29 October 2019

Submission on: Action for Healthy Waterways

1. The National Animal Welfare Advisory Committee (NAWAC) welcomes the opportunity to make a submission on the Action for Healthy Waterways discussion document on national direction for our essential freshwater.

2. NAWAC is an independent statutory committee established under the Animal Welfare Act 1999 to advise the Minister for Primary Industries on animal welfare matters. Its functions include recommending codes of welfare for issue and making recommendations on legislative proposals including regulations.

3. While off-paddock facilities for dairy and beef cattle are increasingly used to address environmental issues, in particular those associated with wintering practices, but also for nitrogen leaching management in other seasons, we would like to emphasise that although use of off-paddock facilities can have animal welfare benefits, they also impose confinement restrictions which can pose risks to animal welfare.

NAWAC has recently recommended an amendment to the code of welfare for dairy cattle to the Minister of Agriculture which will come into effect 31 October 2019. The amendment sets minimum standards for keeping dairy cattle in off-paddock facilities. While these standards apply to dairy cattle it is anticipated that the sheep and beef sector will adopt equivalent standards to future-proof their industry.

Off-paddock facilities are defined as enclosed areas with a formed surface where dairy cattle are kept indoors or outdoors and are fully dependent on humans to provide for basic animal needs such as food, shelter and water. Examples of off-paddock facilities include free-stalls, feed pads, wintering pads and other structures with a constructed base.

General Comment

4. NAWAC supports the intent of the proposals outlined in the consultation document in order to strengthen the obligations on all New Zealanders to protect and restore our waterways and to uphold Te Mana o te Wai – the health and wellbeing of the water.

Clean water is not only essential to human health and well-being, but also essential to maintain the health of the ecosystem, and the health and well-being of our farmed animals, which are an integral part of New Zealand’s economy.
Specific Comments

5. Improving farm practices through farm planning

NAWAC considers that farm planning plays an essential part in protecting the environment as well as animal welfare and that early planning can prevent situations that lead to negative outcomes for both.

NAWAC welcomes the proposal for greater use of farm planning to protect water quality, but would urge that farm planning be viewed more holistically, i.e. it should consider and embrace all components of farm management including consideration of animal needs. Provision of shelter and shade for farm animals is an area of considerable concern for New Zealanders, and NAWAC considers that the development of farm planning processes should incorporate these aspects of provision for animals.

When considering animal management during critical periods, along with addressing soil type and contour/drainage in order to reduce sediment and coliform entry to waterways, thought should also be given to how animals will receive shade and shelter so as to minimise animal welfare impacts. Selecting areas that provide dry comfortable lying surfaces for stock will reduce mud production and meet the behavioural needs of animals at the same time.

Assessing the prevailing direction of the weather and providing shelter for animals to ensure lying times are sufficient can also reduce treading damage, and hence environmental impacts, as cows spend less time walking (especially if food and water are near the shelter) or standing/huddling. All codes of welfare for livestock set requirements for the provision of shelter and this should be noted in farm planning modules linking the environmental and animal welfare benefits of shelter provision.

6. Excluding stock from waterways

NAWAC supports riparian planting and fencing off waterways, as this contributes to stock security, health and welfare.

Riparian planting can provide shade and shelter along paddock edges for stock. As mentioned previously, the provision of shade and shelter is a requirement in the codes of welfare.

Fencing off waterways and wetlands prevents weak animals from getting into situations where they become stuck, potentially dying a slow and inhumane death and contaminating the water. Fencing off waterways also means that animals do not have access to water that may pose a risk to their health and welfare, and requires the provision of reticulated water to animals which is important for animal health.

While virtual fencing may be a potential solution to fence off waterways in the future, the welfare of animals must be considered when deciding to use these systems (e.g. there should be a plan to determine what to do with those animals that do not adjust to this type of fencing system) and this should be clearly stated in any fencing requirements.

7. Controlling intensive winter grazing

NAWAC agrees that intensive winter grazing is a high risk activity for both the environment and animal welfare.
NAWAC wishes to raise concerns regarding the implementation of the intensive winter grazing requirements. It is very important that any actions that farmers may take to mitigate environmental problems do not jeopardise animal welfare.

**Mud depth**
NAWAC agrees with the Regional Sector Water Subgroup, which determined that 30cm of mud is too deep and that a dry place for lying is essential to safeguard animal welfare.

Completely avoiding mud during a New Zealand winter may be difficult to achieve, but good farm planning should allow farmers to identify paddocks that can be used to provide a dry lying surface when mud is present in wintering paddocks. Codes of welfare for livestock generally require animals to have access to areas free of surface water and mud and with protection from adverse weather.

Exposure to wet conditions reduces claw/hoof hardness making cows prone to lameness, and predisposes towards poor udder hygiene due to contact with mud, thereby increasing the risk of mastitis. Furthermore, cattle have a very strong behavioural motivation to achieve adequate resting times. They will refuse to lie down on wet or muddy surfaces, and will become stressed when deprived of sufficient lying time for more than three days. The new amendment to the code of welfare for dairy cattle sets requirements that all dairy cattle must be able to lie down long enough to meet their behavioural needs each day. Where mud is present animals therefore need to have access to somewhere dry where they can lie down. This can either be a drier paddock or an off-paddock facility.

NAWAC considers that, should a depth limit for mud be implemented, that it should not extend beyond the top of the hoof. In addition to the impact on hoof health, exposure to mud and wet surfaces can impact thermoregulation as heat is dissipated, potentially leading to an increase in metabolic rate to maintain body temperature and hence increased energy expenditure and resultant increase in energy requirements from feed. In addition, this will be exacerbated by mud making locomotion more difficult and making the ground slippery.

**Grazing on slopes**
As highlighted by resources provided by DairyNZ, downhill grazing affects the animal’s grazing stance and may therefore impact crop utilisation. Potential problems with feed intake and resultant loss of body condition need to be managed appropriately, for example by reducing stocking density. This should be clearly stated in any intensive winter grazing requirements.

Grazing steep slopes can lead to serious injury and even death and this should be considered during the farm planning stage. NAWAC therefore agrees with setting a slope threshold for winter grazing on forage crops.

**8. Restricting Feedlots**
The definition of feedlots currently used in the consultation document could potentially capture cows being overwintered in off-paddock facilities, including loose-housed barns, free-stall barns and wintering pads, if kept in such facilities for longer than 80 days in a 6-month period. The definition as given in the consultation document would thus imply that there are in fact more than 5 “feedlots” operating in New Zealand.
NAWAC suggests adjusting the definition of feedlots to capture the 5 feedlots identified, but not off-paddock facilities for wintering cattle, which appear to be captured by the section on stock-holding areas.

9. Reducing pollution from stock holding areas

While NAWAC understands that there is a need for alternative wintering management systems, such as off-paddock facilities (here named stock holding areas), the use of these systems can have negative implications for animal welfare and the environment if not managed appropriately. NAWAC therefore does not want to see animals managed in off-paddock facilities long term (i.e. beyond the wet season May to September).

NAWAC’s amendment to the code of welfare for dairy cattle coming into effect 31 October 2019 addresses requirements for off-paddock facilities to meet animal welfare needs. For example, it requires that animals in off-paddock facilities are provided with a soft dry surface and hence gravel or stones are not a suitable surface where cattle are kept for extended periods (i.e. for more than 16 hours a day for more than 3 consecutive days) and must therefore not be used.

Any resource consent process should note the requirements for the management of dairy cattle in off-paddock facilities set in the code of welfare for dairy cattle. Engineers particularly, and those granting resource consents, need to be aware of these requirements. In their designs and determinations they should ensure that off-paddock facilities are built not only with environmental, but also with animal welfare considerations in mind.