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46 Horomatangi Street, Taupō 3330

Private Bag 2005

Taupō 3352, New Zealand

ph: 07 376 0899

fax: 07 378 0118

www.taupo.govt.nz

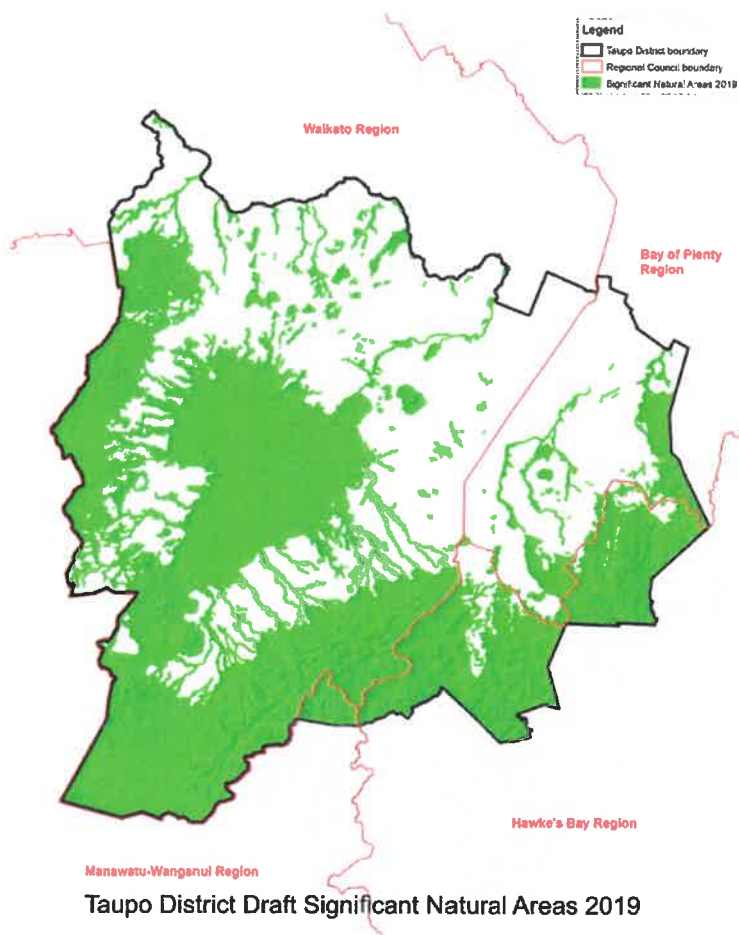
Ministry for the Environment
PO Box 10362
Wellington 6134

Taupō District Council Submission: Proposed National Policy Statement Indigenous Biodiversity, Publication ME1471

Thank you for the opportunity to comment on the Proposed National Policy Statement for Indigenous Biodiversity (NPSIB). We also thank staff from the Ministry for the Environment (MFE) and Department of Conservation (DoC) who took time to discuss the draft NPSIB with Regional and Territorial Authorities throughout the submission phase.

Taupō District Council (TDC) is a territorial authority that supports the overall intent of the NPSIB to maintain and enhance New Zealand's indigenous biodiversity at a national level, working alongside local communities to achieve this. Taupō District Council has four regional councils; Waikato, Bay of Plenty, Hawke's Bay, and Manawatū-Whanganui.

TDC supports the maintenance and enhancement of New Zealand's indigenous biodiversity along with identification and protection of Significant Natural Areas (SNAs) to be in accordance with the purpose of the Resource Management Act – the sustainable management of natural and physical resources in a way or at a rate that enables people and communities to provide for their social, economic, and cultural well-being and to meet the reasonable foreseeable needs of future generations, avoiding, remedying, or mitigating any adverse effects. In addition, ensuring that the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga is provided for.



LANDOWNERS OF SNAs

MFE and DoC will be aware that many SNAs are in private ownership, and that private owners along with regional and territorial authorities often do not have the funds or methods to maintain and enhance SNAs.

Around half of the Taupō District (approximately 340,000ha), is in SNAs and around half of those SNAs are privately owned. Of the private SNAs in the Taupō District, around 80% are on multiply owned Māori land.

TDC particularly supports draft NPSIB objective 6 for recognising the role of landowners and tangata whenua as stewards and kaitiaki of indigenous biodiversity. TDC submits this objective is key to maintaining, restoring and enhancing indigenous biodiversity on private land.

TDC would like to see further policy and implementation requirements to support draft objective 6 for landowners. Draft policy 1 goes part of the way but only includes tangata whenua not landowners to be involved in the management of indigenous biodiversity. Implementation requirement 3.7 is limited to

“the importance of forming partnerships” and “respecting the contribution of landowners” under the heading of social, economic and cultural well-being. TDC would like to see additional policy and implementation to recognise the role of landowners in the management of SNAs and guidance on other methods of protection (see below).

HIGH AND MEDIUM CLASSIFICATIONS OF SNAs

TDC supports identifying and protecting SNAs but is concerned about proposed implementation requirement 3.8(1)b for territorial authorities to further classify areas of SNAs into High and Medium. Our reason for this is due to the size and scale of SNAs within the Taupō District covering some 340,000ha. TDC would be unable to practicably undertake such assessment of the SNAs at the ratepayer’s expense, with the level of detail needed for an accurate classification at a district-wide scale.

In this instance most SNAs in the Taupō District will have High Values at a broad level of classification, regardless of edge areas that may be of Medium value at the site-specific detail. A precautionary approach would then be applied where the overall SNA would be managed as High. TDC is concerned that broad High classification for SNAs under the draft NPSIB implementation method 3.9 will unduly restrict SNA landowners in the Taupō District.

The majority of private SNAs in the Taupō District are located within multiply owned Māori land, with the SNA often covering 100% of the total land parcel, and many properties being land locked. TDC has particular concern that broad High classifications would result in owners of Māori land whom already have many hurdles to providing for their culture and traditions with their ancestral lands would face the inability to utilise their land with SNA values in any way. TDC submits this approach is not likely to achieve protection needed for SNAs in an integrated manner and will not achieve proposed objective 6 of the draft NPSIB to recognise the role of landowners as stewards and kaitiaki of indigenous biodiversity.

TDC currently has a rule that provides a more permissive framework for activities to occur in areas of SNA that have lower significance value, while avoiding adverse effects. The particular value of the SNA (the size, type and height of the specific area potentially affected) is determined at the time of a resource consent application and considered in the context of the proposed activity.

TDC recommends that further classification of SNAs (such as High or Medium) be undertaken at the time of a resource consent application by the applicant. This would enable a more efficient and effective way of assessing the larger scale SNAs as required, and for the potential effects to be considered in the context of the proposed activity. For this reason, TDC recommends replacing draft implementation requirement 3.8(1)b with a requirement for an applicant to undertake this type of assessment under draft implementation requirement 3.19.

OTHER PROTECTION METHODS

TDC submits that managing adverse effects on SNAs is but one method of protection under draft NPSIB policy 6 and would like to see the draft NPSIB provide further implementation on recognising and encouraging other protection methods that landowners are currently undertaking. This may include for instance Ngā Whenua Rāhui kawenata, Queen Elizabeth II covenants, Forest Stewardship Certification, and guidance for landowner lead management such as farm management and soil conservation plans.

TDC has experienced a gain in indigenous biodiversity within the more populated areas of our District. In the Waikato Region portion of our district for instance, our desktop study has shown SNAs have potentially increased by 17.5% over the past 10 years. This is due to the voluntary methods landowners are undertaking on restoration and enhancement projects, along with naturally regenerating indigenous vegetation. TDC supports aspirational policies such as 3.17 to increase indigenous biodiversity outside of existing SNAs, but also submits that indigenous biodiversity gains can be made by providing more guidance and acknowledgement of voluntary protection being undertaken by landowners to implement draft NPSIB policy 6 and objective 6.

TDC submits on the above matters along with other aspects of the draft NPSIB in the following sections of our submission. For matters relating to this submission, please contact Kara Scott – Policy Advisor, by email kscott@taupo.govt.nz or ph. 07 376 0082.

Ngā Mihi



Alan Menhennet
Head of Finance and Strategy

Taupō District Council

Specific Points of Taupō District Council's Submission:

OBJECTIVES AND POLICIES TO MAINTAIN INDIGENOUS BIODIVERSITY

Page 15	Objective 1	To maintain indigenous biodiversity.
Page 15	Objective 5	To restore indigenous biodiversity and enhance the ecological integrity of ecosystems.
Page 16	Policy 7	To manage subdivision, use and development outside SNAs as necessary to ensure indigenous biodiversity is maintained.
Page 16	Policy 11	To provide for the restoration and enhancement of specific areas and environments that are important for maintaining indigenous biodiversity.

TDC Submission:

The Draft NPSIB primarily focuses on the 'maintenance' of indigenous biodiversity. In order to maintain indigenous biodiversity many of the areas need to be restored or enhanced. Pg. 9 notes the maintenance may also require restoration or enhancement. Draft NPSIB objective 1 and 5 both apply to indigenous biodiversity and we suggest these two objectives could be combined to better reflect maintenance, restoration and enhancement of indigenous biodiversity.

TDC supports draft NPSIB policies 7 and 11. TDC has found the greatest indigenous biodiversity gains in our district have come from managing subdivision use and development to increase indigenous biodiversity areas through consent conditions. This ultimately flows on to proposed implementation method 3.17 (see submission points on this method).

TDC would like to see policies 7 and 11 extended beyond 'maintenance' to include the words "or enhanced". Our concern is the term "maintenance" will not incentivise further indigenous biodiversity gains to be made.

TDC seeks the following:

- **Amend wording to Objective 1 to combine with Objective 5:**

To maintain and restore indigenous biodiversity and enhance the ecological integrity of ecosystems.

- **Amend Policy 7:**

To manage subdivision, use and development outside SNAs as necessary to ensure indigenous biodiversity is maintained or enhanced.

- **Amend Policy 11:**

To provide for the restoration and enhancement of specific areas and environments that are important for maintaining or enhancing indigenous biodiversity.

ROLE OF LANDOWNERS AS STEWARDS AND KAITIAKI

Page 15 Objective 6 *To recognise the role of landowners, communities and tangata whenua as stewards and kaitiaki of indigenous biodiversity*

Page 15 Policy 1 *To recognise the role of tangata whenua as kaitiaki of indigenous biodiversity in their rohe, providing for tangata whenua involvement in the management of indigenous biodiversity and ensuring that Hutia Te Rito is recognised and provided for.*

TDC Submission:

Support for objective 6. TDC submits that this objective is integral to ensuring landowners, communities, and tangata whenua continue to be empowered as stewards and kaitiaki of indigenous biodiversity.

Support for policy 1. However, TDC submits there is no proposed policy that addresses proposed Objective 6 recognising landowners as stewards and kaitiaki of indigenous biodiversity along with tangata whenua. Objective 6 addresses not just tangata whenua but also landowners, and TDC submits these groups should also be provided for in the management of indigenous biodiversity under proposed Policy 1.

There are existing management regimes that landowners are currently undertaking that are an integral part of the management such as Ngā Whenua Rahui, QEII Trust, Farm and Forestry Management Plans like Forestry Stewardship Council Certification. TDC submits that proposed Policy 1 should ideally include landowners, communities and tangata whenua in the management of indigenous biodiversity.

TDC seeks the following:

- **Retain draft Objective 6 as its current wording.**
- **Amend proposed Policy 1, or similar wording to this effect:**

To recognise the role of landowners, communities, and tangata whenua as kaitiaki of indigenous biodiversity in their rohe, providing for tangata whenua their involvement in the management of indigenous biodiversity and ensuring that Hutia Te Rito is recognised and provided for. Or

- ***Introduce a new policy to recognise the role of landowners as kaitiaki of indigenous biodiversity on their land.***

IDENTIFYING SNAs

Page 19 Implementation Identifying SNAs
3.8

Page 32 Appendix 1 Criteria for Identifying SNAs

TDC Submission:

IDENTIFYING SNAs

TDC supports the requirements under implementation requirement 3.8 for territorial authorities to (1) undertake district wide SNA assessments using consistent criteria identified in Appendix 1 and application of the principles and approaches in sub-clause (2).

The requirement to notify a plan change every two years to update the SNA schedule with new SNAs identified through consents, notices of requirement or designations is too onerous. Plan change processes are expensive and time consuming and TDC does not support adding further cost to rate payers for this process. Such updates should be required as part of the 10 yearly RMA s79 plan review process.

TDC seeks the following:

- **Retain implementation requirement 3.8 requirements to (1) undertake district wide SNA assessments using consistent criteria identified in Appendix 1 and application of the principles and approaches in (2). Except in relation to implementation requirement 3.8(8) to update district plan SNA schedules every 2 years .**
- **Amend clause 3.8(8) to require updates to plan's SNA schedules as part of 10 yearly RMA s79 reviews as opposed to having to conduct updates every 2 years.**

MANAGING ADVERSE EFFECTS ON SNAs

Page 16	Policy 6	To identify and protect SNAs
Page 19	Implementation 3.8(1)b)	Territorial authorities to classify SNAs as High or Medium
Page 21	Implementation 3.9	Managing adverse effects on SNAs
Page 37	Appendix 2	Tool for managing effects on SNAs
Page 40	Appendix 3	Principles for biodiversity offsetting
Page 42	Appendix 4	Principles for biodiversity compensation

TDC Submission:

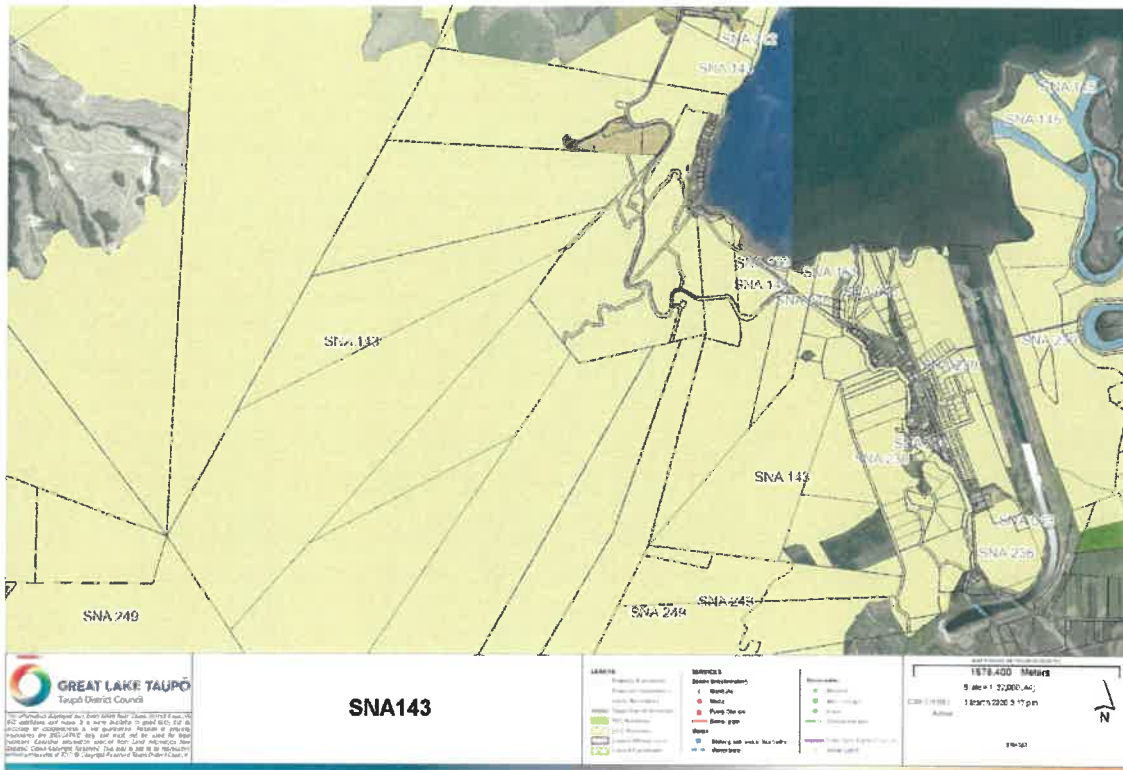
TDC supports identifying and protecting SNAs but is concerned about proposed implementation requirement 3.8(1)b) for territorial authorities to further classify areas of SNAs into High and Medium. Our reason for this is due to the size and scale of SNAs within the Taupō District covering some 340,000ha. TDC would be unable to practicably undertake such assessment of the SNAs at the ratepayer's expense, with the level of detail needed for an accurate classification at a district-wide scale.

In this instance most SNAs in the Taupō District will have an overall High Value at a broad level of classification, regardless of edge areas that may be of Medium value at the site-specific detail. A precautionary approach would then be applied where the overall SNA would be managed as High.

MANAGING ADVERSE EFFECTS ON SNAs

TDC is concerned that broad High classification for SNAs under the draft NPSIB implementation method 3.9 will unduly restrict SNA landowners in the Taupō District.

The majority of private SNAs in the Taupō District are located within multiply owned Māori land, with the SNA often covering 100% of the total land parcel, and many properties being land locked (see map below of SNA 143).



TDC has particular concern that broad High classifications would result in owners of Māori land whom already have many hurdles to providing for their culture and traditions with their ancestral lands would face the inability to utilise their land with SNA values in any way. TDC submits this approach is not likely to achieve protection needed for SNAs in an integrated manner and will not achieve proposed objective 6 of the draft NPSIB to recognise the role of landowners as stewards and kaitiaki of indigenous biodiversity.

TDC currently has a rule that provides a more permissive framework for activities to occur in areas of SNA that have lower significance value, while avoiding adverse effects. The particular value of the SNA (the size, type and height of the specific area potentially affected) is determined at the time of a resource consent application and considered in the context of the proposed activity.

TDC recommends that further classification of SNAs (such as High or Medium) be undertaken at the time of a resource consent application by the applicant. This would enable a more efficient and effective way of assessing the larger scale SNAs as required, and for the potential effects to be considered in the context of the proposed activity. For this reason, TDC recommends replacing draft implementation requirement 3.8(1)b) with a requirement for an applicant to undertake this type of classification under 3.19 assessment of environmental effects.

TDC submits that managing adverse effects on SNAs is but one method of protection, and that the draft NPSIB could provide a more holistic approach to encouraging protection of SNAs by adding a further implementation method around voluntary methods such as Nga Whenua Rahui kawenata,

MANAGING ADVERSE EFFECTS ON SNAs

Queen Elizabeth II Trust covenant, Forest Stewardship Certification and farm management plans; as way to implement objective 6.

TDC supports proposed Appendices 3 and 4 to provide guidance to ensure indigenous biodiversity gains are achieved when using an effects management hierarchy.

TDC seeks the following:

- **Remove implementation requirement 3.8(1)b); the requirement for territorial authorities to classify SNAs High or Medium in accordance with Appendix 2**
- **Implementation requirement 3.19 Assessment of environmental effects; after (1)a) an SNA; add “and classify areas of the SNA as either High or Medium, in accordance with Appendix 2” (or similar wording to that effect).**
- **Provide a new implementation method to provide guidance on other appropriate protection methods of SNAs such as Nga Whenua Rahui kawenata, Queen Elizabeth II Trust covenant, and other certifications that achieve section 6c and the purpose of the RMA and draft NPSIB objective 6.**
- **Retain Appendices 3 and 4**

MANAGING ADVERSE EFFECTS ON GEOTHERMAL ECOSYSTEMS

Page 16	Policy 9	Geothermal ecosystems
Page 23	Implementation 3.11	Managing adverse effects on geothermal ecosystems: [see discussion document <i>He Kura Koiora i hokia</i> for options relating to geothermal ecosystems]
Page 58	C.9	Managing effects on geothermal ecosystems - <i>He Kura Koiora i hokia</i> discussion document

TDC submission:

TDC supports the note within the *He Kura Koiora i hokia* discussion document page 60; that the Waikato Regional Council already has “well-development frameworks in place for managing adverse effects on their geothermal ecosystems. It is not the intent of the proposed NPSIB to undermine these approaches”.

The *He Kura Koiora i hokia* discussion document notes that geothermal ecosystems are all likely to be identified as high-value SNAs under the draft NPSIB, and that management through implementation requirement 3.9 would mean that little or no new development could occur. It then discusses three different options for managing the geothermal ecosystems.

The options for geothermal ecosystems discussed in *He Kura Koiora i hokia* are either to exclude geothermal ecosystems from the NPSIB scope or provide a separate management framework for geothermal ecosystems.

TDC recommends that the scope of NPSIB should cover all indigenous biodiversity, and for this reason does not favour this aspect of options 1 and 2. However TDC does support the draft NPSIB providing national guidance on a specific geothermal ecosystem framework based on existing provisions that are considered to be working well.

MANAGING ADVERSE EFFECTS ON GEOTHERMAL ECOSYSTEMS

For this reason; TDC agrees in principle with option 3 with a framework that provides good national guidance based on policy regimes in line with the “well developed” frameworks in place for managing adverse effects on geothermal ecosystems. TDC recommends that this specific geothermal framework under the NPSIB appropriately addresses adverse effects on geothermal indigenous biodiversity, as well as managing the geothermal resource itself.

TDC seeks the following:

- **Option 3 of *He Kura Koiora i hokia* discussion document page 61, while ensuring option 3:**
 - Gives national guidance based on existing well-developed regional management regimes.
 - Allows existing uses to continue.
 - Integrates with the rest of the draft NPSIB
 - Protects geothermal ecosystems (indigenous biodiversity values as well as the geothermal resource).

IMPLEMENTATION FOR RESTORATION AND ENHANCEMENT

Page 26	3.16	<i>Restoration and enhancement</i>
	3.16(2)	<i>Territorial authorities must identify the location of SNAs whose ecological integrity is degraded and areas that provide important buffering or connectivity function</i>
Page 26	3.16(5)	<i>Incentives</i>
Page 44	Appendix 5	<i>Regional biodiversity strategies</i>

TDC Submission:

TDC supports restoration and enhancement of SNAs and indigenous biodiversity in general.

TDC does not oppose identification of SNAs whose ecological integrity is degraded or identifying connectivity areas however many of our SNAs are in remote locations and land locked. In particular the Ahimanawa, Kaimanawa and Hauhungaroa Ranges. Access to these areas to identify their integrity status would need to be by helicopter. It is not feasible in our district to do so at rate payers' expense.

TDC submits that identification of degraded SNAs would be better assessed with regional monitoring of indigenous biodiversity (implementation 3.20) or at the time of a resource consent application. TDC also submits that regional biodiversity strategies (implementation 3.18) would be the best method to identify areas that provide important connectivity or buffering functions.

For this reason, TDC submits subclause 3.16(2) is not required.

TDC supports providing incentives for restoration and enhancement and in particular on Māori land, but would require continued funding for financial incentives through existing regional council funding and central government funding to do so.

IMPLEMENTATION FOR RESTORATION AND ENHANCEMENT

TDC seeks the following:

- **Remove the requirement for territorial authorities to identify and locate SNAs whose ecological integrity is degraded and areas that provide important connectivity for buffering functions in implementation requirement 3.16(2). (We believe that this would be better achieved through ongoing regional monitoring and biodiversity strategies).**
- **Support for financial incentives to come from regional or central government funds.**
- **Support for Appendix 5 Regional biodiversity strategies to provide a comprehensive record of all areas identified for protection, restoration and enhancement.**

INCREASING INDIGENOUS VEGETATION COVER

Page 27 *Implementation* *Increasing indigenous vegetation cover*
3.17

Page 28 3.17(7) *Increasing vegetation cover in areas to which clause 3.16 applies*

TDC Submission:

TDC supports the intent of this implementation requirement to increase the percentage of indigenous vegetation cover. TDC has found the greatest gains are through resource consent conditions and community and landowner enhancement within urban and rural areas in more highly populated areas.

TDC supports a minimum 10% figure in implementation method 3.17. TDC submits that this aspirational target would assist in encouraging greater indigenous biodiversity gains outside of SNAs, which would then enable an effects management hierarchy to be applied to all SNAs, and therefore remove the need to classify SNAs as High or Medium (see TDC submission point on implementation 3.9).

TDC supports 3.17(7) in principle, however TDC does not support territorial authorities being responsible for the identification and location of areas referred to in subclause 3.16(1)b) and c) for the reasons outlined in our submission on restoration and enhancement.

TDC seeks the following:

- **Retain the indigenous vegetation cover target for urban and rural areas to a minimum of 10%**

RESILIENCE TO CLIMATE CHANGE

Page 15 Policy 3 To support the resilience of indigenous biodiversity to the effects of climate change.

Page 18 Implementation 3.5 Promote the resilience of indigenous biodiversity to climate change

TDC Submission:

TDC agrees with these provisions in principle. Climate change adaptation is an important consideration for addressing the loss of New Zealand's indigenous biodiversity. However, there will be significant implementation challenges to do this as the impacts of climate change on indigenous biodiversity are complex and often highly uncertain, so planning for them can be difficult and expensive. TDC would like more guidance on how this could be done.

TDC seeks the following:

- Further guidance on methods to achieve resilience of indigenous biodiversity.

HIGHLY MOBILE FAUNA

Page 16 Policy 13 To identify possible presence of, and manage highly mobile fauna

Page 25 Implementation 3.15 Regional councils with territorial authorities to survey and record highly mobile fauna

Page 28 Implementation 3.19(1)d Include in any assessment of environmental effects whether the site has an area identified as highly mobile fauna

TDC submission:

TDC does not oppose identifying areas of highly mobile fauna, however TDC submits that indigenous fauna surveying and recording is more appropriately undertaken as part of the Department of Conservation's role as conservation of natural resources including living organisms and habitats; rather than the roles of regional or territorial authorities.

TDC submits that local authorities do not have the expertise or knowledge to include plan provisions for the purpose of maintaining viable populations of highly mobile fauna across their natural range. TDC suggests that if natural ranges extend beyond district and regional boundaries, a national response to the issue may be more appropriate.

For this reason, TDC does not support surveying and recording areas where highly mobile fauna has been or are likely to be sometimes present as a regional council or territorial authority role.

TDC seeks the following:

- Implementation requirement 3.15(1) is amended so that the role of surveying and recording areas where mobile fauna has been or are likely to be sometimes present; is undertaken at a national level.
- Consider if central government should provide national guidance or standards for managing the adverse effects of subdivision, use and development in highly mobile

HIGHLY MOBILE FAUNA

fauna areas, as necessary to maintain viable populations of highly mobile fauna across their natural range, if natural ranges extend beyond territorial and regional boundaries.

BIODIVERSITY STRATEGY

Page 28 Implementation 3.18 Every regional council must prepare a regional biodiversity strategy in collaboration with territorial authorities, tangata whenua, communities and other identified stakeholders.

Page 44 Appendix 5 Regional biodiversity strategies.

TDC submission:

TDC supports developing the strategy at a regional scale, given the extent to which ecological districts extend often beyond individual territorial boundaries, so long as the draft timeframes stated are considered achievable by regional councils.

TDC seeks the following:

- **Support for these provisions, subject to Regional Council submissions on specific timeframes.**

MONITORING BY REGIONAL COUNCILS

Page 30 Implementation 3.20 Regional councils must, by working with territorial authorities, relevant agencies, and tangata whenua, develop a monitoring plan for indigenous biodiversity in their regions and each of their districts.

TDC submission:

TDC supports the develop of a regional monitoring plan for indigenous biodiversity in their regions and districts, however TDC also supports further guidance and assistance from Central Government to assist Regional Councils undertake this role.

TDC seeks the following:

- **Support for this provision.**