
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*

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Submission

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

Background about my farm

- *Our farming properties are in the [REDACTED]
[REDACTED]
[REDACTED]*
- *Our family has had a farming association in the [REDACTED] for nearly five generations. The hill country property has been in the family for coming up three generations.*
- *The properties complement each other in breeding, rearing and growing livestock and consist of sheep and beef enterprises.*
- *Stock class and ratio; approximately [REDACTED]. This ratio can change over time dependant on factors such as market place and weather conditions (i.e drought).*
- *During our time farming and continuing from previous generations we have continued to care for, improve and develop the land. The goal being to increase production by improving pastures to increase output and gain better efficiencies, in sustainable systems leading to improved profitability. Ever increasing costs, direct and indirect make it imperative to increase output in a sustainable manner to compensate for these increasing costs to enable the business to survive.*
- *[REDACTED]
[REDACTED] More forestry is planned dependent on business profitability.*
- *[REDACTED] on troughed water schemes for livestock on the hill properties. More water schemes are planned for as profitability allows.*
- *Waterways have been fenced off on the downland properties along with indigenous plantings.*
- *We operate a low intensity, low input and low discharge farming business. It is necessary that we are able to retain flexibility around stocking rates and farming systems in order to operate our business in a sustainable and profitable manner.*
- *Our current farming systems and land management continues to have minimal impact on waterways as is supported by water testing and scientific studies. Indigenous biodiversity of plants and fish species thrive alongside our farming practises. Our hill property is [REDACTED]
[REDACTED] Galaxias species have been found in healthily populations. Fresh water crayfish, eels and trout have also been sighted in streams on our properties.*

Why am I making this submission?

- *I am making this submission because of deep concerns I have regarding the impact proposed regulations around indigenous biodiversity would potentially have on our business. The way the proposal is written will not bring certainty to how I can farm.*
- *I am concerned for the viability of our business as proposed regulations could severely restrict our farming activities and therefore restrict our ability to farm a profitable business. We have been good custodians of the land we farm for over 40 years, incorporating good animal husbandry with caring for the land and caring for indigenous biodiversity alongside operating a sustainable profitable business. Our business provides employment directly for six people and supports two families who operate and work in the business. Our business also supports local contractors, farm supply companies, business advisory firms and local business entities; along with local schools, sporting and interest groups.*
- *In particular I am deeply concerned that tussock land will be identified as SNA if so this would severely restrict our farming activities and have a huge impact on the viability of our business to continue. Tussock land makes up approximately fifty percent of our hill property area and provides valuable grazing land for livestock along with grassland pastures. Tussock gullies also make up part of the grassland paddocks were livestock graze. If restrictions were to be made around limiting or excluding livestock grazing these areas stock numbers would have to be reduced significantly, directly effecting the income earning capacity of our farming business. If stock numbers had to be reduced this would result in reduced ability to pay for increased costs such as fencing and compliance expenses. If tussock land areas were required to be fenced to exclude livestock this would be untenable in practical terms and untenable financially.*
- *Tussock land makes up part of the indigenous biodiversity in todays landsape in this area and on our property. However tussock was not indigenous to this area; some 800 years prior to European settlement this landscape was one of low level podocarp forest, Polynesian fires over a period of time saw the end of the forest land apart from pockets of remaining podocarp forest with many of these areas now protected. Tussock species now persist in this environment; a testament that tussock is a hardy plant species. Management of tussock includes grazing, fertiliser application to improve palability of pasture species among the tussock and strategic burning every 5-10 years. From our experience (in excess of 45 years) burning of tussock vegetation is a necessary part of management for the tussock plant to survive and flourish. If left unmanaged tussock then dominates and chokes out any remaining grass species, the land then becomes unproductive and eventually the tussock plant will die off becoming a huge fire risk. As evidenced last year in a fire in this region that spread in excess of 5000 Ha on an area owned by local council and closed off (unmanaged) for water conservation.*

<https://www.odt.co.nz/news/dunedin/dcc-doc-criticised-over-blaze-near-middlemarch>
- *I am concerned of potential huge compliance costs to our business. There will be significant new costs for councils, including costs in mapping and monitoring indigenous biodiversity. Local councils rate increases annually have historically been well in excess of the rate of inflation, the impact on rates and other compliance costs this proposal may have is of particular concern.*
- *Our values and aspirations are that our family and succeeding generations continue to be good custodians of the land and operate sustainable and profitable business's that also continue to encompass and allow indigenous biodiversity to thrive.*

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.

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.

Section C: Specific responses to the proposals:

| Specific Provision in the Proposed Plan | Submission | Decision sought |
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| <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>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"> Support with amendments objective 3.7. I support the recognition that the maintenance of indigenous biodiversity can occur while still providing for use and development. 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. | <ul style="list-style-type: none"> I seek that objective 3.7 is retained as notified. I seek that 3.7 is amended to recognise the importance of providing for farming land uses and business resilience, in supporting indigenous biodiversity protection. 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 |

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| | | <p>indigenous biodiversity can be provided within pastoral based farming land uses and alongside pastoral based activities, and that these are not mutually exclusive.</p> |
| <p>3.8 Identifying Significant Natural Areas: (Discussion document page 31)</p> | <ul style="list-style-type: none"> • Oppose • I support the intent of 3.8 in identifying Indigenous Biodiversity which is significant. However, the criteria appears really broad and in my opinion could capture any indigenous biodiversity irrespective of how common it is. Because the criteria is broad and examples are not provided of what habitats and species it is intended to cover, it is difficult for me to work out what it means to my farming business, and community. • 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. | <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 narrowed so that habitats or species which are endangered, 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” |

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| | <p>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.</p> <ul style="list-style-type: none"> • 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, threatened, or at risk. | <p>is only included if it is 1ha or 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”. |
| <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. “endangered” or “threatened”, and is tailored to the values 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 |

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| | | <p>be provided for where the offset can occur in the same ecological area. The ability to offset an activity in the urban environment, onto the rural environment should not be enabled.</p> |
| <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 a habitat, where the 'ecological |

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| | | <p>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 Farm Plans bespoke to the biodiversity values and the farming |

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| | | business. |
| <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. |
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CONCLUSION

- 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] [REDACTED]
[REDACTED]

Yours faithfully,

[REDACTED]

13 March 2020