

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Proposed Waikato Regional Plan
Change 1 and Variation 1 to Proposed Plan
Change 1: Waikato and Waipā Catchments

Block 3 Hearing – Parts C7 to C10

AND

IN THE MATTER of the submissions and further submissions
by Ravensdown Limited
(Submitter ID 74058)

**STATEMENT OF EVIDENCE OF ANNA MARY WILKES
ON BEHALF OF RAVENSDOWN LIMITED**

5 JULY 2019

SUMMARY

- A. As outlined in my evidence for Block 2, Ravensdown Limited (**Ravensdown**) is a farmer-owned co-operative with nearly 2,000 shareholders based in Waikato. Ravensdown is a science-focused organisation delivering quality agri-products, technologies and services, and is an integral part of the food creation process, whether the food is grown for livestock or for humans.
- B. Ravensdown recognises the need for the environmental impacts of farming to be mitigated and is supportive of an effects-based approach. However, it is important that farmers' ability to operate is protected and they retain the opportunity to innovate and to run farm businesses that are productive, sustainable and profitable.
- C. While some of Ravensdown's Block 3 related submissions have been addressed through the section 42A Report's recommendations, based on Ravensdown's experience with the implementation of various farming related regional plan provisions around New Zealand, I consider that some matters require further consideration and amendment.
- D. In this context, I have made some comments on the method for determining a nitrogen loss baseline for Commercial Vegetable Production, provisions of Schedule 1 – Farm Environment Plans and the need for independent auditing/review. I have also suggested that the requirements for Certified Farm Environment Planners align with the existing Nutrient Management Advisor Certification Programme, to avoid duplication. Lastly, I have discussed the merit of the term Good Management Practice versus Good Farming Practice, with a preference for the former, given its existing widespread adoption in regional plans nationally.
- E. The exact nature of any consequential amendments is discussed in Ms Taylor's evidence and Appendix A of her evidence.

1. INTRODUCTION

1.1 My full name is Anna Mary Wilkes. My qualifications and experience have been provided in my Block 2 hearing evidence and therefore I have not included this information within this statement of evidence. Similarly, Ravensdown's interest in regulatory processes was also detailed in my Block 2 hearing evidence. I am presenting evidence as a representative of Ravensdown, and not as an expert witness.

2. SCOPE OF EVIDENCE

2.1 In preparing my evidence, I have reviewed the following documents:

- (a) Proposed Waikato Regional Plan Change 1: Waikato and Waipā Catchments (**PC1**) and Variation 1 to the Proposed Waikato Regional Plan: Waikato and Waipā River Catchments (**Variation 1**), hereafter referred to as '**PC1 and Variation 1**';
- (b) The Block 3 section 42A Report, hereafter referred to as the '**section 42A Report**';
- (c) Appendix C of the section 42A Report containing the "Tracked Changes" recommendations on PC1 and Variation 1; and
- (d) The evidence prepared by Ms Carmen Taylor, a planning consultant with Planz Consultants Limited.

2.2 The scope of my evidence is to provide some additional commentary on matters relating to a nitrogen loss baseline for Commercial Vegetable Growers (**CVP**), Schedule 1 – Farm Environment Plans (**FEPs**), the definition of Certified Farm Environment Planner (**CFEP**) and use of the term Good Management Practice (**GMP**) versus Good Farming Practice (**GFP**) prior to Ms Taylor addressing specific planning matters in her evidence.

3. MATTERS ARISING FROM PC1 AND VARIATION

Method for determining nitrogen loss baseline for Commercial Vegetable Production

- 3.1 The Officers' recommendations on Policy 3 and Rule 3.11.5.5 in relation to the establishment of a nitrogen baseline for Commercial Vegetable Production (**CVP**) make reference to CVP in Schedule B redundant, since there is no reference to Schedule B in any of the provisions relevant to CVP. This is because the Officers have recommended that nitrogen and phosphorus losses can be determined for each crop using a simple mathematical calculation of the surplus (ie, total applied nutrient inputs minus crop uptake of nutrients), rather than a Nitrogen Reference Point (**NRP**) using Overseer, as is required for pastoral farm systems, and set out in Schedule B of PC1 and Variation 1.
- 3.2 Ravensdown supports the change in reference period for baseline nutrient losses from 10 years to 5 years up to 2016. In relation to the proposed nitrogen baseline approach, Ravensdown acknowledges that vegetable crops are complex to model given the number of crops that can be grown on any given property and the variability of crop rotations within any growing season. While not strongly opposed to the use of the nutrient surplus method, we consider that an Overseer calculated NRP can be achieved for CVP, and would provide a better understanding of nutrient losses from CVP systems.
- 3.3 To provide a high level example, a nitrogen surplus could easily be calculated for a property growing cabbages and potatoes, with a surplus number assigned for each crop. If the same crops were modelled using Overseer, the outcome would be different depending on whether the cabbage crop followed the potatoes, or vice versa, because Overseer takes account of crop history. Overseer also has the ability to distinguish between the same crop having different end uses, such as process potato crops (eg, for chips) and seed potato crops, with each having different yields and nutrient requirements.
- 3.4 Ravensdown acknowledges that not all vegetable crops can currently be modelled in Overseer, however we understand that work is continuing to improve this.
- 3.5 For the reasons outlined above, while Ravensdown supports the continued use of Overseer and a NRP for CVP, we do not oppose the surplus approach that

has been recommended within the section 42A Report. Based on this stance, any further amendments to the CVP provisions of PC1 and Variation 1 are discussed in Ms Taylor's evidence.

Schedule 1 – Farm Environment Plans

- 3.6 I attended the two FEP workshops organised by Waikato Regional Council (**Council**) where a range of matters relating to implementation of the FEP aspects of PC1 and Variation 1 were discussed.
- 3.7 I support the Council's approach to seek to align, where possible, with the FEP provisions in the Canterbury Land and Water Regional Plan. Achieving a degree of national level consistency has a number of pan sector benefits as New Zealand faces the nationwide challenge of reducing the environmental impacts of farming on water quality. One obvious benefit is that of resourcing. Consistency between regions makes for a more efficient use of professional services resourcing as consultants are more easily able to work across regions. A benefit for the Council is that they can use the knowledge of other councils to resolve implementation challenges.
- 3.8 While I generally support the 'Proposed Revisions to Schedule 1 to incorporate Good Farming Practice into Farm Environment Plans' (Rob Dragten Consulting, 12 June 2019¹) (hereafter referred to as the **Proposed Revisions to Schedule 1**), there are some matters that warrant further consideration. I address these in the following paragraphs.
- 3.9 The Proposed Revisions to Schedule 1 provide conflicting information on the independency of the review function. The report refers to the ability of a farmer to engage "*a CFEP to assist the farmer from start to finish through the process*" (p10-11) and also discusses the need to manage conflicts of interest through the review process (p16). The report also states that one of the purposes for the review is "*to independently assess on-farm practice*" (p16). In my view, a CFEP who has assisted a farmer to prepare a FEP cannot then provide an 'independent' assessment of that FEP.
- 3.10 Based on Ravensdown's experience in Canterbury we support a system requiring independent auditing. In our view, the transparency of independent

¹ Inserted into the section 42A Report at pages 52-77

auditing outweighs the burden of certification. In Canterbury, someone who is a Certified Nutrient Management Advisor (**CNMA**) under the Nutrient Management Advisor Certification Programme (or has five years' professional experience and completed the Advanced Sustainable Nutrient Management in NZ Agriculture course) must complete some training in ethics (eg, the NZ Institute of Primary Industry Management Ethics Module) and then complete and pass two audits accompanied by a Canterbury Regional Council (Environment Canterbury) representative. There is an ongoing requirement to attend compulsory Council-led training (typically aimed at resolving specific issues) to ensure consistency and quality and to have one audit peer reviewed annually, at an approximate cost per auditor of \$1,000 per year. Based on the Canterbury experience, it is likely that only a subset of CFEPs would be interested in becoming auditors and the Council can maintain a limited pool of auditors to service the need.

- 3.11 Environment Canterbury also maintains a system for audit grade disputes. If a farmer wishes to dispute an audit grade, they may do so on payment of a \$1,000 bond which is refunded if the dispute is upheld. Where a dispute is upheld and the council deems that the auditor has not followed the auditing requirements and issued an incorrect grade, then the council can charge the auditor up to \$4,880. It is my understanding that to date, no audit grade disputes have been lodged.
- 3.12 In relation to the review (audit) requirements set out in Part C of Schedule 1, Ravensdown does not support the need for a review prior to lodging a land use consent application. We consider that conducting a review, and more particularly assigning a grade, at this stage of what will be a new process for farmers, serves no constructive purpose, other than to potentially disenfranchise the farmer from the process if a low grade is assigned.
- 3.13 The FEP will, in its initial preparation and as required by Part B(3)(b), set out “*a description of farming practices that are not consistent with the objectives or principles, and a description of the time bound actions or practices that will be adopted to ensure the objectives or principles are met.*” In Ravensdown’s view, this assessment will make clear to the farmer where efforts will need to be prioritised within the first 12 months, prior to the first review, required by Part C(2). Concern was expressed in the FEP workshop that time would be lost in ‘getting started’ if the FEP did not have a pre-lodgement review. However,

Ravensdown considers that this will not be the case, since there is no reason a farmer cannot start making any necessary changes from the date that the FEP is completed, irrespective of whether a review grade has been assigned or the consent been granted.

- 3.14 Ravensdown supports the review requirements set out in clauses (2) and (3) of Part C of Schedule 1 of PC1 and Variation 1.

Definition of Certified Farm Environment Planner

- 3.15 The section 42A Report accepts some of Ravensdown's submission points and recommends some changes to the definition of CFEP. Ravensdown supports the reference to completion of the Advanced Sustainable Nutrient Management in New Zealand Agriculture course at Massey University.

- 3.16 However, Ravensdown does not support the reduction of the length of experience from five years to three years. As detailed in our submission, Ravensdown supports the use of the Nutrient Management Advisor Certification Programme (**NMACP**) for the preparation of FEPs. The programme requires five years' experience as one of the criteria for Certified Nutrient Management Advisors (**CNMA**). I refer to the evidence prepared by Mr Mark Fitzpatrick for Ravensdown in Block 2 and endorse his opinion that CNMA accredited professionals will have the necessary training and commensurate experience to offer a sufficient level of certainty to Council and farmers. Given our view, a revised definition for CFEP is provided in Appendix A of Ms Taylor's evidence.

- 3.17 Ravensdown supports the section 42A Report's comments (paragraphs 242 and 245) in relation to the adoption of any national level guidance on qualifications for preparation of FEPs, and ensuring that the quality of FEPs is maintained through robust requirements for CFEPs.

- 3.18 Based on Ravensdown's experience in Canterbury, the professional services market will respond to the resourcing need in due course.

Definition of Good Management Practice vs. Good Farming Practice

- 3.19 Ravensdown does not support the section 42A Report's recommendation to amend the definition of Good Management Practice (**GMP**) to Good Farming Practice (**GFP**). Ravensdown does not agree with the section 42A Report

(paragraph 280) that Good Farming Practice is “*increasingly recognised in different regions and at the national level*”. Conversely, Ravensdown’s view is that GMP carries more weight in this regard. The basis for this view is that the GMPs detailed in the ‘Industry Agreed Good Management Practices relating to water quality’ (September 2015) are underpinned by references to more detailed guidance documents (eg, the Fertiliser Association of New Zealand’s Code of Practice for Nutrient Management, Dairy NZ Guide to Managing Farm Dairy Effluent).

- 3.20 The references to more detailed guidance documents, which are not confined to a specific version and therefore can be regularly reviewed and updated to reflect the evolving nature of ‘good’ management practice, will ensure that the Industry Agreed Good Management Practices (September 2015) remains current.
- 3.21 In contrast, Ravensdown considers that using the term Good Farming Practice implies reference to the Good Farming Practice principles detailed in the 2018 Action Plan for Water Quality. While Ravensdown is not opposed to the GFP principles, there is a lack of specificity included in the 2018 document and therefore the implementation of GFP principles may not necessarily result in improved environmental outcomes. For this reason, Ravensdown prefers the use of the term GMP over GFP.
- 3.22 To provide context for the use of GMP nationwide, the following regional plans include reference to GMP or a definition of GMP:
- Proposed Regional Plan for Northland.
 - Gisborne Tairāwhiti Resource Management Plan.
 - Bay of Plenty Proposed Plan Change 10 (Lake Rotorua) to Regional Natural Resources Plan.
 - Hawkes Bay Regional Resource Management Plan (specifically in relation to farming activities in the Tukituki, Tūtaekurī, Ahuriri, Ngaruroro and Karamu catchments).
 - Greater Wellington Proposed Natural Resources Plan.
 - Canterbury Land and Water Regional Plan.
 - Otago Regional Plan: Water.
 - Southland Proposed Water and Land Plan.

- 3.23 I acknowledge that development of the above plans pre-dates the release of the 2018 GFP principles. Also, I am aware that a preferred term (GMP or Good Environment Practice or GFP) is also being debated at the Environment Court hearings for the Southland Proposed Water and Land Plan.
- 3.24 Ms Taylor will discuss this matter further in her evidence and provide an amended definition of Good Management Practice.

4. CONCLUSION

- 4.1 While some of Ravensdown's submissions have been addressed through the section 42A Report's Block 3 recommendations for amendments to PC1 and Variation 1, some matters require further consideration and amendment. In addition to the four matters discussed in my evidence (method for determining nitrogen loss baseline for CVP, Schedule 1 – FEPs, definition of CFEP and use of the term GMP versus GFP), Ms Taylor has addressed remaining matters which in our opinion warrant further consideration.
- 4.2 Ravensdown supports effects-based approaches to regulation, if needed, to reduce the environmental impacts of farming. As outlined in our evidence there are some aspects of PC1 and Variation 1 that we consider could be amended in order to provide clarity to plan users and give Council the information they seek in order to progress the reduction contaminant losses to the environment, particularly from farming activities.



Anna Wilkes

5 July 2019