

PROPOSED REGIONAL POLICY STATEMENT FOR THE WELLINGTON REGION 2009

Submitter: Wellington Botanical Society

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INTRODUCTION

1. The Wellington Botanical Society appreciates the opportunity to submit on Greater Wellington's Regional Policy Statement (RPS) and would like to present keypoints from our submission in person.
2. The Society's submission is made in accordance with two of our objectives:

To make, or to join or to cooperate with any other group in making representations on any existing, draft or proposed legislation, regulation or planning document having any repercussions on the preservation or protection of the flora of New Zealand.

To advocate (for) the preservation of lands and waters under protected area statutes in their natural state.

3. Our submission focuses on Section 3.6, the Indigenous Ecosystems component of the draft RPS and the associated policies and rules, but also addresses some matters from the generic sections.
4. Our key recommendations are summarized below:
 - A. Remove the words that signal that some degradation of the life-supporting capacity of ecosystems is acceptable
 - B. Improve the definition of "indigenous" in the Glossary
 - C. Explain the concepts of ecosystems and ecosystem services in Section 2.4
 - D. Rewrite the introduction to Section 3.6 Indigenous Ecosystems to provide a better rationale for Objective 16
 - E. Reinstate *poor knowledge of the health of indigenous ecosystems* as a significant resource management issue in the introduction to Section 3.6
 - F. Implementation of Objective 16

- Add a new criterion to Policy 22 so that councils are required to consider the community's or landowners' history of investment in the protection or restoration of the ecosystem or habitat
 - expand the scope of Method 21
 - try to reach agreement with TLAs on incorporating the list of criteria from Policy 46 into Policy 23 as a more efficient approach to establishing policies, rules and methods for implementing policies 22 and 23
- G. Consider the need for an objective in the RPS to provide a basis for protecting indigenous ecosystems for reasons other than their biodiversity values, e.g. visual amenity and ecosystem services such as potential as carbon sinks, pollution reduction and erosion control.
- H. Consider the need for a policy in the RPS requiring TLAs to carry out any responsibilities arising from the review of the Regional Monitoring Strategy so that there are no gaps in regional data and that all data is obtained in a consistent manner.
- I. Modify or expand the current AERs for Objective 16 to focus on biodiversity values and ecosystem health as this would also provide a richer source of information about progress towards Objective 16. Also explore opportunities for alignment with the indicators for indigenous ecosystem quality used for the community outcomes in GW's 10-year plan.

A. Degradation of life-supporting capacity of ecosystems

5. The definition of sustainable management in the Resource Management Act includes *safeguarding the life-supporting capacity of air, water, soil and ecosystems*. It was therefore with some horror that we read the final five words of GW's interpretation of its resource management responsibilities.

*"In other words, natural and physical resources can be used and developed by people and communities to provide for their economic, social and cultural well-being, and health and safety, but in such a way that ensures the potential of these resources are sustainable for future generations, and ecological systems retain their life-supporting capacity **and are not overly degraded.**" (p. 7)*

6. We submit that the words "and are not overly degraded" should be deleted.
7. We further submit that the Draft RPS should be reviewed to identify and remove any other statements that imply that councils are able to make decisions under the RPS that would degrade the life-supporting capacity of ecosystems as long as any one decision doesn't overly degrade that capacity. This is commonly known as the salami effect. The ability of decision-makers to assess cumulative effects on indigenous ecosystems resulting from activities already consented,

combined with those for which consent is sought is a significant issue for wise resource management.

8. Warning bells also rang in relation to a sentence in the paragraph which followed the above statement on page 7. We were left wondering if this foreshadows changes in the RMA or changes in GW's interpretation of the concept of sustainability.

*This concept [mauri] is reflected in the **current** approach to sustainability, which takes into account the interdependence of the many parts of the ecosystem, including people.*

B. Improve the definition of “indigenous” in the Glossary

9. A clear definition of “indigenous” is required for the interpretation of Policy 22, Policy 23 and some of the methods.
10. The current definition in the Glossary for the word indigenous is: “produced by or naturally belonging to a particular region or area”.
11. Our problem is the meaning attached to the *produced by* part of the current definition. A *Pinus radiata* plantation is an ecosystem that is produced in the Wellington region but it is not an indigenous ecosystem.
12. Our recommendation to address this issue is in three parts:

- delete the definition of “indigenous” as an adjective from the Glossary
- define the term “indigenous ecosystems” in the Glossary using the definition from the Conservation Management Strategy for Wellington 1996-2005.

indigenous ecosystem: a biological system of which significant elements are indigenous to New Zealand.

- define the term “indigenous species” in the Glossary using the following definition:

Species or genetic variants of plants and animals found naturally in New Zealand and its territorial waters including migrant species visiting NZ on a regular or irregular basis

13. If the above definition of indigenous species is not acceptable, the following table offers two alternatives and their sources.

	Definition	Source
indigenous species	Refers to plants and animals that have established in NZ without the assistance of human beings and without the assistance of vehicles or aircraft. This includes species that are unique to NZ as well as those that may be found elsewhere in the world.	Conservation General Policy 2005 which is a statutory policy under the Conservation Act.
indigenous species	Occurring naturally in NZ, including self-introduced species but not human-introduced or human-assisted ones	DOC's Statement of Intent 2007-10

14. In the context of the RPS, we do not think it is necessary for the definition of "indigenous" to address issues associated with "indigenous people" because the interests of tangata whenua appear to be well-covered in other ways.

C. Explain the concepts of ecosystems and ecosystem services in Section 2.4

15. The concept of ecosystem is not explained until section 3.6 of the draft where it is presented as part of explaining "indigenous ecosystems". We believe the concept of ecosystem should be explained in Section 2.4 because it underpins many aspects of the RMA and RPS and provides a valid framework for integrating the management of natural and physical resources, particularly when people and their needs are considered to be part of the ecosystem. We therefore ask GW to transfer the explanation of ecosystem from section 3.6 to section 2.4.

16. As part of explaining the concept of ecosystem, we suspect you may find you want to modify the current definition in the Glossary which is "any system of interacting terrestrial or aquatic organisms within their natural and physical environment". If checks of the RMA confirm you can do so, the definition from the Conservation General Policy offers a good alternative: *a biological system comprising a community of living organism and its associated non-living environment, interacting as an ecological unit.*

17. We also suggest that GW introduce the phrase "ecosystem services" in section 2.4 and define it in the Glossary in a way that makes the link to the RMA terminology of life-supporting capacity of air, water, soils and ecosystems. This term is now in widespread use and is a convenient umbrella term for a number of benefits.

D. Rewrite the introduction to Section 3.6 Indigenous Ecosystems to provide a better basis for Objective 16.

18. Objective 16 states: *Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.*

19. We ask that GW expand this introduction to provide a better basis for Objective 16, Policy 22 and Policy 23. We think this is necessary because:
- i. the introduction does not use the word “biodiversity” or “biodiversity values”, the matters addressed by Policy 22 and 23
 - ii. no rationale is presented for protecting only “significant” biodiversity values or the consequences of doing so
 - iii. there is no mention of the relationship between climate change on indigenous biodiversity or the associated potential impacts
 - iv. the introduction does not mention the contribution of indigenous ecosystems to ‘sense of place’ which has links to amenity values and aesthetic and cultural conditions which are matters under the Act.
 - v. the introduction should explain that some species which are indigenous to New Zealand are not indigenous to the Wellington region and can pose a threat or potential threat to local species and ecosystems (e.g. karo, karaka, pohutukawa).
20. We were, however, pleased to see the following points in the introduction:
- that human actions are continuing to impact on the remaining indigenous ecosystems (including ways this is happening despite the RMA and previous RPS)
 - the gradual erosion of ecosystem sustainability is also a significant issue.
21. On page 43 there is a reference to the Tararua and Orongogongo ranges. We suggest changing this to the Tararua, Rimutaka and Aorangi ranges.
- E. Reinstate *poor knowledge of the health of indigenous ecosystems* as a significant resource management issue in the introduction to Section 3.6:**
22. “Measuring Up”, the GW document which started the RPS review process in 2005, identified three issues under the heading “Must Improve” when assessing the management of indigenous ecosystems. Two have been retained and addressed in the Draft RPS but there is no reference to the third which stated:
- We don't really know if we are making a difference for biodiversity and we need to develop means of measuring change in ecosystems.*
23. GW's *Progress with Community Outcomes 2009* document shows that GW has made some progress in its ability to assess ecosystem quality and we welcome the identification of ecosystem health as one of the indicators for the community outcomes in GW's Proposed 10-year Plan 2009-2019.

24. We suspect, however, that TLAs have not made sufficient progress to justify omitting this issue from the list of significant resource management issues in the RPS. If they have, perhaps details could be included in the introduction.

F. Implementation of Objective 16

25. We support for Objective 16 which states:

Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.

26. We support Policy 46, and liked the list of nine factors that decision-makers must have particular regard to when considering the effects of activities on indigenous ecosystems, habitats or areas with significant biodiversity values. These nine factors were reassuring, for example:
- maintaining connections within, or corridors between, habitats of indigenous flora and fauna, and/or enhancing the connectivity between fragmented indigenous habitats
 - avoiding the incremental loss of indigenous ecosystems and habitats
27. Policy 46 provides an efficient and effective way of making progress towards Objective 16. Unfortunately the protection provided by Policy 46 will lapse when councils have reviewed their district and regional plans. Our concern is that, if the policies, rules and methods in any of the new plans are not sufficiently comprehensive or robust, decision-making under that district plan may result in degradation or loss of significant biodiversity values. At another level, the implication for our Society and potentially many other community groups is that we will need to become more engaged in multiple district and regional plan processes when we would prefer to put that effort into field work or restoration projects.
28. At a time when there is more pressure on resources, we ask GW to try (again?) to reach agreement with TLAs on incorporating the list of criteria from Policy 46 into Policy 23 as a more efficient approach to establishing policies, rules and methods to implement Objective 16. This would also be consistent with text in section 2.5 which signals that GW and TLAs will promote consistent application of the objectives, policies and rules in the RPS.
29. We have three concerns about the implementation for Objective 16 which relies on three enduring components:
- Policy 22 which lists five criteria that TLAs must consider in identifying in their district plans, indigenous ecosystems and habitats with significant biodiversity values

- Policy 23 which requires local authorities to include policies, rules and methods to protect indigenous ecosystems and habitats with significant biodiversity values from inappropriate subdivisions, use and development
 - Method 21 which commits GW to providing guidance on the interpretation of the criteria for significance.
30. Before addressing our concerns about the implementation of Objective 16, we want to suggest further criteria for biodiversity significance based on the following factors:
- The key issue is that there are likely to be indigenous ecosystems and habitats that do not satisfy the criteria for significance at the time the relevant council is developing its district or regional plan, but could well do so in five, ten or fifty years time. The draft wording suggests that the current biodiversity value is all that matters and there is no specific obligation to consider potential value as part of the overall assessment.
 - The current five criteria include tangata whenua values, but there is no criterion recognising the social, cultural or historic value that local communities or individuals may attach to particular habitats or ecosystems. Many communities, with support of local and regional councils, are investing time, energy and funding in protecting and restoring ecosystems and habitats to a healthy functioning state. It would be unfortunate if these habitats could not be identified in district plans because they do not currently meet the criteria at the time the relevant council is developing its regional or district plan.
 - Similarly, some landowners may have fenced off gullies, wetlands or bush areas to allow habitats or ecosystems to regenerate naturally. Other landowners may have demonstrated the value they attach to particular habitats or ecosystems by setting up covenants or kawenata. It would be unfortunate if these areas could not be identified in regional or district plans because they do not meet the draft criteria at the time the relevant council is developing its district plan.
31. We ask that you add values worded along the following lines to the criteria for significant biodiversity value in Policy 22 to address the above concerns:
- *community values: the health of the ecosystem or habitat is of social, cultural or historical importance to the community as evidenced by their contribution over time to its protection or restoration*
 - *potential biodiversity significance: where individuals, communities or public organisations have already taken steps to protect the indigenous habitats and ecosystems and/or facilitate their restoration..*

32. We have already referred to our concerns about the risks of inconsistencies in an approach which allows GW and eight city or district councils to develop their own lists, policies, rules and methods for protecting indigenous ecosystems and habitats. Related concerns include
- whether councils have the necessary skills and resources to assess significance against all of these criteria
 - the risk that some councils may apply quite different interpretations to, or weightings of, these criteria in reaching judgments on “significance”
 - there is no mention of collaboration with or involvement of the Department of Conservation as part of developing their lists which is unfortunate and inefficient because DOC, under the Conservation General Policy 2005, is required to *identify natural resources ...at specific places on land and water* in developing the statutory Conservation Management Strategy.
33. Our concerns about policy 22 could be addressed by ensuring that the scope of Method 21¹ includes:
- i. Identifying processes for establishing “significance”
 - ii. Providing guidance on the degree of specificity required when identifying these ecosystems and habitats (e.g. different types of forests should recognise key species associations, and not just descriptors such as ‘lowland’ forests)
 - iii. Requiring identification of places not just ecosystem types (e.g. Te Hapua wetland, not just “wetlands”)
 - iv. encouraging a focus on identifying ecosystems and habitats that are potentially at risk either from infrastructure proposals or by being on private land that has not been covenanted
 - v. making the assessments of significance available to the public as part of consultation on district plans and regional plans
 - vi. encouraging councils to collaborate in establishing one work programme that would meet the statutory responsibilities of multiple councils and DOC efficiently and effectively.

G. Strengthen the RPS to enable the protection of indigenous ecosystems for values other than their biodiversity values.

¹ Method 21: Information to assist with the identification of indigenous ecosystems and habitats with significant biodiversity values

34. GW may also wish to strengthen the protection for the life-supporting capacity of indigenous ecosystems, and not just their biodiversity values which are covered in Objective 16. For example, the headwaters of a particular catchment may not have significant biodiversity values to qualify for protection under Policy 22. But allowing possums, deer or landowners to reduce the extent or health of indigenous ecosystems in those catchments may reduce the quality and quantity of water that can be collected from the catchment and may also leave downstream communities at greater risk of flooding with potentially serious economic, social and environmental consequences.
35. We therefore ask the GW to consider the need for an objective supported by policies and rules to protect indigenous ecosystems for reasons other than their biodiversity values, e.g. visual amenity and ecosystem services such as potential as carbon sinks, fresh water, pollution reduction, erosion reduction and flood control. There are sound economic arguments for doing so, as communities have found when they have had to meet the costs of services that indigenous ecosystems provide for “free”.

H. Monitoring the RPS and Anticipated Environmental Results (AERs)

36. We strongly support GW's intention to review the Regional Monitoring Strategy in collaboration with local authorities as part of promoting “integrated monitoring of the region's natural and physical resources”.
37. We further suggest that GW:
 - include other biodiversity agencies in the initiative, particularly DOC, and the organisations with statutory responsibilities for freshwater biodiversity including Fish and Game Council and the Ministry of Fisheries
 - publish the revised Regional Monitoring Strategy on its website
 - publish the baseline data separately if it is not included in the revised strategy
 - consider the need for a policy in the RPS requiring TLAs to carry out any responsibilities arising from the review of the Regional Monitoring Strategy.
38. Section 5.2 sets out Anticipated Environmental Results (AERs) for each of the 30 objectives in the RPS. AERs are described as the 10-year targets that will be used to measure whether the objectives in the RPS are being achieved. This will evidently happen as part of the state of the environment reporting. We would like the text modified to show where the responsibilities for this monitoring lie. Our assumption is that all monitoring associated with the AERs will all be done by GW and that city and district councils have no responsibilities for monitoring the

outcomes of the policies and rules in their district or city plans. We support this approach which will ensure greater consistency in methodologies and more transparent reporting. We would recommend, however, that close liaison be maintained with DOC as it further develops and implements the Natural Heritage Management System (NHMS). Ideally the same systems and methodologies will apply regardless of land tenure.

39. The Society's particular interest is in the four AERs associated with Objective 16. Two of these monitor compliance with policies 22 and 23.

40. The third AER associated with Objective 16 is:

no loss of indigenous ecosystems or habitats with significant biodiversity values identified in a district or regional plan.

The wording of this AER suggests that the monitoring will focus on whether or not the whole ecosystem or habitat has been lost. We would prefer the AER to focus on progress in maintaining and restoring biodiversity values which is the focus of Objective 16.

Indigenous ecosystems and habitats with significant biodiversity values are maintained and restored to a healthy functioning state.

41. A focus on values has been adopted in the AERs for the freshwater section, e.g. macro-invertebrate diversity is maintained; no loss of significant recreational or amenity values; no decline in the condition and extent of wetlands. It has also been adopted for other objectives, including historic and landscape.

42. We recommend that this AEE be changed to focus on biodiversity values and ecosystem health as this would also provide a better measure of progress towards Objective 16. We recommend use of, or alignment with the indicators for indigenous ecosystem quality used for the community outcomes in GW's 10-year plan, especially ecosystem health.

43. We welcome the fourth AEE - a 20% increase in the areas of indigenous ecosystems and habitats that are legally protected.

FINALLY

44. We look forward to seeing more information about Objective 16 outcomes in GW's State of the Environment Reports, the annual report cards, and the next report on Progress with Community Outcomes under the 10-year plan.