



ENVIRONMENTAL DIVISION
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Proposed National Policy Statement for Indigenous Biodiversity

Ngati Tahu-Ngati Whaoa Runanga Trust (NTNWRT) would like to thank the Ministry for the Environment for the opportunity to provide a submission on the proposed National Policy Statement for Indigenous Biodiversity.

We make the following submission points on the discussion document for your consideration:

Section A.2: Recognising Te Ao Maori and the principles of the Treaty of Waitangi

The Runanga supports the intent of the document in recognising Te Ao Maori and the principles of Te Tiriti o Waitangi and highlight the importance of ensuring that iwi are included based on their status as the mandated iwi authority representing mana whenua in the first instance and those with kaitiaki interests in the second. This is to ensure that tribal boundaries are identified and respected when engagement between district councils and iwi when incorporating local matauranga and tikanga Maori.

Section C.2-Providing for specific new activities within SNAs

Overall the management of adverse effects on SNAs set out in Section 3.9 of the NPSIB is supported by the Runanga but it is unclear why mineral and aggregate extraction has been included in Section 3.9(2) d)ii other than the possibility of mining “green” minerals in the future. The extraction of these products should not be at the cost of the environmental wellbeing of the area and adverse effects should be required to be avoided as per Section 3.9(1). The Crown Minerals Act is applied to all mining applications but specifically addresses those effects not covered by other legislation such as the RMA. Making allowance for these types of activities in the RMA can only be interpreted as placing economic wellbeing above the other three wellbeings which is not acceptable.

Section 3.9(2) iii and iv allow for development on Maori land associated with customary activities or that will make a significant contribution to tangata whenua wellbeing. The Runanga request that the wording of these two sentences be changed by:

1. Removing the reference to customary activities in iii (the provision of papakainga, marae and ancillary community facilities ~~associated with customary activities~~ on Maori land)
2. Removing the word significant in iv as it is unnecessary and open to interpretation by those other than tangata whenua (the use of Maori land in a way that will make a ~~significant~~ contribution to enhancing the social, cultural or economic wellbeing of tangata whenua)

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Section C.5- Managing adverse effects on biodiversity outside SNAs

In 2018 Rotorua Lakes Council undertook a review of their existing and new SNAs. As part of that process it was noted in their ecologist's report that damage had occurred to at least one existing SNA by plantation forest harvesting carried out beside the SNA. The ensuing conversation with the Rotorua Lakes Council representative uncovered that there was no requirement to apply for a resource consent to harvest the neighbouring trees therefore no safety mechanisms were required to be implemented to protect the SNA. The introduction of at least a 20 metre buffer zone from the boundaries of an SNA should be introduced as a means of requiring neighbouring activities to ensure protection of the SNA during operations.

Section C.6-The use and development of Maori land

In Section 3.7 of the NPSIB -Social, economic and cultural wellbeing, historical constraints that have applied to Maori land should also be required to be recognised by local authorities in implementing the NPSIB (added as 3.7 g).

Section C.8-Applying a precautionary principle to managing indigenous biodiversity

The wording does not make clear the intent of the section. If little is known regarding the effects on indigenous biodiversity how can it be known that effects may be potentially significantly adverse? One solution would be to require an environmental evaluation of the area in question at the time of application to provide some basis for robust decision making, which is what some district councils already require.

Section C.9-Managing effects on geothermal ecosystems

By its very definition geothermal electricity development does affect indigenous biodiversity however minimising that affect and maintaining protection of the unique ecosystems is possible as has already been demonstrated by recent geothermal developments. Within our rohe we have some of the best and worst examples of geothermal electricity generation. Through existing RMA legislation, joint ventures between our iwi and another entity have produced three geothermal electricity generation plants that have minimised the effect of these developments while maintaining the kaitiakitanga of the geothermal ecosystems. This has been achieved through thorough research and extensive modelling as to the possible effects of such a venture then planning to avoid those effects wherever possible. Current consent conditions also require a robust monitoring programme so adaptive management can be implemented should a risk of adverse effects on our taonga become known.

If change is required to achieve national consistency then Option 3 is the most appropriate method of management to provide high level guidance for those regional councils that don't have a system already in place. However iwi Maori should be intimately involved in the classification process where there is not one already in place, not only the identification process as specified in Part 3.14 of the NPSIB

Section D.2-Restoring indigenous vegetation cover in depleted areas

The Runanga supports the intent to increase indigenous vegetation cover across regions but priorities should be allocated to both rural and urban areas after consultation with iwi on their plans,

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goals and aspiration based on local knowledge. Targeting urban areas with less than 10 per cent cover is an appropriate initiative however there is no mention of any targets for rural areas which may potentially lead to these areas being overlooked when regional funding is allocated.

Section E.1-Monitoring and assessment of indigenous biodiversity

As per the above comment, the Runanga supports the intent of this section however matauranga Maori monitoring methods are not recognised as having equal weight with western science due to the wording in Section 3.20(2) d) beginning with “to the extent possible”. This wording should be removed as it creates uncertainty and ambiguity. Also, matauranga Maori differs between each iwi and as such it may be difficult to establish nationally agreed standards that include this component. It would be more realistic to use trend analysis on the current health of indigenous biodiversity, gathered through matauranga Maori, for comparison on a national basis.

Section E.4-SNAs on public land

Given the amount of public land that includes SNAs and the expectation put on regional authorities to increase vegetative cover as stated in Section D.2 it would be impossible to accurately calculate existing cover without including public land. Also, legal protection of public land by other legislation focuses on restricting or prohibiting development or use. It does not address the biodiversity or cultural values of these lands so inclusion within this legislation provides the requirement to protect, restore and enhance those areas identified on public land as SNAs as is expected of all private land.

Unfortunately, the Runanga can speak from experience on this as we have had to address the poor state of indigenous biodiversity within some of our lands returned through settlement that were previously managed under the Conservation Act. Wilding pine are one of the biggest threats to geothermal ecosystems by shading out indigenous flora and root systems undermining the land surrounding surface features. Reserve land returned through settlement at Orakei Korako, our ukaipo, was so infested with wilding pine that restoration action was taken immediately by the Runanga to protect our taonga geothermal features and ecosystems from irreparable damage. The removal of wilding pine on Crown land in other parts of our rohe (LINZ land and DOC Reserves) is not necessarily seen by Crown as a funding priority which is undermining iwi efforts to re-establish indigenous vegetation and protect our many other geothermal taonga along the banks of Te Awa o Waikato and its tributaries.

The inclusion of public land demonstrates the Crown’s commitment to all six objectives of the NPSIB and provides a more clear and transparent understanding of the current state of indigenous biodiversity in the country. Failure to include public land is not an option if the government expects support from tangata whenua and other landowners to implement this national policy statement

Section E.7-Guidance and support for implementing the proposed NPSIB

Most territorial authorities, land owners and tangata whenua will struggle to manage the cost and resource burdens associated with implementing the NPSIB. Provision must be made by central government to fund this work if it is to achieve the intent of the document. Other support and guidance will also be required through the sharing of knowledge, information and expertise such as that available within the Department of Conservation.

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Naku noa, na



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