



AGENDA

STRATEGY & POLICY COMMITTEE

Tuesday, 12 April 2011 at 10.00am

Notice is given of a meeting of Horizons Regional Council to be held on Tuesday 12 April, 2011 at 10.00am in the Tararua Room, Horizons Regional Council offices, 11-15 Victoria Avenue, Palmerston North

Business to be discussed includes:

- Observations from the Canterbury Earthquake
- Members' Remuneration 2011-12
- Horizons Submission to the Ministry for the Environment on the Proposed National Policy Statement on Indigenous Biodiversity
- Funding of Tararua Fencing Campaign

Presentations:

- Manawatu River Accord – Mr Richard Thompson

**RECOMMENDATIONS IN REPORTS ARE NOT
COUNCIL POLICY UNTIL ADOPTED BY COUNCIL**

NEWS EMBARGO

Items in this agenda may be subject to amendment or withdrawal at the meeting. Items are embargoed until two days before the date of the meeting.

Reporters who do not attend the meetings should seek confirmation of the agenda material or proceedings from the Chief Executive prior to any media reports.

for further information regarding this agenda, please contact:
Julie Kennedy, 06 9522 800

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STRATEGY AND POLICY COMMITTEE

COMMITTEE MEMBERS

Committee of the Whole

AGENDA

12 April 2011

10.00am

	Pages
1. Apologies	
2. Public Speaking Rights Notification to speak is required by 4pm on the working day prior to the meeting. Further information is available on www.horizons.govt.nz or by phoning 0508 800 800	
3. Late Items: To consider, and if thought fit, to pass a resolution to permit the Committee to consider any further items which do not appear on the Order Paper of this meeting and/or the meeting to be held with the public excluded. Such resolution is required to be made pursuant to Section 46A(7) of the Local Government Official Information and Meetings Act 1987, and the Chairperson must advise: (i) The reason why the item was not on the Order Paper, and (ii) The reason why the discussion of this item cannot be delayed until a subsequent meeting.	
4. Members' Conflict of Interest Members are reminded of their obligation to declare any conflicts of interest they might have in respect of the items on this Agenda.	
5. Confirmation of Minutes – 8 March 2011	1 - 4
6. Observations from the Canterbury Earthquake <i>Report No: 11-54</i> <i>File No: PEM 3 03</i>	5 - 8
7. Members' Remuneration 2011-12 <i>Report No: 11-53 (Incl. Annex A)</i> <i>File No: GGV 1 02</i>	9 - 12

- | | | |
|-----|---|---------|
| 8. | Horizons Submission to the Ministry for the Environment on the Proposed National Policy Statement on Indigenous Biodiversity
<i>Report No: 11-55 (Incl. Annex A)</i>
<i>File No: EBM 1 01</i> | 13 - 38 |
| 9. | Funding of Tararua Fencing Campaign
<i>Report No: 11-58</i>
<i>File No: OFS 6 02</i> | 39 - 42 |
| 10. | Presentation: Mr Richard Thompson – Manawatu River Accord | |
| 11. | Members' Questions | |

PART TWO - PUBLIC EXCLUDED SECTION

The public is to be excluded from the remainder of the Council meeting as the general subject matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 (1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution is as follows:

General subject of each matter to be considered	Reason for passing this resolution	Grounds under section 48 (1) for passing this resolution
PX1 Financial Delegations <i>Report No: 11-52</i> Pgs 43 - 53	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX2 Chief Executive Performance Review (verbal)	As disclosure would not be in the public interest because of the greater need to protect the privacy of natural persons.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX3 Deputation: Mr Hugh Dalrymple – Ohakea Development	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.
PX4 Presentation: Update from Mr B Davey, Director, MWRC Holdings Limited (9.00am 13 April 2011)	As disclosure would not be in the public interest because of the greater need to enable Council to carry on without prejudice or disadvantage commercial negotiations.	That the exclusion of the public from that part of the meeting is necessary to prevent the disclosure of information for which good reasons for withholding exist.

M J McCartney
CHIEF EXECUTIVE



Report of the third meeting, eighth triennium of the Strategy and Policy Committee of Horizons Regional Council held in the Boardroom of the Marton Office, Hammond Street, Marton at 1.30pm on Tuesday, 8 March 2011.

PRESENT

Crs EB Gordon (Chairman), JJ Barrow, LR Burnell, VJF Chettleburgh QSM ED, GL Cox, M Guy, GM McKellar, PW Rieger JP, CI Sheldon, and JJ White.

IN ATTENDANCE

Chief Executive	Mr M McCartney
Group Manager Corporate and Governance	Mr C Grant
Committee Secretary	Ms K Booth

ALSO PRESENT at various times during the Meeting:

Mr G Carlyon (Group Manager Regional Planning & Regulatory), Mr R Munneke (Manager Policy/Consents), Mr P Hindrup (Senior Consents Planner), Mr A Cook (Group Manager Operations).

APOLOGIES:

SP 11-14 **Moved** **White/Rieger**

that apologies be received from Crs Plowman and Walker.

CARRIED

PUBLIC SPEAKING RIGHTS

No requests for public speaking rights had been notified.

LATE ITEMS:

There were no late items notified.

MEMBERS' CONFLICT OF INTEREST

There were no conflicts of interest notified.

CONFIRMATION OF MINUTES

Cr Chettleburgh referred to resolution SP11-08 and clarified that Horizons' contribution to Te Manawa was \$50,000: \$25,000 from the current budget and \$25,000 overspend.

The Chairman clarified that the reference on 'direct contact with staff' in the Code of Conduct meant that Members could talk with staff so long as they did not instruct them.

It was noted that resolution SP 11-05 asked management to bring paragraph 24 of the Code of Conduct back to a future Strategy and Policy Committee meeting for its consideration.

SP 11-15**Moved****Rieger/Burnell**

that the minutes of the meeting held on 8 February 2011, as circulated, be confirmed as a correct record.

CARRIED

SEWAGE TREATMENT PLANTS – RESOURCE CONSENT PROGRESS UPDATE

Report No. 11-34

This report informed Members of progress toward resolving resource consents relating to sewage treatment plants (STPs).

Mr Munneke (Manager Policy/Consents) spoke to the report. He advised there was an active programme underway to resolve resource consents relating to STPs, not a passive one. The Consents team was working hard to progress old consents either to a hearing or pre-hearing. There was discussion about section 124 (of the Resource Management Act) and how the team was encouraging progress with applications. The Chief Executive outlined how regional councils, nationally, were working closely with territorial authorities (TAs) in their regions on wastewater issues, some through research, through joint partnerships and by building relationships.

He referred Members to the table attached as Annex A. Mr Hindrup (Senior Consents Planner) provided updates and answered questions about the status of specific applications. Horizons recognised that infrastructural costs were a consideration for TAs when TAs were setting their rates each year and trying to keep rate increases down. This was often taken into account by Hearing Commissioners when hearing resource consent applications, by allowing several years for the TA to consider funding for land alternatives. The Chairman reminded Members that Horizons had the ability to submit on all TA Annual Plans and Long-term Plans and ask for the inclusion of funding for infrastructure.

Members discussed possible ways of encouraging the applicants to resolve new applications. There was comment about the ongoing international research into possible contamination of land through land-based discharges. There was further discussion on the Report and Mr Munneke and the Chief Executive clarified Members' questions.

SP 11-16**Moved****Guy/White**

that the Committee recommends that Council:

- a. **receives** the information in Report No. 11-34.

CARRIED

CONFERENCE / TRAINING OPPORTUNITIES FOR ELECTED MEMBERS

Report No. 11-22

The purpose of this report was to inform Members about conference and training opportunities for their consideration. The Group Manager Corporate and Governance introduced the report which identified the annual budget and the training costs already incurred in this financial year.

Members discussed the information in the Report. The Chairman mentioned that in previous triennia, attempts were made for all Members to attend a Local Government New Zealand (LGNZ) annual conference during the three years. As the LGNZ conference was being held in Wellington in 2011, he believed it was a cost effective opportunity for several Members to attend this year, as it would be more expensive in future years when held at other locations. He also

believed the costs of Members attending certification and re-certification courses for becoming Resource Management Act Decision-makers, should not sit within the training budget.

During discussion on whether it was more cost effective for Members to attend conferences, or for a trainer/speaker to be brought in-house, it was identified there were pros and cons for each. Either one speaker was heard by all Members, or a number of different speakers were heard by one Member when attending a Conference. Comment was made of the networking opportunities when attending a conference, and several Members spoke of the positive aspects of external conferences they had attended.

There was comment from some Members that they received notification of future conferences and training via email, and they did not see a need for the ongoing provision of a schedule of training/conference opportunities.

A suggestion was made that those Members attending conferences should supply a written report to a Council meeting, and the recommendations were accordingly amended with the addition of a new paragraph (c). Recommendation (b) was also amended.

SP 11-17 **Moved** **Chettleburgh/Sheldon**

that the Committee recommends that Council:

- a. **receives** Report No. 11-22 and the updated Training and Conference Opportunities Schedule at Annex A; and
- b. **agrees** that the Chair and Deputy Chair consider and approve/decline requests by Members to attend training and/or conference opportunities.
- c. *that the Councillor attending a conference must supply a written report to Council at the next appropriate Council meeting.*

CARRIED

VERBAL UPDATE ON STRATEGIC WORK PROGRAMME FOR REGIONAL AFFAIRS COMMITTEE

The Chief Executive distributed a report on the Regional Affairs Committee January workshop and drew Members' attention to the three key points of freshwater management, sustainable economic development and spatial planning. He elaborated on these and advised he would bring further information on freshwater management as it became available. He clarified Members' questions arising from the update.

ZONE 3

The Chairman outlined what was on the Agenda at the Zone 3 meeting held on 7 and 8 March, and asked Crs Sheldon and Chettleburgh to provide an overview of what was discussed. It was noted that the next Zone 3 meeting would be held on 3 and 4 November 2011.

The meeting closed at 3.30pm.

CHIEF EXECUTIVE

CHAIRMAN

A Significant decision? If Yes	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

Item No: 6
Date: 12/04/2011
Report No: 11-54
File No: PEM 3 03

OBSERVATIONS FROM THE CANTERBURY EARTHQUAKE

PURPOSE

1. This report is to provide members an update on the current lessons learnt from the Canterbury earthquake.

FINANCIAL IMPACT

2. Nil.

COMMUNITY ENGAGEMENT

3. Not required.

BACKGROUND

4. It is still very early days to be discussing lessons from the Canterbury response however there are a number of observations that can be made. It is worth noting that the response has been very well managed and whilst there are some frustrations by locals at the speed with which some activities happen, this is the reality of the situation. Hindsight from official debriefs too will no doubt produce opportunities for improvement in the coming months. As it is, this item is being prepared without Horizons having yet undertaken its own debrief.
5. This is the first state of national emergency that has been declared in New Zealand and the response structure did not match that planned through the Civil Defence Emergency Management (CDEM) Group Plan or the National Plan. The flattening of the structure effectively removed the Local and Group Controllers and placed them in an operational capacity. This was done with the agreement of the councils involved. Some of the factors that may have influenced this decision are:
 - the fact that a single territorial authority was impacted
 - the fact that both City and Group facilities had to be relocated
 - the relationship between the City Council and the Regional Council
6. It is clear that large scale events elicit a response from both national and international responders. As a Group we should be prepared to receive and offer such assistance. As a Group, thousands of hours have been provided to Canterbury in support of the functions and services that the councils needed to provide in the response.
7. The importance of business continuity arrangements stands out following both events in Canterbury. From a response perspective, several of the responding agencies were required to activate alternative arrangements. Both City and Regional Council facilities to be abandoned and even the main fire station was red stickered resulting in other arrangements being required. The Ministry of Civil Defence Emergency Management (MCDEM) review of our CDEM Group highlighted the importance of these arrangements as a standing item for all CDEM Groups.

8. Access to data has also been important. From a City Council perspective, information about infrastructure, service isolation, priority areas for reconnaissance etc has been critical. From a Regional Council perspective base information such as LiDAR has proved invaluable to show areas of geographic change. This does more than produce interesting facts about changes in land form but is critical when planning repair and replacement of drainage systems, addressing potential flooding and ponding issues and long term redevelopment of communities that are now below sea level.
9. Some abridged observations from Brent Cowie (formerly Horizons now a contractor in Canterbury) who was working in a planning role:
 - Geography and extent of devastation simplified the response – an equivalent event in Wellington would have been far more difficult to manage
 - Notes that two ‘rival’ Emergency Operations Centres (EOC) were both affected and that every CDEM Group should have a dedicated EOC facility in a well-placed location.
 - Notes the importance of relationships between agencies and the ability to remain in emergency response mode versus business as usual reporting lines.
 - Questions the value of some of the planning and documentation that was being undertaken and notes that duplication. ‘Half the effort could have produced 90% of the outputs’.
 - Value in templates that are completed on the day.
10. On the home front, Horizons has made a significant contribution to the response. Over and above our anticipated response to support the local authorities, the call to support the Police through the establishment of the call centre for missing persons’ enquiries was unprecedented. The CDEM Group Emergency Coordination Centre (ECC) operated from Horizons and the staff that deployed to Wellington and Christchurch totalled 845.25 hours, a value of ~\$81k. The call centre totalled 2,190 hours of staff time not counting the community volunteers that also worked in the call centre.
11. A number of minor recommendations are expected from the Horizons debrief around ongoing training for staff, availability of facilities and equipment and staffing of the ECC. We were fortunate that this response did not coincide with a response by Horizons for flooding, although I’m certain we could have coped with that too. Lessons from the Welfare Advisory Group debrief will also be picked up within the next few days. It is anticipated that closer working relationships with welfare agencies and the CDEM Group be encouraged and the development of a Welfare Plan for the Group will be identified. These items were highlighted in the Capability Assessment Report form MCDEM and were already under action by the Group.
12. The introduction of a national Emergency Management Information System (EMIS) will likely improve timelines for decision making, templating responses, contain information about potential providers, improve record keeping, assist with consistency across multiple players, reduce duplication and generally improve the information management across the sector. MCDEM was just a few weeks away from launching the EMIS prior to the Canterbury earthquake. I anticipate that this will be one of the first projects back on stream as MCDEM reverts to business as usual. However, for our Group I anticipate that it will be Christmas before we have rolled out the training necessary to actively use the EMIS as our Group system for information management and sharing.

RECOMMENDATIONS

13. That the Committee recommends that Council:
 - a. **receives** the information in Report No. 11-54.

S Bayley
MANAGER EMERGENCY MANAGEMENT OFFICE

A Significant decision? If Yes	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

Item No: 7
Date: 12/04/2011
Report No: 11-53
File No: GGV 1 02

MEMBERS' REMUNERATION 2011-2012

PURPOSE

1. This item presents, for Members' consideration, the recommended levels of remuneration for Councillors for 2011-2012.

FINANCIAL IMPACT

2. The proposed increase in Members' salaries has been allowed for in the Draft Annual Plan 2011-12.

COMMUNITY ENGAGEMENT

3. Members' remuneration is part of the Draft Annual Plan consultation process.

BACKGROUND

4. The Remuneration Authority (RA) sets a pool of money for salaries and meeting allowances and each council then develops a remuneration system to suit its needs. Each individual council's system is required to be approved by the RA. This process needs to be repeated each financial year.
5. The RA has provided the 2011-2012 Indicative Pool total of \$558,340, and requests that the Council advises its recommendations for distribution of the net pool amongst Elected Members, no later than 6 May 2011. The new rates will take effect from 1 July 2011.

COMMENT

6. The pool for 2010-11 has been allocated to salaries (on the understanding that all Councillors will attend the great majority of meetings) and to meeting allowances. The meeting allowances will remunerate Members for those variable, individual and unanticipated duties that are additional to the standard workloads for all Councillors and Chairs covered by the salary. If this is not fully spent, up to 30% of the meeting fee pool is available to be overspent in 2011-12.
7. A system of weightings has been used to determine an approximate job size for each Member's salary. The existing weightings were reviewed by Council at its meeting on 21 February 2011. Given that there have been no concerns raised about the weightings adopted, it is recommended that the existing weighting policy be retained. An updated Remuneration and Expenses policy, showing the current and proposed increased salary pool, is attached at Annex A.

RECOMMENDATIONS

8. That the Committee recommends that Council:
 - a. **receives** Report No. 11-53; and
 - b. **approves** the Members' Remuneration and Expenses policy for 2011-12 at Annex A.

C Grant

GROUP MANAGER CORPORATE AND GOVERNANCE

ANNEX

- A Remuneration and Expenses Policy

CURRENT 2010-11

21 October 2010 (once RA determination finalised - 30 June 2011 (annual basis))		Points	Salary (no. of points x value of points)
Weighting			
Net Salary to be paid Vehicle value			\$112,095.00 \$5,405.00
Total Salary for pool calculation			\$117,500.00
Councillors			
	Cr. Cox	100	\$31,877.15
	Cr. Guy	100	\$31,877.15
	Cr. Plowman	100	\$31,877.15
	Cr. Sheldon	100	\$31,877.15
	Cr. Walker	100	\$31,877.15
Chair Environment	Cr. White	155	\$49,409.59
Chair Audit, Risk & Investment	Cr. Rieger	130	\$41,440.30
Chair Catchment Operations	Cr. Barrow	155	\$49,409.59
Chair Regional Land Transport	Cr. Gordon	0	\$0.00
Chair Passenger Transport Sub/Dep RLTC	Cr. Chettleburgh	115	\$36,658.73
Deputy Chair of Council	Cr. Rieger	25	\$7,969.29
Deputy Chair Environment	Cr. McKellar	110	\$35,064.87
Deputy Chair Catchment Operations	Cr. Burnell	110	\$35,064.87
Chair River Users Advisory Grp	Cr. Burnell	0	\$0.00
		1300	\$414,403.00

NEW 2011-12

RA DETERMINATION 30 MARCH 2011		Points	Salary (no. of points x value of points)
Weighting			
Net Salary to be paid Vehicle value			\$112,095.00 \$5,405.00
Total Salary for pool calculation			\$117,500.00
Councillors			
	Cr. Cox	100	\$32,445.38
	Cr. Guy	100	\$32,445.38
	Cr. Plowman	100	\$32,445.38
	Cr. Sheldon	100	\$32,445.38
	Cr. Walker	100	\$32,445.38
Chair Environment	Cr. White	155	\$50,290.35
Chair Audit, Risk & Investment	Cr. Rieger	130	\$42,179.00
Chair Catchment Operations	Cr. Barrow	155	\$50,290.35
Chair Regional Land Transport	Cr. Gordon	0	\$0.00
Chair Passenger Transport Sub/Dep RLTC	Cr. Chettleburgh	115	\$37,312.19
Deputy Chair of Council	Cr. Rieger	25	\$8,111.35
Deputy Chair Environment	Cr. McKellar	110	\$35,689.92
Deputy Chair Catchment Operations	Cr. Burnell	110	\$35,689.92
Chair River Users Advisory Grp	Cr. Burnell	0	\$0.00
		1300	\$421,790.00

Net Remuneration Pool <i>(Total Pool less Chair's Salary)</i>	\$433,453.00	\$440,840.00
Salary Pool <i>(Net Remuneration Pool)</i>	\$414,403.00	\$421,790.00
	95.61%	95.68%
Meeting Allowance Pool	\$19,050.00	\$19,050.00
	4.39%	4.32%
Meeting Allowance	\$150.00	\$150.00
	127	127

**ANNEX A TO ITEM 7
Report No. 11-53**

A Significant decision? If Yes	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

Item No: 8
Date: 12/04/2011
Report No: 11-55
File No: EBM 1 01

HORIZONS SUBMISSION TO THE MINISTRY FOR THE ENVIRONMENT ON THE PROPOSED NATIONAL POLICY STATEMENT ON INDIGENOUS BIODIVERSITY

PURPOSE

1. The purpose of this item is to table Horizons' submission on the proposed National Policy Statement on Indigenous Biodiversity as drafted by staff.

FINANCIAL IMPACT

2. There is no financial impact associated with this item.

COMMUNITY ENGAGEMENT

3. There is no need for this item to be communicated to the public at this stage.

BACKGROUND

4. In February this year, the Ministry for the Environment (MfE) released a proposed National Policy Statement (NPS) on Indigenous Biodiversity for public submission.
5. The proposed NPS intends to provide more clarity in regards the role of local authorities in regards indigenous biodiversity management, provide guidance on what is to be considered significant indigenous vegetation or significant habitat of indigenous fauna, and provide a base-line to which local authorities are required to reach.
6. The proposed NPS does not intend to limit what local authorities can consider to be significant under s6(c) of the RMA, or to prevent local authorities to go further than the base-lines provided in the Proposed NPS.
7. The proposed NPS applies to private land and to crown land with the exception of Public Conservation Land (i.e. land administered by the Department of Conservation). The proposed NPS does not cover the coastal marine area.
8. A council workshop discussing the implications of the proposed NPS was held on 2 March 2011. Following the workshop, a summary document comparing the Proposed NPS to the Proposed One Plan was circulated (via email) to all Councillors.
9. The Ministry for the Environment has been conducting a road show around New Zealand to discuss the Proposed NPS. A public meeting was held in Palmerston North on Friday 25 March 2011. Several staff from Horizons attended this meeting.
10. Horizons staff have also meet with MfE and TAs to discuss the proposed NPS in more detail, in particular the implications within the Manawatu-Whanganui Region given the regional structure of indigenous biodiversity management.
11. Horizons submission on the proposed NPS on Indigenous biodiversity is at Annex A.

COMMENT

12. We are fairly comfortable with the intention of the proposed NPS due to the close alignment with the proposed One Plan as reflected in Horizons' submission. The One Plan policy on biodiversity already addresses any obligations that fall out of the proposed NPS. That is, there will be no requirement for Horizons to do more work.
13. However, the proposed NPS could be improved in terms of clarity and technical robustness. Horizons submission to MfE focuses on technical points, discussion on methodologies and tools mentioned within the proposed NPS, and greater recognition of the approach taken within the proposed One Plan and across the Manawatu-Whanganui Region.
14. Key points in the submission include:
 - a. Technical correction to wording of criteria 2d, and clarification of intent of criterion (Policy Two).
 - b. Need to remove duplication of requirement on territorial authorities as well as regional councils to identify areas of significance in situations such as in the Manawatu-Whanganui where there has been agreement for regional councils to have the lead role in indigenous biodiversity protection (Policy Four).
 - c. Reliance on mapping and inherent shortcomings and expense of using this methodology (in comparison with the approach used in the proposed One Plan) to identify areas covered by plans (Policy Four).
15. The submission is due on 2 May 2011. The Ministry for the Environment is not planning to hold a hearing on the submissions received. Instead MfE staff will prepare a summary document of submissions and recommendations with the Minister for the Environment making final decisions accordingly. Horizons' submission has been drafted in consideration of the absence of a hearing.
16. The Government intends to wait for the release of a report from the Waitangi Tribunal on claim 262 (which relates to environmental, resource and conservation management) before finalising the NPS. The report is scheduled for release for June 2011, however, the government response to the report may take some time to materialise.

RECOMMENDATIONS

17. That the Committee recommends that Council:
 - a. **receives** the information in Report No. 11-55;
 - b. **approves** Horizons submission to the Ministry of the Environment on the proposed National Policy Statement on Indigenous Biodiversity.

Greg Carlyon
**GROUP MANAGER REGIONAL PLANNING
 AND REGULATORY**

Fleur Maseyk
SENIOR SCIENTIST - ECOLOGY

ANNEX

- A Copy of Horizons Submission to MfE

XX April 2011

Sonia Dolan
Policy Analyst
Land and Water Team
Biodiversity NPS
PO Box 10362
WELLINGTON 6143

File ref: ERM 4 01
FJFM:JHC

Dear Sonia

**HORIZONS REGIONAL COUNCIL SUBMISSION ON THE PROPOSED NATIONAL
POLICY STATEMENT ON INDIGENOUS BIODIVERSITY**

Horizons generally supports the proposed National Policy Statement (NPS) on Indigenous Biodiversity and notes that an operative NPS will fill a gap in the current hierarchy of policy documents relating to biodiversity. Horizons considers the NPS to be a good fit with existing national level documents (e.g. the New Zealand Biodiversity Strategy and the National Priorities), and acknowledges that an operative NPS will help New Zealand fulfil some of our international obligations in relation to the Convention on Biological Diversity.

The intent of the proposed NPS is also well aligned with the proposed One Plan (Horizons' primary planning documents - the second generation regional policy statement and regional plans). However, there are some technical issues and elements of detail which, in Horizons opinion, require further attention as outlined in our submission.

Horizons is disappointed to not have the opportunity to talk to our submission at a public hearing. In consideration of this lack of opportunity our submission is detailed.

In discussions with Craig Mallett, the opportunity for Horizons staff to meet with staff from the Ministry was raised. We would very much welcome such an opportunity to explain the context of our submission further, particularly in relation to the proposed One Plan. To arrange a meeting, or to discuss Horizons' submission please contact Fleur Maseyk on 06 952 2903.

Please find attached Horizons' submission on the Proposed National Policy Statement on Indigenous Biodiversity.

Yours sincerely

Michael McCartney
CHIEF EXECUTIVE

**Horizons Regional Council
Submission to the Ministry for the Environment
on the
Proposed National Policy Statement on Indigenous Biodiversity**

Horizons Regional Council (Horizons) acknowledges the need for a National Policy Statement (NPS) on indigenous biodiversity and notes that an operative NPS will fill a gap in the current hierarchy of policy documents.

Horizons generally supports the proposed National Policy Statement (NPS) on Indigenous Biodiversity. Horizons also considers the NPS to be a good fit with existing national level documents (e.g. the New Zealand Biodiversity Strategy and the National Priorities) and acknowledges that an operative NPS will help New Zealand fulfil some of our international obligations in relation to the Convention on Biological Diversity.

Within the Manawatu-Whanganui Region, Horizons has, via the proposed One Plan (the region's second generation regional policy statement and regional plans) and in agreement with the territorial authorities, taken on the lead role for the region-wide maintenance of indigenous biodiversity. Responsibilities have been apportioned as follows:

1. Horizons must be responsible for developing objectives, policies, methods for the purposes of establishing a region-wide approach for maintaining (and enhancing) indigenous biodiversity diversity, and rules to protect areas of significant indigenous vegetation and significant habitat of indigenous fauna and to maintain (and enhance) indigenous biodiversity.
2. Territorial authorities must be responsible for retaining schedules of notable and amenity trees in their district plans, and other measures to recognise the amenity, intrinsic and cultural values associated with indigenous biodiversity (but not for the purpose of protecting significant indigenous vegetation and significant habitat of indigenous fauna).
3. Both Horizons and the territorial authorities must, when making decisions on resource consent applications or outside the specific responsibilities outside of those allocated above, recognise for matters described in s6(c) RMA and have particular regard to matters identified in s7(d) RMA.

The approach taken by the proposed One Plan was a logical one for the Manawatu-Whanganui Region for a number of reasons. The territorial authorities (TAs) within the Region did not have the expertise or capacity to undertake programmes to ensure the maintenance, protection or enhancement of indigenous biodiversity within their areas. The previous approach to indigenous biodiversity protection was inconsistent between the TAs and indigenous biodiversity continued to decline within the Manawatu-Whanganui Region. A region-wide, regional council driven policy has a greater chance of overcoming such shortfalls.

The proposed One Plan is currently under appeal, including the indigenous biodiversity provisions. However, the appeals do not relate to the science underpinning the policy within the proposed One Plan, nor did any of the TAs appeal the apportioning of responsibilities for the maintenance and protection of indigenous biodiversity.

It is concerning to Horizons that the proposed NPS is not explicit in its recognition of the ability for regional councils to take the lead responsibility for the protection and management of indigenous biodiversity on private land. Currently, Horizons is the only regional council who has taken on this mandate but there is a strong possibility

that other regional councils will follow suit in the future. The NPS on Indigenous Biodiversity should not limit their ability to do so.

Our submission further focuses on the advantages of the technical methods used by Horizons to identify significant indigenous vegetation and significant habitat of indigenous fauna within the region. We consider it a major shortcoming of the proposed NPS that it places more emphasis on methodologies than it does desired outcomes, and thus limits the way in which the desired outcome of the NPS policies can be achieved. More and more tools are becoming available that can assist in systematic planning for the protection and maintenance of indigenous biodiversity. Horizons' One Plan is a good example of the uptake of such tools and methodologies that are now easily available, tested, repeatable and cost effective.

1. Summary of submission points

Point No.	Issue	Support /Oppose	Relief Sought
Section 6. Objective			
1	Objective Content of objective	Support in part	Horizons supports the primary focus of the objective. The objective would benefit from recognition of 1) the contribution of biodiversity to the economic, social and cultural well-being of people and communities via ecosystem services, and 2) in some cases there is little scope for allowing for reasonable use of land in the course of protecting areas of significant areas or habitats.
Section 7. Policies			
2	Policy 1 Policy is more of a definition statement than a policy.	Oppose	Reword Policy 1 to shift it from a definition statement to a policy reflecting the objective.
3	Policy 2 Use of the National Priorities to identify significant indigenous vegetation or significant habitats of indigenous fauna.	Support	None required.
4	Policy 2a Inclusion of the naturally uncommon ecosystem types.	Support in part	Remove Schedule 1 from NPS.
5	Policy 2b Inclusion of indigenous vegetation or habitats associated with sand dunes.	Support	None required.
6	Policy 2c Inclusion of indigenous vegetation or habitats associated with wetlands.	Support	None required.
7	Policy 2d Listing of land environments that have 20 per cent or less remaining in indigenous vegetation cover.	Oppose in part	Delete wording. Replace with wording that captures the concept of threatened habitat.
8	Policy 2e Inclusion of habitats of threatened and at risk species.	Support in part	Reword to explicitly include aquatic as well as terrestrial threatened and at risk species.
9	Policy 3 Restricting listing of significance criteria to the Regional Policy Statement	Oppose	Reword policy to allow for inclusion of significance criteria within a regional plan where appropriate.
10	Policy 4 Intent of policy	Support	None required.
11	Policy 4 Obligation on both district and regional councils to identify significant indigenous vegetation and significant habitat of indigenous fauna in their plans.	Oppose	Reword policy to relieve district councils of responsibilities under Policy 4 in the instance where a regional council has taken the responsibility for biodiversity protection within their regional plan.
12	Policy 4 Policy is focussed on the method (mapping) rather than the desired outcome (identification of significant indigenous vegetation or significant habitat of indigenous fauna).	Oppose	Reword policy to focus on desired outcome as opposed restricting to the use of only one tool (mapping).
13	Policy 5 Effects management hierarchy	Support	None needed.

Point No.	Issue	Support /Oppose	Relief Sought
14	Policy 5 Inclusion of biodiversity offsets	Support in part	Remove Schedule 2 from NPS. Incorporate offsetting principles into policy. Capture concept of 'net gain' or increased outcome in offset policy (i.e. beyond "no net loss").
15	Policy 6 Supporting maintenance and enhancement of indigenous biodiversity.	Support	None needed.
16	Policy 6 Criterion e.	Oppose in part	Reward for clarification and to place more emphasis on pest animal and pest plant control.
17	Policy 6 Provision of advice and practical help.	Support in part	Provision of funding to enable the uptake of Policy 6.
Additional policies			
18	Absence of a policy regarding monitoring.	Oppose	Include policy on state and trend monitoring in accordance with nationally accepted methodologies where available.
General comment			
19	Cost-benefit analysis.	Note	Any cost-benefit analysis should incorporate consideration of the true value of ecosystem services and consideration of the true cost of replacing lost indigenous vegetation cover.
	Definition of 'maintenance' and 'no net loss'.	Note	The concept of 'no net loss' is hard to measure, especially in the absence of guidance on scale.
	Lack of definition of the term "reasonable".	Oppose	The concept of 'reasonable' can be highly subjective and the lack of guidance as to the application can undermine the primary objective of the NPS.

2. Points of submission

Submission point 1: The Objective of the Proposed NPS Support in part

Relief sought: Acknowledgment of the contribution of biodiversity to the economic, social and cultural well-being of people and communities via ecosystem services, and that in some cases there is little scope for allowing for reasonable use of land in the course of protecting areas of significant areas or habitats.

Comment

1. Horizons strongly supports the objective to protect areas of significant indigenous biodiversity, and the acknowledgement that enhancement of indigenous biodiversity through management of pressures and threats (e.g. pest animals and plants) is a crucial component of indigenous biodiversity protection.
2. The objective lacks acknowledgement that the economic, social and cultural well-being of people and communities depends also on ecosystem services and the role biodiversity has in delivering those services.
3. Continued loss of indigenous biodiversity will translate to decreases and interruptions to the ecological services that indigenous biodiversity provides. Indigenous biodiversity is a resource that we utilise directly and indirectly on many levels. A decline in indigenous biodiversity will result in decreased availability, efficiency and function of the resource on which we depend.
4. The objective does not recognise that for many areas of significant indigenous vegetation or significant habitat of indigenous fauna the philosophy of 'striking a balance' is no longer viable. For example, across the lowland areas of the Manawatu-Whanganui Region indigenous vegetation is sparse (Table 1).

Table 1: A selection of Ecological Districts within the Manawatu-Whanganui Region which fall predominantly in lowland areas showing the percentage of indigenous vegetation cover remaining within each ecological district, and the percentage of land environments (LENZ level IV) which support 20% or less of former indigenous vegetation cover.

Ecological District	Percentage (%) former indigenous vegetation cover remaining within ecological district	Number of land environments (LENZ level IV) present within ecological district	Percentage (%) of land environments with 20% or less of former indigenous vegetation cover remaining
Foxton	5.9	22	68 (n = 15)
Manawatu Plains	3.4	42	86 (n = 36)
Puketoi	9.11	20	70 (n = 14)
Woodville	3.6	17	88 (n = 15)

5. Typically, it is in these lowland areas where the land use pressures which have a detrimental impact on biodiversity are greatest. In such cases, the protection of significant indigenous vegetation or significant habitats of indigenous fauna and "reasonable use of land" are more likely to be contradictory rather than compatible outcomes.

Submission point 2: Policy 1 is more of a definition statement than a policy.**Oppose**

Relief sought: Reword so as to create a true policy. This is a suitable place for a policy that reflects the objective of protecting significant indigenous vegetation and significant habitat of indigenous fauna.

Comment

6. The Proposed NPS lacks a policy that directly gives effect to the primary objective of protecting areas of significant indigenous vegetation and significant habitat of indigenous fauna. As Policy 1 currently recognises that these areas are important for the maintenance of indigenous biodiversity, it is logical that the NPS objective regarding protection is reflected here.

Submission point 3: Policy 2 Use of National Priorities to identify significant indigenous vegetation or significant habitat of indigenous fauna.**Support****Comment**

7. The use of the National Priorities to identify significant indigenous vegetation or significant habitat of indigenous fauna is sound and logical (see submission point 7). It is widely recognised that the protection of naturally rare ecosystems and threatened habitat types or species is crucial to the continued existence of much of New Zealand's indigenous biodiversity.
8. It is noted that the National Priorities (and thus the list a-e in Policy 2) do not capture all indigenous biodiversity that could be considered to be significant indigenous vegetation or significant habitat of indigenous fauna. For example, areas of indigenous vegetation that are large relative to other remaining areas of habitat and which support indigenous species composition, structure and diversity typical of that habitat type. Or, habitat that provides important breeding areas or seasonal food sources. Therefore, Horizons supports the use of the National Priorities as a *minimum* list of the indigenous biodiversity to be considered to be significant indigenous vegetation or significant habitat of indigenous fauna, and not as an exhaustive list of indigenous biodiversity that would qualify as such.
9. The habitat types that Horizons' One Plan captures are closely aligned with those identified by the National Priorities. The One Plan can therefore be seen as an illustration of how the use of the National Priorities can successfully be used to identify indigenous biodiversity of significance within a planning document.

Submission point 4: Policy 2 - Inclusion of the naturally uncommon ecosystem types.**Support in part**

Relief sought: Remove Schedule 1 from the NPS.

Comment

10. Naturally uncommon ecosystems are unique systems that contribute to New Zealand's indigenous biodiversity disproportionately to their total extent.

Naturally uncommon ecosystems tend to comprise a high number of endemic species and a high number of threatened plant species (Williams, *et al.*, 2007). The value naturally uncommon ecosystems contribute to New Zealand's indigenous biodiversity warrant these ecosystems and the indigenous vegetation associated with them to be regarded as significant (and thus included in Policy 2).

11. Schedule 1 provides nothing in the way of clarification and does not add to the understanding of Policy 2a. The related published literature is easily and freely available. The identification of naturally uncommon ecosystems is a component of the Landcare Research project titled 'maintaining threatened rare ecosystems'. This eight-year project commenced in 2003 and is not yet complete. The project remains dynamic and the NPS should not be restricted to recognising only those naturally uncommon ecosystems listed in Schedule 1 should this list change by the completion of the project.
12. As naturally uncommon ecosystems are defined as those covering a total extent of 0.5% of New Zealand's total area (Williams, *et al.*, 2007), any future additions to the current list will not place unduly arduous restrictions on private landowners.
13. We note that the Proposed NPS does not Schedule the Threat Status Classification System, the Threatened Species Lists, or the Land Environments of New Zealand. It should follow that the scheduling of the naturally uncommon ecosystems is unnecessary.

Submission point 5: Policy 2 - Inclusion of indigenous vegetation or habitats associated with sand dunes

Support

Comment

14. Sand dune systems are characteristically highly dynamic. The relatively constant disturbance and harsh environmental conditions supports ecosystems and communities specifically adapted to such conditions. Sand dunes can support a variety of communities (e.g. grassland, sedgeland, tussockland, herbfield, shrubland, scrub, and forest) and provide habitat for a number of threatened species (e.g. katipo (*Latrodectus katipo*) and *Pimelea acuta*).
15. Although the ecosystems associated with sand dunes also include wetland habitats (e.g. dune slack wetland), and are currently considered to be naturally uncommon ecosystems (e.g. active duneland, stable duneland), listing indigenous vegetation or habitats associated with sand dunes in their own right is warranted. This is because the indigenous biodiversity found in association with sand dunes is by no means restricted merely to wetland habitats and therefore 2b (sand dunes) is not entirely captured by 2c (wetlands).
16. Should the conclusion of Landcare Research's project 'maintaining threatened rare ecosystems' project (see submission point 4) determine that some or all ecosystems associated with sand dunes in fact are not naturally uncommon (Williams, *et al.*, 2007) it will be appropriate to have indigenous vegetation or habitats associated with sand dunes listed in their own right given their status as a national priority.

17. Further, both the extent of sand dunes themselves and the indigenous vegetation and habitat associated with them have been greatly reduced. Crucial ecological processes have been interrupted or halted altogether by the impacts of surrounding landuse (e.g. stabilisation of fore dunes, conversion to production land, subdivision and intensification of landuse). In light of the high proportion of loss and the continued vulnerability to surrounding landuse of these ecosystems, indigenous vegetation or habitat associated with sand dunes should be unarguably considered threatened habitat type.

Submission point 6: Policy 2 - Inclusion of indigenous vegetation or habitats associated with wetlands

Support

Comment

18. The national decline and continued vulnerability of wetland habitat is well documented, and Horizons strongly supports that indigenous vegetation or habitats associated with wetlands be regarded as significant.
19. The ecological importance and the ecosystem services (e.g. nutrient and carbon regulation, flood control, provision of resources) provided by wetland habitat, is also well documented. Wetland habitat supports flora and fauna species that are not found in other habitats (obligate wetland species). The protection of wetland habitat is imperative for the long-term persistence of these species. Wetland habitat itself has been reduced nationally to about 10% of its former extent, and to 3% in the Manawatu-Whanganui Region (Maseyk, 2007). The species found in association with wetland habitat are also becoming increasingly sparse, or threatened. Fourteen per cent of the plant species listed on the threatened species lists are found in association with wetland habitat (de Lange et al, 2009). Wetland habitat is in itself diverse (Johnson & Gerbeaux, 2004) and the protection of all types of wetland habitat is critical to protect the full suite of New Zealand's indigenous biodiversity.

Submission point 7: Policy 2 - Inclusion of land environments, defined by Land Environments of New Zealand at Level IV that have 20 per cent or less remaining in indigenous vegetation cover.

Oppose in part

Relief sought: Delete wording, and replace with wording that captures the concept of threatened habitat (i.e. 20 per cent or less remaining) e.g.

"d. *indigenous vegetation or habitats that have 20 per cent or less of their former cover remaining at a regional scale*"

(NB: If the current wording is retained, rewording is required e.g.

"d. *indigenous vegetation associated with land environments defined by...*")

Comment

20. Horizons strongly supports the philosophy of regarding habitat that has dropped below 20% of its former cover due to direct and indirect impacts of human driven activities as significant.

21. Much of the remaining indigenous vegetation throughout the Manawatu-Whanganui Region (and elsewhere in New Zealand) has fallen below self-sustaining thresholds. Consequently, without protection and restoration measures (see submission point 15), these remaining refugia of habitat will continue to degrade and collapse. This will result in continued biodiversity loss both at the site and at the landscape scale.
22. This is particularly likely for those habitat types that have less than 20% of previous cover remaining. This is because species persistence is a function of habitat size and isolation, as described by island biogeography theory (MacArthur & Wilson, 1967). The theory shows a non-linear relationship between size and number of species, with larger areas of habitat supporting more species than smaller areas (MacArthur & Wilson, 1967; Rosenweig, 1995, Walker *et al.*, 2005), and thus species loss increases as area of habitat decreases (Figure 1)

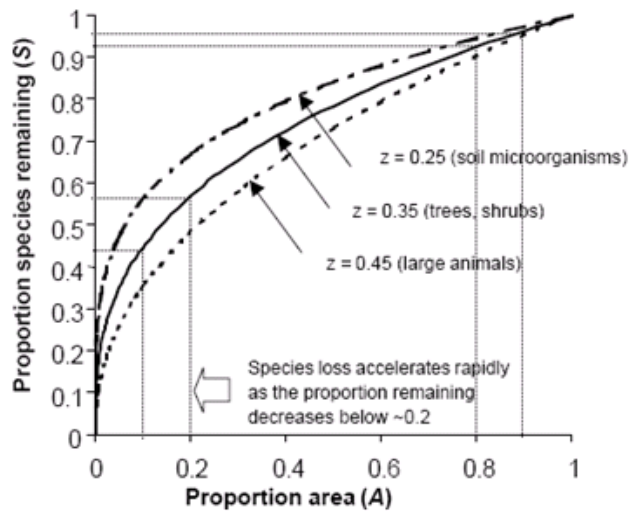


Figure 1: Generalised species-area curves taken from Walker *et al.* (2005). The proportions of species remaining (S) are presented in relation to the area (expressed as a proportion) of remaining indigenous habitat (A), and are given for biota of different body size. The dotted lines illustrate rate of loss of species with a decrease in habitat area.

23. The total amount of habitat is a fundamental determinant for species survival, regardless of how this habitat is spatially arranged across the landscape. (Rutledge, 2003). There is a drastic decline in species survival once a habitat extent drops below a certain threshold (Fahrig, 2001, Rutledge, 2003). This is known as the 'extinction threshold', a largely theoretical (Fahrig, 2003) concept that has been described by Fahrig (2002) as "the minimum amount of habitat required for a population of a particular species to persist in a landscape". This minimum amount of habitat is reached when mortality is equal to reproduction across the landscape (Fahrig, 2002). When considered collectively across a landscape, even small patches of habitat contribute to the habitat minimums required for species persistence. Therefore, any further loss in habitat extent will impact on species survival (Rutledge, 2003).

24. Extinction thresholds are species-specific (Walker *et al.*, 2005), and dependent on population dynamics in relation to habitat requirements, resource availability, patterns and processes of habitat use, and population models (e.g. such as described by CE [colonisation-extinction] or BIDE [birth-immigration-death-emigration] models) (Hanski & Ovaskainen, 2001; Fahrig, 2002). What remains consistent is the trend of the curve, and the rapid decline in species persistence once the extinction threshold has been crossed (Walker *et al.*, 2005; Rutledge, 2003; Fahrig, 2001; Fahrig, 2002).
25. Habitat types, species and ecosystems that have experienced considerable loss and remain in the landscape in fragmented and often isolated patches are more likely to succumb to processes of continual decline, and to have reduced capacity to recover from events (e.g. compromised disturbance-recovery regimes). In the Manawatu-Whanganui Region, these patches of habitat type tend to be located within areas of high human utility (and where land-use pressures are high and continual) and consequently are less likely to persist into the future without management.
26. Typically, threatened habitats are found predominantly in the lowland areas of the country, and are represented in the landscape as small, isolated and highly fragmented areas. Such habitat types are threatened on two levels. Firstly because, at the habitat scale level these habitat types have been so drastically reduced (a loss in extent of 80% or more), and secondly because, at the site scale, areas comprising these habitat types are increasingly vulnerable to further decline. Even small losses of underrepresented habitat type has a disproportionately negative impact on the maintenance of indigenous biodiversity.
27. The wording of 2d as it stands is describing a *tool* commonly (and justifiably) used to determine representativeness. Representativeness indicates the degree to which the remaining habitat type represents the original biodiversity pattern. Degree of loss can determine the level of 'representativeness' of a given area of indigenous vegetation. Representativeness can be measured at a number of scales – e.g. within an Ecological District, within a land environment (LENZ, 2003), or in terms of the habitat type itself.
28. The Land Environments of New Zealand have become a nationally accepted tool to determine representativeness of remaining indigenous vegetation cover. However, it is Horizons' submission that if the intent of 2d is to capture indigenous vegetation or habitat that has experienced a high degree of loss (i.e. threatened habitat type), that the wording of 2d reflects this intention as opposed to describing a tool that may be used to determine proportion of loss.
29. Further the current wording of 2d (assuming it refers to indigenous vegetation associated with land environments) would capture any type of indigenous vegetation present within threatened land environments, and obligate local authorities to regard this vegetation as significant, including scrub and other vegetation communities which in and of themselves are not threatened. The political implications of classifying all areas of (for example) scrub (the clearance of which is commonly considered to be "pasture maintenance", and which is still frequently used as a fuel supply) on threatened land environments as significant are considerable.

30. Acknowledgement of such social and economic implications does not detract from the inherent ecological value scrub and other early successional vegetation communities hold, the contribution they make to biodiversity pattern and process across a landscape, or the contribution to indigenous vegetation cover. However, the proposed NPS does recognise the need for biodiversity protection of areas of total indigenous vegetation and habitat outside of those that will be captured by Policy 2. The proposed NPS also does not prevent such vegetation communities to be managed for purposes other than biodiversity protection (e.g. water quality or soil conservation).
31. For these reasons, Horizons' submits that 2d is removed and replaced with:
"d. indigenous vegetation or habitats that have 20 per cent or less of their former cover remaining at a regional scale"
32. Assessment at a regional scale seems appropriate as geographical variance in distribution adds to national pattern in indigenous biodiversity. Assessing proportion remaining at the regional scale allows for retention of this pattern across the wider landscape and avoids the risk of some habitat types becoming further reduced in extent from some regions (because they are well represented in other regions) contributing to further permanent removal of indigenous vegetation cover from areas of New Zealand that have already experienced wholesale loss.
33. Remaining wetland distribution has an unequal distribution pattern across New Zealand. Where assessment at a regional scale might otherwise compromise consideration of wetland habitat as threatened, this is accounted for by the recognition of wetland habitat to be a national priority.
34. Schedule E of the proposed One Plan lists 15 habitat types classified as threatened (less than 20% of former extent remaining). Any patch of habitat meeting the definition and criteria provided in Schedule E is regarded to be significant. Schedule E provides a useful illustration of the application of consideration of threat status at the habitat level when identifying significant indigenous vegetation or significant habitat of indigenous fauna.
35. When considering the effects of activities on the maintenance of indigenous biodiversity, or assessing the values of a particular site consideration of representativeness (e.g. using LENZIV) can still occur (by way of listing criteria to assess value in district or regional plans).

Submission point 8: Policy 2 - Inclusion of habitats of threatened and at risk species
Support in part

Relief sought: Reword 2e to explicitly include both aquatic and terrestrial species. E.g.

"e. habitats of threatened and at risk terrestrial and aquatic flora and fauna species as determined by the New Zealand Threat Classification System.

Comment

36. Horizons agrees that habitat that supports species threatened with extinction should be regarded as significant indigenous vegetation or significant habitat of

indigenous fauna. The protection of habitats of species threatened with extinction is vital for the protection of New Zealand's indigenous biodiversity.

37. A high proportion of New Zealand's indigenous species are faced with the threat of extinction. For example, 38% of plant species (de Lange et al. 2009), 40% of bird species (Miskelly et al. 2008), 67% of freshwater and estuarine fish species (Allibone et al. 2010), 71% of bat species (Donnell et al. 2010), 75% of frog species (Newman et al. 2010), and 75% of reptile species (Hitchmough et al. 2009) are listed as either threatened or at risk according to the New Zealand Threat Classification System (Townsend et al. 2008).
38. Not all populations or all of these species are present within the boundaries of the Public Conservation Land. Threatened species also occupy private land, and like common species are vulnerable to the impacts of landuse activities and continued fragmentation of habitat. Therefore, it is crucial to the long-term persistence of these species that indigenous vegetation or habitat that is known to support threatened species is regarded as significant and consequently protected.
39. It is Horizons' opinion that it would provide clarity to the policy if it was to explicitly state that 2e applies to all species (aquatic and terrestrial, flora and fauna) listed as threatened with extinction. E.g.

e. habitats of threatened and at risk *terrestrial and aquatic flora and fauna* species as determined by the New Zealand Threat Classification System.

Submission point 9: Policy 3 – Restricting listing of significance criteria to the Regional Policy Statement

Oppose

Relief sought: Change wording of policy to read:

“Any regional policy statement, or in the instance where a regional council has identified the responsibility for indigenous biodiversity protection in their regional policy statement, any regional plan, notified after the date on which...”

Comment

40. While Horizons supports the obligation to include criteria for the identification of areas of significant indigenous vegetation and significant habitat of indigenous fauna in planning documents, the placement of such criteria should not be restricted to regional policy statements. Such a restriction does not provide for those regions where the territorial authorities have agreed to the regional council taking responsibility for protection of significant indigenous vegetation and significant habitat of indigenous fauna.
41. Horizons Regional Council has included criteria within its regional plan (the Proposed One Plan (POP)) for the purpose of assessing the significance of, and the effects of activities on, an area of habitat (Part II, Policy 12-6, POP). This is a logical place for these criteria as Horizons has taken on the responsibility for indigenous biodiversity protection at the regional level as indicated in the regional policy statement (Part 1, Chapter 7, POP). Horizons

considers that the regional plan is the most appropriate place for significance criteria as they can be then be used to guide the consent decision making process.

42. The significance criteria provided in Horizons' regional plan otherwise meets the obligations of Policy 2 and Policy 3 of the Proposed NPS.
43. Horizons submits that the NPS provides for situations where regional councils have taken on the responsibility for the protection of significant indigenous vegetation and significant habitat of indigenous fauna and reword Policy 3 to allow for this alternative. E.g.

"Any regional policy statement, or in the instance where a regional council has identified the responsibility for indigenous biodiversity protection in their regional policy statement, any regional plan, notified after the date on which..."

Submission point 10: Policy 4 – Identification of significant indigenous vegetation and significant habitat of indigenous fauna.

Support

Comment

44. Horizons considers the identification of significant indigenous vegetation and significant habitat of indigenous fauna is a crucial first step for the protection of indigenous biodiversity on private land. A schedule can be an extremely efficient method for identifying what elements of indigenous biodiversity are important for the maintenance of national biodiversity, while providing a clear message in regards what indigenous biodiversity will be protected. Such a schedule should not need to list specified *sites* or be accompanied by maps to provide an appropriate level of information (see submission point 12).
45. Horizons notes it is unclear whether the identification of sites and the listing of criteria must occur within five years of the NPS taking effect, or whether only the criteria needs to be included in planning documents within this timeframe. This should be clarified to the effect that both the identification of significant indigenous vegetation or significant habitat of indigenous fauna (see submission point 12) and the listing of the criteria are time-bound.

Submission point 11: Policy 4 – Obligation on both district and regional councils to identify significant indigenous vegetation and significant habitat of indigenous fauna in their plans.

Oppose

Relief sought: Change wording of policy to read:

"District plans ~~and any relevant~~ or, in the instance where a regional council has identified the responsibility for indigenous biodiversity protection in their regional policy statement, regional plans shall identify..."

Comment

46. In the case of the Manawatu-Whanganui Region, it would be illogical for territorial authorities to identify areas of significant indigenous vegetation or significant habitat of indigenous fauna given they have already agreed for Horizons to take responsibility for the protection of these areas. This obligation would impose an unnecessary expense on the territorial authorities of the region, and serve only to provide confusion to the ratepayers as to the roles and responsibilities of the district or regional council.
47. It is Horizons submission that Policy 4 provides for those regions where the territorial authorities have agreed to the regional council taking responsibility for protection of significant indigenous vegetation and significant habitat of indigenous fauna, and that the wording of Policy 4 reflects this. E.g.

“District plans ~~and any relevant~~ or, in the instance where a regional council has identified the responsibility for indigenous biodiversity protection in their regional policy statement, regional plans shall identify...”

Submission point 12: Policy 4 – Identification of areas of significant indigenous vegetation and significant habitat of indigenous fauna and emphasis on mapping such areas.

Oppose

Relief sought: Change wording of policy to read:

“...shall identify using ~~(where practical) maps and/or schedules, areas of the habitat types or habitats to be regarded as~~ significant indigenous vegetation or significant habitat of indigenous fauna.”...

Comment

48. The current wording of Policy 4 is overly prescriptive, and lacks a focus on the outcome sought by the policy. Mapping (the provision of a spatial reference derived from either in-field survey or desktop analysis) and consequent scheduling of sites is only one method to achieve the identification of significant indigenous biodiversity.
49. The identification of important sites for listing in plans is also an extremely time and resource hungry approach. This approach also invariably produces an incomplete list of areas of significant indigenous vegetation or significant habitat of indigenous fauna. In the past, to address the resourcing issues implicit with this approach, many territorial authorities simply appended lists of Recommended Areas for Protected (RAP) identified by the Department of Conservations Protected Natural Areas Programme to their plans in an attempt to identify significant indigenous vegetation or significant habitat of indigenous fauna. Although the RAP sites can reasonably be regarded as significant, they are not an exhaustive list of areas that should be regarded as significant.
50. Therefore, current schedules will be incomplete when compared with the obligations of Policy 2 and Policy 4. Many local authorities still do not hold comprehensive information on every patch of indigenous vegetation throughout their areas of jurisdiction. Employing methods rather than mapping (i.e.

identification of habitat types) can be cost-effectively implemented in the absence of exhaustive knowledge at the property scale.

51. Further, listing of sites (areas) identifiable at the property scale within planning documents, creates the opportunity for litigation with individuals regarding inclusion. The discussion becomes one driven by wishes of landowners rather than by ecological science. Long lists (i.e. those parts of the country with a large number of significant areas) can become compromised to become more palatable.
52. Potential tools used to identify habitat important to the protection of indigenous biodiversity has progressed markedly in recent years. For example spatial predictive computer models that model environmental pattern can be used to make quantitative predictions of habitat composition (e.g. the Predicted Potential Natural Vegetation of New Zealand, Leathwick et al, 2004). Application of such tools in conjunction with national spatial databases (e.g. Landcover Database 2) allows for past indigenous vegetation cover patterns to be compared with current patterns and the degree of loss to be determined. This methodology (e.g. Maseyk, 2007; Maseyk, 2008) is robust and defensible and has become increasingly recognised as a valid approach to identify areas of significance and justify the need for indigenous biodiversity protection (Leathwick et al, 2003; Leathwick et al, 2004; Rutledge et al., 2004; Walker et al, 2005; Walker et al, 2006).
53. The development and uptake of these tools has allowed for a progression from the identification of sites (areas) to the identification of habitat types. Habitat types are used to identify difference in biodiversity pattern across the landscape. By differentiating between the variance in habitat type, difference in biodiversity pattern (species variance) is recognised.
54. Detailed information (as gleaned during in-field survey) and spatial knowledge is highly useful for several components of managing and protecting indigenous biodiversity, for example for state and trend monitoring, or for the prioritisation of enhancement funding initiatives. However, Horizons does not consider it necessary for the development of regulation.
55. The indigenous biodiversity regulatory provisions of the Proposed One Plan are founded on a schedule of 32 ecologically defined habitat types identified using national spatial databases, statistical modelling programmes, expert opinion and observational data. The schedule does not list (or provide geographical reference at the site scale) areas or discrete sites. Each of the 32 listed habitat types are classified as either *rare*, *threatened* or *at risk*. Patches (areas) of rare or threatened habitat types are regarded as significant. Patches of at risk habitat type are assessed for significance using criteria listed in the regional plan (the criteria incorporate the elements of indigenous biodiversity listed in Policy 2 of the proposed NPS). The approach taken within the proposed One Plan has avoided the considerable cost required to field survey and individually assess all patches of indigenous vegetation and habitat within the Region. The analysis and consultation was conducted over only a couple of years, a timeframe considerably shorter than would be required to undertake field survey.
56. The methodology used in the proposed One Plan was subject to scrutiny during public consultation, expert caucusing and the plan hearing. While, the

biodiversity provisions of the proposed One Plan are currently under appeal, none of the appeal points relate to the technical aspects of the approach taken by Horizons. The proposed One Plan and its development is a current example of the economic efficiencies that can be gained, and the more comprehensive protection of indigenous biodiversity that can result, by using alternative methods to identify significant indigenous vegetation or significant habitat of indigenous fauna.

57. Individual councils may choose to undertake mapping exercises but they shouldn't be obligated to do so. The explanation document accompanying the proposed NPS recognises the usefulness of using habitat types (as opposed to mapping) to identify significant indigenous biodiversity. However, it is Horizons submission that this is not explicit in a useful way in the current wording of Policy 4 and suggests rewording the policy to shift the focus from a method to the desired outcome. E.g.

"...shall identify using (where practical) maps and/or schedules, areas of the habitat types or habitats to be regarded as significant indigenous vegetation or significant habitat of indigenous fauna."...

Submission point 13: Policy 5 – Inclusion of an effects management hierarchy
Support

Comment

58. Horizons strongly supports the effects management hierarchy in the application of avoiding, remedying or mitigating prior to considering the application of offsets which are only to be used to address residual effects. This hierarchy is a fundamental concept of the application of meaningful biodiversity off-sets designed to result in tangible biodiversity gains.
59. Clearly stating this hierarchy within Policy 5 makes it very clear that biodiversity offsets are not a ticket for consenting an activity where adverse effects on indigenous biodiversity can be avoided or remedied in the first instance. The emphasis on offsets only applying to *residual* effects contributes to this principal.

Submission point 14: Policy 5 – Biodiversity offsets.
Support in part

Relief sought: Remove Schedule 2. Capture offset principles within Policy 5. Incorporate the Department of Conservation project by reference rather than schedule.

Comment:

60. Horizons acknowledges that biodiversity offsets have been attempted through the consent granting process for some time now and to varying degrees of success. It is also evident that previous attempts at offsetting have fallen short in their calculation, application, compliance and desired outcome. In light of this, Horizons supports the inclusion of a policy capturing biodiversity offsets within the NPS in that the provision of national policy and guidance will improve the process.

61. Policy 5 allows for adverse effects on significant indigenous vegetation or significant habitat of indigenous fauna that are *more than minor*. To meaningfully meet the purpose and principles of the RMA, and the objective of the proposed NPS, the procedural application of biodiversity offsets needs to be extremely rigorous, guided by defensible principles, and applied in a highly transparent manner.
62. Offsets have the potential to result in true gains in regards indigenous biodiversity protection and enhancement. When taking an assumption of collaboration, the conceptual application of offsets appears easy. However, it is the common experience of local authorities that such processes are frequently adversarial. Therefore, it is fundamental that the core principals of offsetting are explicitly stated within the policy in order to provide clear guidance as to their application.
63. The Department of Conservation's (DOC) Biodiversity Offsets Programme is investigating the concept of biodiversity offsetting in the New Zealand context. This research programme will not be completed until 2012. Until such time it does not seem useful to tie the NPS (by way of Schedule 2) to processes which are still being developed for New Zealand. Therefore, Horizons submits that Schedule 2 is removed from the NPS, and the outcomes of the DOC research programme are incorporated into the NPS by way of reference. This will avoid binding the implementation of offsets to the current way of thinking, and allow the evolution of this area of indigenous biodiversity management in New Zealand as the science and experience becomes available.
64. With the removal of Schedule 2 the need to explicitly incorporate core principals of applying biodiversity offsets within the policy itself becomes imperative. Such core principals include:
- a. Can only be used as a last option after all attempts to avoid, remedy or mitigate have been explored.
 - b. Some habitat types or areas of habitat are not tradable and can not be offset (no-go areas, e.g. naturally rare ecosystems).
 - c. Should be used to preferentially replace like for like (ecological equivalent) or where not like for like a better outcome.
 - d. Based on sound knowledge of the values of the site to be impacted on and the offset site.
 - e. Can be used to create new habitat or to protect existing habitat where this results in a significant improvement of condition and where enhancement works would not have been undertaken otherwise (i.e. targeted at sites that would have been lost or remained degraded without the offset).
 - f. Enduring, whereby they adequately offset the impact for the duration of the impact.
 - g. Considered in light of the uncertainty (inability to predict outcomes of management actions or long-term impact of the activity) and the time-lag that is often involved. Time-lags include ecological time-lags and delays in implementing offsets.
 - h. Are enforceable, monitored and transparent.
65. The proposed One Plan refers to "net gain" (Policy12-5(b)(ii), Policy 12-5(c)(iii), & Policy 12-5(d)) in regard to the application of offsets as opposed to "no net loss". The use of 'net gain' is more inline with the generally accepted goal of biodiversity offsetting which is ultimately a greater biodiversity outcome

than can be achieved with remediation or mitigation. Whilst acknowledging the inherent difficulty in measuring either “net loss” or “net gain”, Horizons considers that the NPS policy on offsets should encapsulate a goal of net gain.

66. The inclusion of a policy on biodiversity offsets in the NPS needs to incorporate guidance on the scale of both the application of the offset and the scale at which the no net loss (or net gain) is to be achieved. Structured and meaningful biodiversity offsetting is relatively new to New Zealand. Decision makers and plan implementers have little experience in their application (either the ecological assessments and calculations or the procedural processes required). Therefore, for the policy on offsetting to be successful it needs to be accompanied by implementation guidance and training of council staff.

Submission point 15: Policy 6 - Supporting maintenance and enhancement of indigenous biodiversity.

Support

Comment:

67. Horizons is strongly supportive of Policy 6. While regulation can ensure the persistence of biodiversity pattern across the landscape, enhancement actions are imperative if biodiversity processes are to persist. Management actions can reverse degradation processes and trajectories of decline (Smale et al. 2005).
68. Horizons agrees with the acknowledgement within Policy 6 of the contribution of indigenous biodiversity (including common species) outside of significant indigenous vegetation or significant habitats of indigenous fauna to indigenous biodiversity pattern and process across the landscape. However, due to the importance of enhancement in ensuring indigenous biodiversity protection, Horizons considers this policy should apply to all indigenous biodiversity (including significant indigenous vegetation or significant habitat of indigenous fauna).
69. Horizons is supportive of the acknowledgement of the interconnections between areas of biodiversity and between terrestrial and aquatic systems inherent in Policy 6.

Submission point 16: Policy 6 – Wording of 6e.

Support in part

70. The current wording of 6e is complicated and mixes several management methods (planting, pest control, creation of habitat) with best practice (eco-sourcing). The components captured by 6e should be addressed in their own right. In particular, pest plant and pest animal control is a key function of regional councils and a very important and successful tool for the enhancement of existing indigenous biodiversity. As such it should have more attention within Policy 6.

Submission point 17: Policy 6 – Provision of technical advice and practical help

Support in part

71. The provision of technical advice and practical help is currently already undertaken by many local authorities. Horizons acknowledges that providing such a service is instrumental in developing constructive relationships with landowners and community groups and often results in tangible positive biodiversity outcomes. However, provision of such a service, particularly at a scale to make a difference has associated costs. Whilst it is acknowledged that funding mechanisms do not sit within an NPS, Horizons would be appreciative of central government funding initiatives to support such programmes.

Submission point 18: Lack of policy regarding monitoring

Oppose

72. The NPS should include a policy that requires local authorities to undertake state and trend monitoring of indigenous biodiversity using monitoring indicators and methodologies that are consistent with nationally accepted monitoring frameworks. Monitoring of policy effectiveness is key to determining whether a policy is effective.
73. It is Horizons opinion that a policy to this effect does not dictate measurable standards nor will it provide enough prescription to be considered more appropriately housed in an National Environmental Standard (NES).
74. The NPS currently contains Policy 8 regarding consultation which from a policy sense is more akin to a method. Given the NPS already includes policies which are methods there appears no justification not to include a policy regarding monitoring. Section 45(1) of the RMA allows a NPS to include objectives and policies for matters of national significance.

Submission point 19: Cost-benefit analysis

Note

75. Horizons submits that, in addition to consideration of costs to landowners, that any cost-benefit analysis conducted in relation to the NPS also attempt to assign a value in a real sense to the ecosystem services provided by indigenous biodiversity. Further, the economic efficiencies of protecting existing habitat and indigenous vegetation cover compared with creation of new habitat needs to be captured. Ideally, such analysis would incorporate the certainty of occupancy of indigenous vegetation cover now versus the uncertainty of successful establishment of indigenous vegetation cover in the future.

Submission point 20: Definitions of 'maintenance' and 'no net loss'

Note

76. Horizons notes that the definition provided in the proposed NPS for 'no net loss' is extremely difficult to measure, particularly as the definition is silent in regards providing guidance on the scale at which 'no net loss' is to be measured.

77. Incorporating the concept of 'no net loss' into the definition of 'maintenance', again without clarification of scale, adds to the uncertainty as to how both 'maintenance' and 'no net loss' are defined and measured.

Submission point 21: Definitions of 'reasonable'

Note

78. Horizons notes that the proposed NPS does not provide a definition for 'reasonable' (as used in the objective). The concept of 'reasonable' is highly subjective, open to inconsistent application across different communities, likely to change over time, be influenced by the economic environment of the day, and is hard to measure. The use of 'reasonable' without providing guidance as to its meaning risks further declines in indigenous biodiversity.

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A Significant decision? If Yes	N
Do recommendations meet Significance Policy (contained within the LTCCP)	

Item No: 9
Date: 12/04/2011
Report No: 11-58
File No: OFS 6 02

FUNDING OF TARARUA FENCING CAMPAIGN

PURPOSE

1. This report is to update members on the current status of the Tararua Fencing Campaign and to make recommendations on its funding.

FINANCIAL IMPACT

2. Overall there are no adverse financial impacts relating to this item, however this paper does discuss options to use savings and surpluses from other areas of business to partly fund the programme.

COMMUNITY ENGAGEMENT

3. The community affected by these recommendations have been fully updated via personal letters regarding funding while media articles have also been released outlining the wider success of the campaign.

BACKGROUND

4. During 2010 Horizons came under some criticism for its perceived lack of action regarding water quality improvement, particularly within the Manawatu Catchment.
5. One area where improvement was seen as stalling was the Region's progress towards the goals contained in the Dairy and Clean Streams Accord (Accord), particularly targets relating to fencing (stock exclusion) of waterways. The Accord is an industry-led initiative that is supported by Horizons via its Environmental Grant process.
6. According to the latest figures contained in the Accord report for 2009-10 the Region had successfully fenced off over 75% of its waterways that met the Accord definitions.
7. In 2009-10 Horizons' support for the Accord and its fencing targets cost approximately \$130,000, which has translated into 70 km of fencing. Generally the Environmental Grant budget is 90%-95% subscribed and has over time accrued a favourable targeted rate variance (surplus) of \$49,000 as at June 2010.
8. Environmental Grant policy generally caps funding or support for such initiatives at 30% of the costs or \$10,000 for any one project. However, the policy does offer some discretion (within delegations) to provide higher percentage or grant rates.
9. Based on the information available at that time it was felt the remaining 25% of unfenced waterways could be incentivised by offering a grant rate of 50% to individual applicants and 75% to multiple applicants in a shared catchment.
10. Costs to fulfil this programme were estimated at approximately \$45,000.
11. An extensive advertising programme was approved with applications closing at the end of November 2011.

12. The success of this programme has far exceeded expectations with 82 individual applications received. Fencing will exceed 200 km, with potential costs to Horizons in excess of \$350,000.
13. At the time Council were alerted to this over subscription and subsequently instructed management to review the programme, and delegated authority to the Chief Executive to allow him to prioritise spending from within similar projects, while also requesting management look at potentially phasing the financial impact over subsequent years.
14. In total 55 farms have been visited and assessed, 11 farmers have cancelled with another 22 still to be visited. A total of 160 km of fencing has been confirmed at an estimated cost to Council of \$315,000 (ie. an approximate \$1.96 per metre subsidy).

FUNDING

15. It is proposed to fund \$166,500 of this expenditure in the current financial year. Whatever works cannot be completed in this financial year due to Council funding constraints will be rolled into next and future financial years. In fact it has already been agreed with owners of some of the larger fencing projects to have the works spread across two or more years.
16. The following steps are proposed to bridge part of the funding gap in this financial year. The steps, funding amounts involved, and impacts of these steps on existing programmes are set out below.

FUNDING SOURCE	AMOUNT	IMPACT ON EXISTING PROGRAMMES
Reallocate part of 2010-11 Environmental Grant	\$100,000	Redistribute unallocated funding and savings* in the Land (\$64 k), Wetlands (\$3 k) and Bush (\$33 k) components of the Environmental Grant. This will have no impact on the Wetlands programme. The Bush funding has become available due to a number of large projects being cancelled in December 2010. The main impact will be in Land where the number of pole planting projects will be approximately halved. The amount allocated towards pole planting in 2010-11 is the same as what the Land component of the Environmental Grant is proposed to be reduced to in 2011-12 (\$80 k).
Securing of external funding	\$17,500 from He Tini Awa Trust	No impact
Reallocation of carried-forward EUAC rate from 2009-10	\$49,000	No impact – this is unspent funds from a previous financial year
TOTAL	\$166,500	

* - savings are created by works coming in less than budgeted, and by projects being cancelled/partially completed

RECOMMENDATIONS

17. That the Committee recommends that Council:

- a. **receives** the information in Report No. 11-58; and
- b. **endorses** the proposed funding strategy to partially bridge the funding shortfall for the Tararua Fencing Campaign.

C C Mitchell

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