24 February 2020

Draft National Policy Statement for Indigenous Biodiversity
Ministry for the Environment
PO Box 10362,
Wellington 6143
New Zealand

SUBMISSION ON THE DRAFT NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY

Introduction

1. The Dunedin City Council (DCC) congratulates the Biodiversity Collaborative Group (BCG), Ministry for the Environment (MfE), and Department of Conservation (DOC) on the development of the Draft National Policy Statement for Indigenous Biodiversity (dNPS-IB) and appreciates the opportunity to provide feedback.

2. The DCC will also contribute a report to MfE on internal Council road-testing of the dNPS-IB as part of the process coordinated nationally by MfE and DOC.

3. This submission outlines the DCC’s roles and responsibilities in biodiversity protection and enhancement, and provides some general comments and recommendations regarding specific elements of the dNPS-IB and associated discussion document. Where specific comment is made that addresses a question from the discussion document it is referenced using the notation DDQ.

4. In 2016, the DCC adopted Te Ao Tūroa – The Natural World, Dunedin’s Environment Strategy 2016-2026. The Strategy takes a partnership approach to delivering on the city’s environment ambitions, with everyone working together to facilitate and secure a healthy environment now and into the future. The aspirational goals of Te Ao Tūroa are:

   - Dunedin is resilient and carbon zero – developing and implementing a climate change adaption plan and sustainable resource management;
   - Dunedin has a healthy environment – taking a landscape-scale approach to protecting ecosystems and increasing indigenous biodiversity; and

   • Dunedin is resilient and carbon zero – developing and implementing a climate change adaption plan and sustainable resource management;
   • Dunedin has a healthy environment – taking a landscape-scale approach to protecting ecosystems and increasing indigenous biodiversity; and
Dunedin people care for the natural world – engaging with the community and raising awareness of issues around the city’s natural environment.

4. Partnership with Kāi Tahu as kaitiaki is integral to achieving the city’s environmental outcomes set out in Te Ao Tūroa.

5. The implementation of Te Ao Tūroa is overseen, monitored and reviewed by the Te Ao Tūroa Partnership, the governance group for Te Ao Tūroa that includes a range of key city stakeholders and community representatives, of which DOC and Otago Regional Council (ORC) are members.

6. The DCC also participates in regional coordination of biodiversity issues through regular regional interagency biodiversity hui organised by ORC. These hui began in 2019 and the DCC is committed to active and constructive engagement with other agencies responsible for the management of Otago’s biodiversity.

7. In 2007, the DCC adopted A Biodiversity Strategy for Dunedin City which has guided DCC biodiversity actions over the last decade and is consistent with Te Ao Tūroa. The DCC plans to undertake a performance review of this strategy’s stated actions and goals and complete a Biodiversity Action Plan once key national strategic documents have been completed, i.e. the NPS-IB and Te Koioa O Te Koiora – A Biodiversity Strategy for New Zealand. This is likely to be in late 2020.

8. The DCC has a role and responsibility to identify and provide for the protection of significant indigenous biodiversity on private land, and to support initiatives to improve the extent and condition of indigenous biodiversity on private land.

9. The DCC also has a role and responsibility to manage indigenous ecosystems and to control animal and plant pests on DCC land, and works alongside the legislative roles and responsibilities of the ORC and DOC to manage pests within the Dunedin city boundary.

10. The DCC is active in safeguarding the natural world, and this is an increasing focus since the adoption of Te Ao Tūroa. In addition to increased regulatory protection of indigenous biodiversity under the second-generation Dunedin City District Plan (2GP), this work includes:

- Funding and managing the Urban Link component of Predator Free Dunedin and providing significant additional financial and in-kind support for landscape-scale predator removal;
- An ongoing programme of plant and animal pest control on DCC property;
• Providing funding support for private investment in ecological restoration through the DCC’s Biodiversity Fund, which has co-funded work at nearly 100 different sites in the city since 2007; and
• Completing high-resolution mapping of existing indigenous vegetation/ecosystems that will provide a basis for delineating a set of potential Significant Natural Areas (SNAs) for the city by 2021 and prioritising field survey work to complete a comprehensive SNA schedule within dNPS-IB timeframes.

11. Maintaining indigenous biodiversity entails halting its decline. The DCC acknowledges that indigenous biodiversity loss has continued on private land in recent decades throughout New Zealand, including in parts of our city. We see this as one of the biggest challenges New Zealand faces in halting the decline of terrestrial biodiversity.

Comments

Strategic alignment and priorities

12. The DCC is pleased to submit overall in support of the dNPS-IB.

13. The dNPS-IB aligns well with the goals of Te Ao Tūroa, Dunedin’s Environment Strategy, and the Natural Environment and Manawhenua provisions in 2GP.

14. The DCC considers that the classification of SNAs combined with the effects management policies strikes the right balance between protecting indigenous biodiversity and enabling productive land use activities.

15. In principle, the DCC believes a higher priority should be placed on preventing further ecosystem and habitat loss over measures to improve biodiversity condition or expand indigenous vegetation cover (i.e. restoration). Restoration generally expands the range of common species or threatened birds that DOC already manages on public land. The DCC submits that protection of threatened flora and fauna on private land should be considered a higher priority than restoration in the context of limited resourcing and national conservation priorities.

16. The DCC suggests that the dNPS-IB prioritises the protection of remaining indigenous biodiversity over restoration and monitoring in a mandatory staged approach. Implementing the full range of policies in the NPS-IB within the timeframes stated may overload councils and cause capacity issues for ecological consultancy expertise; with a strong risk that the ‘easy wins’ will be prioritised over the more important and challenging policies. The DCC submits that general priorities should be as follows:
i. SNA, taonga and Highly Mobile Fauna mapping and plan changes to give effect to dNPS-IB.
ii. Farm and forestry environment/biodiversity plans (or other mechanisms) to give effect to Sections 3.10 & 3.12 of the dNPS-IB.
iii. Monitoring.
iv. Restoration and increasing indigenous cover.

Implementation

17. DDQ 58. Implementing the dNPS-IB will have significant resourcing implications for many councils and some are difficult to quantify at present (e.g. consenting and compliance on large numbers of SNAs, ensuring ecological integrity of SNAs is not degraded under existing uses, undertaking and enabling restoration to meet targets etc). Recommendations to reduce the impact on councils include:

i. SNA mapping on public land including State-Owned Enterprises (SOEs) to be carried out by, and resourced by, the agencies responsible for that land e.g. DOC, LINZ, Pamu/Landcorp, etc. The DCC supports a national programme of mapping for public land1 led by DOC and utilising their expertise, freeing up consultancy expertise for councils working on private land;
ii. A comprehensive package of supporting information and guidance for implementation (see Paragraph 20);
iii. Prioritisation of protection over restoration and monitoring in the short-medium term; and
iv. One-off direct ‘ring-fenced’ central government funding of SNA programmes for private land based on an expert assessment of need.

18. Implementation of the dNPS-IB will also have implications for many landowners although this will vary widely and is dependent on a range of factors. While councils are responsible for setting the framework, it is the actions of landowners and the level of industry commitment that will determine whether or not indigenous biodiversity continues to be lost on private land. Councils will need strong central government and industry group support to build enduring relationships and provide the support to landowners that will be critical to the effectiveness of the dNPS-IB.

19. The DCC sees potential for uncertainty and risk (and therefore, repeat litigation) in particular around implementing Section 3.12. The mechanisms for demonstrating existing activities, ecological integrity, maintenance of improved pasture etc are unclear and presumably would require intensive biodiversity input into compulsory, binding, auditable farm environment plans of an acceptably high standard. The DCC submits that, alternatively, resource consent

1 For clarity, the DCC does not support a national programme of SNA mapping for private land.
should be required (not optional) under Section 3.12.4 for all existing activities in SNAs (subject to Section 10 of the RMA regarding existing use rights), and discretionary based on the verifiable maintenance of indigenous biodiversity.

20. DDQ 58. The DCC would like to see a comprehensive package of supporting information and guidance developed to help councils implement the dNPS-IB. This will be essential to ensuring consistency of approach. A detailed synopsis is supplied in DCCs report on road-testing the dNPS-IB which includes the following suggestions:

i. Clarity of council roles, advice on a preferred approach to planning instruments, and development of standards for, farm and plantation forestry environment plans to give effect to Sections 3.10 & 3.12 in the dNPS-IB;

ii. Clarification of how District Plans should deal with continuous updates in the New Zealand Threat Classification System lists (which can determine ecological significance) given it is ultra vires to reference a changing document;

iii. Guidance on delineating SNA boundaries and the level of information required to classify SNAs as ‘high’ or ‘medium’;

iv. Guidance on the application of the non-quantitative definition of indigenous vegetation;

v. A list of species that qualify as Highly Mobile Fauna;

vi. Clarification of whether periodic burning of tall tussock grassland constitutes vegetation clearance given that tussock can regenerate over time under suitable conditions and appropriate management;

vii. Effective messaging that the dNPS-IB has been developed with and by stakeholders and that industry groups are committed to its implementation; and

viii. A binding agreement between DOC and councils regarding information sharing for the purposes of SNA assessment and RMA compliance.

Significant Natural Areas (SNAs)

21. The DCC suggests a quality assurance procedure be developed for the comprehensiveness of the SNA schedules produced by councils. It is important that expert scrutiny of SNA schedules is factored in so areas that may not appear (or be mapped as) indigenous but are likely to hold Threatened or At-risk species are not missed (e.g. inland outwash gravels of the Mackenzie Basin and mid-altitude mixed exotic-indigenous grasslands). This is particularly relevant to the drylands of the eastern South Island.

22. The DCC would like to see SNA schedules include wetlands identified through the proposed Action for healthy waterways package that meet SNA criteria. This would:

i. Recognise the dual nature of most wetlands which support both terrestrial and freshwater values;
ii. Facilitate rational mapping of SNAs where wetlands are contiguous with other indigenous biodiversity values; and

iii. Provide for additional oversight.

Restoration

23. DDQ 38 & 39. The DCC submits that it would be more efficient and effective if wetland restoration, as well as protection and management, were to be carried out by the same agency i.e. Regional Councils. In a practical sense, the expertise and institutional knowledge is likely to sit within one agency, and many wetlands will require restoration as part of protecting and managing them. The same applies to riparian values, which are managed primarily for freshwater outcomes.

Biodiversity Strategies

24. DDQ 41. The DCC considers that regional biodiversity strategies would be better framed as action plans. Although this is somewhat semantic, the biodiversity system will soon have ample strategic direction provided by Te Koiroa O Te Koiora, the National Policy Statement for Indigenous Biodiversity and DOC’s strategic directions, strategies and prioritisation framework. A stronger focus on actions is needed.

25. DDQ 41. The DCC suggests that regional council (and industry sector) action plans that blueprint implementation of the strategic documents provide a better framework. We consider that Industry/Sector action plans should be promoted under Te Koiroa O Te Koiora – New Zealand Biodiversity Strategy, with regional action plans required under the dNPS-IB.

Monitoring

26. DDQ 46. Although not prescribed in the dNPS-IB, the DCC is cautious about the use of regional scale plot-based biodiversity monitoring such as that used by the Department of Conservation and some regional councils (i.e. Tier 1 monitoring). We suggest a cost benefit analysis is undertaken based on councils already using this type of monitoring.

27. Monitoring resources at the regional and district scale may be better utilised to:

   i. Ensure SNAs retain extent and condition (i.e. ecological integrity) on private land; and

   ii. Focus on the local biodiversity outcomes of sustained pest management on council lands.

2 A potential tool for this could be an adapted version of the ‘recovery wheel’ tool developed by the Standards Reference Group of the Society for Ecological Restoration Australasia.
Conclusion

28. The DCC is committed to safeguarding indigenous biodiversity and ecosystems for current and future generations. The DCC looks forward to the stronger national guidance provided by the dNPS-IB and is committed to its implementation, alongside that of Te Koiroa O Te Koiora – A Biodiversity Strategy for New Zealand.

Yours sincerely,

Aaron Hawkins

Mayor of Dunedin