DRAFT NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY

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


To: Ministry for the Environment

Personal Information
Company name:
Given names:
Surname:
Region: Wairarapa
Email:
Submission

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

Background about my farm

Our farm is in the [redacted], in the headwaters of a small catchment near Riversdale. Our entire [redacted] was cleared to pasture many years ago, with the exception of some mature podocarps that survived in the steeper gullies. However since then the steep and very steep areas have been allowed regenerate naturally to beech and podocarp forest (plus rewarewa), with an intermediate cover of five-finger, manuka, kanuka, kamahi and others.

Our farm has three categories of land:

- Fenced-off regenerating native forest – single integrated [redacted] consisting of 1) headwaters of a minor stream and 2) headwaters and valley system of a major stream. The main access into the farm runs through this block.
- Pasture – [redacted] of mainly rolling land used to graze beef stock (Angus cows and calves, young bulls). Fully subdivision fenced, with good shelter within the paddocks from a large number of farm totara and beech, and excellent stock water via rain-fed dams. These fences and dams represent a significant infrastructure investment.
- Approx [redacted] of regenerating native bush in steep gullies that are outside the fenced paddocks and not within the main regenerating block. These areas are grazed intermittently by cattle and they provide essential grass in times of drought.

[redacted] [redacted] in turn allows us to monitor and support the regenerating native forest on a day to day basis. It supports limited pest management in the native forest areas, as well as future restoration projects.

We also have some hives.

Why are we making this submission?

We are making this submission because we feel that the new Indigenous Biodiversity policy will only achieve its objectives if it supports rural landowners (like us) to continue the work that they are already doing in supporting native forest regeneration and restoration. At present there are aspects of the current draft policy that appear to be counter to this.

Section A: General responses to the proposals:

- We 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.
We support provisions which recognise that for conservation actions to be enduring, they require landowner support. 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.

We oppose provisions which seek to "lock up indigenous biodiversity". We 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.

Subtle but significant changes to the NPSiB are required to ensure that existing conservation efforts are rewarded, and ongoing conservation is supported and incentivised. 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 8: Impacts and implementation:

I am 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.

I am very concerned that our entire property could be ‘captured’ within these categories because:

- Our property is privately owned rugged hill country covered in regenerating native forest creating an ecological corridor between the two areas.
- All of our pasture areas are surrounded by regenerating native bush.
- Our paddocks contain large numbers of farm totara and beech which should be seen as assets in a sustainable pastoral agriculture system, not as potential liabilities that could cause a paddock to be classed as an SNA.

The current provisions could effectively remove our ability to continue pastoral farming. This would actually disadvantage the indigenous biodiversity in our region – because pest management and restoration would probably otherwise be minimal in such a remote and relatively inaccessible area.

The provisions could be interpreted as precluding the ongoing grazing of animals adjacent to and within these areas. As mentioned above, access to these areas is essential for resilience during droughts.

I am very concerned about the high compliance costs of the various proposals.

I am very 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.

- Our regenerating native bush is in steep, rugged hill country – it takes time and effort to navigate through, let alone perform detailed identification and monitoring of plants and animals.

- The indigenous biodiversity on our property faces significant existing pest plant (wilding pine) and animal (feral goats) challenges – and overcoming these challenges, hopefully with new good financial support, should be a key priority. Drawn-out negotiations with regional councils over boundaries and status of potential SNAs are likely to take energy and focus away from pest management.

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:

<table>
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<tr>
<th>Specific Provision in the Proposed Plan</th>
<th>Submission</th>
<th>Decision sought</th>
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| Hutia Te Rito (Discussion document on a proposed National Policy Statement for Indigenous Biodiversity, page 23) | 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. | 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. |
| 3.7 Social, economic and cultural wellbeing: | I support objective 3.7.  
I support the recognition that people and communities are | I seek that objective 3.7 is retained as notified. |
| 3.8 Identifying Significant Natural Areas: (Discussion document page 31) | 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 | 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 |

| (Discussion Document Page 45) | 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 maintenance of indigenous biodiversity can occur while still providing for use and development. | 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 pastoral based activities, and that these are not mutually exclusive. |
| **3.9 Managing adverse effects on SNA's**  
(Discussion document page 42) | • I support with amendments.  
• I support requirements to manage new activities that effect significant natural areas. | • 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 |

| 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. | “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 greater and contiguous.  
• 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.” |
| 3.12 Existing activities in SNA’s (Discussion document, page 49) | - 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. | - 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:  
  - Grazing of productive animals;  
  - Pasture renewal;  
  - 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. | 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 activity in the urban environment onto the rural environment should not be enabled. |
| 3.13 General rules applying outside SNA’s: (Discussion document, page 51) |
| I support the intention of recognising areas around SNA’s as important for protecting SNA’s themselves and their values. |
| 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 |

- I seek that 3.12 be amended to delete requirements to maintain or protect the ‘ecological integrity’ of 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.
- 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.
3.15 Highly Mobile Fauna:
(Discussion document, page 38)

- 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.

- 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

- Thank you again for the opportunity to comment on the proposed changes. 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,

14th March 2020