

21 July 2022

Ministry for the Environment

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**RE: Far North District Council feedback on the Ministry for the Environment National Policy Statement for Indigenous Biodiversity, Exposure Draft, June 2022**

The Far North District Council (Council) provided feedback on the November 2019 Draft National Policy Statement for Indigenous Biodiversity (NPSIB) in March 2020. Council welcomes the further opportunity to provide feedback on the June 2022 exposure draft of the NPSIB.

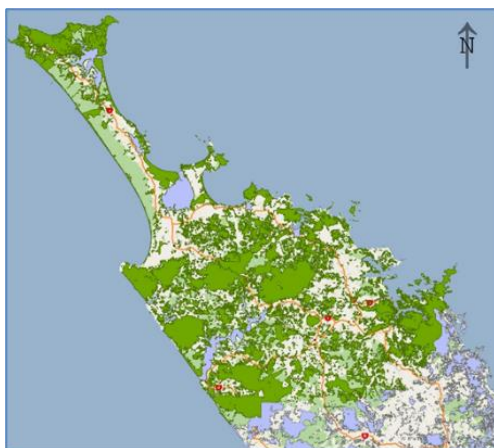
Council values the Ministry's guidance for creating a more explicit and focused planning framework for the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (SNAs) and maintenance of indigenous biodiversity throughout Aotearoa New Zealand.

Council appreciates the ongoing central government support that will be provided to enable local authorities to maintain the integrity of indigenous biodiversity, particularly given the considerable difficulties experienced by Council to date (as backgrounded below) in seeking to satisfy the requirements of the Resource Management Act 1991 (the Act) and give effect to Part 2 of the Act. Our submission is structured to provide

- Key points highlighting the challenges and risks that implementation of the proposed framework will pose, drawing on our experience
- Further background on the Far North context of protection of indigenous species and habitats
- More detailed feedback on specific elements of the exposure draft

**Key points of feedback**

Scale of Resource



As part of a preliminary assessment, in 2019 Wildlands Consultants mapped extensive areas of SNA in the Northland region. Wildlands identified 685 SNAs in the Far North District covering approximately 282,696 hectares, affecting 42% of the District and approximately 10,000 properties. Of this, 19.43% had a site coverage of above 80% potential SNA. There is a significant amount of Māori land in the Far North district, approximately 17% of all land in the District, made up of 3,865 Māori freehold land blocks. In comparison, the neighbouring Districts have: 756 Māori land blocks, or 0.5% of Māori land, within Whangarei District 291 Māori land blocks, or 0.8% of Māori land, within Kaipara District.

Of the 17% of the District that is Māori freehold land (about the same amount of Crown land administered by the Department of Conservation) 52% of Māori Freehold Land in the District has a SNA identified and 18% of all the SNAs identified are on Māori Freehold Land.

*Potential SNA Coverage (ha) in Northland by Territorial Authority (2019 Wildlands)*

District	Private	Council	DOC
Far North	152,693	2,704	105,012
Whangarei	48,495	310	57,314
Kaipara	29,432	494	15,277

The adjacent table shows the respective coverage of potential SNAs in each of Northland's territorial authorities, with a breakdown of private land, Council-owned land and Department of Conservation land (figures are shown in hectares). Far North has a significant amount of potential SNAs in private ownership, which is 58% of the identified SNAs and 20.8% of the total land area of the Far North District.

### Cost and Resource Implications

Given the District's variable topography, including many small SNAs that are not contiguous and/or are relatively isolated; future ground truthing, mapping and reporting of these areas to the degree required by the NPSIB will have large financial and resourcing implications for the Far North community. If Council were able to source ecologists to undertake the work, Council does not know how it would be able to fund the mapping and monitoring of SNAs required by the NPSIB. In 2020, Council estimated the total costs for NPSIB-only activities as \$810,000 and the total biodiversity programme costs as \$297,750 per annum. Council emphasizes the need for central government to ensure that adequate funding and technical resource are available to Council, tangata whenua and other landowners.

### From the hikoi: Scrap SNAs the demand at huge Kaikohe protest

12 Jun, 2021 05:00 AM

© 6 minutes to tea



Hikoi to the Far North District Council in Kaikohe. Photo / Peter de Graaf

<https://www.nzherald.co.nz/northern-advocate/news/from-the-hikoi-scrap-snas-the-demand-at-huge-kaikohe-protest/QXFOIMYQ625MVLQM5005ATOMAM/>

### Community Awareness, Understanding and Participation

As outlined below, Council has faced many challenges and controversy in its commitment to protect and enhance the District areas of indigenous biodiversity. Council supports an integrated approach, provided that:

- Central government agencies to take a lead role in raising the public's awareness of the nation-wide mandatory approach for protecting and maintaining indigenous biodiversity.
- The responsibilities of central government agencies, local authorities, tangata whenua and landowners are clearly defined and enabled, and avoid the duplication of resources (particularly in terms of future resource management reforms).
- Adequate and timely technical information, expertise and funding is available in the short and long term to address capacity and resourcing issues for local authorities, tangata whenua and landowners, i.e. for ground-truthing, assessments and consultation.
- Council will not be able to meet the timeframes outlined in the NPSIB if these matters are not addressed.

## **Background Protection of SNAs in the Far North District**

Although its endeavours have met with strong opposition, Council has shown an ongoing commitment towards protecting indigenous vegetation and habitat in the District. Significant barriers have included limited understanding of the regulatory framework guiding Council (including the Resource Management Act (the Act) and the Regional Policy Statement for Northland (RPS)), the geography of the District, the challenges of inadequate technical and financial resourcing to identify SNAs, and the difficulty in securing the essential ‘buy-in’ of key stakeholders.

### Proposed Far North District Plan 1996

On 2 September 1996, as part of consultation to include a schedule of SNAs in its District Plan, Council circulated correspondence to approximately 1,800 landowners relating to approximately 884 sites surveyed by the Department of Conservation as including PNAs. Council sought comment regarding the indicative areas and the methods that could be used to protect the areas. Notwithstanding their feedback, landowners were advised of Council’s intention to map the areas for inclusion within the District Plan, with any inaccuracies to be addressed through public submissions, ongoing consultation with landowners and future ground-truthing of the areas.

The District Plan was adopted by Council, notified 31 October 1996, and varied in March 1997 mainly in response to public submissions over various matters, particularly SNAs. The variation made substantial changes regarding habitats.

The District Plan and SNAs were subject to public protest marches organised by Grey Power, ratepayer groups and Federated Farmers, and petitions were submitted locally and nationally to ‘can the plan’.

At a Council meeting 1 October 1998, Council resolved:

- To adopt voluntary protection of indigenous flora and fauna for the General Rural and Minerals zones as set out in a revised District Plan.
- That the District Plan be released for public comment on 6 April 1999 through an informal process.
- To withdraw the District Plan (as publicly notified 31 October 1996) upon receipt of a fully signed agreement with District landowner and resource user representatives to achieve protection of significant indigenous flora and fauna. If an accord could not be reached by 19 October 1998, Council would publicly notify a change to the Transitional District Plan to include vegetation clearance rules.
- To establish an interim Significant Natural Area Committee (comprising the District Plan Committee).
- To consult with other parties such as the Department of Conservation and Northland Regional Council to contribute towards the cost of a comprehensive aerial photographic survey of the District.

The 1996 District Plan was withdrawn 19 October 1998, with an accord subsequently signed with representatives for farmers and foresters providing interim protection for SNAs.

SNAs are not mapped under Council’s September 2009 Operative District Plan (ODP). Rules around indigenous vegetation clearance are covered in Sections 12.1 and 12.2 of the ODP. The permitted activity thresholds provide for clearance for specific purposes, or the level of clearance is determined by the overlay, zone, location, age and/or areas of vegetation affected. Chapter 13 ‘subdivision’ requires the continued preservation of areas of significant indigenous vegetation or significant habitats of indigenous fauna, as defined by the criteria within Appendix III of the Regional Policy Statement (RPS).

## Proposed Far North District Plan 2022

Council remains acutely aware of its need to balance the importance of maintaining and enhancing indigenous biological diversity in the District whilst enabling its diverse communities to provide for their social, economic and cultural well-being. Council has again endeavoured to achieve this balance in its second-generation District Plan that is approaching public notification. Drafted prior to the release of the NPSIB exposure draft and approved for public consultation on 14 June 2022, the Proposed Far North District Plan (PDP) is to be publicly notified 27 July 2022. The proposed 'Ecosystems and Indigenous Biodiversity' chapter of the PDP has been heavily influenced by public feedback on a mapping project that was circulated to approximately 8000 landowners in 2021 identifying SNAs on their land.

As part of a joint project in 2021 with Kaipara and Whangarei District Councils, Council identified and mapped significant natural areas (SNA) within the District. This exercise was undertaken to meet the three Councils' statutory responsibilities for controlling the use of land to maintain indigenous biological diversity which is an issue of significance identified in the RPS. Appendix 5 of the RPS prescribes assessment criteria for areas of indigenous vegetation and habitats of indigenous fauna and this directed the assessment. Council had neither the financial nor staff resources available for the level of ground truthing of SNA required or undertaking its preferred stakeholder consultation for the extensively mapped SNAs. The methodology included using existing literature, aerial photography and limited field assessment to identify the presence of native plants and habitats with high ecological value as per Appendix 5 of the RPS. Council circulated the draft ecological reports and maps detailing the SNA for comment.

Based on the criteria in Appendix 5 of the RPS, approximately 42% of the District was mapped through this process as potentially containing SNA and therefore included in the DDP. In summary:

- A total of 685 SNAs were identified by Wildlands Consultants, covering an area of 282,696 hectares, which is approximately 42% of the area of the Far North District. Of that 42%, approximately half are located on public land (already zoned as conservation land) and half on land in private ownership.
- Approximately 10,000 properties were identified as including SNA. Of these properties approximately 20% exceed 80% SNA coverage.
- Approximately 52% of Māori Freehold land in the District contains SNA.

Public feedback expressed strong oral and written opposition to the District-wide mapping of SNA. This included protests by tangata whenua, farmers and other landowners who considered that the mapped SNAs undermined their sovereignty and property rights. Tangata whenua expressed concern that the mapping represented a 'land grab' and further appropriations of Māori land by the Crown, undermining te tino rangatiratanga and kaitiakitanga. This opposition culminated in a large hiko to Council where tangata whenua delivered a petition against the SNA mapping process.

In response to the public reaction, Council's Strategy and Policy Committee resolved to withdraw the SNA maps and decided that they would not be included in the 2022 PDP.

The management approach for the 2022 PDP 'Ecosystems and indigenous biodiversity' chapter includes policies that give effect to higher order policy direction and a rule framework focused on indigenous vegetation clearance rules with more stringent thresholds within SNAs. As the 2022 PDP does not include district-wide SNA mapping, it requires an ecological assessment when indigenous vegetation clearance over 100m<sup>2</sup> per calendar year is proposed. Council anticipates submissions will express concern regarding difficulties engaging suitably qualified ecologists, the associated costs and time delays incurred because of these factors.

If indigenous vegetation is identified as a SNA through the resource consent process, or through voluntary identification by a landowner, there is a mechanism within the 'Ecosystems and indigenous biodiversity' chapter to add SNAs to a schedule in the 2022 PDP. If the schedule is not updated through submissions, updates may be some years away through Council initiated plan changes after the plan is operative.

The policy framework also provides stronger recognition of tangata whenua as kaitiaki and landowners as stewards of indigenous biodiversity. The need to ensure the protection of indigenous biodiversity is balanced with the ability of people and communities to provide for their social, economic and cultural well-being.

The policy framework in the 2022 PDP for SNAs and indigenous biodiversity gives effect to the higher-level policy direction in the the New Zealand Coastal Policy Statement and the RPS for Northland for the protection of SNAs, within and outside the coastal environment.

### **Specific comment on NPSIB**

In reviewing the exposure draft of the NPSIB and in developing the following submission to respond to the Ministry's request for engagement and comment on its workability, Council has placed emphasis upon the unique characteristics of the Far North District, noting:

- Whilst the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna is a matter of national importance under section 6(c) of the Resource Management Act 1991 (the Act), providing for the relationship of Māori and their culture and traditions with their ancestral land, water, sites, waahi tapu, and other taonga is also a matter of national importance (section 6(e) of the Act).
- As per section 7, Council is required to *"have particular regard to — (a) kaitiakitanga: (aa) the ethic of stewardship... (d) intrinsic values of ecosystems"*.
- Overall, the Northland population has a higher rate of socio-economic deprivation than other regions in New Zealand and is limited by its low population density. Due to an inability to capitalize upon land development this has resulted in an uncommonly large proportion of land likely to be categorised as SNA through future ecological assessments. This creates a tension between the need for Council to stimulate further economic opportunities and growth, and avoiding a loss of ecosystem representation and extent.
- The Far North District has a significant population who identify as Māori, and less who identify as belonging to European, Pacific peoples and Asian ethnic groups.
- The Far North District contains a considerable number of parcels of Māori freehold land, Māori customary land and general land owned by Māori, as defined in Te Ture Whenua Māori Act 1993 (TTWMA). It is recognised that this legal and governance framework for Māori land provides for a unique situation for tangata whenua.
- There are significant areas of indigenous biodiversity in the District and on Māori land.
- Council has insufficient financial and technical resources to complete the detailed identification required for SNAs on a District-wide basis.
- Tangata whenua will have the opportunity to have greater involvement in indigenous biodiversity management however this will be severely limited by their availability of financial and technical resources to dedicate to the process.

- There is a limited supply of suitably qualified ecologists in the District and Region. This is unlikely to change in the foreseeable future, particularly as the demand for services from territorial authorities, tangata whenua, landowners and the community driven through the NPSIB is likely to far outweigh availability. In terms of technical assessments and monitoring requirements, this will cause significant delays and financial costs that are beyond the control of Council, tangata whenua and the community. Landowners may not be able to easily establish whether an SNA is present and requires consent because of the costs associated with obtaining technical assessments.
- Large tracts of indigenous vegetation create a high risk of legal challenges due to the high percentage of coverage which may render some properties incapable of reasonable use (dependent upon the protective framework).

**Policy 1: Indigenous biodiversity is managed in a way that gives effect to Te Rito o te Harakeke**

Te Rito o te Harakeke is defined in Part 1, subclause 1.2 and includes six essential elements to guide tangata whenua and local authorities towards maintaining the integrity of indigenous biodiversity, and recognising the intrinsic value and mauri of indigenous biodiversity as well as people's associated connections and relationships.

Policy 1 is to be implemented (primarily) through subpart 1 subclauses 3.2 (Te Rito o te Harakeke) and 3.3 (Tangata whenua as kaitiaki).

Policy 1 requires indigenous biodiversity to be managed in a way that *gives effect* to Te Rito o te Harakeke, and subclause 3.2 sets out minimum provisions as to how this is to be implemented. The NPSIB does not address the principles of Te Tiriti o Waitangi/the Treaty of Waitangi in the management of indigenous biodiversity.

Te Tiriti o Waitangi/The Treaty of Waitangi should be referred to simultaneously. Partnership is a key principle and the NPSIB does not go far enough to implement the recommendations from the Biodiversity Collaborative Group Paper Te Kahu o te Taiao (June 2018) which could reflect this principle. It is silent on enhanced iwi management plans, improved mechanisms for delivering control and a commitment to capacity building. Collaboration and co-design require time, expertise and resourcing, and it is not clear who will provide this. The guidance on how it could be done or how parties will be resourced to do this is critical.

**Policy 2: Tangata whenua are recognised as kaitiaki, and enabled to exercise kaitiakitanga for indigenous biodiversity in their rohe (territory), including through:**

- (a) enabling tangata whenua to manage indigenous biodiversity on their land; and**
- (b) the identification and protection of indigenous species, populations and ecosystems that are taonga.**

Policy 2 is to be implemented (primarily) through subpart 1 subclauses 3.3 (Tangata whenua as kaitiaki) and 3.5 (Social, economic and cultural wellbeing), subpart 2 subclause 3.12 (SNAs on Māori land), and subpart 3 subclauses 3.18 (Māori land) and 3.19 (Identified taonga).

Broadly, all New Zealand's native species are taonga and point (b) above includes regional taonga. 'Acknowledged taonga' is defined in the NPSIB as meaning indigenous species, populations, or ecosystems that are identified as taonga by tangata whenua under subclause 3.19. Identified taonga means acknowledged taonga that are identified in a district plan (as provided for in subclause 3.19). This requires every territorial authority to work together with tangata whenua using an agreed process.

The emphasis of subclause 3.3 is upon identifying local approaches to give effect to Te Rito o te Harakeke, initiating early and meaningful consultation with tangata whenua, and recognising the different levels of whānau, hapū, and iwi decision-making structures. It requires local authorities to work with tangata whenua

in investigating the use of mechanisms available under the Act to involve tangata whenua in the management of, and decision-making about, indigenous biodiversity (such as transfers or delegations of power, joint management agreements and iwi participation arrangements).

Where areas of indigenous biodiversity fall outside of Māori land, it is unclear if point (b) above:

- Is limited to the requirement for territorial authorities to consult with tangata whenua when preparing policy statements and plans to broadly identify species, populations and ecosystems that are taonga in the District, with consultation regarding site specific taonga to be later addressed through resource consent consultation, or
- Is intended to provide the opportunity for tangata whenua to seek input to the physical management of indigenous biodiversity outside of Māori land. If this is the case, this is a broader issue extending beyond the District and further guidance in the NPSIB will be required to identify how this can occur on private land.

Limited resourcing for tangata whenua in the Far North will be a significant barrier to identifying taonga. Council supports the intent of clause 3.19 but is uncertain how it will be able to meet its obligations given the overlapping interests of tangata whenua in some localities, the number of hapū within the District, and breadth of consultation/engagement involving tangata whenua outside of the NPSIB process. More targeted feedback and input could be facilitated if the NPSIB provided clearer direction regarding process.

Subclause 3.18(5) states local authorities must consider and realise opportunities to provide incentives for the protection and maintenance of indigenous biodiversity, and the protection of SNAs and identified taonga, on Māori land. This is supported; however it is considered appropriate that such incentives should apply to all indigenous biodiversity. This also requires consideration at a national level as to how local authorities and tangata whenua will be resourced.

Subclause 3.21(3) states local authorities must consider providing incentives for restoration in priority areas, and in particular where those areas are on Māori land, in recognition of the opportunity cost of maintaining indigenous biodiversity on that land. This is supported; however it is considered appropriate that such incentives should apply to all indigenous biodiversity. This also requires consideration at a national level as to how local authorities and tangata whenua will be resourced.

#### **Policy 4: Indigenous biodiversity is resilient to the effects of climate change**

Policy 4 is to be implemented (primarily) through subpart 1 subclause 3.6 (Resilience to climate change).

While subclause 3.6 lists restoration, managing biosecurity risk and the enhancement of the connectivity between ecosystems, further direction is required, for example addressing factors such as the regional council's management of water and soil conservation, and genetic enhancement/rescue. Emphasis should also be placed in the NPSIB upon the role of indigenous vegetation mitigating climate change by storing carbon in vegetation and soils, removing carbon dioxide from the atmosphere, and mitigating flooding and associated siltation. It is also noted that native vegetation can earn carbon credits.

#### **Policy 5: Indigenous biodiversity is managed in an integrated way, within and across administrative boundaries**

Policy 5 is to be implemented (primarily) through subpart 1 subclause 3.4 (Integrated approach).

Subclause 3.4 supports an integrated approach, providing for the coordinated management and control of subdivision, use and development as it affects indigenous biodiversity across administrative boundaries.

The regional policy statement and future regional biodiversity strategy will address integrated management within and across the Region's administrative boundaries.



Far North, Kaipara and Whangarei District Councils entered into a memorandum of understanding to work together on a significant natural area project, with Far North District Council being the lead agency. To date, Far North District Council has progressed as follows -

- Stage 1 desktop assessment included a literature review, defining the methodology to be used to assess significance, and preliminary mapping and significance assessment of each District's SNAs to be undertaken by Wildland Consultants. Mapping was to be based upon the significance criteria detailed in Appendix 5 of the Regional Policy Statement for Northland.

*Stage 1 has been completed.*

- Stage 2 ground-truthing includes targeted-ground truthing, mana whenua and specialist engagement, refining and validating the SNAs, preliminary planning and evaluation workshop, and drafting of the provisions.

*Given limited resourcing and Covid 19 restraints, Far North District Council sought to initiate stage 2 through releasing the desktop maps and associated information to affected landowners and interested parties as a draft for comment, anticipating follow up site visits with affected landowners. However in response to the public reaction, Council's Strategy and Policy Committee resolved that Council would withdraw the SNA maps and no further investigation would be undertaken pending commencement of the NPSIB. Hence there is no mapping in the PDP which relies upon mapping if an area is identified as SNA through the resource consent process, or through voluntary identification by a landowner, with a mechanism within the 'Ecosystems and indigenous biodiversity' chapter to add SNAs to Schedule 4 in the PDP.*

As demonstrated above, the three District Councils in the Northland Region actively support an integrated approach across boundaries, however lack of resourcing has been a significant factor influencing and limiting the staged process. Whilst the Ministry proposes increased guidance, funding and targeted support, Council remains concerned that factors outside of its control will inhibit its ability to manage indigenous biodiversity.

The capacity of tangata whenua across the District may also be variable in terms of their capacity to engage in the process.

**Policy 6: Significant indigenous vegetation and significant habitats of indigenous fauna are identified as significant natural areas (SNAs) using a consistent approach**

Policy 6 is to be implemented (primarily) through subpart 2 which will assist in ensuring a consistent approach identifying SNA.

For identifying areas of significant indigenous vegetation and significant habitats of indigenous fauna, the PDP adopts the criteria detailed in Appendix 5 of the Regional Policy Statement for Northland. Council supports the use of Appendix 1 of the NPSIB that lists the criteria for identifying areas that qualify as SNA.

As emphasised previously, Council's primary concern relates to funding, resourcing and implementing consistently across boundaries.

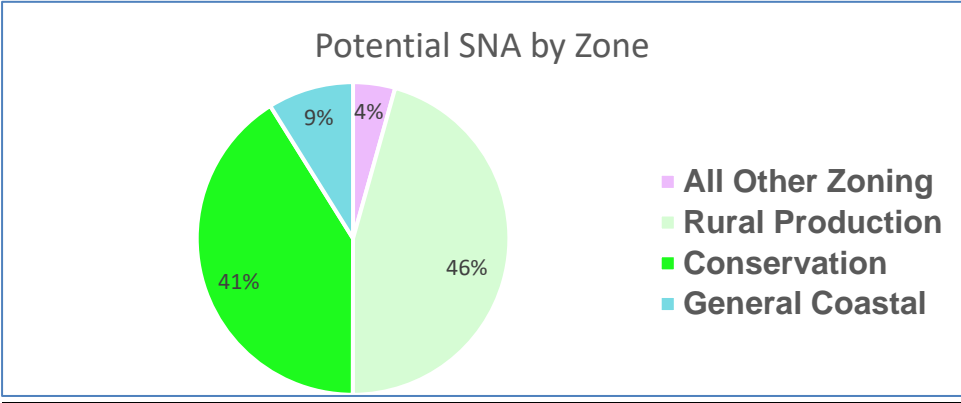
The NPSIB does not seem to adequately recognise or identify the significant role and/or the resources of regional councils and the Department of Conservation who currently employ or contract staff with the required technical expertise and scientific knowledge for identifying and managing SNAs.

The Department of Conservation is the primary agency responsible for public conservation land and is already actively managing indigenous biodiversity within its estate. The estate is not subject to the same development demands as private property and this is recognised in subclause 3.11(5). Notwithstanding the exception of this clause, it appears to be a duplication of function and an ineffective use of funds/resources to capture public conservation land within the mapping requirements of the NPSIB, particularly in the Far North



District where of the 282,696 hectares identified by Wildlands Consultants as SNA, approximately half is public conservation land.

The chart below shows the respective coverage within the existing zones under the Operative District Plan. The Rural Production zone, which aims to provide land for the District’s main economic activities (forestry, farming and horticulture), represents 46% of the identified potential SNA area. Forty one percent of the identified SNAs are zoned Conservation (which is predominately public owned land), and 9% are zoned General Coastal.



Subclause 3.8(3) states that if requested by a territorial authority, the relevant regional council must assist the territorial authority in undertaking its district-wide assessment. Far North District Council has very limited resourcing and will require significant support, both nationally and regionally. It is unclear to what extent will the regional council be obliged to ‘assist’.

Subclause 3.8(3) states that if a territorial authority becomes aware (as a result of a resource consent application, notice of requirement or any other means) that an area may be an area of significant indigenous vegetation or significant habitat of indigenous fauna that qualifies as a SNA, the territorial authority must conduct an assessment of the area. Council does not support the mandatory requirement. Depending on the proposal, it may be more appropriate that the applicant or requiring authority undertake the assessment at their expense.

Subclause 3.24 (1) requires that every local authority must require that if a resource consent application is required in relation to an indigenous biodiversity matter, the application is not considered unless it includes a report prepared by a qualified and experienced ecologist. It is not clear what is an ‘indigenous biodiversity matter’ is. For example, could it be argued that resource consent for a reduced building setback from indigenous vegetation requires an ecological assessment when it is intended to address fire hazards or other factors.

The Northland Regional Pest and Marine Pathway Management Plan 2017-2027 includes Pest Plan for the eradication or effective management of specified pest species or groups of pests, i.e. provisions for managing kauri dieback. The Pest Plan will operate within Northland, which covers a total area (land and sea) of 3,008,425 hectares, including the land area, surface water bodies (rivers, lakes and streams) and coastal waters. The Plan empowers the regional council to exercise the relevant advisory, service delivery, regulatory and funding provisions available to deliver the specific objectives identified in this Plan. The Northland Regional Pest and Marine Pathway Management Plan 2017-2027 could be adapted to address some of the NPSIB requirements. The NPSIB must encourage local authorities to combine and minimise the number of statutory documents where possible.

**Policy 7: SNAs are protected by avoiding and managing adverse effects from new subdivision, use and development**

Given the interpretation of ‘avoid’ post the King Salmon decision, how can adverse effects on SNA be managed when there is a requirement to avoid? Presumably, there can be no adverse effects where they are avoided.

Subpart 1.5 ‘Fundamental concepts’, part (3) states:

*(3) Maintenance of indigenous biodiversity*

*The maintenance of indigenous biodiversity requires at least no reduction, as from the commencement date, in the following:*

- (a) the size of populations of indigenous species:*
- (b) indigenous species occupancy across their natural range:*
- (c) the properties and function of ecosystems and habitats:*
- (d) the full range and extent of ecosystems and habitats:*
- e) connectivity between, and buffering around, ecosystems:*
- (f) the resilience and adaptability of ecosystems*

To achieve compliance with this would require all the above to be assessed prior to the commencement of the NPSIB and Council has no capacity for this. Further to this, in terms of the ongoing monitoring requirements, there is no direction as to how this would be managed, i.e. responsibilities, frequency and funding. It is difficult to envisage that Council would have the capacity for ongoing monitoring.

It also appears that a number of policies are in direct conflict with Policy 7.

**Policy 15: Areas outside SNAs that support specified highly mobile fauna are identified and managed to maintain their populations across their natural range, and information and awareness of specified highly mobile fauna is improved**

Policy 15 is to be implemented (primarily) through subpart 3 subclause 3.20 and Appendix 2.

Specified highly mobile fauna means the Threatened or At Risk species of highly mobile fauna that are identified in Appendix 2.

It is unclear whether the areas require mapping and if any mapping relates to wider terrestrial areas or is limited to areas of habitat within indigenous vegetation outside of a SNA.

**Policy 16: Regional biodiversity strategies are developed and implemented to maintain and restore indigenous biodiversity at a landscape scale.**

Suggest the term should be ‘landscape-scale conservation’. Clause 1.6 Interpretation should define the term used as it is not commonly known.

**Policy 17: There is improved information and regular monitoring of indigenous biodiversity**

Subclause 3.25 addresses monitoring by regional councils, however this relates to process and it is unclear which authority will be responsible for enforcing this.

The regions throughout Aotearoa New Zealand are unique, not least because of the spatial distribution, diversity, quality and tenure of indigenous biodiversity. The costs of implementing the NPSIB will therefore vary significantly between local authorities. Costs per capita are anticipated to be relatively high in the Far North District.

Whilst the draft implementation plan recognises that most councils will require additional budget and resources, Council is concerned that there is very little guidance as to how funding will be targeted and allocated. There are 78 local authorities in Aotearoa New Zealand, comprising 11 regional councils and 67 territorial authorities, and each will have significant responsibilities under the NPSIB.

Te Tai Tokerau has one regional council, three district councils and 13 iwi whose tribal boundary falls either partially or entirely within Te Tai Tokerau; Te Aupōuri, Ngāti Kuri, Ngāti Kahu, Te Rarawa, Ngāi Takoto, Ngāti Hine, Ngāti Kahu/Ngāpuhi ki Whaingaroa, Ngāti Kahu ki Whangaroa, Ngāpuhi, Ngāti Wai, Te Roroa, Te Uri o Hau and Ngāti Whātua. An initial assessment by Wildlands has indicated SNA areas within the Far North, Whangarei and Kaipara Districts are 260,409 hectares, 106,119 hectares and 45,203 hectares respectively.

The multiplicity of resource management processes/roles requiring technical input, and limited level of funding for engagement and monitoring, are significant barriers to iwi participation. Hence iwi planning documents in Te Tai Tokerau are diverse in content and approach. There is a concern that if not adequately resourced or upskilled, despite the commitment of territorial authorities, tangata whenua, landowners and the community, the outcomes of consultation under the NPSIB will also be mixed.

In summary, without more detailed direction and assistance from central government addressing the matters raised above, it is very difficult to envisage how local authorities and tangata whenua throughout Aotearoa New Zealand will be adequately resourced to consistently implement the NPSIB in the initial stages.

Council appreciates the opportunity to provide further feedback on the NPSIB and has attempted to address the Ministry's request for comment on its workability within the timeframe provided. Council welcomes further discussion to address any of the matters raised.

If you require any further information, please do not hesitate to contact Greg Wilson, Manager – District Planning, on 027 4038993 or by email [Greg.Wilson@fndc.govt.nz](mailto:Greg.Wilson@fndc.govt.nz)

Yours sincerely



Darren Edwards

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