

In the matter of: **Clause of Schedule 1 – Resource Management Act -
Submission on publicly notified plan change – Proposed Waikato Regional
Plan Change 1 – Waikato and Waipa River Catchments**

And: **Hill Country Farmers Group
Submitter ID 73321**

And: **Waikato Regional Council
Local Authority**

**Hill Country Farmers Group
Hearing Block 3 Statement - Scheduled Sept 18, 2019**

Introduction

1. This statement has been prepared by Kirstie Hill, Secretary of HCFG. The Commissioners have previously been made aware that I am not an ‘expert’, however, the anecdotal evidence and opinions presented in this statement offer commentary on some of the mechanisms proposed by PC1, in practice.
2. As the HCFG delegate to the Primary Stakeholders Catchment Trust, I was involved in the “Leadership Group” consultation on the Lake Waikare & Whangamarino Wetland Catchment Management Plan. This included over 50 hours of meetings plus countless hours reading and researching background and supporting material, between April 2017 and May 2018. Having this direct and personal experience was enlightening, offering insight into the process by which such a CMP is conceived, developed and implemented. It indicated the potential for a cohesive strategy between CMPs & FEPs and the need for a robust programme of monitoring and feedback to ensure that actions at either farm or catchment scale can be evaluated for effectiveness on a timely basis. It also revealed that a ‘culture and attitude reset’ is required at WRC before they will be able to successfully engage with ‘stakeholders’ in such programs of work. Sub-catchment programs are an excellent concept, and have worked in other regions but our experience to date has been that the WRC is not committed to working collectively with farmer stakeholders in good faith.
3. In the aim of expediency, it was felt that a written statement could variously convey both support the HCFG has for specific aspects of FEPs and CMPs as well as caution over potential pitfalls. We would highlight particularly the need to optimize the relationship between FEPs and CMPs and ensure that both are outcome-focused rather than an exercise which simply follows a prescribed process and endorses existing work schemes. If further questioning to support this written statement is requested, I am available on Sept 18 as scheduled.

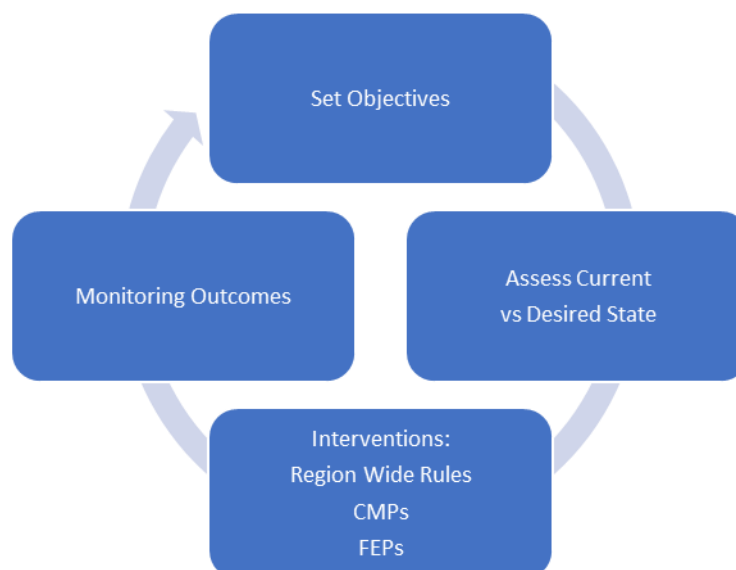
FEPs

4. HCFG have previously presented our views on the value of FEPs as a key mechanism to engage farmers, document environmental decisions and process, and ultimately improve water quality. To recap, we expect FEPs to:
 - Describe a pathway to compliance
 - Provide identification of environmental risks – both diffuse and critical sources of emissions
 - Plan for actions to avoid, remedy or mitigate environmental risks
 - Specify associated budget of costs and timeframes
5. Schedule 1 provides all the scope to set sensible expectations for FEPs and presents an opportunity to influence how farming affects water quality. The HCFG were eagerly anticipating the redraft of Schedule 1 and we intended to request to nominate a representative to participate in this process.
6. However, in their typical approach, the two reports prepared by WRC Implementation Team which were embedded in Block 2 and 3 S42 reports, pre-empted input by farmers or landowners. The Council continues to assume that hosting a collaboration with ‘industry bodies and practitioners’ is a suitable proxy for consultation with farmers about how they will be required to operate. They misplace their emphasis on ‘providing a sensible and practically implementable approach for practitioners’ (presumably CFEPs) and show disregard and contempt for the sensitivities around the social and economic wellbeing of our communities.
7. By their own assessment ‘the workshops were useful, and there was some broad agreement around the intention of the GFP approach, it is acknowledged that the workshops did not lead to support from all parties.’ Without ‘socialising’ revisions to Schedule 1 with farmers, there is no indication whether these changes will garner support from farmers.
8. A farmer-developed FEP that is solution-focused and addresses Critical Source areas provides a vehicle for farmers to make a difference. However, farmers will resist relinquishing sovereignty over their properties, their businesses and their homes to a set of actions dictated by Council or CFEPs. Farmers must be able to consider all the repercussions of environmental programmes and retain agency to make choices and decisions.
9. The final recipe for each FEP will be unique to the characteristics of the property, but the ingredients must be equivalent. Rules must be clear, unambiguous and provide protocols with ‘inter-operator reliability’ where we can expect comparatively similar outcomes for different mitigation options when applied to similar risks.
10. Any FEP that does not include a variety of acceptable mitigation options with estimated costs and timeframes for implementation is purely academic. We have been surprised to see examples of FEPs where no attempt has been made to quantify the cost of various mitigations nor the sum total of recommended work. As we stretch environmental budgets to get the biggest bang for our buck, each mitigation should be evaluated on a cost/benefit basis to guide prioritization and as a record to improve the success of future planning.

11. While farm-scale actions can be identified and implemented via FEPs, we as farmers, expect that our efforts should logically demonstrate synergy with catchment-level objectives. FEPs must consider not only the effective footprint of each farm, but also the context of that footprint. It is here we rely on a practical analysis of sub-catchment issues so we can apply effective solutions which match the problems.

12. Policy 9 clearly sets out that sub-catchment planning is intended to be both prioritized and integrated. While prioritization between sub-catchments is demonstrated by the staged implementation of CMPs, this concept has not been applied within a given catchment. In my experience with the CMP process, Council has shown an aversion to sharing expertise and providing decisive analysis of local issues around current state. Prioritization of urgent issues and identifying contaminants with greatest distance to travel toward desired state within a sub-catchment is critical to gaining the confidence and support of stakeholders who must collaborate in implementation and ultimately will be key to developing effective, outcome-driven strategy.

13. PC1 provides overarching objectives for the region, but currently the rules and methods prescribed are not, in all cases, specifically relevant to the needs of each sub-catchment, which results in inefficient application of resources. Simply put, they can distract from real issues or provide the wrong emphasis for mitigation actions. Examples:
 - N limits where N is not overallocated
 - Blanket Land Use Change rule which prohibits conversion from pines to pastures which could reduce sediment in catchments where sediment is a priority issue.



CMPs

14. I believe all stakeholders involved in the Lake Waikere & Whangamarino Wetland CMP consultation were earnestly looking to Council for concise and definitive guidance on key

issues in order to promote cost-effective actions that would have the biggest effect on improving water quality. We were informed that CMP objectives should be broader than just water quality. Thus, missing the opportunity for strategic & focused direction, the CMP became an indiscriminate attempt to solve all possible issues, resulting in resources spread thinly across a disconnected plan. The CMP in question encompasses a wide area of heterogeneous land uses adjacent to critical infrastructure and also features threatened lakes and uniquely valued wetlands. Perhaps it presents a particularly ambitious test case to identify key priorities while balancing competing interests within a complex system.

15. In any case, analysis of threats and opportunities within the scope of a CMP should be thorough and transparent, but also simple enough to provide clear direction for decision-making. A successful CMP will use evidence-based analysis to clearly communicate 'why' and link key priorities for a catchment or sub-catchment to relevant actions that will provide measurable progress toward specific local goals.
16. Sub-catchment prescriptions represent the intersection of critical analysis of overallocation and land use capability. Both must be considered when developing a targeted plan to address 'how' the critical contaminants are managed with most effective use of resources. CMPs cannot be based on aspirational visions or perceived threats, or rely on solutions given approval by public opinion in the place of an objective measure of effectiveness.
17. Regional Council's ongoing monitoring programme should provide future data to evaluate the effectiveness and efficiency of interventions. If water quality is the goal, then testing water quality is the most valuable tool we have in assessing outcomes. Within the CMP much emphasis has been placed on urgent uptake and implementation of work schemes. It is as though completing prescribed action is the goal rather than the mechanism, and there appears to be a significant lag in evaluating the effects of those actions. Council has been reticent about the contributions and commitments that it will make to ensure robust and successful measure of real and relevant outcomes. Within PC1, much attention has been paid to Schedule C and Schedule 1 which specify responsibilities for landowners. We recommend that PC1 also specifies a detailed schedule of Council requirements for monitoring and reporting on water quality. Closing the loop with ongoing feedback of water quality state is essential to refine successful interventions over time.
18. In the many meetings I have attended on behalf of our group to try and establish a sub-catchment program of work I have been dismayed to find a culture of self-righteousness that perpetuates an imagined hierarchical status that puts Council above the rate-payers it serves. Stakeholders have been first invited to collaborate and then censored before being dismissed without the opportunity for follow-through to satisfactory conclusion. We suggest PC1 should provide a framework based on equity that provides all with a voice and requires that all parties uphold their roles and responsibilities.
19. For example, we remind Commissioners of the example of Koi Carp, which was implicated in independent analysis of Regional Council's science data, as a major contributor to sediment levels within the Lake Waikere and Whangamarino Wetland Catchment. It must be noted

that this independent analysis became necessary as neither Council nor their science team would provide a concise and useful summary of issues to guide the focus of the CMP. This pest population currently grows unchecked while jurisdiction of responsibility and efficacy of possible interventions is debated. Indeed our group elicited a donation of \$35K to 'kick-start' a contained-area trial to test removal methods and observe the recovery effect on water quality. This initiative was snubbed by WRC through the CMP planning, and has since been revisited only through an alternate pathway. This apparent reluctance gives the distinct impression that WRC do not want constructive input, particularly on issues that don't match their established narrative. However, farmers recognise that until we have a realistic plan toward solving this concurrent threat, any significant efforts to mitigate sediment in our headwaters will be confounded by the growing presence of Koi Carp downstream.

20. FEPs will be audited to ensure they meet minimum standards of effectiveness. We assert that CMPs must also withstand the same scrutiny to ensure effectiveness. When faced with challenging or additional workload, Council's track record has not been to juggle the existing budget or to reallocate staff with organisational change, but hire more staff and collect more rates. I have observed and been concerned by the exorbitant spending on consultants, facilitators, lunches and venues at committee meetings which begin without clear objectives and close without any measurable progress. In a word Council is 'PROCESS' driven and seem to expect their process is outfitted in catered comfort along the way.
21. We expect that as a partner to successful CMPs, Council must become more performance-driven, where policy imperatives to produce results are balanced with fiscal responsibility toward public spending and supported by relevant local and external science. What is required from Council going forward is a philosophy shift toward a creative 'can-do' culture that facilitates effective 'PROGRESS' instead of 'PROCESS'.
22. At first glance, the layers of overlapping workstreams appear designed to ensure that issues are addressed at every scale and no environmental threat slips through the cracks.
 - FEPs (regulatory farm-scale)
 - Environmental Programme Agreements (non-regulatory farm-scale programmes)
 - Sub-Catchment Management Plans (provision for landowner collectives)
 - Catchment Management Plans (WRC)
 - Zone Catchment Management Plans (WRC)
 - Integrated Catchment Management Plan (WRC)
 - Waikato Waipa Restoration Strategy (Co-governance: WRC & WRA)

Policy 9 requires these layers form an integrated approach, implying that the sum of the parts work seamlessly together. A cohesive, scalable strategy promotes solutions that match the apparent problems. What we have seen is rote repetition of dogmatic objectives and continued promotion of ideas that do not stand on their own merits, in a vain attempt at congruence. Some issues will be best dealt with at a particular scale and each level requires a degree of discrete analysis to avoid redundancy.

23. Our view is that effective and efficient CMPs must be driven from landowners and other community. They will benefit with assistance and support provided from Council, particularly in the form of current state analysis, prioritizing issues and target setting. However, we believe farmers, working alongside other stakeholders, are likely to be more strategic in the utilization of resources, innovative in their solutions and highly results focussed and should be granted agency and a reasonable degree of latitude over 'how' a CMP is shaped and executed.
24. Specified inputs, formula solutions or process-driven templates offer a 'box-ticking' exercise with limited potential for meaningful change. The value in CMPs is apparent in aligning community focus, facilitating collective actions with effective prioritisation and collating aggregate results. Just as the auditing of FEPs should evaluate effects on water quality, the performance of CMPs should be reflected in measurable outcomes.
25. We are justifiably proud of the dedication of the CMP Leadership Group to explore common aspirations which, among stakeholders, were pleasingly well-aligned. We attempted to address real issues and craft a useful guiding document. We worked with attention to detail to exhibit clarity of purpose and agree upon meaningful objectives that will endure for the life of the plan and beyond.
26. We are however, disappointed that the CMP process did not provide for ongoing collaboration. The organisation of the different stakeholder groups offered multiple conduits between WRC and landowners which could have provided efficient pathways for communication and implementation. Instead WRC have essentially told us "thanks but we'll take it from here" and appear to divide and conquer by applying pressure and urgency of funding incentives to recruit participation one property at a time.
27. Ultimately, the true success of the Lake Waikere & Whangamarino Wetland Catchment Management Plan remains to be seen, after evaluating whether implementation actually draws us closer to the desired state described in our objectives.

COHESIVE STRATEGY

28. The recent release of National Environment Standard on Freshwater Management and the consequential changes to RMA & NPS-FM provides a new intended benchmark for FEPs, stock exclusion, N management/reduction, winter stock feeding and land use change. While we reserve comment on the actual standards proposed, we are relieved to see some central leadership, and collaborative intention to pull together toward a result.
29. We have been suspicious and frustrated by the lack of cohesion and uncertainty around the different layers of regulation and non-statutory work programmes. The multiple moving goal-posts demanded of farmers has resulted in many justifiably adopting a 'wait and see' approach before engaging in environment work or completing compliance actions.

30. The environmental works undertaken in the Matahuru catchment are a perfect example of lack of foresight and laissez faire approach. Much of the fencing projects completed under the looming shadow of PC1 are now non-compliant with the new National Environment Standard on Freshwater Management. These landowners were persuaded into this work by WRC predictions that funding support would no longer be available once this work is classified as 'statutory'.
31. We cannot overstate the need for cohesion and co-operation between regulatory frameworks to avoid further alienating farmers by applying competing interests and requiring conflicting compliance activities.

CONCLUSION

32. Farmers will not continue to be bullied by WRC over the vilification of farm-scale effects, extorted into accepting more than our responsibility or coerced into 'voluntary' participation in non-regulatory work-schemes.
33. We will not support ad hoc and short-sighted mitigation concepts and patiently await a cohesive and science-based strategy that is worthy of our support and efforts.
34. We will make close examination of where we can make a difference and put our efforts behind sensible, practical, economical and cohesive strategy that give us confidence in long term environmental success.
35. Everyone wants to clean up our waterways, but it behoves farmers more than anyone else to get it right - it is our immediate local environment that will benefit, it is our children that will inherit either success or apathy and it is farmers that will bear the label of 'failure' if we don't perform to society's expectations.