



Profitability. Sustainability. Competitiveness.

SUBMISSION TO
WAIKATO REGIONAL COUNCIL

ON THE PROPOSED WAIKATO REGIONAL PLAN VARIATION 1 –
WAIKATO AND WAIPA RIVER CATCHMENTS

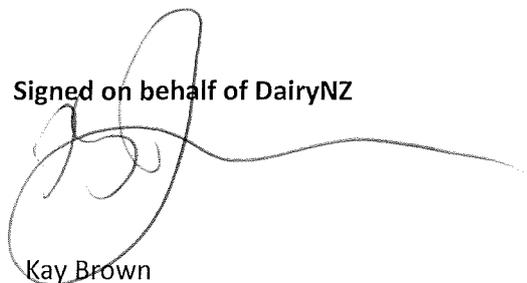
FROM DAIRYNZ
23 May 2018

DairyNZ Submission on Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments

Full Name of Submitter	DairyNZ
Authorised by	Kay Brown National Policy Manager Responsible Dairy Group DairyNZ
Contact person	Justine Young Senior policy advisor DairyNZ
Full postal address	Corner Ruakura & Morrinsville Roads Newstead Private Bag 3221 Hamilton 3240
Phone number	027 2370360
Email	Justine.Young@dairynz.co.nz

- I confirm that I am authorised on behalf of DairyNZ to make this submission.
- DairyNZ wishes to be heard in support of this submission.
- If other parties make similar submissions, DairyNZ would consider presenting a joint case with those parties at the hearing.
- DairyNZ will not gain a trade competition advantage through this submission. DairyNZ will be directly affected by adverse effects that will result if Proposed Waikato Regional Plan Change 1 – Waikato and Waipa River Catchments becomes operative in its current form. These adverse effects do not relate to trade competition or the effects of trade competition as defined by the Resource Management Act 1991.

Signed on behalf of DairyNZ



Kay Brown
National Policy Manager
Responsible Dairy Group
DairyNZ

1. Introduction

- 1.1 DairyNZ welcomes the opportunity to submit on the Proposed Waikato Regional Plan Variation 1 – Waikato and Waipa River Catchments (the Plan Change). We acknowledge the excellent work that Waikato Regional Council (WRC) and Waikato and Waipa River iwi have undertaken with the Collaborative Stakeholder Group to get the Plan Change to this stage.
- 1.2 DairyNZ is the industry good organisation representing New Zealand’s dairy farmers. Funded by a levy on milk solids and through government investment, our vision is for New Zealand dairy farming to have the world’s most competitive and responsible dairy farming. DairyNZ’s work includes research and development to create practical on-farm tools, leading on-farm adoption of farming within limits, promoting careers in dairying, and advocating for farmers with central and regional government.
- 1.3 This submission has been developed on behalf of dairy farmers. Farmers will also make their own submissions.

2. Submission summary

Support for date changes in Variation 1

- 2.1 DairyNZ supports the proposed changes in Variation 1 to allow more time for farmers to meet deadlines. The delay in starting council hearings should be factored in, and first deadlines for farmers should occur after the council decision on rules is released. On this point, we agree with the reasons set out in the council section 32 evaluation report (section C 3.2.1). This is particularly important for Nitrogen Reference Point (NRP) and Farm Environment Plan (FEP) deadlines. Our submission assumes that a council decision will be publicly notified in December 2019. Some changes are requested, including that registration and NRP processes should be opened sooner than the proposed date May 2020, to allow proactive landowners to make a start and to generally raise awareness in the community about the importance of implementing Healthy Rivers.

Concern about delay and implications for farmer engagement

- 2.2 The delay in the formal process for Healthy Rivers, has slowed momentum and engagement, and therefore farmer preparedness to meet provisions in the Plan Change. This was a theme of discussions at six farmer meetings convened by DairyNZ throughout the Waikato and Waipa catchments in April and May 2018. Some farmers informed DairyNZ staff they are concerned the NRP years are getting further in the past, and they wish to get on with changes, as long as they do not have to re-do aspects as a result of further changes to the rules. While DairyNZ generally supports the timeframe extension for some provisions, we are concerned the delays have, and will continue to have negative impacts on landowner engagement. DairyNZ intends to work with the council and the dairy and other sectors to maximise awareness and proactive action on dairy farms to assess and reduce the risk of diffuse contaminant loss.

Support for Plan Change 1 provisions

- 2.3 DairyNZ's March 2017 submission on the Plan Change was broadly supportive of the Collaborative Stakeholder Group's recommendations that Waikato Co-management Committee, and then Waikato Regional Council adopted in 2016. It is the first stage toward assisting the achievement of the Vision and Strategy. DairyNZ also wishes to note its support for preparing for the Plan Change review and undertaking work now, to move toward a targeted sub catchment approach to reducing contaminants in the future.

Support for the first stage toward achieving the 2096 water quality targets

- 2.4 DairyNZ continues to support the need to manage sediment, microbial contaminants, phosphorus and nitrogen in the Plan Change, and believes Farm Environment Plans are an important tool. While there are differences between sub catchments, DairyNZ believes that all four contaminants must be reduced in every sub catchment to achieve the long term water quality attributes set out in Table 3.11-1 of the Plan Change.
- 2.5 DairyNZ notes there are three broad categories of provisions in the Plan Change as described below. The first category are provisions that will result in actions to reduce contaminants leaving properties, including the requirement for Farm Environment Plans and 75th percentile nitrogen leaching reductions (in Rules 3.11.5.3 – 3.11.5.5 and Schedules C and 1). Secondly, the Plan Change contains provisions that gather information to prepare for future Plan Changes. These are the property registration and Nitrogen Reference Point provisions (schedules A and B). The last category are provisions to prevent water quality getting worse in the next decade and these include the restriction on wholesale land use change (Rule 3.11.5.7) and the requirement to stay within a five-year rolling average of the NRP as modelled by the latest version of OVERSEER (Rule 3.11.5.4 iii) and schedule B). These Plan Change provisions could be seen as a transitional arrangement that is likely to change when the plan is reviewed. For instance, the land use change rule expires in 2026 and Policy 7 sets out a process and criteria to use when developing a mechanism to allocate property-level diffuse discharges of contaminants.

3. Decision sought

- 3.1 DairyNZ seeks the following decision on its submission on the Plan Change:

- That the Waikato Regional Council retain the proposed changes in Variation 1 subject to the decisions sought that are referred to in Attachment 1 of this submission. Where text in the Plan Change is referred to, this is *italicised*. DairyNZ requests for deletions to existing text are ~~struck through~~ and new text is underlined, and;
- Any consequential amendments that may be necessary to give effect to the decision sought in this submission, and/or

- Any alternative relief that will give effect to this submission, including, where relief is sought, words or phrases to similar effect.

Attachment 1: Plan Change provisions supported or opposed, reasons and decision sought

Section of Plan Change	Provision and page number	Support Or Oppose	Decision Sought	Reason for submission
Rules and extensions to deadlines				
Schedule A Farm Registration	Schedule A (1) Page 46	oppose	DairyNZ does not support the proposal to start registration on 1 May 2020. We request it is bought back to 1 May 2019 and retain the proposed closing date of November 2020.	This basic requirement of all properties over 2 hectares to register details with the council according to Schedule A, will provide important baseline information that is difficult to obtain through other means. DairyNZ believes this aspect of Healthy Rivers is unlikely to change through submissions and hearings. Therefore, we do not agree with the proposal to push the start date out by 20 months. Instead, our request to open registrations on 1 May 2019 would focus attention from the entire community back on Healthy Rivers. This in turn will increase levels of awareness about what is required for farmers to meet the more complex and costly NRP and FEP provisions.
Schedule B Nitrogen Reference Point NRP	Schedule B(e) Page 47	Support in part	DairyNZ supports the closing date of 30 November 2020 for provision of NRP to the council. DairyNZ does not support the start date of May 2020 for provision of NRP to the council, and requests it is bought back to 1 December 2019 or any date after the next major release of the OVERSEER model (expected late 2019). The outcome we seek is to ensure maximum flexibility for farmers to choose when NRP is submitted and easiest access to certified people.	Having an extended time period for submitting NRP data will enable certified nutrient advisors and council staff to plan their resource commitments more effectively. We are concerned that currently council does not know the size of this pool of people. Dairy farmers who must reduce to a 75 th percentile nitrogen leaching value, must have sufficient time to assess and finalise a FEP that sets this out.

Section of Plan Change	Provision and page number	Support Or Oppose	Decision Sought	Reason for submission
Definitions	Definition – 75 th percentile nitrogen leaching value Page 79	Support	DairyNZ supports the proposed date change to 30 November 2020. Retain.	Dairy farmers who must reduce to 75 th percentile must have sufficient time to assess and finalise a FEP that sets this out.
Permitted Activity Rule	3.11.5.2(5) Page 40	support	DairyNZ supports the proposed date change to 30 November 2020. Retain.	While this requirement for all properties over 4.1 hectares to supply stocking rate, fertiliser and bought in feed information to the council appears to be logical extension of the property registration details, it is possible that the provisions will change through the hearing, as nitrogen management is considered across the catchment. For that reason, it will be more efficient to start collating the information after the council decision on Healthy Rivers has been notified, which will be prior to the proposed deadline of November 2020.
Permitted Activity Rule 3.11.5.3 FEP under a certified scheme	Rule 3.11.5.3(5) a) and b) Page 41	Support	DairyNZ supports the priority 1 and priority 2 date extension. Retain.	DairyNZ supports the extension of deadline for priority 1 and priority 2 sub catchments, to allow for delays in the council decision on all parts of Healthy Rivers Plan Change. DairyNZ is concerned that pushing out timelines may negatively impact levels of farmer engagement in Healthy Rivers implementation, and intends to work with the council and the dairy and other sectors to maximise awareness and proactive action on dairy farms to assess and reduce the risk of diffuse contaminant loss.

Section of Plan Change	Provision and page number	Support Or Oppose	Decision Sought	Reason for submission
				<p>We note that the 20-month extension to deadlines for those landowners in priority 2 sub catchments, will not impact the effectiveness of Healthy Rivers Plan Change, because Objective 2 makes it clear that it is the actions that will be assessed to meet short term outcomes, rather than measured water quality. We agree with the council section 32 evaluation report section C3.3.1 on this point.</p>
<p>Rule 3.11.5.4 FEP not under a certified scheme</p>	<p>Rule 3.11.5.4 (1) and (2)</p>	<p>Support</p>	<p>DairyNZ supports date extensions that allow farming remaining a permitted activity in the priority 1 and priority 2 sub catchments until the proposed dates specified. Priority 1 sub catchments 1 September 2021 and priority 2 sub catchments 1 September 2024.</p> <p>Retain both proposed date changes.</p>	<p>DairyNZ supports the extension of deadline for provision of FEPs in priority 1 and priority 2 sub catchments to allow for delays in the council decision on all parts of Healthy Rivers Plan Change.</p> <p>DairyNZ is concerned that pushing out timelines may negatively impact levels of farmer engagement in Healthy Rivers implementation, and intends to work with the council and the dairy and other sectors to maximise awareness and proactive action on dairy farms to assess and reduce the risk of diffuse contaminant loss.</p> <p>We note that the 20 month extension to deadlines for those landowners in priority 2 sub catchments, will not impact the effectiveness of Healthy Rivers Plan Change, because Objective 2 makes it clear that it is the actions that will be assessed to meet short term outcomes, rather than measured water quality. We agree with the council section 32 evaluation report section C3.3.1 on this point.</p>

Section of Plan Change	Provision and page number	Support Or Oppose	Decision Sought	Reason for submission
<p>Rule 3.11.5.4</p> <p>FEP not under a certified scheme</p>	<p>3.11.5.4 (dates)(l) and (11) for priority 1 and 2 sub catchments</p> <p>Page 43</p>	<p>support</p>	<p>DairyNZ supports the priority 1 and priority 2 date extensions until the proposed dates specified. Priority 1 sub catchments 1 March 2022 and priority 2 sub catchments 1 March 2025.</p> <p>Retain both proposed date changes.</p>	<p>DairyNZ supports the extension of deadline for provision of FEPs in priority 1 and priority 2 sub catchments to allow for delays in the council decision on all parts of Healthy Rivers Plan Change. Dairy farmers who must reduce to a 75th percentile nitrogen leaching value, must have sufficient time to assess and finalise a FEP that sets this out.</p> <p>DairyNZ is concerned that pushing out timelines may negatively impact levels of farmer engagement in Healthy Rivers implementation, and intends to work with the council and the dairy and other sectors to maximise awareness and proactive action on dairy farms to assess and reduce the risk of diffuse contaminant loss.</p> <p>We note that the 20 month extension to deadlines for those landowners in priority 2 sub catchments, will not impact the effectiveness of Healthy Rivers Plan Change, because Objective 2 makes it clear that it is the actions that will be assessed to meet short term outcomes, rather than measured water quality. We agree with the council section 32 evaluation report section C3.3.1 on this point.</p>

Submission Ends

