

DRAFT NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY

Submission on the publicly notified draft National Policy Statement for Indigenous Biodiversity.

On: Ministry for the Environment – draft National Policy Statement for Indigenous Biodiversity.

To: Ministry for the Environment

Personal Information

** indicates required fields*

Company name: [REDACTED]

Given names*: [REDACTED]

Surname: [REDACTED]

Contact person: as above

Address: [REDACTED] Whangarei

Region*: Northland

Country: New Zealand

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Submission

- Thank you for the opportunity to provide feedback on the proposed National Policy Statement for Indigenous Biodiversity.

Background about my farm

- *Sheep and beef farming on flat and steep hill country in the Kaipara catchment of Northland*
- *I have been farming the property with my wife for 45 years. We are the 5th generation farmers on this property spanning 150 years*
- *Breeding ewes, fattening the progeny and beef cows selling as yearlings. Consistently [REDACTED] beef to sheep*
- *There are small areas of the property that we are developing to be sustainably productive and other areas that we have preserved in native bush.*
- *We are actively planting riparian strips where necessary*
- *We waterways we have fenced off has cost in excess of [REDACTED]*

Why am I making this submission?

- *This is important to us because we are already managing the SNA's and they exist because of our management and our current employees*
- *As caretakers of the land over many years we value SNA's and have managed our land with respect to this and will continue to do so for generations to come*

Section A: General responses to the proposals:

- I support the overall goal of the proposals that recognise the value of indigenous biodiversity to New Zealand, its people, and communities, and to ensure that Indigenous Biodiversity is protected, and where it has been significantly lost is restored.
- New Zealand farmers have retained 2.7 million hectares of indigenous habitat within their farms which is testament to the value farmers place on indigenous biodiversity. A total of 24% of New Zealand's total indigenous habitats occurs on the 8.8 million hectares covered by sheep and beef farms, with over 47% of QEII covenants being on sheep and beef farms. The area of indigenous habitats formally protected by QEII, Ngā Whenua Rāhui, and other covenants is growing.

- I support provisions which recognise that for conservation actions to be enduring, they require landowner and community support and leadership. Policies need to recognise that people are critical to maintaining and enhancing biodiversity, and acknowledge the importance of respecting and fostering the contribution of landowners as custodians and Kaitiaki to these habitats and species.
- However, I oppose provisions which seek to '*lock up indigenous biodiversity*' and in so doing penalise those landowners who have done the most to protect indigenous biodiversity. I seek changes to the policy to ensure that indigenous biodiversity can be integrated within pastoral based land uses and activities, and which recognise these can co-exist for mutual benefit.
- Indigenous biodiversity should be considered as an asset to the farming business, and communities, and not as a liability. Subtle but significant changes to the NPSIB are required to ensure that existing conservation efforts are rewarded, and ongoing conservation is supported and incentivised. The recognition of the values of indigenous biodiversity as part of pastoral based landscapes and farming businesses is required to ensure that these values, habitats, and species, are sustainably managed. A strong regulatory or stick approach to the recognition and ongoing management of indigenous biodiversity could, if not carefully constructed, undermine existing and future conservation efforts.

- *We have existing stands of native biodiverse bush we have preserved and we have a wetland that is fenced off. We understand it is important because of other species that rely on it, its protective factors (e.g. stock shade and soil protection) and also being part of the natural landscape.*
- *Past generations have all valued biodiversity – these areas are maintained without loss*
- *We have several waterfalls with surrounding native biodiversity that we allow the community to access and enjoy.*
- *Some areas with native biodiversity are fenced and regular pest control is carried out. Plantings along the river to prevent erosion*

Section B: Impacts and implementation:

- I am deeply concerned about the potential impacts of these proposals on my farm in relation to areas being identified as Significant Natural Areas (SNA's), areas identified as being important for the protection of SNA's which may include land adjacent to SNA's, and the identification of highly mobile species, in relation to the impacts this may have on my farming business and its resilience and viability. The provisions could be interpreted as precluding the ongoing grazing of animals adjacent to and within these areas, which means that those that have done the most to protect indigenous habitats and species within their farming businesses could shoulder the greatest costs including restrictions to their farming businesses.
- The compliance costs of the various proposals are likely to be significant and include the identification of these habitats and species, fencing of these habitats (could require deer fencing to manage wild populations), and ongoing pest management. As currently proposed, it is unclear where these costs fall. Financial, technical, and human resourcing support should be provided to assist landowners to continue to protect and restore indigenous habitats and populations within their farming businesses and communities. Support should be provided to not only areas where indigenous biodiversity is being restored, but also to where it currently exists.
- I am concerned that New Zealand does not currently have the extent of technical expertise available to assist regional and district councils to identify SNA's and mobile species across their territorial areas within the next five years, to ground truth this work, and to work with farmers. The requirements on regional and district councils including timeframes should ensure that the identification of these habitats and species is robust, and is undertaken in a way which engages landowners and communities, builds understanding and knowledge, and which empowers local conservation efforts.
- The specific provisions of the proposal that this submission relates to and the decisions it seeks are as detailed in the table in Section C below.

- *Although we farm our property in a similar manner each year, it is still dynamic. Any restrictions based on SNA's and surrounding areas is vague and has the potential to impact us economically and socially*
- *Approximately [REDACTED] of native bush [REDACTED] including kauri, tarare, rimu, kowhai, totara, punga, karaka's, kanuka, manuka. Plantings of pine, lucitanicas, poplars (fenced). Raupo and toitoi are in the wetlands.*
- *The impact on future on-farm management is uncertain due to the proposal being very broad and how the regional and district council will enact. The indirect cost would be any restrictions, delays and the inexperience of council staff.*
- *There are barriers to implementing the proposals particularly if they involve added cost to farming practice. We need to maintain our current level of farming and wellbeing.*
- *In order to implement the proposals there is an increase in labour, resource and cost. If it is for the common good then assistance would be needed.*
- *Consider what incentives, including financial; human resources; technical expertise; provision of indigenous plants, will help you to preserve biodiversity on your farm.*
- *Are there any changes to policy that would incentivise you to plant more native vegetation, such as climate change policy?*
- *Thinking about how you currently look after indigenous biodiversity on your farm, what initiatives have been most helpful to you? For example, QEII covenants, regional council advice, etc*

Section C: Specific responses to the proposals:

Specific Provision in the Proposed Plan	Submission	Decision sought
<i>The specific provisions my submission relates to are:</i>	<i>My submission is that:</i>	<i>The decision I would like MfE and DoC to make is:</i>
<p><i>Review the following comments. Delete any comments that you disagree with. Remember to personalise your submission by using the prompts in the grey box below to help you.</i></p>		
<p>Hutia Te Rito (Discussion document on a proposed National Policy Statement for Indigenous Biodiversity, page 23)</p>	<ul style="list-style-type: none"> I support with amendments. I support the objective of local authorities recognising and providing for Hutia Te Rito which recognises the relationships between indigenous biodiversity and people and communities, and that conservation requires kaitiakitanga and custodianship. I support provisions which recognise and empower ground up, landowner, and community led conservation actions, and which prioritise non regulatory over regulation management frameworks. 	<ul style="list-style-type: none"> I seek that the term “stewardship” is replaced with “custodianship” which more correctly reflects the values I place on indigenous biodiversity within my farm and as part of my family’s history and our future, and our relationship and ties to our land.
<p>3.7 Social, economic and cultural wellbeing: (Discussion Document Page 45)</p>	<ul style="list-style-type: none"> I support objective 3.7. I support the recognition that people and communities are critical to conservation actions and the protection and enhancement of indigenous biodiversity. I support provisions which empower and support landowner and community conservation activities and local approaches. I support the recognition that the 	<ul style="list-style-type: none"> I seek that objective 3.7 is retained as notified. I seek that the NPSIB be amended so that policies and rules reflect Objective 3.7 including prioritising non regulatory approaches and partnerships over regulatory frameworks, and the establishment of conservation frameworks which recognise that the protection and, where required, enhancement of indigenous biodiversity can be provided within pastoral based farming land uses and alongside

	<p>maintenance of indigenous biodiversity can occur while still providing for use and development.</p>	<p>pastoral based activities, and that these are not mutually exclusive. Take into account that farming has a holistic approach.</p>
<p>3.8 Identifying Significant Natural Areas: (Discussion document page 31)</p>	<ul style="list-style-type: none"> • I support with amendments. • I support the identification of areas with significant indigenous plants and or species, by experts working with communities and in partnerships with landowners. This assessment should be undertaken in a consistent manner, with the significance of habitats verified or refined through an on the ground assessment, rather than just through reliance on spatial maps. • I oppose the requirements on local authorities that the assessments have to be completed within 5 years. This is because it is unlikely that the technical expertise is available within New Zealand to be able to undertake the assessments appropriately including through on the ground verification of the significance of habitats, in partnership with landowners. • While I support the establishment of a consistent approach to determining whether or not a habitat is significant, I oppose the broad reach of the currently proposed criteria as it is likely to capture all remaining indigenous habitats irrespective of whether they are significant i.e. they are rare, 	<ul style="list-style-type: none"> • I seek that provision 3.8 is amended to enable local authorities the time to undertake this work in a robust manner. The ability for experts to work with landowners in identifying these habitats and in informing the ongoing management of these habitats within pastoral based land uses and activities, is an essential element to providing successful and enduring conservation outcomes. • I seek changes to provision 3.8 so that the significance criteria are amended so that habitats which are “rare” are identified, “at risk” are identified, or “threatened” are identified. Management frameworks can then be tailored to the level of risk that the habitat faces and the attributes that underpin the habitats significance. • Amend provision 3.8 so that a habitat that is identified as “threatened” is only included if it is 0.25ha or greater and contiguous. • Amend provision 3.8 so that a habitat that is identified as “rare” if only included if it is 0.5ha or greater and contiguous. • Amend provision 3.8 so that a habitat that is identified as “at risk” is only included if it is 1ha or

	<p>threatened, or at risk.</p>	<p>greater and contiguous.</p> <ul style="list-style-type: none"> • Exceptions can be provided for but should be specified in the regional or district plan. • I seek any consequential amendments to ensure provisions are aligned in identifying and then establishing management frameworks specific to the risk status of the habitat e.g. “rare”, “threatened”, or “at risk”.
<ul style="list-style-type: none"> • <i>In its present status it doesn't affect us but if there were to be significant change and regulated restrictions then the consequences would adversely affect us in managing the farm and community as a whole</i> 		
<p>3.9 Managing adverse effects on SNA's (Discussion document page 42)</p>	<ul style="list-style-type: none"> • I support with amendments. • I support requirements to manage new activities that effect significant natural areas. 	<ul style="list-style-type: none"> • I seek that 3.9 is amended so that the effects management hierarchy is based on the level of the habitats significance e.g. whether it is “rare”, “threatened”, or “at risk”, and is tailored to the attributes which underpin the habitats significance. • Amend 3.9 so that the provision relates to consent applications and the assessment of effects, and requirements to avoid, remedy, or mitigate the effects. New activities should be provided for where the effects of the activity on the attributes that underpin the habitats significance (such as representativeness, rarity, and distinctiveness) can be avoided, remedied, or mitigated. • Amend provisions so that the ability to offset effects should only be provided for where the offset can occur in the same ecological area. The ability to offset an

		<p>activity in the urban environment, onto the rural environment should not be enabled.</p>
<ul style="list-style-type: none"> <i>We may not have immediate plans for areas adjacent to SNAs but may in the future. That is the nature of farming.</i> 		
<p>3.12 Existing activities in SNA's (Discussion document, page 49)</p>	<ul style="list-style-type: none"> I oppose the current proposal, but put forward the proposed changes. I support the intention of providing for existing activities but am concerned that 3.12 as proposed does not do this. 	<ul style="list-style-type: none"> I seek that 3.12 be amended to specifically provide for the following activities within and adjacent to an SNA and areas identified as important for mobile species, where this is an existing activity: <ul style="list-style-type: none"> grazing of productive animals; Pasture renewal; Cultivation; Vegetation clearance. I seek that 3.12 be amended so that the temporal and spatial nature of existing activities as part of pastoral based farming are recognised. Specifically, vegetation clearance, cultivation, or pastoral renewal, that may occur within a 7-year rotational basis, along with the pastoral grazing of livestock that also may be temporal in nature for example during drought periods. I seek that 3.12 be amended so that existing activities are provided for as a permitted activity. Where consents are required, then the effects of an activity should be assessed in relation to the attributes which underpin the significance of the habitat such as representativeness, rarity, and distinctiveness. I seek that 3.12 be amended to delete requirements to maintain or protect the 'ecological integrity' of

		<p>a habitat, where the ‘ecological integrity’ of the habitat may have been impacted prior to notification of the NPSIB e.g. through existing impacts on the habitats ability to regenerate.</p> <ul style="list-style-type: none"> • I seek that 3.12 be amended to delete restrictions on the ability to undertake an existing activity in areas which have become SNA’s.
<p>3.13 General rules applying outside SNA’s: (Discussion document, page 51)</p>	<ul style="list-style-type: none"> • I support the intention of recognising areas around SNA’s as important for protecting SNA’s themselves and their values. 	<ul style="list-style-type: none"> • I seek amendments to 3.13 to ensure that existing activities as outlined under 3.12 are provided for. • I am concerned that 3.13 as proposed may result in areas of my farm around my SNA’s being ‘locked up’ from pastoral based farming activities. This could result in significant areas of my farm being impacted which ultimately would significantly impact my farm viability and resilience. • I seek that 3.13 is amended to prioritise non regulatory, partnership, and landowner led approaches to managing areas around SNA’s in order to protect the attributes that make a SNA significant. I seek that clause (2) is deleted. • I seek that 3.13 is amended to prioritise engagement with the technical expert and landowner to co-design management frameworks for the farm which ensures that indigenous biodiversity is provided for as an inherent and integral part of the farming business. These plans can be provided for through tailored

		<p>Farm Plans bespoke to the biodiversity values and the farming business.</p>
<ul style="list-style-type: none"> • <i>Because of the unknown nature of the proposal it is hard to estimate the amount of land and what exact areas would be affected. Each area has its own characteristics and would impact our future planning?</i> • <i>Rather than locking up surrounding land to the SNA it would be better to work with the land owner to manage and monitor the effects on biodiversity within the SNA.</i> 		
<p>3.15 Highly Mobile Fauna: (Discussion document, page 38)</p>	<ul style="list-style-type: none"> • I support with amendments. • I support the intention to recognise and provide for highly mobile fauna through non regulatory/ partnership-based frameworks generally, and where required regulatory approaches in relation to new subdivision, and development. • I oppose provisions which seek to mandate this protection through regulatory frameworks where this may impact on existing activities and land uses. Enduring and effecting conservation approaches to protect these species are best achieved through working with landowners, and in particular the role of the expert in working with landowners to build understanding of these species, their values, and any management which is required for these populations to be healthy and resilient. 	<ul style="list-style-type: none"> • I seek that 3.15 is amended to prioritise non regulatory, partnership, and landowner led approaches to managing mobile species and their habitat and lifecycle requirements. • I seek that 3.15 is amended to prioritise engagement with the technical expert and landowner to co-design management frameworks for the farm which ensures that mobile species is provided for as an inherent and integral part of the farming business. These plans can be provided for through tailored Farm Plans bespoke to the biodiversity values and the farming business.

Conclusion

- *99.9% of farmers are environmentalists. As 5th generation farmers, all we intend to do is farm the land sustainably for future generations and the wider community. We respect and appreciate the natural environment and would ask that the proposal reflects this by having faith in farmers and our unique professional skills and knowledge.*

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- *We hope this submission is given due consideration and is carried in a collaborative approach.*

- Thank you again for the opportunity to comment on the proposed changes. I/We welcome the opportunity to further discuss any of the points above with the Ministry for the Environment and the Department of Conservation, should you wish for more information.
- For any inquiries relating to this feedback please contact [REDACTED] on [REDACTED].

Yours faithfully,

[REDACTED]

02/03/2020