Bay of Plenty Federated Farmers

Submission on ‘Action for healthy waterways – A discussion document on national direction for our essential freshwater’

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To: Ministry for the Environment

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This is a submission on ‘Action for healthy waterways – A discussion document on national direction for our essential freshwater’ (Essential Freshwater Package).
1. **INTRODUCTION**

1.1 Bay of Plenty Federated Farmers ("BoPFF") welcomes the opportunity to submit on the Essential Freshwater Package.

1.2 Federated Farmers is a primary sector organisation with a long and proud history of representing the needs and interests of New Zealand farmers involved in a range of rural businesses.

1.3 Federated Farmers consists of 22 autonomous provinces. BoPFF is the Bay of Plenty provincial branch of Federated Farmers. BoPFF represents a variety of dairy, dry stock and horticulture (primarily kiwifruit combined with dairy or dry stock) land users in the Bay of Plenty.

2. **SUBMISSION SUMMARY**

2.1 BoPFF opposes the proposals under this consultation because:

   a. It does not properly consider the negative economic, cultural and social impact of the proposals.

   b. The draft NPS-FM time frames do not reflect the need for proper consultation with tāngata whenua, iwi, hapū and the community in Bay of Plenty and neither does it consider the complexities of the issue.

   c. The diversity in geography, population, groupings, population density, wealth, land use and growth within the Bay of Plenty means that there will be different values, interests, needs, traditions, cultures and expectations when it comes to freshwater. Planning provisions ought to take into account, amongst others, these differences. Especially the proposed NES and draft stock exclusion provisions are a blunt and one size fits all provisions and inappropriate to take account of these differences.

2.2 BoPFF supports the relief proposed by Federated Farmers of New Zealand (National body) and in parts those by Western Bay of Plenty District Council and the joint submission by local authorities of the Bay of Plenty region.

3. **ECONOMIC, SOCIAL AND CULTURAL IMPACT**

3.1 Farming, horticulture and primary production activities are important for the social, economic and cultural wellbeing of people and communities in the Bay of Plenty region.
3.2 The economic importance of the agriculture sector to the Bay of Plenty’s economy is well recognised. As a broad indicator the Bay of Plenty’s Regional Economic Development Strategy 2010 identified the primary sector as the most significant employers in the region, accounting for 14 percent of employment in the economy. More recent statistics show that agriculture in Bay of Plenty contribute $1,076 million (7.22%) of the regional GDP.¹

3.3 According to Statistics New Zealand the Bay of Plenty’s increase in nominal GDP topped the regions for the second year in a row.² The Bay of Plenty’s increase was mainly due to strong increase in the value of agriculture (horticulture and dairy); construction; and rental, hiring, and real estate services.

3.4 Agriculture does not just bring economic benefits to the region, it also contributes to the wellbeing of communities and culture of the region. The Bay of Plenty has healthy rural communities. Farming is the fabric that keeps rural communities together.

3.5 According to a recent analysis the economic impact of the Essential Freshwater Package is significant at regional level.³

3.6 The Essential Water Package will affect farm and horticulture business and in turn will impact on regional (and national) economies and the social and cultural wellbeing of the rural communities. This impact have not been properly considered in the proposals suggested in the Essential Freshwater Package.

4. TIMING

4.1 Part 4 of the draft NPS-FM 2019 orders every regional council to implement the NPS-FM 2019 as soon as reasonably practicable. At the latest the final decisions on changes to policy statements and plans that are necessary to give effect must be publicly notified no later than 31 Dec 2025. In effect, a regional council will need to notify a proposed plan change in 2023 to comply with the backstop date.

¹ Year 2017 - Source – Statistics New Zealand Regional GDP and MBIE Modelled Territorial Authority Gross Domestic Product (MTAGDP)

² Year end 2017.

4.2 We have concerns with the short time frame and its impact on the consultation process as well as the abandonment of the need for proper evidence and science.

4.3 The current timeframes for implementing the NPS uses nine Water Management Areas (WMAs) based on practical geographic areas for managing freshwater in the Bay of Plenty. The WMAs are based on a range of factors, including physical surface catchments, iwi cultural boundaries, Treaty settlements, major project areas and where people live. See image below for the WMAs in the region.

4.4 On 11 December 2018, the Regional Council’s indicative timetable for NPS-FM implementation was follows:
4.5 As reflected above, the Tauranga Moana WMA is estimated to take seven years to develop to the stage of a public notified decision. The Tarawera, Ohiwa/Waiotahe, Whakatane, Waioeka/Otara and East Coast WMA are all anticipated to be finalised after the back stop date of 2025 with the East Coast anticipate to have a public decision in 2030/2031.

4.6 The timetable seems reasonable considering the complexities involved in freshwater and the consultation necessary.

4.7 The science and evidence that identify the source of freshwater quality issues and developing an appropriate response backed by the evidence and science takes time.

4.8 The Bay of Plenty has relatively good water quality and have several voluntarily sub catchment groups (supported by the regional council) that are improving the water quality.

4.9 Accordingly, the Regional Council does not need to rush to have a plan in place for a plan’s sake. Instead the regional council can develop robust plans for each WMA based on good science and sound evidence that will have real results and which the community can trust.
4.10 The other casualty of the hurried time frame as proposed will be proper consultation.

4.11 The Bay of Plenty has a high Māori population of 27 percent, as a result 38 percent of the land area is Māori owned predominantly managed by 1,800 Māori Land Trusts in conjunction with more than 36 iwi and 260 hapū linked to 224 marae located across the Bay of Plenty.  

4.12 The s42A report for Plan Change 9 to the Bay of Plenty Regional Natural Resource Plan acknowledged the complexities of the national, regional and local planning freshwater space which makes it difficult for iwi, hapū and tāngata whenua (capacity and capability) to effectively participate in freshwater planning. As iwi involvement in governance and management increases Māori often face time and resource demands across multiple issues and have other priorities they need to balance outside resource management.  

4.13 Accordingly in this province a proper consultation with tāngata whenua, iwi, hapū and the community is a time consuming but crucial process. The time frame proposed in the draft NPS-FM does not reflect the need for this consultation to take place.

5. **ONE SIZE DOES NOT FIT ALL**

5.1 The Bay of Plenty is diverse.

5.2 As previously stated the region has a high but diverse Māori population of 27 percent but from 37 different iwi and 260 hapū.

5.3 There is also divergence in population density and prosperity throughout the Bay of Plenty.

5.4 The Port of Tauranga is New Zealand's largest port in terms of gross export tonnage and efficiency. Tauranga has claimed the title as the top performing city in New Zealand with a 6.6% growth in the five year period to 2017. Tauranga is one of New Zealand's fastest growing cities. The rapid population growth has

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4 S42A report to proposed plan change 9 to the Bay of Plenty Natural Resource plan at [2].
5 Above at 2-5.
6 “Port of Tauranga Limited – New Zealand’s largest and most efficient port – Port of Tauranga”. Port-tauranga.co.nz. 20 September 2015
7 Reports commissioned by economic development agency Priority One
seen Tauranga overtake Dunedin and the Napier-Hastings urban areas to become New Zealand's fifth-largest city.

5.5 Compare that with Kawerau and Opotiki districts which have the lowest and second lowest median personal income of any territorial authority areas. The Opotiki township's population has decreased by 7.1 percent since 2006.

5.6 Then there is the territorial variance in rural land use in the Bay of Plenty:

a. The Bay of Plenty has Kaingaroa Forest which is the largest forest plantation in New Zealand, and the second largest in the Southern Hemisphere.

b. The Bay of Plenty is known for its booming kiwifruit, avocado and other horticulture industry. The Bay of Plenty is New Zealand’s biggest regional producer of kiwifruit and avocado.

c. The Bay of Plenty also have a vast stretch of native forest. Te Uruwera together with neighbouring Whirinaki is the largest remaining stand of native forest in the North Island.

d. As previously stated the Bay of Plenty has a significant agriculture sector that has assisted it in achieving the fastest growing regional GDP in New Zealand.

5.7. BOPFF submits the diversity in population, groupings, population density, wealth, land use and growth within the Bay of Plenty means that there will be different values, interests, needs, traditions, cultures and expectations when it comes to freshwater.

5.8. There are geographic difference as well. As an example the Rangitaiki river is more than 150km long while the East Coast is dominated by streams of short distances that flow into the sea.

5.9. The point is that any planning provisions ought to take into account these variances. BoPFF submits that the proposed NES and draft stock exclusion provisions are a blunt and one size fits all provisions and inappropriate to take account of these differences.

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8 Statistic New Zealand, 2013 census.
6. **SUPPORT**

6.1. BoPFF supports the relief or part of the relief sought by:

a. Federated Farmers of New Zealand Inc (National Body) in its submission;

b. Joint submission Bay of Plenty Regional Council, Western Bay of Plenty District Council, Tauranga City Council, Rotorua Lakes Council, Whakatane District Council and Kawerau District Council (Joint submission); and

c. Western Bay of Plenty District Council.

6.2. BoPFF supports and adopts the whole of the National Body’s submission.

6.3. BoPFF agrees with and supports the following parts of the Joint submission:

a. High level concern that the government’s sense of urgency may come at the expense of:

   i. Well-crafted and targeted policy that is consistent with the RMA and with national level direction under the RMA, can be implemented, will achieve the changes sought, and will not have large unanticipated consequences;

   ii. A sound, reliable, technical evidence base for decision making that builds on existing local and regional knowledge and practice;

   iii. Realistic timeframes / pace of change and prioritisation for transition, that the nation, regions and districts can afford, and that reflect the complex interactions and responses of land and freshwater systems;

   iv. Robust economic and social analysis, providing a sound understanding of who will be affected, how, and how social, cultural and economic wellbeing can be best supported through the process of change. This must include integrate consideration of several government policy packages progressing at once;

   v. Focusing effort and limited resources on real problems to achieve real results, based on a realistic and practical understanding of pressure, state and likely response to management actions, including recognition that there must be different priorities between regions;
vi. Due process, including meaningful engagement with and hearing from the affected public. The truncated public engagement process, panel review period and government decision making processes raise risks that the above will not be achieved.

b. NES – BoPFF agrees with and considers that the NES regulations may inadvertently create barriers to activities that will have a beneficial outcome for freshwater, rivers, wetlands (and carbon reduction on increase in biodiversity).

c. S. 360 Stock Exclusion – BoPFF agrees that farmers already excluding stock should not be required to meet proposed setback widths until the fence requires replacing.

6.4. BoPFF agrees with the following parts of Western Bay of Plenty District Council's submission:

a. The essential freshwater package adds another level of complexity and a regulatory response but it does so without the necessary support or incentives required. It will put significant strain on resources cross all sectors.

b. BoPFF is also concerned that territorial authorities will be required to increase rates to cover the three waters work.

c. BoPFF shares WBoPDC concern that reliable telemetry would be difficult and cost prohibitive and agree that alternatives should be allowed where technology or transmission makes telemetry impractical.

6.5. BoPFF also wish to acknowledge the individual farm submissions.

- Thank you -