

## HIGH COUNTRY CONFERENCE 2009

*A good number of delegates enjoyed the hospitality of the Chateau on the Park, Christchurch, for this year's High Country Conference. As well as a great venue and good food there were some informative guest speakers. Here is a brief summary of what they had to say.*

### High Country landholders good custodians



This year's Conference keynote speaker was the Hon Kate Wilkinson. She tendered apologies from Ministers Williamson (Acting Land Information Minister) and Carter (Agriculture & Biosecurity).

She said that the Government was investigating how to put more funding into rural communities. High Country families do a remarkable job in looking after high country lands in a sustainable manner. The Government is developing a robust and workable High Country policy. The value of stewardship cannot be undervalued.

The Government supports using a wider range of protective options in the Tenure Review process when looking at protecting SIV's. She said that High Country landholders are just as good custodians of the land



as the Government. The Department of Conservation needs to work more at being good neighbours.

Kate Wilkinson commended on the work of the Hieracium Control Trust and also High Country support for David Norton's High Country Pastoral and Biodiversity Values project.

In response to a question the Minister stated that she could see no reason why the Government would increase its property portfolio.

### Strengthening relationships



Colin MacDonald, Chief Executive of Land Information NZ (LINZ) addressed conference. He said he was pleased at the strengthening relationship between pastoral leaseholders and LINZ. LINZ is here for the long run and the Department takes seriously its responsibility to ensure that the relationship between leaseholders and the Crown is healthy and robust.

LINZ administers almost three million hectares of Crown land outside the Conservation estate, or about eight percent of New Zealand's land area. Of this, 1.6million hectares, or just over half of the land we administer, is South Island high country pastoral land.

Developing and implementing the Government's South Island high country policy is one of three priorities the Prime Minister has agreed for the Land Information

portfolio. The review of pastoral land policy settings, including rental policy, as part of this key initiative has begun.

The Government has indicated its support for Tenure Review and for wider consideration being given to alternative mechanisms for protecting significant inherent values. As part of the policy work LINZ is exploring (along with the Department of Conservation) how more use can be made of covenants as a way of protecting these values, while allowing for ongoing economic use, and recognising leaseholders' stewardship role.

As the Minister indicated earlier, funding for Tenure Review is being closely monitored. The Tenure Review programme is proceeding, but expenditure on reviews needs to be within the constraints of the annual budget.

Mr MacDonald also outlined changes to LINZ's senior leadership team and announced that Brian Usherwood has been appointed to the new role of General Manager

### HIGH COUNTRY FIELD DAY

Planning is under way to hold the High Country Field Day during the first week in March 2010. The final date will depend upon the availability of various guests, whom we hope to have in attendance.

The Field Day will entail a 4WD trek, starting in Cromwell. The journey will then take us through the Nevis and conclude with a social wind-down at Garston.



Look out for more details in your "Friday Flash" or check the web site [www.fedfarm.org.nz/industry/highcountry](http://www.fedfarm.org.nz/industry/highcountry)

Crown Property and Investment, and retains the Crown Pastoral land and Tenure Review functions from his previous position, including the functions delegated by the Commissioner of Crown Lands.



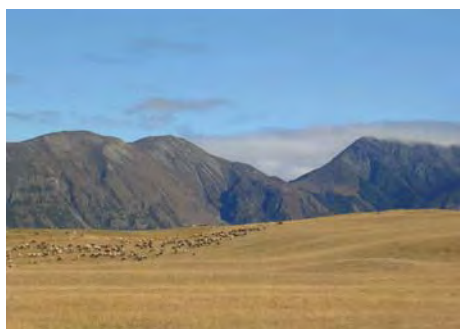
# Change in the High Country



Dr Jan Wright, Parliamentary Commissioner for the Environment addressed conference. The main focus of her presentation related to her report “Change in the high country: Environmental

stewardship and Tenure Review”. The report identified that we are in a time of change, but she said that protecting the environment and economic productivity were not incompatible. There needs to be a holistic approach by all involved. In addition to a volatile political attitude to Tenure Review there is:

- Rapid population growth.
- Divergence between pastoral productivity and land (and lease) values.
- Economy diversifying
  - tourism, vineyards, dairying ...
- Ecological transformation continues
  - rabbits, wilding conifers, hieracium ...



There were many reasons why change was wanted: “Policy” was stuck in a groove and

stakeholders were looking for a way forward with positive solutions. To achieve this objective the Commissioner had included nine recommendations in her report. These included:

- Proceed with individual Tenure Reviews provided the outcomes are demonstrably in the wider public interest.
- Establish an advisory High Country Commission for a fixed period.
- Remove preference for protecting SIVs by returning to Crown control from the CPLA.
- Regional Councils introduce rules for discharges to iconic high country lakes.

Dr Wright said that the factors that could require covenants are water quality; pastoral legacy; rare ecosystems, especially wetlands and viable native forest and scrub. The way protection is applied, however, lies largely in landholders’ hands. The biggest concern is water – “Others can protect it for you – Crown can buy up lakeside property or councils can make and enforce rules.” Right now farmers are in control of land use. Wise use of models like Overseer, which predict nutrient loss, help make good choices, which in turn will strengthen the case for landholders to retain that control.

Implementing whole farm management plans and use of sustainable management covenants are other systems worthy of investigation.

“QEII can covenant for anything - lock plans in without Government.”

## QEII and Covenants

The Chairman explained that the day’s final session was to look at some of the options available for covenanting. There would be a presentation from QEII followed by a panel question and answer session with various speakers. He noted that Al Morrison, Director General of DoC, had been invited to participate in this session. However, as the Department is currently reviewing its policy, Mr Morrison believed it inappropriate to be involved at this stage and tendered his apology.

The Chairman then invited Sir Brian Lochore, Chairman of QEII to address conference and introduce the members of his team. These were Margaret McKee (Chief Executive), Dr Brian Molloy (High Country representative) and Bernard Card (Director).

QEII is a statutory organisation established by Act of Parliament in 1977. The legislation is visionary and unique to New Zealand.

Farmers were the moving force behind the establishment of the Trust, which acts as a perpetual trustee for protected areas. It is independent of Government and managed by a Board of Directors.

Each QEII covenant is voluntary and is a legally binding protection agreement. It is registered on the title to the land and is binding on current and all subsequent landholders.



## Carbon project

Jim Morris explained a project for which he is seeking support from High Country and other organisations. He said that at 10 percent of total land area, South Island High Country lands are integral to New Zealand climate change solutions. However, very little information currently exists on the amount of carbon stored in tussock grasslands or potential management actions to increase carbon storage.



The aim of the project is to provide the necessary information for high country land managers to mitigate climate change and access new business opportunities, while improving the sustainable use of landscape resources. Given that exotic trees are generally precluded from use on much high country land this project will quantify potential carbon sequestration for native vegetation (both shrubby and non-woody) and soil across a range of land management options.

*We can now advise that this project has received SFF funding – slightly less than hoped for, but a move in the right direction.*

Private property rights are not jeopardised. The landowner/leaseholder continues to own and manage the land. Matters such as access are negotiated as a condition of covenant.

Each covenant is unique and there is great diversity among the covenants administered by the Trust.

As at March 2009 there were over 3,600 covenants covering almost 110,000ha from sea level to 2,200m. The largest covenant exceeds 6,500ha. There are 48 covenants in the High Country covering more than 15,000ha.

QEII will not progress an enquiry if the leaseholder has formally entered the Tenure Review process, unless requested by LINZ. The Trust can advance enquires from leaseholders providing they have either not entered into the Tenure Review process, or have formally withdrawn.

## Developments since conference ...

There have been some subsequent developments on issues discussed during the High Country Conference.

**Graham Reed** was elected Chairman of the Committee at the Committee's AGM which followed the Conference. Graham replaced Donald Aubrey who stood down after 3 years in office. Rob Stokes has been elected to take Graham's place as North Canterbury representative on the Committee. There has also been a change in South Canterbury where Will Murray stood down and has been replaced by **Bryn Murray** of the Wolds Station. As advised at Conference, Simon Williamson has taken on the vacant North Otago position. The full contact list for the committee is included in this newsletter.

The **High Country Carbon Project** funds application to the Sustainable Farming Fund, as outlined by Jim Morris has been partially successful. The official status is now that "Variation to the project (has been) agreed in principle but scope subject to discussion with project team." At this stage it means

that the project will proceed for the first year, at least, with the full project being dependent on developments and discussion between the Applicant Group and MAF.

The Committee has followed up some matters in the Parliamentary Commissioner for the Environment's report Change in the High Country. In particular we are pursuing the Commissioner's comment that there are "Potential problems with High Country waterways. The Commissioner has agreed to have an in-depth discussion with us on this, and at this stage the meeting will be held in October.

The Minister for Biosecurity has called for a report on the increasing incidence of **rabbits** in some areas, particularly parts of the South Island High Country. The report was due on 14th August and we expect it to give further emphasis to our case that Government must treat the situation with some urgency. A further meeting of the South Island Rabbit Coordination Group is scheduled for early October.



Following comments on more timely information, we are moving to **Electronic Newsletters** and adding a "Current Issues" section to our web page [www.fedfarm.org.nz/industry/highcountry](http://www.fedfarm.org.nz/industry/highcountry) It is quite possible that those of you whose e-mail address is registered on Federated Farmers' member database will not be receiving your High Country newsletter in its present form again unless you advise us that this is your preferred method of receipt (Contact Bob Douglas, Shona Sluys or Bronwyn Wilson on 0800 327 646). Future newsletters will be emailed. (They are already available on the web page).

## LVT finds in favour of Minaret

The main news since conference is that the Land Valuation Tribunal (LVT) judgement in the Minaret Case favours pastoral lessees. While it is disappointing that Government has decided to appeal the decision, lessees can take heart from the Ministerial statement made in reference to the appeal: "The Government has no intention of revisiting ... including amenity values in the rent setting process".

Our congratulations and appreciation go to Jojo and the Accord team for achieving this result. Theirs was a well run campaign and they stuck to their guns in what has been a very drawn out physically, mentally and financially draining effort. The Accord was formed specifically to deal with Tenure Review and pastoral lease issues as increasing pressure was applied to lessees by the previous Government. This result has proved the wisdom of this move and I think it will signal a major turning point in the Tenure Review and rental processes.

You will have seen a number of comments on the decision, but in brief the judgement agreed that:

- This was regarded as a test case.
- Intrinsic amenity values should not be included in LEI.
- LEI should be based on conventional pastoral farming use.
- Burning is an improvement.

This whole valuation saga has been extremely frustrating for a number of reasons.



Apart from the fact that it was clearly unfair, previous court cases had already established LEI valuation procedures. Government's shifting the goal posts after almost 60 years was clearly an attempt to force an agenda. Lessees' objections were met with protests of innocence from LINZ officials who suggested we "test it in court".

This suggestion was made in the full knowledge of what such action would cost both parties. Federated Farmers High Country, in its submission to Government's Preliminary Response to the Report of the High Country Pastoral Leases Review recommended that "Government cover all legal costs of an approved lessee representative organisation in seeking a judicial interpretation on valuation methodology" if it were genuine in its wish to clarify the situation.

We still believe this should be the case. At the time we were quite clear in our own

minds that we were right and Government's interpretation has now been adjudged incorrect by the LVT.

As expected, proving that we were right has been costly. The Fish & Game access case was similar. In both cases lessees were forced into a position to defend a position they knew was right. In both cases the court upheld that opinion – yet the total cost to lessees in defending these cases was well in to seven figures.

### What price justice?

Nonetheless, as a committee we felt that these cases were a must win for a great many of our members. We willingly supported the defence actions with significant contributions from our support and Trust funds. The Farmers Fighting Fund also contributed, but the bulk of the cost was borne by the Accord, from its member contributions and associated parties.

It would appear the Crown strategy was to beat the Lessees down with huge resources. While this has failed, matters such as back rents are still to be resolved. Perhaps some goodwill from LINZ would be timely.

On the brighter side, we had a very positive meeting with the new LINZ Minister Maurice Williamson recently; we are looking forward to a fresh start under new management.

**Graham Reed -  
High Country chair**



# Transport update

Transport regulations can be a real hassle for farmers. Fortunately, Federated Farmers has had a number of wins in this area recently which will save farmers time and money. There's also a few more wins potentially in the pipeline:

## Work Time and Logbooks

Tractors and agricultural vehicles were finally exempted from the 2007 Work Time and Logbooks Rule when an amendment came into force on 15 January 2009. Work-time limits made it impossible for agricultural/harvest operations to be legally carried out during the high demand harvest period. As a result of the passage of the amendment, tractors and other agricultural vehicles of up to 18 tonnes (or 25 tonnes for a tractor-trailer combination) can now be driven on a class 1 (car) licence, so long as they are driven at speeds not exceeding 30kph on road. As the work time rules do not apply to vehicles driven on a class 1 licence, the effect of this change is to exempt tractors and agricultural vehicles from the work-time and logbooks rules.

## Overdimension Vehicle Permits

The Federation has persuaded the government to scrap the requirement for overdimension agricultural vehicles to obtain a permit to drive on the road during weekends and public holidays. The requirement to get a permit to drive these vehicles over the Christmas/New Year period – in the middle of the busy harvest season – was a nuisance and an unnecessary compliance cost. This is especially true when you consider that pretty much every vehicle that has ever been presented to get a permit is able to meet the requirements, making the permit system a complete waste of time. All that remains now is for officials to draft up and pass the rule change, hopefully by the end of this year or the beginning of next.

## Time licence review

Another promising development is a review of the time licence system and associated with this a review of registration requirements for agricultural vehicles. Abolishing the time licence system was one of the recommendations of the recently completed Road User Charges Review. What Federated Farmers and others are pushing for is for all agricultural vehicles (tractors, combine harvesters etc.) to be able to be registered EB (exempt from RUC), and hence pay for their road use through the existing Motor Vehicle Registration fee. This would allow for easier compliance for farmers and agricultural contractors. As part of the review, there is also a chance to simplify the rules around EB registration such as the limit of a 21km round trip.



## CoF offsites

Federated Farmers met recently with the New Zealand Transport Agency to discuss Certificate of Fitness (CoF) offsites. Originally the NZTA had planned to shut down 54 offsites on 1 June 2009. The Federation has managed to persuade NZTA to keep 18 of those offsites open, so far, with the review process still underway and the decision on many sites still to be made. The 18 offsites that are confirmed to remain open are in Amberley, Clandeboye, Coromandel, Cromwell, D'Urville Island, Geraldine, Hokitika, Linton, Maramarua, Marton,

Ngaruwahia, Opotiki, Otematata, Raetihi, Ranfurly, Waiouru, Waiuku, and Winton.

## Heavier trucks

The Government, with the Federation's support, is also in the process of pushing through changes which will allow heavier trucks on permitted roads. Allowing trucks to have heavier payloads will reduce freight rates, increase economic efficiency, reduce the number of truck trips, improve safety on road and reduce emissions. The Ministry of Transport and New Zealand Transport Agency have known for years that bigger trucks bring these benefits, so it's really a no brainer.

## Agricultural Vehicles Guide

Finally, the Agricultural Vehicles Guide is now available in hardcopy form. The Federation worked with LTNZ and others to put together this booklet, which contains all the rules and regulations farmers need to know to drive agricultural vehicles like tractors and combine harvesters on road. While Federated Farmers Grain & Seed members will receive a copy with the next Federated Farmers magazine, other members can order a copy by ringing 0800 FARMING or by visiting the Federation's website, [www.fedfarm.org.nz](http://www.fedfarm.org.nz).

If you would like to discuss transport rules, please contact William McGimpsey on 0800 FARMING (327 646).

## Federated Farmers High Country Industry Group Committee 2009



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