

Tabbed at Hearing 15/10/2014  
R. McMath

### **Verbal Submission.**

I am speaking on behalf of those farmers who have been farming with “good sustainable management nutrient loss rates” for many years who are now being discriminated against to the advantage of the very farm systems that have accentuated if not caused this problem.

### **From the “Human rights and water” publication by the Human rights Commission. (In Italics)**

*The United Nations High Commissioner for Human Rights says there are two main rationales for a human rights-based approach: an intrinsic one (because it is the “right thing to do”), and an instrumental one (because it “leads to better and more sustainable human development outcomes,” can help resolve conflict among stakeholders etc). In practice, the reason to pursue such an approach is usually a combination of both.*

*Essential to Human rights is:*

#### **Non-discrimination**

*Which is central to human rights and requires a focus on marginalised and vulnerable people.*

#### **Participation**

*Which refers to the need for the planning, design, maintenance and monitoring of water services to be participatory and the need for transparency and access to information. (Overseer)*

#### **Representation and non-discrimination.**

*Participation is heavily influenced by who speaks for communities and who is represented on decision-making bodies. Only when those (ie all affected people) directly affected by policy and legislation have a genuine voice in deciding its formation can a governance structure be said to truly reflect the society it represents.*

The zone committees were major contributors to this Variation yet their member selection was a parallel to the present Beijing announcement that Beijing will select the candidates for the Hong Kong people to vote for. Here, names from the zone are put forward for the committee and Ecan selects who it wants on the committee.

Some of the major industry people who had an input into this variation have presented their case and justified why they can maintain their “high leaching practices” by explaining the amount of money they have invested in their business (some many years ago) and the return they require. (also referring to the Government wanting to increase exports from the Dairy sector) There are many of us that have spent equal amounts of money on improving our nutrient footprint, farm less animals per Ha in an environmentally enhancing way and we are now penalised by having a lower “base line”. Last year I commenced an over \$500,000 investment installing gravity fed centre pivot irrigators with a fertigation system to decrease nitrogen application rates, but am now not allowed to increase stock numbers to get

a return to repay the investment. In Oct 2013 my nitrate leaching rate was 14 kg/N/Year. I am locked into that while other farms are locked into 85kg/N/ha. Also by 2022 I must decrease by 30 %.( Refer Overseer: revised leaching)

Is this not “discrimination”?

New Zealand is not well known for its property rights and is classed as one of the worst in the OECD, however Article 1 of the Universal Declaration of Human Rights states:

All humans are born free and equal in dignity and rights.

I consider depriving a person of their rights to develop and use their property in a way that is environmentally and economically sustainable, farming within their rightfully expected proportion of the catchment “leaching credits”, because their neighbour has been given, and is allowed to keep a proportion of his credits, while continuing to abuse the very reason why those restrictions have been imposed, is not giving those human beings equal rights, hence a denial of Article 1.

### Overseer.

As I stated, in Oct 2013, my nitrate leaching rate was 14 kg/N/Year six months later a different version altered that, with same conditions to 27 kg/N/Year. Many other farms experienced similar increases. Did the catchment load limit likewise increase from 4830 t/N/Yr. to 9315 t/N/Yr.?

Yesterday my Ravensdown rep advised me that the latest version creates some impossible leaching figures for some cropping farms.

With this sort of variation over six months how can legislation, farm assessments and base line calculations revolve around such an unreliable standard?

There has been no variation, to my knowledge, of the calculated catchment load limits for farming of 4830t/N/year. Given the above variation this has no substance. How was this calculated? Was it using the same analysis and program??

Why has it not altered when farms losses have varied so widely? (Doubled) I refer here back to Participation and the need for transparency and access to information.

What is the leaching at 1, 5, 10 meters below the root zone. Is it exponential or linear? This is very important when looking at different farming activities and irrigation schemes. In one part of the scheme may accordingly leach exceptionally high while another part has very little. In the calculations is the overall picture worse than all leaching the same amount averaged out evenly. This irrigation scheme condition is a result of so called Representation, but sadly undermines the lone farmer.

## **Summary.**

Throughout this process it must not be forgotten that the goal is to reduce or maintain the catchment losses. Economics must be considered but not at the expense of equal human rights.

I would like to see a clause enforcing CRC to determine an acceptable equal leaching amount that ALL farms can work towards ie based on soil type, and perhaps an introduction of a maximum stocking rate.

Any farm that exceeds the leaching amount allowed by the above must decrease to that amount over 5 years. A farm below the amount must have the right to increase to that amount. This to me is the Human Rights issue.

With the Overseer example above how can any of the figures the "Experts" and CRC are using be trusted? How can legislation be passed that relies on this?

It has been reported that housing cows would solve the dairy farm leaching as covered by this variation. The same bodies have been fighting to stop caged chickens and pigs for over 10 years, so I am now very confused. There is so much in and out of this variation that is not based on proven science and now contradictory animal rights??

I see nothing in this variation preventing the Tourism Industry from horse treks up streams and riverbeds. After all, it was that industry that caused the most pollution in our rivers with Didy-mo. Sadly, it is easy to pick on the agricultural sector, with many small family run farms who are so busy working, much of these type of changes go unnoticed until it is too late? They are not trained scientists nor engineers but are farmers who are amongst the greenest citizens in New Zealand.

I want to make it clear I am not against environment standards, but legislation must be equal for all people and not allow one person to capitalise at the expense of depriving another the right to be able to earn a livelihood from his property.

Thank you for your time. I only hope you consider my submission points.

