

**Before the Commissioners appointed by Environment Canterbury Regional
Council**

In the matter of the Resource Management Act 1991

And in the matter of the Proposed Land & Water Regional Plan
by Landcorp Farming Limited

**STATEMENT OF EVIDENCE OF KOLT JOHNSON on behalf of LANDCORP
FARMING LIMITED**

Dated: 2 April 2013

1. INTRODUCTION

Qualifications and Experience

- 1.1 My name is **Patrick Kolt Johnson**. I have a Master of Science Degree in Geology from East Carolina University (USA). I am employed by Sinclair Knight Merz (SKM) as a Hydrogeologist.
- 1.2 I have over 5 years experience in New Zealand as an Environmental Scientist at Hawke's Bay Regional Council (HBRC) from October 2007 to June 2012 and as a Hydrogeologist for SKM from August 2012.
- 1.3 During my time at HBRC, I was involved in science programmes to collect and analyse hydrologic data to inform policy in the Regional Plan, including minimum flows and allocation limits. These programmes incorporated consultation and communication with stakeholders, including Department of Conservation, Fish & Game NZ, Iwi, Water User Groups, and other local community organisations.
- 1.4 I have provided expert witness evidence in resource consent hearings (2008, 2009, 2010) as an Environmental Scientist at HBRC.

Code of Conduct

- 1.5 I have read and agree to comply with the Code of Conduct for Expert Witnesses issued by the Environment Court on 25 June 2009.

2. LANDCORP FARMING LIMITED'S INTEREST IN THE CANTERBURY REGION

- 2.1 Landcorp Farming Limited (Landcorp) own and/or lease and operate a range of farming enterprises throughout New Zealand. In August 2012, Landcorp commissioned Sinclair Knight Merz (SKM) to review the proposed Environment Canterbury Land & Water Regional Plan (pLWRP or 'the Plan') with respect to how the plan change may impact on Landcorp's businesses in Canterbury.
- 2.2 Landcorp currently hold interest over six properties in Canterbury as summarised in Table 1.

■ Table 1. Summary of Landcorp's farming interests in Canterbury.

Farm Name	Farm Area (ha)	Type	Zone	Farming Arrangement
Hamner Farm (Molesworth) ¹	180	Beef finishing	Hurunui-Waiiau	Own/operate
Molesworth Station ¹	180,000	Cattle	Hurunui-Waiiau, Kaikoura	Lease/operate
Toshi Farm ²	930	Mixed stock and cropping	Hurunui-Waiiau	Lease/operate
Eyrewell ¹	664	Sheep	Waimakariri	Own/operate
Waimakariri Dairy Unit ¹	520	Dairy	Waimakariri	Own/operate

Farm Name	Farm Area (ha)	Type	Zone	Farming Arrangement
Rosebank and Maronan ¹	1,140	Sheep, cattle, dairy	Ashburton	Own/operate

Sources:

1. SKM, 2005. National Farm Water Supply Study. Phase 1 – Farm Audit Report.
2. SKM, 2012. Toshi Farms. Surface Water Take and Use Consent Application.

2.3 Landcorp support the vision and environmental outcomes of the pLWRP and encourage a science-based approach to natural resource management. Landcorp are committed to conducting an environmentally and economically sustainable business that adds value to local communities and the nation as a whole.

2.4 This is reflected in Landcorp's mission statement (from Landcorp Farming Limited Statement of Corporate Intent 2012-2015):

2.5 To be New Zealand's best livestock farmer: environmentally, socially and economically, by:

- Implementing best practice in dairy, sheep, beef and deer farming and by optimising forestry returns
- Ensuring efficient, effective and sustainable land use management
- Creating added value in fibre, food, and service based products
- Identifying and meeting customer and consumer needs
- Developing and promoting a culture of innovation
- Being one farm, many paddocks
- Optimising profit and creating more value for our shareholders by optimising land use within our estate
- Facilitating the transfer of best practice to the wider pastoral sector
- Meeting social obligations

2.6 In other regions of New Zealand, Landcorp have multiple properties in a catchment, with varying farming enterprises and intensities. Landcorp seek to maintain land use flexibility to balance their portfolio within catchments. As such, Landcorp support resource management approaches that allow flexibility in the management of multiple land uses within a catchment to achieve overall environmental outcomes.

2.7 SKM, on behalf of Landcorp, has assessed the Section 42A Report; Volume 2 for Hearing Group 2 and provided evidence on the items outlined below.

3. GENERAL COMMENTS

- 3.1 Landcorp recognise that the recommendations in the Section 42A report (Vol. 2) represent a substantial change to the originally notified Plan. Overall, the recognised themes include a shift in emphasis on the pre/post 2017 framework, increased emphasis on farm environmental plans, reduced reliance on OVERSEER in the policy/rule framework, and increased flexibility in areas that are nearly or over-allocated with respect to nutrients.
- 3.2 Landcorp support a management framework which facilitates cooperation with industry to define best practice and allows adaptive farm management to be a driving force behind environmental outcomes. As such, Landcorp support the new direction of the Plan, as indicated by the recommendations in the S42A report for a re-draft of policies and rules, refinement of Schedule 7, and updated definition of terms.

4. RE-DRAFTED POLICIES

Policies 4.31 and 4.32

- 4.1 Landcorp support the removal of the requirement to use Overseer.
- 4.2 Landcorp support use of performance based mitigation practices in order to reduce farm derived nutrient discharges rather than hard limits that do not allow for flexibility and adaptive management on-farm.
- 4.3 However, Landcorp recognise that the upper quartile and upper decile of “nutrient discharge minimisation practices” will have to be clearly defined to provide any usefulness in a policy framework. In addition, these represent a moving target that will change with time and the advancement of farming techniques.
- 4.4 More critically, the Plan needs to use only one of the terms “advanced mitigation farming practices” and “nutrient discharge minimisation practices” to ensure clarity and avoid misinterpretation. Further, a review process must be defined so that the mitigation framework in the policy remains current over time.
- 4.5 Landcorp oppose the amended policies without clarification of the following:
- (a) How will the nutrient discharge minimisation practice quartiles/deciles be defined?
 - (b) What review process will be utilised to ensure the quartiles/deciles are appropriately up-to-date?

- (c) Where will the nutrient discharge minimisation practice quartiles/deciles be documented? e.g. Schedule 8.

4.6 Landcorp seek that in the absence of clarification on the above matters, that the policy wording be amended to the following:

Policy 4.31 – In areas where regional water quality outcomes are at risk of not being met, as shown by an Orange colouring on the Series A Planning Maps, a changed or new farming activity will be required to show that there is no net increase in nutrients discharged from the property and that a Farm Environment Plan is prepared and implemented and regular audit shows compliance with the plan.

Policy 4.33 – In areas where regional water quality outcomes are not being met, as shown by a Red colouring on the Series A Planning Maps and in Lake Zones as shown on the Series A Planning Maps, a changed or new farming activity will be required to show that there is no net increase in nutrients discharged from the property and that a Farm Environment Plan is prepared and implemented, which utilises advanced nutrient management practices, and that a regular audit shows compliance with the plan.

Policy 4.33

4.7 The purpose of this policy is unclear as it cannot be determined what effect it will have on the assessment of proposed activities or supporting rules that guide the assessment of proposed activities.

4.8 Landcorp oppose Policy 4.33 in its entirety without clarification through a wording change of the following matter:

- (a) Does this policy give priority to plan change initiatives under collaborative efforts (i.e. industry group driven plan changes vs. regional council driven) or priority for resource consents that utilise a collaborative approach to on-farm nutrient management?

4.9 Landcorp would potentially support this policy provided a revised wording was offered which clearly defines the scope of the policy; i.e. the scope is to prioritise plan changes between industry initiatives and regional council initiatives, not to guide the assessment of proposed activities. As such, its position between Policies 4.32 and 4.34 is out of place and should be moved to the Strategic Policies section.

5. RE-DRAFTED RULES

Rules 5.43 and 5.45

- 5.1 Landcorp support the shift towards the use of Farm Environment Plans as a way to manage nutrient discharge as they are farm-specific, adaptable, and achievable.
- 5.2 However, Landcorp oppose Condition 3 of Rules 5.43 and 5.45, which does not clearly define how the contribution of nutrients from the proposed activity will be assessed in relation to the nutrient allocation status.
- 5.3 As written, the policy allows for a potentially inequitable assessment of proposed activities without a clear definition of the assessment criteria. Furthermore, the utility of Condition 3 is negated by the utilisation of a Farm Environment Plan which defines the most appropriate farm management practices at the farm-scale, thus is appropriately suited to addressing nutrient management in any given Nutrient Allocation Zone.
- 5.4 Landcorp seek that Condition 3 be removed.

6. DEFINITIONS

Recommendation R2.10.21

Item 1:

- 6.1 Landcorp oppose Item 1 in the absence of a trigger point – this condition can unduly trigger a consent requirement over a small increase in irrigated area that will not have a measureable environmental effect.

Item 3:

- 6.2 Landcorp support Item 3 provided that it excludes the temporary movement of stock between property units for stock/farm management purposes.

Kolt Johnson

April 2011

