



QEII NATIONAL TRUST

Ngā Kairauhi Papa Forever protected

13 March 2020

Proposed National Policy Statement for Indigenous Biodiversity

The Queen Elizabeth the Second National Trust (QEII) is an independent statutory organisation that has played a critical role in enhancing and protecting Aotearoa New Zealand's indigenous biodiversity and environment for over 40 years. We work alongside landowners to place covenants on their land to protect areas with open space values in perpetuity. Over 180,000 hectares of open space across the country are protected with QEII covenants; from small patches of regenerating native bush to primary forest systems, rare coastal habitats, grass and tussock lands, wetlands, riparian zones and streams. These areas protect and foster the growth of, and habitat for, a diverse range of threatened animal and plant species across Aotearoa New Zealand.

We welcome the opportunity to comment on the draft National Policy Statement for Indigenous Biodiversity (NPSIB or NPS). We enjoyed the chance to meet with MfE officials earlier this year to assist them with an increased understanding of the drivers and pressures for private landowners undertaking biodiversity protection on their land.

QEII is strongly supportive of and recognises the need for a NPSIB. Every day we see landowners and communities across Aotearoa New Zealand working to protect, and actively manage and restore, pockets of indigenous biodiversity. However, we recognise that imminent action is required to halt and reverse ongoing decline at a national scale. Indigenous flora and fauna do not subscribe to lines on a map or distinguish between public conservation land and private land, and as such we strongly advocate for the protection and restoration of indigenous biodiversity on private land.

This is work that QEII has been doing for some time. We are experts at using public-private partnerships and working directly with landowners to achieve biodiversity protection. As an organisation with both an 'on the ground' and a national perspective, we are able to be a key partner for the Government in implementing the NPSIB. We offer several suggestions, particularly around the successful implementation of the NPSIB across the country. Recognising the overwhelming need for the protection of indigenous biodiversity on private land, it is imperative that implementation optimises buy-in from landowners and creates outcomes that are successful and sustainable over the long-term.

Alongside these key messages, our submission also comments on the areas of the discussion document '*He Kura Koiora i hokia*' that are directly relevant to our work. We refer to the Queen Elizabeth the Second National Trust as 'QEII' and the 'National Trust' interchangeably.

Our key messages are:

1. Collaborating with landowners is highly effective and encourages buy-in, constructive and sustainable relationships, and positive community engagement. We advocate for this to

operate alongside regulations. QEII has a tried and tested model that can help to inform the implementation plan for the NPSIB.

2. The implementation package will be critical in the success of the NPSIB. A well-resourced suite of support and incentives available to all territorial authorities, regional councils, and landowners must be a priority action. We strongly believe early delivery of support measures will see the greatest results in active biodiversity protection.
3. There is scope for QEII to be a key partner in achieving NPSIB objectives. Currently, we are restrained by resources and capacity to do this on a larger scale. For the NPS to be successful it is imperative that territorial authorities/regional councils, and private-land conservation organisations such as QEII and Ngā Whenua Rāhui, are well resourced to deliver the actions outlined in the NPS to a high standard.
4. QEII strongly believes that the actions outlined under the proposed NPSIB are only the beginning. The identification of SNAs is only a first step to truly protect and enhance indigenous biodiversity. For long-term and sustainable benefits to biodiversity, active management of threats within SNAs, and enhancement activities will be critical.

We have also provided comments in response to specific questions in the Government's discussion document *'He Kura Koiora i hokia'*.

Submission

1. QEII's approach: Partnering with landowners to protect indigenous biodiversity on private land

QEII is an independent statutory organisation established in 1977 under the Queen Elizabeth the Second National Trust Act 1977. We have 30 regional representatives who work with landowners on a one to one basis to achieve the protection and enhancement of indigenous biodiversity on private land. These representatives are supported by 20 staff in Wellington who provide legal, ecological, health and safety and policy support, as well as coordinating national activities and engagement.

Central to the QEII model is the positive partnership that is built with landowners. This generally comes about on a voluntary basis with landowners approaching QEII to protect areas of land (though some protection is required pursuant to resource consent requirements e.g. subdivision). QEII works alongside each landowner to assess the condition of the area, weed and pest animal concerns, fencing requirements, management options and whether the area contains values warranting long term protection. If these conditions are satisfied, a covenant agreement is entered into and registered on the title to protect the area in perpetuity. While QEII protects land for a range of open space values (natural, cultural, landscape), approximately 90% of QEII covenants are established to protect areas of high indigenous biodiversity value.

QEII supports landowners with a financial contribution towards the cost of fencing and surveying the covenant. This is generally a 50:50 fencing split with the landowner, with QEII covering 100% of survey costs. However, in some regions we also partner with local authorities that provide additional contributions. Protected areas need ongoing management of invasive plant species and pest animals,

and QEII provides establishment funding for weed and pest control and ongoing management advice to landowners. To truly protect biodiversity, ongoing management is required. Locking up and walking away from valuable biodiversity will seldom provide good long-term outcomes.

We established a modest contestable fund in 2017 to assist landowners undertaking stewardship activities on their covenanted land. Each year we invite landowners to apply for support grants to support ongoing enhancement and restoration of their covenanted land. The fund is heavily oversubscribed.

Covenants are established under agreed terms of protection (case by case with landowners). Regular monitoring ensures that these terms are met and threats to the protected values can be identified and mitigated. Our covenants have withstood challenge in court,¹ and we are not afraid to fully commit to legally defending land we have agreed to protect.²

QEII has a strong reputation among rural landowners across Aotearoa New Zealand. Our model is successful for the following reasons.

- a) **Relationships with landowners:** Our regional representatives are experts in their fields and work hard to establish and maintain positive and trusting relationships with landowners. Establishing a covenant is a collaborative process between the landowner, QEII regional representative and QEII head office staff, and this relationship persists after the legal establishment of the covenant and as landowners change.
- b) **Voluntary protection:** Most landowners approach us because they have special areas on their land that they value and wish to see protected in perpetuity. The voluntary aspect of this is one of the real strengths of our model. Landowners are highly motivated, proud of their protected areas, and excited to share their experience of protecting land with QEII with others. We regularly experience situations where neighbours put forward areas for covenanting where they have seen the positive experiences of those around them. It is our experience that by establishing relationships, contributing time and education, and sharing costs, protection for indigenous biodiversity is established in a manner that is positive and enduring.

While recognising that regulation and enforcement will be an essential tool to achieve biodiversity goals, we know that there is greater scope for landowners and communities to be involved in biodiversity protection outside regulations. This view is shared by the Biodiversity Collaborative Group (BCG); *“The BCG cannot emphasise more strongly how important the supporting measures are. Regulation alone will not solve such a complex issue as biodiversity decline.”*³

It is imperative that we take our landowners, whānau and communities on this journey, and this has been one of the great successes of the QEII model.

¹ *Green Growth No. 2 Ltd v Queen Elizabeth the Second National Trust* [2018] NZSC 75; *Kaimai Properties Ltd v Queen Elizabeth the Second National Trust* [2019] NZHC 1591.

² *Queen Elizabeth the Second National Trust v Netherland Holdings Ltd* [2014] NZHC 291.

³ Biodiversity Collaborative Group. 2018. Report of the Biodiversity Collaborative Group. Wellington: Biodiversity (Land and Freshwater) Stakeholder Trust. Retrieved from http://www.biodiversitynz.org/uploads/1/0/7/9/107923093/report_of_the_biodiversity_collaborative_group.pdf accessed 2 March 2020.

c) *Financial support to landowners for protection of land:* Setting aside land to protect in perpetuity comes at a cost to landowners. Not only is there an opportunity cost to retiring land, but ongoing management of areas with indigenous biodiversity can be resource intensive. QEII supports landowners with the costs of fencing for stock exclusion, survey, and pest plant and animal control, and supports landowners to access grants and other funding for native restoration.

There are many positive outcomes for landowners who have protected and enhanced biodiversity on their land. Landowners are proud of, and quick to talk about, the changes they have seen in their protected areas, revegetation of native plants, increased prevalence of native birds, etc. The support that we provide landowners helps them to realise the true value of having areas of high biodiversity value on private land. We would like to see more landowners supported on this journey.

The QEII financial model for working with landowners is very cost effective. For the establishment of new covenant areas, we generally work on a 50:50 cost-sharing partnership for fencing to protect the area. Some local councils also contribute to the establishment costs, at times significantly. Research undertaken in 2017 found that for every \$1 of Crown funding to the QEII Trust, \$7 of landowner contribution for indigenous biodiversity protection is leveraged. QEII covenant landowners contribute \$25 million to biodiversity through their maintenance and management work annually. This demonstrates the cost-effectiveness of QEII as a partner for biodiversity protection, and that funds provided by the Crown to QEII and similar organisations are an investment in conservation.

We also work with a number of local councils around the country who provide rates remission for covenanted land. Land retired for indigenous biodiversity generally has a lower valuation so the savings for a landowner are small, but the signal that this sends around council support for biodiversity initiatives cannot be overstated.

Financial support to some landowners determines whether they can afford to undertake investment in the protection and management of indigenous biodiversity. This support will be essential for successful implementation of the NPSIB.

2. QEII as a key partner for the Government in achieving successful outcomes under the proposed NPSIB

As discussed in section one, QEII has a highly effective model and we are well placed to help the Government meet its objectives under the proposed NPSIB. We see real value in combining the identification of SNAs with legal protection to protect them forever. There is some chance that SNA identification will be subject to change according to the political landscape. Permanent protection with organisations such as QEII is the most certain and effective way to protect indigenous biodiversity forever and should be considered a key part of implementation of the NPSIB.

Resourcing and capacity currently constrain QEII from meeting the growing demand from landowners for our services across the country. We anticipate similar challenges for local government in implementing the NPSIB.

For QEII to be able to assist the Government with this important work, and for implementation of the NPSIB to be successful, several things will be important:

- a) **Resourcing:** QEII baseline funding has not increased since 2015. During this period, our portfolio of areas protected for biodiversity values has increased significantly (hectares protected increased by 62%).⁴ Demand from landowners only continues to grow. As the BCG report recognised, we now find ourselves in a position where our capacity to protect private land in line with the community's expectations is significantly constrained by resources.³ To enable QEII to continue to evolve and meet demand, and for us to assist the Government in delivering the work of the NPS, funding to QEII and other private land conservation organisations needs to significantly increase.
- b) **Working alongside local government partners:** It is essential that local government is well supported and resourced to carry out the activities required under the NPS. The NPS calls for a collaborative approach to identifying and managing Significant Natural Areas and QEII strongly supports this. As mentioned, our model is particularly successful because of the collaborative approach we take with landowners. We are concerned that local government is not always well equipped to do this work. Inevitably, where there is a lack of resourcing, capacity, and expertise, then relationships with landowners will be compromised and the quality and success of the NPSIB will be undermined.

We understand that 61% of councils have already identified SNAs under the Resource Management Act. We have seen variations in the success of this across the country. With time, and well resourced, capable and personable teams working alongside landowners, the process can be successful and positive. However, it is easy to foresee a situation where councils are undertaking the activities outlined in the NPS without enough resources and expertise. This concern was raised by the Biodiversity Collaborative Group (BCG), particularly for councils with large jurisdictions but a small rating base.³ We anticipate that this would weaken both landowner-local council relationships, and the possibility of positive environmental outcomes.

The BCG report recommended that MfE and DOC establish a contestable fund for local government to access assistance with carrying out the activities (particularly the identification and mapping of SNAs) under the NPSIB. Ideally this fund would intentionally privilege those local authorities with small rating bases proportional to land area.³ QEII strongly reiterates these suggestions and considers them essential for successful outcomes.

- c) **Incentives and support for landowners are crucial:** There is a common discourse that, with the NPSIB, biodiversity on private land will be a burden on landowners. QEII is concerned that this will be counter-productive to the aspirations of the NPS. We know that landowners respond better to regulatory measures where good support and incentives are available and there is buy-in and ongoing engagement from landowners.

At QEII we work with many landowners who benefit from various forms of incentives/funding sources from their local councils. This is important and highly valuable for them because managing indigenous biodiversity is costly, and often beyond the means of individual landowners. Currently, the extent to which these incentives and funding sources are available for biodiversity activities across the country differs significantly. It is heavily reliant on the willingness of local councils to put in place support mechanisms for

⁴ QEII National Trust, Ngā Kairauhi Papa. 2019. Queen Elizabeth II National Trust Annual Report 2019. Wellington.

landowners and indigenous biodiversity, and there is currently a lack of oversight and direction from central government. There are few funding sources available for landowners to access. Some local councils have small biodiversity funds and the DOC Community Conservation Fund provides much needed support but is focused on community groups rather than individual landowners.

The BCG report recognises the untapped potential of economic incentives as mechanisms to advance voluntary participation in indigenous biodiversity protection and restoration. One mechanism that we work with often at QEII is rates remission. Some councils provide total rates remission (i.e. the landowner is not required to pay rates) on covenanted land. This financial advantage sends a signal to the wider community that participation in biodiversity protection is valued and encouraged. The approach of councils to rates remission on protected land differs hugely throughout the country, and QEII would like to see a nationally consistent rates remission policy for land legally protected for biodiversity values. We suggest that this policy could be further extended to include areas identified and managed as SNA. Again, this would help to diffuse tension between landowners and local government and encourage landowners to see the areas of biodiversity on their land as assets and something to be celebrated.

The BCG report outlines several other mechanisms for supporting and incentivising landowners to identify and manage significant areas on their properties. QEII supports investigation of the following mechanisms suggested by the BCG: tax rebates, valuation of and payments for ecosystem services, and targeted funding for specific areas and biodiversity outcomes.

QEII strongly endorses the following recommendations made by the BCG (recognising that since the release of the BCG report the Government has proposed that all Ngā Whenua Rāhui kawenata be made non-rateable):⁵

“3.4. Central government to review the resourcing of covenanting bodies, including QEII National Trust and Ngā Whenua Rāhui to ensure they have sufficient resources to:

- Meet demand, including for necessary maintenance, and
- Undertake effective monitoring, reporting, and where necessary, enforcement.

3.5. Land that is subject to a QEII covenant or Ngā Whenua Rāhui kawenata (covenant) be exempt from rates and legislation be amended accordingly.”⁶

3. Comments on the Ministry for the Environment Discussion Paper: *He Kura Koiora i hokia*

We have the following specific comments on questions raised in the discussion paper:

Q1. 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)?

The NPSIB is critical to ensuring that planning documents throughout New Zealand are aligned and that all sectors of society have a responsibility for biodiversity protection. While QEII deals

⁵ The New Zealand Government. 2020. Rating changes will support whānau and regional development (press release). Retrieved from <https://www.beehive.govt.nz/release/rating-changes-will-support-wh%C4%81nau-and-regional-development> accessed 13 March 2020.

⁶ BCG report. 2018.

with voluntary protection, it is clear from the ongoing decline of indigenous plant and animal species that guidance needs to be set at a national level. We observe inconsistency across councils in the weight given to biodiversity protection on private land and stronger requirements under the RMA will begin to address this.

While national and regional policy documents need to establish clear bottom lines to prevent biodiversity loss, we would like to see the Government and its agencies work with, support, and incentivise landowners to undertake voluntary biodiversity protection and enhancement.

Q2. The scope of the proposed NPSIB focuses on the terrestrial environment and the restoration and enhancement of wetlands. Do you think there is a role for the NPSIB within coastal marine and freshwater environments?

The relationship between the terrestrial and freshwater environment is inextricable. A healthy freshwater environment supports a healthy and diverse terrestrial environment, particularly where many species rely on freshwater resources. We are concerned that there is a lack of integration, or holistic oversight between the NPSIB and NPSFM.

One practical illustration of this lack of integration will be the challenge of defining the differences between 'wetland' environments and 'freshwater' environments so that they can be regulated separately. There seems to be a high probability of overlap and also a risk of a gap between the two definitions.

We submit that the NPSIB should apply to any environments in Aotearoa New Zealand with indigenous biodiversity. If this is not the case, it is essential that it at least covers wetland-type environments which are not permanently submerged and may therefore not be subject to the NPSFM.

Q3. Do you agree with the objectives of the proposed NPSIB? Yes/no? Why/why not? (see Part 2.1 of the proposed NPSIB)

We strongly support the objectives of the proposed NPSIB, for the reasons laid out in the rest of our submission.

Section B: Identifying important biodiversity and taonga

Q10. 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?

A number of councils have had great success in identifying and mapping SNAs on private land. However, this experience has not been consistently positive across the country so far, and we foresee challenges associated with this process. As mentioned in part 2 above, we are concerned that many local councils do not currently have the resources, capacity and expertise to undertake this work. For this work to be carried out to a high standard with landowner support and participation, and to the timeline provided in the draft NPSIB, it is important that these concerns are addressed.

While it is reasonable to expect some landowner resistance to identification and mapping of SNAs on private land, relationships between landowners and local government are central to the NPSIB and it is important that these relationships are not jeopardised through the process. Again, this calls for well-resourced teams that can work alongside landowners in a way that is

meaningful, including on-the-ground interactions and assessments, and not solely identifying areas through aerial imaging and corresponding with landowners by email.

In our experience, bringing landowners along for the journey is most effective at achieving acceptance of SNA identification on their private land. As the NPSIB is implemented, councils will need to be sufficiently resourced to achieve this.

Q11. Of the following three options, who do you think should be responsible for identifying, mapping and scheduling of SNAs? Why? (territorial authorities, regional councils, collaborative exercise)

We support option c, a collaborative approach. In our experience regional councils have, for the most part, taken the lead on biodiversity protection. However, we see the logic in placing responsibility with territorial authorities. Territorial authorities have a greater appreciation of local context when assessing significance and their functions overlap as they are the main authority responsible for resource consent applications for vegetation clearance. However, because they are smaller entities, territorial authorities often do not have the same resources and expertise available. We support a flexible approach where territorial authorities have primary responsibility for SNAs, except where a regional council is already carrying out these functions.

Complementing this, we also support the sharing of expertise and resources across councils. This will be important in cases where territorial authorities are small and are constrained by capacity and expertise.

Q12. Do you consider the ecological significance criteria in Appendix 1 of the proposed NPSIB appropriate for identifying SNAs? Yes/no? Why/why not?

We are pleased that the NPSIB will establish a standardised approach to identifying ecological significance across the country. The proposed ecological significance criteria are aligned with our own criteria when assessing land to protect, and we support them. It is critical that these criteria are not weakened as a result of consultation on the NPSIB.

Q13. Do you agree with the principles and approaches territorial authorities must consider when identifying and mapping SNAs? (see Part 3.8(2) of the proposed NPSIB) Yes/no? Why/why not?

We strongly support these principles and approaches. Working in partnership with landowners in a way that is transparent and thorough will be imperative for the success of the NPSIB at a local level.

Physical inspection is labour intensive for councils but ground-truthing assessments made from aerial images is critical. This is also an opportunity for landowner relationships to be fostered. Achieving buy-in from landowners is fundamental if biodiversity loss on private land is to be halted; landowners who appreciate the values of the areas of biodiversity they own are less likely to damage those areas. We also acknowledge that particularly in areas where biodiversity loss has been on a staggering scale (e.g. Canterbury Plains), remaining pockets of biodiversity may be difficult to assess through remote identification. Identifying these small, isolated pockets is important, and it is in these very areas where biodiversity loss is acutely felt that the activities under the proposed NPSIB are critical to cease any further loss.

Q15. We have proposed a timeframe of five years for the identification and mapping of SNAs and six years for scheduling SNAs in a district plan. Is this reasonable? Yes/no. What do you think is a reasonable timeframe and why?

We recognise that the identification, mapping and scheduling of SNAs at the scale of the NPSIB will take time and expertise. However, extending time limits would mean further losses to biodiversity, so it is imperative that action is taken now. We consider five years an adequate timeframe, however as section two of this submission discusses, this will not be achieved to a high standard without adequate resources and support for the agencies carrying out this work.

Q17. Part 3.15 of the proposed NPSIB requires regional councils and territorial authorities to work together to identify and manage highly mobile fauna outside of SNAs. Do you agree with this approach? Yes/no? Why/why not?

Our protection efforts mainly focus on discrete land areas defined by surveys, but we recognise that flora and fauna do not restrict themselves to lines on a survey plan. We think that requiring councils and planning documents to recognise mobile species is positive and will encourage the development of biodiversity corridors. If carried out carefully it will provide opportunities for community engagement with taonga species and cascading benefits for other species.

We have witnessed the development of halos around some of our covenant projects where the spread of birds has encouraged neighbouring landowners to also participate in biodiversity protection. Where individual landowners have put real effort into pest control, this proposal will also support their work beyond the covenant boundaries.

Q18. What specific information, support or resources would help you implement the provisions in this section (section B)?

It is our strong position that the identification of SNAs is only a first step to truly protect and enhance indigenous biodiversity. The declaration of a SNA does not achieve anything on the ground unless threats are removed, and management is implemented. QEII and similar covenanting agencies can be a key player in this implementation, and we submit that formal legal protection of significant areas should be the preferred method of securing their protection forever.

We note the significant resource burden that will be placed on local authorities to declare SNAs and to follow up on them to ensure their long-term sustainability. Resourcing those local authorities will in turn help us in our work which is aligned with the NPSIB.

Section C: Managing adverse effects on biodiversity from activities

Q26. Do you agree with managing existing activities and land uses, including pastoral farming, proposed in Part 3.12 of the proposed NPSIB? Yes/no? Why/why not?

We acknowledge that biodiversity protection does not occur in a vacuum and must coexist with other land uses, either directly within a protected area or indirectly given the impact of surrounding land uses.

We support the proposal in Part 3.12. Existing activities which are leading to loss of indigenous biodiversity need to stop if the aims of the NPSIB are to be achieved. We appreciate that these provisions will be controversial to implement but submit that without taking this step, biodiversity loss will not be halted.

Q28. Do you think it is appropriate to consider both biodiversity offsets and biodiversity compensation (instead of considering them sequentially) for managing adverse effects on indigenous biodiversity outside of SNAs? Yes/no? Why/why not?

We do not support biodiversity compensation, as outlined in our response to question 35 below. We suggest that sub-clause 3.13. 1b) be amended to apply the effects management hierarchy with biodiversity offsetting as the final step.

Q30. 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?

We strongly support the inclusion of this provision as biodiversity loss and climate change must be addressed as an interconnected problem. The biodiversity within areas protected by QEII are under threat as the climate changes. It is fundamental that councils build climate change into their planning documents now.

Q31. Do you think the inclusion of the precautionary approach in the proposed NPSIB is appropriate? (see Part 3.6 of the proposed NPSIB) Yes/no? Why/why not?

We support the inclusion of the precautionary approach. With limited indigenous biodiversity remaining and an incomplete picture of the state of some ecosystems around the country, the use of the precautionary approach is an important safeguarding tool.

Q34. Do you agree with the framework for biodiversity offsets set out in Appendix 3 of the NPSIB? Yes/no? Why/why not?

QEII is cautious regarding offsetting. Offsetting contributes to biodiversity decline and is inconsistent with QEII's work to protect biodiversity values through our covenants. QEII would not agree to a landowner's request to carry out offsetting in exchange for an activity causing damage to vegetation in a covenant.

However, we recognise the need to balance biodiversity values with development. If biodiversity offsetting is to be allowed under the NPSIB, we propose the following two amendments to the framework:

1. We consider old growth (primary/virgin forest) to be irreplaceable. This needs to be made clear in principle 2. This is also important because achieving principle 5 ('Like-for-like') will never be possible in the context of old-growth forests.
2. In principle 7 'Long-term outcomes', QEII would like to see offset work managed in perpetuity *every time*. This is the only way biodiversity loss will be genuinely halted.

We also stress that the precautionary principle which underlies the NPSIB provides strong justification for a high bar before offsetting is made available. If the full extent of damage to indigenous biodiversity cannot be known, or the offsets cannot be guaranteed, the proposed activity should not be permitted.

Q35. Do you agree with the framework for biodiversity compensation set out in Appendix 4 of the NPSIB? Yes/no? Why/why not? Include an explanation if you consider the limits on the use of biodiversity compensation set out in Environment Court decision: Oceana Gold (New Zealand) Limited v Otago Regional Council as a better alternative.

QEII does not support biodiversity compensation. We accept that there are situations where offsetting may simply not be possible (for example when old-growth forest may be lost). However, in these situations the only way to avoid continued decline in indigenous biodiversity is to require that the proposed activity avoid damage to those environments. Allowing for compensation, even when it could bring significant benefits, would contribute to decline in the most vulnerable indigenous biodiversity and cannot be permitted.

Section D: Restoration and enhancement of biodiversity.

Q38. The proposed NPSIB promotes the restoration and enhancement of three priority areas: degraded SNAs; areas that provide important connectivity or buffering functions; and wetlands. (see Part 3.16 of the proposed NPSIB) Do you agree with these priorities? Yes/no? Why/why not?

We agree with the priorities for restoration and enhancement.

We regularly see the difficulties landowners face with accessing assistance for restoration work and our enhancement fund has been significantly oversubscribed in all the rounds we have run. QEII would like to see encouragement and financial assistance from government bodies as a result of the NPSIB.

We are pleased to see that wetlands are listed as a priority area. Over half of New Zealand's remaining wetlands are on private land. We estimate that QEII has covenanted 7,600 hectares of land classified as wetland out of an estimated 250,000 hectares remaining, amounting to around 6% of New Zealand's wetlands.⁷ Recognising the sheer scale of wetland lost, it is imperative that these areas are an ongoing focus for protection, restoration and enhancement.

While these are admirable priority areas, we also note the fragility of other ecosystems which are less charismatic and are often seen as of lesser significance. We would also like to see backing provided to these naturally uncommon ecosystems and the precious and rare biodiversity that they support. Examples of these ecosystems are limestone, salt pans and frost flats.

Q39. Do you see any challenges in wetland protection and management being driven through the Government's Action for healthy waterways package while wetland restoration occurs through the NPSIB? Please explain.

This approach is likely to require different government agencies to coordinate around wetland ecosystems. We see it as a potential benefit for multiple agencies to have eyes on wetlands. We regularly deal with different local government agencies for fencing and enhancement work when covenanting an area so do not see this as an issue. We note that there may be situations where a wetland falls within a larger SNA and the physical protection requirements of the healthy waterways package may be superfluous or better placed to include the SNA.

Q40. Part 3.17 of the proposed NPSIB requires regional councils to establish a 10 per cent target for urban indigenous vegetation cover and separate indigenous vegetation targets for non-urban areas. Do you agree with this approach? Yes/no? Why/why not?

We certainly support this approach. While we work predominantly in rural environments, there is great need for indigenous biodiversity targets in urban areas. Many urban areas across the

⁷ Ministry for the Environment, "New Zealand's Environmental Reporting Series: Environmental Indicators – Wetland extent", 19 April 2018, http://archive.stats.govt.nz/browse_for_stats/environment/environmental-reporting-series/environmental-indicators/Home/Fresh%20water/wetland-extent.aspx, accessed 12 March 2020.

country have sustained significant biodiversity loss. QEII also sees this as an important opportunity to engage more people around conservation in urban environments. We have observed great success around community conservation in urban areas, particularly around the Predator Free 2050 targets, and there is scope for this work to proliferate in communities across Aotearoa New Zealand.

It is important that a balance is found between protecting what already exists and trying to restore indigenous biodiversity. Each region around the country will look different in this regard. Where resources are scarce, we submit that protecting existing biodiversity should be a priority. However, protecting what we have now (particularly in some regions) is *not sufficient*. Again, resourcing increases for councils and conservation organisations, and funding and incentives for landowners are critical for both protection and restoration to occur to a high standard.

Q41. Do you think regional biodiversity strategies should be required under the proposed NPSIB or promoted under the New Zealand Biodiversity Strategy? Please explain.

In order to address the challenges facing indigenous biodiversity, local government needs increased direction and compulsion. Regional biodiversity strategies should be required under the proposed NPSIB and accompanied by an implementation package that includes support for local government to carry out this work.

Q42. Do you agree with the proposed principles for regional biodiversity strategies set out in Appendix 5 of the proposed NPSIB? Yes/no? Why/why not?

We are strongly supportive of a policy hierarchy to assist local authorities with the implementation of the NPSIB. While high-level policy documents are crucial for guidance, it is the operation of this at the regional level that will result in the necessary changes for biodiversity.

QEII particularly supports principle 4 of Appendix 5 regarding the importance of engaging the community for regional biodiversity. We reiterate our support for the use of biodiversity hubs to bring together landowners, pest management agencies, tangata whenua, community groups, local authorities, and NGOs to co-ordinate biodiversity action. These hubs can be an effective way of implementing the proposed regional biodiversity strategies under the NPSIB. It is essential however that these hubs have clear leadership, direction and resourcing, and are not left to volunteers.

Q43. Do you think the proposed regional biodiversity strategy has a role in promoting other outcomes (eg, predator control or preventing the spread of pests and pathogens)? Please explain.

QEII is strongly in favour of this. Factors such as predator control and biosecurity threats (e.g. Kauri dieback or Myrtle rust) are inextricably linked to outcomes for indigenous biodiversity. In our experience, landowners are unlikely to be able to front these threats without support. This could also align with the Department of Conservation's predator free 2050 strategy and other relevant national biodiversity strategies.

Section E: Monitoring and implementation

Q46. Do you agree with the requirement for regional councils to develop a monitoring plan for indigenous biodiversity in its region and each of its districts, including requirements for what this monitoring plan should contain? (see Part 3.20) Yes/no? Why/why not?

We support the need for a monitoring plan for indigenous biodiversity. It is imperative that we understand the things we are trying to protect and restore, and that we can adapt in response to feedback from these monitoring systems. QEII practises on-the-ground monitoring across all our covenants on a two-yearly basis. This is a fundamental tool for assessing the state of indigenous biodiversity in areas under protection and for managing threats as they arise.

We also recognise that monitoring is very resource intensive. It is our observation of council covenanting systems that local government is not currently well equipped to carry out routine monitoring. Resourced as they currently are, many councils will likely struggle to carry out this work. QEII, as a national organisation with experience undertaking monitoring in the field, could be well placed to assist with this work.

Q47. Part 4.1 requires the Ministry for the Environment to undertake an effectiveness review of the proposed NPSIB. Do you agree with the requirements of this effectiveness review? Yes/no? Why/why not?

This is essential to ensure accountability for the delivery of the NPSIB. The Ministry needs to be able to assess if actions implemented under the NPS are resulting in progress for, and a halt in the decline of, indigenous biodiversity.

Q49. Which option for implementation of the proposed NPSIB do you prefer? Please explain.

- a. Implementation as soon as reasonably practicable – SNAs identified and mapped in five years, scheduled and notified in plans in six years.
- b. Progressive implementation programme – SNAs identified and mapped within seven years, scheduled and notified in plans in eight years.

QEII supports option A for implementation of the NPSIB. For further loss of biodiversity to be minimised, the NPSIB must be implemented within the shortest time frame that is reasonably practicable. However, we reiterate our concerns around the resourcing and capacity of agencies to undertake these activities. For reasons discussed at length in this submission, it is important that the NPSIB be implemented to a high standard, with landowner support.

For this to be achieved in the timeline given in option A, concerns around resourcing must be addressed and the implementation package with support measures is critical. It would be very unfortunate to see a process that has been rushed, to a low standard and resulted in compromised community relationships.

Q50. Do you agree with the implementation timeframes in the proposed NPSIB, including the proposed requirement to refresh SNA schedules in plans every two years? Yes/no? Why/why not?

We agree with the proposed implementation timeframes and support the proposed requirement to refresh SNA schedules. A comprehensive survey of biodiversity within each district is and will be challenging, but regularly updating SNA schedules will help identify areas inadvertently overlooked on initial surveys and will also pick up areas which have since become SNAs. However, carrying out a biennial review of all SNAs within a region would require a vast amount of resources which may be better allocated in other aspects of implementation of the NPSIB.

Q51. Which of the three options to identify and map SNAs on public conservation land (PCL) do you prefer? Please explain.

We support Option 2, where public conservation land is deemed to be a SNA. The resources involved in ground truthing or otherwise assessing PCL's status as SNA would be better utilised elsewhere, at least during the early stages of NPSIB implementation.

Q58. What support in general would you require to implement the proposed NPSIB? Please detail.

- a. Guidance material
- b. Technical expertise
- c. Scientific expertise
- d. Financial support
- e. All of above
- f. Other (please provide details).

We submit that all of the above provisions will be essential for NPS implementation. As we have made clear throughout the submission, QEII overwhelmingly supports the proposed NPSIB, and the need for national direction and regulation for indigenous biodiversity. Much of our focus is around how it can be implemented in a way that ensures success, both for communities on-the-ground, and for our indigenous biodiversity across Aotearoa.

We have been clear that we have real concerns around resourcing and capacity for activities under the NPSIB. The resource, capacity and expertise within local government across the country varies significantly, and there are many councils that will struggle to resource this work. Financial, scientific and technical expertise and support will be imperative for successful implementation of the NPS.

There are conservation organisations, such as QEII, that can be valuable partners in this work. We suggest that the Government consider how resourcing these organisations well can be an investment in the objectives for the NPS, and in indigenous biodiversity conservation more broadly.