

Your Ref:
Our Ref: 7.00341



10 March 2020

Ministry for the Environment
PO Box 10362
Wellington 6134

Dear Sir / Madam

Bay of Plenty Regional Council Submission: Proposed National Policy Statement Indigenous Biodiversity

Thank you for the opportunity to comment on the Proposed National Policy Statement for Indigenous Biodiversity (NPSIB).

Bay of Plenty Regional Council (BOPRC) supports the overall intent of the NPSIB. New Zealand's indigenous biodiversity is continuing to decline and a national response is required to change this.

The NPSIB provides clear direction on identifying areas of significant indigenous vegetation and habitat and ways to manage them. It supports Council's significant role in fulfilling biodiversity obligations under the Resource Management Act 1991 (RMA).

Although regional councils and territorial authorities have different responsibilities, all councils are bound by the common goal of achieving sustainable management of all natural resources.

BOPRC manages people's effects on freshwater, land, air, the coastal environment and indigenous biodiversity. The Regional Policy Statement is the key policy document that promotes sustainable management of our region's natural and physical resources. It is required by the RMA and must give effect to any National Policy Statement (NPS). Council also has statutory functions under the Biosecurity Act 1993 to manage pests, a well-known cause of biodiversity decline.

The Bay of Plenty region encompasses seven city or district councils (in whole or in part). All but one of the territorial authorities within our region have mapped and scheduled Significant Natural Areas (SNA) in their district plans.

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In addition to RMA planning provisions, BOPRC and the Department of Conservation (DOC) have an agreed process to maintain, restore and enhance biodiversity in our rohe as outlined below:

- A shared BOPRC/DOC regional goal: "maintaining and/or restoring a full range of the Bay of Plenty's indigenous ecosystems to a healthy functioning state".
- A shared set of Priority Biodiversity Sites (PBS) which were jointly developed by BOPRC and DOC to support the regional goal.
- An Environmental Programme Grants Policy which directs effort and resources towards PBS, particularly towards PBS which contain our most threatened ecosystem types.
- A Long Term Plan Key Performance Indicator to bring four new PBS under active management each year.
- Targets for managing PBS in DOC's draft Conservation Management Strategy.

BOPRC acknowledges the role of Maori, private landowners and volunteer groups in the protection and maintenance of indigenous biodiversity.

This submission considers how the NPSIB provisions will impact our partners with a role in managing indigenous biodiversity. The submission points included in the attached table can be summarised as follows:

- 1 *It needs to be clear that the overall aim to maintain indigenous biodiversity will require active management.*

Bay of Plenty Regional Council submits that ecosystems and habitats will decline without active management and this needs to be acknowledged.

- 2 *The NPSIB requires additional policy development that will have implications for tangata whenua and the regional community.*

For councils, a number of steps have been added to the policy development process. For example:

- further identification of significant vegetation and habitats of indigenous fauna
- changes to the Regional Policy Statement and district plans to support management of indigenous biodiversity
- development of a Regional Biodiversity Strategy.

These requirements are to be undertaken by councils and tangata whenua working together and will have resourcing implications for the regional community.

This additional workload comes at the same time Councils have to meet requirements in other recently developed National Policy Statements. Long term and annual planning processes will need to consider resourcing NPS implementation and for councils with smaller rating bases it may mean that other cost-effective services simply cannot be provided.

The NPSIB requires significant input from tangata whenua and Māori as kaitiaki. Our region has arguably the richest, deepest and most diverse Māori people, culture and heritage of any region in the country. There are 37 iwi, more than 260 hapū and approximately 26% of the population identifies as Māori. Māori often lack the resources to participate fully in resource management processes. Bay of Plenty Regional Council submits further resourcing issues for tangata whenua and Māori will result from this NPS and the accompanying cost benefit analysis does not recognise these costs fully.

3 *Relationship with other NPSs and practical guidance to implement the NPSIB is required*

As alluded to above, Councils are working to fulfil numerous NPS requirements. In addition to resourcing, Bay of Plenty Regional Council considers further guidance is required on how these NPS's align with each other and requests consistency in terms and definitions.

While the intent of some new provisions is supported, the practicalities and efficiencies in implementing them need further consideration.

Council notes the NPSIB does not include finalised provisions to manage geothermal biodiversity and asks to be involved as this policy develops.

4 *The first priority of this NPSIB should be to protect remaining indigenous biodiversity*

The NPSIB proposes a blanket approach to protect, maintain and restore biodiversity. Instead of trying to achieve everything at once Council considers prioritisation should focus on protecting threatened and originally rare ecosystem types (not just wetlands) and on maintaining and restoring the full range of ecosystems.

Council notes it is anticipated the NPSIB will be gazetted by mid 2020 and hopes sufficient time has been allocated to give due consideration to points raised through the submission process. For matters relating to this submission, please contact Lisa Power, Senior Planner, by email lisa.power@boprc.govt.nz or 0800 884 881 extn 9322.

Ngā Mihi



Namouta Poutasi

General Manager, Strategy and Science

Submission from Bay of Plenty Regional Council on the Proposed National Policy Statement on Indigenous Biodiversity

1 Specific provisions that submission relates to:		2 Nature of submission		3 Bay of Plenty Regional Council seeks the following decisions
Page No.	Section Heading and Reference	Issue that submission point relates to	Support/Oppose or Seek Amendments	
6	Part 1.5 Application	All land tenures are captured by this NPSIB	Support	
6	Part 1.5 Application (2) a)	Clarification that clauses 3.16 'Restoration and enhancement' and 3.17 'Increasing indigenous vegetation cover' apply to wetlands.	<p>BOPRC supports NPSIB clauses 3.16 'Restoration and enhancement' and 3.17 'Increasing indigenous vegetation cover' applying to wetlands.</p> <p>In the Bay of Plenty region it is estimated that only 8% of the original extent of wetlands remains. Most wetlands have been destroyed either through drainage activities or diversion of watercourses. Because of their rarity many SNAs identified in plans across the region encompass wetland habitats. Wetlands also contribute to natural character and are recognised under section 6(a) of the Act and the need to preserve them from inappropriate subdivision, use and development.</p>	Retain clause 1.5(2) a) to ensure clauses 3.16 'Restoration and enhancement' and 3.17 'Increasing indigenous vegetation cover' apply to wetlands.
9	1.7 (3) Maintenance of indigenous biodiversity	The focus should be aiming to maintain biodiversity at a regional level by restoring and enhancing biodiversity at local levels.	BOPRC submits that ecosystems and habitats will continue to decline without active management. Maintaining biodiversity will require ongoing active management across large tracts of land.	<p>Amend sentence after points a-f:</p> <p>'As well as protection, the maintenance of indigenous biodiversity requires the restoration or enhancement of ecosystems and habitats, and may also require reconstruction of threatened ecosystems and habitats'.</p>

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6, 8, 9 and 12	<p>Definition – indigenous biodiversity (in freshwater bodies)</p> <p>Part 1.5 Application (1) b)</p> <p>Part 1.8(1) Definition in this National Policy Statement – indigenous biodiversity</p> <p>Part 1.7(2) Fundamental concept indigenous biodiversity.</p>	<p>The draft NPSIB stated that it does not apply to indigenous biodiversity in waterbodies and freshwater ecosystems as those terms are defined in the proposed NPS for Freshwater Management (NPSFM).</p> <p>The proposed NPSFM did not define ‘indigenous biodiversity’ in waterbodies, nor ‘freshwater ecosystem’.</p> <p>Hence, it is unclear if NPSIB (such as identifying taonga species and highly mobile fauna) will apply to indigenous water fowl, freshwater shellfish, and aquatic plants.</p>	<p>Seek amendment.</p> <p>Either <u>Remove</u> Part 1.5(1) b) or, <u>Amend</u> Part 1.5(1) b) to more clearly define what aspects of freshwater management are excluded from this NPSIB. It also needs to be reflected in the definitions (Part 1.8(1)) to ensure consistency.</p>	<p>Clarify the scope of the implementation for NPSIB and align definitions.</p>
14	<p>Definitions - SNA or significant natural area</p>	<p>The definition of SNA differs between the NPSIB and the National Environment Standard for Plantation Forestry (NESPF). The intent of the definition used in the NPSIB appears to be broader than that of the NESPF.</p>	<p>Seek amendment.</p> <p>Although this may not be fundamentally problematic as any SNA identified under NPSIB should meet the “however described” component of the NES definition it would seem good practice to align these definitions.</p>	<p>Align definitions of SNA between NPS and NESPF.</p>

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15	Objective 3 Hutia Te Rito	Hutia Te Rito is a fundamental concept underpinning the NPSIB. It is intended to be the overarching reference point for decision-making and flow through all of the proposed NPSIB.	Support in part. The NPSIB has evidently taken into consideration voices of tangata whenua and the principles of the Treaty. It courageously incorporates a traditional Māori whakatauki 'Hutia Te Rito' as its underpinning framework providing a new and innovative lens in which council staff and decision makers can apply to their day-to-day business.	Retain Objective 3 but seek further guidance on how councils can operationalise Hutia Te Rito in practice. Council also seeks assurance this framework aligns with what will be required from, Councils under other NPSs
15	<p>Policies 2, 5 and 7:</p> <p>Policy 2: To ensure that local authorities adopt a precautionary approach towards proposed activities with effects on indigenous biodiversity that are uncertain, unknown or little understood but potentially significant:</p> <p>Policy 5: To improve information on the effects of existing and proposed subdivision, use and development on indigenous biodiversity:</p> <p>Policy 7: To manage subdivision, use and</p>	Consent issue/scale. Needs to be targeted at regional planning/urban planning scale, not at resource consent level.	<p>Seek amendments to Policies 5 and 7</p> <p>The policies are not going to be effective as they will result in small scale impact assessments that developers will seek to mitigate.</p>	<p>The policies are focused on small scale consents/developments and need to be focused on regional planning and even across regions to be effective.</p> <p>Seek policies that include reference to regional scale planning, urban design and master planning to include enhancement of indigenous vegetation within cities that link to wider regional biodiversity.</p> <p>Consider ordering policies in terms of their importance.</p>

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	development outside SNAs as necessary to ensure indigenous biodiversity is maintained.			

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16, 27 and 28	Policy 11 restoration and enhancement of specific areas and Part 3.17 increasing indigenous vegetation cover.	Policy 11 and Part 3.17 seek to address this issue though requiring regional councils to set targets to increase indigenous vegetation cover to at least 10% in urban areas and to increase indigenous vegetation cover in rural areas where this is below 10%.	<p>Seek amendment.</p> <p>Although this requirement is a worthy ambition there are practicalities around its implementation if terms aren't clearly defined and consistent.</p> <p>For example, does an urban area include specific types of zones that span across the whole region, are urban areas separate for each territorial authority, are urban areas separate for each residential area within each district?</p> <p>There needs to be realistic timeframes to meet this target due to costs associated with achieving it.</p>	<p>Clarify what constitutes an urban area and how a target of 10% indigenous vegetation cover will be calculated.</p> <p>Seek implementation guidance to reach vegetation cover target. Such guidance could include goals for biophilic design, master planning/urban growth and outline how this NPS aligns with NPS for Urban Design.</p> <p>Consider prioritising how increased vegetation cover could be achieved. Initially all new development and brownfields/redevelopment should be required to meet vegetation cover targets. Existing urbanised areas could have longer timeframes to meet vegetation cover targets.</p> <p>Council/Crown owned land could be an area of focus to reach this target.</p>

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18	<p>Discussion document He Kura Koiora i hokia Question 2.</p> <p>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? Yes/no? Why/why not?</p>	<p>BOPRC is concerned that there may be three NPS's addressing different aspects of indigenous biodiversity.</p>	<p>Seek amendment.</p> <p>Council supports the NPSIB providing an integrated approach to indigenous ecosystem and habitat in the freshwater environment, rather than introducing geographical limits. An integrated approach is preferred over requiring councils to identify additional spatial boundaries in the dynamic environment between terrestrial and freshwater environment.</p>	<p>Include freshwater indigenous biodiversity as a part of NPSIB.</p>
18	<p>Part 3.3(2) Tangata whenua as kaitiaki</p>	<p>BOPRC have 37 iwi and over 260 hapū in the region.</p>	<p>Support the inclusion of mātauranga Māori and involvement of tangata whenua and also acknowledge that significant resources are required to support building capacity with tangata whenua to effectively engage.</p> <p>The principles of the NPSIB are to be inclusive and involve tangata whenua in several layers of implementation. This needs to be mapped out with resources. The cost benefit analysis does not include engagement costs.</p>	<p>Significant resources and funding need to be allocated to resource effective and meaningful involvement with Māori in implementing this NPS.</p> <p>Recommend that an implementation plan is prepared for the BOPRC to include the costs for enabling engagement with tangata whenua.</p>
19	<p>Part 3.6 Precautionary</p>	<p>Requiring the adoption of a</p>	<p>BOPRC supports the adoption of a precautionary</p>	<p>Retain 3.6 Precautionary</p>

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	approach	precautionary approach to activities whose effects on indigenous biodiversity are uncertain and their effects are potentially significant.	approach to activities whose effects on indigenous biodiversity are uncertain, unknown or little understood and the effects are potentially significantly adverse. This is consistent with Policy IR1B 'Applying a precautionary approach to managing natural and physical resources' of the Bay of Plenty Regional Policy Statement which recognises the importance of applying a precautionary approach to the management of natural and physical resources where there is scientific uncertainty or a threat of serious or irreversible adverse effects on the resource and the built environment.	approach unchanged.
19	Part 3.8 Identifying significant natural areas	Requirement and process for identifying and scheduling SNA in district plans.	BOPRC supports the requirements under Part 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 meet this within 5 years of gazettal and notify a plan change within 6 years is also supported. In the Bay of Plenty region all territorial authorities except the Ōpōtiki District Council have assessed and identified SNA (or their equivalent) in their district plans. BOPRC funded a study by Wildlands consultants to identify SNA in the Ōpōtiki District with the intent these would form the basis for a future plan change to identify SNA in the district. The NPSIB provides further support and guidance for a future Ōpōtiki District Plan change.	Retain Part 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 Part 3.8(8) requirement to update district plan SNA schedules every 2 years which is addressed in the submission point raised for section 3.8(8).
19	Part 3.8 Identifying significant natural areas	We support the requirement to identify and map SNAs. However: 1 We have concerns regarding the	Seek amendment. Support but suggest that the terms High and Medium could result in perverse outcomes, and require further	Align with NPSFM and use the terms 'significant' and 'outstanding'.

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		classification of SNA as High and Medium.	testing. Suggest there may be a better way of doing this - for example could align with the NPSFM in using the terms 'significant' and 'outstanding'.	
		2 It may be appropriate to provide further guidance around the minimum resolution/scale at which SNA should be mapped – to ensure all councils SNA mapping is undertaken to a consistent minimum standard.	NPSIB should not result in any narrowing of the recognition currently given to areas of significant native vegetation and the significant habitats of native species under section 6(c) of the RMA. The policy makes clear that the criteria are to apply in addition to any other provisions/criteria that a regional council chooses to include in its RPS.	
19	Part 3.8 and Appendix 1	Support the approach recommended is to apply the SNA identification criteria in the proposed NPSIB (Part 3.8 and Appendix 1) alongside the requirements of Policy 11 of the New Zealand Coastal Policy Statement (NZCPS). If a situation arises where there is a conflict between these two national policy statements, Part 1.6 requires that the NZCPS takes precedence.	There is existing guidance on the NZCPS Policy 11. https://www.doc.govt.nz/globalassets/documents/conservation/marine-and-coastal/coastal-management/guidance/policy-11.pdf	Ensure there is consistency between guidance documents from the NZCPS and the NPSIB.
20	Part 3.8(8) identifying significant natural areas	Requirement to notify a plan change to add any area identified as an SNA through consents, notices of requirement or designations.	Oppose. 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. Some Councils have limited resources and plan change processes are expensive and time consuming. Such updates should be required as part of	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.

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			the 10 yearly RMA s79 plan review process.	
22	Part 3.10 Managing adverse effects in plantation forests	In regards to indigenous flora and fauna, the NESPF currently only addresses this where identified as an SNA or through specific provisions relating to indigenous vegetation clearance and indigenous bird nesting. The intent of the policy direction under 3.10 of the NPS would appear to encompass more than this through the plantation forest biodiversity areas provisions.	<p>Seek amendment.</p> <p>The relationship between the NPSIB and the NESPF needs to be clarified. As the NESPF operates on a “permitted with conditions” basis, if the direction outlined within the NPSIB is not explicitly included in the NESPF council would like clarity on how it is intended the policy direction within the NPSIB is to be implemented within a plantation forestry context.</p> <p>For example clauses 3.10 (1), (2) and (3) would not currently be picked up as part of council’s assessment of whether or not a forestry activity meets permitted conditions under the NESPF.</p>	Clarify relationship between NPSIB and NESPF.
22	Part 3.10 (1) Plantation forest biodiversity areas.		<p>Seek amendment.</p> <p>The NESPF currently has no provisions relating to the plantation forest biodiversity areas. Is the intention that the term ‘Plantation forest biodiversity areas’ and associated definition will be included as an amendment to the NESPF?</p>	Amendment to NESPF required.
22	Part 3.10 (2) Within a plantation forest biodiversity area that is a significant habitat for threatened or at-risk indigenous fauna, plantation forestry activities must be	There are currently no qualifiers for the terms “managed” and “maintain long-term populations”.	<p>Seek amendment.</p> <p>Performance standards are required to enable meaningful assessment of Part 3.10(2).</p> <p>How is it anticipated that this will be implemented/monitored?</p>	Implementation guidance required for Part 3.10(2).

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	managed over the course of consecutive rotations to maintain long-term populations of indigenous fauna species present, and Part 3.10 (3) Within a plantation forest biodiversity area that contains threatened or at-risk flora, the adverse effects to these flora from plantation forestry activities must be managed.			
23	Part 3.11 Managing adverse effects on geothermal ecosystems	Refer comments regarding effects on geothermal ecosystems on pages 21-22 of this submission table.		
24	Part 3.14 Identified taonga	There is a lack of clarity as to whether Part 3.14 (identified taonga) requirements applies to aquatic and amphibian species.	<p>Seek amendment.</p> <p>We support protecting and enhancing taonga species and their habitats.</p> <p>We seek an integrated coherent approach outlined within a single NPS. We oppose a fragmented approach to taonga indigenous species and ecosystems. The implementation challenges with the fragmented approach could include:</p> <p>Identifying taonga species in freshwater bodies and</p>	<p>Seek:</p> <ul style="list-style-type: none"> • an integrated comprehensive approach to taonga species, • clarification on how Part 3.14 is applied to taonga indigenous species that are also located across the

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			<p>freshwater ecosystems are excluded from NPSIB implementation.</p> <p>The resource burden for iwi and hapū kaitiaki and councils involved in identifying and locating taonga. Note the expertise related to indigenous species and ecosystems has been historically with the Department of Conservation.</p>	<p>terrestrial and the freshwater environments, and,</p> <ul style="list-style-type: none"> guidance in addressing implementation challenges.
25	<p>Part 3.15 Highly mobile fauna</p> <p>3.15 (1) and (2) Requirement to survey and map Highly Mobile Fauna outside of SNAs.</p>		<p>Oppose for the following reasons:</p> <ul style="list-style-type: none"> Lack of clarity and guidance about what is required (including which species must be surveyed). High cost of designing and undertaking surveys to determine the presence of such a large number of species over such a large area is considered unreasonable. Lack of guidance as to which species must be surveyed and methods to be used. Lack of clarity around roles and responsibilities of regional councils versus territorial authorities (who takes the lead?). Overlap with Department of Conservation’s functions under Wildlife Act. Lack of clarity for ratepayers as to the types of restrictions that might apply to their land. A high level of specialist advice will be required. This may lead to capacity issues (for example are there enough specialists with time to undertake this work) 	<p>If retained, clear guidance is required as to what is necessary and what we must do to meet the requirement of this clause, including what species must be surveyed and what methods must be used. Guidance is needed as to the relative responsibilities of regional council versus territorial authorities and funding for implementation.</p>

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			and resourcing implications not currently budgeted for.	
25	Part 3.15 Highly mobile fauna. 3.15 (3) Requirement to provide information to local communities about HMF and best practise techniques for managing.		Oppose. This information is unlikely to differ much between districts and regions and thus would be more efficiently and consistently provided by the Department of Conservation.	
26	Part 3.16(2) Restoration and enhancement	Requirement to record locations of SNAs in RPS.	Oppose. The requirement to duplicate recording SNA identified in district plans in an RPS is onerous and inefficient. There are currently seven district and city plans in the Bay of Plenty region. There seems little benefit in duplicating the content of district plan spatial layers in the form of a register. If this requirement is retained, BOPRC recommends plan users would gain more use from a regional spatial GIS layer that identifies all SNA identified in district and city plans rather than a register with descriptors.	Amend clause 3.16(2) by deleting ' and regional councils must record those locations (with appropriate descriptors) in their regional policy statements. '
26	Part 3.16 (1) and (2) Requirement to identify the location of wetlands, SNAs whose ecological integrity is degraded and areas important for connectivity and buffering functions and		Oppose for the following reasons: <ul style="list-style-type: none"> • Mapping of wetlands is already required by NPSFM • Mapping the locations of these areas is not necessary nor adds value in terms of promoting their restoration. • Lack of definition/criteria for deciding whether an SNA 	

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	former wetlands.		<p>is degraded (all SNAs are degraded to some extent).</p> <ul style="list-style-type: none"> • Lack of consistent definition/ criteria/methodology for identifying areas that provide important connectivity or buffering functions. • Lack of definition/criteria for deciding what is a former wetland 	
26	<p>Part 3.16 Restoration and enhancement</p> <p>3.16 (4) requirement to prioritise wetlands, SNAs whose ecological integrity is degraded and areas important for connectivity and buffering functions and former wetlands.</p>		<p>Oppose.</p> <p>Prioritisation should focus on threatened and originally rare ecosystem types (not just wetlands) and on maintaining and restoring the full range of ecosystems (as per Goal 6 of the NZBS 2000).</p> <p>NPSIB could refer to the National priorities for protection of rare and threatened protection of biodiversity on private land (DOC/MFE 2007) – which includes wetlands, sand dunes, originally rare ecosystems and indigenous vegetation associated with land environments with less than 20% remaining in indigenous cover.</p> <p>Bay of Plenty has 735 SNAs (including the Ōpōtiki district) that cover roughly half a million hectares. Funding is insufficient to undertake biodiversity management across all of these SNAs, so prioritisation is required. BOPRC and Department of Conservation have developed a shared set of 430 ‘Priority Biodiversity Sites’ (PBS) for our region. The PBS were developed to represent the full range of the Bay of Plenty’s indigenous ecosystem types and key populations of threatened species. The process for identifying PBS utilised spatial</p>	

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			<p>prioritisation software 'Zonation'. PBS are split into three Priority Levels based on the types of ecosystems they contain. Priority 1 sites contain ecosystem types with less than 10% of their natural extent remaining as well as Naturally Uncommon Ecosystems types that are Critically Endangered (according to Holdaway et al 2012). Priority 2 sites contains ecosystem types with 10-20% of their natural extent remaining and Naturally Uncommon Ecosystem types that are Endangered and Vulnerable (according to Holdaway et al 2012). Priority 3 sites contain ecosystem types that retain >20% of their natural extent and Naturally Uncommon Ecosystems that are not threatened. The priority level assigned to a PBS dictates the level of grant funding available from BOPRC for proactive biodiversity management.</p>	
26	<p>Part 3.16(5) Incentives</p> <p>When restoring and enhancing priority areas (Part 3.16), the proposed NPSIB encourages councils to provide incentives for restoration and enhancement, particularly on Māori land.</p> <p>Councils would consider incentives to promote restoration and enhancement, particularly for Māori</p>	<p>Incentives are effective and need to be explored further to identify how to fund additional resources.</p>	<p>Council already provides substantial incentives for biodiversity management where SNAs are also Priority Biodiversity Sites.</p> <p>The level of financial support available for a Priority Biodiversity Site varies depending on the nature of the site (more threatened ecosystem types attract higher grant rates), and the type of work required. In general Council will fund activities on a 50:50 cost share basis provided they meet our criteria, but there are certain higher-priority sites and actions which attract grant funding of up to 100%.</p> <p>SNAs which are not PBS may still qualify for incentives through our Sustainable Land Management Programme if their management will contribute to water and soil management goals in high priority catchments. Again</p>	<p>Further consideration needs to be given to existing incentives and how these can be further resourced.</p>

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	land.		grant rates vary depending on the likelihood management will provide a significant environmental outcome.	
27	Part 3.17 Increasing indigenous vegetation cover	The percentile targets for indigenous vegetation cover in rural and urban areas.	BOPRC supports the intent to include targets for indigenous vegetation cover in urban and rural areas in the region. The outcome will assist with objectives of the NPSIB. However, the research required to assess the existing percentage of indigenous cover is likely to be very costly. There is also lack of clarity as to how percentage cover is to be assessed and the scale at which it should be assessed (i.e. should cover in 'rural areas' be assessed at regional, district or catchment scale?).	Clear guidance as to how percentage cover should be assessed including assessment scale and mapping units.
28	Part 3.19 Assessment of environmental effects	Requirement to change plans to include requirement that assessment of environmental effects addresses effects on SNAs and other areas identified in 3.19(1)(a) – (f)	BOPRC supports the requirement for local authorities to change plans and regional policy statements to include a requirement that the specified matters be included in any assessment of environmental effects.	Retain 3.19 'Assessment of environmental effects'.

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30	Part 3.20 Monitoring by regional councils	There are a number of practical issues related to developing one region-wide monitoring plan for indigenous biodiversity.	<p>Seek amendment.</p> <p>A more coherent approach to mātauranga Māori monitoring is required. Particularly between mātauranga Māori monitoring for freshwater management, and indigenous biodiversity.</p> <p>Although Council fully supports that Māori values must be accommodated meaningfully into natural resources planning; there are practical implementation challenges. Those include:</p> <ul style="list-style-type: none"> • Māori have their own mātauranga, and several have expressed misgivings about sharing these with councils only to have them “taken” and accommodated into council led plans and monitoring systems. • We also need to acknowledge the significant cost for councils and iwi and hapū kaitiaki associated with mātauranga Māori monitoring, particularly with many areas with multiple overlapping iwi hapū interests. • The mātauranga Māori monitoring indicators are likely to be variable across the region depending on the location and the hapū/iwi (37 iwi and over 260 hapū in the region). It could require substantial resourcing for both Council and tangata whenua to develop a regional and district-wide monitoring plan. 	Amend the mātauranga Māori monitoring requirement to enable a more coherent and efficient approach. Also clarify how this monitoring approach will be funded.

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32	Appendix 1: Criteria for identifying significant indigenous vegetation and significant habitat of indigenous fauna	Direction to apply the criteria in Appendix 1 for assessing and identifying SNAs.	<p>BOPRC supports the requirement under clause 3.8(1) to undertake a district wide assessment using the criteria in Appendix 1 to determine if an area is an SNA.</p> <p>The first generation Bay of Plenty Regional Policy Statement was amended in 2006 to include criteria for assessing section 6(c) SNAs in district plans and resource consents processes. Whilst the Bay of Plenty RPS includes the same criteria proposed in the NPS it includes additional non-technical criteria (e.g. Māori, Historical and Community Association values) that can also elicit SNA values that contribute to why an area is important. Many SNAs are also identified in iwi and hapū resource management plans or Statutory Acknowledgement areas and are of historical significance to iwi for a myriad of cultural reasons. These criteria add to the richness of why natural areas are significant and the NPS should recognise and provide for the ability to continue utilising these criteria in future assessments.</p>	Amend NPSIB to enable the ongoing use of broader non-technical Māori, historical and community association criteria in SNA assessments.
44	Appendix 5: Regional Biodiversity Strategies		Reiterating comments regarding clause 3.16 (4) above – disagree that areas in clause 3.16 should form the basis of prioritisation. Prioritisation should focus on threatened and originally rare ecosystem types and on maintaining and restoring the full range of ecosystems (as per Goal 6 of the NZBS 2000).	

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44	Appendix 5 clause 2(c) A regional biodiversity strategy restoration and enhancement vision must recognise and provide for Hutia T Rito	The holistic approach and collaboration principles are supported.	Support clause 2 (c) of Appendix 5.	Retain clause 2 (c) of Appendix 5.
45	Appendix 5 clause (4) Matters to be taken into account when developing a regional biodiversity strategy.	Broaden the matters to be taken into account when developing a regional biodiversity strategy.	Seek amendments to broaden the matters to be taken into account when developing a regional biodiversity strategy to include: <ul style="list-style-type: none"> • working with territorial authorities on low impact design of stormwater, and building in urban environments to enhance and restore indigenous biodiversity in cities; and • working with District Health Boards to assist with people's health and wellbeing by enhancing nature within cities. 	Add the following sub-clauses to clause 4 in Appendix 5: <ul style="list-style-type: none"> - regional comprehensive stormwater plans for low impact design; - master planning for urban design/growth strategies to include and provide incentives for roof top gardens, biological corridors, biogeographical linkages; and - opportunities to partner with local District Health Boards to support investment in urban enhancement to improve health and wellbeing.

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58	C.9 – Managing effects on geothermal ecosystems.		<p>Council supports the following statement be included in the discussion document:</p> <p><i>“We believe a specific approach for geothermal ecosystems is required in the proposed NPSIB, given:</i></p> <ul style="list-style-type: none"> • <i>their importance for renewable electricity generation</i> • <i>the requirements of the NPSREG</i> • <i>existing use and practice in council plans</i> • <i>iwi/hapū aspirations.”</i> <p>As per communications on this matter prior to consultation, BOPRC would like to re-state the following feedback on the options relating to geothermal ecosystems as part of this consultation process.</p>	BOPRC requests to be included in any future working/advisory groups related to further policy development for geothermal ecosystems.
60-61	<p>C.9 – Managing effects on geothermal ecosystems.</p> <p>Option 1: Status quo for all geothermal ecosystems; and</p> <p>Option 2: Status quo for geothermal ecosystems in Taupō Volcanic Zone only</p>	Not inconsistent with BOPRC policy but exclusion conflicts with overall policy direction of the NPS.	<p>Neither Option 1 nor 2 are fully supported as these have missed the opportunity for national direction and erode efficacy of the NPSIB if too many “special” cases are carved out of the policy direction.</p> <p>Exclusion from an NPSIB potentially sends an undesirable message that the biodiversity values of geothermal are not important when considering non-extractive uses such as land uses that can have adverse effects on geothermal SNAs.</p>	If this option is progressed then exclusion should be restricted to geothermally-influenced indigenous biodiversity adversely affected by the take, use and discharge of geothermal energy and water within systems identified within a regional policy statement or regional plan as development systems

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				only.
61	<p>C.9 – Managing effects on geothermal ecosystems.</p> <p>Option 3: A specific framework in the proposed NPSIB would apply to all geothermal ecosystems</p>	<p>Policy approach unconfirmed so need clarity to know how this will relate to current BOPRC policy and any implications.</p>	<p>Support in principle.</p> <p>As stated within the discussion document and advice previously submitted by both Waikato Regional Council and BOPRC, further work will need to occur during and after public consultation to test the proposed approach with councils and industry and address issues with this option as currently drafted.</p> <p>For example:</p> <p>Both BOPRC's and Waikato Regional Council's Regional Policy Statements provide that in development systems, significant adverse effects on significant geothermal features from extractive use are to be remedied or mitigated, but significant adverse effects on significant geothermal features from all other activities are to be avoided. This option as drafted excuses all activities from the requirement to avoid adverse effects in development systems which would be inconsistent with current regional council policy.</p>	<p>BOPRC requests to be included in any future working/advisory groups related to further policy development for geothermal ecosystems.</p>
70	<p>Section D: Question 39. Do you see any challenges in wetland protection and management being driven through the Government's Action for healthy waterways package while wetland</p>	<p>The two separate National Policy Statements (Indigenous Biodiversity and Freshwater Management) both addressing wetland management could cause potential confusion and inconsistencies. There is currently overlap with the biodiversity purpose in the NPSFM.</p>	<p>Seek amendment and clarification.</p> <p>Council supports the NPSIB providing an integrated approach to managing indigenous ecosystems and habitats.</p>	<p>Include wetland policies and rules as a part of NPSIB that integrate with the NPSFM and clarify which is the primary document.</p>

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	restoration occurs through the NPSIB? Please explain. Draft National Policy Statement for Indigenous Biodiversity Nov 2019, Part 1.5 Application (2) a			

Section 32 evaluation and cost-benefit analysis for the proposed National Policy Statement for Indigenous Biodiversity

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12	Section 2.3 Approach to Indicative Cost Benefit Analysis The case studies (which do not include all councils) did not include discussions with tangata whenua, landowners or other stakeholders likely to be impacted by the NPSIB. Developing the case	Lack of insight and feedback from tangata whenua, landowners or other stakeholders.	It would have been useful to have captured a snap shot of feedback and insights from tangata whenua, landowners or other stakeholders as part of the cost benefit analysis. This valuable information may have provided a different focus or direction for implementation.	Talk with tangata whenua about the proposed NPSIB. Use established stakeholder forums to capture insights and feedback on the proposed NPSIB.

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	studies involved discussions with each council to understand their current approach to indigenous biodiversity management and the likely impacts, benefits and costs of the NPSIB. It did not involve discussions with tangata whenua, landowners or other stakeholders likely to be impacted by the NPSIB provisions in each district.			
44	Section 6.1 Regulatory options will be accompanied by implementation support.	Support.	Support non-regulatory options sitting alongside, and complementing, regulatory approaches. However, there needs to be seamless ability to work across government departments to bring the concept of Hutia Te Rito alive.	Ensure that all regulatory options will be accompanied by implementation support.
53	Section 7.2.4 Capabilities Consistent with the outcomes sought in Objective 2, Part 3.3 has a focus on better incorporating mātauranga Māori into the management of	Need to resource mana whenua to be involved. Relationships with mana whenua are built over time. Tangata whenua are unlikely to share mātauranga Māori if relationships are not built over time. They own their mātauranga Māori.	Support building mana whenua capability to respond. Issue with relationships, sharing knowledge and what will Councils do with the knowledge. Needs further consideration and guidance from Māori Policy.	Needs further consideration and guidance.

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	indigenous biodiversity, while making it clear that this should only be with the consent of tangata whenua.			
102 and 113	Table 38: Policy 15 and Part 3.20 – Assessment of Efficiency	<p>Estimated costs exclude the costs for mapping, engagement with tangata whenua.</p> <p>Costs expected to range from \$80,000 to amend an existing strategy to \$150,000 to produce a new strategy. These costs exclude any implementation programmes identified in the strategy and also exclude any costs for mapping required by other policies that would be reported in the strategy. In present value terms (6% discount rate), these costs range from \$60,000 to \$112,000 based on the assumption that they would be prepared five years after commencement date.</p> <p>Costs for tangata whenua, stakeholders and the community to engage in the preparation and implementation of regional biodiversity strategies (time and potential financial costs).</p>	<p>Costs of engagement have not been included.</p> <p>Cultural monitoring has not been identified or costed.</p> <p>Mātauranga Māori includes not just identifying and sharing taonga but applying it as a monitoring tool to adjust practices.</p>	Address gaps in Cost Benefit Analysis to better reflect actual costs to implement the NPSIB.

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121	The NPSIB provisions require that councils engage with tangata whenua, the community and other relevant stakeholders as part of the process to implement the NPSIB. This assessment does not attempt to estimate or quantify implementation costs to parties other than council at this time but rather acknowledge that there are both costs (including time, travel and resource costs for example) and benefits from the involvement of other parties in the implementation of the NPSIB. Further information on these costs and benefits to other parties will be sought through public consultation and incorporated in the updated CBA.	Concerned about real costs	Costs of engagement have not been included. Cultural monitoring has not been identified or costed. Mātauranga Māori includes not just identifying and sharing taonga but applying it as a monitoring tool to adjust practices.	Address gaps in the Cost Benefit Analysis to better reflect actual costs to implement this NPS.