

**Before the Greater Wellington Regional Council Proposed Change 1
to the Regional Policy Statement for the Wellington Region
Hearings Panel**

Under the Resource Management Act 1991 (the Act)

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

- **Hearing Stream 6 Indigenous Ecosystems**

Between **Greater Wellington Regional Council**
Local authority

And **Transpower New Zealand Limited**
Submitter S10 and Further Submitter FS23

**Statement of evidence of Pauline Mary Whitney for Transpower New
Zealand Limited**

Dated 30 January 2024

1 Executive Summary

- 1.1. Transpower New Zealand Limited (“Transpower”) owns and operates the National Grid, which transmits electricity throughout New Zealand from energy generation sources to distribution networks and direct-connect customers. Transpower has a variety of assets within the Wellington Region comprising a range of line voltages, and substations.
- 1.2. Proposed Change 1 (“PC1”) to the Regional Policy Statement (“RPS”) amends the operative RPS and includes changes to take account of new national direction, including the National Policy Statement on Urban Development 2020 (“NPS-UD”), and the National Policy Statement for Freshwater Management 2020 (“NPS-FM”), as well as addressing issues relating to climate change, indigenous biodiversity, and high natural character. Within this context, Transpower lodged a confined submission to PC1, noting PC1 did not propose amendments to the RPS to give effect to the NPSET beyond the confined forementioned matters. In its submission Transpower noted *“For Transpower, the provisions of the RPS need to ensure the National Policy Statement on Electricity Transmission 2008 (NPSET) is given effect to. This may require wider changes than those within scope of PC1.”*
- 1.3. Transpower’s submission on Hearing Stream 6 matters was confined to Policy 24, noting PC1 was notified prior to gazetting of the National Policy Statement for Indigenous Biodiversity (“NPS-IB”). Under submission point S10.002 Transpower sought amendment to Policy 24 to recognise that “regionally significant infrastructure may have a functional or operational need to locate in a particular location”. Suggested wording was provided in the submission.
- 1.4. The NPS-IB provides explicit wording that it does not apply to electricity transmission or renewable electricity generation assets and activities. The officer has acknowledged the relationship between the NPS-IB and NPSET and NPS-REG and while has not recommended any specific amendments to Policy 24 in relation to the NPS-IB Clause 1.3¹ exemption, has noted he would *“welcome the views from submitters on a more effective approach to address this national policy gap and timing issue, particularly from Meridian and Transpower who have a strong interest in this matter”*.

¹ NPS-IB, Clause 1.3 - *Nothing in this National Policy Statement applies to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities and electricity transmission network assets and activities. For the avoidance of doubt, renewable electricity generation assets and activities, and electricity transmission network assets and activities, are not “specified infrastructure” for the purposes of this National Policy Statement.*

- 1.5. My evidence therefore responds to the officer recommendation. In my opinion the RPS is required to give effect to the NPS's as gazetted, and this includes giving effect to the clear directive within clause 1.3 of the NPS-IB. Given the high degree of uncertainty within the resource management system at present, I am reluctant to base any recommendation or relief on changes which may happen to national instruments. As currently gazetted, the NPS-IB in its entirety does not apply to electricity transmission and renewable electricity generation. On this basis I do not support the officer recommendation to not provide any specific amendments to Policy 24 (and other recommended policies to give effect to the NPS-IB) in relation to the exemption issue. To remain silent would in my opinion imply/ convey that the policies in the RPS which have been included in the S42A Report specifically to give effect to the NPS-IB apply to electricity transmission assets and activities. This is contrary to the NPS-IB. I also think it would be unhelpful for the RPS to require plan users to determine on an ongoing basis what provisions are NPS-IB provisions without clarity that they are not to be applied to electricity transmission assets and activities.
- 1.6. Based on the above, I support the inclusion of specific wording within the policies that the indigenous vegetation provisions that have been inserted to give effect to the NPS-IB², do not apply to electricity transmission assets and activities. Attached as Appendix B is an annotated chapter showing the S42A Report recommendations and annotations I support and propose through this evidence. I can confirm that I have liaised with Ms Christine Foster, the planning expert for Meridian, and I understand there is alignment with the approach sought in our respective evidence in relation to Policies 24, 24A and IE.2A. However, I understand Ms Foster supports a new policy 24B specific to renewable electricity generation assets and activities, and a differing approach for Policy 47. As such my suggested amendments focus on electricity transmission.
- 1.7. In terms of a potential policy gap for electricity transmission, the balance of indigenous ecosystems/vegetation/biodiversity objectives and policies within the RPS would continue to apply. This includes clauses (a) to (h) of Policy 47 *Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration*. I am also cognisant that specific to electricity transmission, Transpower seeks a specific policy framework in the regional plan and district plans in the region to reconcile various national direction instruments and Part 2 of the RMA.

² As assessed in Appendix 3 (NPSIB Implementation Assessment)

- 1.8. Notwithstanding the existing level of uncertainty in relation to national direction, I do anticipate the lack of specific policy direction in relation to indigenous biodiversity for electricity transmission is an interim measure. When (and if) the NPSET (and NPS-REG) 2008 are amended, a change will be required to the RPS to give effect to the updated NPS's, including specific biodiversity provisions. This would also address the general point made in Transpower's submission that wider changes are needed to the RPS to give effect to the NPSET.

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2. Qualifications and Experience

- 2.1. My full name is Pauline Mary Whitney.
- 2.2. I am a Senior Planner and Senior Principal of Boffa Miskell Ltd, a national firm of consulting planners, ecologists and landscape architects. I hold the qualification of Bachelor of Resource and Environmental Planning (Hons). I am a Full Member of the New Zealand Planning Institute and have over 26 years' experience as a resource management planner.
- 2.3. I have been a planning consultant based in Wellington for the past 21 years, providing consultancy services for a wide range of clients around New Zealand, including local authorities, land developers, and the infrastructure and energy sectors. Prior to that I was employed with local authorities in New Zealand and the United Kingdom for 5 years. My experience includes:
 - a. Work on the preparation of plan changes for councils and private clients and review of numerous regional policy statements, regional plans and district plans on their behalf; and
 - b. Preparing resource consent applications and notices of requirement for a wide range of development and infrastructure projects.
- 2.4. Specific to Transpower New Zealand Limited ("Transpower"), I have been involved with preparing submissions / hearing evidence on numerous planning documents (including district plans, regional plans, regional policy statements and plan changes) over the past 11 years.
- 2.5. My evidence is given in support of Transpower's submission on the Greater Wellington Regional Council Proposed Change 1 ("PC1") to the Regional Policy Statement ("RPS") for the Wellington Region.
- 2.6. In this matter, Boffa Miskell Ltd was engaged by Transpower to provide planning expertise through the submission process, as well as to prepare this evidence on PC1.
- 2.7. I have read the Code of Conduct for Expert Witnesses contained in Section 9 of the Environment Court Consolidated Practice Note (2023), and I agree to comply with it. My qualifications as an expert are set out above. I confirm that the issues addressed in this brief of evidence are within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

- 2.8. My evidence covers the submission points (one original³ and one further)⁴ lodged by Transpower to Hearing Stream 6.

3. Scope of Evidence

- 3.1. The focus of RPS Change 1 is to implement and support the National Policy Statement on Urban Development 2020 (“NPS-UD”), and to start the implementation of the National Policy Statement for Freshwater Management 2020 (“NPS-FM”). RPS Change 1 also addresses issues related to climate change, indigenous biodiversity, and high natural character. Within this context, Transpower lodged a confined submission to PC1, noting PC1 did not propose amendment to the RPS to give effect to the NPSET beyond the confined forementioned matters.

- 3.2. My evidence will address the following:

- a. The planning background to Transpower’s submission, and an outline of the need to provide sufficient recognition of the national significance of the National Grid, particularly in the context of the National Policy Statement on Electricity Transmission 2008 (“NPSET”);
- b. An overview of Transpower’s submission on PC1; and
- c. My responses to the recommendations within the 42A Report on Transpower’s submission point.

- 3.3. My evidence should be read together with the evidence of Ms Shand who describes Transpower, the role and importance of the National Grid and addresses Transpower’s approach to managing the effects on indigenous vegetation (biodiversity) in undertaking its role for the operation, maintenance, upgrade and development of the National Grid.

4. Transpower’s Assets with the Wellington Region

- 4.1. Transpower owns and operates a wide range of infrastructure assets associated with the National Grid within the Wellington region. Details of the existing assets are provided in the evidence of Ms Shand.

³ S10.002

⁴ FS23.005

5. National Direction under the RMA

- 5.1. As the panel will be well aware, there have been numerous developments in relation to national direction since notification of PC1 (August 2022). These include:
- Gazetting of the National Policy Statement for Highly Productive Land 2022 (September 2022)
 - Gazetting of the National Policy Statement for Indigenous Biodiversity 2023 (August 2023)
 - Amendment (February 2023) to the National Policy Statement for Freshwater Management 2020 (*noting these were confined changes*)
 - Review of the National Policy Statement for Electricity Transmission and National Policy Statement for Renewable Electricity Generation, with draft/proposed statements released for consultation (May 2023).
- 5.2. These changes were made following notification of PC1 and therefore I am very mindful of the confined nature of Transpower’s submission on PC1 in context of this ever evolving national direction framework. I therefore fully support, and consider the statement made in Transpower’s submission “*For Transpower, the provisions of the RPS need to ensure the National Policy Statement on Electricity Transmission 2008 (NPSET) is given effect to. This may require wider changes than those within scope of PC1.*”, is even more relevant and I would support a more substantive review of the RPS to give effect to the NPSET and NPSREG. The relationship between the various NPS’s is discussed further below.

National Policy Statements

- 5.3. National policy statements are at the top of the hierarchy of planning instruments under the Resource Management Act 1991 (“RMA”). Of particular relevance is the National Policy Statement on Electricity Transmission 2008 (“NPSET”) and the supporting Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009 (“NESETA”), the New Zealand Coastal Policy Statement 2010 (“NZCPS”), the National Policy Statement on Urban Development 2020 (“NPS-UD”), the National Policy Statement for Freshwater Management 2020 (“NPSFM”), the National Policy Statement for Highly Productive Land 2022 (“NPS-HPL”) and the National Policy Statement for Indigenous Biodiversity 2023 (“NPS-IB”). Given the scope of PC1, of more limited relevance is the National Policy Statement for Highly Productive Land 2022 (“NPS-HPL”). As noted above in paragraph 5.1, the NPS-HPL and NPS-IB were both gazetted after PC1 was notified.

Addressing the interface between these various policy statements and how they are read together is a key aspect.

- 5.4. I recognise that while the NZCPS is the only mandatory national instrument, all the national policy statements (“NPS’s”) sit at the top of the planning instrument hierarchy. Other than the NPS-IB (which stipulates it does not apply to the development, operation, maintenance or upgrade of electricity transmission and renewable electricity generation assets and activities), the other NPS’s neither stipulate nor provide direction on their relationship or standing relative to the NPSET. This presents councils with an interpretive and administrative challenge, particularly where effect needs to be given to multiple NPS’s. In my experience to date the relationship between the directives contained within the various NPS’s needs to be carefully assessed and a plan related policy framework developed that addresses obvious tensions between policy statements that need to be given effect to. Key to this is understanding the intent that underlies conflicting or competing directives and developing a tailored policy response to help guide decision makers to reconcile identifiable differences.
- 5.5. The recent (August 2023) case Port of Otago Limited v Environmental Defence Society confirms how national direction is to be given effect to under the RMA and provides guidance as to how plan makers should address the conflicts between competing policies in NPS’s. Through this decision, the Supreme Court has provided guidance to plan-makers on how national direction is to be interpreted, reconciled and given effect to, where there are tensions between different directive policies; in that case, two policies within the NZCPS.
- 5.6. The Court emphasised the need for a close study of the relevant provisions to confirm there was indeed a conflict between them and identified that the particular policies in question were both directive ones, albeit there being a difference in the language used. The Court then provided guidance on how any conflicts should be addressed, directing that decision-makers should provide a ‘structured analysis’ to provide a disciplined approach to identifying and resolving conflicts between competing directive policies.
- 5.7. In my opinion and experience, the approach to date has been to reconcile the NPS-ET with other national direction through policies specific to the National Grid. Such an approach is evident in the Natural Resources Plan (Policy 14) and gives effect to the NPSET, including Policy 14 which directs that “*regional councils must include objectives, policies and methods to facilitate long term planning for the development, operation and maintenance of electricity transmission infrastructure*”.

- 5.8. In relation to the NPSET, appended to my evidence as **Appendix A** is a copy of the instrument and an overview.

Relationship between the NPSET and NPS-REG, and NPS-IB

- 5.9. As outlined in paragraphs 312 and 313 of the S42A Report, of relevance to the topic of Indigenous Biodiversity and the gazetted NPS-IB, is clause 1.3 in the application section of the NPS-IB:

Nothing in this National Policy Statement applies to the development, operation, maintenance or upgrade of renewable electricity generation assets and activities and electricity transmission network assets and activities. For the avoidance of doubt, renewable electricity generation assets and activities, and electricity transmission network assets and activities, are not “specified infrastructure” for the purposes of this National Policy Statement.

- 5.10. The focus of my evidence is therefore how to accommodate the above ‘exemption’.

6. Regional Direction

The Operative Regional Policy Statement

- 6.1. The Wellington Regional Policy Statement (“RPS”) was made operative in 2013.
- 6.2. Of particular relevance to the National Grid are Objectives 9 and 10 and supporting Policies 7, 8 and 39.
- 6.3. Objective 9 seeks to ensure that the Wellington region’s energy needs are met in ways that, amongst other matters, improve energy efficiency, maximise the use of renewable energy resources and reduce dependency on fossil fuels. In my opinion, Aotearoa New Zealand needs to be ready for the energy transformation that is coming through the electrification of the energy network.
- 6.4. Objective 9⁵ is further complemented by Objective 10⁶, which is centred on recognising and protecting the social, economic, cultural and environmental benefits of regionally significant infrastructure. Regionally significant infrastructure (‘RSI’) includes, by

⁵ RPS Objective 9

The region’s energy needs are met in ways that:

(a) improve energy efficiency and conservation;
(b) diversify the type and scale of renewable energy development;
(c) maximise the use of renewable energy resources;
(d) reduce dependency on fossil fuels; and
(e) reduce greenhouse gas emissions from transportation.

⁶ RPS Objective 10

The social, economic, cultural and environmental, benefits of regionally significant infrastructure are recognised and protected.

definition, “the national electricity grid, as defined by the Electricity Governance Rules 2003”. Objective 10 of the RPS gives effect to Policy 1 of the NPSET in relation to benefits.

- 6.5. Under Policy 7⁷ of the RPS all district and regional plans for the region are required to include policies and/or methods that recognise the benefits of regionally significant infrastructure. It is noted Policy 7 is recommended to be amended through the Council right of reply to Proposed Change 1⁸, to ‘recognise and provide’ for the benefits.
- 6.6. Policy 8 of the RPS also give effect to Objective 10 by requiring that plans include policies and rules to protect such infrastructure from incompatible new subdivision, use and development occurring under, over, or adjacent to it.

7. Transpower Submission on PC1

- 7.1. RPS PC1 amends the operative RPS and includes changes to take account of new national direction, including the NPS-UD, the NPSFM, as well as addressing issues relating to climate change, indigenous biodiversity, and high natural character.
- 7.2. No specific National Grid provisions are proposed as part of PC1. However, changes are proposed to RPS Policy 7⁹ and Policy 39 to give greater recognition of low and zero carbon regionally significant infrastructure, and the benefits of regionally significant infrastructure where it contributes to reducing greenhouse emissions. The National Grid is key in providing for the transmission (and therefore delivery) of renewable energy and achieving a zero-carbon economy. In effect, New Zealand’s electricity transmission system is the infrastructure on which New Zealand’s zero-carbon future will be built.
- 7.3. RPS Policy 55 is amended to “provide for appropriate urban expansion” with specific recognition of the protection of regionally significant infrastructure as identified by RPS

⁷ RPS Policy 7:

Recognising the benefits from renewable energy and regionally significant infrastructure – regional and district plans

⁸ As amended by the Council right of reply <https://www.gw.govt.nz/assets/Documents/2023/09/HS3-Right-of-Reply-Climate-Change-Subtopics-General-Agricultural-Emissions-and-Energy-Industry-and-Waste-Jerome-Wyeth-210923.pdf>

(b) recognise and provide for the social, economic, cultural and environmental benefits of energy generated from renewable energy resources and its transmission through the electricity transmission network, including:

(i) avoiding, reducing and displacing greenhouse gas emissions;

(ii) contributing to the security of supply, resilience, independence and diversification of energy sources and the transmission of this energy to communities, homes and businesses;

(iii) reducing dependency on imported energy resources;

(iv) using renewable resources rather than finite resources;

(v) the reversibility of the adverse effects on the environment of some renewable electricity generation technologies;

(vi) the provision of an efficient, effective and resilient electricity transmission network; and

(vii) providing for the economic, social and cultural well-being of people and communities

⁹ As amended by the Council right of reply <https://www.gw.govt.nz/assets/Documents/2023/09/HS3-Right-of-Reply-Climate-Change-Subtopics-General-Agricultural-Emissions-and-Energy-Industry-and-Waste-Jerome-Wyeth-210923.pdf>

Policy 8 (which is not proposed to be amended). The identification of the National Grid as a qualifying matter is consistent with the amended policy approach within Policy 55.

7.4. Transpower's submission to PC1 focused on the above policies with a summary of the relief sought as follows:

7.4.1. *Policy 7: Recognising the benefits from renewable energy and regionally significant infrastructure.* Transpower¹⁰ seeks clarification as to the term 'low and zero carbon' and how it is applied, and recognition of the benefits of an efficient and effective electricity transmission system.

7.4.2. *Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans.* Transpower¹¹ opposes the application of the policy to the National Grid.

7.4.3. *Policy 29: ~~Avoiding inappropriate~~ Managing subdivision, use and development in areas at ~~high~~ risk from natural hazards – district and regional plans.* Transpower¹² seeks clarification of the terms used within the policy.

7.4.4. *Policy 39: Recognising the benefits from renewable energy and regionally significant infrastructure – consideration.* Transpower¹³ supports the policy and specifically the explanation but seeks that particular regard also be had to the electricity transmission network that supports renewable energy resources.

7.4.5. *Policy 55: Providing for appropriate urban expansion ~~Maintaining a compact, well designed and sustainable regional form – consideration.~~* Transpower¹⁴ supports the policy, and specifically recognition of protecting regionally significant infrastructure (within clause (a)(ii)8. of the policy).

7.4.6. *Policy 58: Co-ordinating land use with development and operation of infrastructure – consideration.* Transpower¹⁵ supports the policy, subject to the sought amendment to Policy 7 (being recognition of the benefits of an efficient and effective electricity transmission system).

10 Submission reference S10.001

11 Submission reference S10.002

12 Submission reference S10.003

13 Submission reference S10.004

14 Submission reference S10.005

15 Submission reference S10.006

7.4.7. *Definitions: National Grid Yard and Regionally Significant Infrastructure.* Transpower¹⁶ supports the provision of a definition for 'National Grid' but seeks that it references the NPSET. The amended definition of 'Regionally significant infrastructure' as it relates to the National Grid is also supported.

7.5. 11 further submission points were lodged by Transpower.

8. Response to the Section 42A Report Recommendations

8.1. Transpower's submission on Hearing Stream 6 matters was confined to Policy 24. Under submission point S10.002 Transpower sought amendment to Policy 24 to recognise that

“Regionally significant infrastructure may have a functional or operational need to locate in a particular location. This could be achieved by adding a qualifying statement: “This does not apply to nationally and regionally significant infrastructure that has a functional or operational need to locate in a particular location. In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects, on ecosystems or habitats with significant indigenous biodiversity values.” “

8.2. The officer has acknowledged the relationship between the NPS-IB and NPSET and NPS-REG and while he has not recommended any specific amendments to Policy 24 in relation to the Clause 1.3 'exemption', has noted he would *“welcome the views from submitters on a more effective approach to address this national policy gap and timing issue, particularly from Meridian and Transpower who have a strong interest in this matter”*¹⁷. The S42A Report Appendix 3 (NPSIB Implementation Assessment) provides no commentary or reference to Clause 1.3, either in the assessment table or the notes relating to statutory context and key principles.

8.3. While I acknowledge Transpower's submission was on Policy 24, in light of the officers request for feedback and that the officer recommended amendments to Policy 47 and the newly officer recommended Policy IE.2A are to give effect to the NPS-IB, I have not confined my evidence to Policy 24.

¹⁶ Submission reference S10.007

¹⁷ <https://www.gw.govt.nz/assets/Documents/2023/12/S42A-Report-HS6-Indigenous-Ecosystems.pdf>, Paragraph 313.

8.4. In responding to the request from the reporting officer for the view from Transpower and Meridian, and considering the most effective approach, I support the commentary provided in paragraph 312 of the Section 42A Report as to the basis and reasoning for the exemption. As stated in the Addendum to: National Policy Statement for Indigenous Biodiversity: Evaluation Report under Section 32 of the RMA;

“ that no part of the NPSIB applies to development, operation, maintenance or upgrade of renewable electricity generation (REG) assets and activities and electricity transmission network (ETN) assets and activities and that they are not considered specified infrastructure. The intention is to address all REG and ETN development within the amendments to the National Policy Statement for Renewable Electricity Generation (NPS-REG), National Policy Statement of Electricity Transmission (NPSET) and the National Environmental Standard for Electricity Transmission (NES-ETA), as consulted on in the discussion document Strengthening national direction on renewable electricity generation and electricity transmission consultation document.”

8.5. In my opinion the RPS is required to give effect to the NPS's as gazetted, and this includes giving effect to the clear directive within clause 1.3 of the NPS-IB. Given the high degree of uncertainty within the resource management system at present, I am reluctant to base any recommendation or relief on changes which may happen to national instruments. As currently gazetted, the NPS-IB in its entirety does not apply to electricity transmission and renewable electricity generation activities and assets. On this basis I do not support the officer recommendation to not provide any specific amendments to Policy 24 in relation to the exemption issue. To remain silent would in my opinion imply/ convey that the policies in the RPS which have been included in the S42A Report specifically to give effect to the NPS-IB, apply to electricity transmission assets and activities. This is contrary to the NPS-IB, and arguably result in a less enabling approach for electricity transmission (which is recognised within its own national policy statement) than other activities exempted under clause 3.11. I also think it would be unhelpful for the RPS to require plan users to determine on an ongoing basis what provisions are NPS-IB provisions without clarity that they are not to be applied to electricity transmission assets and activities.

8.6. Based on the above, I support the inclusion of specific references that the indigenous vegetation provisions that have been inserted to give effect to the NPS-IB¹⁸, do not apply to electricity transmission assets and activities. Attached as Appendix B is an

¹⁸ As assessed in Appendix 3 (NPSIB Implementation Assessment)

annotated chapter showing the S42A Report recommendations and annotations I support through this evidence. As an alternative to specific ‘exemption’ references, I would support a generic statement at the front of the chapter. However, I do not consider this would be overly helpful to plan users and it would not be my preferred approach.

8.7. I can confirm that I have liaised with Ms Christine Foster, the planning expert for Meridian, and I understand there is alignment with the approach sought in our respective evidence in relation to Policies 24, 24A and IE.2A. However, I understand Ms Foster supports a new policy 24B specific to renewable electricity generation assets and activities, and a differing approach for Policy 47. While I understand the reasoning of Ms Foster, specific to the electricity transmission I consider any proposed policy should reflect any updated NPSET once gazetted. I am also mindful of the Transpower submission on the *Strengthening National Direction on Renewable Energy Generation and Electricity Transmission* and the commentary from Transpower on the effects management hierarchy as drafted in the 2023 proposed/consulted NPS-ET. Given the variation in the suggested approaches between Ms Foster and myself my suggested amendments focus on electricity transmission.

8.8. In summary, my preferred approach is for an exemption/exclusion from the following S42A recommended provisions, with the relevant NPS-IB clauses and my reasoning provided below:

NPS-IB reference (as identified the S42A Report)	RPS Policy (as recommended in the S42A Report) for which an exemption is sought for electricity transmission	Rationalise for ‘exemption’ references
<ul style="list-style-type: none"> - Clause 3.10 Managing adverse effects on SNAs of new subdivision, use, and development - Clause 3.11 Exceptions to clause 3.10(2) 	<p>Policy 24 Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans <u>As soon as reasonably practicable and by no later than 4 August 2028</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, including by applying:</p> <ul style="list-style-type: none"> (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> (b) ... 	<p>While the directive within RPS Policy 24 is for district and regional plans, any resulting policies, rules and methods that are proposed specifically to give effect to the NPS-IB, must not apply to electricity transmission activities and assets. This is particularly relevant in relation to clause (a).</p>

<p>- Appendix 3: Principles for biodiversity</p> <p>- Appendix 4: Principles for biodiversity compensation</p>	<p>Policy 24A</p> <p>Policy 24A: Principles for biodiversity offsetting and biodiversity compensation</p> <p>(a) <u>Where district and regional plans provide for biodiversity offsetting or aquatic offsetting or biodiversity compensation or aquatic compensation 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>...</p>	<p>While the directive within RPS Policy 24A is for district and regional plans, any resulting policies and methods that are proposed specifically to give effect to the NPS-IB, must not apply to electricity transmission activities and assets.</p>
<p>- Clause 3.7 Precautionary approach</p> <p>(1) Local authorities must adopt a precautionary approach toward proposed activities where:</p> <p>(a) the effects on indigenous biodiversity are uncertain, unknown, or little understood; but</p> <p>(b) those effects could cause significant or irreversible damage to indigenous biodiversity.</p> <p>- Clause 3.10 Managing adverse effects on SNAs of new subdivision, use, and development</p> <p>- Clause 3.11 Exceptions to clause 3.10(2)</p> <p>- 3.15 Managing adverse effects of established activities on SNAs</p> <p>(1) For the purpose of this clause, established activity means an activity (including maintenance, operation, and upgrade) that:</p> <p>(a) is in, or affects, an SNA; and</p> <p>(b) is not a new subdivision, use, or development.</p> <p>(2) Local authorities must include objectives, policies, and methods in their policy statements and plans to enable specified established activities, or specified types of established activities, to continue where the effects of the activity on an SNA (including cumulative effects):</p> <p>(a) are no greater in intensity, scale, or character over</p>	<p>Policy 47 Clauses (h)li and (ii), and Clause (i), (j) and (k)</p> <p>Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration</p> <p>When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems and habitats with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:</p> <p>....</p> <p>(h) the need for a precautionary approach <u>to be adopted</u> when assessing <u>and managing</u> the potential for adverse effects on indigenous ecosystems and habitats, <u>where;</u></p> <p><u>(i) the effects on indigenous biodiversity are uncertain, unknown, or little understood; and</u></p> <p><u>(ii) those effects could cause significant or irreversible damage to indigenous biodiversity;</u></p> <p>(i) the limits for biodiversity offsetting and biodiversity compensation set out in Appendix 1A <u>the provisions to protect significant biodiversity values in Policy 24 and the principles for biodiversity offsetting and biodiversity compensation in Policy 24A;</u></p> <p><u>(j) protecting indigenous biodiversity values of significance to mana whenua/tangata whenua, particularly those associated with a significant site for mana whenua/tangata whenua identified in a regional or district plan;</u></p> <p><u>(k) enabling established activities affecting significant biodiversity values in the terrestrial environment to continue, provided that the effects of the activities;</u></p>	<p>Policy 47 of the RPS applies to resource consents and designations as well as plan reviews. As such the recommended provisions would have immediate application for electricity transmission activities and assets.</p> <p>In accordance with NPS-IB clause 1.3, any provisions that are proposed specifically to give effect to the NPS-IB must not apply to electricity transmission activities and assets.</p>

<p>time than at the commencement date; and</p> <p>(b) do not result in the loss of extent, or degradation of ecological integrity, of an SNA.</p> <p>(3) If an established activity does not meet the requirements of subclause (2), the activity must be managed under clauses 3.10 to 3.14 or clause 3.18 (as relevant) as if it were a new use or development.</p> <p>(4) To avoid doubt, nothing in this clause affects existing use rights under sections 10 or 20A of the Act.</p>	<p><u>(i) are no greater in intensity, scale and character; and</u></p> <p><u>(ii) do not result in loss of extent, or degradation of ecological integrity, of any significant biodiversity values; and</u></p> <p>(l) indigenous biodiversity values in the terrestrial environment are managed in a way that:</p> <p>(i) maintains significant indigenous biodiversity values as far as practicable, while enabling plantation forestry activities to continue; and</p> <p>(ii) where significant biodiversity values are within an existing plantation forest, maintains the long-term populations of any Threatened or At Risk (declining) species present in the area over the course of consecutive rotations of production.</p>	
<p>- Clause 3.16 Indigenous biodiversity outside SNAs</p> <p>(1) If a new subdivision, use, or development is outside an SNA and not on specified Māori land, any significant adverse effects of the new subdivision, use, or development on indigenous biodiversity outside the SNA must be managed by applying the effects management hierarchy.</p> <p>(2) All other adverse effects of any activities that may adversely affect indigenous biodiversity that is outside an SNA (other than indigenous biodiversity on specified Māori land (see clause 3.18)), must be managed to give effect to the objective and policies of this National Policy Statement.</p> <p>(3) Every local authority must make or change its policy statements and plans to be consistent with the requirements of this clause</p>	<p><u>Policy IE.2A</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, 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><u>(a) recognising and providing for the importance of maintaining indigenous biodiversity that does not have significant biodiversity values under Policy 23;</u></p> <p><u>(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</u></p> <p><u>(c) 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>Policy IE.2A of the RPS applies to resource consents and designations as well as plan reviews. As such the recommended provisions have immediate relevance for electricity transmission activities and assets. Given the policy has been inserted to give effect to clause 3.16 of the NPS-IB, in accordance with clause 1.3, any provisions that are proposed specifically to give effect to the NPS-IB must not apply to electricity transmission activities and assets.</p>

8.12. In relation to the officer recommended clause (j) of Policy 47 (“i) protecting indigenous biodiversity values of significance to mana whenua/tangata whenua, particularly those associated with a significant site for mana whenua/tangata whenua identified in a regional or district plan”), I am not clear what clause of the NPS-IB this gives effect to (if any). I have included it within the exemption but welcome advice from the reporting officer as to the genesis of the clause.

- 8.13. In relation to clause (l) of Policy 47 ("(l) indigenous biodiversity values in the terrestrial environment are managed in a way that: (i) maintains significant indigenous biodiversity values as far as practicable, while enabling plantation forestry activities to continue; and (ii) where significant biodiversity values are within an existing plantation forest, maintains the long-term populations of any Threatened or At Risk (declining) species present in the area over the course of consecutive rotations of production.") while I accept this reflects clause 3.14 of the NPS-IB, as it is confined to plantation forestry, I have not included it within the exemption.
- 8.14. While I acknowledge clause (d) of Policy IE.1 is inserted to give effect to clause 3.18 of the NPS-IB, given the clause is specific to Māori land, I have not suggested an exemption. However, I would accept one to provide consistency.
- 8.15. In relation to Policy IE.2.1, I note the policy is very onerous and applies to all indigenous biodiversity outside significant areas, with a no net loss directive. Such a policy directive would apply to all Transpower activities and does not give effect to the enabling directive within the NPSET. Notwithstanding the exemption, in my opinion greater consultation is required on this policy and it should not be inserted as part of an officer recommendation.
- 8.16. I have assessed all the other officer recommendations that give specific effect to the NPS-IB but have not recommended specific exemptions given they are non regulatory methods.

Policy Gap

- 8.17. In terms of a potential policy gap with the NPS-IB not applying to electricity transmission activities and assets, the balance of indigenous ecosystems/vegetation/biodiversity objectives and policies in the RPS would continue to apply. This includes clauses (a) to (h) of Policy 47 *Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration*.
- 8.18. I am also cognisant that specific to electricity transmission, Transpower seeks a specific policy framework in the regional plan and district plans in the region to reconcile various national direction instruments and Part 2 of the RMA. Refer **Appendix C** for an outline of the specific policies sought/secured. This approach in my opinion also provides policy direction to 'fill the gap'. While it is not as directive as that provided in the NPS-IB or the 2023 consultation versions of the NPS-ET and NPS-REG, it is a policy approach. As outlined in the evidence of Ms Shand, the ACRE process adopted and applied by Transpower gives effect in practice to the 'seek to

avoid' directive and provides a robust framework. Ms Shand also outlines Transpower's sustainability/biodiversity strategy and non-regulatory measures adopted.

- 8.19. Should the panel wish to provide specific policy direction within the RPS, even as an interim measure, I would support the wording sought in the Transpower submission:

In the case of the National Grid, following a route, site and method selection process and having regard to the technical and operational constraints of the network, new development or major upgrades of the National Grid shall seek to avoid adverse effects, and otherwise remedy or mitigate adverse effects, on ecosystems or habitats with significant indigenous biodiversity values.

- 8.20. Notwithstanding the existing level of uncertainty in relation to national direction, I do anticipate the lack of specific policy direction in relation to indigenous biodiversity for electricity transmission activities and assets is an interim measure. When (and if) the NPSET (and NPS-REG) are amended, a change will be required to the RPS to give effect to the updated NPS's, including specific biodiversity provisions. This would also address the general point made in Transpower's submission that wider changes are needed to the RPS to give effect to the NPSET.

- 8.21. In summary, for the above reasons I recommend the Indigenous Ecosystems chapter be amended as outlined in Appendix B of my evidence.

9. Conclusion

- 9.1. The National Grid is recognised as a matter of national significance through the NPSET. Policy 14 of the NPSET directs that regional councils must include objectives, policies and methods to facilitate long term planning for the development, operation and maintenance of electricity transmission infrastructure.
- 9.2. Transpower lodged a confined submission to PC1, noting PC1 did not propose amendment to the RPS to give effect to the NPSET behind the confined forementioned matters. In its submission Transpower noted "For Transpower, the provisions of the RPS need to ensure the National Policy Statement on Electricity Transmission 2008 (NPSET) is given effect too. This may require wider changes than those within scope of PC1."
- 9.3. Transpower's submission on Hearing Stream 6 matters was confined to Policy 24, noting PC1 was notified prior to gazetting of the NPS-IB. The reporting officer has acknowledged the relationship between the NPS-IB and NPSET and NPS-REG and while has not recommended any specific amendments to Policy 24 in relation to the

NPS-IB Clause 1.3 exemption, has noted he would “welcome the views from submitters on a more effective approach to address this national policy gap and timing issue, particularly from Meridian and Transpower who have a strong interest in this matter”.

- 9.4. My evidence therefore responds to the officer recommendation. In my opinion the plan change is required to give effect to the NPS’s as gazetted, and this includes giving effect to the clear directive within clause 1.3 of the NPS-IB. As such I support the inclusion of specific references that the indigenous vegetation provisions that have been inserted to give effect to the NPS-IB, do not apply to electricity transmission activities and assets. In terms of a potential policy gap, the balance of indigenous ecosystems/vegetation/biodiversity objectives and policies within the RPS would continue to apply.

Pauline Mary Whitney

30 January 2024

Appendix A

National Policy Statement on Electricity Transmission 2008

The National Policy Statement on Electricity Transmission 2008

The NPSET directs the management of the electricity transmission network under the RMA.

The NPSET confirms the national significance of the National Grid and establishes a clear national policy direction that recognises the benefits of electricity transmission, the effects of and on the National Grid, and the need to appropriately manage activities and development under and in close proximity to it.

The NPSET is comprised of one objective and 14 policies, all of which address the environmental effects of transmission and the management of adverse effects on the National Grid. There are three broad aspects to the NPSET which must be given effect to in local authority policies and plans, as follows:

- a. **Enabling the National Grid:** Policies and plans must provide for the effective operation, maintenance, upgrading and development of the National Grid. This includes recognising its national benefits.
- b. **Managing the effects of the National Grid:** Policies, plans and decision makers must take in to account the characteristics of the National Grid, its technical and operational constraints, and the route, site and method selection process when considering the adverse effects of new National Grid infrastructure on the environment.
- c. **Managing the effects on the National Grid:** Policies and plans must include provisions to protect the National Grid from other activities. The NPSET requires that district plans include a buffer corridor around National Grid lines within which “sensitive” activities including residential buildings, hospitals and schools should not be given resource consent. Other activities that have the potential to compromise the National Grid or generate reverse sensitivity issues are managed to avoid those outcomes ‘to the extent reasonably possible’.

The sole objective of the NPSET is as follows:

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission

network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- *Managing the adverse environmental effects of the network; and*
- *Managing the adverse effects of other activities on the network.*

This objective recognises that the electricity transmission network itself potentially gives rise to adverse effects, and, conversely, that other activities can potentially adversely affect the network.

The NPSET policies give direction on how to achieve the objective, including recognising and providing for the benefits of electricity transmission and managing the environmental effects of electricity transmission and the adverse effects of other activities on the transmission network. As such, the NPSET policies impose obligations on both decision-makers and Transpower itself.

Policy 1 specifies that decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. Explicit reference is made to the benefits of security of supply, efficient transfer of energy and facilitating the use and development of new electricity generation, including renewable generation, in managing the effects of climate change.

Policies 2 to 9 relate to managing the environmental effects of electricity transmission. In particular, Policy 2 states: *In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.*

As I understand, Transpower is conscious that the anticipated decarbonisation of New Zealand's economy is likely to ultimately require sustained investment in Transpower's assets to connect to and reliably distribute new forms of electricity generation. In my opinion, it is important that, in context of the NPSET, the RPS provides an appropriate enabling framework for the ongoing operation, maintenance, upgrading and, importantly, development of the National Grid. Such a framework is necessary, in my opinion, to give effect to the NPSET.

Policies 10 and 11 of the NPSET set out clear directives concerning management of adverse effects of subdivision, land use and development activities on the transmission network, including informing how adverse effects on the National Grid are to be managed through planning provisions.

Policy 14 is specifically relevant to regional councils and directs that regional councils must include objectives, policies and methods to facilitate long term planning for the development, operation and maintenance of electricity transmission infrastructure.

NATIONAL POLICY STATEMENT

on Electricity Transmission

Issued by notice in the Gazette on 13 March 2008

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Preamble

This national policy statement sets out the objective and policies to enable the management of the effects of the electricity transmission network under the Resource Management Act 1991.

In accordance with section 55(2A)(a) of the Act, and within four years of approval of this national policy statement, local authorities are to notify and process under the First Schedule to the Act a plan change or review to give effect as appropriate to the provisions of this national policy statement.

The efficient transmission of electricity on the national grid plays a vital role in the well-being of New Zealand, its people and the environment. Electricity transmission has special characteristics that create challenges for its management under the Act. These include:

- Transporting electricity efficiently over long distances requires support structures (towers or poles), conductors, wires and cables, and sub-stations and switching stations.
- These facilities can create environmental effects of a local, regional and national scale. Some of these effects can be significant.
- The transmission network is an extensive and linear system which makes it important that there are consistent policy and regulatory approaches by local authorities.
- Technical, operational and security requirements associated with the transmission network can limit the extent to which it is feasible to avoid or mitigate all adverse environmental effects.
- The operation, maintenance and future development of the transmission network can be significantly constrained by the adverse environmental impact of third party activities and development.
- The adverse environmental effects of the transmission network are often local – while the benefits may be in a different locality and/or extend beyond the local to the regional and national – making it important that those exercising powers and functions under the Act balance local, regional and national environmental effects (positive and negative).
- Ongoing investment in the transmission network and significant upgrades are expected to be required to meet the demand for electricity and to meet the Government’s objective for a renewable energy future, therefore strategic planning to provide for transmission infrastructure is required.

The national policy statement is to be applied by decision-makers under the Act. The objective and policies are intended to guide decision-makers in drafting plan rules, in making decisions on the notification of the resource consents and in the determination of resource consent applications, and in considering notices of requirement for designations for transmission activities.

However, the national policy statement is not meant to be a substitute for, or prevail over, the Act’s statutory purpose or the statutory tests already in existence. Further, the national policy statement is subject to Part 2 of the Act.

For decision-makers under the Act, the national policy statement is intended to be a relevant consideration to be weighed along with other considerations in achieving the sustainable management purpose of the Act.

This preamble may assist the interpretation of the national policy statement, where this is needed to resolve uncertainty.

1. Title

This national policy statement is the National Policy Statement on Electricity Transmission 2008.

2. Commencement

This national policy statement comes into force on the 28th day after the date on which it is notified in the *Gazette*.

3. Interpretation

In this national policy statement, unless the context otherwise requires:

Act means the Resource Management Act 1991.

Decision-makers means all persons exercising functions and powers under the Act.

Electricity transmission network, electricity transmission and transmission activities/assets/infrastructure/resources/system all mean part of the national grid of transmission lines and cables (aerial, underground and undersea, including the high-voltage direct current link), stations and sub-stations and other works used to connect grid injection points and grid exit points to convey electricity throughout the North and South Islands of New Zealand.

National environmental standard means a standard prescribed by regulations made under the Act.

National grid means the assets used or owned by Transpower NZ Limited.

Sensitive activities includes schools, residential buildings and hospitals.

4. Matter of national significance

The matter of national significance to which this national policy statement applies is the need to operate, maintain, develop and upgrade the electricity transmission network.

5. Objective

To recognise the national significance of the electricity transmission network by facilitating the operation, maintenance and upgrade of the existing transmission network and the establishment of new transmission resources to meet the needs of present and future generations, while:

- managing the adverse environmental effects of the network; and
- managing the adverse effects of other activities on the network.

6. Recognition of the national benefits of transmission

POLICY 1

In achieving the purpose of the Act, decision-makers must recognise and provide for the national, regional and local benefits of sustainable, secure and efficient electricity transmission. The benefits relevant to any particular project or development of the electricity transmission network may include:

- i) maintained or improved security of supply of electricity; or
- ii) efficient transfer of energy through a reduction of transmission losses; or
- iii) the facilitation of the use and development of new electricity generation, including renewable generation which assists in the management of the effects of climate change; or
- iv) enhanced supply of electricity through the removal of points of congestion.

The above list of benefits is not intended to be exhaustive and a particular policy, plan, project or development may have or recognise other benefits.

7. Managing the environmental effects of transmission

POLICY 2

In achieving the purpose of the Act, decision-makers must recognise and provide for the effective operation, maintenance, upgrading and development of the electricity transmission network.

POLICY 3

When considering measures to avoid, remedy or mitigate adverse environmental effects of transmission activities, decision-makers must consider the constraints imposed on achieving those measures by the technical and operational requirements of the network.

POLICY 4

When considering the environmental effects of new transmission infrastructure or major upgrades of existing transmission infrastructure, decision-makers must have regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, site and method selection.

POLICY 5

When considering the environmental effects of transmission activities associated with transmission assets, decision-makers must enable the reasonable operational, maintenance and minor upgrade requirements of established electricity transmission assets.

POLICY 6

Substantial upgrades of transmission infrastructure should be used as an opportunity to reduce existing adverse effects of transmission including such effects on sensitive activities where appropriate.

POLICY 7

Planning and development of the transmission system should minimise adverse effects on urban amenity and avoid adverse effects on town centres and areas of high recreational value or amenity and existing sensitive activities.

POLICY 8

In rural environments, planning and development of the transmission system should seek to avoid adverse effects on outstanding natural landscapes, areas of high natural character and areas of high recreation value and amenity and existing sensitive activities.

POLICY 9

Provisions dealing with electric and magnetic fields associated with the electricity transmission network must be based on the International Commission on Non-ionising Radiation Protection *Guidelines for limiting exposure to time varying electric magnetic fields (up to 300 GHz)* (Health Physics, 1998, 74(4): 494-522) and recommendations from the World Health Organisation monograph *Environment Health Criteria* (No 238, June 2007) or revisions thereof and any applicable New Zealand standards or national environmental standards.

8. Managing the adverse effects of third parties on the transmission network

POLICY 10

In achieving the purpose of the Act, decision-makers must to the extent reasonably possible manage activities to avoid reverse sensitivity effects on the electricity transmission network and to ensure that operation, maintenance, upgrading, and development of the electricity transmission network is not compromised.

POLICY 11

Local authorities must consult with the operator of the national grid, to identify an appropriate buffer corridor within which it can be expected that sensitive activities will generally not be provided for in plans and/or given resource consent. To assist local authorities to identify these corridors, they may request the operator of the national grid to provide local authorities with its medium to long-term plans for the alteration or upgrading of each affected section of the national grid (so as to facilitate the long-term strategic planning of the grid).

9. Maps

POLICY 12

Territorial authorities must identify the electricity transmission network on their relevant planning maps whether or not the network is designated.

10. Long-term strategic planning for transmission assets

POLICY 13

Decision-makers must recognise that the designation process can facilitate long-term planning for the development, operation and maintenance of electricity transmission infrastructure.

POLICY 14

Regional councils must include objectives, policies and methods to facilitate long-term planning for investment in transmission infrastructure and its integration with land uses.

Explanatory note

This note is not part of the national policy statement but is intended to indicate its general effect

This national policy statement comes into force 28 days after the date of its notification in the *Gazette*. It provides that electricity transmission is a matter of national significance under the Resource Management Act 1991 and prescribes an objective and policies to guide the making of resource management decisions.

The national policy statement requires local authorities to give effect to its provisions in plans made under the Resource Management Act 1991 by initiating a plan change or review within four years of its approval.

Appendix B – Sought amendments to S42A Report recommended provisions

Provisions notified as PC1 are shown as black strikethrough/underline/ ext
Provisions recommended through the Section 42A Report are shown as red strikethrough/underline text
Provisions recommended through this evidence are shown as blue strikethrough/underline text

Indigenous Ecosystems - recommended amendments to proposed provisions

Chapter introduction



An ecosystem may be described as a community of plants, animals and micro-organisms interacting with each other and their surrounding environment.

As well as contributing to the region's natural character and having their own intrinsic values, healthy ecosystems provide us with life's essentials – such as plants and animals for food, fibre for clothing, timber for construction. This is true even in an industrialised age, although the connections are less immediately obvious. Healthy ecosystems supply us with 'services' that support life on this planet – such as:

- Processes to purify air and water
- Decomposition and detoxification of wastes
- Creation and *maintenance* of productive soils
- Reduction of the impact of climate extremes
- Capture of carbon and *maintenance* of a functioning atmosphere

Ecosystems are dynamic (constantly changing) and the many diverse natural processes that drive ecosystems are as important as the biodiversity values within them. In addition, all parts of an ecosystem are interconnected. The species that make up an ecosystem, including humans, cannot exist in isolation from the other species and non-living parts of the ecosystem. The primacy of healthy ecosystems is central to Māori cultural values, whereby harm to mauri directly affects the wellbeing of the people. More specifically, degradation of ecosystems threatens mahinga kai (places where food is gathered) and other natural resources used for customary purposes.

The Wellington region has a distinctive range of ecosystems – such as forests, mountains, wetlands, lakes, rivers and coastal and marine ecosystems. Some ecosystems have retained a high degree of indigenousness dominance – such as the Tararua, Reimutaka and Aorangi ranges, while others are dominated by exotic species – such as pastoral farmlands.

The area of indigenous ecosystems has been in decline since humans first settled in our region. This loss greatly accelerated from the time of European settlement. Around 70 per cent of the indigenous forest and more than 90 per cent of the wetlands that existed in 1840, have been cleared for agriculture and urban development. Most of the remaining forest and

wetlands and dune ecosystems have been degraded or modified in some way. In addition, many of the processes that ensure ecosystems remain healthy and viable into the future have been compromised, including reproduction, recruitment, dispersal and migration.

Human actions that continue to impact on the remaining indigenous ecosystems include:

- Modification and, in some cases, destruction of ecosystems by pest plants and animals, grazing animals and clearance of indigenous vegetation
- Contamination of aquatic ecosystems by sediment, pollutants and nutrients
- Destruction of ecosystems as a result of development
- Modification of natural waterways, such as draining wetlands and channelling, constraining or piping of natural waterways-rivers and streams
- Contamination of coastal ecosystems by stormwater and sewage discharges

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, whānau, hapu, iwi, and community groups 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 native-indigenous birds and invertebrates around the city. However, there is still much work to be done 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. The restoration of indigenous ecosystems on public, whānau, hapū, iwi and private land provides both public and private benefit.

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.

Ecosystem health can be measured in a number of ways, including the composition, richness and indigenous dominance of communities, function of ecosystem processes (e.g., degree to which it is connected or fragmented), or the extent of the ecosystem remaining. ~~loss of individual species, loss of overall diversity of species, loss of an ecosystem's ability to function on an ongoing basis, and loss of complete ecosystems and types of ecosystems.~~ While the dramatic collapse of species or whole ecosystems can capture attention, the gradual erosion of ecosystems' sustainability is also a significant issue.

The regionally significant issues and the issues of significance to the Wellington region's iwi authorities for indigenous ecosystems are:

1. The region's indigenous ecosystems are reduced in extent

The region's indigenous ecosystems have been significantly reduced in extent and are being increasingly fragmented. Loss of area, **ecological integrity** and **ecological connectivity** reduce the **resilience** of ecosystems to respond to ongoing pressures, threatening their persistence and that of the indigenous biodiversity and **mahinga kai** they support. The indigenous ecosystems most reduced in extent are specifically:

- (a) wetlands
- (b) lowland forests
- (c) lowland streams
- (d) coastal duneslands and escarpments
- (e) estuaries
- (f) eastern 'dry land' forests.

2. The region's remaining indigenous ecosystems are under threat.

The region's remaining indigenous ecosystems, and the ecosystem processes that support them, continue to be degraded or lost due to ongoing pressure from invasive species, human use and development, and the effects of climate change.

3. Mana whenua /tangata whenua ~~iwi and landowner~~ values and roles are not adequately recognised and supported.

Mana whenua /tangata whenua values and roles, including kaitiakitanga, are not adequately recognised and supported by the current approach to managing indigenous biodiversity. ~~The conservation efforts of landowners, as stewards of their land, and local communities could be better recognised and supported.~~

4. Landowner values and roles are not adequately recognised and supported.

The conservation efforts of landowners, as stewards of their land, and local communities could be better recognised and supported.

Objective 16

Indigenous ecosystems and habitats with significant ecosystem functions and services and/or indigenous biodiversity values, other significant habitats of indigenous fauna, and the ecosystem functions that support these ecosystems and habitats, are ~~maintained~~ protected, enhanced, and restored to a healthy functioning state.

Objective 16A

The region's indigenous biodiversity is ecosystems are maintained, enhanced, and restored to a healthy functioning state, improving its their resilience to increasing environmental pressures, particularly climate change, and giving effect to the Te Rito o te Harakeke.

Objective 16B

Mana whenua / tangata whenua values relating to indigenous biodiversity, particularly taonga species, and the important relationship between indigenous ecosystem health and well-being, are given effect to in decision-making, and mana whenua / tangata whenua are supported to exercise their kaitiakitanga for indigenous biodiversity.

Objective 16C

Landowner and community values in relation to indigenous biodiversity are recognised and provided for and their roles as stewards are supported.

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,~~

~~D~~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).

(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.

(c) Diversity: the ecosystem or habitat has a natural diversity of ecological units, ecosystems, species and physical features within an area.

(d) Ecological context of an area: the ecosystem or habitat:

- (i) enhances *connectivity* or otherwise *buffers* representative, rare or diverse indigenous ecosystems and habitats; or
- (ii) provides seasonal or core habitat for protected or threatened indigenous species.

(e) Mana whenua / tTangata whenua values: the ecosystem or habitat contains characteristics of special spiritual, historical or cultural significance to mana whenua / tangata whenua, identified in accordance with tikanga Māori.

Explanation

Policy 23 sets out the criteria as guidance that must be met for an considered in identifying indigenous ecosystems and or habitats to be considered to have with significant indigenous biodiversity values. 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.

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 meet ~~fit~~ one or more of the listed criteria in Policy 23(1) or (2). 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. 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. Policy 23 will ensure that significant biodiversity values are identified in district and regional plans in a consistent way.

Indigenous ecosystems and habitats can have additional values of significance to mana whenua / tangata whenua. 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 mana whenua / tangata whenua. Access and use of any identified areas would be subject to landowner agreement. Wellington Regional Council and district and city councils will need to partner ~~engage directly~~ with mana whenua / tangata whenua and work collaboratively with ~~them and other~~ stakeholders, including landowners, to identify areas under this criterion.

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 in the terrestrial environment for all land, except for ~~the coastal marine area, and the beds of lakes and rivers-wetlands~~.

Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values (except for electricity transmission assets and activities) – district and regional plans

As soon as reasonably practicable and by no later than 4 August 2028, except in relation to electricity transmission assets and activities, ~~By 30 June 2025,~~ Ddistrict 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, including by applying:

- (a) 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;
- (b) Policy 11 of the New Zealand Coastal Policy Statement 2010 to manage adverse effects on indigenous biodiversity values in the coastal environment; and
- (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.

~~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:~~

~~(a) not provide for biodiversity offsetting:~~

- ~~(i) where there is no appropriate site, knowledge, proven methods, expertise or mechanism available to design and implement an adequate biodiversity offset; or~~

~~(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;~~

~~(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;~~

~~(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);~~

~~(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.~~

Explanation

Policy 24 applies to provisions in regional and district plans. 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.

~~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).~~

~~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.~~

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).

Policy 47 will need to be considered alongside policy 24 when changing, varying or reviewing a regional or district plan.

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.

[In accordance with Clause 1.3 of the NPS-IB, any provisions to give effect to the NPS-IB within Policy 24 do not apply to electricity transmission assets and activities.](#)

Policy 24A: Principles for biodiversity offsetting and biodiversity compensation (except for electricity transmission assets and activities)

- (a) Where district and regional plans provide for *biodiversity offsetting* or *aquatic offsetting* or *biodiversity compensation* or *aquatic compensation* as part of an effects management hierarchy for indigenous biodiversity and/or for aquatic values and extent, except in relation to electricity transmission assets and activities, they shall include policies and methods to:
- (i) ensure this meets the requirements of the full suite of principles for *biodiversity offsetting* and/or *biodiversity compensation* set out in Appendix 3 and 4 of the National Policy Statement for Indigenous Biodiversity 2023 or for *aquatic offsetting* and/or *aquatic compensation* set out in Appendix 6 and 7 of the National Policy Statement for Freshwater Management 2020;
 - (ii) provide further direction on where *biodiversity offsetting*, *aquatic offsetting*, *biodiversity compensation*, and *aquatic compensation* are not appropriate, in accordance with clauses (3) and (4) below;
 - (iii) provide further direction on required outcomes from *biodiversity offsetting*, *aquatic offsetting*, *biodiversity compensation*, and *aquatic compensation*, in accordance with clauses (5) and (6) below; and
- (b) In evaluating whether *biodiversity offsetting* or *aquatic offsetting* is inappropriate because of irreplaceability or vulnerability of the indigenous biodiversity, extent, or values affected, the feasibility to offset residual adverse effects on any *threatened* or *naturally uncommon ecosystem* or *threatened species* listed in Appendix 1A must be considered as a minimum; and
- (c) 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
- (d) 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

- (e) 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.

Explanation:

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.

In accordance with Clause 1.3 of the NPS-IB, any provisions to give effect to the NPS-IB within Policy 24A do not apply to electricity transmission assets and activities.

Policy 47: Managing effects on indigenous ecosystems and habitats with significant indigenous biodiversity values – consideration

When considering an application for a resource consent, notice of requirement, or a change, variation or review of a district or regional plan, a determination shall be made as to whether an activity may affect indigenous ecosystems and habitats with significant indigenous biodiversity values, and in determining whether the proposed activity is inappropriate particular regard shall be given to:

- (a) maintaining connections within, or corridors between, habitats of indigenous flora and fauna, and/or enhancing the connectivity between fragmented indigenous habitats;
- (b) providing adequate *buffering* around areas of significant indigenous ecosystems and habitats from other land uses;
- (c) managing wetlands for the purpose of aquatic ecosystem health, recognising the wider benefits, such as for indigenous biodiversity, water quality and holding water in the landscape;

- (d) avoiding the cumulative adverse effects of the incremental loss of indigenous ecosystems and habitats;
- (e) providing seasonal or core habitat for indigenous species;
- (f) protecting the life supporting capacity of indigenous ecosystems and habitats;
- (g) ~~remedying or mitigating~~ minimising or remedying adverse effects on the indigenous biodiversity values where avoiding adverse effects is not practicably achievable; ~~and~~
- (h) the need for a precautionary approach to be adopted when assessing and managing the potential for adverse effects on indigenous ecosystems and habitats, where:
 - (i) the effects on indigenous biodiversity are uncertain, unknown, or little understood, except in relation to electricity transmission assets and activities; and
 - (ii) those effects could cause significant or irreversible damage to indigenous biodiversity, except in relation to electricity transmission assets and activities;
- (i) ~~the limits for biodiversity offsetting and biodiversity compensation set out in Appendix 1A-~~ Except in relation to electricity transmission assets and activities, the provisions to protect significant biodiversity values in Policy 24 and the principles for biodiversity offsetting and biodiversity compensation in Policy 24A;
- (j) Except in relation to electricity transmission assets and activities, protecting indigenous biodiversity values of significance to mana whenua/tangata whenua, particularly those associated with a significant site for mana whenua/tangata whenua identified in a regional or district plan;
- (k) Except in relation to electricity transmission assets and activities, enabling established activities affecting significant biodiversity values in the terrestrial environment to continue, provided that the effects of the activities:
 - (i) are no greater in intensity, scale and character; and
 - (ii) do not result in loss of extent, or degradation of ecological integrity, of any significant biodiversity values; and
- (l) ensuring that the adverse effects of plantation forestry activities on significant indigenous biodiversity values in the terrestrial environment are managed in a way that:
 - (i) maintains significant indigenous biodiversity values as far as practicable, while enabling plantation forestry activities to continue; and

- (ii) where significant biodiversity values are within an existing plantation forest, maintains the long-term populations of any *Threatened or At Risk (declining) species* present in the area over the course of consecutive rotations of production.

Explanation

Policy 47 provides an interim assessment framework for councils, resource consent applicants and other interested parties, prior to the identification of ecosystems and habitats with significant indigenous biodiversity values in accordance with ~~Policy~~ Policy 23, and the adoption of plan provisions for protection in accordance with ~~Policy~~ Policy 24. ~~Remediating and mitigating effects can include offsetting, where appropriate.~~ Policy 47 makes it clear that the provisions in Policy 24 and Policy 24A to protect significant indigenous biodiversity values must be considered until those policies are given effect to in regional and district plans. Policy 47 also provides for established activities and plantation forestry activities affecting significant indigenous biodiversity values to continue, provided certain tests are met, consistent with the requirements in the National Policy Statement for Indigenous Biodiversity 2023.

In determining whether an activity may affect significant indigenous biodiversity values, the criteria in ~~Policy~~ Policy 23 should be used.

This policy shall cease to have effect once policies 23 and 24 are ~~in place~~ given effect to in an operative district or regional plan, including all of the matters listed in (a) to (l) above.

In accordance with Clause 1.3 of the NPS-IB, Policy 47 Clause (h)li and (ii), and Clauses (i), (j) and (k) do not apply to electricity transmission assets and activities.

Policy 61: Allocation of responsibilities for land use controls for indigenous biodiversity

Regional and district plans shall recognise and provide for the responsibilities below, when developing objectives, policies and methods, including rules, to *maintain* indigenous biodiversity:

- (a) Wellington Regional Council shall be responsible for developing objectives, policies, and methods in the regional policy statement for the control of the use of land to maintain indigenous ~~biological~~ biodiversity;

- (b) Wellington Regional Council shall be responsible for developing objectives, policies, rules and/or methods in regional plans for the control of the use of land to *maintain* and *enhance* ecosystems in water bodies and coastal water. This includes land within the coastal marine area, wetlands and the beds of lakes and rivers; and
- (c) city and district councils shall be responsible for developing objectives, policies, rules and/or methods in district plans for the control of the use of land for the *maintenance* of indigenous ~~biological~~ biodiversity, including to manage associated adverse effects on indigenous biodiversity in freshwater and coastal water in liaison with the Wellington Regional Council. This excludes controlling the use of land within the *coastal marine area*, ~~and~~ the *beds* of lakes and rivers, and wetlands.

Explanation

In accordance with section 62 of the Resource Management Act 1991, ~~Policy~~ Policy 61 sets out the local authorities in the Wellington region responsible for specifying the objectives, policies and methods for the control of the use of land to maintain indigenous biological diversity.

District and city councils in the Wellington region have primary responsibility for controlling the use of land ~~to maintain indigenous biological diversity~~ (other than within the coastal marine area, ~~and~~ the beds of lakes and rivers, and wetlands) to maintain indigenous biodiversity, including to manage associated adverse effects on indigenous biodiversity in freshwater and coastal water in liaison with the Wellington Regional Council, through the creation of objectives, policies and rules in their district plans.

Wellington Regional Council has the primary responsibility for the control of the use of land to maintain and enhance indigenous ecosystems in water bodies (including wetlands) and coastal water.

Wellington Regional Council and city and district councils shall work together to develop plan provisions and operational arrangements to provide for the coordinated management and control of subdivision, use and development to maintain indigenous biodiversity in receiving water bodies. This includes working collaboratively, such as during structure planning, rezoning, subdivision, and site development, so that the location, layout and design of development is environmentally-responsive.

Policy IE.1: Giving effect to mana whenua roles and values when managing indigenous biodiversity – district and regional plans

District and regional plans shall include objectives, policies, methods and/or rules to partner with mana whenua/tangata whenua when managing indigenous biodiversity, including to:

- (a) apply mātauranga Māori frameworks, and support mana whenua/tangata whenua to exercise their kaitiakitanga, in managing and monitoring indigenous biodiversity;
- (b) identify and protect **acknowledged and identified** taonga species, **populations, and ecosystems**;
- (c) 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;
- (d) **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.**

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.

Policy IE.2: Giving effect to mana whenua/tangata whenua roles and values when managing indigenous biodiversity – consideration

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 whenua/tangata whenua to exercise their roles as kaitiaki, including, but not restricted to:

- (a) providing for mana whenua/tangata whenua values associated with indigenous biodiversity, including giving local effect to ~~Te Rito o te Harakeke~~ **the decision-making principles for indigenous biodiversity**,
- (b) incorporating the use of mātauranga Māori in the management and monitoring of indigenous biodiversity; and
- (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.

Explanation

Policy IE.2 requires consideration of enabling mana whenua / tangata whenua to exercise their kaitiakitanga in the region.

Policy IE.2A: Maintaining indigenous biodiversity (except for electricity transmission assets and activities) – consideration

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 (except in relation to electricity transmission assets and activities), indigenous biodiversity in the terrestrial environment that does not have significant indigenous biodiversity values and is not on Māori land, shall be maintained by:

- (a) recognising and providing for the importance of maintaining indigenous biodiversity that does not have significant biodiversity values under Policy 23;
- (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
- (c) 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.

Explanation

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 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.

In accordance with Clause 1.3 of the NPS-IB, Policy IE.2A does not apply to electricity transmission assets and activities.

Policy IE.3: Maintaining, enhancing, and restoring indigenous ecosystem health – non-regulatory

To maintain, enhance and restore the ecosystem health, ecological integrity and ecological connectivity of the region's indigenous ecosystems, and the ecological processes that support them, giving effect to the *decision-making principles for indigenous biodiversity Te Rito o te Harakeke*, the Regional Policy Statement shall, as soon as practicable:

- (a) identify the characteristics required for the region's indigenous ecosystems to be in a healthy functioning state, including the processes that enable them to persist over the long-term; and
- (b) identify strategic targets and priorities to ensure that management and restoration of indigenous ecosystems and habitats (including pest management) are directed at areas where the greatest gains can be made for indigenous biodiversity. Where possible,

priorities should also deliver benefits for *climate change mitigation* and/or *adaptation*, and freshwater; ~~and~~

(ba) in relation to the terrestrial environment, and other environments as appropriate, the priorities identified in clause (b) above must include:

- (i) areas with significant indigenous biodiversity values with degraded ecological integrity;
 - (ii) *threatened* and rare ecosystems representative of naturally occurring and formerly present ecosystems;
 - (iii) areas that provide important connectivity or buffering functions;
 - (iv) natural inland wetlands whose ecological integrity is degraded or that no longer retain their indigenous vegetation or habitat for indigenous fauna;
 - (v) areas of indigenous biodiversity on specified Māori land where restoration is advanced by the Māori landowners; and
 - (vi) any other priorities specified in regional biodiversity strategies or any national priorities for indigenous biodiversity restoration;
- (c) focus *restoration* efforts on achieving the strategic targets and priorities identified in (b)-; and
- (d) identify opportunities to promote the resilience of indigenous biodiversity to climate change, including by:
- (i) allowing and supporting natural adjustments of habitats and ecosystems to climate change;
 - (ii) maintaining and promoting the enhancement of the connectivity between ecosystems, and between existing and potential habitats, to enable migrations so that species can continue to find viable niches in response to climate change.

Explanation

Policy IE.3 will be implemented by the Wellington Regional Council in partnership with *mana whenua/tangata whenua* and in collaboration with landowners, territorial authorities, communities, and other stakeholders as appropriate.

Policy IE.3 gives effect to Objective 16A, identifying the characteristics required for the region's indigenous ecosystems to be in a healthy functioning state, providing *resilience* to the impacts of increasing environmental pressures, and identifying strategic priorities and targets for *restoration* to ensure that regional conservation actions are applied efficiently, prioritising protection of the ecosystems and habitats of most pressing concern. **Policy IE.3** also identifies national priorities for restoration consistent with those identified in the National Policy Statement for Indigenous Biodiversity 2023 and provides direction on how to promote the resilience of indigenous biodiversity to climate change.

Policy IE.4: Recognising the roles and values of landowners and communities in the management of indigenous biodiversity – non-regulatory

Recognise and provide for the values of landowners and communities as stewards of the indigenous biodiversity of the Wellington Region, by:

- (a) involving communities in the identification of targets and priorities for *protecting, enhancing and restoring* indigenous biodiversity; and
- (b) supporting landowner and community *restoration* of indigenous ecosystems.

Explanation

Policy IE.4 recognises and provides for the important role that landowners and the community have as environmental stewards.

Method IE.1: Partnering with mana whenua/tangata whenua to give local effect to ~~the decision-making principles for indigenous biodiversity Te Rito o te Harakeke~~

Partner with mana whenua/tangata whenua to identify the local approach to give effect to ~~the decision-making principles for indigenous biodiversity Te Rito o te Harakeke~~ and develop guidance on how to implement this.

Implementation: Wellington Regional Council

Method IE.2: Inventory of biodiversity offsetting and biodiversity compensation opportunities - Non-regulatory

Partner with mana whenua/tangata whenua, and interested parties to develop a regional inventory of opportunities for offsetting or compensating for any residual adverse effects on ecosystems and habitats with significant indigenous biodiversity values.

Implementation: Wellington Regional Council*, ~~city and district councils~~, and iwi authorities

Method IE.3: Regional biodiversity strategy

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.

Implementation: Wellington Regional Council

Method IE.4: Kaitiaki indigenous biodiversity monitoring programme

Work in partnership with mana whenua/tangata whenua to establish and resource kaitiaki programmes to:

- (a) monitor and evaluate the ecosystem health and trends of the region's indigenous biodiversity and the extent to which ~~the decision-making principles for indigenous biodiversity are Te Rito o te Harakeke is~~ being given effect to, and
- (b) develop action plans to respond to the monitoring results, including informing the identification of targets and priorities through Method IE.3.

Implementation: Wellington Regional Council

Method 21: ~~Information to assist with the identification~~ Identification and protection of indigenous ecosystems and habitats with significant indigenous biodiversity values

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.

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:

- (a) the territorial authority shall continue to have sole responsibility; or
- ~~(b) the regional council shall take full responsibility; or~~
- (be) the territorial authority and the regional council shall share responsibilities.

~~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.~~

Implementation: Wellington Regional Council* and city and district councils

Method 32: ~~Partnering Engagement~~ Partnering Engagement with mana whenua/tangata whenua, and partnering where appropriate and engaging with stakeholders, landowners and the community in the identification and protection of significant values

1. Partner with iwi, hapū, marae and/or whānau to identify and protect areas and sites of significance to mana whenua/tangata whenua; and
2. ~~Involve~~ Partner with iwi, hapū, marae and/or whānau, and partner where appropriate and engage with stakeholders, landowners, and the community ~~in the~~ to:
 - (a) ~~identification and protection of~~ significant places, sites and areas with significant cultural heritage values and significant historic heritage values;
 - (b) ~~identification and protection of~~ outstanding natural features and landscapes, and identify and manage the values of special amenity landscapes, including those with significant cultural values;
 - (c) ~~identification and protection of~~ indigenous ecosystems and habitats with significant biodiversity values, including those of significance to mana whenua/tangata whenua;
 - (ca) develop and implement a regional biodiversity strategy described in Method IE.3; and
 - (d) ~~protection of~~ the values, including mana whenua/tangata whenua values, associated with the rivers and lakes identified in Appendix 1-; and
 - (e) identify nature-based solutions to climate change as described in Method CC.6-; and
 - (f) identify and protect highly productive land.

Implementation: Wellington Regional Council (all clauses) and city and district councils (clauses 2(a), (b),(c) and (f))

Method 53: Support mana whenua and community restoration initiatives for the coastal environment, rivers, lakes and wetlands indigenous ecosystems

Provide practical support for mana whenua and community restoration initiatives for ~~the coastal environment, rivers, lakes and wetlands~~ indigenous ecosystems, with a focus on achieving the targets and priorities identified by Methods IE.~~23~~, CC.4 and CC.~~76~~.

Implementation: Wellington Regional Council and city and district councils

Method 54: Assist landowners to maintain, enhance and restore indigenous ecosystems




Assist landowners to maintain, enhance and/or restore indigenous ecosystems, with a focus on achieving the targets and priorities identified by Methods IE.~~23~~, CC.4 and CC.~~76~~, including by, but not limited to:


- (a) assisting with the costs of legally protecting indigenous ecosystems by way of open space covenants with Queen Elizabeth the Second National Trust (QEII);

- (b) considering opportunities for partnerships (e.g., through Ngā Whenua Rāhui), advice, education, support and incentives, such as rates rebates;
- (c) assisting with the costs of controlling pest plants and animals; and
- (d) supporting landowners to *restore* significant indigenous ecosystems by fencing and planting.

Implementation: Wellington Regional Council and city and district councils

Anticipated Environmental Results (AER)

Indigenous ecosystems	<p>Objective 16</p> <p>Indigenous ecosystems and habitats with significant <u>ecosystem functions and services and/or indigenous biodiversity values, other significant habitats of indigenous fauna, and the ecosystem functions of these ecosystems and habitats, are maintained protected, enhanced, and restored</u> to a healthy functioning state.</p>	<p></p> <p>1. District and regional plans have identified indigenous ecosystems and habitats with significant <u>indigenous biodiversity values and other significant habitats of indigenous fauna.</u></p>
	<p>Objective 16A</p> <p>The region's indigenous <u>biodiversity is ecosystems are maintained, enhanced, and restored</u> to a healthy functioning state, <u>improving its their resilience to increasing environmental pressures, particularly climate change, and giving effect</u></p>	<p></p> <p>2. District and regional plans contain policies, rules and/or methods to protect <u>indigenous biodiversity values</u> from inappropriate subdivision, use and development.</p>
	<p>Objective 16A</p> <p>The region's indigenous <u>biodiversity is ecosystems are maintained, enhanced, and restored</u> to a healthy functioning state, <u>improving its their resilience to increasing environmental pressures, particularly climate change, and giving effect</u></p>	<p></p> <p>3. There is no loss of <u>extent or condition of indigenous ecosystems and habitats with significant indigenous biodiversity values and other significant habitats of indigenous fauna, and their ecosystem functions.</u></p>
	<p>Objective 16A</p> <p>The region's indigenous <u>biodiversity is ecosystems are maintained, enhanced, and restored</u> to a healthy functioning state, <u>improving its their resilience to increasing environmental pressures, particularly climate change, and giving effect</u></p>	<p>4. <u>Indigenous biodiversity across the Wellington Region is maintained and biodiversity indicators are improving across the region. identified in a district or regional plan.</u></p>

<p>to the <u>Te Rito o te Harakeke</u>.</p> <p>Objective 16B <u>Mana whenua / tangata whenua values relating to indigenous biodiversity, particularly taonga species, and the important relationship between indigenous ecosystem health and well-being, are given effect to in decision-making, and mana whenua / tangata whenua are supported to exercise their kaitiakitanga for indigenous biodiversity.</u></p> <p>Objective 16C <u>Landowner and community values in relation to indigenous biodiversity are recognised and provided for and their roles as stewards are supported.</u></p>	 <p>4.5. There is at least a 20 percent increase in the area of indigenous ecosystems and habitats that are legally protected.</p> <p><u>5. A regional biodiversity strategy has been prepared, and progress to meet defined 10-year targets is demonstrated</u></p> <p><u>6. Mana whenua/tangata whenua are satisfied that their values associated with indigenous biodiversity, particular taonga species, are appropriately provided for in resource management decision-making, including through the application of Mātauranga Māori.</u></p> <p><u>7. Mana whenua/tangata whenua are satisfied with the level of support to exercise their kaitiakitanga for indigenous biodiversity.</u></p> <p><u>8. Landowners and communities are satisfied with the level of support provided to enable their roles as stewards of indigenous biodiversity.</u></p>
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Definitions (**terms as defined in the NPS-IB*)

<u>Defined term</u>	<u>RPS Definition</u>
<u>Biodiversity compensation</u>	A measurable positive <u>environmental conservation</u> outcome resulting from actions that are designed to compensate for residual adverse <u>biodiversity effects on indigenous biodiversity that cannot be otherwise managed after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.</u> This includes biodiversity compensation in the terrestrial environment and aquatic compensation for the extent and values of rivers and natural inland wetlands.
<u>Biodiversity offsetting</u>	A measurable positive <u>environmental conservation</u> outcome resulting from actions designed to redress for the residual adverse effects on <u>indigenous biodiversity arising from activities after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied.</u> The goal of biodiversity offsetting is to achieve <u>no net loss, and preferably a net gain, of in type, amount, and condition of indigenous biodiversity values compared to that lost.</u> This includes biodiversity offsetting in the terrestrial environment and aquatic offsetting for the extent and values of rivers and natural inland wetlands.
<u>Buffer/buffering*</u>	<u>A defined space between core areas of ecological value and the wider landscape that helps to reduce external pressures.</u>
<u>Decision-making principles for indigenous biodiversity*</u>	<p><u>The following decision-making principles must inform the management of indigenous biodiversity:</u></p> <ul style="list-style-type: none"> (a) <u>prioritise the mauri, intrinsic value and well-being of indigenous biodiversity,</u> (b) <u>take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi),</u> (c) <u>recognise the bond between mana whenua/tangata whenua and indigenous biodiversity based on whakapapa relationships,</u>

	<p>(d) <u>recognise the obligation and responsibility of care that mana whenua/tangata whenua have as kaitiaki of indigenous biodiversity,</u></p> <p>(e) <u>recognise the role of people and communities (including landowners) as stewards of indigenous biodiversity,</u></p> <p>(f) <u>enable the application of te ao Māori and mātauranga Māori, and</u></p> <p>(g) <u>form strong and effective partnerships with mana whenua /tangata whenua.</u></p>
<u>Ecological Connectivity*</u>	<p>Refers to the degree of connection that provides for the movement of genetic alleles and species and the maintenance of ecosystem processes within and between populations and ecosystems</p> <p><u>The structural or functional links or connections between habitats and ecosystems that provide for the movement of species and processes among and between the habitats or ecosystems.</u></p>
<u>Ecosystem function*</u>	<u>The abiotic (physical) and biotic (ecological and biological) flows that are properties of an ecosystem.</u>
<u>Ecosystem health</u>	<u>The degree to which an ecosystem is able to sustain its ecological structure, processes, functions, and resilience within its range of natural variability.</u>
<u>Ecological integrity*</u>	<p>The full potential of indigenous biotic and abiotic features and natural processes, functioning in sustainable communities, habitats, and landscapes:</p> <p><u>The extent to which an ecosystem is able to support and maintain its:</u></p> <p><u>(a) composition (being its natural diversity of indigenous species, habitats, and communities); and</u></p> <p><u>(b) structure (being its biotic and abiotic physical features); and</u></p> <p><u>(c) functions (being its ecological and physical processes).</u></p>
<u>Enhancement (in relation to</u>	<u>The active intervention and management of modified or degraded habitats, ecosystems, landforms and landscapes in order to reinstate</u>

<u>indigenous biodiversity)</u>	<u>indigenous natural character, ecological and physical processes, and cultural and visual qualities. The aim of enhancement actions is to improve the condition of the environment, but not to return it to a former state.</u>
<u>Indigenous biodiversity</u>	<u>The living organisms that occur naturally in New Zealand, and the ecological complexes of which they are part, including all forms of indigenous flora, fauna, and fungi, and their habitats.</u>
<u>Indigenous ecosystem</u>	<u>An ecosystem with a dominant or significant indigenous natural character.</u>
<u>Maintain/maintained/ maintenance (in relation to indigenous biodiversity)*</u>	<p><u>At least no reduction in the following:</u></p> <ul style="list-style-type: none"> <u>(a) — the size of populations of indigenous species</u> <u>(b) — indigenous species occupancy across their natural range</u> <u>(c) — the properties and function of ecosystems and habitats</u> <u>(d) — the full range and extent of ecosystems and habitats</u> <u>(e) — connectivity between and buffering around, ecosystems</u> <u>(f) — the resilience and adaptability of ecosystems.</u> <p><u>The maintenance of indigenous biodiversity may also require the restoration or enhancement of ecosystems and habitats.</u></p> <p><u>Maintaining indigenous biodiversity requires:</u></p> <p><u>(a) the maintenance and at least no overall reduction of all the following:</u></p> <ul style="list-style-type: none"> <u>(i) the size of populations of indigenous species:</u> <u>(ii) indigenous species occupancy across their natural range:</u> <u>(iii) the properties and function of ecosystems and habitats used or occupied by indigenous biodiversity:</u> <u>(iv) the full range and extent of ecosystems and habitats used or occupied by indigenous biodiversity:</u> <u>(v) connectivity between, and buffering around, ecosystems used or occupied by indigenous biodiversity:</u> <u>(vi) the resilience and adaptability of ecosystems; and</u> <p><u>(b) where necessary, the restoration and enhancement of ecosystems and habitats.</u></p>

<p><u>Naturally uncommon ecosystems</u></p>	<p>Ecosystems with an estimated maximum total area of <0.5% (i.e., <134,000ha) of New Zealand’s land area (268,680 km²) before human colonization.</p> <p>The 72 naturally uncommon ecosystems in New Zealand are described in Wisser, Susan K et al “New Zealand's Naturally Uncommon Ecosystems” 2013 available at https://www.landcareresearch.co.nz/uploads/public/researchpubs/uncommon-ecosystems-book-section.pdf</p>
<p>Protect (in relation to indigenous biodiversity):</p>	<p>Looking after biodiversity and the ecosystem processes that create and maintain it in the long term. This involves managing all threats to secure species from extinction and ensuring that their populations are buffered from the impacts of the loss of genetic diversity and longer term environmental events such as climate change. This includes, but is not restricted to, legal protection.</p>
<p><u>Resilience (in relation to an ecosystem)*</u></p>	<p><u>The ability of an ecosystem to absorb and recover from disturbances and its capacity to reorganise into similar ecosystems.</u></p>
<p><u>Restoration (in relation to indigenous biodiversity)*</u></p>	<p><u>In relation to indigenous biodiversity, means the active intervention and management of modified or degraded habitats, ecosystems, landforms and landscapes in order to maintain or reinstate indigenous natural character, ecological and physical processes, and cultural and visual qualities, and may include enhancement activities.</u></p>
<p><u>Restoration (in relation to a natural inland wetland)**</u></p>	<p><u>Active intervention and management, appropriate to the type and location of the wetland, aimed at restoring its ecosystem health, indigenous biodiversity, or hydrological functioning.</u></p>
<p><u>Systematic Conservation Planning</u></p>	<p><u>A spatially explicit, objective-based and quantitative approach for identifying priority areas for biodiversity conservation.</u></p>
<p>Te Rito o te Harakeke</p>	<p>Te Rito o te Harakeke is a concept that refers to the need to maintain the integrity of indigenous biodiversity. It recognises the intrinsic value and mauri of indigenous biodiversity as well as people’s connections and relationships with it.</p>

	<p><u>It recognises that our health and wellbeing are dependent on the health and wellbeing of indigenous biodiversity and that in return we have a responsibility to care for it. It acknowledges the web of interconnectedness between indigenous species, ecosystems, the wider environment, and the community.</u></p> <p><u>Te Rito o te Harakeke comprises six essential elements to guide tangata whenua and local authorities in managing indigenous biodiversity and developing objectives, policies, and methods for giving effect to Te Rito o te Harakeke:</u></p> <p><u>(a) the intrinsic value and mauri of indigenous biodiversity;</u></p> <p><u>(b) the bond between people and indigenous biodiversity through whakapapa (familial) relationships and mutual interdependence;</u></p> <p><u>(c) the responsibility of care that tangata whenua have as kaitiaki, and that other New Zealanders have as stewards, of indigenous biodiversity;</u></p> <p><u>(d) the connectivity between indigenous biodiversity and the wider environment;</u></p> <p><u>(e) the incorporation of te ao Māori and mātauranga Māori;</u></p> <p><u>(f) the requirement to partner with tangata whenua.</u></p>
<p><u>Threatened ecosystems or Threatened or At Risk species</u></p>	<p><u>These Threatened ecosystems are described by the IUCN Red List categories, Critically Endangered, Endangered and Vulnerable.</u></p>
<p><u>Threatened or At Risk species*</u></p>	<p><u>Threatened or At Risk and Threatened or At Risk (declining) species have, at any time, the meanings given in the New Zealand Threat Classification System Manual (Andrew J Townsend, Peter J de Lange, Clinton A J Duffy, Colin Miskelly, Janice Molloy and David A Norton, 2008. Science & Technical Publishing, Department of Conservation, Wellington), available at: https://www.doc.govt.nz/globalassets/documents/science-andtechnical/sap244.pdf, or its current successor publication</u></p>

	<p><u>It recognises that our health and wellbeing are dependent on the health and wellbeing of indigenous biodiversity and that in return we have a responsibility to care for it. It acknowledges the web of interconnectedness between indigenous species, ecosystems, the wider environment, and the community.</u></p> <p><u>Te Rito o te Harakeke comprises six essential elements to guide tangata whenua and local authorities in managing indigenous biodiversity and developing objectives, policies, and methods for giving effect to Te Rito o te Harakeke:</u></p> <p><u>(a) the intrinsic value and mauri of indigenous biodiversity;</u></p> <p><u>(b) the bond between people and indigenous biodiversity through whakapapa (familial) relationships and mutual interdependence;</u></p> <p><u>(c) the responsibility of care that tangata whenua have as kaitiaki, and that other New Zealanders have as stewards, of indigenous biodiversity;</u></p> <p><u>(d) the connectivity between indigenous biodiversity and the wider environment;</u></p> <p><u>(e) the incorporation of te ao Māori and mātauranga Māori;</u></p> <p><u>(f) the requirement to partner with tangata whenua.</u></p>
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Appendix C – Wellington Regional and District Plan National Grid specific policies

Plan and Status	Provision
<p>Operative Natural Resources Plan (not amended by PC1)</p>	<p>Policy P14: The National Grid</p> <p>(a) Recognise and provide for the benefits of the National Grid.</p> <p>(b) Enable the operation, maintenance or upgrade of existing National Grid assets.</p> <p>(c) Where the National Grid has a functional need or operational requirement to locate in the coastal environment, lakes, rivers or wetlands, manage the adverse effects of its activities on natural character, natural features and natural landscapes, and indigenous biodiversity by:</p> <p>(i) Seeking to avoid adverse effects of new development or major upgrades on values of:</p> <ol style="list-style-type: none"> 1. outstanding natural character, 2. natural attributes and characteristics of outstanding natural features and landscapes, 3. indigenous biodiversity values of the aquatic ecosystems, habitats, species and areas listed in Policy P38(a). <p>(ii) Seeking to avoid significant adverse effects of new development or major upgrades on:</p> <ol style="list-style-type: none"> 1. other areas of natural character in the coastal environment, 2. natural attributes and characteristics of other natural features and landscapes in the coastal environment, 3. indigenous biodiversity values that meet the criteria in Policy P11(b) of the NZCPS. <p>(iii) Having regard to the extent to which adverse effects have been avoided, remedied or mitigated:</p> <ol style="list-style-type: none"> 1. through the route, site and method selection process, and 2. given the constraints imposed by the activity's operational requirements. <p>(iv) Recognising there may be some areas in the coastal environment where:</p> <ol style="list-style-type: none"> 1. avoidance of adverse effects is required to protect the values, natural attributes and characteristics identified within (c)(i) 1, 2, and 3 above. 2. avoidance of significant adverse effects is required to protect the values, natural attributes and characteristics identified within (c)(ii) 1, 2, and 3 above. <p>(d) Remedy or mitigate any adverse effects from the operation, maintenance, upgrade, major upgrade or development of the National Grid which cannot be avoided.</p> <p>In the event of any conflict with any other objectives and policies in the Plan relating to indigenous biodiversity within Policy P38, natural character, and natural features and natural landscapes, Policy P14 takes precedence.</p>
<p>Proposed Porirua District Plan (as amended by decisions Dec 2023, but within appeal period)</p>	<p>INF-P9 Development of the National Grid</p> <p>Provide for the development of the National Grid, while:</p> <ol style="list-style-type: none"> 1. In urban areas, minimising adverse effects on urban amenity and avoiding adverse effects on the Metropolitan Centre Zone, areas of high recreational or amenity value, and existing sensitive activities;

	<ol style="list-style-type: none"> 2. Seeking to avoid the adverse effects of the National Grid within areas identified in SCHED9 - Outstanding Natural Features and Landscapes outside of the Coastal Environment, SCHED10 - Special Amenity Landscapes, SCHED11 - Coastal High Natural Character Areas, and areas of high recreational or amenity value; 3. Allowing development to proceed where the National Grid has a functional or operational need to locate within the Coastal Environment and <ol style="list-style-type: none"> a. It is not practicable to avoid adverse effects within areas identified in SCHED9 - Outstanding Natural Features and Landscapes in the Coastal Environment, SCHED10 - Special Amenity Landscapes, SCHED11- Coastal High Natural Character Areas, provided satisfactory measures are taken to remedy or mitigate the residual adverse effects; and b. Seeking to avoid significant adverse effects on other areas of natural character, natural attributes and character of other natural features and landscapes, and indigenous biodiversity values that meet the criteria in Policy 11(b) of the NZCPS 2010, and avoiding, remedying or mitigating other adverse effects to the extent practicable; 4. Applying the mitigation hierarchy in ECO-P2 and assessing the matters in ECO-P4, ECO-P11 and ECO-P12 when considering the effects of the National Grid in an area identified in SCHED7 - Significant Natural Areas; and 5. When considering the adverse effects in respect of 1-4 above; <ol style="list-style-type: none"> a. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and b. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.
<p>Operative Kapiti District Plan 2018</p>	<p>INF-GEN-P10 Proximity to Planning Features - the National Grid</p> <p>New national grid infrastructure:</p> <ol style="list-style-type: none"> 1. should seek to avoid adverse effects on outstanding natural features and landscapes and areas of outstanding or high natural character, while: <ol style="list-style-type: none"> a. considering the constraints imposed on achieving measures to manage environmental effects of national grid infrastructure by the technical, locational and operational requirements of the network; and b. having regard to the extent to which any adverse effects have been avoided, remedied or mitigated by the route, subject site and method selection. 2. will be managed to avoid inappropriate new development in the following areas as identified on District Plan maps: <ol style="list-style-type: none"> a. well defined fault avoidance area; b. well defined extension fault avoidance area; and c. river corridor, stream corridor and overflow path. 3. shall avoid, remedy or mitigate adverse effects on the following features and areas identified on District Plan maps: <ol style="list-style-type: none"> a. Natural Open Space Zone; b. special amenity landscapes; c. ecological sites; d. geological features; and e. historic heritage features.
<p>Proposed Wellington City District Plan 2022</p>	<p>INF-ECO-P37 New development of National Grid within significant natural areas</p>

	<p>Give priority to avoiding adverse effects of the National Grid on significant natural areas by applying the effects management hierarchy in ECO-P2 when located within significant natural areas, by:</p> <ol style="list-style-type: none"> 1. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated by the route, site and method selection and techniques and measures proposed; and 2. Considering the constraints arising from the operational needs and functional needs of the National Grid, when considering measures to avoid, remedy or mitigate any adverse effects.
<p>Draft Hutt City Plan 2023</p>	<p>INF-P11 Upgrading and developing the National Grid</p> <p>Provide for the upgrade and development of the National Grid, while:</p> <ol style="list-style-type: none"> 1. Having regard to the extent to which adverse effects have been avoided, remedied or mitigated; 2. Minimising adverse effects on urban amenity in urban areas; 3. Avoiding adverse effects on the City Centre Zone, Open Space and Recreation Zones and existing sensitive activities; 4. Seeking to avoid adverse effects on areas identified in SCHEDX - Outstanding Natural Features and Landscapes, SCHEDX - Coastal High Natural Character Areas, SCHEDX - Significant Natural Areas, SCHEDX - Special Amenity Landscapes and Open Space and Recreation Zones; and 5. Considering opportunities to reduce existing adverse effects of the National Grid as part of any substantial upgrade.
<p>Operative Upper Hutt City Plan 2004</p> <p>Note: The plan contains no specific National Grid policies relating to the development of the National Grid</p>	<p>NU-P9</p> <p>Ensure that network utilities are designed, developed, constructed, located, upgraded, operated and maintained to avoid, remedy or mitigate any actual or potential adverse effects on the environment.</p> <p><i>There are a range of different network utilities with different potential adverse effects on the environment. For instance, above ground network utilities can have adverse effects including visual, noise, traffic, odour and amenity, depending on their size, location, frequency and their scale in comparison with the character of a particular environment. A different activity status applies to some network utilities in the Southern Hills Overlay Area, Open Space, General Residential Zone and High Density Residential Zone to reflect that these zones have special environments that are more vulnerable to adverse effects and associated loss of amenity.</i></p> <p>ECO-P1</p> <p>To protect and enhance significant natural areas of indigenous vegetation and fauna habitats from the adverse effects of activities that would reduce indigenous biological diversity and/or the life supporting capacity of ecosystems.</p> <p><i>The protection of areas of significant indigenous vegetation and fauna habitats is identified as a matter of national importance under the Act. Council remains committed to the preservation and enhancement of significant indigenous vegetation and fauna habitats to reduce species loss and modification to these important ecological areas.</i></p>