

# **SOUTHLAND PROPOSED WATER AND LAND PLAN HEARING**

***DJ & DA Anderson – Awatere - Waikaia***

Submission ID: 185

## **Background**

1. Our names are James & Denise Anderson.
2. Our home 'Awatere' is a 3000-hectare extensive pastoral sheep and beef property located approximately 8km east of Waikaia. The property has been developed and farmed for over 100 years, and the ability for us to continue to farm this land is paramount as we look towards the future.
3. The name 'Awatere' means gentle flowing streams.
4. The property comprises approximately 2000 ha uncultivated hill blocks, native and bush area, and 1000 ha of ridge top cultivated paddocks giving rise to an effective area 2400 ha.
5. We run an extensive pastoral operation with approximately 18,000 stock units, including both sheep and beef with an average stocking rate of around 6 stock units/effective hectare. Our altitude ranges from 300m to 800 m.
6. We endeavor to fatten all our progeny. 30% of our stock, are Hereford/Angus beef, made up of breeding cows, calves, rising 2 yr. heifers and bulls. The roll of the beef cow on Awatere is not only breeding, but they also have a role as a pasture management tool, eating the roughage (and young weeds) which compliments the sheep operation.
7. Both the eastern and western aspects of our property have numerous streams which flow into large fenced off areas of red tussock which act as a natural wetland and filtration system prior to discharging to the main stem waterbodies. We believe that these fenced off areas are a significant contributor to the good water quality within our property, and this is reflected in the comments we receive from hunters, fisherman and tourists who regularly visit our property for recreation purpose.

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8. Over the years that our property has been farmed, the subdivision fences have been carefully placed according to topography, and to provide natural stock water with the creeks and streams. A lot of the cultivation priority has been determined by the desire to eradicate gorse and broom, which had been an aftermath of years of gold mining.
9. Gorse, broom and barberry are an ongoing issue for us and we use both livestock as well as an ongoing annual spray program to try to keep the weeds suppressed.
10. This statement has been prepared in relation to the submission we lodged to the Proposed Southland Water and Land Plan 2016.

### **Scope of Evidence**

11. Overall, we support the underlying intent of the proposed plan, specifically the provisions relating to the improvement of water quality, however as outlined in our submission and in this evidence, we do not believe that all of the proposed rules and policies will result in achieving an outcome of 'maintained or improved' water quality, as many of the proposed rules are impractical, particularly when applied to an extensive pastoral farming property. In fact, some of these requirements will result in us no longer being able to farm the land in an economic manner, which in turn compromises our ability to be good custodians of the land.
12. The matters we wish to present on specifically include;

- Stock exclusion as it relates to Rule 70, Pol 18.1 of the PSWLP and Critical Source Areas;
- Cultivation Rules, specifically Rule 25 PSWLP;
- Lack of supporting information showing the economic effects of the proposed plan;

### **Stock Exclusion**

13. Whilst we understand the intent of Rule 70 is to reduce the effects of stock in waterways, in an extensive pastoral farming situation such as at Awatere, this rule as currently drafted presents a number of significant challenges, including the economic costs associated with fencing out stock and providing alternative reticulated stock drinking water. Stock management will also be an issue with movement around these fences as well as through

the critical source areas. Another cost, is the ~~aesthetics~~ to our landscape with a bulldozed fence lines. (photo and map.....)

14. The photos we have attached to our evidence show the nature of Awatere, which is dissected by many gullies and small waterways which means complying with Rule 70 severely compromises our ability to livestock farm.
15. To get a handle of this we have been working with ES to carry out a Focus Activity Plan for us. This was only completed 1 June so we were unable to submit this before 12 May. I have attached maps for your reference. The ES staff did make comment on the complexity, the challenges we have with the undulating terrain, so have given a mapped indication on our cultivated paddocks only.
16. For us to implement this exclusion policy, and using fencing as the option, we would be looking at having to install on the mapped area alone, over 66 kilometers of fencing on 33 km of waterways. The average cost of \$16 per meter<sup>1</sup> depending on underlying topography and whether installing such fences required benching and line clearing. This represents an approximate cost of **\$1,056,000 for Awatere paddocks alone**, which multiplied out over our Waikaia catchment would be huge, plus a concern.
17. In addition to the cost of fencing out our waterways we will also need to install a new reticulated stock water drinking scheme as our stock will no longer be able to access the gullies and streams for stock water purposes. We have received an estimate from Waterforce for approximately **\$400,000** to install a simple gravity fed reticulated stockwater supply, to our paddocks only. Further costs that become more and more difficult to absorb into our farming business.
18. Furthermore, James and I are also concerned with the potential issues associated with weed management that may arise from stock exclusion, by way of fencing. As highlighted at point 6-9 weeds are a significant issue for Awatere, and the inability to be able to use stock to control weed spread means that we will need to undertake more spraying. Because of our topography, this would incur an increased cost with helicopter, because of the inability to be able to access the fenced areas.
19. We also wish to make some comments with respect to document "*Clean Water: 90% of Rivers and Lakes Swimmable by 2040*" which was published by the Ministry for the Environment in February of this year, which if adopted will result in changes to the National Policy Statement of Freshwater Management.

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<sup>1</sup> Based on 8 wire post and batten fence including all materials and labour – Waikato Regional Council Planting and Fencing Waterways Calculation Sheet.

20. It would in our opinion, seem that the matters raised in this consultation document would in many instances, and particularly with reference to the stock exclusion policies be contrary to the Southland proposed water and land plan. We acknowledge that the Clean Water document was not published at the time of notification of the PWLP, however this hearing process does provide an opportunity for the Clean Water document to be incorporated into the plan, and would ensure that the PWLP is in accordance with the National Policy Statement for Freshwater Management.
21. We are in favor of the methodologies outlined within the Clean Water document, and ask that you undertake further consideration to aligning Rule 70 and Policy 18.1 to reflect the matters which are being proposed at a national level. We also favor graduated timelines for compliance with these requirements, ranging from 2022 to 2030.
22. This document has acknowledged beef cattle and dairy support as different stock class's to dairy cows on a milking platform. **Pg 28 Waterbodies** – with clear definitions. **le a water way** (rivers, streams and drains) that are permanently flowing, and **where the active channel is over 1 metre wide at this point**. Also refer to pg 310 ES Hearing Report report 7.700 the Dairy Accord definition of a water body (1 m wide, 30 cm deep runs 6 months of the year)
23. Also refer to the independent commissioners view in the hearing Report of the above paper on “stock exclusion” this, (pg 549, 10.281)
24. Also referring to “Stock exclusion” with our submission and others, we all had a common thread on the stock exclusion rules with regards to a Stocking rate per Ha. The commissioner’s analysis of the above comment pg 550,551. Basically he acknowledged the impact to us, but rejected the SU basis because of the complexity of administering a stocking rate provision. **This just reiterates our views on ES adopting the National Policy.**
25. Policy 18 (1) and Rule 70(vi) the two dates set for stock exclusion conflict.

## Cultivation

26. Our submission raised concerns with respect to Rule 25 (b) (ii) which requires that cultivation not take place more than once in any five-year period.
27. We request that this rule be amended as flows:

*Rule 25 (b) (ii) cultivation does not take place more than once in any five-year period: except where an area of crop is planted and is returned to pasture within a 12 – month period, in which case cultivation may occur twice in any 12-month period.*



28. We do not believe that the change requested above will result in any greater adverse effects on the environment, and it enables normal farming practice to occur without the need to obtain resource consent.

### **Economic & Social Consideration of Effects of the Plan**

We feel there has been generic standards imposed on us, with overbearing regulation and bureaucracy. The Freshwater NPS strongly suggests that regional councils must consider the rural community's economic wellbeing when making decisions. Having received no formal testing results on 3 main creek flows from this property, we don't know to what extent we are contributing to the degradation of these water ways. If there was better data available it would help us to prioritise.

James and I believe it is **imperative** that all economic and environmental aspects be evaluated in depth before we proceed with implementation of this plan.

### **Recommend for adoption**

29. We thank you for your time to listen to our submission, and ask that you consider making amendments to the proposed water and land plan which address the inequities that arise associated with stock exclusion on extensive pastoral farming. Both James and I request that Environment Southland adopt the methods outlined in the *Clean Water: 90% of Rivers and Lakes Swimmable by 2040* document. .
- 30.
31. A clear definition of a waterway be adopted to read (rivers, streams and drains) that are permanently flowing, and where the active channel is over 1m wide and 30 cm depth at any point and runs over 6 months of the year. Anything less than this would be classified as a critical source area.
32. Rule 25: We ask that you make provision for cultivation to occur as a permitted activity, where you are going from a crop to pasture rotation within a 12-month period, and adopt the above wording we set out in 27
33. We are happy to answer your questions..... (Maps, photos.....)

James & Denise Anderson

Awatere Waikaia

## Appendix 1 – Farm Photos



Submitter No: \_\_\_\_\_

Submitter Name: \_\_\_\_\_

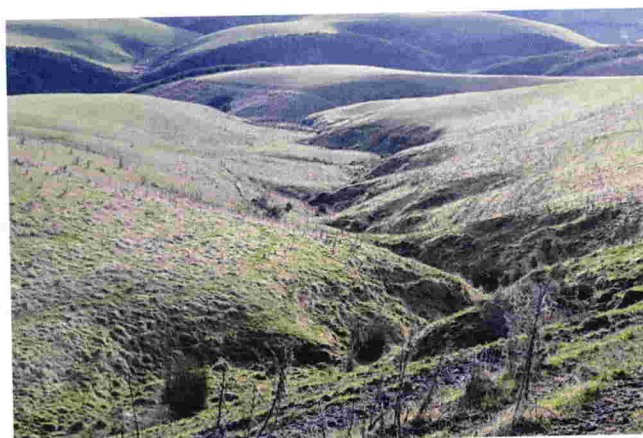
Andersen

Date Received:     /     /17

Illustrating general topography of Awatere with creeks, and critical source areas.



Downstream from our boundary, plus the DOC block shows the result of no weed control. Fishermen enjoy the unimpeded access to our rivers.



1 of 3 gullies in this paddock with undulating slopes on either side. The active flow of water—approx 30 cm

A photograph of a man in blue shorts jumping into a lake, with another person swimming in the background. The image is overlaid with a large blue water drop graphic and a semi-circle.

# Clean Water

90% of rivers and  
lakes swimmable  
by 2040

New Zealand Government



## 5. Keeping stock out of our waterways

We know that livestock in our waterways can lead to problems with water quality, erosion and sediment, particularly in terms of health risk. We've proposed new requirements to stop livestock from entering streams, rivers, lakes and wetlands. For many waterways this will have an immediate benefit.


Freshwater Reform Programmes		
2009 – 16	NOW	2017 onwards
Water metering	Swimming targets	Good management practices (urban and rural)
	Swimmability maps and website	
Freshwater NPS	Freshwater NPS amendments	Allocation
	Freshwater Improvement Fund	
National bottom lines	Stock exclusion	Our Land and Water National Science Challenge
Iwi rights and interests		

We propose starting with excluding dairy cattle and pigs from most lakes, rivers and streams from 1 July 2017, with compulsory stock exclusion to follow on a staggered basis through to 2030, extending to include beef and deer and depending on land gradient.

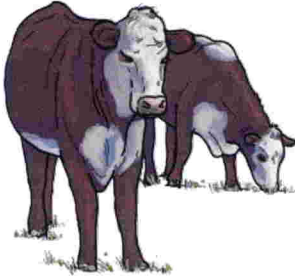
These requirements would apply to the bed and banks of lakes and natural wetlands, and permanently flowing waterways on plains (including rivers, streams and drains). On rolling and steep land they only apply for waterways that are over 1 metre wide at any point.

Land owners unable to meet the requirements can apply for permission to instead develop a stock exclusion plan with their regional council. Land owners who fail to meet the requirements may face a fine of up to \$2000.



Pigs	Dairy cows [on milking platform]	Dairy support	Deer
			
<b>1 July 2017</b> On steeper land, pigs must be excluded from waterways over 1 metre wide, lakes and wetlands.	<b>1 July 2017</b> On steeper land, dairy cattle on milking platforms must be excluded from waterways over 1 metre wide, lakes and wetlands.	<b>1 July 2022</b> On steeper land, dairy support cattle that are break feeding must be excluded from waterways over 1 metre wide, lakes and wetlands.	<b>1 July 2022</b> On steeper land, deer that are break feeding must be excluded from waterways over 1 metre wide, lakes and wetlands.
<b>1 July 2017</b> On rolling land, pigs must be excluded from waterways over 1 metre wide, lakes and wetlands.	<b>1 July 2017</b> On rolling land, dairy cattle on milking platforms must be excluded from waterways over 1 metre wide, lakes and wetlands.	<b>1 July 2022</b> On rolling land, dairy support cattle must be excluded from waterways over 1 metre wide, lakes and wetlands.	<b>1 July 2022</b> On rolling land, deer that are break feeding must be excluded from waterways over 1 metre wide, lakes and wetlands.  <b>1 July 2030</b> On rolling land, deer must be excluded from waterways over 1 metre wide, lakes and wetlands.
<b>1 July 2017</b> On the plains, pigs must be excluded from waterways over 1 metre wide, lakes and wetlands.  <b>1 July 2020</b> On the plains, pigs must be excluded from all waterways, lakes and wetlands.	<b>1 July 2017</b> On the plains, dairy cattle on milking platforms must be excluded from waterways over 1 metre wide, lakes and wetlands.  <b>1 July 2020</b> On the plains, dairy cattle on milking platforms must be excluded from all waterways, lakes and wetlands.	<b>1 July 2022</b> On the plains, dairy support cattle must be excluded from all waterways, lakes and wetlands.	<b>1 July 2022</b> On the plains, deer that are break feeding must be excluded from all waterways, lakes and wetlands.  <b>1 July 2025</b> On the plains, deer must be excluded from all waterways, lakes and wetlands.

## Beef cattle



### 1 July 2022

On steeper land, beef cattle that are break feeding must be excluded from waterways over 1 metre wide, lakes and wetlands.

### 1 July 2022

On rolling land, beef cattle that are break feeding must be excluded from waterways over 1 metre wide, lakes and wetlands.

### 1 July 2030

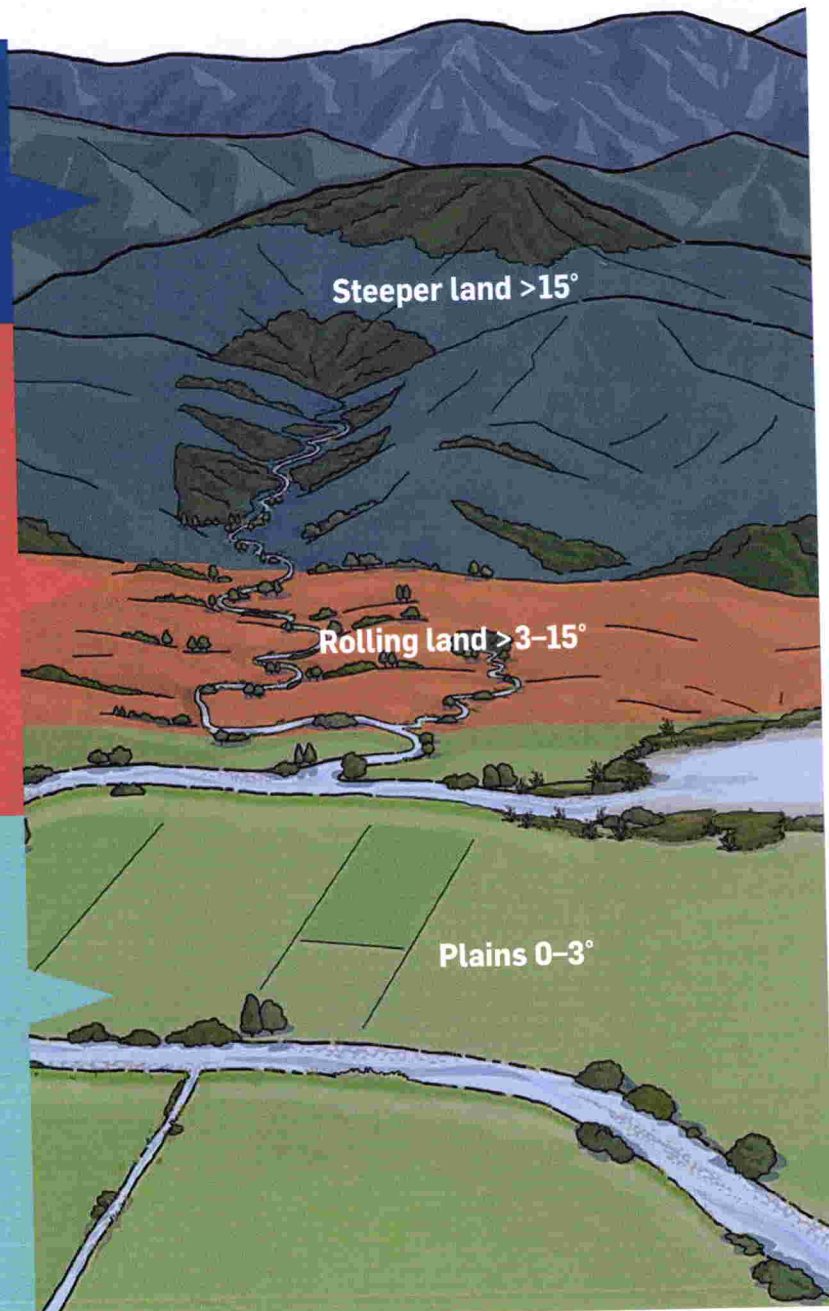
On rolling land, beef cattle must be excluded from waterways over 1 metre wide, lakes and wetlands.

### 1 July 2022

On the plains, beef cattle that are break feeding must be excluded from all waterways, lakes and wetlands.

### 1 July 2025

On the plains, beef cattle must be excluded from all waterways, lakes and wetlands.



## What's planned

Any regulation for stock exclusion will be drafted by the Parliamentary Counsel Office following this consultation. An outline of the proposal is provided here.<sup>3</sup>

### Proposal for stock exclusion

Dairy cattle on milking platforms<sup>4</sup> and farmed pigs must be excluded from water bodies (as defined below) by 1 July 2017 (see table 1).

Dairy support cattle<sup>5</sup> (including third party dairy grazing), plus beef cattle and farmed deer, must be excluded from water bodies on land that has a slope of between 0 and 15 degrees, according to the Land Resources Inventory (LRI) slope dataset<sup>6</sup>, by the dates in table 1.

This information will be communicated to land owners and regional councils using an online interactive mapping tool.

In addition to the above, where strip-grazing (break feeding) is undertaken (ie, where stock are kept behind a temporary fence which is moved regularly to allow access to sections of the paddock at a time), dairy support cattle, beef cattle and deer in the paddock must be excluded from water bodies, regardless of slope of the land, by 1 July 2022.

To achieve the above, there must be in place an effective method of exclusion preventing stock access to water bodies.

3 The outline of the proposal is subject to further refinement.

4 The milking platform is the area of a dairy farm where dairy cattle being milked are kept on a daily basis during the milking season. This can include grazing.

5 Dairy support cattle are dairy cattle not being milked (young animals or mixed-aged cows) that are grazed off the milking platform either temporarily or throughout the year.

6 A national spatial dataset developed by Landcare Research that classifies land into slope classes 0-3°, 4-7°, 8-15°, 16-20°, 21-25° and over 25°.

## Stock crossings

Cattle, deer and pigs are able to enter water bodies for the purpose of crossing from one side to the other as long as they are being supervised and are actively driven across the water body in one continuous movement, where this occurs less frequently than once per week. Stock crossings used once or more per week, must be bridged or culverted by 1 July 2019.

## Water bodies

The stock exclusion requirements outlined above apply to the bed and banks of:

- a. waterways (rivers, streams and drains) that are permanently flowing, and where the active channel is over 1 metre wide at any point
- b. lakes as defined in the Resource Management Act (bodies of fresh water which are entirely or nearly surrounded by land)
- c. natural wetlands, as per the Resource Management Act definition (permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions) but not including wet pasture, or where water temporarily ponds after rain or pasture containing patches of rushes
- d. permanently flowing waterways (rivers, streams and drains) of any size on land with a slope of between 0 and 3 degrees as classified by the LRI slope dataset. Dairy cattle on milking platforms and pigs have until 1 July 2020 before they must be excluded from these smaller streams. For dairy support, beef cattle and deer the relevant deadline for exclusion on the plains relates to all waterways including streams wider than 1 metre.



The requirements do not apply to ephemeral surface flows that only exist after periods of rainfall. They also do not apply to artificial water bodies that do not flow into natural water bodies (eg, stock dams, irrigation storage ponds, effluent ponds).

### Alternative option

Where a land owner is unable to meet the requirements set out above (eg, due to significant practical constraints), they may apply to the relevant regional council for permission to instead develop a 'stock exclusion plan'. This must set out where and when stock will be excluded from water bodies on their land, and where complete stock exclusion is not feasible, what alternative mitigations will be undertaken to manage the environmental impacts of stock access to water bodies. This could be standalone or form part of a wider farm environment plan or land environment plan and must be approved in writing by the regional council.

### Enforcement

If a land owner does not meet the requirements above, they may be required by the regional council to pay an infringement fee of up to \$2000 for each instance of non-compliance. The regional council must allow the land owner a reasonable length of time to achieve compliance before any additional fines are given out.

In the case of repeat or serious breaches, regional councils can take other enforcement such as prosecution.

### Regional council discretion

Regional councils are able to set more stringent requirements than outlined above.

Including a riparian buffer would be best management practice. Regional councils should consider whether riparian buffers should be required, particularly where water quality issues exist.

Table 1:

Farm/stock type	Plains (0-3°)	Undulating / rolling land (>3-15°)	Steeper land (>15° and over)
Dairy cattle (on milking platforms) and pigs	1 July 2017 for waterways over 1 metre wide on all slopes 1 July 2020 for waterways less than 1 metre wide on the plains		
Dairy support (on either land owned/leased by the dairy farmer or third party land)	1 July 2022 for all waterways on the plains regardless of size and waterways over 1 metre wide on rolling land		Only where break feeding, by 1 July 2022
Beef cattle and deer	1 July 2025 for all waterways regardless of size	1 July 2030 for waterways over 1 metre wide	
	Where break feeding, by 1 July 2022		

### Give us your feedback: Keeping stock out of waterways

In March 2016, we sought public feedback on our intention to exclude stock from waterways. Further information can be found in the [draft regulatory impact statement for stock exclusion](#). We want to hear your comments on the detail of these proposals.

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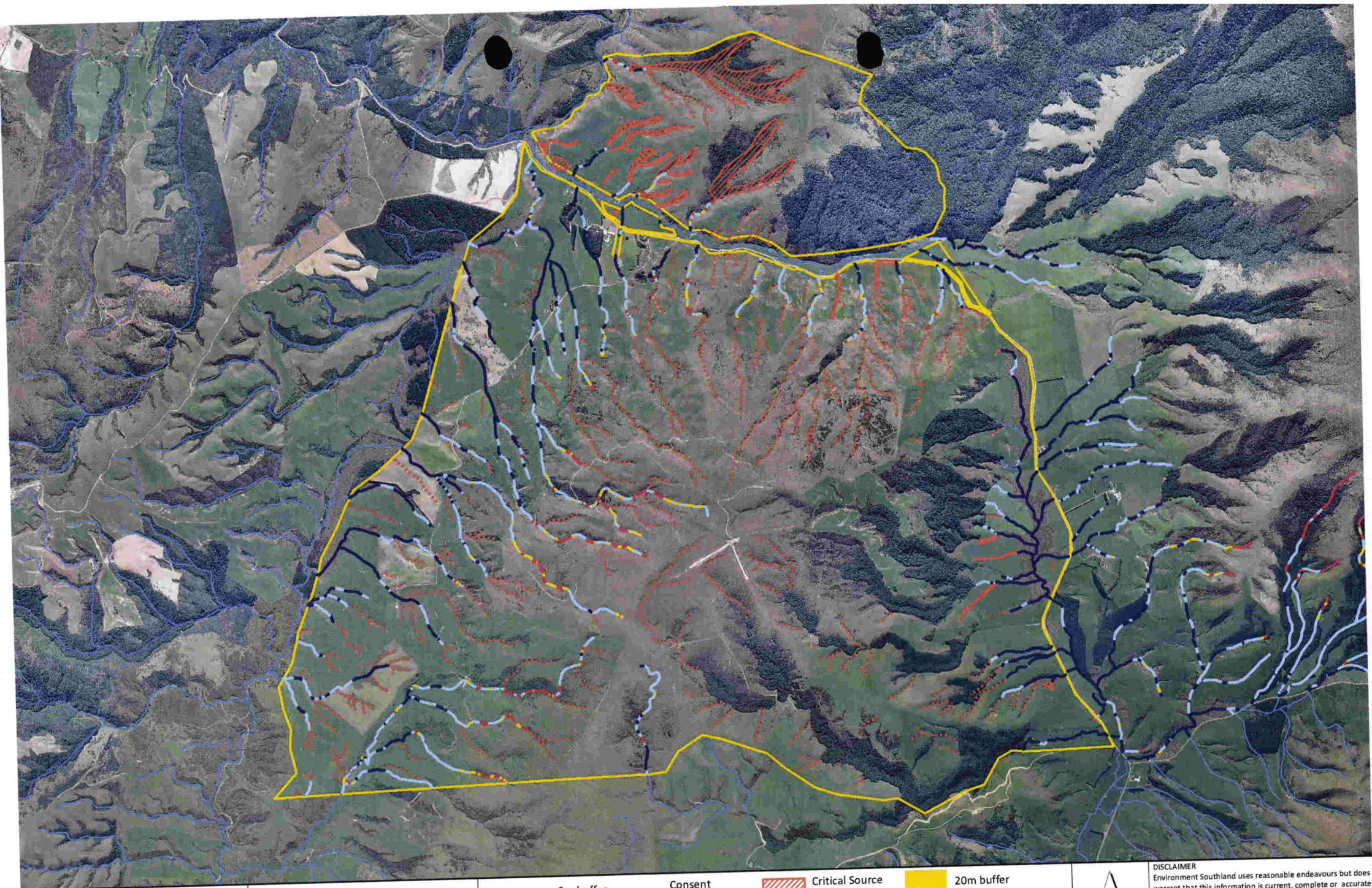


Ministry for the  
**Environment**  
Manatū Mō Te Taiao



**Making Aotearoa New Zealand**  
the most liveable place in the world  
Aotearoa – he whenua mana kura mō te tangata





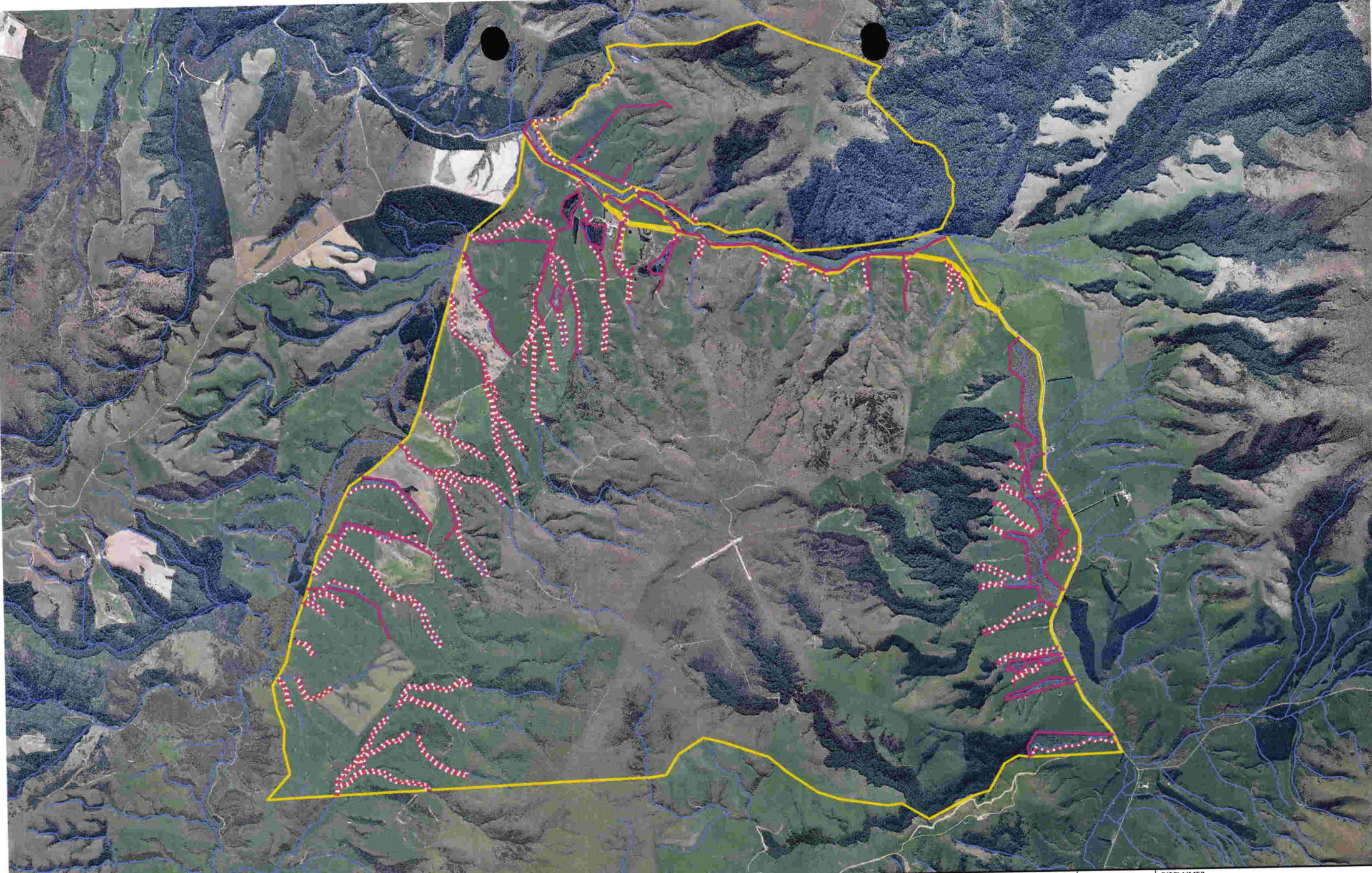
**Awatere Station: Cultivation Map -  
Waikaia River**

- |            |                  |                       |                  |
|------------|------------------|-----------------------|------------------|
| 3m buffer  | Consent Required | Critical Source Areas | 20m buffer       |
| 10m buffer | Waterways        | Water Bodies          | Consent Required |
| 20m buffer | Critical Source  | Water Bodies          | 20m buffer       |



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**Awatere Station: Riparian  
Fencelines and Planting - Waikaia  
River**

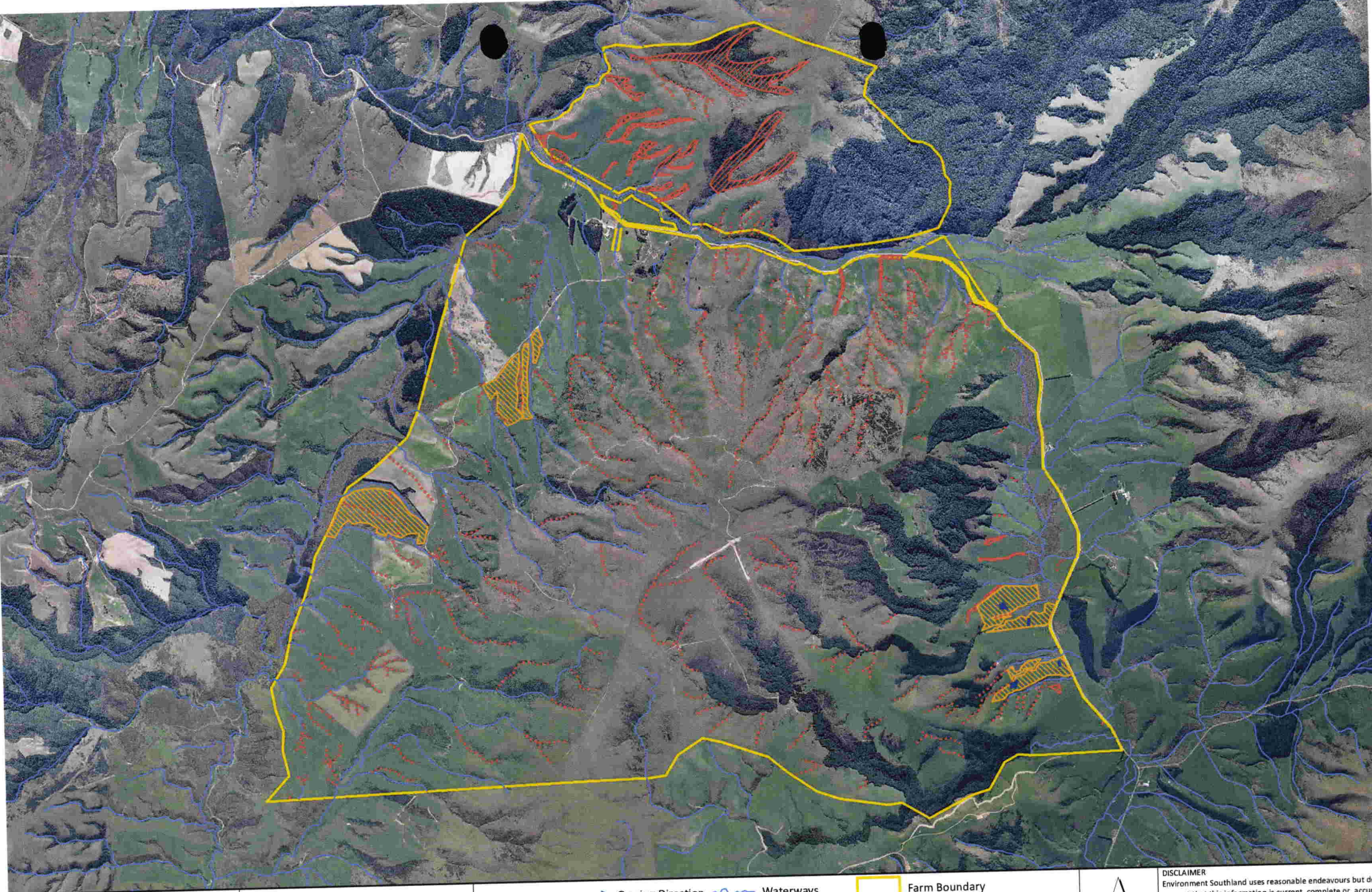


- Existing fencing
- Unfenced
- Water Bodies
- Farm Boundary



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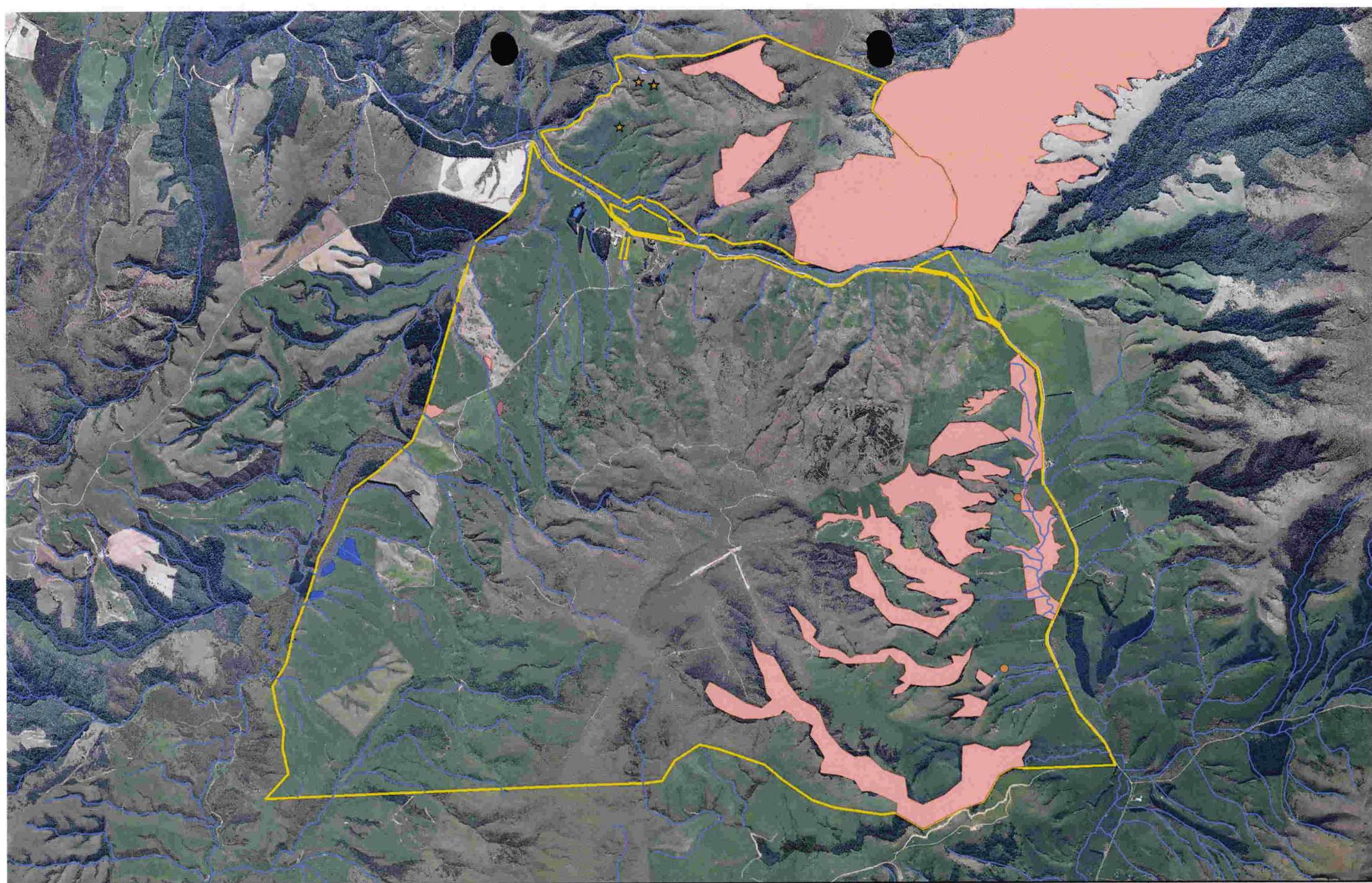
**Awatere Station: Winter Grazing  
Paddocks - Waikaia River**

- |                       |                       |               |
|-----------------------|-----------------------|---------------|
| Grazing Direction     | Waterways             | Farm Boundary |
| Critical Source Areas | Critical Source Areas |               |
| Winter Grazing        |                       |               |

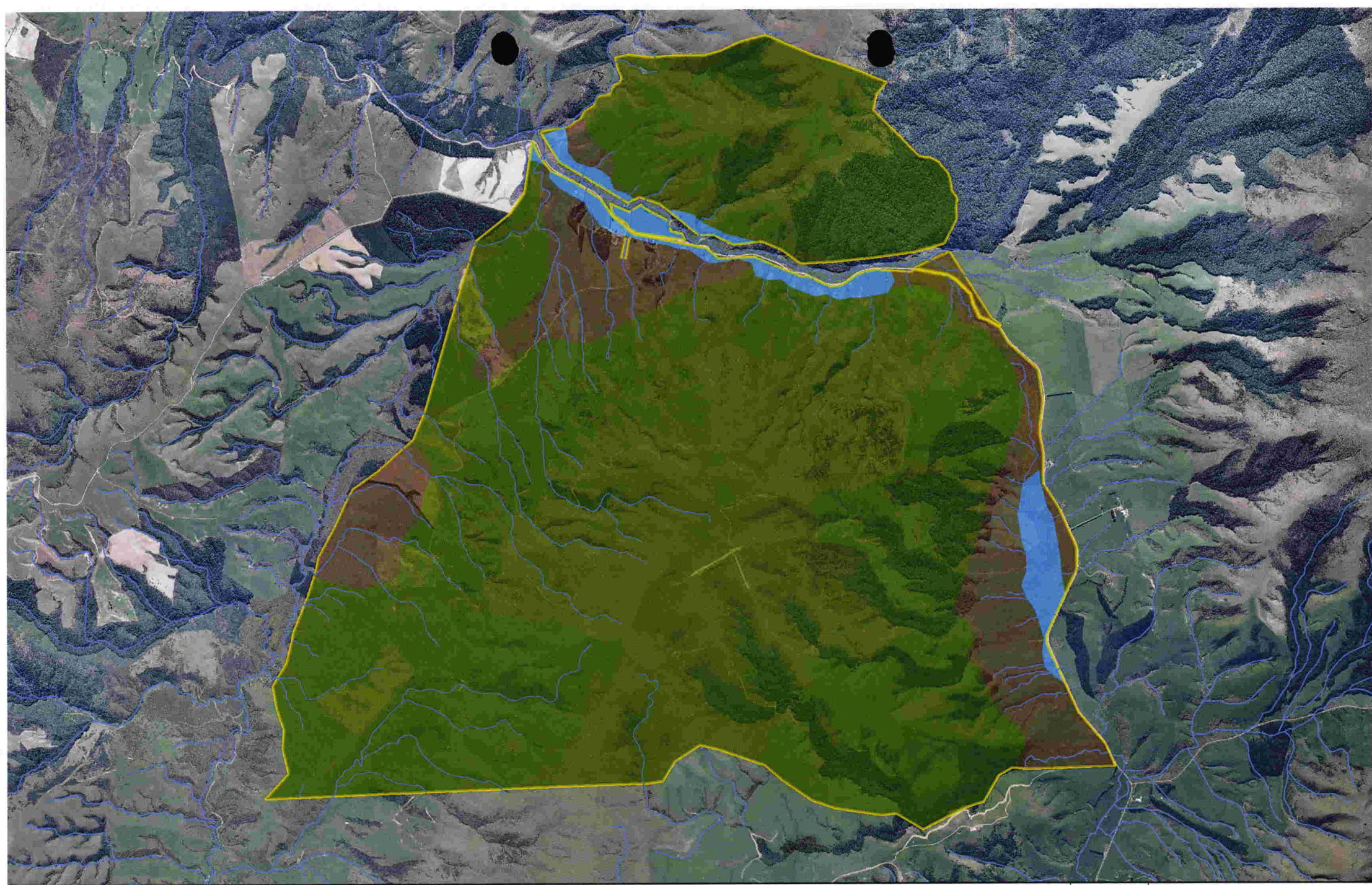


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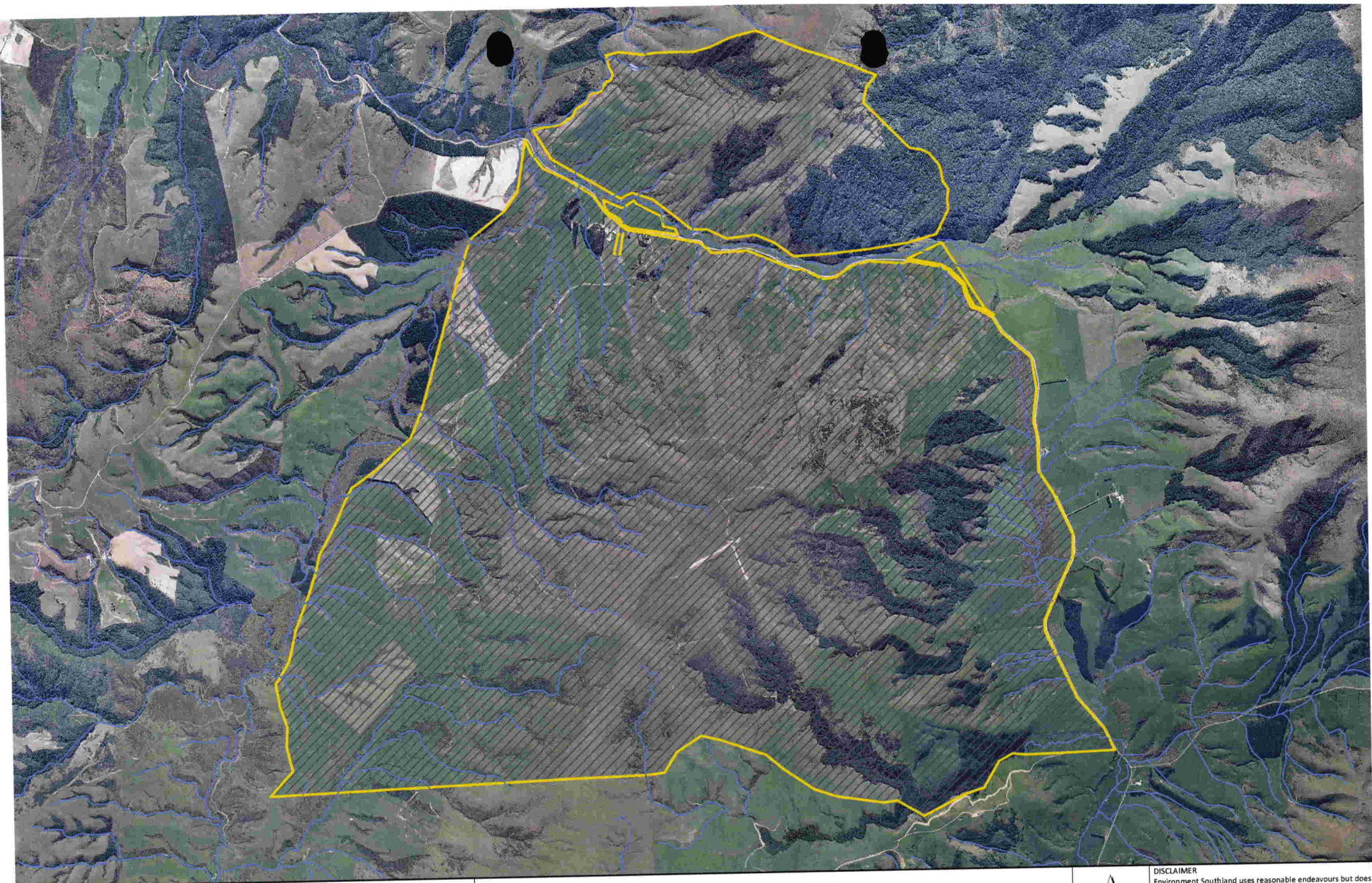




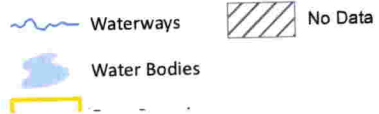








**Awatere Station: Soils Map -  
Waikaia River**



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