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Submission by Te Rūnanga Whakauka o Kahurangi ki Kaikōura / Nelson Marlborough Conservation Board – proposed National Policy Statement for Indigenous Biodiversity (NPS-IB)

Contact information

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The Nelson Marlborough Conservation Board (NMCB) appreciates the opportunity to provide feedback on the proposed National Policy Statement for Indigenous Biodiversity.

The Nelson Marlborough Conservation Board is an independent body established by under the Conservation Act 1987 to represent the public interest in the work of the Department of Conservation and conservation in general. Its area of jurisdiction extends from Kahurangi Point on the West Coast of the South Island to the Conway River on the East Coast.

Under the Conservation Act, Section 6N the Conservation Board has the power to “advocate its interests at any public forum or in any statutory planning process.” The Board sees indigenous biodiversity protection to be a conservation matter of national importance and has identified it as one of the Board’s strategic priorities.

Introduction to submission

The following submission highlights our concerns about the proposals.

Submissions follow the structure of the discussion document and online submission platform.

The NMCB submission is based on review and analysis of:

- Proposed National Policy Statement for Indigenous Biodiversity (NPS-IB)
- He kura koiora i hokia: Discussion Document
- He kura koiora i hokia: Summary of Discussion Document



Nelson Marlborough Conservation Board (NMCB) submission

1. Introduction section and the need for an NPS-IB

The NMCB has concerns with the wording 'Indigenous' and feel it is not expansive enough. Flora and Fauna is inclusive and supports many Iwi/Māori in their Wai 262, the Waitangi Tribunal Flora & Fauna Claim.

The NMCB supports the rationale for the necessity of the NPS-IB. We echo the inadequacies of the Resource Management Act (RMA), and the subsequent negative consequences for Indigenous Biodiversity (IB) despite current efforts to protect it.

Current legislation has not halted ongoing loss of biodiversity on private land throughout NZ, particularly in regions where land use intensification has occurred.

The NMCB supports the 'all land tenures are covered' approach and the concept of collaborative care model for our IB. We strongly support the focus on restoring and enhancing IB.

The permanent protection and restoration of remnant ecosystems will be vital to achieving the objectives of the NPS-IB, and ultimately significant for achieving the aspirational goal of Predator Free NZ.

NMCB has concerns that the NPS-IB does not include freshwater biodiversity. We strongly advocate for its inclusion.

NMCB has concerns that the NPS-IB does not include provision for human/wildlife conflict.

The NMCB submits that incentives for the protection of IB on private land are required and suggests:

- a) Funding should be increased for covenanting and/or purchase of such areas (including fencing and predator control),
- b) Once land is protected by covenant, enabling landowners to participate in the Emissions Trading Scheme, or other future carbon sequestration programmes, as long as ongoing predator control measures are carried out to a certain standard.

The NMCB submits that freshwater biodiversity should be included in the NPS-IB.

2. Recognising te ao Māori and the principles of the Treaty of Waitangi

The NMCB strongly supports the NPS-IB fundamental concept 1.7(3) - Maintenance of indigenous biodiversity, including the reference to the restoration or enhancement of ecosystems and habitats.

The NMCB strongly supports the NPS-IB fundamental concept 1.7(4) - Adverse effects on IB.

We endorse that consideration of mātauranga Māori is given in the use and application of science.



3. Identifying important biodiversity and taonga

The NMCB is of the view that the NPS-IB requires additional Policy to ensure the conservation status of indigenous species is a key part of decision making around IB protection and management.

Such Policy would assist in achieving implementation 3.4, including maintaining and enhancing of freshwater ecosystems.

The NMCB submits that the following should be included in the NPS-IB Policies: Policy 12a) to identify and consider the conservation status of terrestrial and aquatic indigenous species.

If this submission is accepted, changes to the NPS implementation requirements (such as regional biodiversity strategies and assessment of adverse effects) will be required.

4. Managing adverse effects on indigenous biodiversity from activities

The concept of biodiversity offsets implies that it is acceptable to destroy an area of IB, even though individual areas tend to be unique and impossible to replicate at another site.

The NPS-IB *Appendix 3: Principles for biodiversity offsetting* puts little emphasis on the conservation status of species that would be destroyed in the act of offsetting, or on the concept of ecosystem linkages and connections. Pockets of IB are important in terms of ecological corridors, connections, and seed sources. These pockets will become increasingly important as ecosystems are restored and Predator Free NZ comes to fruition. The NPS-IB needs foresight in this respect.

The NMCB submits that there needs to be more future proofing emphasising the potential future role the habitat to be destroyed will have in terms of connectivity, and in reaching the objectives of Predator Free NZ.

5. Restoration and enhancement of biodiversity

The NMCB feels that the NPS-IB part 3.16 requires an addition to reinforce the interactions between terrestrial and aquatic IB and, in turn, strengthen both the NPS-IB and the NPS-Freshwater Management (NPS-FWM).

The NMCB submits that part 3.16(1) requires a new clause:

e) *Fresh water and estuarine ecosystems and their riparian margins.*

Alternatively, an addition to 3.16(1)(c) would suffice:

c) areas that provide important connectivity or buffering functions, *including freshwater and estuarine ecosystems and their riparian margins.*

The NMCB submits that 3.16(4)(c) requires the same addition, to read:

c) areas that provide important connectivity or buffering functions, *including freshwater and estuarine ecosystems and their riparian margins.*



6. Monitoring and implementation

The NMCB supports the approach to monitoring and reporting.

The NMCB advocates for a monitoring regime and framework that is determined at the national level. This premise reflects the view of the PCE (2019) Focusing Aotearoa New Zealand's environmental reporting system report, which emphasises the need to gather data in a consistent way, and to develop a core set of environmental indicators. This national measurement system must have clarity and deadlines in order to ensure quick implementation and ongoing accountability.

The NMCB agrees with the implementation process described in the NPS-IB part 3.4. This will be a considerable undertaking for territorial authorities, particularly our smaller councils.

The wider biodiversity processes envisaged in the NPS-IB require collaboration between territorial and regional government, resulting in an increased workload funded by ratepayers. Integrated management is very difficult to achieve; the success of which has been mixed over the life of the RMA to date. The NPS-IB provides an opportunity to improve the current situation. Achieving integration with conservation legislation (and the Strategies and Plans flowing from legislation) is particularly important for achieving the objectives of the NPS-IB and could be achieved more effectively and efficiently by encouraging delegation of functions to regional councils.

The NMCB notes that the conservation status of indigenous species should be specified as a key element of the integrated approach. The NPS-IB part 3.4(c) addresses the issue of considering all conservation legislation, but not the conservation status of specific species.

The NMCB submits that a standardised national measurement system must be introduced and implemented in order to adequately develop a core set of environmental indicators, monitor progress, and enact accountability.

The NMCB submits that central government resourcing will be required to achieve the objectives of the NPS-IB, irrespective of the financial position of the smaller councils.

The NMCB submits that an addition to the NPS-IB 3.4(c) is required to account for the conservation status of species, this could read:

c) considering the requirements of strategies and other planning tools required or provided for in legislation and relevant to indigenous biodiversity, including the conservation status of terrestrial and aquatic indigenous species.

7. Statutory frameworks

The NMCB is concerned that the NPS-IB does not apply to IB in waterbodies and freshwater ecosystems.

The RMA has, to date, failed to adequately protect these habitats and current legislation affecting the status of Aotearoa's indigenous fisheries has failed to halt the decline. Stronger links are needed between the National Policy Statement for Freshwater and the NPS-IB.



The Nelson Marlborough Conservation Board appreciates this opportunity to comment through this consultation process and looks forward to seeing protection for our taonga species and indigenous biodiversity of Aotearoa New Zealand ensured for the future.

Gina Solomon

Chairperson

Nelson Marlborough Conservation Board

Te Rūnanga Whakauka o Kahurangi ki Kaikōura

16 March 2020