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

Notes
1. Do you think the proposals set out in this document will stop further degradation of New Zealand’s freshwater resources, with water quality materially improving within five years? - No – As they are based upon unsubstantiated minimum standards that will not reflect catchment specific issues and options. 2. Do you think the proposals will bring New Zealand’s freshwater resources, waterways and ecosystems to a healthy state within a generation? Impossible to answer – the question should be “will they result in improvement faster than the current process” to which the answer is no – because they do not enable the solutions to be developed via local governance any faster than current. 3. What difference do you think these proposals would make to your local waterways, and your contact with them? none

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

Notes
51. Do you support interim controls on intensification, until councils have implemented the new NPS-FM? Why/why not? No – there is no evidence to support the notion that dairy support has a greater effect than dairy beef. Likewise, many sheep and beef properties will have a larger footprint than some more “intensive” activities simply because of the landform they operate on. It will be far more effective to allow specific catchment analysis to identify contaminants of significance and focus limits around those. 52. For land-use change to commercial vegetable growing, do you prefer Option 1: no increase in contaminant discharges OR Option 2: farms must operate above good management practices. What are your reasons for this? Option 2 – because option 2 will allow farmers to adapt

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

Notes
Farm plans are a very useful tool that allow farmers to objectively analyse their farm asset and operating system. They are not just an environmental management tool. Care must be taken to avoid farm plans becoming a simple compliance tool that does not capture the full operational efficiencies that can be achieved. The risk is – that by demanding compliance around farm plans their true benefit will be diminished - an example of this is the use of Overseer - where its use now is largely limited to achieving compliance. Unavoidably - the time frame around these policies and the need for several hundred new farm planners means that the lowest common denominator will become the norm as the average experience and understanding of farm planners will be reduced - this is an undesirable outcome for farmers and regulators. The need to have a farm plan should be mandatory - but the technical detail should not become a matter of compliance.

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

Notes
65. Do you support excluding stock from waterways? Why/why not? Yes – because it is well established that this action can have measurable benefits across a range of contaminates although its actual effect will be dependent upon the intensity of current operations and not uniform across all farms and farm systems. 66. Do you have any comment on the proposed different approach for larger and smaller waterbodies? It is illogical to have a differential mgmt. framework for large versus small streams that demands minimum standards for a large stream and a bespoke approach for a small stream. The size of the stream does not drive the effect of contaminating sources or the effect of any solution. Identifying areas of streams that are large or small is highly variable and will lead to confusion and wasted resources. i.e. streams can be wide and narrow within the same paddock. 67. Do you have any comment on the proposed five meter setback, or where it should be measured from? Firstly – the notion that a 5m setback is more effective than a 1m setback is not supported by any science. It is well established that it is the act of excluding stock (by any method) that will produce the effect. The science around setbacks is very clear that setbacks will only work where there is an even laminar flow down a low slope (2-10) degrees (a situation that rarely exists naturally). Therefore, in steeper areas or areas where micro topography is not smooth the effect of setback will be reduced significantly as water will be moving through the setback with excess energy or will channelized and flow straight through a setback. i.e. setbacks will only work when they are in a position where they can work - this demands site specific analysis and detail not recognised by universal minimum standards. A more effective and manageable policy directive will be to have a 1m setback that can be increased as any particular situation demands. This should be measured from the wet edge of the waterway (or the edge of wetted bed). The edge of the wetted bed is the relevant landscape feature. The top of a bank can be a very subjective and variable feature. 68. Are there any circumstances that are appropriate for allowing exemptions to
the stock exclusion regulations? If so, please give examples. As with all regulation cost benefit must unpin the desired effect. In this case the establishment of universal minimum standards and stock exclusion will create significant economic hardship. This has been well illustrated in the MRB and Agfirst ‘modelling of mitigation strategies on farm profitability’. This report identifies reductions in EBIT of over 50% in multiple cases. This is simply unsustainable. The imposition of this sort of cost on farms cannot be achieved without significant and enduring financial and social hardship for farming families, employees and associated industries. This is unacceptable given the lack of technical support for this policy (no science supporting 5m setbacks) Therefore – where cost benefit of fencing and setbacks is not apparent a bespoke approach should be enabled where farmers may outline other methods to achieve water quality improvements. This might include forestry, riparian planting to achieve shading or wetland rehabilitation. This should include an analysis of current investment in ecological infrastructure to ensure the early adapters are not unfairly impacted by inaccurate policy.

Clause
Other comments on the proposed National Environmental Standards for Freshwater - please refer to questions 76-78 on page 81 of the discussion document

Notes
the time frames intended in these policies are too tight - typically it will take 15 years to make meaningful improvements at catchment scale - the haste to show improvement in proposed NPS will only distract form real and enduring change and create significant hardship for rural communities. by all means get the process rolling - but do not constrain the outcome by being too eager - these are complex and resource hungry processes - allow them time to work.