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To whom it may concern,

Thank you for the opportunity to make a submission on Draft National Policy Statement for Indigenous Biodiversity. Please find our submission points below.

### **Objectives and Policies**

Go Eco supports all of the proposed objectives and policies in the draft NPS. However, we ask for some reframing of Objective 2 and Objective 6.

Objective 2: to take into account the principles of the Treaty of Waitangi in the management of indigenous biodiversity:

We are pleased that one of the objectives of the NPS seeks to give effect to Tiriti o Waitangi. However, we ask that this commitment is not limited to the principles of Te Tiriti. Te Tiriti guaranteed hapū self-determination and control of their own land and resources. The land of Kirikiriroa was confiscated by the crown during the land wars. This confiscation reduced the ability of the mana whenua to be self-determining and severed their relationship with their whenua. The principles of Te Tiriti do not fully recognise the rights of Māori to self-determination. Self-determination would position mana whenua as kaitiaki. It suggests, at the very least, a co-governance relationship.

Objective 6: to recognise the role of landowners, communities and tangata whenua as stewards and kaitiaki of indigenous biodiversity.

We are also pleased to see that the rights of mana whenua as kaitiaki acknowledged in the draft NPS. However, we note that objective 6 refers to kaitiaki as something that all landowners might have. We don't think that this adequately reflects the meaning of kaitiaki which is partly about an enduring and ongoing relationship with place. Policy 1, better reflects the unique role of tangata whenua as kaitiaki of indigenous biodiversity within their rohe.

We support the inclusion of Mātauranga Māori. We would like to understand how support for Mātauranga Māori will be carried through in implementation action. We understand this to result in greater use of observation, storytelling and other traditional methods to protect indigenous biodiversity.

We support the implementation requirement that positions tangata whenua as kaitiaki. However, we would like to see models of co-governance developed rather than consultation and involvement. We also ask that the definition of the 'reasonable steps' that a local authority might take to ensure tangata whenua are supported to be kaitiaki, are defined by mana whenua.

### **Urban and peri urban environments**

Go Eco strongly supports the goal of increasing indigenous vegetation cover in urban and peri-urban areas to at least 10 percent of the area. When ecosystem cover declines below 10%, an increasingly large proportion of biodiversity is lost (The Environmental Research Institute, University of Waikato, 2018). We also request that this goal is extended to rural areas.

We request a timeframe for when the 10% indigenous vegetation cover needs to be achieved.

In the NPS-Urban Planning, Territorial Authorities are required to provide open space as part of quality urban environments. We support more open space to be used in support of indigenous biodiversity.

### **SNAs and monitoring**

Go Eco supports a requirement for councils to identify SNAs. We ask that mana whenua and landowners are involved in this process: their local knowledge is important, and the process can help everyone to better understand the value of local wildlife and habitats.

We need strong environmental bottom lines to make sure SNAs are not damaged by people's activities. New development must avoid negative effects on SNAs.

The policies that protect SNAs should apply to public land too. It isn't necessary to map all conservation land to identify whether it is ecologically significant. It should be considered significant unless shown not to be.

Go Eco supports the Government's proposed ban on any new mines on conservation land, and for mining in other SNAs to only be allowed if the habitat is protected.

### **Protect native species wherever they live**

Go Eco supports the policy for highly mobile fauna and the responsibility of local authorities for the monitoring of highly mobile fauna. We think the requirements to monitor highly mobile fauna could be developed collaboratively with the community. We would like to see developers contributing to the necessary monitoring.

## **Protect and restore nature**

It's not enough just to protect what we have left. We need to restore and enhance nature to make up for past loss and to build climate change resilience. Go Eco supports the implementation action requiring every regional council to develop a regional biodiversity strategy. However, we ask that this is developed, in the first instance, with the mana whenua of the region and then, following this, in collaboration with territorial authorities, communities and other identified stakeholders. The priority place of mana whenua as kaitiaki of their whenua and resources better reflects the intent of Te Tiriti o Waitangi.

## **Climate change is central to all decisions**

Climate change is a huge challenge for people, places, and wildlife. Droughts and floods can decimate entire habitats and local species. Climate change needs to be central to environmental planning and resource consents.

## **Effects management hierarchy**

Go Eco strongly supports 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.

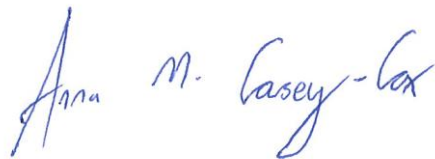
We ask for reservation around the use of compensation and off-sets as harm mitigations. Brown et al. (2014) assessed 110 cases of ecological compensation involving diverse New Zealand ecosystems on the basis of how they addressed the six key implementation issues: equivalence, location (i.e. spatial proximity), additionality, timing, duration and compliance, and currencies. In 97 cases, they found that there was no objective quantification of the compensation needed to make up for impact losses, with the requirements being devised by negotiation between parties with the assistance of expert input. Brown et al. (2014) recommended that significant improvements are made to its implementation to enhance ecological outcomes. Hence, compensation and off-sets need to be used with caution.

According to the 'effects management hierarchy', the ideal situation is that negative environmental effects are avoided, with any residual effects dealt with by mitigation, then if necessary remedying. If there is anything left over that can't be addressed by mitigation or remedying, then offsetting may be used. This requires great knowledge of what was there first (actual counting) so you know what residual effects are present and need to be addressed. Our observation locally is that there is very little measure taken of what indigenous biodiversity is present (for wildlife and other environmental values) prior to development. This means no effective avoidance can be achieved and more focus is placed on mitigation, though this mitigation has not been designed to ensure it is effective. Some attempt might be made to remedy effects. Offsetting is less possible, because there is little work undertaken to measure the biodiversity values before starting to cause effects. This is our observation of the standard approach to wildlife and environmental effects for developments, which is why we are continuing to see decline in area and abundance of indigenous species and environments.

One example in Hamilton City, relates to the habitat of the long-tail bat that has been adversely affected by development. In more recent developments, the negative impacts on their habitat have purportedly been mitigated for by the installation of numerous bat boxes in the neighbouring area. Yet, there is no evidence that bat boxes are an effective mitigation measure.

We request that the implementation of the 'effects management hierarchy' by local authorities has independent oversight. We are concerned that at a time of extinction and crisis, this hierarchy could be subverted for inferior outcomes. And we request that more work is undertaken to establish biodiversity and environmental values upfront before development, so that we are more aware of what we might be losing in proposed developments.

Ngā mihi,

A handwritten signature in blue ink that reads "Anna M. Casey-Cox". The signature is written in a cursive style with a large initial 'A'.

Anna Casey-Cox  
on behalf of Go Eco

**References:**

Brown, M.A., Clarkson, B.D., Stephens, R.T.T., Barton, B.J. (2014). Ecological compensation in New Zealand. *New Zealand Journal of Ecology*, Vol. 38, No. 1.

The Environmental Research Institute, University of Waikato (2018). Restoration targets for biodiversity depleted environments in New Zealand. Available at [https://www.researchgate.net/publication/329629756\\_Restoration\\_targets\\_for\\_biodiversity\\_depleted\\_environments\\_in\\_New\\_Zealand](https://www.researchgate.net/publication/329629756_Restoration_targets_for_biodiversity_depleted_environments_in_New_Zealand)