

Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments.

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

SubForm	PC12016	COVER SHEET	
FOR OFFICE USE ONLY			
		Submission Number	
Entered		Initials	
File Ref		Sheet 1 of	

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

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	healthyrivers@waikatoregion.govt.nz <i>Please Note: Submissions received my email must contain full contact details. We also request you send us a signed original by post or courier.</i>
Online at	www.waikatoregion.govt.nz/healthyrivers
We need to receive your submission by 5pm, 8 March 2017.	

YOUR NAME AND CONTACT DETAILS		
Full name: Earl Steven Rattray		
Full address: 667 River Road, Hamilton 3210		
Email: earl@dairylink.co.nz	Phone: 07 855 7033	Fax

ADDRESS FOR SERVICE OF SUBMITTER		
Full name	as above	
Address for service of person making submission		
Email	Phone	Fax

TRADE COMPETITION AND ADVERSE EFFECTS <i>(select appropriate)</i>
I 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.)

3.11.3 Policies/

Policy 2: Tailored approach to reducing diffuse discharges from farming activities

Policy 6: Restricting land use change

Policy 7: Preparing for allocation in the future

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.)

Our farm is located at Honikiwi, west of Otorohanga in the priority 1 Waipa Moakururua sub catchment. My family has occupied and farmed our land as a dairy farm for over 100 years. The farm is best described as mixed topography from gentle rolling to moderately steep, with several flat and several steep aspects. Over the last 30 years, steeper land water courses have been fenced off and retired, mainly planted in mixed exotic and native species, while all dairy effluent is spread and returned to the land.

I submit for Council considerations the following points:

Policy 2: Tailored approach to reducing diffuse discharges from farming activities

- a. Taking a tailored, risk based approach to define mitigation actions on the land that will reduce diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, with the mitigation actions to be specified in a Farm Environment Plan either associated with a resource consent, or in specific requirements established by participation in a Certified Industry Scheme;

Submission :

Taking a risk based approach exclusively to define mitigation actions introduces the prospect that risks will be assessed subjectively, and highly prescriptive mitigation measures imposed. It is the actual environmental outcomes which are relevant, rather than potential outcomes. An example may be cattle being grazed on parts of a farm where land exceeds 25 degrees slope. Many farmers have done so for many years without negative environmental outcomes, and to the benefit of the soil. It is not the slope itself which is relevant, it is how it is managed which is relevant, and each farmer may have a different and equally successful approach to this.

- c. Establishing a Nitrogen Reference Point for the property or enterprise; and

- 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;

Submission :

Establishing a Reference Point for Nitrogen based on highest of two years up to 2016 is highly egregious to those farmers who have pre-emptively taken steps to reduce stocking rate and nitrogen loss from their farms over several years prior to the reference years. The prospect of having to reduce further from an already reduced base will place a much higher burden on those who have

already taken steps than those who have not. Furthermore, there is no current uniformity between farms utilising Overseer model relating to area in question. Some farms input just effective grazed area, excluding those areas which are not grazed, (roads races, retired areas, plantations, swamps and waterways). Others, in the same catchment who may be milking identical numbers of cows under the same management system, input total land area owned by the farming entity. The effect on inputting effective area vs total area can be significant on the nitrogen loss calculation, especially where farmers have voluntarily retired land from grazing. A single standard must be applied for any reference point to be meaningful, under both the consent process or under Certified Industry Scheme.

Policy 6: Restricting land use change

Except as provided for in Policy 16, land use change consent applications that demonstrate an increase in the diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens will generally not be granted.

Land use change consent applications that demonstrate clear and enduring decreases in existing diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens will generally be granted.

Submission

It appears that if a dairy farm ceases milk supply for a period, for any reason, they have no obstacles transitioning to grazing dry stock, but face significant hurdles if they choose to return the farm to dairy farming. During my long farming career, I have become aware of numerous examples where farms ceased milk supply for a period and returned to dairy some years later. These decisions are often based around family farm succession, or farmer health and welfare issues. Any move to create uncertainty for existing farmers weighing up options to enter or exit dairy farming on existing farming land, under existing family farming ownership creates an unwarranted hurdle, for very little gain.

Policy 7: Preparing for allocation in the future

- a. Land suitability (5) which reflects the biophysical and climate properties, the risk of contaminant discharges from that land, and the sensitivity of the receiving water body, as a starting point (i.e. where the effect on the land and receiving waters will be the same, like land is treated the same for the purposes of allocation); and
- c. Minimise social disruption and costs in the transition to the 'land suitability' approach; and

Submission

The concept of prescribing whether land which is currently under farming is suitable for a given land use is highly dangerous and should be avoided. Over my farming career, I have regularly heard reference to land being once described as unsuitable for dairying. Notably parts of the Bay of Plenty, Central Plateau and King Country have been referred to as 'marginal' or unsuitable, and then witness the result of young progressive farmers taking on the challenge of developing the land into highly productive and very suitable family farms, and doing so while achieving environmental and commercial outcomes equal to any. Existing farming operations should not be exposed to external subjective opinion on what is suitable and what is not. Existing farming operations should be held to account for outcomes, not prejudged externally on what may or may not be a risk factor in outcomes. Farmers are very good at managing risk.

I SEEK THE FOLLOWING DECISION BY COUNCIL

(select as appropriate and continue on separate sheet(s) if necessary.)

- Accept the above provision
- X Accept the above provision with amendments as outlined below
- Decline the above provision
- If not declined, then amend the above provision as outlined below

Policy 2: Tailored approach to reducing diffuse discharges from farming activities

a. Taking a tailored, risk based approach to define mitigation actions on the land that will reduce diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens, with the mitigation actions to be specified in a Farm Environment Plan either associated with a resource consent, or in specific requirements established by participation in a Certified Industry Scheme;

Change Sought

To include a combination of evidence of environmental damage (i.e. outcomes) with a risk based approach to define mitigation actions.

Explanation: Where there is no evidence of material negative environmental impact from grazing land and grazing practice, there should be no need to impose prescriptive mitigation actions based solely on the presence of risk of erosion or sediment and nutrient run off. Certainly, tightly controlled grazing on relatively steep faces in dry frosty weather can be significantly beneficial to light ash soil fertility improvement without breaking the soil surface to allow top soil erosion. In heavy rain however, this will be highly risky, and farmers typically don't do this in wet weather anyway.

c. Establishing a Nitrogen Reference Point for the property or enterprise; and

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;

Change Sought

- 1) To allow a longer period for determining reference point. Farmers can model their farms Nutrient loss from historical data, and should be able to select the highest level for the preceding 10 years to establish a reference point.
- 2) To specifically require Certified Industry Schemes to use consistent definitions of area in the calculations of Nutrient loss when determining reference point. The area should be the total area of the single farming enterprise.

Explanation: these changes will allow the gains which been made voluntarily by famers to be recognised, or at least reduce their disadvantage arising from doing the right thing proactively.

Policy 6: Restricting land use change

Except as provided for in Policy 16, land use change consent applications that demonstrate an increase in the diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens will generally not be granted.

Land use change consent applications that demonstrate clear and enduring decreases in existing diffuse discharges of nitrogen, phosphorus, sediment or microbial pathogens will generally be granted.

Change sought

Land use changes will be permitted between dairy and dry stock and back to dairy again where the change is made by the same farming entity on the same land area and where diffuse discharge of nitrogen, phosphorus, sediment or microbial pathogens will be no greater than the reference point when the property was last farmed as a dairy farm.

Explanation: This change will allow existing dairy farmers to do the right thing for their family and for their business from time to time if the need arises.

Policy 7: Preparing for allocation in the future

- a. Land suitability (5) which reflects the biophysical and climate properties, the risk of contaminant discharges from that land, and the sensitivity of the receiving water body, as a starting point (i.e. where the effect on the land and receiving waters will be the same, like land is treated the same for the purposes of allocation); and
- c. Minimise social disruption and costs in the transition to the 'land suitability' approach; and

Change Sought

Remove reference to the concept of external opinion on 'land suitability' and any predetermined risk of utilising it.

Explanation: The Waikato is a mature pastoral farming region. It is already well known what is suitable and unsuitable under existing pastoral farming practice. Farmers don't buy unsuitable land for farming purposes. They make informed judgments about what is and isn't suitable. Moreover, they can make that judgement, and they will be accountable for the judgment they make. It is surely outcomes which are relevant, that is, the ends rather than the means. It is the application of management which will determine the quality of our water and state of our soil rather than prescription around what is suitable or unsuitable land to utilise. This policy focusses on the means, and as such gives no credit to the creativity and commitment of dedication farmers to manage resources and deliver the outcomes sought within the physical environment they operate in.

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.
- x 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. X No, I have not attached extra sheets.

SIGNATURE OF SUBMITTER

(or person authorised to sign on behalf of submitter)

A signature is not required if you make your submission by electronic means.

Signature



Date 8 March 2017

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.