

# Managing intensive winter grazing

Summary of submissions



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

Ministry for Primary Industries  
Manatū Ahu Matua



**Te Kāwanatanga o Aotearoa**  
New Zealand Government

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## Acknowledgements

This summary of submissions is based on an earlier document prepared by PublicVoice on behalf of the Ministry for the Environment.

This document may be cited as: Ministry for the Environment and Ministry for Primary Industries. 2022. *Managing intensive winter grazing: Summary of submissions*. Wellington: Ministry for the Environment.

Published in April 2022 by the  
Ministry for the Environment  
Manatū Mō Te Taiao  
PO Box 10362, Wellington 6143, New Zealand

ISBN: 978-1-99-102521-0  
Publication number: ME 1631

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# List of abbreviations

CSA:	Critical source area
FEP:	Farm environmental plan
FWFP:	Freshwater farm plan
IWG:	Intensive winter grazing
NES-F:	Resource Management (National Environmental Standards for Freshwater) Regulations 2020

# Executive summary

This document summarises the submissions received during the public consultation on [Managing intensive winter grazing: A discussion document on proposed changes to intensive winter grazing regulations](#) (the discussion document). A total of 85 public submissions were received during the consultation period from 26 August 2021 to 7 October 2021.

This report focuses on summarising submissions. It does not analyse feedback or make recommendations. Recommendations responding to the submissions will be made through agency advice to the Minister for the Environment and the Minister of Agriculture.

## Background to the consultation process

The Ministry for the Environment and the Ministry for Primary Industries (which we refer to together as ‘the Ministries’ in this document) have received feedback that it may be necessary to modify aspects of the intensive winter grazing regulations to support their effective implementation and improve environmental outcomes. This feedback particularly relates to conditions that are weather-dependent or difficult to comply with practically.

For this reason, the Government is proposing changes to the intensive winter grazing regulations. These regulations are included within the Resource Management (National Environmental Standards for Freshwater) Regulations 2020 (NES-F). The discussion document outlined the proposed changes and asked for feedback on them. This report summarises the resulting feedback.

## Synopsis of main themes

This synopsis presents the main themes coming from the submissions across all questions in the consultation. These themes are presented alphabetically, rather than in order of their frequency or importance.

## Clarification and guidance

Some submissions indicated the need for greater clarity on what the discussion document was proposing. Examples of definitions that need clarifying were ‘annual forage crop’ and ‘critical source areas’. In addition, submissions pointed to the need to clarify terms that can be interpreted in different ways or that they saw as unenforceable. An example was ‘as soon as practicable’ for resowing. A common suggestion among submissions was to develop guidance documentation to enable farm operators to implement the proposed changes.

## Reg 26(4)(a) – Area

Although the discussion document proposed no changes to the limit of the area used for intensive winter grazing, some submissions pointed out that the status quo could lead to increased stocking rates and intensive grazing. For this reason, they had concerns about environmental impacts and animal welfare.

## **Reg 26(4)(b) – Slope**

One proposed regulation change was to alter the measurement of slope from mean slope to maximum allowable slope. Some submissions commented on the threshold that was to be kept at 10 degrees and suggested increasing it.

## **Reg26(4)(c) – Pugging**

Some submissions saw the proposed changes to the regulations for pugging as generally acceptable. However, whether they agreed or disagreed, a common concern across submissions was that the proposed changes did not address animal welfare issues. A further theme for pugging was a request for clarity and guidance, perhaps through guidance documentation, on what ‘reasonably practicable steps’ involve.

## **The proposal is unworkable/impractical and costly, prefer another way of managing intensive winter grazing**

A common theme among submissions was that it would not be possible to implement the proposal effectively in practice. The most frequently mentioned reason was that national regulation does not allow for flexibility in regions and farms may differ, so a uniform approach to regulation is inappropriate.

Further, submissions indicated concerns about the costs associated with implementing, monitoring and enforcing the proposed changes. For this reason, they preferred other ways of managing intensive winter grazing, for example, through freshwater farm plans (FWFPs).

## **The proposal needs to be more comprehensive**

Some submissions indicated that the proposal does not consider all variables contributing to managing intensive winter grazing and farm operation in general. As a result, it is very narrow in its framing of the issue. Examples of variables to consider were: animal welfare, stocking rates, grazing/farming systems, and soil structure, type and quality.



# Key findings by consultation questions

## Context for the proposed changes to the intensive winter grazing regulations

### Q1. Do you agree with our framing of the issue? If not, why not?

Among submissions that responded to this question, 52 per cent (n=34) agreed with the framing of the issue, while 48 per cent (n=31) disagreed.

The most common reasons for agreement were:

- the proposed changes try to make existing provisions more workable (n=8)
- the environmental risks associated with intensive winter grazing need to be managed (n=7)
- FWFPs are the best way to manage intensive winter grazing (n=3).

The most common reasons for disagreement were:

- the proposed regulations are not framed correctly (n=12)
- the proposal does not consider other variables (n=10)
- submitters questioned the evidence used to compile the regulations (n=9).

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### Q2. What other information should we consider?

Suggestions for other information to consider included:

- environmental and on-farm variables (n=28)
- definitions and concepts that need clarifying or refining (n=13)
- farm operators are conscious of and addressing environmental impacts (n=11).

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### Q3. Are there any other implementation issues with the current default conditions that have not been discussed above?

The implementation issues most commonly identified were:

- definitions or concepts need clarifying or refining (n=27)
- default conditions are impractical, unworkable or costly (n=16)
- preference for managing intensive winter grazing in another way (n=10).

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## Amendments to the default conditions

### Q4. Do you think these proposed changes are the right way to manage intensive winter grazing? If not, why not?

The proposals are as follows.

- Reg 26(4)(a): No proposed change (ie, the limit of area used for intensive winter grazing remains at 50 hectares or 10 per cent of the area of the farm, whichever is greater).
- Reg 26(4)(b): Amend to measure the slope threshold as *maximum allowable slope* instead of *mean slope* of a paddock (while keeping the existing threshold of 10 degrees).
- Reg 26(4)(c): Amend so that farmers have to take reasonably practicable steps to manage the effects on freshwater from pugging (in areas that are used for intensive winter grazing). Officials will develop guidance for farmers and councils so they have a shared understanding of what 'reasonably practicable steps' are.

- 
- Reg 26(4)(d): Amend the definition of ‘drains’ to exclude *subsurface* drains (as originally intended). Manage *subsurface* drains (where known to exist) through critical source areas (CSAs) (see proposed new condition below).
  - Reg 26(4)(e): Remove the requirement to resow by 1 October (1 November in Otago and Southland). Instead, require farmers to resow ‘as soon as practicable’ – with the aim of minimising the time that bare ground is exposed to the weather – and clarify that other methods of establishing ground cover (eg, companion planting) are included. Officials will develop guidance for farmers and councils to clarify what steps could demonstrate that farmers were sowing as soon as practicable.
  - New condition: Include a new condition requiring critical source areas to be protected (uncultivated and ungrazed). See the proposed definition of critical source areas in table 1 of the [discussion document](#). Officials will develop guidance for farmers and councils so they have a shared understanding of how critical source areas will be identified and protected.

Submissions provided feedback across the full range of proposed amendments. Below is a breakdown of this feedback for each amendment from submissions that responded to it.

- **Reg 26(4)(a) – Area:** 19 per cent (n=4) supported no change, while 81 per cent (n=17) opposed it.
- **Reg 26(4)(b) – Slope:** 44 per cent (n=14) supported the proposed change as the right way, while 56 per cent (n=18) opposed it.
- **Reg 26(4)(c) – Pugging:** 41 per cent (n=13) supported the proposed change as the right way, while 59 per cent (n=19) opposed it.
- **Reg 26(4)(d) – Subsurface drains:** 76 per cent (n=19) supported the proposed change as the right way, while 24 per cent (n=6) opposed it.
- **Reg 26(4)(e) – Resow:** 75 per cent (n=18) supported the proposed change as the right way, while 25 per cent (n=6) opposed it.
- **New condition:** 62 per cent (n=18) submissions supported the proposed new condition as the right way, while 38 per cent (n=11) opposed it.

The following were the most common reasons for supporting specific proposed changes.

- The proposed change to reg 26(4)(d) on subsurface drains was the right way to manage intensive winter grazing, mainly because submitters agreed with the proposal to remove subsurface drains from the definition of a drain (n=10).
- The proposed change to reg 26(4)(e) on resowing was the right way, mainly because submitters believed the national sowing date was impractical and unworkable, so supported the proposal to remove this date (n=6).
- The addition of the new condition on CSAs was the right way, mainly because submitters agreed with the proposed addition of CSAs, their management and the need to protect them (n=11).

The following were the most common reasons for opposing specific proposed changes.

- The proposed change to reg 26(4)(c) on pugging was not the right way to manage intensive winter grazing, mainly because the regulations should not include pugging or should be relaxed in their approach to it (n=8).
  - The proposed change to reg 26(4)(b) on slope was not the right way, mainly because submitters wanted the threshold increased (n=11).
  - The proposal to make no change to reg 26(4)(a) on area was not the right way, mainly because in its current form it encourages higher stocking rates and intensive grazing (n=10).
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**Q5. Do you think these proposed changes would improve the workability of the permitted activity standards? If not, why not?**

Submissions provided feedback across the full range of proposed amendments. Below is a breakdown of this feedback for each amendment from submissions that responded to it.

- **Reg 26(4)(a) – Area:** 50 per cent (n=5) supported making no change, while 50 per cent (n=5) opposed it.
- **Reg 26(4)(b) – Slope:** 24 per cent (n=4) supported the proposed change as a way of improving workability, while 76 per cent (n=13) opposed it.
- **Reg 26(4)(c) – Pugging:** 43 per cent (n=6) supported the proposed change as a way of improving workability, while 57 per cent (n=8) opposed it.
- **Reg 26(4)(d) – Subsurface drains:** 70 per cent (n=7) supported the proposed change as a way of improving workability, while 30 per cent (n=3) opposed it.
- **Reg 26(4)(e) – Resow:** 56 per cent (n=9) supported the proposed change as a way of improving workability, while 44 per cent (n=7) opposed it.
- **New condition:** 69 per cent (n=9) supported the proposed new condition as a way of improving workability, while 31 per cent (n=4) opposed it.

The following were the most common reasons for supporting specific proposed changes.

- The proposed new condition on CSAs would improve the workability of the permitted activity standards, mainly because submissions supported the need for protecting CSAs (n=4).
- The proposed changes to reg (26)(4)(e) on resowing would be an improvement, mainly because submissions supported the proposed change from a national resowing date to resowing ‘as soon as practicable’ (n=8).
- The proposed changes to reg 26(4)(d) on subsurface drains would be an improvement, mainly because submissions supported removing the reference to subsurface drains in the definition of drains (n=7).

The following were the most common reasons for opposing the proposed changes generally or opposing specific proposals.

- Submissions that opposed the proposed changes commonly expressed a general opposition to them, mainly because the proposed changes were unworkable, impractical and costly (n=6).
- The proposed change to reg 26(4)(b) on slope would not be an improvement, mainly because the proposed change is unclear and would restrict best practice and potential benefits (n=7).
- The proposed change to reg 26(4)(c) on pugging would not be an improvement, mainly because guidance is needed on what ‘reasonably practicable’ means (n=2).

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**Q6. Do you think these proposed changes would manage adverse environmental effects of intensive winter grazing effectively? If not, why not?**

Among submissions that responded to this question, 52 per cent (n=25) agreed that the proposed changes would manage the adverse environmental effects of intensive winter grazing effectively, while 48 per cent (n=23) indicated that the proposed changes would be insufficient.

The most common reason for supporting the proposed changes was that they would generally improve the management of adverse environmental effects, mainly because they are more practical and workable (n=6). However, some submitters who expressed support also thought that FWFs would be a better way of taking account of contextual considerations in managing environmental effects (n=4).

The following were the most common reasons for opposing the proposed changes generally or opposing specific proposals.

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- The proposed changes generally would not manage adverse environmental effects, mainly because the proposed changes were unworkable and impractical (n=6).
  - The proposal to make no changes to reg 26(4)(a) on area would not manage adverse environmental effects, mainly because it would increase stocking rates along waterways or flat land (n=3).
  - The proposed change to reg 26(4)(d) on excluding subsurface drains would not manage adverse environmental effects, because the buffer zone is too small and should be increased from 5 metres to 10 metres (n=1).
- 

## Implementation timeframes

### **Q7. Do you have any comments on implementation timeframes and whether a further deferral would be necessary?**

Submissions expressed three different views on whether a further deferral is necessary:

- 43 per cent (n=24) approved of the current deferral, mainly because it will allow farmers the time to plan and to implement plans they have already worked on (n=11)
  - 32 per cent (n=18) indicated that further deferrals are unnecessary or unwanted, mainly because deferring is disappointing and concerning (n=5)
  - 25 per cent (n=15) requested a further deferral, mainly because more time is needed for buy-in to FWFPs and also to ensure FWFPs are available (n=5).
- 

## Additional information

### **Any further feedback on the proposals**

Additional feedback from submissions varied. The most common feedback received was that:

- the proposal is not comprehensive enough; alternatives and the impacts of the proposal need to be considered (n=14)
  - meaningful consultation is needed (n=8)
  - some are opposed to the proposal as a whole (n=7).
-

# The consultation process and submissions

The [discussion document](#) was made available through the Ministry for the Environment's website. The Ministry for the Environment received a total of 85 submissions through its online survey interface, email or post.

## Where did submissions come from?

A total of 31 submissions came from individual submitters, while 54 were on behalf of organisations. For a list of the organisations that submitted, see [appendix 2](#). Of the 85 submissions received, 28 were written submissions received through email or post.

## Ministry for the Environment's online survey interface

The Ministry for the Environment and the Ministry for Primary Industries (which we refer to together as 'the Ministries' in this document) developed the consultation questions and included them in the discussion document. The only mandatory questions in the online survey were about the submitters' details and consent to release the submission. A section at the end of the consultation section ('Additional information') allowed submitters to provide any other feedback they wished and attach supporting documentation.

For the questions in the Ministry for the Environment's online survey interface, see [appendix 1](#).

## Written submissions received via email or post

The Ministry for the Environment received 28 written submissions by email or post. Some of these submissions indicated which consultation questions they were directly answering. These submissions were processed and analysed according to the questions they addressed. Whenever submissions did not follow a set structure, they were analysed in terms of the consultation questions they aligned with most closely.

## Data analysis methodology

An online survey interface was built for the collection of submissions. The interface questions formed the framework for analysing and reporting on all submissions.

## Thematic analysis

PublicVoice analysed the responses to open-ended interface questions. All submissions received through the online interface and in written format underwent thematic analysis,

which extracted themes from the text responses. The thematic analysis PublicVoice used is founded on Braun and Clarke's methodology.<sup>1</sup> A team of research analysts identified, analysed and interpreted patterns of meaning within the open-ended responses. Each theme was then analysed for frequency.

For questions 1, 4, 5 and 6, submissions were categorised into either support or oppose and for question 7 the categories were the preferred options for deferral. The team decided on the position for each submission based on the overall content of the response. These positions are represented as bar or pie charts in this report. The thematic tables present all comments in submissions regardless of their overall position. For this reason, the totals of the quantitative figures and the frequency tables do not always match.

## Classification of themes

The results from the thematic analysis were organised into top-level themes to aid interpretation. The following are brief descriptions of the most common themes.

**Default conditions are impractical/unworkable/costly.** Submissions indicated that at least one of the proposed changes would be impractical to implement, unworkable or unreasonably costly.

**Definitions/concepts requiring clarity/refining.** Submissions indicated that a definition or concept was unclear or unsuitable.

**Environmental/on-farm variables.** Submissions highlighted other variables specific to the environment or farm that need to be considered.

**New condition – CSAs.** This top-level code captures responses about the addition of critical source areas (CSAs).

**Reg 26(4)(a) – Area.** Submissions were related to the regulation around the total area.

**Reg 26(4)(b) – Slope.** Submissions were related to the proposed changes to the slope threshold.

**Reg 26(4)(c) – Pugging.** Submissions were related to the proposed changes in regulations on pugging.

**Reg 26(4)(d) – Subsurface drains.** Submissions provided feedback on the proposal to exclude subsurface drains from requiring a buffer zone.

**Reg 26(4)(e) – Resow.** Submissions provided feedback on the proposed change requiring resowing as soon as practicable.

When comments could fit into more than one theme, they were allocated to the theme with which they aligned most closely. The tables in this report show the frequency of each response to help illustrate its significance and levels of support. Table 1 provides an example.

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<sup>1</sup> Braun V, Clarke, V. 2006. Using thematic analysis in psychology. *Qualitative Research in Psychology* 3(2): 77–101.

## Further classification

Submissions were then further categorised into sub-themes under each of these top-level categories.

**Table 1: Example of thematic analysis table**

Main theme	Sub-theme(s)	Frequency
	Other information to consider	59
	Environmental/on-farm variables	28
	Definitions/concepts require clarity/refining	13
	Farm operators are conscious of/addressing environmental impacts	11
	National regulation is not fit for regional/farm variations	11
	Relationship between FWFPs/farm environmental plans (FEPs) and intensive winter grazing	11
	The proposal is not comprehensive enough	9
	Prefer education/incentives/engagement to regulation	8
	Impact of proposed changes on competitiveness/viability	4
	Preference for intervention to be based on performance	2
	General comments	3
	General opposition to proposal	3

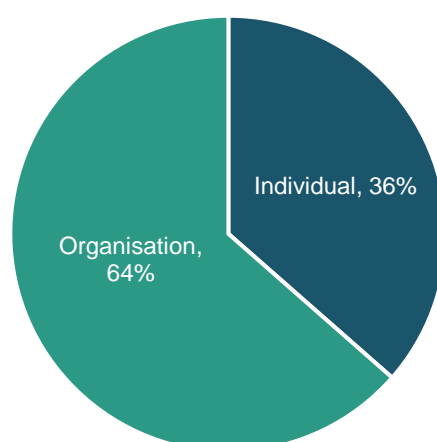
# Who we heard from

This section provides an overview of the submissions we received.

## Individuals and organisations

In total, 36 per cent (n=31) of submissions came from individual submitters, while 64 per cent (n=54) were on behalf of organisations (figure 1). Table 2 shows the types of organisations that made a submission. For a list of the organisations that made submissions, see [Appendix 2](#).

**Figure 1:** Are you submitting as an individual or on behalf of an organisation? (N=85)



**Table 2:** Types of organisations making a submission

Type of organisation	Number of submissions
Business	19
Local government	13
Industry body	9
Other	5
Non-government organisation	4
Iwi/hapū	3
Central government	1



## Location of submitters

Table 3 shows the location of submitters.

**Table 3: Location of submitters**

Location	Number of submissions
Northland   Te Tai Tokerau	1
Auckland   Tāmaki-makau-rau	6
Waikato	8
Bay of Plenty   Te Moana-a-Toi	2
Gisborne   Te Tai Rāwhiti	0
Hawke’s Bay   Te Matau-a-Māui	2
Taranaki	1
Manawatū-Whanganui	2
Wellington   Te Whanganui-a-Tara	9
Tasman   Te Tai-o-Aorere	1
Nelson   Whakatū	0
Marlborough   Te Taihu-o-te-waka	3
West Coast   Te Tai Poutini	4
Canterbury   Waitaha	23
Otago   Ōtākou	12
Southland   Murihiku	9
Outside of New Zealand	0
Unknown <sup>2</sup>	2

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<sup>2</sup> Submissions received by email or post that did not include information about the submitter’s location were classified as unknown.

# Context for the proposed changes to the intensive winter grazing regulations

The discussion document listed several default conditions along with implementation issues that have arisen under the current regulations. The following are the default conditions in the current NES-F that the discussion document consulted on.

- Total area: The area of the farm that is used for intensive winter grazing must be no greater than 50 hectares or 10 per cent of the area of the farm, whichever is greater (reg 26(4)(a)).
- Slope threshold: Intensive winter grazing is restricted to paddocks where the mean slope is 10 degrees or less (reg 26(4)(b)).
- Pugging: Pugging (5 centimetres plus) must not cover more than 50 per cent of the paddock and must not be deeper than 20 centimetres at any one point (except near fixed water troughs or entrance gates) (reg 26(4)(c)).
- Buffer zone from waterways: Stock must be kept at least 5 metres away from the bed of any river, lake, wetland or drain (reg 26(4)(d)).
- Resowing: Land used for intensive winter grazing must be replanted as soon as practicable after livestock have grazed the crop, but no later than 1 October (1 November in Otago and Southland) (reg 26(4)(e)).
- Critical source areas: These areas must be identified and protected (uncultivated and ungrazed) (no current default condition).

The discussion document covered each of these conditions along with the implementation issue associated with it.

## (Q1) Do you agree with our framing of the issue? If not, why not?

Figure 2 presents submission feedback in terms of whether it agreed or disagreed with the way the discussion document framed the issue.<sup>3</sup> Among submissions that responded to this question, 52 per cent (n=34) agreed with the framing of the issue, while 48 per cent (n=31) disagreed.

**Figure 2: Percentage of submissions in agreement or disagreement in response to (Q1) Do you agree with our framing of the issue?**



Table 4 shows the reasons for agreeing or disagreeing with the framing of the issue.

The most common reasons for agreement were:

- the proposed changes try to make existing provisions more workable (n=8)
- the environmental risks associated with intensive winter grazing need to be managed (n=7)
- FWFPs are the best way to manage intensive winter grazing (n=3).

The most common reasons for disagreement were:

- the proposed regulations are not framed correctly (n=12)
- the proposal does not consider other variables (n=10)
- submitters questioned the evidence used to compile the regulations (n=9).

**Table 4: Themes in submissions on (Q1) Do you agree with our framing of the issue? If not, why not?**

Main theme	Sub-theme(s)	Frequency
Disagree with the framing of the issue		
	Proposed regulations are not framed correctly	12
	The proposal does not consider other variables	10
	Question the evidence used to compile regulations	9
	Proposed changes are impractical/unworkable/unfair	5
	Intensive winter grazing regulations generally are not framed correctly	4

<sup>3</sup> Submissions were categorised into positions of agreeing and disagreeing based on the overall content of their response. However, a single submission could make comments in both agreement and disagreement. For this reason, the totals of the figures and frequency tables do not always match.

Main theme	Sub-theme(s)	Frequency
	FWFPs are not the best way to manage intensive winter grazing	4
	Farm operators are conscious of/addressing environmental impacts	4
	Consultation shows a lack of understanding of farming	3
	Prefer intensive winter grazing to be managed under FWFPs	3
	Prefer education/incentives/engagement to regulation	3
	References to animal welfare outside the scope of proposal	2
<hr/>		
<b>Agree with the framing of the issue</b>		
	Attempts to make existing provisions more workable	8
	Environmental risks associated with intensive winter grazing need to be managed	7
	Agree that FWFPs are the best way to manage intensive winter grazing	3
	Animal welfare needs to be managed	2
	Proposed changes are interim until FWFPs are available	1
	Intensive winter grazing is an important farm management tool	1
	Suggest using a 100-year environmental context	1
	Support for the three proposed pathways	1
	Agree there is a need to make changes	1
<hr/>		
<b>General comments</b>		
	Concern regarding rollout of FWFPs	4
	Implementation of guidelines should be at farmer's discretion	3
	Concern about information in FWFPs being shared publicly	1
	Timing of the consultation prevents farmers from responding	1
	General satisfaction with consultation	1

"I agree that the initial regulations were too tight and unworkable and that the proposed changes are a better practical approach."

**Agree with the framing of the issue**

"Yes, I agree in general with the framing of the issue. I think giving a +/- 100 year environmental context is important and missing. For example the destructive conversion of native forest into farmland and the deterioration of native wildlife as a direct result. The number of species that are extinct and threatened in NZ is very high and would have had less existential pressure if a longer-term lens was applied to how we managed our natural resources. In 100 years time how do we want the landscape of NZ to look, and what steps can we take now to step towards that."

**Agree with the framing of the issue**

## (Q2) What other information should we consider?

Table 5 contains the other information submitters thought we should consider in relation to the management of intensive winter grazing.

Suggestions for other information to consider included:

- environmental and on-farm variables (n=28)
- definitions and concepts that need clarifying or refining (n=13)
- farm operators are conscious of and addressing environmental impacts (n=11).

**Table 5: Themes in submissions on (Q2) What other information should we consider?**

Main theme	Sub-theme(s)	Frequency
Other information to consider		59
	Environmental/on-farm variables	28
	Definitions/concepts require clarity/refining	13
	Farm operators are conscious of/addressing environmental impacts	11
	National regulation is not fit for regional/farm variations	11
	Relationship between FWFPs/FEPs and intensive winter grazing	11
	The proposal is not comprehensive enough	9
	Prefer education/incentives/engagement to regulation	8
	Impact of proposed changes on competitiveness/viability	4
	Preference for intervention to be based on performance	2
General comments		3
	General opposition to proposal	3

“Scale of mitigation in relation to intensity of weather events. What are the expectations of mitigation measures during an extreme/intensive weather event if the Freshwater Farm Plan mitigation options have been put in place but sediment discharge may still be occurring?”

### **Environmental/on-farm variables**

“Much work is required on definitions of ephemeral, intermittently flowing, critical source areas, and stream width to make bespoke catchment solutions which add to our environment and do not hinder environmental gains.”

### **Definition/concepts require clarity/refining**

“That farmers themselves want to protect their soils and land, that there have been vast improvements in winter grazing practises due to education and efforts by ES and industry bodies and farmers.”

### **Farm operators are conscious of/addressing environmental impacts**

## (Q3) Are there any other implementation issues with the current default conditions that have not been discussed above?

Table 6 presents implementation issues submitters identified.

Implementation issues most commonly identified were:

- definitions and concepts need clarifying or refining (n=27)
- default conditions are impractical, unworkable or costly (n=16)
- preference for managing intensive winter grazing in another way (n=10).

**Table 6: Themes in submissions on (Q3) Are there any other implementation issues with the current default conditions that have not been discussed above?**

Main theme	Sub-theme(s)	Frequency
Definitions/concepts require clarity/refining		27
	Compliance monitoring and testing	9
	Guidance documentation required	8
	More clarity needed on implementation requirements/timeframes	8
Default conditions are impractical/unworkable/costly		16
Prefer intensive winter grazing to be managed another way		10
Proposed changes are impractical/unworkable/costly		3
General support for implementation issues discussed		2
More meaningful consultation needed		1

“We support the development of guidance material to assist with implementation of the IWG [intensive winter grazing] regulations. However, given guidance material does not carry legal weight, we maintain that the regulations must be clear and specific in order to enable effective monitoring and compliance.”

**Definitions/concepts require clarity/refining**

“In our view the IWG regulations were simply unworkable in practice, and had serious implementation issues, jeopardising the Government’s ability to get the improved environmental outcomes sought. Therefore, we support this review and the need for further changes.”

**Default conditions are impractical/unworkable/costly**

# Amendments to the default conditions

The discussion document contained the Ministries' response to implementation issues related to the intensive winter grazing regulations. The Ministries proposed several amendments to the default conditions so that complying with them is more practical. They suggested the following changes.

- Reg 26(4)(a): No proposed change (ie, the limit of area used for intensive winter grazing remains at 50 hectares or 10 per cent of the area of the farm, whichever is greater).
- Reg 26(4)(b): Amend to measure the slope threshold as *maximum allowable slope* instead of *mean slope* of a paddock (while keeping the existing threshold of 10 degrees).
- Reg 26(4)(c): Amend so that farmers have to take reasonably practicable steps to manage the effects on freshwater from pugging (in areas that are used for intensive winter grazing). Officials will develop guidance for farmers and councils so they have a shared understanding of what 'reasonably practicable steps' are.
- Reg 26(4)(d): Amend the definition of 'drains' to exclude *subsurface* drains (as originally intended). Manage *subsurface* drains (where known to exist) through critical source areas (see proposed new condition below).
- Reg 26(4)(e): Remove the requirement to resow by 1 October (1 November in Otago and Southland). Instead, require farmers to resow 'as soon as practicable' – with the aim of minimising the time that bare ground is exposed to the weather – and clarify that other methods of establishing ground cover (eg, companion planting) are included. Officials will develop guidance for farmers and councils to clarify what steps could demonstrate that farmers were sowing as soon as practicable.
- New condition: Include a new condition requiring critical source areas to be protected (uncultivated and ungrazed). See the proposed definition of critical source areas in table 1 of the [discussion document](#). Officials will develop guidance for farmers and councils so that they have a shared understanding of how critical source areas will be identified and protected.

## (Q4) Do you think these proposed changes are the right way to manage intensive winter grazing? If not, why not?

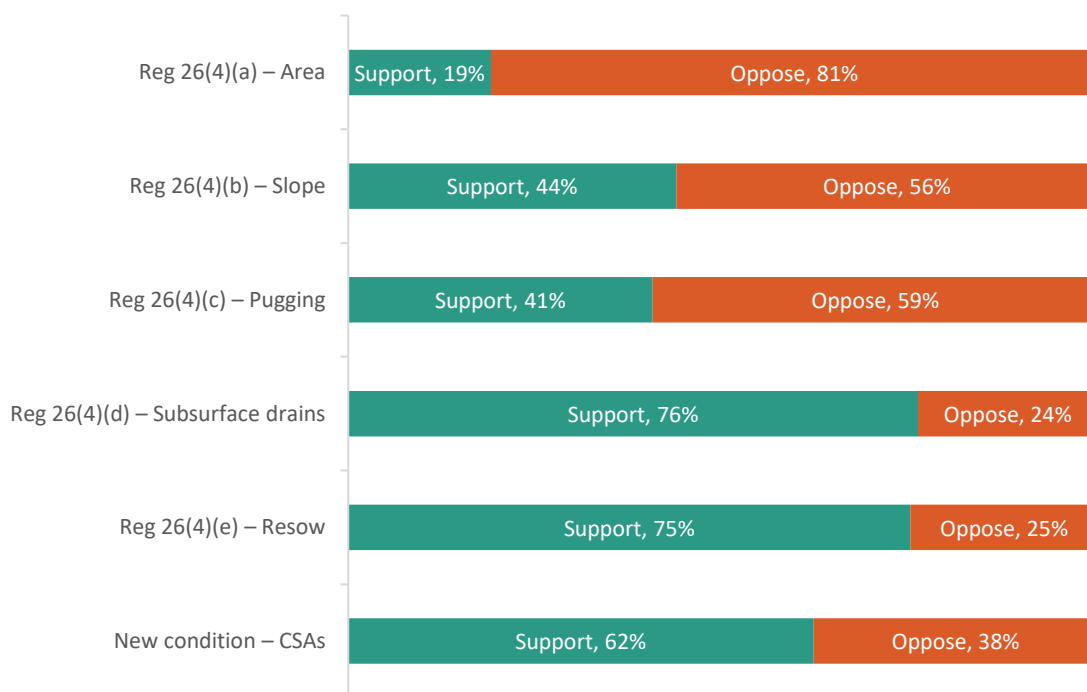
Submissions provided feedback across the full range of proposed amendments. Below is a breakdown of this feedback for each amendment from submissions that responded to it. Figure 3 and table 7 present the percentage of submissions supporting or opposing the proposals.<sup>4</sup>

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<sup>4</sup> Submissions were categorised into positions of support and opposition based on the overall content of their response. However, a single submission could make comments in both support and opposition. For this reason, the totals of the figures and tables do not always match.

- **Reg 26(4)(a) – Area:** 19 per cent (n=4) of submissions supported no change as the right way to manage intensive winter grazing, while 81 per cent (n=17) opposed it.
- **Reg 26(4)(b) – Slope:** 44 per cent (n=14) supported the proposed change as the right way, while 56 per cent (n=18) opposed it.
- **Reg 26(4)(c) – Pugging:** 41 per cent (n=13) supported the proposed change as the right way, while 59 per cent (n=19) opposed it.
- **Reg 26(4)(d) – Subsurface drains:** 76 per cent (n=19) supported the proposed change as the right way, while 24 per cent (n=6) opposed it.
- **Reg 26(4)(e) – Resow:** 75 per cent (n=18) supported the proposed change as the right way, while 25 per cent (n=6) opposed it.
- **New condition – CSA:** 62 per cent (n=18) submissions supported the proposed new condition as the right way, while 38 per cent (n=11) opposed it.

**Figure 3: Percentage of submissions in support or opposition in response to (Q4) Do you think these proposed changes are the right way to manage intensive winter grazing?**



**Table 7: Percentage and number of submissions in support or opposition in response to (Q4) Do you think these proposed changes are the right way to manage intensive winter grazing?**

	Reg 26(4)(a) – Area n=21	Reg 26(4)(b) – Slope n=32	Reg 26(4)(c) – Pugging n=32	Reg 26(4)(d) – Subsurface drains n=25	Reg 26(4)(e) – Resow n=24	New condition – CSAs n=29
Support	19%	44%	41%	76%	75%	62%
	4	14	13	19	18	18
Oppose	81%	56%	59%	24%	25%	38%
	17	18	19	6	6	11





Table 8 presents the reasons for supporting or opposing the proposed changes generally and each proposed change.

The following were the most common reasons for supporting specific proposed changes.

- The proposed change to reg 26(4)(d) on subsurface drains was the right way to manage intensive winter grazing, mainly because submitters agreed with the proposal to remove subsurface drains from the definition of a drain (n=10).
- The proposed change to reg 26(4)(e) on resowing was the right way, mainly because submitters believed the national sowing date was impractical and unworkable, so they supported the proposal to remove this date (n=6).
- The addition of the new condition on CSAs was the right way, mainly because submitters agreed with the proposed addition of CSAs, their management and the need to protect them (n=11).

The following were the most common reasons for opposing specific proposed changes.

- The proposed change to reg 26(4)(c) on pugging was not the right way to manage intensive winter grazing, mainly because the regulations should not include pugging or should be relaxed in their approach to it (n=8).
- The proposed change to reg 26(4)(b) on slope was not the right way, mainly because submitters wanted the threshold increased (n=11).
- The proposal to make no changes to reg 26(4)(a) on area was not the right way, mainly because in its current form it encourages higher stocking rates and intensive grazing (n=10).

“It is acknowledged that intensive winter grazing has detrimental impacts on the environment. However, the impacts vary between regions, catchments, soil types and individual farms. This variation is a main reason why one size fits all rules such as what is proposed in the Intensive Winter Grazing regulations are not practical or effective.”

**The proposed changes are impractical/unworkable/costly**

“We agree the removal of sub-surface drainage is beneficial and can be managed through FW-FP, Catchment Collective workstreams and Integrated Farm Plans.”

**The proposed changes are the right way**

**Table 8: Themes in submissions on (Q4) Do you think these proposed changes are the right way to manage intensive winter grazing? If not, why not?<sup>56</sup>**

Main theme	Sub-theme(s)	Frequency
The proposed changes are not the right way		53
General comments		31
	Prefer intensive winter grazing to be managed another way	11
	The proposed changes are impractical/unworkable/costly	10
	The proposal is not comprehensive enough	8
	National regulation not fit for regional/farm variations	7
	Definitions/concepts require clarity/refining	7
	Impact of increasing regulations on competitiveness/viability	3
Reg 26(4)(c) – Pugging		20
	Pugging should not be included/should be relaxed	8
	Clarity/guidance needed on what is ‘reasonable’	8
	Proposed changes will not improve animal welfare/environmental impacts	6
	Strengthen/retain current pugging regulations	2
Reg 26(4)(b) – Slope		20
	Increase the threshold	11
	Slope measurement/calculation remains confusing/impractical	4
	Prefer intensive winter grazing to be managed another way	4
	Potential for excluding whole paddocks/increased stocking	4
Reg 26(4)(a) – Area		17
	Encourages higher stocking rates/intensive grazing	10
	Prefer intensive winter grazing to be managed another way	6
	Prefer alternative area/methodology used	4
	Will lead to increased environmental impacts	3
	Do not support change	1
	Unfair/increases the number of required consents	1
New condition – CSAs		13
	Definitions/concepts require clarity/refining	5
	Oppose treatment of subsurface drains as CSAs	4
	Strengthen regulations/methodology	4
	Discharges should be treated as point source and comply	3

<sup>5</sup> A single submission could express support for some regulations and opposition to others. For this reason, the combined number of submissions that support and oppose is more than the total number of submissions received.

<sup>6</sup> In instances where a submission supported more than one regulation, its support was captured under each regulation it supported. However, overall support is a measure of only one instance of support per submission and therefore does not equal the sum of the codes captured as sub-themes.

Main theme	Sub-theme(s)	Frequency
	(Council) discretion and more input needed	1
	Reg 26(4)(e) – Resow	7
	‘Practicable’ denotes unenforceable	4
	Already covered by CSA provisions	2
	Definitions/concepts require clarity/refining	1
	Retain current regulations	1
	Reg 26(4)(d) – Subsurface drains	6
	Increase regulation/compliance monitoring	2
	Setback rules over and above 3 m unnecessary/covered	2
	CSA/buffer areas must be protected/ungrazed/uncultivated	2
	Question the evidence used to exclude subsurface drains	1
	Requires communication for clarity	1
	The proposed changes are the right way	47
	Reg 26(4)(d) – Subsurface drains	19
	Support the removal of subsurface drains from definition	10
	Support managing subsurface drains under CSAs	1
	Including subsurface drains is problematic	1
	Subsurface drains are common and in need of protection	1
	Manage subsurface drains through FWFPs	1
	Reg 26(4)(e) – Resow	18
	National sowing date is impractical/unworkable/support removal	6
	Guidance documentation required	5
	Definitions/concepts require clarity/refining	4
	Manage resowing through FWFPs	1
	Support conditional on addition of CSAs	1
	New condition – CSAs	18
	Agree with addition/management/protection of CSAs	11
	Guidance documentation required	7
	Request definition to reflect only those connected to water	4
	Definitions/concepts require clarity/refining	3
	Prefer CSAs to be managed under FWFPs	2
	Request clarity on instances where contractors mistakenly plant	1
	Reg 26(4)(b) – Slope	15
	Support change from mean to maximum slope	8
	Support retention of 10-degree slope/increase detrimental	4
	Guidance documentation required	4
	For area under crop rather than entire paddock	2

Main theme	Sub-theme(s)	Frequency
	Higher-sloped humped/hollowed areas to be managed under FWFPs	1
	Need to consider direction of grazing	1
	Utilise light detection and ranging (LiDAR) to map paddocks	1
	Clarify definition of maximum allowable slope	1
	<b>Reg 26(4)(c) – Pugging</b>	<b>14</b>
	Support removal of pugging depth standards/more practical	9
	Guidance documentation required	3
	Remove word ‘reasonable’ to align with reg 26(4)(e)	1
	Address potential animal welfare concerns	1
	Manage effects of sacrifice paddocks	1
	Prefer pugging to be managed through FWFPs	1
	<b>General comments</b>	<b>4</b>
	Support FWFPs as an alternative to resource consents	3
	Guidance documentation required	2
	<b>Reg 26(4)(a) – Area</b>	<b>4</b>
	Support for 50 ha and 10% (no change)	4

“A condition for pugging will not lead to any added environmental protection if critical source areas and buffers are managed well.

- Pugging is already regulated as an animal welfare issue and should not be regulated in two legislations.
- There is no, or little correlation between pugging depth and sediment loss.”

**The proposed changes are the right way**

“For animals that are back-fenced and fed on small, daily breaks, limiting the amount of land available could lead to animals being stocked at very high densities, that can have implications such as aggression, injury and high competition for limited feed, and preclude access to shelter.”

**Proposed changes are not the right way**

“As well as the practicality of working to prevailing weather in any given year, the use of a ‘practicable’ standard reflects the reality of annual resowing. In Taranaki for example, not every farm has their own cultivation equipment, so many farmers must engage contractors, who must in turn balance farmer demand against weather and equipment availability.”

**The proposed changes are the right way**

## (Q5) Do you think these proposed changes would improve the workability of the permitted activity standards? If not, why not?

Submissions provided feedback across the full range of proposed amendments. The following is a breakdown of this feedback for each amendment from submissions that responded to it. Figure 4 and table 9 present the percentage of submissions supporting or opposing the proposals.<sup>7</sup>

- **Reg 26(4)(a) – Area:** 50 per cent (n=5) supported making no change, while 50 per cent (n=5) opposed it.
- **Reg 26(4)(b) – Slope:** 24 per cent (n=4) supported the proposed change to improve workability, while 76 per cent (n=13) opposed it.
- **Reg 26(4)(c) – Pugging:** 43 per cent (n=6) supported the proposed change to improve workability, while 57 per cent (n=8) opposed it.
- **Reg 26(4)(d) – Subsurface drains:** 70 per cent (n=7) supported the proposed change to improve workability, while 30 per cent (n=3) opposed it.
- **Reg 26(4)(e) – Resow:** 56 per cent (n=9) supported the proposed change to improve workability, while 44 per cent (n=7) opposed it.
- **New condition – CSA:** 69 per cent (n=9) supported the proposed new condition to improve workability, while 31 per cent (n=4) opposed it.

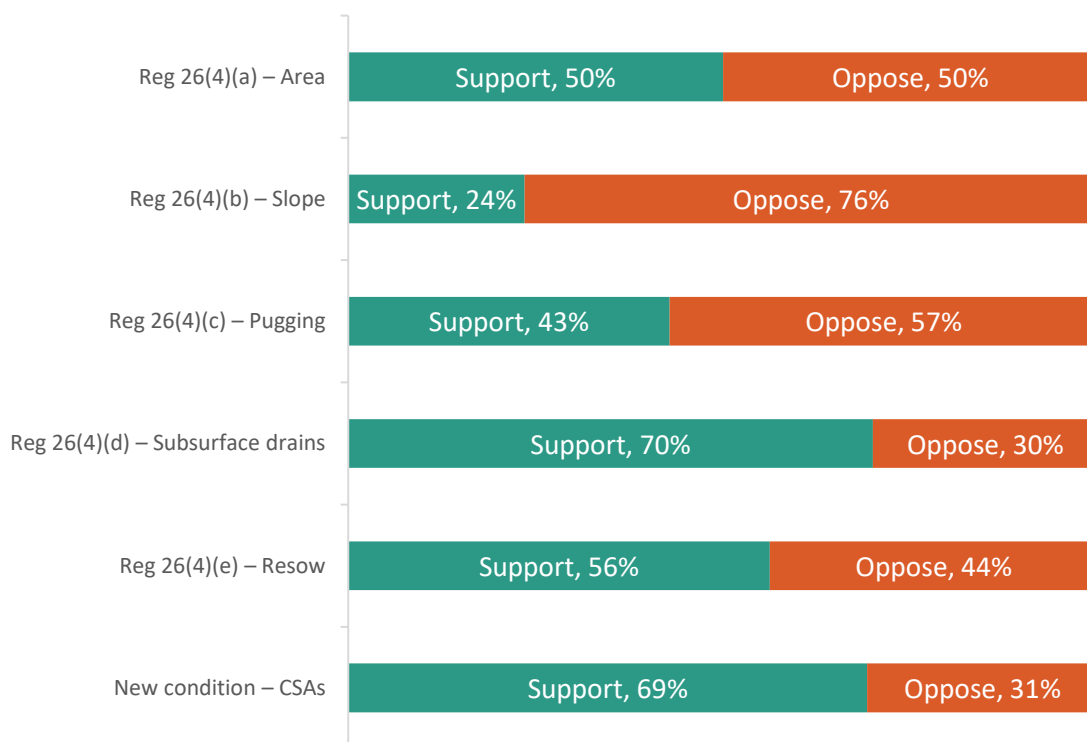
“We are particularly pleased that the Government is proposing to replace the unworkable pugging and sowing date rules with a practical management approach. This is a significant amendment that will restore the credibility of the regulations from our farmers’ perspective.”

**Proposed changes represent an improvement**

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<sup>7</sup> Submissions were categorised into positions of support and opposition based on the overall content of their response. However, a single submission could make comments in both support and opposition. For this reason, the totals of the figures and tables do not always match.

**Figure 4: Percentage of submissions in support or opposition in response to (Q5) Do you think these proposed changes would improve the workability of the permitted activity standards?**



**Table 9: Percentage and number of submissions in support or opposition in response to (Q5) Do you think these proposed changes would improve the workability of the permitted activity standards?**

	Reg 26(4)(a) — Area n=10	Reg 26(4)(b) — Slope n=17	Reg 26(4)(c) — Pugging n=14	Reg 26(4)(d) — Subsurface drains n=10	Reg 26(4)(e) — Resow n=16	New condition — CSAs n=13
Support	50%	24%	43%	70%	56%	69%
	5	4	6	7	9	9
Oppose	50%	76%	57%	30%	44%	31%
	5	13	8	3	7	4

Table 10 presents the reasons for supporting or opposing the changes generally and each proposed change.

The following were the most common reasons for supporting specific proposed changes.

- The proposed new condition on CSAs would improve the workability of the permitted activity standards, mainly because submissions supported the need for protecting CSAs (n=4).
- The proposed change to reg (26)(4)(e) on resowing would be an improvement, mainly because submitters supported the proposed change from a national resowing date to resowing ‘as soon as practicable’ (n=8).

- The proposed change to reg 26(4)(d) on subsurface drains would be an improvement, mainly because submitters supported removing the reference to subsurface drains in the definition of drains (n=7).

The following were the most common reasons for opposing the proposed changes generally or opposing specific proposals.

- Submissions that opposed the proposed changes commonly expressed a general opposition to them, mainly because the proposed changes were unworkable, impractical and costly (n=6).
- The proposed change to reg 26(4)(b) on slope would not be an improvement, mainly because the proposed change is unclear and would restrict best practice and potential benefits (n=7).
- The proposed change to reg 26(4)(c) on pugging would not be an improvement, mainly because guidance is needed on what ‘reasonably practicable’ means (n=2).

**Table 10: Themes in submissions on (Q5) Do you think these proposed changes would improve the workability of the permitted activity standards? If not, why not?**

Main theme	Sub-theme(s)	Frequency
Proposed changes represent an improvement		37
	General comments	21
	Guidance/clarity on implementation of regulations	9
	Proposed changes improve practicality/workability	9
	Allow use of FEPs not just FWFPs	3
	Proposed changes will lead to environmental improvements	2
	Require FWFPs to be released before evaluation	1
	Agree with three pathways	1
	Importance of context can be considered with intensive winter grazing module	1
	New condition – CSAs	10
	Support protection of CSAs	4
	Clarify definition of CSAs	4
	Definitions/concepts require clarity/refining	2
	Improves cost-effectiveness	1
	Reg 26(4)(e) – Resow	9
	Support change to ‘as soon as practicable’	8
	Allows for more flexibility	1
	Reg 26(4)(d) – Subsurface drains	7
	Support the removal of subsurface drains from definition	7
	Support managing subsurface drains through CSAs	4
	Reg 26(4)(c) – Pugging	6
	Support removal of requirements/change to ‘reasonable’	6
	Reg 26(4)(b) – Slope	5
	Support 10-degree threshold	3



Main theme	Sub-theme(s)	Frequency
	Support change from 'mean' to 'maximum'	3
	Prefer a 15-degree slope	1
	Reg 26(4)(a) – Area	5
	Support for 50 ha and 10% (no change)	5
Proposed changes do not represent an improvement		33
	General comments	15
	General opposition to the proposed changes	8
	Proposed changes are unworkable/impractical/costly	6
	Definitions/concepts require clarity/refining	1
	Reg 26(4)(b) – Slope	13
	Unclear/restricts best practice/benefits	7
	Disagree with the 10-degree slope/preference for 15 degrees	4
	Prefer intensive winter grazing to be managed another way	3
	Prefer utilising an alternative method of calculating slope	1
	Reg 26(4)(c) – Pugging	8
	Guidelines needed to clarify 'reasonably practicable'	2
	Definitions/concepts require clarity/refining	2
	Remove regulation	2
	More discretion and consultation needed	2
	Reg 26(4)(e) – Resow	8
	Practicable denotes unenforceable	3
	More discretion and consultation needed	2
	Guidelines needed to clarify 'as soon as practicable'	2
	Reg 26(4)(a) – Area	5
	Loss of productive crop land for hill country farm operators	3
	Increase area limit to 100 ha	1
	Limits innovation and best practice	1
	New condition – CSAs	4
	Southland Intensive Winter Grazing National Environmental Standards Advisory Group guidelines are more practical	1
	Oppose treatment of subsurface drains as CSAs/impractical	1
	More discussion needed	1
	Remove CSAs	1
	Reg 26(4)(d) – Subsurface drains	4
	Further consideration needed	3
	Opposed to exclusion of subsurface drains	1
	Will encourage further intensive grazing	1

“Yes, the proposed changes will improve workability of the permitted activity standards; they are more practical considerations aimed at mitigating the effects of IWG.”

**Proposed changes represent an improvement**

## **(Q6) Do you think these proposed changes would manage adverse environmental effects of intensive winter grazing effectively? If not, why not?**

Among submissions that responded to this question, 52 per cent (n=25) agreed that the proposed changes would manage the adverse environmental effects of intensive winter grazing effectively, while 48 per cent (n=23) indicated that the proposed changes would be insufficient. Figure 5 presents the percentage of submissions supporting or opposing the proposals.<sup>8</sup>

**Figure 5: Percentage of submissions in support or opposition in response to (Q6) Do you think these proposed changes would manage adverse environmental effects of intensive winter grazing effectively?**



Table 11 presents the reasons for supporting or opposing the changes generally and specific proposed changes.

The most common reason for supporting the proposed changes was that they would generally improve the management of adverse environmental effects (n=18), mainly because they are more practical and workable (n=6). However, some submitters who expressed support also thought that FWFPs would be a better way of taking account of contextual considerations in managing environmental effects (n=4).

The following were the most common reasons for opposing the proposed changes generally or opposing specific proposals.

- The proposed changes generally would not manage the adverse environmental effects, mainly because the proposed changes were unworkable and impractical (n=6).

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<sup>8</sup> Submissions were categorised into positions of supporting and opposing the proposals based on the overall content of their response. However, a single submission could make comments in both support and opposition. For this reason, the totals of the figures and tables do not always match.

- The proposal to make no changes to reg 26(4)(a) on area would not manage adverse environmental effects, mainly because it would increase stocking rates along waterways or flat land (n=3).
- The proposed change to reg 26(4)(d) on excluding subsurface drains would not manage adverse environmental effects, because the buffer zone is too small and should be increased from 5 metres to 10 metres (n=1).

**Table 11: Themes in submissions on (Q6) Do you think these proposed changes would manage adverse environmental effects of intensive winter grazing effectively? If not, why not?**

Main theme	Sub-theme(s)	Frequency
Yes, proposed changes would manage adverse environmental effects		
	Proposed changes are generally an improvement	18
	Proposed changes are more practical/workable	6
	Subject to proper implementation on the ground	3
	But are only the bare minimum of compliance	1
	But only for the limited definition of intensive winter grazing used	1
	However, pugging and resowing require some regulation	1
	When used in conjunction with other regulations	1
	But requires a robust, enforceable FWFP system	1
	For dairy farmers only	1
	However, contextual considerations better managed with FWFPs	4
	New condition – CSAs	4
	Addition of CSAs will manage environmental effects	4
	Guidance documentation required	1
	Reg 26(4)(d) – Subsurface drains	1
	Buffer zone will aid managing environmental impacts	1
	Reg26(4)(a) – Area	1
	Limiting area for intensive winter grazing will aid managing environmental effects	1
	Provided the amendments made are the proposed changes	1
	A well-written intensive winter grazing module in FWFPs will address this	1
	Reg 26(4)(c) – Pugging	1
	Removing requirements/change to ‘reasonable’ will aid management	1
No, proposed changes would not manage adverse environmental effects		
	General comments	22
	General opposition to proposal/proposed changes	8
	Proposed changes are unworkable/impractical	6
	Proposed changes increase environmental impacts	5
	National regulation not fit for regional/farm variations	5
	Impact of increasing regulations on competitiveness/viability	4

Main theme	Sub-theme(s)	Frequency
	Guidance documentation required	3
	Reg26(4)(a) – Area	5
	No, proposed changes will increase stock along waterways/flat land	3
	10% area allocation for intensive winter grazing inappropriate	1
	Prefer area to be managed under FWFPs	1
	Reg 26(4)(d) – Subsurface drains	2
	Increase minimum riparian buffer from 5 m to 10 m	1
	Prefer subsurface drains to be managed under FWFPs	1
	Reg 26(4)(c) – Pugging	2
	Proposed changes limit environmental management	1
	Prefer pugging to be managed under FWFPs	1
	Reg 26(4)(e) – Resow	1
	Prefer resowing to be managed under FWFPs	1
	Guidance documentation required	1
	Amend definition to include any crop for ground cover	1
	Promote the innovation and use of catch crops	1
	Require buffer strips	1
	Reg 26(4)(b) – Slope	1
	Prefer slope to be managed under FWFPs	1
	Guidance documentation required	1
	New condition – CSAs	1
	Cultivation and grazing of CSAs should be prohibited	1

“Yes, workable provisions will better engage farmers who are implementing these guidelines. Our experience has shown that farmers want to do what is right and are more than willing to take actions necessary to improve water quality, provided the imposition to do so achieves the outcomes. Some of the original permitted activity requirements would impose significant inconveniences on the farming community without improving the environmental outcomes.”

**Yes, proposed changes would manage adverse environmental effects**

“Yes definitely for the most part. There are different areas throughout NZ that have specific issues. E.g. light soils in Canterbury will have higher N [nitrogen] leaching, versus Southland where soil structure damage will be high risk due to wet winters. FFP's [freshwater farm plans] are the important step here to be more regional specific.”

**Yes, proposed changes would manage adverse environmental effects**

“Will never be done effectively as environmental conditions are uncontrollable. eg in August my farm generally receives about 30 to 50 mm of rainfall per month. One year we received 450 mm over 10 days in August. It was wet/wet, mud/mud. Had to feed baleage out under

fencelines. We had Army unimogs out delivering essential supplies. You cannot beat the weather.”

**No, proposed changes would not manage adverse environmental effects**

# Implementation timeframes

On the question of when the regulations will come into effect, to allow enough time for farmers to make decisions about grazing, the Ministries have proposed a further deferral to the commencement of the intensive winter grazing regulations for six months (so the regulations would begin on 1 November 2022).

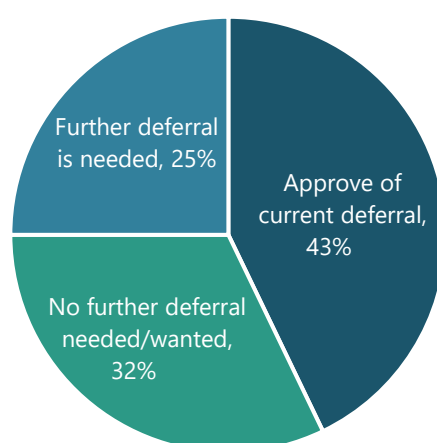
## (Q7) Do you have any comments on implementation timeframes and whether a further deferral would be necessary?

Submitters expressed three different views on whether a further deferral is necessary (figure 6):

- 43 per cent (n=24) approved of the current deferral, mainly because it will allow farmers the time to plan and to implement plans they have already worked on (n=11)
- 32 per cent (n=18) indicated that further deferrals are unnecessary or unwanted, mainly because deferring is disappointing and concerning (n=5)
- 25 per cent (n=15) requested a further deferral, mainly because more time is needed for buy-in to FWFPs and also to ensure FWFPs are available (n=5).

Table 12 presents the reasons submitters gave for each position.<sup>9</sup>

**Figure 6: Percentage of submissions in each category in response to (Q7) Do you have any comments on implementation timeframes and whether a further deferral would be necessary?**



<sup>9</sup> Submissions were categorised into their preferred option based on the overall content of their response. However, a single submission could make comments related to more than one option. For this reason, the totals of the figures and tables do not always match.

**Table 12: Themes in submissions on (Q7) Do you have any comments on implementation timeframes and whether a further deferral would be necessary?**

Main theme	Sub-theme(s)	Frequency
<b>Approve of current deferral</b>		
	Will allow farmers time to plan/implement current plans	11
	Provided existing FEPs are permitted as FWFPs	4
	Will better align with FWFPs being rolled out	4
	Will make further deferrals unnecessary	1
	Will allow time to disseminate information	1
<b>No further deferral needed/wanted</b>		
	Proposed deferral is disappointing/concerning	5
	Mitigation measures are well known/have been prepared for	2
	Intensive winter grazing regulations should be introduced as soon as possible	2
	Deferral subject to support for farm operators/labour shortages	2
	Reg 26(4)(d) and CSAs would be sufficient/implement as soon as possible	1
	Bring deferral date forward to align with crop establishment	1
<b>Further deferral is needed</b>		
	Further deferral needed for FWFPs buy-in/availability	5
	Further deferral is needed as full details are not released	3
	Further deferral is needed to allow for research/consultation	3
	Lead-in time needed to allow for implementation	2
	Labour shortages will impact ability to comply/wellbeing	1
	To allow for long-term financial planning	1
	Proposed deferral is unworkable	1
<b>General comments</b>		
	Deferral subject to FWFP/need for interim period/alternate path	4
	Clarity/guidance needed	3
	General opposition to the proposal	2
	Regional councils have the risk of not managing consents	2
	Consideration needed for effects of labour shortage	1

“The proposed deferral of the timeframe makes sense due to the timing of IWG activities. Deferral past November 2022 would not be supported. Deferral by 6 months should not come without some caveats around the mandatory identification and protection of CSA’s for all IWG sites in the interim.”

**Approve of current deferral**

# Additional information

Submitters were able to provide any further feedback they wished on the consultation and upload any supporting documentation. Additional feedback from submissions varied. The most common feedback received was that:

- the proposal is not comprehensive enough; alternatives and the impacts of the proposal need to be considered (n=14)
- some opposed the proposals as a whole (n=7)
- meaningful consultation is needed (n=8).

Table 13 presents the themes in the further feedback that submitters gave.

**Table 13: Themes in submissions on Any other feedback on the proposals?**

Main theme	Sub-theme(s)	Frequency
Proposal not comprehensive/consider alternatives/impacts		14
Meaningful consultation required		8
General opposition		7
	General opposition to intensive winter grazing regulations as a whole	4
	General opposition to proposed changes	3
	Labour shortages will impact ability to comply/wellbeing	1
General support for proposal		4

“We appreciate the opportunity to provide some targeted feedback to the proposed changes. Some further clarity would be warranted, especially if the guidance documents are to become national frameworks that impact the implementation, compliance and enforcement of IWG activities within our catchments. Working alongside our communities has shown what we can achieve ahead of regulation. We would welcome showcasing some of the work we have done in developing our resource material, on-farm guidance and planning documentation and how this has been audited through our FEP programme successfully.”

**Proposal not comprehensive/consider alternatives/impacts**

“Farmers do have alternatives to IWG as noted earlier. Off paddock (e.g. feed pads) wintering systems have been used extensively for many years elsewhere in New Zealand and have been proven to work.”

**Proposal not comprehensive/consider alternatives/impacts**



# Appendix 1: Ministry for the Environment's online survey interface questions

## Your details

1. What is your name?
2. What is your email address?
3. Which region are you in?
4. Are you submitting as an individual or on behalf of an organisation?
5. Name of organisation
6. Type of organisation

## Consultation questions

1. Do you agree with our framing of the issue? If not, why not?
2. What other information should we consider?
3. Are there any other implementation issues with the current default conditions that have not been discussed above?
4. Do you think these proposed changes are the right way to manage intensive winter grazing? If not, why not?
5. Do you think these proposed changes would improve the workability of the permitted activity standards? If not, why not?
6. Do you think these proposed changes will manage adverse environmental effects of intensive winter grazing effectively? If not, why not?
7. Do you have any comments on implementation timeframes and whether a further deferral would be necessary?

Any other feedback on the proposals

## Consent to release your submission

Do you consent to your submission being published on this website?

# Appendix 2: Organisations that submitted

- Amuri Irrigation Ltd
- ANZCO Foods
- Ashburton Lyndhurst Irrigation Limited
- Barrhill Chertsey Irrigation Limited
- Bay of Plenty Regional Council
- Beef + Lamb New Zealand, Deer Industry New Zealand and NZ Deer Farmers Association
- Breach Oak Farm
- Canterbury Regional Council (Environment Canterbury)
- Central Plains Water Limited
- DairyNZ Limited
- Eilean Donan Farm Limited
- Environment River Patrol – Aotearoa
- Environment Southland
- Farm to Processor Animal Welfare Forum
- Federated Farmers of New Zealand
- Fish & Game New Zealand, Forest and Bird and Environmental Defence Society
- Fonterra Co-operative Group Limited
- Genetic Technologies Ltd
- Greater Wellington Regional Council
- Greenpeace Aotearoa
- Halter
- Hawke’s Bay Regional Council
- Horizons Regional Council
- HortNZ
- Hurunui District Landcare Group
- King Country River Care
- Local Government New Zealand
- Lumen
- Manaaki Whenua – Landcare Research
- Marlborough District Council
- MHV Water Limited
- New Zealand Animal Law Association
- Newhaven Farms
- Otago Regional Council
- Pāmu (Landcorp Farming Limited))
- Pomahaka Water Care Group
- Rangitikei Rivers Catchment Collective
- Ranui Station Ltd
- Rural Advocacy Network and Groundswell NZ
- Rural Women New Zealand
- SPCA
- Synlait Milk
- Taranaki Regional Council
- Tasman District Council
- Te Ao Marama Inc
- Te Rūnanga o Ngāi Tahu
- Te Tumu Paeroa – The Office of the Māori Trustee
- Waikato Regional Council
- West Coast Regional Council
- Westland Dairy Company Limited t/a Westland Milk Products
- Winter Grazing Action Group