

Tane's Tree Trust

Submission – Proposed National Policy Statement on Indigenous Biodiversity

28 April 2011

Tane's Tree Trust (TTT), a body incorporated under the Charitable Trusts Act, is pleased to make a submission on the Proposed National Policy Statement on Indigenous Biodiversity (**National Policy**).

About Tane's Tree Trust

In October 1999, a Conference entitled "Native Trees for the Future" was held at the University of Waikato. The Conference highlighted the need for a vehicle to foster and encourage the planting and sustainable management of indigenous tree species in New Zealand. In short, matters concerned with the commercial management of indigenous tree species.

In due course the steering committee incorporated a charitable trust – Tane's Tree Trust – whose objectives included the promotion of education and research as to the establishment, growth and productive use of NZ indigenous tree species. Today TTT has 13 Trustees and 277 subscription-paying Supporters both Corporate and Individuals.

TTT has been active in working to its mandate and with assistance from the likes of the MAF Sustainable Farming Fund and ASB Bank:

- has produced a number of high quality booklets on various aspects of the establishment and management of NZ indigenous tree species (eg totara and kauri)
- has recently completed a technical handbook entitled "Planting and Managing Native Trees", which is in sections that can be revised or new ones added as they are produced
- produces a four-monthly newsletter
- is actively engaged in various projects such as the Northland Totara Working Group, a survey of indigenous plantations, Lake Taupo protection trials, and a bulletin on the beech species.

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Further details on TTT and its activities can be found on its website

www.tanestrees.org.nz

Overview

TTT is generally supportive of the policy and intentions behind the National Policy. TTT notes the main thrust of the National Policy is the retention of existing indigenous biodiversity on private land; in particular, indigenous vegetation. There is only a passing consideration as to the active encouragement of the expansion of indigenous vegetation areas (and thus indigenous biodiversity). From the perspective of TTT, this seems a little unfortunate, as the expansion of indigenous vegetation is one of a number of consequential outcomes of TTT achieving its objectives. Accordingly, TTT has identified areas where the policy intentions of the designers of the National Policy can, with a little added emphasis, better align the policy objectives of the National Policy to mutual benefit.

A significant omission in a consultation document discussing what is said to be a National Policy is the carving out of the Crown's own conservation estate as managed by the Department of Conservation. At the very least, we would have expected a justification for this approach based on an evaluation of the management of that estate. In other words, we expected a commentary as to whether the management of the Crown's conservation estate meets or betters the objective and policies of the National Policy Statement. In addition, we would have expected that the Crown would have committed to undertake the same steps it expects of territorial authorities and private landowners to ensure that its management is, or will be, in line with the objective and policies of the National Policy. In other words, policy consistency across land and ownership types. We expand on this point elsewhere in this submission.

Structure of this submission

In structuring this submission, we follow the suggested pattern set out in the consultation document as far as possible. However, we also cover areas omitted from the suggested response form; for example, some comments and suggestions on aspects of the Interpretation section of the National Policy.

Interpretation – Indigenous Vegetation; Indigenous vegetation in much of the landscape in both urban and rural areas is largely restricted to small discrete areas. A significant amount of biodiversity gain could be achieved by linking these areas together. In this context the concluding sentence of this definition does not sit well with TTT. The Northland Totara working group and TTT have made significant progress in the development of modern management/establishment techniques for Totara forest. A starting point in some management trials has been to restrict stock access to encourage regeneration of Totara. The current definition in the National Policy is unclear as to whether or not it excludes or includes such areas. The reference to “commercial harvesting” in the definition runs the risk of excluding areas of indigenous vegetation established and/or managed for the likes of honey production, an area of some interest for TTT supporters. Accordingly, TTT submits that the concluding sentence of this definition be rephrased to read:

“...It includes vegetation with those characteristics that have been regenerated with human assistance following disturbance or as mitigation for another activity but excludes plantations and vegetation (including in both cases native species) that are being managed for, among other things, commercial purposes.”

Section 4 – Application; see our comments above and elsewhere with respect to the seemingly arbitrary exclusion of the conservation areas managed by the Crown.

Section 5; no comment.

Section 6 – Objective; the wording and intention of the Objective is reasonably clear. However, following the words “encourage protection” should be inserted the words “*restoration and enhancement* “. This is consistent with the definition of that phrase in the Interpretation section.

TTT supports the Objective as amended.

Section 7 – Policies – Policy 1 – Defining significant areas and habitats; the wording and intention seems clear and consistent with the National Policy.

Section 7 – Policies – Policy 2 – Criteria for identifying significant indigenous vegetation and habitat for fauna; the 20% criterion proposed in this case is potentially onerous for existing landowners as most land of this land class will have less than 20% of its natural cover in place already. Accordingly, it seems essentially an edict to lock up what remains. In the context of encouraging Indigenous biodiversity this seems unfortunate: it is not enough to lock up areas rather individuals should be encouraged to take proactive steps to retain and extend Indigenous biodiversity. In TTT’s view, it would be useful to suggest some compensation or alternatively some contribution towards the cost of fences, enrichment planting, pest control or other incursions that may threaten the functional integrity of an indigenous habitat.

Section 7 – Policies – Policy 3 – Including criteria in regional policy statements; in the concluding paragraph of clause 7.5.2 of the consultation document, fourth sentence, we assume the missing word is either plan or statement. Please clarify. If this is so, TTT has no comment on this policy.

Section 7 – Policies – Policy 4 – Identifying habitats and areas in district plans; TTT has no comment.

Section 7 – Policies – Policy 5 – Managing effects to achieve no net loss; TTT is encouraged by the introduction of the concept of “offsets” as a management tool to achieve the objective of the National Policy. However, TTT is concerned that Policy 5 and the offset principles set out in Schedule 2 do not expressly address/support off site offsets. In TTT’s view, the passing footnote reference to the concept of off site offsets including re-vegetation on another site (see page 44 of the consultation document), does not go far enough. This concept should, at the very least, be clearly enunciated as an

additional Schedule 2 principle. In TTT's view, such an addition would be more consistent with the Objective of the National Policy. With this change, TTT would be supportive of the concept of biodiversity offsets.

Section 7 – Policies – Policy 6 – Supporting maintenance and enhancement of biodiversity; It is TTT's understanding that given the widespread genetic diversity of indigenous species in New Zealand, there is no scientific basis for the assumption that "locally sourced" indigenous vegetation species perform better than the same species sourced outside the "local" area in question. Further, due to widespread degradation of habitat areas indigenous species populations in some degraded areas have largely disappeared from their natural habitat and to exclude recovery of such habitat on the grounds that replacement specimens are not "locally sourced" seems unfortunate. In TTT's view, Policy 6 (e) should be rephrased to read "*encourage the restoration and enhancement and planting of naturally occurring indigenous species...*".

With this change, TTT is strongly supportive of Policy 6.

Section 7 – Policies- Policy 7 – Tangata Whenua; TTT has worked and continues to work with various Tangata Whenua groups both at iwi, hapu and whanau levels in the course of pursuing its objectives. The consultation document does not attempt to break down the ownership of the target estate other than to note it is private. TTT is of the view that Maori land, as defined pursuant to Te Ture Whenua Maori Act and land held by iwi entities following Treaty settlements is at least 5% of the New Zealand land mass. TTT is of the view that it is likely that Tangata Whenua are thus owners of a significant proportion, if not the majority, of land which would be classified under the National Policy as land of moderate to high conservation significance. Accordingly, TTT is supportive of this policy. However, bearing in mind TTT's understanding of the aspirations of different Tangata Whenua land owning groups, TTT believes and recommends that Policy 7 should expressly refer to supporting Tangata Whenua groups who wish to plant and/or manage indigenous vegetation on their land for holistic purposes that provide useful forest resources and restore cultural and environmental resilience..

Section 7 – Policies – Policy 8 - Consultation; It needs to be made clear that "**the public**" is intended to include stakeholder organizations, such as TTT, which have specific skills and experience in these matters.

Part 2 of the suggested response form – General questions as to the National Policy; With the implementation of changes recommended in this submission, TTT believes the National Policy could positively affect both TTT and its membership.

Part 3 of the suggested response form; In TTT's opinion, chapter 2 and 3 of the consultation document would have been more credible if it had discussed the current management of the Crown's conservation estate by reference to the Objective and Policies of the National Policy. As part of that review, it would have been advantageous had there been a confirmation as to the Crown's commitment to meeting or bettering the

Crown's management of the public conservation estate in terms of the Objective and Policies of the National Policy.

Presentation of Submission; TTT would be pleased to appear and talk to its submission in any public hearing process.

For and on behalf of Tane's Tree Trust Inc

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