Submission on National Policy For Indigenous Biodiversity

This submission is presented for:

Sophie Investments Ltd  – Trading as Te Hekenga Station

By Clifford John Heath  Director and Farmer of the property known as Te Hekenga Station

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BACKGROUND

- I have been farming on my own account since 1976, I hold a BSc in Physics and a Post Graduate Diploma in Management. I am the working Director and Principal shareholder of Sophie Investments Ltd trading as Te Hekenga Station. We have farmed Te Hekenga since 1994

- Te Hekenga Station is 1400 hectares of moderate northern Manawatu hill country some 250Ha is cultivatable. The farm is a traditional sheep and beef breeding property with virtually all stock sold store at the Feilding Sale yards. Stock units have been reduced from 11530 in 2009 to around 10000 currently.

- Te Hekenga is a somewhat unique property as unlike most Manawatu properties it was not totally ‘clear felled’ in the 1950’s. The property was owned for the better part of a century by the Marshall Family including the Hon Denis Marshall, a former Minister of Conservation, who maintained the indigenous vegetation on the property. As a result there remains extensive scattered areas of mature native trees predominately Kaihikatea and Kanuka, with some Rimu Totara and Matai. We have continued that care for the native bush since our purchase from the Marshall Family in 1994. Areas we have retired are regenerating mainly as Totara Horoeka and Rewarewa.

- Approximately one third of the property is in the headwater catchment of the Kiwitea Stream (with approximately 8km of stream boundary) the Kiwitea is a significant tributary of the Manawatu River, the other two thirds provide waters through to three minor tributary's of the Rangitikei River (the Mangamako, the Takapurau and the Mangapapa streams) Eels and kura are prevalent in these streams, the odd trout has been sighted.

- The following blocks have been vested in the QE2 Trust, Irelands 3.198 ha, Pakatui & Takapurau 23.544 ha, Omatakapua & Hinau 8.206ha, Kerepuni 37.696ha that is 72.644 hectares or 5% of the farm effectively given to the nation for perpetual conservation. (there are a further 3 block identified but not yet fenced but formally committed to QE 2 which will take th total up to just on 100Ha)

- The Company has been proactive on sustainability, Te Hekenga has a "Whole Farm Plan" 2009/WFP/172 as part of Horizons Regional Council's Sustainable Land Use Initiative SLUI. That plan aims to identify farm-specific opportunities resource management and sustained business development. As a result of that 2009 plan over the past 9 years plan some 36 km of proper 8 wire post and batten fence has been erected to fence off water ways, mature native bush and retire riparian areas. The cost of this fencing and associated work has been
$558,000 (not an inconsiderable sum) All of the spare economic surplus of Te Hekenga has been invested in this fencing over this 9 year period.

- It is our belief that “we have done, and continue to do our bit environmentally” and Te Hekenga is monitored by Horizon's Regional Council with at least an annual visit to ensure we comply with the SLUI plan. It is with considerable dismay that we see this proposal as requiring much more work to be done with more areas potentially being identified as “Significant Natural Areas”

- The proposal potentially penalises those farmers who have nurtured indigenous flora imposing restrictions and costs in the greater good of the nation, while leaving those who have clear felled and drained their properties in the past will be left unencumbered. This is fundamentally wrong!

- I am by nature a perpetual optimist, the current financial returns, near the best in my life time, and I’m 70, should be creating a solid intense confidence for the future of sheep and cattle farming. But this proposition coupled with the fresh water accord and the ETS proposal leave me the most despondent and pessimistic about any future at all for hill country farming in general and this farm, Te Hekenga in particular. Not since the battle to survive through the late 1980’s has the future looked so bleak. It looks inevitable that the Government has decided that the hills shall be retired from farming to grow the “billion trees”, native or otherwise. That is that Government has decided that sheep farming in the hills is finished all in the interest carbon sequestration, clean water and now native trees for all the comfort of citizens of New Zealand mainly city dwellers who will never visit the country side.

General response to the proposals

**Overall thoughts about the introduction section and the need for an NPSIB:**

The overall concept of identifying and potentially protecting the remaining Significant Natural Areas has some merits, however there needs to be honesty from the Government as to just what both the intent and actual result will be for the private land owner who “owns” the identified area.

**This comments in the submission are made from perspective that we have a number of potentially Significant Natural Areas, and how this policy proposals would affect us personally.**

On first perusal it would seem that the intent is to identify the “significant area” then to effectively confiscate the identified area from the land owner, by preventing it to be economically utilised in any way and more critically with out any compensation.

Further more to actually impose costs on the owner, (now in name only) to maintain that identified area in the interests of the people of New Zealand. This is manifestly wrong.

If these significant areas are to be protected for the greater good of the nation then the nation, the people, represented by the Government should pay, either by purchase outright form or by way of annual lease payment to the legal owner of the land identified.
Question 1: Do you agree a NPSIB is needed to strengthen requirements for protecting our native plants, animals and ecosystems under the Resource Management Act 1991 (RMA)? Why/why not?

We have approximately one third of New Zealand's land area is currently within the Department of Conservation DOC estate, how much more area do we need?

What is the balance between Conservation for Perpetuity, and Utilization for Prosperity?

Clearly this proposal indicates that Government believes that currently the balance has tipped to far in favour of prosperity.

The Resource Management Act was intended to “manage” development. To protect what was deemed to be worthy of protection and allow development, utilisation of Resources in the interest of prosperity.

It was not intended that the RMA would impose costs on those who did not develop. This proposal will impose costs on those who do not develop and on those who are forced to take land out of production in the interest of Indigenous Biodiversity

So should these Significant Natural Areas fall under the Resource Management Act? NO

If these SNA's are to identified and locked as conservation areas then they should be administered under a separate Act of Parliament or better still taken into the QE 2 Act / Administration. Then the Conservationist will sleep sound in the knowledge they are sealed and locked in perpetuity.

Under the RMA, Politician Administrators (local and national) come and go, policies and priorities change with the changing Politicians. No better example than these SNA's were first on the scene some 26 odd years ago, and to all intents have fairly much fallen off the Agenda over the interim until revived under this Government of “different” Politicians.

However be aware that to progress down that path of locking up Private Land under statute will require funding, are the tax payers prepared to provide that funding in the interest of maintaining Indigenous Biodiversity?

Question 2: The scope of the proposed NPSIB focuses on the terrestrial environment and the restoration and enhancement of wetlands. Do you think there is a role for the NPSIB within coastal marine and freshwater environments? Why/why not?

The question is leading,
How big a bureaucracy is the Government wanting to create?

Where is the boundary between DOC’s responsibility and the “new outfit” that will oversee / police the indicatives that will come from enshrining these policies in legislation?

Is the “new outfit” to administer just a rework for the priorities of the Regional Council or something new?
That said
On Coastal Environments I have no active knowledge.
On Freshwater we are awaiting the findings, policies to be implemented, of the “Essential Freshwater” group. Is this proposal in sync with Freshwater proposal or is it a rework of the same wheel?

Thus to answer the question YES if we are to get a one stop shop, that is DOC, Regional Council Freshwater and Marine environments all under one roof with a single cohesive set of policies

The answer is NO if we are to have 3,4,5 separate agencies each with different policy objectives resulting in applying different and maybe conflicting regulations on the same block of private land.

**Question 3: Do you agree with the objectives of the proposed NPSIB? (see Part 2.1 of the proposed NPSIB) Why/why not?**

**Objective 1: to maintain indigenous biodiversity:**
As a private land owner the critical word here is “maintain” that implies that what we have done here on Te Hekenga Station is adequate and acceptable and that no further impositions will be applied to us. Provided that is the case then we AGREE with this objective.

**Objective 2: to take into account the principles of the Treaty of Waitangi in the management of indigenous biodiversity:**
The Crown should be able to cover this objective within the Crown’s DOC estate, provided this objective does not impose restrictions or impediments on private land owners we AGREE with the objective.

**Objective 3: to recognise and provide for Hutia Te Rito in the management of indigenous biodiversity:**
From the NPSIB

“Hutia Te Rito is an overarching concept that can incorporate the values of tangata whenua and the wider community into the way indigenous biodiversity is managed so that it is maintained. This National Policy Statement requires local authorities to work with tangata whenua and the wider community to • protect, maintain and enhance indigenous biodiversity in a way that recognises that reciprocity is at the heart of the relationship between people and indigenous biodiversity; and • develop meaningful and tailored objectives, policies and methods to operationalise Hutia Te Rito”.

Just where in this statement is the opinion or the cooperation of the private land owner to be considered or sought?

This statement very much reads that “every one” but the private land owner of the SNA will decide what that private land owner will be compelled to do at their cost on their land.
If this interpretation is correct then it is fundamentally wrong and it will not work. Thus we REJECT this objective

**Objective 4: to improve the integrated management of indigenous biodiversity:**
The Objective in its simple form is acceptable, but what does “integrated” mean in reality is it a single authority like DOC or QE 2 overseeing all the SNA’s with adequate tax payer funding then that is fine ACCEPTED

However if it means an agency dictating to Private Land owners what they can’t do and what they must do to maintain SNA’s on their land without providing any funding then an absolute REJECTION
Objective 5: to restore indigenous biodiversity and enhance the ecological integrity of ecosystems:

*Objective 5 is at variance with Objective 1*

Objective 1 is to MAINTAIN, Objective 5 is to RESTORE

Maintain is fine, but RESTORE means farmland is to be taken out of production and returned to native bush, swamp, Indigenous biodiversity.

Now if that is the real objective here then have the courage to say so!

If this is what the people of New Zealand want for the greater good of the Nation then that is fine, the people, the tax payer can start buying up selected farm properties block the drains and let them revert.

Objective 5 is ACCEPTED on Publicly owned land, is outright REJECTED for Private land

*Objective 6: to recognise the role of landowners, communities and tangata whenua as stewards and kaitiaki of indigenous biodiversity by
  b) allowing people and communities to provide for their social, economic and cultural wellbeing now and in the future; and
  c) supporting people and communities in their understanding of and connection to, nature.*

The private land owner finally get a mention, thank you. However I am not certain that the *Role Government recognises* is the role we in the Countryside see as our *Role*

On the balance of the statement am not certain what all this “Wellington Speak” actually means in reality for “people and communities”

For someone who has lived hand in glove with Mother Nature day by day for 70 years dealing with the trials and tribulations of the weather, the changes of the flora and fauna that come with the changes of the seasons, the serenity that comes from just standing in the bush, I am well aware of my connection to nature.

I am not certain how someone who has never lived in this environment can get that connection to nature without actually spending time in it.

So on Objective 6 Probably nice words if you understand them but I Don’t.

**SECTION A Recognising Te ao Maori and the principles of the Treaty of Waitangi**

The issues and compliance of the Crown with principles of the Treaty of Waitangi should apply, be considered in all issues relating to Indigenous Biodiversity in particular on that apply on land which is either Crown owned (the DOC estate) or other Public land (Council owned)

However when it comes to Private Land the Treaty should only be a cursory consideration.

That is the Treaty is to be part of the overarching regulations that will be put in place to make this Policy Statement a reality covering all property.
To debate the compliance with the Treaty or otherwise at every privately owned SNA should be specifically excluded.

**Question 4: Hutia te Rito recognises that the health and well-being of nature is vital to our own health and wellbeing. This will be the underlying concept of the proposed NPSIB. Do you agree? Why/why not?**

Now I have no problem with recognising that health and well being of nature is vital to our own health and well being.

That's why I live out here in the back country at one most of the time with Mother Nature. I question if the majority of the population who live in cities comprehend this statement.

However the way I read the definition is that policy for the management SNA's, to advance the in some part the health and well being of nature will be primarily be set by Maori for Maori with some contribution from the wider community.

There is little if any contribution to come from the private land owner who will be expected to comply (at their cost) with what ever Hutia te Rito comes up with in the name of health and well-being of nature.

**The private land owner must be lifted in status to at least an equal partner with the wider community if not to that of the Maori if this proposal is to become anywhere near successful.**

**Question 5: Does the proposed NPSIB provide enough information on Hutia te Rito and how it should be implemented? Is there anything else that should be added to reflect te ao Māori in managing indigenous biodiversity?**

No there is not enough information on Hutia te Rito, and how it should be implemented, no where near enough.

Is it the intention to identify a number of SNA's on private land and then effectively confiscate the identified areas from the Private owner and hand the control of those SNA's to Maori as some form of additional Treaty Settlement? In the guise of Maori knowing best how to manage Indigenous Biodiversity

That is how I read it.

**Question 6: Do you think the proposed NPSIB appropriately takes into account the principles of the Treaty of Waitangi? Why/why not?**

As pointed out above the Treaty of Waitangi is between the Crown and Maori, in applying this policy proposal on Crown and other Public land then the Treaty should be fully taken into account, however when it comes to my position as a private owner of potential SNA's I see no need for any Treaty consideration.

Management and decisions ought to be between the Private land owner and the Administration Authority who ever that be Council, DOC, QE 2 or some other entity.
Question 7: What opportunities and challenges do you see for the way in which councils would be required to work with tangata whenua when managing indigenous biodiversity? What information and resources would support the enhanced role of tangata whenua in indigenous biodiversity management? Please explain

The opportunities will abound for highly educated young people to gain employment touring the country looking at bits of remnant bush and wetlands writing reports and drawing salaries from Council’s with cost being sent off to Rural Ratepayers as a rate increase.

Then there will be committees of Councillors and Maori sitting around deliberating and procrastinating drawing meeting fees again funded by Rural Ratepayers. (don’t make a decision today so you can come back tomorrow and gain another days pay).

What will that do for the management of indigenous biodiversity? very little if anything. In the end real management and the success of conservation will be by the land owner be they private, public or the Crown regardless of “the Committee”.

So just identify the site, define the parameters of conservation and funding. Leave the land owner to manage and nurture. Look to the QE 2 model it is tried and proved.

Question 8: Local authorities will need to consider opportunities for tangata whenua to exercise kaitiakitanga over indigenous biodiversity, including by allowing for sustainable customary use of indigenous flora. Do you think the NPSIB appropriately provides for customary use? Please explain

Be clear this statement is made from the position of a private landowner with significant indigenous biodiversity, under no circumstances would I allow Tangata whenua or any one else for that matter to enter the property to harvest anything. Let alone the wood pigeons that we have cared for the last 26 years. It is just not acceptable and incompatible with “protection” conservation motives the this proposal purports to promote.

Now what Councils decide and permit on Public land is another matter but if this proposal is about protecting bio diversity then that is what it should do, Protect and not allow harvesting by anyone regardless of who they are.

Question 9: What specific information, support or resources would help to implement the provisions in this section? (Section A)

Again on the basis that I am appraising this proposal from the position of a private land owner with the potential of several SNA’s

I question why any resources need to be applied to this at all, past the cost of the process of identification, with the correct approach to the land owner, jointly creating a clear plan of what the long term objective for the SNA is.

There is no need for resources other than funds required by the owner to carry out whatever protection (fencing etc) is required to actually protect the area defined.
Question 10: Territorial authorities will need to identify, map and schedule Significant Natural Areas (SNAs) in partnership with tangata whenua, landowners and communities. What logistical issues do you see with mapping SNAs, and what has been limiting this mapping from happening?

The fundamental base issue here is “who pays?” I spent 12 years as an elected member on the Rangitikei District Council. When these SNA’s were first introduced in I think 1992. The Council discussion was founded on;

- This is a good idea
- Do land owners want portions of their land locked in SNA’s? Only those who were enthusiastic and self identified were included. Very few in fact.
- To extend past the voluntary with the Council identifying potential SNA’s would be at a cost to ratepayers.
- Then came the question of what is the quantum of the cost and who will pay?
- The cost for the Rangitikei DC at that time was estimated to be in the order of $100K on a rate base then of $7m = a 1.5% rate increase
- Then who benefits, who will pay?
- The benefit was for the nation as whole, the Government was not about to fund
- The project lapsed for want of a funder.

I believe Council’s will go through exactly this process again and the conclusion will be the same. Ratepayer’s will not willingly take rate increases to fund this “wouldn’t it be nice” project other essential projects are more critical fund.

That is, unless the Government is prepared to fund the initial investigation mapping and gazetting of new SNA’s then again only those self identified by enthusiastic land owners will come forward.

Question 11: Of the following three options, who do you think should be responsible for identifying, mapping and scheduling SNAs? Why?

I believe this is the wrong question following from above who is paying?

Here in the Manawatu, for rural ratepayers, the improvement, not just minimal maintenance of rural roads, together with the extension of rural water supplies in the shadow of the impending fresh water regulations are a far higher priority than the identification of SNA’s

To apply significant ratepayer funds to this will create hostility to the project.

Now if Government was to declare that they were funding it, or that include in any Act to make this happen That Council must fund it by striking a specific Uniform Annual Charge on all rateable units then the rural hostility may abate.

OPTIONS

- **A collaborative exercise between Territorial Authorities and Regional Councils**
  - This will take forever with lots of meetings, lots of reports, lots of cost, minimal action, just to bureaucratic.

- **Regional Councils**
  - They are probably best placed to do the work, in the case of Horizons RC much of the work is done through their SLUI -Sustainable Land Use Plans – but will need to lift the Public Relations image with farmers under the New Chairwoman.
Territorial Authorities
Fairly much from the answer 10 Rural Territorial Authorities don’t have the resources to do this work, they don’t have the ability to fund it, they do however have the best “on the ground” net work, to liaise with landowners.

Other (please specify)
It would seem to me that given the end objectives set out in this proposal the beneficiaries of this proposal are the people in general and Maori in particular. Therefore this work should be funded and done by Government (DOC) and IWI without cost being imposed on land owners through rates.

Question 12: Do you consider the ecological significance criteria in Appendix 1 of the proposed NPSIB appropriate for identifying SNAs? Why/why not?

Taking the opening statement from Appendix 1
A significant natural area will meet any one of the attributes of the following four criteria:

a) representativeness:
b) diversity and pattern:
c) rarity and distinctiveness:
d) ecological context.

These are each a little like “beauty, in the eye of the beholder” are as wide as is possible to ‘catch all’ and will no doubt be determined on site by some independent person, probably an environmental enthusiast without regard to the Land Owner and the viability of the farming property to maintain the designated area at their cost while they continue to operate a sustainable farming business on the balance of the property.

As previously stated this submission is coming from the position of Te Hekenga Station having a number of potential SNA’s Under these definition virtually every if not all stands of native trees falls in one or more of these criteria add to that the wet flats growing rushes there is no point in continuing to farm.

If these criteria are applied in their fullest extent then the sale of the property for pine trees becomes the only options then all of these SNA’s will disappear into a 1300ha pine forest never to be seen again.

Again I reiterate if the legally defined preservation of these area’s is essential for the people of New Zealand then the people of New Zealand, the tax payer, needs to front with the cash to buy them either individually or entire properties to get the gain in indigenous biodiversity that they seek and what’s more, are prepared to pay for.

So to answer the question
Do you consider the ecological significance criteria in Appendix 1 of the proposed NPSIB appropriate for identifying SNAs? Why/why not?

NO it is a “catch all” designed to do just that catch every possible area, to gain as much land off farmers as is possible with out any regard to cost, set by those who do not have to pay for the designation and its long term consequences.
Question 14: The NPSIB proposes SNAs are scheduled in a district plan. Which of the following council plans should include SNA schedules? Why

I would submit that there is no enthusiasm from any Council be it District, City or Regional Council to seriously advance this Policy of Indigenous Biodiversity and identifying SNA’s, If this were not the case they would have been far more active in doing so than they have been.

Why is this the case

- foremost is cost to actually do so,
- identification has a cost in the fist instance, requiring a special line in the rate policy
- negotiation with the land may not be cordial,
- having negotiated the SNA this has rating valuation effects potentially lowering the rate take off that property, the funds for the Council
- If the SNA’s are significant in area (West Coast) the viability of the local economy is threatened
- The proposition is politically difficult if not untenable for local Government Politicians as it impacts on property rights, has rate implications for no discernable benefit to the ratepayers.

I am clear in my mind that the benefit is to the people of New Zealand, therefore the register should be created by a national agency, DOC or QE 2 or something similar, then notified by way of gazetting then appending individual land titles. That then puts accountability with the Central Government Politicians who are promoting this policy.

Question 15: We have proposed a timeframe of five years for the identification and mapping of SNAs and six years for scheduling SNAs in a district plan. Is this reasonable? What do you think is a reasonable timeframe and why?

This an absurd time frame, it would appear that this about building a bureaucracy that is self perpetuating.

I assume this question means; five years to identify and year six is for the scheduling in district plans?

Five years is far to long to identify, to leave land owners “hanging on a string” are we in or are we out?

Can we develop or can we not?

And further should we cut it all down and put the digger through to ensure we are not captured and shackled by having part of our land defined as an SNA?

Five years will ensure a latent land owner hostility to the proposition.

If you are real about this and believe that locking up land in SNA’s is imperative in the genuine interest of promoting indigenous biodiversity, then get on and do it.

Surely these area’s can be easily identified in the first instance from Aerial Photographs, in the case of Horizons RC their field officers know where these areas are.

That’s when the talking begins between the land owner and the gazetting authority to settle on a proposition.
Some will progress easily, some will progress with conditions, and others will only progress on the 
payment of funds with effective purchase of the area of the SNA by some public agency.

Simple as that.

Unless the option for purchase together with a line of funding to settle the sale and purchase of the 
SNA is incorporated in the final proposal, you a buying a fight with no winners least of all 
Indigenous biodiversity.

If you believe it is going to take five years to do this, you clearly don’t have a competent plan to 
mak e it happen. Two years should see the job done done and dusted

**Question 16: Do you agree with the proposed approach to the identification and 
management of taonga species and ecosystems? (see Part 3.14 of the proposed 
NPSIB) Why/why not?**

Largely covered above in my comments as answers to question 5, 6 7, 8 and 15
The short answer is a categoric NO

Maori, Tangata te whenua, have a part to play on their land and indeed through the Treaty of 
Waitangi on Crown and other publicly owned land.

They should have minimal if any consideration when it comes to the designation of SNA’s on 
privately owned land. That designation as previously stated should be between the land owner and 
the gazetting authority.

If you want this project is to succeed then set it up to succeed your proposal is setting it up to fail, 
cause angst and division and significant private land owner resistance.

**Question 17: Part 3.15 of the proposed NPSIB requires regional councils and 
territorial authorities to work together to identify and manage highly mobile fauna 
outside of SNAs. Do you agree with this approach? Why/why not?**

The concept of Councils “working together” to “identify and manage” birds, lizards and eels is just 
dream land stuff.

Councils can’t even keep on top of feral “fauna” let alone indigenous Fauna 
Identification, yes maybe.

But manage? do you have any grasp on what that would entail?
What are Councils going to do individually or hand in hand? to achieve this objective a team of 
field staff to crawling around the bush looking for skink’s then building little fences to coral them?

But more importantly who is going to pay? The ratepayer? If so which ratepayers on what basis 
Uniform Annual Charge, land value or capital value? Any one of these options will ‘buy a fight’

Or given that this is an initiative for the greater good of the people of New Zealand then fund out of 
the consolidated fund, Ask the Honourable Grant Robertson to write out the cheque.
Question 18: What specific information, support or resources would help you implement the provisions in this section? (Section B)

Simply Money, who is paying to make this happen? Unless a funding stream is identified such that little if any cost is to fall on the landowner for allowing their land to be designated an SNA then there will be few added to what came forward 20 odd years ago.

Lack of funding was the issue then and will be again.

Question 19: Do you think the proposed NPSIB provides the appropriate level of protection of SNAs? (see Part 3.9 of the proposed NPSIB) Why/why not?

This protection comes at the expense of the private land owner it is an erosion of freehold land rights to give the “appropriate level of protection”.

Now where is the balance between the gaining that protection against loss of those freehold property rights?

Unless this fundamental issue “the elephant in the room” is both acknowledged and addressed the “appropriate level of protection” will only be a dream never to be a reality

Question 20: Do you agree with the use of the effects management hierarchy as proposed to address adverse effects on indigenous biodiversity instead of the outcomes-based approach recommended by the Biodiversity Collaborative Group? Why/why not?

The word “hierarchy” and “collaborative group” immediately conjurers up a vision of lots of people, doings lots of talking, producing lots and lots of paper reports and not much real action in the actual SNA.

In the end I believe in ‘common sense’ management

Management ought to be: what is the issue, what is needed to correct it, get out and do it simple as that

Question 21: Are there any other adverse effects that should be added to Part 1.7(4), to be considered within and outside SNAs? Please explain.

The adverse effect on financial viability of individual farming businesses once SNA’s are declared on their properties.

This whole process is driven to save / restore indigenous biodiversity but little serious consideration for the collateral effect on the farms on which they are sited.
Question 22: Do you agree with the distinction between high- and medium-value SNAs as the way to ensure SNAs are protected while providing for new activities? If no, do you have an alternative suggestion? Please explain

The Answer is NO

If you as proponents of this policy are truly serious about SNA’s focused on preserving the best rather than setting out to gain the greatest possible area, then all should be “high value” or not listed at all.

That is there should be no grading level at all. Ensure that high value areas are included and leave the rest. Either protect or don’t.

A half way house that might allow development or might not will only create conflict and resistance from private land owners.

Land owners want certainty of out come, not “I am buying a battle in the Environment Court if I allow / agree to a Medium value SNA at sometime in the future”

Question 23: Do you agree with the new activities the proposed NPSIB provides for and the parameters within which they are provided for? (See part 3.9(2)-(4) of the proposed NPSIB) Why/why not?

NO as I read it this will require the land owner to ask permission to do virtually anything different than they have been doing.

How long will it take for permission to be granted / refused months at best. At times farming requires instant decisions (such as now in a time of drought) the Bureaucracy just cant operate fast enough.

Question 24: Do you agree with the proposed definition for nationally significant infrastructure? Why/why not?

YES the country has to keep ticking

Question 25: Do you agree with the proposed approach to managing significant indigenous biodiversity within plantation forests, including that the specific management responses are dealt with in the National Environmental Standards for Plantation Forestry? (see Part 3.10 of the NPSIB) Why/why not?

NO

Why, because I am a practical person, I look at this farm, Te Hekenga Station 1300ha about 100ha QE 2 designated another 200ha potentially SNA the balance pasture.

This proposal coupled with the ETS and the Clean water Accord leaves me seriously considering abandoning sheep farming and selling to plantation forest.

Should that occur the QE 2 potions will be difficult to access, the SNA’s will be totally lost in the pine trees.
Now if you have ever been in a mature pine plantation pine forest you will know virtually nothing grows under it.

The feral deer goats possums will devastate the native trees and under growth. So to all intents the Pines will destroy your SNA’s

They are better protected as isolated stands within pasture

**Question 27: Does the proposed NPSIB provide the appropriate level of protection for indigenous biodiversity outside SNAs, with enough flexibility to allow other community outcomes to be met? Why/why not?**

I have no clear answer here as I believe the question is wrong.

Protection on public land be in Crown ownership or under the control of Local Authorities should have protection in perpetuity, entities that have a responsibility to ensure community outcomes are met.

When it comes indigenous biodiversity on Private land then the issue becomes one of property rights, why does the Private property owner have any obligation to see “that community outcomes are met”

If private property owners are to be expected to see “that community outcomes are met”

What remuneration is the private landowner to receive to cover that responsibility?

**Question 28: Do you think it is appropriate to consider both biodiversity offsets and biodiversity compensation (instead of considering them sequentially) for managing adverse effects on indigenous biodiversity outside of SNAs? Why/why not?**

**YES** if there are to be penalties / restrictions then there should also be rewards and permitted activities on the table for negotiation at the same time.

**Question 29: Do you think the proposed NPSIB adequately provides for the development of Māori land? Why/why not?**

No comment that is for Maori to ascertain for themselves.

**Question 30: Part 3.5 of the proposed NPSIB requires territorial authorities and regional councils to promote the resilience of indigenous biodiversity to climate change. Do you agree with this provision? Why/why not?**

**NO** just what are they going to “promote”

The indigenous biodiversity will adapt to to climate change just as it has done in its evolution over millions of years. It will survive in better shape than will humans.

Mangroves will move south and inland, the bush line will get higher.
Nothing Local Government can do will change this. The proposal is cosmetic rather real.
**Question 31:** Do you think the inclusion of the precautionary approach in the proposed NPSIB is appropriate? (see Part 3.6 of the proposed NPSIB) Why/why not?

NO get on and do it.

From a Private land owners perspective I want this done and dusted as soon as possible. I do not want this hanging over my head for the rest of my life.

Are we in or are we out, what can I do what can’t I do?

I want certainty as soon as possible.
We run this farm on five year rolling plans (always looking five years ahead)

If the protection of Indigenous biodiversity is so important then have the courage of that conviction and get it done.

**Question 32:** What is your preferred option for managing geothermal ecosystems? Please explain

No comment out of my domain

**Question 33:** We consider geothermal ecosystems to include geothermally influenced habitat, thermo-tolerant fauna (including microorganisms) and associated indigenous biodiversity. Do you agree? Why/why not?

As above no comment out of my domain

**Question 34:** Do you agree with the framework for biodiversity offsets set out in Appendix 3 of the proposed NPSIB? Why/why not?

YES and NO

YES
Where this is to occur on Crown and other Publicly owned land then the framework is probably adequate and workable by the relevant Authorities.

NO
If this is to apply to Privately owned land, if that land or a portion of that land is critical to maintenance of indigenous biodiversity then the default option should be purchase by the Crown of that portion of land in the first instance.

To expect private property owners to enter this regime as outlined in Appendix 3 and come out the other end satisfied and not be material disadvantaged is unlikely.

Therefore there will be a natural resistance to engaging in the process.
Question 35: Do you agree with the framework for biodiversity compensation set out in Appendix 4 of the proposed NPSIB? Why/why not? Include an explanation if you consider the limits on the use of biodiversity compensation as set out in the Environment Court decision: Oceana Gold (New Zealand) Limited v Otago Regional Council as a better alternative.

NO in so much this Appendix 4 is all “Wellington Speak” but the way I read it as it potentially applies to Private landowners, this implies significant cost for the landowner to protect and or enhance a feature that happens to be on their land for the general benefit of the country as a whole.

It is quite terrifying.

Particularly here for Te Hekenga Station when the neighbouring properties clear felled everything in the 50s and 60s and this property did not, now that care and attention to keep the native trees is now to be a huge burden and indeed an on going liability that the neighbours don’t have.

Question 36: What level of residual adverse effect do you think biodiversity offsets and biodiversity compensation should apply to?

I do not fully comprehend the question, this all seems like a “shuffling of cards” either you are in the business of protecting and enhancing existing indigenous biodiversity or you are not.

This “offsetting and compensation” appears to a mechanism to avoid the nation, the tax payers from actually meeting the cost of this protection which ultimately is for their, the peoples benefit.

Further to erode private property rights and shift the cost of protection and enhancement by devious means to private land owners for the benefit of the Nation through clever words.

Question 37: What specific information, support or resources would help you implement the provisions in this section? (Section C)

As with previous resource questions Funding where is it coming from? Who is going to pay for this?
All of this is in vain if there is not the funds to make it happen.

Question 38: The proposed NPSIB promotes the restoration and enhancement of three priority areas: degraded SNAs; areas that provide important connectivity or buffering functions; and wetlands. (See Part 3.16 of the proposed NPSIB). Do you agree with these priorities? Why/why not?

In principle YES

Given that is the object of the proposal, however the question comes to what extent? Where are the limits?

Ideally are we considering the reversion of large tracts of hill country to native bush, the filling of drains on the Hauraki plains for reversion to wet lands?

That comes with costs, the capital cost to buy those properties in the first instance and the loss of GDP from the production they supplied to market.

There has to be a balance between conservation for posterity and utilization for prosperity.
Yet again we are back to funding, who is paying, how much are they prepared to spend? How much GDP are we prepared to sacrifice for the benefit of Indigenous biodiversity?

**Question 39: Do you see any challenges in wetland protection and management being driven through the Government’s Action for Healthy Waterways package while wetland restoration occurs through the NPSIB? Please explain**

That is up to the Bureaucrats to sort surely. The two “outfits need to be singing from the same song sheet”

Yes there will be real challenges for Private land owners if we are running with conflicting sets of parameters, which will be the set that prevails?

**Question 40: Part 3.17 of the proposed NPSIB requires regional councils to establish a 10 per cent target for urban indigenous vegetation cover and separate indigenous vegetation targets for non-urban areas. Do you agree with this approach? Why/why not?**

That’s fine, it will be tested in local Government Elections ultimately.

The question is, does the 10% include indigenous vegetation on private land, or is the 10% to be on Council controlled land including any DOC land within the domain of the Authority.

The 10% should NOT include privately owned land

**Question 41: Do you think regional biodiversity strategies should be required under the proposed NPSIB or promoted under the New Zealand Biodiversity Strategy? Please explain**

The least number of Agencies / Strategies the better, you have identified a potential problem in 39 above with this proposal and healthy waterways.

The Private landowner wants one clear, plain speak set of rules not a raft of potentially conflicting criteria to adhere to.

**Question 42: Do you agree with the proposed principles for regional biodiversity strategies set out in Appendix 5 of the proposed NPSIB? Why/why not?**

It’s not for me to agree or disagree in the end I must comply. In an extension of the comments on question 41,

For a private landowner just give us one “cover all” set of rules under which to operate.

We are depressed enough with all of the issues before us at present ETS, Fresh water and this proposal we don’t need more with conflicting objectives.
Question 43: Do you think the proposed regional biodiversity strategy has a role in promoting other outcomes (eg, predator control or preventing the spread of pests and pathogens)? Please explain

Clearly YES as above make the rules and obligations on all parties comprehensive covering all aspects to be clear and simple in their presentation with as few sets of Strategies, and rules as possible.

Question 44: Do you agree with the timeframes for initiating and completing the development of a regional biodiversity strategy? (see Part 3.18 of the proposed NPSIB) Why/why not?

It should be done “next week” the sooner we have the rules the sooner we can adapt and get on with farming rather than looking for and trying to predict where the minefields up ahead are.

But it will take as long as it takes, through political procrastination, consultation, decisions, appeals this year next year or sometime never with a rework of priorities under a new Government.

What will be will be.

Question 45: What specific information, support or resources would help you implement the provisions in this section? (Section D)

Leader ship from Government in the first instance to ensure that all impending issues ETS Freshwater, this proposal and anything else that is lurking are all compatible.

Question 46: Do you agree with the requirement for regional councils to develop a monitoring plan for indigenous biodiversity in its region and each of its districts, including requirements for what this monitoring plan should contain? (see Part 3.20 of the proposed NPSIB) Why/why not?

Yet another plan, how much planning do you do until you go out and actually do something to address the problem.

No wonder it is going to take five years to get it done.

More people procrastinating in meetings writing reports, debating, collecting fees, monitoring the problem while minimal is being done to actually address the problem on the ground.

Question 47: Part 4.1 requires the Ministry for the Environment to undertake an effectiveness review of the NPSIB. Do you agree with the requirements of this effectiveness review? Why/why not?

Here we go again another another another set of Senior Chiefs looking over the lesser Chiefs, who have just looked over the minor Chiefs who have yet to hire the Indians who will do the work.

Just decide who is going to do the job on the ground set a simple set of criteria and get on and do it!
Question 48: Do you agree with the proposed additional information requirements within Assessments of Environmental Effects (AEES) for activities that impact on indigenous biodiversity? (see Part 3.19 of the proposed NPSIB) Why/why not?

NO what will be will be

Every farmer lives, works and adapts to Environmental effects on a day to day basis. And that farmer is involved in active results management, when it comes to these SNA’s the decision makers will be remote, in Wellington, and in a practical sense will only decide after the event they will not be on site to make just in time decisions.

Include the additional requirements but they will be ineffectual, cursory rather than achievable imperatives.

Question 49: Which option for implementation of the proposed NPSIB do you prefer? Please explain

The sooner the better as a private land owner we want certainty the sooner the better, or just go away

I fail to see why it will take a minimum of six years.

Question 50: Do you agree with the implementation timeframes in the proposed NPSIB, including the proposed requirement to refresh SNA schedules in plans every two years? Why/why not?

NO I believe you have one “crack” at this.

Identify the SNA’s gazette them and that’ it.

What this is suggesting is that every two years more of my Private land can be designated and SNA I am sure that none will be released from being an SNA.

This 2 year review proposal has the potential to become a creeping mechanism to effectively confiscate private farm land.

Question 51: Which of the three options to identify and map SNAs on Public Conservation Land (PCL) do you prefer? Please explain

Territorial authorities identify and map all SNAs including public conservation land
Where public Conservation Land that does not meet the criteria to be designated an SNA then that land should be removed from the conservation estate and made available for utilization for economic benefit of New Zealand.

This would then offset in some part the economic benefit lost with the productive land being taken into SNA’s
Question 52: What do you think of the approach for identifying and mapping SNAs on other public land that is not public conservation land?

All SNA’s should be identified and mapped regardless of whose land they are on.

There ought to be one rule for all.

As with above once identified the land does not meet the requirements to be an SNA continued public ownership should be questioned.

What is the best use of these non SNA parcels of public land is the next step.

Question 53: Part 3.4 requires local authorities to manage indigenous biodiversity and the effects on it of subdivision, use and development, in an integrated way. Do you agree with this provision? Why/why not?

NO this will ensure that subdivision for housing will only take place on quality farm land and not on less productive scrubby hill sides. Another mechanism to slow down and make sections and therefore housing more expensive.

Question 54: If the proposed NPSIB is implemented, then two pieces of National Direction – the New Zealand Coastal Policy Statement (NZCPS) and NPSIB – would apply in the landward-coastal environment. Part 1.6 of the proposed NPSIB states that if there is a conflict between instruments the NZCPS prevails. Do you think the proposals in the NPSIB are clear enough for regional councils and territorials authorities to adequately identify and protect SNAs in the landward coastal environment? Why/why not?

Out of my Domain but in line with my previous comments, get your act (Act’s) together one set of clear concise coverall rules are required. Multiple rules create confusion.

We should not be in the business of creating work for Litigation Lawyers.

Question 55: The indicative costs and benefits of the proposed NPSIB for landowners, tangata whenua, councils, stakeholders and central government are set out in the Section 32 Report and Cost Benefit Analysis. Do you think these costs and benefits are accurate? Please explain, and provide examples of costs/benefits if these proposals will affect you or your work.

For Te Hekenga Station I only see costs I see absolutely no benefits what so ever.

The costs will be in
- fence erection and ongoing maintenance to protect the SNA
- Weed control in the blocks, gorse and nettle in particular, old man's beard is not here yet but it is down the road.
- Increased cost of control of feral animals, deer, goats, possums in the bush blocks and Canadian Geese in the wetlands.
- The loss of winter shelter and summer shade for livestock.
- The potential for all sorts of people to wander onto the property to look at the SNA’s with no consideration for the farming operation.
- The health and safety liability that comes with these people entering the property, entry is free but the bull charges!
• There is potential loss of value of the property due to the land use restrictions that having SNA’s on the property will create.

There is no up side here at all for Te Hekenga Station as a farming business

The benefits are for the nation as whole, the nation, the taxpayer should meet at least the costs outlined above.

**Question 56: Do you think the proposed NPSIB should include a provision on the use of transferable development rights? Why/why not?**

YES in particular this should apply to DOC

The ability to take quality privately owned SNA’s into the DOC estate by way of purchase and then to release lesser quality DOC land out of the estate for economic utilization.

Done correctly it could be cost neutral.

**Question 57: What specific information, support or resources would help you implement the provisions in this section? (Section E)**

This out of my control the Authorities will decide and I and Te Hekenga Station will have to deal with either clarity or confusion depending on what the final edict or edicts are.

**Question 58: What support in general would you require to implement the proposed NPSIB? Please detail.**

For Te Hekenga Station financial support

**Question 59: Do you think a planning standard is needed to support the consistent implementation of some proposals in the proposed NPSIB? If yes, what specific provisions do you consider are effectively delivered via a planning standard tool?**

More Wellington Speak

I assume it means we should have one set of rules / criteria that applies across the country.

Strike a set of criteria and get out there and find the SNA’s simple as that, get on with it!

If is something other than that a waste of more time creating a level of complexity that will create more confusion

**Question 60: Do you think there are potential areas of tension or confusion between the proposed NPSIB and other National Direction? Why/why not?**

YES and this is an inditement on Government

Surely as an Agency of Government this proposal should have been side checked against existing and impending regulations
I reiterate again come out with one clear and concise set of criteria and rules that oversee all issues ETS, Fresh Water, Indigenous biodiversity, Coastal and what ever else.

Failure to have full compatibility creates confusion and angst amongst those whose business and lively hoods are at risk under the proposal.

The tension will between those affected (in my case the farmer) and the official of the agency who visits Te Hekenga Station to talk about SNA’s

You do not need this tension before the process begins.

**Question 61: Do you think it is useful for RMA plans to address activities that exacerbate the spread of pests and diseases threatening biodiversity, in conjunction with appropriate national or regional pest plan rules under the Biosecurity Act 1993? Why/why not?**

YES
But here for a farmer we introduce just another level of confusion just who, which Act, Regulation by-law are all these proposal Governed by?

The RMA was originally intended I believe to cover all of the issues before us, Fresh Water and SNA’s in particular and even the ETS when it comes to emissions.

Why do we not address the RMA sort that and get what I have been ‘banging on about’ one set of rules / criteria that we can look to to ensure our farming business in on track.

Can the Politicians not see the wood for the trees?

**Final Comments**

I find this whole process debilitating, it appears to me that there is a prerogative to restore New Zealand to its pre European state and that shall be done by a progressive advancement of indigenous vegetation onto farmland taking hill country out of production. Nowhere in this document or the Fresh water accord is there any financial an analysis of the impact of the policies on the economic viability of individual farms or for that mater either the collective hill country farming sector, let alone the nation as a whole.

The Outcome to be pursued regardless of the cost is the imperative it seems

Be clear
- I am a conservationist at heart,
- I have preserved significant areas of native bush and nurtured it.
- I support he concept of SNA’s
- I support the Fresh water accord in its intent.

The problem is to achieve what we are told is expected for the good of the country hill country farming is a thing of the past and trees be they native or pine is the only future.

That shows a lack of comprehension of reality on the part of those promoting that position.

To that end I invite you to visit Te Hekenga Station to get a view of reality, of what can be

Clifford Heath 0274 474336
Question 23: Do you agree with the new activities the proposed NPSIB provides for and the parameters within which they are provided for? (See part 3.9(2)-(4) of the proposed NPSIB) Why/why not?
Section A: Recognising te ao Māori and the principles of the Treaty of Waitangi (pgs 23 - 30)

Question 6: Do you think the proposed NPSIB appropriately takes into account the principles of the Treaty of Waitangi? Why or why not?

Question 7: What opportunities and challenges do you see for the way in which councils would be required to work with tangata whenua when managing indigenous biodiversity? What information and resources would support the enhanced role of tangata whenua in indigenous biodiversity management? Please explain.