Your submission to Action for healthy waterways – consultation

Submitter Type: Unspecified / Other

Clause
Proposals as a whole - please refer to questions 1-3 on page 19 of the discussion document

Notes
We believe that the proposals may result in small improvements (say 10-15%) but they won’t stop further degradation of New Zealand’s freshwater resources. A complex set of rules is not going to work for anyone and will burden industry and local government with onerous investment in measures that won’t materially improve water quality in 5 years. What will bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation is a community catchment-based approach that empowers farmers and communities to work together. This work has already begun in many catchments throughout New Zealand such as the Pomahaka catchment with which many of our group are involved. In this catchment we have been on a pathway to the targets that had been set for 2020 through the Otago Regional Council Plan Change 6A. The Pomahaka Water Care catchment group has been extremely successful at bringing people together and reconnecting the community to work towards a common vision for water quality in our area. This collaborative approach alongside some clear, science based environmental bottom lines that protect human and ecological health that enables regulators to target and prosecute laggards will bring material results.

Clause
Impacts and implementation - please refer to questions 4-6 on page 19 of the discussion document

Notes
As already noted, we believe the Government should provide support to catchment initiatives to reconnect communities and support the focus on communities determining what water quality outcomes they desire in their catchment. This in turn will identify problem areas in the catchment that need to change behaviour to meet the water quality outcomes the community desires. The government should support the implementation of farm environment plans that have been developed through industry groups and in particular industry farm assurance schemes which are a better pathway to educate and incentivise farmers to improve environmental outcomes. We strongly believe that the prescriptive approach of these policies will not create the right behaviour, particularly in those farmers which it is intending to target. Those farmers will continue to work the system and do the bare minimum, applying only the rules and not the industry good management practice initiatives that will make a measurable difference. The unintended consequences will be a lack of innovation around management practices to improve water quality. A blanket requirement to fence may be easy to measure but has significant potential to divert resources away from activities that would achieve a greater environmental benefit (e.g. erosion control). There will also be a very high cost of implementation, administration, auditing and consenting around these proposals. Added to this, is the impact on farm business equity through the proposal’s limits on intensification.

Clause
Restricting further intensification - please refer to questions 51-53 on page 80 of the discussion document

Notes
We support in principle the restrictions on further intensification of land use. Specifically, we support the measures to restrict further intensification to stop land use change to dairy grazing or dairy farming in the interim. However, there should be room for increased intensity or development and flexibility of the current land use if it is sheep/beef/deer/arable. Farmers need flexibility for changes in seasons, weather, markets, and other pressures to run farms in an environmentally, economically, socially and culturally sustainable way. The proposals to restrict any land use change, regardless of existing levels of discharge, will effectively lock in current land uses. This is essentially a form of grandparenting which will reward high intensity, high discharge systems, while penalising low input, low discharge systems. High intensity systems will be rewarded with the greatest flexibility and choice in how to adapt their farming systems, while low intensity farming systems will be given virtually none. We do not support bullet point #3 (page 64) regarding forage cropping, believing that it will create unnecessary and unenforceable requirements regarding the past five-year’s cropping. In regard to a ‘minimum threshold’ we would support ‘50 ha or 10 per cent of the property’.

Clause
Farm plans - please refer to questions 54-57 on page 80 of the discussion document

Notes
We would support mandatory farm planning, the proposed minimum content requirements and the timeframes as set out in the proposal. However, we think farm plans should continue to be completed by individual farmers, not certified farm environment planners. We would support the continuation of the current approach where development of farm plans is facilitated through
workshops by industry groups such as Beef+Lamb NZ and industry farm assurance schemes. This approach supports farmers to tailor their farm plans to suit their specific challenges. It also ensures that farmers take ownership of their farm plans and develop meaningful responses and actions that will in most cases far exceed the bottom-line rules outlined in this proposal. Those completed by an independent advisor may be simply ticking the box where the farmer is not engaged in the process. We believe that the use of farm environment plans could be the most powerful part of this proposal. They allow for innovation around good management practices and enable prioritisation of farm business investment to the greatest benefits in improving water quality. There needs to be a standard format that would incorporate or replicate that of industry templates that are already being used (i.e. Beef+Lamb New Zealand Land and Environment Planning templates, FarmIQ environment planning online tool). We would like to see the Government provide additional support for industry-led farm assurance schemes or their Land and Environment Plans and activities to support catchment initiatives. The cost of compliance or the level of on farm action should be proportional to the environmental impact of the farm on freshwater health. If there is to be an auditing process, audit frequency should be linked to performance, some types of farm business may be audited more frequently.

Clause
Excluding stock from waterways - please refer to questions 65-68 on pages 80 and 81 of the discussion document

Notes
We support excluding stock from waterways where appropriate and managing this through farm plans by undertaking a risk assessment of impact, intensity, time of year, type and class of stock. There are times when sheep should also be excluded from waterways based on intensity (mob size) and time of year due to issues with erosion and e-Coli. However, as above this can be managed through risk assessment and identification of good management practices in farm plans. We would oppose requirements to exclude stock out of waterbodies, particularly on hill country properties where stock exclusion/fencing is prohibitively expensive due to the terrain, length of fencing required, and significant maintenance costs due to extreme weather conditions. We also believe that the 5-metre setback is irrelevant. What should be effected through farm plans, is a risk assessment of waterways that need to be fenced/stock excluded that then determines the setback (which may be greater than or less than 5 metres depending on slope, soil type, susceptibility to flooding) and subsequent adoption of good management practices that can really have an impact on contaminant losses to waterways. This would include the identification and management of critical source areas and overland flow which is a more efficient and effective way to manage the risk of contaminant loss rather than blanket stock exclusion and blanket riparian setback distances. Exemptions to the stock exclusion regulations would include periods of drought especially in hill country where there is no reticulated water, where weed control is a problem, areas where there will be a reduction in recreational activities (fishing and swimming) due to excessive weeds that come with fencing and stock exclusion. The proposed method of identifying waterways for stock exclusion through average slope on land parcels will not identify some areas with the greatest risks. There is too much slope variation within farms and some farms are excluded from the mapping. Some of these farms contain a proportion of area that is low slope that they are already managing well with appropriate setbacks and stock exclusion as explained above. This would be a loophole that could be exploited by those farmers who are looking for a way around the rules. The proposal refers to “stock exclusion” as meaning “permanent or temporary fencing, but the requirements will allow the use of other technology such as ‘virtual’ fencing and ‘smart’ stock collars”. However, in other parts the proposal also refers to “fencing”. We would strongly recommend that “stock exclusion” be the term used consistently Using the term “stock exclusion” allows for farmers to implement the appropriate good management practice based on the situation and risk as we have outlined above.

Clause
Controlling intensive winter grazing - please refer to questions 69-70 on page 81 of the discussion document

Notes
We would support the establishment of intensive winter grazing standards based on Good Management Practice Principles, such as the application of ‘strategic grazing principles’ to be effected through the farm plan. Therefore, we could support Option 2: Industry-set standards. However, good management practices are key and a setback from waterways of 5 metres may not be sufficient in all situations. Where the slope is greater it may be more appropriate to have a much greater setback (10-20m +). We would oppose the pugging extent as proposed under Option 2 as it would be unrealistic. Currently to minimise pugging we carefully select winter grazing paddocks to ensure they have shelter, dry areas for stock and have a land use capability that supports winter grazing. Crops are planned carefully to ensure they match class of stock and land type. Use of direct drilling and minimum tillage techniques are also part of the good management practices we use to minimise soil disturbance and maintain soil structure. Critical source areas are left uncultivated and stock excluded, grazing them last when conditions are suitable in spring. Stock are grazed on wet prone areas of the paddock when it is dry, shifted more frequently in wet periods, with back fences and portable troughs used to minimise pugging. Winter paddocks are set up by placing baleage in the crop paddock to avoid soil damage caused by heavy machinery traffic when feeding in winter. Use of feed pads and sacrifice paddocks is not a viable option in many instances and results in a greater impact on soil health in more confined areas such as laneways and gateways. In addition, running pregnant ewes on and off crop is an animal welfare issue. Winter grazing is an important part of the farming systems we run in this area due to the colder temperatures meaning limited grass growth during winter months. The only other option would be to feed hay and baleage which would be extremely dangerous in some of the steeper country that we farm, it would be very expensive and involve a high use of fossil fuels. If there was to be a ‘minimum threshold’ for forage cropping area, we would support this being ‘50 ha or 10 per cent of the property’. What needs to be considered is that by reducing the area that can be winter cropped, some farmers will put in more intensive crops such as fodderbeet that can sustain a greater stocking intensity but will increase soil degradation and loss. Under Option 2, the proposed standard for land to be forage cropped with a slope below 20 degrees would be acceptable, although consideration of slope alone is too simplistic. Environmental risks associated with winter grazing on forage crops relate to the intensity of the operation, the soils it occurs on, the way the activity is being undertaken and the proximity to a receiving freshwater body. A restriction of anything less than 20 degrees would push areas of winter crop onto flatter more intensive areas of farms with heavier soils that may be unsuitable for winter cropping. We would not support the proposed nationally set standards (Option 1) and have detailed those conditions that we could work to above in relation to the industry-set standards supported by Industry Good Management Practice Principles effected through farm plans. We are concerned that a prescriptive rules-based approach will cause some farmers to farm to the rules and find the loopholes, rather than what is the best outcome for the environment. What is needed is a system that rewards people for best
### Supporting documents from your Submission

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practice.