 and 15 degrees slope change the exclusion requirements so that they only apply to all permanently flowing waterbodies 1m wide or greater.</p> <p>Extend the timelines and give certainty to those of us with land classed as at risk of erosion that we are not wasting our money and resources in fencing it due to the possibility it may be</p>

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		<p>We believe there are other mitigation methods that could be utilized and would be more effective – including good stock management (based on the contour and time of year to minimize the risk of erosion), pole planting, retirement of land etc. These are incorporated in the farm environment plan.</p>	<p>converted to forestry in future plan changes.</p> <p>Let the individual FEP present mitigations against contaminants, relevant to each farm, rather than a blanket approach.</p> <p>Delete any standards or clauses which hold land uses to historic discharge levels or stocking rates</p> <p>Amend riparian setback distances so they only apply to flat and rolling land and not hill country (ie slope ≥ 15 degrees).</p>

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<p>Nitrogen management application of the Nitrogen Reference Point (NRP) & use of OVERSEER</p> <p>Policy 2 and 7; Rules 3.11.5.2 to - 3.11.5.7 (inclusive) Schedule B and all other areas in PC1 which refer to the Nitrogen Reference Point</p>	<p>Oppose</p>	<p>We oppose this grandparenting approach (holding users to their Nitrogen Reference Point). The low emitters are being penalised and the polluters may continue to pollute. There is no scientific evidence that a blanket rule for nitrogen restriction will be of any benefit.</p> <p>The Nitrogen Reference Point (NRP) provisions are inequitable in that they are based on historical performance to establish property-specific caps, which means similar farming operations will have to perform to different standards. Employing the NRP approach on a catchment-wide basis will also result in different costs and benefits compared to elsewhere. The effect of enforcing existing NRPs will place a 'cap' on rural production and development, effectively discouraging the unrealized potential of the District.</p> <p>Going forward I believe environmental performance is best measured by emissions per kg product (rather than per hectare) and that the standards should be set by</p>	<p>We seek that the Nitrogen Reference Point and use of OVERSEER are removed from the plan in their entirety. Adopt a sub-catchment approach to addressing contaminants that are relevant to each farm, not a blanket restriction of one particular nutrient that may not even be relevant to the water bodies in that sub catchment. If nitrogen discharges from a property do have to be allocated then base the allocation system on the natural capital of soils and the water quality outcomes that are to be achieved for each sub catchment.</p> <p>Do not allocate based on 2014/15 or 2015/16 land use or, grandparenting discharges to years especially for lower leaching land uses such as drystock.</p> <p>Use FEP's to determine what would work best on each farm, and science to determine which contaminants are an issue in each sub-catchment. Amend the rules so that they are effects and science based, not based on grandparenting (holding land uses</p>

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		<p>what the best farmers were doing, rather than by regulation. Increased emission/leaching levels relative to the best farmers need to be increasingly reflected in a reduced product price which will require Industry collaboration and co-ordination. Farmers will find it very hard to increase production without increasing both the production costs and their emission/leaching output. Government, regional and local councils need to work together to with industry to incentivize environmental excellence and therefore profit as opposed to setting targets which risks encouraging average behavior.</p> <p>We oppose the use of overseer as a means of determining the NRP – it relies on a wide number of assumptions and can vary depending on the information that is entered into it. It was never designed to be used for this purpose.</p>	<p>and land users to historic leaching rates, stocking rates, and land uses).</p> <p>Reconsider employing the modelled numerical values of nitrogen discharges via the Overseer model to determine resource consent status and compliance with standards. The risks, costs and benefits of the Overseer model require more detailed consideration.</p>

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<p>Sub-catchment scale planning</p> <p>Rule 3.11.4.5</p>	<p>We support this Implementation method</p>	<p>This is a sensible and practicable approach to controlling contaminant discharge and gives each farm, and catchment, ownership over their future. Sub-catchment approaches to managing land and water resources are a sensible and practicable approach to controlling contaminant discharge and gives each farm, and catchment, ownership over their future. Include new or amend existing Objectives, Policies, methods, and rules to enable catchment groups to manage their land and water resources to achieve water quality outcomes while providing for their economic and social wellbeing and sustainability.</p>	<p>We seek that the plan change should not be implemented until the scientific data around which contaminants are causing water quality decline is available for each sub catchment.</p>
<p>Restricting land use change.</p> <p>Policy 6 Rule 3.11.5.7 and any relevant points within the plan</p>	<p>Support with amendments</p>	<p>It affects the value of our land and may impede future ability to develop and grow our businesses.</p> <p>We are concerned that the non-complying activity status for land use intensification is excessively conservative and will have unintended consequences.</p> <p>An effects based approach more consistent with the RMA would be to allow intensification where contaminant discharges are maintained, reduced or offset. The non-complying activity status is inconsistent with this approach as it</p>	<p>We seek that the provision is amended to include consideration of the numerical values of the proposed discharges (from the land use change) compared to existing discharges in the sub-catchment.</p> <p>Consideration also needs to be given to the level of water quality improvement needed in the sub-catchment.</p>

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		essentially assumes that consent is inappropriate and will only be granted in exceptional circumstances. A discretionary activity status based on strict criteria would be a better fit with the RMA and the policies and objectives of PC1.	A base allowable discharge for the sub-catchment should be set based on total discharges in the catchment and the level of water quality improvement needed to meet the short term and 80 year targets.
Farm Environment plans Policy 2, Rules 3.11.5.1, 3.11.5.2, 3.11.5.3, 3.11.5.4, 3.11.5.5, 3.11.5.6, 3.11.5.7.	Support with amendments	Support the intention of using FEP to identify critical source areas on farm and target management actions and environmental mitigation to address these issues. We are concerned around some of the strict standards being applied through the rules and FEPs, including the timeframes.	Amend FEP requirements to: 1. Change thresholds for mandatory stock exclusion to nationally recommended standards (Clean Water Report February 2017). a. Only applies up to a slope of 15 degrees for deer and cattle b. Only applies to waterbodies 1m or wider for cattle and deer on land between 3 and 15 degrees slope 2. Accept that fencing required above the 15 degree threshold for intensive farming operation (>18su/ha). eg winter cropping and strip grazing of cows on hill country. 3. Rather than the currently proposed input standards (riparian setbacks, limitations on cultivation etc),

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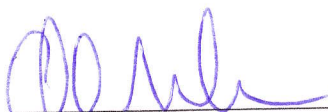
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			<p>mitigations should instead be set on a farm by farm basis and focused on management of "critical source areas"</p> <p>4. Rules should be focused on reducing impacts from intensive agriculture >18su/ha rather than applying blunt and inappropriate rules to extensive agriculture</p> <p>5. FEP's should be produced by the landowner with WRC guidance and support as suggested above for Implementation Methods.</p> <p>6. Delete 5(a) and enable flexibility in nitrogen leaching from hill country sheep and beef farming, and land uses which are low impact (at or below 20kgN/ha/yr for example or apply natural capital allocation).</p> <p>7. Timeframes should be deleted, and instead set through consultation with the farmer taking into account the sensitivity of the waterbody to any impact.</p>

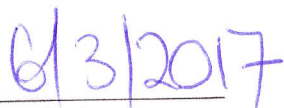
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Policy 16	Oppose	We oppose this policy. The ownership of the land should have no bearing on whether the rules apply or not. The issues addressed in this plan are contaminant discharges and the rules should be the same for all regardless of ownership.	We seek that this policy is removed.

Yours sincerely,

Anna Nelson; on behalf of Nelson Farms Partnership


Signature


Date