



# National Policy Statement for Indigenous Biodiversity

## General summary

### Overview

The Government has developed a National Policy Statement for Indigenous Biodiversity to help protect and maintain our unique biodiversity.

All councils have had to protect areas with significant native biodiversity since the Resource Management Act (RMA) was introduced in 1991. The challenge has been that there was a lack of guidance about what this meant in practice and the requirement has been inconsistently applied. To address this, the criteria for identifying and managing these significant areas under the [National Policy Statement for Indigenous Biodiversity](#) (NPSIB) has now been made the same across Aotearoa New Zealand.

What changes for landowners will depend on how your council identified and managed these significant areas previously.

For some districts there may be little change while for others it may be more substantial.

Councils will update plans and strategies over the coming years to bring in the new requirements. Some changes will happen immediately.

If you're applying for resource consent for new activities or developments that may affect native plants and animals, you may have more requirements to meet.

Existing activities can continue, provided their effects remain at the same level and don't increase the loss of native plants or animals in a Significant Natural Area (SNA).

## Key information on indigenous biodiversity

Our indigenous biodiversity is unique and distinctive as a result of millions of years of geographic isolation.

Despite the ongoing efforts of tangata whenua, landowners, communities, private organisations, and local and central government, we are continuing to lose our indigenous ecosystems. Between 2012 and 2018 alone, Aotearoa New Zealand's area of indigenous vegetation cover decreased by 12,869 hectares.

More than 3,200 of our known indigenous species are threatened with extinction or at risk of becoming threatened partly due to loss of habitat.

While large areas of indigenous biodiversity are managed by the Government as part of the conservation estate, many rare lowland ecosystems are on private land and need protection.

## What is indigenous biodiversity?

Indigenous biodiversity refers to all of the living organisms that occur naturally in Aotearoa, and the ecosystems they are a part of. This includes all our native plants and animals whether they are in mountain forests, regenerating lowland bush, native scrub, grasslands or in our farmland and cities.

## What is the NPSIB?

The NPSIB is a national policy statement under the RMA. It directs councils to establish consistent approaches in their policies, plans and strategies to maintain indigenous biodiversity. It applies to all land types, and it sets out consistent ecological criteria used by councils to identify where SNAs are located. Its aim is to better protect our native plants and animals and provide certainty to people who want to develop or change the way they use their land.

Councils will update their policies, plans and strategies in the coming years to reflect NPSIB requirements, meaning there will be changes to existing plan rules and other work councils do for indigenous biodiversity. Councils will be implementing some parts of the NPSIB immediately, so anyone seeking resource consent for new activities or developments that may affect indigenous biodiversity may have to meet additional requirements.

## Why is it needed?

Our indigenous biodiversity is unique. It is an important part of our identity as a nation – kiwi, kōwhai, kereru, koru and silver ferns are all national symbols. Biodiversity connects us to the land and each other, it provides recreational opportunities and is part of the beautiful landscapes that support our tourism trade. It also provides a vast range of ecosystem services such as clean water, flood mitigation, land stabilisation, CO<sub>2</sub> absorption and food, contributing billions of dollars to our society.<sup>1</sup> Yet many of our treasured plants and animals are becoming scarce, even facing extinction.

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<sup>1</sup> Researchers estimated that in 2012 Aotearoa New Zealand's land-based ecosystem services contributed \$57 billion to human welfare. Patterson M G, Cole A O. 2013. "Total economic value" of New Zealand's land-based ecosystems and their services. In J R Dymond, ed. *Ecosystem services in New Zealand – conditions and trends*. Lincoln, New Zealand: Manaaki Whenua Press.

Right now, the ecosystems on which we depend are being degraded on multiple fronts. The drivers of biodiversity loss include invasive pests, land-use change, natural resource overuse, pollution and climate change.

Under the RMA, all councils must identify areas with significant native biodiversity. However, councils across Aotearoa have different criteria for identifying these areas and use different methods to maintain them. This has resulted in confusion and uncertainty for landowners who want to farm or develop their land. The NPSIB directs councils to set clear and consistent approaches in their policies, plans and strategies, which will provide more certainty and clarity for landowners.

Iwi, hapū and whānau have unique and inseparable connections to their land and the environment. For tangata whenua, identity, wellbeing, knowledge and te ao Māori (the Māori world view) are indivisible from the health of Papatūānuku (Earth mother) and Ranginui (the sky father). Humans are connected to the environment by whakapapa, not distinct from it.

Many landowners, tangata whenua, communities, private organisations and councils are putting a lot of time and investment into looking after our plants and animals. We need to build on this good work by ensuring we have a consistent approach for maintaining indigenous biodiversity across the country.

We all have an important role to play in protecting and maintaining our indigenous biodiversity.

## How the NPSIB works

The key aim of the NPSIB is to help maintain indigenous biodiversity across Aotearoa. This is primarily achieved by requiring councils to identify areas of significant indigenous biodiversity, or SNAs, and manage any adverse effects on them from new development and surrounding activities.

SNAs are identified on land that supports significant communities or types of indigenous species, such as areas of indigenous forest and tussock grasslands. The NPSIB requires a more consistent process for councils, working with landowners, to identify and manage these.

Other aspects of the NPSIB include: councils working to restore important areas or features that have been degraded over time; preparing regional biodiversity strategies to guide efforts at a regional level; and monitoring the condition and extent of biodiversity to understand what changes are taking place.

## How does the NPSIB achieve this?

The NPSIB provides clarity for councils and landowners by making it clear how councils will implement RMA requirements through their plans, policy statements and decision-making.

Parts 1 and 2 set out the scope, fundamental concepts, definitions, objectives and policies, which frame the rest of the document.

Part 3 sets out implementation requirements for councils. It:

- sets a **consistent** method to identify and protect areas of significant indigenous biodiversity. The NPSIB requires councils to identify SNAs in their plans using consistent ecological criteria. Where a proposed activity, development or use is likely to have an impact on an SNA, councils must use consistent methodology in their decision-making process

- **safeguards** our most precious indigenous species and habitats by outlining the ecological effects that must be avoided and requiring councils to manage adverse effects of new activities on SNAs, other indigenous biodiversity and taonga species
- provides councils with **different approaches** for different land uses and land types, and the industries and infrastructure needed for social, economic and cultural wellbeing. This includes nationally and regionally important industry and infrastructure (such as for housing growth); farming, plantation forestry, harvesting of commercial indigenous species; allowing established uses to continue (detailed further below); and containing specific provisions for sustainable indigenous forest harvest, highly mobile fauna, Queen Elizabeth II Trust (QEII) covenants or kawenata and geothermal SNAs
- addresses **te Tiriti o Waitangi (the Treaty of Waitangi) principles** by providing more flexible and locally developed approaches for Māori land. The NPSIB recognises the historical barriers tangata whenua have faced in occupying, using, and developing their land and the disproportionate extent of indigenous biodiversity on that land compared to general land. The NPSIB includes specific provisions to acknowledge the implications of these historic differences. It seeks to strengthen the role of **tangata whenua as partners** with councils in the management of indigenous biodiversity, recognising the role of tangata whenua as kaitiaki.
- provides greater **certainty** for landowners to continue existing activities as long as there is no change that causes any loss or degradation of an SNA. This includes pastoral farming and forestry. Where a landowner or developer wishes to establish new activities or development, the NPSIB sets out a consistent methodology for councils to make an assessment and set controls on future management of the activity. Councils will work with landowners early in the process of identifying SNAs and recognise the role and efforts of landowners as stewards of biodiversity
- provides other **tools** relating to indigenous biodiversity, such as promoting the restoration of indigenous biodiversity, increasing indigenous vegetation cover, creating regional biodiversity strategies and monitoring indigenous biodiversity.

Part 4 sets out the timing requirements for the provisions, taking a staged approach for implementation.

## What the NPSIB does not do

**The NPSIB directs councils, not landowners.** There are no requirements on landowners to proactively manage or restore indigenous biodiversity, undertake weed or pest control or fence SNAs.

The NPSIB provides protection for our most significant indigenous biodiversity. It does not affect land ownership, nor does it identify all areas with indigenous biodiversity as SNAs.

**Existing activities can continue** as long as there is no change that causes any loss or degradation of an SNA, and existing granted resource and subdivision consents can proceed.

The aim of the NPSIB is to provide councils with a consistent and clear approach to identification, protection and management of significant indigenous biodiversity. **New development can still happen**, but the NPSIB directs councils to require landowners and developers who want to undertake new uses or development to avoid or manage any adverse effects their activities may have on indigenous biodiversity on the site.

The NPSIB does not apply to renewable electricity generation assets and activities, and electricity transmission network assets and activities, which are not specified infrastructure for the purpose of the NPSIB.<sup>2</sup> There is other national direction being developed for that.<sup>3</sup> The NPSIB does not apply to indigenous species and ecosystems in freshwater and coastal environments. There is other national direction in place for that,<sup>4</sup> which will be streamlined under the proposed National Planning Framework<sup>5</sup> in the coming years.

## What about other important biodiversity outside of SNAs?

SNAs are not the only places important for biodiversity. Councils will be required to maintain indigenous biodiversity outside of SNAs by managing adverse effects of new activities and development on it. However, councils have some flexibility on how they achieve this.

In districts where councils have not yet identified SNAs and for indigenous biodiversity not in SNAs, any new subdivision, activity or development that significantly affects indigenous biodiversity and requires resource consent will be managed using the effects management hierarchy.<sup>6</sup>

Councils will also need to consider some species of highly mobile fauna (such as bats and birds), by providing information and possibly providing for areas used by these fauna in regional or district plans. This will increase knowledge of effects on specified highly mobile fauna, which are often difficult to detect, or only spend parts of the year in an area.

Restoring degraded ecosystems is also important for maintaining Aotearoa New Zealand's indigenous biodiversity. Some ecosystems have suffered so much loss or damage that the only way they can be maintained is through restoration and reconstruction. The NPSIB requires councils to promote restoration of certain priority areas (for example, degraded SNAs, threatened and rare ecosystems, or important buffering or connectivity areas).

Iwi, hapū and Māori are kaitiaki and have obligations and responsibilities for species and ecosystems which are taonga to them. The NPSIB sets out a framework for councils and tangata whenua to work in partnership to identify ecological taonga. This could be through mapping, or simply by describing the taonga and its values. They can then work together to develop a system where tangata whenua manage taonga to the extent they wish to be involved.

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<sup>2</sup> See [NPSIB clause 1.3\(3\)](#) – Application.

<sup>3</sup> The National Policy Statements for Renewable Electricity Generation (NPSREG) and Electricity Transmission (NPSET) and National Environmental Standards on Electricity Transmission Activities are being updated and it is proposed that they provide a consent pathway for development adversely affecting SNAs.

<sup>4</sup> For example, the National Policy Statement for Freshwater Management, National Environmental Standards for Freshwater and the New Zealand Coastal Policy Statement.

<sup>5</sup> The National Planning Framework is the consolidation of all national direction, including national policy statements, national environmental standards, national planning standards and regulations into one system. It will also provide direction for regional spatial strategies, and natural and built environment plans.

<sup>6</sup> See [NPSIB clause 3.16](#) – Indigenous biodiversity outside SNAs.

# What will happen when the NPSIB commences?

Many councils have already identified or started a process to identify SNAs. Councils that have already identified SNAs will review them to make sure they are consistent with NPSIB criteria and requirements.

Councils that have not yet identified SNAs across their district will be doing this over the next few years through to 2028. As part of this process, council staff will work alongside landowners to undertake on-the-ground assessments of any potential SNAs.

Some NPSIB requirements will take effect immediately, including how effects from new activities and developments are assessed through the resource consent process. Other requirements will be put in place by councils over the next eight to ten years.

## Questions and answers

### What does it mean if an SNA is identified on my land?

Many councils have already identified SNAs or equivalents in their districts. If your land includes a SNA, you are probably already caring for it. If you are not changing your use of the land or considering developing it, you do not need to do anything. The NPSIB does not require you to carry out anything proactively such as fencing, pest control or other management.

Established activities and structures in SNAs can continue, provided they don't increase adverse effects on an SNA and they are listed in a policy statement or plan. This includes maintenance, operation or upgrades where the effects don't increase in scale, intensity or character and don't result in the loss or degradation of an SNA. The NPSIB doesn't affect existing use rights under sections 10 and 20A of the RMA.

Talk to your council to see if they have a programme in place to support landowners, such as rates remission or funding assistance with management costs.

### What if I want to develop an area of my land and I have an SNA?

If you are proposing a development on your property that might affect an SNA then you will need to check in with your council and may need to apply for resource consent.

Some activities have specific consent pathways, including:

- building a house on a pre-existing allotment (if it was subdivided prior to the NPSIB and does not already contain a house). In that case the NPSIB provides for the construction of a house, provided you can mitigate adverse effects on the SNA using the effects management hierarchy and comply with other council rules
- construction or upgrade of specified infrastructure that meets certain tests
- certain extraction activities including aggregates
- activities involved in restoring or maintaining an SNA
- use or harvesting of native plants planted for that purpose.

If the SNA on your land is covered by a covenant or kawenata (such as QEII) or Ngā Whenua Rāhui), the NPSIB gives councils scope to apply an optional exemption that allows activities and management provided for in the covenant.

## What is meant by avoiding adverse effects?

Ecosystems need to maintain certain characteristics to be able to properly support indigenous plants and animals. The NPSIB outlines five specific effects that need to be avoided due to their significant impacts on ecosystem characteristics.

The adverse effects that must be avoided are:

- (a) loss of ecosystem representation and extent
- (b) disruption to sequences, mosaics, or ecosystem function
- (c) fragmentation of SNAs or the loss of buffers or connections within an SNA
- (d) a reduction in the function of the SNA as a buffer or connection to other important habitats or ecosystems
- (e) a reduction in the population size or occupancy of threatened or at risk (declining) species that use an SNA for any part of their life cycle.

These five effects will form part of the assessment that will be applied to new uses, development or subdivision that potentially affect an area of indigenous biodiversity in an SNA. In most cases, new uses, subdivisions or developments must avoid these adverse effects or they cannot go ahead.

For other adverse effects, and where there are exceptions to avoiding the specific five adverse effects and for indigenous biodiversity outside of SNAs, the NPSIB establishes an effects management hierarchy to manage any potential negative impacts on SNAs. It has a hierarchy of levels or steps, which include avoiding, minimising, remedying, offsetting, then compensating.

**Avoiding** – as the top priority, new development, subdivision or use should avoid adverse effects on an SNA, for example by moving the location of the development to outside the SNA.

**Minimising** – where effects cannot be avoided, they should be reduced as much as possible, for example by relocating the position of a drain trench to have the least impact on an SNA.

**Remedying** – if all of the effects of an activity can't be avoided or minimised, then any residual effects should be made right, for example by replanting.

**Offsetting** – seeks to counter unavoidable impacts of development or uses on indigenous biodiversity by enhancing indigenous biodiversity elsewhere, preferably within the site. It only occurs once the first three levels are exhausted and residual adverse effects remain.

**Compensation** – is the least desirable outcome whereby biodiversity losses on a site are compensated for by contributions being made to enhance biodiversity elsewhere.

If all adverse effects cannot be mitigated using this hierarchy, the activity is not appropriate and cannot take place.

## What is the approach for Māori land?

Specified Māori lands<sup>7</sup> hold much of Aotearoa New Zealand's indigenous biodiversity. 44 per cent of Māori customary and freehold land and 36 per cent of Treaty settlement land has indigenous vegetation cover, compared with only 7.5 per cent of all other general land parcels. In some cases, this retention has occurred because of historical barriers to land development.

The NPSIB acknowledges past disadvantages and the prevalence of indigenous biodiversity on Māori land by providing for a more tailored management approach. This requires councils to work in partnership with tangata whenua and owners of specified Māori land to enable development alongside the protection of indigenous biodiversity. More information is provided in the [tangata whenua information sheet](#).

## Will there be support to help councils, tangata whenua and landowners?

Supporting and incentivising positive biodiversity action is a crucial part of the response to ongoing indigenous biodiversity decline. One way of achieving this is by improving access to and generating a range of financial and non-financial incentives that support landowners. You may be able to access support, such as ecological advice, funding or a rates remission for protected land, through your council, although offerings vary between districts.

Central government provides support through several contestable and targeted funds that promote biodiversity protection, maintenance and restoration. Additional central government support for indigenous biodiversity and specifically to implement the NPSIB will also be rolled out for councils, tangata whenua and landowners.

The Ministry for the Environment and the Department of Conservation are doing exploratory work to establish a biodiversity credit system for Aotearoa. Biodiversity credit type approaches are emerging internationally to attract private sector support for biodiversity. Consultation on this is open between 7 July and 3 November 2023.

A separate Māori implementation plan being developed in partnership with hapū and iwi will identify specific measures to support tangata whenua. This will be completed later in 2023.

## When does the policy take effect?

The NPSIB will take effect on 4 August 2023 and councils will make changes to their policies and plans over the coming years to reflect NPSIB provisions. However, councils will be implementing parts of the NPSIB straight away, so new activities or developments that may have adverse effects on indigenous biodiversity and need resource consent will need to meet NPSIB requirements – this is detailed in table 1.

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<sup>7</sup> Māori customary and freehold land under Te Ture Whenua Māori Act 1993 and Treaty settlement land. See NPSIB clause 1.6 for specific definition.



**Table 1: NPSIB implementation timeline**

Date	National Policy Statement milestone
July 2023	<ul style="list-style-type: none"><li>National Policy Statement for Indigenous Biodiversity gazettal</li></ul>
<b>Key policy delivery</b>	
August 2023	<ul style="list-style-type: none"><li>National Policy Statement for Indigenous Biodiversity comes into effect.</li><li>Immediate implementation of Parts 1 and 2 (preliminary provisions and objectives and policies) and some Part 3 (implementation) policies.</li></ul>
Mid-2026	<ul style="list-style-type: none"><li>Regional councils without regional biodiversity strategies initiate the production of a strategy within three years of NPSIB commencement.</li></ul>
Mid-2027	<ul style="list-style-type: none"><li>Councils that have already identified SNAs demonstrate how this has fulfilled the requirements of the NPSIB.</li></ul>
Mid-2028	<ul style="list-style-type: none"><li>Territorial authorities have identified, mapped and notified all Significant Natural Areas and given effect to Subpart 2 of Part 3.</li><li>Within five years, councils must have notified a plan or policy statement change that gives effect to Subpart 2 of Part 3, which includes the identification of Significant Natural Areas and rules around their management.</li></ul>
Mid-2031	<ul style="list-style-type: none"><li>As soon as reasonably practicable or by the end of 2031, councils have notified any changes to their policy statements and plans to give effect to the NPSIB.</li></ul>
Mid-2033	<ul style="list-style-type: none"><li>Regional councils without regional biodiversity strategies have completed them.</li><li>Regional councils with pre-existing regional biodiversity strategies have updated them.</li></ul>

## Where can I get more information?

Contact your local council, email [indigenusbiodiversity@mfe.govt.nz](mailto:indigenusbiodiversity@mfe.govt.nz) or visit [environment.govt.nz](http://environment.govt.nz).

There are also specific information sheets for [tangata whenua](#), [farmers and growers](#), [forest owners and managers](#), [infrastructure providers](#) and [urban developers](#).

