From: Web@beeflambnz.com on behalf of no-reply@beeflambnz.com
To: Indigenousbiodiversity
Cc: richard@treadgord.co.nz
Subject: [Richard Austin] Submission on the Draft National Policy Statement for Indigenous Biodiversity
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Submitter's Information

- Name: Richard Austin
- Company name: lawyer/farmer
- Phone: 0274 526082
- Email: richard@treadgord.co.nz
- Address: 306 Blueskin Rd
- Region: Wanganui
- Country: New Zealand

General responses to the proposals:

- I support the principles of the new regulations.

- Government has tolerated and encouraged the farming of the land so as to maximise production not just for the farmer, but for the nation. On the basis of that societal norm, many long term and signficant financial decisions have been based. Placing power and obligation into the hands of Council officers (the "umbrellas" will go up - more below), to instantly declare a planned activity unlawful, may cause unnecessary hardship.
- Hence, the prospect of compenstaion is a topic of fair debate. But I do not support compensation. It is uncertain and creates complex quantifications of cost. That money would be better spent on achieving real environmental goals envisioned by the regulations.
- Government must be mindful that in some cases change such as this, must allow a period for those so effected to adjust. Government must consider a period for transition into the new base line. This may see completion of projections which might come with some environmental degradtion.
- If farmers do not take advantage of that transition period, then so be it, they will be fully hindered by the new rules.
- I am unable to offer something truly erudite and complete, save only I submit that there may be categories of priority in designating SNAs. For example:
- (1) a high risk designation - eg a precious wetland with the highest priority may be immediately designated and the farmer constrained, even being constrained from current activities. This may include desirable wetland not currently untilised.
- (2) an elevated risk designation, eg a wetland which is deemed desirable, but is currently used, may have a transiton window (say 5 years) of current activity before fully embraced into the new regime
- (3) a moderate risk designation, eg a wetland prefered to be preserved but not of such benefit as to result in any material degradation should have a window of allowable development (say 5 years) at which time a review and final designation is then made, but allowing for current activity at that time.

- Be mindful of the "umbrella" principle. Every person charged with a regulatory or adminstrative function will want to make sure that the burden of critiscm and accountability does not fall on them. They will put up the "umbrella" and make sure that the rain lands on someone else. There is an increasing amount of a lack of bureaucratic preparedness to be held accountable for one's own decisions or actions. Hence, be prepared to allow for discretions to be exercised. Empower the council officers to exercise this discretion, guided by the principles of the legislation, rather than be required to enforce prescribed standards promulgated on a remote desktop. Allow for the council officer to have a defensible response which is not "because the law requires it". The response should be based on empirical and justifaible environmental grounds.