

**BEFORE THE INDEPENDENT HEARINGS PANELS APPOINTED TO HEAR AND MAKE  
RECOMMENDATIONS ON SUBMISSIONS AND FURTHER SUBMISSIONS ON PROPOSED CHANGE 1  
TO THE REGIONAL POLICY STATEMENT FOR THE WELLINGTON REGION**

**UNDER** Schedule 1 of the Resource Management  
Act 1991 (the Act)

**IN THE MATTER OF** Hearing Submissions and Further  
Submissions on Proposed Change 1 to the  
Regional Policy Statement for the  
Wellington Region

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**REPORTING OFFICERS RIGHT OF REPLY**  
**PAM GUEST & JEROME WYETH**  
**ON BEHALF OF WELLINGTON REGIONAL COUNCIL**  
**HEARING STREAM 6 – INDIGENOUS ECOSYSTEMS:**  
**30 May 2024**

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## **INTRODUCTION**

1 This report has been jointly authored by Ms Pam Guest and Mr Jerome Wyeth. The primary responder to each question and issue is identified through the initials PG or JW.

### ***Pam Guest***

2 My full name is Pamela Anne Guest. I am a Senior Policy Advisor for Greater Wellington Regional Council (the Council). I am a co-author of the section 42A report for Hearing Stream 6: Indigenous Ecosystems (the section 42A report) and attended the hearings for this topic on 20-22 February 2024.

3 My qualifications and experience are set out at paragraphs 18-20 in the section 42A report Indigenous Ecosystems, dated 11 December 2023. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

### ***Jerome Wyeth***

4 My name is Jerome Geoffrey Wyeth, and I am employed by SLR Consulting, a planning and environmental consultancy. I am a co-author of the section 42A report for Hearing Stream 6: Indigenous Ecosystems (the section 42A report) and attended the hearings for this topic on 20-22 February 2024.

5 My qualifications and experience are set out at paragraphs 25-28 in the section 42A report Indigenous Ecosystems, dated 11 December 2023. I repeat the confirmation given in that report that I have read and agree to comply with the Code of Conduct for Expert Witnesses.

## **SCOPE OF REPLY**

6 This Right of Reply follows Hearing Stream 6 (HS6), held from Tuesday 20 February 2024 to Thursday 22 February 2023.

7 On 6 March 2024, the Hearing Panels (the Panels) issued Minute 22 which provides direction for reply evidence and expert causing for HS6 aimed at resolving areas of disagreement to assist the Panels in their deliberations. This caucusing took place on 6 May 2024 and a Joint Witness Statement of Planning Experts: Indigenous Ecosystems Topic (JWS) was published on 9 May 2024.

- 8 This Right of Reply includes:
- responses to questions set out by the Panels in Minute 22,
  - responses to questions of Officers from the Panels that were not answered during the hearing,
  - responses to matters raised by submitters during the hearing, and
  - a summary of the outcomes reached at caucusing set out in the JWS where relevant to the particular question or issue.
- 9 Where we recommend further amendments to the provisions in this topic, these are shown in green underlined and ~~marked-up~~ text. Amendments recommended through the section 42A report are shown in red underlined ~~marked-out~~ and further recommended amendments in the HS6: Indigenous Ecosystems rebuttal evidence of Ms Guest and Mr Wyeth are shown in blue underlined ~~marked-out~~. We have also provided our updated recommendations to the provisions in Appendix 1 of this evidence.

## RESPONSES TO QUESTIONS FROM MINUTE 22

### *NPS-IB Objective*

- a. **Various submitters have requested greater reflection of clause 2.1(1)(b)(iv) of the NPS-IB in the HS6 provision suite. We appreciate the chapters of the RPS need to be read together but could you please give some more consideration to this issue and whether the HS6 provisions are appropriately balanced. (JW)**
- 10 Clause 2.1(1)(b)(iv) of the NPS-IB is the last part of the NPS-IB objective. It states “*while providing for the social, economic, and cultural wellbeing of people and communities now and in the future*”. In responding to this question, there are three key considerations in my opinion:
- i. The different parts of the NPS-IB objective.
  - ii. How NPS-IB provisions have been designed to give effect to the NPS-IB objective as a whole, including through recognising and providing for activities that contribute to New Zealand’s social, economic, and cultural well-being.
  - iii. The need to read the relevant RPS chapters together as noted above.

- 11 In relation to the first point, I note that the NPS-IB objective has two subclauses that need to be read together. Clause (a) sets out the overarching objective *“to maintain indigenous biodiversity across Aotearoa New Zealand so that there is at least no overall loss in indigenous biodiversity after the commencement date”*. Clause (b) then sets out this objective is to be achieved through four subclauses, the last of which relates to the social, economic and cultural well-being of people and communities. In my view, giving effect to the NPS-IB objective through Change 1 does not require a specific objective addressing each clause, but rather requires consideration of how maintenance of indigenous biodiversity can be achieved in a way that also recognises tangata whenua as kaitiaki (clause (b)(i)), recognises people and communities (including landowners) as stewards (clause (b)(ii)), protects and restores indigenous biodiversity when necessary to achieve overall maintenance (clause (b)(iii)), all the while providing for social, economic and cultural well-being (clause (b)(iv)).
- 12 In terms of the second point above, the NPS-IB provisions have been carefully designed to help achieve the overall objective of maintaining indigenous biodiversity while providing for the social, economic, and cultural well-being of people and communities. This is achieved through the provisions which recognise and provide for activities that contribute to New Zealand’s social, economic, and cultural well-being. This includes, for example, the provisions for “specified infrastructure” in Clause 3.11, the bespoke provisions for plantation forestry in Clause 3.14, the direction to enable established activities to continue in Clause 3.15, and direction to enable new occupation, use, and development of Māori land to support the social, cultural, and economic wellbeing of tangata whenua. The recommended amendments through HS6 directly implement these NPS-IB requirements and therefore, in my view, contribute to the last part of the NPS-IB objective relating to social, economic, and cultural well-being of people and communities. I consider that the HS6 provisions are “appropriately balanced” in this respect.
- 13 In terms of the last point above, the RPS includes provisions that recognise the benefits of certain activities and the need to provide for the social, economic, and cultural wellbeing of people and communities, which are to be read together with the HS6 provisions. This includes Policy 7 and Policy 39 relating to the benefits of renewable energy and regionally significant infrastructure, which I recommended are strengthened in HS3 (Energy, Waste and Industry topic). However, at a general level, I note that the RPS provides limited

direction on the benefits of activities and the importance of providing for the social, economic, and cultural well-being of people and communities.

- 14 If there are concerns that the HS6 provisions are not sufficiently balanced in terms of providing for the social, economic and cultural well-being of people and communities, potential options include a new objective in the HS6 provisions to “*protect, maintain and restore indigenous biodiversity in a way that provides for the social, economic and cultural wellbeing of people and communities*” or a new clause in Objective A (integrated management) providing similar direction. However, I do not consider this to be necessary for the reasons outlined above.

#### *Terrestrial and coastal environments*

- b. It is our understanding that the policies in HS6 apply in the terrestrial environment, including in the terrestrial coastal environment above mean high-water springs. We also understand that proposed Policy 24C is intended to give effect to Policy 11 of the NZCPS. Is the intention that Policy 24C also applies in the broader coastal environment (i.e., below the mean high water spring level) or is it intended to apply only in the terrestrial coastal environment? We would appreciate your review of the policies in HS6 to ensure it is clear which policies apply in which parts of the environment. (PG)**
- c. Are proposed Objectives 16 – 16C intended to apply in the whole region or only in the terrestrial environment (including in the area above mean high water springs)? (PG)**

- 15 In answer to both questions (b) and (c): With the exception of four policies (detailed below), the objectives, policies, and methods addressed in HS6 apply to all indigenous ecosystem domains - coastal, freshwater, and terrestrial. The following policies apply only to the ecosystem types specified in their titles for the purpose of giving effect to specific national direction:

- i. Policies 24B and IE.2A apply only to indigenous biodiversity in the terrestrial environment to give effect to direction in the NPS-IB (applies only to the terrestrial environment).
- ii. Policies 24C and 24CC apply only to indigenous biodiversity in the coastal environment as they work to give effect to the direction in the New Zealand Coastal Policy Statement (applies only to the coastal environment).

16 In my opinion, the application of these policies to different ecosystem types is clear and no further amendments are required.

*Objective 16*

d. **Please review whether the wording you support in Objective 16, “other significant habitats of indigenous fauna, and the ecosystem processes that support these ecosystems and habitats” should be included in specific policies (e.g. Policies 23, 24, 47).** (PG)

17 I have reviewed the policies and methods that give effect to Objective 16 and consider that policies 24 and 47 and Method 21 should be amended to refer to “other significant habitats of indigenous fauna, and the ecosystem processes that support these ecosystems and habitats” to align with Objective 16 as amended in my HS6 rebuttal evidence. I consider that Policy 23 should be amended to refer to “other significant habitats of indigenous fauna” but do not consider that district and regional plans should be required to identify the ecosystem processes that support significant ecosystems and habitats. I consider that this level of detail is too much to be expected in a plan but must be considered when determining appropriate protection and restoration measures, as provided for by amendments to the provisions mentioned above. I also recommend that the Explanation for Policy 23 is amended to recognise that ecosystems or habitats that have or support significant indigenous biodiversity values are not restricted to indigenous ecosystems or habitats, consistent to the amendments recommended above. The recommended amendments are shown in Appendix 1.

Section 32AA evaluation

18 In accordance with section 32AA of the RMA, I consider that my recommended amendments to policies 23, 24 and 47 and Method 21 are the most appropriate as these are minor amendments that better align with the outcomes sought by Objective 16 (as recommended to be amended) and RMA s6(c). I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

*Effects management hierarchy*

e. **At the hearing we queried whether the definition of “effects management hierarchy” (as included in the Reporting Officer’s rebuttal evidence) applied only to manage the adverse effects of an activity on “significant indigenous biodiversity values”. Please advise. We note the word “significant” is not in the NPS-IB definition of “effects management hierarchy” but please advise if this change in wording is intentional, and if so, why.** (JW)

- 19 Following questions during hearings and as part of a review of the Indigenous Ecosystem provisions to inform caucusing, I recommended an amendment to the definition of “effects management hierarchy” to remove the reference to “significant” indigenous biodiversity values”. This is better aligned with the NPS-IB definition as noted above and also recognises that the recommended Indigenous Ecosystem provisions would apply the effects management hierarchy to both significant indigenous biodiversity values (e.g. Policy 24B) and non-significant indigenous biodiversity values (i.e. Policy IE.2A based on the recommendations of the reporting officers (refer Appendix 2 of the JWS).
- 20 Further, reporting officers for HS6 and Hearing Stream 5 (HS5) have identified an overlap and potential inconsistencies with the use of “effects management hierarchy” and other terms (“biodiversity offsetting”, “aquatic offsetting”, “aquatic compensation”, “biodiversity compensation” “specified infrastructure”) in relation to natural inland wetlands and rivers and recommend a modified definition that covers both. The overlapping definitions between HS5 and HS6 and the recommended responses and definitions from reporting officers are shown in Appendix 2 of this Right of Reply.

#### Section 32AA evaluation

- 21 My recommended amendments to the definitions clarify the intent of the provisions, reduce unnecessary duplication, with no changes in the actual substance and effect of the definitions. Therefore, no further evaluation is required under section 32AA of the RMA in my opinion.
- f. **The words “effects management hierarchy” are included in proposed Policy 24A (although not in italics). Is it intended here that the defined term does not apply? If the defined term is intended to apply, in our view, Policy 24A does not seem to be confined to effects on *significant* indigenous biodiversity values. (JW)**
- 22 The reference to the “effects management hierarchy” in clause (a) is intended to refer to the defined term as discussed above. This is shown in Appendix 1 of the JWS with the term now in italics: “*effects management hierarchy*”. As noted above, the reference to effects management hierarchy in the HS6 provisions is not intended to be limited to significant indigenous biodiversity values nor is Policy 24A (as an offsetting and compensation proposal may involve a range of significant and non-significant indigenous biodiversity values).

Policy 47



- g. **As discussed at the hearing, can you please review draft Policy 47 in terms of its intended transitional effect as a consideration policy. The explanatory text says that Policies 24 and 24A must be considered until those policies are given effect to in regional and district plans. Please review and advise how you see this working in practice. How will an affected party (for instance), know that Policies 24 and 24A have been given effect to in both the regional and district plan, and so Policy 47 will then no longer apply as a consideration policy relevant to the consent application. The explanation text says that “Policy 47 makes it *clear that...*”. Please reconsider this wording. (JW)**

23 The transitional effect of the consideration policies has been considered by relevant reporting officers as part of the right of reply for Hearing Stream 7. My understanding is that the conclusion from this assessment is the application of sunset clauses in the consideration policies is dependent on the nature and context of the policy itself. For some consideration policies a sunset clause may be appropriate, whereas for other policies it is not. I support that assessment.

24 In the context of Policy 47, I consider that the operative RPS wording which states that “Policy 47 provides an interim assessment framework...” and “This policy shall cease to have effect once policies 23 and 24 are in place in an operative district or regional plan...” is problematic for a range of reasons. This includes:

- i. It is highly unlikely that all of the territorial authorities will give effect to Policy 24 at the same time to give sufficient confidence to relevant parties (including applicants) that Policy 47 “shall cease to have effect” across the region. This could create a complex situation where Policy 47 applies in some districts but not others with different interpretations of whether it has effect.
- ii. Even where a territorial authority has operative district plan provisions that were intended to give effect to Policy 23 and Policy 24, there could well be questions/differences in opinion as to whether these fully give effect to Policy 23 and Policy 24. This raises further questions about when Policy 47 “shall cease to have effect”.
- iii. Information and knowledge on the matters addressed through Policy 23 and 24 will change over time. For example, current knowledge on the ecosystems that meet the criteria in Policy 23 and Policy 24C(1) is incomplete and new surveys will likely identify new ecosystems that meet these criteria.
- iv. Policy 47 sets out a range of considerations that are broader than Policy 24-24D (e.g. precautionary approach, cumulative adverse effect of the incremental loss of

indigenous ecosystems and habitats”). If Policy 47 was a transitional policy that ceases to have effect once Policy 24 is given effect to, then these broader considerations would no longer have any relevance even if they have not been fully given effect to.

- v. In practice, I expect decision-makers will give more weight to more recent plan provisions that give effect to Policy 23 and 24 with Policy 47 being another consideration to have particular regard to when assessing a particular proposal. I do not envisage any implementation issues with this approach whereas I do envisage implementation issues with a RPS policy that “ceases to have effect” at an uncertain point in the future.

25 For these reasons, I recommend that the explanation to Policy 47 is amended to remove any references to it being an interim policy.

#### Section 32AA evaluation

26 In accordance with section 32AA of the RMA, I consider that my recommended amendments to Policy 47 are the most appropriate as they retain the substance and practical effect of the policy while avoiding potential interpretation and implementation issues associated with a transitional policy that “ceases to have effect” at an uncertain point in the future.

#### **h. Please review the numbering in Policy 47, especially for draft Policy 47(h) – (j). (JW)**

27 The numbering of the clauses in Policy 47 was incorrect in the rebuttal evidence. This has been corrected in the version of Policy 47 included in Appendix 1 of the JWS and Appendix 1 to this Reply, with Policy 47 now having 13 clauses (a – m).

#### **i. Given the concerns raised by Ngā Hapū o Otaki about draft Policy 47(j) being applied (in practice) only where significant sites have been identified in a plan, please reconsider the words “*particularly* those associated...”. Would you support the words “*including* those associated...” or alternative wording? (PG)**

28 Yes, I consider that use of “including” rather than “particularly” signals more clearly the intent that this provision is not exclusive to sites with significant values identified in a plan and recommended an amendment accordingly.

(jk) protecting indigenous biodiversity values of significance to mana whenua/tangata whenua, ~~particularly including~~ those associated with a significant site for mana whenua/tangata whenua identified in a regional or district plan;

#### Section 32AA evaluation

29 In accordance with section 32AA of the RMA, I consider that my recommended amendments to Policy 47(j) is the most appropriate as this is a minor amendment to better reflect and provide clarity that the intent that this provision is not exclusive to sites with significant values identified in a plan. I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

j. **Please advise whether draft Policy 47(j) implements a specific direction in the NPS-IB (see the query raised by Ms Whitney in paragraph 8.12 of her evidence filed on behalf of Transpower NZ Limited). (JW)**

30 Policy 47(j) referred to above relates to the new clause recommended by Ms Guest as follows "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". The rationale for this new clause is set out in paragraph 349 to 351 of the section 42A report and responds to a submission from Te Āti Awa ki Whakarongotai [S131.095] to better recognise mana whenua values in Policy 47, rather than implementing specific direction in the NPS-IB (although it is consistent with the direction in the NPS-IB).

#### *Policy IE.2*

j(i) **Similar to our comments above regarding Policy 47, can you please explain how Policy IE.2 is intended to apply in practice once Policy IE.1 has been given effect to. See paragraph 4.2(d) of the Legal submissions filed on behalf of Porirua City Council. (PG)**

31 I consider that Policy IE.2 should continue to apply after Policy IE.1 has been given effect to for the same reasons as set out by Mr Wyeth in relation to Policy 47 (see paragraph 24 above), also noting that knowledge of indigenous biodiversity, mahinga kai and taonga species, will change over time, and it is therefore appropriate to retain policy direction that provides for the consideration of new information. IE.2A

j(ii) **Please also advise how Policy IE.2 is intended to apply to consenting, and whether it can practically be achieved through a consent process. (PG)**

32 Policy IE.2 responds to RMA sections 6(e), 7(a) and 8, as well as a number of provisions in the NPS-IB, including Policy 2(c): "Tangata whenua exercise kaitiakitanga for indigenous biodiversity in their rohe, including through: (c) actively participating in other decision-making about indigenous biodiversity" and Clause 3.3 Tangata whenua as partners. I note that the operative RPS already has a number of objectives, policies and methods that direct

provision for mana whenua/tangata whenua in resource management decision making (see Table 10 attached).

33 The way in which Policy IE.2 will be given effect to, including through consenting, will need to be determined by each local authority in partnership with their mana whenua/tangata whenua partners. I consider that implementation of Method IE.1, that requires local authorities to partner with mana whenua/tangata whenua to identify the local approach to give effect to the *decision-making principles for indigenous biodiversity* and develop guidance on how to implement this, will provide the process and direction needed to guide implementation of both Policies IE.1 and IE.2.

34 This also relates to another question asked by the panels during Hearing Stram 6 regarding Policies IE.1 and IE.2 being: “**Should the RPS direct regional council and district councils to develop protocols for engagement with their iwi partners?**” I consider that the development of protocols for engagement with iwi partners sits within the ambit of Method IE.1 and that adding further specificity, including the development of criteria or thresholds to trigger iwi engagement in resource consents, would respond to concerns raised by submitters such as Mr McDonnell about the pressure these policies could place on resource consent applicants and decision-makers.

35 For these reasons I recommend the following amendment to Method IE.1:

**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, including protocols to enable and support mana whenua/tangata whenua engagement in resource management decision-making to provide for the matters set out in policies IE.1 and IE.2, and establishment of criteria and/or thresholds to trigger their engagement in resource consent processes.

Implementation: Wellington Regional Council, city and district councils, mana whenua/tangata whenua

#### Section 32AA evaluation

36 In accordance with section 32AA of the RMA, I consider that my recommended amendment to Method IE.1 is the most appropriate as guidance in the form of protocols

will result in more efficient and effective resource management decision-making for all parties. I also note that the section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

*Policy IE.3*

**k. Should the words “reconstruction of areas” (see Clause 3.21 of the NPS-IB) be included in this policy, or any other policy regarding restoration of indigenous biodiversity? (PG)**

37 Clause 3.21(1) of the NPS-IB states:

*“Local authorities must include objectives, policies, and methods in their policy statements and plans to promote the restoration of indigenous biodiversity, **including through reconstruction of areas.**” (bold mine)*

38 I agree that restoration of ecosystems and habitats may at times require reconstruction and that it could be useful to clarify this by adding reference to reconstruction within the definition for restoration (e.g. restoration...may include enhancement and reconstruction<sup>1</sup> activities), rather than adding it to the various HS6 provisions that refer to restoration. However, I do not consider that any submissions provide scope for such an amendment.

**l. This policy (*Policy IE.3*) has been identified as ‘non-regulatory’ but seems to be regulatory in effect (see the legal submissions of Porirua City Council). Do you have any comments on this and could it lead to unintended interpretation or implementation issues? (i.e., if it is identified as ‘non-regulatory’). (PG)**

39 Policy IE.3 directs the Regional Policy Statement to provide strategic direction to guide ecological restoration across the region. It does not direct the use of regulatory measures and therefore, in my opinion, is not a regulatory policy. This aligns with the Council’s response to the request for information in Minute 23 – Paragraphs 6(d) and 6(f)), Hearing Stream 7 Integration<sup>2</sup> which states that *“policies are regulatory because they require, at a minimum, a regulatory response in a lower order plan under the RMA or a response in the Regional Land Transport Plan under the Land Transport Management Act 2003.”*, or in

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<sup>1</sup> Along with adding a definition for reconstruction being: [Reintroducing and maintaining appropriate biota and ecosystem processes to recreate an ecosystem that would not regenerate or recolonise even with best practice restoration interventions.](#)

<sup>2</sup> [GWRC-Statement-in-response-to-Minute-23-Para-6d-and-f-080424.pdf](#)

other words they direct plans or resource consent applications to achieve an outcome as a mandatory requirement.

*Policy 23*

- m. **Ms Hunter for Wellington International Airport Limited says in her evidence that it is not clear what impact Policy 23 areas (i.e., indigenous ecosystems and habitats with significant indigenous biodiversity values) will have on the identification of SNAs (required by the NPS-IB). We understand that the intention is that the Policy 23 areas are a direction to essentially identify SNAs (as required by the NPS-IB). Is our understanding correct? (PG)**
- n. **We understand that the direction in draft Policy 23(2) for regional plans to identify ecosystems and habitats in the CMA, beds of lakes and rivers and natural wetlands, is derived from s 6(c) and s 30(ga) of the RMA as well as the Objective and Policies in the NPS-IB (where these do not specifically refer to territorial authority functions). Please advise. We also understand that Change 1 allows for areas of significant indigenous biodiversity values additional to SNAs to be identified/mapped by a regional plan? Please advise. (PG)**

40 Policy 23 in the operative RPS sets out the criteria to be used to identify “areas of significant indigenous vegetation and significant habitats of indigenous fauna” as required by RMA s6(c). These criteria apply to indigenous biodiversity in all environments. These criteria have been operative since 2013 and have already been used by the Council to identify sites, ecosystems or habitats that have significant indigenous biodiversity values in rivers, lakes, wetlands, and the coastal marine area, which are listed in Schedule F of the NRP. The operative Policy 23 criteria have also been used by a number of district councils in the Wellington Region to identify sites of significance for indigenous biodiversity in the terrestrial environment, with these sites listed in schedules to the district plans and referred to as Significant Natural Areas (SNAs).

41 Amendments to Policy 23 were proposed through rebuttal evidence to HS6 to introduce the significance criteria included in the NPS-IB for the terrestrial environment<sup>3</sup>, in order to clarify the relationship between the RPS Policy 23 and NPS-IB criteria<sup>4</sup>. The NPS-IB refers to areas that meet its significance criteria as SNAs (Significant Natural Areas) and, as noted

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<sup>3</sup> NPS-IB Appendix 1

<sup>4</sup> While noting that these two sets of criteria are very similar

above, this is also how all district plans in the Wellington Region refer to these areas. While the NRP does not use this term, the sites identified in Schedule F are the same as SNAs.

- 42 The higher order direction for Policy 23(2) derives from RMA s6(c) and s30(ga). It is not a new provision, as it is already a requirement of Policy 23 in the operative RPS. As noted above, Policy 23 has been reformatted to try and clarify the relationship between the criteria set out in the RPS and those in the NPS-IB.

#### *Policy 24*

- o. Having heard Meridian Energy Limited’s planning evidence at the hearing, do you still consider it useful to retain Policy 24 e.g., as a signposting clause? (JW)**

- 43 Yes. We consider that Policy 24 should be retained as it usefully sets out the higher order direction to protect significant biodiversity values that the suite of Policy 24 policies is intended to give effect to in order to meet obligations under section 6(c) of the RMA. It also helps to explain how the different policies apply in different environments and to REG activities and ET activities.

- 44 This position was supported by the expert planning witnesses participating in caucusing as set out in paragraph 19 of the JWS. This states *“All experts agree Policy 24 as amended in **Appendix 1** provides value in clarifying when and how policies 24A-24D apply; and provides important context in terms of meeting obligations under section 6(c) of the Resource Management Act 1991 (RMA). On that basis all experts support the retention of Policy 24 and enhancements to explanations in Policies 24A to 24C for consistency”*.

#### *Policy 24A*

- p. Having heard submitters, do you propose any amendments to the incorporation of the aquatic offsetting and compensation principles? (JW)**

- 45 No. I consider that the incorporation of aquatic offsetting and aquatic compensation is appropriate in Policy 24A as this policy is not limited to the terrestrial or coastal environment. This scope of Policy 24A is clearly stated in the third sentence of the explanation of the policy as follows: [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.](#)

46 I also consider that the inclusion of aquatic offsetting and aquatic compensation in Policy 24A is appropriate as it:

- i. gives effect to the direction in the NPS-FM to apply “limits” to the use of aquatic offsetting and aquatic compensation (i.e. when this “is not appropriate” as directed by Principle 2 in Appendix 6 and 7 of the NPS-FM).
- ii. provides a clear link to the full suite of principles for aquatic offsetting and aquatic compensation in Appendix 1C and Appendix 1D.

*Policy 24B*

q. **As discussed at the hearing, please confirm whether draft Policy 24B(1)(e) should refer to “life cycle” rather than “life”. (JW)**

47 Yes, I agree that Policy 24B(1)(e) should be amended to refer to “life cycle” rather than “life” to be consistent with Clause 3.10(2)(e) of the NPS-IB. This amendment is shown in green in Appendix 1 of the JWS.

r. **Please review the words “new activities” in draft Policy 24B(2) given that the policy applies to maintenance, operation and upgrade. Could the word “new” create any interpretation issues? (JW)**

48 I have reviewed the wording of Policy 24B and recommend a number of minor amendments to clause (2) to better align with the NPS-IB. These amendments are shown in green in Appendix 1 of the JWS and all experts agreed with these amendments (paragraph 34 of the JWS).

49 In summary, these amendments replace the word “new activities” with “new subdivision, use and development” at the start of this clause and remove references to “development, operation and maintenance” where applicable. The rationale for this change is that the NPS-IB largely<sup>5</sup> distinguishes between new subdivision, use and development in Clause 3.10 to 3.14 (as relevant) and “established activities”<sup>6</sup> in Clause 3.15. Clause 3.15(2) sets out where local authorities must enable established activities to continue and where these

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<sup>5</sup> There are some exceptions, such as the operation of existing coal mines in Clause 3.11(1)(a)(iv).

<sup>6</sup> Defined in Clause 3.15(1) of the NPS-IB as “**established activity** means an activity (including maintenance, operation, and upgrade) that: (a) is in, or affects, an SNA; and (b) is not a new subdivision, use, or development.”. A modified definition is recommended through Change 1 as follows “In relation to Policy 47, means an activity (including maintenance, operation and upgrade) that is in, or affects, an indigenous ecosystem or habitat with significant indigenous biodiversity values and is not a new activity”.



requirements are not met then *“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”*<sup>7</sup>.

50 This means, for example, that if a significant upgrade of specified infrastructure would result in loss of extent of a significant natural area (SNA), then it would need to be managed under Clause 3.11 of the NPS-IB. Under the recommended amendments through Change 1, the same situation would apply where the requirements for established activities in Policy 47(1) are not met and Policy 24B would then apply as applicable.

#### Section 32AA evaluation

51 In accordance with section 32AA of the RMA, I consider that my recommended amendments to Policy 24B are the most appropriate as these better align the wording of the policy with the corresponding provisions in the NPS-IB. I also note that the section 32AA evaluation contained in the rebuttal report for Indigenous Ecosystems in respect of this provision still applies.

#### *Policy 61*

s. **We understand that this draft Policy applies to all indigenous biodiversity and it implements Objective 16A. Please review and advise whether the words “where appropriate” are needed and also references to “enhancement and restoration” (on the basis of the wording in Objective 16A). Or is it intentional that the Policy applies only to ‘maintenance’? (PG)**

52 Policy 61 responds to RMA s62(1)(i)(iii) that requires a regional policy statement to state the local authority in the region responsible for specifying the objectives, policies, and methods for the control of the use of land to maintain indigenous biological diversity. As the purpose of Policy 61 is to allocate responsibility for RMA s30(ga) and s31(b)(iii) functions relating to the maintenance of indigenous biological diversity, I do not consider that it also needs to include the other details required to give effect to Objective 16A.

t. **Can you please review the explanatory text to this Policy, in particular paragraphs 2 and 4 and the references to “freshwater and coastal water” and “receiving water bodies”. Should these references apply to other parts of the environment? (PG)**

53 Reference in paragraph 2 of the Policy 61 Explanation to freshwater and coastal water is to make it clear that while district and city councils have primary responsibility for controlling

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<sup>7</sup> Clause 3.15(3) of the NPS-IB.

the use of land to maintain indigenous biodiversity in terrestrial environments, they also have a duty to provide for integrated management, as required by both the NPS-FM and NPS-IB. This is discussed in paragraph 371 of the section 42A report, recognising the potential impact of activities on land on the health of adjacent and downstream water bodies (both fresh and coastal). I note the inconsistencies in the way that these areas are referred to in both Policy 61(b) and paragraphs 2-4 of the Explanation and recommend some minor amendments to refer consistently to freshwater and coastal water (shown in Appendix 1). I do not consider that these references should apply to other parts of the environment.

#### Section 32AA evaluation

54 In accordance with section 32AA of the RMA, I consider that my recommended amendments to Policy 61 are the most appropriate as they are minor amendments for consistency. I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

#### *Method 32*

**u. We understand that the impact of Objective 16 (the Council officer’s rebuttal evidence version) is that Method 32(2)(c) would also apply to ‘enhancement and restoration to a healthy functioning state where appropriate’. Please advise. (PG)**

55 Yes this is correct. Method 32(2)(c) could be amended by adding “[and, where appropriate, to enhance and restore these to a healthy functioning state](#)” to make this clear.

#### Section 32AA evaluation

56 In accordance with section 32AA of the RMA, I consider that my recommended amendment to Method 32 is the most appropriate as it is a minor amendment for consistency with Objective 16. I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

#### *Method 53*

**v. Ms Guest, we understand from your comments at the hearing when Wellington Fish & Game Council were presenting, that you supported reverting to the operative RPS wording for this Method so that it did not apply to indigenous ecosystems only. Please advise. (PG)**

57 Yes this is correct, I recommend reverting to the operative text for the title and first clause of Method 53. The amendments recommended in the section 42A report to replace “coastal environment, rivers, lakes and wetlands” with “indigenous ecosystems” were proposed merely as a simplification or “catch-all”, and not for any particular reason. Reverting to the operative wording will remove any ambiguity unintentionally introduced.

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.

#### Section 32AA evaluation

58 In accordance with section 32AA of the RMA, I consider that my recommended amendments to Method 53 are the most appropriate as they are minor amendments, reverting to operative text, to avoid uncertainty.

#### *Restoration*

**w. A definition is proposed here in relation to indigenous biodiversity. Do you have any comments in light of the relief sought by Wellington Fish and Game Council? Is the intention that any references in the RPS to “restoration” and “restore” could apply more broadly than the defined term “restoration in relation to indigenous biodiversity”? (PG)**

59 Change 1 includes two definitions relevant to restoration – restoration in relation to indigenous biodiversity (aligning with the definition in the NPS-IB) and restoration in relation to natural inland wetlands (aligning with the definition in the NPS-FM). I consider that if restoration relates to other resource types, then the plain and ordinary meaning (e.g., the common dictionary definition) would apply and is sufficient. For example: the Cambridge dictionary defines restoration as “the act or process of returning something to its earlier good condition or position.”

#### *AER3*

**x. Do you have any additional comments on the relief proposed by Waka Kotahi NZ Transport Agency to delete the words “extent or condition” from this provision. We note that the wording the Officer supports in the rebuttal evidence is “extent and condition”. (PG)**

60 I remain of the view that AER(3) appropriately refers to “an overall increase in the extent and condition of indigenous ecosystems and habitats...” for the reasons set out in paragraphs 9 and 10 of my Rebuttal Evidence for HS6. I also note that Ms Heppelthwaite recorded her support for this wording in her presentation to HS6<sup>8</sup>.

## **RESPONSES TO QUESTIONS FROM THE HEARING**

61 The panels also asked a number of questions during HS6, seeking clarification of various points raised in the HS6 Indigenous Ecosystem statements of rebuttal evidence or by submitters. Responses to any questions not answered at the Hearing or included in Minute 22 are set out below, with amendments shown in full in Appendix 1.

### **Do you recommend any changes to Introductory Text to better reflect the decision-making principles for indigenous biodiversity? (PG)**

62 I have reviewed the amendments recommended to the introductory text for Chapter 3.6: Indigenous Ecosystems to provide context for the ‘decision-making principles for indigenous biodiversity’ and agree that this text could usefully acknowledge the priority to be given to mauri, intrinsic values and well-being of indigenous biodiversity and the connections and relationships of people with indigenous biodiversity, to align with the NPS-IB clause 1.5, and I recommend an amendment accordingly:

*The decision-making principles for indigenous biodiversity prioritise the mauri, intrinsic value and well-being of indigenous biodiversity and recognise people’s connections and relationships with indigenous biodiversity. They recognise that the health and well-being of people...*

### Section 32AA evaluation

63 In accordance with section 32AA of the RMA, I consider that my recommended amendments to the Introductory Text for Chapter 3.6 are the most appropriate as they are minor amendments, to better give effect to the NPS-IB. I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

### **Should a definition be provided for “ecosystem processes”? Are the terms ecosystem processes and ecosystem functions used appropriately across the Change 1 provisions? (PG)**

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<sup>8</sup> [Microsoft Word - Wellington RPS HS6 Summary Statement Cath Heppelthwaite V2 \(gw.govt.nz\)](#)

64 I agree that a definition for ecosystem processes could be usefully added to support use of this term in Objective 16, as recommended through my rebuttal evidence for HS6. Dr Roger Uys, Senior Terrestrial Ecologist at the Council, suggests the following definition:

[“Ecosystem processes: The physical, chemical and biological processes that link organisms and their environment.”](#)

65 I have reviewed the use of these terms across the HS6 provisions in liaison with Dr Uys and we do not recommend any amendments to use of these terms.

#### Section 32AA evaluation

66 In accordance with section 32AA of the RMA, I consider that addition of a definition for the term ecosystem processes is the most appropriate as it is a minor amendment to assist interpretation of Objective 16. I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

#### **What policies and methods give effect to Objective 16A to provide for the maintenance of indigenous biodiversity outside of areas with significant indigenous biodiversity values? (PG)**

67 Objective 16A is given effect to by:

- i. Policy 61, which allocates responsibilities to regional, city and district councils to develop objectives, policies, rules and/or methods in regional and district plans to control the use of land for the purpose of maintaining indigenous biodiversity;
- ii. Policy IE.1, to partner with mana whenua/tangata whenua including to maintain and restore indigenous biodiversity on Māori land in the terrestrial environment;
- iii. Policy IE.2A, a consideration policy to maintain indigenous biodiversity in the terrestrial environment that is not on Māori land;
- iv. Policy IE.3, a non-regulatory policy to provide strategic targets and priorities to maintain, enhance and restore indigenous ecosystem health;
- v. Method IE.3: Regional biodiversity strategy as notified was to maintain and restore indigenous biodiversity at a landscape-scale. This was amended in the section 42A report to refer only to restoration, aligning with Appendix 5 of the NPS-IB. However, noting that Method IE.3 is one of the key methods to give effect to Policy IE.3, I consider that the wording should provide for maintenance and enhancement, and I recommend an amendment accordingly.

Develop and implement .... a regional biodiversity strategy to ~~maintain and restore~~ promote the landscape-scale maintenance, enhancement, and restoration of the region's indigenous biodiversity at a

- vi. Method 54, is to assist landowners to maintain, enhance or restore indigenous ecosystems.
- vii. The Climate Change suite of provisions will also support the maintenance of indigenous biodiversity by contributing to climate change mitigation and resilience, for both humans and the natural environment, including by prioritising the use of nature-based solutions which will provide benefits for indigenous biodiversity.
- viii. The Freshwater suite of provisions provide for the maintenance and restoration of aquatic ecosystem health, including protecting the habitats of indigenous freshwater species, in particular:
  - a. **Policy 18: ~~Maintaining~~ Protecting and ~~enhancing~~ improving ~~restoring~~ ecological health the health and wellbeing of water bodies and freshwater ecosystem health of water bodies – regional plans**
  - b. **Policy 18A: Protection and restoration of natural inland wetlands – regional plans**
  - c. **Policy 18B: Protection of river extent and values – regional plans**
  - d. **Policy FW.3 Urban development effects on freshwater and the coastal marine area receiving environments – district plans**
  - e. **Policy 40: ~~Maintaining~~ Protecting ~~Maintaining~~ and improving ~~enhancing~~ the health and well-being of water bodies and freshwater ecosystems aquatic ecosystem health in water bodies – consideration**
- ix. The Urban Development suite of provisions also

#### Section 32AA evaluation

68 In accordance with section 32AA of the RMA, I consider that my recommended amendment to Method IE.3 is the most appropriate as it is a minor amendment to better align with Policy IE.3, reverting to as notified text in terms of clearly providing for

maintenance of indigenous biodiversity. I also note that section 32AA evaluation contained in the section 42A report in respect of this provision still applies.

**Should Method 32 (f) refer to the reason for protecting highly productive land? (PG)**

69 The amendment recommended in the section 42A report to add a clause (f) to Method 32: “(f): identify and protect highly productive land” responded to a submission point from Horticulture New Zealand (HortNZ) (S128.056). The HortNZ submission seeks general and specific amendments to Change 1 to protect New Zealand’s highly productive land resource and enable its use for primary production.

70 I agree that it would be useful for Method 32(f) to include the reason for protecting highly productive land, referring to the objective of the National Policy Statement for Highly Productive Land (NPS-HPL): “Objective 2.1: Highly productive land is protected for use in land-based primary production, both now and for future generations.”, also including the associated definition for land-based primary production. I consider that the HortNZ submission in general provides scope to do so.

71 I therefore recommend the following amendments:

Method 32: (f) identify and protect highly productive land for use in land-based primary production, both now and for future generations.

Definitions - Land-based primary production: Production, from agricultural, pastoral, horticultural, or forestry activities, that is reliant on the soil resource of the land.

Section 32AA evaluation

72 In accordance with section 32AA of the RMA, I consider that my recommended amendments are the most appropriate as they are minor amendments to provide clarity about the purpose of protecting highly productive land which is to give partial effect to the NPS-HPL.

**Should Objective 16/16A refer to restoration being carried out in partnership with communities to emphasise that restoration will not be regulated? (PG)**

73 I do not consider that partnership should be included in objectives 16 and 16A as the role of an objective is to specify the environmental outcome being sought. It is the role of the policies and methods to state how that objective is to be achieved. I do note that the policies and methods to give effect to restoration are all non-regulatory. As set out in my

Rebuttal Evidence for HS6 (para34), I recognise that a number of submitters have interpreted the framing of Change 1 provisions to mean that restoration and enhancement will be achieved through a regulatory response. To provide clarity of the intent of Objectives 16 and 16A, that enhancement and restoration are desired outcomes but are not requirements, and to align with the higher order direction of the NPS-IB, I recommended in my Rebuttal Evidence for HS6 addition of “where appropriate” to Objective 16.

74 I note that the explanation to Policy IE.3, and supporting Method IE.3, already state that the identification and implementation of strategic targets and priorities for restoration are to be carried out in partnership with mana whenua/tangata whenua and in collaboration with landowners, territorial authorities, communities, and other stakeholders as appropriate.

75 If the panels consider that it would provide additional clarity, while noting concerns about the length of the Introductory Text, amendments could be made there to emphasise the approach taken in the RPS to restoration of indigenous ecosystems:

The *restoration* of indigenous ecosystems on public, *whānau, hapū, iwi* and private land provides both public and private benefit. *Restoration of indigenous ecosystems will be achieved by working collaboratively with landowners and in partnership with mana whenua/tangata whenua, rather than through the use of a regulatory approach.*

#### Section 32AA evaluation

76 In accordance with section 32AA of the RMA, I consider that my recommended amendment to the Introductory Text for the Indigenous Ecosystem Chapter is the most appropriate as it is a minor amendment to provide clarity that the approach to restoration of indigenous ecosystems directed by the RPS is a non-regulatory one.

#### **Is reference to “a healthy functioning state” needed in objectives 16 and 16A as the definition for restoration already provides for this? (PG)**

77 While the definition for restoration does refer to the outcomes being sought, I consider that the process of restoration is a continuum and that it provides helpful clarity for the desired end point to be specified in Objectives 16 and 16A.

#### **OTHER ISSUES**

#### **Policy 24A and Appendix 1A – outstanding issues (JW)**



78 The summary statement of evidence from Ms Heppelthwaite on behalf of NZTA, dated 22 February, is generally supportive of the section 42A rebuttal provisions. However, Ms Heppelthwaite considers that further amendments are required to Policy 24A(d) and associated Appendix 1A to reflect changes in offsetting techniques which may occur in the future. While Ms Heppelthwaite acknowledges that statements to this effect are already included in Policy 24A(d) and Appendix 1A, she considers that this needs to be more clearly articulated in the provisions.

79 This matter was discussed during caucusing on the HS6 provisions, and it was agreed that this should be addressed by reporting officers through reply evidence (paragraph 25 of the JWS). I agree with the intent of the recommendations sought by Ms Heppelthwaite, although I do not support the requested amendments to Policy 24A(d) as this would likely undermine the purpose of the policy direction which is to set out when offsetting is **likely to be inappropriate as a starting point**, recognising that a case-by-case assessment based on current knowledge and methods is clearly anticipated in the provisions. Therefore, I recommend that the wording of Policy 24A(d) is retained with the following words added to the end of the policy “but that may change over time due to changes in knowledge, methods or expertise, or mechanisms”.

80 I also recommend that the third bullet point on pg.2 of Appendix 1A is amended as follows “Policy 24A(d) describes the situations where biodiversity offsetting compensation is likely to be inappropriate because there are currently (at 2024) no technically feasible methods to secure gains in an acceptable timeframe” and footnote 4 to Table 17 is amended as follows “This column shows situations where it is not feasible to offset for residual adverse effects because there is currently (at 2024) no appropriate site, knowledge, proven methods, expertise, or mechanism available to design and implement an adequate biodiversity offset. This may change over time with further advances in knowledge, methods, expertise, and mechanisms and these will be assessed on a case-by-case basis”.

#### Section 32AA evaluation

81 My recommended amendments to Policy 24A(d) and Appendix 1A clarify the intent of the provisions, with no changes in the actual substance and effect of the provisions. Therefore, no further evaluation is required under section 32AA of the RMA in my opinion.

#### **Appendix 1A, Table 17: Ecosystems and species (PG)**

**82** The evidence of Ms Hunter requested deletion of Appendix 1A for a number of reasons, including concerns about its accuracy and the breadth of ecosystems and species listed and therefore the implications for development. Ms Hunter provided supplementary evidence in response to Minute 22 which further raises issues of consistency between sites of significance identified in the NRP and Appendix 1, in particular questioning whether kelp beds meet NZCPS Policy 11(a) criteria.

**83** In response to the questions raised by Ms Hunter regarding the accuracy of Table 17, indigenous biodiversity experts at the Council (Dr Megan Oliver and Dr Roger Uys) were asked to review Appendix 1A. While I advised at caucusing that experts had recommended removal of ‘Mixed kelp assemblages’ from Appendix 1A, it has subsequently been clarified that the correction required is to remove the annotation showing compliance with NZCPS Policy 11(a) criteria. The following amendments have been recommended as a result of this review:

<u>Ecosystem or species name</u>	<u>Policy 24A(b)&amp;(c) <del>(a)(ii)</del></u> <u>Threatened species or ecosystem or naturally uncommon ecosystem (Threat Status)</u>	<u>Policy 24A(b) <del>(a)(ii)</del></u> <u>No appropriate site, knowledge, methods, expertise, mechanism</u>	<u>NZCPS Policy 11(a)</u>
<u>Galaxias postvectis (shortjaw kōkopu)</u>	<u>Yes Vulnerable</u>		<u>Yes</u>
<u>Geotria australis (lamprey)</u>	<u>Yes Vulnerable</u>		<u>Yes</u>
<u><del>Egretta alba modesta</del>-<del>Ardea alba modesta</del> (white heron)</u>	<u>Yes Critical</u>		<u>Yes</u>
<u>Echyridella aucklandica (kākahi)</u>	<u>Yes Vulnerable</u>		<u>Yes</u>
<u>Bull kelp forests (Durviallea spp.)</u>	<u>Naturally uncommon</u>	<u>Yes</u>	<u>Yes</u>
<u>Mixed high current assemblages (e.g., sponge gardens)</u>		<u>Yes</u>	<u>Yes</u>
<u>Seagrass meadows</u>	<u>Declining</u>	<u>Yes</u>	<u>Yes</u>
<u>Giant kelp (Macrocystis spp.) forests</u>	<u>Declining</u>	<u>Yes</u>	<u>Yes</u>

<u>Mixed kelp assemblages</u>		<u>Yes</u>	<del>Yes</del>
<u>Estuaries</u>	<u>Provide seasonal habitat for threatened species</u>	<u>Yes</u>	<u>Yes</u>

Section 32AA evaluation

84 My recommended amendments Table 17 in Appendix 1A provide corrections to the conservation and/or Policy 11a status of the listed ecosystems and species and therefore provide for more effective plan implementation. I also note that section 32AA evaluation contained in the section 42A report in respect of this table still applies.

**Overlapping HS5 and HS6 definitions (JW)**

85 Through consideration and recommendations on submissions on HS5 and HS6, we have identified some overlap and potential duplication inconsistencies between the definitions of biodiversity offsetting, biodiversity compensation, aquatic offsetting aquatic compensation, effects management hierarchy, and specified infrastructure. This relates to slight differences in how these terms are used in the NPS-IB and NPS-FM. I have discussed this with Ms Pascall, the HS5 reporting officer, and we have made recommendations to retain or merge these definitions with the recommended drafting and reasons set out in Appendix 2 of this Right of Reply.

**Minor corrections to italicise defined terms**

86 A number of amendments have been made across provisions to italicise terms that are defined in Change 1, including biodiversity offsetting, biodiversity compensation, aquatic offsetting, aquatic compensation, maintain, enhance, restore, climate change adaptation.

**DATE:**

**30 May 2024**

**Pam Guest**

**Kaitohutohu Matua/Senior Policy Advisor**

**Greater Wellington Regional Council**

**30 May 2024**

**Jerome Wyeth**

**Technical Director - Planning**

**SLR Consulting New Zealand Ltd**

Table 10: Resource management with tangata whenua objectives and titles of policies and methods to achieve the objectives

Objectives	Policy titles	Page	Method titles	Implementation (* lead authority)	Page
<b>Objective 23</b> The region's iwi authorities and local authorities work together under Te Tiriti partner principles for the sustainable management of the region's environment for the benefit and wellbeing of the regional community, both now and in the future.	Policy 66: Enhancing involvement of tangata whenua in resource management decision-making – non-regulatory	145	Method 32: Engagement with tangata whenua, stakeholders, landowners and the community in the identification and protection of significant values	Wellington Regional Council and city and district councils	158
			Method 37: Involve tangata whenua in resource management decision making	Wellington Regional Council and city and district councils	159
			Method 38: Iwi authorities prepare planning documents	Iwi authorities*, Wellington Regional Council and city and district councils	159
			Consider alongside policies 1 to 60		
<b>Objective 24</b> The principles of Te Tiriti o Waitangi are taken into account in a systematic way when resource management decisions are made.	Policy 48: Principles of Te Tiriti o Waitangi – consideration	125	Method 4: Resource consents, notices of requirement and when changing, varying or reviewing plans	Wellington Regional Council and city and district councils	153
			Method 19: Information to assist with the application of Te Tiriti o Waitangi principles in the region	Iwi authorities*, Wellington Regional Council and city and district councils	156
			Consider alongside policies 1 to 60		
<b>Objective 25</b> The concept of kaitiakitanga is integrated into the sustainable management of the Wellington region's natural and physical resources.	Policy 49: Recognising and providing for matters of significance to tangata whenua – consideration	127	Method 4: Resource consents, notices of requirement and when changing, varying or reviewing plans	Wellington Regional Council and city and district councils	153
			Method 38: Iwi authorities prepare planning documents	Iwi authorities*, Wellington Regional Council and city and district councils	159
			Consider alongside policies 1 to 60		
<b>Objective 26</b> Mauri is sustained, particularly in relation to coastal and fresh waters.	Policy 49: Recognising and providing for matters of significance to tangata whenua – consideration	127	Method 4: Resource consents, notices of requirement and when changing, varying or reviewing plans	Wellington Regional Council and city and district councils	153
			Method 38: Iwi authorities prepare planning documents	Iwi authorities*, Wellington Regional Council and city and district councils	159
			Other topic policies that have an important role in achieving objective 26 are: Policy 3: Protecting high natural character in the coastal environment – district and regional plans Policy 5: Maintaining and enhancing coastal water quality for aquatic ecosystem health – regional plans Policy 12: Management purposes for surface water bodies – regional plans Policy 16: Promoting discharges to land – regional plans Policy 18: Protecting aquatic ecological function of water bodies – regional plans		

Objectives	Policy titles	Page	Method titles	Implementation (* lead authority)	Page
<b>Objective 27</b> Mahinga kai and natural resources used for customary purposes, are maintained and enhanced, and these resources are healthy and accessible to tangata whenua.	Policy 49: Recognising and providing for matters of significance to tangata whenua – consideration	127	Method 4: Resource consents, notices of requirement and when changing, varying or reviewing plans	Wellington Regional Council and city and district councils	153
			Method 38: Iwi authorities prepare planning documents	Iwi authorities*, Wellington Regional Council and city and district councils	159
			Method 39: Prepare protocols for tangata whenua access to mahinga kai and natural resources used for customary purposes on public land	Iwi authorities, Wellington Regional Council and city and district councils	160
	Other topic policies that have an important role in achieving objective 27 are: Policy 3: Protecting high natural character in the coastal environment – district and regional plans Policy 5: Maintaining and enhancing coastal water quality for aquatic ecosystem health – regional plans Policy 12: Management purposes for surface water bodies – regional plans Policy 18: Protecting aquatic ecological function of waterbodies – regional plans Policy 23: Identifying indigenous ecosystems and habitats with significant biodiversity values – district and regional plans Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans				
<b>Objective 28</b> The cultural relationship of Māori with their ancestral lands, water, sites, wāhi tapu and other taonga is maintained.	Policy 49: Recognising and providing for matters of significance to tangata whenua – consideration	127	Method 4: Resource consents, notices of requirement and when changing, varying or reviewing plans	Wellington Regional Council and city and district councils	153
			Method 13: Information about best practice for earthworks to protect Māori archaeological sites, other significant sites and kōiwi	Iwi authorities, Wellington Regional Council and city and district councils	155
			Method 38: Iwi authorities prepare planning documents	Iwi authorities*, Wellington Regional Council and city and district councils	159
	Method 49: Investigate use of Māori names for rivers, lakes and places of cultural significance in the region	Iwi authorities, Wellington Regional Council and city and district councils	161		
Other topic policies that have an important role in achieving objective 28 are: Policy 21: Identifying places, sites and areas with significant historic heritage values– district and regional plans Policy 22: Protecting historic heritage values – district and regional plans Policy 23: Identifying indigenous ecosystems and habitats with significant biodiversity values – district and regional plans Policy 24: Protecting indigenous ecosystems and habitats with significant indigenous biodiversity values – district and regional plans Policy 25: Identifying outstanding natural features and landscapes – district and regional plans Policy 26: Protecting outstanding natural features and landscape values – district and regional plans					