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Submission on the National Policy Statement for Indigenous Biodiversity (NPSIB) Exposure Draft and Implementation Plan

Thank you for the opportunity to submit on the NPSIB Exposure Draft and Draft Implementation Plan. Council submitted on the draft NPSIB in March 2020, raising several concerns about the affordability and practicality of implementation of the proposed NPS. We echo those concerns in this submission and provide additional detail and suggestions for the Ministry to consider. We note that due to the number and scale of consultations coming from Central Government (three waters, RMA reform, future for local government etc), Council's ability to engage with the Exposure Draft in a meaningful way has been diminished. As a result, we have focused our comment on the areas of most concern.

The Ministry has noted the purpose of the engagement is to ensure the draft provisions in the NPSIB are workable and to start the conversation about NPSIB implementation and support measures. Our comments have been designed to focus on these aspects.

Council recognises the importance of protecting and restoring indigenous biodiversity, we support the general intent of the NPSIB and support an approach that aims to achieve national consistency in the management of Significant Natural Areas (SNAs). We also support the recognition of tangata whenua as kaitiaki. Our submission focuses on the implementation of provision 3.8 Assessing areas that qualify as significant natural areas; provision 3.9 identifying SNAs in District Plans; Part 4: Timing; and the draft Implementation Plan.

Background

In the Manawatū-Whanganui Region, Horizons Regional Council takes responsibility for the maintenance and protection of indigenous biodiversity under the One Plan using an adaptive management approach, in addition to non-regulatory methods. Territorial authorities in the Manawatū-Whanganui Region currently have no provisions in district plans focused on indigenous biodiversity.

The Rangitīkei District covers an area of almost 4,500km², with a population of 16,050¹. The District is predominantly rural, with a diverse range of environments from the Kaimanawa Forest Park in the north through to the coastal environments in the south.

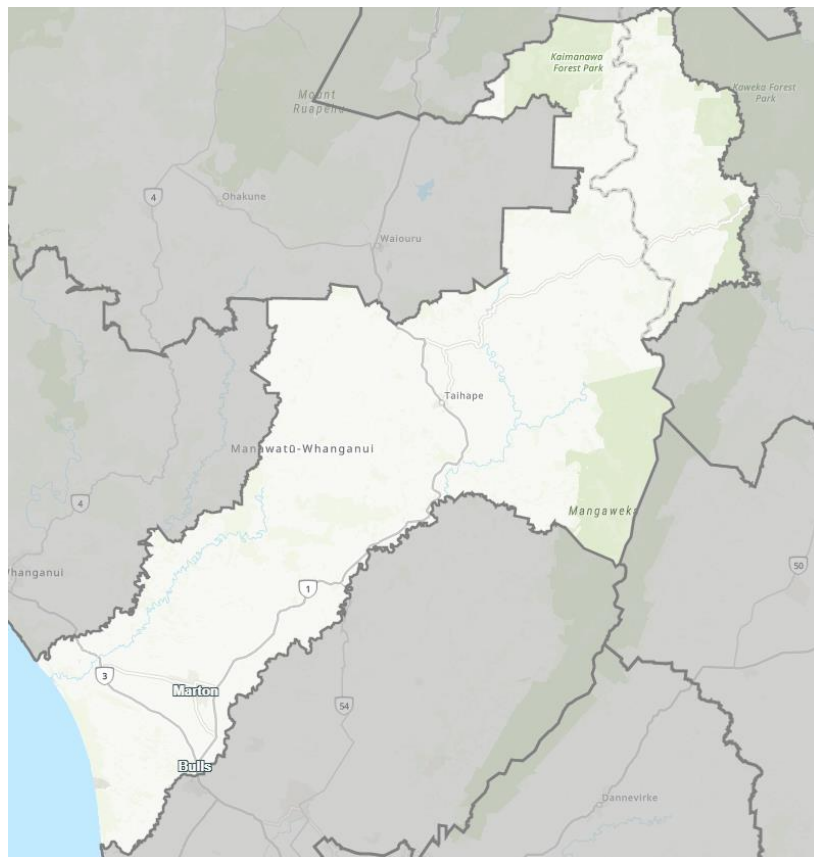


Figure 1. Map showing the extent of the Rangitīkei District.

Implementation of provision 3.8 Assessing areas that qualify as significant natural areas; provision 3.9 identifying SNAs in District Plans; Part 4 timing.

The Exposure Draft of the NPSIB requires territorial authorities undertake a district-wide assessment of land in their district to identify SNAs (3.8) and then notify a plan change to include each area identified as an SNA in the District Plan (3.8). By 2027 territorial authorities are required to have identified, mapped, and notified all SNAs (Part 4).

The key issues with implementation and workability of these provisions for the Rangitīkei District Council are affordability, resourcing, and capability. Council currently has no internal ecology expertise to undertake the assessments, nor the planning capacity to work in partnership with tangata whenua and landowners throughout this process or undertake the subsequent plan change. Therefore, to implement the proposed NPS, Council would need to engage the expertise of an ecologist and additional planning resources.

The size of the Rangitīkei, and the requirement that natural areas are verified by physical inspection, also provides significant challenges for the Rangitīkei context. The Rangitīkei District is vast, with a travel time of 1.25 hours from the coast to Taihape, which is only halfway through the district. A number of land parcels in the northern reaches of the District are landlocked and accessible only via helicopter.

¹ StatsNZ 2021 subnational population estimates

In addition, Council resources would need to be directed to considering support measures that may be required for tangata whenua and landowners. One example may be consideration of a rates remission for land with SNA's or other non-regulatory methods which are currently being implemented by Horizons.

A rates increase of 1% for the Rangitikei equates to approximately \$250,000. The proposed NPS would likely equate to at least a 1-2% rates increase per year, which given the range of other pressures facing local government is significant for the Rangitikei community, which is already concerned about the level of rates paid in comparison to neighbouring councils. This would also be on the assumption ecology and planning support could be sourced to undertake the assessment and subsequent plan change processes. The significant burden the proposed NPS will place on the Rangitikei community is unjustified given there is no clear evidence the proposed approach will provide for enhanced environmental outcomes compared with the existing approach under the One Plan.

The proposed implementation timeframe of 5 years from commencement for giving effect to SNAs (4.2), would necessitate work on identifying the SNAs would need to start immediately. Without additional resourcing, if implemented by Council, would unjustly re-prioritise our work programme for our upcoming District Plan review. Council's priorities are on issues such as ensuring sufficient land for housing and business, reviewing our provisions to better support the development of well-functioning communities and on addressing rural subdivision requirements. Implementing the NPSIB would significantly reprioritise this work programme, which is not justified given indigenous biodiversity already has an appropriate management regime in the Manawatū-Whanganui region through the One Plan.

In addition, we are concerned about the potential impact on landowners. The Rangitikei has significant areas of land (compared with anywhere else in New Zealand) which are currently landlocked and may well contain SNAs. The vast majority of these land parcels are Māori land. We need to ensure that indigenous biodiversity is protected and enhanced, without unduly constraining the ability for the landowners to derive an income from the land in the future. We therefore support clause 3.18 that sets out an alternative approach for Māori land, in particular 3.18(2) which recognises the need to provide for the development of Māori land to support wellbeing, papakāinga, and recognise there may be no alternative locations for tangata whenua to use or develop their lands.

In addition, landowners should not be left with the responsibility of the ongoing management of the identified SNAs. For the SNAs to be protected and enhanced, ongoing management of these areas is essential. Government support would be required for activities such as pest management and planting. It is important that education occurs, so that government can work alongside landowners in the ongoing maintenance and protection of these sites, many of which will be significant as a result of landowners protection and restoration.

There are three solutions we have identified for addressing the concerns raised:

1. The Government provides financial support that covers the full cost of implementation.

Under this solution Government would provide financial support for Rangitikei to complete the required work. This includes funding for both planning and ecology expertise throughout the assessment and district plan change processes. In addition, funding support would be required to cover monitoring of activities within the SNA's and enforcement action if required. The success of this option would be dependent on sufficient funding being provided and Council being able to secure appropriate expertise to undertake the work.

2. A bespoke arrangement is allowed for the Manawatū-Whanganui region to retain the adaptive management approach in the One Plan.

Under this solution, the NPS would be re-drafted to enable the councils in the Manawatū-Whanganui region to proceed with the status quo – protection of indigenous biodiversity using an adaptive management approach set out under the One Plan. This solution could be employed either indefinitely, or until transition occurs in accordance with solution 3.

3. Implementation is aligned with the development of a Regional Spatial Strategy and a Regional Natural and Built Environments Plan

Given the resourcing required to implement the NPSIB, the desire to achieve national consistency in protecting and managing indigenous biodiversity, and the upcoming move towards a regional approach to resource management, the logical implementation timeframe is for the requirements of the NPS to be implemented alongside the development of the Regional Spatial Strategy (assessment) and Regional Natural and Built Environment Plan (provisions).

This approach would see the most efficient use of resources in the Manawatū-Whanganui region, and a consistent implementation of the NPSIB. If territorial authorities implement the provisions prior, re-work will be required in the development of the regional documents. This approach also deals with potential issues with transition from the One Plan. Our region already has an approach for protection of indigenous biodiversity in place under the One Plan, therefore, the risk of adverse impacts on indigenous biodiversity occurring during this transition are minimal.

Rangitikei District Council would work alongside the regional committee to support the implementation of the NPSIB for the Rangitikei, in particular, supporting the partnership with tangata whenua for the identification and regulatory response to unsure all Māori land, particularly landlocked land parcels are not unduly impacted by any proposed SNA mapping and associated rule framework.

Preferred Solution: 3 - implementation is aligned with the development of a Regional Spatial Strategy and a Regional Natural and Built Environment Plan under the Natural and Built Environments Act.

Draft Implementation Plan

The draft Implementation Plan (table 1) identifies in the first year the following Government implementation support measures will be rolled out:

- develop detailed guidance
- develop direct support for iwi/Māori
- provide funding to assist councils with SNA identification
- provide funding to assist council funding to landowners
- conclude and review pilots.

Council is supportive of the implementation measures identified, particularly funding assistance (and direct support) for iwi/Māori, landowners, and councils for SNA identification. However, the draft implementation plan lacks detail on the extent of funding and applicable criteria. Additionally, no funding has been identified for the required plan change process to implement the SNAs once identified. The level of funding available for all parties will strongly influence the successful implementation of the NPSIB. For implementation to be achievable for the Rangitikei District Council

financial support would be required for the mapping, including working alongside iwi and landowners, and the subsequent plan change process.

We also urge the Ministry to work alongside iwi/Māori to understand the support needed for their full participation, both from iwi that have reached Treaty settlements, as well as those still going through settlement claim processes.

Further consideration also needs to be given to Government funding for non-regulatory methods, such as education and collaboration with landowners. Better engagement with landowners to identify, and understand the importance of the SNAs and work together to identify bespoke management approaches to protect SNAs, would be preferable to gaining buy-in from the rural sector who will be most impacted.

Aligned with proposed solution 3 above, the most efficient method of providing financial support for the Manawatū-Wanganui region would be for the implementation to occur alongside the development of the regional planning documents proposed under the Strategic Planning Act and Natural and Built Environments Act.

I welcome the opportunity to speak to this submission if the opportunity is made available.

Yours sincerely,



Andy Watson

Mayor – Rangitikei District Council