



25th February 2020

Submission on National Policy Statement for Indigenous Biodiversity in Aotearoa

Nga Maunga Whakahii o Kaipara Development Trust (Ngāti Whātua o Kaipara)

1. Nga Maunga Whakahii o Kaipara, 16 Commercial Road, Helensville, P O Box 41 Helensville 0840, makes this submission on the proposed National Policy Statement for improving Indigenous Biodiversity management in Aotearoa under the Resource Management Act (1991).

2. CONTEXT

Nga Maunga Whakahii o Kaipara Development Trust is the legal entity that governs the operations and management of Ngāti Whātua o Kaipara, Nga Maunga Whakahii o Kaipara Development Trust has responsibilities to uphold the cultural heritage and values of Ngāti Whātua o Kaipara that is embodied in the ethics of kaitiakitanga.

Nga Maunga Whakahii o Kaipara is a significant landowner in the Kaipara rohe, Auckland

Overview of the National Policy Statement for Indigenous biodiversity

Do you agree a NPSIB is needed to strengthen requirements for protecting our native plants, animals and ecosystems under the Resource Management Act 1991 (RMA)?

Position – Yes

Te Taiao (Indigenous Biodiversity) is a shared identity for Māori of Aotearoa. We are not separate from it; we are a part of it. The Mauri of biodiversity in Aotearoa is severely diminished and it is critical that we protect, restore, enhance and participate in sustaining, conserving and educating our biodiversity; our resources. Te Taiao provides us with what is crucial to our survival. Undervaluing, unclear and poor decisions of TeTaiao under the Resource Management Act 1991 has contributed to the current state in Aotearoa.

The scope of the proposed NPSIB focuses on the terrestrial environment and the restoration and enhancement of wetlands. Do you think there is a role for the NPSIB within coastal marine and freshwater environments?

Position – Yes

The Kaipara Moana encompasses almost half of the Northland region of the Rohe. There are Coastal areas recognised by Statutory Acknowledgement with the Crown. For Ngāti Whātua o Kaipara the harbours, Kaipara and Waitemata, the estuaries and rivers were



the pathways, linking all parts of the compass. This includes Te Oneone Rangatira (Muriwai Beach) a significant place for Ngāti Whatua o Kaipara. The Moana areas have the same value as whenua areas. Seaweed, kelp and seagrass habitats are as productive as rainforests and provide a critical basis for coastal food chains, nutrient recycling and carbon sink.

New Zealand's unique endemic biodiversity is beyond what we can even comprehend or appreciate. It is the land and water's integrity, the mauri (the essence of life) incorporating a sense of unique place. It is not disembodied information but part of a living matrix of biological systems and relationships, past and present, natural and spiritual. Biological systems are capable of performing complex chemistry. The cleansing ability of freshwater aquatic plants that use their Cell structures to absorb and store pollutants. It is our Biodiversity that we can learn from to create and prosper without using false, adverse methods. All Te Taiao is significant. It is the very reason we breathe.

Our legislation is out of date and does not relate to improving our indigenous biodiversity, and our decision-making frameworks have no integrity protecting our biodiversity and are structured to value economic outcomes. This is out of balance with the environment. Global environmental pressures and agreements such as climate change, zero carbon, extreme weather events, pests, diseases and pathogen incursions are challenges to the future of our biodiversity. SDM (Structured decision making) with the emphasis of Values-Focus-Thinking and Alternatives-Focus-Thinking is ideal for diverse stakeholders to bring the status to a secure platform (Gregory.Long.et, al, 2012). Aotearoa's prosperity, our key industries are built on our unique and diverse natural environment.

The current state of Biodiversity in Aotearoa:

- Our rare and naturally uncommon ecosystems almost two-thirds are threatened.
- Our Tussock grasslands, there is an ongoing loss.
- 90% of our coastal and freshwater wetlands have been lost or degraded.
- Indigenous forests are reduced to one-third of their pre-human extent.
- 45% of vascular plants, 75% of frogs and 80% of bats are threatened or at risk of extinction.
- 76% of freshwater fish and 26% of freshwater invertebrates are threatened or at risk of extinction
- Estuaries are under a multitude of threats, including all of those impacting the wider marine environment (sea level rise) and those originating from the land (sedimentation and eutrophication)
- Between 1950 and 2008, 80% of active sand dune area was lost
- 90% of seabirds, 80% of shorebirds, including the tara-iti, 26% of marine mammals, 9% of sharks, rays and chimaeras (ghost sharks) and 80% of marine invertebrates are threatened or at risk of extinction. **The current state is not acceptable. If the Mauri of our Biodiversity diminishes, our value of life diminishes.**

Changes Needed

Changes to our Biodiversity can only be achieved if we all work together. This includes, all New Zealanders as Kaitiaki (guardians), our behaviour towards nature, returning to



gratitude of the uniqueness of our Biodiversity and what it offers for our lives, covering all individuals from the education steps to the government departments. Collaboration, knowledge, investment, implementation and **action** in managing, protecting, restoring, increasing and enhancing our biodiversity.

What regulatory system or systems are already in place

The current structure that maintains and manages our biodiversity includes:

Treaty Partners – Iwi, hapu and whanau, Maori landowners

Communities – Landowners, conservation volunteers, restoration groups, ecosanctuaries, recreational users (hunters, fishers)

Government – Government agencies and departments, regional councils, district councils, territorial authorities

Research – Crown research institutes, universities, National science challenges

Businesses – Primary industries, tourism, electricity generators, mining

Environmental Non-government organisations (NGOs)

Action taking place at different levels includes:

Local – Iwi environmental management plans, community and site-based plans and strategies, farm plans, iwi and hapu, kaitiaki, landowners, community restoration and predator free groups, neighbourhood associations, businesses, schools, scientists, families, you.

Regional – Regional biodiversity strategies, (regional councils) and territorial authorities. Iwi/hapu, universities.

National – NZ Biodiversity strategy, Central government, NGOs, industry organisations, science challenges and national science collaborations, predator free 2050.

Global – International obligations, NZ engagement with international conventions (e.g. Convention on Biological Diversity)

Biodiversity regulatory system on public conservation land

- On public conservation land - The conservation Act 1987
- On public conservation land – The reserves Act 1977
- On public conservation land – The National Parks Act 1998
- On public conservation land – The Resource Management Act 1991 (RMA)

Nationally significant infrastructure

We need a nationally significant infrastructure for the control and compliance of Land use, subdivisions, any development within SEA areas, CMA areas, wetlands, and Geothermal areas. This is for the protection of indigenous flora and fauna, incorporating the Wai 262 (flora and fauna claim). The regulatory system needs to be updated to reflect the changes, international agreements, treaty partners management plans, cross cutting conditions, i.e. climate change, zero carbon. There are many government depts.



Doc, Ministry of Primary industries, Fisheries etc, that need to align with an overall national strategy and outcomes if we are to move forward as a country of integrity, towards long-term outcomes and vision.

What is the policy problem or opportunity?

The current problem is government Overseas investment office (OIO), Resource management act 1991 (RMA) and the Auckland Unitary Plan (AUP).

Intellectual property (I.P) rights over our indigenous Flora and Fauna is another issue to address. (Wai 262).

Section C – Managing adverse effects on biodiversity from Activities.

The proposed NPSIB does not provide the appropriate level of protection for SNAs due to legislation through the RMA Act to allow people to infringe using the wording of the Act i.e. Restricted discretionary etc. This contradicts our indigenous biodiversity on a continuous basis. The word “resource” is taken too lightly, and we need to have firm boundaries and compliance to it. The AUP is another regulation that contradicts, and fragments SEA areas driven by subdivision and housing. The OIO makes decisions about land use without appropriate consultation with treaty partners from within the rohe that the land was sold. Wai 262 is appropriate to address and incorporate into the national indigenous biodiversity strategy.

Nga Maunga Whakahii o Kaipara do not agree with the distinction between high and medium value SNAs. All Aotearoa biodiversity is unique and there is no distinction on our taonga.

The proposed approach to managing significant indigenous biodiversity within plantation forests, is over emphasised on forestry and carbon credits. The management of existing activities and land use, including pastoral farming needs to be changed and diversified, while also taking into consideration the water use for production. i.e. Avocado farming, nut, milk production. (High water use)

The proposed five years for the identification and mapping of SNAs is not reasonable. As soon as possible is vital. We also need to consider the bigger picture of high-quality land and versatile soil, vital to our biodiversity. As high-production land is taken out of production, and biodiversity is decreased, our food sources are impacted, and costs rise. Councils and territorial authorities need to work together to identify and manage highly mobile fauna outside of SNAs. For example, the ‘Hobsonville Kakapo’ *Epilobium hirtigerum*, hairy willow herb, is a critically threatened plant, this plant has been termed the ‘Hobsonville kakapo’ because its threat status matches that of the charismatic kakapo. The hairy willow herb has tiny white flowers, seed pods packed with 100 fluffy seeds. These are the stats that council and territorial authorities need to include, identify and manage.



Statistically, our indigenous biodiversity is over the tipping point and the only consideration for managing adverse effects is remediation and net gain. Mitigation under the RMA plan with a pb5 seedling plant with a 5-year management plan versus a 30-year native totara tree, is unbalanced, and unacceptable. The current formula of 1:1 does not take into consideration the maturity of biodiversity and the value and authenticity of the source. Local Eco-sourcing is also ensuring that our indigenous biodiversity is not contaminated.

The proposed NPSIB requires territorial authorities and regional councils to promote not just the resilience of indigenous biodiversity to climate change, but we also strongly suggest the protection of biodiversity areas. The biological reserve of the Kaipara sand dunes of Te Oneone Rangatira (Muriwai beach) hold unique biodiversity that can only be found there. The area contains a naturally occurring population of Titirangi/Napuka (Veronica Speciosa) a Plant which has a **Conservation Status of Threatened – Nationally Vulnerable**, therefore protection from **pests (pest management)** is another kaupapa that needs to be weaved through the strategy with clarity.

Parakai is a geothermal ecosystem in the rohe of Ngāti Whatua o Kaipara. It is a biodiversity geothermal field that needs to be monitored, measured and managed.

Ngāti Whatua o Kaipara Atuanui reserve is a significant 625ha biodiversity area. The second largest forest between Waitakere and Waipoua. Healthy kauri is under rahui protection in this reserve. Support and resource to protect the taonga and restore indigenous biodiversity in this reserve is bypassed, and not prioritised as funds are more focused on central urban areas.

There is lack of clarity around many functions regarding Aotearoa Indigenous Biodiversity.

- Maintenance/contractor functions
- Significance and protection of section 6 sites (plan changes AUP)
- Lack of clarity and alignment around roles and functions, i.e. govt, council, local board
- Lack of alignment and visibility with NGO organisations, restoration groups, of which monitoring could be co-ordinated with i.e Walk the line, Forest bridge trust, South Kaipara landcare, Northwest Wild Link
- Inconsistent collaboration around Mātauranga Māori and Te Tiriti o Waitangi, with government, council, territorial authorities and key stakeholders.
- Inability to protect significant trees such as Awhawhi (400-year-old Kauri at Titirangi)

Shifts to Support Change

A well-co-ordinated and value thinking biodiversity framework/system to enable, support and deliver action with clarity, responsibilities and accountabilities at all levels is the shift needed. There is no point creating a strategy with rules and regulations, if legislation is going to actively break, contradict, or mitigate these rules. It defeats the purpose of the goals and outcomes.

Kaitiakitanga and Mātauranga Māori perspectives are embedded throughout the biodiversity system. It enhances our treaty relationship, for overall success.



All New Zealanders are empowered to be kaitiaki, connecting, contributing, conserving, managing and appreciating the uniqueness of our taonga.

3. Conclusion

Our Ecosystems are all inter-connected. Water, soil, flora, fauna, moana, and air. We must get this system right if we are to make progress, acknowledging our tupuna of the past, and our mokopuna of the future.

Investment into Innovation, knowledge, research, sustainability, monitoring and compliance will be complex and costly, but with a national clear aligning framework setting firm foundations and creating values thinking strategy and adhering by them, Aotearoa mana and mauri of the people and the land will stand.

In line with Ngā Maunga Whakahii o Kaipara tikanga and the guiding principle of Kaitiaki, our aim is to leave the world a better place for future generations.

Our expectation is that the obligations under Te Tiriti will see Government Legislation lined up to stop the loss of Biodiversity in Aotearoa and mechanisms in place to help support a flourishing ecosystem and restoring the mana and the mauri of the environment.

Mauri ora

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