



NGĀTI TAMA
KI TE WAIPOUNAMU
TRUST

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Ministry for the Environment
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Submitted to: indigenusbiodiversity@mfe.govt.nz

Submission on Draft National Policy Statement for Indigenous Biodiversity

Tēnā koutou

INTRODUCTION

1. Ngāti Tama ki Te Tauihu are mana whenua in Te Tauihu as recognised under tikanga Māori. The traditional rohe of Ngāti Tama ki Te Tauihu is Mai Whangamoā ki Kahurangi. The Tasman, Nelson and Marlborough local government boundary areas are within our area of interest.
2. Ngāti Tama ki Te Waipounamu Trust is the mandated iwi organisation for Ngāti Tama ki Te Tauihu. The Trust was established in April 2013 to receive, hold, manage and administer the Te Tauihu Settlement Act 2014 (Settlement Deed) on behalf of and for the benefit of present and future descendants of Ngāti Tama ki Te Tauihu.
3. The Settlement Act recognises and acknowledges the historical, cultural, social, economic and environmental relationship Ngāti Tama ki Te Tauihu has with their land, waterways and fisheries and the Coastal Marine environment.
4. Ngāti Tama ki Te Waipounamu Trust is an iwi authority as defined in section 2 of the Resource Management Act 1991 (RMA) and is recognised by Ngāti Tama ki Te Tauihu as having authority to represent the Iwi. Further, under section 77 of the Local Government Act 2002 requires that a Local Authority must, in the course of the decision-making process “take into account the relationship of Ngāti Tama and their culture and traditions with their ancestral land, water, sites, wāhi tapu, valued flora and fauna, and other taonga.”
5. The Crown has acknowledged the integrity, generosity and mana of Ngāti Tama ki Te Tauihu to vest Kaka Point and Te Tai Tapu – totalling approximately 28,602 hectares on settlement date and then re-vest back in the Crown seven days later as a gift and public good from Ngāti Tama ki Te Tauihu to the people of Aotearoa/New Zealand.
6. Ngāti Tama ki Te Waipounamu Trust has also made an application for Customary Marine Title and protected customary rights for the coastal marine area of interest.

A. GENERAL COMMENTS

1. Thank you for providing Ngāti Tama ki Te Waipounamu the opportunity to provide feedback on *He Kura Koiora i hokia – A discussion document on a proposed National Policy Statement for Indigenous Biodiversity* and the Draft National Policy Statement for Indigenous Biodiversity (NPSIB).

Ngāti Tama would like the opportunity to be heard in relation to this submission.

In general terms Ngāti Tama supports the broad direction of the indigenous biodiversity proposals to:

1. Address the decline of Aotearoa indigenous flora and fauna;
2. Identify important indigenous biodiversity;
3. Manage the adverse effects of certain activities on indigenous biodiversity;
4. protection, restoration and enhancement outcomes for indigenous biodiversity;
5. Provide methods for monitoring and the implementation of a national indigenous biodiversity policy;
6. Assist Ngāti Tama/tangata whenua to partner with Regional councils and territorial authorities to give effect to Treaty of Waitangi partnership principles;
7. Confirm Te Ao Māori, tikanga Māori, Mātauranga Māori and a Treaty framework are a necessary basis for implementing NPSIB outcomes.

8. Broadly Ngāti Tama recommends the following:

- Te Ao Māori, tikanga, Mātauranga Māori and Te Tiriti o Waitangi/ principles of Treaty of Waitangi should be enshrined in the NPSIB, which in turn informs all policy decisions of the Crown and Councils. In other words, the development of policies must reflect the matters above.
- In Te Ao Māori, Ranginui and Papatūānuku and all elements in between are interconnected. Therefore indigenous biodiversity includes terrestrial, coastal and freshwater and should be managed holistically and under one National Policy Statement.
- Resources and technical guidance for Ngāti Tama/tangata whenua is required to map and identify SNAs, manage, protect and restore indigenous biodiversity on Māori Land, Treaty settlement lands, Right of First Refusal lands, coastal and waterways;
- Resources and technical guidance for Ngāti Tama/tangata whenua is required to participate and assist Council and Crown with the implementation of the proposed NPSIB;
- Resources and tools are required to support Ngāti Tama/tangata whenua develop and implement cultural health monitoring tools, mapping and reporting.

Specific Comments

The remainder of this submission responds to some of the questions in the discussion document and Draft National Policy Statement for Indigenous Biodiversity for ease of interpretation.

HE KURA KOIORA I HOKIA – A DISCUSSION DOCUMENT ON A PROPOSED NATIONAL POLICY STATEMENT FOR INDIGENOUS BIODIVERSITY

SECTION: Introduction

Do you agree a National Policy Statement for Indigenous Biodiversity (NPSIB) is needed to strengthen requirements for protecting our native plants, animals and ecosystems under the Resource Management Act 1991 (RMA)? Yes/no? Why/why not?

Ngāti Tama support the NPSIB to strengthen protection of indigenous biodiversity under the RMA. Our recommendations seek to expand on the NPSIB to provide clarity for Councils to implement the NPSIB in planning, policy and regulatory frameworks and existing biodiversity workstreams.

**SECTION A: Recognising Te Ao Māori and the principles of the Treaty of Waitangi
A.1 – Providing for the concept of Hutia te Rito**

Hutia te Rito recognises that the health and wellbeing of nature is vital to our own health and wellbeing. This will be the underlying concept of the proposed NPSIB. Do you agree? Yes/no? Why/why not?

Ngāti Tama are not satisfied that the quotation of a whakatauki is evidence enough that Te Ao Māori, Te Tiriti o Waitangi and principles of The Treaty of Waitangi informs policies of the councils.

Ngāti Tama reaffirms Te Ao Māori; Māori Worldview, tikanga, Te Tiriti o Waitangi/principles of Treaty of Waitangi, Rangatiratanga, Kaitiakitanga be enshrined in the NPSIB. Anything less is unacceptable.

This approach provides clarity and informs all policy decisions of the Crown and Councils. There are several tangible examples of Māori membership on Councils, Iwi co-governance and co-management arrangements which reflects the partnership principle of the Treaty of Waitangi.

A.2 – Providing for the principles of the Treaty of Waitangi and engaging with tangata whenua

Do you think the proposed NPSIB appropriately takes into account the principles of the Treaty of Waitangi? Yes/no? Why/why not?

Ngāti Tama reaffirm that Te Tiriti o Waitangi and the principles of Treaty of Waitangi should be enshrined in the NPSIB.

What opportunities and challenges do you see for the way in which councils would be required to work with tangata whenua when managing indigenous biodiversity? What information and resources would support the enhanced role of tangata whenua in indigenous biodiversity management?

The key challenge for implementing the NPSIB will be capacity, capability and resources for Ngāti Tama/tangata whenua. This issue is fundamental to the implementation of all national policy and standards and requires Government attention.

Local authorities will need to consider opportunities for tangata whenua to exercise kaitiakitanga over indigenous biodiversity, including by allowing for sustainable customary use of indigenous flora.

Do you think the proposed NPSIB appropriately provides for customary use? Yes/no? Why/why not?

As guaranteed in Te Tiriti o Waitangi, the provision for customary harvest and use of indigenous biodiversity should be enshrined in the NPSIB to give effect to Te Tiriti o Waitangi/principles of Treaty of Waitangi.

SECTION B: Identifying important biodiversity and taonga

B.1 – Identifying and mapping Significant Natural Areas

Territorial authorities will need to identify, map and schedule Significant Natural Areas (SNAs) in partnership with tangata whenua, landowners and communities. What logistical issues do you see with mapping SNAs, and what has been limiting this mapping from happening?

Resources will be required for Ngāti Tama to identify, map and schedule SNAs in partnership with Councils and landowners.

Do you consider the ecological significance criteria in Appendix 1 of the proposed NPSIB appropriate for identifying SNAs? Yes/no? Why/why not?

The inclusion of cultural health indicator tools identified by Ngāti Tama/tangata whenua should be included in the criteria to enable Ngāti Tama/tangata whenua to identify what is significant to them.

SECTION C: Managing adverse effects on biodiversity from activities

C.1 – Managing adverse effects on biodiversity within Significant Natural Areas

Do you think the proposed NPSIB provides the appropriate level of protection of SNAs? Yes/no? Why/why not? (see Part 3.9 of the proposed NPSIB)

Ngāti Tama do not object to this provision. However, at risk taonga species should also be protected outside of SNA's especially when there is the potential for a reduction in population and or habitat for any part of their life cycle which should be avoided.

Do you agree with the new activities the proposed NPSIB provides for and the parameters within which they are provided for? (see Part 3.9(2)-(4) of the proposed NPSIB) Yes/no? Why/why not?

Ngāti Tama support provisions for appropriate nationally significant infrastructure, single dwellings and activities on Māori land and should also include Treaty settlement lands as they provide a platform to deliver on social, cultural, environmental and economic outcomes for Ngāti Tama descendants.

C.6 – The use and development of Māori land

Do you think the proposed NPSIB adequately provides for the development of Māori land? Yes/no? Why/why not?

Ngāti Tama do not object to the permissive provisions for development on Māori land, similar to the same provisions as nationally significant infrastructure.

C.7 – Consideration of climate change in biodiversity management

Part 3.5 of the proposed NPSIB requires territorial authorities and regional councils to promote the resilience of indigenous biodiversity to climate change. Do you agree with this provision? Yes/no? Why/why not?

Ngāti Tama have a specific and special relationship with the natural environment and Indigenous Biodiversity in Te Taihū. The geographical environment and cultural landscapes define our identity, our connections to past and future generations, and our turangawaewae. We expect Council to uphold Treaty obligations by supporting the Rangatiratanga of Ngāti Tama/tangata whenua so they can exercise kaitiakitanga. Rangatiratanga includes Ngāti Tama/tangata whenua working in partnership with Council in the development and implementation of climate change frameworks and initiatives to address the resilience of indigenous biodiversity to climate change.



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