Richard Bain – Waikato Plan Change 1 Council Hearing - 25th March 2019

My name is Richard Bain , Im here today to represent my familys concerns with Waikato regional councils plan change 1 and to discuss how these changes will greatly affect our business and the structure of farming as a whole in the region. As a combined family operation we run two properties working together as one farming unit , farming predominantly cropping maize for grain and silage plus running finishing cattle for the premium local and export market.

The "Home farm" is 86 ha located just north of Hamilton towards Gordonton. This property has been owned and farmed for over 110 years and now into 5th generation on farm. This property has been mainly dairy farmed with some cropping over the first hundred years however in 2011 the land use was changed to beef finishing/cropping farm due to arrange of economic factors.

The "Run off farm" is 63ha located at Whitikahu, approximately 10km from home farm and was purchased approx. 20 years ago to support the dairy young stock, grow maize crops to support the home dairy and cash crops to sell to market. This farm had been a working dairy farm however the property had been severely neglected by previous owner infrastructure wise and required a complete re fence/weed removal/drainage program. This property had a very strong fertiliser history when we purchased it, however nutrient levels were drastically out of balance and didn't support good growing conditions for first five years as levels were continually tested and re balanced. Since changing the home farm to beef/cropping in 2011 this property went from dairy grazing/cropping to beef finishing/cropping .

Properties are in priority 1 and 2 zones and are surrounded by high producing dairy farms and dairy dominate the surrounding district.

With our farming operation we are very conscious of soil health as this is the engine that drives both an economic operation, high quality stock/crops and a healthy environmental outcome .Our objective is to increase soil health every year and we have spent large amounts of time/money on

testing/balancing soils to achieve this. The pasture and crop ground is farmed in rotation across both properties with a customised fertiliser plan to suit the planned use for the year be it stock or grain/feed crops with nutrient applied to replace nutrient used only .Cover crops are used on all cropping ground with no ground left bare. The cropping rotation allows a large amount of plant residue to be returned to the soil increasing organic matter which stimulates worm production and water holding capacity of the soils. The cropping rotation also allows for optimal stock and plant health as any weed/parasite/disease cycles can be addressed without drench/herbicide/insecticide resistance developing and limiting the use of these products.

We have continually farmed to best practice or above levels and were one of the first properties in the area to install a feed pad to improve feed utilisation and reduce environmental impact over 20 years ago and in the last 7 years have invested a large amount of capital in a herd home system that allows full time stand off under cover from paddocks during the winter or adverse weather events for a large portion of our cattle. All effluent is stored in covered concrete containment bunkers for summer or suitable weather spreading over a large portion of the farm with a tanker system .Both properties contain drains that are 90% dry for at least 6 months on the year .Stock are excluded from drains all year wether dry or not.

One of the surprising factors of the councils proposed plans is the fact that the council has not already enforced the current regulations especially around effluent storage on surrounding properties as a number of daries still don't have the required effluent storage or stock exclusion in place which are the two factors I would consider to have the greatest water quality affects.

Our concerns with the plan are the following:

NITROGEN REFERENCE POINT.

We oppose having a nitrogen reference point as this is just straight out "grandparenting" and is effectively setting unfair land values. Under this reference point allocation no allowance is made for soil type/contour or management system , highly productive soils could be underutilised while unsuitable soil types and contour could continue to be over intensively farmed just because they had a higher reference point in allocation year. While an extremely high reference point farm would have to reduce slightly under this plan they could still be at a much higher cap than a neighbouring property which had been farming responsibly during reference years. This in turn rewards the current high leecher and penalises farms who have spent money/time on having a responsible farming system.

If a nitrogen reference point is to be set for a property then I think a scientific approach would be for the properties soil type/weather events/contour and management to determine a reference point. This should be assessed and paid for by a qualified council employee working to one standard, not independent companies working to different costs/standards. This would make fair land valves and provide stability in communities as well as the best environmental out come of production verses environmental effect. It makes no sense to have suitable high quality land underutilised while poor land is allowed to continue at a much greater leaching just because they had a high fertiliser use in 2014/2015 or 2015/2016.

The use of the overseer program is proven to be inaccurate in cropping type farm systems especially in the Waikato with acknowledgement from the system designers plus multiple reviews rating the figures produced as wild guesses at best and not intended as enforcement tools. The over seer system cannot cope with the rooting depth achieved with maize plants and similar deep rooted crops, also the system only allows for one event to occur per calendar month so cannot cope with crops that are harvested, replanted and fertilised all with in short (maybe 1 week) time frame, therefore not dealing with reality on the ground.

We would like the councils reference to the over seer tool to be removed from use until such time as the program is actually capable of producing accurate proven data.

The economic reality of farming especially growing crops is that good farmers only apply nutrient that is needed by the crop as input costs are high. (which will vary year to year with weather events or the season as a whole). With leaf testing etc becoming more available it makes sense for a grower to split apply nitrogen as required and if a crop has had a very good growth season and had used its "allocation of nitrogen " early then starving plant of nitrogen at critical growth stages just because a computer model says so is extremely short sighted and invites senseless production losses and disease/insect damage to weakened plants. Starving plants of nitrogen will result in greater use of insecticides, herbicides and fungicides which in my option is far more harmful to the population and environment.

CULTIVATION SET BACK:

Schedule 1:2.(f)(ii)(d) cultivation set back 5m

We believe the 5m cultivation set back should not be a blanket rule as contour/soil type and type/timing of cultivation all have a huge impact of the amount of setback required. Surely just common sense would see that a flat paddock cultivated in spring beside a man made drain that is dry for 7months of the year is going to require a far less set back than a hillside cultivated in the winter beside a large stream. Part of the problem with the setback requirement is what is a waterway? At the start of the farmer consultation process we were told from council staff that this would not apply to our properties as we have no streams or large water bodies ie no 'WaterWays "

However as time has passed there seems to be great confusion among experts as to the councils definition of a water way .Do man made drains that are dry most of the year become water ways or not? If waterway setbacks of 5m are going to be required on these types of drains then this will

result in a large loss of production for zero environmental gain on flat land but this will also create a massive weed control and pest control problem with habitat for rats and ducks etc fouling the waterways and use of poisons/herbicides to try and control them.

During some discussions with council staff at info days they have said we can alter these type of rules with a expert elevation reports in our farm plans, however this would be a large financial outlay for independent expert reports which council may or may not accept.

During initial farmer consultation meetings we were told a farm plan was a simple 2 hour job for any farmer to complete, last I heard we now are going to have to pay a panel of experts with costs reaching into the tens of thousands?

LAND CHANGE. NO MORE VEGETABLE AREA. POLICY 6

We oppose this policy as this directly affects how our operation runs. We are on high Quality land and should be free to change land use as the market dictates. Our cropping ground is rotated with grazing land to follow the end market and to achieve our goals in terms of soil health. During discussions with council staff they have advised that our farm map would have to specify the cropping portion versus the grazing portion of properties and if we wanted to rotate ground then we would have to submit a new farm plan and lodge a resource consent effectively every season. This is not financially possible or time frame possible as cropping decisions and cattle markets change month to month. If land change between cropping/grazing cannot happen then market opportunities would be lost and without rotation production would decrease ,drench resistance would develop in cattle ,herbicide , pesticide ,insecticide and fungicide resistance will develop in crops. This is cost prohibitive and just no sense as we are producing food products with focus on the least use of these products possible.

NITROGEN AND E.COIL TARGETS:

This rule should be amended as at the 95 percentile this is not achievable. With this figure in play these conditions would have to be met even under flood conditions. If this is the case why does Hamilton City and other bodies have increased allowances during flood events etc. We think a realistic target of 80 percent would be achievable.

I believe if setbacks , riparian plantings and forest plantings are going to drastically increase in this plan change then Ecoil levels are going to actually sharply increase as all these things while sounding great actually create massive breeding grounds/habitats for rats ,possums, ducks etc. The council currently struggles to control these pests so where is the funding for massive pest control going to come from ? or will we be putting more 1080 directly into ground surrounding waterways? Will we be going back to TB and other diseases with all these unkept plantings?

ANNUAL ACCOUNTS:

SCHEDULE B (g)(i)(iii)(iv)

We believe that the requirement to submit annual account, stock/crop invoices should be removed from this plan. This information is commercially very sensitive and should not be held by council. This data is completely unrelated to environment concerns and council staffs time would be much better addressing real environmental issues on farm in a timely manner.

EXCLUSION OF PROPERTIES UNDER 4HA

SCHEDULE A& SCHEDULE B , rule 3.11.5.1

WE would like all properties in the catchment to have to meet the same standard regardless of size. All properties are involved in discharge into waterways and the actual impact of a lot of small blocks discharge per hectare compared to a working farm would actually be far worse. We have a large number of small blocks in our area that are often very overstocked per ha compared to a farm, with a lot of septic systems that would not comply with current standards. The council ignoring these properties of which there is a large number in this region just doesn't make sense. One rule and standard for all.