

SUBMISSION FORM

VARIATION 1 TO PROPOSED WAIKATO REGIONAL PLAN CHANGE 1 WAIKATO AND WAIPĀ RIVER CATCHMENTS

IMPORTANT NOTE

Save this PDF to your computer before answering. If you edit the original form from this webpage, your changes will not save. Please check or update your software to allow for editing. We recommend Acrobat Reader.

We need to receive your submission by 5pm, 23 May, 2018

YOUR NAME, ADDRESS FOR SERVICE AND CONTACT DETAILS (MANDATORY INFORMATION)

Name of Submitter (individual/organisation)		
Contact Person (if applicable)		
Agent (if applicable)		
Email address for service		
Postal address		
Phone number/s	Home:	Business:
	Mobile:	Fax:

PLEASE INDICATE WHETHER YOU WISH TO SPEAK AT A HEARING

- Yes, I wish to speak at the hearing in support of my submission.
- No, I do not wish to speak at the hearing in support of my submission.

JOINT SUBMISSION

- If others make a similar submission, please tick this box if you would consider presenting a joint case with them at the hearing.

TRADE COMPETITION AND ADVERSE EFFECTS (SELECT APPROPRIATE)

- I could / could not gain an advantage in trade competition through this submission. *Refer to last page for further information*
- I am / am not directly affected by an effect of the subject matter of the submission that:
- adversely effects the environment, and
 - does not relate to the trade competition or the effects of trade competition.

IF YOU HAVE USED EXTRA SHEETS FOR THIS SUBMISSION PLEASE ATTACH THEM TO THIS FORM AND INDICATE BELOW

- Yes, I have attached _____ extra sheets. No, I have not attached extra sheets.

SIGNATURE - NOTE A SIGNATURE IS NOT REQUIRED IF YOU MAKE YOUR SUBMISSION BY ELECTRONIC MEANS

Signed _____ Date _____
Type name if submitting electronically

SUBMISSIONS CAN BE



Chief Executive, 401 Grey Street, Private Bag 3038, Waikato Mail Centre, Hamilton 3240



Waikato Regional Council, 401 Grey Street, Hamilton East, Hamilton



(07) 859 0998



healthyrivers@waikatoregion.govt.nz *Please note: Submissions received by email must contain full contact details.*

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.

Personal information is used for administration 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.

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

1. Trade competition

If you could gain an advantage in trade competition through the submission, your right to make a submission may be limited by clause 6(4) of part 1 of Schedule 1 of the Resource Management Act 1991 (RMA).

6 Making of submissions

- (4) A person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement or plan that –
- a) adversely affects the environment; and
 - b) does not relate to trade competition or the effects of trade competition.

2. Privacy information

The Waikato Regional Council will make all submissions and further submissions including name and contact details publicly available at public libraries in the region, Council Offices and on Council's website. Any further submission, under the RMA, supporting or opposing your submission is required to be forwarded to you as well as Council.

Personal information will also be used for administration relating to the subject matter of the submissions, including notifying submitters of hearings and decisions. All information will be held by the Waikato Regional Council with submitters having the right to access and correct personal information.

3. Submission Content Review

Please note that the RMA states that your submission (or part of your submission) may be struck out if the authority is satisfied that at least one of the following applies to the submission (or part of the submission):

- It is frivolous or vexatious
- It discloses no reasonable or relevant case
- It would be an abuse of the hearing process to allow the submission (or the part) to be taken further
- It contains offensive language
- It is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

If you have questions about making a submission, please visit waikatoregion.govt.nz/healthyrivers to see our factsheet about Making a Submission.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Section 32 evaluation, Scenario 1 and proposed plan change 1 (as varied) in its entirety	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Withdraw proposed plan change 1 in its entirety and re-draft in light of submissions lodged to date and consultation/discussions between WRC officers and submitters/stakeholders.</p>	<p>The section 32 evaluation for PPC1 (as varied) is inadequate and does not contain a level of detail which is proportionate to the scale of significance of the social and economic effects anticipated as a consequence of PPC1. PPC1 does not give effect to the NPS-FWM or the Vision and Strategy, and does not achieve the purpose of the Resource Management Act 1991 ("RMA").</p> <p>There is a lack of evidence to support the selection of "Scenario 1", particularly as the 80 year target (as expressed in table 3.11-1) is described as "aspirational". The setting of future and/or long term targets should be based on monitoring and data collection over the life of PPC1/V1 (including current state).</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Use values – Municipal and domestic water supply	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	SUBMISSION
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend as follows (or alternative wording which addresses the submission):</p> <p><u>The rivers are working rivers and supply water, generate electricity and support primary production, as well as providing drainage. The rivers also provide opportunities for activities which generate positive economic outcomes.</u>Fresh water is used for industrial and municipal processes, which rely on the assimilative capacity for discharges to surface water bodies. In addition:</p> <ul style="list-style-type: none"> • <u>The primary production industries which rely on the rivers generate demand for products and services which, in turn facilitates economic growth. This enables individual businesses and communities to provide for their economic wellbeing and contributes to the vibrancy of small towns.</u>financial and economic contribution, individual businesses and the community and the vibrancy of small towns. They are working rivers; they create wealth. • Those industries are <u>important</u>critical to the monetary economy of Waikato region, <u>enabling a positive brand to promote to overseas markets.</u> • The rivers provide for domestic and international tourism. Promotion of a clean, green image attracts international and domestic visitors. • The rivers provide <u>drainage and</u> assimilative capacity for wastewater disposal, flood and stormwater, and ecosystem services through community schemes or on site disposal. 	<p>The water supplied by the rivers is used for more than municipal and domestic purposes. This should be reflected in the use value.</p> <p>The reference to “commercial, municipal and industrial use” should be deleted from the “economic of commercial development” use value, in light of the relief sought that these matters be included in the previous value relating to water supply.</p> <p>The explanation to the value is not clearly drafted and should be amended accordingly. It is not just the “assimilative capacity” of the rivers which provides economic opportunities to people etc. Furthermore, communities benefit from economic or commercial development, not just people, businesses and industries.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Objective 2: Social, economic and cultural wellbeing is maintained in the long term	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	SUBMISSION
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend Objective 2 so that the social, economic and cultural wellbeing of the Waikato and Waipa communities is not restricted to an unquantified potential "benefit" of restoration of water quality. These wellbeings should be provided for within the short term (10 years) as well as the long term.</p> <p>For example:</p> <p>Objective 2: Social, economic and cultural wellbeing is maintained in the long term (80 years)</p> <p><u>Waikato and Waipa communities are able to provide for their social, economic and cultural wellbeing in the short term (10 years) and long term, recognising that the Waikato and Waipa communities and their economy may ultimately benefit from the restoration and protection of water quality in the Waikato River catchment. This in turn may which enables the people and communities to continue to provide for their social, economic and cultural wellbeing.</u></p>	<p>Objective 2 currently reads as follows:</p> <p><i>Waikato and Waipa communities and their economy benefit from the restoration and protection of water quality in the Waikato River catchment, which enables the people and communities to continue to provide for their social, economic and cultural wellbeing.</i></p> <p>This objective reflects the proposition that the economy of the Waikato Region will benefit from the restoration and protection of water quality in the Waikato River catchment in the long term. There is no evidence in the supporting technical reports which adequately explains or quantifies this benefit. While improved water quality will be beneficial from an ecological, environmental and cultural perspective, the extent to which this will be socially and economically beneficial is not certain. It follows that social, economic and cultural wellbeing should be a standalone objective which is not linked to an assumption that the “restoration and protection of water quality” <i>via</i> PPC1 will “enable the people and communicates to continue to provide for their social, economic and cultural wellbeing”.</p> <p>Social, economic and cultural wellbeing is relevant in the short term as well as the long term.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.2 Objective 3 Short-term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	
The reason for requesting the decision is:	
<p>Amend Objective 3 as set out below, or such alternative wording in order to address the reasons for submission:</p> <p>Actions put in place and <u>Changes to land use and water management are</u> implemented by 2026 <u>which seek to</u> reduce discharges of nitrogen, phosphorus, sediment and microbial pathogens, <u>and</u> are sufficient to <u>eventually</u> achieve ten percent of the required change between current water quality and the 80-year water quality attribute^targets^ in Table 3.11-1. A ten percent change towards the long term water quality improvements is indicated by the short term water quality attribute^targets^ in Table 3.11-1.</p>	<p>Objective 3 currently reads as follows:</p> <p><i>Objective 3: Short-term improvements in water quality in the first stage of restoration and protection of water quality for each sub-catchment and Freshwater Management Unit</i></p> <p><i>Actions put in place and implemented by 2026 to reduce discharges of nitrogen, phosphorus, sediment and microbial pathogens, are sufficient to achieve ten percent of the required change between current water quality and the 80-year water quality attribute^targets^ in Table 3.11-1. A ten percent change towards the long term water quality improvements is indicated by the short term water quality attribute^targets^ in Table 3.11-1.</i></p> <p>The intent and meaning of objective 3 is not clear. The “reasons for adopting objective 3”, do not support the proposition that such "actions" will achieve the short term water quality attributes in Table 3.11-1 by 2026. Rather, the objective appears to be aimed at changes in land use and management to be implemented by 2026.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Objective 4: People and community resilience	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	SUBMISSION
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend objective 4 to include reference to a staged approach to changing land management to address diffuse discharges of nutrients which provides for flexibility in land use management on farm and reference to the need for further research and data regarding current state of water quality, particularly within and across sub-catchments.</p>	<p>Proposed objective 4 reads as follows:</p> <p><i>Objective 4: People and community resilience</i></p> <p><i>A staged approach to change enables people and communities to undertake adaptive management to continue to provide for their social, economic and cultural wellbeing in the short term while:</i></p> <p><i>a. considering the values and uses when taking action to achieve the attribute^ targets^ for the Waikato and Waipa Rivers in Table 3.11-1; and</i></p> <p><i>b. recognising that further contaminant reductions will be required by subsequent regional plans and signalling anticipated future management approaches that will be needed to meet Objective 1.</i></p> <p>The meaning of the objective, particularly clause a. is not clearly articulated. People and communities should be able to continue to provide for their wellbeing up to and beyond 2026 and that changes to land use management will be necessary to achieve the outcomes sought in Table 3.11-1 (noting that the numerics in Table 3.11-1 are in question through submissions).</p> <p>In addition, there is no reference in the objective to addressing information gaps regarding current state and/or water quality issues within and across sub-catchments. In order to provide for the "wellbeings", there should be flexibility in PPC1 for the implementation of farm management measures and/or techniques to respond to changes (both environmental and economic) – for example through use of Farm Environment Plans.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Objective 1: Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	SUBMISSION
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Revise objective 1 in light of relief sought in relation to section 32 evaluation and make necessary consequential amendments to Table 3.11-1 water quality attribute targets, including deletion of reference to 80 year targets.</p>	<p>Proposed objective 1 reads:</p> <p><i>Objective 1: Long-term restoration and protection of water quality for each sub-catchment and Freshwater Management Unit</i></p> <p><i>By 2096, discharges of nitrogen, phosphorus, sediment and microbial pathogens to land and water result in achievement of the restoration and protection of the 80-year water quality attribute^ targets^ in Table 3.11-1.</i></p> <p>The objective is predicated on Scenario 1. The section 32 evaluation does not adequately justify the adoption of Scenario 1. It is acknowledged that Table 3.11-1 is relevant to the reasons for this submission point and the relief sought necessarily relates to that table, rather than the wording of the objective <i>per se</i>.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.3 Policy 1 Manage diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend policy 1 to provide for and enable flexibility of on-farm management in order to achieve the values and uses for the Waikato and Waipa Rivers. This must require such management to be best practice/good practice/most practicable or similar, in the context of the relevant sub-catchment profile. Delete clauses a to c.</p>	<p>Policy 1a. refers to “low level of contaminant discharge” and Policy 1b. refers to “high levels of contaminant discharge”. Neither term is defined which creates uncertainty as to the meaning of each and therefore the implementation of the policy.</p> <p>Notwithstanding the above, policy 1 should be amended to allow for flexibility in on-farm management to achieve the values and uses for the Waikato and Waipa Rivers. However, such management must be representative of best practice/good practice/most practicable action (or similar), to work towards achieving the water quality targets in the short term and long term.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.3 Policy 2: Tailored approach to reducing diffuse discharges from farming activities	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend policy 2 to include a new clause which provides for and allows opportunity for offset mitigation between properties or enterprises which will achieve the degree of reduction in diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens proportionate to the amount of current discharge and proportionate to the scale of water quality improvement required in the sub-catchments capable of being achieved in the period to 2026, taking into account the particular characteristics of each sub-catchment.</p>	<p>The policy should be focused on the best management techniques and/or most practicable actions which will manage or reduce diffuse discharges. This should be tailored to sub-catchments and for those sub-catchments where there is an unknown "load to come" provide for off-set mitigation. Rather than defining mitigation actions, it is the management practices which should be identified that will achieve the mitigation outcomes sought.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: ADD NEW POLICY RE: FARM ENVIRONMENT PLANS	
<input checked="" type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Add a new policy (e.g., 2A) re: Farm Environment Plans and their purpose to manage diffuse discharges of the four key contaminants. This should include, for example, the requirement that FEPs are effective in managing diffuse discharges on farms, are practical to implement and set out prioritised, tailored and practical mitigation actions which will assist to achieve the 10 year targets for contaminants.</p>	<p>Farm Environment Plans are a key method in PPC1 to achieve the water quality improvements sought. This should be supported by a clear policy as to their purpose, particularly for defining the management practices for each farm. FEP content and purpose should be clear and certain for farmers, which may require a degree of flexibility in delivering the "tailored" actions set out in an FEP.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: ADD NEW POLICY FOR REVIEW OF FEPS	
Do you support or oppose the provision? <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT <i>State clearly the decision and/or suggested changes you want Council to make on the provision.</i>	SUBMISSION <i>State clearly the reasons for the decision you want Council to make.</i>
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Add a new policy (e.g., 2B) to recognise the need for flexibility to allow farm operators to make changes to FEPS.	It is important that there is efficiency in preparing and implementing FEPS. This includes the ability to review FEPS as and when necessary/appropriate.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Policy 6 Restricting land use change	
Do you support or oppose the provision? <input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT <i>State clearly the decision and/or suggested changes you want Council to make on the provision.</i>	SUBMISSION <i>State clearly the reasons for the decision you want Council to make.</i>
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Delete policy 6.	There is no justification for this policy. The focus should be on management and reduction in the level diffuse discharges of all four contaminants within sub-catchments. This may be achieved in circumstances where land use change occurs. This is a "blunt instrument" which does not provide flexibility for on-farm management (e.g., rotational cropping, retiring portions of land in exchange for alternative uses elsewhere on farm etc.).

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.3 Policy 7 Preparing for allocation in the future	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend policy 7 to address reason for submission. For example:</p> <p>Prepare for further diffuse discharge reductions and any future property or enterprise level allocation of diffuse discharges of nitrogen, phosphorus, sediment and microbial pathogens that will be required by subsequent regional plans, by implementing the policies and methods in this chapter. To ensure this occurs, Collect information and undertake research for the purposes of developing future regional plan changes to support this, including collecting information about current discharges, developing appropriate modelling tools to estimate contaminant discharges, and researching the spatial variability of land use and contaminant losses and the effect of contaminant discharges in different parts of the catchment that will assist in defining 'land suitability' within each sub-catchment.</p> <p>Any future allocation should consider the following principles:</p> <p>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</p> <p>b. Allowance for flexibility of development of tangata whenua ancestral land; and</p> <p>c. Minimise social disruption and costs in the transition to the 'land suitability' approach; and</p> <p>d. Future allocation decisions should take advantage of new data and knowledge.</p> <p><u>The NRP established under Policy 2c is not regarded as forming the basis of any future allocation mechanism.</u></p>	<p>It is inappropriate for a policy to prescribe what a future plan change should include and that this should include property or enterprise level "allocation" which will, or may, be based on an historic nitrogen "benchmark". Furthermore, this does not address contaminants other than N. The reference to the principles on which a future plan change should be based should be deleted.</p> <p>Any future plan change should involve a re-evaluation of the data regarding contaminants, collected as a consequence of implementing PPC1/V1, which is then used to inform the establishment of particular numerics/targets.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: ADD NEW POLICY REGARDING CONSIDERATIONS FOR DIFFUSE DISCHARGES AND SUB-CATCHMENT APPROACH	
Do you support or oppose the provision? <input checked="" type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT <i>State clearly the decision and/or suggested changes you want Council to make on the provision.</i>	SUBMISSION <i>State clearly the reasons for the decision you want Council to make.</i>
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Add new policy (e.g., 12A) to address reason for submission.	The particular features and characteristics of sub-catchments are relevant to the management approach for the various contaminants. As such, the development of sub-catchment management plans based on research and data regarding sub-catchment profiles is a useful and necessary tool for achieving the outcomes sought for improved water quality in the short term and long term. This should be linked to the relative contribution of the industry sector of the farming enterprise and level of investment etc., by a farming enterprise and implementation of best management practices/good management/best practicable actions (or similar).

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: ADD NEW POLICY TO SUPPORT PROPOSED NEW RDA AND DA RULES WHICH ARE LINKED TO MANAGEMENT PRACTICES	
<input checked="" type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Add new policy to address reasons for submission.	<p>PPC1 should include policy support for RDA and DA rules (see below) which are based on farming activities that implement best practice/good practice or most practicable action (or similar) to manage discharge of contaminants, keep records and monitor activities, and demonstrate actions to reduce diffuse nutrient discharge levels.</p> <p>This will assist to simplify the implementation of the provisions of PPC1 as varied, and assist to achieve a reduction of diffuse discharges of contaminants in a manner that is both efficient and will achieve the outcomes sought by the plan change.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Policy 16: Flexibility for development of land returned under Te Tiriti o Waitangi settlements and multiple owned Māori land	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Delete policy 16 in its current form.	On the basis that the activity status for land use change is amended to become restricted discretionary/discretionary, together with policy amendments to support the same, it is not necessary to include a specific policy as per policy 16.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: Policy 17: Considering the wider context of the Vision and Strategy	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Delete policy 17.	The meaning and intent of this policy is unclear and appears to widen the scope of PPC1, which could be adverse for an applicant for resource consent for a farming activity. While it is appropriate for other objectives and strategies within the Vision and Strategy to be considered, if particular objectives of the Vision and Strategy are to be considered, these should be identified and justified in any section 32 evaluation.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.4.3 Farm Environment Plans	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Further and better particulars regarding WRC's expectations as to standard and content, including relevance of sub-catchment characteristics and best practice/good practice or most practicable action (or similar).</p> <p>Add new definition or amend existing definition for the term to be included in FEPs and other provisions referred to elsewhere in submission where the concept of best practice/good practice or most practicable action (or similar) is referred to.</p>	<p>The concept of best practice/good practice or most practicable action (or similar) should be implemented through FEPs. The purpose and content of FEPs should be clear, certain, practical and capable of implementation. This should also reflect sub-catchment characteristics.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: ADD NEW METHOD RE: SUB-CATCHMENT PROFILES	
<input checked="" type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
Add new method to address reasons for submission.	In light of the proposed focus on sub-catchment management of diffuse discharges of nutrients, it is appropriate that a new method is added which recognises this and identifies the relevant research and data required to implement a sub-catchment approach and plan for the long term/future plan changes.

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.4.7 Information needs to support any future allocation	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input checked="" type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Delete reference to "future framework for the allocation"; "setting of property or enterprise level diffuse limits" (of discharges); delete sub-clauses ii) and iii).</p> <p>Amend to address reasons for submission.</p>	<p>Achievement of the water quality outcomes should not be predicated on a future allocation approach which is based on the nitrogen reference point. Positive water quality outcomes may be achieved more efficiently and effectively through other methods.</p> <p>As per above, any future plan changes should be based on research and data collection, including current state and development of numeric targets based on that information.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.5.2 Permitted Activity Rule – Other farming activities	
<input type="checkbox"/> Support <input checked="" type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend rule 3.11.5.2, clause 4(c) and (d) as follows:</p> <ul style="list-style-type: none"> c. No part of the property or enterprise over 15-23degrees slope is cultivated or grazed; and d. No winter forage crops are grazed in situ, <u>within 10m of any waterway</u>; and <p>Waeranga Partnership reserves its position in relation to the remaining conditions of this rule, in particular reference to the NRP.</p>	<p>Some conditions of this rule are impractical.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.5.3 Permitted Activity Rule – Farming activities with a Farm Environment Plan under a Certified Industry Scheme	
<input type="checkbox"/> Support <input checked="" type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend to improve certainty and practicality for implementation of the rule.</p> <p>Require FEPs to be provided to WRC across all catchments at the same time.</p>	<p>Refer to relief elsewhere regarding certainty of meaning and implementation of PPC1 rules and methods.</p> <p>In light of the submission points regarding support for a sub-catchment and best practice/good practice or most practicable action (or similar) to manage nutrients, the rule should be amended to reflect that approach.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.5.4 Controlled Activity Rule – Farming activities with a Farm Environment Plan not under a Certified Industry Scheme	
<input type="checkbox"/> Support <input checked="" type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Refer to relief elsewhere regarding certainty of meaning and implementation of PPC1 methods.</p> <p>Require FEPs to be provided to WRC across all catchments at the same time.</p> <p>Amend matters of control to include sub-catchment approach and best practice/good practice or most practicable action (or similar) re: the same.</p> <p>Delete matter of control which refers to FEP.</p>	<p>If a FEP has been prepared by a suitably qualified farm environment planner, its content should not be a matter of control.</p> <p>In light of the submission points regarding support for a sub-catchment and best practice/good practice or most practicable action (or similar) to manage nutrients, the rule should be amended to reflect that approach.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.5.6 Restricted Discretionary Activity Rule – The use of land for farming activities	
<input type="checkbox"/> Support <input checked="" type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Refer to relief elsewhere regarding certainty of meaning and implementation of PPC1 methods.</p> <p>Amend matters of discretion to include sub-catchment approach and best practice/good practice or most practicable action (or similar) re: the same.</p> <p>Delete matter of control which refers to FEP.</p>	<p>If a FEP has been prepared by a suitably qualified farm environment planner, its content should not be a matter of discretion.</p> <p>In light of the submission points regarding support for a sub-catchment and best practice/good practice or most practicable action (or similar) to manage nutrients, the rule should be amended to reflect that approach.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: 3.11.5.7 Non-Complying Activity Rule – Land Use Change	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input checked="" type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend and/or delete rule to make land use change a restricted discretionary activity (or at a minimum a discretionary activity). . Matters of discretion to relate to actions in FEP and management based on sub-catchment approach.</p>	<p>This rule is not the most appropriate to implement the policies, achieve the objectives of PPC1 or to give effect to the Vision and Strategy and NPS-FM. The economic analysis on which it is based is flawed as it does not consider the costs to those landowners who are part way through a conversion programme in which millions of dollars have been invested.</p> <p>The rule does not provide flexibility to implement land use change which may result in a net benefit to the catchment. There is no incentive to re-purpose land in pasture in light of investment and financial commitment to date, and PPC1 contains no proposals for funding land owners to “retire” farm land or to cease conversion and re-plant into forest. If re-forestation is an intended outcome of PC1 it should contain appropriate mechanisms to achieve this outcome rather than the threat of enforcement action or prosecution.</p> <p>The rule doesn't provide for flexibility for land use change activities which are based on land use suitability considerations and which could lead to better outcomes from an effects perspective (e.g., retiring areas of land such as steeper high areas, in exchange for conversion of suitable land into pasture). While the NRP may be cited as an effective proxy for enabling this land use change, it is appropriate that a specific rule is included. Criteria for the rule could include a requirement that the proposed land use change does not undermine the NRP mechanism for the property/enterprise.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: AMENDED DATES FOR COMPLIANCE	
<input type="checkbox"/> Support <input checked="" type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Oppose the amendments proposed and replace with dates that are practical to achieve for landowners and to implement by WRC.</p> <p>These dates should be subject to review and confirmation during the hearings.</p>	<p>The dates for compliance with various rule requirements (information to be provided to WRC in rule 3.11.5.2; timing for provision of Farm Environment Plan (“FEP”) in rule 3.11.5.3; timing for when controlled activity rule 3.11.5.4 applies to farming activities with a FEP not under certified industry scheme; timing for provision of FEP under rule 3.11.5.4; timing for when existing commercial vegetable production activities become classed as controlled in rule 3.11.5.5 and amendments to dates in the advisory note to the same rule; timing for registration under Schedule A; timing for provision of Nitrogen Reference Point (“NRP”) and NRP data in Schedule B).</p> <p>There is no explanation or analysis which explains the reasons for the changes. It is understood that the changes were made in light of the timing of the plan change process. However, which the changes are presented as consequential changes, they are not. The dates are critical to the implementation of the plan change and assessing its effectiveness.</p> <p>The section 32 evaluation does not address the proposed date changes.</p> <p>Notwithstanding the above, it is appropriate for these dates to be amended so that they are practical and capable of being achieved by landowners/farmers and able to be implemented by Waikato Regional Council. This applies to the 2026 dates as well as others.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: SCHEDULE 1, SCHEDULE C, SCHEDULE B; Table 3.11-1	
DECISION SOUGHT	SUBMISSION
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>Amend Schedule 1 to reflect best practice/good practice or most practicable action (or similar) approach to management of nutrients and to ensure that Farm Environment Plans are certain and capable of practical implementation.</p> <p>Amend Schedule C so that the requirements for stock exclusion are certain, clear and practical.</p> <p>Deleted the 80 year targets in table 3.11-1.</p> <p>Amend the year range for establishing NRP to include 2016/2017 (other farming activities).</p>	<p>The detail of the requirements for Farm Environment Plans, stock exclusion and the establishment of Nitrogen Reference Point should be amended so that requirements are clear, certain and capable of implementation; and reflect a sub-catchment approach.</p> <p>The requirements for stock exclusion should be practical and include provision for setbacks.</p> <p>The 80 year targets in table 3.11-1 should be deleted, in light of submission point regarding selection of scenario 1.</p> <p>The range of years for establishing NRP are not reflective of current state, particularly in light of the time frames for PPC1/V1. These should be amended to include 2016/2017 as well as 2014/2015; 2015/2016.</p>

SUBMISSIONS ON SPECIFIC PROVISIONS OF VARIATION 1 TO PROPOSED PLAN CHANGE 1 – Waeranga Partnership

PROVISION: GENERAL RELIEF SOUGHT	
<input type="checkbox"/> Support <input type="checkbox"/> Support with amendment <input type="checkbox"/> Oppose <input type="checkbox"/> Oppose with amendments	
DECISION SOUGHT	
SUBMISSION	
The decision I would like the council to make regarding this provision is:	The reason for requesting the decision is:
<p>In addition to the particular relief sought in the submission above, Waeranga Partnership reserves its position in relation to all aspects of PPC1 as varied, and seeks any other further and/or consequential relief which addresses the reasons for it submission. Waeranga Partnership seeks relief in general terms which:</p> <p>Focuses on a sub-catchment, best practice/good practice/most practicable action (or similar) approach to farming activity rules which do not rely on "grandparented" N values;</p> <p>Amends and/or adds objectives, policies, methods and rules to provide flexibility for land use and land use change in order to achieve an overall benefit for the sub-catchment in respect of diffuse discharges of the nutrients targeted by PPC1/V1 (not restricted to N);</p> <p>Amends provisions to provide clarity and certainty for farming activities; and</p> <p>For the avoidance of doubt, in addition to the particular relief set out in this submission, Waeranga Partnership seeks any further and/or consequential relief which will address the reasons for its submission and/or the relief sought, including in relation to the section 32 evaluation prepared by WRC.</p> <p>The outcomes sought and suggested wording should be treated as a suggestion only. All suggested amendments are intended to include "or words to that effect". The outcomes sought may also require consequential changes elsewhere in the text of the plan change to give effect to the relief sought and reasons for submission.</p>	