

**BEFORE THE ENVIRONMENT COURT  
I MUA I TE KOOTI TAIAO O AOTEAROA**

**IN THE MATTER** of the Resource Management Act 1991

**AND** of appeals under clause 14 of the First Schedule of the Act

**BETWEEN** **ARATIATIA LIVESTOCK LIMITED**  
(ENV-2018-CHC-029)

**FEDERATED FARMERS**  
(CIV-2018-CHC-040)  
**Appellants**

**AND** **SOUTHLAND REGIONAL COUNCIL**  
**Respondent**

**AND** **HAMISH ENGLISH**  
**Section 274 Party**  
(and further section 274 parties as continued on next page)

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**STATEMENT OF EVIDENCE OF HAMISH ENGLISH  
S274 PARTY**

**Dated: 4 February 2022**

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**AND ARATIATIA LIVESTOCK LIMITED  
(CIV-2018-CHC-40)**

**AND CAMPBELL'S BLOCK**

**AND D AND G PULLAR**

**AND DIRECTOR-GENERAL OF CONSERVATION**

**AND FAIRLIGHT STATION**

**AND FEDERATED FARMERS OF NEW ZEALAND  
(CIV-2018-CHC-029)**

**AND GUNTON FARMS**

**AND FISH AND GAME COUNCIL OF NEW ZEALAND**

**AND PETER CHARTRES**

**AND TE RUNANGA O NGAI TAHU**

**AND ROBERT GRANT**

**AND ROYAL FOREST AND BIRD PROTECTION SOCIETY  
OF NEW ZEALAND INCORPORATED**

**AND STONEY CREEK STATION**

**AND THE TERRACES LIMITED**

**AND WILKINS FARMING COMPANY LIMITED**

**Introduction**

- 1 I have joined the following appeals as a section 274 party:
  - (a) Aratiatia Livestock Limited appeal (ENV-2018-CHC-029)
  - (b) Federated Farmers of New Zealand (ENV-2018-CHC-40)
  - (c) Wilkins Farming Company Limited (ENV-2018-CHC-030)
- 2 I make this statement to provide information to assist the parties to understand my interests and position on the above appeals.
- 3 I confirm I support the relief sought by the Appellants Aratiatia Livestock Limited and Federated Farmers of New Zealand Limited.
- 4 In this statement of evidence, I only comment on the matters that I have notified my interest in that have been categorised as part of topic B5. As my section 274 notice on the Wilkins Appeal related to the consideration of water permits, this statement excludes my interests in that appeal.
- 5 I confirm I support the position reached at the Joint Witness Conference that concluded that the deletion of the permitted activity standards (D) and (E) in Rule 20(a)(iii)(3) is appropriate.
- 6 Below I set out my specific interests and my observations of how the proposed rules in the Land and Water Plan (decisions version) may adversely affect our farm systems.
- 7 In the following paragraphs I also set out why I consider (based on my farming experience) Rule 20 in the Proposed Plan is unlikely to have the intended effect of avoiding, remedying or mitigating any adverse effects of farming. I also consider that the purpose of the proposed permitted activity standards of Rule 20 are not clear.
- 8 Therefore, I support the outcome of the joint witness conferences which has proposed the deletion of the permitted activity standards in Rules 20(a)(iii)(D) and (E) for winter grazing.

**Our Place**

- 9 Our place is Southland. Our rivers are the Oreti and the Waiau and our mountains are the Mid and West Domes of Northern Southland and the Takitimus of Western Southland.

- 10 Our knowledge of the region is also informed by intergenerational knowledge gained from 140 years of continuous English family farming in the Dipton Castlerock area.

### **Our Farm**

- 11 Our family farming business, supporting 40 FTE positions, operates from 14 separate sites and counts the rivers Waikaia, Mataura, Oreti, Wairakei and Waiau as part of our farm boundaries.
- 12 This spread of sites encompasses a diversity of soil types and weather/climate variations. For example, in this past season there was a 600 ml rainfall gradient across our properties. Due to the diversity of climate, location and soil types we engage in a variety of farming systems.
- 13 Our wintering systems include fodder beet/balage, kale/swedes with silage/balage, grass with silage and indoor freestall barns.

### **My Experience**

- 14 My specific relevant experience for speaking to this issue is my family business's historic and ongoing annual wintering of approximately 6500 cows and 1500 yearlings by a range of systems on a self-contained basis.
- 15 My farming experience spans over 45 years and includes farming sheep, beef, deer, cereals, winter cropping and dairy. I know the farm well, and have a full insight to soil and water and ground cover interactions in the winter grazing setting – particularly as that experience applies to the wide variety of climate and soil types on our farm.

### **Should the winter grazing mob size limit and the specification of feeding methods be deleted?**

- 16 I support the removal of mob size limits for the reasons given by the appellant.
- 17 The arbitrary and prescriptive mob size limit was not notified to the public when the plan was released and submission sought.
- 18 The Regional Council's technical paper also does not set out the scientific basis or any correlation between nutrient/ sediment losses relative to mob size. The information relied on to set that specific mob size by the Regional Council has not been provided to the public.

- 19 The practical difference, for instance between a mob size of 120 and a mob size of 240 stocked at the same density and fed the same feed allocation is only a piece of livestrand that controls the amount of feed available. The size of a mob fed on a paddock will not influence nutrient or sediment loss. I would not expect a large mob size to increase the amount or rate of nutrient or sediment loss. The Regional Council has not provided information to show any correlation between sediment or nutrient loss and mob size.
- 20 Different mob sizes can be appropriate for different shape or size paddocks.
- 21 Bespoke mob sizes appropriate to the farm layout should be available to utilise on individual farms where conditions allow.
- 22 My experience is that the defining factor in limiting soil damage in winter grazing is good conditioned cows in mobs of like with like – healthy animals where competition for food is minimised. Having healthy animals depends on allocating appropriate daily levels of feed for the winter grazing period, and ensuring that their access to food has minimal restriction.
- 23 Depending on crop feed and level of supplement we have successfully had mobs of up to 300 for periods of the winter, but more typically in the 180 to 250 range.
- 24 This proposed standard would make it a requirement to obtain a resource consent to farm at an economically feasible level, but I do not believe that setting a specific restriction on the mob size of 120 would have any positive impact on minimising nutrient or sediment losses.
- 25 The Regional Council has not provided scientific information that demonstrates any correlation between nutrient or sediment losses from silage fed under a wire relative to baleage hay straw fed in feeders.
- 26 I also support the deletion of the requirement to use portable feeders for supplementary feed. Maintaining a variety of options to feed means that cows can “feed to need”, reduces competition within the herd and it helps maintain cows dry matter inputs to correct levels. Well fed cows minimise cow movement and potential soil disturbance or pugging.

27 The deletion of these permitted activity standards will reduce the operational constraints on farm and also enable farmers to graze in a manner that is appropriate to the particular conditions on that farm.

**Conclusion**

26 Wintering of cows in the Southland climate can present a complex matrix of challenges. Weather events can require change at short notice to limit potential environmental effects and maintain well fed animals.

27 Prescriptive rules restrict farmer's ability to manage animal health and welfare by adapting and changing feeding regimes according to the circumstances of the farm.

28 Therefore, I support the proposal to delete the provisions (D) and (E) in Rule 20(a)(iii)(3) as an appropriate outcome. I confirm that deletion of those provisions meets my interests as a section 274 party in the above appeals.

DATED 4 February 2022

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Hamish English