



SUBMISSION

19 December 2016

TO:

Environment Southland

ON:

Proposed Southland Water and Land Plan

BY:

Beef + Lamb New Zealand

Contact for service

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beef + lamb new zealand

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Further Submission

- I am a person representing a relevant aspect of the public interest.
- I am a person who has an interest in the proposed plan that is greater than the interest the general public has.
- I am the local authority for the relevant area.

Council Hearing

- I do not wish to be heard in support of my further submission; or
- I do wish to be heard in support of my further submission; and if so,
- I would be prepared to consider presenting a joint case with others who have made a similar further submission at any hearing.

A. Introduction

1. Thank you for the opportunity to make a further submission to the proposed Southland Water and Land Plan.
2. B+LNZ is an industry-good body, funded under the Commodity Levies Act through a levy paid by producers on all cattle and sheep slaughtered in New Zealand. Our mission is to deliver innovative tools and services to support informed decision making and continuous improvement in market access, product positioning and farming systems.
3. B+LNZ is actively engaged in environmental issues that affect the pastoral production sector. We are committed to supporting farmers with the tools and services they need to adopt sustainable business practice. In addition, B+LNZ's environment programme aims to build farmer leadership and capability in environmental management within the sheep and beef sector.

B. General Comments

4. B+LNZ notes Council's considerable effort to summarise and report on the 900 submissions received. We thank you for preparing this comprehensive document as it has helped us to better understand the other stakeholders' view points, and provide additional comment back to Council.
5. B+LNZ notes the large number of submissions that were received from sheep and beef farmers. Each one of these farmers has their own unique set of opportunities and challenges in managing natural resources to produce food and fibre. Equally each of those farmers will have their own unique way of managing and mitigating any environmental risks associated with their farming enterprise. The Southland Water and Land plan is incredibly important to each of those farmers, which is why they have submitted on the plan. B+LNZ supports each of those farmers in the submissions they have made to Council. The changes they are seeking will work better for their business and for the sustainable management of natural resources in the region.

6. In our original submission, B+LNZ stated that some of the proposed alternatives may require further collaboration and that we welcomed the opportunity to work with Environment Southland. Our offer to engage in further consultation with Environment Southland and other industry groups remains.

7. The following table outlines B+LNZ's further submission to the Proposed Southland Water and Land Plan.

C. B+LNZ's Further Submission to the Proposed Southland Water and Land Plan

Submitter name	Point ID	Section of Plan	Support/ Oppose	Reason for support/ opposition	Decision sought
Te Runanga o Ngai Tahu	797.11	Policies 4-12	Support	<p>Ngāi Tahu submitted that:</p> <p><i>"The physiographic zone approach should be the basis from which decision making on discharges, water take and use, and land use (e.g. earthworks and vegetation clearance) are based not just those associated with agricultural activities."</i></p> <p>This is a valid statement and appropriately summarises the integrated nature of resource management.</p>	B+LNZ seeks that the whole submission be allowed
Director-General of Conservation	210.43	Policy 4	Oppose	<p>As outlined in B+LNZ's original submission, Farm Environment Plans must be simple and easy for farmers to complete. The fewer barriers to farm environment planning, the greater the engagement and positivity around the process, which in turn results in better environmental outcomes.</p> <p>The submitted changes add undue complexity, and are unlikely to result in 'on ground' benefits over and above the notified policy.</p> <p>The submitted changes take a 'blanket' approach, whereas the notified policy supports a more 'case-by-case' approach. The notified policy was sufficiently precautionary.</p>	<p>B+LNZ seeks that part of the submission be disallowed:</p> <p>Disallow submission (as outlined below)</p> <p>...</p> <p>3. requiring implementation of good management practices to manage erosion and adverse effects on water quality from contaminants transported via overland and lateral flow and their inclusion in management plans;</p> <p>4. strongly discourage the granting of resource consents having particular regard to which have significant adverse effects of contaminants transported via overland flow or lateral flow when assessing resource consent applications and preparing or considering management plans</p> <p>5. prohibiting dairy farming, and intensive winter grazing and strongly discouraging the granting of resource consents for cultivation.</p>
Forest & Bird NZ	279.17	Policy 4	Oppose	<p>Notified Policy 4 (3); The submitted changes take a 'blanket' approach, whereas the notified policy supports a more 'case-by-case' approach. The notified policy was sufficiently precautionary.</p>	B+LNZ seeks that the whole submission be disallowed

Submitter name	Point ID	Section of Plan	Support/ Oppose	Reason for support/ opposition	Decision sought
Southland Fish & Game Council	752.48	Policy 4	Oppose in part	Notified Policy 4 (2) (3); The submitted changes take a 'blanket' approach, whereas the notified policy supports a more 'case-by-case' approach. The notified policy was sufficiently precautionary.	B+LNZ seeks that part of the submission be disallowed Disallow submission (as outlined below) and continue with policy 4 (2) (3) as notified. ... <i>2- Having particular regard to Strongly discourage the granting of resource consents that result in adverse effects of contaminants, including sediment, transported via overland flow when assessing consent applications and preparing or considering management plans;</i> <i>3- Prohibiting dairy farming and, intensive winter grazing and strongly discourage the granting of resource consents for cultivation."</i> ...
Director-General of Conservation	210.44	Policy 5	Oppose	The submitted changes add undue complexity, and are unlikely to result in 'on ground' benefits over and above the notified policy. As outlined in B+LNZ's original submission, Farm Environment Plans must be simple and easy for farmers to complete. The fewer barriers to farm environment planning, the greater the engagement and positivity around the process, which in turn results in better environmental outcomes. Further, The submitted changes take a 'blanket' approach, whereas the notified policy supports a more 'case-by-case' approach. The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.49	Policy 5	Oppose	The submitted changes take a 'blanket' approach, whereas the notified changes support a more 'case-by-case' approach. The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Director-General of Conservation	210.45	Policy 6	Oppose	Management by physiographic zone is a sufficiently complex framework for farmers to operate within. This submission adds further	B+LNZ seeks that the whole submission be disallowed

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				complexity by requiring podsol soils to be an additional consideration. Implementing this submission would add complexity, and is unlikely to result in environmental gains over and above the notified policy.	
Director-General of Conservation	210.46	Policy 7	Oppose	The proposed amendments are broad and have potential to seriously affect sheep and beef profitability. The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.51	Policy 7	Oppose	The proposed amendments are broad and have potential to seriously affect sheep and beef profitability. The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.54	Policy 10	Oppose	The proposed amendments are broad and have potential to seriously affect sheep and beef profitability. The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Director-General of Conservation	210.50	Policy 11	Oppose	The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.55	Policy 11	Oppose	The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Director-General of Conservation	210.51	Policy 12	Oppose	This submission discourages a case-by-case approach. The notified policy was sufficiently precautionary.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.56	Policy 12	Oppose	The submitted changes take a 'blanket' approach, whereas the notified policy supports a more 'case-by-case' approach. The notified policy was sufficiently precautionary, and the submission should be disallowed.	B+LNZ seeks that the whole submission be disallowed
DairyNZ	190.11	Policy 16	Support	Dairy NZ's amendments make this policy easier to interpret and implement.	B+LNZ seeks that the whole submission be allowed
Director-General of Conservation	210.55	Policy 16(1)	Oppose	The submission requires control over 'other intensive farming activities' without specifying what these activities are. This submission should be disallowed until 'other intensive farming activities' are adequately defined and agreed to.	B+LNZ seeks that part of the submission be disallowed Disallow the inclusion of 'other intensive activities' proposed for Policy 16 (1) (a) and (b).
Director-General	210.57	Policy 18	Oppose	The Land and Water Forum, in its fourth report, states that stock	B+LNZ seeks that the whole submission be disallowed

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of Conservation				<p>exclusion requirements should vary according to the type of livestock being farmed, and the terrain. This approach balances environmental imperatives with the costs and impracticalities of excluding stock from waterways in different farming contexts.</p> <p>Sheep are smaller animals than cattle or deer and do less damage to stream banks and beds. They also do not have the same affinity for water - they avoid it and do not like to wallow. Sheep pose a lower level of environmental risk.</p> <p>The submission does not achieve the balance between environmental gains with costs and impracticalities, as aspired to by LAWF.</p>	
Southland Fish & Game Council	752.62	Policy 18	Oppose	<p>The Land and Water Forum, in its fourth report, states that stock exclusion requirements should vary according to the type of livestock being farmed, and the terrain. This approach balances environmental imperatives with the costs and impracticalities of excluding stock from waterways in different farming contexts.</p> <p>Sheep are smaller animals than cattle or deer and do less damage to stream banks and beds. They also do not have the same affinity for water - they avoid it and do not like to wallow. Sheep pose a lower level of environmental risk.</p> <p>The submission does not achieve the balance between environmental gains with costs and impracticalities, as aspired to by LAWF.</p>	B+LNZ seeks that the whole submission be disallowed
Director-General of Conservation	210.63	Policy 30	Oppose	<p>Drainage infrastructure is created for a specific purpose, and should not face the same constraints as natural waterways. The notified policy is sufficiently precautionary.</p>	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.71	Policy 30	Oppose	<p>Drainage infrastructure is created for a specific purpose, and should not face the same constraints as natural waterways. The notified policy is sufficiently precautionary.</p>	B+LNZ seeks that the whole submission be disallowed
Forest & Bird NZ	279.37	Policy 32	Oppose	<p>The word 'significant' should remain in this policy. Not all indigenous vegetation can always be protected. By highlighting significant vegetation, this policy ensures that the most ecologically important areas are prioritised.</p>	<p>B+LNZ seeks that part of the submission be disallowed.</p> <p>Keep the word 'significant' in this policy, as it was notified.</p>
Federated Farmers of NZ	265.55	Policy 33	Support	<p>This submission makes the policy easier to deliver and prioritises the wetlands that are the most ecologically important.</p>	B+LNZ seeks that the whole submission be allowed

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(Southland Province)					
Southland Fish & Game Council	752.89	New policy	Oppose	<p>Fish and Game stated:</p> <p><i>"Insert new policy providing:</i></p> <p><u><i>The use of land for dairy farming of cows that did not exist as at 30 May 2016 or does not comply with Rule 21(a) or 21(b) in the Peat Wetlands physiographic unit is a prohibited activity.</i>"</u></p> <p>This is a rule not a policy, and is largely captured by notified Rule 22.</p> <p>As outlined in B+LNZ's original submission, the notified Rule 22 pre-empts the limit setting process. Fish and Game's submission takes this rule even further by changing the activity status from non-complying to prohibited. There is insufficient evidence at this stage of the process to enforce a prohibited activity status. Environment Southland should not assume or pre-empt the end result without first going through a full NPS process with each catchment and its community.</p>	B+LNZ seeks that the whole submission be disallowed
Federated Farmers of NZ (Southland Province)	265.72	General comments on rules	Support	<p>Federated farmers stated:</p> <p><i>"Amend the rules to provide for the unique circumstances of hill and high country farms, specifically by allowing wintering as a permitted activity."</i></p> <p>This submission accurately highlights the different set of environmental constraints that hill and high country farmers must operate within, compared with lower land farmers.</p>	B+LNZ seeks that the whole submission be allowed
Forest & Bird NZ	279.63	Rule 13	Oppose	The submission adds complexity for monitoring and compliance, and is unlikely to achieve environmental gains above and beyond the notified rule.	B+LNZ seeks that the whole submission be disallowed
Environment Southland	247.9	Rule 20	Oppose in part	<p>B+LNZ supports some of aspects of this submission. However there are two elements which B+LNZ opposes. These are:</p> <ul style="list-style-type: none"> • Winter grazing as trigger for nutrient budgets; 	<p>B+LNZ seeks that part of the submission be disallowed</p> <p>Disallow submission (as outlined below)</p>

Submitter name	Point ID	Section of Plan	Support/ Oppose	Reason for support/ opposition	Decision sought
				<ul style="list-style-type: none"> Terminology 'Farm Environmental Management Plan' <p>Winter grazing as trigger for nutrient budget;</p> <p>Through this submission, it appears that Environment Southland is intending to use intensive winter grazing as a trigger to complete a nutrient budget. If this is the case, then almost every farm in Southland will be captured.</p> <p>Sheep and beef farmers are currently waiting more than 12 months to get nutrient budget completed in other parts of the country. This is because there is insufficient resource available, and the fact that sheep and beef farms are a lower priority due to their comparatively lower environmental risk.</p> <p>Nutrient budgets can be an important tool for on-farm decision making, and can help to identify areas with a higher risk for nutrient loss. However, sheep and beef farmers have limited options for reducing N loss through a nutrient budget.</p> <p>There are benefits in policy drivers that allow a focus on the potentially highest loss, which in most cases for nitrogen on sheep and beef farmers, is wintering. However, a regulatory requirement for nutrient budgets may not actually result in the most effective method for achieving the desired outcomes.</p> <p>Farm Environment Plan terminology</p> <p>The submission states that 'Farm Management Plan' should be changed to read 'Farm Environmental Management Plan'. B+LNZ believes that 'Farm Environment Plan' is actually the best terminology to use.</p> <p>Farm Environment Plan is consistent with other South Island councils and is also B+LNZ's preferred terminology. Consistent terminology between councils, and across council/ industry reduces confusion and normalises the concept of farm environment planning.</p>	<p><u>Delete Rule 20 (e) and insert Rules 20(f)(iii), (g)(ii), (h)(ii) which read: On land holdings between 20 hectares and 100 hectares in area where intensive winter grazing is not undertaken, a Farm Environmental Management Plan is prepared and implemented in accordance with Appendix N, but excluding part 4 (Nutrient Budget), which included mitigations relevant to the farming type being undertaken and relevant physiographic zones, and provided to Environment Southland upon request, or the farming activity and the property on which the activity is undertaken is listed on the Environment Southland Register of Independently Audited Self-Management Participants.</u></p> <p><u>Additionally, amend Rules 20 (f)(i), (g)(i), (h)(i) to read: On landholdings greater than 100 hectares in area, or landholdings between 20 hectares and 100 hectares in area where intensive winter grazing is undertaken, a Farm Environmental-</u></p> <p>Disallow submission as outlined below:</p> <p>Amend references to 'Farm Management Plan' to read 'Farm Environmental Management Plan'.</p>
Forest & Bird NZ	279.68	Rule 22	Oppose	As outlined in B+LNZ's original submission, the notified Rule 22 pre-empted the limit setting process. Forest and Bird's submission exacerbates this by placing even stricter controls on this activity.	B+LNZ seeks that the whole submission be disallowed

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				Restrictions are unlikely to be eased as part of the limit setting process. Environment Southland should not assume or pre-empt the end result without first going through a full NPS process with each catchment and its community.	
Director-General of Conservation	210.84	Rule 22	Oppose	Management by physiographic zone is a sufficiently complex framework for farmers to operate within. This submission adds further complexity by requiring podsol soils to be an additional consideration. Implementing this submission would add complexity, and is unlikely to result in environmental gains over and above the notified rule.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.114	Rule 22	Oppose	As outlined in B+LNZ's original submission, the notified Rule 22 pre-empts the limit setting process. Restrictions are unlikely to be eased as part of the limit setting process. Environment Southland should not assume or pre-empt the end result without first going through a full NPS process with each catchment and its community.	B+LNZ seeks that the whole submission be disallowed
Director-General of Conservation	210.85	Rule 23	Oppose	Rule 23 (b) (ii); the submission is attempting to control inputs rather than effects. There are a number of good management practices, such as strategic winter grazing, back fencing etc., that will minimise the environmental effects associated with intensive winter grazing and which are already covered by Appendix N. This submission makes Rule 23 more difficult to implement, and is not guaranteed to result in positive environmental gains. Rule 23 (iii); The majority of sheep and beef farmers submitted that the notified 20/50 hectare threshold is too small and most farmers will be required to apply for a resource consent. This anecdotal evidence was supported by data from B+LNZ's annual Sheep and Beef Farm Survey, which showed that a winter grazing threshold set at 10 percent of effective area would enable the majority of sheep and beef farmers to continue with normal farming practices, with only those farms posing greater environmental risk triggering consent requirement The Director-General of Conservation's submission will require a much larger number of sheep and beef farmers to gain resource consent, even if their total discharge of nitrogen is very low. The costs and	B+LNZ seeks that the whole submission be disallowed

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				administrative burden of this submission do not match the environmental risk that the rule is attempting to manage.	
Environment Southland	247.10	Rule 23	Oppose in part	<p>This submission is opposed for the same reasons outlined in B+LNZ's original submission, including (but not limited to):</p> <ul style="list-style-type: none"> • Farmers' anecdotal evidence; Farmers told B+LNZ that the notified area thresholds were too small for many sheep and beef farms – particularly on large properties. • Survey data supports farmers' observations; B+LNZ Sheep and Beef Farm Survey data supports farmers' observations. The B+LNZ Sheep and Beef Farm Survey is a statistically representative survey that has been running for more than 50 years. Based on the data, B+LNZ recommends a winter grazing threshold set at 10 percent of effective area. This will allow just under 90 percent of farms to manage winter grazing through a Farm Environment Plan, and will capture the farms with the largest intensive winter grazing area (top 10 percent) under resource consent. 	<p>B+LNZ seeks that part of the submission be disallowed</p> <p>Disallow submission (as outlined below)</p> <p><u>Delete Rule 23(b)(iii) and (iv), and replace with the following: (iii) not more than 50ha of intensive winter grazing is undertaken on a landholding, with no more than 20 ha of winter grazing undertaken on land that is Peat Wetlands and Old Maitaura physiographic zones.</u></p> <p><u>Amend Rule 23(c) as follows:... the use of land for intensive winter grazing that does not meet condition (iii) of Rule 23(b) more than 20 hectares of a landholding for intensive winter grazing in the Old Maitaura, or Peat Wetlands physiographic zones or 50 hectares in the Riverine, Gleyed, Bedrock/Hill Country, Oxidising, Central Plains or Lignite Marine Terraces physiographic zone is a restricted discretionary activity...</u></p>
Forest & Bird NZ	279.69	Rule 23	Oppose	<p>Controlling winter grazing area is not an effects-based approach. Someone with two hectares of very poorly managed winter crop could potentially have a much greater effect than a farmer with 50 hectares of very well managed crop.</p> <p>The majority of sheep and beef farmers submitted that the notified 20/50 hectare threshold is too small and most farmers will be required to apply for a resource consent. This anecdotal evidence was supported by data from B+LNZ's annual Sheep and Beef Farm Survey, which showed that a winter grazing threshold set at 10 percent of effective area would enable the majority of sheep and beef farmers to continue with normal farming practices, with only those farms posing greater environmental risk triggering consent requirement.</p>	<p>B+LNZ seeks that the whole submission be disallowed</p>
Southland Fish & Game Council	52.116	Rule 23	Oppose	<p>Controlling winter grazing area is not an effects-based approach.</p> <p>The majority of sheep and beef farmers submitted that the notified 20/50 hectare threshold is too small and most farmers will be required to apply for a resource consent. This anecdotal evidence was supported by data from B+LNZ's annual Sheep and Beef Farm Survey,</p>	<p>B+LNZ seeks that the whole submission be disallowed</p>

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				which showed that a winter grazing threshold set at 10 percent of effective area would enable the majority of sheep and beef farmers to continue with normal farming practices, with only those farms posing greater environmental risk triggering consent requirement.	
Forest & Bird NZ	279.71	Rule 25	Oppose	Farmers understand that the risk of soil loss increases with slope. However, they advised B+NZ that the notified buffer distances were too restrictive. Forest and Bird's submission requires buffer distances even stricter than what was notified.	B+LNZ seeks that the whole submission be disallowed
Southland Fish & Game Council	752.118	Rule 25	Oppose	Farmers understand that the risk of soil loss increases with slope. However, they advised B+NZ that the notified buffer distances were too restrictive. Fish & Game's submission requires buffer distances even stricter than what was notified.	B+LNZ seeks that the whole submission be disallowed
Director-General of Conservation	10.91	Rule 70	Oppose	<p>The Land and Water Forum, in its fourth report, states that stock exclusion requirements should vary according to the type of livestock being farmed, and the terrain. This approach balances environmental imperatives with the costs and impracticalities of excluding stock from waterways in different farming contexts.</p> <p>Sheep are smaller animals than cattle or deer and do less damage to stream banks and beds. They also do not have the same affinity for water - they avoid it and do not like to wallow. Sheep pose a lower level of environmental risk.</p> <p>The submission does not achieve the balance between environmental gains with costs and impracticalities, as aspired to by LAWF.</p>	B+LNZ seeks that the whole submission be disallowed
Forest & Bird NZ	279.102	Rule 70	Oppose	<p>The Land and Water Forum, in its fourth report, states that stock exclusion requirements should vary according to the type of livestock being farmed, and the terrain. This approach balances environmental imperatives with the costs and impracticalities of excluding stock from waterways in different farming contexts.</p> <p>Sheep are smaller animals than cattle or deer and do less damage to stream banks and beds. They also do not have the same affinity for water - they avoid it and do not like to wallow. Sheep pose a lower level of environmental risk.</p> <p>The submission does not achieve the balance between environmental gains with costs and impracticalities, as aspired to by LAWF.</p>	B+LNZ seeks that the whole submission be disallowed

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Southland Fish & Game Council	752.163	Rule 70	Oppose	<p>The Land and Water Forum, in its fourth report, states that stock exclusion requirements should vary according to the type of livestock being farmed, and the terrain. This approach balances environmental imperatives with the costs and impracticalities of excluding stock from waterways in different farming contexts.</p> <p>Sheep are smaller animals than cattle or deer and do less damage to stream banks and beds. They also do not have the same affinity for water - they avoid it and do not like to wallow. Sheep pose a lower level of environmental risk.</p> <p>The submission does not achieve the balance between environmental gains with costs and impracticalities, as aspired to by LAWF.</p>	B+LNZ seeks that the whole submission be disallowed
Environment Southland	247.31	Appendix N	Support	The changes in this submission will make implementation easier	B+LNZ seeks that the whole submission be allowed