

**Before the Hearings Panels
At Greater Wellington Regional Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of Proposed Change 1 to the Regional Policy Statement for the Wellington Region

Hearing Topic Hearing Stream 6 – Indigenous Biodiversity

**Statement of evidence of Torrey James McDonnell on behalf of Hutt City
Council (Planning)**

Date: 30 January 2024

INTRODUCTION:

- 1 My full name is Torrey James McDonnell. I am employed as a Principal Planner by Incite Wellington.
- 2 I have prepared this statement of evidence on behalf of Hutt City Council (“HCC”) to provide planning evidence in relation to its submission to Greater Wellington Regional Council’s (“the Council”) Proposed Change 1 (“Change 1”) to the Regional Policy Statement for the Wellington Region (“RPS”).
- 3 Specifically, this statement of evidence relates to the matters in Hearing Stream 6, Indigenous Biodiversity.
- 4 I am authorised to provide this evidence on behalf of HCC. While I am employed by HCC, I am giving this evidence as a planning expert, and the views I express in this evidence are my own.

QUALIFICATIONS AND EXPERIENCE

- 5 I hold the qualifications of Bachelor of Science (Majoring in Geography) and a Master of Planning both from Otago University.
- 6 I currently work for Incite Resource and Environmental Consultants, based in the Wellington office. I provide expert advice on a variety of resource management matters, including national policy development, growth/spatial planning, district and regional plan policy development, and district and regional consenting. This includes providing policy advice to HCC to inform their current District Plan Review programme.
- 7 I am familiar with Change 1 having worked on Porirua City Council’s (“PCC”) submission, including giving evidence on behalf of PCC in Hearing Stream 3 (natural hazards) and 5 (freshwater). I also gave evidence on behalf of HCC on Hearing Stream 4 (urban development)

- 8 I worked for PCC as a Principal Policy Planner from 2017 to 2023. I was involved in the preparation of the 2020 Porirua Proposed District Plan (“PDP”), the 2022 Variation 1 to the PDP, and the 2022 Plan Change 19 to the Operative District Plan. Variation 1 and Plan Change 19 are part of an Intensification Planning Instrument. Relevant to this hearing stream, I led the programme to engage with ecologists and landowners to map Significant Natural Areas (SNA) throughout Porirua for inclusion in the PDP, and was the reporting officer through PDP hearings on this topic.
- 9 Prior to PCC, my work experience included working as a Senior Analyst for the Ministry for the Environment developing national direction under the RMA; and working as a planner for the Transit New Zealand Otago/Southland regional office where my main duties included both consenting and policy input.
- 10 I am a full member of the New Zealand Planning Institute.

Code of conduct

- 11 I have read the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
- 12 My qualifications as an expert are set out above. I confirm that the issues addressed in this statement of evidence are within my area of expertise, and I have not omitted to consider material facts known to me that might alter or detract from my expressed opinions.

SCOPE OF EVIDENCE

- 13 My statement of evidence addresses the following matters arising from HCC’s submission on Change 1:
- Objectives 16, 16A, 16B, 16C;

- Policies 23, 24, 24A, 47, 61, IE.1, IE.2, IE.3, IE.4
- New policy IE.2A
- Method IE.1, IE.2, IE.3, IE.4, 21, 32, 53, 54; and
- Definitions.

14 In preparing my evidence, I have reviewed the following:

- 14.1 The Section 32 Evaluation of provisions for Proposed Change 1 to the Regional Policy Statement for the Wellington Region (Section 32 Evaluation Report);
- 14.2 Section 42A Hearing Report Hearing Stream 6 – Indigenous Ecosystems (Section 42A Report); and
- 14.3 The National Policy Statement for Indigenous Biodiversity 2023

Response to Section 42A Report

Overall comments

15 Since Change 1 was notified on 19 August 2022, and following the submissions process, the NPS-IB was notified on 4 August 2023.

16 HCC's submission was broadly to delete all new provisions relating to indigenous biodiversity and amendments to existing provisions and retain existing Operative RPS provisions for the following reason:

While indigenous biodiversity is a key issue, we expect the government to soon gazette a National Policy Statement on Indigenous Biodiversity ("NPSIB"). The proposed provisions may well conflict with the NPS-IB especially with regards to the process for identifying indigenous ecosystems.

We request that all provisions relating to indigenous biodiversity be deleted and if regional direction is thought necessary after the NPS-IB is gazetted, that should occur through a variation or a separate policy statement change.

17 The reporting officers recommend rejecting most of HCC's submission points. Section 3.5 of the s42 Report outlines that there is an imperative to alter the regional approach to biodiversity management as:

- The Operative RPS is out of date as it does not reflect more recent national direction including the ANZBS, the ERP and NAP;
- The RMA requires maintenance and enhancement of more than just significant indigenous biodiversity under Section 30(1)(c)(iiia) and (ga) and section 31(b)(iii);
- The provisions are needed to complement the implementation of the NPS-UD; and
- A recent study identifying that management of indigenous biodiversity is failing to noticeably improve the extent and condition of indigenous biodiversity.

18 In section 3.5 the reporting officer also considers the following questions in response to submissions:

- Should Change 1 give effect the NPS-IB?
- What is the most appropriate approach to give effect to the NPS-IB?

19 The officer's conclusion on the former is that Change 1 should give effect to certain elements of the NPS-IB. They consider that there is scope through submissions that seek this relief and that there is clear direction in the NPS-IB to give effect to the NPS-IB "as soon as reasonably

practicable". The officer considers that the policy intent between the draft and gazetted NPS-IB are not materially different (the former being available to submitters upon notification of Change 1). Further, the reporting officer notes that the new Government has signalled an intention to "cease implementation of new Significant Natural Areas and seek advice on the operation of the areas" as part of its 100 day-plan.

20 I agree with the reporting officer on all of the above. I consider the RMA clearly signals that biodiversity must be protected, and I consider that there is scope and a regulatory imperative to implement the NPS-IB as soon as reasonably practicable. I do not consider that a policy position signalled by the Government negates the need to implement regulations as they currently stand.

21 On the second question, the officer considers that the NPS-IB sets out wide-ranging and highly directive provisions. The officer undertakes a comparison of the notified provisions against the NPS-IB in Appendix 3 and explores two options to incorporate NPS-IB provisions including "cross-referencing" and "repeating/paraphrasing".

22 While I agree that the NPS-IB is wide-ranging and highly directive, as I have noted to the Panel in evidence on hearing streams 3 to 5, I am of the view that the role of an RPS is to articulate what national direction means at a regional level or to fill a gap where there is an absence of national direction. I consider that the NPS-IB is so comprehensive that there is little need to reinterpret or provide additional direction at a regional policy statement level.

23 With regard to "cross-referencing" and "repeating/paraphrasing" national direction, I likewise have provided evidence to the Panel on hearing streams 3 to 5 that this is not good planning practice as it adds unnecessary length and complexity to plans. Further, the provisions will not work if they reference clauses in the NPS-IB that are subsequently repealed as per the intentions indicated by the new Government. Any provisions that reference non-existent NPS provisions will need to be

removed through a further plan change. This would be inefficient and will result in regulatory uncertainty for councils and other plan users.

24 A final issue raised in the s42A report that I agree with is that implementation of the NPS-IB requires a specific approach be taken with regard to community/mana whenua engagement. This requires a “first principles” approach be taken to implementation including the drafting of planning provisions.

25 In summary, my position on this matter is:

- The NPS-IB must be implemented through Change 1 to a certain degree, and there is sufficient scope in submissions to do this;
- Changes should only be made where either Change 1 is inconsistent with terminology or policy intent in the NPS-IB, or where there is specific regional direction required on a particular matter; and
- Changes should not repeat, paraphrase or cross-reference national direction for the sake of it;
- Caution should be exercised in this exercise as a first-principles approach has not been taken to implementing the NPS-IB yet in this region.

26 In this statement of evidence, I seek to analyse Change 1 and the changes proposed by reporting officers to relevant provisions. I provide my views on the approach that should be taken by the Panel in Appendix A.

27 Although HCC sought deletion of these provisions, this was made in advance of the NPS-IB being gazetted. Now that the NPS-IB is in effect, I consider that using the Schedule 1 process to align Change 1 with the NPS-IB is appropriate for the reasons outlined above and by the reporting officer.

28 My evidence is consistent with the broad intent of HCC's submission to ensure the RPS is consistent with and/or gives effect to the NPS-IB where appropriate.

Introduction and Objectives – Hutt City Council [S115.014 – S115.019]

29 HCC opposes changes proposed by Change 1 to the introduction and objectives and seeks that all new provisions and amendments to existing provisions are deleted in favour of existing Operative RPS provisions.

30 HCC sought this relief as the “proposed provisions may well conflict with the NPS-IB especially with regards to the process for identifying indigenous ecosystems.”

31 With regard to the Chapter introduction, further changes are recommended¹ from the notified version which I consider unnecessarily duplicate decision-making principles that are already outlined in the NPS-IB. I do not consider this text should be added as recommended by the reporting officer. I consider that this repetition will lengthen the RPS making it harder for plan users to locate the more important regulatory provisions. Further, as noted above the NPS-IB may be repealed in the near future which will make references to it obsolete. I recommend changes are made to the introduction as outlined in Appendix A.

32 I do not recommend any specific changes to objectives 16 or 16C as notified. I support the reporting officer's recommended removal of references to Te Rito o te Harakeke for the reasons outlined in the s42A Report.

33 However, I consider that 16A is not achievable. It is not possible to restore the region's biodiversity without reverting entire urban and rural catchments back to indigenous vegetated landscapes. I therefore

¹ Para 163

recommend removal of the term “restore” replacing this with “enhance where possible”.

34 I also consider that Objective 16C duplicates Objective 2.1(1)(b)(ii) of the NPS-IB and should be deleted as sought by HCC.

35 The reporting officer recommends a new “consideration” policy IE.2A be added to direct the maintenance of indigenous biodiversity outside SNAs. While I agree in principle with the need for a policy to provide for Policy 8 of the NPS-IB, I consider that this should be a regulatory policy rather than a consideration policy as it is a requirement for councils to recognise and provide for indigenous biodiversity under the NPS-IB. I also consider it should be timebound to be consistent with policies 23 and 24.

36 However, I consider that it is unrealistic to expect that the effects management hierarchy is applied to the loss of indigenous vegetation outside SNAs. Virtually every form of development has some impact on indigenous biodiversity. Most developments have a degree of vegetation removal, whether it involves clearance of a native tree, shrub or grass, or an exotic tree which is home to indigenous fauna. As the ecological effects of a proposal can only be assessed by a qualified ecologist (including the application of the effects management hierarchy), this policy once implemented will likely result in huge cost and time delays as ecological assessments will need to be undertaken for most consents. I am not sure how this policy will be applied in practice where in most cases a processing officer does not have discretion to consider these matters, or the permitted activity baseline effectively makes these considerations meaningless. Further, the costs of this proposal on development with urban areas has not been addressed in the section 32AA analysis.

37 Further, trees can only be protected in urban areas if they are specifically identified in a district plan under s74 of the RMA. It is not practicable to

schedule every tree in a district which would be required to achieve Policy IE.2A(c).

38 I consider that clause b of Policy IE.2A should be amended to remove the requirement to apply the effects management hierarchy, and clause c should be applied at a district/regional scale rather than being aimed at an activity level.

39 I recommend changes are made to the proposed new policy as outlined in Appendix A for the reasons listed above.

40 If the Panel decides to retain this policy as a “consideration” policy, I consider it should have a sunset clause to be consistent with Policy 47 as follows:

[This policy shall cease to have effect once policies 23 and 24 are given effect to in an operative district or regional plan.](#)

Policies - Hutt City Council [S115.047, S115.048, S115.049, S115.0117, S115.072]

41 HCC opposes changes proposed by Change 1 to policies and associated Appendix 1, and seeks that amendments be deleted and the operative policies be retained, and: “Failing that, amend the deadline from 30 June 2025 to 5 years after RPS Change 1 becomes operative.”

42 The reporting officer recommends accepting this submission point in part. They recommend extending the deadline to identify and protect SNA in policies 23 and 34 from 30 June 2025 to 4 August 2028.

43 I support this recommended amendment, as outlined earlier in this Statement of Evidence, the NPS-IB is wide-ranging and requires a first principles approach be taken to engaging with the community and mana whenua. This will likely require more than the 18 months provided for by the notified policies, especially considering that the policy direction will likely change to some degree with the Panel’s decision later in

2024/25. I consider that allowing three years for implementation from when the RPS is operative is reasonable, based on my experience undertaking the mapping, consultation and policy drafting for SNAs as part of the Proposed Porirua District Plan².

44 However, I consider that cross-references to the NPS-IB should be deleted for the reasons listed in paragraph 23 of this Statement. I have recommended deletions in Appendix A of this Statement.

45 The reporting officer has recommended adding a new policy 24(A). I agree in principle with the need for policy direction on the application of biodiversity offsetting and compensation. However, I consider the new policy to be overly lengthy and repetitive. I recommended changes in Appendix A of this Statement to remove unnecessary and repetitive text (including removal of cross-references to the NPS-IB for the reasons listed in paragraph 23 of this Statement).

46 HCC opposes new Policy IE.1 and seeks that it be deleted, or “an amendment to the deadline date from 30 June 2025 to 5 years from the operative date of the proposed RPS change 1”. HCC seeks this relief as:

the deadline does not align with the deadline proposed in the most recent draft of the National Policy Statement on Indigenous Biodiversity (5 years from the commencement date of that NPS).

47 I agree with HCC that this policy should be timebound to be consistent with policies 23 and 24 which are recommended to be implemented by

² As part of this process, an ecological survey was undertaken in 2017 to create a map and schedule of SNA sites. Pre-notification community engagement took place over 2018-2019 including a full draft District Plan which went out for submissions. Over 100 site visits were undertaken at the request of landowners to ground truth the mapping and discuss the potential impacts. The PDP was notified in August 2020.

2028. I also consider that the explanation can be deleted as it repeats the policy direction without adding any value.

48 I recommend changes are made to the policy as outlined in Appendix A for the reasons listed above.

49 I support the officer's recommended addition of new clause to Policy IE.1 relating to Māori land to give effect to Clause 3.18 of the NPS-IB. This is a relevant issue in this region as Māori land is already difficult to develop as the financial and regulatory system is biased towards western style landownership and development. SNAs create a further barrier for Māori to develop their ancestral land, and this policy direction provides a pathway for councils and mana whenua to try and reconcile sections 6(c) and 6(e) of the RMA in their district plans.

50 I largely agree with the changes proposed to Policy IE.2, although consider it would be more reasonable to apply the policy to significant biodiversity. As outlined in paragraph 36 of this Statement, virtually every form of development has some impact on indigenous biodiversity. The application of mātauranga Māori would require expert cultural advice, and I consider it is unreasonable to expect this given the number of proposals that would be captured by this policy direction. I do not consider there is adequate justification in the Section 32AA evaluation for this level of regulation. I also consider that this "consideration" policy should have a sunset clause to be consistent with policy 47.

Methods - Hutt City Council [S115.0103, S115.0113, S115.0114, S115.0112]

51 HCC seeks that Method 32 be amended so that it does not apply to city and district councils. HCC opposes the inclusion of non-regulatory policies and methods that apply to territorial authorities.

52 I am not opposed to non-regulatory policies applying to territorial authorities. However, I find Method 32 as drafted to be unclear and inaccurate.

53 For example, the reporting officer recommends a new clause 1 for regional councils to “Partner with iwi, hapū, marae and/or whānau to identify and protect areas and sites of significance to mana whenua/tangata whenua”. I am not sure:

- why this is a method and not a regulatory policy since it directs a regulatory response;
- whether it relates to biodiversity or broader sites of significance such as wahi tapu sites such as urupa; and
- eitherway, why it is only directed at regional councils as territorial authorities must identify and protect sites of significance to Māori within their jurisdictions under s6(e) and s6(f).

54 I consider that the whole method 32 should be reviewed as it does not appear to be an exhaustive list of matters in which councils need to partner with mana whenua. There are many other resource management issues under the RMA where section 8 responsibilities apply such as housing and development, the management of natural hazards etc.

55 I generally support the reporting officer’s recommended changes to Method 54, and I consider these non-regulatory methods can assist in achieving the objectives which cannot be achieved by regulation alone. However, I consider that reference to rates rebates should be removed from Method 54 altogether. Rates rebates are a matter for long term planning processes, and the lost revenue from rebates have to be weighed up against other Council priorities including infrastructure investment. I do not agree that the wider base of ratepayers should have to compensate individual landowners through rates remissions or direct compensation where councils are undertaking their statutory planning functions to protect intrinsic values such as biodiversity. I note that no rates rebates or other forms of compensation are contemplated for any other planning matters in the RPS which equally restrict the ability of

landowners to use their land. Removal of reference to rebates will assist councils by reducing the expectation from landowners that they are entitled to rates rebates.

56 I consider that references to the NPS-IB should be deleted from Method IE.3 for the reasons listed in paragraph 23 of this Statement.

57 I support the addition of a 2028 timeframe to Method 21 for reasons listed earlier in this statement, as well as the addition of the qualifier “as reasonably practicable”. I note the reporting officer recommends deleting clause (b), in my reading of the NPS-IB, regional councils are not precluded from undertaking ecological assessments to inform district plan changes. I consider therefore that this clause should be retained so this provides another avenue to implement the NPS-IB and the RPS.

Date: 30/01/2024



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Appendix A: Recommended amendments

Submission Point Ref.	Provision	Relief Sought by HCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
S115.015	Introductory text	Delete all new provisions and amendments to existing provisions and retain existing Operative RPS provisions.	Reject	<p>Although New Zealand has an extensive network of public conservation land (comprising over a third of the country), this does not adequately represent all types of indigenous ecosystem. With few options to expand the public conservation estate, the restoration of ecosystems relies upon the good will and actions of landowners. There are a number of individuals, <u>whānau, hapu, iwi, and community groups</u> and organisations throughout the region that are working to restore indigenous ecosystems. Public support for restoring indigenous ecosystems on public land and landowners retiring farmland has led to the regeneration of indigenous bush in rural gullies, along riparian margins, in regional parks and in urban backyards. This has led to increases in some indigenous habitats, such as in the hills around Wellington City, with sanctuaries such as Zealandia and pest control efforts increasing the number and variety of <u>native-indigenous</u> birds and invertebrates around the city. However, there is still much work to be done <u>to improve the conservation status of for many native of the region's indigenous ecosystems and species so that to be in a healthy functioning state, with the resilience to persist in the long-term.</u> The restoration of indigenous ecosystems on public, <u>whānau, hapū, iwi</u> and private land provides both public and private benefit.</p> <p><u>The decision-making principles for indigenous biodiversity recognise that the health and wellbeing of people and communities depend on the health and wellbeing of indigenous biodiversity and that, in return, people have a responsibility to care for and nurture it. The principles acknowledge the interconnectedness between indigenous species, ecosystems, the wider environment, and the community, at both a physical and metaphysical level. These principles must inform and be given effect to when managing indigenous biodiversity across the Wellington Region, ensuring that te ao Māori, mātauranga, and tikanga Māori are applied appropriately to protect, maintain and restore indigenous biodiversity.</u></p>	<p>Although New Zealand has an extensive network of public conservation land (comprising over a third of the country), this does not adequately represent all types of indigenous ecosystem. With few options to expand the public conservation estate, the restoration of ecosystems relies upon the good will and actions of landowners. There are a number of individuals, <u>whānau, hapu, iwi, and community groups</u> and organisations throughout the region that are working to restore indigenous ecosystems. Public support for restoring indigenous ecosystems on public land and landowners retiring farmland has led to the regeneration of indigenous bush in rural gullies, along riparian margins, in regional parks and in urban backyards. This has led to increases in some indigenous habitats, such as in the hills around Wellington City, with sanctuaries such as Zealandia and pest control efforts increasing the number and variety of <u>native-indigenous</u> birds and invertebrates around the city. However, there is still much work to be done <u>to improve the conservation status of for many native of the region's indigenous ecosystems and species so that to be in a healthy functioning state, with the resilience to persist in the long-term.</u> The restoration of indigenous ecosystems on public, <u>whānau, hapū, iwi</u> and private land provides both public and private benefit.</p> <p><u>The decision-making principles for indigenous biodiversity recognise that the health and wellbeing of people and communities depend on the health and wellbeing of indigenous biodiversity and that, in return, people have a responsibility to care for and nurture it. The principles acknowledge the interconnectedness between indigenous species, ecosystems, the wider environment, and the community, at both a physical and metaphysical level. These principles must inform and be given effect to when managing indigenous biodiversity across the Wellington Region, ensuring that te ao Māori, mātauranga, and tikanga Māori are applied appropriately to protect, maintain and restore indigenous biodiversity.</u></p>
S115.019	Objective 16A	Delete all new provisions and amendments to existing provisions and retain existing Operative RPS provisions.	Reject	<p>Objective 16A</p> <p>The region's indigenous <u>biodiversity is ecosystems are maintained, enhanced, and restored</u> to a healthy functioning state, improving <u>its</u></p>	<p>Objective 16A</p> <p>The region's indigenous <u>biodiversity is ecosystems are maintained, and enhanced where appropriate restored</u> to a healthy functioning state,</p>

Submission Point Ref.	Provision	Relief Sought by HCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
				their resilience to increasing environmental pressures, particularly climate change, and giving effect to the Te Rito o te Harakeke.	improving its their resilience to increasing environmental pressures, particularly climate change, and giving effect to the Te Rito o te Harakeke.
S115.018	Objective 16C	Delete all new provisions and amendments to existing provisions and retain existing Operative RPS provisions.	Reject	Objective 16C Landowner and community values in relation to indigenous biodiversity are recognised and provided for and their roles as stewards are supported.	Objective 16C Landowner and community values in relation to indigenous biodiversity are recognised and provided for and their roles as stewards are supported.
S115.047	Policy 23	Delete amendments to Policy 23 and retain the Operative RPS Policy 23. Failing that, amend the deadline from 30 June 2025 to 5 years after RPS Change 1 becomes operative.	Accept in part	Policy 23: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans By June 2025, As soon as reasonably practicable and by no later than 4 August 2028, district and regional plans shall identify and evaluate indigenous ecosystems and habitats with significant indigenous biodiversity values. e Ecosystems and habitats will be considered significant if: 1. In the terrestrial environment, they meet the criteria in Appendix 1, and are identified in accordance with the principles in Clause 3.8, of the National Policy Statement for Indigenous Biodiversity 2023; and 2. In the coastal marine area, the beds of lakes and rivers, and wetlands, they meet one or more of the following criteria: (a) Representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in a district or in the region, and: (i) are no longer commonplace (less than about 30% remaining); or (ii) are poorly represented in existing protected areas (less than about 20% legally protected).	Policy 23: Identifying indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans By June 2025, As soon as reasonably practicable and by no later than 4 August 2028, district and regional plans shall identify and evaluate indigenous ecosystems and habitats with significant indigenous biodiversity values. e Ecosystems and habitats will be considered significant if: 1. In the terrestrial environment, they meet the criteria in Appendix 1, and are identified in accordance with the principles in Clause 3.8, of the National Policy Statement for Indigenous Biodiversity 2023; 2. In the coastal marine area, the beds of lakes and rivers, and wetlands, and they meet one or more of the following criteria: (a) Representativeness: the ecosystems or habitats that are typical and characteristic examples of the full range of the original or current natural diversity of ecosystem and habitat types in a district or in the region, and: (i) are no longer commonplace (less than about 30% remaining); or (ii) are poorly represented in existing protected areas (less than about 20% legally protected). (b) Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context.

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				<p>(b) Rarity: the ecosystem or habitat has biological or physical features that are scarce or threatened in a local, regional or national context. This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.</p> <p>(c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.</p> <p>(d) Ecological context of an area: the ecosystem or habitat:</p> <p>(i) enhances <i>connectivity</i> or otherwise <i>buffers</i> representative, rare or diverse indigenous ecosystems and habitats; or</p> <p>(ii) provides seasonal or core habitat for protected or threatened indigenous species.</p> <p>(e) <u>Mana whenua / t̄Fangata</u> whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to <u>mana whenua / tangata</u> whenua, identified in accordance with tikanga Māori.</p> <p>Explanation</p> <p>Policy 23 sets out <u>the</u> criteria as guidance that must be <u>met for an considered in identifying</u> indigenous ecosystems and-or habitats <u>to be considered to have with</u> significant <u>indigenous</u> biodiversity values. <u>This evaluation is to be completed and the ecosystems and habitats identified as having significant indigenous biodiversity values included in a district or regional plan as soon as reasonably practicable and by no later than 4 August 2028by 30 June 2025.</u></p> <p>Wellington Regional Council, and district and city councils are required to assess indigenous ecosystems and habitats against all the criteria but the relevance of each will depend on the individual cases. To be classed as having significant biodiversity values, an indigenous ecosystem or habitat must <u>meet fit</u> one or more of the listed criteria <u>in Policy 23(1) or (2)</u>. Wellington Regional Council and district and</p>	<p>This can include individual species, rare and distinctive biological communities and physical features that are unusual or rare.</p> <p>(c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.</p> <p>(d) Ecological context of an area: the ecosystem or habitat:</p> <p>(i) enhances <i>connectivity</i> or otherwise <i>buffers</i> representative, rare or diverse indigenous ecosystems and habitats; or</p> <p>(ii) provides seasonal or core habitat for protected or threatened indigenous species.</p> <p>(e) <u>Mana whenua / t̄Fangata</u> whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to <u>mana whenua / tangata</u> whenua, identified in accordance with tikanga Māori.</p> <p>Explanation</p> <p>Policy 23 sets out <u>the</u> criteria as guidance that must be <u>met for an considered in identifying</u> indigenous ecosystems and-or habitats <u>to be considered to have with</u> significant <u>indigenous</u> biodiversity values. <u>This evaluation is to be completed and the ecosystems and habitats identified as having significant indigenous biodiversity values included in a district or regional plan as soon as reasonably practicable and by no later than 4 August 2028by 30 June 2025.</u></p> <p>Wellington Regional Council, and district and city councils are required to assess indigenous ecosystems and habitats against all the criteria but the relevance of each will depend on the individual cases. To be classed as having significant biodiversity values, an indigenous ecosystem or habitat must <u>meet fit</u> one or more of the listed criteria <u>in Policy 23(1) or (2)</u>. Wellington Regional Council and district and city councils will need to engage directly with landowners and work collaboratively with them to identify areas, undertake field evaluation, and assess significance. <u>In the terrestrial environment, significance assessments must be undertaken in accordance with the principles in Clause 3.8 of the National Policy Statement for Indigenous Biodiversity 2023.</u> Policy 23</p>

Submission Point Ref.	Provision	Relief Sought by HCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
				<p>city councils will need to engage directly with landowners and work collaboratively with them to identify areas, undertake field evaluation, and assess significance. <u>In the terrestrial environment, significance assessments must be undertaken in accordance with the principles in Clause 3.8 of the National Policy Statement for Indigenous Biodiversity 2023.</u> Policy 23 will ensure that significant biodiversity values are identified in district and regional plans in a consistent way.</p> <p>Indigenous ecosystems and habitats can have additional values of significance to <u>mana whenua / tangata whenua</u>. There are a number of indigenous ecosystems and habitats across the region that are significant to tangata whenua for their ecological characteristics. These ecosystems will be considered for significance under this policy if they still exhibit the ecosystem functions which are considered significant by <u>mana whenua / tangata whenua</u>. Access and use of any identified areas would be subject to landowner agreement. Wellington Regional Council and district and city councils will need to <u>partner engage directly with mana whenua / tangata whenua and work collaboratively with them and other stakeholders, including landowners, to identify areas under this criterion.</u></p> <p>Regional plans will identify indigenous ecosystems and habitats with significant biodiversity values in the coastal marine area, wetlands and the beds of lakes and rivers. District plans will identify indigenous ecosystems and habitats with significant biodiversity values <u>in the terrestrial environment for all land, except for the coastal marine area, and the beds of lakes and rivers wetlands.</u></p>	<p>will ensure that significant biodiversity values are identified in district and regional plans in a consistent way.</p> <p>Indigenous ecosystems and habitats can have additional values of significance to <u>mana whenua / tangata whenua</u>. There are a number of indigenous ecosystems and habitats across the region that are significant to tangata whenua for their ecological characteristics. These ecosystems will be considered for significance under this policy if they still exhibit the ecosystem functions which are considered significant by <u>mana whenua / tangata whenua</u>. Access and use of any identified areas would be subject to landowner agreement. Wellington Regional Council and district and city councils will need to <u>partner engage directly with mana whenua / tangata whenua and work collaboratively with them and other stakeholders, including landowners, to identify areas under this criterion.</u></p> <p>Regional plans will identify indigenous ecosystems and habitats with significant biodiversity values in the coastal marine area, wetlands and the beds of lakes and rivers. District plans will identify indigenous ecosystems and habitats with significant biodiversity values <u>in the terrestrial environment for all land, except for the coastal marine area, and the beds of lakes and rivers wetlands.</u></p>
S115.048	Policy 24	Delete amendments to Policy 24 and retain the Operative RPS Policy 24. Failing that, amend the deadline from 30 June 2025 to 5 years after RPS Change 1 becomes operative.	Accept in part	<p>Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p><u>As soon as reasonably practicable and by no later than 4 August 2028 By 30 June 2025,</u> By 30 June 2025, district and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development, <u>including by applying:</u></p>	<p>Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans</p> <p><u>As soon as reasonably practicable and by no later than 4 August 2028 By 30 June 2025,</u> By 30 June 2025, district and regional plans shall include policies, rules and methods to protect indigenous ecosystems and habitats with significant indigenous biodiversity values from inappropriate subdivision, use and development, <u>including by applying:</u></p> <p><u>(a) Clause 3.10 and Clause 3.11 of the National Policy Statement for Indigenous Biodiversity 2023 to manage adverse effects on</u></p>

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			Response	Recommended Changes (red text)	
				<p>(a) <u>Clause 3.10 and Clause 3.11 of the National Policy Statement for Indigenous Biodiversity 2023 to manage adverse effects on significant indigenous biodiversity values in the terrestrial environment;</u></p> <p>(b) <u>Policy 11 of the New Zealand Coastal Policy Statement 2010 to manage adverse effects on indigenous biodiversity values in the coastal environment; and</u></p> <p>(c) <u>Policies 18A and 18B in this Regional Policy Statement to manage adverse effects on the values and extent of natural inland wetlands and rivers.</u></p> <p><u>Where the policies and/or rules in district and regional plans enable the use of biodiversity offsetting or biodiversity compensation for an ecosystem or habitat with significant indigenous biodiversity values, they shall:</u></p> <p><u>(a) not provide for biodiversity offsetting:</u></p> <p><u>(i) where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset; or</u></p> <p><u>(ii) when an activity is anticipated to causes residual adverse effects on an area after an offset has been implemented if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</u></p> <p><u>(b) not provide for biodiversity compensation where an activity is anticipated to cause residual adverse effects on an area if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</u></p> <p><u>(c) ecosystems and species known to meet any of the criteria in (a) or (b) are listed in Appendix 1A (Limits to biodiversity offsetting and biodiversity compensation);</u></p> <p><u>(d) require that the outcome sought from the use of biodiversity offsetting is at least a 10 percent net biodiversity gain, or from biodiversity compensation is at least a 10 percent net biodiversity benefit.</u></p>	<p><u>significant indigenous biodiversity values in the terrestrial environment;</u></p> <p><u>(b) Policy 11 of the New Zealand Coastal Policy Statement 2010 to manage adverse effects on indigenous biodiversity values in the coastal environment; and</u></p> <p><u>(c) Policies 18A and 18B in this Regional Policy Statement to manage adverse effects on the values and extent of natural inland wetlands and rivers.</u></p> <p><u>Where the policies and/or rules in district and regional plans enable the use of biodiversity offsetting or biodiversity compensation for an ecosystem or habitat with significant indigenous biodiversity values, they shall:</u></p> <p><u>(a) not provide for biodiversity offsetting:</u></p> <p><u>(i) where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset; or</u></p> <p><u>(ii) when an activity is anticipated to causes residual adverse effects on an area after an offset has been implemented if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</u></p> <p><u>(b) not provide for biodiversity compensation where an activity is anticipated to cause residual adverse effects on an area if the ecosystem or species is threatened or the ecosystem is naturally uncommon;</u></p> <p><u>(c) ecosystems and species known to meet any of the criteria in (a) or (b) are listed in Appendix 1A (Limits to biodiversity offsetting and biodiversity compensation);</u></p> <p><u>(d) require that the outcome sought from the use of biodiversity offsetting is at least a 10 percent net biodiversity gain, or from biodiversity compensation is at least a 10 percent net biodiversity benefit.</u></p>

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				<p>Explanation</p> <p>Policy 24 applies to provisions in regional and district plans. <u>This requires the protection of significant indigenous biodiversity values in terrestrial, freshwater and coastal environments consistent with section 6(c) of the RMA. It also clarifies that the effects management provisions for significant indigenous biodiversity values in higher order national direction instruments need to be applied when giving effect to this policy in regional and district plans.</u></p> <p><u>The policy provides clarity about the limits to, and expected outcomes from, biodiversity offsetting and biodiversity compensation for an ecosystem or habitat with significant indigenous biodiversity values. Ecosystems and species known to meet the criteria in clauses (a and b) are listed in Appendix 1A (Limits to biodiversity offsetting and biodiversity compensation).</u></p> <p><u>Calculating a 10 percent net biodiversity gain (offsetting) or a 10 percent net biodiversity benefit (compensation) employs the same or a similar calculation methodology used to determine ‘no net loss or preferably net gain’ under a standard offsetting approach. The distinction between ‘net gain’ and ‘net benefit’ is to recognise that the outcomes achievable through the use of offsetting and compensation are different. An offsetting ‘net biodiversity gain’ outcome is expected to achieve an objectively verifiable increase in biodiversity values while a compensation ‘net biodiversity benefit’ outcome is more subjective and less preferable.</u></p> <p>Table 16 in Appendix 1 identifies rivers and lakes with significant indigenous ecosystems and habitats with significant indigenous biodiversity values by applying criteria taken from policy 23 of rarity (habitat for threatened indigenous fish species) and diversity (high macroinvertebrate community health, habitat for six or more migratory indigenous fish species).</p> <p>Policy 47 will need to be considered alongside policy 24 when changing, varying or reviewing a regional or district plan.</p>	<p>Explanation</p> <p>Policy 24 applies to provisions in regional and district plans. <u>This requires the protection of significant indigenous biodiversity values in terrestrial, freshwater and coastal environments consistent with section 6(c) of the RMA. It also clarifies that the effects management provisions for significant indigenous biodiversity values in higher order national direction instruments need to be applied when giving effect to this policy in regional and district plans.</u></p> <p><u>The policy provides clarity about the limits to, and expected outcomes from, biodiversity offsetting and biodiversity compensation for an ecosystem or habitat with significant indigenous biodiversity values. Ecosystems and species known to meet the criteria in clauses (a and b) are listed in Appendix 1A (Limits to biodiversity offsetting and biodiversity compensation).</u></p> <p><u>Calculating a 10 percent net biodiversity gain (offsetting) or a 10 percent net biodiversity benefit (compensation) employs the same or a similar calculation methodology used to determine ‘no net loss or preferably net gain’ under a standard offsetting approach. The distinction between ‘net gain’ and ‘net benefit’ is to recognise that the outcomes achievable through the use of offsetting and compensation are different. An offsetting ‘net biodiversity gain’ outcome is expected to achieve an objectively verifiable increase in biodiversity values while a compensation ‘net biodiversity benefit’ outcome is more subjective and less preferable.</u></p> <p>Table 16 in Appendix 1 identifies rivers and lakes with significant indigenous ecosystems and habitats with significant indigenous biodiversity values by applying criteria taken from policy 23 of rarity (habitat for threatened indigenous fish species) and diversity (high macroinvertebrate community health, habitat for six or more migratory indigenous fish species).</p> <p>Policy 47 will need to be considered alongside policy 24 when changing, varying or reviewing a regional or district plan.</p>

Submission Point Ref.	Provision	Relief Sought by HCC (green text where relevant)	Section 42A report Recommendation		Recommended Amendments to Section 42A Version (blue text)
			Response	Recommended Changes (red text)	
				Policy 24 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the biodiversity values identified in policy 23.	Policy 24 is not intended to prevent change, but rather to ensure that change is carefully considered and is appropriate in relation to the biodiversity values identified in policy 23.
N/A	Policy 24A	N/A	N/A	<p>Policy 24A: Principles for biodiversity offsetting and biodiversity compensation</p> <p>(a) <u>Where district and regional plans provide for <i>biodiversity offsetting</i> or <i>aquatic offsetting</i> or <i>biodiversity compensation</i> or <i>aquatic compensation</i> as part of an effects management hierarchy for indigenous biodiversity and/or for aquatic values and extent, they shall include policies and methods to:</u></p> <p>(i) <u>ensure this meets the requirements of the full suite of principles for <i>biodiversity offsetting</i> and/or <i>biodiversity compensation</i> set out in Appendix 3 and 4 of the National Policy Statement for Indigenous Biodiversity 2023 or for <i>aquatic offsetting</i> and/or <i>aquatic compensation</i> set out in Appendix 6 and 7 of the National Policy Statement for Freshwater Management 2020;</u></p> <p>(ii) <u>provide further direction on where <i>biodiversity offsetting</i>, <i>aquatic offsetting</i>, <i>biodiversity compensation</i>, and <i>aquatic compensation</i> are not appropriate, in accordance with clauses (b) and (c)³ below;</u></p> <p>(iii) <u>provide further direction on required outcomes from <i>biodiversity offsetting</i>, <i>aquatic offsetting</i>, <i>biodiversity compensation</i>, and <i>aquatic compensation</i>, in accordance with clauses (d) and (e)¹ below; and</u></p> <p>(b) <u>In evaluating whether <i>biodiversity offsetting</i> or <i>aquatic offsetting</i> is inappropriate because of irreplaceability or vulnerability of the indigenous biodiversity, extent, or values affected, the feasibility to offset residual adverse effects on any <i>threatened</i> or <i>naturally uncommon ecosystem</i> or</u></p>	<p>Policy 24A: Principles for biodiversity offsetting and biodiversity compensation</p> <p>(a) <u>Where district and regional plans provide for <i>biodiversity offsetting</i> or <i>aquatic offsetting</i> or <i>biodiversity compensation</i> or <i>aquatic compensation</i> as part of an effects management hierarchy for indigenous biodiversity and/or for aquatic values and extent, they shall include policies and methods to:</u></p> <p>(i) ensure this meets the requirements of the full suite of set out principles for <i>biodiversity offsetting</i> and/or <i>biodiversity compensation</i> set out in Appendix 3 and 4 of the National Policy Statement for Indigenous Biodiversity 2023 or for <i>aquatic offsetting</i> and/or <i>aquatic compensation</i> set out in Appendix 6 and 7 of the National Policy Statement for Freshwater Management 2020;</p> <p>(ii) provide further direction on where <i>biodiversity offsetting</i>, <i>aquatic offsetting</i>, <i>biodiversity compensation</i>, and <i>aquatic compensation</i> are not appropriate, in accordance with clauses (b) and (c)⁴ below;</p> <p>(iii) provide further direction on required outcomes from <i>biodiversity offsetting</i>, <i>aquatic offsetting</i>, <i>biodiversity compensation</i>, and <i>aquatic compensation</i>, in accordance with clauses (d) and (e)⁴ below; and</p> <p>(b) <u>In evaluating whether <i>biodiversity offsetting</i> or <i>aquatic offsetting</i> is inappropriate because of irreplaceability or vulnerability of the indigenous biodiversity, extent, or values affected, the feasibility to offset residual adverse effects on any <i>threatened</i> or <i>naturally uncommon ecosystem</i> or <i>threatened species</i> listed in Appendix 1A must be considered as a minimum; and</u></p>

³ References corrected 18/12/23

⁴ References corrected 18/12/23

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			Response	Recommended Changes (red text)	
				<p><u>threatened species</u> listed in Appendix 1A must be considered as a minimum; and</p> <p>(c) <u>In evaluating whether biodiversity compensation or aquatic compensation is inappropriate because of the irreplaceability or vulnerability of the indigenous biodiversity, extent, or values affected, recognise that it is inappropriate to use biodiversity compensation or aquatic compensation where residual adverse effects affect an ecosystem or species that is listed in Appendix 1A as threatened or naturally uncommon; and</u></p> <p>(d) <u>District and regional plans shall include policies and methods that require biodiversity offsetting or aquatic offsetting to achieve at least a net gain, and preferably a 10% net gain or greater, in indigenous biodiversity outcomes to address residual adverse effects on indigenous biodiversity, extent, or values. This requires demonstrating, and then achieving, net gains in the type, amount, and condition of the indigenous biodiversity, extent, or values impacted. Calculating net gain requires a like-for-like quantitative loss/ gain calculation of the indigenous biodiversity values (type, amount, and condition) affected by the proposed activity; and</u></p> <p>(e) <u>District and regional plans shall include policies and method to require biodiversity compensation or aquatic compensation to achieve positive effects in indigenous biodiversity, extent, or values that outweigh residual adverse effects on affected indigenous biodiversity, extent, or values.</u></p> <p>Explanation:</p> <p><u>Policy 24A recognises that the outcomes achievable through the use of biodiversity or aquatic offsetting and compensation are different. A 'net gain' outcome from offsetting is expected to achieve an objectively verifiable increase in the target values, while a compensation outcome is more subjective and less preferable. This policy applies to the use of biodiversity offsetting and biodiversity compensation to address the residual adverse effects on indigenous biodiversity in the terrestrial and coastal environments and aquatic offsetting and compensation to address the loss of extent or values of natural inland wetlands and rivers.</u></p>	<p>(c) <u>In evaluating whether biodiversity compensation or aquatic compensation is inappropriate because of the irreplaceability or vulnerability of the indigenous biodiversity, extent, or values affected, recognise that it is inappropriate to use biodiversity compensation or aquatic compensation where residual adverse effects affect an ecosystem or species that is listed in Appendix 1A as threatened or naturally uncommon; and</u></p> <p>(d) <u>District and regional plans shall include policies and methods that require biodiversity offsetting or aquatic offsetting to achieve at least a net gain, and preferably a 10% net gain or greater, in indigenous biodiversity outcomes to address residual adverse effects on indigenous biodiversity, extent, or values. This requires demonstrating, and then achieving, net gains in the type, amount, and condition of the indigenous biodiversity, extent, or values impacted. Calculating net gain requires a like-for-like quantitative loss/ gain calculation of the indigenous biodiversity values (type, amount, and condition) affected by the proposed activity; and</u></p> <p>(e) <u>District and regional plans shall include policies and method to require biodiversity compensation or aquatic compensation to achieve positive effects in indigenous biodiversity, extent, or values that outweigh residual adverse effects on affected indigenous biodiversity, extent, or values.</u></p> <p>Explanation:</p> <p><u>Policy 24A recognises that the outcomes achievable through the use of biodiversity or aquatic offsetting and compensation are different. A 'net gain' outcome from offsetting is expected to achieve an objectively verifiable increase in the target values, while a compensation outcome is more subjective and less preferable. This policy applies to the use of biodiversity offsetting and biodiversity compensation to address the residual adverse effects on indigenous biodiversity in the terrestrial and coastal environments and aquatic offsetting and compensation to address the loss of extent or values of natural inland wetlands and rivers.</u></p>

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			Response	Recommended Changes (red text)	
S115.049	Policy IE.1	Delete new Policy IE.1.	Reject	<p>Policy IE.1: Giving effect to mana whenua roles and values when managing indigenous biodiversity – district and regional plans</p> <p>District and regional plans shall include objectives, policies, methods and/or rules to partner with mana whenua/tangata whenua <u>when managing indigenous biodiversity, including to:</u></p> <p>(a) <u>apply mātauranga Māori frameworks, and support mana whenua/tangata whenua to exercise their kaitiakitanga, in managing and monitoring indigenous biodiversity;</u></p> <p>(b) <u>identify and protect acknowledged and identified taonga species, populations, and ecosystems;</u></p> <p>(c) <u>support mana whenua/tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga;</u></p> <p>(d) <u>maintain and restore indigenous biodiversity on Māori land to the extent practicable, while enabling new occupation, use and development of that land to support the social, cultural and economic wellbeing of mana whenua/tangata whenua.</u></p> <p>Explanation Policy IE.1 directs regional and district plans <u>to partner with mana whenua/tangata whenua</u> to recognise and provide for Māori values for indigenous biodiversity, and for the role of mana whenua as kaitiaki in the region. <u>It also directs regional and district plans to include provisions to maintain and restore indigenous biodiversity on Māori land, while enabling appropriate use and development of that land to support the wellbeing of tangata whenua.</u></p>	<p>Policy IE.1: Giving effect to mana whenua roles and values when managing indigenous biodiversity – district and regional plans</p> <p><u>As soon as reasonably practicable and by no later than 4 August 2028,</u> District and regional plans shall include objectives, policies, methods and/or rules to partner with mana whenua/tangata whenua <u>when managing indigenous biodiversity, including to:</u></p> <p>(a) <u>apply mātauranga Māori frameworks, and support mana whenua/tangata whenua to exercise their kaitiakitanga, in managing and monitoring indigenous biodiversity;</u></p> <p>(b) <u>identify and protect acknowledged and identified taonga species, populations, and ecosystems;</u></p> <p>(c) <u>support mana whenua/tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga;</u></p> <p>(d) <u>maintain and restore indigenous biodiversity on Māori land where to the extent practicable, while enabling new occupation, use and development of that land to support the social, cultural and economic wellbeing of mana whenua/tangata whenua.</u></p> <p>Explanation Policy IE.1 directs regional and district plans to partner with mana whenua/tangata whenua to recognise and provide for Māori values for indigenous biodiversity, and for the role of mana whenua as kaitiaki in the region. It also directs regional and district plans to include provisions to maintain and restore indigenous biodiversity on Māori land, while enabling appropriate use and development of that land to support the wellbeing of tangata whenua.</p>
S115.072	Policy IE.2	Delete all new provisions and amendments to existing provisions and retain existing Operative RPS provisions.	Reject	<p>Policy IE.2: Giving effect to mana whenua/tangata whenua roles and values when managing indigenous biodiversity – consideration</p> <p><u>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development that may impact on indigenous biodiversity, particular regard shall be given to enabling mana</u></p>	<p>Policy IE.2: Giving effect to mana whenua/tangata whenua roles and values when managing indigenous biodiversity – consideration</p> <p><u>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan for subdivision, use or development that may impact on significant indigenous biodiversity, particular regard shall be given to enabling mana</u></p>

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			Response	Recommended Changes (red text)	
				<p>whenua/tangata whenua to exercise their roles as kaitiaki, including, but not restricted to:</p> <p>(a) providing for mana whenua/tangata whenua values associated with indigenous biodiversity, including giving local effect to <u>Te Rito o te Harakeke the decision-making principles for indigenous biodiversity,</u></p> <p>(b) incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and</p> <p>(c) supporting mana whenua/tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</p>	<p>whenua/tangata whenua to exercise their roles as kaitiaki, including, but not restricted to:</p> <p>(d) providing for mana whenua/tangata whenua values associated with indigenous biodiversity, including giving local effect to <u>Te Rito o te Harakeke the decision-making principles for indigenous biodiversity,</u></p> <p>(e) incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and</p> <p>(f) supporting mana whenua/tangata whenua to access and exercise sustainable customary use of indigenous biodiversity, including for mahinga kai and taonga, in accordance with tikanga.</p> <p><u>This policy shall cease to have effect once policies 23 and 24 are given effect to in an operative district or regional plan.</u></p>
N/A	New Policy IE.2A	N/A	N/A	<p><u>Policy IE.2A: Maintaining indigenous biodiversity – consideration</u></p> <p><u>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan or regional plan, indigenous biodiversity in the terrestrial environment that does not have significant indigenous biodiversity values and is not on Māori land, shall be maintained by:</u></p> <p>(a) <u>recognising and providing for the importance of maintaining indigenous biodiversity that does not have significant biodiversity values under Policy 23;</u></p> <p>(b) <u>managing any significant adverse effects on indigenous biodiversity from any proposed activity by applying the effects management hierarchy in the National Policy Statement for Indigenous Biodiversity 2023; and</u></p> <p>(c) <u>managing all other adverse effects on indigenous biodiversity from any proposed activity to achieve at least no overall loss in indigenous biodiversity within the region or district as applicable.</u></p> <p><u>Explanation</u></p> <p><u>Policy IE.2A recognises that it is important to maintain indigenous biodiversity that does not have significant indigenous biodiversity values to meet the requirements in section 30(1)(ga) and section 31(b)(iii) of the RMA. This policy applies to indigenous biodiversity</u></p>	<p><u>Policy IE.2A: Maintaining indigenous biodiversity –consideration</u></p> <p><u>When considering an application for a resource consent, notice of requirement, or a plan change, variation or review of a district plan or regional plan, As soon as reasonably practicable and by no later than 4 August 2028 district and regional plans shall include policies, rules and methods to manage indigenous biodiversity in the terrestrial environment that does not have significant indigenous biodiversity values and is not on Māori land, shall be maintained by:</u></p> <p>a) <u>recognising and providing for the importance of maintaining indigenous biodiversity that does not have significant biodiversity values under Policy 23;</u></p> <p>b) managing any significant adverse effects on indigenous biodiversity from any proposed activity by applying the effects management hierarchy in the National Policy Statement for Indigenous Biodiversity 2023; and</p> <p>c) <u>managing all other adverse effects on indigenous biodiversity from any proposed activity to achieve at least no overall loss in indigenous biodiversity within the region or district as applicable.</u></p> <p><u>Explanation</u></p> <p><u>Policy IE.2A recognises that it is important to maintain indigenous biodiversity that does not have significant indigenous biodiversity values to meet the requirements in section 30(1)(ga) and section</u></p>

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				<u>that does not have significant values in the terrestrial environment and requires a more robust approach to managing any significant adverse effects on indigenous biodiversity from a proposed activity and to maintain indigenous biodiversity more generally.</u>	<u>31(b)(iii) of the RMA. This policy applies to indigenous biodiversity that does not have significant values in the terrestrial environment and requires a more robust approach to managing any significant adverse effects on indigenous biodiversity from a proposed activity and to maintain indigenous biodiversity more generally.</u>
				<p>Method IE.3: Regional biodiversity strategy</p> <p><u>Develop and implement, in partnership with mana whenua / tangata whenua and in collaboration with territorial authorities, communities and other key stakeholders, a regional biodiversity strategy to maintain and restore promote the landscape-scale restoration of the region's indigenous biodiversity at a landscape scale, incorporating both Mātauranga Māori and systematic conservation planning and meeting the requirements in Appendix 5 (regional biodiversity strategies) in the National Policy Statement for Indigenous Biodiversity 2023.</u></p>	<p>Method IE.3: Regional biodiversity strategy</p> <p><u>Develop and implement, in partnership with mana whenua / tangata whenua and in collaboration with territorial authorities, communities and other key stakeholders, a regional biodiversity strategy to maintain and restore promote the landscape-scale restoration of the region's indigenous biodiversity at a landscape scale, incorporating both Mātauranga Māori and systematic conservation planning and meeting the requirements in Appendix 5 (regional biodiversity strategies) in the National Policy Statement for Indigenous Biodiversity 2023.</u></p>
S115.0112	Method 21	Retain existing Operative Method 21. Failing that, amend the deadline from 30 June 2025 to 5 years after RPS Change1 becomes operative.	Accept in part	<p>Method 21: Information to assist with the identification Identification and protection of indigenous ecosystems and habitats with significant indigenous biodiversity values</p> <p><u>The regional council will liaise with the region's territorial authorities to ensure that all district plans include, by 30 June 2025 at the latest, as soon as reasonably practicable and by no later than 4 August 2028, a schedule of indigenous ecosystems and habitats with significant indigenous biodiversity values and plan provisions to protect them from inappropriate subdivision, use and development.</u></p> <p><u>Where a district-wide indigenous biodiversity assessment has not been initiated by 30 June 2024, the regional council will liaise with the territorial authority to agree on a programme of works and an understanding as to whether:</u></p>	<p>Method 21: Information to assist with the identification Identification and protection of indigenous ecosystems and habitats with significant indigenous biodiversity values</p> <p><u>The regional council will liaise with the region's territorial authorities to ensure that all district plans include, by 30 June 2025 at the latest, as soon as reasonably practicable and by no later than 4 August 2028, a schedule of indigenous ecosystems and habitats with significant indigenous biodiversity values and plan provisions to protect them from inappropriate subdivision, use and development.</u></p> <p><u>Where a district-wide indigenous biodiversity assessment has not been initiated by 30 June 2024, the regional council will liaise with the territorial authority to agree on a programme of works and an understanding as to whether:</u></p>

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			Response	Recommended Changes (red text)	
				<p>(a) <u>the territorial authority shall continue to have sole responsibility; or</u> (b) the regional council shall take full responsibility; or (be) <u>the territorial authority and the regional council shall share responsibilities.</u></p> <p>Prepare and disseminate information to assist with the interpretation of the criteria set out in policies 23 and 24, which require the identification and protection of indigenous ecosystems and habitats with significant indigenous biodiversity values.</p> <p><i>Implementation: Wellington Regional Council* and city and district councils</i></p>	<p>(c) <u>the territorial authority shall continue to have sole responsibility; or</u> (d) <u>the regional council shall take full responsibility; or</u> (be) <u>the territorial authority and the regional council shall share responsibilities.</u></p> <p>Prepare and disseminate information to assist with the interpretation of the criteria set out in policies 23 and 24, which require the identification and protection of indigenous ecosystems and habitats with significant indigenous biodiversity values.</p> <p><i>Implementation: Wellington Regional Council* and city and district councils</i></p>
S115.0114	Method 54	Amend Method 54 so that it does not apply to city and district councils.	Reject	<p>Method 54: Assist landowners to maintain, enhance and restore indigenous ecosystems</p> <p>Assist landowners to maintain, enhance and/or restore indigenous ecosystems, <u>with a focus on achieving the targets and priorities identified by Methods IE.23, CC.4 and CC.76</u>, including by, but not limited to:</p> <p>(a) assisting with the costs of legally protecting indigenous ecosystems by way of open space covenants with Queen Elizabeth the Second National Trust (QEII);</p> <p>(b) <u>considering opportunities for partnerships (e.g., through Ngā Whenua Rāhui), advice, education, support and incentives, such as rates rebates;</u></p> <p>(c) assisting with the costs of controlling pest plants and animals; and</p> <p>(d) supporting landowners to restore significant indigenous ecosystems by fencing and planting.</p> <p><i>Implementation: Wellington Regional Council and city and district councils</i></p>	<p>Method 54: Assist landowners to maintain, enhance and restore indigenous ecosystems</p> <p>Assist landowners to maintain, enhance and/or restore indigenous ecosystems, <u>with a focus on achieving the targets and priorities identified by Methods IE.23, CC.4 and CC.76</u>, including by, but not limited to:</p> <p>(e) assisting with the costs of legally protecting indigenous ecosystems by way of open space covenants with Queen Elizabeth the Second National Trust (QEII);</p> <p>(f) <u>considering opportunities for partnerships (e.g., through Ngā Whenua Rāhui), advice, education, support and incentives, such as rates rebates;</u></p> <p>(g) assisting with the costs of controlling pest plants and animals; and</p> <p>(h) supporting landowners to restore significant indigenous ecosystems by fencing and planting.</p> <p><i>Implementation: Wellington Regional Council and city and district councils</i></p>