

From the Office of the Chair

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Secretary for the Environment
Ministry for the Environment
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Tena ra koe

Waikato Regional Council submissions on freshwater farm plan, stock exclusion, and intensive winter grazing discussion documents

On 30 September 2021 Waikato Regional Council formally endorsed its submissions on the discussion documents for freshwater farm planning, stock exclusion, and intensive winter grazing regulations. They are attached. The council also resolved to convey in the strongest possible terms that the Ministry appropriately provide for *Proposed Waikato Regional Plan Change 1: Waikato and Waipā River Catchments* (PC1) in the drafting of these Regulations. As such this letter should be regarded as part of Council's formal submissions.

The council supports the intent and the overall approach of the regulations to improve freshwater through tailored farm plans, excluding stock from waterbodies, and managing the grazing of animals on crops during high-risk periods. However, we are extremely concerned to note that there is nothing in the any of these proposed instruments that accommodates, or even acknowledges, PC1 or indeed, any of the existing regional plans around the nation, that have proposed or operative provisions that now overlap with, or will in future overlap with, new national provisions. Indeed, one of the most significant issues the proposals raise for this council is how the instruments legally sit alongside PC1 and how we are to make practical sense of the areas where they overlap.

This Council's fundamental and overarching position is that, to the extent that the national provisions address the same issues as are addressed in PC1, they should "give way" to PC1.

The PC1 process was driven largely by, and sought to give effect to, Te Turi Whaimana (the "Vision and Strategy") for the Waikato and Waipā Rivers. Te Turi Whaimana is legally acknowledged as the primary direction-setting document for the Waikato and Waipā Rivers, in that it prevails over any inconsistent provision in an NPS. The development of PC1 represents a massive collective investment from council, Iwi partners, industry, and the wider community to restore and protect the Waikato and Waipā River Catchments. The council is extremely disappointed that the most consultative regional planning process affecting farming activities in the Waikato Region has not been acknowledged, a process which was supported by robust scientific evidence and community direction through a comprehensive and award-winning collaborative process.

To date, the council alone has invested over \$30 million in development and preparation for implementation. Council is able and willing to share our learnings and experiences with the Ministry.

The notion that PC1 be set aside in favour of generic, national direction or, through the appeals process, be amended to align with the national direction, is strongly opposed. Our view is that, given the primacy of Te Turi Whaimana, this is neither rational nor appropriate. The response from our Iwi partners to date strongly suggests they are of the same mind. We are also concerned that if the plan becomes too complicated it will not be embraced by our farming community.

The council considers it essential that the final wording of the regulations does not undermine the collective investment to date, and that the regulations and PC1 are appropriately consistent or that the Waikato and Waipā Catchments be excluded from these requirements. With specific regard to the ongoing development of the farm plan regulations, we would welcome the opportunity for further discussion with the Ministry regarding the matters raised in this letter.

Ngā mihi

A handwritten signature in black ink, reading "Russ Rimmington". The signature is written in a cursive, flowing style with a large initial 'R'.

Russ Rimmington
Chair
Waikato Regional Council