



16 March 2021

Nicol Horrell
Chair, Environment Southland

Dear Nicol

Intensive winter grazing module for freshwater farm plans

I really appreciate the time and effort that members of the Southland Intensive Winter Grazing NES Advisory Group (SAG), including from your Council, put into their report of 10 December 2020 (the report). This advised on the implementation of the intensive winter grazing (IWG) regulations in the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F).

The Minister of Agriculture and I believe that improvements in IWG practice relating to freshwater will be achieved in the medium term primarily through certified freshwater farm plans (FW-FPs), rather than through default permitted activity conditions in the NES-F that serve as a bottom line (although that may still be necessary for some).

In response to SAG advice, I have decided to defer the start date for parts of the IWG regulations (ie for permitted activities and related resource consents) for a period of one year (from 1 May 2021 until 30 April 2022). This will be country-wide, bearing in mind that SAG members were reflective of views elsewhere, although the most serious IWG issues are in southern areas of the country.

The Minister of Agriculture and I are announcing the deferment today. See the attached embargoed press release. The deferment is in return for regional councils (councils) and the farming sector committing to:

- Improve IWG practice during the year by rapidly deploying an IWG module that will be a prototype for inclusion in the certified FW-FP regime currently under development; and
- Undertake increased monitoring and reporting to ensure there are measurable improvements in IWG practice during the year.

The NES-F regulations that control *further* expansion of IWG will not be deferred and will need to be enforced.

The roll-out of a prototype IWG module (a draft of which was in the report) is an opportunity to show the effectiveness of a FW-FP approach to improving freshwater health outcomes. The deferment will facilitate the prototype being ready for formal incorporation into certified FW-FPs in 2022.

For IWG during the year, my expectations of councils and the farming sector are:

As above, to:

- Improve IWG practice during the year by rapidly deploying an IWG module that will be a prototype for inclusion in the certified FW-FP regime currently under development
- Undertake increased monitoring and reporting to ensure there are measurable improvements in IWG practice during the year.

And further to this:

- Demonstrable and early progress in deploying the IWG module
- Farmers putting in place better practices such as providing appropriate buffers that are uncultivated and ungrazed around waterways and critical source areas, as recommended in the SAG report; and retiring steeper slopes that are unsuitable for IWG
- Councils carrying out more monitoring of IWG practices and taking compliance action against breaches of the law
- More effective monitoring by councils of receiving environments such as rivers and estuaries to show if their health is improving, ie whether significantly less sediment and other contaminants are ending up in them
- Council monitoring of the total hectares in IWG, and enforcement of the rule against the area in IWG increasing on any one farm; and
- Quarterly progress reporting to me on the above points through Environment Southland (and other councils as appropriate), ie on 1 August and 1 November 2021, and 1 February and 1 May 2022.

The Ministry for Primary Industries will also be responding to animal welfare complaints and prosecuting as appropriate where breaches of the law occur.

Once the IWG regulations enter into force from 1 May 2022, farmers will have the option of undertaking IWG through a certified FW-FP as an alternative to complying with the default permitted activity pathway in the regulations, or obtaining a resource consent.

In addition, any changes (if desirable) to rules associated with the default permitted activity pathway will have been progressed by this time.

Thank you again for your important contribution to this work, and I have asked officials to continue working with you, SAG members and others to ensure the successful roll-out of the IWG module.

I look forward to receiving regular updates on progress. Meanwhile, please note that this letter will be made available to other parties with an interest in IWG.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'David Parker', written in a cursive style.

Hon David Parker
Minister for the Environment

Attachment:

Copied to:

Hon Damien O'Connor, Minister of Agriculture

Members of, and observers to, the SAG