

## Submission Form

Submission on a publically notified proposed Regional Plan prepared under the Resource Management Act 1991.

**On:** The Waikato Regional Councils proposed Waikato Regional Plan Change 1 - Waikato and Waipa River Catchments

**To:** Waikato Regional Council  
401 Grey Street  
Hamilton East  
Private bag 3038  
Waikato Mail Center  
HAMILTON 3240

**Full Name(s):** Alan and Sarah Dudin

**Phone (hm):** 07 8778647

**Phone (wk):** 0211674791

**Postal Address:**

24 Tainui Street,  
Mapiu,  
RD 3,  
Te Kuiti

**Postcode:** 3083

**Email:** saralafarm@gmail.com

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

I wish to be heard in support of this submission.

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



S Dudin

7/3/2017

---

**Signature**

**date**



A Dudin

7/3/2017

---

**Signature**

**date**

Sarala Farm  
24 Tainui Street  
Mapiu  
RD 3  
Te Kuiti 3983

**7<sup>th</sup> March 2017**

Waikato Regional Council  
401 Grey Street  
Hamilton East  
Private Bag 3038  
Waikato Mail Center  
HAMILTON 3240

To whom it may concern

Thank you for the opportunity to submit on the Waikato Regional Council's proposed Plan Change 1.

We are currently farming 220ha at Mapiu, in the Upper Mokau Catchment of the Waikato region. The farm is presently carrying 750 mixed aged ewes, 140 drystock yearlings, 30 drystock two year olds, and 140 Friesen cross dairy replacement grazers. In the foreseeable future we wish to continue to farm with approximately the same stocking rate, and have the flexibility to adjust the classes of stock to adapt to weather conditions, the natural productivity of the land and market volatility.

We have spent most of our lives working towards realizing the dream of farming. Both of us attended Massey University and hold Agriculture degrees. Alan has had a successful career in fertilizer sales and rural bank manager before becoming a full time farmer. Sarah has spent her career working for Regional Councils and other government agencies developing Land and Environment plans and promoting sustainable farming systems. With our complementary skill sets, we believe we can continue to achieve a sustainable farm system that will provide us, our children and the following generations the way of life that we desire.

We have been farming this property for five years and have considerable long-term plans to maintain and enhance the property through soil, riparian, nutrient and biodiversity management. We utilize such tools as farm budgeting, nutrient budgeting and soil conservation options to achieve these plans. Being situated in the West Coast catchment of Environment Waikato we have been eligible for minimal funding. So we have chosen to fence and protect water ways at our own cost and at a slower pace than we would have if funded at higher levels. We currently have completed the main Mapiu stream, and have been working on smaller ponds, wetlands and gullies as cost and time allows. Many of our management decisions are driven by the desire to maintain biodiversity and soil health on the property.

Plan change 1 will impact on our current farming system and will greatly restrict our ability to achieve a sustainable farming business for ourselves and future generations. Our concerns are outlined in the below submission.

The specific provisions of the proposal that this submission relates to and the decisions it seeks from Council are as detailed in the following table. The outcomes sought and the wording used is as a suggestion only, where a suggestion is proposed it is with the intention of 'or words to that effect'. The outcomes sought may require consequential changes to the plan, including Objectives, Policies, or other rules, or restructuring of the Plan, or parts thereof, to give effect to the relief sought.

The specific provisions my submission relates to are:	My submission is that:	The decision I would like the Waikato Regional Council to make is:
	REASON	RELIEF SOUGHT
<p><b>3.11.5.3 Controlled Activity- farming activities with a Farm Environment Plan not under a Certified Industry Scheme</b></p> <p><i>5. A nitrogen reference point is produced for the property or enterprise in conformance with schedule B; and after the dates set out in 1)2) and 3) the above use of land shall be a controlled activity (requiring a resource consent) subject to the following standards and conditions.</i></p> <p><b>Schedule B;</b></p> <p><i>1. A property of enterprise with a cumulative greater area than 20 ha must have a Nitrogen Reference Point calculated as outlined from a-g.</i></p>	<p>I oppose rule 3.11.5.3 (2) and 3.11.5.4 (5). The reasons for this are:</p> <ul style="list-style-type: none"> <li>• That using a nitrogen reference point (NRP) that is based on historical figures enables the high nitrogen loss farmers to continue to 'pollute' while the farmers who have been achieving lower levels of nitrogen leaching will be restricted on their ability to improve production. This creates an inequality across the region, as the dairy industry has historically been able to significantly increase their production capability and their nitrogen leaching, while typically the drystock farmers have made lesser production increases and as a consequence have lesser nitrogen leaching. The NRP will restrict the long term viability of the drystock businesses.</li> <li>• The NRP will provide a limited ability for flexible farm systems to adapt to climatic and market conditions. The drystock system adjusts stock class, crop rotation and other variables to meet the market and climate challenges, all of which is influenced by the NRP limit. To continue on the same farming system from one identified year for the indefinite future, will reduce profitability and resilience of the farm business. Reducing the ability to adjust stock class in response to climatic events will negatively impact the farmers ability to protect soils and land classes, water quality and stock welfare.</li> <li>• Overseer Model has limited appropriateness for setting an NRP. This is a modelling tool with a variability of 30-40%, and we do not believe that it is a good fit for this purpose. (for example a NRP of 15kgN/ha/yr, could have a variable of 6 kg N/ha/yr.) Updated versions on Overseer have historically made the model more sensitive to changes in the farm systems and typically increased the nitrogen leaching of the same farm system. So it is expected that it will become increasingly difficult to achieve the allocated NRP using the same farm policy and stocking rate, as the Overseer model is updated over time.</li> </ul> <p style="text-align: right;"><i>Continued on the next page...</i></p>	<p>I seek that the provision is: Deleted in its entirety. As an alternative I propose:</p> <ul style="list-style-type: none"> <li>• <i>That Nitrogen leaching limits are set based on the natural capital on the land. The allocation of leaching limits allocated to Land Use Capability (LUC) units. The use of the Land Use Capability system provides certainty and the ability for farmers to achieve the productive potential of the land. (Horizons Regional Council have used this LUC system, providing an example of what the predicted impacts of using this system will provide.)</i></li> <li>• <i>The natural capital system (LUC allocation) allows farmers to develop a farm policy appropriate for the capability of their land resource. It will limit the high Nitrogen leachers (polluters) and allow the lower nitrogen leachers to reach the natural potential of the property. This would also better maintain the value of the land resource, as people can still purchase a farm without being limited by the previous owners farm system.</i></li> </ul> <p style="text-align: right;"><i>Continued on the next page...</i></p>

The specific provisions my submission relates to are:	My submission is that:	The decision I would like the Waikato Regional Council to make is:
	REASON	RELIEF SOUGHT
	<ul style="list-style-type: none"> <li>To cap farm production, in conjunction with the costs of a farm business to rising over time, the long-term profitability of farm business's will fall leading to less economically sustainable rural communities.</li> <li>The NRP will have a direct impact on the perceived value of farm properties, due to the purchasers being restricted to the previous owners farm system. The NRP limits the ability to realize the potential productivity of the natural land class. If there are no perceived financial gains to be achieved, the NRP will restrict the value of a property. This will significantly devalue some properties, and reducing the financial resilience of rural communities and towns.</li> </ul>	<ul style="list-style-type: none"> <li><i>Propose that the Waikato Regional Council revisits the Nitrogen leaching limit allocations on the LUC system as Overseer modelling is improved and subsequent versions are released.</i></li> </ul>
<p><b>3.11.5.3 Permitted Activity- farming activities with a Farm Environment Plan under a Certified Industry Scheme</b></p> <p>2. A nitrogen reference point is produced for the property or enterprise in conformance with schedule B;</p>	<p>I oppose rule 3.11.5.3. The reasons for this are:</p> <ul style="list-style-type: none"> <li>That a Certified Industry Scheme is a required to make farming a Permitted Activity and without it requires a Resource Consent. With the Dairy Industry currently with their own scheme it unfairly requires drystock farmers to seek a Resource Consent. The drystock industry does not have the people capacity or the financial ability to develop an Industry based scheme to meet the increased regional demand.</li> <li>Seeking a Resource Consent to farm will greatly increase the administration and operating costs of both the Waikato Regional Council and the drystock farmers in the region.</li> </ul>	<p>I seek that the provision is: Amended. As an alternative I propose</p> <ul style="list-style-type: none"> <li><i>All farming industries be treated equally.</i></li> <li><i>That drystock farming be a Permitted Activity with an active Land and Environment Plan, provided by Environment Waikato or a Certified Farm Environment Planner.</i></li> <li><i>To be monitored/ audited by certified Environment Waikato auditors on a regular basis.</i></li> </ul>

The specific provisions my submission relates to are:	My submission is that:	The decision I would like the Waikato Regional Council to make is:
	REASON	RELIEF SOUGHT
<p><b>3.11.5.3 Permitted Activity- farming activities with a Farm Environment Plan under a Certified Industry Scheme</b></p> <p><i>3. Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C;</i></p> <p><b>3.11.5.3 Controlled Activity- farming activities with a Farm Environment Plan not under a Certified Industry Scheme</b></p> <p><i>5. (d) Cattle, horses, deer and pigs are excluded from water bodies in conformance with Schedule C</i></p> <p><b>Schedule C;</b></p> <p><i>2. Waterbodies must be fenced to exclude stock unless these animals are prevented from entering a bed of the water body by a stock proof natural barrier formed by topography or vegetation.</i></p> <p><i>3. Livestock must not be permitted to enter or pass across the bed of the waterbody, except where using a livestock crossing structure.</i></p>	<p>I oppose rule 3.11.5.3. The reasons for this are:</p> <ul style="list-style-type: none"> <li>• Large investment cost to the farm business for fencing and reticulated water systems, with no certainty that the policy will be continued after 10 year plan review. Farmers need to be confident in the investment.</li> <li>• Uncertainty of science that stock exclusion will provide significant changes in aspirational water quality goals outlined.</li> <li>• The ongoing cost of the control of pest plants such as Blackberry, Barberry, Ragwort and Tutsan will be a significant annual cost to the farm business. The impact of the increased use of chemical control of these weeds, (particularly in the riparian zones) is counterproductive to the water quality goals PC1 is trying to achieve.</li> <li>• The control of feral possums, stoats and ferrets in these areas will also be increased. The threat of disease and to biodiversity from increased populations is significant.</li> <li>• Lack of clarity around definitions around "livestock" in Schedule C.3 versus stating "cattle, horses, deer, and pigs" in Rule 3.11.5.3 These definitions need to be clearer to provide certainty and confidence to the implementation.</li> <li>• Investment in stock crossings is significant, increasing the stress on stock through larger distances to move to access the same areas.</li> </ul>	<p>I seek that the provision is: Retained as amended as set out below</p> <ul style="list-style-type: none"> <li>• <i>Schedule C amended to state "best practicable option" to exclude livestock.</i></li> <li>• <i>Provide a clearer definition of a waterbody, such as "wider than 1 metre, surface water deeper than 0.5 m for 80% of a year" to provide certainty.</i></li> <li>• <i>Provide a clear definition of a "stock proof natural barrier"</i></li> <li>• <i>Provide greater flexibility to cattle grazing on slopes over 15 degrees, acknowledging that best practices such as rotation grazing at times when runoff of sediment would be low. (for example summer months, and low flows, or fast rotation such as 12 grazing days spread over a 12 month period)</i></li> <li>• <i>Like the Sustainable Dairy Accord, require a crossing if stock are crossing on a frequency basis, and where "practicable".</i></li> <li>• <i>Introduce the stock exclusion at a staged rate, to provide certainty and supporting science at the 10 year review. That water bodies on land with a slope less than 15 degrees be fenced to exclude livestock in the first 10 years. With the review there is the expectation that there will be more supporting science and results from this, and then can consider whether to introduce the next stage.</i></li> </ul>

The specific provisions my submission relates to are:	My submission is that:	The decision I would like the Waikato Regional Council to make is:
	REASON	RELIEF SOUGHT
<p><b>Schedule 1: Requirements of Farm Environment Plans</b></p> <p><i>2.(a)(ii) for areas slope exceeding 25 degrees where stream fencing is impracticable, provision of alternative mitigation measures</i></p> <p><i>(b) (ii) Where practicable the provision of minimum grazing setbacks from water bodies for stock exclusion of 1 metre for land with a slope of less than 15 degrees and 3 metres for land with a slope between 15-25 degrees.</i></p> <p><i>(c) A description of Critical Source Areas... including:</i></p> <p><i>(i) the identification of intermittent waterways, overland flow paths and areas prone to flooding and ponding, and assessment of opportunities in minimize losses in these areas through stocking policy, stock exclusion, measures to detain floodwater, sediment traps etc.</i></p> <p><i>(ii) the identification of actively eroding areas, erosion prone areas, and areas of bare soil and appropriate measures for erosion and sediment control and re-vegetation</i></p>	<p>I oppose Schedule 1. The reasons for this are:</p> <ul style="list-style-type: none"> <li>• The exclusion of land greater than 25 degrees from drystock farming will reduce the labour requirements of farm businesses and lower the amount of people in the community. Reducing the sustainability of both rural schools and communities, and farm businesses.</li> <li>• Lack of confidence that a Resource Consent will be issued to harvest forestry when the crop rotation is mature, when the forest has been established to reduce sediment loss.</li> <li>• Without the use of the Land Use Capability mapping system, the methods of assessment for Critical Source Areas and Erosion severity will be subjective to the assessor and will be difficult to achieve consistency of enforcement across the Waikato region</li> </ul>	<p>I seek that the provision is: amended as set out below</p> <ul style="list-style-type: none"> <li>• <i>That at risk areas identified in the Waikato region as a source of erosion and sedimentation be mapped under the Land Use Capability system, to provide a consistent framework for risk assessment/comparison.</i></li> <li>• <i>Consider using physiological areas like the Southland Regional Council policies.</i></li> <li>• <i>Provide certainty that Forestry is a viable crop option as a mitigation strategy to reduce sediment loading in water ways.</i></li> <li>• <i>Provide clarity in documentation and training for providers to effectively identify and manage Critical Source Areas.</i></li> </ul>

The specific provisions my submission relates to are:	My submission is that:	The decision I would like the Waikato Regional Council to make is:
	REASON	RELIEF SOUGHT
The exclusion of the lower Waikato and Middle Waikato River areas until Iwi negotiations are resolved.	<p>I oppose the exclusion on the Lower and Middle Waikato from PC1. The reasons for this are:</p> <ul style="list-style-type: none"> <li>• This enables the landowners in these areas to manipulate their NRP levels until they enter the Plan change. Every landowner in the catchment should be under the new rules, making it fair.</li> </ul>	<p>I seek that the provision is: Deleted in its entirety. As an alternative I propose:</p> <ul style="list-style-type: none"> <li>• <i>Including all areas in the Plan Change 1, or pausing the policy until negotiations are resolved.</i></li> </ul>
The cost to the rate payers of the CSG, and the predicted cost to the region going forward with the loss of jobs and income into the local economy.	<p>I oppose the expected costs to the rural community as acceptable: The reasons for this are;</p> <ul style="list-style-type: none"> <li>• The economic viability of our rural communities is an integral part of the Waikato region. The predicted financial and employment losses to the region will threaten the sustainability of our rural towns, schools and communities.</li> <li>• The CSG was not representative of the large number of rural stakeholders in the region.</li> </ul>	<p>I seek that the provision is: Amended. As an alternative I propose:</p> <ul style="list-style-type: none"> <li>• <i>Implementing the policies in an amended way that the economic sustainability of the region is maintained, whilst still achieving the National Freshwater Policy Standards.</i></li> </ul>

Yours sincerely

Alan and Sarah Dudin



Signature \_\_\_\_\_ Date 7/3/2107