SUBMISSION:
Action for Healthy Waterways

TO:
Ministry for the Environment

DATE:
30th October 2019

FROM:
New Zealand Pork Industry Board
NZPork Submission: Action for Healthy Waterways
October 2019

NZPork would like to thank the Ministry for the Environment for the opportunity to give feedback on the “Action for Healthy Waterways” proposals. NZPork consulted with commercial pig farmers on the proposals and this submission reflects their views. We would welcome the opportunity to discuss our submission further.

NZPork is a member of Federated Farmers of New Zealand and supports their submission.

1. About NZPork

The New Zealand Pork Industry Board (NZPork) is a statutory board funded by producer levies. The board’s statutory function is to act in the interests of pig farmers to help attain the best possible net on-going returns while farming sustainably into the future. The Board employs a Senior Environmental Advisor to assist farmers with implementation of environmental good practice and to represent their interests in planning regulations.

2. Commercial Pig Farming in New Zealand

The pig farming industry in New Zealand is small by international standards, with around 90 registered commercial pork producers nationally. Although it is a small industry, pork producers have an important flow-on effect to their communities, forming an integral part of the rural economy as they utilise other farming resources such as grains for feed production as well as providing employment. In 2016, the value of pig production in New Zealand was around $430 million at retail.

Pigs’ needs are unique compared to other farmed animals. They need constant access to shelter, a balanced diet and regular care and supervision. To meet these needs, New Zealand’s commercial pig farmers have adopted a range of farming methods. Many farmers prefer indoor farming because they believe it allows them to provide the best care for the modern animal by allowing them to carefully manage their environment. Approximately 55% of New Zealand’s pigs are farmed in this way.

The other 45% of New Zealand’s commercial breeding herd is farmed outdoors. Outdoor breeding (also called free-farmed pork) can only occur in a moderate climate with low rainfall and free-draining soil conditions. In New Zealand, these conditions are mostly found in Canterbury. In most free-farmed systems, sows are farmed in groups in paddocks during gestation with huts for shelter and shade. When sows farrow, they are provided with individual, dry and draught-free huts with straw for warmth. A variety of housing systems are then used to house pigs after weaning, including indoor barns or open-air sheds.

Many farmers use rotational outdoor systems in which pigs are kept outdoors in paddocks that are used in rotation with a crop-pasture phase. During the stocked phase, the pigs are supplied with prepared feed, but can also forage. The crop-pasture phase is then used to remove nutrients deposited in manure from the pig phase by cutting and removing plant material from the area.
Most pork produced in New Zealand is consumed locally. This means that unlike other primary sector industries, the continued viability of pig farming in New Zealand is not needed for the continued export of commodities, but for the continued ability of kiwi farmers to produce food for kiwi families.

New Zealand pig farmers are facing several economic, social and environmental challenges in order to remain viable. The contribution of imported pork to New Zealand’s total pork consumption has increased significantly in recent years (now more than 60%), putting pressure on the domestic pork industry. New Zealand pig farmers currently operate to animal welfare standards that are higher than the welfare standards in countries providing imports to New Zealand. In 2015 the use of gestational stalls was banned for domestic pig farming in New Zealand, but imports from countries permitting the use of gestational stalls continue – as other countries are not held to New Zealand’s animal welfare standards.

While our farmers embrace providing well for the welfare of their animals, meeting welfare standards higher than imported foreign pork puts New Zealand farmers at a cost disadvantage, by adding to building and labour costs, increasing mortality and lowering productivity. Further restrictions on the ability of New Zealand pig farmers to operate in a sustainable and profitable way could lead to a further decline in domestic pork production or the removal of the whole New Zealand industry.

The spread of African Swine Fever in 2019 is now affecting the availability of pork globally. New Zealand can no longer rely on imported pork products in the wake of the spread of the disease. Maintaining domestic pork production is therefore essential to maintaining the availability of pork in New Zealand.

3. Environmental Stewardship in Pig Farming

The New Zealand pork industry is dedicated to producing environmentally sustainable pork. NZPork is proactive in supporting farmers to reduce environmental impacts through investing producer funds into research, innovation and technologies in a range of environmental areas including nutrient management, greenhouse gas emission reductions and by-product reuse.

Commercial pig farmers have a long history of environmental innovation and stewardship. Farmers using outdoor systems operate to industry agreed Good Management Practice (GMP) Standards for Outdoor Pigs, which includes maintaining stocking densities appropriate to the type of piggery operation (rotational or fixed), maintaining ground cover to minimise nutrient leaching and sediment runoff, and excluding stock from waterways. Farmers using indoor systems have a high degree of control over nutrient application to land and are able to store effluent and defer application to land until environmental conditions will result in minimal leaching of nutrients.

NZPork is part of the Good Farming Practice Action Plan for Water Quality Governance Group and actively support and promote agreed national good farming practice principals within the commercial pig farming industry, including the implementation of farm environment plans (FEPs). NZPork provides guidance to farmers on environmental management, and has produced guidelines on Environmental Management, Nutrient Management and Carcass Composting.
4. Summary of submission

NZPork is supportive of the concept of Te Mana o te Wai and of the objectives identified in the Action for Healthy Waterways discussion document, being to stop further degradation of freshwater resources, reverse past damage and address water allocation issues. However, we have concerns over several of the proposals and are disappointed in the way in which consultation has been undertaken.

In summary:

4.1 NZPork is disappointed in the short timeframe allowed by the Ministry to review and prepare a submission on these substantial proposals. The timeframe provided has not been sufficient to thoroughly engage and consult with our pig farmers. As such our submission is limited to those issues most relevant to commercial pig farmers.

4.2 Both the discussion document and interim regulatory impact analysis lack a thorough analysis of the potential economic and social implications of these proposals. Without this, it is difficult to fully understand and assess the potential impacts on pig farmers.

4.3 NZPork does not support the proposed new nutrient attributes for waterway health for DIN and DRP. Setting a blanket target for all waterways does not acknowledge the inherent complexity of natural systems, or that different communities will have different aspirations and priorities for the health of their waterways.

4.4 NZPork supports the proposal for real time reporting of water use, provided that exemptions can be made where the cost of telemetry is prohibitive, and councils use collected data effectively to improve waterway health and identify appropriate levels of water allocation, thus providing a benefit to farmers.

4.5 NZPork understands that the intent of the Proposed National Environmental Standard for Freshwater is to capture activities relating to arable, pastoral and horticultural farming. As such we seek the specific exclusion of outdoor pig farming, as it is not an activity of concern. Definitions within the standard require clarification to reflect this. If outdoor pigs are to be included in the Standard, which we do not support, some amendments will be required to ensure the application of rules are fair and reasonable for pig farmers.

4.6 NZPork do not support the blanket implementation of restrictions on land use intensification nationwide. Restrictions on intensification of land use could have significant implications for farmers and should only occur for degraded catchments that do not have current planning mechanisms in place to address nutrient loss. Clarification on how outdoor pig farmers may be affected by restrictions on intensification are required if outdoor pigs are to be included in the standard.

4.7 NZPork supports farm environment plans (FEPs) as a tool for assessing and managing environmental risks and opportunities on farm. However, we have concerns about the proposal for all farms over 20ha to have an FEP, owing to the cost of preparation and auditing, the availability of qualified planners and the resourcing availability of councils to manage the implementation process. The cost to farmers and councils of an FEP programme should be relative to the environmental risk posed by the farming operation, and as such there should be a graduated requirement for the level of detail in the plan, and the requirement for sign off and auditing by a qualified farm environment planner.
4.8 For taking immediate action to reduce nitrogen loss, NZPork supports farm plan-based reductions at the preferred method. A nitrogen loss cap would not be appropriate for outdoor pig farmers as the low number of farmers in any one catchment would prevent an accurate percentile ranking system for nitrogen loss. A national nitrogen fertiliser cap is not supported as it does not account for the wide range of environmental factors affecting the rate of nutrient loss from a system and goes against the principal of the RMA as an effects-based piece of legislation. Farm plan-based reductions are supported as the most appropriate method to allow farmers the flexibility to assess and implement the most appropriate solutions to reduce nitrogen loss from their farm.

4.9 The definition of a feedlot and sacrifice paddock require clarification to ensure pig farmers are not inadvertently included in proposals to restrict feedlots and reduce pollution from stock holding areas.

4.10 NZPork supports stock exclusion from waterways as an effective method to reduce pollution but does not support the proposed 5m setback requirement for all waterways of more than 1m width. Instead, we would support an approach where the extent of the setback required would be determined, on a case by case basis for each farm and addressed in farm environment plan (as proposed for streams less than 1m wide).

5. General Comments

NZPork supports the intent of the proposals outlined in the Action for Healthy Waterways discussion document, and the concept of Te Mana o Te Wai as a principle for all New Zealanders. We all have a part to play in improving our freshwater ecosystems.

Commercial pig farmers want good outcomes for freshwater. The continued viability of commercial pig farming in New Zealand is dependent on reliable access to clean water. The health and wellbeing of the communities in which our farmers live and work are all intrinsically linked to the health and wellbeing of their local waterways.

The degradation of New Zealand’s freshwater environments has occurred over many decades and will take many more to fix. Commercial pig farmers have improved and refined farming practices over time to reduce nutrient loss and will continue to be at the forefront of change and innovation as the country works towards improving freshwater health. But where long lag times exist, it may still be too early for the results of good environmental management practices to be seen in water quality outcomes or trends. As such, NZPork is concerned about the scale and speed of the proposals and questions whether these are necessary in areas where the implementation of the current NPS-FM is already well underway, particularly given the potential economic and social implications, which the Freshwater Science and Technical Advisory Group have identified could be significant1.

We are disappointed that a more thorough analysis of these implications was not included in the discussion document or interim regulatory impact analysis. Without any detailed analysis on the expected social and economic implications of these proposals, it has been difficult to assess how pig farmers may be affected, or how the proposals fit within the context of a regulatory framework based on the sustainable management of natural resources. We understand that this consultation period is

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being used to undertake further analysis of the economic, social and cultural costs and benefits to inform the final regulatory impact statement to be presented to Cabinet, however this information could have been obtained through engagement with the agricultural sector prior to the formal consultation period, allowing a more thorough analysis to be included in the proposals.

We are also disappointed in the very short submission timeframe that has been allowed. The reforms proposed are substantial and could have significant and long-lasting consequences for pig farmers. The timeframe provided for submissions, combined with simultaneous submission periods for other policy proposals, does not allow for thorough interpretation of the proposals and meaningful dialogue with farmers to seek their feedback. As such, this submission focusses only on some of the key issues likely to affect pig farmers.


6.1 Target attribute states

NZPork does not support the proposed nutrient attributes for dissolved inorganic nitrogen (DIN) and dissolved reactive phosphorus (DRP) specified in the draft NPS:FM Appendix 2A Tables 5 and 6. We are supportive of policy that provides for ecosystem health, but do not support the introduction of the new nutrient attribute bottom lines as the most appropriate method for achieving this. Setting a blanket target for all waterways does not acknowledge the inherent complexity of natural systems, or that different communities will have different aspirations and priorities for the health of their waterways.

We note that the Regional Sector Water Subgroup (RSWS) Advisory Report highlights significant issues with the proposed DIN and DRP targets as a means of achieving ecosystem health, given the poor statistical correlation between in-stream nutrient values and observed variations in Macroinvertebrate Community Index (MCI) scores. The report identifies little evidence of a causal link between the two and as such suggests that the use of numerical values for nitrogen and phosphorus may be ineffective and inefficient policy targets. We also question the need for a DRP attribute when levels were recorded as likely improving or very likely improving at around 60% of monitoring sites between 1998 – 2017, and the Freshwater Science and Technical Advisory Group (STAG) have advised that controls on DRP may have little material effect on ecosystem health.

As a small industry, NZPork does not have sufficient data available to assess the implications of the proposed bottom lines for DIN and DRP on pig farmers, nor do we have the resources to undertake such an analysis within the submission timeframe given. As such, we have relied on the information provided in the discussion document and interim regulatory impact analysis to determine the extent to which our industry may be affected. However, in this area both documents appear light on detail.

The interim regulatory impact analysis notes that further analysis is needed to understand the implications of the proposed new nutrient bottom lines on individuals and communities and the

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2 The timing of these proposals also coincides with other policy proposals affecting commercial pig farming including Valuing Highly Productive Land, Reducing Harm from Waste, The RMA Amendment Bill, and the call for evidence on emissions reductions targets from the Interim Climate Change Commission


achievability of the figures proposed (requiring up to 80% n-loss reductions in some catchments). Without a full analysis of social and economic impacts, or any consideration of whether these targets are achievable in practice, it is impossible to assess the likely effects on commercial pig farmers and the communities within which they operate.

The discussion document states that good management practice can be expected to achieve some, but not all, of the reduction in nutrient pollution required to achieve the desired level of ecosystem health. Good management practices for outdoor pig farmers represent the best current environmental management available for the industry. It is standard practice for outdoor pig farmers to operate at good management practice. As such they will have limited options for further changes in practice to limit nutrient loss. This could be a particular issue for phosphorus, which is poorly digested by pigs and can result in an accumulation in the soil. Pig farmers manage this in a number of ways, including rotating pigs with an arable crop phase to uptake the nutrients from the soil, maintaining stocking densities at a rate that the land can sustainably support, excluding stock from waterways, maintaining ground cover and preventing overland flow to waterways. As such, phosphorus loss is minimised, and any further reductions would become difficult to achieve. In some instances, destocking, moving to an indoor production system or ceasing pig farming may be the only available options.

Therefore, we believe that the proposed bottom lines could have significant implications for outdoor pig farming in New Zealand, with potentially little or no material benefit to ecosystem health.

6.2 Water quantity – real time reporting of water use

NZPork supports the proposal for the real time reporting of water use to enhance water use efficiency, where this is accessible and able to be implemented by farmers. We also support the staged roll out approach, starting with larger takes first to help manage demand for new equipment and reduce costs for smaller users as more products become available.

We agree with the RSWS that there needs to be a mechanism to allow for exceptions to this rule, where technology/transmission does not enable telemetry, or where the cost of installation or transmission is prohibitive. In these circumstances, steps should be taken to ensure that it does not become too onerous or complicated for farmers that are required to manually record and report their water use.

While we support this proposal, it is another cost to be borne by farmers, but the benefits will only be realised if councils are able to effectively manage and use the data to establish appropriate allocation of water takes and maintain health flows in waterways. We also note that measuring the volumes of water being used will give no indication of whether that water is being used as productively or efficiently as it can be on farm, so should not be used as a standalone measure of water use efficiency by councils.

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5 Interim Regulatory Analysis for Consultation: Essential Freshwater, August 2019
7. Proposed National Environmental Standards for Freshwater

7.1 Part 3 Definitions

NZPork understands that with the exception of the S360 regulations, the intent of the proposed NES is not to capture outdoor pig farming activities. The activities of concern in the proposed NES relate to arable farming, dairy cattle, dairy support, horticulture farming and intensive winter grazing. Outdoor pig farming in New Zealand is a very small industry (approximately 40 farmers nationwide), and the contaminant contribution of outdoor pig farming relative to the activities of concern would be negligible. In addition, outdoor pig farmers operate a unique farming model which is not comparable to pastoral farming systems and would require amendments to the NES to account for this.

The definitions provided in Part 3 of proposed NES do not provide clarity on the relevance of the standards for outdoor pig farming. The definition of a farm is given as follows:

**Farm** means a property, area of land, or enterprise used for pastoral farming, horticultural farming, or arable farming, other than a farm engaged in intensive indoor primary production.

Outdoor pigs do not fall under the definition of a pastoral farm, as pigs are not grazing animals. Pigs have highly specialised diets in order to meet their nutritional needs for each stage of growth, and in both indoor and outdoor production systems most of their diet is provided as supplementary feed (grain and protein) bought onto the property.

To avoid ambiguity and differing interpretation between councils, the definition of Farm should be amended to exclude outdoor pig farming, as follows:

**Farm** means a property, area of land, or enterprise used for pastoral farming, horticultural farming, or arable farming, other than **outdoor pig farming** or a farm engaged in intensive indoor primary production.

Should the NES apply to outdoor pigs, which we do not support, changes will be required to make the proposals suitable for outdoor pig farming. Comment on each of the proposals is given in sections 7.2-7.5.

7.2 Part 3 Subpart 1 – Livestock Control

Outdoor pig farmers do not use feedlots, sacrifice paddocks or stock holding areas, so these proposals should not impact pork production. However, if outdoor pig farming is to be included in the standards more clarity is needed on the definitions in this section to ensure pork production is not affected. A feedlot is currently defined in the proposed NES as:

A stockholding area in which livestock:

a) Are confined for more than 80 days in a 6-month period
b) Are completely hand or mechanically fed

In a rotational outdoor piggery, towards the end of a pig rotation and prior to moving the land to an arable phase, paddocks may be pasture free. In high movement areas such as mating paddocks, the
natural increase in sow and boar movements can also mean these areas have little to no ground cover. In many outdoor systems, once pigs are weaned, they are moved in groups to indoor or open-air barns on the property. In all of these instances, the animals will be confined in a paddock or barn for more than 80 days and will be completely mechanically or hand fed. Therefore, there is a risk that this could be captured under the definition of a feedlot, depending on interpretation by councils.

The definition of a feedlot should not include outdoor piggery operations. The environmental issues caused by feedlots largely result from the volume and intensity of effluent accumulating from holding animals in a confined space, and the resulting point source pollution to water from contaminant discharges. Outdoor pig farmers using barns to grow and finish animals manage effluent by using either a deep litter system or a liquid effluent storage system to prevent contaminant discharges and so are much less of a pollution risk.

We note that the discussion document states there are about 5 feedlots currently operating in New Zealand, so we assume that outdoor pigs are not intended to be captured by these regulations.

The definition of a sacrifice paddock also requires clarification. Some paddocks on a rotational piggery towards the end of a rotation could be perceived to meet the definition of a sacrifice paddock. As outlined above, outdoor pig farmers operating a rotational system may have zero ground cover immediately prior to an arable phase. Pasture in these areas could be deemed as ‘highly damaged’, when in fact it is an intentional phase of a rotational system designed to reduce nutrient levels in the soil.

We recommend the following changes to definitions:

27 Feedlots

(1) In this clause, feedlot means a stockholding area in which livestock (excluding pigs):
   a) Are confined for more than 80 days in a 6-month period; and
   b) Are completely hand-fed or mechanically fed.

28 Sacrifice Paddocks

(1) In this clause, sacrifice paddock means a paddock used temporarily to hold stock (excluding pigs) in such a way that the pasture is likely to be severely damaged and will require pasture renovation

7.3 Part 3 Subpart 2 - Intensification

It is not clear how outdoor pig farming will be affected by the proposal to restrict high risk land use change, as it does not fall under any of the land uses specified in Section 35 (1). However, as the intent is to restrict intensification, outdoor pig farming may be captured through regional implementation as councils across the country differ in their classification of outdoor pig farms as either intensive or extensive farming. Some outdoor farms will have both extensive and intensive classed land uses on the property, for example those farms which have outdoor breeding units and indoor growing/finishing units.

Piggeries operating a rotational system will rotate land on the farm between arable, pastoral or piggery operations every 2 to 3 years. Some piggeries operating as part of a larger farm enterprise will move...
piggery operations around the farm enterprise as part of a regular cycle of rotation for nutrient management. In the absence of clear definitions, it is not clear how rotational piggeries or those operating as part of a farming enterprise will be affected by these proposals.

NZPork would like clear direction provided in the proposed NES that restrictions on land use intensification do not apply to outdoor piggeries.

NZPork understands the intent of the proposed restrictions on intensification as a means of preventing increases in contaminants entering waterways until councils are able to implement the new NPS-FM. However, we believe that the controls proposed are overly restrictive and will prevent farmers from adapting to changing economic, regulatory or environmental conditions and remove the ability to innovate or utilise emerging technologies to reduce nutrient loss. There is no justification given as to why controls on intensification are needed in areas where water quality outcomes are already being met. New Zealand’s population is expected to grow in the next 5 years\(^6\), and farmers will need flexibility to adapt to continue to provide food for a growing population. There is also some doubt about the resource capacity of councils to be able to implement the NPS-FM by 2025\(^7\), meaning that these measures could be in place far longer than the 5 years proposed in some regions.

NZPork believes that restrictions on the intensification of land use should only occur where there is clear evidence that water quality in the catchment is degraded due to current farming practices and there are no current planning frameworks in place to address the degradation.

For the restrictions on changing land use from woody vegetation to any form of pastoral farming, is it the intention that the definition of woody vegetation includes pest plant species such as gorse and broom? Restrictions on the removal of pest plant or other woody weed species could prevent land clearance for biodiversity or biosecurity purposes. An exclusion is needed in the definition to identify this.

### 7.4 Part 3 Subpart 3 – Freshwater module of farm plans

NZPork supports the use of farm environment plans as a tool for identifying and managing environmental risks and opportunities on farms. NZPork is part of the Good Farming Practice Governance Group and has committed to all commercial pig farmers having a farm environment plan by 2025. NZPork has an approved farm environment plan template for commercial pig farmers.

However, we do not support FEPs as a mandatory requirement in an NES, but rather support their implementation by regional councils who can determine the extent to which FEPs are necessary using a risk-based assessment. The degree of complexity and detail of a farm environment plan, and the requirements for signoff and auditing, should correlate to the degree of environmental risk posed by the farming operation to the catchment in which it is operating, rather than solely being based on the size of the farm as currently proposed. Managing the environmental impact of commercial pig farms will vary in complexity depending on the size and scale of the operation, and the environmental and

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\(^6\) National Population Projections: 2016(base)–2068

\(^7\) Regional Sector Commentary on Essential Freshwater Proposals, Regional Sector Water Subgroup, September 2019.
biophysical conditions of the farm. The costs associated with developing and auditing a farm plan could be disproportionate to any environmental gains to be made from farmers who are operating small or low impact systems.

NZPork would support an approach in which farmers who are deemed ‘lower risk’ owing to the scale or nature of their operation (as determined by regional councils) would develop and implement a simplified version of a full farm environment plan, which still addresses the environmental circumstances on their properties but doesn’t require sign off or independent auditing by a qualified farm environment planner. This approach is currently being implemented in Canterbury, where farmers operating under permitted activity farming land use rules are required to develop and hold a farm management plan, which must be reviewed and updated annually and made available to the council on request. The information which must be held in the farm management plan is specified by the council and includes a description of farming practices and on farm actions undertaken/to be undertaken to manage environment effects. Farmers who require a land use consent to farm require a full independently audited farm environment plan.

By taking this approach, flexibility can be given to councils to determine in what situations different levels of complexity of farm environment plans are appropriate. It could save a significant cost for farmers in the preparation and implementation of farm environment plans in situations where the environmental gains of an in-depth plan would be no more than a basic self-managed plan, and reduce compliance, monitoring and enforcement costs for councils and ratepayers. It would also go some way to alleviating the capacity issues for the rural professional sector in developing and auditing plans and for regional councils in compliance monitoring of the plans.

If a full farm environment plan is mandated for commercial pig farms under the NES, it should be noted that pig farming is a niche industry and specialist knowledge of the industry would be required from approved auditors. The provision under sections 40 2a) and 41 3a) for required qualifications and experience of an approved auditor would need to be amended as follows:

A person may not be approved as an approved auditor unless he or she has at least the following qualifications and experience

a) 3 years’ experience in the management of pastoral, horticulture, arable, or outdoor pig farming systems.

7.5 Part 3 Subpart 4 – Nitrogen Cap

If outdoor pig farming is to be included in the NES, NZPork supports farm-based plan reductions to reduce nitrogen loss until the new NPS-FM is implemented by councils.

A nitrogen-loss cap in high nitrate-nitrogen catchments is not supported by NZPork as the methodology proposed to calculate n-loss thresholds by using an average of Overseer figures across a catchment will not be suitable for outdoor pig farmers. Commercial pig farming using outdoor systems is a very small industry in New Zealand and there is unlikely to be a sufficient number of farmers within any given catchment to generate an accurate percentile threshold on which to base a nitrogen loss cap. The

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8 The interim regulatory impact analysis for consultation estimated an average cost of $3500 for the development of an FW-FP and an average audit cost of $1500.
farming methods used by outdoor pig farmers are not comparable to pastoral farming methods and so should not be included in the calculation of percentile thresholds used for pastoral farming.

In addition, there is a lack of confidence in the use of Overseer as a regulatory tool, as noted in the report from the Freshwater Leaders Group, which recommended that significant improvements be made to make Overseer fit for purpose as a regulatory tool. This includes improvements to data availability and transparency and changing the ownership model of the tool. These issues are unlikely to be addressed in the short timeframe required to implement immediate action to reduce nitrogen loss, and as such NZPork does not support the use of Overseer to set interim targets.

If this option is selected as the preferred option by government, outdoor pig farming must be specifically excluded from the setting of percentile thresholds for nitrogen loss. Most outdoor pig farms are based in the Canterbury region and so would not be subject to the interim nitrogen-loss cap requirements, unless the Government deem it necessary in future to extend the proposals to the Canterbury region. For any farmers based in the identified high nitrate nitrogen catchments, farms will be operating to GMP and have an FEP in place to prevent or reduce excessive nitrogen losses. The small number of outdoor farms outside of the Canterbury region means there is only likely to be one, if any, outdoor pig farms in any of the specified catchments and the impact of that one farming operation on water quality in the catchment would be negligible.

Setting a national nitrogen fertiliser cap is likewise not supported by NZPork. Setting a nationwide cap on inputs of nitrogen does not account for variability in factors influencing the n-loss rate from fertiliser use and removes the ability of farmers innovate or use new technologies to reduce nutrient losses. Setting a cap on inputs also goes against the principals of the RMA as an effects-based piece of legislation – that it is the effects of the activities, rather than the activities themselves, which are to be managed.

The proposal does not specify whether a cap would be limited to synthetic fertilisers or whether compost would be included in the definition of fertiliser. Many outdoor pig farmers use a composting process for spent bedding (usually straw or sawdust) from pig housing. Composting is a sustainable, environmentally sound process which reutilises a waste product into a valuable organic fertiliser. Farmers have control over when the compost is applied to land to maximise nutrient uptake. The application of compost to land is included in a farmers Overseer budget and farm environment plan to minimise environmental effects and prevent nitrogen loss. If option 2 is selected as the preferred option, it should be for synthetic nitrogen fertilisers only.

Farm-based plan reductions is our preferred option for managing nitrogen loss in high nitrate-nitrogen catchments as it allows farmers the flexibility to assess affects and implement the most appropriate solutions for their farm. Farmers are the experts in their own farming systems and the environment in which they are operating, and as such are in the best position to identify solutions to suit their own unique circumstances. It would avoid the issue raised above for Option 1, in that outdoor pig farmers would not be subject to inappropriate nitrogen-loss thresholds developed by comparison with pastoral farming. It also correlates well with the proposal for all farmers to have a farm environment plan with a freshwater module.

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NZPork supports livestock exclusion from waterways as a means of reducing freshwater pollution from sediment, nutrients and pathogens. GMP for outdoor pigs require all farmers to exclude stock from waterways. However, we do not support the ‘one size fits all’ approach proposed for a 5m setback width for all waterbodies over 1m wide as the most appropriate way to achieve desired outcomes for water quality.

Having one prescribed setback distance for all waterbodies is not justifiable, as it does not account for the range of site-specific factors such as slope, rainfall and soil drainage, which will influence the effectiveness of such a method in reducing pollution. It also does not acknowledge that sediment and nutrient runoff can be addressed by other means on farm. For outdoor pig farmers, this includes farming on flat land, maintaining ground cover, reducing fallow during and immediately after a pig phase, exporting nutrients using ‘cut and carry’ feed methods, and planting riparian margins.

There will also be environmental and economic issues arising from the retirement of land within the prescribed 5m setback. Setbacks will have to be maintained to prevent fire hazards from long grass, the encroachment of pest plant/weed species and the establishment of feral animal populations. The economic impact of retiring productive land could be significant for some farmers and depending on individual circumstances may have no environmental benefit relative to the freshwater outcome sought.

Where stock is already excluded but the required setback distance has not been met, landowners should not be required to move fences. If farmers are required to move fences and retire land, there should be a strong base of evidence that this is necessary as the most appropriate tool to meet the desired water quality outcomes.

NZPork supports an approach where setback distances and other methods of preventing sediment and nutrient runoff are determined by on-farm assessments and developed as part of a farm environment plan. This is the approach proposed for waterways less than 1m wide, and we would support the implementation of this for waterways greater than 1m wide as well. Such an approach will give farmers and regional councils the flexibility to design a stock exclusion system that is practical, feasible and reasonable.

Wallow must be clearly defined as excluded from these regulations to ensure councils have clear direction on interpreting the definition of a waterbody. Outdoor pig farmers provide wallows for the welfare of their animals, allowing them to keep cool in summer heat. Under GMP for outdoor pigs, runoff from wallows are prevented from entering a waterway, so will not be impacting on pollution of waterbodies.

End of submission.